



AGENDA

**CITY OF LENOIR
CITY COUNCIL MEETING
905 WEST AVENUE
TUESDAY, APRIL 6, 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 to Caldwell County Commissioner Donnie Potter Encouraging Residents to Help Keep Lenoir and Caldwell County Litter-Free.
- C. Special Recognition: On behalf of City Council, Mayor Gibbons will present a proclamation to Brent Phelps, Chief of Police, proclaiming the week of April 11 through April 17 as "National Public Safety Telecommunicators Week" in the City of Lenoir.
- D. Brent Phelps, Chief of Police, will present the Department's Annual Report for 2020 to City Council.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, March 16, 2021 as submitted.
- B. Minutes: Approval of the minutes of the Budget Work Session of Tuesday, March 23, 2021 as submitted.
- C. Revised Minutes: Approval of the Revised Committee of the Whole minutes of Tuesday, August 25, 2020 as submitted to include approval of the following section that was inadvertently omitted from the prior minutes: II. A. Ordinance, Amending Chapter 12-Nuisances, Related to Disease Vector Species, Providing for Severability, Codification, and an Effective Date.
- D. Change Order #3; Lower Creek WWTP Biosolids Improvements Project: Approval of Change Order No. 3 as recommended by McGill Associates for the Lower Creek Wastewater Treatment Plant Biosolids Improvements project in the amount of \$26,745.97.
- E. Authorizing Resolution; Bernhardt Transportation, LLC: Approval of a Resolution Authorizing Lease of City Property for a term of one year to Bernhardt Transportation, LLC at a rate of \$1,500.00 monthly or \$18,000.00 per year.
- F. Resolution; Spring Litter Sweep Day: Approval of a Resolution Encouraging Residents to Help Keep Lenoir Litter-Free. Note: With the full support of City Council, City Staff will pick up litter in Lenoir on Wednesday, April 14, 2021, during the annual City of Lenoir Employee Spring Litter Sweep Day.

- G. Proclamation; National Public Safety Telecommunicators Week: Approval of a proclamation proclaiming the week of April 11 through April 17 as “National Public Safety Telecommunicators Week” in the City of Lenoir.

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. April Calendar: The calendar for the month of April will be submitted to Council listing various meetings and events.
2. The Lenoir Business Advisory Board will conduct a virtual meeting on Thursday, April 8 at 6:00 p.m.
3. The City/County Services Committee will conduct a virtual meeting on Monday, April 12 at noon.
4. The Caldwell County Economic Development Commission will conduct a virtual meeting on Tuesday, April 13 at 8:00 a.m.
5. The ABC Board will conduct a virtual meeting on Thursday, April 15 at 2:00 p.m.
6. City Council will meet on Monday, April 19 at 6:00 p.m. at the City/County Chambers in lieu of its regular monthly meeting of Tuesday, April 20. Please note date change.

B. Items for Council Action

1. Authorizing Resolution; State Loan/Grant Assistance: Staff recommends approval of an 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 to aid in the construction of the Finley Area Water System Improvements Project.
2. Order of Abatement; 1921 Marigold Lane: Staff recommends approval of an Order of Abatement for property located at 1921 Marigold Lane, Parcel ID#03-53-2-16 and NCPIN#2768107707 directing Staff to abate the minimum housing order by demolishing the structure.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

- A. Board Re-Appointments: Mayor Gibbons will recommend the following individuals be re-appointed to serve a three-year term on the Board of Adjustments. These individuals were announced at the March 16 City Council meeting.

Board of Adjustments

Jeff Church

Leah Hamilton

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

X. ADJOURNMENT



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 Encouraging Residents to Help Keep Lenoir Litter-Free

WHEREAS, City of Lenoir residents are blessed to live in the beautiful foothills of the Blue Ridge Mountains in Western North Carolina, and the natural beauty of our land is a source of pride for residents, and an attraction for tourists and new businesses; and

WHEREAS, littering is against the law and cleaning litter from North Carolina's roadsides costs taxpayers millions of dollars each year; and

WHEREAS, litter is more prevalent than ever along our roadways, and the state and volunteers have collected more than two million pounds of roadside litter in North Carolina since January 1, 2021; and

WHEREAS, seeing litter along our roads is embarrassing to our residents who love Lenoir and off-putting to citizens and new visitors; and

WHEREAS, we can help keep Lenoir litter-free by teaching our children and other young people not to litter, covering truck and trailer beds when transporting trash, carrying and using a litter bag in our vehicle, and reporting litterbugs when we see them to the North Carolina Department of Transportation Swat-A-Litterbug program; and

WHEREAS, The North Carolina 2021 Spring Litter Sweep will take place April 10-24, 2021; and

WHEREAS, City of Lenoir staff, with the full support of City Council, will pick up litter in Lenoir Wednesday, April 14, 2021, during the annual City of Lenoir Employee Spring Litter Sweep Day; and

WHEREAS, the City of Lenoir supports Caldwell County's first annual "A Clean Caldwell" Roadside Litter Pickup Day scheduled for April 17, 2021;

NOW THEREFORE BE IT RESOLVED, I, Mayor Joseph L. Gibbons, on behalf of the City of Lenoir City Council, encourage all residents, businesses, civic groups, churches, and schools, to help pick up litter in Lenoir and Caldwell County during the 2021 Spring Litter Sweep while following all roadside safety and state health safety guidelines; and

BE IT FURTHER RESOLVED, the City of Lenoir City Council encourages all residents to take pride in our community and help keep Lenoir Litter-Free all year long.

This the 6th day of April, 2021.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:



Shirley M. Cannon, City Clerk

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PROCLAMATION

National Public Safety Telecommunications Week

April 11 – 17, 2021



Whereas, emergencies can occur at anytime that require police, fire or emergency medical services;

Whereas, when an emergency occurs, the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property;

Whereas, the safety of our first responders is dependent upon the quality and accuracy of information obtained from citizens who telephone the Lenoir Communications Center;

Whereas, Professional Telecommunicators are not as visible as the men and women who arrive at the scene of emergencies, but they are the first and most critical contact our citizens have with emergency services;

Whereas, Professional Telecommunicators are the single vital link for our first responders by monitoring their activities by radio and mobile, providing accurate up-to-date information and ensuring their safety;

Whereas, each Telecommunicator has exhibited compassion, understanding and professionalism during the performance of their job in the past year;

Therefore Be It Resolved, that I, Joseph L. Gibbons, Mayor of the City of Lenoir, and on behalf of the Lenoir City Council, do hereby proclaim and declare the week of April 11th through 17th, 2021 to be National Public Safety Telecommunicators Week in Lenoir, in honor of the men and women whose diligence and professionalism keep our city and citizens safe.

Witness, my hand and seal this the _____ day of _____, 2021.

SEAL

ATTEST:

Joseph L. Gibbons, Mayor

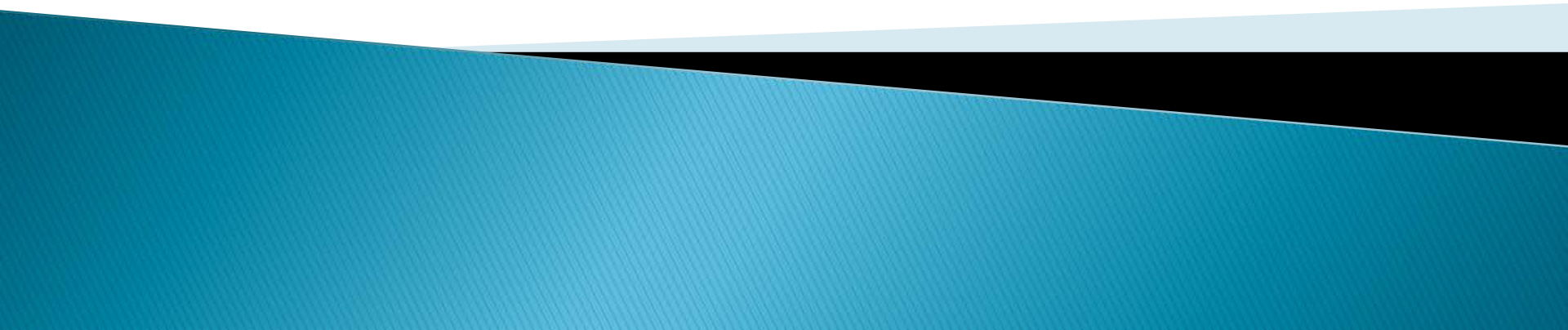
Shirley M. Cannon, City Clerk

2020 Annual Report Overview



Full report available at

www.cityoflenoir.com/Police



Police Activity

▶ **Communications Center**

- 39,364 Phone Calls
- 4,696 911 Calls
- 39,047 Processed CAD Calls

▶ **Patrol Division**

- 22,932 Police Service Calls
- 10,527 Special / House Checks
- 691 Call Follow-Ups

▶ **Investigations Division**

- 1,933 Criminal Cases(146 Search Warrants & 74 Consent searches)
 - 234 Nuisance Cases
 - 44,917 Evidence Items in Storage
- 

Police Activity

▶ **Criminal Charges**

- 2,937 **Felony & Misdemeanor**
- 250 **Drug Charges**
- 82 **Alcohol Violations**

▶ **Traffic**

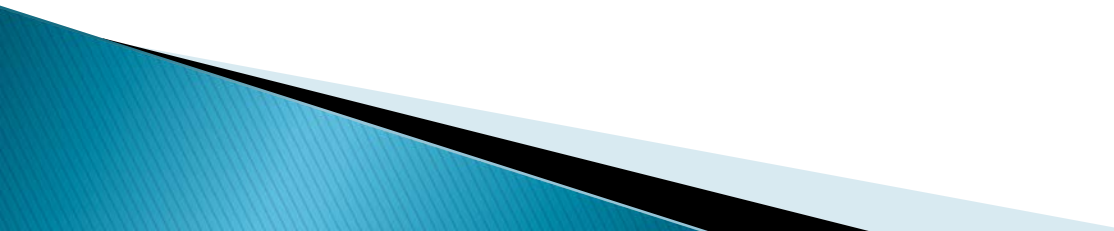
- 1,013 **Crashes (Zero Fatalities) *1 Fatality in 2019***
- 4,202 **Vehicle Stops**
- 3,129 **Citations (1,370 Warnings)**

▶ **Investigations Division**

- \$526,635 **Recovered Stolen Property (incl. Vehicles)**
- \$354,831 **Illegal Narcotics Seized (incl. Assists)**
- \$25,096 **Cash & Property Seized**

Police Activity

► **Other Stats**

- **50 Overdoses (51 in 2019)**
 - **22 Narcan Use (22 Lives Saved) 18 lives saved in 2019**
 - **95 Involuntary Commitments**
 - **22 Backgrounds Performed**
 - **11 Polygraph Examinations**
 - **24 Use of Force Incidents**
 - **238 Crime Stoppers Tips**
- 

Departmental Training

▶ **7,109 Total Hours for the Year**

- Face to Face training changed in April
- De-Escalation Training (Department-Wide)
- Fair & Impartial Training (Department-Wide) Train the Trainer
- Equitable Leadership Certificate through the LR's Equity & Diversity Institute.

▶ **Highlights of the Year or Other Points**

- K9 Major & K9 Uwais completed certification
- 234 Nuisance cases – 116 owner abated, 12 city abated

Highlights of the Year

▶ **Accomplishments**

- Reviewed and Revised 5 department policies:
 - Use of Force, Search and Seizure
 - Firearms, Body Worn Cameras
 - Personal appearance

▶ **Accomplishments**

- Building and equipment upgrades
 - New Roof, a portion of the parking lot resurfaced
 - New ice machines, new copiers
 - 10 surface pro's for investigations
 - New patrol car design (pictures to come)

2020 Unlike any other year!



Protesting Peacefully



Safely engaging while working.

Succession Planning

Looking Ahead

- CRO Scott Kanupp retired February 2021
- 2021 we will see one – two potential Sgt's retire.
- In the next 5 years a large percentage of the leadership will begin to retire.
- Leadership training & putting employees in positions to prepare them and the agency for the future.





2021



LENOIR **POLICE** NORTH CAROLINA

COME JOIN OUR TEAM

- Excellent Benefits
- Exceptional Equipment & Training Opportunities
- Education Incentives
- Earn While You Learn Trainee Program
- Take-home Vehicle Policy
- Multiple Career Options:
 - *Patrol
 - *Emergency Communications
 - *Traffic Enforcement
 - *School-Based Programs
 - *Criminal Investigations
 - *Special Response Team

www.CityofLenoir.com

COURAGE - CHARACTER - ACCOUNTABILITY

photo taken by Kara Bohner - Lenoir News Topic



Questions???



LENOIR POLICE

ANNUAL REPORT

2020



FOR EMERGENCIES PLEASE DIAL

911



LENOIR POLICE
COMMUNICATIONS CENTER
STAFFED 24/7/365
NON-EMERGENCY
828 757 2100

LENOIR POLICE
RECORDS
STAFFED M-F 8AM-5PM
828 757 2147
FAX 828 394 1231

LENOIR SOUP KITCHEN 828 758 1411



Serving a free meal to those in need. Open Monday - Friday from 11 am - 12 noon. A Sunday meal is served from 4 - 4:45 PM. Our guests may eat as much as they like while they are here. We do not allow carryout's.





MISSION STATEMENT

It is the mission of the Lenoir Police Department to work in partnership with the community to anticipate, define, and meet the needs of our city in the areas of public safety, community well-being, and law enforcement.

VISION STATEMENT

It is the vision of the Lenoir Police Department to continue our pursuit of excellence by providing the highest quality of police services, enhancing public safety, and improving the quality of life for future generations.

CORE VALUES AND PRINCIPLES

*We, as members of the Lenoir Police Department, believe in the **Core Values** of:*

Mutual Respect of the unique qualities of each individual who contributes to the overall well-being of our department and the community we serve;

Integrity and Ethical Behavior, serving all people with honesty, compassion, and respect;

Open Partnership between the police and the community;

Public Service to be responsive, courteous, and effective;

Professionalism by staying current with new trends and standards in the field of law enforcement;

*We, as members of the Lenoir Police Department, exercise the **Core Principles** of:*

Courage to do what is morally and legally solid, despite fear of criticism, retribution, or physical injury;

Character to serve first, then lead, in a fair, honest, and ethical manner;

Accountability in holding ourselves and our colleagues to an unimpeachable standard of professional behavior and service.



I am proud to present this Annual Report on behalf of the dedicated men and women of the Lenoir Police Department. It is our goal that you find this information to be useful and informative.

Calendar year 2020 was unlike any year I have ever experienced in my 25 years of law enforcement. Around mid-March, the world-wide COVID-19 pandemic began to spread across the United States; many of our normal routines began to change and events cancelled. One of the challenges was that no one had ever experienced a pandemic at this level. Then on May 25th, an African American man named George Perry Floyd Jr. died during an encounter with law enforcement in Minneapolis. This incident sparked nation-wide protests; and in some areas, months of unrest across our nation. The pandemic made it difficult to create face-to-face, in-person environments to listen and talk with community members; however, our agency was able to engage and participate in peaceful interactions between our department and the community.

The following is a brief summary of accomplishments for the year 2020 and future obstacles for our agency and the law enforcement profession. Before the shut-down, our department held its 1st annual Minister's Police Academy to help foster relationships with leaders from more than 70 local churches. Our Policy Review Committee reviewed and revised 5 policies to include Use of Force, Search & Seizure, and Body Worn Cameras. Officers received additional training in the areas of De-escalation, Fair and Impartial Policing, and Equity and Diversity. Investigators worked closely with Code Enforcement and Planning that resulted in 167 properties being abated. Investigators worked 2,608 cases, conducted 146 search warrants and 74 consent searches in an effort to push out criminal activity in our neighborhoods. We were successful at saving 22 lives with the administration of Narcan while on overdose scenes. Substance abuse, homelessness and mental health issues are ongoing concerns that our community and nation face. The year-long pandemic did not help matters in this area. Other growing concerns involve recruitment and retention of law enforcement officers, evidence overflow, and increase in code enforcement cases.



Chief of Police

Brent Phelps

828 757 2156

phelps@ci.lenoir.nc.us

Even with all the events and challenges over the past year, I'm proud of the accomplishments of our department. Our officers and employees worked diligently to provide the best services possible in serving our city. After reviewing the information in this year's report, feel free to contact any member of our Leadership team with any questions, comments, or concerns you may have. It is our desire to work hand in hand with the community to provide the safest and most equitable environment possible. We care about our community because we are members of our community. Thank you.



- Telecommunicators were recognized during National Telecommunicators Appreciation Week and Sydney Younce was recognized for passing her NC State Paramedic Exam.
- The department hired 6 patrol officers and 1 part time dispatcher. 2 officers resigned before completing the first phase of field training. 3 college students completed their Internship at the department.
- The department completed and passed several agency audits with zero deficiencies, applied and met all requirements of the NC Law Enforcement Accreditation program, closed out and dissolved a 501(c) 3 account, as well as reviewed and updated 5 policies.
- Facility improvements during the year include: 2 new network copiers, a new ice maker, 2 efficient water coolers installed, energy efficient overhead LED lights installed, roof replacement, chain link fencing removed, and back parking section paved.
- Software upgrades during the year include: Windows 10 Operating System, Office 365 & email, and TraCS 18 migration. The department also switched to a new electronic off-duty management software program in November 2020, in which training was held for all officers.
- Chief Brent Phelps continued to serve as a member of the Robin's Nest Children's Advocacy Center Board of Directors, Caldwell Hospice Board, the Domestic Preparedness Region 8 Team, Caldwell County Incident Management Response Team, PELTA, and Vice President for the North Carolina FBINAA Chapter. He also was involved in 2 "More in Lenoir" public service announcements with PIO Joshua Harris
- Captain Couby Stilwell transferred from the Investigations Division to oversee Support Services. He will be serving as advisor on the Shelter Home Board of Directors.
- The Lenoir Police Department is home to Explorer Post 246, sponsored through the Boy Scouts of America. Explorers introduces youth, ages 14-20, to various aspects of law enforcement. Explorers attend bi-monthly meetings where they participate in training conducted by sworn law enforcement officers. In return, Explorers provide services to the department and the city during community activities and public events. The purpose of the Post is to allow youth to obtain "hands-on" experience and awareness of the criminal justice system, thereby helping Explorers to make an informed decision on a career in law enforcement. Not all Law Enforcement Explorers choose a career in law enforcement, but the training they receive in leadership, responsibility, and character development will help prepare them for any profession. The Post is supervised by police officers and support staff called advisors. The advisors for Explorer Post 246 are Crime Analyst Danielle Gainey, Detective Drew Greene, and Corporal Brandon MacLeod.

Support Services Commander

Captain Couby Stilwell

828 757 2104

cstilwell@ci.lenoir.nc.us





- The following employees received Law Enforcement Certificates from NC Criminal Justice Training and Standards Commission for Advanced: Joseph Hamrick; and Intermediate: Zack Wickline.
- The following employees received promotions during the year: Martin Crisp to Patrol Sergeant, Thai Lee to Senior Detective, and Joseph Hamrick and Zack Wickline to Detective. In addition, Senior Detective Marcus Hartley took on the assignment of Nuisance Abatement Officer when Senior Detective Thai Lee was promoted to Patrol Corporal.
- Senior Detectives Thai Lee and Drew Greene were recognized for completing the Criminal Investigations Certificate Program.
- Detective Hartley was requested to take on the monumental task of Code Enforcement. He has done an outstanding job following the enforcement of one of our most challenging enforcements of 1653 Norwood Street.
- Senior Detective Jason Parker joined and served on the NC Anti-Counterfeiting Task Force.
- The position of evidence technician position was restructured and transferred to Support Services. An existing full-time civilian has accepted and is in training as the secondary back-up tech.
- The division received 10 Surface Pro laptops to allow investigators to work remotely during the pandemic as well as aid in criminal processing, crime scene data collection and field work. In addition, new audio, video and photography equipment was acquired to keep up with advancing technology and assist with proper documentation needs.
- Lieutenant Mark Barlowe continued to serve on the Caldwell County Child Protection/Child Fatality Prevention Team. He also now serves as Coordinator for the Lenoir / Caldwell County Crime Stoppers.
- Due to COVID-19, unfortunately we were not able to hold any events for the public to receive any unused or expired medication. Our permanent medicine drop box in the lobby took in 131.6 pounds.
- Lieutenant Eddie Keefer continued to serve as a non-voting member of the ABC Board.
- Captain Andy Wilson transferred from the Patrol Division to oversee Investigations; he continues to serve on the Caldwell County Local Emergency Planning Council, as well as Board Member for the Caldwell Council on Adolescent Health. He also now serves on the Robin's Nest Multi-Disciplinary Team and the Drug Free Caldwell Coalition.

Criminal Investigations Commander

Captain Andy Wilson

828 757 2125

awilson@ci.lenoir.nc.us





- The following employees received Law Enforcement Certificates from NC Criminal Justice Training and Standards Commission for Advanced: Matt Spears, Brandon MacLeod, and Martin Crisp.
- SRO Chris Maher was voted Officer of the Year by department members, as well as Officer of the Year for the local American Legion club.
- Sergeant Chris Bumgarner was voted 2nd place for "Best Law Enforcement Officer" in "Best of Caldwell 2020".
- MPO Matt Spears was recognized for completing over 400 hours and receiving the NCJA SRO Certificate.
- Corporal Derek Brown and canine partner Major, and MPO Mitchell Foust and canine partner Uwais successfully completed their K-9 certification trials. On a sad note, Sergeant Zach Poythress said goodbye to his dedicated and courageous canine partner, Axel.
- The following officers received Golden Ticket Awards from the City of Lenoir Customer Service Team for going "above and beyond": Marshall Ruppard, Zack Wickline, Chris Smith, Nathaneal Blache, and Brandon MacLeod.
- The Lenoir Police Department currently has thirty-eight officers who have received either their Intermediate or Advanced Law Enforcement Certificate, which on a percentage is 72% of the 53 current full-time sworn officers in the department. This percentage of Officer Certification for their professional certificates earns the City of Lenoir a 7% discount on law enforcement liability insurance. Through continued education, training and retention of our existing employees, we hope to increase this number each year.
- The following retirements took place: Larry Smith, with over 21 years of combined service of Telecommunications Officer and voluntary Chaplain; and Rick Shehan, with 30 years of full time service and 12 years as a part-time reserve officer.
- The COVID-19 pandemic shut down the majority of community events in 2020. However, prior to March and with some modifications afterwards, department members were able to attend, participate and/or assist with the following: Cub Scout and Girl Scout building tours, Leadership Caldwell, Citizens Police Academy (3 classes), School Supplies for Kids, photo composites, 1st annual Ministers Academy, Lenoir Rotary presentation, employee recognition ceremony, Reading with Kids, Governor's Highway Safety Program, Military Reserve, and Community Watch. In addition, our officers invested 884.5 man hours during the protests of May, June, and August due to the death of George Floyd that sparked a civil unrest in the country. Our agency received an outpouring of support from the community and attended a number of unity events afterwards.
- Captain Brian Smith transferred from the Support Services Division to oversee the Patrol Operations. He now serves on the Caldwell County Mental Health Work Group and the Caldwell County Schools Crisis Management Team.

Patrol Commander

Captain Brian Smith

828 757 2155

bsmith@ci.lenoir.nc.us



***LT Brett Ingram****Patrol**A Platoon Commander*

828 757 2141

bingram@ci.lenoir.nc.us

***LT Mark Barlowe****Criminal Investigations**General Detectives Commander*

828 757 2115

mbarlowe@ci.lenoir.nc.us

***LT Jody Herman****Patrol**B Platoon Commander*

828 757 2148

jherman@ci.lenoir.nc.us

***LT Chris Robinson****Support Services**Training Coordinator*

828 757 2150

crobinson@ci.lenoir.nc.us

***LT Chris Mills****Patrol**C Platoon Commander*

828 757 2144

cmills@ci.lenoir.nc.us





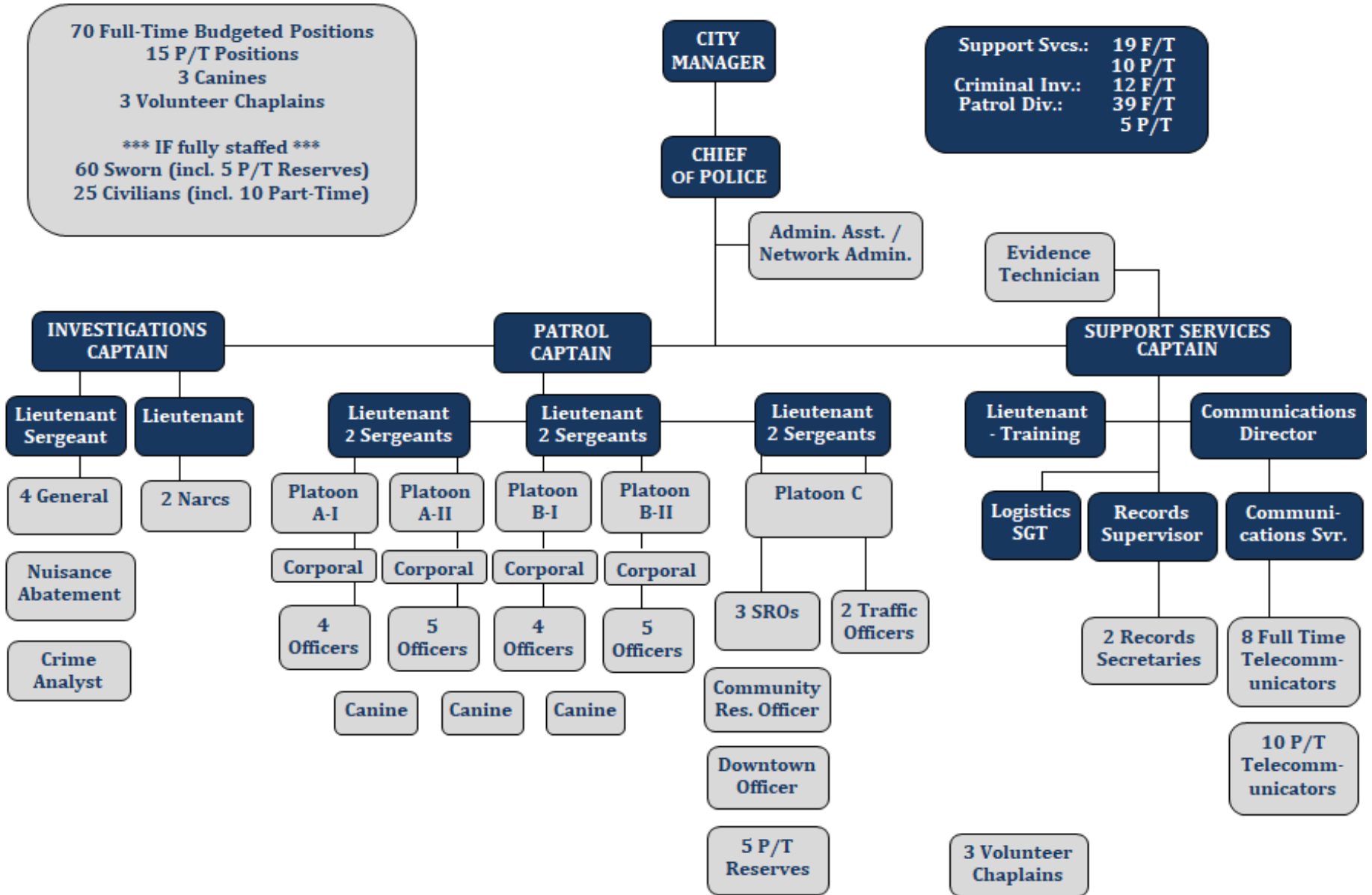
This report should serve to document and describe the department's in-service educational activity by providing a detailed list of training conducted and the hours involved:

Communications/Records:	367 hrs
<i>Civil Liability for Telecommunicators</i>	8
<i>Coping with Stress & PTSD</i>	2
<i>Law Enforcement Intelligence Update</i>	44
<i>Criminal Record Inquiries& DCI File Transactions</i>	2
<i>Mass Casualty Incident Preparedness</i>	56
<i>Overcoming Negativity in Communications</i>	44
<i>Processing Calls/Quality Assurance</i>	22
<i>Responding to Domestic Violence Callers</i>	38
<i>Strategies for Improving Performance</i>	4
<i>Suicide Callers</i>	68
<i>Telecommunicator Certification</i>	47
<i>The Signs Within: Suicide Prevention</i>	32
Criminal Investigations:	206 hrs
<i>Basic Street Gang Investigations</i>	24
<i>Clandestine Laboratories</i>	8
<i>Crime Against Children Conference</i>	20
<i>Cybertip Overview – Part I</i>	1
<i>Narcotics Enforcement Involving Hotels & Parcel Carriers</i>	48
<i>Narcotics Investigations</i>	96
<i>NC Education Lottery Fraud & Investigations</i>	8
<i>Offenders of Child Sex Abuse Imagery</i>	1
Incident Command Training:	70 hrs
<i>Active Shooter: What Can You Do?</i>	1
<i>Basic ICS for Initial Response</i>	3
<i>Basic Workplace Security Awareness</i>	1
<i>Decision Making and Problem Solving</i>	3
<i>Exercising Continuity Plans for Pandemic</i>	6
<i>FEMA Safety Orientation 2020</i>	6
<i>Forms Use for Development of the IAP</i>	6
<i>Fundamentals of Emergency Management</i>	6
<i>Introduction to Hazard Mitigation</i>	2
<i>Introduction to ICS, National Response Plan and NIMS</i>	10
<i>Managerial Safety and Health</i>	2
<i>Operation Planning for Pandemic Flu</i>	1
<i>Orientation to FEMA Logistics</i>	8
<i>Preparing for Federal Disaster Operations</i>	3
<i>Public Information Officer Awareness</i>	7
<i>Public Works Role in Emergency Management</i>	2
<i>Special Events Contingency Planning</i>	3
Instructor Training:	24 hours
<i>General Instructor Update: Assess Student Learning</i>	18
<i>In-Service LE Instructor Update 2021</i>	6



Non-specific:	480 hours
Bloodborne Pathogens & Hazmat	340
Equitable Analytics	4
Equity Over Everything	4
Fair & Impartial Training for Police (Train-the-Trainer)	32
Fire Extinguisher Training	68
Foundations of Equity, Diversity & Inclusion	4
Measuring Organizational Inclusion	4
Property & Evidence Management	16
Starting the Equity, Diversity & Inclusion Discussion	4
The Courage Principal	4
Patrol Training:	5214 hours
Armed/Unarmed Security/Company Police	148
Basic Patrol Rifle Operator	24
Career Survival: Training/Standards	148
CJLeads Online	24
Communication Strategies with the Deaf	110
Crime Prevention Specialist – Part 1	16
Defensive Driving & Driver Training	360
Field Training Evaluation Program	2040
Firearms Classroom, Combat & Qualifications	669
Intox EC/IR Operator School	40
Intoxilyzer Recertification	16
Intoximeter Recertification	8
Law Enforcement Threat Assessment	228
Legal Updates	236
Long Term Effects of Childhood Adversity	118
N-95 Respirator Testing Certification	1
OC Defense Technologies	14
Officer Survival	176
Police Law Institute	152
Policy Review: BWC, Code of Conduct, Pursuit, & Use of Force	27
SCAT Training Refresher	18
Situational Awareness & Subject Control	185
Standardized Field Sobriety Testing (NHTSA)	48
Suicide Prevention & Education Awareness	114
Taser Certification	40
Taser Update – 2020	128
U.S. Supreme Court Case Law for Law Enforcement	8
Verbal De-escalation: Surviving Verbal Conflict	116
Weapons Disassembly & Cleaning	2
Special Response Team Training:	647 hours
Chemical Munitions	56
Distraction Device Training	56
Non-Specific Specialized Training	519
Tactical Emergency Casualty Care Provider	16
Supervision and Management:	101 hours
FBI-LEEDA Command Leadership Institute	84
New Police Chief Training	16
Operational Standards During COVID-19	1
Total Recorded Training Hours for 2020:	7109 hours

Lenoir Police Department Organizational Structure

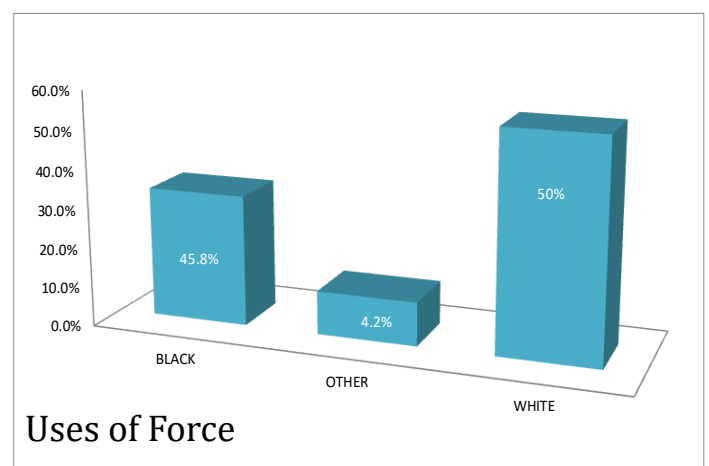
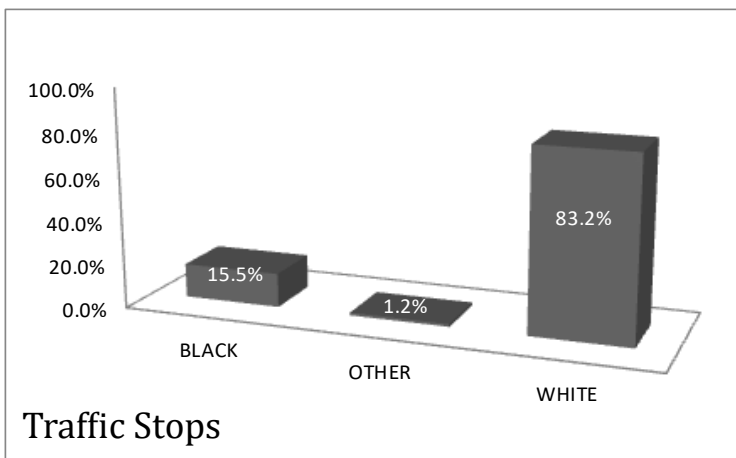
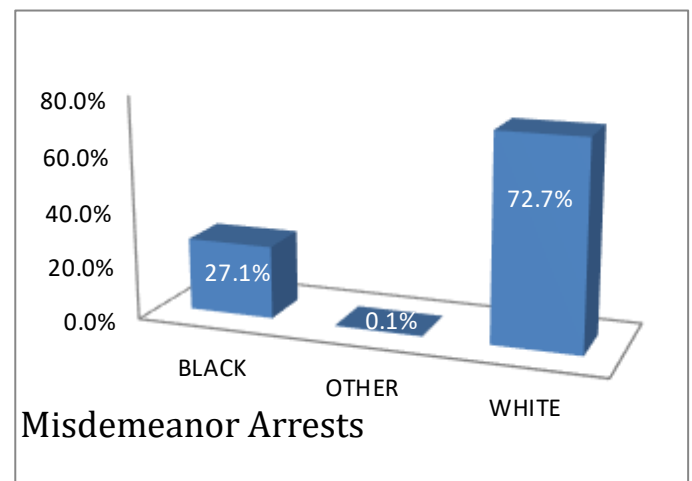
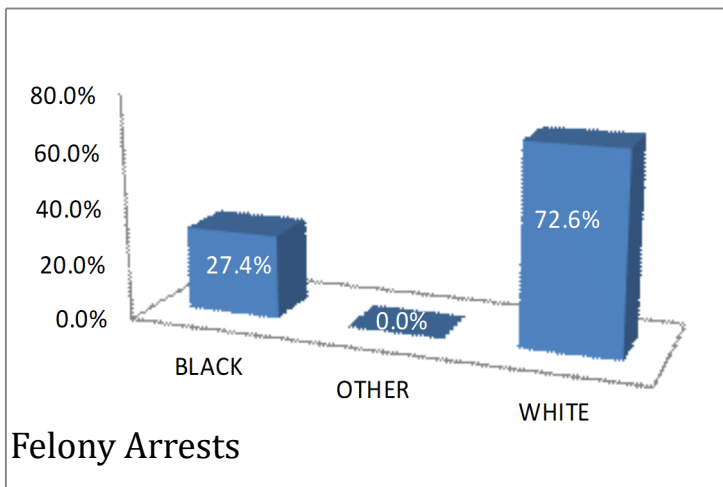




Enforcement Activity by Race

2020

	Arrests				Traffic Stops		Uses of Force	
	<i>Felony</i>		<i>Misdemeanor</i>					
Black	109	27.4%	503	27.1%	652	15.5%	11	45.8%
Other	0	0.0%	2	0.1%	52	1.2%	1	4.2%
White	289	72.6%	1348	72.7%	3498	83.2%	12	50.0%
Total	398	100.0%	1853	100.0%	4202	100.0%	24	100.0%



In 2020, officers with Lenoir Police Department had over 39,000 interactions with the public. Less than twenty-four one thousandths of a percent of those interactions resulted in uses of force offenses.



Crimes Against Persons

NIBRS

NIBRS Code	Charge Description	1QR20	2QR20	3QR20	4QR20	2020
13A	Aggravated Assault	9	6	5	9	29
11D	Forcible Fondling	5	0	4	2	11
11A	Forcible Rape	3	1	7	6	17
11B	Forcible Sodomy	0	0	0	0	0
64A	Human Trafficking (Commercial Sex Acts)	0	0	1	0	1
64B	Human Trafficking (Involuntary Servitude)	1	0	1	0	2
36A	Incest	0	0	0	0	0
13C	Intimidation	3	3	3	1	10
09C	Justifiable Homicide	0	0	0	0	0
100	Kidnapping / Abduction	2	1	0	1	4
09A	Murder / Non-Negligent Manslaughter	0	0	0	0	0
09B	Negligent Manslaughter	0	0	0	0	0
11C	Sexual Assault with Object	0	0	0	1	1
13B	Simple Assault	45	44	44	40	173
36B	Statutory Rape	0	0	0	1	1
Total		68	55	65	61	249

Crimes Against Society

NIBRS Code	Charge Description	1QR20	2QR20	3QR20	4QR20	2020
720	Animal Cruelty	1	0	1	0	2
40B	Assisting / Promoting Prostitution	0	0	0	0	0
35A	Drug / Narcotic Violations	90	50	81	55	276
35B	Drug Equipment Violations	40	17	36	28	121
39A	Gambling (Betting / Wagering)	0	0	0	0	0
39C	Gambling (Equipment Violations)	0	0	0	0	0
39B	Gambling (Operating / Promotion)	0	0	0	0	0
39D	Gambling (Sports Tampering)	0	0	0	0	0
370	Pornography / Obscene Materials	4	2	2	0	8
40A	Prostitution	0	0	3	0	3
40C	Purchasing Prostitution	0	0	0	0	0
520	Weapons Law Violations	8	9	7	5	29
Total		143	78	130	88	439



Crimes Against Property

NIBRS Code	Charge Description	1QR20	2QR20	3QR20	4QR20	2020
200	Arson	0	0	1	0	1
510	Bribery	0	0	0	0	0
220	Burglary / Breaking & Entering	32	35	46	45	158
250	Counterfeiting / Forgery	4	6	3	2	15
290	Destruction/ Damage/ Vandalism Of	40	36	43	44	163
270	Embezzlement	1	0		1	2
210	Extortion / Blackmail	0	0	0	1	1
26G	Hacking / Computer Invasion	0	1	0	0	1
26F	Identity Theft	1	0	2	1	4
23H	Larceny (All Other)	30	39	62	40	171
23D	Larceny (From Building)	3	9	13	15	40
23E	Larceny (From Coin-Operated Machines / Devices)	0	0	0	1	1
23F	Larceny (From Motor Vehicles)	9	5	17	20	51
23G	Larceny (Motor Vehicle Parts And Accessories)	10	2	5	5	22
23A	Larceny (Pick-Pocket)	0	1	0	0	1
23B	Larceny (Purse Snatching)	0	0	0	2	2
23C	Larceny (Shoplifting)	23	39	27	9	98
240	Motor Vehicle Theft	23	19	29	18	89
26B	Fraud (Credit / Debit Card / ATM)	10	15	8	4	37
26A	Fraud (False Pretense / Swindle / Confidence Game)	12	11	22	14	59
26C	Fraud (Impersonation)	2	2	0	2	6
26D	Fraud (Welfare)	0	0	0	0	0
120	Robbery	3	0	2	2	7
280	Stolen Property	2	3	1	0	6
26E	Wire Fraud	0	0	0	1	1
Total		205	223	281	227	936



Group B Offenses

NIBRS Code	Charge Description	1QR20	2QR20	3QR20	4QR20	2020
90A	Bad Checks	0	1	0	0	1
90B	Curfew / Loitering / Vagrancy	0	0	0	0	0
90C	Disorderly Conduct	6	4	1	0	11
90D	Driving under Influence	6	13	9	13	41
90E	Drunkenness	1	0	0	0	1
90F	Family Non Violent Offenses	75	72	65	53	265
90G	Liquor Law Violations	0	6	0	0	6
90H	Peeping Tom	0	0	0	0	0
90I	Runaways	0	2	2	6	10
90J	Trespass of Real Property	0	2	0	0	2
90Z	All Other Offenses (Person / Property / Society)	4	0	5	7	16
Total		92	100	82	79	353

Calls For Service

Description	1QR20	2QR20	3QR20	4QR20	2020
Alarms	410	356	343	389	1498
Animal Complaints	56	63	77	73	269
Civil Disturbances	200	239	269	198	906
Domestic Disturbances	253	307	302	260	1122
Field Contacts	28	13	10	37	88
Follow-Ups	173	154	200	164	691
Foot Patrols	70	22	27	23	142
Incomplete 911s	488	493	606	528	2115
Loud Noise Complaints	48	90	55	62	255
Special/House Checks	2909	3137	2035	2446	10527
Stranded Motorists	162	133	189	164	648
Suspicious Persons	443	387	496	419	1745
Suspicious Vehicles	410	482	426	337	1655
Warrant Service	441	165	377	288	1271
Total	6091	6041	5412	5388	22932

Group B offenses are non-reportable offenses. All of the Group B offenses are Crimes Against Society, except bad checks, runaway juvenile, and all other offenses. Even though runaway juvenile is not classified as a crime by the FBI, Lenoir Police Department feels strongly that documentation should be kept.



Canine Activities

Description	1QR20	2QR20	3QR20	4QR20	2020
Building Searches	8	12	2	8	30
Building Search Apprehensions	0	0	2	1	3
Call Outs	0	0	0	0	0
Demonstrations	3	0	0	0	3
Currency Seized	\$120.00	\$120.00	\$0.00	\$0.00	\$240.00
Assist Narcotics Searches	8	5	1	3	17
Assist Narcotics Seizures	2	4	1	3	10
Narcotic Utilizations	114	55	55	85	309
Street Value of Seized Narcotics	\$16,080.20	\$18,996.32	\$4,767.80	\$12,401.50	\$52,245.82
Tracks	3	6	9	5	23
Tracks Apprehensions	2	0	2	1	5
Training Hours	77.33	92.95	36	32	238.28
Utilizations	158	114	66	89	427

Charges / Arrests

Description

Felony Charges	1QR20	2QR20	3QR20	4QR20	2020
Adult	186	160	153	102	601
Juvenile	3	1	0	0	4
Misdemeanor Charges					
Adult	623	442	701	538	2304
Juvenile	8	5	5	10	28
Total Charges	820	608	859	650	2937

<i>The figures to the right are arrests stemming from the above charges. Involuntary commitment arrests are included in the misdemeanor arrests totals.</i>	Felony Arrests	78	107	105	72	362
	Misdemeanor Arrests	512	331	566	427	1836
	Involuntary Commitment Arrests	32	16	25	22	95



Traffic

Description	1QR20	2QR20	3QR20	4QR20	2020	
Crashes						
Crashes with Injuries	31	31	35	62	159	
Crashes with Property Damage	220	195	218	221	854	
Total Crashes	251	226	253	283	1013	
The figures to the right are included in the above totals.	Crashes With Fatalities	0	0	0	0	
	Crashes Hit / Run	49	50	58	66	223
	Crashes in Parking Lots	65	64	76	69	274
Tickets						
Handicap Tickets Issued	0	0	0	0	0	
Parking Tickets Issued	135	8	65	52	260	
Parking Tickets Paid	108	7	18	60	193	
Traffic Citations Issued	853	645	738	893	3129	
Warning Tickets Issued	408	227	350	385	1370	
Total Tickets	1504	887	1171	1390	4952	

For the year 2020, we had six pedestrians injured in traffic crashes.

Top Five Contributing Circumstances 2020

Inattention	221
Failure to Reduce Speed	185
Failed to Yield Right of Way	138
Improper Backing	114
Improper Lane Change	42

Top Five Crash Locations 2020

Blowing Rock Blvd / Hospital Av	27
Blowing Rock Blvd / Greenhaven-Nuway	17
Blowing Rock Blvd / Seehorn St	17
Morganton / Harper	15
Morganton / Fairview	13



Administrative

ABC Permits	9
Backgrounds Performed	22
Solicitor / Peddler Permits	1
Wrecker Inspections	6

Communications

Description	1QR20	2QR20	3QR20	4QR20	2020
911 Calls	1140	1218	1469	869	4696
Admin Calls	8975	9078	10073	6542	34668
CAD Requests DSS	60	43	66	57	226
Criminal History Requests	46	23	52	50	171
Entered CAD Calls	10286	9574	9685	9502	39047
Number of Monthly Validations	158	123	218	292	791
Utility Calls	73	84	75	81	313
Total	20738	20143	21638	17393	79912

Records

Description	1QR20	2QR20	3QR20	4QR20	2020
CAD Reports	\$40.00	\$0.00	\$20.00	\$5.00	\$65.00
Fingerprints	\$20.00	\$0.00	\$0.00	\$0.00	\$20.00
Parking Ticket Payments	\$690.00	\$45.00	\$95.00	\$335.00	\$1,165.00
Reports	\$60.00	\$15.00	\$60.00	\$15.00	\$150.00
Total	\$810.00	\$60.00	\$175.00	\$355.00	\$1,400.00

Case Statuses

Description	1QR20	2QR20	3QR20	4QR20	2020
Open	131	107	218	96	552
Inactive	227	288	226	178	919
CBA (Cleared by Arrest)	88	60	94	64	306
Exceptionally Cleared	14	5	12	11	42
Unfounded	31	21	34	28	114

Crime Stoppers

Description	1QR20	2QR20	3QR20	4QR20	2020
Calls Received	67	49	67	55	238
Crime of the Week Press Releases	3	3	0	4	10
Illegal Narcotics Recovered	\$0.00	\$0.00	\$32,500.00	\$1,500.00	\$34,000.00
Rewards Paid	\$1,300.00	\$0.00	\$300.00	\$750.00	\$2,350.00
Stolen Property Recovered	\$6,015	\$0.00	\$6,500.00	\$2,800.00	\$15,315.00
Total Arrests	12	2	2	6	22
Total Charges	37	6	6	15	64



Generals

Description	1QR20	2QR20	3QR20	4QR20	2020
Evidence Destroyed	266	330	69	11	676
Evidence Received	749	473	635	419	2276
Evidence Inventory Total	42983	43471	44218	44518	44917
Polygraph Examinations	3	4	3	1	11
Recovered Stolen Property	\$18,101.69	\$80,076.51	\$25,629.56	\$10,883.76	\$134,691.52
Recovered Stolen Vehicles (Number of)	18	14	21	16	69
Recovered Stolen Vehicles (Value of)	\$80,329.00	\$50,800.00	\$104,877.50	\$155,937.00	\$391,943.50
Narcan Use	2	6	9	5	22
Overdoses	8	17	16	9	50
<i>Opioid Induced Overdoses</i>	2	6	9	5	22
Suicides	4	2	2	1	9
Unattended Deaths	12	9	11	14	46

Narcan is used to reverse fatal drug overdoses. In 2020, we have been successful at saving 22 lives with the administration of Narcan while on overdose scenes.

Nuisance

Description	1QR20	2QR20	3QR20	4QR20	2020
Abandoned / Junk Vehicle	22	8	10	5	45
Graffiti	0	0	0	0	0
Health And Safety	8	4	5	3	20
Junk And Debris	25	17	11	19	72
Miscellaneous	3	4	30	4	41
Tall Grass Or Vegetation	6	27	19	4	56
Total	64	60	75	35	234

Case Statuses

City Abated	1	1	10	0	12
Owner Abated	42	24	33	17	116



Narcotics Activities

Description	1QR20	2QR20	3QR20	4QR20	2020
Arrests	19	6	28	12	65
Charges	40	17	37	28	122
Arrests While Assisting Other Agencies	0	0	0	0	0
Charges While Assisting Other Agencies	0	0	0	0	0
Cases Opened Or Initiated Within City Limits	73	25	64	29	191
Cases Opened Or Initiated While Assisting Other Agencies	14	2	5	6	27
Cash And Property Seized	\$13,235.00	\$782.00	\$4,381.00	\$6,698.00	\$25,096.00
Cash And Property Seized While Assisting Other Agencies	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Illegal Narcotics Seized	\$30,026.70	\$9,151.90	\$21,765.30	\$30,135.00	\$91,078.90
Illegal Narcotics Seized While Assisting Other Agencies	\$59,321.24	\$44,280.60	\$122,960.00	\$37,190.00	\$263,751.84
Knock and Talks	4	4	0	0	8
Search Warrants	46	4	29	13	92
Total Assists And Joint Investigations	14	2	5	6	27
Vehicle Seizures	0	0	0	0	0

Narcotics Confiscated

2020

Drug Name	Drug Quantities	Street Value
Bath Salts	3.6 gm	\$540.00
Cocaine	27.3gm	\$3,381.00
Crack Cocaine	9.8 gm	\$1,980.00
Fentanyl	5.5 gm	\$3,431.00
Heroin	40.7 gm	\$24,300.00
Heroin Tablets	4 du	\$780.00
Marijuana	2761.2 gm	\$22,098.60
Marijuana Wax	313.70 gm	\$2,510.40
Methamphetamine	212.90 gm	\$31,336.00
Mushrooms	5.7 gm	\$85.50
Percocet	0.6 du	\$3.00
Prescription Pills	184 du	\$945.00
THC	4 gm	\$200.00
Unknown	231.6 gm	\$2.00
Total:	188.6 du / 3616 gm	\$91,592.50



The School Resource Officer (SRO) fulfills three primary roles within their school community. The first role established is that of a police officer with a mission of keeping order on campus and the legal authority to arrest, if required. These aspects of the officer's role are important; for without order, learning cannot take place. In the event of criminal activity on campus, the SRO's ability to intervene immediately can in some cases make the difference between life and death. Secondly, the officer is a resource to teachers in the areas of law enforcement that have classroom applications, such as traffic laws, drug laws and law related educational topics. Finally, the officer can and does play the role of counselor and can frequently use their network of contacts with other school and community resources to help address various social problems faced by students. The School Resource Officer Program for the City of Lenoir had its beginning in the fall of 1994, when the Lenoir Police Department formed a community partnership with Hibriten High School. This partnership utilized police officers that were assigned to the patrol district in which Hibriten High School was located, to patrol the campus on foot during peak activity times, as other calls for service permitted.



The SRO for Hibriten High School (HHS) in 2020 was officer Matt Spears. SRO Spears organized two K9 demonstrations for Business Law classes, initiated 4 lock down drills, created Incident Action Plans for all home sporting events, referred and assisted with numerous student conferences with school counselors, held several parent conferences and investigated numerous crimes. During 2020 at HHS, 16 incidents reports were filed. SRO Spears investigated 2 vehicle crashes and conducted traffic enforcement on campus to educate student drivers. He participated in coaching the Powder Puff Football game for the 9th and 11th grade students. In March of 2020 with schools going remote, SRO Spears was tasked with being part of the Lenoir Police Department Incident Management Team (IMT) related to all functions concerning COVID-19 issues involving the department. In August, Caldwell County School students were able to return to a split option of in-class learning and remote learning from home. SRO Spears was able to split his time between the schools and IMT responsibilities. He helped several students obtain employment at local businesses in the area. SRO Spears also assisted students with the Lenoir Police Explorer Post program and the annual Angel Tree program for students at HHS.



The SRO for William Lenoir Middle School (WLMS) in 2020 was Christian Lynn. SRO Lynn conducted a total of 5 lock-down drills for WLMS. He instructed safety precautions during meetings with all of the school staff about the proper procedures to follow during lock-downs. He also assisted in fire drills with the administration. SRO Lynn investigated 23 juvenile complaints, filled 5 incident reports, and investigated 1 traffic crash on school grounds. He performed numerous counseling sessions with parents and verbal coaching with students, as well as participated in the Mentor Program at school. SRO Lynn also worked closely with the Robins Nest to conduct several Forensic Interviews.

The SRO for Horizons Elementary School (HES) in 2020 was Chris Maher. He was also the part-time SRO for Valmead and West Lenoir Elementary Schools. For the year 2020, at HES, SRO Maher filed 1 weapons violation report, 10 juvenile complaints, and conducted 8 lock-downs, which consisted of 4 lock-downs drills at Horizons, 3 at West Lenoir Elementary School, and 2 at Valmead Elementary School.





The Community Resource Officer (CRO) for 2020 was Scott Kanupp. CRO Kanupp began the year teaching DARE to West Lenoir and Whitnel Elementary Schools. Due to the COVID-19 pandemic, Caldwell County Schools moved into a remote learning environment and DARE classes were not able to be completed. The D.A.R.E. Program (Drug Abuse Resistance Education) of the Lenoir Police Department completed its 30th year in 2020.

He was also the SRO for the 3 elementary schools in the city, assisting with numerous counseling sessions with parents and verbal coaching with principals and elementary students. He filed 5 incidents reports for the schools. In March of 2020 with schools going remote, CRO Kanupp was tasked with being part of the Lenoir Police Department Incident Management Team (IMT) related to all functions concerning COVID-19 issues involving the department. In August, Caldwell County School students were able to return to a split option of in-class learning and remote learning. Kanupp was able to split his time between the schools and IMT responsibilities. Officer Kanupp attended 2 events as a board member of the N.C. DARE Officer Association.



Our Year In Pictures

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2020

**LENOIR CITY COUNCIL
TUESDAY, MARCH 16, 2021
6:00 P.M.**

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

ABSENT: Councilmember Todd Perdue.

VIA TELECONFERENCE:

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

Department Directors participating via teleconference were Finance Director Donna Bean, Fire Chief Ken Hair, Police Chief Brent Phelps, Recreation Kenny Story, 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 Kara Fohner, *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.

**SYMPATHY EXTENDED;
LESTER WHITTINGTON:**

- B. On behalf of City Council, Mayor Gibbons extended sympathy to Lester Whittington upon the recent loss of his brother, Joseph Patrick Derr. Mayor Gibbons asked everyone to keep the Whittington family in their thoughts and prayers during this difficult time.

**MAIN STREET AWARD;
DAVID AND ALLISON MAURER:**

- C. On behalf of City Council, Mayor Gibbons extended congratulations to Architect David Maurer and his wife Allison upon their receiving a North Carolina Main Street award for the renovation of the property located at 818 Harper Avenue. The first floor of the building was renovated for commercial use and the second floor was converted into an apartment.

MAIN STREET CHAMPION AWARD;

- JESSE PLASTER:** D. On behalf of City Council, Mayor Gibbons extended congratulations to Jesse Plaster who also received the North Carolina Main Street Champion award. Mr. Plaster has renovated two buildings in the downtown area and is

currently working on two additional buildings including five market-rate apartments.

UPDATE; COVID-19:

- E. On behalf of City Council, Mayor Gibbons encouraged everyone to continue to remember the front line and essential workers that are either working in the COVID-19 vaccination program or the healthcare industry in their thoughts and prayers. Mayor Gibbons shared the number of new COVID-19 cases reported daily in the County continues to decline.

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, March 2, 2021 as submitted.
 - 2. Minutes: Approval of the minutes of the City Council Planning Retreats held on Tuesday, February 23, and on Thursday, February 25, 2021 as submitted.
 - 3. Renewal; Sidewalk Café Permit: Approval of the request to renew the Side Street Pour House Grill Sidewalk Café Permit as submitted. (A copy of the permit, monument map and certificate of liability insurance are hereby incorporated into these minutes by reference. Refer to pages 83-85.)

Upon a motion by Councilmember Willis, Council voted 6 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

**PLANNING
BOARD:**

- 1. The Planning Board will meet virtually on Monday, March 22 beginning at 5:30 p.m.

**COMMITTEE OF THE
WHOLE:**

- 2. The Committee of the Whole will meet virtually on Tuesday, March 23 at 8:30 a.m. for a budget work session.

**FOOTHILLS REGIONAL
AIRPORT AUTHORITY:**

3. The Foothills Regional Airport Authority will meet virtually on Wednesday, March 24 at noon.

**HOLIDAY
CLOSING:**

4. City offices will be closed on Friday, April 2 in observance of Good Friday.

**NCDOT ANNUAL LITTER
SWEEP CAMPAIGN:**

5. The North Carolina Department of Transportation's (NCDOT) Annual Litter Sweep Campaign will be held from Saturday, April 10 through Saturday, April 24. NCDOT will supply all the necessary materials to any civic or volunteer organization that wishes to coordinate a litter sweep campaign for their neighborhood. Interested individuals may contact NCDOT's District Office in Hudson in order to schedule an event.

Joshua Harris, Communications Director for the City of Lenoir, reported he plans to coordinate an employees' litter sweep campaign to be held on Wednesday, April 14. Mr. Harris will also be sending out a press release with details for this event in the near future. Councilmember Ben Willis suggested that members of Council try to participate along with City Staff in this cleanup effort. In addition, Mr. Willis reported Caldwell County Schools are also planning to sponsor an event.

As information, Parks and Recreation Director Kenny Story explained that debris flows down the stream bed located beside of the Aquatic & Fitness Center and reported Staff removed two large tractor tires from the stream last Friday. Councilmember Stevens mentioned there was also an old abandoned water heater found there. A brief discussion followed by Council regarding how litter is becoming much more of an issue during this pandemic in areas throughout the City and Caldwell County.

On behalf of City Council, Mayor Gibbons commended City Staff for all their efforts in keeping the City clean and safe for the citizens of Lenoir.

B. ITEMS FOR COUNCIL ACTION

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

BOARD RE-APPOINTMENTS:

- A. Mayor Gibbons recommended that Council approve the following list of individuals for re-appointment to serve a three-year term on the Board of Adjustments. These individuals were announced at the March 2 City Council meeting.

Board of Adjustments – 3 year terms

James Bradshaw

Tim Scobie

Upon a motion by Councilmember Prestwood, Council voted 6 to 0 to approve the recommendation for James Bradshaw and Tim Scobie to serve a three-year term on the Board of Adjustments as presented by Mayor Gibbons.

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

COMMUNITY VIDEOS; STRAIGHT

TALK: A. Councilmember Ike Perkins informed everyone that he hosts a program called “Straight Talk” each Thursday at 7:00 p.m. on YouTube for the purpose of discussing current events with area civic and community leaders.

X. ADJOURNMENT

A. There being no further business, the meeting was adjourned at 6:23 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor



SIDEWALK CAFE PERMIT APPLICATION

CITY OF LENOIR PLANNING DEPARTMENT

CITY HALL • 801 WEST AVENUE NW • PO BOX 958 • LENOIR, NC 28645

The City of Lenoir allows sidewalk cafes within the downtown Municipal Service District when a permit is approved by City Council, in accordance with Sec. 13-3 of the Lenoir City Code. For questions about this application form or the rules pertaining to sidewalk cafes in the City of Lenoir, please contact the Planning Department at 828.757.2200. PERMITS ARE GOOD FOR A PERIOD OF 1 YEAR AND MUST BE RENEWED ANNUALLY.

Submittal Checklist:

- ☐ Application Form
- ☐ Application Fee
- Site Plan (including dimensions):**
 - Must show all tables, chairs, walkway areas, and entrances/exits to the restaurant.
 - Must show location and materials of temporary barrier to be erected around the café.
 - Must show 5 ft. clear pedestrian path on sidewalk adjacent to café area.
- ☐ **Documentation of Public Liability Insurance**
 - Must carry \$1,000,000.00 insuring against personal injury, wrongful death and property damage, including the City as a party insured and insuring the City against any liability resulting from the uses permitted pursuant to Section 13-3 of the Lenoir City Code.
- ☐ **Copies of All Permits and Licenses**
 - County Health Department and any other applicable regulatory agencies
 - Current ABC/ALE permits if the sidewalk café intends to serve alcoholic beverages on the public sidewalk. NOTE: revised permits may be required to include the expanded areas.

Permit Information:

Property Address: 128 Main St. NC PIN: _____

Zoning District: B-3 Located within Municipal Service District? ☒ Yes ☐ No

Business Name: Side Street Pour House & Grill

Will ABC permit include sidewalk café area? ☒ Yes ☐ No

Number of seats in Restaurant: 100 Number of seats* proposed for sidewalk café: 24

*Note: seating in sidewalk café can not exceed 50% of the seating within the restaurant.)

Contact Information:

Kevin Eller
Name of Restaurant Operator

2606 Kays Pl
Street Address

Lenoir NC 28645
City State Zip

Phone Number: 828-234-4535

Fax Number: _____

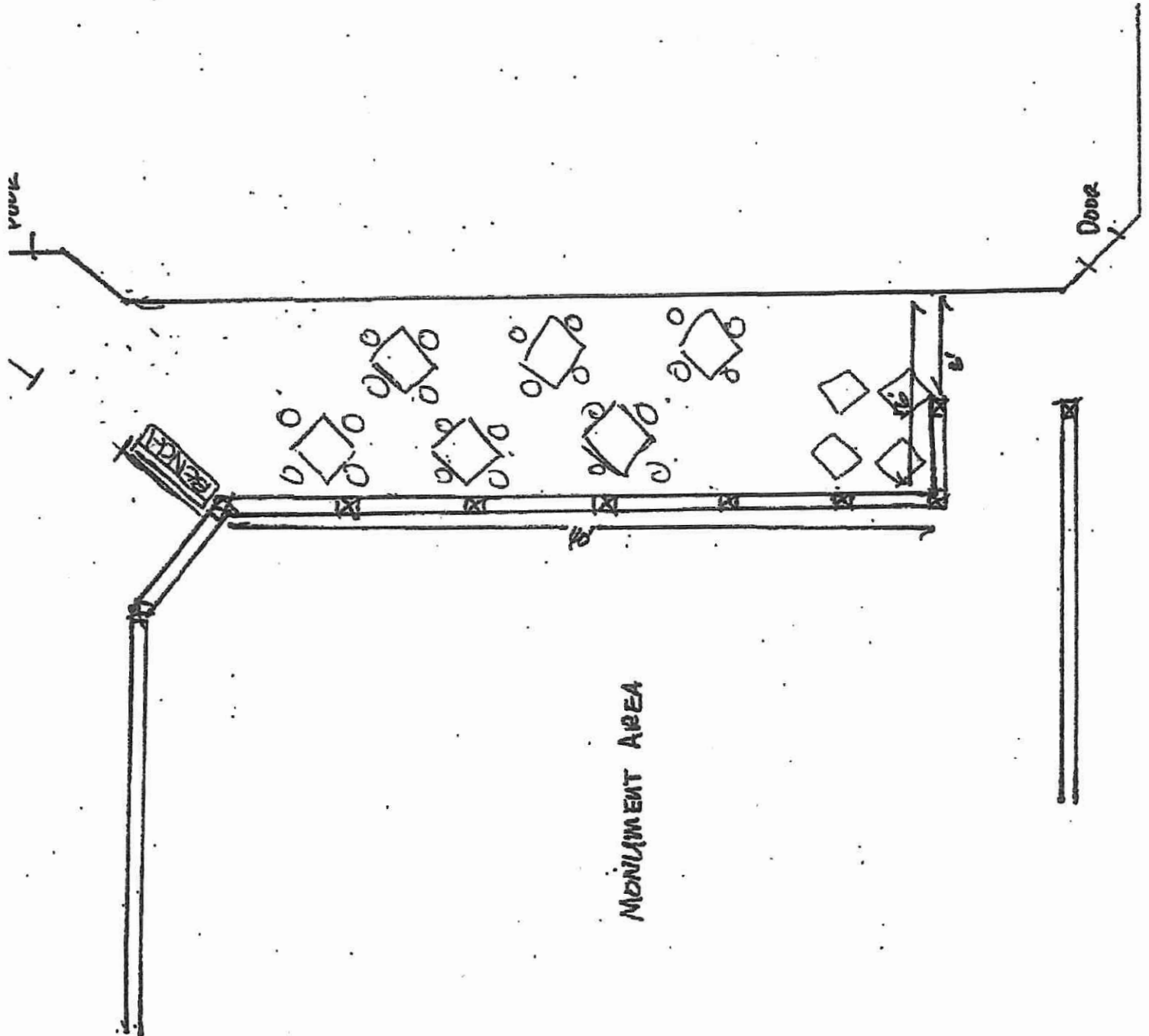
Email: kevin.eller@yahoo.com

Owner's Signature:

[Signature]

By signing, I certify that the information presented in this application is true to the best of my knowledge and I consent to enter into a hold-harmless agreement with the City and comply with all provisions of the City ordinances in the establishment and operation of the sidewalk café described in this application.

OFFICIAL USE ONLY: City Council approved on _____ Permit No. _____



DATE (MM/DD/YYYY)
02/28/2020

CERTIFICATE OF LIABILITY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Reliable Insurance Agency Inc 512 Mulberry Street SW Lenoir NC 28645		CONTACT NAME: Kimmie Rogers PHONE (A/C, No, Ext): 828-758-2364 FAX (A/C, No): 828-758-1736 E-MAIL ADDRESS: kimmie@reliableinsurance.biz	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: Nautilus Insurance Company	
		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY	X		NN1019289	03/30/2020	03/30/2021	EACH OCCURRENCE \$1,000,000
	☒ COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000
	☐ CLAIMS-MADE ☒ OCCUR						MED EXP (Any one person) \$5,000
							PERSONAL & ADV INJURY \$1,000,000
							GENERAL AGGREGATE \$2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMPIOP AGG \$2,000,000
	☒ POLICY ☐ PRO-JECT ☐ LOC						\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	☐ ANY AUTO						BODILY INJURY (Per person) \$
	☐ ALL OWNED AUTOS						BODILY INJURY (Per accident) \$
	☐ HIRED AUTOS						PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	☐ OCCUR						\$
	☐ CLAIMS-MADE						\$
	DED RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATUTORY LIMITS OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Restaurant.
Certificate holder is listed as Additional Insured per form CG2026 (4/13).

CERTIFICATE HOLDER

CANCELLATION

City of Lenoir Po Box 958 Lenoir NC 28645	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE <i>Danielle D Wade</i>

MINUTES
CITY COUNCIL
FY2021-22 ANNUAL BUDGET RETREAT
CITY HALL, MARCH 23, 2021
8:30 A.M.

PRESENT: Mayor Gibbons, Councilmembers Perkins, Prestwood, Stevens, and Willis.

Mayor Pro-Tem Crissy Thomas and Councilmembers Todd Perdue and Jonathan Beal participated via Zoom.

City Manager Scott Hildebran, City Clerk Shirley Cannon, and Public Information Officer Joshua Harris also were present at the meeting.

Additional participants via Zoom were Economic Development Director Kaylynn Horn, Finance Director Donna Bean, Planning Director Jenny Wheelock, Police Chief Brent Phelps, Fire Chief Ken Hair, Public Works Director Jared Wright, Public Utilities Director Radford Thomas and Recreation Director Kenny Story. Carmen Boone, News-Topic reporter, also participated in the meeting via Zoom.

I. CALL TO ORDER

A. Mayor Gibbons welcomed everyone and called the meeting to order.

On behalf of City Council, Mayor Gibbons expressed sympathy to Kevin Matheson, Water Treatment Plant Superintendent, upon the recent passing of his brother, Greg Matheson. Mayor Gibbons asked everyone to keep this family in their thoughts and prayers.

B. **Proposed FY2021-2022 Budget Calendar:** City Manager Hildebran presented the proposed FY2021-2022 Budget Calendar to City Council for their review. A public hearing to formally approve the budget will be held on Tuesday, June 1 at 6:00 p.m. in the City/County Chambers. (A copy of the Budget Calendar is attached to these minutes as information.)

Motion

Upon a motion by Councilmember Prestwood, Council voted 7 to 0 to approve the FY2021-2022 Budget Calendar as presented.

C. **Review; FY2021-22 Council Goals:** City Manager Hildebran referred to the list of City Council's goals/priorities for FY2021-22 and asked Council if there were any additional questions or concerns they wished to discuss further. City Council did not have any other comments at this time.

2021 Council Budget Priorities

1. **Continue Efforts to Offer Competitive Compensation and Benefits for Employees**
2. **Pursue Market Rate Housing**

- Encourage Affordable Housing Opportunities**
- Implement Branding/Wayfinding Plan**
- Develop Strategies to Address Commercial Blight (city-wide & downtown)**
- Address Major Appearance Issues (city entry corridors)**
- Continue to Fund Street Paving Plan**
- Continue to Fund Water/Sewer Capital Improvements Plan**
- Develop Strategies for Diversity, Equity & Inclusion**
- 3. **Continue to Fund Sidewalks/Greenway/OVT**
- Develop West End Area Neighborhood Plan**
- 4. **Support Code Enforcement (including Strategic Foreclosures)**
- Develop Plan to Address Litter in Community (State, Local Partners)**
- Re-Initiate Neighborhood Meetings (once safe to do so)**
- Encourage Whitnel & West End Area Improvements**

Other Areas of Focus:

Employee Recruitment/Retention:

- Increase Employee Engagement
- Incentivize/Reward Efficiencies
- Develop Continuing Customer Service Education

Housing:

- Continue Minimum Housing & Code Enforcement
- Market City-owned Properties to Sell
- Encourage Downtown Living
- Continue to Promote Shovel-ready Residential Subdivisions
- Participate in WPCOG Vacant & Substandard Housing Task Force

Community Beautification:

- Continue Implementation of North Main Area Plan & Fairfield South Plan
- Consider Gateway Enhancements at Smith Crossroads

Healthy Infrastructure:

- Support Technology/Cybersecurity/Digital Services
- Continue to Fund City Facilities/Fleet Plan
- Continue to Fund Stormwater Improvements
- Implement Downtown 2-Way Traffic Plan
- Implement Bike/Ped Plan
- Improve/Implement Public Wi-fi at City Parks/Facilities

Economic Development:

- Encourage Public/Private Partnerships
- Continue Partnership with Caldwell EDC

Public Engagement:

- Share State of the City Presentations
- Market Quality of Life Amenities
- Schedule Neighborhood Walk-through's
- Develop Strategic/Targeted Communication (multi-lingual)
- Promote Smart City, Online Interaction

Other

- Pursue COVID-related Funding Opportunities to Help Citizens

Water & Sewer Fund Capital Improvements Plan (CIP)

- D. Radford Thomas, Public Utilities Director, stated the Water & Sewer Fund Capital Improvements Plan (CIP) for FY2021 is a ten-year plan which lists projects in priority order. The City is able to accomplish these projects through grants and/or low interest loans.

(A copy of the Draft Water and Sewer Fund CIP list is attached to these minutes as

Andy Lovingood, President, McGill Associates, reiterated the City's CIP list is a strong planning tool that covers a 10-year timeline. He shared the City has 220 miles of water lines and about the same amount of sewer lines that the City should consider replacing on a regular basis. Mr. Lovingood explained the City looks for cost effective ways to fund CIP projects and mentioned other funding opportunities such as Golden Leaf, the new America Rescue Plan, and stimulus funding which may be approved by the federal government in the future to fund infrastructure projects. Regarding potential availability of stimulus funding, he stated the City should designate several CIP projects that are "shovel ready" and could be ready for construction within 90 to 120 days. Mr. Lovingood commended City Council and Staff for their vision in planning for the City's future water and sewer needs.

Joel Whitford, PE, Senior Project Manager, reported there were 36 CIP projects on the plan submitted by Public Utilities Director Radford Thomas. He explained these projects will move up each year on the CIP plan and the City has the option to prioritize a project if necessary. (A copy of the list is attached to these minutes as information.)

Mr. Whitford shared that #35 Lower Creek WWTP Improvements project has an estimated cost of \$7,000,000 and McGill Associates is planning a revenue model for this project. He further stated there are a number of projects slated for years 1 through 5 on the plan, but pointed out Lenoir has completed a number of projects. Mr. Whitford also commended the City for all of its accomplishments.

The projects that are slated to be completed in FY2021 include the following:

➤ #2. Meter Replacement Program	Cost: \$4,400,000
➤ #4 Major Pressure Reducing Valve Vaults,	\$ 300,000
➤ #5 Hudson Valve Insertions	\$ 100,000
➤ #20 Vehicles/Equipment	\$ 75,000
➤ #22 Crossroads Shopping Center to Lenoir Golf Clubhouse Sewer (getting drawings & easements -closing in late 2021)	\$3,300,000
➤ #36 Vehicles/Equipment	\$ 893,000

Mr. Whitford mentioned that project #3 Finley Avenue Water System Improvements for the West End area wasn't funded by the state last fall due to the state having insufficient funding. He explained these improvements are needed because the elevation of the water tank affects the water pressure of area residents. Staff plans to resubmit this project to the state by the end of April 2021.

Next, Mr. Lovingood emphasized the Whitnel Transmission Line Replacement Project (Phase 1) is the City's most critical project due to the age of the lines. The pipes were installed in the 1950's and could possibly fail in the future. It was noted this project would allow for additional water flow in the future. In addition, Mr. Lovingood stated a survey would need to be completed along with land acquisitions, right-of-ways and permits when the project begins. He clarified the permits would remain valid for a number of years.

Public Utilities Director Thomas informed Council the Sewer Line Replacement Project for

⁵Crossroads Shopping Center (project #22) is in its final phase and permits have been acquired. New sewer lines will be installed from the Shopping Center to the Lenoir Golf Clubhouse.

E. WATER & SEWER FUND CASH FLOW SUMMARY-2021

Mr. Steven Miller, Withers & Ravenal, reviewed the water and sewer fund cash flow summary for Council. The City's estimated revenue for FY2021 is \$9,431,300 and the estimated capital outlay is \$675,000. He reiterated the February 2021 CPI Urban South 12 month average is 2%.

F. DEBT SERVICE SUMMARY

Next, Mr. Miller reported the City's Biosolids project was recently added to the debt schedule and he stated the City's current annual debt service is \$1,628,272. He mentioned the City would experience new debt due to upcoming CIP projects, but pointed out it will gradually decrease. (A copy of the Water & Sewer Fund Debt Service Summary is attached to these minutes as information.)

G. PROPOSED WATER RATES-TABLE 4

Mr. Miller reviewed the current water and sewer rates along with the proposed rates for water and sewer for the next five years. (A copy of the FY2021 and Proposed Water and Sewer Rates is attached to these minutes as information.)

Director Thomas along with Mr. Hildebran also reviewed the Water Rate Comparison Chart as of March 2021 and pointed out that Lenoir has a competitive water rate of \$48.74 per 5,000 gallons of usage per month. Following a brief discussion, City Council made the following motion.

MOTION

Upon a motion by Councilmember Willis, Council voted 7 to 0 to increase the City's Water and Sewer rate by 2% effective July 1, 2021. City Manager Hildebran he stated he would contact County Manager Stan Kiser of the proposed rate increase and notification letters would be mailed out to the other water corporations the City supplies water/sewer to.

On behalf of City Council, Mayor Gibbons and Public Utilities Director Radford Thomas commended McGill Associates for the great partnership between the City and their organization.

H. FINANCIAL SUMMARY

February Financial Summary: Finance Director Donna Bean reviewed the Financial Summary as of February 28, 2021. (A copy of the financial summary is attached to these minutes as information. Refer to page 16.)

General Fund

Revenue and Expenditures (Net of COVID)	\$11,075,183.96
---	-----------------

Downtown District

Revenue and Expenditures (Net of COVID)	\$ 92,586.03
---	--------------

Water/Sewer Fund

Revenue and Expenditures (Net of COVID)	\$ 4,679,771.08
---	-----------------

Director Bean stated revenue has increased while expenditures decreased as a result of event cancellations related to COVID-19. She explained the water fund revenue increased because of the number of leaks that have been located and repaired by City Staff.

Director Bean reported the City began water cut-offs again in March to customers due to non-payment. She clarified the City has a system to make arrangements for a customer to pay their account balance and mentioned individuals that qualify can also apply at Yokefellow, Inc. for assistance through the available COVID-19 funding from the Western Piedmont Council of Governments.

Director Bean further shared Caldwell County is conducting a revaluation (reval) this year. The City's current property tax rate is \$0.58 per \$100 valuation, the Downtown District rate is \$0.25 and the Rescue Readiness rate is \$0.0085. The City last increased its property tax rate in 2013.

I. DIRECT AND OVERLAPPING PROPERTY TAX RATES

City Manager Hildebran reviewed a list of the City's Direct and Overlapping Property Tax Rates from 1998-99 through 2021-22 and reiterated property taxes have not been increased since 2013. (A copy of the list is attached to these minutes as information.)

J. SOLID WASTE FEE/HEALTH INSURANCE RATE

Next, Mr. Hildebran reviewed a chart of the City's Solid Waste fees from FY2004-05 through FY2019-2020. The City's current rate is \$10.00 will remain unchanged for FY2021-22. City Manager Hildebran further shared that MedCost, the City's health insurance provider, has proposed a 6% rate increase for FY2021-2022. He explained that MedCost increased its rates by 6% in FY2020-21, but did not propose a rate increase in FY2019-2020. Councilmember Perdue stated a 6% increase was below the current trend. (Copies of the Solid Waste Fees/Solid Waste Collections Chart and Health Insurance Rates/% of Change are attached to these minutes as information.)

K. 10-YEAR CPI/COLA/WATER/SEWER

Mr. Hildebran further reviewed a chart listing the South East Consumer Price Index (CPI) for a ten-year period, cost of living increase (COLA), along with water and sewer rates from 2011-12 through 2020-21. (Copies of the charts are attached to these minutes as information. Refer to pages 20 & 21.) A recommendation for a proposed cost of living increase (COLA) will be submitted to Council along with the City Manager's recommended budget in May.

L. FUND BALANCE HISTORY: City Manager Hildebran reviewed the City's Fund Balance history for 2020. (A copy of the Fund Balance Evaluation is attached to these minutes as information.)

Mr. Hildebran reported the City's unreserved fund balance is \$10,483,369 or 58.23% of the recommended budget amount. City Council held a brief discussion about possibly increasing the 24% unreserved fund balance goal in the future.

M. General Fund Projections: City Manager Hildebran reviewed the City's General Fund Projections for FY2021-2022 through FY2026-2027. He stated the list includes several CIP projects. (Copies of the General Fund Projections and General Fund CIP are attached to these minutes as information.)

Finance Director Bean stated the City has kept its projections conservative and reiterated this is a revaluation year. She reported collections are stable and pointed out property tax collections are below what the City budgeted for. In addition, Director Bean reported that sales tax collection has increased

and estimates it will be \$4.2 million next year. She also reviewed the City's General Fund CIP list of approved projects for FY2026-FY2027.

Director Bean further shared the proposed CIP includes funding allocations for paving projects including Hospital Avenue, Georgetown Subdivision, Parkview Subdivision, Heritage Hill Subdivision and Summerhill Subdivision. Also, she remarked the budget contains funding for IT updates throughout the City and noted that building repairs would also be funded next year. In addition, the CIP contains funding for repairs/upgrades to City Hall, the Town Clock, the telephone system along with upgrades to the connection with the City's internet provider plus software and infrastructure upgrades.

N. **Outstanding Items for FY2020-2021**

Next, Mr. Hildebran reviewed a list of Outstanding Items for FY2021-2022 which include workers comp, general liability, health insurance (6% rate increase), retirement system (1.2% contribution), and dues to the North Carolina League of Municipalities (NCLM). (A copy of the City's outstanding items is attached to these minutes as information.)

O. **General Comments**

City employees will conduct a Litter Sweep Campaign on Wednesday, April 14 from 10:00 a.m. – 1:00 p.m. City Council members along with City Staff were encouraged to participate. City Council will consider adoption of a proposed resolution encouraging residents to help keep Lenoir litter free at its April 6 Council meeting.

Walgreens will host a COVID-19 vaccination clinic at the Martin Luther King, Jr. Center in the near future. There will be 300 vaccines available for the general public.

Public Works Director Jared Wright stated residents of Hospital Avenue have been sent a letter that they will be contacted by the City regarding obtaining potential right-of-ways for the City's Hospital Avenue Sidewalk Project. He asked Council to let residents know the notification letter is legitimate should Council receive any inquiries from the public.

II. **ADJOURN**

There being no further business, the meeting was adjourned at 10:25 a.m.

Attachments

FY2021-22 Budget Calendar

Fund Balance

Water & Sewer Fund CIP Listing

Draft Water & Sewer Fund Cash Flow Summary

Draft Debt Service Summary

FY2021 and Proposed Water & Sewer Rates

February 2021 Financial Summary

Direct & Overlapping Property Tax Rates

Solid Waste Fees

Health Insurance Rates

10-Year CPI/COLA/Water/Sewer

Table A. South Region CPI

General Fund Projections

Outstanding Items

CITY OF LENOIR
BUDGET CALENDAR
FY2021-2022

May 18, 2021	City Manager presents recommended budget to City Council. (City Clerk will have a copy of the proposed budget available for the public after presentation.)
May 20, 2021	Budget Work Session – 6:00 p.m., Third Floor, City Hall
May 25, 2021	Committee of the Whole – 8:30 a.m., Third Floor, City Hall (Budget Work Session if necessary)
May 27, 2021	Budget Work Session – 6:00 p.m., Third Floor, City Hall *if necessary
June 1, 2021	Public Hearing for recommended FY2021-22 Budget at City Council Meeting at 6:00 p.m. Earliest possible date to adopt FY2020-21 Budget. (City Clerk will have a copy of the final budget available for the public within five business days.)
June 15, 2021	City Council
June 22, 2021	Committee of the Whole Meeting

2021 Council Budget Priorities

1. Continue Efforts to Offer Competitive Compensation and Benefits for Employees
2. Pursue Market Rate Housing
 - Encourage Affordable Housing Opportunities
 - Implement Branding/Wayfinding Plan
 - Develop Strategies to Address Commercial Blight (city-wide & downtown)
 - Address Major Appearance Issues (city entry corridors)
 - Continue to Fund Street Paving Plan
 - Continue to Fund Water/Sewer Capital Improvements Plan
 - Develop Strategies for Diversity, Equity & Inclusion
3. Continue to Fund Sidewalks/Greenway/OVT
 - Develop West End Area Neighborhood Plan
4. Support Code Enforcement (including Strategic Foreclosures)
 - Develop Plan to Address Litter in Community (State, Local Partners)
 - Re-Initiate Neighborhood Meetings (once safe to do so)
 - Encourage Whitnel & West End Area Improvements

Other Areas of Focus:

Employee Recruitment/Retention:

- Increase Employee Engagement
- Incentivize/Reward Efficiencies
- Develop Continuing Customer Service Education

Housing:

- Continue Minimum Housing & Code Enforcement
- Market City-owned Properties to Sell
- Encourage Downtown Living
- Continue to Promote Shovel-ready Residential Subdivisions
- Participate in WPCOG Vacant & Substandard Housing Task Force

Community Beautification:

- Continue Implementation of North Main Area Plan & Fairfield South Plan
- Consider Gateway Enhancements at Smith Crossroads

Healthy Infrastructure:

- Support Technology/Cybersecurity/Digital Services
- Continue to Fund City Facilities/Fleet Plan
- Continue to Fund Stormwater Improvements
- Implement Downtown 2-Way Traffic Plan
- Implement Bike/Ped Plan
- Improve/Implement Public Wi-fi at City Parks/Facilities

Economic Development:

- Encourage Public/Private Partnerships
- Continue Partnership with Caldwell EDC

Public Engagement:

- Share State of the City Presentations
- Market Quality of Life Amenities
- Schedule Neighborhood Walk-through's
- Develop Strategic/Targeted Communication (multi-lingual)
- Promote Smart City, Online Interaction

Other

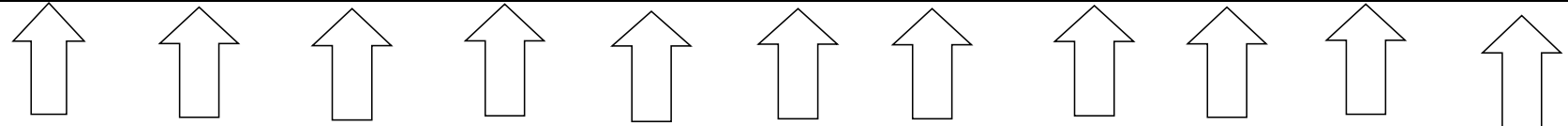
- Pursue COVID-related Funding Opportunities to Help Citizens

TABLE 1
CITY OF LENOIR
WATER AND SEWER FUND
CAPITAL IMPROVEMENTS PLAN - 2021

[illegible]

TABLE 1
CITY OF LENOIR
WATER AND SEWER FUND
CAPITAL IMPROVEMENTS PLAN - 2021

PROJECT NUMBER	PROJECT LOCATION	COST		YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	YEAR 6	YEAR 7	YEAR 8	YEAR 9	YEAR 10		YEARS 11+
			2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031		2032+
	WASTEWATER IMPROVEMENTS														
	COLLECTION SYSTEM														
21	SEWER LINE REPLACEMENTS	5,500,000							1,000,000		2,000,000	2,500,000			2,820,000
22	CROSSROADS SHOPPING CENTER TO LENOIR GOLF CLUBHOUSE SEWER	3,300,000	3,300,000	getting drawings and easements...closing late 2021											
23	MANHOLE IMPROVEMENTS	840,000		250,000	180,000			200,000				210,000			
24	PENNTON TO HWY 18 SEWER	950,000				950,000									
25	ZACKS FORK REPLACEMENT	1,970,000				1,970,000									
26	MAIN STREET SEWER REPLACEMENT	950,000				950,000									
27	REHAB BLAIRS FORK OUTFALL	750,000				750,000									
28	GOLF COURSE SEWER REPLACEMENT	3,120,000					3,120,000								
29	GUNPOWDER CREEK INTERCEPTOR REPLACEMENT	3,100,000						3,100,000							
30	EAST HARPER AVENUE SEWER REPLACEMENT	500,000										500,000			
31	MEADOWOOD UPSTREAM SEWER REPLACEMENT	1,660,000											1,660,000		
32	MEADOWOOD LIFT STATION IMPROVEMENTS	440,000											440,000		
	LOWER CREEK TREATMENT PLANT														
33	SEPTAGE RECEIVING STATION / VACTOR DUMP	550,000				550,000									
34	LOWER CREEK WWTP EQUIPMENT & CONCRETE REPAIRS	2,000,000			2,000,000										
35	LOWER CREEK WWTP IMPROVEMENTS	7,000,000								7,000,000					
36	VEHICLES / EQUIPMENT	893,000	200,000	95,000	50,000		48,000		400,000		50,000		50,000		
	WASTEWATER IMPROVEMENTS SUBTOTAL	33,523,000	3,500,000	345,000	2,230,000	5,170,000	3,168,000	3,300,000	1,400,000	7,000,000	2,050,000	3,210,000	2,150,000		2,820,000
	TOTAL	57,846,000	8,375,000	6,278,000	8,512,000	7,081,000	3,698,000	4,971,000	2,040,000	7,757,000	3,560,000	3,260,000	2,314,000		21,959,000



DEBT PACKAGES

44,810,000	4,400,000	5,100,000	7,750,000	6,330,000	3,120,000	1,500,000	1,500,000	7,600,000	3,350,000	2,500,000	1,660,000
	DEBT PKG 2					DEBT PKG 8					
6,400,000	3,300,000					3,100,000					

ANNUAL DEBT
ANNUAL CAPITAL OUTLAY

51,210,000	7,700,000	5,100,000	7,750,000	6,330,000	3,120,000	4,600,000	1,500,000	7,600,000	3,350,000	2,500,000	1,660,000
6,636,000	675,000	1,178,000	762,000	751,000	578,000	371,000	540,000	157,000	210,000	760,000	654,000

TABLE 2

CITY OF LENOIR WATER AND SEWER FUND
CASH FLOW SUMMARY - 2021

	ESTIMATE 2021	YEAR 1 2022	YEAR 2 2023	YEAR 3 2024	YEAR 4 2025	YEAR 5 2026	YEAR 6 2027	YEAR 7 2028	YEAR 8 2029	YEAR 9 2030	YEAR 10 2031
WATER ANNUAL OPERATING REVENUE	\$6,236,500	\$6,611,793	\$6,743,256	\$6,877,341	\$7,014,100	\$7,153,586	\$7,295,853	\$7,440,958	\$7,588,957	\$7,739,908	\$7,893,869
SEWER ANNUAL OPERATING REVENUE	\$3,086,500	\$3,270,273	\$3,334,906	\$3,400,824	\$3,468,052	\$3,536,617	\$3,606,545	\$3,677,864	\$3,750,601	\$3,824,785	\$3,900,444
WATER & SEWER ANNUAL NON-OPERATING REVENUE	18,300	12,000	12,000	12,000	12,000	12,000	13,000	13,000	13,000	13,000	13,000
WATER REVENUE INCREASE *		2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
SEWER REVENUE INCREASE		2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
WATER & SEWER NEW REVENUE		\$194,551	\$400,852	\$619,457	\$850,942	\$1,095,908	\$1,354,983	\$1,628,820	\$1,918,102	\$2,223,540	\$2,545,877
TOTAL REVENUE	\$9,341,300	\$10,088,617	\$10,491,014	\$10,909,622	\$11,345,094	\$11,798,111	\$12,270,381	\$12,760,642	\$13,270,660	\$13,801,233	\$14,353,190
WATER OPERATING EXPENDITURES	\$3,218,000	\$3,298,450	\$3,380,911	\$3,465,434	\$3,552,070	\$3,640,872	\$3,731,893	\$3,825,191	\$3,920,821	\$4,018,841	\$4,119,312
SEWER OPERATING EXPENDITURES	\$2,857,000	\$2,928,425	\$3,001,636	\$3,076,677	\$3,153,593	\$3,232,433	\$3,313,244	\$3,396,075	\$3,480,977	\$3,568,002	\$3,657,202
CAPITAL OUTLAY	\$675,000	\$1,178,000	\$762,000	\$751,000	\$578,000	\$371,000	\$540,000	\$157,000	\$210,000	\$760,000	\$654,000
DEBT SERVICE	\$1,628,272	\$2,000,178	\$2,661,649	\$3,490,573	\$4,014,697	\$4,377,203	\$4,667,234	\$5,076,043	\$5,573,241	\$5,389,990	\$5,426,784
TRANSFER TO CAPITAL RESERVE FUND	\$0	\$400,000	\$400,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
NET INCOME	\$963,028	\$283,563	\$284,818	\$125,938	\$46,733	\$176,602	\$18,009	\$306,333	\$85,621	\$64,400	\$495,893
UNRESTRICTED NET ASSETS	\$11,610,363	\$11,893,926	\$12,178,744	\$12,304,682	\$12,351,415	\$12,528,018	\$12,546,027	\$12,852,360	\$12,937,981	\$13,002,381	\$13,498,274
UNRESTRICTED NET ASSETS / TOTAL EXPENDITURES	138.58%	121.30%	119.33%	114.10%	109.32%	107.80%	102.40%	103.20%	98.13%	94.65%	97.41%
CAPITAL RESERVE FUND	\$2,508,616	\$2,908,616	\$3,308,616	\$2,508,616	\$2,508,616	\$2,508,616	\$2,508,616	\$2,508,616	\$2,508,616	\$2,508,616	\$2,508,616
RESIDENTIAL INSIDE 5,000 GAL WATER CHARGE ^	\$23.86	\$24.34	\$24.82	\$25.32	\$25.83	\$26.34	\$26.87	\$27.41	\$27.96	\$28.51	\$29.09
RESIDENTIAL INSIDE 5,000 GAL SEWER CHARGE ^	\$24.88	\$25.38	\$25.89	\$26.40	\$26.93	\$27.47	\$28.02	\$28.58	\$29.15	\$29.73	\$30.33

* FEBRUARY 2021 CPI URBAN SOUTH 12 MONTH AVERAGE IS 2.0%.

CAPITAL IMPROVEMENTS PLAN (CIP) - WATER AND SEWER FUND

City of Lenoir, North Carolina

MARCH, 2021

WATER DISTRIBUTION SYSTEM

1. WATER LINE REPLACEMENTS
 - Project Need: Replace old pipe in locations with increased maintenance and to meet proposed requirements with new EPA Lead and Copper rules
 - Description: Replace estimated 3000-4000 feet per year.
2. METER REPLACEMENT PROJECT
 - Project Need: Improve system supply and reliability; reduce water loss and improve revenue
 - Description: Project approximately 80% complete
3. FINLEY AREA WATER SYSTEM IMPROVEMENTS
 - Project Need: Create new pressure zone near Finley Tank to increase system pressures
 - Description: New 300,000 gallon elevated tank, booster station, and water lines
4. MAJOR PRESSURE REDUCING VALVE VAULTS
 - Project Need: Upgrades needed to valves between the Cajahs Mountain pressure zone and the Whitnel pressure zone
 - Description: Improved valve vaults to allow flow between the pressure zones for improved system reliability
5. HUDSON VALVE INSERTIONS
 - Project Need: Additional main line valves needed in the Hudson area distribution system
 - Description: Purchased equipment; Staff will self-perform beginning in late spring 2021
6. WHITNEL TRANSMISSION LINE REPLACEMENT – PHASE 1
 - Project Need: Update the transmission line to meet future demands and improve reliability
 - Description: replace and up-size the 20 inch transmission line from the water plant to Sawmills
7. WALT ARNEY ROAD WATER LINE REPLACEMENT
 - Project Need: Replace old 6 inch line along Walt Arney Road
 - Description: Replace line to improve reliability and reduce frequency of maintenance calls
8. HUDSON TANK PUMP UPGRADES
 - Project Need: improve efficiency and reliability of the pump at the water tank
 - Description: Replace the pump that pumps water up into the water tank; current pump is old and experiencing increased maintenance issues
9. PLEASANT HILL ROAD WATER IMPROVEMENTS
 - Project Need: Improve reliability of the distribution system along Pleasant Hill Road
 - Description: Replace old lines and valves along this area
10. ZACKS FORK TO COTTRELL HILL WATER SUPPLY LOOP
 - Project Need: Improve reliability to the distribution system in the Lower Creek area
 - Description: Complete a loop between Zacks Fork Road along Cottrell Hill road for better water flow and reliability
11. WHITNEL TRANSMISSION LINE REPLACEMENT – PHASE 2
 - Project Need: Update the transmission line to meet future demands and improve reliability
 - Description: Complete the replacement and up-size of the 20 inch transmission line from Sawmills to Lenoir

12. DIVISIONAL VALVE REPLACEMENTS

- Project Need: Replace old valves that separate the “high side” pressure zone from the “low side” pressure zone
- Description: Replace the valves that separate the two pressure zones due to age and facilitate future distribution system improvements

GEORGE L. BERNHARDT, SR. WATER TREATMENT PLANT (improve reliability, replace aging equipment, etc.)13. FLASH MIX BASIN REPAIRS – Repair spalled and leaking concrete wall areas along with replacement of the flash mixers14. AWIA COMPLIANCE PROJECTS

- Project Need: The American Water Infrastructure Act has requirements to make improvements identified in the Risk and Resiliency Study recently completed
- Description: Install cameras, fencing and improved security measures at water treatment and distribution facilities

15. FILTER VALVE REPLACEMENTS

- Replacement of the valves that control flow within the filters at the treatment plant
- Needed due to normal wear caused by daily operations at the plant

16. FINISHED WATER PUMP STATION EXPANSION

- Project Need: Upgrade Whitnel pump station to meet current and future demands
- Description: Install an additional pump and related equipment

17. BACKWASH SUPPLY

- Project Need: Method to reuse filtered backwash water
- Description: Install a system that reuses backwash water instead of using finished water to backwash facilities in the treatment process

18. OPERATIONS BUILDING UPGRADES

- Project Need: Update and rehab the original operations building (1956)
- Description: Remodel and update the current operations building that was built in 1956 and complete renovations started in 2019

19. GENERATOR AND ELECTRICAL SYSTEM LOOP

- Project Need: Redundant backup power supply
- Description: Install additional backup generator and make improvements to the electrical systems at the WTP for emergency power needs

20. VEHICLES/EQUIPMENT

- Project Need: Replace older vehicles and equipment at the WWTP for efficient operations
- Description: Periodic replacement of vehicles and equipment such as pumps, mixers, SCADA systems

WASTEWATER COLLECTION SYSTEM21. SEWER LINE REPLACEMENTS

- Project Need: Upgrade to sewer lines within the sewer collection system due to age
- Description: Projects to reduce inflow and infiltration; replace old lines

22. CROSSROADS SHOPPING CENTER TO LENOIR GOLF COURSE CLUBHOUSE SEWER
 - Project Need: Excessive I/I contributes to overflow violations in this service area and on the Greenway
 - Description: Replace existing line with larger pipe and manholes to eliminate I/I issues and DEQ violations
23. MANHOLE IMPROVEMENTS
 - Project Need: Replace or rehabilitate existing brick manholes due to age and condition
 - Description: Replace manholes in identified locations to improve flow and reduce overflow potential and DEQ violations
24. PENNTON AVE TO HIGHWAY 18 SEWER
 - Project Need: Pipe is old and needs to be replaced
 - Description: Replace old pipe to improve flow, reduce backflow issues and reduce infiltration of groundwater.
25. ZACKS FORK SEWER REPLACEMENT
 - Project Need: Existing sewer is a major source of infiltration
 - Description: Replace sewer line along the Greenway from Pennell to behind the Aquatic Center and on to the Soccer Complex on Zacks Fork Rd
26. MAIN STREET SEWER REPLACEMENT
 - Project Need: Existing sewer is a major source of infiltration
 - Description: Replace sewer line from the old RR crossing in Valmead to Highway 321
27. REHAB BLAIRS FORK OUTFALL
 - Project Need: Existing sewer is a major source of infiltration
 - Description: Replace sewer line near Piedmont Street along Blairs Fork Creek
28. GOLF COURSE SEWER REPLACEMENT
 - Project Need: Existing sewer is a major source of infiltration
 - Description: Replace 16 inch sewer line along the golf course from east of Hwy 321 towards the clubhouse
29. GUNPOWDER CREEK INTERCEPTOR REPLACEMENT
 - Project Need: Existing sewer is a source of infiltration
 - Description: Replace sewer line that flows into the Gunpowder Creek WWTP to reduce inflow and infiltration
30. EAST HARPER AVENUE SEWER REPLACEMENT
 - Project Need: Existing sewer is a major source of infiltration
 - Description: Replace sewer line along East Harper to reduce I/I. Ties into the Crossroads Sewer Replacement project that will begin in 2021
31. MEADOWOOD UPSTREAM SEWER REPLACEMENT
 - Project Need: Existing sewer is a major source of infiltration in the Gunpowder Creek WWTP
 - Description: Continues from the stopping point of the Meadowood project that was completed around 2015 to further reduce I/I coming into the Meadowood pump station
32. MEADOWOOD LIFT STATION IMPROVEMENTS
 - Project Need: Existing pumps and motors need upgrading to improve efficiency of the pump station
 - Description: Replace existing pumps and motors and undertake related rehab of the pump station facility

LOWER CREEK WASTEWATER TREATMENT PLANT

33. SEPTAGE RECEIVING STATION/VACTOR DUMP

- Project Need: Septage haulers release unpredictable flows, solids, rocks, rags and large amount of grease before the headworks of the facility
- Description: Construct an appropriately designed facility to allow for the dumping of septic tank trucks/Vactor truck with flow metering and security to hold and slowly feed the wastewater into the collection system to avoid upsets at the Lower Creek WWTP

34. LOWER CREEK WWTP EQUIPMENT AND CONCRETE REPAIRS

- Project Need: Due to the age of the plant, concrete and treatment related equipment needs repair or replacement
- Description: General repairs to equipment and concrete to maintain the integrity of the WWTP

35. LOWER CREEK WWTP IMPROVEMENTS/REHAB

- Project Need: Comprehensive update to all WWTP facilities and equipment
- Description: The last comprehensive plant renovation project was in the 1990's

36. VEHICLES/EQUIPMENT

- Project Need: Replace older vehicles and equipment at the WWTP for efficient operations
- Description: Periodic replacement of vehicles and equipment such as pumps, mixers, SCADA systems

TABLE 3
CITY OF LENOIR
WATER AND SEWER FUND
DEBT SERVICE SUMMARY - 2021

			YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	YEAR 6	YEAR 7	YEAR 8	YEAR 9	YEAR 10
TYPE	NAME	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
CURRENT DEBT												
BOTH	HWY 18 / RHODISS / UTILITY LINES	100,163										
WATER	WHITNEL PS SRL	185,782	182,090	178,399	174,707	171,015	167,323	163,632	159,940	156,248	152,556	
WATER	RAW WATER INTAKE	231,290	227,236	223,181	219,126	215,071	211,017	206,962	202,908	198,854	194,799	190,745
SEWER	POWELL RD SEWER	14,463	14,463	14,463	14,463	14,463	14,463	14,463	14,463	14,463	14,463	14,463
SEWER	GUNPOWDER WWTP	204,683	204,683	204,683	204,683	204,683	204,683	204,683	204,683	204,683	204,683	204,683
SEWER	MEADOWOOD SEWER	77,099	77,099	77,099	77,099	77,099	77,099	77,099	77,099	77,099	77,099	77,099
WATER	WTP IMPROVEMENTS	262,173	262,173	262,173	262,173	262,173	262,173	262,173	262,173	262,173	262,173	262,173
WATER	METER REPLACEMENTS	552,613	539,743	526,873	514,003	501,133	488,263	475,393	462,523	449,653		
SEWER	BIOSOLIDS		492,692	451,422	446,071	440,720	435,369	430,018	424,666	419,315	413,964	408,613
TOTAL CURRENT DEBT		1,628,265	2,000,178	1,938,292	1,912,324	1,886,356	1,860,389	1,834,422	1,808,454	1,782,487	1,319,737	1,157,775
WATER SUBTOTAL		1,281,939	1,211,241	1,190,625	1,170,008	1,149,391	1,128,775	1,108,159	1,087,543	1,066,927	609,528	452,918
SEWER SUBTOTAL		346,326	788,937	747,667	742,316	736,965	731,614	726,262	720,911	715,560	710,209	704,858
WATER %		78.73%	60.56%	61.43%	61.18%	60.93%	60.67%	60.41%	60.14%	59.86%	46.19%	39.12%
SEWER %		21.27%	39.44%	38.57%	38.82%	39.07%	39.33%	39.59%	39.86%	40.14%	53.81%	60.88%

WATER RATE COMPARISONS – March – 2021
5,000 GALLONS USAGE PER MONTH
www.efc.unc.edu/RatesDashboards/nc.html

<u>SYSTEM</u>	<u>WATER</u>	<u>SEWER</u>	<u>TOTAL</u>
Forest City	\$22.37	\$23.12	\$45.49
Morganton	\$15.25	\$33.23	\$48.48
Lenoir	\$23.86	\$24.88	\$48.74
Valdese	\$40.95	\$12.15	\$53.10
N. Wilkesboro	\$29.56	\$24.48	\$54.04
Hickory	\$25.54	\$33.00	\$58.54
Statesville	\$24.87	\$40.07	\$64.94
Two Rivers Utilities	\$27.56	\$38.26	\$65.82
** (Gastonia)			
Shelby	\$25.42	\$41.42	\$66.84
Lexington	\$28.56	\$38.41	\$66.97
Granite Falls	\$34.54	\$32.95	\$67.49
Boone	\$34.20	\$34.20	\$68.40
Taylorsville	\$35.50	\$35.50	\$71.00
Cherryville	\$36.50	\$36.50	\$73.00
Lincolnton	\$29.99	\$46.97	\$76.96
Siler City	\$41.00	\$37.25	\$78.25
Blowing Rock	\$39.38	\$39.38	\$78.76
** (Bi-monthly)			
Newton	\$36.63	\$48.33	\$84.96
Thomasville	\$34.90	\$50.70	\$85.60

TABLE 4
CITY OF LENOIR
FY 2021 AND PROPOSED WATER AND SEWER RATES

	CURRENT 2021	YEAR 1 2022	YEAR 2 2023	YEAR 3 2024	YEAR 4 2025	YEAR 5 2026	
WATER INSIDE							
Minimum	\$10.54	\$10.75	\$10.97	\$11.19	\$11.41	\$11.64	
1,001 +	\$3.33	\$3.40	\$3.46	\$3.53	\$3.60	\$3.68	per 1000 gal
WATER OUTSIDE							
Minimum	\$21.08	\$21.50	\$21.93	\$22.37	\$22.82	\$23.27	
1,001 +	\$6.67	\$6.79	\$6.93	\$7.07	\$7.21	\$7.35	per 1000 gal
BULK WATER	\$2.22	\$2.26	\$2.31	\$2.36	\$2.40	\$2.45	per 1000 gal
SEWER INSIDE							
Minimum	\$9.24	\$9.42	\$9.61	\$9.81	\$10.00	\$10.20	
1,001 +	\$3.91	\$3.99	\$4.07	\$4.15	\$4.23	\$4.32	per 1000 gal
SEWER OUTSIDE							
Minimum	\$18.49	\$18.85	\$19.23	\$19.61	\$20.00	\$20.40	
1,001 +	\$7.83	\$7.98	\$8.14	\$8.30	\$8.46	\$8.63	per 1000 gal
BULK SEWER	\$3.87	\$3.95	\$4.03	\$4.11	\$4.19	\$4.27	per 1000 gal
<u>SAMPLE MONTHLY WATER & SEWER CHARGES</u>							
INSIDE 5,000 GAL	\$48.74	\$49.71	\$50.71	\$51.72	\$52.76	\$53.81	
INSIDE 10,000 GAL	\$84.94	\$86.64	\$88.37	\$90.14	\$91.94	\$93.78	
INSIDE 50,000 GAL	\$374.54	\$382.03	\$389.67	\$397.46	\$405.41	\$413.52	
INSIDE 100,000 GAL	\$736.54	\$751.27	\$766.30	\$781.62	\$797.25	\$813.20	
OUTSIDE 5,000 GAL	\$97.57	\$99.43	\$101.42	\$103.45	\$105.52	\$107.63	
OUTSIDE 10,000 GAL	\$170.07	\$173.28	\$176.74	\$180.28	\$183.88	\$187.56	
OUTSIDE 50,000 GAL	\$750.07	\$764.06	\$779.34	\$794.93	\$810.83	\$827.04	
OUTSIDE 100,000 GAL	\$1,475.07	\$1,502.54	\$1,532.59	\$1,563.24	\$1,594.51	\$1,626.40	



City of Lenoir
Financial Summary
As of 2/28/2021



General Fund					
	2020-2021 Budget	2/28/2021	% of Budget	Change from Previous Year	2/29/2020
Total Revenue	\$ 18,644,570.98	\$ 14,812,078.26	79%	\$ 448,127.11	\$ 14,363,951.15
COVID-19- Revenue	\$ 314,054.98	\$ 314,054.98	100%		
Revenue Net of COVID	\$ 18,330,516.00	\$ 14,498,023.28	79%	\$ 134,072.13	\$ 14,363,951.15
Expenditures	\$ 18,644,570.98	\$ 11,389,238.94	61%	\$ (880,846.35)	\$ 12,270,085.29
COVID-19 Expenditures	\$ 314,054.98	\$ 314,054.98	100%		
Expenditures Net of COVID	\$ 18,330,516.00	\$ 11,075,183.96	60%	\$ (1,194,901.33)	\$ 12,270,085.29
Over/Under Net of COVID	\$ -	\$ 3,422,839.32		\$ 1,328,973.46	\$ 2,093,865.86
Downtown District					
	2020-2021 Budget	2/28/2021	% of Budget	Change from Previous Year	2/29/2020
Total Revenue	\$ 191,938.00	\$ 38,887.15	20%	\$ 19,709.31	\$ 19,177.84
COVID-19- Revenue	\$ 8,200.00	\$ 8,200.00	100%		
Revenue Net of COVID	\$ 183,738.00	\$ 30,687.15	17%	\$ 11,509.31	\$ 19,177.84
Expenditures	\$ 191,938.00	\$ 100,786.03	53%	\$ (37,794.24)	\$ 138,580.27
COVID-19 Expenditures	\$ 8,200.00	\$ 8,200.00	100%		
Expenditures Net of COVID	\$ 183,738.00	\$ 92,586.03	50%	\$ (45,994.24)	\$ 138,580.27
Over/Under Net of COVID	\$ -	\$ (61,898.88)		\$ 57,503.55	\$ (119,402.43)
Water/Sewer Fund					
	2020-2021 Budget	2/28/2021	% of Budget	Change from Previous Year	2/29/2020
Revenues	\$ 8,606,700.00	\$ 6,327,368.70	74%	\$ (65,165.15)	\$ 6,392,533.85
COVID-19- Revenue	\$ 25,400.00	\$ 25,400.00	100%		
Revenue Net of COVID	\$ 8,581,300.00	\$ 6,301,968.70	73%	\$ (90,565.15)	\$ 6,392,533.85
Expenditures	\$ 8,606,700.00	\$ 4,705,171.08	55%	\$ 51,730.59	\$ 4,653,440.49
COVID-19 Expenditures	\$ 25,400.00	\$ 25,400.00	100%		
Expenditures Net of COVID	\$ 8,581,300.00	\$ 4,679,771.08	55%	\$ 26,330.59	\$ 4,653,440.49
Over/Under Net of COVID	\$ -	\$ 1,622,197.62		\$ (116,895.74)	\$ 1,739,093.36

City of Lenoir, North Carolina
 Direct and Overlapping Property Tax Rates
 Last 23 Years

(rate per \$100 of assessed value)

Fiscal Year	<u>City Direct Rates</u>			<u>Overlapping Rates</u>	
	<u>City of Lenoir</u>	<u>Downtown Service District</u>	<u>Rescue Readiness</u>	<u>Caldwell County</u>	<u>Rescue Squad</u>
2021-22*					-
2020-21	0.58	0.25	0.0085	0.63	-
2019-20	0.58	0.25	0.0085	0.63	-
2018-19	0.58	0.25	0.0085	0.63	-
2017-18	0.58	0.25	0.0085	0.63	-
2016-17	0.58	0.25	-	0.63	0.0085
2015-16	0.58	0.25	-	0.60	0.0085
2014-15	0.58	0.25	-	0.60	0.0085
2013-14*	0.58	0.25	-	0.60	0.0085
2012-13	0.56	0.25	-	0.6299	0.0085
2011-12	0.54	0.25	-	0.6599	0.0085
2010-11	0.54	0.25	-	0.6599	0.0085
2009-10	0.54	0.25	-	0.6599	0.0085
2008-09	0.54	0.25	-	0.6599	0.0085
2007-08	0.54	0.25	-	0.6599	0.0085
2006-07	0.54	0.25	-	0.5399	0.0085
2005-06*	0.54	0.25	-	0.5399	0.0085
2004-05	0.54	0.25	-	0.5839	0.0071
2003-04	0.50	0.25	-	0.5839	0.0071
2002-03	0.50	0.25	-	0.5561	0.0071
2001-02*	0.47	0.25	-	0.5561	0.0071
2000-01	0.49	0.19	-	0.5829	0.0071
1999-00	0.49	0.19	-	0.5829	0.0071
1998-99	0.49	0.19	-	0.5829	0.0071

* revaluation year

City of Lenoir, North Carolina		
Solid Waste Fees		
Fiscal Year	Solid Waste Fees	Solid Waste Collections
2020-21		TBD
2019-20	10.00	793,464.00
2018-19	9.00	712,381.00
2017-18	9.00	707,721.00
2016-17	9.00	699,283.00
2015-16	9.00	703,382.00
2014-15	8.00	628,144.00
2013-14	8.00	622,819.00
2012-13	8.00	627,002.00
2011-12	8.00	626,743.00
2010-11	7.00	553,866.00
2009-10	7.00	560,940.00
2008-09	7.00	525,142.00
2007-08	7.00	515,359.00
2006-07	6.00	454,131.00
2005-06	6.00	438,734.00
2004-05	-	-

Health Insurance Rates		
FY	% Change	
2007-08	9.20%	BCBS
2008-09	1.90%	BCBS
2009-10	-3.10%	BCBS
2010-11	4.60%	BCBS
2011-12	-0.10%	BCBS
2012-13	6.70%	BCBS
2013-14	3.30%	BCBS
2014-15	15.00%	BCBS
2015-16	4.20%	BCBS
2016-17	7.90%	BCBS
2017-18	8.50%	BCBS
2018-19	-7.50%	Medcost
2019-20	0.00%	MedCost
2020-21	* 6.00%	MedCost
2021-22	6.00%	MedCost

* elimination of broker fee reduced to 4%

Average 4.17%

10-Year CPI/COLA/Water/Sewer

Fiscal Year	SE CPI (February)	COLA	Water	Sewer
2011-12	2.20%	0.00%	2.20%	4.00%
2012-13	3.30%	2.00%	3.30%	5.00%
2013-14	1.80%	0.00%	1.80%	2.00%
2014-15	1.20%	4.50%	1.20%	2.00%
2015-16	-0.30%	3.00%	0.00%	3.00%
2016-17	0.70%	2.00%	0.00%	3.00%
2017-18	2.80%	3.25%	2.50%	1.00%
2018-19	2.10%	4.80%	1.50%	0.00%
2019-20	1.10%	3.00%	1.10%	2.50%
2020-21	1.90%	3.00%	0.00%	0.00%
10-Year Totals	16.80%	25.55%	13.60%	22.50%

Fiscal Year	SE CPI (February)	COLA	Water	Sewer
2021-22	2.00%			

**City Of Lenoir
Fund Balances**

	<u>2020</u>			
Unreserved Fund Balances	\$10,483,369			
Fund Balance Percent	58.23%			
Water Fund Transfers	\$0			
	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>
Unreserved Fund Balances	\$9,829,330	\$8,421,722	\$7,222,443	\$4,554,559
Fund Balance Percent	56.77%	51.56%	43.14%	25.33%
Water Fund Transfers	\$0	\$0	\$0	\$0
	<u>2015</u>	<u>2014</u>	<u>2013</u>	<u>2012</u>
Unreserved Fund Balances	\$4,061,603	\$3,574,740	\$3,211,745	\$3,028,662
Fund Balance Percent	23.14%	21.90%	19.80%	18.75%
Water Fund Transfers	\$0	\$0	\$0	\$0
	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>
Unreserved Fund Balances	\$2,896,417	\$3,760,253	\$3,653,831	\$3,319,100
Fund Balance Percent	17.72%	23.59%	20.42%	21.18%
Water Fund Transfers	\$0	\$0	\$0	\$0
	<u>2007</u>	<u>2006</u>	<u>2005</u>	<u>2004</u>
Unreserved Fund Balances	\$3,188,151	\$2,285,977	\$2,024,965	\$1,797,042
Fund Balance Percent	20.48%	15.96%	12.62%	12.59%
Water Fund Transfers	\$0	\$0	\$86,371	\$582,020

Table A. South region CPI-U 1-month and 12-month percent changes, all items index, not seasonally adjusted

Month	2017		2018		2019		2020		2021	
	1-month	12-month	1-month	12-month	1-month	12-month	1-month	12-month	1-month	12-month
January	0.5	2.6	0.5	1.8	0.2	1.2	0.3	2.3	0.5	1.6
February	0.2	2.8	0.6	2.1	0.5	1.1	0.2	1.9	0.5	2.0
March	0.0	2.2	0.2	2.3	0.7	1.6	-0.1	1.1		
April	0.2	2.0	0.4	2.4	0.5	1.8	-0.8	-0.2		
May	0.0	1.7	0.3	2.7	-0.1	1.4	-0.2	-0.4		
June	0.2	1.5	0.2	2.7	-0.1	1.1	0.6	0.3		
July	-0.2	1.6	0.0	2.9	0.3	1.4	0.6	0.6		
August	0.4	1.9	-0.1	2.4	-0.1	1.4	0.4	1.1		
September	0.7	2.4	0.0	1.7	0.0	1.3	0.2	1.3		
October	-0.2	2.0	0.2	2.1	0.2	1.3	0.1	1.3		
November	-0.1	2.1	-0.3	1.9	0.0	1.6	-0.1	1.2		
December	-0.1	1.8	-0.5	1.5	0.0	2.1	0.2	1.4		

[illegible]

**CITY OF LENOIR
GENERAL FUND CIP
2021-2022 Budget Year**

General Fund	Total Project Cost	Funding from Other Source	Remaining	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027
Public Works									
Operating Budget									
Resurfacing	\$4,485,000		\$2,465,000	\$390,000	\$400,000	\$410,000	\$420,000	\$420,000	\$425,000
Garage - Two Post Lift (Lift Replacement)	\$20,000		\$20,000	\$20,000					
Arrowwood St. Bridge	\$600,000		\$600,000	\$25,000	\$50,000	\$525,000			
Greenway	\$300,000		\$300,000	\$50,000	\$50,000	\$100,000	\$50,000	\$50,000	
Strategic Paving - Subdivisions - 2" Base - Georgetown	\$65,000		\$65,000		\$65,000				
Strategic Paving - Subdivisions - 2" Base - Parkview	\$75,500		\$75,500	\$46,000	\$29,500				
Strategic Paving - Subdivisions - 2" Base - Heritage Hill	\$19,000		\$19,000				\$19,000		
Strategic Paving - Hospital Ave.	\$90,000		\$90,000	\$90,000					
Strategic Paving - Subdivisions - 2" Base -Summerhill	\$75,000		\$75,000		\$75,000				
ADA Transition Plan Implementation	\$425,000		\$180,000	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000
Total Public Works - Operating Funds	\$6,154,500		\$3,889,500	\$651,000	\$699,500	\$1,065,000	\$519,000	\$500,000	\$455,000
Other Funding Sources									
Hospital Avenue Sidewalk	\$1,000,000	\$800,000	\$200,000	\$200,000					
Linkside Connector - Hotel Street	\$100,000		\$100,000	\$100,000					
RTP Grant - Greenway	\$312,500	\$312,500	\$62,500	\$62,500					
Vehicles/Equipment - Street	\$2,074,000		\$1,010,000	\$50,000	\$150,000	\$160,000	\$325,000		\$325,000
Columbarium	\$40,000	\$40,000	\$40,000	\$20,000					\$20,000
Cemetery Paving	\$60,000	\$30,000	\$60,000	\$30,000		\$30,000			
Cemetery Master Plan	\$245,000		\$245,000		\$45,000	\$200,000			
Parkview Estates (Ebel Place Improvements)	\$50,000		\$50,000		\$50,000				
Vehicles/Equipment - Build. Maint.	\$90,000		\$90,000		\$30,000		\$30,000		\$30,000
Vehicles/Equipment - Cemeteries	\$75,000		\$75,000		\$45,000	\$15,000		\$15,000	
Vehicles/Equipment - Sanitation	\$1,055,000		\$1,055,000		\$275,000	\$450,000		\$330,000	
Vehicles/Equipment - Vehicle Services	\$30,000		\$30,000				\$30,000		
Total Public Works - Other Funding Sources	\$4,031,500		\$3,017,500	\$462,500	\$595,000	\$855,000	\$385,000	\$345,000	\$375,000
Grand Total Public Works	\$10,186,000		\$6,907,000	\$1,113,500	\$1,294,500	\$1,920,000	\$904,000	\$845,000	\$830,000
Fire									
Operating Budget									
SCBAs	\$180,000		\$180,000	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000
CPR TOOL/ LUCAS	\$48,000		\$48,000		\$16,000	\$16,000	\$16,000		
Station #2 Creek Bank Repair	\$20,000		\$20,000	\$20,000					
Station #1 Back Apron Repair	\$38,000		\$38,000		\$38,000				
P25 Communication Radio Upgrades	\$50,000		\$50,000				\$50,000		

**CITY OF LENOIR
GENERAL FUND CIP
2021-2022 Budget Year**

General Fund	Total Project Cost	Funding from Other Source	Remaining	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027
Total Operating Budget Fire	\$364,000		\$336,000	\$50,000	\$84,000	\$46,000	\$96,000	\$30,000	\$30,000
Other Funding Sources									
Two Rescue Pumps	\$1,276,239		\$1,275,250	\$637,625	\$637,625				
3 Quick Response Vehicles - QRVs	\$127,000		\$127,000	\$127,000					
Total Other Funding Sources Fire	\$1,403,239		\$1,402,250	\$764,625	\$637,625	\$0	\$0	\$0	\$0
Grant Total Fire	\$1,767,239		\$1,738,250	\$814,625	\$721,625	\$46,000	\$96,000	\$30,000	\$30,000
Police									
Operating Budget									
Portable Walkie Radios	\$180,000		\$180,000	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000
Parking Lot Repaving	\$15,000		\$15,000	\$5,000	\$5,000	\$5,000			
Firing Range Management	\$65,000		\$65,000	\$50,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000
HVAC/Building Repairs/Remodeling/Handicap Ramp	\$197,000		\$120,000		\$50,000	\$50,000	\$20,000		
Rain Gear Replacement	\$15,000		\$15,000		\$15,000				
Evidence Tracking System	\$25,000		\$25,000		\$25,000				
Crime Mapping Software	\$15,000		\$15,000		\$15,000				
Sign Refurbishment	\$8,000		\$8,000		\$8,000				
Personnel Transport Vehicle	\$25,000		\$25,000			\$25,000			
Video Enhancement System	\$10,000		\$10,000		\$10,000				
Mobile In-Car Radios	\$80,000		\$80,000			\$20,000	\$20,000	\$20,000	\$20,000
Weapon Replacement	\$86,800		\$17,800		\$7,800	\$5,000	\$5,000		
Total Operating Budget Police	\$721,800		\$575,800	\$85,000	\$168,800	\$138,000	\$78,000	\$53,000	\$53,000
Other Funding Sources									
Departmental Vehicles	\$3,657,400		\$2,156,000	\$270,000	\$373,000	\$373,000	\$380,000	\$380,000	\$380,000
Dual Purpose Patrol K-9	\$18,000		\$9,000				\$9,000		
SRT Ballistic Entry Vest	\$140,000		\$70,000			\$70,000			
Fencing at Firing Range	\$100,000		\$100,000			\$100,000			
Total Other Funding Sources Police	\$3,915,400		\$2,335,000	\$270,000	\$373,000	\$543,000	\$389,000	\$380,000	\$380,000
Grant Total Police	\$4,637,200		\$2,910,800	\$355,000	\$541,800	\$681,000	\$467,000	\$433,000	\$433,000
Administration									
Operating Budget									
City Hall and Clock Tower Stucco/Plaster Exterior	\$50,000		\$50,000		\$50,000				
Total Operating Administration	\$50,000		\$50,000	\$0	\$50,000	\$0	\$0	\$0	\$0
Technology Infrastructure									
Operating Budget									

**CITY OF LENOIR
GENERAL FUND CIP
2021-2022 Budget Year**

General Fund	Total Project Cost	Funding from Other Source	Remaining	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027
Computers, Telephone Upgrades & Software	\$375,000		\$270,000	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000
Software Upgrade -Split with Enterprise Fund	\$50,000		\$50,000	\$50,000					
Servers	\$40,000		\$40,000		\$10,000		\$10,000	\$10,000	\$10,000
Total Operating Technology Infrastructure	465,000		360,000	95,000	55,000	45,000	55,000	55,000	55,000
Recreation									
Operating Budget									
Aquatic Center Light Replacement	\$5,000		\$5,000	\$5,000					
Aquatic Center Roof Replacement	\$50,000		\$50,000	\$50,000					
MLK Center Entrance Awning	\$8,000		\$8,000	\$8,000					
MLK Center Roof	\$50,000		\$50,000	\$50,000					
Greenway Improvements	\$175,000		\$175,000	\$25,000	\$50,000		\$50,000		\$50,000
Disc Golf Course	\$25,000		\$25,000		\$25,000				
Aquatic Center Ceiling Replacement	\$75,000		\$75,000		\$75,000				
Aquatic Center HVAC Replacement	\$10,000		\$10,000		\$10,000				
Aquatic Center Locker Room Renovations	\$75,000		\$75,000		\$75,000				
MLK Center HVAC Replacement	\$10,000		\$10,000		\$10,000				
Parks Vehicle	\$75,000		\$75,000		\$25,000		\$25,000		\$25,000
Total Operating Funds Recreation	\$2,609,000		\$558,000	\$138,000	\$270,000	\$0	\$75,000	\$0	\$75,000
Other Funding Sources									
Security Fence @Zack Fork	\$52,000		\$52,000				\$52,000		
MLK Playground Improvements	\$100,000		\$100,000			\$100,000			
Splash Play Area @ Mulberry	\$200,000	\$200,000	\$200,000					\$200,000	
Mulberry Gym Upgrade	\$9,500		\$9,500		\$9,500				
Mack Cook Stadium Upgrades	\$225,000	\$225,000	\$225,000			15000	\$35,000	\$175,000	
LAFC Renovations	\$350,000	\$350,000	\$350,000					\$65,000	\$285,000
West End Park Improvements	\$25,000		\$25,000				\$25,000		
LHS Gym/Auditorium/Field Improvements	\$230,000	\$230,000	\$230,000	\$75,000	\$75,000	\$80,000			
IT Upgrades @ All Parks and Facilities	\$35,000		\$35,000		\$15,000	\$20,000			
Total Other Funding Sources Recreation	\$1,226,500		\$1,226,500	\$75,000	\$99,500	\$215,000	\$112,000	\$440,000	\$285,000
Grand Total Recreation	\$3,835,500		\$1,784,500	\$213,000	\$369,500	\$215,000	\$187,000	\$440,000	\$360,000
Total Operating Funds	\$10,314,300		\$5,769,300	\$1,019,000	\$1,277,300	\$1,294,000	\$823,000	\$638,000	\$668,000
Total Other Funding Sources	\$10,576,639		\$7,981,250	\$1,572,125	\$1,705,125	\$1,613,000	\$886,000	\$1,165,000	\$1,040,000
Grand Total	\$20,890,939		\$13,750,550	\$2,591,125	\$2,982,425	\$2,907,000	\$1,709,000	\$1,803,000	\$1,708,000

Outstanding Items

- Workers Comp:
- General Liability:
- Health:
- Retirement System:
- NCLM Dues:

Current Funding Commitments - General Fund

- Linkside Connector -
- Hospital Avenue Sidewalk -
- RTP Grant -
- Mills infrastructure Project -
- ARC - Broyhill Site Clean-up -
- Downtown 2-way Traffic Conversion (3-Phases)
 - Phase 1 -
 - Phase 2 -
 - Phase 3 -
- JE Broyhill Park Phase 2 -

CDGB Funding Commitments

- OVT/Rail/Greenway Trail Segment(s)
- LHS Auditorium/Gym/Field Improvements

Future Outstanding Items - General Fund

- Wayfinding Signage
- Strategic Milling/Paving: Hospital Ave. -
Parkview Streets -
- Greenway Extensions
- Strategic Foreclosures
- LAFC & MLK Renovations

OTHER

- COVID Stimulus Funds -
- Revaluation -

REVISED MINUTES-AMENDMENT IN BOLD

**COMMITTEE OF THE WHOLE
CITY HALL, THIRD FLOOR
TUESDAY, AUGUST 25, 2020
8:30 A.M.**

PRESENT: Committee members, Joe Gibbons, Crissy Thomas, Ralph Prestwood, Ike Perkins, and David Stevens.

ABSENT: Councilmember Jonathan Beal and Joshua Harris, Communications Director.

STAFF PRESENT: City Manager Scott Hildebran and City Clerk Shirley Cannon.

VIA TELECONFERENCE:

Participating via teleconference were Councilmembers Todd Perdue and Ben Willis, Fire Chief Ken Hair, Finance Director Donna Bean, Police Chief Brent Phelps, Recreation Director Kenny Story, Main Street Director Kaylynn Horn, Planning Director Jenny Wheelock, Public Utilities Director Radford Thomas, Public Works Director Jared Wright and Garrett Stell, *News-Topic*.

I. CALL TO ORDER

A. Mayor Pro-Tem Crissy Thomas welcomed everyone and called the meeting to order.

II. **B. Ordinance-Nuisances: Amending Chapter 12-Nuisances, Related to Disease Vector Species, Providing for Severability, Codification, and an Effective Date.**

A copy of the Ordinance is hereby incorporated into these minutes as information. (Refer to pages 8-13.)

A public hearing was held at the City Council meeting on Tuesday, August 18, 2020 for consideration of approval of an Ordinance amending Chapter 12-Nuisances. Action was deferred by Council until the August 25, 2020 Committee of the Whole meeting in order to meet the state's guidelines for public hearings.

Motion

Upon a motion by Councilmember Perkins, City Council voted 7 to 0 to approve the Ordinance Amending Chapter 12-Nuisances, Related to Disease Vector Species, Providing for Severability, Codification, and an Effective Date as submitted. The City's Code of Ordinances will be amended to reflect this change.

III. CITIZEN COMMENT PERIOD

IV. COMMITTEE ITEMS

A. Public Utilities: Public Utilities Director Radford Thomas reported on the

**AN ORDINANCE OF THE CITY COUNCIL OF LENOIR,
NORTH CAROLINA, AMENDING CHAPTER 12 - NUISANCES,
RELATED TO DISEASE VECTOR SPECIES, PROVIDING FOR
SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

Whereas, Chapter 12 currently addresses nuisance conditions related to harboring pests or creating breeding grounds for the same, but does not specifically address rabies-vector species; and

Whereas, From time-to-time staff fields complaints related to raccoons, bats, and other rabies-vector species, in addition to the more common complaints related to other disease-vectors and pests such as mosquitos, rats, and snakes, which are already specifically addressed in the nuisance ordinance; and

Whereas, Property conditions that harbor snakes, rats, and mosquitos may be different than conditions promulgating rabies-vector species, but the control of all of these types of nuisances is vital to maintaining a healthy and safe community; and

Whereas, the Lenoir City Council hereby finds and declares that this ordinance and these amendments are in the best interest of the public health, safety, and welfare; and

NOW, THEREFORE, LET IT BE ENACTED BY THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA, AS FOLLOWS:

SECTION 1. Chapter 12 of the Code of Ordinances, City of Lenoir, North Carolina, "Nuisances" is hereby amended to read as follows:

ARTICLE 1. – IN GENERAL

Sec. 12-1. Designation of nuisances.

- (a) No occupant or owner of any building, structure, dwelling, dwelling unit or vacant lot of land shall place, leave or allow anything which is unsightly as to create a nuisance, including but not limited to the following:
- (1) Refuse, debris, dead animals, stagnant water, rubbish, decayed vegetables and fruits, and household garbage;
 - (2) Stables, lots or shelters for animals causing an offensive odor;
 - (3) Appliances, including but not limited to any icebox, refrigerator, stove, dishwasher, freezer, clothes washer or dryer, or television;
 - (4) Machinery, to include but not be limited to, any mowers or parts thereof or any used vehicle part, or other item which is either in a wholly or partially wrecked, junked, dismantled or inoperative condition and which is not enclosed within a building (this section shall not apply to authorized junk dealers);

- (5) Used equipment, including but not limited to worn-out furniture or building materials which are not being used during construction; or
- (6) Outside storage of wood products being used as firewood which are not stacked.
- (b) This section shall apply to any item that may cause injury to the health, safety or general welfare of any other person, or that is unreasonably detrimental to neighboring properties. All properties within the city limits shall remain clean and in such order as to not harbor or attract disease vector species and pests (including but limited to rodents, snakes, mosquitos, cockroaches, raccoons, skunks), rats or any other vermin. ~~This section shall apply to any such item which remains on the same property of the same occupant for a period not less than 15 days. This section shall not apply to authorized junk dealers.~~
- (c) Any person violating, failing, refusing or neglecting to comply with any of the provisions of this section shall be subject to a civil penalty. This provision is adopted pursuant to and in accordance with G.S. 160A-175(c). Failure to abate a violation may also constitute a misdemeanor or infraction pursuant to G.S. 14-4, as provided in Sec. 1-15(h) of the Lenoir City Code.
- (d) Any nuisance violation that constitutes an immediate and substantial risk of harm shall constitute a misdemeanor offense pursuant to G.S. 14-4.
- (e) The Lenoir Planning Department and the Lenoir Police Department shall have the authority to enforce the provisions of this Chapter.

ARTICLE II. – PUBLIC NUISANCES

Sec. 12-12. Nuisances declared.

(a) The following enumerated and described conditions are hereby found, deemed and declared to constitute a detriment, danger and hazard to the health, safety, morals and general welfare to the inhabitants of the city or are unsightly, unattractive and contribute measurably to visual blight within the city, and are found, deemed and declared to be public nuisances wherever the same may exist and the creation, maintenance or failure to abate any nuisances is hereby declared unlawful.

- (1) Any condition which is a breeding ground or harbor for mosquitoes or a breeding ground or harbor for rats, snakes, or other pests or disease vectors, including but not limited to raccoons, bats, and skunks, or has the potential for becoming a breeding ground or harbor for such pests;
- (2) A growth of weeds, grasses and/or other vegetation on one's residential, business, or vacant lot which is over 12 inches in height on the average. It will be the responsibility of the owner to cut and remove all weeds and other overgrown vegetation as often as necessary so as to comply with the provisions of this section. This provision shall not apply to lots greater than one acre. Lots that are larger than one acre will only be required to be maintained to this provision if and only if adjacent property is occupied by a

dwelling, commonly used structure or building and said dwelling, structure, or building is within a distance of 100 feet to the adjacent property line. If this occurs then the owner will be responsible for cutting and removing all overgrown vegetation within a 20-foot border along occupied lots and street frontage. This provision will not apply to wooded vacant lots that are more than 75 percent covered with mature trees, or property that consist of ravines, creek banks, or severe slopes which may cause the maintenance process to be dangerous or unsafe. Furthermore this provision will not apply to vacant lots that are larger than three acres in size;

- (3) A place of vines, shrubs or other vegetation over eight inches in height when such vines, shrubs or vegetation are a focal point for any other nuisance enumerated in this Code; provided, the nuisance herein defined by this subsection shall be cleared and cut only when it is necessary to abate any other nuisance described in this section;
- (4) A place of growth of noxious vegetation, including poison sumac (*Rhus vernix*), poison ivy (*Rhus radicans*) or poison oak (*Rhus Toxicodendron*), in a location likely to be accessible to the general public;
- (5) Any hedge, shrubbery, tree or plant along any street, alley or sidewalk planted closer than 18 inches or extending closer than 12 inches or lower than 14.5 feet to such street, alley or sidewalk, or any of the above-mentioned vegetation that obscures clear vision for a distance of 15 feet from the intersection of one street with another;
- (6) An open place of collection of water for which no adequate natural drainage is provided and where insects tend to breed or which is or is likely to become a nuisance or a menace to public health;
- (7) A collection place, storage or accumulation of lumber, bricks, blocks, nails, building hardware, roofing materials, scaffolding, masonry materials, electrical supplies or materials, plumbing supplies or materials, heating and air conditioning supplies or material or any other type of old or unusable building supplies (especially those with nails, staples or sharp objects and edges) unless such conditions are temporary in nature and caused by a current construction project in progress pursuant to a lawfully issued building permit;
- (8) A collection place, storage or accumulation for garbage, garbage bags, food and kitchen waste, litter, animal waste, trash and refuse or any other rotten or putrescible matter of any kind;
- (9) Hides, dried or green, provided the same may be kept for sale in the city when thoroughly cured and odorless;
- (10) Deteriorated or dilapidated sheds, outbuildings, garages or other uninhabited structures which have collapsed, partially collapsed or are likely to collapse; or pose a danger of fire, is or is likely to become a breeding place or habitat for rats, mice and other pests; or present a risk of injury to neighborhood children who are likely to be attracted to the place or to adjacent property and property owners;
- (11) The use of carports, open porches, decks, open garages and other outdoor areas that are visible from the streets as a storage or collection place for boxes, appliances, furniture (not including outdoor furniture), tools, equipment, junk, garbage, old, worn out, broken or discarded machinery and equipment, cans, containers, household goods or other similar conditions that increase the likelihood of a fire; may conceal dangerous conditions; may be a breeding place or habitat for mice, rats or other pests; or create an unattractive condition or visually blighted property;

- (12) The placement, storage or use of upholstered sofas, couches, chairs or other indoor furniture, appliances, seats removed from motor vehicles or other furniture not intended for outdoor use by the manufacturer used on any open porch, carport, stoop, deck, veranda, terrace, patio or other outdoor area that is visible from nearby streets or sidewalks;
- (13) A collection place, storage or accumulation of old, worn out, broken or discarded machinery, vehicle parts, junk, tires, tire rims and tubes, metal products, old clothes, rags, furniture, stoves, refrigerators, appliances, cans and containers, household goods, mattresses, boxes, paper, plumbing or electrical fixtures, glass products, brush, limbs, fencing materials, wood products (not including firewood);
- (14) Any improper or inadequate drainage on private property which causes flooding, interferes with the use or endangers in any way the streets, sidewalks, parks or other municipal property of any kind;
- (15) Failure to clean or clear a public street of mud and debris related to a construction, timbering, or other similar land use project within 12 hours after notification by the city for major and minor thoroughfares or within 24 hours after such notification for collector and local streets; however, if it is found by the city that the situation is causing a clear and present danger or hazard to traffic or the general public, such cleaning or clearing may be required to take place as soon after notification as practicable; and
- (16) Any other condition specifically declared to be a danger to the public health, safety, morals and general welfare of inhabitants of the city and declared to be a public nuisance by the city council. Proceedings to abate the violation(s) may be initiated by the city prior to the nuisance declaration of the city council after giving written notice thereof. Such notice shall state the condition existing, the location of the violation and that the city council will be requested, after public hearing at which the person notified may appear and be heard, to declare that the conditions existing constitute a danger to the public health, safety, morals, and general welfare of the city inhabitants and a public nuisance. After such declaration by the city council, in the form of an ordinance, the condition will be abated as provided for in this chapter.
- (17) Property owners are required to maintain any area of their property which is located between a public sidewalk and the curb of a paved street in accordance with the guidelines set forth in this section.

(b) Appeal from a notice of violation initiated by the city council shall be made to county superior court within 30 days following the issuance of such order.

SECTION 2. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

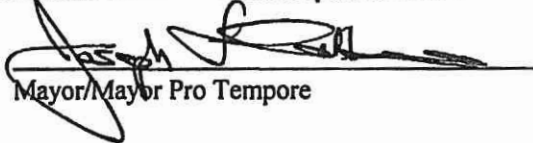
SECTION 3. CODIFICATION. The City Clerk shall cause the Code of Ordinances of Lenoir, North Carolina to be amended as provided by this ordinance and may renumber, re-letter, and rearrange the codified parts of this ordinance if necessary to facilitate the finding of the law.

SECTION 4. EFFECTIVE DATE. This ordinance takes effect upon adoption.

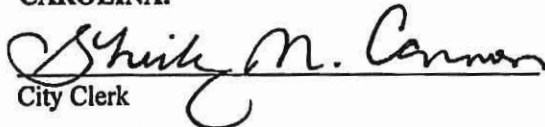
DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Lenoir, North Carolina, by the City Clerk of the City of Lenoir, North Carolina, this 8th day of August day of N/A, 2020.

DONE, THE PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of the a majority of a quorum present of the City Council of the City of Lenoir, North Carolina, at a regular meeting, this 25th day of August, 2020.

BY THE MAYOR/MAYOR PRO TEMPORE OF THE CITY OF LENOIR, NORTH CAROLINA:


Mayor/Mayor Pro Tempore

ATTEST, BY THE CLERK OF THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA:


City Clerk

CITY OF LENOIR, NC
CHARTERED
JANUARY 28, 1851

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SEAL

CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item: Lower Creek WWTP Biosolids Improvements – Change Order No.3

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. The change order includes relocation of an electrical panel, changes to the sludge hopper stairs and platform, addition of discharge chutes to the conveyor system and rebuilding the motor starters for the aerators.

These changes have resulted in a net increase in the construction cost of \$26,745.97 as reflected in the attached Change Order No. 3. The new contract amount will increase to \$4,291,895.03 from \$4,318,641.00. 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.3 as recommended by McGill Associates for the Lower Creek WWTP Biosolids Improvements in the amount of \$26,745.97.

III. Reviewed by:

City Attorney: _____

Finance Director: _____

Public Works/Public Utilities Director: _____

Change Order No. 03

Date of Issuance: March 17, 2021
 Owner: City of Lenoir
 Contractor: Brushy Mountain Builders
 Engineer: McGill Associates, P.A.
 Project: Biosolids Facility Improvements

Effective Date: March 17, 2021
 Owner's Contract No.:
 Contractor's Project No.:
 Engineer's Project No.: 17.01107
 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	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ 4,259,000.00	Original Contract Times: Substantial Completion: <u>330</u> Ready for Final Payment: <u>360</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>2</u> : CO #1: \$23,607.96 CO #2: \$9,287.07 \$ 32,895.03	[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>2</u> : Substantial Completion: <u>43</u> Ready for Final Payment: <u>43</u> days
Contract Price prior to this Change Order: \$ 4,291,895.03	Contract Times prior to this Change Order: Substantial Completion: <u>373</u> Ready for Final Payment: <u>403</u> days or dates
[Increase] [Decrease] of this Change Order: \$ 26,745.97	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>27 days</u> Ready for Final Payment: <u>27 days</u> days or dates
Contract Price incorporating this Change Order: \$ 4,318,641.00	Contract Times with all approved Change Orders: Substantial Completion: <u>400 days</u> Ready for Final Payment: <u>430 days</u>

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: _____ Engineer (if required)	By: _____ Owner (Authorized Signature)	By: _____ Contractor (Authorized Signature)
Title: _____	Title: _____	Title: _____
Date: _____	Date: _____	Date: _____

Approved by Funding Agency (if applicable):

_____ Date: _____



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

PREVIOUS CHANGE ORDER SUMMARY

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
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	11/30/2020	Poymer Tote Platform	LS	1	\$ 3,049.04	\$ 3,049.04	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
Total						\$ 32,895.03	43

PROPOSED CHANGE ORDER NO. 3

CONTRACT AMOUNT REVISIONS

CO Proposal	Date Submitted	Bid Schedule Description	Unit	Qty	Unit Price	Total Price	Days Requested
3	3/3/2021	Relocate I/O Panel	LS	1	\$ 1,890.00	\$ 1,890.00	5
3	3/8/2021	Stairs/Platform Revision	LS	1	\$ 13,907.48	\$ 13,907.48	10
3	3/15/2021	Add Conveyor Discharge Chutes	LS	1	\$ 3,073.49	\$ 3,073.49	2
3	3/18/2021	Aerator Motor Starter Rebuild	LS	1	\$ 7,875.00	\$ 7,875.00	10
					\$ -	\$ -	
						\$ 26,745.97	27

CONTRACT TIME REVISIONS

Change Order No. 1		25
Change Order No. 2		18
Change Order No. 3		27
Cumulative Contract Time Adjustment (Substantial)		70
Cumulative Contract Time Adjustment (Final)		70

ADJUSTED CONTRACT AMOUNT

Original Contract Amount	\$ 4,259,000.00
Change Order No. 1 thru Change Order No. 2 - Addition to Contract Amount	\$ 32,895.03
Change Order No. 3 - Addition to Contract Amount	\$ 26,745.97
Contract Amount Incorporating Change Orders	\$ 4,318,641.00

Change Order No. 3 Justifications		
3/3/2021	Relocate I/O Panel	The dryer manufacturer requested that the dryer I/O panel to be relocated closer to the dryer control cabinet. This change was necessary in order to bring all the controls and communications for the dryer to a centralized location.
3/8/2021	Stairs/Platform Revision	The sludge hopper within the residuals building had to be fabricated with higher walls in order to meet the specified and required volume called for within the contract. This was necessary change during fabrication but could not be foreseen during construction. This resulted in the stairs/platforms at the hopper being too low and the plant/maintenance staff could not see over the wall and into the hopper. It was necessary to raise the stairs/platforms so that the plant/maintenance staff could see into the hopper and observe dewatered sludge that will be conveyed from the belt filter press.
3/15/2021	Add Conveyor Discharge Chutes	The plant staff has recognized the need for chutes to be added to the discharge conveyors at both truck loading stations. The addition of these fabricated chutes will prevent dewatered sludge and dried sludge from being scattered and spread over trucks and onto the concrete pads at both of these stations.
3/18/2021	Aerator Motor Starter Rebuilds	The original plans showed the existing motor starters to remain. During construction the motor starters have become worn to the point that they have reached the end of their useful life. At this point in the project, the motor starters are nearly inoperable. The City has requested the replacement and installation of the motor starter components.

CITY OF LENOIR COUNCIL ACTION FORM

I. Agenda Item:

Resolution Authorizing Lease of City Property for a Term of One Year to Bernhardt Transportation, LLC

II. Background Information:

The City has historically (28+ years) leased a portion of the Public Services Facility property located of 510 Greer Circle to Bernhardt Transportation, LLC for their maintenance garage facility. This agreement would extend the lease for one year. Highlights of the lease are as follows:

The original term of this Lease shall be for One (1) year and the commencement date shall be January 1, 2022 and ending shall be December 31, 2022.

The City retains the exclusive right and option to use the wash bay and equipment in the Garage Building on Wednesday of each week.

The City retains the right to have parking and storage in the paved parking areas for its Public Works/Public Utilities Office Building including an area adequate to install a covered shed and including an adequate physical area sufficient to construct a chain link fence, installation of additional gates, and new secondary traffic patterns throughout the facility.

The City retains the right to have secure storage of new rollout garbage carts on the demised premises. Such secure storage shall be inside an Enclosed Material Storage Trailer (53 ft) which shall be provided by Lessee at no cost to Lessor.

Lessee shall pay rental to Lessor at a rate of One Thousand Five Hundred (\$1,500.00) Dollars per month or \$18,000.00 per year.

III. Staff Recommendation:

Recommend approval of a Resolution Authorizing Lease of City Property for a Term of One Year to Bernhardt Transportation, LLC.

IV. Reviewed By:

City Attorney:

Public Works/Public Utilities Directors:

City Manager:

Resolution Leasing Property for One Year or Less

WHEREAS, the City of Lenoir owns the improvements and lands located within the property described in Book 1094, at Page 1690, and located northwest of the City Public Services Complex and including the paved parking areas, the Garage Building and the rear parking area, located at 510 Greer Circle that it does not currently have use for; and

WHEREAS, Bernhardt Furniture Company (parent company of Bernhardt Transportation, LLC) owns adjoining lots and buildings; and

WHEREAS, the City and Bernhardt Transportation, LLC have agreed upon a lease, under which Bernhardt Transportation, LLC will lease a portion of the city's lot/building for the term of one year beginning January 1, 2022, for a consideration of \$18,000, payable in twelve (12) monthly payments; and

WHEREAS, North Carolina General Statute § 160A-272 authorizes the city to enter into leases of one year or less upon resolution of the City Council adopted at a regular meeting; and

WHEREAS, the City Council is convened in a regular meeting;

THEREFORE, THE CITY COUNCIL OF THE CITY OF LENOIR RESOLVES THAT:

The City Council hereby approves lease of the city property described above to Bernhardt Transportation, LLC and directs the City Manager to execute any instruments, including terms and conditions necessary to execute the lease.

Adopted this the 6th day of April, 2021.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk

Prepared by: Groome, Tuttle, Pike & Blair, RLLP

STATE OF NORTH CAROLINA

COUNTY OF CALDWELL

LEASE AGREEMENT

This Lease Agreement, made and entered into this ____ day of _____, 2021, by and between CITY OF LENOIR, a North Carolina municipal corporation of Caldwell County, North Carolina, (hereinafter called "Lessor"), and BERNHARDT TRANSPORTATION, LLC, a North Carolina limited liability company, with its principal office located in Lenoir, Caldwell County, North Carolina, (hereinafter called "Lessee");

WITNESSETH:

1. Demise of Premises. Lessor leases unto Lessee the real property and the building thereon (hereinafter called "Premises") which is located in the City of Lenoir, Caldwell County, North Carolina, subject to the Reservations set forth herein, and described more particularly as follows:

The improvements and lands located within the property described in Book 1094, at Page 1690, and located northwest of the Public Works/Public Utilities Office Building and including the paved parking areas, the Garage Building and the rear parking area, but excluding the Used Oil Containment Building. See attached map of leased area which is incorporated herein by reference.

2. Term of Lease.

A. The original term of this Lease shall be for One (1) year and the commencement date shall be January 1, 2022. If requested, the parties shall execute a short form Memorandum of Lease in recordable form containing such matters as the parties may agree upon including, however, as a minimum, the commencement date and the expiration date (which date shall be One (1) year from said commencement date).

B. This lease is subject to certain Reservations by Lessor as set forth below:

a. In the area designated on the attached map, Lessor retains the exclusive right and option to use the wash bay and equipment in the Garage Building on Wednesday of each week. Lessee agrees to not interfere with Lessors use of the Garage premises on Wednesdays. Lessor staff will exercise due care and diligence in the use of the wash bay.

b. In the area designated on the attached map, Lessor retains the right to have parking and storage in the paved parking areas for its Public Works/Public Utilities Office Building including an area adequate to install a covered shed and including an adequate physical area sufficient to construct a chain link fence, installation of additional gates, and new secondary traffic patterns throughout the facility. Lessor agrees to cooperate with Lessee in carrying out such reservations should Lessor determine such reservations are necessary.

c. In the area designated on the attached map, Lessor retains the right to have secure storage of new rollout garbage carts on the demised premises. Such secure storage shall be inside an Enclosed Material Storage Trailer (53 ft) which shall be provided by Lessee at no cost to Lessor.

3. Rentals.

Lessee shall pay rental to Lessor at a rate of One Thousand Five Hundred (\$1,500.00) Dollars per month or \$18,000.00 per year. Rental shall be due and payable in twelve (12) equal monthly installments of One Thousand Five Hundred (\$1,500.00) Dollars each, in advance, on the first (1st) day of each calendar month for and during the term.

In addition, Lessee shall carry, at its own expense, policies of property insurance with extended coverage insuring Lessee's personal property located on the premises against loss or damage to its furnishings, fixtures, inventory, equipment and other property situated or placed upon, in or about the Premises with companies and in amounts acceptable to itself.

4. Acceptance of Premises. Lessee acknowledges that the act of taking possession of the premises shall constitute acceptance thereof and conclusive evidence that Lessee has inspected and examined the entire premises and utility installations and that the same were, and are, in good and satisfactory condition, and Lessee accepts the same "as is".

5. Assignment or Subletting. Lessee shall not have the right to assign the Lease or to sublet the Premises in whole or in part without the prior written consent of Lessor. If Lessee is a corporation, then the passage of control of Lessee to parties other than those who presently control Lessee, as of the date of this Agreement, shall constitute an assignment of this Lease.

6. Compliance with Legal Requirements. Both parties shall comply with all the legal requirements of any governmental or quasi-governmental body including City, County, State or Federal boards having jurisdiction thereof, respecting any operation conducted or any equipment, installations or other property placed upon, in or about the Premises. Both parties shall neither create nor permit the creation of any nuisance upon, in or about the Premises, and neither shall not make any offensive use thereof.

7. Utilities. Lessee shall pay for all water and sewer services consumed or used on the Premises. Lessor shall pay for electricity and gas service to the premises. The lack of availability or failure of utility service shall not be deemed constructive eviction.

8. Additions, Alterations, Changes and Improvements. Lessee shall not make, nor have the right to make any alterations, changes or improvements, structural or otherwise, in or to the Premises without Lessor's prior written consent. If such consent is given, all such alterations, changes and improvements, shall be promptly made in a workman-like manner, be promptly paid for allowing no liens to attach either to the Premises or to Lessor's interest therein, and shall become the property of Lessor at the termination of this Lease Agreement. Lessor shall have the right to require Lessee to provide such assurances as Lessor shall reasonably require (such as bonds, escrows, etc.) to protect Lessor against unpaid-for work.

9. Repairs. Lessor shall not be responsible for making any repairs including

structural repairs and repairs of a capital nature to the exterior walls and to the roof. Lessee shall at its own expense keep and maintain all the premises and all parts and systems thereof including all repairs to windows and/or plate glass, and all utility installations and equipment (including repairs of a capital nature), in good maintenance, replacement and repair, properly painted and decorated. All repairs shall be performed in a prompt, workman-like manner, shall be promptly paid for by Lessee and no liens shall be allowed to attach either to the Premises or to Lessor's interest therein. Other than as specifically stated herein, Lessor has no obligation to make any repairs.

10. Safe and Sanitary Conditions. Lessee shall not permit, allow or cause any act or deed to be performed upon, in or about the premises which shall cause or be likely to cause injury to any person or to the Premises, the building or improvements located thereon, or to any adjoining property. Lessee shall at all times keep the premises in a neat and orderly condition and keep the premises and the entryways, parking areas, sidewalks and delivery areas adjoining the premises clean and free from rubbish, dirt, snow, standing water and ice.

11. Trade Fixtures. Lessee shall be permitted to install trade fixtures on the premises. In addition, Lessee shall be permitted to remove said trade fixtures installed during the term of this lease from the premises upon the termination of this Lease Agreement; provided that if Lessee does so remove such trade fixtures, it shall return the Premises to the same condition as existed at the time of the original entry, ordinary wear and tear excepted. This provision is not intended to allow Lessee to remove approved structural improvements by Lessee to the Premises. All such improvements belong to Lessor at the termination hereof and shall not be removed or damaged by Lessee's removal of its trade fixtures. If Lessee does not remove the trade fixtures at termination, Lessor shall have the option either to declare such fixtures abandoned and shall become the owner thereof or to demand that Lessee remove the same at its own expense, returning the Premises to the condition required herein.

12. Lessor Not Liable for Damages or Injuries. Lessor shall not be responsible to Lessee or any other person, firm, partnership, association or corporation for damages or injuries by virtue of or arising out of burst water pipes, leaks from sprinkler or air conditioning systems, leaks from the roof, or by virtue of earthquakes, riots, windstorms, overflow of water from surface drainage, rains,

water, fire or by the elements or acts of God, or by the neglect of any person, firm, partnership, association or corporation. Lessee shall indemnify and hold Lessor harmless from any and all claims for damages to person or property to the full extent permitted by law.

13. Indemnification. Both parties covenant to indemnify and hold the other party harmless from the claims of any and all persons, firms, partnerships, associations or corporations for personal injury or damage to property or both arising out of or in connection with either parties' use and/or occupancy of the Premises. In addition, Lessee shall carry public liability insurance in the minimum amount of \$1,000,000.00 bodily injury per occurrence, and \$500,000.00 property damage per occurrence, and Lessee shall deliver to Lessor a memoranda of the policy of such coverage with a company satisfactory to Lessor and which names Lessor as additional insured therein.

14. Fire or Casualty. If, during the term of this lease, the Premises shall be partially destroyed (as that term is herein defined) by fire or other casualty, Lessee shall have the right to terminate this Lease Agreement. If this option is not exercised by Lessee, Lessor may, in its sole discretion, effect the required repairs and reconstruction of the Premises. If Lessor elects to make the repairs or reconstruction, during such time as said repairs or reconstruction are being made, the rentals hereinabove provided shall not abate. Any other provisions contained herein notwithstanding, Lessor shall be required and obligated to effect repairs or reconstruction only to the extent of any sums of money, if any, which are received by Lessor under insurance coverage as a direct result of said fire or other casualty.

15. Waiver of Subrogation. Neither Lessee nor anyone claiming by, through, under or in Lessee's behalf shall have any claim, right of action or right of subrogation against Lessor or based upon any loss or caused by fire, explosion or any other casualty (not limited to the foregoing) relating to the premises or any property upon, in or about the Premises, whether such fire, explosion or casualty shall arise from the negligence of Lessor, their agents, representatives or employees, or otherwise.

16. Subordination to Mortgages. This Lease Agreement and the rights of Lessee are subordinate to and shall be subordinate to the lien of any mortgage or deed of trust (hereafter called "Mortgage") whether such Mortgage is a lien on the

Premises or hereafter becomes a lien on the Premises and no further agreements or documents shall be required to render this Lease and Lessee's rights subordinate to such Mortgage. Lessee shall at all times upon request of Lessor promptly furnish documents stating that this lease is in full force and effect, that no defaults of Lessor exist, and such other matters as are customarily contained in what is known as an "estoppel letter" or a "good-standing letter". Should Lessee fail to deliver such documents within 10 days of Lessor's request therefor, Lessor shall be deemed Lessee's attorney-in-fact for the purpose of executing such documents in the name of Lessee.

17. Inspection. Lessor shall have the right at all reasonable times to enter and inspect the Premises.

18. Condition of Premises Upon Termination. Upon the termination of this Lease Agreement, Lessee shall return the Premises to Lessor substantially in the same condition as when received ordinary wear and tear and approved improvements excepted.

19. Holding Over. In the event Lessee remains in possession after the expiration of the Term without the execution of a new lease, Lessee shall not acquire any right, title or interest in or to the Premises. In such event, Lessee shall occupy the Premises as a tenant from month-to-month and shall otherwise be subject to all of the conditions, provisions and Obligations of this Lease agreement insofar as the same shall be applicable.

20. Default. Each of the following events shall constitute a default or breach of this lease by Lessee:

- a) The filing of a petition in bankruptcy or insolvency or for reorganization under any bankruptcy act or the making of general assignment for the benefit of creditors.
- b) Involuntary proceedings under any bankruptcy or insolvency act instituted against Lessee, or if a receiver or trustee shall be appointed for all or substantially all of the property of Lessee and such proceedings are not dismissed, or the receivership or trusteeship vacated within 10

days after the institution or appointment;

c) Failure to pay rent when the same shall become due and a continuing failure to pay rent for 10 days after notice thereof from Lessor to Lessee. For purposes hereof, all funds due from Lessee shall constitute rental whether denominated as rental or otherwise elsewhere herein;

d) If Lessee fails to fully perform and comply with each and every condition and covenant of this Lease Agreement, and such failure of performance continues for a period of 30 days after notice thereof;

e) Vacates or abandons the Premises;

f) If the interest of Lessee is transferred, levied upon or assigned to any other person, firm or corporation whether voluntary or involuntary except as herein permitted;

21. Remedies In Event of Default. In the event of any default hereunder as set forth in the foregoing Section 20, Lessor shall be entitled to re-enter and re-take the Premises and exercise all their rights under the laws of the State of North Carolina.

22. Breach. Upon any breach hereof, regardless of what such breach is or if such breach becomes, an "event of default", either party shall be reimbursed by the other party for any reasonable attorney's fees incurred in connection with such breach.

23. Waiver. No failure to exercise any rights hereunder to which Lessor may be entitled shall be deemed a waiver of the right to subsequently exercise same. Lessee shall gain no rights nor become vested with any owner to remain in default under the terms hereof by virtue of Lessor's failure to timely assert rights. No waiver of an acceleration of rentals, regardless of how often occurring, which Lessor chose to ignore by thereafter accepting rental or other performance by Lessee shall constitute a waiver of the right to thereafter accelerate rentals.

24. Law Applicable. This Lease is entered into in North Carolina and shall

be construed under the laws, statutes, and ordinances of such jurisdiction.

25. Severability. The provisions hereof are independent covenants and should any provision or provisions contained in this Lease be declared by a court or other tribunal of competent jurisdiction to be void, unenforceable or illegal, then such provision or provisions shall be severable and the remaining provisions hereof shall remain at Lessor's option in full force and effect.

26. Easements, Restrictions and Right of Way. The Premises are demised subject to all easements, restrictions and right of way legally affecting the Premises.

27. Binding Effect and Complete Terms. The terms, covenants, conditions and agreements herein contained shall be binding upon and inure to the benefit of and shall be enforceable by Lessor and by their respective heirs, successors and assigns. All negotiations and agreements of Lessor and Lessee are merged herein. No modification hereof or other purported agreement of the parties shall be enforceable unless the same is in writing and signed by Lessor and Lessee.

28. Rental Payments. All rental payments, unless otherwise designated in writing, shall be made to Lessors at such place as Lessor may from time to time designate in writing.

29. Lessor's Performance of Lessee's Covenants. Should Lessee, after seven days' notice from the Lessor, fail to do any of the things required to be done by it under the provisions of this Lease, Lessor, in addition to any and all other rights and remedies, may (but shall not be required to) do the same or cause the same to be done, and the amount of any money expended by Lessor in connection therewith shall constitute additional rental due from Lessee to Lessor and shall be payable as rental on the date for payment of rentals next following such expenditure.

30. Covenant of Title and Quiet Enjoyment. Lessor covenants and warrants to Lessee that they have full right and lawful authority to enter into this Lease for the term hereof and provided Lessee is not in default hereunder, Lessee's quiet and peaceable enjoyment of the Premises shall not be disturbed by anyone claiming through Lessor.

31. Construction. This Lease shall not be construed more strictly against either party regardless of which party is responsible for the preparation of the same.

32. Notice. Any notice to a party to this lease shall be given at the following address:

Lessor: City of Lenoir
 Attn: Scott Hildebran, Manager
Shildebran@CI.LENOIR.NC.US
 Post Office Box 958
 Lenoir, North Carolina 28645

Lessee: Bernhardt Transportation, LLC
 Attn: Kevin McDougall, General Counsel
 1839 Morganton Blvd.
 Lenoir, North Carolina 28645
Kevinmcdougall@bernhardt.com

IN WITNESS WHEREOF, the parties have signed and sealed this Lease Agreement, this day and year first above written.

LESSOR:

CITY OF LENOIR (SEAL)
 a North Carolina municipal corporation

By: _____
 Scott Hildebran
 Manager

LESSEE:

BERNHARDT FURNITURE COMPANY (SEAL)

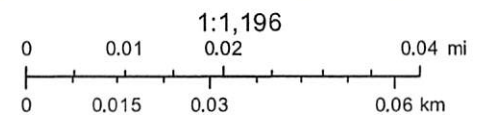
By: _____

Caldwell County



October 9, 2020

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

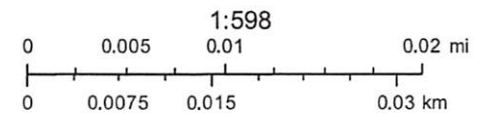
Exhibit A - Overall Plan

Caldwell County



October 9, 2020

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

Exhibit B - Parking & Storage Area



April 2021



Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2 Good Friday! City Offices Closed	3
4	5	6 6:00 p.m. City Council	7 9:00 a.m. Staff Meeting	8 4:00 p.m. LTDA 6:00 p.m. Lenoir Business Adv. Brd. (Virtual Meetings)	9	10
11	12 Noon - City/County Services Committee (Virtual)	13 8:00 a.m. EDC (Virtual)	14	15 2:00 p.m. ABC Board	16	17
18	19 6:00 p.m. City Council *Note Date Change	20 9:00 a.m. Staff Meeting	21	22	23	24
25	26 5:30 p.m. Planning Board (Virtual)	27 8:30 Committee of the Whole	28 Noon - Foothills Regional Airport Authority (Virtual)	29	30	
		Notes for May				
		City offices will be closed on Monday, May 31 in observance of Memorial Day.				

CITY OF LENOIR
COUNCIL ACTION FORM

- I. Agenda Item:** Resolution to Authorize an Application for State Loan/Grant Assistance for Improvements to the Finley Area Water System Improvement Project
- II. Background Information:** The City of Lenoir recently completed a study of the current water distribution system in the Finley area of the City. For some time there have been concerns with low water pressure in this area and the need to make improvements to the water distribution system to address these concerns. The study identified several alternatives and it has been determined that the best and most cost effective alternative for improvements would cost an estimated \$5,100,000.00. This project has been identified on the Water and Sewer CIP for several years and is currently identified on the CIP in year 2022.

The next step in the process is to submit an application to the state for funding assistance for the project. The resolution authorizes the application for state loan/grant funds which will be sufficient to cover construction, related engineering, inspections, and administration of the project. Applications are due to the state at the end of April 2021.

- III. Staff Recommendation:** Staff recommends approval of the resolution to authorize an application for state loan/grant assistance for the improvements to the Finley Area Water System.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Public Works/Public Utilities Director: _____

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 ____ day of _____, 2021 at Lenoir, North Carolina.

SEAL

Joseph L. Gibbons, Mayor

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 ____ day of _____, 2021; 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 ____ day of _____, 2021.

Signature

Shirley Cannon, City Clerk

Printed Name and Title

CITY OF LENOIR
COUNCIL ACTION FORM

- I. **Agenda Item:** City staff request that City Council adopt an Order of Abatement directing staff to abate the minimum housing violations by demolishing the structure on the property of 1921 Marigold Ln.
- II. **Background Information:** The subject structure is unfit for human habitation and attempts to achieve owner abatement have been unsuccessful. See the attached timeline for detailed information.
- III. **Staff Recommendation:** Recommend adoption of the attached ordinance, directing staff to proceed with the demolition and removal of the structure.
- IV. **Reviewed by:**

City Attorney: _____

Finance Director: _____

Planning Director: *D. Wheelock*

**AN ORDINANCE DIRECTING THE MINIMUM HOUSING INSPECTOR TO REMOVE OR
DEMOLISH THE PROPERTY HEREIN DESCRIBED AS UNFIT FOR HUMAN
HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE
SAME MAY NOT BE OCCUPIED.**

WHEREAS, the City Council of the City of Lenoir finds that the dwelling described herein is unfit for human habitation under the City Housing Standards, and that all of the procedures of the Minimum Housing Standards have been complied with; and

WHEREAS, this dwelling should be removed or demolished, as directed by the Minimum Housing Inspector, and should be placard thereon the notice prohibiting use for human habitation; and

WHEREAS, the owner of this dwelling, Robert Alandth Hamby, has been given a reasonable opportunity to bring the dwelling into compliance with the Minimum Housing Standards accordance with G.S. 160A-443 (5) pursuant to an order issued by the Minimum Housing Inspector on November 4, 2020, and the owner has failed to comply with the order;

NOW THEREFORE BE IT ORDAINED BY the City Council of the City of Lenoir that:

Section 1. The Minimum Housing Inspector is hereby authorized and directed to place a placard containing the following:

"This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful."

on the building located at the following address: **1921 Marigold Ln**
Lenoir, North Carolina.
Parcel-ID 03 53 2 16
NCPIN 2768107707

Section 2. The Minimum Housing Inspector is hereby authorized and directed to proceed to remove or demolish the described above dwelling in accordance with this Order, and in accordance with the City of Lenoir Minimum Housing Code, and NCGS Chapter 160A, Article 19, Part 6.

Section 3. The cost of demolition and improvement of the lot shall be a tax lien on the real property as provided by G.S. 160A-443 (6).

Section 4. It shall be unlawful for any person to remove or cause to be removed the placard from any building to which it is affixed. It shall be likewise unlawful for any person to occupy or to permit the occupancy of any building therein declared to be unfit for human habitation.

Section 5. A copy of this ordinance shall be recorded in the Register of Deeds of Caldwell County, North Carolina, and indexed in the name of the property owner or owners in the grantor index.

Section 6. This ordinance shall become effective on Tuesday, April 6th, 2021

Adopted this the 6th day of April 2021.

JOSEPH L. GIBBONS
MAYOR

ATTEST:

SHIRLEY M. CANNON
CITY CLERK

APPROVED AS TO FORM:

Timothy J. Rohr
CITY ATTORNEY

Owner: Hugh Alexander Hames
 Property: 1921 Marigold Ln
 NC Pin No. 2768107707
Minimum Housing Violation Timeline

<u>Date</u>	<u>Description</u>
September 2020	The City was contacted by a few citizens concerning the condition of 1921 Marigold Ln. The callers stated that there was a fire at this house in 2019. After receiving the complaints, a drive-by inspection was completed. The structure was severely damaged from the fire and trash/debris were all around the property. I took pictures of the property and prepared to start the minimum housing case.
October 6, 2020	The initial minimum housing violation/hearing notice was mailed to the property owner on this date. Two copies of the letter were mailed one first-class and one certified mail. The initial minimum housing letter requested that the property owner contact the housing inspector to set up a time for an onsite hearing to discuss the housing violations and abatement procedures. The owner/heirs failed to contact the housing inspector and only the certified letter was returned. Certified Mail No. 7018 3090 0000 0245 6869
November 4, 2020	Final minimum housing determination letters were mailed to the property owner on this date. Two copies of this letter were mailed one first-class and one certified mail. Due to the severely dilapidated condition of the structure and the health/safety hazard the final order was to demolish the dwelling and remove it from the property. The owner failed to contact the housing inspector and both the first class and certified letter were returned. Certified Mail No. 7019 1640 0001 3421 8339
March 29, 2021	A final notice was mailed to the owner informing them that an ordinance for demolition of the dwelling at 1921 Marigold Ln would be submitted to the City of Lenoir City Council on Tuesday, April 6, 2021. Two copies of the letter were mailed one first-class and one certified mail. Certified Mail No. 7019 2970 0001 7097 2559
April 6, 2021	At this time, it is requested that an ordinance be passed for the demolition of the dwelling at 1921 Marigold Ln. All fees accumulated during the demolition will be placed as a lien on the property

Minimum Housing Violation Affidavit
(1921 Marigold Ln)

I, Zach Clark affirm that as the housing inspector for the City of Lenoir I have made every possible attempt to contact the property owners of 1921 Marigold Ln. I have exhausted all resources in the effort to find the owners and/or heirs of the property mentioned above. The dwelling is unfit for human habitation and is a health/safety hazard for nearby neighbors. At this time the best course of action to eliminate the minimum housing violations is to demolish the structure and remove all debris from the property.

I swear that everything documented in this packet to be true and correct to the best of my information, knowledge, and belief.

3-31-21

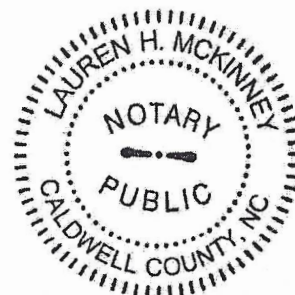
Date

Zach Clark
Zach Clark

STATE OF NORTH CAROLINA
COUNTY OF CALDWELL

I, the undersigned Notary Public, do hereby affirm that Zach Clark personally appeared before me on the 31st day of March, 2021 and signed the above Affidavit as his free and voluntary act and deed.

Lauren H. McKinney
Notary Public
APR 8-16-2021



Owner HAMES HUGH ALEXANDER
1921 MARIGOLD LN
HUDSON, NC 28638

Deferred Val	\$0
Assessed Val	\$74,000
Calc Acreage	0.355282
Land Units	100 (FF)
Legal Desc	1016/1237 1990 0.00
Plat Ref	/
Property Addr	1921 MARIGOLD LN SE

1:1,156

0 0.0075 0.015 0.03 mi

0 0.015 0.03 0.06 km

October 6, 2020

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

October 6, 2020

Hugh Alexander Hames
1921 Marigold Ln
Hudson, NC 28638

Certified Mail: 7018 3090 0000 0245 6869

MINIMUM HOUSING VIOLATION AND HEARING NOTICE

To: **Hugh Alexander Hames**, owner(s) of property located at **1921 Marigold Ln SE** (PIN: 2768107707) in the City of Lenoir, North Carolina.

Unsafe Buildings: General Statute 160A-426, 160A-446, 160A-429
North Carolina Code Officials Enabling Act: 160A-412

Condition of structure is determined as: **Deteriorated** ☐
Dilapidated ☒

After receiving a complaint concerning minimum housing violations at the address listed above an inspection of the property to assess the violations is now required. As the legal owner, you have ten (10) days to call the City of Lenoir Housing Inspector to establish a hearing date and location that must be held within the specified timeframe.

The following code violations have been determined: If further inspection is required, additional violations may be added.

G.S. 160A-428

That the building or structure is in a condition that appears to meet one or more of the following conditions:

- A. Constitutes a fire or safety hazard.**
- B. Is dangerous to life, health, or other property.**
- C. Is likely to cause or contribute to blight, disease, vagrancy, or danger to children.**
- D. Has a tendency to attract person(s) intent on criminal activities or other activities which would constitute a public nuisance.**



POST OFFICE BOX 958 • LENOIR, NORTH CAROLINA 28645-0958 • (828) 757-2200
www.cityoflenoir.com

The property listed above is in violation of the City of Lenoir Minimum Housing Standards. Due to the amount of structural damage caused by the fire this dwelling is classified as dilapidated. The structure is currently unsecure and is a safety hazard. The dwelling is unfit for human habitation. To abate the minimum housing violations and the health/safety hazards, the dwelling must be demolished and removed from the property. Please contact me within 10 days of receiving this notice to schedule a time for an onsite hearing. Abatement procedure and time frame in which it must be completed will be discussed at the hearing.

Stage of the investigation

Initial Investigation ●

Final Determination ○

Failure to comply will result in actions including, but not limited to, civil penalties, posting, and/or city abatement. All questions about the violation or procedures to abate them will be addressed at the hearing.

Sincerely,



Zach Clark
Zoning and Housing Inspector
City of Lenoir Planning Department
Office: 828.757.2212
Cell: 828.394.9552

CITY OF LENOIR
P. O. BOX 958
LENOIR, N. C. 28645-0958

VERIFIED MAIL



7018 3090 0000 0245 6869

GREENSBORO NC 270

8 OCT 2020 PM 1 L



U.S. POSTAGE PITNEY BOWES



ZIP 28601 \$ 006.90⁰
02 4W
0000373342 OCT 08 2020

vac

Hugh Alexander Hames
1921 Marigold Ln
Hudson, NC 28638

NAME
1ST NOTICE

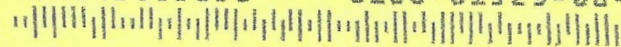
NIXIE 274 DE 1 0010/12/20

RETURN TO SENDER
VACANT
UNABLE TO FORWARD

VAC

286450958

BC: 28645095858 *0180-01529-08-41



NIXIE 274 DE 1081 0010/12/20
RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD
BC: 28645095858 *2180-05239-12-38

8560450958Z

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PRESORTED
FIRST CLASS



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Hugh Alexander Hames
1921 Marigold Ln
Hudson, NC 28638

738068 32 HRCOMP 28638



CITY MANAGER
SCOTT E. HILDEBRAN



CITY OF LENOIR
NORTH CAROLINA

MAYOR
Joseph L. Gibbons

CITY COUNCIL
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J.I. PERKINS
T.J. ROHR
D.F. STEVENS
C.D. THOMAS
B.K. WILLIS

November 4, 2020

Hugh Alexander Hames
1921 Marigold Ln
Hudson, NC 28638

Certified Mail: 7019 1640 0001 3421 8339

MINIMUM HOUSING VIOLATION AND ORDER TO ABATE

To: **Hugh Alexander Hames**, owner(s) of property located at **1921 Marigold Ln** (PIN: 768107707) in the City of Lenoir, North Carolina.

**Unsafe Buildings: General Statute 160A-426, 160A-446, 160A-429
North Carolina Code Officials Enabling Act: 160A-412**

Condition of structure is determined as: **Deteriorated** ☐
Dilapidated ☒

The following code violations have been determined: If further inspection is required, additional violations may be added.

G.S. 160A-428

That the building or structure is in a condition that appears to meet one or more of the following conditions:

- A. Constitutes a fire or safety hazard.**
- B. Is dangerous to life, health, or other property.**
- C. Is likely to cause or contribute to blight, disease, vagrancy, or danger to children.**
- D. Has a tendency to attract person(s) intent on criminal activities or other activities which would constitute a public nuisance.**



POST OFFICE BOX 958 • LENOIR, NORTH CAROLINA 28645-0958 • (828) 757-2200
www.cityoflenoir.com

This is the final determination for the property listed above. Owner failed to contact the housing inspector as instructed in the initial letter that was mailed on **October 6, 2020**. This property is in violation of the City of Lenoir Minimum Housing Standards. The structure is currently unsecure and a safety hazard. Due to the amount of structural damage this dwelling is classified as dilapidated. To abate the minimum housing violations and the health/safety hazards, the dwelling must be demolished and removed from the property. Abatement of these violations must occur in a specified amount of time, not to exceed 60 days.

Failure to abate the violations by, **Wednesday January 6 2021** will result in actions including, but not limited to, civil penalties, postings, and city abatement. If you have any questions concerning the violations or the abatement process, please contact me.

Section 1-15 Civil and Criminal Penalties

- (c) Violation of any provision of this Code not corrected as provided in [this letter] shall subject the offender to a civil penalty in the amount of \$50.00 to \$500.00, in accordance with the citation schedule in subsection (e), to be recovered by the city in a civil action in the nature of debt if the offender does not pay the penalty within a period of 72 hours after being cited. The citation shall be in writing, signed by the authorized person issuing the citation, and shall be delivered in person or by mail to the offender.

(e) Civil Penalties Schedule

Violation of any provision of this ordinance shall subject the offender to civil penalties in the following amounts, as applicable. All Civil Penalties must be paid within 72 hours of receipt by the offender.

First Penalty	Second Penalty	Third Penalty	Fourth Penalty	Fifth Penalty	Sixth Penalty	Seventh Penalty	Eighth Penalty	Ninth Penalty	Tenth Penalty
\$50.00	\$50.00	\$50.00	\$100.00	\$100.00	\$100.00	\$250.00	\$250.00	\$250.00	\$250.00

* If violations continue to exist past the tenth penalty, subsequent penalties shall be \$500.00 each.

- (f) Unless otherwise specifically provided in this Code and authorized by state law, no single offense (as described in subsection (d), above) may be punished by a fine or civil penalty in excess of \$500.00.

Stage of the investigation

Initial Investigation ☐

Final Determination ☒

Sincerely,



Zach Clark
Zoning and Housing Inspector
City of Lenoir Planning Department
Office: 828.757.2212
Cell: 828.394.9552
Fax: 828.757.4440

CITY OF LENOIR
P. O. BOX 958
LENOIR, N. C. 28645-0958

CERTIFIED MAIL



7019 1640 0001 3421 8339

GREENSBORO NC 270

6 NOV 2020 PM 2 L

U.S. POSTAGE PITNEY BOWES



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0000373342 NOV 06 2020

UTF

Hugh Alexander Hames
1921 Marigold Ln
Hudson, NC 28638

NAME _____
1ST NOTICE _____
2ND NOTICE _____

NIXIE 274 FE 1 0011/10/20

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 28645095858 *0280-07289-06-46



2000-0001
28645095858

CITY MANAGER
SCOTT E. HILDEBRAN



CITY OF LENOIR
NORTH CAROLINA

MAYOR
Joseph L. Gibbons

CITY COUNCIL
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J.I. PERKINS
T.J. ROHR
D.F. STEVENS
C.D. THOMAS
B.K. WILLIS

March 29, 2021

Hugh Alexander Hames
1921 Marigold Ln SE
Hudson, NC 28638

Certified Mail: 7019 2970 0001 7097 2559

RE: Minimum Housing Determination
Address: 1921 Marigold Ln SE
NCPIN: 2768107707

This letter is to inform you that you have failed to comply with an order of the housing inspector to abate minimum housing violations at 1921 Marigold Ln within 60 days of November 4, 2020.

Upon failure of the owner of the dilapidated dwelling to comply with an order of the inspector within the time specified therein, the inspector may submit to the City Council an ordinance ordering the inspector to cause such dwelling to be removed or demolished, as provided in the original order of the inspector. The amount of the cost of vacating and closing, or removal or demolition caused to be made or done by the inspector shall be a lien against the real property upon which such cost was incurred. Such lien shall be filed, have the same priority, and be enforced and the costs collected as the lien for a special assessment.

The housing inspector has submitted an ordinance to City Council, as described above. The City Council will consider this ordinance for adoption at the Tuesday, April 6 2021 City Council Meeting, held in the County Chambers at 905 West Ave in Lenoir.

Sincerely,

Zach Clark
Zoning and Housing Inspector
City of Lenoir Planning Department
(828) 394-9552



7018 3090 0000 0245 6869

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☐ Adult Signature Restricted Delivery \$	
Postage \$	
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☐ Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
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Total Postage and Fees \$	
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Street and Apt. No.	1921 Marigold Ln SE
City, State, ZIP+4®	Hudson, NC 28638
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	





















Board Appointment List

Board of Adjustments

Jeff Church

Leah Hamilton