



AGENDA

**CITY OF LENOIR
CITY COUNCIL MEETING
905 WEST AVENUE
TUESDAY, MAY 18, 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 Sergeant Greg Snider in honor and recognition of his 20+ years of dedicated and outstanding service with the Lenoir Police Department, City of Lenoir and its citizens. Mayor Gibbons will also present Sergeant Snider with his service weapon and badge upon his retirement from the Police Department.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, May 4, 2021 as submitted.
- B. Resolution: Approval of a resolution in honor and recognition of Sergeant Greg Snider's 20+ years of dedicated and outstanding service to the Lenoir Police Department, City of Lenoir and its citizens.
- C. Resolution; Surplus Property: Approval of a resolution declaring Sergeant Greg Snider's badge and service weapon, Sig Sauer Model P220R, Serial Number #37B058865 as surplus property.
- D. Parking Lot Agreement; City of Lenoir and Waterlife Church: Approval of a Parking Lot Agreement between the City of Lenoir and Waterlife Church, for property located at 1007 Morganton Boulevard SW which is owned by Waterlife Church. The lease will become effective June 1, 2021 through May 31, 2031.
- E. Parking Lot Agreement; City of Lenoir and United Presbyterian Church: Approval of a Parking Lot Agreement between the City of Lenoir and United Presbyterian Church, for property located at 415 Pennell Street NE which is owned by United Presbyterian Church. The lease will become effective June 1, 2021 through May 31, 2031.
- F. Capital Project Budget Ordinance; Linkside Connector/Hotel Street Project: Consideration of a Capital Project Budget Ordinance in the amount of \$222,215.00 to authorize activities to include the expenditure of funds for the engineering, right-of-way acquisition, construction, and project administration for the Linkside Connector/Hotel Street Capital Project.
- G. Call for Public Hearing; Streets and Subdivision Ordinance Update: Request that City Council call for a public hearing to be held on Tuesday, June 1, 2021 to consider amendments to Chapter 18, Streets & Sidewalks and Chapter 19, Subdivisions of the Lenoir Code of Ordinances. Note: These chapters were excluded from the omnibus ordinance adopted by City Council in January 2021, and must be amended prior to July 1, 2021.

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. City Council will conduct an FY2021-22 Budget Work Session on Thursday, May 20 at 6:00 p.m. at City Hall.
2. The Planning Board will conduct a virtual meeting on Monday, May 24 at 5:30 p.m.
3. The Committee of the Whole will meet on Tuesday, May 25 at 8:30 a.m. at City Hall. An additional Budget Work Session will be held if necessary. Also, an additional Budget Work Session will be held on Thursday, May 27 if necessary.
4. The Foothills Regional Airport Authority will meet on Wednesday, May 26 at noon.
5. City offices will be closed on Monday, May 31 in observance of Memorial Day.

B. Items for Council Action

1. FY2021-2022 Annual Budget: City Manager Hildebran will present the recommended FY2021-2022 Annual Budget for the City of Lenoir to City Council and further request that City Council call for a public hearing to be held on Tuesday, June, 1, 2021 to consider approval of the recommended budget.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

- A. Pursuant to N.C.G.S. §143-318.11(a),(3), City Council will enter into closed session to discuss attorney/client privilege.

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

X. ADJOURNMENT

**LENOIR CITY COUNCIL
TUESDAY, MAY 4, 2021
6:00 P.M.**

PRESENT: Mayor Joe Gibbons presiding. Councilmembers present were Jonathan Beal, Todd Perdue, Ike Perkins, Ralph Prestwood and Ben Willis. City Attorney T. J. Rohr, City Manager Scott Hildebran, Communications Director Joshua Harris, Public Utilities Director Jared Wright, Fire Chief Ken Hair and Police Captain Andy Wilson were also in attendance at the meeting. Kara Fohner, News Topic also attended the meeting.

VIA TELECONFERENCE:

Participating via teleconference was Mayor Pro-Tem Crissy Thomas and City Clerk Shirley Cannon.

Department Directors participating via teleconference were Finance Director Donna Bean, Recreation Director Kenny Story, Planning Director Jenny Wheelock, Economic Development Director Kaylynn Horn, and Public Utilities Director Radford Thomas,

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.

CONGRATULATIONS;

JOSHUA HARRIS: B. On behalf of City Council, Mayor Gibbons extended congratulations to Joshua Harris, Public Information Officer, upon being elected 2021-22 President of NC3C (NC City & County Communications.)

CONGRATULATIONS; MAYOR

GIBBONS: C. Councilman Ben Willis and City Council members congratulated Mayor Joe Gibbons upon being elected as Vice-President of the North Carolina Mayor's Association.

CONGRATULATIONS;

BEN WILLIS: D. On behalf of City Council, Mayor Gibbons commended Councilman Ben Willis upon serving two (2-year terms) on the North Carolina League of Municipalities' Board of Directors.

CONDOLENCES; WATAUGA COUNTY

SHERIFF'S DEPARTMENT:

- E. On behalf of City Council, Mayor Gibbons extended sympathy and condolences to Watauga County Sheriff Len Hagaman and the Sheriff's Department upon the recent loss of Sergeant Chris Ward and K-9 Deputy Logan Fox during the terrible tragedy that occurred there on Wednesday, April 28. A memorial service was held on Thursday, May 6 at Appalachian State University in Boone. Mayor Gibbons asked everyone to continue to keep Sheriff Len Hagaman, Staff and the families of Sergeant Ward and Deputy Fox in their thoughts and prayers during this difficult time.

**SPECIAL RECOGNITION; NATIONAL
PUBLIC WORKS WEEK:**

- F. On behalf of City Council, Mayor Gibbons presented a proclamation to Jared Wright, Public Works Director, proclaiming the week of May 16 through May 22 as “National Public Works Week” throughout the City of Lenoir.

Mayor Gibbons commended Director Wright and Public Works Staff for all their hard work and talent along with everything they accomplish for the City of Lenoir and its citizens.

Director Wright stated the theme for this year’s National Public Works Week is “Stronger Together” and pointed out the Department’s first priority is team work. He thanked City Council for the recognition and all of their support in honor of this important occasion.

**SPECIAL RECOGNITION; MOTORCYCLE SAFETY
AND AWARENESS MONTH:**

- G. On behalf of City Council, Mayor Gibbons presented a proclamation to Andy Wilson, Captain, Police Department, proclaiming the month of May as “Motorcycle Safety and Awareness Month” throughout the City of Lenoir.

Captain Wilson thanked City Council for their support and encouraged all motorists to obey the speed limit and look twice at intersections before crossing due to the increased number of motorcycles on the highway.

**SPECIAL RECOGNITION; “PEACE OFFICERS’
MEMORIAL WEEK:**

- H. On behalf of City Council, Mayor Gibbons presented a proclamation to Andy Wilson, Captain, Lenoir Police Department, proclaiming the week of May 9 – 15 as “Peace Officers’ Memorial Week” throughout the City of Lenoir. Wednesday, May 15 will be observed as “Peace Officers’ Memorial Day.”

Mayor Gibbons commended Captain Wilson and Police Department Staff for everything they do daily for the City and its citizens and also for what they represent to the community. He further shared a request via social media for a moment of silence and a virtual candle will be posted on Wednesday, May 12, 2021 in lieu of any formalized gathering.

Captain Wilson expressed appreciation to City Council for their continued support and he also asked for prayer for the two families who lost their loved ones in the line of duty last week.

SPECIAL RECOGNITION; CELEBRATE DRINKING

- WATER WEEK:** I. On behalf of City Council, Mayor Gibbons read a proclamation proclaiming the week of May 2 through May 8 as “Celebrate Drinking Water Week” throughout the City of Lenoir.

Mayor Gibbons expressed appreciation to Director Thomas and Staff for all they do in maintaining the safety of the City’s drinking water.

Public Utilities Director Radford Thomas participated in the meeting via Zoom. He thanked City Council and City Manager Hildebran for providing the Department with the resources it needs to provide clean, safe, drinking water for the community. Director Thomas also stated it was vitally important to return clean water to the environment as it has an economic benefit plus provides a health benefit for everyone. He also asked everyone to be aware of what kind of materials they pour out on the ground as they have an impact on water quality.

In addition, Director Thomas commended his Staff for being excellent at what they do.

SPECIAL RECOGNITION; INTERNATIONAL FIREFIGHTERS' DAY:

- J. On behalf of City Council, Mayor Gibbons presented a proclamation to Fire Chief Ken Hair proclaiming "Tuesday, May 4 as "International Firefighters' Day throughout the City of Lenoir. He expressed appreciation to Chief Hair for all their service to the City and its citizens.

Chief Hair also expressed appreciation to City Council for their support and explained the background of how "International Firefighters' Day began in 1998 to honor deceased firefighters. International Firefighters' Day is observed annually on May 4 and was instituted after the deaths of five firefighters in tragic circumstances in a bushfire in Australia, which happened on December 2, 1998. The Firefighters' Association chose the date of May 4 to observe this annual event in order to remember all the men and women who have died in the line of duty.

Chief Hair further stated the Lenoir Fire Department emphasizes training and fire prevention and stated he was proud of all the men and women who have served and those who currently serve.

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, April 19, 2021 as submitted.
 2. Minutes: Approval of the minutes of the Committee of the Whole meeting of Tuesday, April 27, 2021 as submitted.
 3. Parking Lot Extension; city of Lenoir and Tye Investments: Approval of an extension of the Lease Agreement between the City of Lenoir and Tye Investments, LLC, for property located between South Main Street and Mulberry Street which is owned by Tye Investments, LLC. The lease will become effective June 1, 2021 and will renew as a yearly lease unless either party terminates it on or before March 31 of each year. (A copy of the lease agreement is hereby incorporated into these minutes by

reference. Refer to pages 162-164.)

4. Proclamation; National Public Works Week: Approval of a proclamation proclaiming the week of May 16 – 22 as “National Public Works Week” throughout the City of Lenoir. (A copy of the proclamation is hereby incorporated into these minutes by reference. Refer to page 165.)
5. Proclamation; Peace Officers’ Memorial Week: Approval of a proclamation proclaiming the week of May 9 – 15 as “Peace Officers’ Memorial Week” throughout the City of Lenoir. Also, Wednesday, May 15 will be observed as “Peace Officers’ Memorial Day.” A copy of the proclamation is hereby incorporated into these minutes by reference. Refer to page 166.)
6. Proclamation; Motorcycle Safety & Awareness Month: Approval of a proclamation proclaiming the month of May as “Motorcycle Safety and Awareness Month” throughout the City of Lenoir. (A copy of the proclamation is hereby incorporated into these minutes by reference. Refer to page 167.)
7. Proclamation; Celebrate Drinking Water Week: Approval of a proclamation proclaiming the week of May 2 – 8, 2021 as “Celebrate Drinking Water Week” throughout the City of Lenoir. (A copy of the proclamation is hereby incorporated into these minutes by reference. Refer to page 168.)

Upon a motion by Councilmember Stevens, Council voted 7 to 0 to approve the above list of 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 CITYMANAGER

A. Items of Information

NATIONAL DAY OF

PRAYER: 1. A ceremony will be held on Thursday, May 6 at noon on the downtown square to celebrate the National Day of Prayer.

CITY/COUNTY SERVICES

COMMITTEE: 2. The City/County Services Committee will meet on Monday, May 10 at noon at Caldwell Community College and Technical Institute (CCC&TI.)

EDC: 3. The Caldwell County Economic Development Commission will conduct a virtual meeting on Tuesday, May 11 at 8:00 a.m.

ABC BOARD: 4. The ABC Board will conduct a virtual meeting on Thursday, May 13 at 2:00 p.m.

LENOIR BUSINESS ADVISORY

BOARD: 5. The Lenoir Business Advisory Board will conduct a virtual meeting on Thursday, May 13 at 6:00 p.m.

B. ITEMS FOR COUNCIL ACTION

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

X. ADJOURNMENT

1. There being no further business, the meeting was adjourned at 6:35 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor

This document presented and filed:
05/05/2021 11:00:44 AM

Fee \$26.00



Caldwell County North Carolina
Wayne L. Rash, Register of Deeds

Parking Lot Lease

City of Lenoir

Drafted by: Timothy J. Rohr, Wilson, Lackey, Rohr & Hall, P.C., 606 College Ave. SW,
Lenoir, NC, 28645

City of Lenoir
North Carolina
Caldwell County

Tye Investments, LLC, Lenoir, North Carolina 28645, hereinafter referred to as "Tye Investments", and the City of Lenoir, North Carolina a municipal corporation, hereinafter referred to as "City;" both of Caldwell County, North Carolina, enter into this contract of lease as of June 1, 2021.

Subject to the terms and conditions herein set out, Tye Investments hereby leases to the City, and the City hereby accepts as tenant of Tye Investments, a certain lot in Lenoir, Caldwell County, North Carolina, located at the following address: from South Main Street to Mulberry Street, Lenoir, Caldwell County, North Carolina and more specifically described as Tracts One, Two, and Three of the May 15, 2017, deed from Ann Cline Koebberling, widow, to Tye Investments, recorded in the Caldwell County Registry in Book 1918 at pages 2059-2062. See the attached "Exhibit A" of an approximate illustration of the property the parties intend to be the subject of this lease.

The terms and conditions of this lease are follows:

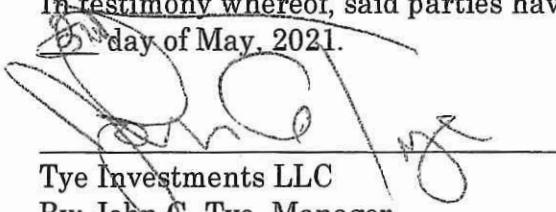
The initial term of this lease begins June 1, 2021, and ends May 31, 2022. Either party may terminate the lease at the expiration of the initial term by giving written notice to the other on or before March 31, 2022. Should neither party terminate the lease, the lease will automatically renew and become an annual lease upon the same terms and conditions contained herein. The parties may in subsequent years renew or cancel the renewed release on the same terms.

The annual rent for the premises is the share of the annual *ad valorem* taxes due to the City of Lenoir and Caldwell County which accrues upon and is attributable to the leased property.

The City accepts the premises in its present condition. The City intends to use the leased premises as a municipal parking lot. The City has exclusive use and control of the leased premises, except that the City will mark three parking spaces as specified by Tye Investments reserved for the use of Tye Investments or its customers. If the premises are destroyed or so damaged by calamity so that the premises cannot within 30 days be rendered fit for use as a parking lot, the City may terminate this lease upon written notification to Tye Investments.

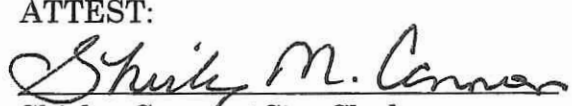
To the extent permitted by North Carolina law, the City will indemnify and hold Tye Investments harmless from claims which third parties may during the term of the lease assert as a result of the City's operation of a parking lot.

In testimony whereof, said parties have hereunto set their hands and seals on this the 3rd day of May, 2021.


Tye Investments LLC
By: John G. Tye, Manager


CITY OF LENOIR
By: Joseph L. Gibbons, Mayor

ATTEST:


Shirley Cannon, City Clerk

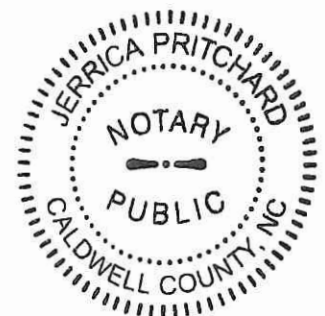
NORTH CAROLINA
CALDWELL COUNTY

I, a Notary Public of the County and State aforesaid, certify that John G. Tye, Manager of Tye Investments, LLC personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the 3rd day of May, 2021.

My Commission Expires:

04/05/2026 



NORTH CAROLINA
CALDWELL COUNTY

I, a Notary Public of the County and State aforesaid, certify that Shirley Cannon personally appeared before me this day and acknowledged that she is City Clerk for the City of Lenoir, a North Carolina municipal corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by Joseph L. Gibbons as its Mayor, sealed with its corporate seal and attested by Shirley Cannon as its City Clerk.

Witness my hand and official stamp or seal, this the 4th day of May, 2021.

My Commission Expires:

04/05/2026 *Jerrica Pritchard*



The foregoing Certifications are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

REGISTER OF DEEDS FOR CALDWELL COUNTY

BY: _____
Deputy/Assistant-Register of Deeds



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

PROCLAMATION

NATIONAL PUBLIC WORKS WEEK

WHEREAS, Public Works Professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of the City of Lenoir and Caldwell County; and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and

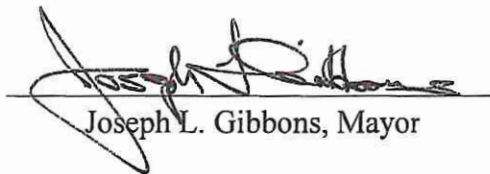
WHEREAS, it is in the public interest for the citizens, civic leaders and children in the City of Lenoir and Caldwell County to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and

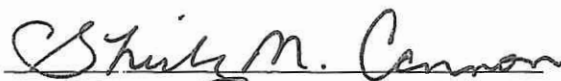
WHEREAS, the year 2021 marks the 61st annual National Public Works Week sponsored by the American Public Works Association,

NOW, THEREFORE, I, Joseph L. Gibbons, Mayor, and on behalf of the Lenoir City Council, do hereby designate the week of May 16 – 22, 2021, as National Public Works Week and urge all citizen to join with representatives of governmental agencies and the American Public Works Association in activities and ceremonies designed to pay tribute to our Public works professionals, engineers and administrators and to recognize the substantial contributions they have made to our national health and welfare.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Lenoir to be affixed this the 4th day of May, 2021.

SEAL


Joseph L. Gibbons, Mayor


Shirley M. Cannon, City Clerk



PROCLAMATION



In Recognition of
Peace Officers' Memorial Week
May 9 – 15, 2021



WHEREAS, the Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week in which May 15 falls as National Police Week; and

WHEREAS, the members of the law enforcement agency of the Lenoir Police Department play an essential role in safeguarding the rights and freedoms of those inside the City of Lenoir; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the law enforcement agency of the Lenoir Police Department unceasingly provide a vital public service;

NOW 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 call upon all citizens of Lenoir and upon all patriotic, civic and educational organizations to observe the week of May 9 – May 15, 2021, as Police Week. Due to the COVID-19 pandemic virus currently gripping our nation and community, social gatherings that normally observe this memorial have been cancelled. However, a request via social media for a moment of silence and a virtual candle will be posted on Wednesday, May 12, 2021 in lieu of any formalized gathering;

FURTHERMORE, I proclaim and call upon all citizens of the City of Lenoir to recognize May 15, 2021, as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty. Let us recognize and pay respect to the survivors of our fallen heroes.

WITNESS, my hand and seal this the 4th *day of* May, 2021.

SEAL

A handwritten signature in black ink, appearing to read "Joseph L. Gibbons".

Joseph L. Gibbons, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Shirley M. Cannon".
Shirley M. Cannon, City Clerk



PROCLAMATION

Motorcycle Safety & Awareness Month

May 2021



WHEREAS, the growth in popularity of motorcycle riding and touring, combined with the many scenic destinations in our state and the year-long riding season, have led to North Carolina having one of the largest populations of motorcycle enthusiasts in the nation; and

WHEREAS, more and more residents of the City of Lenoir are taking up this mode of transportation to commute to and from their places of employment; and

WHEREAS, many motorcyclists undergo specialized training by attending professionally taught motorcycle operator training courses with emphasis on skills, traffic laws, and proper safety equipment; and

WHEREAS, it is the responsibility of all motorists to be aware of motorcyclists and extend to them the same courtesy as any other vehicles on our roadways.

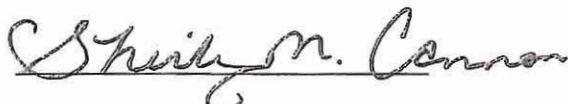
NOW, THEREFORE, BE IT RESOLVED, that I, Joseph L. Gibbons, Mayor of the City of Lenoir, and on behalf of the Lenoir City Council, do hereby proclaim the month of May as "Motorcycle Safety and Awareness Month" throughout the City of Lenoir.

WITNESS, my hand and seal this the 4th day of May, 2021.

SEAL


Joseph L. Gibbons, Mayor

ATTEST:


Shirley M. Cannon, City Clerk



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

CITY COUNCIL
J. T. BEAL
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D. F. STEVENS
C. D. THOMAS
B. K. WILLIS

PROCLAMATION
IN CELEBRATION OF
DRINKING WATER WEEK

WHEREAS, water is our most valuable natural resource; and

WHEREAS, only tap water delivers public health protection, fire protection, support for our economy and the quality of life we enjoy; and

WHEREAS, any measure of a successful society - low mortality rates, economic growth and diversity, productivity, and public safety are in some way related to access to safe water; and

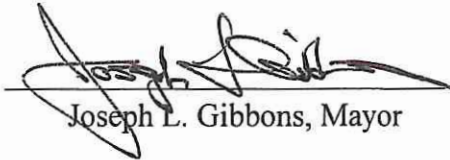
WHEREAS, we are all stewards of the water infrastructure upon which future generations depend; and

WHEREAS, each citizen of the City of Lenoir is called upon to help protect our source waters from pollution, to practice water conservation, and to get involved in local water issues by getting to know their water;

NOW, THEREFORE, be it resolved that by virtue of the authority vested in me as Mayor of the City of Lenoir, North Carolina, and on behalf of the Lenoir City Council, I do hereby proclaim the week of May 2 – 8, 2021 as ***“Celebrate Drinking Water Week”*** throughout the City of Lenoir.

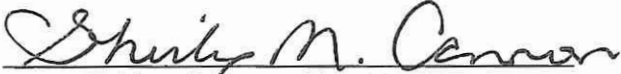
IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Lenoir to be affixed this the 4th day of May, 2021.

SEAL



Joseph L. Gibbons, Mayor

ATTEST:



Shirley Cannon, City Clerk



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

CITY COUNCIL
J. T. BEAL
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R. S. PRESTWOOD
D. F. STEVENS
C. D. THOMAS
B. K. WILLIS

PROCLAMATION

IN HONOR OF

INTERNATIONAL FIREFIGHTERS' DAY

WHEREAS, International Firefighters' Day is observed each year on May 4th to honor and remember past firefighters who have lost their lives while serving their communities, to express gratitude to those that have served in this line of work and to show support and appreciation for those who presently serve; and

WHEREAS, Regardless of the language a firefighter speaks, or the country in which he or she works and resides, all firefighters fight against the same enemy - fire; and

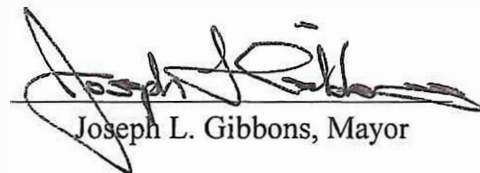
WHEREAS, Firefighters follow a long line of tradition and honor that inspires them to help colleagues, neighbors and strangers alike; and

WHEREAS, The demands of firefighting are accompanied by both personal and physical tolls that all firefighters knowingly accept while risking their lives to protect the lives of others.

NOW, THEREFORE, be it resolved that by the virtue of the authority vested in me as Mayor of the City of Lenoir, North Carolina, and on behalf of the Lenoir City Council, I do hereby proclaim Tuesday, May 4th, 2021, as "International Firefighters' Day" throughout the City of Lenoir and encourage all citizens to show support and appreciation to our City, County, and State firefighters who protect our lives and property so diligently throughout the year and by remembering past firefighters who dedicated their lives to preserve our safety.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Lenoir to be affixed this the 4th day of May, 2021.

SEAL



Joseph L. Gibbons, Mayor

ATTEST:



Shirley M. Cannon, City Clerk



RESOLUTION

In Recognition of Dedicated Service



WHEREAS, from March 12, 1990 to July 24, 1991, Gregory Fletcher Snider served as Patrolman for the City of Lenoir under the direction of Police Chief Jack Warlick;

THAT, upon leaving the City of Lenoir, he served as K-9 Officer for the McDowell Sheriff's Office, Investigations Officer for the Old Fort Police Department and Impact Drill Instructor for the North Carolina Department of Corrections;

THAT, on the 20th of August, in the year 2001, Greg Snider was re-hired by Chief Warlick and due to his dedication and diligence in performing in an exemplary manner, advanced through the ranks to achieve the position of Sergeant in the year 2013;

THAT, Greg Snider, as of the date of this Resolution, has admirably and with great distinction, served the citizens of Lenoir during the tenures of four Police Chiefs and has served in a number of capacities in all three divisions of the Lenoir Police Department: Patrol, Investigations, and Support Services;

THAT, he has formed relationships with the citizens and coworkers through a genuine concern and professional dedication to duty. Greg has contributed to the success of the community not only professionally, but through and with the support of his family;

THAT, society and law enforcement as a whole has undergone many changes and challenges over the last 30 years, and Sergeant Snider has stayed abreast through those changing trends to remain an effective mentor and leader within the department and community at large;

THAT, prior to being hired by the City of Lenoir, he served his country as a Squad Leader with the United States Army's 82nd Airborne from the years 1985 to 1989;

THAT, in August 1993, Greg earned an Associates Degree in Criminal Justice at Western Piedmont Community College, where he also received EMT Training. Over the years, he has received a number of Instructor Certificates and was instrumental in developing the City's K-9 Program, Special Response Team, and Physical Fitness Program;

THAT, Greg Snider, completed Police Law Institute in 2005 and received the Advanced Law Enforcement Certificate in 2008 and has made a number of significant contributions throughout his career, serving as School Resource Officer for Hibriten High School, K-9 Handler for "Doc", Incident Command, Criminal Investigations, Physical Fitness Instructor, SCAT Instructor, Chaplain, and Logistics;

THAT, he has humbly served the citizens of the City of Lenoir and Caldwell County and will be retiring on June 1, 2021 with over 30 years of creditable service in the North Carolina Local Government Retirement System;

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

THIS, the _____ day of _____, 2021.

Joseph L. Gibbons, Mayor

Scott E. Hildebran, City Manager

RESOLUTION

WHEREAS, the City of Lenoir, North Carolina, City Council desires to dispose of certain surplus property of the City of Lenoir to be awarded to Sergeant Greg Snider upon his retirement from the Lenoir Police Department and Declaring his badge and service weapon as Surplus Property

NOW, THEREFORE BE IT RESOLVED,

- 1) the Mayor and City Council of the City of Lenoir acknowledges Sergeant Greg Snider's loyal and dedicated service to the citizens of Lenoir, and
- 2) the Mayor and City Council declare the following police weapon and police badge of Sergeant Greg Snider, upon retirement, as surplus and no longer have any additional use to the City of Lenoir {Sig Sauer Model P220R .45 caliber (Serial # 37B058865)}
- 3) the Mayor and City Council authorize the City Manager to proceed with the procedures as outlined in N.C.G.S. §20-187.2 regarding the service side arms of retiring members of City law enforcement agencies.

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

Adopted this the 18th day of May, 2021.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk

CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item:

Parking Lot Agreement; City of Lenoir and Waterlife Church: Approval of a parking agreement between the City of Lenoir and Waterlife Church for property located at 1007 Morganton Boulevard SW, which is owned by Waterlife Church. The agreement will become effective June 01, 2021, and will have a term of ten (10) years.

II. Background Information:

The City and Waterlife Church have reached an agreement on the shared use of a portion of their parking lot that has historically been used by the public to access outdoor amenities at Mulberry Recreation Center. This agreement allows for public use of approximately sixty-five (65) parking spaces, on the eastern side of the property, adjacent to the Mulberry Recreation Center. Fees in the amount of \$2,500.00 per year will be paid to Waterlife Church. The City has also agreed to mechanically sweep the public parking area one time per week during peak use, and perform general cleaning and litter control as-needed. The term of this agreement will be ten (10) years: June 01, 2021 through May 31, 2031.

III. Staff Recommendation:

Recommend approval of the parking agreement between the City of Lenoir and Waterlife Church for a portion of the parking lot located at 1007 Morganton Boulevard, which is owned by Waterlife Church.

IV. Reviewed By:

City Attorney:

Public Works/Public Utilities Director:

City Manager:

Drafted by: Timothy J. Rohr, Wilson, Lackey, Rohr & Hall, P.C., 606 College Ave. SW,
Lenoir, NC, 28645

City of Lenoir
North Carolina
Caldwell County

Waterlife Church, a North Carolina nonprofit corporation, hereinafter referred to as “Waterlife,” and the City of Lenoir, North Carolina, a municipal corporation, hereinafter referred to as “City,” both of Caldwell County, North Carolina, enter into this parking agreement as of June 1, 2021.

Subject to the terms and conditions herein set out, Waterlife hereby grants to the City, and the City hereby accepts from Waterlife, the right to use as a public parking lot a portion of the parking lot of a certain parcel in Lenoir, Caldwell County, North Carolina, located at the following address: 1007 Morganton Blvd. SW, Lenoir, Caldwell County, North Carolina and more specifically described in the deed from First-Citizens Bank & Trust Company to Waterlife Church recorded in the Caldwell County Registry in Book 1928 at pages 975-977. See the attached “Exhibit A” for an illustration of the property the parties intend to be the subject of this parking agreement, that area being a quadrilateral labeled “Parking Agreement Area” and consisting of approximately 65 parking spaces along the eastern side of the entire parcel. In addition, Waterlife grants to the City and those who wish to park in the granted spaces access as is necessary to reach the premises from Morganton Boulevard to the premises across Waterlife’s entire parcel.

The terms and conditions of this parking agreement are follows:

The initial term of this parking agreement begins June 1, 2021, and ends May 31, 2031. Either party may terminate the parking agreement before the expiration of the initial term by giving written notice to the other on or before March 31, 2031. Should neither party terminate the parking agreement, the parking agreement will automatically renew and become an annual parking agreement upon the same terms and conditions contained herein. The parties may in subsequent years renew or cancel the renewed parking agreement on the same terms.

The City will use the premises as a public municipal parking lot for the purposes of overflow parking for events and activities taking place at Mulberry Recreational Center, a facility consisting of outdoor sports fields, playgrounds, picnic shelters, and access to the Lenoir Greenway system. The annual payment for the premises is \$2,500.00, which the City will pay in advance on or before June 1 of each year of the parking agreement. If the City fails to make the payment when due, Waterlife will notify the City, in the care of the City Clerk, in writing of its failure to pay. Thereafter, the City will have 60 days from when Waterlife has notified the City to make the payment. Waterlife reserves the right to the exclusive use of the premises when needed on Sundays and at other times during special services or functions at the Church. Waterlife also reserves as needed the right to designate parking spaces for Waterlife staff and the required number of handicapped parking spaces.

The City accepts the premises in its present condition. During peak use of the premises, such as those months when the City's outdoor sports fields are in regular use, the City will mechanically sweep the premises once per week and perform general litter and refuse collection on an as-needed basis.

If the parking lot premises are destroyed or damaged so that the premises cannot within 30 days be rendered fit for use as a parking lot, the City may terminate this parking agreement upon written notification to Waterlife. Thereafter, or if this parking agreement is declared void or of no legal effect, Waterlife will refund to the City the *pro rata* share of the payment for the remainder of the year that the City paid in advance.

To the extent permitted by North Carolina law, the City will indemnify and hold Waterlife harmless from claims which third parties may during the term of the parking agreement assert as a result of the City's use of the premises as a public overflow parking lot. The City will also insure the premises under its commercial liability policy.

In testimony whereof, said parties have hereunto set their hands and seals on this the ____ day of May, 2021.

Waterlife Church
By: Todd Braswell, Pastor

CITY OF LENOIR
By: Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk

NORTH CAROLINA
CALDWELL COUNTY

I, a Notary Public of the County and State aforesaid, certify that Todd Braswell, Pastor of Waterlife Church, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the ____ day of May, 2021.

My Commission Expires:

NORTH CAROLINA
CALDWELL COUNTY

I, a Notary Public of the County and State aforesaid, certify that Shirley M. Cannon personally appeared before me this day and acknowledged that she is City Clerk for the City of Lenoir, a North Carolina municipal corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by Joseph L. Gibbons as its Mayor, sealed with its corporate seal and attested by Shirley Cannon as its City Clerk.

Witness my hand and official stamp or seal, this the ____ day of May, 2021.

My Commission Expires:

The foregoing Certifications are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

REGISTER OF DEEDS FOR CALDWELL COUNTY

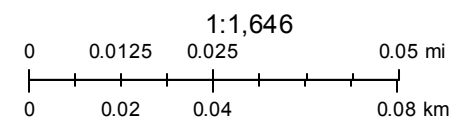
BY: _____
Deputy/Assistant Register of Deeds

Waterlife - Parking Agreement Area



May 11, 2021

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



CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item:

Parking Lot Agreement; City of Lenoir and United Presbyterian Church:
Approval of a parking agreement between the City of Lenoir and United Presbyterian for property located at 415 Pennell Street NE, which is owned by United Presbyterian. The agreement will become effective June 01, 2021, and will have a term of ten (10) years.

II. Background Information:

The City and United Presbyterian have reached an agreement on the shared use of their parking lot that has historically been used by the public to access the Lenoir Greenway trail system near Pennell Street. This agreement allows for public use of the church's parking lot, which borders the Lenoir Greenway on the western side of the parcel. Fees in the amount of \$750.00 per year will be paid to United Presbyterian Church. The term of this agreement will be ten (10) years: June 01, 2021 through May 31, 2031.

III. Staff Recommendation:

Recommend approval of the parking agreement between the City of Lenoir and United Presbyterian Church for the parking lot located at 415 Pennell Street NE, which is owned by United Presbyterian.

IV. Reviewed By:

City Attorney:

Public Works/Public Utilities Director:

City Manager:

Drafted by: Timothy J. Rohr, Wilson, Lackey, Rohr & Hall, P.C., 606 College Ave. SW,
Lenoir, NC, 28645

City of Lenoir
North Carolina
Caldwell County

United Presbyterian Church, Lenoir, North Carolina, Presbyterian Church (U.S.A.), a North Carolina corporation, hereinafter referred to as “United Presbyterian,” and the City of Lenoir, North Carolina, a municipal corporation, hereinafter referred to as “City,” both of Caldwell County, North Carolina, enter into this parking agreement as of June 1, 2021.

Subject to the terms and conditions herein set out, United Presbyterian hereby grants to the City, and the City hereby accepts from United Presbyterian, the right to use as a public parking lot the parking lot of a certain parcel in Lenoir, Caldwell County, North Carolina, located at the following address: 415 Pennell St. NE, Lenoir, Caldwell County, North Carolina and more specifically described in the deed from Presbytery of Western North Carolina to United Presbyterian Church, Lenoir, North Carolina, Presbyterian Church (U.S.A.) recorded in the Caldwell County Registry in Book 1088 at page 1163. The property the parties intend to be the subject of this parking agreement consists of United Presbyterian’s parking lot at the southern boundary of United Presbyterian’s entire parcel. In addition, United Presbyterian grants to the City and those who wish to park in the lot access as is necessary to reach the City’s greenway system that runs along the western boundary of United Presbyterian’s entire parcel.

The terms and conditions of this parking agreement are follows:

The initial term of this parking agreement begins June 1, 2021, and ends May 31, 2031. Either party may terminate the parking agreement before the expiration of the initial term by giving written notice to the other on or before March 31, 2031. Should neither party terminate the parking agreement, the parking agreement will automatically renew and become an annual parking agreement upon the same terms and conditions contained herein. The parties may in subsequent years renew or cancel the renewed parking agreement on the same terms.

The City will use the premises as a public municipal parking lot for the purposes of allowing the public to access the City's greenway system, a portion of which runs along the western boundary of United Presbyterian's entire parcel. The annual payment for the premises is \$750.00, which the City will pay in advance on or before June 1 of each year of the parking agreement. If the City fails to make the payment when due, United Presbyterian will notify the City, in the care of the City Clerk, in writing of its failure to pay. Thereafter, the City will have 60 days from when United Presbyterian has notified the City to make the payment. United Presbyterian reserves the right to the exclusive use of the premises when needed on Sundays and at other times during special services or functions at the Church. United Presbyterian also reserves as needed the right to designate parking spaces for United Presbyterian staff and the required number of handicapped parking spaces.

The City accepts the premises in its present condition. If the parking lot premises are destroyed or damaged so that the premises cannot within 30 days be rendered fit for use as a parking lot, the City may terminate this parking agreement upon written notification to United Presbyterian. Thereafter, United Presbyterian will refund to the City the *pro rata* share of the payment for the remainder of the year that the City paid in advance.

To the extent permitted by North Carolina law, the City will indemnify and hold United Presbyterian harmless from claims which third parties may during the term of the parking agreement assert as a result of the City's use of the premises as a public overflow parking lot. The City will also insure the premises under its commercial liability policy.

In testimony whereof, said parties have hereunto set their hands and seals on this the ____ day of May, 2021.

 United Presbyterian Church, Lenoir, North Carolina, Presbyterian Church (U.S.A.)
 By: _____, Pastor

 CITY OF LENOIR
 By: Joseph L. Gibbons, Mayor

ATTEST:

 Shirley M. Cannon, City Clerk

NORTH CAROLINA
 CALDWELL COUNTY

I, a Notary Public of the County and State aforesaid, certify that _____,
 Pastor of United Presbyterian Church, Lenoir, North Carolina, Presbyterian Church
 (U.S.A.), personally appeared before me this day and acknowledged the execution of the
 foregoing instrument.

Witness my hand and official stamp or seal, this the ____ day of May, 2021.

My Commission Expires:

 NORTH CAROLINA
 CALDWELL COUNTY

I, a Notary Public of the County and State aforesaid, certify that Shirley M. Cannon
 personally appeared before me this day and acknowledged that she is City Clerk for the
 City of Lenoir, a North Carolina municipal corporation, and that by authority duly given
 and as the act of the corporation, the foregoing instrument was signed in its name by
 Joseph L. Gibbons as its Mayor, sealed with its corporate seal and attested by Shirley M.
 Cannon as its City Clerk.

Witness my hand and official stamp or seal, this the ____ day of May, 2021.

My Commission Expires:

The foregoing Certifications are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

REGISTER OF DEEDS FOR CALDWELL COUNTY

BY: _____
Deputy/Assistant Register of Deeds

United Presbyterian - Parking Agreement Area



**CITY OF LENOIR
COUNCIL ACTION FORM**

- I. Agenda Item:** Consideration of a Capital Project Budget Ordinance for the Linkside Connector/Hotel Street Capital Project.
- II. Background Information:** Attached for your consideration is a Capital Project Budget Ordinance to authorize activities for the final phase of the Linkside Connector/Hotel Street Capital Project the City has been working on since 2015. The final phase of the project involves completing the construction of the connector road that connects Linkside Ct. to Hibriten Drive as well as tie into the Viridian parking lot to provide the complex connectivity to Linkside Court. The City Council has previously allocated money in the budget toward this project. During this final phase, the rights-of-way will be acquired and the construction will be completed on the connector road.
- III. Staff Recommendation:** Staff requests that City Council adopt the Capital Project Budget Ordinance for the Linkside Connector/Hotel Street Capital Project in the amount of \$222,215.
- IV. Reviewed By:**
- City Attorney:
- Finance Director: *Donna Bean*
- Public Works/Public Utilities Director:
- Planning Director:
- Recreation Director:

Capital Project Ordinance for the City of Lenoir

Linkside Connector/Hotel Street Capital Project

BE IT ORDAINED by the City Council Members of the City of Lenoir, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1: The project to authorize activities for Linkside Connector/Hotel Street Capital Project to include the expenditure of local funds for the engineering, right-of-way acquisition, construction, and project administration for the Linkside Connector/Hotel Street Capital Project. The project is to be funded by local funds.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

Section 3: The following amounts are appropriated for the project:

Engineering Costs	\$ 12,000.00
Rights-of-Way	\$ 30,000.00
Contingency	\$ 8,585.00
Construction	\$ <u>171,630.00</u>
Total	\$ 222,215.00

Section 4: The following revenues are anticipated to be available to complete this project:

Total Local Funding	\$ 222,215.00
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Section 5: The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Project Ordinance.

Section 6: The Finance Officer is directed to report, on a quarterly basis, on the financial status of each project element in Section 3.

Section 7: The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this Board.

Section 8: Copies of this capital project ordinance shall be furnished to the Budget Officer and the Finance Officer for direction in carrying out this project.

Adopted this _____ day of May 18th, 2021.

Joseph L. Gibbons, Mayor

Shirley M. Cannon, City Clerk

CITY OF LENOIR
COUNCIL ACTION FORM
May 18, 2021

I. Agenda Item:

Call for a Public Hearing on June 1 to consider ordinance amendments relating to Chapters 18 (Streets & Sidewalks) and Chapter 19 (Subdivisions) of the Lenoir Code of Ordinances.

II. Background Information:

These chapters were excluded from the omnibus ordinance that Council adopted in January 2021, and must be amended prior to July 1, 2021. Proposed changes are minor, and mostly eliminate duplicate sections between chapters and update reference to statutes that changed with the adoption of NCGS Chapter 160D, the new land use law for NC. Changes are also proposed to streamline the process for approving major subdivisions and add a Technical Review Committee to provide technical comments from all departments prior to Planning Board review.

See attached summary information. Ordinance will be provided prior to the Public Hearing.

III. Staff & Planning Board Recommendation:

Call for a Public Hearing to consider the ordinance amendments, to be held at the regularly scheduled June 1 Council meeting. The Planning Board is not required by current law to review these changes, as they do not change any of the Zoning regulations for the City. However, they will review the ordinance at their May 24 meeting, and staff will provide their recommendation for consideration at the Public Hearing.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Planning Director: *D. Wheelock*

Proposed Ordinance Amendment: Streets and Subdivisions

Introduction and Background Information

The proposed ordinance changes impact two chapters:

[Chapter 18: Streets and Sidewalks](#)

[Chapter 19: Subdivisions](#)



← Links for existing ordinances online

Click to follow for current ordinance text

The streets chapter contains the regulations about driveway connections, street names, and addressing, as well as detailed construction standards for roads, sidewalks, curb/gutter, driveway aprons, curb cuts, etc. The responsibility for administration and enforcement of Chapter 18 falls to the Planning department and the Public Works department (primarily the Streets division). We currently have no standardized process to coordinate our administration and enforcement of this chapter, so we rely on the culture of cooperation/collaboration between our departments.

The subdivision chapter is like the glue that holds the Code together. The zoning district standards are implemented through subdivision plats (in particular for single family neighborhoods, where additional site plan review or discretionary approvals aren't required). New street dedications are done through subdivision plats (so, we are reviewing standards related to right-of-way width and intersection design in the plat process). Flood hazard areas must be shown on Plats. When a developer is required to put in a structural stormwater control measure (SCM) by the Stormwater ordinance, a plat is required to show the SCM and access easements. While no standards for physical development itself are contained within the subdivision ordinance, the separation of tracts of land into lots and the dedication of roadways to access those lots forms the backbone of all of the City's development regulations.

There are four categories of subdivisions: Exempt, Major, Minor, and Family.

- Exempt subdivisions include things like the combination or recombination of previously platted lots when the total number of lots isn't increased, the division of land into tracts of greater than 10 acres, or what's known as the "3 from 2" rule, where a tract in single ownership whose entire area is not greater than 2 acres is divided into no more than 3 lots (these are statutory exemptions, and all communities follow these rules). All lots in exempt subdivisions still have to meet the requirements of the zoning district, and still have to have legal access/frontage – so we actually review these even though they are "exempt," as a condition of the exemption is that they meet the standards of our ordinance.
- Major subdivisions involve the dedication of new streets/extension of existing streets and/or create more than 10 lots, and are the only type of subdivision that isn't handled administratively by staff – they require action by Council, following Planning Board review. The bulk of the regulations in the subdivision chapter address this subdivision type, although major subdivision applications represent a small percentage of our overall plat approvals.

Major subdivisions are approved in phases: the preliminary plat, the construction of infrastructure, and the final plat. Currently, the preliminary plat goes to Planning Board for review and then to Council for approval. Once Council approves the preliminary plat, the developer coordinates with the streets division and the public utilities department to get plans approved for streets, sidewalks, and water/sewer lines, and installs all of the required infrastructure in accordance with the preliminary plat. Once all necessary public improvements have been constructed and inspected, the developer can submit a final plat.

The final plat currently goes back to Planning Board for review before going on to City Council for final approval. However, the Planning Board's review at this stage is essentially an administrative function – either the plat looks exactly like the preliminary plat, or it doesn't. There is no opportunity to make changes to the lot layout or street design at the final plat stage – the only real purpose to send a final plat back through a public approval process is for the City Council to accept the public dedication of the new infrastructure, approve new street names, and to take action on any kind of cost participation or reimbursement to the developer from the City for the improvements. Changes are proposed to this process in the proposed amendment.

- Minor subdivisions are subdivisions that don't fall into an exempt category, but don't require the construction/extension/dedication of infrastructure and don't create more than 10 lots – they have an expedited administrative review process.
- Family subdivisions are allowed only in the extra-territorial jurisdiction (ETJ) and are the only type of plat that can create lots without frontage on a public street. They follow the same expedited, administrative review process as minor subdivisions, and allow for a new lot to be separated from a parent tract with a private easement for access, rather than a public street. The lots can technically only be created for sale to a direct family member, but this standard has no enforcement mechanism because we do not have a role in the private sale of private land – we only know after the fact once a new deed is recorded. However, this category of subdivision is extremely beneficial in the ETJ – it matches up with the expectations and land use patterns in the unincorporated areas of the City, and allows for new lots to be created for low density, rural, family-style development without requiring the extension of public roads (in the ETJ, new roads would be DOT-controlled, as the City only accepts maintenance responsibilities within the city limits).

Regardless of what type of subdivision is proposed, the resulting lots must meet the underlying district standards and any other relevant provisions of the City's code of ordinances. Additionally, all lots in the city limits must have frontage on a public street. The final step for all subdivision plats is the recording with the Register of Deeds. Plats are not deemed effective and the lots shown are not considered legally separate parcels until the final plat is recorded. Once recorded, new parcel ID numbers, NC PINs, and addresses are assigned, and the property tax maps and online GIS records are updated. New lots are assigned a value by the property appraiser and new tax cards created. Lots can be sold, and zoning/building permits can be issued.

Purpose of Proposed Amendments

The purpose of the amendments is to update the subdivision chapter in accordance with NCGS Chapter 160D (which we specifically excluded in the omnibus update ordinance), as well as to better organize, clarify, and separate the various rules related to the physical characteristics of public streets and sidewalks from the rules that address the subdivision process. Additionally, changes to the subdivision process are proposed that would add a formal role for a Technical Review Committee to review and provide comments on proposed subdivisions prior to consideration of preliminary plats by the Planning Board, rather than our current informal process. This extra review step on the front end is balanced by a proposal to send final plats for acceptance and final approval straight to Council as a consent agenda item, instead of the current process of going back through the Planning Board (as previously stated, the Planning Board serves a purely administrative function for reviewing final plats, and allowing this administrative function to be performed by staff instead of the Planning Board reduces the approval time for final plats by at least 30 days).

Content Comparison: Proposed Organization for Chapters 18 and 19	
Chapter 18 – Streets	Chapter 19 – Subdivisions
• Physical standards • ROW widths • Curve and slope geometry • Material/Construction • Building/widening streets when a plat isn't involved – petitions, cost share, etc. • Sidewalks • Driveways • Storm sewer system (roadside ditches and C&G) • Addressing/display of numbers • Street naming	• Process (plat review and approval) • Physical standards reviewed/applied to the plat, but most delineated in other chapters • Minor and plat processes, that create multiple buildable lots (and the infrastructure to serve them) from a larger parent parcel • Major plats • Certifications, dedications, performance guarantees, etc, • Some general requirements for logical layout, street connection, etc. – standards relate only to the plat itself, and not to the development of the resultant lots
Table of Contents Comparison: Proposed Changes for Chapter 18 and 19	
Chapter 18 – Streets and Sidewalks Article I. In General Article II. Streets Article III. Maintenance Article IV. Storm Drainage Article V. Driveways Article VI. Sidewalks Article VII. Penalties Article VIII. Street Naming, Numbering, and Display	Chapter 19 – Subdivisions Article I. In General Article II. Improvements and Guarantees of Improvements Article III. Preliminary Plat Article IV. Construction – Street, Utility, and Engineering Requirements Article V. Final Plat Article VI. Procedure for Review and Approval for Minor Subdivisions Article VII. Procedure for Review and Approval of Family Subdivisions