



AGENDA

**CITY OF LENOIR CITY
COUNCIL MEETING
905 WEST AVENUE
TUESDAY, SEPTEMBER 7, 2021
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition; Constitution Day: On behalf of City Council, Mayor Joe Gibbons will present a proclamation to Diana Hale, proclaiming the week of September 17 through 23 as "Constitution Week" in the City of Lenoir.
- C. Special Recognition; 20th Anniversary of September 11, 2001: On behalf of City Council, Mayor Joe Gibbons will present a proclamation to Diana Hale, encouraging all citizens to display the flag at half-staff from their homes, schools and businesses and to reflect on this "National Day of Service and Remembrance" and the 20th Anniversary of the September 11, 2001 attacks in order to proclaim honor and respect of all those who lost their lives during this terrible tragedy.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, August 17, 2021 as submitted.
- B. Minutes: Approval of the minutes of the Committee of the Whole meeting of Tuesday, August 24 as submitted.
- C. Proclamation; Constitution Week: Approval of a proclamation proclaiming the week of September 17 through 23 as "Constitution Week" in the City of Lenoir.
- D. Proclamation; National Day of Service & Remembrance and the 20th Anniversary of September 11, 2001: Approval of a proclamation calling on all citizens to reflect on this National Day of Service and Remembrance and the 20th Anniversary of the September 11, 2001 attacks on the United States of America.
- E. Authorizing Resolution; Finley Area Water System Improvements Project: Approval of a Resolution to Authorize an Application for State Loan/Grant Assistance for Improvements to the Finley Area Water System Improvements Project as submitted.
- F. Resolution for Adoption of the FY2021-2022 Water & Sewer Enterprise Fund Capital Improvements Plan: Approval of a Resolution to adopt the 2021-2022 Water and Sewer Fund Capital Improvements Plan as updated for the Fiscal Year 2021-2022 Budget and as included in the Budget Ordinance that was adopted by City Council on June 1, 2021.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITYMANAGER

A. Items of Information

1. The Lenoir Tourism Development Authority will conduct a virtual meeting on Thursday, September 9 at 4:00 p.m.
2. The Lenoir Business Advisory Board will meet virtually on Thursday, September 9 at 6:00 p.m.
3. The annual Sculpture Festival will be held on Saturday, September 11 at 9:00 a.m. at the T.H. Broyhill Walking Park.
4. The annual NCDOT Fall Litter Sweep begins on Saturday, September 11 and ends on Saturday, September 25. Additional information is available at www.ncdot.gov.
5. The City/County Services Committee will meet on Monday, September 13 at noon.
6. The Caldwell County Economic Development Commission (EDC) will meet on Tuesday, September 14 at 8:00 a.m.
7. The ABC Board will conduct a virtual meeting on Thursday, September 16 at 2:00 p.m.
8. The Parks and Recreation Advisory Board will meet on Monday, September 20 at 6:00 p.m. at the Mulberry Recreation Center.

B. Items for Council Action

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

- A. Board Appointments: Mayor Gibbons will recommend that City Council appoint the following individuals to the City's Authorities/Boards/Commissions. These appointments were announced at the August 17 Council meeting.

Parks and Recreation Advisory Board Rick Pierce 2-year term
 Lenoir Tourism Development Authority Jesse Plaster 4-year term

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

X. ADJOURNMENT



OFFICE OF THE MAYOR
Joseph L. Gibbons

City of Lenoir North Carolina

PROCLAMATION IN HONOR OF CONSTITUTION WEEK

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

WHEREAS, September 17, 2021 marks the two hundred thirty-fourth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

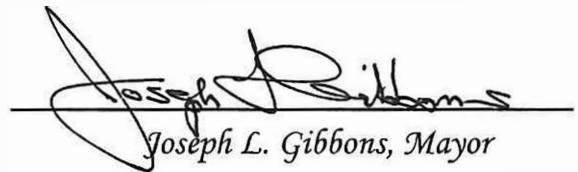
WHEREAS, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate the occasion; and

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

NOW, THEREFORE, I, Joseph L. Gibbons, Mayor of the City of Lenoir, North Carolina, and on behalf of the Lenoir City Council and all the citizens, do hereby proclaim the week of September 17 through September 23, 2021 as "Constitution Week" in the City of Lenoir and urge all citizens to study the Constitution and reflect on the privilege of being an American with all of the rights and responsibilities this privilege affords.

This the 7th Day of September, 2021.

SEAL


Joseph L. Gibbons, Mayor



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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

PROCLAMATION

20th ANNIVERSARY OF SEPTEMBER 11, 2001

WHEREAS, hijackers took control of four airliners taking off from the Boston, Washington, DC and Newark airports on September 11, 2001 that led to the most ruthless terrorist attack on American soil in its history, and

WHEREAS, 2,983 innocent men, women, and children lost their lives, and over 6,000 people were injured in the September 11, 2001 attacks of the World Trade Center Twin Towers, Flight 93, and the Pentagon, and

WHEREAS, “we all remember exactly where we were on the morning of September 11, 2001,” let us pray we never experience that terror again, and always remember our mutual responsibility to ensure justice is done, freedom prevails, and our founding principles permeate through our great land, and

WHEREAS, the world, not just America, was forever changed as a result of September 11, 2001 and its aftermath, and

WHEREAS, by a joint resolution approved December 18, 2001 (Public Law 107-89), our U.S. Congress ordained September 11 of each year as ‘Patriot Day,’ and by Public Law 111-13, approved April 21, 2009, September 11 was designated as ‘National Day of Service and Remembrance,’ and

WHEREAS, on this ‘National Day of Service and Remembrance’ and 20th anniversary of the September 11th attacks, a goal was set of 20 million voluntary good deeds to honor and remember our fallen victims, first responders and others, as well as to build unity and goodwill here in the United States. Let us go out and enrich our communities across the City of Lenoir and Caldwell County and realize we can strengthen our Nation to meet the challenges in this 22nd century, but it begins first here in our own communities where we live and function, and

WHEREAS, we experienced great chaos and sadness September 11, 2001, we also beheld great and countless feats of heroism, selflessness and unfathomable compassion, and

WHEREAS, we pledge to continue the legacy of those innocent victims and first responders’ courage and compassion, and to move forward together in unity as one people regardless of nationality, gender, and beliefs, and

WHEREAS, all Americans are encouraged to display the flag at half-staff from their homes, schools, and businesses on September 11, 2021, and



WHEREAS, all houses of worship, schools, homeowners, and facilities are encouraged to ring their bells at least six times at 8:46 a.m. the morning of September 11, 2021.

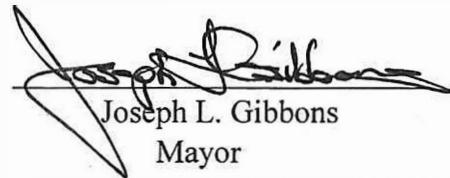
THEREFORE, let us ring the bells on this September 11, 2021, at 8:46 a.m. to remember those who lost their lives 20 years ago and give thanks to our brave first responders who risked their lives that day and several days afterwards.

LET US reaffirm the spirit of patriotism, service, and unity we experienced in the days and months that followed September 11, 2001.

NOW THEREFORE, I, Joseph L. Gibbons, Mayor of the City of Lenoir, North Carolina, and on behalf of the Lenoir City Council, encourage all citizens throughout the City of Lenoir and Caldwell County to reflect on this **“National Day of Service and Remembrance” and the 20th Anniversary** of the September 11 attacks in order to proclaim honor and respect of all those who lost their lives during this terrible tragedy.

This the 7th day of September, 2021.

SEAL



Joseph L. Gibbons
Mayor

**LENOIR CITY COUNCIL
TUESDAY, AUGUST 17, 2021
6:00 P.M.**

PRESENT: Mayor Joe Gibbons presiding. Councilmembers present were Mayor Pro-Tem Crissy Thomas, Jonathan Beal, Todd Perdue, Ike Perkins, David Stevens and Ben Willis. City Attorney T. J. Rohr and City Manager Scott Hildebran were also present.

ZOOM: Councilmember Ralph Prestwood participated via Zoom along with Finance Director Donna Bean and City Clerk Shirley Cannon.

Department Directors in attendance were Communications Director Joshua Harris, Fire Chief Ken Hair, Police Chief Brent Phelps, Recreation Director Kenny Story, Planning Director Jenny Wheelock, Economic Development Director Kaylynn Horn, Public Works Director Jared Wright and Public Utilities Director Radford Thomas. Carmen Boone, News-Topic was also in attendance.

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:**

B. On behalf of City Council, Mayor Gibbons extended sympathy to Fire Chief Ken Hair on the recent loss of his father, Kenneth Hair. Mayor Gibbons asked everyone to keep the family in their thoughts and prayers.

Mayor Gibbons also expressed sympathy to the family of Thomas Robbins who was retired from the Fire Department.

RIBBON CUTTING; T.H. BROYHILL

WALKING PARK: C. Mayor Gibbons shared a ribbon cutting and tour of the new restroom facilities and renovations was held today at the T.H. Broyhill Walking Park. Mayor Gibbons, Shelia Triplett-Brady, Broyhill Foundation, Councilmember David Stevens, City Manager Scott Hildebran, Recreation Director Kenny Story, Public Works Director Jared Wright, Fire Chief Ken Hair and Police Chief Brent Phelps all attended the event.

On behalf of City Council, Mayor Gibbons commended the Broyhill Family Foundation for their \$100,000.00 donation to replace the flooring on the observation deck and to convert the park restrooms into three single units. Mayor Gibbons also commended Recreation Director Kenny Story and Staff for all their hard work regarding this project.

**SPECIAL RECOGNITION; AMERICAN LEGION FIREFIGHTER
& POLICE OFFICER OF THE YEAR:**

C. Irv Eurto, Commander, American Legion Post 29, along with Fire Chief Ken Hair and Police Chief Brent Phelps, honored and recognized Captain Jonathan Wright, as Firefighter of the Year and Officer Jesse Massey, as Police Officer of the Year, for the City of Lenoir.

Mr. Eurto thanked City Council and stated the American Legion sponsors this annual event. He explained the Fire and Police Departments also choose a committee to oversee the selection process. Mr. Eurto also commended all the firefighters and police officers for their service to the community.

Fire Chief Ken Hair said the Department selected Captain Jonathan Wright for the American Legion Firefighter of the Year award because he is a well-rounded Firefighter and Officer as well as a well-rounded person. Chief Hair further commented that Captain Wright is highly respected in the department and has earned this recognition because he gives his all as a firefighter and is simply a great leader and role model for our staff.

In addition, Chief Hair reported Captain Wright contracts with Caldwell Community College to help train new firefighters. Also, he uses his skills in carpentry and HVAC repair to help both the Fire Department and City of Lenoir save money by repairing the HVAC systems. Chief Hair stated Captain Wright is well-deserving of this award because of his commitment to the Lenoir Fire Department during his 18 years of service along with his commitment to the community.

Police Chief Brent Phelps stated Officer Jesse Massey was hired in July 2019 and became a Patrol Officer in January 2020. She was promoted to Police Officer 2 in December 2020. In addition, Officer Massey has completed Field Training Officer school and is currently serving as a Field Training Officer for the Patrol Division less than two years after completing the Basic Law Enforcement Training (B.L.E.T.) program herself.

In addition, Chief Phelps reported Officer Massey has completed the Police Law Institute course plus obtained her Intoxilyzer Certification. Chief Phelps pointed out Officer Massey's achievements, commitment, dedication and eagerness to serve, has made her stand out this year. Chief Phelps further stated Officer Massey is a role model and they expect to see her accomplish great things throughout her career.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Upon a recommendation by City Manager Hildebran, the following Consent Agenda items were submitted for approval.
 - 1. Minutes: Approval of the minutes of the City Council meeting of Tuesday, August 3, 2021 as submitted.
 - 2. Maintenance and Service Agreement; Joyceton Water Works, Inc. and the City of Lenoir: Staff recommends approval of the proposed Maintenance and Service Agreement including Attachment A with Joyceton Water Works, Inc. and the City of Lenoir as submitted. (A copy of the agreement and Attachment is hereby incorporated into these minutes by reference. Refer to pages 309 – 314.)

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

IV. REQUESTS AND PETITIONS OF CITIZENS

CARDBOARD/GARBAGE PICKUP; DOWNTOWN AREA:

A. Mr. Kevin Eller, Pour House Restaurant, addressed City Council regarding the issue of waste pickup in the downtown area. Mr. Eller asked Council to consider installing a recycling area in the downtown area to handle the amount of cardboard that all the businesses generate. Mr. Eller pointed out he currently places his waste behind his restaurant and did use the City's rollout garbage containers for his cardboard boxes until he was informed by the City that he wasn't allowed to do that. Mr. Eller emphasized he wants downtown to do well and he is willing to work with Council to come up with a solution to address this problem.

On behalf of City Council, Mayor Gibbons thanked Mr. Eller and stated Council and City Staff would discuss the situation.

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

ABC BOARD: 1. The ABC Board will meet on Thursday, August 19 at 2:00 p.m.

SOUTHERN SUNDOWNER

4-MILER RACE: 2. The Southern Sundowner 4-Miler Race will be held on Saturday, August 21 beginning at 7:00 p.m. in downtown Lenoir.

CANCELLED; PLANNING

BOARD: 3. The Planning Board cancelled their meeting on Monday, August 23. The next meeting will be held on Monday, September 27 at 5:30 p.m.

COMMITTEE OF THE

WHOLE: 4. The Committee of the Whole will meet on Tuesday, August 24 at 8:30 a.m. at City Hall, Third Floor.

FOOTHILLS REGIONAL

AIRPORT AUTHORITY:

5. The Foothills Regional Airport Authority will meet on Wednesday, August 25 at noon at the Airport facility.

HOLIDAY

CLOSING: 6. City offices will be closed on Monday, September 6 in observance of Labor Day.

B. ITEMS FOR COUNCIL ACTION

**BID AWARD; ROOF
REPLACEMENTS/REPAIRS:**

1. Bid Award; Roof Replacements/Repairs: Following review of bids received on August 3, 2021 for this contract, Staff recommends awarding the Roof Replacements 2021 Contract to Barger-Ashe Roofing Company. The total contract value for this project will be \$142,950.00 and includes roof replacements and repairs at the Lenoir Aquatic Fitness Center (LAFC) and the Martin Luther King, Jr. Center (MLK). Refer to the included memorandum which highlights the project budget, Staff's efforts to value engineer the product(s), and considerations for the award recommendation.

A copy of the memorandum and bid tab are hereby incorporated into these minutes by reference. (Refer to pages 315-317.)

City Manager Hildebran stated this project was an invitation-only bid as project estimates were anticipated to be well below the formal bidding threshold of \$500,000. Mr. Hildebran said bid packets were distributed to four (4) roofing contractors, and a total of two (2) actual bids were received. Also, two (2) declarations of "No-Bid" were received from contractors that could not faithfully perform the work within the required timeframe.

Public Works Director Jared Wright also clarified for Council that this project would address the water leak issue at the Aquatic & Fitness Center. Director Wright explained the low bid of \$142,950.00 for both facilities exceeded the project budget of \$113,000.00 which includes other minor, planned repairs.

In addition, Director Wright stated that Staff met with the contractor to discuss options for value-engineering to reduce project costs, but given the material needs and existing conditions at each location, there were no opportunities to revised the project scope or construction materials/methods to decrease costs.

Upon a motion by Councilmember Stevens, Council voted 7 to 0 award the Roof Replacements 2021 Contract in the amount of \$142,950.00 to Barger-Ashe Roofing Company as submitted and as recommended by City Staff. The project includes roof replacements and repairs at the Lenoir Aquatic Fitness Center (LAFC) and the Martin Luther King, Jr. Center (MLK).

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

BOARD ANNOUNCEMENTS:

- A. Mayor Gibbons announced the following list of individuals for consideration of appointment to the City's Authorities/Boards/Commissions. These individuals will be voted on at the September 7 City Council meeting.

Lenoir ABC Board	*to be determined
Parks and Recreation Advisory Board	Rick Pierce 2-year term
Lenoir Tourism Development Authority	Jesse Plaster 4-year term

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

X. ADJOURNMENT

1. There being no further business, the meeting was adjourned at 6:38 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor

City of Lenoir
Public Works Department



DEPARTMENT MEMORANDUM

DATE: August 10, 2021

Mr. Scott Hildebran, City Manager
Ms. Donna Bean, Finance Director

RE: Bid Summary, Roof Replacements – 2021

The Parks and Recreation Department received bids for the *Roof Replacements – 2021* project on August 03, 2021. This was an invitation-only bid, as project estimates were anticipated to be well below the formal bidding threshold of \$500,000.00. Bid packets were distributed to four (4) roofing contractors, and a total of two (2) actual bids were received. Additionally, two (2) declarations of “No-Bid” were received from contractors that could not faithfully perform the work within the required timeframe.

A bid tabulation is attached for your review. The apparent low bidder was Barger-Ashe Roofing. This bid, however, exceeded the budgeted amount for the roof repairs and/or replacement at the two (2) facilities (LAFC & MLK). After staff review of the bids, the apparent low-bidder was contacted in an attempt to value engineer the project(s) at each facility in an effort to bring the total project costs closer to the budgeted amounts.

LAFC

This portion of the project included a replacement of the *TPO Membrane* roof over the weight room and a replacement of existing asphalt shingles over the indoor pool with a high-temp vapor barrier and corrugated metal. The TPO roof over the weight room is approximately 20+ years old, and the indoor pool roof has numerous leaks that are believed to be caused by exposure to intense humidity associated with pool treatment practices.

In discussions with the low bidder, staff proposed replacing existing shingles with like material. A decision was made to avoid this proposal due to fear of continuing to experience the same issues (premature degradation of fasteners, interior exposure to pool humidity).

MLK

This portion of the project included a replacement of existing metal roofing and a replacement of existing TPO Membrane roofing in areas of the facility where leaks have been prevalent over the past several years. The facility has sustained significant damage due to roof leaks, and currently the gymnasium floor is compromised on the southern end of the playing surface.

During an on-site meeting with the low-bidder, in lieu of full roof replacements in each of these areas, a more focused leak repair scope was presented. The contractor suggested removing a portion of the

existing metal (in and adjacent to the repair area) to investigate roofing seams and joint construction methods. The investigation did not reveal deficiencies in prior construction, therefore simple spot-repairs may not be suitable for this portion of the facility.

There may be future opportunities for spot-repairs in the existing membrane roof of the western side of the building, specifically near a large rooftop HVAC unit, but at this time a fully revised scope in this area has not been explored.

Recommendation

To summarize the procurement process to date, the City received bids in accordance with applicable public contracting statutes on August 03, 2021. Four bid packets were distributed, and two (2) bids and two (2) letters of decline were received. The apparent low bid of **\$142, 950.00** (both facilities) exceeded the project budget of **\$113,000.00** (total includes other minor, planned repairs). Staff met with the contractor to discuss options for value-engineering to reduce project costs, but given the material needs and existing conditions at each location, there were no opportunities to revise the project scope or construction materials/methods to decrease costs.

After meeting with the contractor and discussing the facility needs with Finance Director, Donna Bean, and City Manager, Scott Hildebran, we recommend awarding the project to the lowest, responsive, responsible bidder: Barger-Ashe Roofing. We feel that further delay of performing these repairs will result in continued degradation of each facility, which will also increase those repair costs after completion of the roof repairs.

Additionally, given the volatility of the construction market, we are not confident that delaying the project for a number of months will result in pricing more in-line with the budgeted amounts. Delaying award and re-advertising the project at a later date could reflect a pricing increase.

Respectfully submitted,

City of Lenoir
Public Works Department



JARED WRIGHT
Public Works Director

cc: Kenny Story, Parks and Recreation Director

Attachments: Bid tabulation, project location and scope maps



BID TAB

**Bid Results
Roof Replacements - 2021
City of Lenoir
August 03, 2021**

Contractor	Lenoir Aquatics and Fitness Center	Martin Luther King Recreation Center	TOTAL BID
Barger-Ashe Roofing	\$123,350.00	\$19,600.00	\$142,950.00
MBA Roofing	\$158,058.29	\$35,350.00	\$193,408.29
Conover Construction & Roofing	-	-	NO BID
Statesville Roofing	-	-	NO BID

STATE OF NORTH CAROLINA
COUNTY OF CALDWELL

MAINTENANCE AND SERVICE AGREEMENT

THIS CONTRACT is made and entered into this 1st day of September, 2021, by and between Joyceton Water Works Inc., a North Carolina corporation, hereinafter referred to as "Joyceton," and the City of Lenoir, a North Carolina municipal corporation.

WHEREAS, Lenoir and Joyceton have the power and authority to enter into this agreement, and the signatories hereto have been authorized to execute this document on behalf of the Lenoir City Council and Joyceton; and

WHEREAS, Lenoir currently owns and operates a water treatment and distribution system, and is engaged in the enterprise of managing, operating, and maintaining the system and selling potable water to the public within its service area; and

WHEREAS, Joyceton owns and operates a water distribution system, and is also engaged in the enterprise of managing, operating, and maintaining the system and selling potable water to the public within its service area; and

WHEREAS, Lenoir and Joyceton are currently operating under an Agreement to Purchase Water that will expire July 19, 2023, unless otherwise extended; and

WHEREAS, Lenoir and Joyceton desire to enter into this Maintenance and Service Agreement whereby Lenoir will provide meter installation, meter reading, billing, and collection services to Joyceton, as well as meter and waterline maintenance services as needed to Joyceton during the period of the Agreement to Purchase Water in accordance with the terms and provisions contained herein; and

WHEREAS, Lenoir has the capability to provide these services to Joyceton throughout the term of this Agreement without impairing services to the users connected to its water system; and

WHEREAS, Lenoir and Joyceton each has or holds and will continue to have or hold throughout the term of this agreement all appropriate permits necessary to effectuate their respective responsibilities under this Agreement or will use their best efforts to obtain such permits;

NOW THEREFORE, in consideration of the mutual covenants, conditions and terms contained herein, the parties hereto, intending to be legally bound hereby, agree as follows:

1. This Agreement will commence upon its execution by both parties. Unless earlier terminated in accordance with the terms herein, it will expire when

the Agreement to Purchase Water expires.

2. "Attachment A" to this agreement sets out the maintenance and services Lenoir will provide under this agreement and the corresponding schedule of fees Joyceton will be charged and will pay.

3. Lenoir or Joyceton may terminate this agreement prior to its stated expiration date by in accordance with the terms and conditions set forth below.

A. Lenoir will have the right to terminate this agreement upon any of the following events of default by Joyceton.

1) The failure of Joyceton to perform, or cure within 30 days after written notice of its breach of, any of its covenants, agreements, obligations or duties under this Agreement.

2) The failure of Joyceton to make any payment required under this Agreement within 60 days of its receipt of notice from Lenoir that any such payment is overdue.

B. Joyceton will have the right to terminate this agreement upon the failure of Lenoir to perform, or cure within 30 days after written notice of its breach of, any of its covenants, agreements, obligations or duties under this Agreement.

Upon a default as described above, the aggrieved party will provide written notice to the alleged defaulting party that sets forth in detail the alleged default.

Thereafter, within 30 days of receipt of notice of the alleged default, the parties to this agreement are to meet to attempt to reach a resolution.

4. The meters Lenoir will install under this agreement remain the property of Lenoir. Upon the termination or expiration of this agreement, if Joyceton has not been sold to Lenoir, then Joyceton must elect either to purchase the meters Lenoir has installed or to have Lenoir remove them.

If Joyceton elects to purchase the meters, it will pay Lenoir \$35 per meter. Lenoir will remove the AMI nodes.

If Joyceton elects to have Lenoir remove the meters, Joyceton will in advance pay Lenoir \$50 for each meter removed. In addition, if Joyceton chooses to have Lenoir install a meter, it will in advance pay Lenoir \$25 per meter for Lenoir to replace each meter with a meter provided by Joyceton.

5. This agreement embodies the entire agreement between the parties in connection with this transaction, and there are no agreements, representations, or inducements existing between the parties relating to this transaction which are not

expressly set forth herein. This agreement may not be modified except by written agreement signed by both parties to this agreement. Neither party may sell, convey, or otherwise alienate the rights and obligations created herein without the prior written permission of the other party to this agreement. This agreement is non-assignable.

6. Nothing contained herein is to be construed to place the parties in the relationship of partners or joint venturers, and neither party will have the power to obligate or bind the other party in any manner whatsoever. This Agreement does not establish a joint agency under Article 20, Part 1 of Chapter 160A of the North Carolina General Statutes, by other similar statutory authority authorizing interlocal cooperation between units of local government, or otherwise.

7. Joyceton will maintain appropriate general liability insurance coverage in the amount of at least \$1,000,000.00 during the term of this agreement and will provide proof of such insurance coverage upon Lenoir's request. Joyceton will hold Lenoir harmless for any occurrence resulting from the work performed under this agreement according to generally accepted industry practices.

8. Joyceton will continue to be responsible for compliance monitoring and reporting required by the North Carolina Department of Environmental Quality or the US Environmental Protection Agency.

9. No written waiver by any party to this agreement at any time of any breach of any provision of this agreement may be deemed a waiver of a breach of any other provision herein or a consent to any subsequent breach of the same or any other provision.

10. This agreement is to be governed by and interpreted in accordance with the laws of the State of North Carolina.

11. Except as provided herein, the rights and remedies provided for in this agreement are cumulative and are not exclusive of any rights or remedies that any party may otherwise have at law or in equity.

IN WITNESS WHEREOF, the parties have executed this agreement on the day and year first above written.

Walter James Hogan, pres.
JOYCETON WATER WORKS, INC.
By: Walter James Hogan, Owner President

ATTEST:

_____, Secretary

Joseph L. Gibbons
CITY OF LENOIR
By: Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon
Shirley M. Cannon, City Clerk

This agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

By: Donna Bean
Donna Bean, Finance Officer

Approved as to form:

By: Timothy J. Rohr
Timothy J. Rohr, City Attorney
City of Lenoir, North Carolina

By: _____, Attorney
Joyceton Water Works Inc.

Attachment A
to MAINTENANCE AND SERVICE AGREEMENT between Joyceton
Water Works, Inc. and the City of Lenoir

Billing and Collection Services

1. Joyceton will provide the City of Lenoir Billing and Collections department with customer addresses and relevant customer data to facilitate establishing accounts and billing cycles for Joyceton's customers.
2. After the effective date of this agreement and during its term, Joyceton will direct customers to the City of Lenoir Billing and Collection office located in the Lenoir City Hall to establish new accounts or make changes to existing accounts.
3. Meters will be read remotely through the AMI network and a bill will be created and mailed to the customer address on a monthly basis. Customers that are also City of Lenoir sewer customers will also be billed for sewer service charges (if applicable) and City of Lenoir sanitation fees (if applicable) on the monthly bill. City of Lenoir due-date and late-fee policies will be applicable when considering discontinuation of service for late payments or non-payment or reconnection of service after disconnection.
4. Lenoir will issue a monthly payment to Joyceton Waterworks for the water service revenues collected less any fees for postage and handling and for maintenance, billing, and collection services.

Maintenance Services

1. Lenoir maintenance staff will supply and replace all 5/8 x 3/4 inch residential meters and up to 2-inch commercial meters with AMI-compatible meters. The meters will remain the property of Lenoir.
2. Routine maintenance will be provided on a per-job basis. Joyceton will contact the Collection and Distribution Department for the City of Lenoir to schedule routine maintenance items such as water-leak repair, meter change-outs, new water taps, repairing or patching road cuts, and water-line flushing. Lenoir will not provide maintenance services for Joyceton's water tanks or fire service system and they are excluded from this agreement. The City of Lenoir will generate a work order for the service provided.
3. The City of Lenoir Utilities Department staff will perform services during regular business hours, Monday through Friday 7:30 AM to 4:00 PM, and will not subject to regular "on-call" response after hours. Exceptions may be arranged, but only prior to work being performed. After-hours cut-off or cut-on of water service is subject to the applicable City of Lenoir fees to perform this service plus time for the on-call staff to respond and will be billed to Joyceton.

Billing and Collection Service Fees

1. Billing and Collection Service - \$1.00 per bill generated for reading, printing, postage and collection service. Charged to Joyceton.
2. Late Fee - \$10.00 month. Charged to the customer.
3. Reconnect Fee (for Non-payment) - \$25.00. Charged to the customer.

Maintenance Services

1. Charges for maintenance services will be provided on a time and materials basis per job plus 10%, charged to Joyceton.

**COMMITTEE OF THE WHOLE
CITY HALL, THIRD FLOOR
TUESDAY, AUGUST 24, 2021
8:30 A.M.**

PRESENT: Committee members, Mayor Joe Gibbons, Mayor Pro-Tem Crissy Thomas, Ike Perkins, Ralph Prestwood, David Stevens and Ben Willis.

VIA TELECONFERENCE:

Participating via teleconference was Councilmember Todd Perdue.

ABSENT: Councilmember Jonathan Beal.

STAFF PRESENT: City Manager Scott Hildebran, Planning Administrative Assistant Lauren Hartley and Communications Director Joshua Harris.

DEPARTMENT DIRECTORS:

Fire Chief Ken Hair, Recreation Director Kenny Story, Main Street Event Coordinator Kaylynn Horn, Planning Director Jenny Wheelock, Fire Chief Ken Hair, Police Chief Brent Phelps, Public Utilities Director Radford Thomas, Public Works Director Jared Wright and Communications Director Joshua Harris. Carmen Boone, *News-Topic*, was also in attendance.

I. CALL TO ORDER

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

II. CITIZEN COMMENT PERIOD

III. COMMITTEE ITEMS

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

- The Metering Project is in its final stages with a few installs left. This project is expected to stay within budget.
- The City will receive bids this Fall for the first phase of the Crossroads Sewer Replacement project on the Lenoir Golf Course.
- Studies:
 - Interconnection Project
 - Phase 1 for the Whitnel Waterline Replacements
 - EPA assessment grant; this will end September 30th
 - Copper Lead Study

B. Public Works: Public Works Director Jared Wright reported on the following items:

- The Streets Division will be prepping for paving this fall. They plan to pave around 13 streets. We are anticipating a price increase for liquid asphalt in early 2022, so we will

attempt to pave approximately 75% of streets planned for FY21-22 during the Fall paving season.

- Plans are being finalized for construction on Hotel Street. A few last-minute drainage questions came up during final design, and Street Division crews have performed camera investigation on the existing drainage lines. The property required for this street is now owned by the City of Lenoir.
- Progress is being made for right-of-way acquisition on the Hospital Avenue Sidewalk Project. Several questions have come up from property owners along the corridor, but most are being handled through 'special provision documents' that include protection of existing landscape features during construction, etc.
- The Sanitation and Vehicle Services Division(s) has several positions open to be filled.
- The Cemeteries Division has reported a delay in deliveries from our granite supplier. These granite slabs are used as bases for flat, bronze markers. The delay may extend into early 2022.

IV. COMMUNITY DEVELOPMENT

A. Lenoir Tourism Development Authority (LTDA): The Lenoir Tourism Development Authority (LTDA) did not meet but plans to schedule a meeting for the month of September.

B. The Lenoir Business Advisory Board (LBAB) conducted a virtual meeting on June 10, 2021 and minutes were approved. Kaylynn Horn, Economic Development Director, gave the following report:

- New property owners and businesses are moving locations Downtown.
- The 4440 Ranch and Cattle Company is opening a location in Downtown this fall.
- Downtown Events:
 - Cruise In
 - Summer concert- This was the last concert for the season and was well attended.
 - Southern Sundown- This event had around 100 runners participate.
 - The Tattoo Gathering will be held September 3-5th.

B. Planning Board: The Planning Board cancelled its meeting of Monday, August 23. The next meeting will be held on Monday, September 27 at 5:30 p.m.

- The Comprehensive Plan update will be submitted by the end of the year.
- The Planning Department Code Enforcement has done sign sweeps and will monitor during the election season.

C. Parks & Recreation Advisory Board: The Recreation Advisory Board met on August 16 at 6:00 p.m. and minutes were approved. Kenny Story, Recreation Director, presented the following report:

- The Fall Baseball season has started at the Mulberry Recreation Center.
- CCC&TI Women's Softball has started practice at the Optimist Park.
- The Martin Luther King Center has held 3 events, which were all well attended.

- The tunnel located at the Greenway between Days Inn and taco Bell has been painted to cover graffiti and help with future damage.
- Renovations continue at Lenoir High School Auditorium.
- The Rotary is raising money to held light up Mack Cook Stadium.
- The Sculpture Celebration will be held Saturday, September 11 at the T.H. Walking Park.
- Appalachian State University is offering a baseball clinic at the Mulberry Recreation Center for ages 6-14 year old.

D. Financial and Administration

1. Finance Director Donna Bean reviewed the Financial Summary as of July 31, 2021 and stated the City is in good financial shape. The over/under balance in the General Fund is \$1,928,861.94, Downtown District \$854.18, and Water & Sewer Fund \$441,884.79.

A copy of the July financial summary is attached to these minutes as information.

Director Bean stated the Downtown District's balance has decreased due to no events being held.

- E. Public Communications: A copy of the July 2021 Communications Report was presented to Council as information.

There were 8 news releases, 50 photos, 5 videos, 2 podcasts/radio, 90 social posts, 21 notify me requests, 26 questions & answers, and 8 e-sign ups. The website experienced 45,694 views and reached 54,682 people via Facebook and Twitter. Also, there were 236 new followers and 6,245 video views.

V. PUBLIC SAFETY

A. Police Department

1. Update; Police Department: Police Chief Brent Phelps reported on the following items.

- Officers will be stationed at all schools this week for the first week back.
- All staff positions are full at this time.
- The k9 Academy will be held in September. All sessions are held outside with a max of 10 people.
- The second quarter report was provided to Council.

2. Update; Fire Department: Fire Chief Ken Hair presented the following report:

- Ken Hair thanked everyone for the condolences on the loss of his father.
- The second quarter report was provided to Council.
- Highlights of major events:
 - Three members within the department received promotions and one new hire.
 - Department personnel participated in a total of 4,500 hours of training.

- Firefighter's participated in the City of Lenoir's Litter Sweep.
- Firefighters participated in a clean-up project at the creek beside of Greenway.
- On June 1, all fire station facilities fully opened back up to the public under provisions.
- Medical and Service calls were up from the 2020 quarterly report.
- The Fire Marshall performed a total of 109 fire code inspections on businesses within the Lenoir City limits and had 31 fire investigations.
- In June, two trucks were purchased to be utilized as future QRV's costing a total of \$84,574.00.

VI. OTHER

- A. September Calendar: By consensus of the Council, the calendar for the month of September was approved listing various committee meetings.

VII. Adjourn:

There being no further business; the meeting was adjourned.

Attachments

July Financial Summary

July Communication Report

*Minutes prepared by Lauren Hartley, Planning Administrative Assistant.



**City of Lenoir
Financial Summary
As of 7/31/2021**



General Fund					
	2021-2022 Budget	7/31/2021	% of Budget	Change from Previous Year	7/31/2020
Total Revenue	\$ 18,594,890.00	\$ 4,743,692.75	26%	\$ 932,644.64	\$ 3,811,048.11
Expenditures	\$ 18,594,890.00	\$ 2,814,830.81	15%	\$ 1,248,957.50	\$ 1,565,873.31
Over/Under	\$ -	\$ 1,928,861.94		\$ (316,312.86)	\$ 2,245,174.80
Downtown District					
	2021-2022 Budget	7/31/2021	% of Budget	Change from Previous Year	7/31/2020
Revenues	\$ 184,638.00	\$ 14,949.43	8%	\$ 461.29	\$ 14,488.14
Expenditures	\$ 184,638.00	\$ 14,095.25	8%	\$ 4,631.53	\$ 9,463.72
Over/Under	\$ -	\$ 854.18		\$ (4,170.24)	\$ 5,024.42
Water/Sewer Fund					
	2021-2022 Budget	7/31/2021	% of Budget	Change from Previous Year	7/31/2020
Revenues	\$ 9,629,744.00	\$ 895,549.10	9%	\$ 58,077.31	\$ 837,471.79
Expenditures	\$ 9,629,744.00	\$ 453,664.31	5%	\$ (103,534.58)	\$ 557,198.89
Over/Under	\$ -	\$ 441,884.79		\$ 161,611.89	\$ 280,272.90

Minutes-Committee of the Whole Meeting
Tuesday, August 24, 2021

July 2021 Communication Report

By Joshua Harris, Director, Communication & Public Information 8/9/2021

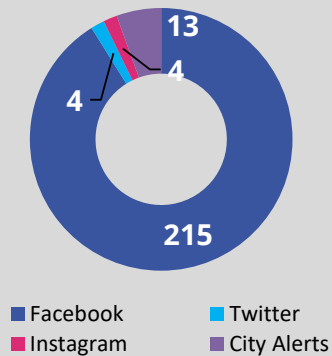
CONTENT CREATION

News Releases	Photos	Videos	Podcasts/Radio	Social Posts	Notify Me	Q&A	eSign
8	50	5	2	90	21	26	8

PUBLIC ENGAGEMENT

New Followers

236



Social Reach

54,682

Facebook	51,757	
Twitter	2,834	

Video Views

6,245

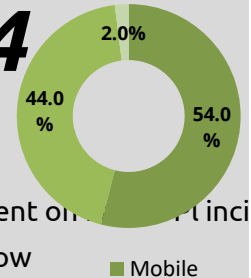
Facebook	5,560
YouTube	685

Website Views

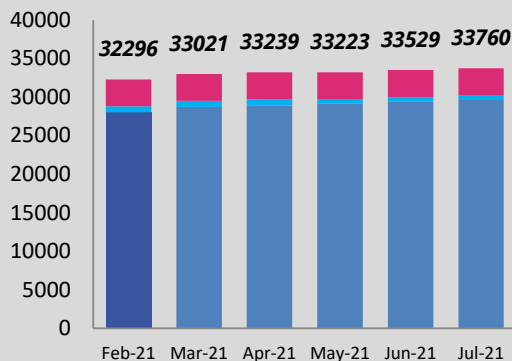
45,694

Top Pages

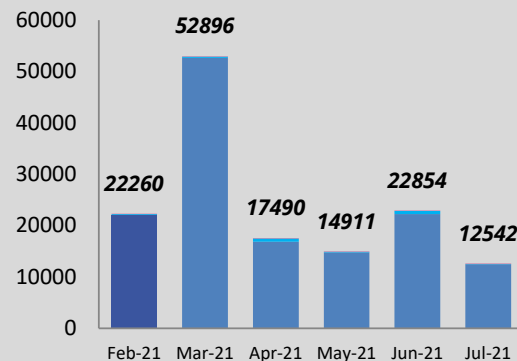
- 1 Payment Options
- 2 Police release statement on [unclear] incident
- 3 July 4th Fireworks Show
- 4 Jobs
- 5 LAFC Secretary Job
- 6 Water & Sewer Service
- 7 LAFC



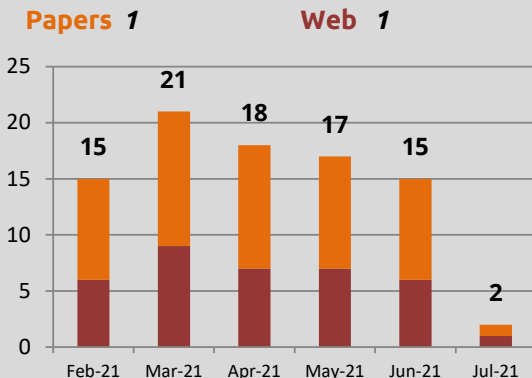
Total Followers



Social Engagement



Media Coverage





Top Facebook

Reach: The number of people who saw the post on their feed

Engagements: Reactions, comments, shares, photo/video views, and clicks

Total Facebook Followers

29,647

Last Month 29,432

Gain 215

City of Lenoir Fire Department
Published by Joshua Harris · July 23 at 11:10 AM ·

Lenoir Fire would like to extend our most sincere and heartfelt condolences to the families of Retired Chief Bill Murray and Retired Captain Billy White. Both Chief Murray and Captain White passed about 12 hours apart yesterday due to nonrelated health issues. These two men were valued members of our department and will be forever missed!! Rest Easy Brothers!!




8,624 People Reached 1,456 Engagements

Boost Post

331 Reactions 78 Comments 47 Shares

Like Comment Share

	Paid	Organic	Rate
Reach		8,624	
Engagements		1,456	17%
> Comments		78	
> Shares		47	

City of Lenoir Police Department
Published by Aide Decamp · July 29 at 1:46 PM ·

We are pleased to announce that we plan to host a Canine Academy this year. We have uploaded a fillable adobe form that you can complete and email back to us at lenoirpolice@gmail.com. You can also fax the completed form to 828-394-1231 or drop it in our curbside drop-box located at 1035 West Ave. This is a 7 week class that meets every Thursday night from 6 - 7 PM. Application deadline is 8/26/2021. Classes begin Sept. 2nd. Please visit our webpage for more info.
<https://www.cityoflenoir.com/180/Citizens-Canine-Academy>

2021 Canine Academy

Teach your furry friend some basic obedience commands from our resident canine experts!

Sep. 2 - Oct. 7
Th. 6 - 7 pm

Applicants must be 16 or older or accompanied by guardian and subject to background check and signed release of liability

No dogs under 6 months of age are accepted

No overly aggressive dogs will be accepted

Dogs must have current vaccinations & receiving flea & tick-treatments

Training requires chain slip collars, approved leashes, & reward treats

Deadline to apply is 8/26/21. More info & application at www.cityoflenoir.com (programs) Citizens Canine Academy

7,411 People Reached 601 Engagements +2.5x Higher Distribution Score

Boost Post

70 Reactions 28 Comments 39 Shares

	Paid	Organic	Rate
Reach		7,411	
Engagements		601	8%
> Comments		28	
> Shares		39	

Downtown Lenoir
Published by Matthew Anthony · July 2 ·

Just a reminder.... Tomorrow the Farmers Market will be from 7am-2pm in the 902 Harper Ave parking lot.

Also, the first Cruise-In is tomorrow from 3-7pm. Please be aware of Downtown street closures. The map below highlights where the street closures will be. Come out and enjoy as the streets are lined with classic cars and be sure to support our local shops and restaurants as you stroll around Downtown.

#domoreinlenoir Lenoir Cruisers City of Lenoir, NC Government



4,523 People Reached 188 Engagements +12.6x Higher Distribution Score

Boost Post

17 Reactions 30 Shares

	Paid	Organic	Rate
Reach		4,523	
Engagements		188	4%
> Comments			
> Shares		30	



Top Tweets

Impressions: Times people saw this Tweet on Twitter

Engagements: Times people interacted with this Tweet

Total Twitter Followers

541

Last Month 537 Gain 4



City of Lenoir, NC @CityofLenoir

Head to the MLK Jr. Center tomorrow night and enjoy the free Bring Back the Music Jazz concert. Lexxi, Groove Masters Band, and Reggie Graves and Jazz Theory will perform starting at 6:30 pm. Food truck on site and free COVID vaccines available. Bring a comfy chair or blanket pic.twitter.com/xUkBHWSDxm

Impressions	301
Total engagements	13
Media engagements	11
Retweets	1
Likes	1



City of Lenoir, NC @CityofLenoir

Main Street Attendant Darren Bryant took the Billy Goat vacuum for a test spin yesterday in Downtown Lenoir. The Billy Goat is a heavy-duty, gas powered vacuum. It can pick up grass, leaves, and litter and even cans and bottles. pic.twitter.com/zFS5dnNraZ

Impressions	297
Total engagements	12
Media engagements	7
Likes	4
Profile clicks	1

City of Lenoir, NC @CityofLenoir

Staff with the NC Cooperative Extension Caldwell County Center recently took some aerial video of Unity Park & Community Gardens and the new Blue Bell Apartments under construction on College Avenue in Downtown Lenoir. Check it out at <https://youtu.be/AMWnByo783Q> .

Impressions	284
Total engagements	4
Link clicks	4



Top Instagram

Likes: The number of people who liked the post on their feed

Total Instagram Followers

3,564

Last Month 3,560

Gain

4

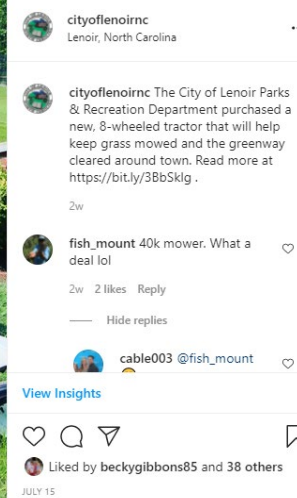


Likes

30

Comments

1



Likes

39

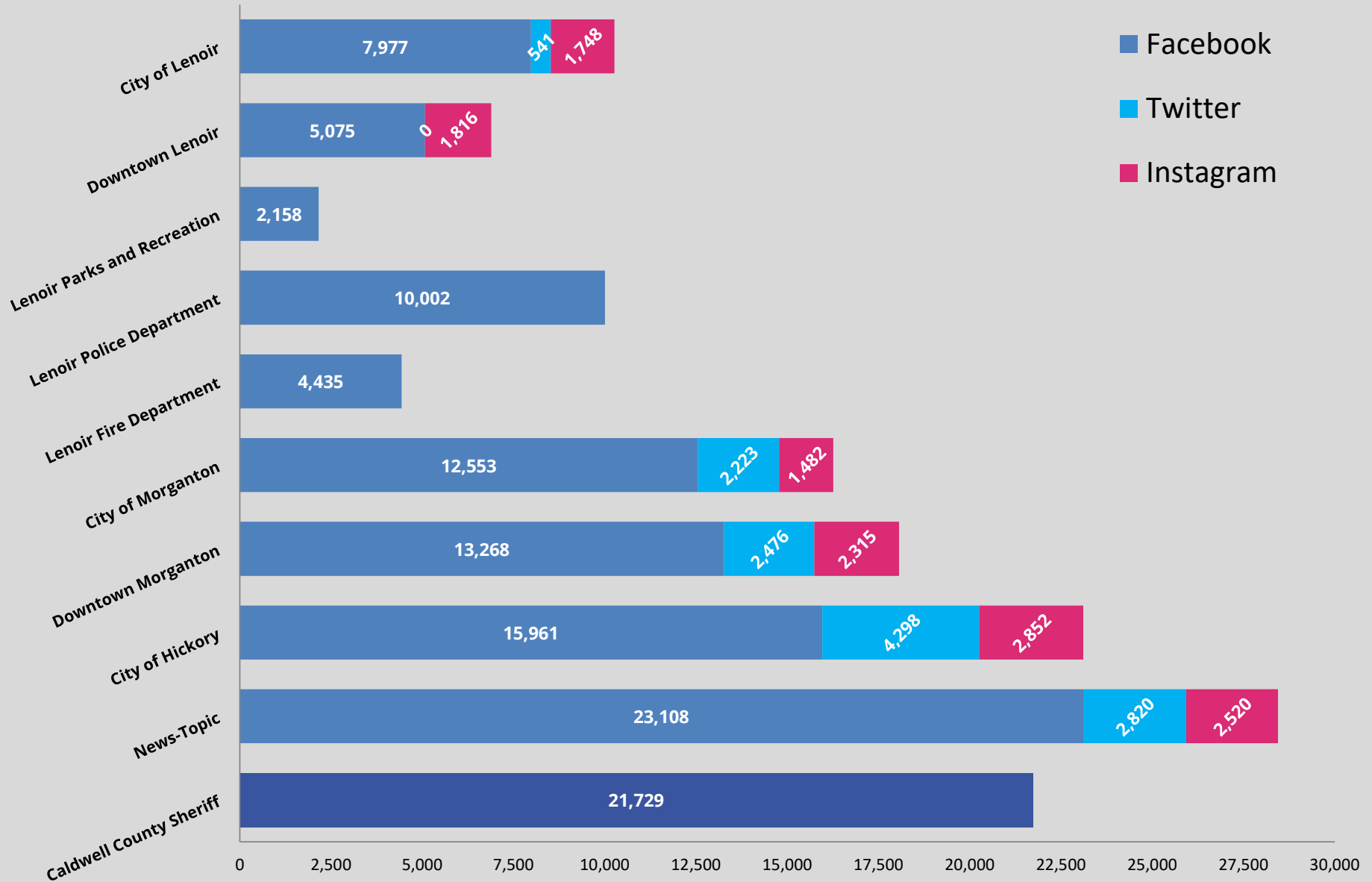
Comments

3



Social Comparison

The chart below compares Lenoir's social accounts with surrounding organizations.





Questions and Form Requests

26

Bulk Garbage 44

Garbage Pickup 22

Cart Issue 4

Extra Cart 21

Payment Plan

Records Request

Total Requests 91

I own some property and want to update the address for my tax bills

I just got the message saying possible water leak how can we find out since we can't hear water run

just had a quick question for you, this is the fourth of july weekend, why are there no flags flying downtown

Ditches are never cleaned and therefore are overflowing into road when rains and banks are hardly mowed

I have some concerns about the ways things are being handled with public facilities, with the swimming pool

You have a hold on my fl drivers license I paid the fine 3 weeks ago of 310.00 county clerk said there was nothing else pending it was dismissed but the hold

I would like to be added to your list of City alerts

submitted a request for a veterans tile back in November 2020, wondering how long that takes to be processed

Public records for [person]

calling about a residential reroofing project, building code requirements for space decking

Hole in road and underneath looks washed out.

I just moved into a home on 7/12, and the house already has two grey trash cans. One of them is severely damaged at the bottom

Money was stolen from my wallet and it was about a grand because it was the most of my stimulus check and I reported to the SunTrust that my debit card

Bestway in Lenoir has 2 garbage pick ups a week. Tuesday and Thursday usually. Neither of which have been picked up

Code violation. Building occurring in violation of code. Unpermitted building.

I am trying to understand the public swim schedule. It appears that the slides are always closed

can y'all find out why North Main Street water is so low right now?

I made a call about trash not getting picked up . you guys came got trash. but when I came home from work Friday my trash can was gone .

Street lights not working

On our street, people are taking their home and making apartment out of their home

Empty house that looks like it should be condemned ... someone is living in it.

Water back on. High pressure evenings and nights, but real low in mornings.

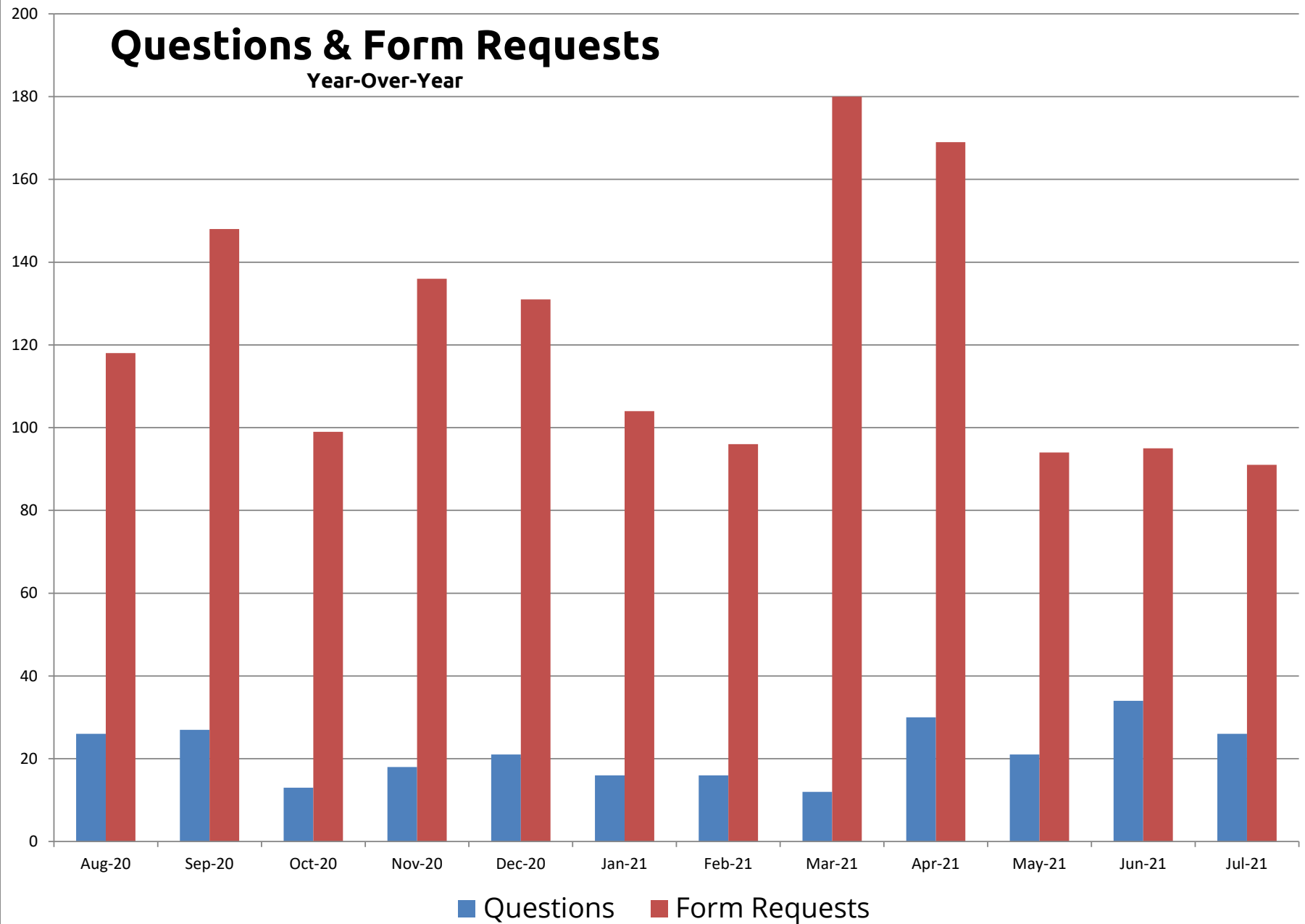
Street light not working

I am contacting you to inform you that, we noticed P O Box is incorrect on the tax bill received.

The Greenway parking lot off of Sherlee street often contains a large group of teens simply hanging out there playing music.

Questions & Form Requests

Year-Over-Year



CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Items:

- A.** Resolution to Authorize an Application for State Loan/Grant Assistance for Improvements to the Finley Area Water System Improvement Project
- B.** Resolution to Adopt of The 2021-2022 Water and Sewer Enterprise Fund Capital Improvements Plan

II. Background Information: The City of Lenoir 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 September 2021.

In addition, a resolution **(B)** is included to for Council to Adopt the 2021-2022 Water and Sewer Enterprise Fund Capital Improvements Plan as updated for the Fiscal Year 2021-2022 budget and as included in the Budget Ordinance that was adopted by the City of Lenoir on June 1, 2021. The update was presented at the March 23, 2021 City Council Budget Retreat. Adoption of this resolution will improve the scoring of the state funding assistance application for the Finley Area Water System Improvement Project.

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:_____



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 BY THE LENOIR CITY COUNCIL

- 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 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





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

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 MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

CITY COUNCIL
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C. D. THOMAS
B. K. WILLIS

RESOLUTION BY THE LENOIR CITY COUNCIL

- WHEREAS, The **City of Lenoir** has a current Capital Improvement Plan (CIP) for the Water and Sewer Enterprise Fund that spans 10-years, and
- WHEREAS, The **City of Lenoir** annually updates its 10-Year Water and Sewer CIP, and
- WHEREAS, The **City of Lenoir** held a City Council Budget Retreat on March 23, 2021 to review the 10-Year Water and Sewer CIP with minutes approved by City Council at the April 6, 2021 meeting, and
- WHEREAS, The **City of Lenoir** adopted the Fiscal Year 2021-22 budget in a Budget Ordinance at the City Council meeting held on June 1, 2021, and
- WHEREAS, An application for funding submitted to the North Carolina Department of Environment Quality (DEQ) Division of Water Infrastructure (DWI) may earn points if the Applicant has a CIP adopted by the City Council within two years of the application date.

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

That **City of Lenoir** does hereby adopt the Capital Improvements Plan as updated for the Fiscal Year 2021-22 budget, as presented at the March 23, 2021 City Council Budget Retreat, and as included in the Budget Ordinance that was adopted by the City of Lenoir on June 1, 2021.

Adopted this the _____ day of _____, 2021 at Lenoir, North Carolina.

SEAL

Joseph L. Gibbons, Mayor



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

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Signature

Shirley Cannon, City Clerk

Printed Name and Title

Board Appointment List

Mayor Gibbons will recommend that City Council appoint the following individuals to the City's Authorities/Boards/Commissions. These appointments were announced at the August 17 Council meeting.

Parks and Recreation Advisory Board Rick Pierce 2-year term

Lenoir Tourism Development Authority Jesse Plaster 4-year term