



AGENDA

CITY OF LENOIR
CITY COUNCIL MEETING
905 WEST AVENUE
TUESDAY, APRIL 19, 2022
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 proclamation to Brent Phelps, Chief of Police, recognizing the week of April 10 through April 16 as “National Public Safety Telecommunicators Week” in the City of Lenoir.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. Amendments; Phase II Stormwater Ordinance: A public hearing will be held to consider amendments to the Phase II Stormwater Ordinance (Appendix C of Lenoir’s Code of Ordinances) as submitted. Note: An outline of the proposed changes is included in the memorandum as submitted by Mr. Jack Cline, WPCOG Stormwater Administrator.
- B. Conditional Zoning Ordinance; Summerhill Subdivision: A public hearing will be held to consider a Conditional Zoning Ordinance for the Summerhill Subdivision as requested by Munroe and Becky Cobey, Cape Hatteras, LLC, as submitted. The applicants are requesting to re-zone the subject properties to a Conditional Zoning District. Staff recommends approval of the Ordinance and Special Conditions as outlined within the submitted Ordinance. Note: The Staff Report also includes the analysis and consistency statement supporting this request.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, April 5, 2022 as submitted.
- B. Minutes: Approval of the minutes of the City Council Budget Retreat of Tuesday, March 22, 2022 as submitted.
- C. Resolution; Water & Sewer Enterprise Fund CIP: Approval of a resolution to adopt the updated Water and Sewer Fund Capital Improvements Project (CIP) list as presented to City Council at the March 22, 2022 Budget Meeting in order to meet the requirements of the Division of Water Infrastructure SRF funding application.
- D. Proclamation; National Public Safety Telecommunicators Week: Approval of a proclamation recognizing the week of April 11 through April 15 as “National Public Safety Telecommunicators Week” in the City of Lenoir.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITYMANAGER

A. Items of Information

1. The Planning Board will meet on Monday, April 25 at 5:30 p.m. at the City/County Chambers.
2. The Parks & Recreation Advisory Board will meet on Monday, April 25 at 6:00 p.m. at Mulberry Recreation Center.
3. The North Carolina League of Municipalities (NCLM) City Vision Conference will be held on Tuesday, April 26 through Thursday, April 28 in Wilmington. Representing the City of Lenoir will be Mayor Joseph Gibbons, City Manager Scott Hildebran, and Councilmembers Jonathan Beal, Todd Perdue, Ike Perkins, Ralph Prestwood and David Stevens.
4. The Committee of the Whole meeting for Tuesday, April 26 was cancelled due to the NCLM City Vision Conference.

B. Items for Council Action**VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY****VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR**

- A. Board Announcements: Mayor Gibbons may announce several re-appointments to the Authorities/Boards/Commissions listing.
- B. Re-appointment; Foothills Regional Airport Authority: Mayor Gibbons will recommend that Charles Thomas be re-appointed to serve a two-year term on the Foothills Regional Airport Authority, which will expire June 30, 2024. This re-appointment was announced at the April 5 Council meeting.

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



PROCLAMATION

In Recognition of

Public Safety Telecommunicators Week

April 10 – 16, 2022



Whereas, the Lenoir Police Department Telecommunicators play a vital role in the protection of human life and property in our community; and

Whereas, the Lenoir Police Department Telecommunicators have been successfully serving the public safety communication needs of the City of Lenoir throughout the year; and

Whereas, while enduring long hours, abnormal schedules, and handling frequent life and death emergencies, Telecommunicators set high standards in performing their duties in a dedicated, diligent, and compassionate manner; and

Whereas, Telecommunicators provide a critical communication link between the residents and Emergency Responders; and

Whereas, these individuals efficiently coordinate emergency services to ensure the health and safety of our residents, visitors, and travelers in our community, 24-hours a day, seven days a week; and

Whereas, our Public Safety Communications personnel serve the public daily in countless ways without due recognition by the beneficiaries of their services;

Therefore Be It Resolved, that I, Joseph L. Gibbons, Mayor of the City of Lenoir, and on behalf of the Lenoir City Council, do hereby proclaim and declare the week of April 10 – April 16, 2022

“National Public Safety Telecommunicators Week”

in the City of Lenoir, in honor of the men and women whose diligence and professionalism keep our city and first responders safe.

Witness, my hand and seal this the _____ day of _____, 2022.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk

CITY OF LENOIR**COUNCIL ACTION FORM: April 19, 2022****I. Agenda Item:**

Amendments to Phase II Stormwater Ordinance (Appendix C of Lenoir's Code of Ordinances)

II. Background Information:

See attached memo from Jack Cline, Stormwater Administrator (with WPCOG). The majority of these changes were required by DEQ when they approved the City's Stormwater Management Plan (SWMP). An ordinance is attached that uses a strike-through/underline format to show proposed changes.

III. Staff Recommendation:

Adoption of the attached ordinance.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Planning Director: _____





MEMORANDUM

To: Lenoir City Council
From: Jack Cline, WPCOG Stormwater Administrator
Date: April 13, 2022
Re: Updates to the City of Lenoir Phase II Stormwater Ordinance

The attached ordinance proposes modifications to Lenoir's adopted Phase II Stormwater Ordinance (codified as Appendix C in the City's Code of Ordinances), consistent with the Best Management Practices (BMPs) prescribed by the City's state-approved Stormwater Management Plan (SWMP). Specifically, BMP 35 in the SWMP calls for the City to "require construction site operators to control waste at the construction site that may cause adverse impact to water quality."

Proposed Sec. 309 does not impose additional permitting requirements, but rather establishes clear standards and expectations for construction operations and provides "teeth" to field enforcement. The target is stock piles and materials outside of the typical Sediment and Erosion Control requirements currently handled by NCDEQ. Additional edits are also proposed, aimed at clarifying enforcement procedures, remedies, and penalties in light of recent changes made by SB300 last year.

Outline of proposed changes:

- Addition of Sec. 309 Construction Waste Management
 - o Requires that construction sites follow the outlines procedures within the ordinance
 - o Provides the City with more control over construction site stormwater runoff pollution
 - o Establishes standards for field enforcement – does not add additional permitting requirements
 - o Broken into 5 parts:
 - (1) Discarding building materials and construction waste disposal requirements (general waste and material disposal)
 - (2) Storage and disposal of construction site waste (stock piles)
 - (3) Disposal of Hazardous Waste
 - (4) Disposal of Pesticides
 - (5) Maintenance Requirements (maintain containers, storage areas, equipment, etc.)
- Fixing minor errors/typos present in the ordinance
- Updated provisions related to the enforcement procedures and remedies/penalties to be in line with S.B. 300 and clarify when and how city abatement of stormwater violations as public nuisances can occur.

AN ORDINANCE OF THE CITY COUNCIL OF LENOIR, NORTH CAROLINA, AMENDING APPENDIX C OF THE LENOIR CITY CODE, “PHASE II STORMWATER ORDINANCE,” RELATED TO CONSTRUCTION SITE WASTE AND ENFORCEMENT PROCEDURES, PROVIDING FOR SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Whereas, the City of Lenoir is subject to Phase II of the Clean Water Act and holds a National Pollution Discharge and Elimination System (NPDES) permit for our Municipal Separate Storm Sewer System (MS4); and

Whereas, the City of Lenoir’s NPDES permit requires the City to adopt and maintain a Stormwater Management Plan (SWMP) and local ordinances to address stormwater runoff and illicit discharge; and

Whereas, the City’s adopted SWMP contains Best Management Practices (BMPs) related to the control of stormwater pollution, including BMP 35 which requires the City to develop, adopt, maintain, and enforce an ordinance addressing the control of construction site waste that has the potential to adversely affect water quality; and

Whereas, additional changes to clarify the enforcement process, particularly related to sections addressing remedies and penalties, are deemed necessary to ensure enforcement complies with the standards contained in NCGS14-4, as recently amended by SB300; and

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

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

SECTION 1. Appendix C of the Code of Ordinances, City of Lenoir, North Carolina, “Phase II Stormwater Ordinance” is hereby amended to read as follows:

APPENDIX C - PHASE II STORMWATER ORDINANCE

SECTION 1: - GENERAL PROVISIONS

105 - APPLICABILITY AND JURISDICTION

(A) General.

Beginning with and subsequent to its effective date, this ordinance shall be applicable to all development and redevelopment, including, but not limited to, site plan applications, subdivision

applications, and grading applications, unless exempt pursuant to Subsection (B) of this Section, Exemptions.

(B) Exemptions.

Development that cumulatively disturbs less than one acre and does not exceed 20,000 square feet ~~or of~~ impervious area and does not include disturbances within a stream buffer, filling or excavation in excess of 1,000 cubic yards or filling and excavation that would impact an adjoining parcel through alteration or drainage paths, ponding or water or velocity of stormwater flow is not part of a larger common plan of development or sale is exempt from the provisions of this ordinance.

203 - APPLICATIONS FOR APPROVAL

(B) Stormwater Management Permit Application. The stormwater management permit application shall detail how post-development stormwater runoff will be controlled and managed and how the proposed project will meet the requirements of this ordinance, including Section 3, Standards. All such plans shall be prepared by a qualified registered North Carolina professional engineer, surveyor, soil scientist or landscape architect, and the engineer, surveyor, soil scientist or landscape architect shall perform services only in their area of competence, and shall verify that the design of all stormwater management facilities and practices meets the submittal requirements for complete applications, that the designs and plans are sufficient to comply with applicable standards and policies found in the Design Manual, and that the designs and plans ensure compliance with this ordinance.

The submittal shall include all of the information required in the submittal checklist established by the Stormwater Administrator. Incomplete submittals shall be treated pursuant to Section ~~2-202(D)~~ 202(E) of this ordinance.

305 - DEDICATION OF BMPS, FACILITIES & IMPROVEMENTS

The Lenoir City Council may accept dedication of any existing or future stormwater management facility for maintenance, provided such facility meets all the requirements of this ordinance and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance. The City Council may consider a developer's request under this subpart concurrently with a preliminary subdivision plat or other discretionary land use approval, as applicable, or as a stand-alone request. Before entering into an agreement or accepting the dedication, a legislative hearing is required pursuant to NCGS160D-1005.

306 - VARIANCES

- (A) Any person may petition the ~~City of Lenoir~~ Board of Adjustment for a variance granting permission to use the person's land in a manner otherwise prohibited by this ordinance. To qualify for a variance, the petitioner must show all of the following:

- (1) Unnecessary hardships would result from strict application of this ordinance.
 - (2) The hardships result from conditions that are peculiar to the property, such as the location, size, or topography of the property.
 - (3) The hardships did not result from actions taken by the petitioner.
 - (4) The requested variance is consistent with the spirit, purpose, and intent of this ordinance; will secure public safety and welfare; and will preserve substantial justice.
- (B) The City of Lenoir may impose reasonable and appropriate conditions and safeguards upon any variance it grants.
- (C) Statutory exceptions. Notwithstanding subdivision (A) of this section, exceptions from the 30-foot landward location of built-upon area requirement as well as the deed restrictions and protective covenants requirements shall be granted in any of the following instances:
- (1) When there is a lack of practical alternatives for a road crossing, railroad crossing, bridge, airport facility, or utility crossing as long as it is located, designed, constructed, and maintained to minimize disturbance, provide maximum nutrient removal, protect against erosion and sedimentation, have the least adverse effects on aquatic life and habitat, and protect water quality to the maximum extent practicable through the use of BMPs.
 - (2) When there is a lack of practical alternatives for a stormwater management facility; a stormwater management pond; or a utility, including, but not limited to, water, sewer, or gas construction and maintenance corridor, as long as it is located 15 feet landward of all perennial and intermittent surface waters and as long as it is located, designed, constructed, and maintained to minimize disturbance, provide maximum nutrient removal, protect against erosion and sedimentation, have the least adverse effects on aquatic life and habitat, and protect water quality to the maximum extent practicable through the use of BMPs.
 - (3) A lack of practical alternatives may be shown by demonstrating that, considering the potential for a reduction in size, configuration, or density of the proposed activity and all alternative designs, the basic project purpose cannot be practically accomplished in a manner which would avoid or result in less adverse impact to surface waters.

307 - ADDITIONAL STANDARDS FOR SPECIAL SITUATIONS

(A) Restrictions on Pet waste

- (1) It shall be unlawful for the owner or custodian of any dog to take it off the owner's own property limits without the means to properly remove and dispose of the dog's feces from any public or private property.
- (2) It is the responsibility of a dog's owner or custodian to clean up the dog's feces from any public or private property outside of the dog's owner's own property limits. Such property includes, but is not limited to, parks, rights-of-way, paths, and public access areas.
- (3) "Means to properly remove and dispose of feces" shall consist of having on or near one's person a device such as a plastic bag, or other suitable plastic or paper container, that can be used to clean up and contain dog waste until it can be disposed of in an appropriate container. Such a device must be produced and shown, upon request, to anyone authorized to enforce these ordinances.

- (4) This provision shall not apply to handicapped persons assisted by trained guide or assistance dogs.
- (5) "Public nuisance" is defined to include "a dog which deposits feces on public property or on private property without the consent of the owner or person in lawful possession of the private property, and the person owning, possessing, harboring or having the care, charge, control or custody of the dog fails to remove the feces so deposited. Provided, however, this definition shall not apply to any dog assisting a handicapped person. ~~Reference Section 5 for abatement and penalty.~~

(B) Reserved.

309 – CONSTRUCTION WASTE MANAGEMENT

(A) Discarding building materials and construction waste disposal requirements

The following shall apply to all owners and developers at construction sites:

- (1) Discarded building materials, concrete truck washout, chemicals, paint washout, litter, sanitary waste, and other construction site wastes must be properly managed and disposed of to reduce the risk of pollution from materials such as surplus or refuse building materials or hazardous waste.
- (2) Practices such as trash disposal, recycling, proper material handling, and spill prevention and clean up measures must be implemented to reduce the potential for stormwater runoff to mobilize construction site wastes and contaminate surface or ground water.
- (3) The proper waste management and disposal of wastes must be practiced at all construction sites to reduce pollution risk from stormwater runoff:
 - a) Waste management practices must be used to properly locate refuse piles
 - b) Materials that may be displaced by rainfall or stormwater runoff must be covered.
 - c) Prevent all spills and leaks of hazardous waste
- (4) Guidelines for the proper handling, storage, and disposal of construction site waste must be posted in storage and use areas on site

(B) Storage and disposal of construction site waste

Owners and developers shall do the following at all times at construction sites:

- (1) Designate a waste collection area onsite that does not receive a substantial amount of runoff from upland areas and does not drain directly to a water body.
- (2) Designate areas for concrete trucks and equipment to be washed down so that wash water does not flow into storm drains or become surface water runoff that would lead to drains. Under no circumstances should concrete truck wash out be conducted in the road or directly into storm drains.
- (3) Designate areas for paint cans and equipment to wash down that will not flow into storm drains or become surface water runoff that would lead to the storm drains or ground water recharge areas. Under no circumstances should excess paint be washed out into the road or directly into storm drains.

(4) Ensure that containers have lids so they can be covered before periods of rain. Keep containers in a covered area whenever possible.

(5) Schedule waste collection to prevent containers from overfilling, which would prevent them from being able to be covered.

(6) Clean up spills immediately. For hazardous materials, follow cleanup instructions on the package, SDS, or other approved and documented SOPs. Use an absorbent material such as sawdust or cat litter to contain the spill.

(7) During the demolition phase of construction, provide extra containers and schedule more frequent pick-ups.

(8) Collect, remove, and dispose of all construction site waste at authorized disposal areas.

(C) Disposal of hazardous materials

The following steps must be taken by owners and developers at construction sites to ensure the proper disposal of hazardous materials

(1) Local waste management authorities must be consulted about the requirements of disposing of hazardous materials

(2) A hazardous waste container must be emptied and cleaned before it is disposed of to prevent leaks

(3) The original product label must never be removed from the container as it contains important safety information. Follow manufactures recommended method of disposal, which should be printed on the label

(4) If excess products need to be disposed of, they must never be mixed during disposal unless specifically recommended by the manufacturer

(5) Consult state and local solid waste regulatory agencies and private firms to ensure the proper disposal of contaminated soils that have been exposed and still contain hazardous substances

(D) Disposal of pesticides

Owners and developers shall engage in the following actions at construction sites to reduce risks associated with pesticides and to reduce the amount of pesticides that come in contact with stormwater:

(1) Follow all federal, state, and local regulations that apply to the use, handling, and disposal of pesticides

(2) Do not handle pesticide any more than necessary

(3) Store pesticides in a dry, covered area

(4) Construct curbs or dikes to contain pesticides in case of spillage

(5) Follow the recommended application rates and methods for any handled pesticide

(6) Have equipment and absorbent materials available in areas where pesticides are stored and used in order to contain and clean up any spills that occur

(E) Maintenance requirements

Owners and developers shall comply with the following regulations at construction sites:

(1) Containers or equipment that may malfunction and cause leaks or spills must be identified through regular inspection of storage and use areas

(2) Equipment and containers must be inspected regularly for leaks, corrosion, support or foundation failure, or any other signs of deterioration and should be tested for soundness. Any found to be effective must be repaired or replaced immediately

(3) If failures to the onsite BMPs occur, such as sediment build up in the road way, this must be shoveled by hand or with a road sweeper. Under no circumstances should this sediment be washed down into the storm drainage system or waterways

404 - PERFORMANCE SECURITY FOR INSTALLATION AND MAINTENANCE

(A) May Be Required.

The City of Lenoir may, at its discretion, require the submittal of a performance security or bond with surety or a letter of credit ~~other acceptable legal arrangement~~ prior to issuance of a permit in order to ensure that the structural BMPs are

(1) Installed by the permit holder as required by the approved stormwater management plan, and/or

(2) Maintained by the owner as required by the operation and maintenance agreement.

SECTION 5: - ENFORCEMENT AND VIOLATIONS

502 - REMEDIES AND PENALTIES

The remedies and penalties provided for violations of this ordinance shall be cumulative and in addition to any other remedy provided by law, and may be exercised in any order. A violation of this ordinance is a civil violation and does not constitute a misdemeanor or infraction.

(A) Remedies.

- (1) **Withholding of Certificate of Occupancy.** The Stormwater Administrator or other authorized agent may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site and served by the stormwater practices in question until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.

- (2) **Disapproval of Subsequent Permits and Development Approvals.** As long as a violation of this ordinance continues and remains uncorrected, the Stormwater Administrator or other authorized agent may withhold, and the City of Lenoir Planning Board or City Council may disapprove, any request for permit or development approval or authorization provided for by this ordinance or the zoning, subdivision, and/or building regulations, as appropriate for the land on which the violation occurs.
- (3) **Injunction, Abatements, etc.** The Stormwater Administrator, with the written authorization of the City Administrator, may institute an action in a court of competent jurisdiction for a mandatory or prohibitory injunction and order of abatement to correct a violation of this ordinance. Any person violating this ordinance shall be subject to the full range of equitable remedies provided in the General Statutes or at common law.
- (4) **Correction as Public Health Nuisance, Costs as Lien, etc., etc.** If the violation is ~~deemed~~ dangerous or prejudicial to the public health or public safety, ~~and is within the geographic limits prescribed by North Carolina G.S. § 160A-193,~~ the City Council may, in the form of an ordinance, find and declare the violations to be a danger to the public health, safety, morals, and general welfare of the inhabitants of the City and constituting a public nuisance, and order the Stormwater Administrator, with the written authorization of the City Administrator, may to cause the violation(s) to be corrected and the costs to be assessed as a lien against the property. This subsection is adopted pursuant to NCGS 160A-193.
- (5) **Stop Work Order.** The Stormwater Administrator may issue a stop work order to the person(s) violating this ordinance. The stop work order shall remain in effect until the person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein. The stop work order may be withdrawn or modified to enable the person to take the necessary remedial measures to cure such violation or violations.

(B) Civil Penalties. Violation of this ordinance may result in the assessment of civil penalties- in accordance with the following schedule:

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

If violations continue to exist past the tenth penalty, subsequent penalties shall be \$500.00 each. Each day that a violation continues to exist, beginning 72 hours after the issuance of the original citation, may constitute a separate and distinct offense, and may be subject to additional civil penalties at the discretion of the Stormwater Administrator in accordance with the citation schedule above. All penalties must be paid within 72 hours. Penalties imposed under this Section may be recovered by the City in a civil action in the nature of debt.

~~shall follow the procedure for notice of violation and civil penalty schedule outlined in Section 1-15 of the Lenoir City Code.~~

If the violation of the ordinance causes the City of Lenoir to incur a penalty for violation of its Phase II Stormwater permit, civil penalties may be assessed up to the full amount of penalty to which City of Lenoir is subject.

503 - PROCEDURES

- (A) **Initiation/Complaint.** Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint shall state fully the alleged violation and the basis thereof, and shall be filed with the Stormwater Administrator, who shall record the complaint. The complaint shall be investigated promptly by the Stormwater Administrator.
- (B) **Inspection.** The Stormwater Administrator shall have the authority, upon presentation of proper credentials, to enter and inspect any land, building, structure, or premises to ensure compliance with this ordinance.
- (C) **Notice of Violation and Order to Correct.** When the Stormwater Administrator finds that any building, structure, or land is in violation of this ordinance, the Stormwater Administrator shall notify, in writing, the property owner or other person violating this ordinance. The notification shall indicate the nature of the violation, contain the address or other description of the site upon which the violation is occurring, order the necessary action to abate the violation, and give a deadline for correcting the violation. If civil penalties are to be assessed, the notice of violation shall also contain a statement of the civil penalties to be assessed, the time of their accrual, and the time within which they must be paid or be subject to collection as a debt.

The Stormwater Administrator may deliver the notice of violation and correction order personally, by the law enforcement or code enforcement personnel, by certified or registered mail, return receipt requested, or by any means authorized for the service of documents by Rule 4 of the North Carolina Rules of Civil Procedure.

If a violation is not corrected within a reasonable period of time, as provided in the notification, the Stormwater Administrator may take appropriate action ~~under~~ as described in Sec. 502 of this ordinance to correct and abate the violation and to ensure compliance with this ordinance.

- (D) **Extension of Time.** A person who receives a notice of violation and correction order, or the owner of the land on which the violation occurs, may submit to the Stormwater Administrator a written request for an extension of time for correction of the violation. On determining that the request includes enough information to show that the violation cannot be corrected within the specified time limit for reasons beyond the control of the person requesting the extension, the Stormwater Administrator may extend the time limit as is reasonably necessary to allow timely correction of the violation, up to, but not exceeding 30 days. The Stormwater Administrator may grant 15-day extensions in addition to the foregoing extension if the violation cannot be corrected within the permitted time due to circumstances beyond the control of the person violating this ordinance. The Stormwater Administrator may grant an extension only by written notice of extension. The notice of extension shall state the date prior to which correction must be made, after which the violator will be subject to the penalties described in the notice of violation and correction order.
- (E) **Enforcement After Time to Correct.** After the time has expired to correct a violation, including any extension(s) if authorized by the Stormwater Administrator, the Stormwater Administrator shall determine if the violation is corrected. If the violation is not corrected, the Stormwater Administrator may act to impose one or more of the remedies and penalties authorized by this ordinance.

- (F) **Emergency Enforcement.** If delay in correcting a violation would seriously threaten the effective enforcement of this ordinance or pose an immediate danger to the public health, safety, or welfare, then the Stormwater Administrator may order the immediate cessation of a violation. Any person so ordered shall cease any violation immediately. The Stormwater Administrator may seek immediate enforcement, without prior written notice, through any remedy or penalty authorized by this article.

SECTION 6: - DEFINITIONS

601 - TERMS DEFINED

Design Manual

The stormwater design manual approved for use in Phase II jurisdictions by the Department of Environmental Quality and certified by this jurisdiction for the proper implementation of the requirements of the federal Phase II stormwater program. All references herein to the Design Manual are to the latest published edition or revision to the NCDEQ Stormwater Design Manual.

SECTION 7: - ILLICIT DISCHARGES

701 - TITLE AND PURPOSE

- (A) **Title.** This ordinance shall be officially known as "The Phase II Stormwater Illicit Discharge Detection and Elimination Ordinance." It is referred to herein as "this ordinance."

- (B) **Purpose.** The purpose of this ordinance is to provide for the health, safety, and general welfare of the citizens of the City Lenoir through the regulation of non-storm water discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This ordinance establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this ordinance are:

- (1) To regulate the contribution of pollutants to the municipal separate storm sewer system (MS4) by Stormwater discharges by any user
- (2) To prohibit Illicit Connections and Discharges to the municipal separate storm sewer system
- (3) To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this ordinance.

703 - DEFINITIONS

For the purposes of this section, the following shall mean:

Municipal Separate Storm Sewer System (MS4)

Pursuant to 40 CFR 122.26(b)(8) means a conveyance or system of conveyances (including roads with drainage systems, municipal streets catch basins, curbs, gutters, ditches, manmade channels, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures or storm drains):

- (i) Owned or operated by a ~~City~~, city, county, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, Stormwater, or other wastes, that discharges to waters of the United States or waters of the State.
- (ii) Designed or used for collecting or conveying Stormwater;
- (iii) Which is not a combined sewer; and
- (iv) Which is not part of a Publicly Owned Treatment Works (POTW), as defined in 40 CFR 122.2

704 - ILLICIT DISCHARGES AND CONNECTIONS

- (A) **Illicit Discharges.** No person shall cause or allow the discharge, emission, disposal, pouring, or pumping directly or indirectly to any Stormwater conveyance, the waters of the State, or upon the land in manner and amount that the substance is likely to reach a Stormwater conveyance or the waters of the State, any liquid, solid, gas, or other substance, other than Stormwater; provided that non-Stormwater discharges associated with the following activities are allowed and provided that they do not significantly impact water quality:

(16) Individual residential car washing^[1] ~~Designated vehicle wash areas at multi-family residential complexes are not allowed if they connect, directly or indirectly, to the Stormwater System or surface waters. Charity Vehicle Washing performed by the same organization or at the same location on a routine basis (more than one time in a thirty day period) is not allowed under this article.~~

(17) Flows from riparian habitats and wetlands,

(18) Dechlorinated swimming pool discharges^[2] ~~"Salt Water" swimming pools cannot be directly discharged into the storm drain due to the salinity, bromoform/bromine concentration, and chlorine generated.~~

Footnotes:

[1] Designated vehicle wash areas at multi-family residential complexes are not allowed if they connect, directly or indirectly, to the Stormwater System or surface waters.

[2] "Salt Water" swimming pools cannot be directly discharged into the storm drain due to the salinity, bromoform/bromine concentration, and chlorine generated

(B) Illicit Connections.

The Stormwater Administrator/Illicit Discharge Officer shall designate the time within which the connection shall be removed - in setting the time limit for compliance the Stormwater Administrator/Illicit Discharge Officer shall take into consideration:

- i. The ~~quantify~~ quantity and complexity of the work,
- ii. The consequences of delay,
- iii. The potential harm to the environment, to the public health, and to public and private property, and
- iv. The cost of remedying the damage.

706 - ENFORCEMENT

(A) Notice of Violation.

Whenever the Stormwater Administrator/ Illicit Discharge Officer finds that a person has violated a prohibition or failed to meet a requirement of this Ordinance, the Stormwater Administrator/ Illicit Discharge Officer may order compliance by written notice of violation to the responsible person. Such notice may require without limitation:

- (1) The performance of monitoring analyses, and reporting,
- (2) The elimination of illicit connections or discharges,
- (3) That violating discharges, practices, or operations shall cease and desist,
- (4) The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property, and
- (5) Payment of a fine to cover administrative and remediation costs, and
- (6) The implementation of source control or treatment BMPs.

If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate by the date specified, ~~or the City may cause the violations to be abated, the cost of which or a contractor designated by the Stormwater Administrator/ Illicit Discharge Officer will perform the restore, within the established deadline, the work and the expense thereof shall be charged to the violator, and may be added to the property as a lien.~~

(B) Violations Deemed a Public Nuisance.

Illicit discharges and illicit connections which exist within the Lenoir City Limits and Extra-territorial Jurisdiction are hereby found, deemed, and declared to be dangerous or prejudiced to the public health or public safety and are found, deemed, and declared to be public nuisances and may be summarily abated or restored by the City at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken by the City.

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

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

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

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Lenoir, North Carolina, by the City Clerk of the City of Lenoir, North Carolina, this _____ day of _____ and this _____ day of _____, 2022.

DONE, THE PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of the a majority of a quorum present of the City Council of the City of Lenoir, North Carolina, at a regular meeting, this _____ day of _____, 2022.

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

Mayor/Mayor Pro Tempore

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

City Clerk

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CITY OF LENOIR
COUNCIL ACTION FORM: April 19, 2022

I. Agenda Item:

R-2/22: Conditional Zoning Ordinance for the Summerhill Subdivision off Harrisburg Drive

II. Background Information:

The applicant is requesting to re-zone the subject properties to a Conditional Zoning district (CZ-8), to officially adopt reduced setbacks and to modify conditions related to stormwater management that were attached to the previous approval.

See attached staff report for the analysis and consistency statement supporting this request.

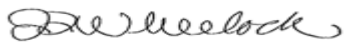
III. Staff and Planning Board Recommendation:

Adoption of the attached conditional zoning ordinance.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____



Planning Director: _____

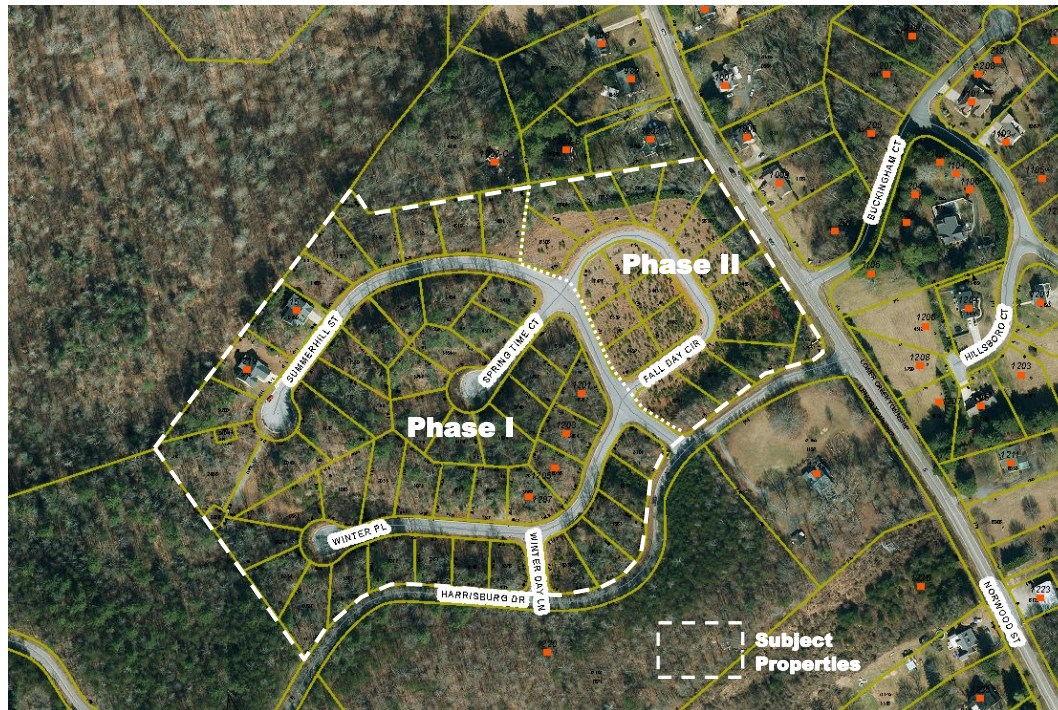
Staff Report

CONDITIONAL ZONING REQUEST

CASE NUMBER R #2/22



LOCATION MAP/AERIAL PHOTOGRAPH



Subject Properties:

Summerhill Subdivision

Phases I & II

SUMMARY

Owner

Multiple

Applicant

Munroe & Becky Cobey,
Cape Hatteras LLC

Location

Summerhill Subdivision

NC PIN

Multiple

Project Planner

Jenny Wheelock, AICP, CZO

Updated April 8, 2022

Applicant's Request:

The applicant is requesting to re-zone the subject properties to a Conditional Zoning district (CZ-8), to officially adopt reduced setbacks and to modify conditions related to stormwater management that were attached to the previous approval.

Staff Recommendation:

Approval, with the conditions outlined in the staff report.

Planning Board Recommendation:

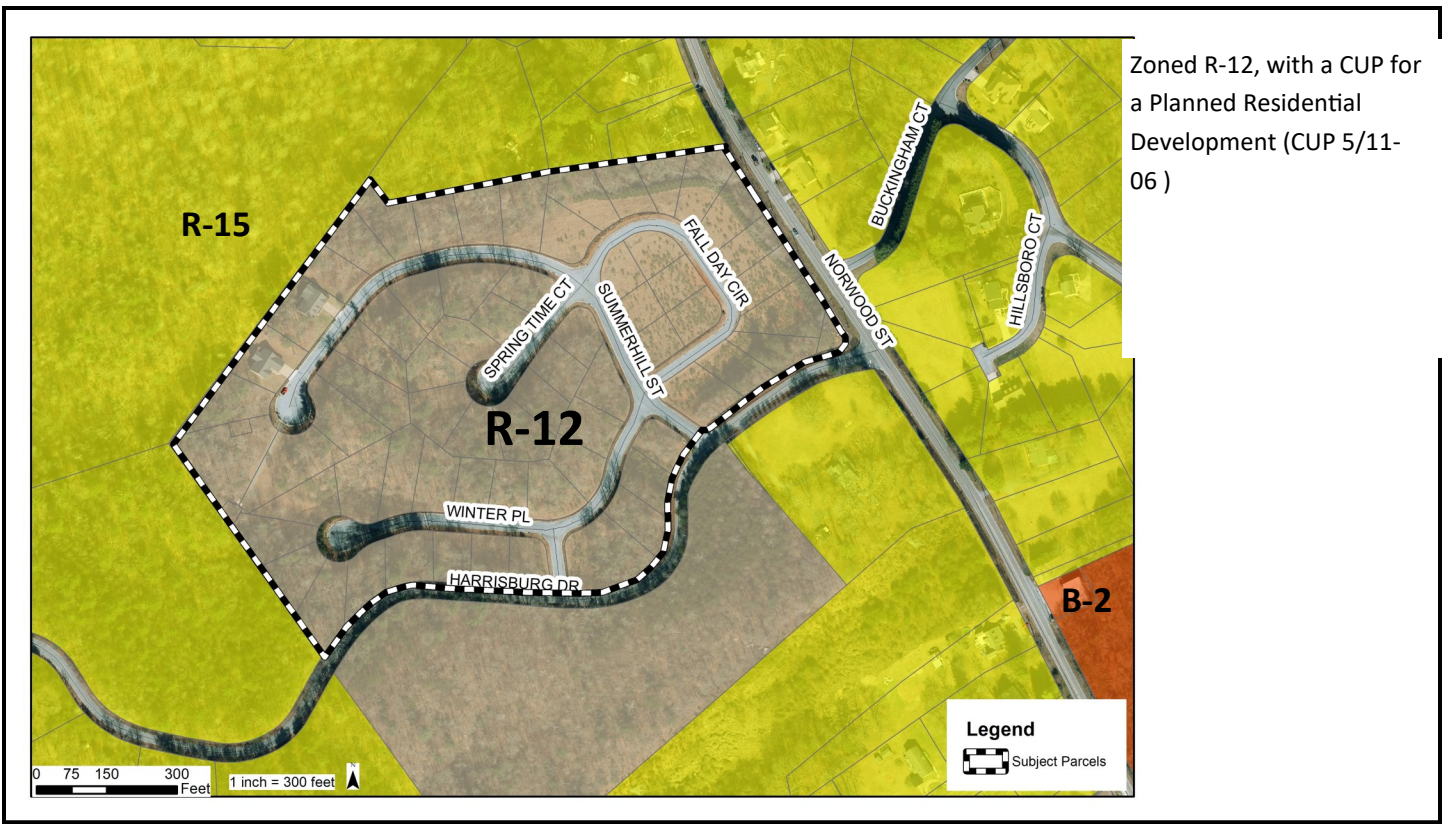
Public Comment:

Planning Board Meeting: Tabled on February 28, 2022. Notices were mailed to all Summerhill owners and adjacent property owners on February 18, 2022, and several participated via Zoom to ask questions about the request.

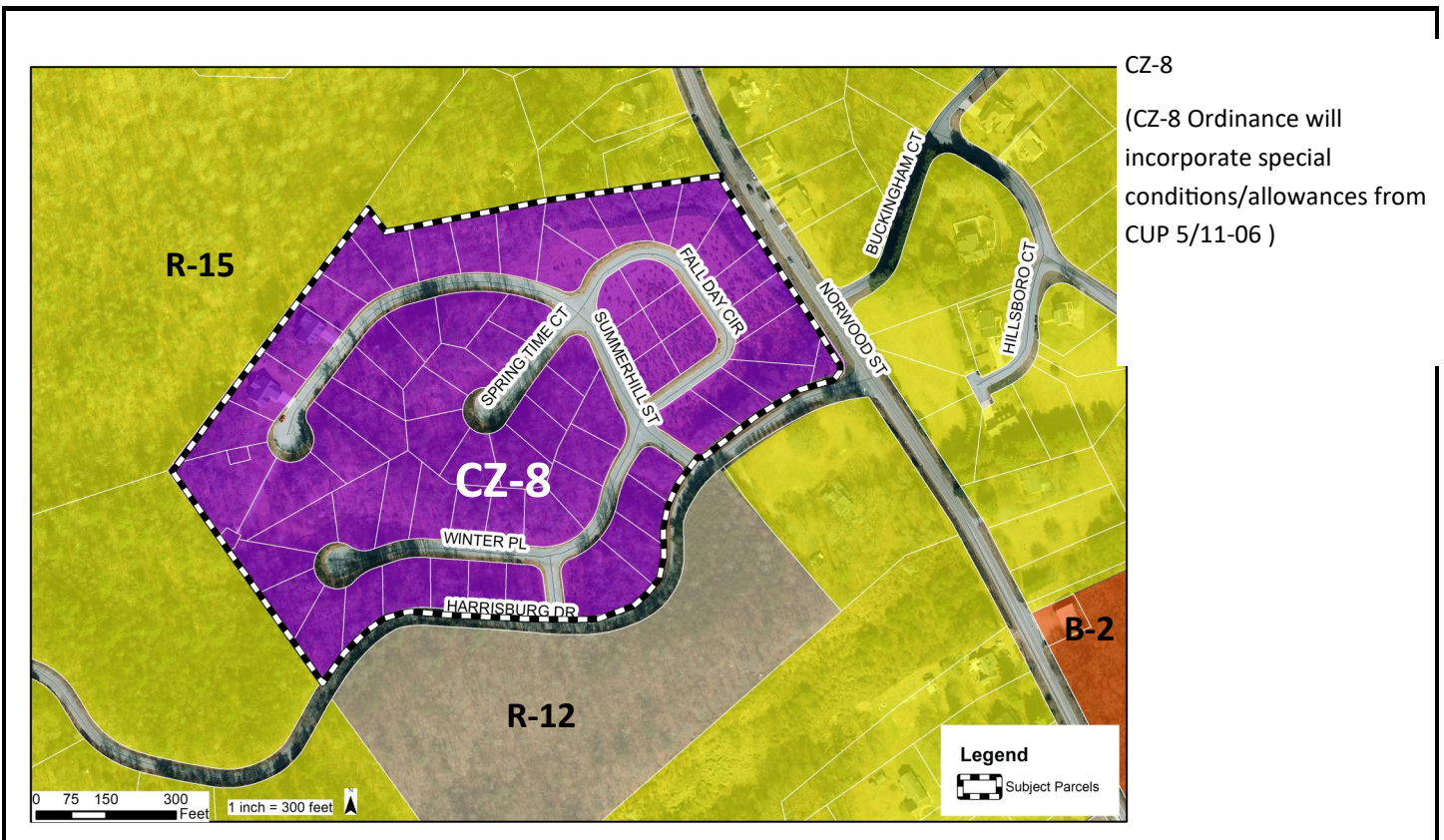
Staff re-sent courtesy notices to owners and adjacent property owners on March 18, 2022, for the March 28, 2022 Planning Board meeting.

City Council (Public Hearing): Scheduled for April 19, 2022

EXISTING ZONING



PROPOSED ZONING



BACKGROUND AND ANALYSIS

Intent of Conditional Zoning

The City of Lenoir's Zoning Ordinance establishes an official zoning map/atlas for the City of Lenoir. The zoning map may be amended from time to time by the City Council when public necessity, convenience, general welfare, or good zoning practice justifies the amendment. Conditional Zoning is intended for use in unique development scenarios when a development proposal does not fit into a conventional zoning district, but may be desirable and compatible with an area depending on the specific details of the project and its surroundings.

The conditional zoning process gives the City sufficient flexibility to determine whether a specific project on a given site will be compatible with the environment and the Comprehensive Plan. Conditional Zoning is a legislative process requiring the Planning Board to review and make a recommendation to the City Council on the request. Each Conditional Zoning district is adopted as an ordinance and is recorded with the Register of Deeds.

Subject and Surrounding Properties

The Summerhill Subdivision is located west of Norwood Street and north of Harrisburg Drive in the southwest quadrant of the City. The subdivision is zoned R-12 and contains 69 lots, the majority of which remain vacant. Building activity has picked up in recent years — there are now six completed homes and four additional homes under construction. An un-named intermittent stream runs east-west through the center of the development, feeding a tributary to Lower Creek located on western boundary.

The surrounding area to the west, north, and east is zoned R-15, with about 10 acres to the south zoned R-12. Most of the surrounding properties are large wooded tracts, with a handful of older single family homes along Norwood Street. Summerhill is located about half a mile north of the McLean Drive and Norwood Street intersection in Whitnel, about half a mile east of the Google Data Center, and about a mile south of Caldwell Memorial Hospital.

Summerhill Subdivision History

The Summerhill development was initially approved in February 2006 as a Conditional Use Permit (CUP 1/2-06) for a "Planned Residential Development" with a preliminary plat (SP-1/2-06) showing 51 single family lots and 38 townhome lots. In 2007, there was no explicit authority in the zoning ordinance to adopt alternative development standards through a CUP, but like many Planned Residential Developments approved during this time period, the lots shown on the plat were smaller than the 12,000 sq. ft. minimum lot size required by the R-12 zoning district.

In March of 2007, City Council approved a request to amend the Conditional Use Permit to allow 18 single family lots instead of the 38 townhome lots initially contemplated (CUP 5/11-06), along with a preliminary plat showing the same as "Phase II" (SP-3/11-06), and a final plat for "Phase I" to record the 51 single family lots initially approved in Feb. 2006 (SF- 1/2-07). There was no indication in the application, staff analysis, or meeting minutes that modifications to the R-12 setbacks were proposed, but at some point prior to recording the final mylar for Phase I, the setback notes on the face of the plat were changed to state the setbacks would be: 20' front yard (R-12 minimum is 40') , 10' side yard (R-12 minimum is 12'), and a 20' rear yard (R-12 minimum is 35').

While plat notes aren't legally binding, the incorrect setbacks on the plat create confusion for would-be buyers. Some of the existing houses have been built relying on the lesser setbacks. The final plat for Phase II was approved by the City Council in January 2022 and was recorded with conventional R-12 setback standards. However, reduced setbacks create more opportunities to thoughtfully site homes with respect to the topography of an individual lot, and the conventional R-12 setbacks make building on some of the smaller lots nearly impossible

One of the conditions proposed for this conditional zoning district would officially adopt the setbacks shown on the 2007 plat. However, due to concerns of over-building and the resultant stormwater run-off (see next section for full discussion), a limit on built-upon area is also added as a condition of approval.

BACKGROUND AND ANALYSIS

Stormwater Concerns

During street construction (early 2007), the developer was cited by the NCDNR for construction site run-off, and was subsequently required by NCDNR to install sediment control measures. Neither the Asheville DEQ office (f/k/a NCDNR) nor the applicant have been able to locate drawings or design details of the sediment ponds or the rock step dams/weirs, but historic aerials show the general location of the drainage structures.

In 2007, the Planning Board and Council both expressed concerns over the prevention of future stormwater issues in Summerhill. Recognizing the need for stormwater control would not end with construction, they required that some of the temporary SW features become permanent, with an expectation that the HOA would be responsible for owning and maintaining these facilities. Specifically, lots 13 and 41B were to be deeded to the HOA, and the two sedimentation collection ponds located on those lots were to become permanent. However, design standards for permanent stormwater control or maintenance expectations were not addressed. Likewise the drainage areas on Lots 28, 29, 14, 15, 16 or 17 were not addressed at all — but these lots contain the natural drainage area for the Phase II portion of the development and show serious erosion just from the street run-off.

The applicant now proposes to deed the entire drainage area to the HOA (see stormwater analysis, page 7, and the Concept Plan in Appendix A), creating approximately 2.5 acres of open space and reducing the overall density of the project from 3 du/acre to just under 2.5 du/acre.

STORMWATER PARCELS/HISTORIC AERIALS

2010 Aerial Photo — outlined parcels to be deeded to HOA



BACKGROUND AND ANALYSIS

Proposed Amendment

The applicant requests that the setbacks for Summerhill Phases I & II be reduced from the standard setbacks of R-12, to the setbacks listed on the final recorded plat on Plat Book 24, Page 82 (20' front yard, 10' side yard, 20' rear yard, 15' streetside yard). Limitations on overall built upon area are proposed to lessen the volume of stormwater runoff, and parcels dedicated to storage, treatment, and conveyance of stormwater are expanded. Overall, the changes represent additional flexibility for building on challenging lots with lots of grade changes, with better overall consideration/protection against future stormwater violations.

PROPOSED SPECIAL CONDITIONS

Proposed Conditional Zoning District: CZ-8 Specific Standards

Special conditions proposed for CZ-8 ordinance:

1. **Base Zoning.** Base zoning district is R-12. Any development standards not specifically addressed in the Conditional Zoning Ordinance will default to the R-12 zoning district.
2. **Permitted Uses.** Single family detached homes, incidental accessory uses to single family homes, passive recreation/open space, residential community amenities.
3. **Minimum Setbacks.**
 - Front (measured from the edge of the right-of-way): 20 ft.
 - Side: 10 ft.
 - Rear: 20 ft.
 - Street side: 15 ft.
4. **Maximum Built Upon Area.** Built upon area/impervious surfaces on each lot/combination of lots shall be determined using the following formula:

$$(\text{Lot Depth} - 75 \text{ ft.})(\text{Lot Width} - 24 \text{ ft.}) = \text{Maximum s.f. BUA}$$
5. **Combination/Recombination.** Lots 11 and 12 must be combined as a single building site. Other lots may be combined, or split and recombined, provided that the overall density remains unchanged or is reduced.
6. **Home Owners Association (HOA) Required.** An HOA must be established and maintained in perpetuity. The HOA must, at a minimum, be responsible for maintaining all commonly owned private improvements, including open space, stormwater conveyance systems, and neighborhood entrance signage.
7. **Open Space/Drainage Areas.** Lots 13, 14, 15, 16, 17, 28, 29, 41a, and 41b must be held in common ownership under the Summerhill Homeowner's Association. Permitted uses of these lots are passive recreation, open space, and stormwater control. Walking paths, trails, picnic tables, and non climate-controlled structures less than 200 sq. ft. (gazebo, deck) may also be permitted, when located outside of the drainage basins.
8. **Drainage Easements/Environmentally Sensitive Areas.**
 - A. **Lots 38-39:** Prior to making application for zoning permits, the rear lot lines must be marked on the property by a licensed surveyor, or a survey drawing showing the location of the lot lines relative to the drainage area described in condition #7 must be submitted with the permit application. Dedication of a private drainage easement to limit land disturbance and allow for maintenance by the HOA may be required, at the discretion of the Lenoir Planning Director, depending on the extent of impacts shown by survey.
 - B. **Lots 6-8:** Development of these lots shall accommodate/preserve the existing vegetative conveyance located in the

front 1/3 of the lots to the maximum extent practicable. Modifications to the drainage patterns require review and approval by the Stormwater Administrator and must maintain the pre-development hydrologic response. Consolidation of these lots into fewer building sites, or limiting the impacts of driveways by utilizing shared driveways, is encouraged. Dedication of a private drainage easement to limit land disturbance and allow for maintenance by the HOA may be required.

9. Low Density Design. Development must conform to NCDEQ's SW Design Manual's low density design requirements for dispersed flow and vegetative conveyances whenever feasible.

10. Erosion Control and Stormwater Maintenance Plan. A site plan showing the overall stormwater drainage system for the subdivision must be submitted to the Planning Department for review and approval prior to the issuance of any zoning permit on lots 1-3, 6-12, 30-40, 42, or 46-69. The site plan must include the following information:

1. Location of all curb inlets and their outfalls, with a brief assessment of the condition of each.
2. Location/size/detail of existing conveyance, including sediment basins, swales, channelized areas, rock dams/weirs, etc.
3. Grading plan
4. Landscaping plan
5. Public amenities/features (if proposed) - ex. walking trails

11. Improvements Required.

A. Outfalls — secured against erosion using permanent matting, rip rap, or other approved methods of erosion control. (see Appendix B)

B. Sediment Basins — remove sediment as necessary

C. Grading/Landscaping — 3:1 slopes

D. Design of required improvements should follow the best practices recommended by DEQ's Stormwater Design Manual and/or NC State's Small Scale Solutions to Eroding Streambanks manual.

E. Improvements may be phased and/or timed to coincide with stages of build-out (for example, 50% build out or 70% build out)

12. Landscape Screen.

A continuous evergreen landscape screen must be maintained along the northern and eastern development boundaries (on lots 53-60; see Appendix A). The width may be reduced from 15' where continuous screening can be achieved in less space, in order to allow utilization of the setback reduction.

CONSISTENCY STATEMENT/STAFF RECOMMENDATIONS

Consistency with the Comprehensive Plan/Reasonableness of Amendment

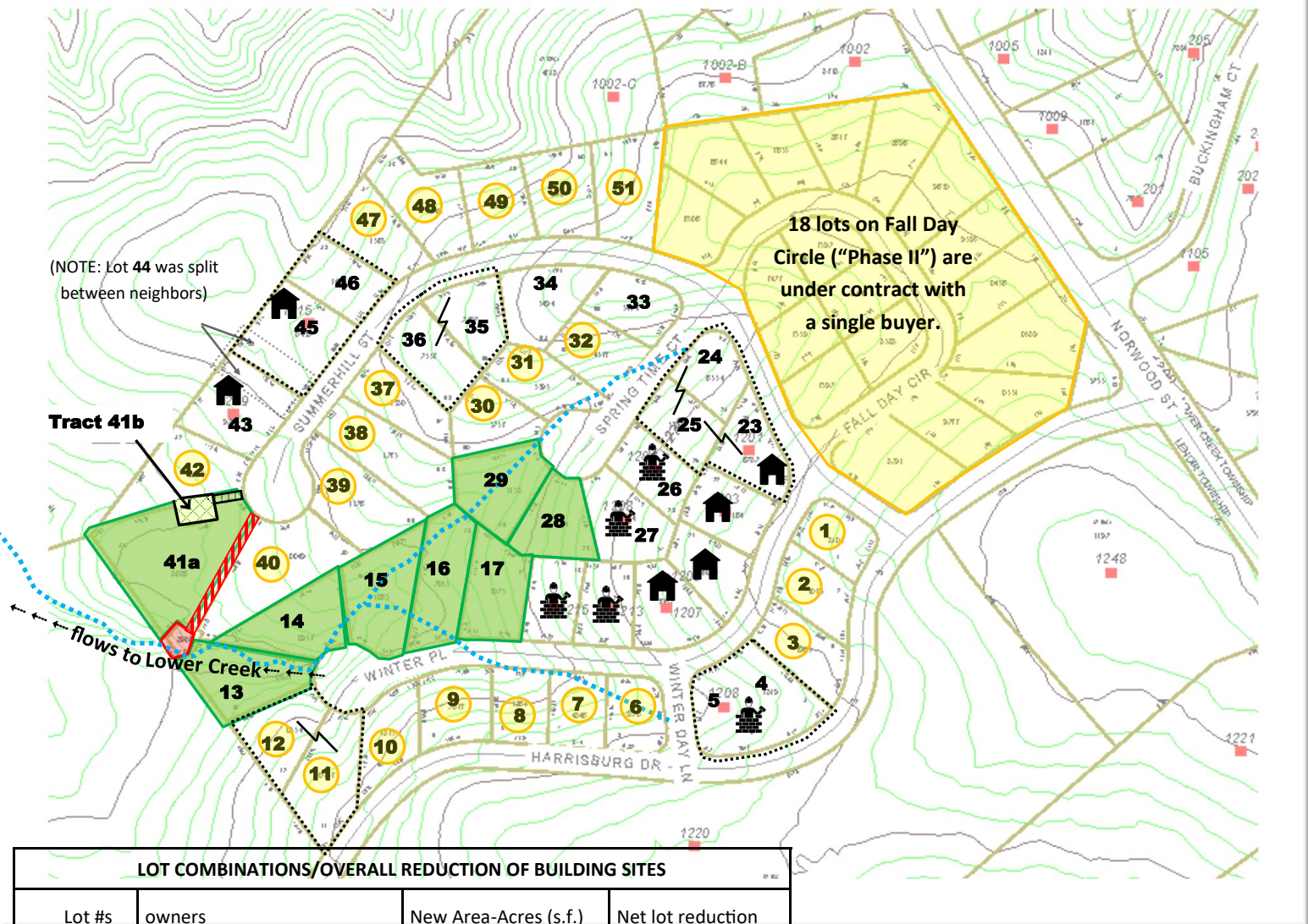
When adopting or rejecting any zoning amendment, City Council must adopt a brief statement describing whether or not the action is consistent with the City's Comprehensive Plan, in accordance with G.S. 160D-605(a), and must also address the reasonableness of any proposed map amendments. Staff offers the following draft statement on the consistency and reasonableness of the request.

The proposed Conditional Zoning Ordinance is consistent with the adopted Comprehensive Plan, and is reasonable and in the public interest, because it facilitates quality residential development that's already served by existing infrastructure, while providing additional open space for both community enjoyment and stormwater control. This amendment is consistent with the property's future land use designation of Medium Density Residential on the Future Land Use Map.

PLANNING BOARD RECOMMENDATIONS

Planning Board recommends approval of the rezoning request to Conditional Zoning.

LOT ANALYSIS— OWNERSHIP PATTERNS/DRAINAGE AREAS



- Lot consolidations (7 fewer lots)
- Stormwater tracts to be deeded to HOA (8 fewer lots)
- Pump Station on Lot 70, to be deeded to City of Lenoir.
- Owned by Cape Hatteras, LLC
- Existing House
- Under construction

Density Analysis

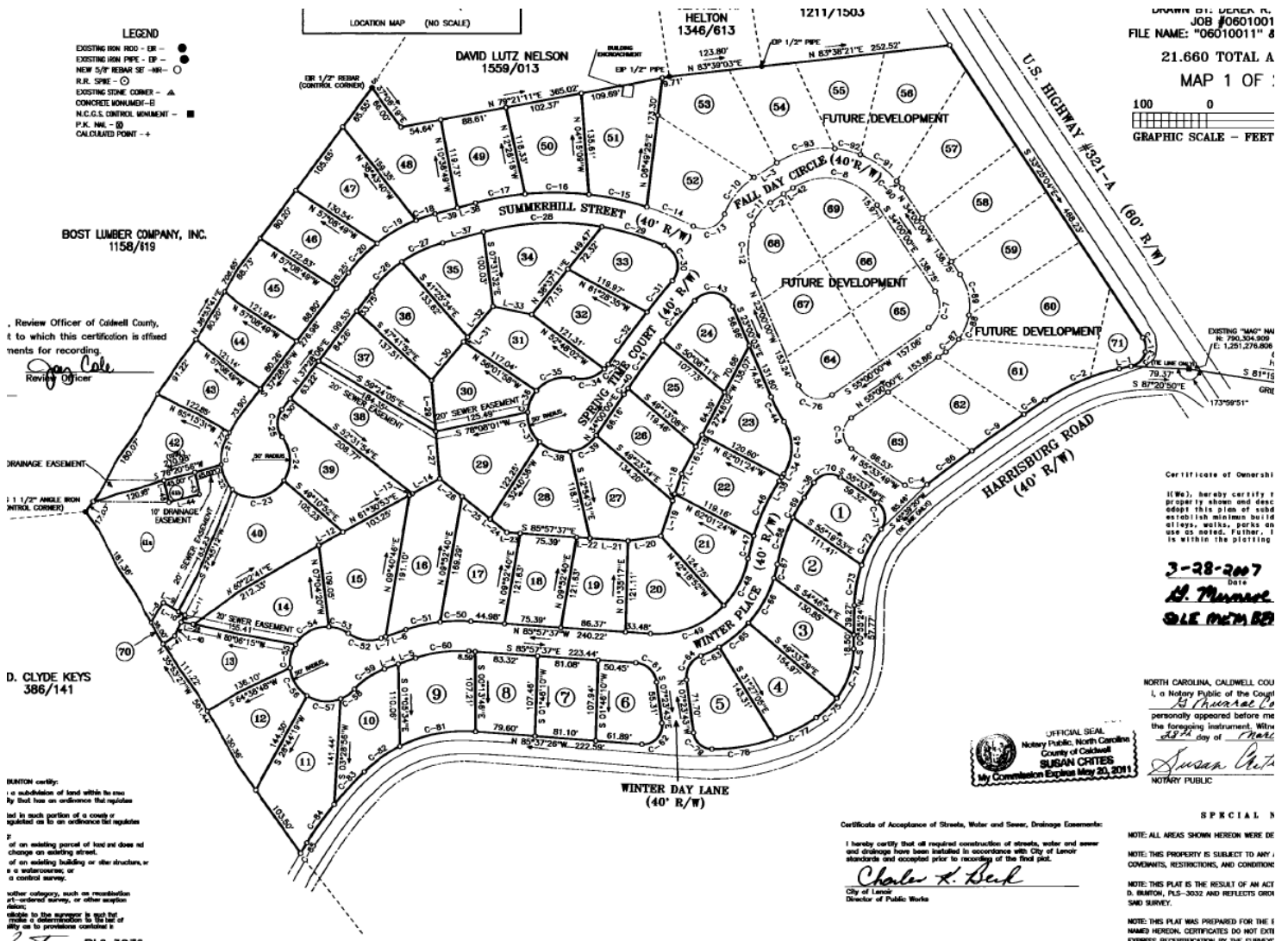
2006 Approval: 89 lots (51 SF plus 38 townhomes)
4.08 du/acre

2007 Amendment: 68 buildable lots (69 lots, but 13 isn't buildable) 3.12 du/acre

Current Proposal: Net reduction of 15 lots (54/69)
2.48 du/acre

FINAL PLAT FOR SUMMERHILL SUBDIVISION PHASE I

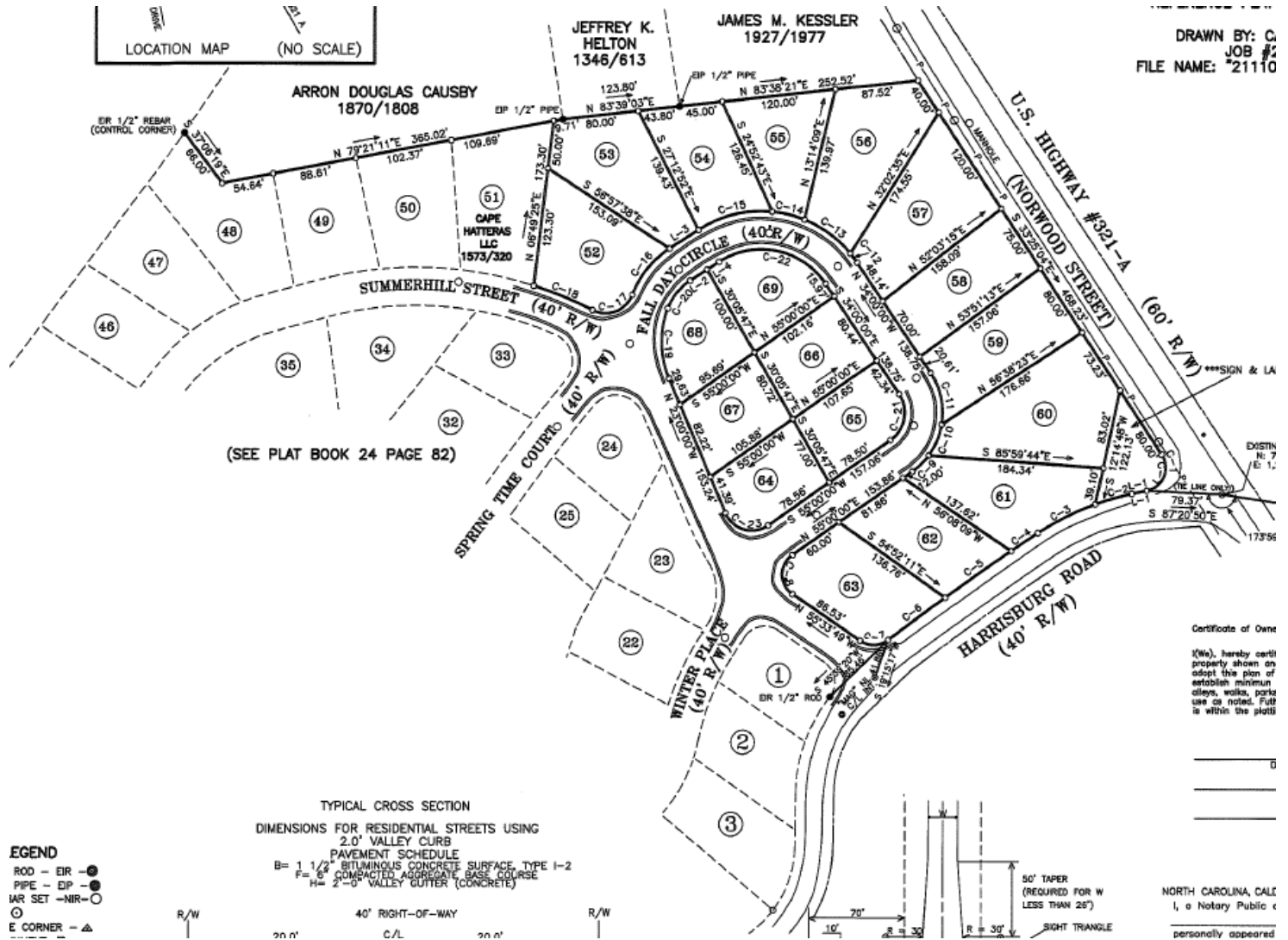
Plat Book 24, Page 82.



New Construction on Winter Place
in Summerhill Phase I.

FINAL PLAT: SUMMERHILL PHASE II

Plat Book 38, Page 18



Fall Day Circle in Summerhill Phase II.

SITE PHOTOS — 2.23.2022



Erosion on Lot 29 below the outfall



Basin holding stormwater following 1" rain event (Lot 16)



Erosion and channelization (foreground) on Lot 13; sediment basin holding water following 1" storm event (background).



Stormwater conveyance swale on lots 6-8



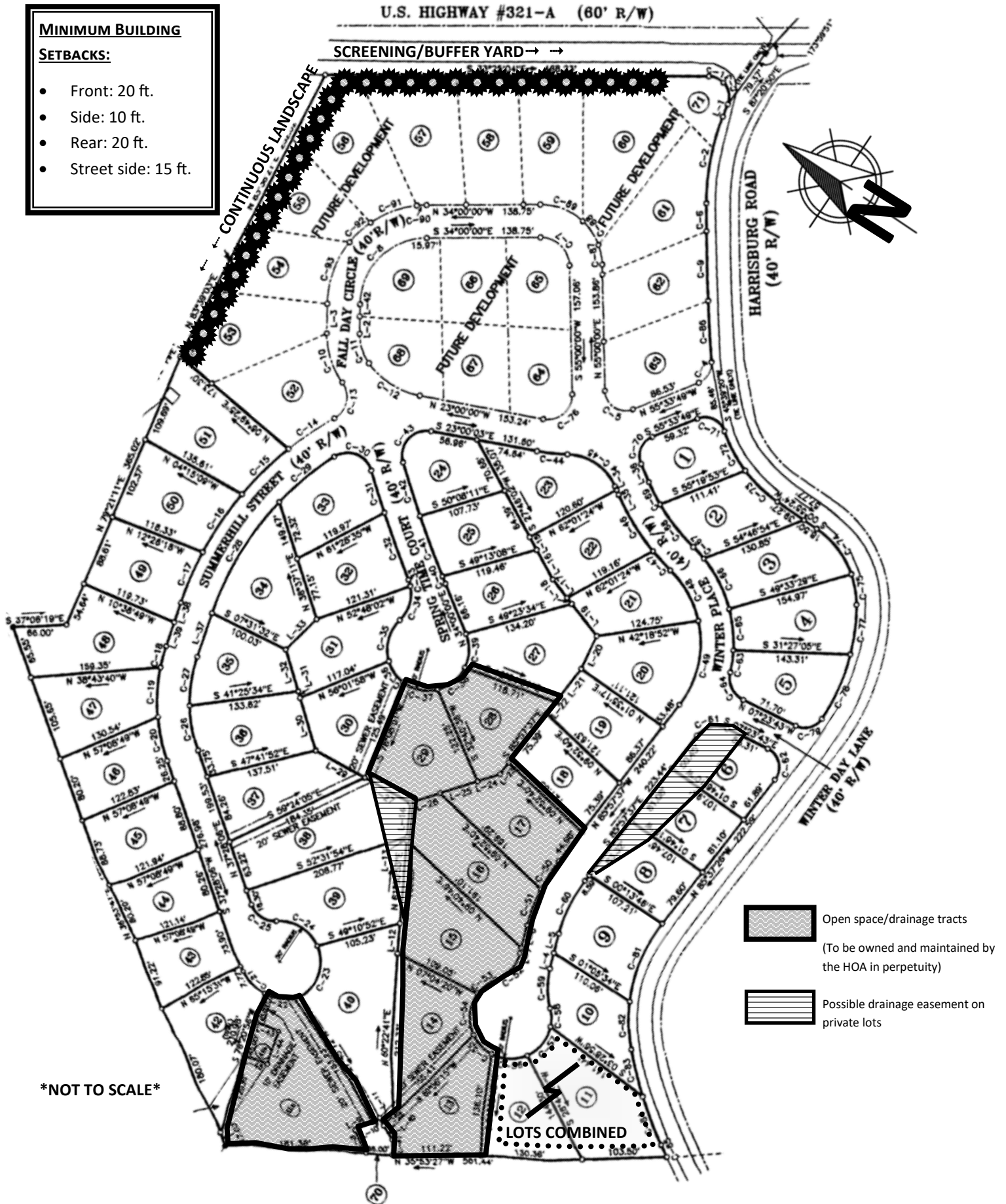
Homes under construction on lots 25-26 on Spring Time Court (foreground) and recently completed on lots 20-23 on Winter Place

APPENDIX A: SUMMERHILL CZ-8 CONCEPT PLAN (2022)

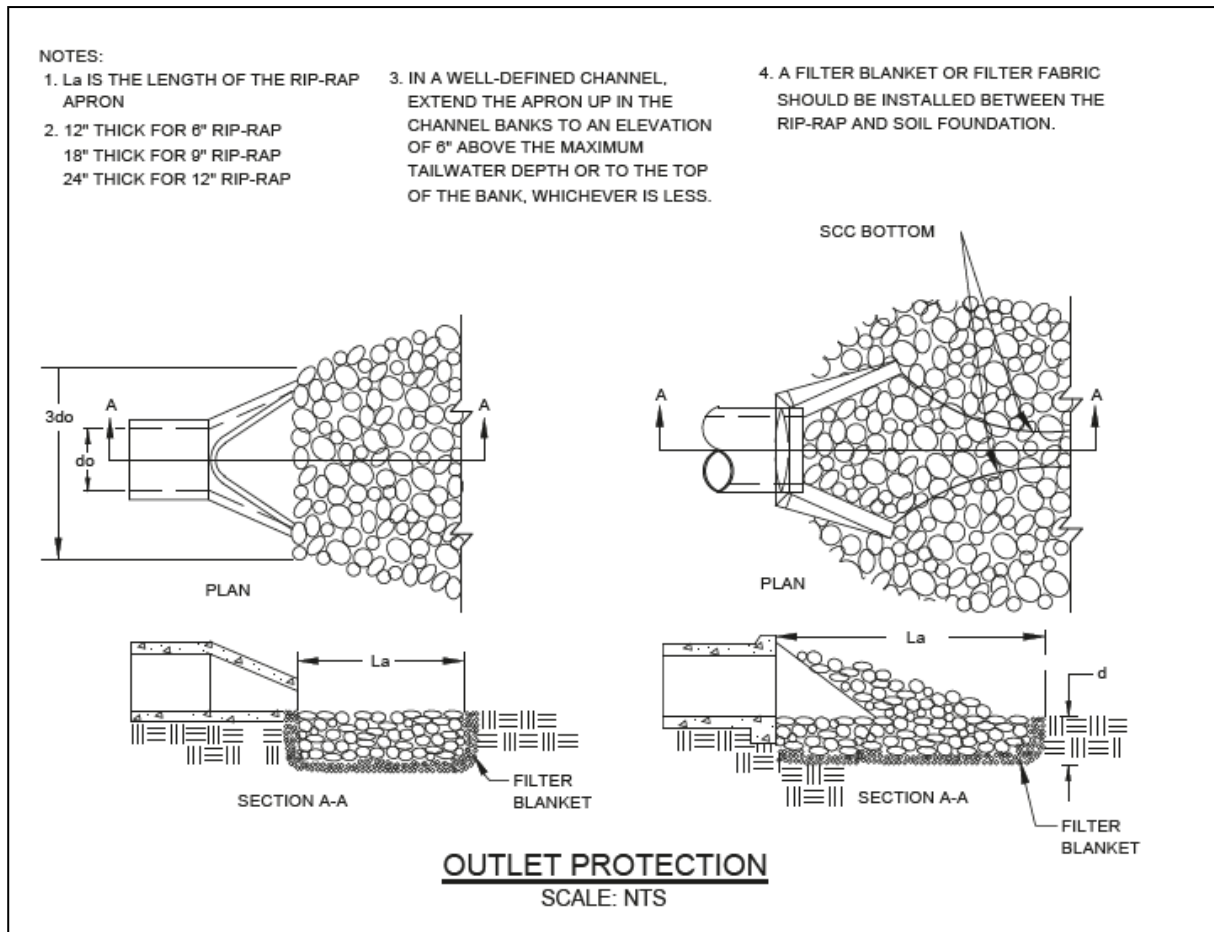
MINIMUM BUILDING

SETBACKS:

- Front: 20 ft.
- Side: 10 ft.
- Rear: 20 ft.
- Street side: 15 ft.



APPENDIX B: OUTLET PROTECTION DETAILS



Additional guidance on outlet protection from the NC Erosion and Sediment Control Planning and Design Manual is as follows:

1. Ensure that the subgrade for the filter and riprap follows the required lines and grades shown in the plan. Compact any fill required in the subgrade to the density of the surrounding undisturbed material. Low areas in the subgrade on undisturbed soil may also be filled by increasing the riprap thickness.
2. The riprap and gravel filter must conform to the specified grading limits shown on the plans.
3. Filter cloth, when used, must meet design requirements and be properly protected from punching or tearing during installation. Repair any damage by removing the riprap and placing another piece of filter cloth over the damaged area. All connecting joints should overlap so the top layer is above the downstream layer a minimum of 1 foot. If the damage is extensive, replace the entire filter cloth.
4. Riprap may be placed by equipment, but take care to avoid damaging the filter.
5. The minimum thickness of the riprap should be 1.5 times the maximum stone diameter.
6. Riprap may be field stone or rough quarry stone. It should be hard, angular, highly weather-resistant and well graded.
7. Construct the apron on zero grade with no overfill at the end. Make the top of the riprap at the downstream end level with the receiving area or slightly below it.
8. Ensure that the apron is properly aligned with the receiving stream and preferably straight throughout its length. If a curve is needed to fit site conditions, place it in the upper section of the apron.
9. Immediately after construction, stabilize all disturbed areas with vegetation

AN ORDINANCE OF THE CITY COUNCIL OF LENOIR, NORTH CAROLINA, DESIGNATING CERTAIN LAND GENERALLY LOCATED NORTH OF HARRISBURG DRIVE AND WEST OF NORWOOD STREET, BEING ALL OF THE PROPERTY IN THE SUMMERHILL SUBDIVISION RECORDED ON PLAT BOOK 24, PAGE 82 AT THE CALDWELL REGISTER OF DEEDS, AS CONDITIONAL ZONING DISTRICT #8 (CZ-8) ON THE CITY'S OFFICIAL ZONING MAPS; DIRECTING AMENDMENT OF THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY, AND AN EFFECTIVE DATE.

Whereas, at its regularly scheduled meeting of March 28, 2022, the Lenoir Planning Board considered re-zoning application case number R2-22, requesting the Conditional Zoning district designation, for approximately 23 acres of land platted as “Summerhill” on Plat Book 24, Page 82 (hereinafter the “Property”); and

Whereas, the development was designed with small lots that utilized reduced setbacks, but the reduced setbacks were not officially adopted with the initial approval; and

Whereas, during construction, the original development partner was cited for stormwater violations, resulting in the construction of sediment control measures throughout the low-lying areas of the property; and

Whereas, a condition of the original approval required some lots to retain stormwater control features in perpetuity, but maintenance and design standards were not established, and subsequent erosion has continued to occur; and

Whereas, the current majority owner and master developer desires to sell the remaining lots to be developed with the flexibility of reduced setbacks, but also has proposed to expand the area dedicated to stormwater run-off and collection; and

Whereas, based upon the evidence presented to the Lenoir Planning Board, including the information and analysis contained in the staff report for application case number CZ-8, and subject to certain conditions, the Lenoir Planning Board recommended that the Lenoir City Council approve said conditional zoning application and adopt an ordinance in accordance therewith; and

Whereas, the Lenoir Planning Board has found that the proposed Conditional Zoning Ordinance is consistent with the adopted Comprehensive Plan, and is reasonable and in the public interest, because it facilitates quality residential development that’s already served by existing infrastructure, while providing

additional open space for both community enjoyment and stormwater control, and is consistent with the property's medium density residential future land use designation; and

Whereas, the Lenoir City Council hereby finds that this ordinance is consistent with the intent and purpose of the Conditional Zoning designation as established by Appendix A, Article V, Section 502, Lenoir City Code; and

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

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

SECTION 1. ZONING. After due notice and public hearing, and pursuant to part Appendix A, Article XIV of the Lenoir City Code, and other relevant portions of the Lenoir City Code, the zoning designation for the Property is hereby changed from the R-12 district to Conditional Zoning district on the City's Official Zoning Map (to be denoted as "CZ-8"), as depicted in Exhibit "A" to this ordinance.

SECTION 2. OTHER DEVELOPMENT LAWS. Except as expressly provided otherwise by this ordinance, the CZ-8 zoning district remains subject to all applicable federal, state, and local laws, and nothing in this ordinance shall be construed to exempt the Property from the lawful authority or jurisdiction of any federal, state, or local agency.

SECTION 3. DEFAULT ZONING DISTRICT. Except as expressly provided otherwise by this ordinance, the Property shall be governed by the land development regulations of the R-12 Single Family zoning district.

SECTION 4. SPECIAL CONDITIONS. The Conditional Zoning district for the Property is subject to the following special conditions:

1. **Concept Plan.** Subject to any modifications expressly contained in the text of this ordinance, development and maintenance of the Property must be consistent with the concept plan attached to this ordinance as Exhibit "B" (hereinafter the "Concept Plan"). In the event of a conflict between the text of this ordinance and the Concept Plan, the text of this ordinance shall control. References in this ordinance to lots, parcels, buildings, phases, and other development features refer to such features as identified on the Concept Plan.
2. **Variances.** Zoning variances to the standards of the default zoning district not modified by this ordinance may be approved pursuant to the procedures set forth in Appendix A, Article XIII, Section 1312.1 of the Lenoir City Code.

3. **Modification.** The special conditions specific to the CZ-8 zoning district may only be modified by application for a zoning map amendment following the procedures outlined in Appendix A, Article VIII, Section 820 of the Lenoir City Code.

4. **Permitted/Special Uses.** The only permitted uses shall be single family detached homes, incidental accessory uses to single family homes, passive recreation/open space, stormwater control/conveyance features, and residential community amenities.

5. **Minimum Setbacks.** Measured from the property line or edge of the right-of-way:
 - a. Front: 20 ft.
 - b. Side: 10 ft.
 - c. Rear: 20 ft.
 - d. Street side: 15 ft.

6. **Maximum Built Upon Area.** Built upon area/impervious surfaces on each lot/combination of lots shall be determined using the following formula:

$$(\text{Lot Depth} - 75 \text{ ft.})(\text{Lot Width} - 24 \text{ ft.}) = \text{Maximum s.f. BUA}$$

7. **Combination/Recombination.** Lots 11 and 12 must be combined as a single building site. Other lots may be combined, or split and recombined, provided that the overall density remains unchanged or is reduced.

8. **Home Owners Association (HOA) Required.** An HOA must be established and maintained in perpetuity. The HOA must, at a minimum, be responsible for maintaining all commonly owned private improvements, including open space, stormwater conveyance systems, and neighborhood entrance signage.

9. **Open Space/Drainage Areas.** Lots 13, 14, 15, 16, 17, 28, 29, 41a, and 41b must be held in common ownership under the Summerhill Homeowner's Association. Permitted uses of these lots are passive recreation, open space, and stormwater control. Walking paths, trails, picnic tables, and non climate-controlled structures less than 200 sq. ft. (gazebo, deck) may also be permitted, when located outside of the drainage basins.

10. Drainage Easements/Environmentally Sensitive Areas.

A. Lots 38-39: Prior to making application for zoning permits, the rear lot lines must be marked on the property by a licensed surveyor, or a survey drawing showing the location of the lot lines relative to the drainage area described in condition #9 must be submitted with the permit application. Dedication of a private drainage easement to limit land disturbance and allow for maintenance by the HOA may be required, at the discretion of the Lenoir Planning Director, depending on the extent of impacts shown by survey.

B. Lots 6-8: Development of these lots shall accommodate/preserve the existing vegetative conveyance located in the front 1/3 of the lots to the maximum extent practicable. Modifications to the drainage patterns require review and approval by the Stormwater Administrator and must maintain the pre-development hydrologic response. Consolidation of these lots into fewer building sites, or limiting the impacts of driveways by utilizing shared driveways, is encouraged. Dedication of a private drainage easement to limit land disturbance and allow for maintenance by the HOA may be required.

11. Low Density Design. Development must conform to NCDEQ's SW Design Manual's low density design requirements for dispersed flow and vegetative conveyances whenever feasible.

12. Erosion Control and Stormwater Maintenance Plan. A site plan showing the overall stormwater drainage system for the subdivision must be submitted the Planning Department for review and approval prior to the issuance of any zoning permit that utilizes setbacks less than those typically required under the R-12 zoning district on lots 1-3, 6-12, 30-40, 42, or 46-69. The site plan must include the following information:

1. Location of all curb inlets and their outfalls, with a brief assessment of the condition of each.
2. Location/size/detail of existing conveyance, including sediment basins, swales, channelized areas, rock dams/weirs, etc.
3. Grading plan
4. Landscaping plan
5. Public amenities/features (if proposed) - ex. walking trails

13. Required Improvements. Improvements shall be installed as required by the Erosion Control and Stormwater Maintenance Plan. The best practices recommended by DEQ's Stormwater Design Manual and/or NC State's Small Scale Solutions to Eroding Streambanks manual shall be followed to the maximum extent practicable.

SECTION 5. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 6. EFFECTIVE DATE. This ordinance takes effect upon adoption.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Lenoir, North Carolina, by the City Clerk of the City of Lenoir, North Carolina, this 8th day of April and this 15th day of April, 2022.

DONE, THE PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of the majority of a quorum present of the City Council of the City of Lenoir, North Carolina, at a regular meeting, this 19th day of April, 2022.

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

Mayor/Mayor Pro Tempore

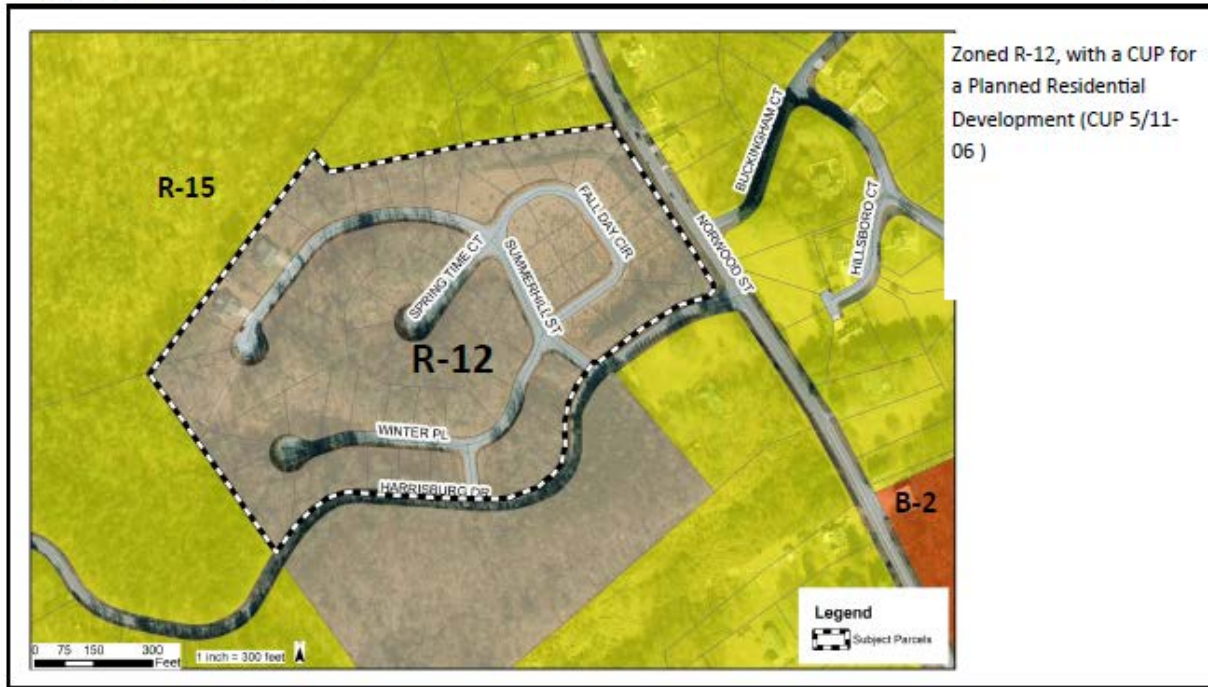
ATTEST, BY THE CLERK OF THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA:

City Clerk

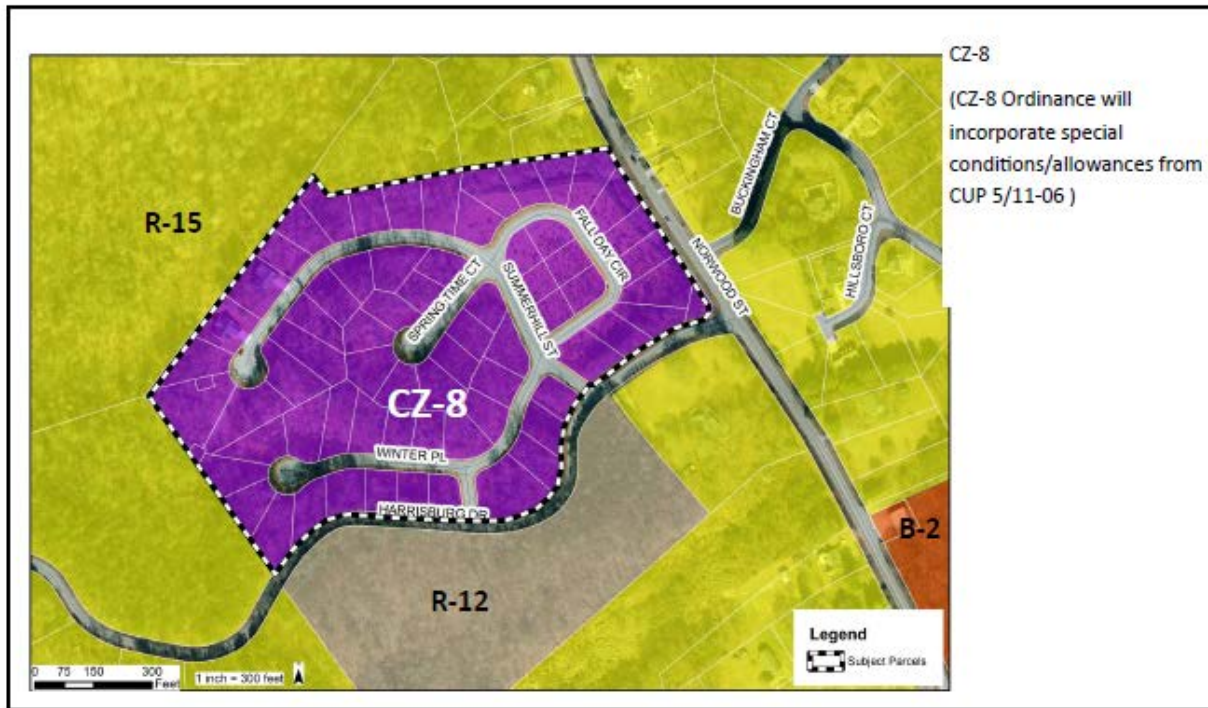
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APPENDIX A: ZONING

EXISTING ZONING

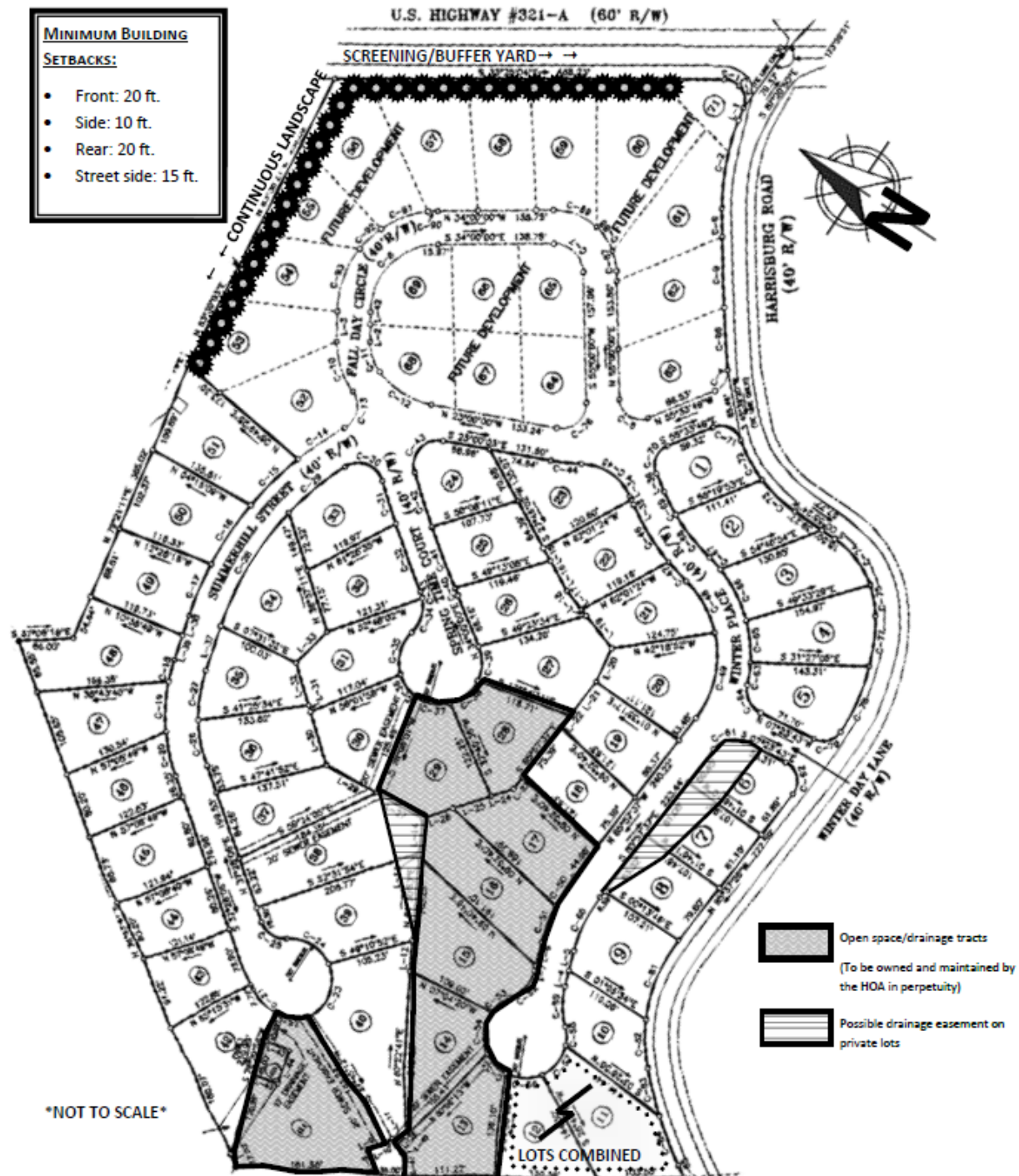


PROPOSED ZONING



APPENDIX B: CONCEPT PLAN

APPENDIX A: SUMMERHILL CZ-8 CONCEPT PLAN (2022)



**LENOIR CITY COUNCIL
TUESDAY, APRIL 5, 2022
6:00 P.M.**

PRESENT: Mayor Joe Gibbons presiding. Councilmembers present were Jonathan Beal, Kent Greer, Ike Perkins, Mayor Pro-Tem Crissy Thomas, Ralph Prestwood, David Stevens, City Manager Scott Hildebran, City Attorney T. J. Rohr, City Clerk Shirley Cannon, Police Chief Brent Phelps and Communications Director Joshua Harris.

ABSENT: Councilmember Todd Perdue.

ZOOM: Fire Chief Ken Hair, Recreation Director Kenny Story, Economic Development Director Kaylynn Horn, Finance Director Donna Bean, Planning Director Jenny Wheelock, Interim Public Works Director Ed Evans, and Public Utilities Director Radford Thomas.

Others in attendance was Cady Davis, *News-Topic*.

I. CALL TO ORDER

A. The meeting was opened by a moment of silence followed by the Pledge of Allegiance as led by Mayor Gibbons.

**FAIR HOUSING
MONTH:**

B. On behalf of City Council, Mayor Gibbons presented a proclamation to Ms. Lauren Hart, Catawba Valley Association of Realtors, proclaiming the month of April as "Fair Housing Month" throughout the City of Lenoir.

Mayor Gibbons read the proclamation and thanked Ms. Hart for coming. He stated he hopes housing will continue to grow in our community.

On behalf of the Catawba Valley Association of Realtors, Ms. Hart thanked City Council for their recognition and support of Fair Housing Month. Ms. Hart stated fair housing is allowing people of all walks of life to have the opportunity of applying for affordable housing without the fear of discrimination.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Proclamation; Fair Housing Month: Approval of a proclamation proclaiming the month of April as "Fair Housing Month" throughout the City of Lenoir. (A copy of the proclamation is hereby incorporated into these minutes by reference. Refer to Page 61.)
- B. Minutes: Approval of the minutes of the City Council meeting of Tuesday, April 5, 2022 as submitted.
- C. Minutes: Approval of the minutes of the Budget Retreat held during the Committee of the Whole meeting of Tuesday, March 22, 2022 as submitted.
- D. Closeout; Capital Project Budget Ordinance; ARC Project: Approval of Ordinance #2022-1 to closeout the Appalachian Regional Commission (ARC) Capital Project Budget Ordinance #2022-1 grant for the Broyhill Plant Site Redevelopment as submitted. A copy of the capital project budget ordinance is hereby incorporated into these minutes by reference. Refer to page 62.)

- E. Resolution; ADA Policy Statement: Approval of a Resolution to update/adopt an Americans with Disabilities Act (ADA) Policy Statement and Resolution as well as a Grievance Procedure as submitted. Note: The City of Lenoir has contracted with Precision Infrastructure Management to develop and ADA Transition Plant. (A copy of the resolution is hereby incorporated into these minutes by reference. Refer to pages 63.)
- F. Authorizing Resolution; Whitnel Water Transmission Main Replacement Project, Phase I.: Staff recommends approval of an Authorizing Resolution to authorize an application for state loan/grant assistance for the Whitnel Water Transmission Main Replacement Project, Phase I as submitted. (A copy of the resolution is hereby incorporated into these minutes by reference. Refer to page 64.)
- G. Authorizing Resolution; Lower Creek WWTP Equipment & Concrete Repair Project: Approval of an Authorizing Resolution to authorize an application for state loan/grant assistance for the Lower Creek Wastewater Treatment Plant Equipment and Concrete Repair Project as submitted. (A copy of the authorizing resolution is hereby incorporated into these minutes by reference. Refer to page 65.)
- H. Renewal Agreement for Engineering Services; Mattern & Craig, Inc.: Approval of the renewal of an Agreement for Engineering Services, Task Order Edition, with Mattern and Craig, Inc. as submitted. Staff also recommends execution of Task Order No. 1 for Mattern and Craig, Inc. to provide on-call traffic and transportation engineering services in accordance with terms contained in the master agreement as submitted. (A copy of the Renewal Agreement is on file in the City Clerk's office).
- I. Meeting Cancellation Request: Approval to cancel the April 26 Committee of the Whole meeting due to the North Carolina League of Municipalities (NCLM) City Vision Conference schedule for April 26 – 28 in Wilmington, NC. Attending on behalf of the City of the Lenoir are Mayor Joe Gibbons, City Manager Scott Hildebran, Councilmembers Jonathan Beal, Todd Perdue, Ike Perkins, and Ralph Prestwood.

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

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

- APRIL CALENDAR:** 1. The calendar for the month of April was submitted to Council listing various meetings and events.
- CITY/COUNTY SERVICES COMMITTEE:** 2. The City/County Services Committee will meet on Monday, April 11 at noon.
- LENOIR TOURISM DEVELOPMENT AUTHORITY:** 3. The Lenoir Tourism Development Authority (LTDA) will meet on Thursday, April 14 at 4:00 p.m.

LENOIR BUSINESS ADVISORY

AUTHORITY: 4. The Lenoir Business Advisory Authority (LBAB) will meet in person on Thursday, April 14 at 6:00 p.m. at City Hall, Third Floor.

NCLM ESSENTIALS OF MUNICIPAL

GOVERNMENT COURSE: 5. The North Carolina League of Municipalities Essentials of Municipal Government course will be held on April 13 & 14 in Asheville. Attending on behalf of the City is Mayor Joe Gibbons, City Manager Scott Hildebran, and Councilmembers Kent Greer and Ike Perkins.

HOLIDAY CLOSING: 6. City offices will be closed on Friday, April 15 in observance of Good Friday.

PARKS & RECREATION

ADVISORY BOARD: 7. The Parks and Recreation Advisory Board will meet on Monday, April 25 at 6:00 p.m. at Mulberry Recreation Center.

B. Items for Council Action

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

BOARD APPOINTMENTS;

PLANNING BOARD: A. Mayor Gibbons recommended to City Council that Michael Careccia and Kyle Case be appointed to fill the two vacant terms on the Lenoir Planning Board, which will expire June 2023. These vacancies were announced at the March 15 Council meeting.

Upon a motion by Councilmember Beal, City Council voted 7 to 0 to appoint Michael Careccia and Kyle Case to fill the two vacant terms on the Lenoir Planning Board as described above and as recommended by Mayor Gibbons.

NOTICE OF RE-APPOINTMENT; FOOTHILLS

REGIONAL AIRPORT AUTHORITY:

B. Mayor Gibbons recommended Charles Thomas be re-appointed to serve a two-year term on the Foothills Regional Airport Authority, which will expire June 30, 2024. City Council will consider this recommendation at the April 19 Council meeting.

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

X. ADJOURNMENT

A. There being no further business, the meeting was adjourned at 6:25 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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PROCLAMATION

FAIR HOUSING MONTH

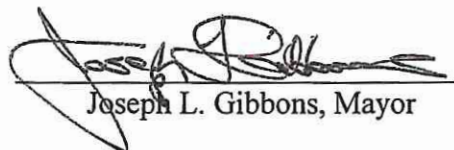
WHEREAS, April 11, 2022 marks the 54th anniversary of the passage of the U.S. Fair Housing Law, Title VIII of the Civil Rights Act of 1968, as amended, which enunciates a national policy of Fair Housing without regard to race, color, creed, national origin, sex, familial status, and handicap, and encourages fair housing opportunities for all citizens; and

WHEREAS, the Catawba Valley Association of Realtors is committed to highlighting the Fair Housing Law, Title VIII of the Civil Rights Act of 1968, by continuing to address discrimination in our community, supporting programs that will educate the public about the right to equal housing opportunities, and planning partnership efforts with other organizations to help assure every American of their right to fair housing.

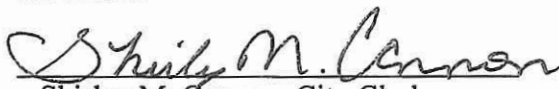
NOW, THEREFORE, I, Joseph L. Gibbons, Mayor of the City of Lenoir, North Carolina, and on behalf of the Lenoir City Council, do hereby resolve that April 2022, being *Fair Housing Month*, begins a year-long commemoration of the U.S. Fair Housing Law in the City of Lenoir and urge all citizens to wholeheartedly recognize this celebration throughout the year.

Adopted this the 5th day of April, 2022.

SEAL


Joseph L. Gibbons, Mayor

ATTEST:


Shirley M. Cannon, City Clerk




CITY MANAGER
SCOTT E. HILDEBRAN

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ORDINANCE #2022-1

**CAPITAL PROJECT BUDGET ORDINANCE TO CLOSE CAPITAL PROJECT FOR
THE CITY OF LENOIR**

WHEREAS, the City Council of the City of Lenoir has adopted a Budget Ordinance for fiscal year beginning July 1, 2018, and ending June 30, 2019, in accordance with the General Statutes of the State of North Carolina, and;

WHEREAS, the City Council desires to recognize the completion of the following Capital Project, and;

WHEREAS, the City adopted the Capital Project Budget Ordinance for the ARC Grant for the Broyhill Plant Site Redevelopment on the 6th day of May, 2019 with a total project budget of \$768,000. This project was managed by the WPCOG and was complete as of October 2021 with total expenditures of \$768,742.69 which includes In-Kind contributions with a value of \$173,000. The project was over budget by \$21,742.69 due to the clean-up requirements for the project.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA, THAT:

The Capital Project Budget Ordinance for the ARC Grant for the Broyhill Plant Site Redevelopment grant be closed.

Adopted this 5th day of April 2022.

SEAL


Joseph L. Gibbons, Mayor

Attest:


Shirley M. Cannon, City Clerk





CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

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JOSEPH L. GIBBONS

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C. D. THOMAS

RESOLUTION

**IN SUPPORT OF THE AMERICANS WITH DISABILITIES ACT SECTION 504
POLICY STATEMENT**

WHEREAS, the City of Lenoir prohibits discrimination on the basis of disability with respect to all terms and conditions of employment and access to its activities, programs, and services; and

WHEREAS, any interference, coercion, restraint, retaliation, or reprisal of any person alleging disability discrimination is prohibited; and

WHEREAS, for the purposes of this policy, an individual with a disability is defined as any person who:

1. Has a physical or mental impairment that substantially limits one or more major life activities;
2. Has a record of such an impairment; or
3. Is regarded as having such impairment.

WHEREAS, the City of Lenoir is committed to:

1. Providing reasonable accommodation for an individual with a disability to participate in employment, activities, programs, and services and has established procedures to allow persons with a disability to request reasonable accommodation;
2. Providing access to persons using its facilities, building, and city maintained roads, sidewalks, and cross walks;
3. Ensuring that communications with applicants, participants, beneficiaries, members of the public, and companions with disabilities are as effective as communications with others;
4. Auxiliary aids/services are provided upon request to individuals with a disability.

NOW, THEREFORE BE IT RESOLVED by the Lenoir City Council that the City of Lenoir has an ADA Coordinator/Risk Manager who can answer ADA related questions and handle reasonable accommodation requests as well as provide information on established procedures for filing a complaint alleging discrimination on the basis of a disability. The ADA Coordinator can be contacted at 828-757-2217 or by mail at 801 West Avenue NW, Lenoir, NC 28645. Any questions or comments concerning this policy should be referred to the ADA Coordinator/Risk Manager.

Adopted by vote of the City Council of Lenoir this, the 5th day of April, 2022, upon a motion by David Stevens, Councilperson.

SEAL



Joseph L. Gibbons, Mayor

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CITY MANAGER
SCOTT E. HILDEBRAN

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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 Whitnel Water Transmission Main project, and

WHEREAS, The **City of Lenoir** intends to request State loan and/or grant assistance for the project,

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

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

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

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

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

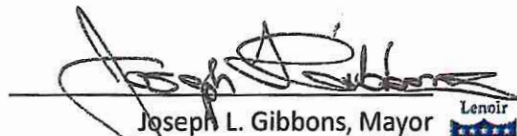
That Scott Hildebran, City Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the construction of the project described above.

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

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

Adopted this the 5th day of April, 2022 at Lenoir, North Carolina.

SEAL


Joseph L. Gibbons, Mayor



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SCOTT E. HILDEBRAN

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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 5th day of April, 2022 at Lenoir, North Carolina.

SEAL


Joseph L. Gibbons, Mayor

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PROCLAMATION

FAIR HOUSING MONTH

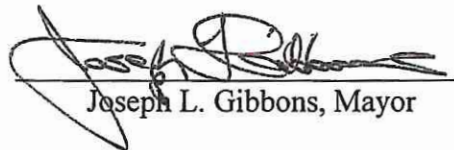
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WHEREAS, the Catawba Valley Association of Realtors is committed to highlighting the Fair Housing Law, Title VIII of the Civil Rights Act of 1968, by continuing to address discrimination in our community, supporting programs that will educate the public about the right to equal housing opportunities, and planning partnership efforts with other organizations to help assure every American of their right to fair housing.

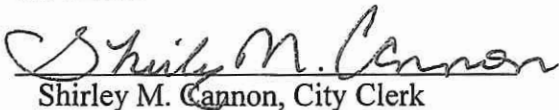
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SEAL


Joseph L. Gibbons, Mayor

ATTEST:


Shirley M. Cannon, City Clerk




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ORDINANCE #2022-1

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SEAL


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Attest:


Shirley M. Cannon, City Clerk





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RESOLUTION

**IN SUPPORT OF THE AMERICANS WITH DISABILITIES ACT SECTION 504
POLICY STATEMENT**

WHEREAS, the City of Lenoir prohibits discrimination on the basis of disability with respect to all terms and conditions of employment and access to its activities, programs, and services; and

WHEREAS, any interference, coercion, restraint, retaliation, or reprisal of any person alleging disability discrimination is prohibited; and

WHEREAS, for the purposes of this policy, an individual with a disability is defined as any person who:

1. Has a physical or mental impairment that substantially limits one or more major life activities;
2. Has a record of such an impairment; or
3. Is regarded as having such impairment.

WHEREAS, the City of Lenoir is committed to:

1. Providing reasonable accommodation for an individual with a disability to participate in employment, activities, programs, and services and has established procedures to allow persons with a disability to request reasonable accommodation;
2. Providing access to persons using its facilities, building, and city maintained roads, sidewalks, and cross walks;
3. Ensuring that communications with applicants, participants, beneficiaries, members of the public, and companions with disabilities are as effective as communications with others;
4. Auxiliary aids/services are provided upon request to individuals with a disability.

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Adopted by vote of the City Council of Lenoir this, the 5th day of April, 2022, upon a motion by David Stevens, Councilperson.

SEAL



Joseph L. Gibbons, Mayor

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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

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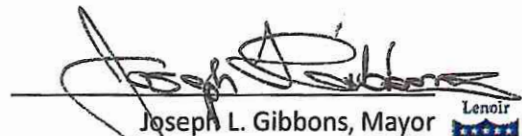
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That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained 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 5th day of April, 2022 at Lenoir, North Carolina.

SEAL


Joseph L. Gibbons, Mayor



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

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RESOLUTION BY THE LENOIR CITY COUNCIL

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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 5th day of April, 2022 at Lenoir, North Carolina.

SEAL


Joseph L. Gibbons, Mayor

MINUTES

CITY COUNCIL FY2022-2023 ANNUAL BUDGET RETREAT CITY HALL, THIRD FLOOR TUESDAY, MARCH 22, 2022 8:30 A.M.

PRESENT: Mayor Joe Gibbons, Councilmembers Jonathan Beal, Kent Greer, Todd Perdue, Ike Perkins, Ralph Prestwood, David Stevens, and Crissy Thomas.

City Manager Scott Hildebran, City Clerk Shirley Cannon, Public Information Officer Joshua Harris, Finance Director Donna Bean, and Public Utilities Director Radford Thomas.

OTHERS: Joel Whitford, PA, and Dale Schepers, Financial Analyst, McGill Associates.

ZOOM: Department Directors, Economic Development Director Kaylynn Horn, Fire Chief Ken Hair, Interim Public Works Director, Ed Evans, Parks & Recreation Director Kenny Story, Planning Director Jenny Wheelock and Police Chief Brent Phelps.

I. CALL TO ORDER

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

B. PROPOSED FY2022-23 BUDGET CALENDAR: City Manager Hildebran presented the proposed FY2022-23 Budget Calendar to City Council for their review. He stated a public hearing to adopt the budget would be held on Tuesday, June 7, 2022. (A copy of the Budget Calendar is attached to these minutes as information).

Motion

Upon a motion by Councilmember Perdue, Council voted 7 to 0 to approve the FY2022-2023 Budget Calendar as presented by City Manager Hildebran.

C. Review; FY2022-23 Council Goals: City Manager Hildebran reviewed the list of City Council's goals/priorities for 2022-23 and asked Council if there were any additional questions or concerns they wished to discuss further. City Council did not have any new information to discuss at this time.

A copy of the 2022 City Council Priorities is attached to these minutes as information.

II. Utility Fund CIP, Debt, Financial Model & Rates

A. FY2022-23 Draft W&S Capital Improvements Plan – Table 1

1. Radford Thomas, Public Utilities Director, introduced Joel Whitford, PA, and Dale

Schepers, Financial Analyst, with McGill Associates. Director Thomas thanked Donna Bean, Finance Director, and Scott Hildebran, City Manager, for all of their hard work in compiling the proposed FY2022-23 Capital Improvements Plan (CIP).

Mr. Whitford distributed copies of the proposed Water & Sewer Fund Capital Improvements Plan (CIP) - 2022, which list the projects. He stated he has worked closely with Andy Lovingood in compiling this list and pointed out the City has done a great job over the last two (2) decades regarding maintaining its water and sewer systems. Mr. Whitford explained this list is an organized approach to address 1) regulatory needs, 2) growth, and 3) liability in order for the City to provide and maintain a viable system. He distributed two spreadsheets detailing the City's Water Improvements and Wastewater Improvements projects over a ten-year period. The total cost of the proposed water projects over is \$51,531,000 and the cost of the proposed sewer projects is \$35,395,000 for a total of \$86,926,000.

(A copy of the Water and Sewer Fund CIP lists is attached to these minutes as information.)

Next, he reviewed the importance of the twenty-four (24) projects as listed. He also stated the City is currently working on the water pressure issues along Finley Avenue in addition to applying for state grant funding for this project. Mr. Whitford further shared a new pressure zone will have to be created for this neighborhood.

Mr. Whitford reported the line for the Whitnel Main Transmission Line Replacement Project #5 is over 70 years old and located in a high pressure area. Mr. Whitford also clarified for Council that the highlighted projects on the two lists are funded projects. In addition, Mr. Whitford said the CIP list is more expensive for FY2022 due to Project #16 Water System Interconnect #1, and #17 Water System Interconnect #2a and 2b. He reiterated the City should take advantage of state grant funding if available.

Public Utilities Director Thomas discussed the Crossroads Sewer Replacement Project and the Golf Course Sewer Replacement Project. He reported the current pipes are larger, old clay pipes located on the west side of the creek that flows through the golf course. In addition, Director Thomas mentioned the City has debt services for Project #40, Lower Creek Wastewater Treatment Plant (LCWWTP) Equipment & Concrete Repairs. The LCWWTP Project will be completed in the near future.

Debt Service, Table 2 Proposed Water Rate Increases

Mr. Dale Schepers, McGill Associates, reviewed the Debt Service, Table 2 with City Council. The City's debt service for FY2022 is \$2,000,179 and projected to be \$2,081,633 in FY2023.

Mr. Schepers shared the current SE Consumer Price Index (CPI) is 8.4% with City Manager Hildebran clarifying the City uses this percentage as its benchmark in determining rates.

Mr. Schepers also discussed growth and stated the City will experience a 2.5% growth in revenue. Mr. Schepers reviewed possible rate increases and stated he did an

analysis for the past ten years and factored in supply chain issues in order to make the best projections for revenue and water & sewer. Public Utilities Director Thomas stated that all products the Utilities Department uses have increased by 15% to 20%. He clarified that he factored in fuel and delivery charges as well.

Director Thomas also pointed out the City previously experienced around 30% in unbilled water losses each year, but after the City's new metering system was installed, the City is reporting losses of 14% to 15%. He mentioned the City also receives more data regarding where the losses are occurring.

Proposed Water/Sewer Rates

City Manager Hildebran reviewed a Water/Sewer Rate Chart listing rates for water (inside & outside City limits) and reminded Council the City did not increase rates in the 2020-21 fiscal year and raised rates by only 2% in the 2021-22 fiscal year. Mr. Hildebran recommended a 5% increase in water and sewer rates for the upcoming 2022-2023 fiscal year. The new resale water rate will be \$2.37 per 1,000 gallons and new resale sewer rate will be \$4.14 per 1,000 gallons. These rates will become effective July 1, 2022.

Motion

Following a brief discussion, and upon a motion by Councilmember Stevens, Council voted 7 to 0 in increase the City's water and sewer rates by 5% as described above and as recommended by City Manager Hildebran.

III. General Fund Update & CIP

A. Current FY2021-22 Budget Update

Donna Bean, Finance Director, Finance Director Donna Bean reviewed the Financial Summary as of February 28, 2022. She reported the City is in good financial shape and remains on track with its budget. The over/under balance in the General Fund is \$3,633,881.97, Downtown District (\$79,822.74), and Water & Sewer Fund \$1,874,165.65.

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

Director Bean stated 85% of the City's budgeted revenue for the General Fund has been collected with the majority coming from property and sales tax revenue. The Downtown District is at 17% of its budgeted revenue with a slight increase in expenditures compared to last year due to the City not having any events plus vacant positions in last year's budget. In addition, expenditures in the Water/Sewer Fund are slightly above last year. Director Bean further shared that funds from the General Fund would be transferred to the Downtown District's budget by the end of the fiscal year.

B. Historical Budget Information - Tax Rates, Solid Waste Fees, Health Insurance Rates, W/S Rates, Fund Balance, and CPI

City Manager Scott Hildebran reviewed a handout of Direct and Overlapping Property Tax Rates for the past 25 years. (Refer to the attached handout for the full report.) Mr. Hildebran reminded Council the City decreased its property tax rate by \$0.01 cent last year and the Downtown Service District rate was decreased by \$0.05

cent. In addition, he stated that FY2021 was a re-evaluation year for Caldwell County.

Solid Waste Fees

Mr. Hildebran reviewed a chart listing the City's Solid Waste Fees from 2004-05 through 2021-22 and proposed a \$1.00 increase for FY2022-23. (Attached.)

Health Insurance Rate

Mr. Hildebran stated the City's proposed rate increase for health insurance provided by Medcost would increase by 3%. (Chart attached.)

10-Year CPI/Cola/Water/Sewer

Mr. Hildebran reviewed a chart of the 10-Year CPI/Cola/Water/Sewer and reiterated the SE CPI is 8.40% as of February, 2022. (Attached.)

Fund Balance

Mr. Hildebran shared the state has changed the ratio of the percentage amount that municipalities are suggested to maintain in their Fund Balance. Based on the state's guidance, the City should maintain 46%, rather than the three (3) months of expenditures previously suggested.

As of year 2021, the City has \$12,613,832 in its Fund Balance, which equals to 70.67%. Mr. Hildebran remarked the City is fortunate to have such a healthy Fund Balance.

Note: Councilman Perkins left the meeting at 9:40 a.m.

Draft General Fund CIP for 2022-2023

Mr. Hildebran reviewed the spreadsheets for the capital items per Department and their projected costs. (Copies of the spreadsheets are attached to these minutes as information.)

General Fund Projections/Sales Tax Rates

Finance Director Bean stated the sales tax rate for Burke & Caldwell counties is 6.75% and the rate for Alexander & Catawba counties it is 7%. Ms. Bean said the City received an additional increase of 14% in sales tax revenue last year and should experience some growth in property taxes. In addition, Ms. Bean said the City does not have any new debt service for the General Fund with the only debt being for the addition of Fire Station No. 3.

Director Bean reported the County might schedule another re-evaluation in FY2025-26, which could result in the City not having to increase its property tax rate. However, the City may choose to increase its solid waste fee.

American Rescue Plan (ARP Funds/State Funding)

Next, a brief discussion was held regarding funding the proposed General Fund Capital Improvements Project (CIP) items. Director Bean explained the proposed items were in three categories (operating, capital, or financing/grants.) She stated the City is using ARPA funds to purchase some capital items. The CIP items include a new truck for the Fire Marshall with his vehicle being transferred to the Police Department. It was noted the City has over 500 pieces of rolling stock. Additional

items includes, new rain gear for the Police Department and one truck for the Fire Department, In addition, Director Bean pointed out the City is running out of space at its cemeteries and emphasized the City needs to be prepared moving forward.

Director Bean further stated the IT Department replaces equipment on a rotating basis and the City will be investing \$300,000 of the ARPA funding in cyber security and software to continue to protect the City's IT system. In addition, Director Bean stated the City would be implementing its ADA Transition Plan.

Next, City Manager Hildebran referred to the paving of streets and briefly discussed with Council the remaining number of streets to be paved.

Sales Tax Rate Sheet

City Manager Hildebran reviewed the sales tax rate sheet and stated this information will be placed on the City's website.

Smith Crossroads Signage

City Manager Hildebran reported the Lenoir Tourism Development Authority (LTDA) will assist with the cost of the backlit decorative gateway sign to be placed at Smith Crossroads. The sign will have the recently developed City logo/brand and tagline "CREATE WITH US". This project requires coordination with multiple stakeholders (NCDOT, Duke Energy, along with sub-consultants.)

Mr. Hildebran also made City Council aware of a pending cost for repairing the sinkhole at Fire Station No. 1.

Outstanding Funding Items & City of Lenoir Funding Opportunities

City Manager Hildebran reviewed a list of outstanding items for FY2022-2023. Please refer to the complete list that is attached to these minutes as information. Mr. Hildebran also shared that Ben Willis, WPCOG, is working on assisting the City with several grants for these projects.

Mr. Hildebran further reviewed a spreadsheet detailing funding opportunities for proposed projects. (See attached list for a complete list.)

Next, Council discussed the plans for The Campus (former Lenoir High School Facility.) A Master Plan will be developed for this project. It was noted Community Development Block Grant (CDBG) funds would be used for some of the expense of this project.

IV. ADJOURN

There being no further business, the meeting was adjourned at 10:38 a.m.

Attachments

Complete Budget Packet Attached

CITY OF LENOIR
BUDGET CALENDAR
FY2022-2023

May 17, 2022	City Manager presents recommended budget to City Council. (City Clerk will have a copy of the proposed budget available for the public after presentation.)
May 19, 2022	Budget Work Session – 6:00 p.m., Third Floor, City Hall
May 24, 2022	Committee of the Whole – 8:30 a.m., Third Floor, City Hall (Budget Work Session if necessary)
May 26, 2022	Budget Work Session – 6:00 p.m., Third Floor, City Hall *if necessary
June 7, 2022	Public Hearing for recommended FY2022-23 Budget at City Council Meeting at 6:00 p.m. Earliest possible date to adopt the budget. (City Clerk will have a copy of the final budget available for the public within five business days.)
June 21, 2022	City Council
June 28, 2022	Committee of the Whole Meeting

2022 City Council Priorities

1. Continue Efforts to Offer Competitive Compensation and Benefits for Employees
2. Increase Funding & Support for Minimum Housing & Code Enforcement
3. Develop Strategies to Support Affordable, Workforce, and Market-Rate Housing
Continue to Fund & Support Street Paving Plan
Develop Master Plans for The Campus, Downtown, and Park & Recreation
Establish a Human Relations Commission (Diversity, Equity & Inclusion)
4. Implement Wayfinding Plan, including Greenway Signage
Establish Area Plans for Whitnel & West End
Continue to Fund & Support Technology/Cybersecurity/Digital Services
5. Share State of the City Presentations/Re-establish Community Meetings
6. Continue to Fund & Support Water/Sewer Capital Improvements Plan
7. Continue to Fund & Support Sidewalks/Greenway/OVT

Other Areas of Focus:

Employee Recruitment/Retention:

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

Housing:

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

Community Beautification:

- Continue Implementation of North Main Area Plan & Fairfield South Plan
- Develop Strategies to Address Commercial Blight (city-wide & downtown)
- Address Major Appearance Issues (city entry corridors)
- Develop Plan to Address Litter in Community (State, Local Partners)

Healthy Infrastructure:

- Continue to Fund & Support City Facilities/Fleet Plan
- Continue to Fund & Support Stormwater Improvements
- Implement Downtown 2-Way Traffic Plan
- Implement Bike/Ped Plan

Economic Development:

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

Public Engagement:

- Market Quality of Life Amenities
- Develop Strategic/Targeted Communication (multi-lingual)
- Promote Smart City, Online Interaction

Other

- Seek COVID-related Funding Opportunities to Help Citizens

Table 1
City of Lenoir
Water and Sewer Fund
Capital Improvements Plan - 2022

Water Improvements

Project Number	Project Description	10-Yr CIP Cost	Current 2022	Year 1 2023	Year 2 2024	Year 3 2025	Year 4 2026	Year 5 2027	Year 6 2028	Year 7 2029	Year 8 2030	Year 9 2031	Year 10 2032	Years 11+ 2033
Vehicles and Equipment														
Distribution System Vehicles and Equipment		417,000	95,000	109,000	-	55,000	-	-	60,000	61,000	-	65,000	67,000	-
Water Treatment Vehicles and Equipment		742,000	123,000	97,000	77,000	36,000	116,000	162,000	48,000	49,000	51,000	52,000	54,000	-
Subtotal - Vehicles and Equipment		1,159,000	218,000	206,000	77,000	91,000	116,000	162,000	108,000	110,000	51,000	117,000	121,000	-
Distribution System														
1	Water Line Replacements	1,700,000						500,000	600,000	600,000				2,219,000
2	Water System Improvements	6,220,000			6,220,000									
3	Major Pressure Reducing Valve Vaults	660,000		320,000		340,000								
4	Hudson Valve Insertions	-	110,000											
5	Whitnel Transmission Line Replacement - Phase 1	5,230,000			5,230,000									
6	Walt Arney Road Water Line Replacement	450,000					450,000							
7	Hudson Tank Pump Upgrades	510,000			510,000									
8	Pleasant Hill Road Water Improvements	750,000								750,000				
9	Zacks Fork to Cottrell Hill Water Supply Loop	-												1,650,000
10	Whitnel Transmission Line Replacement - Phase 2	-												13,010,000
11	Morganton Blvd Water Line - Phase 1	900,000		900,000										
12	Morganton Blvd Water Line - Phase 2	2,430,000					2,430,000							
13	Whitnel-Cajahs Water Pump Station	2,030,000						2,030,000						
14	Divisional Valve Replacements	621,000	90,000	93,000	95,000		101,000		107,000	111,000		114,000		
15	Joyceton Water Improvements	106,000			106,000									
16	Water System Interconnect #1	2,960,000				2,960,000								
17	Water System Interconnect #2a	10,270,000								10,270,000				
17	Water System Interconnect #2b	11,220,000											11,220,000	
Water Treatment														
18	Flash Mid Basin Repairs	-	460,000											
19	AWIA Compliance Projects	200,000	150,000	100,000	100,000									
20	Filter Valve Upgrades	1,400,000		680,000		720,000								
21	Finished Water Pump Station Expansion	900,000				900,000								
22	Backwash Supply Improvements	300,000				300,000								
23	Operations Building Upgrades	1,515,000	10,000	15,000			1,500,000							
24	Generator and Electrical System Loop	-												2,799,000
Subtotal - Water Improvements Infrastructure		50,372,000	820,000	2,108,000	12,261,000	5,220,000	4,481,000	2,530,000	707,000	11,731,000	-	114,000	11,220,000	19,678,000
Total - Water Improvements		51,531,000	1,038,000	2,314,000	12,338,000	5,311,000	4,597,000	2,692,000	815,000	11,841,000	51,000	231,000	11,341,000	19,678,000
Test Year (FY22) CIP: Water Improvements			1,038,000											
10-Yr CIP: Water Improvements FY23-32		51,531,000		2,314,000	12,338,000	5,311,000	4,597,000	2,692,000	815,000	11,841,000	51,000	231,000	11,341,000	

Table 1
City of Lenoir
Water and Sewer Fund
Capital Improvements Plan - 2022

Wastewater Improvements

Project Number	Project Description	10-Yr CIP Cost	Current 2022	Year 1 2023	Year 2 2024	Year 3 2025	Year 4 2026	Year 5 2027	Year 6 2028	Year 7 2029	Year 8 2030	Year 9 2031	Year 10 2032	Years 11+ 2033
Vehicles and Equipment														
Subtotal - Vehicles and Equipment		1,474,000	-	137,000	95,000	99,000	102,000	464,000	109,000	112,000	115,000	119,000	122,000	-
Collection System														
25	Sewer Line Replacements	5,500,000								1,000,000	2,000,000	2,500,000		2,820,000
26	Crossroads Sewer Replacement	0	2,530,000											
27	Manhole Improvements	600,000	250,000	180,000			200,000				220,000			
28	Pennton to Hwy 18 Sewer	980,000				980,000								
29	Zacks Fork Sewer Replacement	2,030,000				2,030,000								
30	Main Street (Valway to 321) Sewer Replacement	980,000				980,000								
31	Rehab Blairs Fork Outfall	770,000				770,000								
32	Golf Course Sewer Replacement	3,210,000					3,210,000							
33	Gunpowder Creek Interceptor Replacement	3,200,000						3,200,000						
34	East Harper Avenue Sewer Replacement	540,000									540,000			
35	Meadowood Upstream Sewer Replacement	1,710,000										1,710,000		
36	Meadowood Lift Station Improvements	500,000										500,000		
37	Dula Town and Spring St Lift Station Improvements	42,000		42,000										
Wastewater Treatment														
38	Septage Receiving Station / Vactor Dump	570,000				570,000								
39	Lower Creek WWTP Facility Repairs, Roads, Paving	144,000		144,000										
40	Lower Creek WWTP Equipment and Concrete Repa	3,089,000			3,089,000									
41	Lower Creek WWTP Equalization Basin	3,690,000							3,690,000					
42	Lower Creek WWTP Treatment Improvements	6,366,000									6,366,000			
Subtotal - Wastewater Improvements		33,921,000	2,780,000	366,000	3,089,000	5,330,000	3,410,000	3,200,000	3,690,000	1,000,000	9,126,000	4,710,000	-	2,820,000
Total - Wastewater Improvements		35,395,000		503,000	3,184,000	5,429,000	3,512,000	3,664,000	3,799,000	1,112,000	9,241,000	4,829,000	122,000	2,820,000
Current Year (FY22) CIP: Wastewater Improvements			2,780,000											
10-Yr CIP: Wastewater Improvements FY23-32		35,395,000		503,000	3,184,000	5,429,000	3,512,000	3,664,000	3,799,000	1,112,000	9,241,000	4,829,000	122,000	

Total Water and Wastewater Capital Improvements Plan

Current Year (FY22) CIP: Total Water/Wastewater		3,818,000											
10-Yr CIP: Total Water and Wastewater		86,926,000	2,817,000	15,522,000	10,740,000	8,109,000	6,356,000	4,614,000	12,953,000	9,292,000	5,060,000	11,463,000	

Table 2
City of Lenoir
Water and Sewer Fund
Debt Service Schedule

Current Debt Schedule: FY2022

Type	Description	Issue Date	Issue Amount	Current Year 2022	Year 1 2023	Year 2 2024	Year 3 2025	Year 4 2026	Year 5 2027	Year 6 2028	Year 7 2029	Year 8 2030	Year 9 2031	Year 10 2032
Water	H-LRX-F-07-1058: Whitnel Pump Station SI	12/31/2009	2,977,285	182,090	178,399	174,707	171,015	167,323	163,632	159,940	156,248	152,556		
Water	H-LRX-F-08-1065: Raw Water Intake	8/4/2011	3,652,714	227,236	223,181	219,126	215,071	211,017	206,962	202,908	198,854	194,799	190,745	186,690
Sewer	CS370393-04: Gunpowder WWTP	10/28/2015	4,093,662	204,683	204,683	204,683	204,683	204,683	204,683	204,683	204,683	204,683	204,683	204,683
Sewer	CS370393-05: Powell Rd Sewer	2/3/2015	289,250	14,463	14,463	14,463	14,463	14,463	14,463	14,463	14,463	14,463	14,463	14,463
Sewer	CS370393-06: Meadowood Sewer	3/21/2016	1,541,984	77,099	77,099	77,099	77,099	77,099	77,099	77,099	77,099	77,099	77,099	77,099
Water	H-LRX-F-15-1875: WTP Improvements	6/3/2018	5,243,453	262,173	262,173	262,173	262,173	262,173	262,173	262,173	262,173	262,173	262,173	262,173
Water	Meter Replacements			539,743	526,873	514,003	501,133	488,263	475,393	462,523	449,653			
Sewer	CS370393-07: Lower Creek Biosolids	11/1/2019	6,995,000	492,692	451,422	446,071	440,720	435,369	430,018	424,666	419,315	413,964	408,613	403,262
Sewer	CS370393-08: Crossroads Sewer	3/3/2020	2,530,000		143,340	153,660	152,230	150,801	149,371	147,942	146,512	145,083	143,653	142,224
Total Debt Service				2,000,179	2,081,633	2,065,985	2,038,587	2,011,191	1,983,794	1,956,397	1,929,000	1,464,820	1,301,429	1,290,594
Water Subtotal				1,211,242	1,190,626	1,170,009	1,149,392	1,128,776	1,108,160	1,087,544	1,066,928	609,528	452,918	448,863
Sewer Subtotal				788,937	891,007	895,976	889,195	882,415	875,634	868,853	862,072	855,292	848,511	841,731
WATER %				60.6%	57.2%	56.6%	56.4%	56.1%	55.9%	55.6%	55.3%	41.6%	34.8%	34.8%
SEWER %				39.4%	42.8%	43.4%	43.6%	43.9%	44.1%	44.4%	44.7%	58.4%	65.2%	65.2%

Table 3
City of Lenoir
Water and Sewer Fund
Financial Analysis

Cash-Flow Summary Fiscal Year 2022

Description	Audit 2019	Audit 2020	Audit 2021	Budget 2022	Year 1 2023	Year 2 2024	Year 3 2025	Year 4 2026	Year 5 2027	Year 6 2028	Year 7 2029	Year 8 2030	Year 9 2031	Year 10 2032
Water Annual Operating Revenue	6,226,767	6,336,628	6,494,271	6,481,675	6,643,717	6,809,810	6,980,055	7,154,556	7,333,420	7,516,756	7,704,675	7,897,292	8,094,724	8,297,092
Sewer Annual Operating Revenue	3,109,873	3,189,242	3,140,122	3,129,770	3,208,014	3,288,215	3,370,420	3,454,680	3,541,047	3,629,574	3,720,313	3,813,321	3,908,654	4,006,370
System Growth: Customers + Meter Replacement					2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
Water and Sewer Annual Non-Operating Revenue	95,284	67,426	26,747	18,300	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000
Water Revenue Increase from rates					5.0%	4.0%	3.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
Water New Revenue from Rates					324,084	589,832	794,127	933,728	1,076,819	1,223,487	1,373,822	1,527,916	1,685,862	1,847,756
Sewer Revenue Increase from rates					5.0%	4.0%	3.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
Sewer New Revenue from rates					156,489	284,809	383,456	450,864	519,958	590,778	663,370	737,776	814,043	892,216
Transfer from Capital Reserve					-	-	300,000	300,000	-	-	300,000	650,000	325,000	325,000
Total Revenue	9,431,924	9,593,295	9,661,140	9,629,745	10,347,303	10,987,666	11,843,057	12,308,829	12,486,244	12,975,595	13,777,180	14,641,305	14,843,282	15,383,434
Water Operating Expenses	3,150,132	3,095,080	3,251,886	3,268,797	3,359,555	3,477,139	3,564,068	3,653,169	3,744,499	3,838,111	3,934,064	4,032,415	4,133,226	4,236,556
Sewer Operating Expenses	2,820,602	2,734,027	2,750,274	3,137,898	3,240,184	3,353,591	3,437,431	3,523,366	3,611,451	3,701,737	3,794,280	3,889,137	3,986,366	4,086,025
Water Expenses Increase*					4.5%	3.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
Sewer Expenses Increase*					4.5%	3.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
Capital Outlay	647,245	436,187	344,757	1,210,000	1,237,000	888,000	1,001,000	867,000	162,000	215,000	221,000	811,000	731,000	121,000
Debt Service Existing	1,294,959	1,769,112	1,628,265	2,013,051	2,081,633	2,065,985	2,038,587	2,011,191	1,983,794	1,956,397	1,929,000	1,464,820	1,301,429	1,290,594
Debt Service Proposed					43,447	997,052	1,645,330	2,128,641	2,522,346	2,824,596	3,676,776	4,280,933	4,598,203	5,437,815
Debt Service Reserve		139,900			8,519	184,770	123,676	92,470	74,909	56,610	166,531	112,465	59,244	165,117
Transfer to Capital Reserve Fund	78,260		55,550		300,000	-	-	-	350,000	300,000	-	-	-	-
Total Expenses	7,991,198	8,174,306	8,030,732	9,629,746	10,270,338	10,966,536	11,810,092	12,275,837	12,448,998	12,892,451	13,721,651	14,590,771	14,809,468	15,337,108
Accrual Adjustments	684,191	9,104	253,049											
Net Income	2,124,917	1,428,093	1,883,457	(1)	76,965	21,129	32,966	32,991	37,246	83,144	55,529	50,534	33,814	46,326
Unrestricted Net Assets	14,407,381	10,647,335	12,530,792	12,530,791	12,607,756	12,628,886	12,661,851	12,694,843	12,732,088	12,815,233	12,870,762	12,921,296	12,955,110	13,001,436
Unrestricted Net Assets / Total Expenses				130%	123%	115%	107%	103%	102%	99%	94%	89%	87%	85%
Days Cash on Hand				475	448	420	391	377	373	363	342	323	319	309
Capital Reserve Fund	7,021,391	2,508,616	2,564,166	2,564,166	2,864,166	2,864,166	2,564,166	2,264,166	2,614,166	2,914,166	2,614,166	1,964,166	1,639,166	1,314,166
Residential Inside 5,000 gal Monthly Water Use Charges				\$24.35	\$25.57	\$26.59	\$27.39	\$27.94	\$28.49	\$29.06	\$29.65	\$30.24	\$30.84	\$31.46
Residential Inside 5,000 gal Monthly Sewer Use Charges				\$25.38	\$26.65	\$27.71	\$28.55	\$29.12	\$29.70	\$30.29	\$30.90	\$31.52	\$32.15	\$32.79
Combined Water and Sewer Use Charges				\$49.73	\$52.22	\$54.31	\$55.93	\$57.05	\$58.19	\$59.36	\$60.55	\$61.76	\$62.99	\$64.25

Table 4

City of Lenoir

Water and Sewer Fund

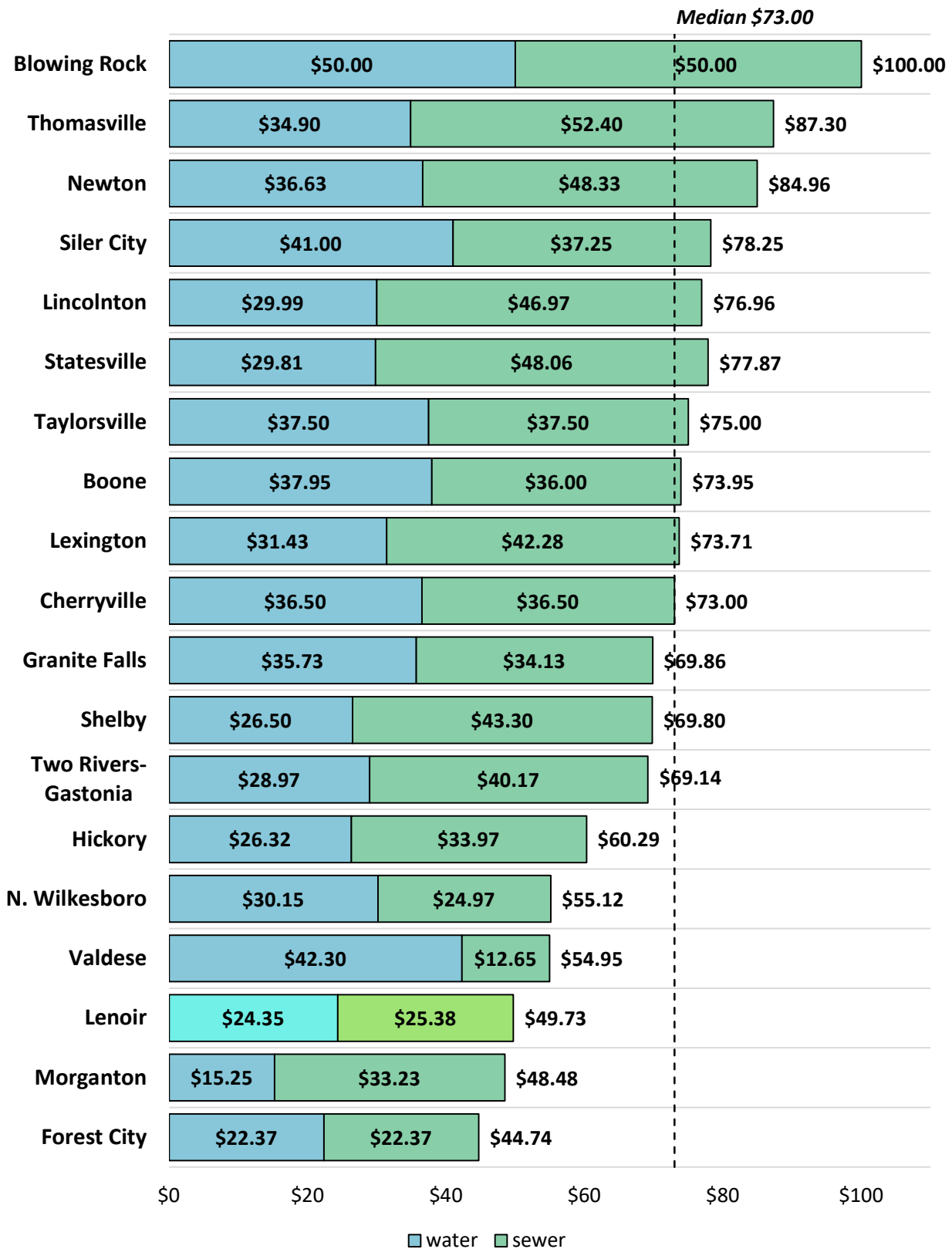
Proposed Water and Sewer Rates

Proposed Water and Sewer Rates

Customer Classes	Current FY FY22	Year 1 FY23	Year 2 FY24	Year 3 FY25	Year 4 FY26	Year 5 FY27
Water Inside						
Base Charge; Includes 1,000 gal	\$10.75	\$11.29	\$11.74	\$12.09	\$12.33	\$12.58
Volume per 1,000 gal; 1,001 gal +	\$3.40	\$3.57	\$3.71	\$3.82	\$3.90	\$3.98
Water Outside						
Base Charge; Includes 1,000 gal	\$21.50	\$22.58	\$23.48	\$24.18	\$24.67	\$25.16
Volume per 1,000 gal; 1,001 gal +	\$6.80	\$7.14	\$7.43	\$7.65	\$7.80	\$7.96
Resale Water						
Volume per 1,000 gal	\$2.26	\$2.37	\$2.47	\$2.54	\$2.59	\$2.64
Sewer Inside						
Base Charge; Includes 1,000 gal	\$9.42	\$9.89	\$10.29	\$10.60	\$10.81	\$11.02
Volume per 1,000 gal; 1,001 gal +	\$3.99	\$4.19	\$4.36	\$4.49	\$4.58	\$4.67
Sewer Outside						
Base Charge; Includes 1,000 gal	\$18.86	\$19.80	\$20.60	\$21.21	\$21.64	\$22.07
Volume per 1,000 gal; 1,001 gal +	\$7.99	\$8.39	\$8.73	\$8.99	\$9.17	\$9.35
Resale Sewer						
Volume per 1,000 gal	\$3.94	\$4.14	\$4.30	\$4.43	\$4.52	\$4.61
Sample Monthly Charges: Water and Sewer						
Inside 5,000 gal	\$49.73	\$52.22	\$54.31	\$55.93	\$57.05	\$58.19
Inside 10,000 gal	\$86.68	\$91.01	\$94.65	\$97.49	\$99.44	\$101.43
inside 50,000 gal	\$382.28	\$401.39	\$417.45	\$429.97	\$438.57	\$447.34
Inside 100,000 gal	\$751.78	\$789.37	\$820.94	\$845.57	\$862.48	\$879.73
Outside 5,000 gal	\$99.52	\$104.50	\$108.68	\$111.94	\$114.17	\$116.46
Outside 10,000 gal	\$173.47	\$182.14	\$189.43	\$195.11	\$199.01	\$202.99
Outside 50,000 gal	\$765.07	\$803.32	\$835.46	\$860.52	\$877.73	\$895.29
Outside 100,000 gal	\$1,504.57	\$1,579.80	\$1,642.99	\$1,692.28	\$1,726.13	\$1,760.65

Comparable Municipal Utilities 5,000 Gallons Usage per Month

Source: UNC Rates Dashboard: Updated February 2022



WATER RATE COMPARISONS – March – 2022
5,000 GALLONS USAGE PER MONTH
www.efc.unc.edu/RatesDashboards/nc.html

<u>SYSTEM</u>	<u>WATER</u>	<u>SEWER</u>	<u>TOTAL</u>
Forest City	\$22.37	\$22.37	\$44.74
Morganton	\$15.25	\$33.23	\$48.48
Lenoir	\$24.35	\$25.38	\$49.73
Valdese	\$42.30	\$12.65	\$54.95
N. Wilkesboro	\$30.15	\$24.97	\$55.12
Hickory	\$26.32	\$33.97	\$60.29
Two Rivers Utilities **(Gastonia)	\$28.97	\$40.17	\$69.14
Shelby	\$26.50	\$43.30	\$69.80
Granite Falls	\$35.73	\$34.13	\$69.86
Cherryville	\$36.50	\$36.50	\$73.00
Lexington	\$31.43	\$42.28	\$73.71
Boone	\$37.95	\$36.00	\$73.95
Taylorsville	\$37.50	\$37.50	\$75.00
Lincolnton	\$29.99	\$46.97	\$76.96
Statesville	\$29.81	\$48.06	\$77.87
Siler City	\$41.00	\$37.25	\$78.25
Newton	\$36.63	\$48.33	\$84.96
Thomasville	\$34.90	\$52.40	\$87.30
Blowing Rock **(Avg./month) Billed Bi-monthly	\$50.00	\$50.00	\$100.00



**City of Lenoir
Financial Summary
As of 2/28/2022**



General Fund					
	2021-2022 Budget	2/28/2022	% of Budget	Change from Previous Year	2/28/2021
Total Revenue	\$ 18,594,890.00	\$ 15,740,468.77	85%	\$ 1,242,445.49	\$ 14,498,023.28
Expenditures	\$ 18,594,890.00	\$ 12,106,586.80	65%	\$ 1,031,402.84	\$ 11,075,183.96
Over/Under	\$ -	\$ 3,633,881.97		\$ 211,042.65	\$ 3,422,839.32
Downtown District					
	2021-2022 Budget	2/28/2022	% of Budget	Change from Previous Year	2/28/2021
Revenues	\$ 184,638.00	\$ 32,298.06	17%	\$ 1,610.91	\$ 30,687.15
Expenditures	\$ 184,638.00	\$ 112,120.80	61%	\$ 19,534.77	\$ 92,586.03
Over/Under	\$ -	\$ (79,822.74)		\$ (17,923.86)	\$ (61,898.88)
Water/Sewer Fund					
	2021-2022 Budget	2/28/2022	% of Budget	Change from Previous Year	2/28/2021
Revenues	\$ 9,629,744.00	\$ 6,580,896.69	68%	\$ 278,927.99	\$ 6,301,968.70
Expenditures	\$ 9,629,744.00	\$ 4,706,731.04	49%	\$ 26,959.96	\$ 4,679,771.08
Over/Under	\$ -	\$ 1,874,165.65		\$ 251,968.03	\$ 1,622,197.62

City of Lenoir, North Carolina
Direct and Overlapping Property Tax Rates
Last 25 Years

(rate per \$100 of assessed value)

<u>Fiscal Year</u>	<u>City Direct Rates</u>			<u>Overlapping Rates</u>	
	<u>City of Lenoir</u>	<u>Downtown Service District</u>	<u>Rescue Readiness</u>	<u>Caldwell County</u>	<u>Rescue Squad</u>
2022-23					
2021-22 *	0.57	0.20	0.0085	0.63	-
2020-21	0.58	0.25	0.0085	0.63	-
2019-20	0.58	0.25	0.0085	0.63	-
2018-19	0.58	0.25	0.0085	0.63	-
2017-18	0.58	0.25	0.0085	0.63	-
2016-17	0.58	0.25	-	0.63	0.0085
2015-16	0.58	0.25	-	0.60	0.0085
2014-15	0.58	0.25	-	0.60	0.0085
2013-14 *	0.58	0.25	-	0.60	0.0085
2012-13	0.56	0.25	-	0.6299	0.0085
2011-12	0.54	0.25	-	0.6599	0.0085
2010-11	0.54	0.25	-	0.6599	0.0085
2009-10	0.54	0.25	-	0.6599	0.0085
2008-09	0.54	0.25	-	0.6599	0.0085
2007-08	0.54	0.25	-	0.6599	0.0085
2006-07	0.54	0.25	-	0.5399	0.0085
2005-06 *	0.54	0.25	-	0.5399	0.0085
2004-05	0.54	0.25	-	0.5839	0.0071
2003-04	0.50	0.25	-	0.5839	0.0071
2002-03	0.50	0.25	-	0.5561	0.0071
2001-02 *	0.47	0.25	-	0.5561	0.0071
2000-01	0.49	0.19	-	0.5829	0.0071
1999-00	0.49	0.19	-	0.5829	0.0071
1998-99	0.49	0.19	-	0.5829	0.0071

* revaluation year

City of Lenoir, North Carolina		
Solid Waste Fees		
Fiscal Year	Solid Waste Fees	Solid Waste Collections
2021-22	10.00	TBD
2020-21	10.00	847,783.00
2019-20	10.00	793,464.00
2018-19	9.00	712,381.00
2017-18	9.00	707,721.00
2016-17	9.00	699,283.00
2015-16	9.00	703,382.00
2014-15	8.00	628,144.00
2013-14	8.00	622,819.00
2012-13	8.00	627,002.00
2011-12	8.00	626,743.00
2010-11	7.00	553,866.00
2009-10	7.00	560,940.00
2008-09	7.00	525,142.00
2007-08	7.00	515,359.00
2006-07	6.00	454,131.00
2005-06	6.00	438,734.00
2004-05	-	-

Health Insurance Rates		
FY	% Change	
2007-08	9.20%	BCBS
2008-09	1.90%	BCBS
2009-10	-3.10%	BCBS
2010-11	4.60%	BCBS
2011-12	-0.10%	BCBS
2012-13	6.70%	BCBS
2013-14	3.30%	BCBS
2014-15	15.00%	BCBS
2015-16	4.20%	BCBS
2016-17	7.90%	BCBS
2017-18	8.50%	BCBS
2018-19	-7.50%	Medcost
2019-20	0.00%	MedCost
2020-21	* 6.00%	MedCost
2021-22	6.00%	MedCost
2022-23	3.00%	MedCost

* elimination of broker fee reduced to 4%

Average 4.10%

10-Year CPI/COLA/Water/Sewer

Fiscal Year	SE CPI (February)	COLA	Water	Sewer
2012-13	3.30%	2.00%	3.30%	5.00%
2013-14	1.80%	0.00%	1.80%	2.00%
2014-15	1.20%	4.50%	1.20%	2.00%
2015-16	-0.30%	3.00%	0.00%	3.00%
2016-17	0.70%	2.00%	0.00%	3.00%
2017-18	2.80%	3.25%	2.50%	1.00%
2018-19	2.10%	4.80%	1.50%	0.00%
2019-20	1.10%	3.00%	1.10%	2.50%
2020-21	1.90%	3.00%	0.00%	0.00%
2021-22	2.00%	3.00%	2.00%	2.00%
10-Year Totals	16.60%	28.55%	13.40%	20.50%

Fiscal Year	SE CPI (February)	COLA	Water	Sewer
2022-23	8.40%			

**City Of Lenoir
Fund Balances**

	2020	2021		
Unreserved Fund Balances	\$10,483,369	\$12,613,832		
Fund Balance Percent	58.23%	70.67%		
Water Fund Transfers	\$0	\$0		
	2019	2018	2017	2016
Unreserved Fund Balances	\$9,829,330	\$8,421,722	\$7,222,443	\$4,554,559
Fund Balance Percent	56.77%	51.56%	43.14%	25.33%
Water Fund Transfers	\$0	\$0	\$0	\$0
	2015	2014	2013	2012
Unreserved Fund Balances	\$4,061,603	\$3,574,740	\$3,211,745	\$3,028,662
Fund Balance Percent	23.14%	21.90%	19.80%	18.75%
Water Fund Transfers	\$0	\$0	\$0	\$0
	2011	2010	2009	2008
Unreserved Fund Balances	\$2,896,417	\$3,760,253	\$3,653,831	\$3,319,100
Fund Balance Percent	17.72%	23.59%	20.42%	21.18%
Water Fund Transfers	\$0	\$0	\$0	\$0
	2007	2006	2005	2004
Unreserved Fund Balances	\$3,188,151	\$2,285,977	\$2,024,965	\$1,797,042
Fund Balance Percent	20.48%	15.96%	12.62%	12.59%
Water Fund Transfers	\$0	\$0	\$86,371	\$582,020

Consumer Price Index, South Region — February 2022

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

Month	2018		2019		2020		2021		2022	
	1-month	12-month	1-month	12-month	1-month	12-month	1-month	12-month	1-month	12-month
January	0.5	1.8	0.2	1.2	0.3	2.3	0.5	1.6	0.9	7.8
February	0.6	2.1	0.5	1.1	0.2	1.9	0.5	2.0	1.1	8.4
March	0.2	2.3	0.7	1.6	-0.1	1.1	0.8	2.9		
April	0.4	2.4	0.5	1.8	-0.8	-0.2	0.7	4.4		
May	0.3	2.7	-0.1	1.4	-0.2	-0.4	0.8	5.6		
June	0.2	2.7	-0.1	1.1	0.6	0.3	0.9	5.8		
July	0.0	2.9	0.3	1.4	0.6	0.6	0.5	5.8		
August	-0.1	2.4	-0.1	1.4	0.4	1.1	0.3	5.6		
September	0.0	1.7	0.0	1.3	0.2	1.3	0.3	5.8		
October	0.2	2.1	0.2	1.3	0.1	1.3	1.0	6.6		
November	-0.3	1.9	0.0	1.6	-0.1	1.2	0.4	7.2		
December	-0.5	1.5	0.0	2.1	0.2	1.4	0.3	7.4		

[illegible]

Department's	General Fund	Total Project Cost	Funding from Other Source	Remaining	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028
Public Works										
Operating Budget										
4	Greenway	\$ 200,000.00		\$ 200,000.00		\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	
	Parkview Estates (Ebel Place Improvements)	\$ 50,000.00		\$ 50,000.00	\$ 50,000.00					
	Resurfacing	\$ 2,510,000.00		\$ 2,510,000.00	\$ 400,000.00	\$ 410,000.00	\$ 420,000.00	\$ 420,000.00	\$ 430,000.00	\$ 430,000.00
	Strategic Paving - Hospital Ave.	\$ 90,000.00		\$ 90,000.00		\$ 90,000.00				
7	Strategic Paving - Subdivisions - 2" Base - Georgetown	\$ 65,000.00		\$ 65,000.00		\$ 65,000.00				
	Strategic Paving - Subdivisions - 2" Base - Heritage Hill	\$ 20,000.00		\$ 20,000.00	\$ 20,000.00					
8	Strategic Paving - Subdivisions - 2" Base - Parkview	\$ 30,000.00		\$ 30,000.00	\$ 30,000.00					
	Strategic Paving - Subdivisions - 2" Base -Summerhill	\$ 75,000.00		\$ 75,000.00		\$ 75,000.00				
	Total Operating Funds Public Works	\$ 3,040,000.00	\$ -	\$ 3,040,000.00	\$ 500,000.00	\$ 690,000.00	\$ 470,000.00	\$ 470,000.00	\$ 480,000.00	\$ 430,000.00
Capital Budget										
	Epoxy Floor in Garage	\$ 52,000.00		\$ 52,000.00		\$ 52,000.00				
	Light Duty Truck 1/2 ton 4 WD - Streets	\$ 65,000.00		\$ 65,000.00		\$ 30,000.00		\$ 35,000.00		
	Light Duty Truck 1/2 ton 4 WD - Vehicle Services	\$ 65,000.00		\$ 65,000.00	\$ 30,000.00			\$ 35,000.00		
	Vehicle Service Addition/Enclosure	\$ 20,000.00		\$ 20,000.00			\$ 20,000.00			
	Vehicles/Equipment - Build. Maint.	\$ 90,000.00		\$ 90,000.00	\$ 30,000.00		\$ 30,000.00		\$ 30,000.00	
	Cemetery Master Plan & Expansion (TBD)	\$ 300,000.00		\$ 300,000.00	\$ 50,000.00	\$ 250,000.00				
	Single Axle Dump Truck - Streets (4)	\$ 550,000.00		\$ 550,000.00	\$ 275,000.00			\$ 137,500.00		\$ 137,500.00
	Asphalt Trak Truck	\$ 250,000.00		\$ 250,000.00		\$ 250,000.00				
	Motor Grader	\$ 550,000.00		\$ 550,000.00		\$ 275,000.00				\$ 275,000.00
	Skid Steer Loader	\$ 85,000.00		\$ 85,000.00				\$ 85,000.00		
3	Vehicles/Equipment - Street	\$ 1,135,000.00		\$ 1,135,000.00		\$ 160,000.00	\$ 325,000.00		\$ 325,000.00	\$ 325,000.00
	Wheeled Loader	\$ 210,000.00		\$ 210,000.00				\$ 210,000.00		
	Fuel System Upgrade - Split with Enterprise Fund	\$ 30,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00					
	Automated Leaf Collection Truck	\$ 200,000.00		\$ 200,000.00		\$ 200,000.00				
	Pak-Rat Small Garbage Truck	\$ 125,000.00		\$ 125,000.00				\$ 125,000.00		
	Vehicles/Equipment - Cemeteries	\$ 45,000.00		\$ 45,000.00		\$ 30,000.00		\$ 15,000.00		
	Zero-Turn Mower 60" Cemeteries	\$ 15,000.00		\$ 15,000.00	\$ 15,000.00					
	Total Capital Budget Public Works	\$ 3,787,000.00	\$ 15,000.00	\$ 3,772,000.00	\$ 415,000.00	\$ 1,247,000.00	\$ 375,000.00	\$ 642,500.00	\$ 355,000.00	\$ 737,500.00
Other Funding Sources										
*	RTP Grant - Greenway OVNHT	\$ 312,500.00	\$ 250,000.00	\$ 312,500.00	\$ 250,000.00	\$ 62,500.00				
2	Arrowood St. Bridge	\$ 750,000.00	\$ 525,000.00	\$ 750,000.00	\$ 50,000.00	\$ 525,000.00	\$ 175,000.00			
	Automated Garbage Truck - ARP Funds	\$ 625,000.00	\$ 325,000.00	\$ 625,000.00	\$ 300,000.00					\$ 325,000.00
6	Cemetery Paving - Perm Fund	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00					
5	Columbarium - Perm Fund	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00			\$ 20,000.00	\$ 20,000.00		
	Greenway Expansions & Upgrades - State Allocation & APR Funds	\$ 950,000.00	\$ 950,000.00	\$ 950,000.00	\$ 500,000.00	\$ 450,000.00				
	Total Other Funding Sources Public Works	\$ 6,909,500.00	\$ 2,150,000.00	\$ 6,879,500.00	\$ 1,575,000.00	\$ 2,514,500.00	\$ 570,000.00	\$ 802,500.00	\$ 355,000.00	\$ 1,062,500.00
	Grand Total Public Works	\$ 13,736,500.00	\$ 2,165,000.00	\$ 13,691,500.00	\$ 2,490,000.00	\$ 4,451,500.00	\$ 1,415,000.00	\$ 1,915,000.00	\$ 1,190,000.00	\$ 2,23

CITY OF LENOIR
GENERAL FUND CIP

Departme nt's	General Fund	Total Project Cost	Funding from Other Source	Remaining	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028
	QRV	\$ 90,000.00		\$ 90,000.00			\$ 45,000.00			\$ 45,000.00
4	Station #2 Creek Bank Repair	\$ 32,000.00		\$ 32,000.00	\$ 32,000.00					
5	Station #1 Back Apron Repair	\$ 30,000.00		\$ 30,000.00	\$ 30,000.00					
7	Station IT Upgrades	\$ 11,000.00		\$ 11,000.00	\$ 11,000.00					
	Total Capital Budget Fire	\$ 419,000.00	\$ -	\$ 419,000.00	\$ 144,000.00	\$ 37,000.00	\$ 82,000.00	\$ 37,000.00	\$ 37,000.00	\$ 82,000.00
Other Funding Sources										
2	Rescue Pumpers (1 paid with ARP Funds)	\$ 2,800,000.00	\$ 700,000.00	\$ 2,800,000.00	\$ 700,000.00	\$ 700,000.00			\$ 700,000.00	\$ 700,000.00
	Total Other Funding Sources Fire	\$ 2,800,000.00	\$ 700,000.00	\$ 2,800,000.00	\$ 700,000.00	\$ 700,000.00	\$ -	\$ -	\$ 700,000.00	\$ 700,000.00
	Grand Total Fire	\$ 3,366,000.00	\$ 700,000.00	\$ 3,366,000.00	\$ 844,000.00	\$ 777,000.00	\$ 173,000.00	\$ 53,000.00	\$ 737,000.00	\$ 782,000.00
Police										
Operating Budget										
6	Rain Gear Replacement	\$ 15,000.00		\$ 15,000.00	\$ 15,000.00					
	Weapon Replacement	\$ 17,800.00		\$ 17,800.00		\$ 7,800.00	\$ 5,000.00	\$ 5,000.00		
	Total Operating Budget Police	\$ 32,800.00		\$ 32,800.00	\$ 15,000.00	\$ 7,800.00	\$ 5,000.00	\$ 5,000.00	\$ -	\$ -
Capital Budget										
1	Departmental Vehicles	\$ 2,131,000.00		\$ 2,131,000.00	\$ 238,000.00	\$ 373,000.00	\$ 380,000.00	\$ 380,000.00	\$ 380,000.00	\$ 380,000.00
3	Portable Walkie Radios	\$ 216,000.00		\$ 216,000.00	\$ 36,000.00	\$ 36,000.00	\$ 36,000.00	\$ 36,000.00	\$ 36,000.00	\$ 36,000.00
2	Parking Lot Repaving	\$ 5,000.00		\$ 5,000.00	\$ 5,000.00					
	Firing Range Management	\$ 9,000.00		\$ 9,000.00		\$ 3,000.00		\$ 3,000.00		\$ 3,000.00
4	Firing Range Infrastructure	\$ 20,000.00		\$ 20,000.00		\$ 20,000.00				
5	HVAC/Building Repairs/Remodeling/Handicap Ramp	\$ 157,000.00		\$ 157,000.00		\$ 157,000.00				
7	Evidence Tracking System	\$ 25,000.00		\$ 25,000.00		\$ 25,000.00				
8	Crime Mapping Software	\$ 15,000.00		\$ 15,000.00		\$ 15,000.00				
9	Sign Refurbishment	\$ 10,000.00		\$ 10,000.00	\$ 10,000.00					
10	Personnel Transport Vehicle	\$ 35,000.00		\$ 35,000.00			\$ 35,000.00			
11	Video Enhancement System	\$ 10,000.00		\$ 10,000.00		\$ 10,000.00				
14	Spare MDTs	\$ 20,000.00		\$ 20,000.00	\$ 5,000.00	\$ 5,000.00		\$ 10,000.00		
13	Matrix Convert Video	\$ 12,000.00		\$ 12,000.00		\$ 12,000.00				
	Mobile In-Car Radios	\$ 100,000.00		\$ 100,000.00		\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
	Dual Purpose Patrol K-9	\$ 9,000.00		\$ 9,000.00			\$ 9,000.00			
12	SRT Ballistic Entry Vest	\$ 70,000.00		\$ 70,000.00		\$ 70,000.00				
	Fencing at Firing Range	\$ 100,000.00		\$ 100,000.00			\$ 100,000.00			
	Total Capital Budget Police	\$ 2,944,000.00		\$ 2,944,000.00	\$ 294,000.00	\$ 746,000.00	\$ 580,000.00	\$ 449,000.00	\$ 436,000.00	\$ 439,000.00
	Grant Total Police	\$ 2,976,800.00		\$ 2,976,800.00	\$ 309,000.00	\$ 753,800.00	\$ 585,000.00	\$ 454,000.00	\$ 436,000.00	\$ 439,000.00
Administration										
Operating Budget										
	ADA Transition Plan Implementation	\$ 150,000.00		\$ 150,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
	Total Operating Budget Administration	\$ 150,000.00	\$ -	\$ 150,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
Other Funding Sources										
	City Hall and Clock Tower Stucco/Plaster Exterior/Windows - State Allocation	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00					
	Total Other Funding Administration	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00	\$ -	\$ -	\$ -	\$ -	\$ -
	Grant Total Administration	\$ 350,000.00	\$ 200,000.00	\$ 350,000.00	\$ 225,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
Technology Infrastructure										
Operating Budget										
1	Computers, Telephone Upgrades & Software	\$ 270,000.00		\$ 270,000.00	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00
3	Servers	\$ 60,000.00		\$ 60,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
	Total Operating Budget Technology Infrastructure	\$ 330,000.00		\$ 330,000.00	\$ 55,000.00	\$ 55,000.00	\$ 55,000.00	\$ 55,000.00	\$ 55,000.00	\$ 55,000.00

**CITY OF LENOIR
GENERAL FUND CIP
2022-2023 Budget Year**

Department's	General Fund	Total Project Cost	Funding from Other Source	Remaining	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028
Other Funding Sources										
2	Cybersecurity and Software Upgrade - ARP Funds	\$ 380,000.00	\$ 300,000.00	\$ 380,000.00	\$ 300,000.00		\$ 25,000.00	\$ 15,000.00	\$ 25,000.00	\$ 15,000.00
	Total Other Funding Sources Technology Infrastructure	\$ 380,000.00	\$ 300,000.00	\$ 380,000.00	\$ 300,000.00	\$ -	\$ 25,000.00	\$ 15,000.00	\$ 25,000.00	\$ 15,000.00
	Grant Total Technology Infrastructure	\$ 710,000.00	\$ 300,000.00	\$ 710,000.00	\$ 355,000.00	\$ 55,000.00	\$ 80,000.00	\$ 70,000.00	\$ 80,000.00	\$ 70,000.00
Recreation										
Capital Budget										
	Disc Golf Course	\$ 25,000.00		\$ 25,000.00		\$ 25,000.00				
	Aquatic Center Ceiling Replacement	\$ 75,000.00		\$ 75,000.00			\$ 75,000.00			
	Aquatic Center Locker Room Renovations	\$ 75,000.00		\$ 75,000.00			\$ 75,000.00			
5	Utility Vehicle for Greenway	\$ 20,000.00		\$ 20,000.00		\$ 20,000.00				
1	Aquatic Center HVAC Replacement	\$ 25,000.00		\$ 25,000.00	\$ 25,000.00					
6	MLK Center HVAC Replacement	\$ 10,000.00		\$ 10,000.00		\$ 10,000.00				
	Vehicles	\$ 70,000.00		\$ 70,000.00		\$ 35,000.00			\$ 35,000.00	
2	Mulberry Recreation Center Roof Replacement	\$ 150,000.00		\$ 150,000.00	\$ 150,000.00					
3	Mulberry Recreation Center Playground Improvements	\$ 21,000.00		\$ 21,000.00	\$ 21,000.00					
4	Mulberry Recreation Center Outdoor Pickle ball Courts	\$ 20,000.00		\$ 20,000.00	\$ 20,000.00					
	Total Capital Budget Recreation	\$ 491,000.00	\$ -	\$ 491,000.00	\$ 216,000.00	\$ 90,000.00	\$ 150,000.00	\$ -	\$ 35,000.00	\$ -
Other Funding Sources										
	LAFC Renovation - PARTF Grant	\$ 1,000,000.00	\$ 500,000.00	\$ 1,000,000.00		\$ 500,000.00	\$ 500,000.00			
	Parks and Rec. Master Plan - ARP Funding	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00					
	LHS Campus Renovations and Improvements - TBD	\$ 5,000,000.00	\$ 5,000,000.00	\$ 5,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00	
	LHS Campus Master Plan - ARP Funding	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00					
	Mack Cook Stadium Lighting - State Allocation &TBD	\$ 225,000.00	\$ 225,000.00	\$ 225,000.00	\$ 225,000.00					
	Total Other Funding Sources Recreation	\$ 1,225,000.00	\$ 725,000.00	\$ 1,225,000.00	\$ 225,000.00	\$ 500,000.00	\$ 500,000.00	\$ -	\$ -	\$ -
	Grant Total Recreation	\$ 1,716,000.00	\$ 725,000.00	\$ 1,716,000.00	\$ 441,000.00	\$ 590,000.00	\$ 650,000.00	\$ -	\$ 35,000.00	\$ -
Economic Development Department										
Capital Budget										
2	Holiday/Christmas Decorations for Downtown	\$ 100,000.00		\$ 100,000.00	\$ 100,000.00					
	Total Capital Budget Main Street	\$ 100,000.00	\$ -	\$ 100,000.00	\$ 100,000.00	\$ -	\$ -	\$ -	\$ -	\$ -
Other Funding Sources										
3	City-wide Wayfinding Signs and Installation - TBD	\$ 641,500.00	\$ 641,500.00	\$ 1,021,500.00		\$ 1,021,500.00				
4	Downtown "Overmountain Victory" Outdoor Market & Pavilion- State Allocation	\$ 450,000.00	\$ 450,000.00	\$ 450,000.00	\$ 450,000.00					
	Smith Crossroads Sign - LTDA Funding	\$ 165,000.00	\$ 165,000.00	\$ 165,000.00	\$ 165,000.00					
1	Downtown Comprehensive Master Plan - ARP Funds	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00					
	Total Other Funding Sources Main Street	\$ 1,331,500.00	\$ 1,331,500.00	\$ 1,711,500.00	\$ 690,000.00	\$ 1,021,500.00	\$ -	\$ -	\$ -	\$ -
	Grand Total Main Street	\$ 1,431,500.00	\$ 1,331,500.00	\$ 1,811,500.00	\$ 790,000.00	\$ 1,021,500.00	\$ -	\$ -	\$ -	\$ -
	Grand Total Operating Budget	\$ 3,699,800.00	\$ -	\$ 3,699,800.00	\$ 595,000.00	\$ 817,800.00	\$ 646,000.00	\$ 571,000.00	\$ 560,000.00	\$ 510,000.00
	Grant Total Capital Budget	\$ 7,741,000.00	\$ 15,000.00	\$ 7,726,000.00	\$ 1,169,000.00	\$ 2,120,000.00	\$ 1,187,000.00	\$ 1,128,500.00	\$ 863,000.00	\$ 1,258,500.00
	Grant Total Other Funding Sources	\$ 12,846,000.00	\$ 5,406,500.00	\$ 13,196,000.00	\$ 3,690,000.00	\$ 4,736,000.00	\$ 1,095,000.00	\$ 817,500.00	\$ 1,080,000.00	\$ 1,777,500.00
	Grand Total CIP	\$ 24,286,800.00	\$ 5,421,500.00	\$ 24,621,800.00	\$ 5,454,000.00	\$ 7,673,800.00	\$ 2,928,000.00	\$ 2,517,000.00	\$ 2,503,000.00	\$ 3,546,000.00

City of Lenoir Funding Opportunities					
Project	Funding Source	Description	Amount	Match	Total
Lenoir Greenway Expansion	State Allocation Funds	Grant to expand the Lenoir greenway system	750,000.00		750,000.00
Downtown Improvement/Enhancements	State Allocation Funds	Grant to construct a Farmers Market Pavilion	450,000.00		450,000.00
Downtown Improvement/Enhancements	State Allocation Funds	Grant to make City Hall Building Improvements	200,000.00		200,000.00
Downtown Improvement/Enhancements	State Allocation Funds	Grant for Mark Cook Stadium Lighting @ The Campus	100,000.00	25,000.00	125,000.00
Fire Truck/Rescue Pumper	ARP Funds	Purchase one Fire Truck/Rescue apparatus to enhance the service capability and service delivery to our citizens. The new truck will have pumping capabilities to suppress fires as well as haul rescue equipment and replaces our current 2004 Rescue Truck that has no pumping capabilities.	700,000.00		700,000.00
Automated Garbage Truck	ARP Funds	Purchase one automated garbage truck to assist with the continued conversion to automated garbage pick-up as this can be utilized to replace aging equipment.	300,000.00		300,000.00
Future Grant Matches	ARP Funds	Set aside funding for future grant matches in coordination with the WPCOG.	500,000.00	500,000.00	1,000,000.00
Water Project - Hwy 18	ARP Funds	Fund water line upgrade to improve the water pressure on Morganton Blvd. (HWY 18) and the Fairview area. The total project cost is estimated to be approximately \$2 million.	942,491.00	1,057,509.00	2,000,000.00
Cyber Security and Software	ARP Funds	Improve the current IT infrastructure to address cyber security changes and upgrade the 14-year-old financial software system.	300,000.00		300,000.00
Master Planning	ARP Funds	The City of Lenoir would like to develop master plans for the historic Campus at Lenoir High School, Downtown Lenoir and Parks and Recreation.	200,000.00		200,000.00
Greenway Expansion & Upgrades	ARP Funds	The plan calls for a continued investment in upgrading the greenways to promote outside healthy living.	200,000.00		200,000.00
Premium Pay for Essential Workers	ARP Funds	The plan calls for a one-time bonus for city employees. City employees worked throughout the COVID-19 pandemic to provide essential services.	692,200.00		692,200.00
Crossroads Sewer Project	NCDEQ	An application was submitted to NC Division of Water Infrastructure in October of 2018 for an SRF loan to fund the sewer line replacement and rehabilitation from the manhole behind Yokefellow to the golf course. As we continue to have manholes in this location that will overflow during heavy and extended rain events, this project is a portion of a larger project in the CIP along Harper Avenue. Due to the continued problems, it was decided to move more quickly with a project to address the concerns associated with the overflows. NC DWI approved the loan application in late February 2019. The design of the sewer line relocation or replacement will take into consideration options to accommodate the extension of the greenway through Smith Crossroads towards the golf course. The bridge area brings into question whether or not the line location will complicate being able to extend the path under the bridge or even if the line can be relocated at all due to the bridge structure. NC DWI has approved our loan package in the amount of \$2.7 million. The amount was increased due to the addition of additional work to eliminate a sewer line that runs under the major intersection of US 321 and Hwy 18/64 at Smith Crossroads. The contract for construction has been awarded and we anticipate construction to begin in early February 2022.	2,775,000.00	55,500.00	2,830,500.00

Smith Crossroads - Signage	LTDA	With support from the LTDA and other local funding, the process of manufacturing and installing a back-lit decorative sign for the Smith Crossroads location has begun. This project requires coordination with multiple stakeholders (NCDOT, Duke Energy, sub-consultants). Incorporating the recently developed City logo/brand and tagline “CREATE WITH US,” gateway sign located at Smith Crossroads.	165,000.00		165,000.00
Hospital Avenue Sidewalk	NCDOT	The Hospital Avenue Sidewalk Project to include the expenditure of grant and local funds to engineer, design, acquire rights-of-way, relocate utilities, and construct sidewalks on Hospital Avenue. Funding of \$1,000,000 for this project will be from a Locally Administered Project Program from the Federal Highway Administration and local funds. This is a five year project. Council approved the NCDOT Agreement on September 16, 2016.	800,000.00	200,000.00	1,000,000.00
Subtotal			9,074,691.00	1,838,009.00	10,912,700.00
Possible Funding Opportunities					
Arrowood Bridge Replacement	FEMA BRIC	Project will replace the Arrowood Street Bridge which is in need of repair. The Public Works Director worked with consultant, Mattern and Craig, to develop a FEMA grant application for replacement of the Arrowood Street Bridge. The application process began in November, 2021, with intermediate submission deadlines in November, December, and a final submission deadline in January, 2022. The application includes a funding request for \$525,000 (70%), and notice of award, if successful, should occur in July, 2022.	525,000.00	225,000.00	750,000.00
Sewer Outfall Upgrade	FEMA BRIC	- FEMA made available a grant opportunity for funding projects that improve or mitigate infrastructure that is located in flood hazard areas. The Utilities Department, working with the Western Piedmont COG, identified two potential projects and submitted a grant application for 70% funding with a 30% local match. The projects would involve the construction of an equalization basin to equalize the flow during severe rain events and a new septic tank receiving station at the Lower Creek Wastewater Treatment Facility. In addition, funds have been requested to replace the sewer line that follows Zack’s Fork Creek from Pennell Street to the soccer complex on Zack’s Fork Rd. The total project cost is \$8.0 million with \$5.6 million in grant funding and \$2.4 million in local match. The sewer line replacement is currently in the Utilities department CIP. The equalization basin is part of a larger renovation project for Lower Creek also identified in the current CIP.	5,600,000.00	2,400,000.00	8,000,000.00
Rural Downtown Transformation Grant			1,000,000.00		1,000,000.00

Aquatics Center	PARTF GRANT	The Recreation Department is working with McGill Associates, PA on applying for a PARTF Grant this year. The grant would be for renovations at the LAFC and the Rotary Soccer complex. The LAFC facility is in dire need of some upgrades and this may be a way to improve the facility. Some of the updates would include a splash pad outside where the kiddie pool is now, also we would like to renovate the locker rooms from top to bottom, put new flooring throughout the whole building, including the pool deck, new LED lighting, a new decktron system that helps with the moisture inside the building. Also we are looking at building a picnic shelter and some playground equipment at the Rotary Soccer complex.	500,000.00	500,000.00	1,000,000.00
OVNHT Greenway Link	RTP GRANT	The City of Lenoir recently received a \$250,000 Recreational Trails Program grant to design and build three street crossings along the Overmountain Victory National Historic Trail (OVNHT) that runs through downtown. The total project cost to design and build the crossings is \$312,000. The grant is \$250,000 and the City is matching the grant with \$62,500 in local, in-kind contributions.	250,000.00	62,500.00	312,500.00
Finley Avenue Area Water Project	State SRF Program	This project was identified and placed in the CIP several years ago. Its purpose is to improve the low pressure concerns in the area around the Finley water tank through system improvements that create a medium pressure zone in the specified area. Preliminary engineering has been completed and the report was used for a funding application that was submitted to the State Revolving Fund in the fall of 2020. The first application was declined however we have resubmitted the funding application after making several changes to the scope of the project. We are currently waiting for the acceptance of the application and funding approval from the State SRF program. The end results of this project will provide better water pressure and well as improved fire protection to the identified area.	\$5,750,000	\$115,000	\$5,865,000
Water Interconnection Project - Phase I	TBA	The water distribution system analysis identified a possible interconnection of the Lenoir water system with a neighboring utility in the region. A more detailed engineering review of this project is being finalized. Funds being made available through the state and federal government are being considered to facilitate this project as they come available.	2,350,000.00		2,350,000.00
Water Interconnection Project - Phase II	TBA	The water distribution system analysis identified a possible interconnection of the Lenoir water system with a neighboring utility in the region. A more detailed engineering review of this project is being finalized. Funds being made available through the state and federal government are being considered to facilitate this project as they come available.	16,700,000.00		16,700,000.00
Whitnel Transmission Line Replacement - Phase #1	ARP, Infrastructure Funds or SRF Funding - TBD	This project was identified in the water distribution system analysis as a top priority project. It would replace the existing 20 inch line from the water plant to Sawmills with a 24 inch line. Cost estimates range from \$7 million to \$10 million dollars. Surveying is underway to determine the location of the new line.	10,000,000.00		10,000,000.00
Brownfield Assessment Grant - #2	EPA	The City has submitted an application to EPA for a second Brownfield assessment grant in the amount of \$500,000.00 to complete the work at the old Broyhill site and several other sites in Lenoir including the former American and Efrid furniture location. Notification of grant funding should be in the spring of 2022.	500,000.00		500,000.00

The Campus Improvements	CDBG	Phased improvements to the auditorium in the Historic Lenoir High School continue. The completed ADA compliant and accessible ground floor bathrooms allows for the facilitate to increase use of the auditorium. Evaluation and discussions are underway regarding the use of the adjacent buildings is with the hope for an increase in much needed event spaces in the Downtown core and maximize the use of City owned properties. Theater/stage and audio upgrades to the auditorium would provide us with an ideal setting to host a variety of events and meetings.	250,000.00		250,000.00
Wayfinding	NC COMMERCE TOURIM GRANT	Grant funding for a wayfinding system to provide information regarding attractions, municipal amenities and local businesses. Signs will encourage travelers on 321 to visit downtown, the LHS Theater Auditorium and Recreational Fields, our Mountain Bike Trails, OVT Trails, Greenway MLK and Aquatic Center - to name just a few.	1,021,500.00		1,021,500.00
TBD	JBS/T-Mobile Hometown Grant	TBD	95,000.00		95,000.00
Subtotal			44,541,500.00	3,302,500.00	47,844,000.00
Grant Total			53,616,191.00	5,140,509.00	58,756,700.00

FY 2022-2023

Outstanding Items

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

Current Funding Commitments

- Hospital Avenue Sidewalk -
- RTP Grant -
- JE Broyhill Park Phase 2 -
- Smith Crossroads Signature Wayfinding Sign -
- LFD Sinkhole -
- Greenway Culvert Repair - Red Roof Inn

CDGB Funding

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

ARP Funding

- Infrastructure
 - o Fire Truck/Rescue Pumper -
 - o Automated Garbage Truck -
 - o Future Grant Matches -
 - o Water Project - Hwy 18 -
 - o Cyber Security and Software -
- Other
 - o Master Planning (The Campus, Downtown, P&R) -
 - o Greenway Expansion & Upgrades -
 - o Premium Pay for Essential Workers -

State Funding

- Lenoir Greenway Expansion:
- Downtown Improvements/Enhancements:
 - o Farmers Market Pavilion
 - o City Hall Building Improvements
 - o Mack Cook Stadium Lighting @ The Campus

Future Items - General Fund

- Code Enforcement/Demolitions -
- Strategic Foreclosures -
- Strategic Milling/Paving: Hospital Ave. -
Parkview Streets -
- Downtown 2-way Traffic Conversion (3-Phases)
 - Phase 1 -
 - Phase 2 -
 - Phase 3, if needed -
- LAFC PARTF Grant -
- EPA Brownfield Assessment Grant #2 -
- Wayfinding Signage (57 Vehicular/4 Gateway) -
- The Campus - LHS Auditorium/Gym/Field/Band Bldg. -
- Arrowood Bridge -

- Circle Drive Repair
- Mulberry Rec Roof

OTHER

CITY OF LENOIR
COUNCIL ACTION FORM

- I. Agenda Item:** Resolution to Adopt the Proposed 2022-2023 Lenoir Water and Sewer Fund Capital Improvement Plan
- II. Background Information:** At the April 5, 2022 City Council meeting the Council adopted two resolutions that authorized an application to the State Division of Water Infrastructure seeking SRF funding for the Whitnel Water Transmission Main Project and the Lower Creek WWTP Equipment and Concrete Repair Project. One of the requirements of the application process is for the Council to adopt a current Capital Improvement Plan for the Water and Sewer Fund.

An updated CIP and Water and Sewer Fund financial analysis were presented to the City Council at the March 22, 2022 Committee of the Whole meeting for review and comment. Budget preparation and the SRF applications are based upon the final draft of the CIP that was presented at that time.

The resolution included in your agenda packet is for adoption of the Water and Sewer Fund CIP as presented on March 22, 2022 to meet the requirements of the Division of Water Infrastructure SRF funding application.

- III. Staff Recommendation:** Staff recommends approval of the resolution to adopt the Water and Sewer Fund CIP.

- 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
F. KENT GREER
T. H. PERDUE
J. I. PERKINS
R. S. PRESTWOOD
D. F. STEVENS
C. D. THOMAS

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 22, 2022 to present the 10-Year Water and Sewer CIP, and
- WHEREAS,** Applications for funding submitted to the NC 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 (CIP) as updated for the Fiscal Year 2021-22 budget, as presented at the March 22, 2022 City Council Budget Retreat.

Adopted this the 19th day of April, 2022 at Lenoir, North Carolina.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk



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 adoption of the 10-Year Capital Improvement Plan, as regularly adopted at a legally convened meeting of the City Council of the City of Lenoir duly held on the 19th day of April, 2022; 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 _____, 2022.

Signature

Shirley Cannon, City Clerk

Printed Name and Title

Table 1
City of Lenoir
Water and Sewer Fund
Capital Improvements Plan - 2022

Water Improvements

Project Number	Project Description	10-Yr CIP Cost	Current 2022	Year 1 2023	Year 2 2024	Year 3 2025	Year 4 2026	Year 5 2027	Year 6 2028	Year 7 2029	Year 8 2030	Year 9 2031	Year 10 2032	Years 11+ 2033
Vehicles and Equipment														
Distribution System Vehicles and Equipment		417,000	95,000	109,000	-	55,000	-	-	60,000	61,000	-	65,000	67,000	-
Water Treatment Vehicles and Equipment		742,000	123,000	97,000	77,000	36,000	116,000	162,000	48,000	49,000	51,000	52,000	54,000	-
Subtotal - Vehicles and Equipment		1,159,000	218,000	206,000	77,000	91,000	116,000	162,000	108,000	110,000	51,000	117,000	121,000	-
Distribution System														
1	Water Line Replacements	1,700,000						500,000	600,000	600,000				2,219,000
2	Water System Improvements	6,220,000			6,220,000									
3	Major Pressure Reducing Valve Vaults	660,000		320,000		340,000								
4	Hudson Valve Insertions	-	110,000											
5	Whitnel Transmission Line Replacement - Phase 1	5,230,000			5,230,000									
6	Walt Arney Road Water Line Replacement	450,000					450,000							
7	Hudson Tank Pump Upgrades	510,000			510,000									
8	Pleasant Hill Road Water Improvements	750,000								750,000				
9	Zacks Fork to Cottrell Hill Water Supply Loop	-												1,650,000
10	Whitnel Transmission Line Replacement - Phase 2	-												13,010,000
11	Morganton Blvd Water Line - Phase 1	900,000		900,000										
12	Morganton Blvd Water Line - Phase 2	2,430,000					2,430,000							
13	Whitnel-Cajahs Water Pump Station	2,030,000						2,030,000						
14	Divisional Valve Replacements	621,000	90,000	93,000	95,000		101,000		107,000	111,000		114,000		
15	Joyceton Water Improvements	106,000			106,000									
16	Water System Interconnect #1	2,960,000				2,960,000								
17	Water System Interconnect #2a	10,270,000								10,270,000				
17	Water System Interconnect #2b	11,220,000											11,220,000	
Water Treatment														
18	Flash Mid Basin Repairs	-	460,000											
19	AWIA Compliance Projects	200,000	150,000	100,000	100,000									
20	Filter Valve Upgrades	1,400,000		680,000		720,000								
21	Finished Water Pump Station Expansion	900,000				900,000								
22	Backwash Supply Improvements	300,000				300,000								
23	Operations Building Upgrades	1,515,000	10,000	15,000			1,500,000							
24	Generator and Electrical System Loop	-												2,799,000
Subtotal - Water Improvements Infrastructure		50,372,000	820,000	2,108,000	12,261,000	5,220,000	4,481,000	2,530,000	707,000	11,731,000	-	114,000	11,220,000	19,678,000
Total - Water Improvements		51,531,000	1,038,000	2,314,000	12,338,000	5,311,000	4,597,000	2,692,000	815,000	11,841,000	51,000	231,000	11,341,000	19,678,000
Test Year (FY22) CIP: Water Improvements			1,038,000											
10-Yr CIP: Water Improvements FY23-32		51,531,000		2,314,000	12,338,000	5,311,000	4,597,000	2,692,000	815,000	11,841,000	51,000	231,000	11,341,000	

Table 1
City of Lenoir
Water and Sewer Fund
Capital Improvements Plan - 2022

Wastewater Improvements

Project Number	Project Description	10-Yr CIP Cost	Current 2022	Year 1 2023	Year 2 2024	Year 3 2025	Year 4 2026	Year 5 2027	Year 6 2028	Year 7 2029	Year 8 2030	Year 9 2031	Year 10 2032	Years 11+ 2033
Vehicles and Equipment														
Subtotal - Vehicles and Equipment		1,474,000	-	137,000	95,000	99,000	102,000	464,000	109,000	112,000	115,000	119,000	122,000	-
Collection System														
25	Sewer Line Replacements	5,500,000								1,000,000	2,000,000	2,500,000		2,820,000
26	Crossroads Sewer Replacement	0	2,530,000											
27	Manhole Improvements	600,000	250,000	180,000			200,000				220,000			
28	Pennton to Hwy 18 Sewer	980,000				980,000								
29	Zacks Fork Sewer Replacement	2,030,000				2,030,000								
30	Main Street (Valway to 321) Sewer Replacement	980,000				980,000								
31	Rehab Blairs Fork Outfall	770,000				770,000								
32	Golf Course Sewer Replacement	3,210,000					3,210,000							
33	Gunpowder Creek Interceptor Replacement	3,200,000						3,200,000						
34	East Harper Avenue Sewer Replacement	540,000									540,000			
35	Meadowood Upstream Sewer Replacement	1,710,000										1,710,000		
36	Meadowood Lift Station Improvements	500,000										500,000		
37	Dula Town and Spring St Lift Station Improvements	42,000		42,000										
Wastewater Treatment														
38	Septage Receiving Station / Vactor Dump	570,000				570,000								
39	Lower Creek WWTP Facility Repairs, Roads, Paving	144,000		144,000										
40	Lower Creek WWTP Equipment and Concrete Repa	3,089,000			3,089,000									
41	Lower Creek WWTP Equalization Basin	3,690,000							3,690,000					
42	Lower Creek WWTP Treatment Improvements	6,366,000									6,366,000			
Subtotal - Wastewater Improvements		33,921,000	2,780,000	366,000	3,089,000	5,330,000	3,410,000	3,200,000	3,690,000	1,000,000	9,126,000	4,710,000	-	2,820,000
Total - Wastewater Improvements		35,395,000		503,000	3,184,000	5,429,000	3,512,000	3,664,000	3,799,000	1,112,000	9,241,000	4,829,000	122,000	2,820,000
Current Year (FY22) CIP: Wastewater Improvements			2,780,000											
10-Yr CIP: Wastewater Improvements FY23-32		35,395,000		503,000	3,184,000	5,429,000	3,512,000	3,664,000	3,799,000	1,112,000	9,241,000	4,829,000	122,000	

Total Water and Wastewater Capital Improvements Plan

Current Year (FY22) CIP: Total Water/Wastewater		3,818,000												
10-Yr CIP: Total Water and Wastewater		86,926,000		2,817,000	15,522,000	10,740,000	8,109,000	6,356,000	4,614,000	12,953,000	9,292,000	5,060,000	11,463,000	



City of Lenoir Police



Council Action Form

I. Agenda Item:

Proclamation in Recognition of Public Safety Telecommunicators Week
(present at April 5, 2022 Council Meeting)

II. Background Information:

National Public Safety Telecommunications Week for 2022 has been designated as April 10 - 16. The department wishes to recognize (by proclamation) the employees who serve in our e911 Communications Center.

III. Staff Recommendation:

IV. Reviewed by:

City Attorney: _____ Date: _____

City Manager: _____ Date: _____

Police Chief: *Butt* Date: 4/4/2022



PROCLAMATION

In Recognition of

Public Safety Telecommunicators Week

April 10 – 16, 2022



Whereas, the Lenoir Police Department Telecommunicators play a vital role in the protection of human life and property in our community; and

Whereas, the Lenoir Police Department Telecommunicators have been successfully serving the public safety communication needs of the City of Lenoir throughout the year; and

Whereas, while enduring long hours, abnormal schedules, and handling frequent life and death emergencies, Telecommunicators set high standards in performing their duties in a dedicated, diligent, and compassionate manner; and

Whereas, Telecommunicators provide a critical communication link between the residents and Emergency Responders; and

Whereas, these individuals efficiently coordinate emergency services to ensure the health and safety of our residents, visitors, and travelers in our community, 24-hours a day, seven days a week; and

Whereas, our Public Safety Communications personnel serve the public daily in countless ways without due recognition by the beneficiaries of their services;

Therefore Be It Resolved, that I, Joseph L. Gibbons, Mayor of the City of Lenoir, and on behalf of the Lenoir City Council, do hereby proclaim and declare the week of April 10 – April 16, 2022

“National Public Safety Telecommunicators Week”

in the City of Lenoir, in honor of the men and women whose diligence and professionalism keep our city and first responders safe.

Witness, my hand and seal this the _____ day of _____, 2022.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk

Board Re-appointment

Charles Thomas Foothills Regional Airport Authority Term Expires:: June 30, 2024