

**LENOIR CITY COUNCIL
TUESDAY, AUGUST 2, 2022
6:00 P.M.**

- PRESENT:** Mayor Joe Gibbons presiding. Councilmembers present were Mayor Pro-Tem Crissy Thomas, Jonathan Beal, Kent Greer, Ike Perkins, Ralph Prestwood, David Stevens, City Manager Scott Hildebran, City Clerk Shirley Cannon and City Attorney T.J. Rohr.
- ABSENT:** Mayor Pro-Tem Crissy Thomas, Councilman Todd Perdue and Economic Development Director Kaylynn Horn.
- STAFF PRESENT:** Police Chief Brent Phelps, Planning Director Jenny Wheelock, Public Utilities Director Radford Thomas, Interim Public Works Director Ed Evans, Communications Director Joshua Harris, Jon Hogan, Public Works Operation Manager.
- ZOOM:** Finance Director Donna Bean.
- OTHERS:** Cady Davis, *News-Topic*, attended the meeting as well.

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.

CONDOLENCES; MATT POWELL

- FAMILY:** B. On behalf of City Council, Mayor Gibbons extended condolences to the family of City employee, Matt Powell. Matt worked for the City of Lenoir Parks and Recreation Department for fifteen years as a landscaper. He was a great co-worker and will be greatly missed by all. Mayor Gibbons asked everyone to keep Matt's family in their thoughts and prayers during this difficult time.

PRAYERS; RETIRED FIREFIGHTER

- SAM SMITH:** C. On behalf of City Council, Mayor Gibbons, asked everyone to keep Sam Smith, retired Captain with the Lenoir Fire Department, in their thoughts and prayers. Mr. Smith is currently in Mission Hospital in Asheville being treated for several health issues.

**CONGRATULATIONS; BRENT
PHELPS, CHIEF OF POLICE:**

- D. On behalf of City Council, Mayor Gibbons congratulated Brent Phelps, Chief of Police, upon completing the Public Elected Leadership Academy (PELA) at the UNC School of Government. Mayor Gibbons expressed appreciation to Chief Phelps for all of his time and effort in completing this course.

Chief Phelps thanked City Council for the recognition and their support.

**SPECIAL RECOGNITION;
DYSART-KENDAL AMERICAN**

- LEGION POST 29:** E. On behalf of City Council, Mayor Gibbons read a resolution and presented a framed City flag to Dysart-Kendall American Legion Post 29, in honor and recognition of their Centennial Celebration, 1922-2022. Mr. Irv Eurto,

Commander, Post 29, along with Wayne Mihelich, Mike Mizak, and Bill Oxford, accepted the flag and resolution.

Mayor Gibbons stated Joshua Harris, Communications Director, researched the history of the organization that is included in the resolution. The American Legion was founded in 1919, the year after World War I ended, with the purpose of improving morale among our soldiers and providing services and support to American military veterans. The Caldwell County American Legion Post 29 was organized in 1919, the first American Legion Post in the county, with 103 charter members from the ranks of the Army, Navy, Marines, and Coast Guard.

Mr. Eurto thanked City Council for the recognition and remarked they are looking forward to another 100 years. Mr. Eurto stated they really appreciate the efforts of the whole community, the Lenoir Fire Department, Police Department and the Caldwell County Emergency Services (EMS).

Mayor Gibbons thanked Post 29 for all that they do and commented he is very proud of Legion Baseball and very appreciative of all their programs.

**APPOINTED; CITY MANAGER SCOTT HILDEBRAN,
APPALACHIAN STATE ADVISORY COMMITTEE:**

F. Mayor Gibbons announced that City Manager Scott Hildebran has been appointed to serve on the new Appalachian State Hickory Campus Advisory Council. Mayor Gibbons also mentioned Dr. Mark Porch, President, Caldwell Community College & Technical Institute, was appointed to serve as well.

Mayor Gibbons thanked Mr. Hildebran for his service and stated he was proud of the City's relationship with Appalachian State University.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, July 19, 2022 as submitted.
- B. Tax Settlement Report/Order of Collection: In accordance with N.C.G.S. §105-321 & 352, Staff request the FY2021 Tax Collector's Settlement Report and the FY2022 Tax Receipt Charge be authenticated by the City Council as submitted.
- C. Resolution: Dysart-Kendall American Legion Post 29: Approval of a resolution in honor and recognition of the Dysart-Kendall American Legion Post 29's 100th Anniversary as submitted. (A copy of the resolution is hereby incorporated into these minutes by reference. Refer to page 228.)

Upon a motion by Councilmember Stevens, City Council voted 5 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

**PROPOSED RESOLUTION OF SUPPORT;
NAMING OF SCENIC BYWAY:**

- A. Mayor Gibbons introduced Clay McCreary who requested to address City Council regarding a proposed resolution in support of naming a scenic byway as “John Muir Parkway” in Lenoir and Caldwell County.” Mayor Gibbons shared Mr. McCreary was involved in scenic parks and thanked him for bringing this proposal to Council’s attention.

Mr. McCreary thanked City Council for the opportunity and also thanked Planning Director Jenny Wheelock and Planning Technician Hannah Williams for their assistance in providing maps of the route that John Muir would have taken in 1898 on his journey to Lenoir and Caldwell County.

Mr. McCreary shared that John Muir was considered the “Father of National Parks” and was also instrumental with the establishment of Yosemite National Park in 1903. Mr. Muir also traveled to the Grand Canyon and Mount Rainier.

Mr. McCreary stated this presents a unique opportunity for our area and pointed out there are 62 scenic byways in North Carolina, which are chosen and approved by the North Carolina Department of Transportation. He shared these scenic byways are completely funded and maintained by NCDOT. In addition, Mr. McCreary stated this proposal would not change any highway names and noted that a local resolution of support would be beneficial in seeking NCDOT’s approval of the City’s request.

Mr. McCreary stated that Mr. Muir wrote specifically about Western North Carolina, that “The drive from Roan Mountain to Lenoir, 75 miles, is I think the finest in America of its kind.”

Mr. McCreary explained the goal of naming this scenic byway is for travelers to follow the exact route that John Muir took which would bring them to downtown Lenoir to the former location of the historic Commercial Hotel where Mr. Muir was a guest in 1898.

Mr. McCreary pointed out that a significant portion of this proposed scenic byway travels along US Hwy 321 and this stretch of roadway merits scenic byway designation as it meets many of the intrinsic qualities for designation, including cultural, natural, historic, recreational and scenic qualities.

Mayor Gibbons commented this project is similar to the Over Mountain Victory Trail and further adds to bringing people to our community. He read the resolution and presented it to Mr. McCreary to be submitted to NCDOT for their consideration of approval.

A copy of the resolution is hereby incorporated into the minutes by reference. (Refer to page 229.)

Upon a motion by Councilmember Beal, Council voted 5 to 0 to approve the resolution in support of naming a scenic byway as “John Muir Parkway in Lenoir and Caldwell County” as recommended and as submitted.

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

48TH HARAMBEE FESTIVAL:

1. The 48th Harambee Festival is underway this week (August 1 – 6) at the Martin Luther King, Jr. Center.

CRUISE-IN:

2. A Cruise-In will be held on Saturday, August 6 beginning at 3:00 p.m. in downtown Lenoir.

CITY/COUNTY SERVICES COMMITTEE:

3. The City/County Services Committee will meet on Monday, August 8 at noon.

EDC:

4. The Caldwell County Economic Development Commission will meet on Thursday, August 9 at 8:00 a.m.

LENOIR BUSINESS ADVISORY

BOARD:

5. The Lenoir Business Advisory Board (LBAB) will meet on Thursday, August 11 at 6:00 p.m. at City Hall, Third Floor.

GOSPEL SINGING;

MLK CENTER:

6. A Gospel Singing event will be held on Sunday, August 14 at 6:00 p.m. at the Martin Luther King, Jr. Center. (MLK.)

PARKS & RECREATION

ADVISORY BOARD:

7. The Parks and Recreation Advisory Board will meet on Monday, August 15 at 6:00 p.m.

HOLIDAY

CLOSING:

8. City offices will be closed on Monday, September 5 in observance of Labor Day.

SOUTHERN SUNDOWN

4 MILE RACE:

9. The Southern Sundown 4 Mile Race will be held on Saturday, August 20 beginning at 7:00p.m. in downtown Lenoir. Additional information is available online at www.downtownlenoirnc.com.

B. Items for Council Action

BID AWARD; MACK COOK STADIUM LIGHTING:

1. Bids were received and opened on Wednesday, July 27, 2022 for the Sports Lighting Project for Mack Cook Stadium. Staff recommends City Council award the low bid in the amount of \$213,522.00 to Camp Electric Company, Inc., Rutherfordton, N.C., as submitted. This project is part of the improvements at The Campus at Historic Lenoir High School.

A copy of the bid tab is hereby incorporated into these minutes by reference. (Refer to page. 230.)

City Manager Hildebran stated this project has been discussed for over a year and part of the funding has been provided by the Lenoir Tourism Development Authority (LTDA) as well as funding from the state. Mr. Hildebran stated the City needs \$8,500.00 to complete the funding, but pointed out the Caldwell Rotary has assisted the City with raising funds and will continue to help the City raise the remaining funds.

Parks and Recreation Director Kenny Story stated the lights at Mack Cook have been a long time coming. He remarked this is going to be a great project for the City and the community. Director Story mentioned he attended Lenoir High School and he hated to see the lights come down. Director Story further remarked it would help the City in hosting additional events due to the new lighting. Camp Electric has done the lighting at almost all of the Parks and Recreation facilities and they do a great job. Director Story thanked City Council for their consideration of approval.

Councilmember Stevens reiterated this is the first part of the improvements project for The Campus. Mayor Gibbons also stated Mack Cook Stadium has the best field in the City's program.

Upon a motion by Councilmember Prestwood, Council voted 5 to 0 to award the low bid of \$213,522.00 to Camp Electric Company, Inc. for the Sports Lighting Project for Mack Cook Stadium as presented and as recommended by City Staff.

ACCEPTANCE OF OFFER TO PURCHASE LOTS; WHEELER & HARRIS STREETS :

2. Acceptance of Offer to Purchase Lots; Wheeler & Harris Street: Staff recommends Acceptance of an Offer to Purchase Real Property in the amount of \$2,000 as submitted by Michael Corpening, 1801 Hoods Creek Road, Lenoir, NC, in order to purchase six (6) vacant lots owned by the City of Lenoir adjacent to properties owned by Mr. Corpening. The parcels are as follows:
 - 1) NCPIN: 2749589039, Parcel ID 06-17-3-30A (508 Harris Street - 0.140705 acre)
 - 2) NCPIN: 2749588050, Parcel ID 06-17-3-32 (509A Harris Street - 0.254839 acre)
 - 3) NCPIN: 2749578907, Parcel ID: 06-17-3-33 (514 Wheeler Street - 0.259367 acre)
 - 4) NCPIN: 2749577938, Parcel ID 06-17-3-35 (516B Wheeler Street - .070615 acre)
 - 5) NCPIN: 2749577981, Parcel ID 06-17-3-34 (516 Wheeler Street - .072263 acre)
 - 6) NCPIN: 2749577906, Parcel ID 06-17-3-65 (518B Wheeler Street - .067246 acre).

Note: The legal advertisement for the Notice of Offer to Purchase Real Property will be published in the News Topic starting a ten (10) day upset bid period as required by N.C.G.S. §160A-269 following Council's Acceptance of the Offer to Purchase. Mr. Corpening will reimburse the City for the cost to publish the legal notice.

A copy of the Acceptance of Offer to purchase six lots on Wheeler and Harris Streets plus a map of the properties is hereby incorporated into these minutes as referenced. (Refer to pages 231-232.)

City Manager Hildebran stated the City acquired these six properties in 2013 through tax foreclosure and pointed out that three lots are non-conforming and three are conforming. He reported the six properties total 0.9 acres and Mr. Corpening's goal is to build three single family homes. In addition, Mr. Corpening owns three of the houses immediately adjacent to these lots. Mr. Hildebran stated the City would start the bid process following City Council's approval.

Councilmember Perkins stated these lots have been vacant for several years and this project will greatly improve the entrance to the City of Lenoir from this area. Mr. Perkins remarked that Mr. Corpening owns several properties and is a great person to complete this project.

Upon a motion by Councilmember Perkins, Council voted 5 to 0 to approve the Acceptance of the Offer to Purchase Real Property in the amount of \$2,000 as described above and as recommended by City Staff.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

X. ADJOURNMENT

A. There being no further business, the meeting adjourned at 6:45 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

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

Dysart-Kendall American Legion Post 29 100 Year Anniversary

WHEREAS, The American Legion was founded in 1919, the year after World War I ended, with the purpose of improving morale among our soldiers and providing services and support to American military veterans; and

WHEREAS, Caldwell County American Legion Post 29 was organized in 1919, the first American Legion post in the county, with 103 charter members from the ranks of the Army, Navy, Marines, and Coast Guard, and

WHEREAS, in November 1921, Post 29 members voted to change the post name to honor Private Charles E. Dysart and Corporal J.E. Kendall the first two soldiers from Caldwell County to die in World War I; and

WHEREAS, Dysart-Kendall American Legion Post 29 was officially chartered on July 11, 1922; and

WHEREAS, in 1924, Post 29 members donated band instruments to Lenoir High School and WWI Veteran and Legion member Captain James C. Harper founded the Lenoir High School Band with the donated instruments; and

WHEREAS, in the run up to World War II, Post 29 members helped recruit and register men for Selective Service, raised money for the victims and families of the Pearl Harbor attack, and raised funds to purchase a \$75,000 aerial ambulance for England; and

WHEREAS, on June 18, 1943, Dysart-Kendall American Legion Post 29 purchased a two-story house at 401 North Main St. to serve as post headquarters and later demolished and built the current building at the same location in 1948; and

WHEREAS, Post 29 members have served veterans and the community in Lenoir and Caldwell County for 100 years through banquets, dances, fundraisers, oratorical contests, Toys for Tots, Legion Baseball, Boy's State, volunteering, and so much more;

NOW THEREFORE BE IT RESOLVED, I, Mayor Joseph L. Gibbons, on behalf of the City of Lenoir City Council, thank Dysart-Kendall American Legion Post 29 members past and present for serving and supporting each other, for giving your time and talents to Lenoir and Caldwell County, and for your military service to this great nation, the United States of America.

This the 2nd day of August 2022.

SEAL


Joseph L. Gibbons, Mayor





CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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

*Resolution in Support of Designating Scenic Byway
Named "John Muir Parkway in Lenoir and Caldwell County"*

WHEREAS, John Muir was a world-renowned conservation figure and is still widely regarded as the "Father of the National Parks" and his contributions as founder of the Sierra Club, a naturalist, author and botanist are of great consequence to many natural places and public lands across the United States; and

WHEREAS, Muir wrote specifically about Western North Carolina that, "The drive from Roan Mountain to Lenoir, 75 miles, is I think the finest in America of its kind," and Muir stayed at the Commercial Hotel in Lenoir in 1898; and

WHEREAS, the scenic stretch of roadway Muir traveled still exists today and remains a place of undeniable beauty, recreational opportunity and Appalachian cultural significance; and

WHEREAS, this route Muir traveled encompasses US Highway 19 E for 2.4 miles, NC-194 for 5.6 miles, NC-181 for 3.4 miles, US-221 for 19.8 miles, US-321 for 18.3 miles and Main Street NW in Lenoir for 1.7 miles; and

WHEREAS, a significant portion of this proposed scenic byway travels along US-321 and this proposed stretch of roadway merits scenic byway designation as it meets many of the intrinsic qualities for designation, including cultural, natural, historic, recreational and scenic qualities; and

WHEREAS, the stretch of roadway travels through places of historic and cultural significance in Caldwell County, including the City of Lenoir, and would promote tourism and statewide interest in these areas and their unique history and scenery associated with the byway and Appalachian culture; and

WHEREAS, this proposed scenic byway would end at the Square in historic downtown Lenoir and provide access to many important historical buildings, some of which existed at the time of Muir's visit, and would conclude at the former site of the historic Commercial Hotel;

NOW THEREFORE BE IT RESOLVED, I, Mayor Joseph L. Gibbons, on behalf of the City of Lenoir City Council, urge the North Carolina Board of Transportation to officially designate this stretch of roadway as a state scenic byway and to name it the John Muir Parkway in honor of Muir's travels in North Carolina along the route and the exceptionally noteworthy quotes he made regarding the unique beauty and outstanding road quality encountered along this historic segment of parkway.

This the 2nd day of August 2022.

Seal


Joseph L. Gibbons, Mayor



Tuesday, August 2, 2022

Route follows N Main Street from Downtown Lenoir, leads north on US-321 in Watauga County, heads south on US-221 in Blowing Rock, then follows NC-181 N and NC-194 N through Linville and Newland to US-19E N and ends at the Tennessee state line.



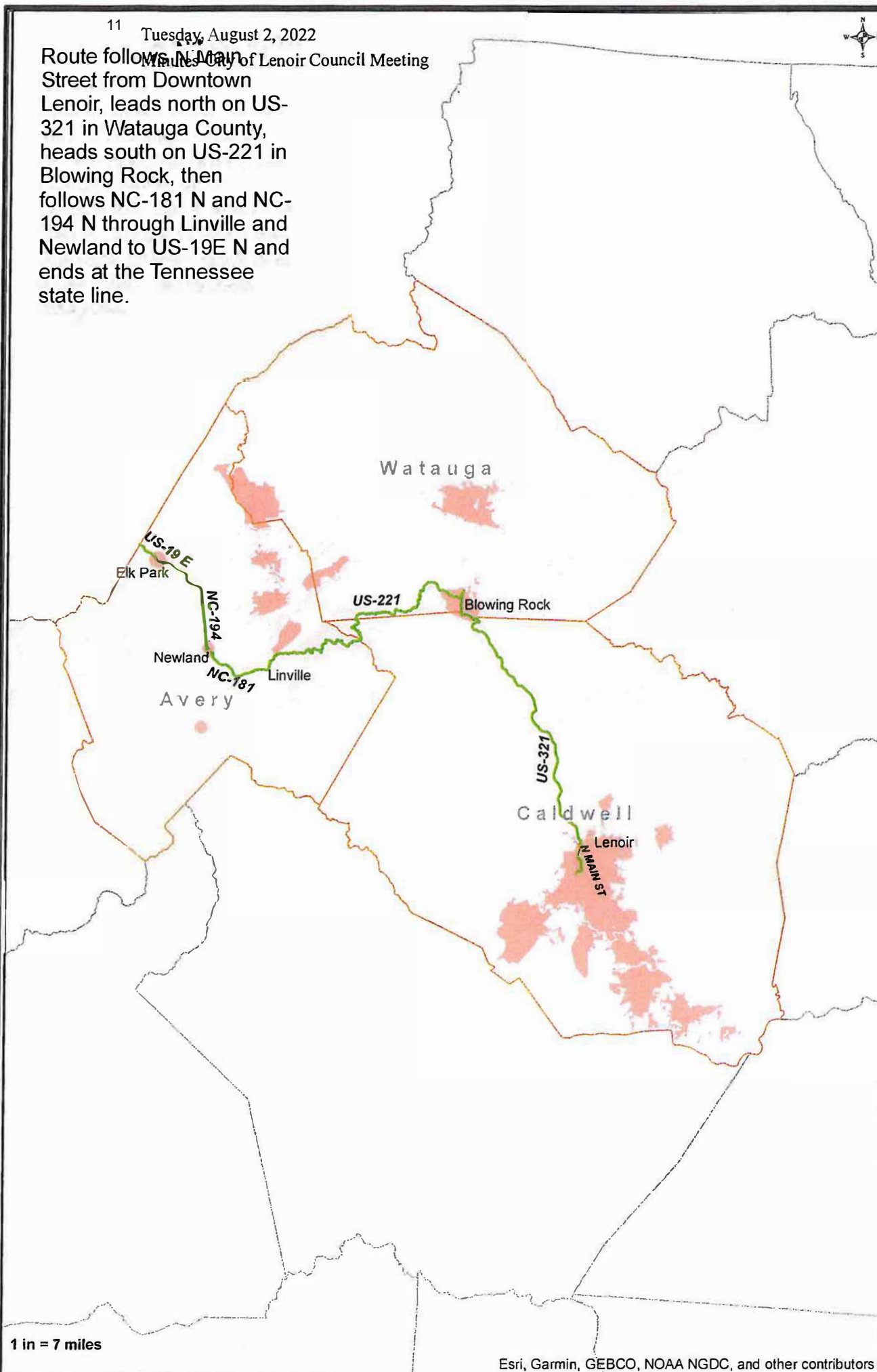
John Muir Parkway

Proposed Scenic Byway

Created by the Lenoir Planning Department on:
7/27/2022

Legend

- Proposed Scenic Byway Route
- Counties within Scope
- Nearby Cities



1 in = 7 miles

Esri, Garmin, GEBCO, NOAA NGDC, and other contributors

Tuesday, August 2, 2022
Minutes-City of Lenoir Council Meeting

Route continues
north

BLOWING
ROCK
BLVD

N MAIN ST

OVERMOUNTAIN VICTORY TRAIL

WESTAY

Downtown
Lenoir



John Muir Parkway

Proposed
Scenic Byway

Legend

- Lenoir City Limits
- Hotel Historic Site
- Potential Extension to connect with OVT (~.5 MI)
- Scenic Byway - Lenoir Section (~2 MI)
- OVT Alignment see ovt.com

Created by the Lenoir
Planning Department on:
7/27/2022

Route follows N Main Street from Downtown Lenoir, leads north on US-321 in Watauga County, heads south on US-221 in Blowing Rock, then follows NC-181 N and NC-194 N through Linville and Newland to US-19E N and ends at the Tennessee state line.



Watauga

Avery

Caldwell

1 in = 13 miles

Esri, Garmin, GEBCO, NOAA
NGDC, and other contributors

0 0.25 0.5 1 Miles



BID TAB

2022 Mack Cook Stadium Sports Lighting
City of Lenoir
Bid Deadline: Wednesday, July 27, 2022

Kenny Story
Recreation Director

[illegible]

Date: 7-22-22

Scott Hildebran, Manager
City of Lenoir
801 West Avenue NW
Lenoir, NC 28645

Mr. Hildebran:

Please accept this letter as my official bid offer of \$2,000.⁰⁰ for property owned by the City of Lenoir and located at 510 Harris ST, further identified by INC PIN _____.

Furthermore, I understand that (check any/all that apply):

- ☐ This property contains a deteriorated or dilapidated structure. As part of my offer, I agree to repair the structure in accordance with the standards contained in Chapter 100 of the Lenoir City Code and all applicable state building codes, or to remove this structure at my own expense.
- ☒ Published Notice. As part of my offer, I agree to pay all costs associated with the public notices required by 160A-269.

Enclosed is a deposit of 5% of the bid in accordance with 160A-269.

Sincerely,

X Michael L. Corpening (please sign)

Full Name: Michael Lewis Corpening
Phone number: 828 781-3619
Email: MichaelCorpening905@HOTMAIL.COM
Mailing Address: 1801 Hooks Creek Rd Lenoir, NC 28645

§ 160A-269. Negotiated offer, advertisement, and upset bids.

A city may receive, solicit, or negotiate an offer to purchase property and advertise it for upset bids. When an offer is made and the council proposes to accept it, the council shall require the offeror to deposit five percent (5%) of his bid with the city clerk, and shall publish a notice of the offer. The notice shall contain a general description of the property, the amount and terms of the offer, and a notice that within 10 days any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder. When a bid is raised, the bidder shall deposit with the city clerk five percent (5%) of the increased bid, and the clerk shall readvertise the offer at the increased bid. This procedure shall be repeated until no further qualifying upset bids are received, at which time the council may accept the offer and sell the property to the highest bidder. The council may at any time reject any and all offers. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 25.)

CITY OF LENOIR
CASH RECEIPT
DUPLICATE

Receipt No: 1302578
Date: 07/22/2022
Time: 03:53:54 PM

Received From:
BID

Amount:	100.00
Paid:	100.00
Change:	0.00

For:
PLANNING DEPT REVENUE 100.00
510 HARRIS ST
3760: 100.00

Received By: ER