



AGENDA

CITY OF LENOIR
CITY COUNCIL MEETING
905 WEST AVENUE
TUESDAY, SEPTEMBER 6, 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 resolution to Ralph Prestwood, President, Caldwell Rotary, in honor and recognition of Caldwell Rotary's 40th Anniversary.
- C. Special Recognition: On behalf of City Council, Mayor Gibbons will present a proclamation to Cindy Day and Diana Hale proclaiming the week of September 17 through 23 as "Constitution Week" in the City of Lenoir.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the City Council minutes of Tuesday, August 16, 2022 as submitted.
- B. Minutes: Approval of the closed session minutes of the City Council meeting of Tuesday, August 16, 2022 as reviewed by the City Attorney, City Council and City Manager.
- C. Minutes; Approval of the minutes of the Committee of the Whole meeting of Tuesday, August 23, 2022 as submitted.
- D. Final Offer to Purchase Real Property; 2585 Collettsville Road: Staff recommends Acceptance of the Final Offer to Purchase Real Property by Resolution in the amount of \$750.00, plus the cost of the required published legal notice, as submitted by Ronnie Brian Teague for property located at 2585 Collettsville Road, and approximately 0.90 acre, a portion of the 33.42 acre tract, NCPIN#2831509864 and Tax ID#06253-1-1 as submitted. Note: The legal advertisement for the Notice of Offer to Purchase Real Property was published in the *News-Topic* on Friday, August 19 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. Staff recommends City Council accept the Final Offer to Purchase because the City did not receive any upset bids.
- E. Proposal; Labrie Automizer Side Loading, 2023 Refuse Truck: Staff recommends City Council authorize the purchase of the Labrie Automizer Side Loading, 2023 Freightliner Refuse Truck by Resolution and at a cost of \$285,000.00 and to authorize the utilization of the competitive bidding group purchasing exception as allowed by the N.C.G.S §143-129(e),(3) as submitted.

- F. Authorizing Resolution; AIA Grant Application for Water: If Council wishes to proceed with the grant submittal; City Council should adopt the proposed Resolution authorizing the City Manager to execute and file the Water System Asset Inventory and Assessment Grant Application on behalf of the City of Lenoir with the North Carolina Department of Environmental Quality (NCDEQ) for this project.
- G. Authorizing Resolution; AIA Grant Application for Wastewater: If Council wishes to proceed with the grant submittal; City Council should adopt the proposed Resolution authorizing the City Manager to execute and file the Water System Asset Inventory and Assessment Grant Application on behalf of the City of Lenoir with the North Carolina Department of Environmental Quality (NCDEQ) for this project.
- H. Reduction; Speed Limits: Staff recommends City Council call for a public hearing to be held on Tuesday, September 20 to consider Adopting the 20 MPH speed limit for the entire lengths on Pennwood Street NE, Glenview Street NE, Circle Drive NE, and Ridgecrest Drive NE, allowing for posting at the discretion of the Public Works Operations Manager as submitted. Note: Following approval, these streets will be listed under Appendix B of the Code of Ordinances, Section 114, "Twenty mile an hour speed limit on the following streets:" as submitted by City Staff.
- I. Establishment of Downtown Social District: Staff recommends City Council call for a public hearing to be held on Tuesday, September 20 to allow for input on the establishment of a Social District and consider adoption of an ordinance establishing a Social District as submitted.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITYMANAGER

A. Items of Information

1. The Lenoir Business Advisory Board (LBAB) will meet on Thursday, September 8 at 6:00 p.m. at City Hall, Third Floor.
2. The annual Sculpture Festival will be held on Saturday, September 10 from 9:00 a.m. – 4:00 p.m. at the J. E. Broyhill Walking Park.
3. The annual North Carolina Department of Transportation's (NCDOT) Fall Litter Sweep begins on Saturday, September 10 and ends on Saturday, September 24. Additional information regarding volunteering locally is available at www.ncdot.gov/littersweep. Note: The City of Lenoir annual Employee Litter Sweep Day will be held on Wednesday, September 21 from 9:30 a.m. – 1:00 p.m.
4. The City/County Services Committee will meet on Monday, September 12 at 8:00 a.m.
5. The Caldwell County Economic Development Commission (EDC) will meet on Tuesday, September 13 at 8:00 a.m.
6. The Parks and Recreation Advisory Board will meet on Monday, September 19 at 6:00 p.m.

B. Items for Council Action

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

X. ADJOURNMENT



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

Caldwell Rotary 40 Year Anniversary

WHEREAS, Chicago attorney Paul Harris formed the Rotary Club of Chicago in 1905, so professionals with diverse backgrounds could exchange ideas and form meaningful, lifelong friendships; and

WHEREAS, in 1982, a group of Lenoir residents gathered to start a new Rotary Club in Caldwell County sponsored by the Lenoir Rotary Club, that club would become the Caldwell Rotary Club, and today the club has the earliest meeting time among Rotary clubs starting at 6:44 a.m.; and

WHEREAS, in 1983, Caldwell Rotary helped give birth to high school soccer in Caldwell County by purchasing soccer goals and balls for all three county high schools and games were originally played at Lenoir High School Mack Cook Stadium; and

WHEREAS, Caldwell Rotary started supporting the Boy Scouts in 1984; and

WHEREAS, the club-sponsored Little League Team won the local championship that same year; and

WHEREAS, Caldwell Rotary donated more than \$4,500 from 1984 to 1985 to support Rotary International's effort to eradicate polio, and a few years later, the club paid to decorate the Caldwell Senior Center lobby and contributed much of the labor for the effort; and

WHEREAS, in 1989, Caldwell Rotary created the Caldwell County Sports Hall of Fame and held the first induction ceremony, and during the last 32 years, 140 individuals and teams have been inducted in the Sports Hall of Fame; and

WHEREAS, One year after its founding, Caldwell Rotary members created the club's most significant project – the Youth Scholarship Program, which provides a scholarship to one graduating senior from each of the county's three high schools, and today those scholarships are awarded in the name of the late Carroll Laxton, Club President from 1996 to 1997, and the late Steve Jaynes, Club President from 1997 to 1998; and

WHEREAS, Caldwell Rotary also provides a yearly scholarship to a local Caldwell Community and Technical Institute student in memory of the late Robert Styres, a Charter Member, Past President, and long-time member of the Lenoir and Caldwell County Boards of Education; and

WHEREAS, During the past 39 years of the Youth Scholarship Program, Caldwell Rotary has donated \$140,000 in funds to support local students and help further their education;

NOW THEREFORE BE IT RESOLVED, I, Mayor Joseph L. Gibbons, on behalf of the City of Lenoir City Council, congratulate Caldwell Rotary Club on its 40th Anniversary and thank club members past and present for their many contributions to local and national causes, and I especially thank Caldwell Rotary for supporting Caldwell County youth and students for the past four decades.

This the 6th day of September 2022.

SEAL




Joseph L. Gibbons, Mayor

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





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

PROCLAMATION IN HONOR OF
CONSTITUTION WEEK

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

WHEREAS, September 17, 2022 marks the two hundred thirty-fifth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

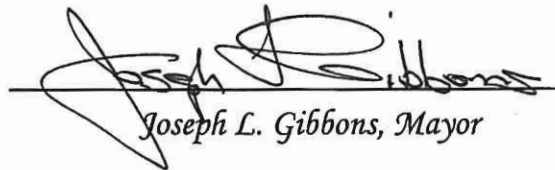
WHEREAS, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate the occasion; and

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

NOW, THEREFORE, I, Joseph L. Gibbons, Mayor of the City of Lenoir, North Carolina, and on behalf of the Lenoir City Council and all the citizens, do hereby proclaim the week of September 17 through September 23, 2022 as "Constitution Week" in the City of Lenoir and urge all citizens to study the Constitution and reflect on the privilege of being an American with all of the rights and responsibilities this privilege affords.

This the 6th Day of September, 2022.

SEAL


Joseph L. Gibbons, Mayor



**LENOIR CITY COUNCIL
TUESDAY, AUGUST 16, 2022
6:00 P.M.**

PRESENT: Mayor Joe Gibbons presiding. Councilmembers present were Mayor Pro-Tem Crissy Thomas, Jonathan Beal, Kent Greer, Todd Perdue, Ike Perkins, Ralph Prestwood, David Stevens, City Manager Scott Hildebran, City Clerk Shirley Cannon and City Attorney T.J. Rohr.

ABSENT: Public Services Director Radford Thomas, Main Street and Economic Development Director Kaylynn Horn.

STAFF PRESENT: Parks & Recreation Director Kenny Story, Police Chief Brent Phelps, Fire Chief Ken Hair, Public Utilities Operations Manager Jeff Church, Public Works Operations Manager Jonathan Hogan, Communications Director Joshua Harris.

INTRODUCTION;

JEFF CHURCH: City Manager Hildebran introduced Jeff Church, Public Utilities Operations Manager, to City Staff. Mr. Church began his first day with the City of Lenoir on August 1.

I. CALL TO ORDER

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

SYMPATHY; FAMILY OF

FREDDIE MOORE: B. On behalf of City Council, Mayor Gibbons extended condolences to the family of former Councilman and Mayor Pro-Tem Freddie Moore. Mr. Moore served on City Council from 1993 – 2003 and was a well-known and respected member of the community. Mr. Moore was a great leader and previously owned the former Dayvault's Drug Store in downtown Lenoir.

SYMPATHY; FAMILY OF

SAM SMITH: C. On behalf of City Council, Mayor Gibbons extended condolences to the family of former Fire Captain Sam Smith. Mr. Smith served the Lenoir Fire Department for over thirty years and served as Fire Chief at the Gamewell Volunteer Fire Department. In addition, Mr. Smith taught students at the Fire Academy that was established at Hibriten High School several years ago.

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

D. The Dysart Kendall American Legion Post 29 recognized the Firefighter of the Year and the Police Officer of the Year as selected by their peers. Mr. Irv Eurto, Commander, stated he was honored to present these awards and to express the American Legion's gratitude not only to these individuals for their selfless service, but also to the Departments for their general excellence and all they do to make the community a safer place. He stated the Department Directors were asked to select an individual that meets the criteria for the award.

Brent Phelps, Police Chief, remarked it is tough to select just one individual when you have a building full of great men and women who work really hard each day, but stated Sergeant Martin Crisp was chosen for his outstanding work ethic and excellent customer service. He reported Sergeant Crisp was hired in December 2010 upon his graduation of the Basic Law Enforcement Training program (BLET). He read a summary of Sergeant Crisp's accomplishments, and noted he is currently serving on the Subject Control Arrest Techniques Advisory Board – NC Criminal Justice Commission for a term that expires June 2024. Chief Phelps stated representatives from 13 agencies across the state serve on the Board with the City of Lenoir being the smallest. He further shared that Sergeant Crisp is also a veteran of the United States Marine Corps having served eight years in the military and two tours in Iraq.

Sergeant Crisp thanked City Council, Post 29, his fellow co-workers along with his family and stated he is honored to receive this award. He introduced his wife Jennifer and daughters Emma, Sadie and son Hayden along with his mother, Susan Strawn. Additional family members were also in the audience. Sergeant Crisp and Jennifer are currently expecting their fourth child.

Ken Hair, Fire Chief, stated Lieutenant Scott Brawley was chosen by his peers to receive the Dysart Kendall American Legion Post 29 Firefighter of the Year award. Chief Hair stated Lieutenant Brawley's work ethic and attitude is outstanding and shared he always goes above and beyond in every facet for the Fire Department. He emphasized Lieutenant Brawley is the most selfless person he has ever known and is very appreciative of everything he receives plus performs every aspect of his job to the fullest just because it needs to be done.

In addition, Chief Hair stated Lieutenant Brawley assists with the Department's truck apparatus maintenance, is the lead technician for the SCBA maintenance and serves as a member of the Department's Honor Guard. Chief Hair remarked Lieutenant Brawley volunteers to mentor new employees, serves as a mentor with the Communities in Schools Program, drives a bus for the school system, and organizes field trips and fundraisers for under privilege children along with his wife, Amy.

Chief Hair remarked Lieutenant Brawley was chosen for everything he consistently does to help the Department and community. Chief Hair shared, that because Lieutenant Brawley does not seek recognition and for all that he does, the Department wants to give him the recognition he so richly deserves and hopefully an understanding of how much he is appreciated by the Department and especially me.

Lieutenant Brawley thanked City Council and stated he is honored to receive the award and really appreciates it. He commended his wife, Amy, for all of her support and stated he was able to accomplish everything he does because of her. Lieutenant Brawley further stated he works with really wonderful people who also deserve the recognition because they work together as a team. He stated he didn't want to take all of the credit, because he couldn't do any of this without the rest of his co-workers.

On behalf of City Council and the City of Lenoir, Mayor Gibbons thanked Sergeant Crisp and Lieutenant Brawley for their dedicated and outstanding service to the City of Lenoir Police and Fire Departments as well as the community and all the citizens.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, August 2, 2022 as submitted.
- B. Capital Project Budget Ordinance; Sports Lighting Project at Mack Cook Stadium: Approval of a Capital Project Budget Ordinance in the amount of \$213,522.00 for the Sports Lighting Project at Mack Cook Stadium. This project is part of the improvements at the Campus at Historic Lenoir High School. (A copy of the Capital Project Budget Ordinance is hereby incorporated into these minutes by reference. Refer to page 241.)
- C. Change Order No. 1; Crossroads Sewer Project: Staff recommends City Council approval of Change Order No. 1 as recommended by McGill Associates for the Crossroads Sewer Improvements Project to reflect a net increase in the contract amount of \$25,509.48. (A copy of Change Order No. 1 is hereby incorporated into these minutes by reference. Refer to page 242.)
- D. Revised Capital Project Budget Ordinance; Crossroads Sewer Capital Project: Staff requests City Council adopt a Revised Capital Project Budget Ordinance for the Crossroads Sewer Capital Project as submitted. The revised budget shows the impact of the bid award, loan changes and the change order. (A copy of the Revised Capital Project Budget Ordinance is hereby incorporated into these minutes by reference. Refer to page 243.)
- E. Final Offer to Purchase Real Property; Harris Street and Wheeler Street: Staff recommends approval of the Final Offer to Purchase Real Property by Resolution in the amount of \$2,000.00 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.
 - 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 was published in the *News-Topic* on Friday, August 5. Staff recommends City Council accept the Final Offer to Purchase because the City did not receive any upset bids.

A copy of the resolution is hereby incorporated into these minutes by reference. (Refer to pages 244-245.)

Upon a motion by Councilmember Prestwood, City 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

JOE DELK; H. LEWIS

PRICE STREET: A. Mr. Joe Delk, IV., 416 Kentwood Street, addressed City Council regarding traffic issues along H. Lewis Price Street. Mr. Delk explained the alleyway is dangerous because the doors of businesses located there face the alleyway and are subject to the traffic flow on the narrow street.

Mr. Delk stated he is currently renting a building along the street and pointed out he wants to purchase a building in Lenoir in order to have a presence in the downtown area. He pointed out people are using the alleyway as a cut through in order to avoid the stoplight and requested City Council consider closing H. Lewis Price Street due to all of the traffic and safety issues.

On behalf of City Council, Mayor Gibbons stated Council would take this matter under consideration.

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

SOUTHERN SUNDOWN

4 MILE RACE: 1. The Southern Sundown 4 Mile Race will be held on Saturday, August 20 beginning at 7:00 p.m. in downtown Lenoir. Additional information is available online at www.downtownlenoirnc.com.

PLANNING

BOARD: 2. The Planning Board will meet on Monday, August 22, at 5:30 p.m. at the City/County Chambers.

COMMITTEE OF THE

WHOLE: 3. The Committee of the Whole will meet on Tuesday, August 23 at 8:30 a.m. at City Hall, Third Floor.

FOOTHILLS REGIONAL

AIRPORT AUTHORITY:

4. The Foothills Regional Airport Authority will meet on Wednesday, August 31 at noon at the Airport Facility.

CRUISE-IN:

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

HOLIDAY

CLOSING: 6. City offices will be closed on Monday, September 5 in observance of Labor Day.

B. Items for Council Action

**ACCEPTANCE OF AN OFFER TO PURCHASE
REAL PROPERTY & NOTICE OF OFFER
TO PURCHASE; 2585 COLLETTSVILLE ROAD:**

1. Staff recommends approval of an Acceptance of an Offer to Purchase Real Property in the amount of \$750.00 as submitted by Ronald Brian Teague plus the cost of the legal advertisement for property located at 2585 Collettsville Road, and approximately 0.90 acre, a portion of the 33.42 acre tract, NCPIN#2831509864 and Tax ID#06253-1-1 as submitted. 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.

A copy of the Offer to Purchase is hereby incorporated into these minutes by reference. (Refer to pages 246-249.)

City Manager Hildebran stated Mr. Teague has already had the property surveyed at a cost of \$750.00 making his total investment \$1,500.00.

Upon a motion by Councilmember Perdue, Council voted 7 to 0 to approve the Acceptance of an Offer to Purchase Real Property in the amount of \$750.00 and the cost of the legal advertisement as described above and as recommended by City Staff.

**PROPOSAL; FIRE APPARATUS;
DEMO RESCUE PUMPER #HS7507:**

2. City Staff requests City Council approval of the purchase of a Sutphen Demo Rescue Pumper #HS7507 in the amount of \$695,054.64 as submitted.

A copy of the Purchase Agreement is hereby incorporated into these minutes by reference. (Refer to pages 248-250.)

City Manager Hildebran explained the City plans to purchase the truck using the Revenue Replacement American Rescue Plan (ARPA) fund. Mr. Hildebran also shared the pumper would allow the Fire Department to have rescue apparatuses at both Station No. 1 and No. 2 which should reduce the response times for rescue in incidents.

Fire Chief Ken Hair explained the Demo Rescue Pumper would be ready to come off the production line in December and verified it would be placed at Station No 1. He reported it normally takes around 28 to 30 months to build a fire truck, but pointed out this demo truck was built in the southeast and has almost the exact same specs as the Department requires on their apparatuses. Chief Hair also shared Sutphen would show the truck around in other areas, which would help with getting any problems it may have worked out. He reported the truck only has 3,000 miles on it compared to 32,000 miles the Department's previous truck had when purchased in 2015.

In addition, Chief Hair reported the truck has a 1,000 water tank which is 250 more gallons of water than the fleet's current apparatus, which will help in areas where there may be low water pressure.

In conclusion, Chief Hair informed Council the cost of a new apparatus has increased \$240,000 since January and noted the cost is expected to increase 4 to 8 percent annually, which is something that won't change. He mentioned COVID-19 created a shortage of parts and is responsible for the rising costs.

Following a brief discussion, and upon a motion by Councilmember Stevens, Council voted 7 to 0 to approve the purchase of the Demo Rescue Pumper #HS7507 in the amount of \$695,054.64 as recommended by and as submitted by City Staff.

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

CLOSED

SESSION: A. Pursuant to N.C.G.S. §143-318.11(a),(3), and upon a motion by Councilmember Perdue, City Council voted unanimously to enter into closed session to discuss Attorney/Client privilege.

OPEN

SESSION: B. Upon a motion by Councilmember Prestwood, which carried unanimously, City Council returned to open session.

X. ADJOURNMENT

A. There being no further business, the meeting adjourned at 7:20 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor

Capital Project Ordinance for the City of Lenoir

MACK COOK STADIUM LIGHTING CAPITAL PROJECT

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

Section 1: The project to authorize activities for Mack Cook Stadium Lighting Capital Project to include the expenditure of funds for the design, construction, and project administration for the Mack Cook Stadium Lighting Capital Project. The project is to be funded by a various donations.

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

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

Description	Budget
Construction	\$213,522.00
Total Expenditures	\$213,522.00

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

Description	Budget
State Capital and Infrastructure Fund (SCIF) Grant	\$100,000.00
Blue Ridge Energy	\$8,522.00
Lenoir Tourism Development Authority	\$25,000.00
Private Donations	\$80,000.00
Total Revenue	\$213,522.00

Section 5: The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Project Ordinance.

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

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

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

Adopted this _____ day of August, 2022.

Mayor

Clerk



Change Order No. 01

Date of Issuance: July 15, 2022	Effective Date: July 15, 2022
Owner: City of Lenoir	Owner's Contract No.: CS370393-07
Contractor: Carolina Grading & Utilities, Inc.	Contractor's Project No.:
Engineer: McGill Associates, P.A.	Engineer's Project No.: 19.01109
Project: Crossroads Sewer Replacement Project	Contract Name: Crossroads Sewer Replacement Project

The Contract is modified as follows upon execution of this Change Order:

Description: Adjust the Contract Price for additional, unforeseen project work items as outlined in the attached Change Order Summary

Attachments: Change Order Summary, with back-up documentation

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>1,908,830.00</u>	Original Contract Times: Substantial Completion: <u>210</u> Ready for Final Payment: <u>240</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u>N/A</u> to No. <u>1</u> : \$ <u>N/A</u>	[Increase] [Decrease] from previously approved Change Orders No. <u>N/A</u> to No. <u>1</u> : Substantial Completion: <u>0</u> Ready for Final Payment: <u>0</u> days
Contract Price prior to this Change Order: \$ <u>1,908,830.00</u>	Contract Times prior to this Change Order: Substantial Completion: <u>210</u> Ready for Final Payment: <u>240</u> days or dates
[Increase] [Decrease] of this Change Order: \$ <u>25,509.48</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>40 days</u> Ready for Final Payment: <u>40 days</u> days or dates
Contract Price incorporating this Change Order: \$ <u>1,934,339.48</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>250 days</u> Ready for Final Payment: <u>280 days</u>

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By:	By:	By:
Title: Construction Services Manager	Title: City Manager	Title: VP
Date: 08/02/2022	Date: 8/31/2022	Date: 8-2-22

Approved by Funding Agency (if applicable):

Date: _____

Capital Project Ordinance for the City of Lenoir

CROSSROADS SEWER CAPITAL PROJECT – REVISED (Originally approved on January 7, 2020)

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

Section 1: The project to authorize activities for Crossroads Sewer Capital Project to include the expenditure of loan funds and local funds for the design, construction, and project administration for the Crossroads Sewer Capital Project. The project is to be funded by a loan from the Clean Water State Revolving Fund at an interest rate of 2.16% and local funds for closing costs.

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

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

Description	Original Budget	Prior Changes	Change Order #1	Recommended
Engineering	\$371,000.00	\$9,370.00		\$380,370.00
Land and Right-Of-Way	\$0.00	\$50,000.00		\$50,000.00
Construction	\$2,186,000.00	(\$277,170.00)	\$25,509.48	\$1,934,339.48
Contingency	\$218,000.00	(\$27,200.00)	(\$25,509.48)	\$165,290.52
Closing Costs	\$55,500.00	(\$4,900.00)		\$50,600.00
Total Expenditures	\$2,830,500.00	(\$249,900.00)	\$0.00	\$2,580,600.00

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

Description	Original Budget	Prior Changes	Change Order #1	Recommended
Clean Water State Revolving Fund (2.16%)	2,775,000.00	(\$245,000.00)	-	\$2,530,000.00
Local Funding	\$55,500.00	(\$4,900.00)	-	\$50,600.00
	\$2,830,500.00	(\$249,900.00)	\$0.00	\$2,580,600.00

Section 5: The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Project Ordinance.

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

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

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

Adopted this _____ day of August, 2022.

Mayor

Clerk



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

WHEREAS, the City of Lenoir owns certain property, located on Harris Street and Wheeler Street, Lenoir, North Carolina, and more particularly described below;

- 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).

WHEREAS, North Carolina General Statute §160A-269 permits the City to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the City has received an offer in the amount of \$2,000.00 to purchase the above six (6) parcels as described above, and as submitted by Michael Corpening, 1801 Hoods Creek Road, Lenoir, NC; and

WHEREAS, Michael Corpening has paid/will pay the required five percent (5%) deposit on his offer;

NOW, THEREFORE, BE IT RESOLVED, the LENOIR CITY COUNCIL of the City of Lenoir resolves that:

1. The City Council authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute §160A-269.
2. The City Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Any person may submit an upset bid to the office of the City Clerk within ten (10) days after the notice of sale is published. Once a qualifying higher bid has been received, that bid will become the new offer.
4. If a qualifying higher bid is received, the City Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the City Council.
5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.



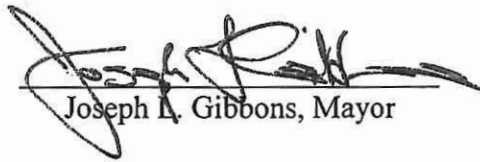
Tuesday, August 16, 2022

Minutes - City of Lenoir, NC
 6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The City will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The City will return the deposit of the final high bidder at closing.

7. The terms of the final sale are that the City Council must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed, and the buyer must pay with cash, cashier's check or certified check at the time of closing.
8. The City reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.
9. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate City Officials are authorized to execute the instruments necessary to convey the property to Michael Corpening, 1801 Hoods Creek Road, Lenoir, North Carolina.

This the 16th day of August, 2022.

SEAL


 Joseph A. Gibbons, Mayor

ATTEST:


 Shirley M. Cannon, City Clerk

CITY OF LENOIR, NC
 CHARTERED
 JANUARY 28, 1851

SEAL

Date: 8/5/22

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 \$ 750.00 for property owned by the City of Lenoir and located at 2535 Collettville Rd, further identified by NC 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 10 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 Ronald Brian Teague (please sign)

Full Name: Ronald Brian Teague
Phone number: 828-496-6371
Email: bteague1h@yahoo.com
Mailing Address: 501 Goldview Ct Lenoir

§ 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.)



PURCHASE AGREEMENT
FOR SUTPHEN FIRE APPARATUS

THIS AGREEMENT, made and entered into this 10 day of August, 2022 by and between SUTPHEN CORPORATION of Dublin, Ohio, hereinafter called "SUTPHEN" and the City of Lenoir Fire Department of The City of Lenoir, hereinafter called "PURCHASER",

WITNESSETH:

1. **PURCHASE:** Purchaser hereby agrees to buy and Sutphen hereby agrees to sell and furnish to Purchaser the apparatus and equipment according to the Sutphen Proposal attached hereto and made a part hereof, and to deliver the same as hereinafter provided.
2. **PAYMENT:** Purchaser agrees to pay for said apparatus and equipment the total purchase price of Six Hundred Ninety Five Thousand Fifty Four Dollars and Sixty Four Cents.
(\$695,054.64) payable in full upon delivery.
3. **DELIVERY:** The apparatus and equipment being purchased hereunder shall be delivered to Purchaser at The Lenoir Fire Department within 10 MONTHS approximately after the receipt and acceptance of this agreement at Sutphen's office, provided that such delivery date shall be automatically extended for delays beyond Sutphen's control, including, without limitation, strikes, labor disputes, riots, civil unrest, pandemics, war or other military actions, sabotage, government regulations or controls, fire or other casualty, or inability to obtain materials or services.
4. **SUTPHEN WARRANTIES:** Sutphen warrants the apparatus purchased here under as set forth in the warranty included with bid proposal.
5. **TESTING SHORTAGES:** The apparatus shall be tested per NFPA #1901 at Sutphen's manufacturing facility. Purchaser agrees that the apparatus and equipment being purchased hereunder will not be driven or used in any manner until it is paid for in full, provided, however, that if there are any minor shortages, Purchaser may withhold a sum equivalent to the retail purchase price of any equipment shortages at the time of delivery and may use the apparatus and equipment during this period.
6. **DEFAULT:** In the case of any default in payment hereunder or in the payment on any notes, negotiable paper, obligations or other instruments issued by Purchaser,

Sutphen may take full possession of the apparatus and equipment or of the piece or pieces upon which default has been made, and any payments that have been made theretofore shall be applied as rent in full for the use of the apparatus and equipment up to the date of taking possession by Sutphen.

7. **PURCHASER WARRANTIES:** With the signing of this agreement, Purchaser warrants that it has the full power and legal authority to enter into this agreement and guarantees that funds for its purchase are available or in the process of collection.
8. **ACCEPTANCE:** This agreement shall not be binding until it is signed and approved by an officer of the Sutphen Corporation.
9. **TAXES, ETC.:** The purchase price provided for herein does not include any federal, state or local sales tax, duties, imposts, revenues, excise or other taxes which may hereafter be imposed by governmental authority or otherwise and which are made applicable to the apparatus or equipment covered by the agreement. In the event that any such taxes are subsequently imposed and become applicable, the purchase price herein shall be increased by the amount of such taxes and such sum shall be immediately paid by Purchaser to Sutphen. To the extent applicable, the prices and deliveries set forth herein are subject to the Defense Production Act.
10. **INSURANCE:** Sutphen shall provide insurance insuring the apparatus and equipment against loss by fire, theft or collision and insuring against property damage and personal injury through the three (3) day delivery period.
11. **GENERAL:** This agreement and the Sutphen proposal provided herein take precedence over all previous negotiations, oral or written, and no representations or warranties are applicable except as specifically contained in this agreement or in the Sutphen proposal attached hereto. No alteration, modification, amendment or change of this Agreement shall be binding unless executed in writing by the parties. No waiver of any of the provisions of this Agreement shall be deemed a waiver of any other provision, whether or not similar, nor shall any waiver constitute a continuing waiver.

This Agreement shall be governed and controlled as to interpretation, enforcement, validity, construction, effect and in all other respects by the laws, statutes and decisions of the State of Ohio. Exclusive jurisdiction and venue for any litigation at all related to this Agreement, directly or indirectly, based upon contract, tort, or other theory of law, shall lie in the Franklin County Court of Common Pleas, Columbus, Ohio, and the parties hereto consent and submit to the general jurisdiction of this court. All of the terms and provisions of this Agreement shall be binding upon and inure to the benefit of and be enforceable by Sutphen, Purchaser, their successors and assigns.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be duly executed and attested by its duly authorized representatives, effective as of the date below when accepted at Sutphen Corporations offices.

SUTPHEN CORPORATION

By: *Jerry W. Stevens Sr.*
Sales Representative

Accepted at office
SUTPHEN CORPORATION
6450 Eiterman Road
Dublin, Ohio 43016

By _____

Title _____

Date _____

PURCHASER

THE City of Lenoir, NC

By *Scott Hines* X

Title City Manager X

Date 8/17/2022 X

By *Ken Hair* X

Title Fire Chief X

Date 8/19/2022 X

**COMMITTEE OF THE WHOLE
CITY HALL, THIRD FLOOR**

TUESDAY, AUGUST 23, 2022

8:30 A.M.

Present: Mayor Gibbons, Kent Greer, Ike Perkins, Ralph Prestwood, Todd Perdue, Jonathan Beal, David Stevens.

Staff Present: City Manager Scott Hildebran, Finance Director Donna Bean, Economic Development Director Kaylynn Horn, Public Works Operations Manager, Jon Hogan, Public Utilities Operations Manager, Jeff Church, Parks & Recreation Director, Kenny Story, Fire Chief Ken Hair, Police Chief Brent Phelps, Downtown Engagement Coordinator, Matthew Anthony, Risk Manager/Purchasing Agent, David Coffey, Planning Administrative Assistant, Lauren Hartley, and Communications Director, Joshua Harris.

Absent: Mayor Pro-Tem Crissy Thomas and City Clerk Shirley Cannon.

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

II. Citizen Comment-None

III. Committee Items:

A. Update; Public Utilities-Jeff Church

- They have received the official notice of the award letter for the Brownfields Project.
- The Biosolids Project is to complete the outside hopper. That should pave the way to get the other items complete.
- The Crossroads Sewer Project's contractor completed the bore under Morganton Boulevard for McDonalds. This step may speed up the pipe installation once they cross Harper Avenue.
- Freeze and Nichols are moving along with the Lead and Copper study and the Asset Management plan for the general fund related facilities.
- McGill is working on grant applications for asset inventory assessment grants for the water and sewer systems and continues to work on other projects that are underway.
- Joyceton Water System- The public comment time period on the sale of the system to the City ends at the end of August or early September. The City can complete the purchase if there are no major concerns and the NC Utilities Commission gives final approval.

B. Update; Public Works-Jon Hogan

- Hospital Ave Sidewalk: New erosion control permit submitted by Wetherill.
- 22-23 Resurfacing: All documents are signed and a pre-construction meeting will be in two weeks.
- Facility Condition Assessment: ongoing w/ Freeze & Nichols

- LFD Infrastructure Failure: Catawba Valley Engineering has completed the report. WK Dickson is working on design.
- Laurel Place Road Improvements: This project is to begin September 15th.
- City Hall Facade Projects: Bids are due Friday August 26th.
- Building Maintenance completed wiring of the new building and new LED lighting at the Police Firing Range.
- Sanitation Department's new automated truck will be put into service this week.
- Street Department completed a storm drain pipe replacement on Swanson Drive.

V. Community Development

A. Lenoir Business Advisory Board: Kaylynn Horn, Economic Development Director, stated the Board did not meet in August. Ongoing projects include a Downtown Master Plan and the Campus Master Plan. Director Horn reported she is continuing to coordinate numerous grants, working with architects and engineers regarding the Campus historic buildings and the possible OVT Pavilion site. In addition, she mentioned that economic vitality includes Social Districts. Additional projects being worked on are the Main Street/AARP Entrepreneur Ecosystem pilot program and NC Main Street/National Realtor Association Business Development program. Staff is currently working on City-wide vehicular wayfinding signage as well as signage for Smith Crossroads, City Hall Facade - UNCG design, NPS Facade Grant, holiday decor for downtown, and power washing sidewalks.

B. PROMOTION/EVENTS:

Blackberry Festival follow-up with Bryan Moore
LHS 100-year Celebration
Tattoo Gathering
Halloween
National Night Out October 4 and Veteran's Day November 11
WOOD FIRE SMOKE BBQ Festival
Light Up Lenoir
Small Business Saturday
Elf on A Shelf
Starry Night Christmas Parade
Carriage Rides
2023 Gravity Games

C. Social Districts: Matthew Anthony, Main Street Engagement Coordinator, and Brent Phelps, Chief of Police presented the following information about social districts.

(A copy of the proposal is attached to these minutes as information.)

Matthew Anthony presented this item to Council. He stated a social district is a defined outdoor area in which a person may consume alcoholic beverages sold by an ABC permittee. He explained the requirements for the City and participating restaurants which includes providing signage and cups showing the date and time. The Social District hours would be from 12pm-10pm Monday-Sunday. Councilmember Perkins stated he would not be in support of it and would be voting no. Brent Phelps, Police Chief, stated he has

spoken to other municipalities that have a Social District and he has not received any negative feedback.

City Council will consider this item in September.

D. Planning Board: The Planning Board met on Monday, August 22nd at 5:30 p.m. A report was not given at this time.

E. Parks & Recreation Advisory Board: The Parks & Recreation Advisory Board met on Monday, August 15th. The next meeting is scheduled for Monday, September 19th at 6:00 p.m. Parks & Recreation Director Kenny Story, presented updates on current activities.

- Fall sports for youth baseball and soccer signups are underway.
- The Sculpture Celebration will be held Saturday, September 10th.
- The pickleball courts have been a great asset and are being used daily.
- The LED lighting at the Mack Cooke stadium should be installed soon.

VI. Finance and Administration

A. July Financial Summary: Finance Director Donna Bean discussed the Financial Summary as of July 31, 2022. The over/under balance in the General Fund is \$9,817,486.02, Downtown District (\$6,447.47) and Water & Sewer Fund \$391,141.32.

B. ADA Transition Plan: David Coffey, Risk Manager/Purchasing Agent presented a report showing the ADA transition plan including a self-assessment study of the City's public right of way assets. The study found a total of 3,481 deficiencies across 24.7 miles of sidewalk assets maintained by the City. There is not a timeline on when these should be complete, as long as progress is being made. This item will be placed on the September 6, 2022 Agenda for consideration of approval by City Council.

C. Update; Job descriptions; Police Department & Planning Department

- Finance Director, Donna Bean recommended the position of Housing/ Zoning Inspector title be changed to Code Compliance Officer in order to better reflect the job duties.
- Police Chief Phelps recommended the position of Senior Detective title be changed to Property and Evidence Clerk for the same purpose.

Motion

Following a brief discussion, and upon a motion by Councilmember Beal, Council voted 6 to 0 to approve the job titles as described above and as recommended by Finance Director Bean.

D. Update; Public Communications: Joshua Harris, Public Information Officer, presented the Communications Report for the month of July. Director Harris reported there were 5 news releases, 193 photos, 4 videos, 164 social posts, 24 questions & answers and 5 e-sign ups. The website has 594 new followers, social reach is 187,958, and video views 3,336. There were 41,952 Facebook, Twitter, and Instagram followers.

Director Harris also reviewed the Customer Service Training report and the recent Golden Ticket winners. He stated the annual Employee Litter Sweep Day will be held on Wednesday, September 21st.

Mayor Gibbons stated Director Harris is doing a great job keeping City Council, Staff, and the residents informed about events that are happening in the community.

VII. Public Safety

- A. Update; Police Department: Brent Phelps, Police Chief, presented a traffic study on Pennwood Street and Glenview Street completed April 22 - May 2, 2022. It was recommended the Lenoir Police Department continue to have a visible presence in this residential neighborhood in an effort to address citizen concerns. It was also mentioned to move the No through Trucks road sign closer to the street in order to make it more noticeable by the general public. This item will be placed on the September 6 Agenda for consideration of approval by City Council.
- B. Quarterly Report (April, May & June): Police Chief Phelps presented the Department's second quarterly report for April, May & June as information. This report details training hours, outreach, demos, events and tours by Staff and the types of calls the Department receives.
- C. Update; Fire Department, Quarterly Report: Fire Chief, Ken Hair, reviewed information in the Department's 2nd Quarterly Report for April, May & June. He reported four firefighters resigned in July, but the Department held interviews with several good quality candidates. Chief Hair mentioned they also received applications from firefighters that are currently employed by other fire departments. He stated these are conditional offers due to the doctor's office not being able to perform physicals for a couple of weeks.

VIII. OTHER

- 1. The September calendar was provided in packet as information listing committee meetings and upcoming events.

IX. ADJOURN

There being no further business, the meeting was adjourned.

Attachment

Social District Proposal

July Financial Summary

*Minutes prepared by Lauren Hartley, Planning Administrative Assistant.



**City of Lenoir
Financial Summary
As of 7/31/2022**



General Fund					
	2022-2023 Budget	7/31/2022	% of Budget	Change from Previous Year	7/31/2021
Total Revenue	\$ 20,320,130.00	\$ 11,739,670.12	58%	\$ 6,995,977.37	\$ 4,743,692.75
Expenditures	\$ 20,320,130.00	\$ 1,922,184.10	9%	\$ (892,646.71)	\$ 2,814,830.81
Over/Under	\$ -	\$ 9,817,486.02		\$ 7,888,624.08	\$ 1,928,861.94
Downtown District					
	2022-2023 Budget	7/31/2022	% of Budget	Change from Previous Year	7/31/2021
Revenues	\$ 288,220.00	\$ 13,609.94	5%	\$ (1,339.49)	\$ 14,949.43
Expenditures	\$ 288,220.00	\$ 20,057.41	7%	\$ 5,962.16	\$ 14,095.25
Over/Under	\$ -	\$ (6,447.47)		\$ (7,301.65)	\$ 854.18
Water/Sewer Fund					
	2022-2023 Budget	7/31/2022	% of Budget	Change from Previous Year	7/31/2021
Revenues	\$ 10,232,980.00	\$ 952,269.20	9%	\$ 56,720.10	\$ 895,549.10
Expenditures	\$ 10,232,980.00	\$ 561,127.88	5%	\$ 107,463.57	\$ 453,664.31
Over/Under	\$ -	\$ 391,141.32		\$ (50,743.47)	\$ 441,884.79



Social District Proposal for the City of Lenoir

Background: House Bill 890 was passed by the NC House and Senate on Wednesday, September 8, 2021 and signed by the Governor on September 10. Included in House Bill 890 is a provision that allows the creation of social districts in North Carolina. The North Carolina Retail Merchants Association was the major interest group pushing for the passage of this legislation to drive foot traffic to downtown businesses and level the playing field for brick-and-mortar businesses without ABC permits.

What is a Social District?

A defined outdoor area in which a person may consume alcoholic beverages sold by an ABC permittee.

Who Can Designate a Social District?

House Bill 890 did not create a statewide social district, but instead allows cities and counties to “opt-in” to social districts via an ordinance. A city may adopt an ordinance designating an area within the municipal limits as a social district under G.S. 160A-205.4.

What are the requirements for a City to Create a Social District?

1. Social districts must be clearly defined and post signage in conspicuous locations indicating:
 - a. The area included in the social district
 - b. The days and hours during which alcoholic beverages can be consumed in the social district
 - c. The telephone number for the ALE division and local law enforcement jurisdiction over the social district.
 - d. A clear statement that an alcoholic beverage purchased for consumption in a social district shall:
 - i. Only be consumed within the social district
 - ii. Be disposed of before the person possessing the alcoholic beverage exits the social districts, unless the person is reentering the licensed ABC premises where the alcoholic beverage was purchased (G.S. 18B-904.1(c)(1)).

2. Social districts are only allowed to operate during the hours defined under G.S. 18B-1004: from 7am until 2 am Monday-Saturday and 10am-2am on Sundays. (G.S. 18B-904.1(c)(1))
3. A city designating a social district is required to establish management and maintenance plans for the social district and post these plans along with a drawing of the boundaries and the applicable days and hours of the social district on the city's website. A social district must be maintained in a manner that protects the health and safety of the general public. (G.S. 18B-904.1(c)(2))
4. Before a social district can become operational, a city must submit to the North Carolina ABC a detailed map of the social district with the boundaries clearly marked and the days and hours during which alcoholic beverages can be consumed. (G.S. 18B-904.1(c)(3))

Who Can Sell Alcohol in a Social District?

Under G.S. 18B-904.1(a)(1), a business holding any of the following ABC Permits may sell alcohol to be consumed in a social district:

1. An on-premises malt beverage permit issued pursuant to G.S. 18B-1001(1)
2. An on-premises unfortified wine permit issued pursuant to G.S. 18B-1001(3)
3. An on-premises fortified wine permit issued pursuant to G.S. 18B-1001(5)
4. A mixed beverages permit issued pursuant to G.S. 18B-1001(10)
5. A distillery permit issued pursuant to G.S. 18B-1100(5)

What additional rules do ABC permittees have to follow to sell alcohol within a social district? (G.S. 18B-904.1(d))

First, an ABC permittee must be located in or contiguous to the social district in which it is selling alcohol to be consumed.

Secondly, the ABC Permittee is only allowed to sell and serve alcoholic beverages ON its licensed premises. In other words, the ABC Permittee cannot sell alcoholic beverages in the street or down the street from its licensed premises just because they are located in, or are contiguous to the social district.

Third, alcoholic beverages that are being sold to be consumed in a social district can only be sold in a container that meets the following requirements:

1. The container clearly identifies the ABC permittee from which the alcoholic beverage was purchased.
2. The container clearly displays a logo or some other mark that is unique to the social district in which it will be consumed.
3. The container is NOT made of glass.
4. The container displays, in no less than 12-point font, the statement "Drink Responsibly – Be 21."
5. The container cannot hold more than 16 fluid ounces.

Finally, the ABC permittee must prohibit a person from entering or reentering its licensed premises with an alcoholic beverage not sold by the ABC permittee as is the current law. An example XYZ restaurant sells John Smith a cup of wine. John Smith cannot reenter XYZ Restaurant with a cup of beer he bought at Acme Brewing located within the same social district. John Smith also cannot enter XYZ restaurant for the first time with the cup of beer John Smith bought at Acme Brewing. They can, however, re-enter the same location where they purchased the alcohol that they are still consuming.

Businesses Who Wish to Opt Out.

- Signage will indicate that retail customers cannot enter with alcohol (or food & drink if that is the policy).
- Signage can indicate that a bar or restaurant customer may not remove alcohol from the facility.

Customer Requirements:

First, a person can only possess and consume alcoholic beverages purchased from an ABC permittee located in or contiguous to the social district on a designated social district container.

Second, any alcoholic beverages consumed in the social district must be consumed from the required social district container. A person cannot pour their wine, beer or liquor into a solo cup or any type of container other than the one meeting all the requirements for social districts.

Third, alcoholic beverages shall only be possessed and consumed IN the social district during the days and hours set by the city.

The sale and delivery of alcohol in a social district is subject to the same limitations for sales and deliveries of alcohol in North Carolina:

- No more than two malt beverage or wine drinks at one time to a single patron
- No more than one mixed beverage or spiritous liquor drink at one time to a single patron

Finally, a person is required to dispose of any alcoholic beverage in the person's possession prior to exiting the social district unless the person is reentering the licensed ABC premises where the alcoholic beverage was purchased. If a person is leaving the social district area, they must pour out or throw away their alcohol. They also cannot take it with them into any other business that sells alcohol or has opted out of the social district. They may ONLY take their alcoholic drink into the establishment where they bought it or a participating business that does not sell alcohol.

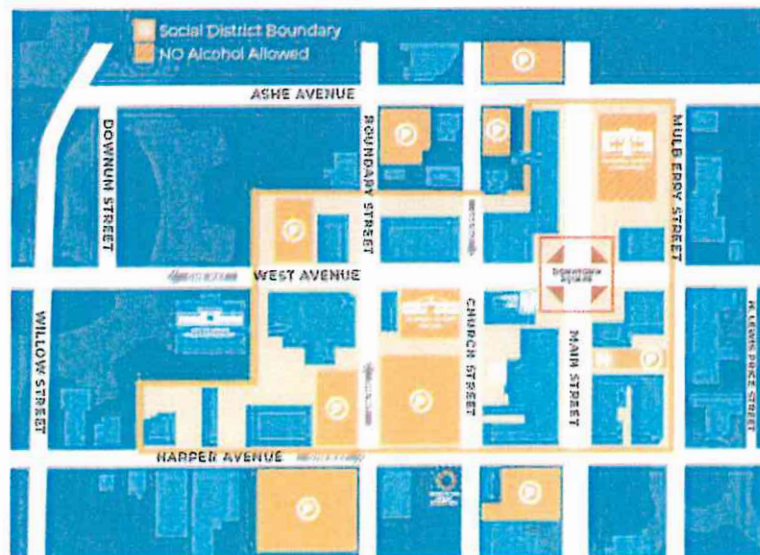
The Proposed Downtown Lenoir Social District Details:

The structure for the proposed Social District in Downtown Lenoir was based on input from the following:

Research:

- Two live webinars in which 3 Town Managers discussed their experiences with their Social Districts: Mobile, AL, Huntsville, AL and Grand Rapids, MI.
- Information gathering from social districts with the state:
 - Kannapolis, NC
 - Greensboro
 - Hickory
 - Sylva
 - Newton
 - Salisbury
 - Mooresville
 - Asheboro
 - Oxford
 - Monroe
- Discussions with Permit Holders and Non-Permit Holders within the district, as well as downtown residents.
- Discussion with the Chief and Assistant Chief of Police to hear their concerns.
- Conversation with the ABC legal team in Raleigh about liability scenarios.
- Conversations with David Coffey about insurance liabilities.
- A Law Enforcement Meeting with a local ALE agent, Lenoir Police, Katie Brummett (Liquid Roots Brewery, Kaylynn Horn (Economic Development Director) and Scott Hildebran (City Manager) to discuss liability scenarios.

District Details:



The **Social District** hours would be from 12pm-10pm Monday-Sunday.

Merchant Educational Program:

The DLMS would conduct an informational webinar that would also be recorded for the merchants outlining requirements. Chief Phelps would be on this call. Merchants can opt out of the program if they choose to.

Container:

The permit holders opting into the social district would supply their own containers that meet the state requirements (branded with their business or using a sticker), and Downtown Lenoir Main Street has designed a district sticker with required verbiage along with date/time line which is required to be filled out at point of sale. The participating permit holders will be responsible for purchasing the district stickers.

Signage:

Public Works would implement required signage indicating the district (ground decals as is necessary for the state highway on Main Street), and merchants who choose to opt-out would need to provide their own signage. For retailers: "This Retailer Has Opted Out of the Downtown Lenoir Social District. Do not enter with an alcoholic beverage." For permit-holders: "This Business Has Opted Out of the Downtown Lenoir Social District. You May Not Take Alcoholic Beverages Off-Site Purchased from This Location." Additionally, permit-holders opting into to the program would be encouraged to place signage that indicates "No Outside Alcohol" on their entrances. Those with patios would be encouraged to have signage that indicates "No Glass Beyond this Point" at the patio exit/entrance to the district.

Special Events:

If an event is hosted in Downtown that allows the sale of Alcoholic Beverages, the same permit-holder rules will apply to the boundary of the event. That permit holder will be required to serve in the required container, and consumers can move about the district with alcohol purchased at the event, but will not be allowed to bring alcohol into the event purchased from other permit-holder locations outside of the district.

Next Steps:

1. Craft the Ordinance
2. Hold a Public Input Meeting for the Ordinance Proposal
3. Vote on the Ordinance
4. If passed, record the Social District Plan with NC ABC Commission
5. Implement the Program
 - a. Merchant information session
 - b. Place required signage demarking the district
 - c. Acquire social district stickers and create other communication programs

Social District Background Research – Web Meeting

Selling Points: Great for economic development, especially during a pandemic to encourage shoppers and diners to move around outside and patronize retailers. So many festivals did not happen – losses are still significant for businesses. In other towns, it has proven to increase business traffic and property occupancy rates.

Signage Requirements: Where the district boundaries are, hours of the social district and who to call for help.

Cups: Must be non-glass and branded with the permittee who is selling, and required verbiage. It can be a sticker from the town's district, plus a sticker from the permittee.

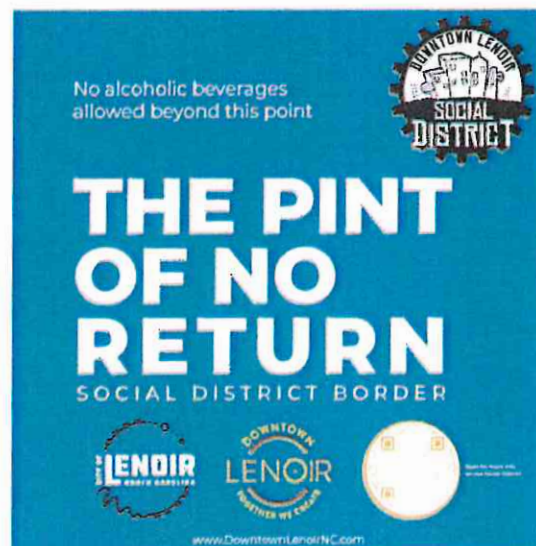
Social District Specifics:

- Opt-In or Opt-Out for both alcohol sales permit holders and those who don't. All other laws for permittees will still be in place.
- Social districts CAN include NCDOT roads with proper signage.
- The town will need to pass an ordinance.
- The town can define the hours and days of the week
- The town should be comfortable with maintaining and policing the district
- The town will need to submit a plan to ABC for filing, but not for approval

Enforcement:

- No big issues with any of the towns who have it. Most exempted parking lots and decks to discourage people from refilling their cups.

Social District Logo/Signage:



CITY OF LENOIR**COUNCIL ACTION FORM: September 6, 2022****I. Agenda Item:**

Consideration of Offer to Purchase a portion of property owned by the City of Lenoir located on the 2550 block of Collettsville Road in the unincorporated area of Caldwell County, northwest of the City Limits. (See attached map)

II. Background Information:

The City has owned this property since 1959. The land is zoned Caldwell County's RA-20 district. Brian Teague acquired a .88 acre portion of this property in 2017, and is now requesting to buy more to add to his property. Brian Teague has submitted an offer to purchase 0.9 acres of the subject property for \$750. The attached plat map shows the subject acreage will be combined with the 2017 parcel for a total lot area of 1.78 acres.

The offer to purchase was initially considered by the Council on August 16, 2022, where Council voted to consider it following a 10-day upset bid period. Consistent with NCGS 160A-269, notice of the offer was then published in the Lenoir News Topic, and no upset bids were received. Therefore, Mr. Teague's original offer of \$750 is the highest bid, and Council may take final action to accept or reject the offer.

Staff Recommendation: Acceptance of the offer to purchase.

III.**IV. Reviewed by:**

City Attorney: _____

Finance Director: _____

Planning 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

WHEREAS, the City of Lenoir owns certain property, located at 2585 Collettsville Road, Lenoir, North Carolina, and more particularly described below; being NCPIN#2831509864, Parcel ID# 062531-1; and approximately 0.90 acre, a portion of the 33.42 acre tract; and

WHEREAS, North Carolina General Statute §160A-269 permits the City to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the City has received an offer in the amount of \$750.00 to purchase the property as described above, and as submitted by Ronnie Brian Teague, 501 Golfview Court, Lenoir, NC; and

WHEREAS, Ronnie Teague has paid/will pay the required five percent (5%) deposit on his offer;

NOW, THEREFORE, BE IT RESOLVED, the LENOIR CITY COUNCIL of the City of Lenoir resolves that:

1. The City Council authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute §160A-269.
2. The City Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Any person may submit an upset bid to the office of the City Clerk within ten (10) days after the notice of sale is published. Once a qualifying higher bid has been received, that bid will become the new offer.
4. If a qualifying higher bid is received, the City Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the City Council.
5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The City will return the deposit on any bid not accepted, and will



return the deposit on an offer subject to upset if a qualifying higher bid is received. The City will return the deposit of the final high bidder at closing.

7. The terms of the final sale are that the City Council must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed, and the buyer must pay with cash, cashier's check or certified check at the time of closing.
8. The City reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.
9. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate City Officials are authorized to execute the instruments necessary to convey the property to Ronnie Brian Teague, 501 Golfview Court, Lenoir, North Carolina.

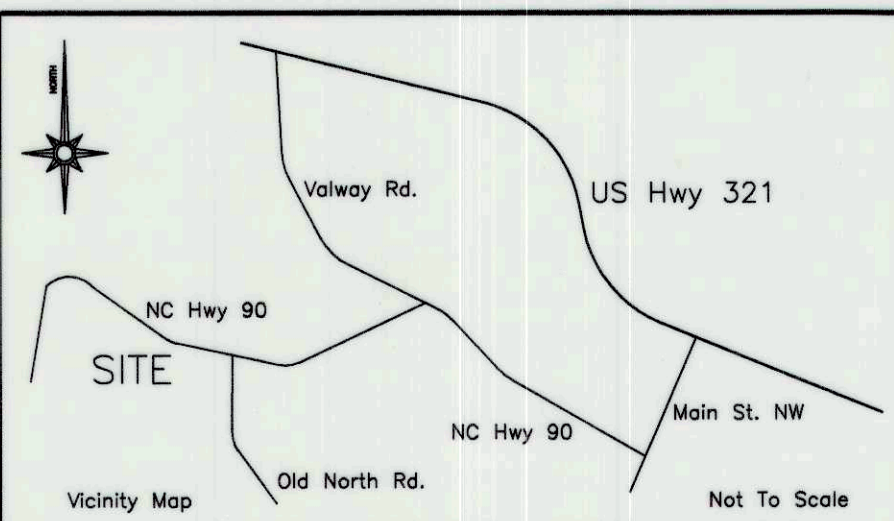
This the 6th day of September, 2022.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk



North Carolina Caldwell County

I, Kim McGee, Review Officer Of
Caldwell County, Certify That The Map Or Plat To Which
This Certification Is Affixed, Meets All Statutory
Requirements For Recording

Kim McGee 7-21-22
Review Officer

Certificate Of Ownership And Dedication

We Hereby Certify That We Are The Owners Of The Property Shown And Described Hereon And That We Hereby Adopt This Plan Of Subdivision With Our Free Consent, Establish Minimum Building Lines, And Dedicate All Roads, Alleys, Walks, Parks, And Other Sites To Public Or Private Use As Noted. We Certify That The Land Shown Hereon Is Within The Platting Jurisdiction of Caldwell County.

Date _____ Owner / Agent _____
Date _____ Owner / Agent _____

Certificate Of No Approval Required

I Certify That The Plat Shown Hereon Qualifies As Division Or Alteration In Property Lines Where No Local Approval Is Required As Outlined Under North Carolina General Statute 160D-802.

Kim McGee 7-21-22
Caldwell County Planning Dept. - Date

City of Lenoir
Remainder of
Deed Book 372 Pg. 385

New Total Contains 1.78 Acres

Lot B
Contains: 0.90 of an Acre
City of Lenoir
Part of
Deed Book 372 Pg. 385
Proposed To Be Combined With
Lot 1

Lot 1
Contains: 0.88 of an Acre
Ronald Brian Teague
Deed Book 1929 Pg. 1461
Plat Book 33 Pg. 207

Maclum Teague
and wife
Virginia Christine Teague & Heirs
Deed Book 980 Pg. 545
& Deed Book 562 Pg. 368

NOTES:

- 1 - Area By Coordinate Geometry
- 2 - No NCGS Horizontal Control Within 2000 Ft.
- 3 - Survey Does Not Certify To Title Or Ownership
- 4 - Total Number Of Lots - Recombination
- 5 - Total Acreage = 1.78 Acres
- 6 - Property Zoned: RA-20 (Caldwell County)
- 7 - Building Setback Lines:
Front-30 Ft, Side-10 Ft, Rear-25 Ft
- 8 - Iron Pipe Or Rebar At All Corners Unless Otherwise Noted.
- 9 - Property Is Not In A Flood Plain As Per Caldwell County FIRM
Community Panel No. 3710283100J, Dated: 07-07-2009.
- 10 - Property Is Not Located In A Protected Watershed.
- 11 - Property Shown Hereon May Be Subject To:
A.) Temporary R/W Agreement @ DBK 428 Pg. 390 (No Longer Valid.)
B.) Timber Deed @ DBK 467 Pg. 275 (1963).

City of Lenoir
Remainder of
Deed Book 372 Pg. 385

LEGEND

- E.I.P. = IRON PIPE FOUND
- N.I.P. = IRON PIPE SET
- E.I.R. = RE-BAR FOUND
- N.I.R. = RE-BAR SET
- ▲ N.S. = NAIL SET (TYPE NOTED)
- ▲ N.F. = NAIL FOUND (TYPE NOTED)
- × C.P. = COMPUTED POINT
- C.M. = CONCRETE MONUMENT
- N.C.G.S. = N.C.G.S. MONUMENT
- = RIGHT OF WAY
- = PROPERTY LINE
- = CENTER LINE
- = BUILDING LINE
- = POWER LINE
- = FENCE LINE
- = POWER POLE
- R. = RADIUS
- CH. = CHORD
- TAN. = TANGENT
- F.H. = FIRE HYDRANT
- M.H. = MANHOLE
- C.B. = CATCH BASIN
- W.M. = WATER METER
- T.PED. = TELEPHONE PEDESTAL
- P.BOX = TRANSFORMER

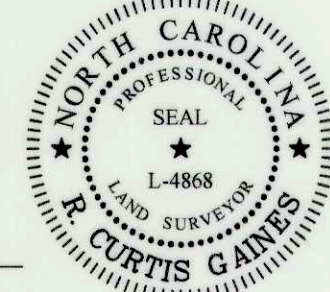
30 0 30 60 90
GRAPHIC SCALE - FEET

Maclum Teague
and wife
Virginia Christine Teague & Heirs
Deed Book 980 Pg. 545
& Deed Book 562 Pg. 368

I, R. Curtis Gaines, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book (As), page (Shown), etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book (As), page (Shown); that the ratio of precision as calculated is 1: 10,000+; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this 17th day of July, 2022.

F-11d. That the survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exception to the definition of subdivision;

R. Curtis Gaines
R. Curtis Gaines
Registration Number: L-4868



WESTERN CAROLINA SURVEYORS, P.A. (LICENSE NO. C-0338)			
912 WILKESBORO BLVD.		LENOIR, NC	TELE. (828) 758-5353
TITLE: Recombination Survey of the Ronald Brian Teague Property and the City of Lenoir Property			
CLIENT: Brian Teague		TOWNSHIP: Lenoir	COUNTY: Caldwell STATE: N.C.
Deed Ref: BK 372 Pg 385 BK _____Pg _____		NC PIN # 2831509864	LAYERS 9395-A
APP BY	DRAWN BY	DATE	SCALE: 1"=30' CF: 9395 BY: GAC
RCG	RCG	07-17-2022	JOB NO. 9395-A FB: 0973 SHEET 1

**NOTICE OF OFFER
TO PURCHASE
REAL PROPERTY -
CITY OF LENOIR**

37
Notice is hereby given pursuant to NCGS §160A-269 that the City of Lenoir has received an Offer to Purchase a 0.90 acre portion of a 30.42 acre tract owned by the City of Lenoir located on the 2550 block of Collettsville Road in the unincorporated area of Caldwell County. The City has owned the property (site of the old landfill) since 1959. The parcel number is: NCPIN #2831509864, Parcel ID 0233-1-1. The offered purchase price is \$750.00 for conveyance by non-warranty deed. The property shall be conveyed "as is, where is," and the purchase and sale shall be subject to all superior liens, unpaid taxes and special assessments, if any. The City Council proposes to accept said offer. Within ten (10) days of this notice any person may raise the bid by not less than ten (10%) of the first \$1,000.00 and five (5%) percent of the remainder and by making a deposit of five (5%) percent of such increased bid with the City Clerk. Any such bid shall be subject to further advertisement as provided in NCGS. §160A-269. The City Council may at any time reject any and all bids.

**City of Lenoir
Shirley M. Cannon, MMC,
NCCMC
City Clerk
801 West Avenue, NW
Lenoir, NC 28645**

August 19, 2022

CITY OF LENOIR
COUNCIL ACTION FORM

- I. Agenda Item:** Consideration to approve the use of revenue replacement funding to purchase a Labrie Automizer Side Loading, 2023 Freightliner refuse truck.
- II. Background Information:** Attached for your consideration is a quote for the purchase of a Labrie Automizer Side Loading, 2023 Freightliner refuse truck for the Public Works department. It is requested for City Council to approve the purchase and the utilization of the competitive bidding group purchasing exception as allowed by the General Statutes (GS 143-129(e)(3)). This vehicle is on the North Carolina Sheriffs' Association (NCSA) contract bid # 23-07-0421 Lot #334.
- III. Staff Recommendation:** Staff recommends City Council authorize the purchase of the Labrie Automizer Side Loading, 2023 Freightliner refuse truck at a cost of \$285,000.00 and the utilization of the competitive bidding group purchasing exception.
- IV.**

Reviewed by:

City Attorney: _____

Finance Director: Donna Bean

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 LENOIR CITY COUNCIL AUTHORIZING
THE UTILIZATION OF THE COMPETITIVE BIDDING GROUP
PURCHASING EXCEPTION AND AUTHORIZING THE
PURCHASE OF A REFUSE TRUCK**

WHEREAS, the City Council of Lenoir approves the use of revenue replacement funding to purchase a Labrie Automizer Side Loading, 2023 Freightliner refuse truck; and

WHEREAS, the City Council of Lenoir approves the utilization of the competitive bidding group purchasing exception as allowed by the General Statutes (GS 143-129(e),(3)). This vehicle is on the North Carolina Sheriffs' Association (NCSA) contract bid # 23-07-0421 Lot #334.

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

City Council approves the purchase of a refuse truck from Joe Johnson Equipment in the amount of \$285,000.00 utilizing revenue replacement funding.

Adopted this the 6th day of September, 2022.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk





Joe Johnson Equipment

Subsidiary of Federal Signal Corporation

704-289-6488



jjei.com



info@jjei.com



4519 Old Charlotte Hwy. Monroe NC 28110



May 20, 2022
Quote #: 0122028

City of Lenoir
510 Greer Circle SW
Lenoir, NC 28645

Attention: Jared Wright

RE: Labrie Automizer

Dear Jarad,

We would like to take this opportunity to thank you for your interest in both Joe Johnson Equipment (JJE) and in Labrie Environmental Group's industry-leading line of innovative refuse collection equipment.

JJE is pleased to present the following quotation to provide one (1) new Labrie Automizer side loading body, mounted on a new 2023 Freightliner M2 106 supplied chassis. NCSA contract bid # 23-07-0421 Lot # 334.

We appreciate the opportunity to assist with this equipment requirement and ask that you not hesitate to contact us should you require additional information.

Respectfully Submitted,

Danny Wilson
Regional Sales Manager
Joe Johnson Equipment
Office: (828) 610-3100
dwilson@jjeusa.com



**Joe Johnson
Equipment**

Subsidiary of Federal Signal Corporation

704-289-6488

jjei.com

info@jjei.com

4519 Old Charlotte Hwy. Monroe NC 28110



Quotation

DESCRIPTION					
Model:	AUTOMIZER RIGHT-HAND			Capacity:	31 (27+4) c.y. - YRHS0274
Chassis MFR:	Freightliner - Customer				
Engine:	Cummins L9 (360HP)	Model:	M2 106	Axle:	6 x 4
Transmission:	RDS 3000 Series	Cab:	Conventional	Aux. Axle:	No
Cab color:	Factory White N0006EA				
Body color:	White N0006EA				
Chassis color:	Factory black				
<u>Configurative features:</u>					
Crusher Panel					
Heavy Duty Arm & Grabber "32 to 95 gal."					
<u>Lifting arm option:</u>					
Spill shield: installed behind grabber (Not compatible with AGRA0140)					
<u>Control options:</u>					
Packer control on joystick (Cannot be combined with ACJC0100 on Co-mingle units)					
<u>Hydraulic options:</u>					
Hot-Shift PTO with pump mounted on crossmember					
<u>Lighting options:</u>					
Multifunction Lights Package: Multifunction round amber lights (4). Oval center brake light-red- in upper tailgate (1). Round brake lights- red- in upper tailgate light bar (2)					
RH-side post (3)					
Work light kit: single- in-cab single manual switch - LED type					
<u>Camera options:</u>					
Hopper LH-side (4)					
RH-side post (5)					
Tailgate center 2/3 (1)					
Triple Zone Defense cameras (with shutter): (N/A with DVR monitor). Monitor must be selected separately.					
Heater. Shutter					
Zone Defense 9" color LCD monitor. Split screen. Touch screen					
<u>Body options:</u>					
Clean out tools (broom- hoe & shovel kit including brackets; installed at front-of-body)					
Fire Extinguisher- 20 lbs (standard position: body curbside unless specified otherwise by regulation)					
Hopper floor liner: 0.250" Hardox 450 steel					
Larger clean out doors and foldable ladder					
<u>Paint options:</u>					
Body: 1 Color Urethane Body Paint Included in unit base price. Includes bolt-on parts painted body color					

Clean Air. Clean Water. Clean Streets.



**Joe Johnson
Equipment**

Subsidiary of Federal Signal Corporation

704-289-6488



jjei.com



info@jjei.com



4519 Old Charlotte Hwy. Monroe NC 28110



ADDITIONAL FEATURES:

- Sit-down drive on RH: with pedals and steering– Dealer Install
- Arm joystick controls in-cab: Dual side moveable – Dealer Install

Purchase Price..... \$285,000.00

Terms & Conditions

Strictly Subject to Availability and Prior Sale

Subject to revision based on events beyond our control due to wildly fluctuating material prices

Pricing in USD, taxes and fees to be paid at time of tag & title if applicable

Price Includes PDI, delivery and training

FOB: Lenoir, NC

Payment Terms: Due upon receipt

Purchase order required

Delivery: To be confirmed at time of order

Quotation valid for 7 days

U027557

Clean Air. Clean Water. Clean Streets.

CITY OF LENOIR
COUNCIL ACTION FORM

- I. Agenda Item:** Public Utilities – Water System Asset Inventory and Assessment Grant Application Resolution**

Background Information: The State of North Carolina Department of Environmental Quality has made available a grant program to make funding available to eligible units of local government that have a need to develop a comprehensive asset inventory program that includes condition assessment of critical assets within the water system. The grant would provide funding up to \$200,000.00 to assist the City of Lenoir in undertaking this beneficial analysis of our system including the water treatment facility and the distribution system. If the application is funded under the federal ARPA allocation, no match is required by the City. We are also submitting an application for a wastewater AIA grant. A maximum of \$400,000 may be allocated to a local government unit for both.

This grant opportunity could be very beneficial to the City to facilitate the development of an asset inventory program that will provide a clearer understanding of our critical needs within our water system. As future Capital Improvement Plans are developed, this information will be valuable to the decision making process.

- II. Staff Recommendation:** Staff recommends approval of the proposed resolution authorizing the City Manager to execute and file the Water System Asset Inventory and Assessment Grant Application resolution on behalf of the City of Lenoir with the NC DEQ for the project described above.

III. Reviewed by:

City Attorney: _____

Finance Director: _____

Public Works/Public Utilities Director: _____

**** NOTE:** This grant program requires that applications for water systems and wastewater systems must be filed separately. This is the purpose for approving two resolutions.



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 need for and intends to construct, plan for, or conduct a study in a project described as the Water Asset Inventory Assessment of the City's drinking water system, 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 COUNCIL OF THE CITY OF LENOIR:

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

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

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.

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 study of the project described above.

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

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

Adopted this the ____ day of _____, 2022 at Lenoir, North Carolina.

SEAL

Joseph L. Gibbons, Mayor



CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Lenoir does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the City Council of the City of Lenoir duly held on the ____ day of _____, 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

CITY OF LENOIR
COUNCIL ACTION FORM

- I. Agenda Item:** Public Utilities – Wastewater System Asset Inventory and Assessment Grant Application Resolution**

Background Information: The State of North Carolina Department of Environmental Quality has made available a grant program to make funding available to eligible units of local government that have a need to develop a comprehensive asset inventory program that includes condition assessment of critical assets within the wastewater system. The grant would provide funding up to \$200,000.00 to assist the City of Lenoir in undertaking this beneficial analysis of our system including the wastewater treatment facility and the collection system. If the application is funded under the federal ARPA allocation, no match is required by the City. We are also submitting an application for a water AIA grant. A maximum of \$400,000 may be allocated to a local government unit for both.

This grant opportunity could be very beneficial to the City to facilitate the development of an asset inventory program that will provide a clearer understanding of our critical needs within our wastewater system. As future Capital Improvement Plans are developed, this information will be valuable to the decision making process.

- II. Staff Recommendation:** Staff recommends approval of the proposed resolution authorizing the City Manager to execute and file the Wastewater System Asset Inventory and Assessment Grant Application resolution on behalf of the City of Lenoir with the NC DEQ for the project described above.

III. Reviewed by:

City Attorney: _____

Finance Director: _____

Public Works/Public Utilities Director: _____

**** NOTE:** This grant program requires that applications for water systems and wastewater systems must be filed separately. This is the purpose for approving two resolutions.



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 need for and intends to construct, plan for, or conduct a study in a project described as the Sewer Asset Inventory Assessment of the City's wastewater system, 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 COUNCIL OF THE CITY OF LENOIR:

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

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

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.

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 study of the project described above.

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

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

Adopted this the ____ day of _____, 2022 at Lenoir, North Carolina.

SEAL

Joseph L. Gibbons, Mayor



CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Lenoir does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the City Council of the City of Lenoir duly held on the ____ day of _____, 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



City of Lenoir Police

1035 West Avenue NW
 Lenoir, North Carolina 28645
 (828) 757-2100 • Fax (828) 757-2103



Council Action Form

I. Agenda Item:

II. Background Information:

III. Staff Recommendation:

IV. Reviewed by:

City Attorney: _____	Date: _____
City Manager: _____	Date: _____
Police Chief:  _____	Date: _____



**LENOIR POLICE DEPARTMENT
TRAFFIC UNIT**

**TRAFFIC PROJECT
EVALUATION AND RECOMMENDATION**



Location of Evaluation: Pennwood Street
Glenview Street

Dates of Evaluation: April 22 – May 24, 2022

Recommendation: See attached

Completed by: Sgt. Chris Bumgarner

Photographs (Google Earth Images)



Pennwood Street (from Lower Creek Drive)



Intersection of Pennwood Street and Glenview Street



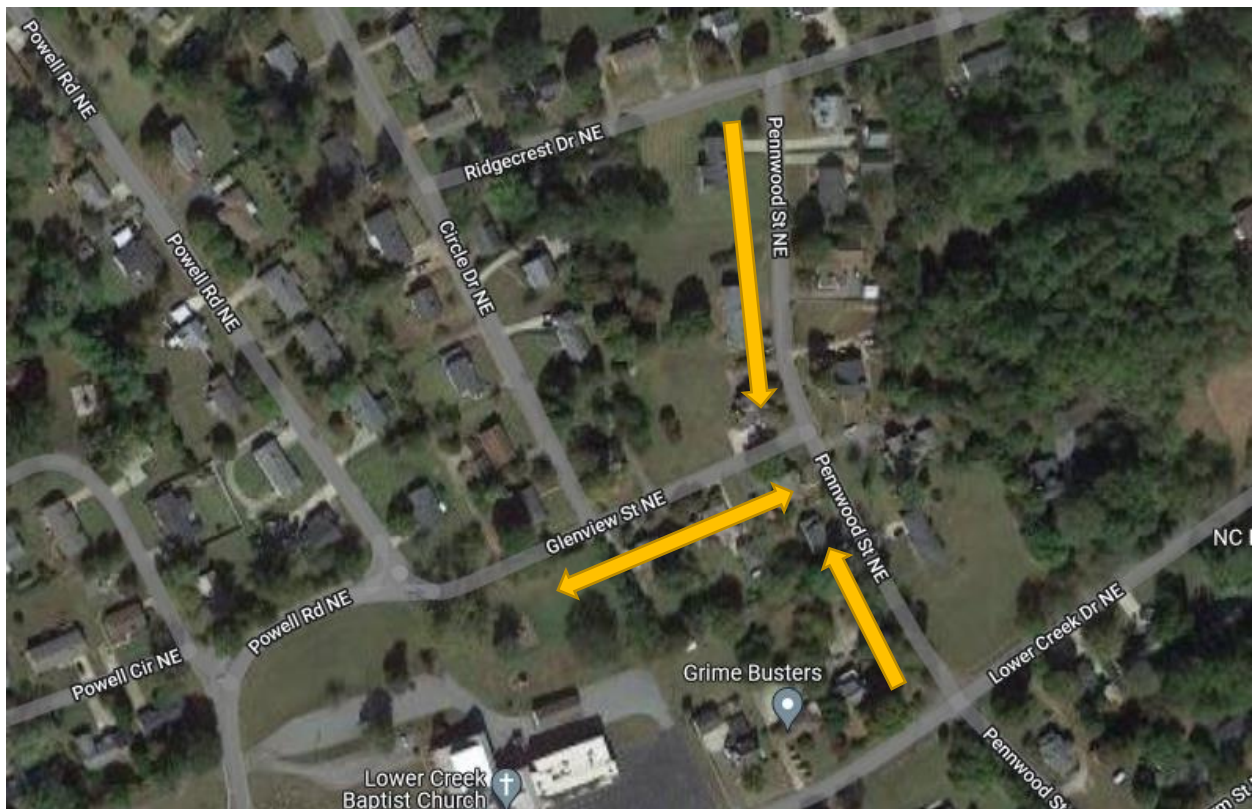
Glenview Street (From Pennwood Street)



Glenview Street (From Powell Road towards Pennwood Street)



Glenview Street at Circle Drive (towards Pennwood Street)



Satellite Image of Evaluated Area

EVALUATION

The radar sign was deployed on **Pennwood Street** (from Ridgecrest Drive) beginning **April 22, 2022** for a period of two weeks. Data collecting during this two week period is as follows:

Average Speeds		Average Daily Count	
Sunday	18.15 mph	Sunday	73
Monday	19 mph	Monday	252
Tuesday	17.6 mph	Tuesday	276
Wednesday	19.3 mph	Wednesday	256
Thursday	18.75 mph	Thursday	266
Friday	17.85 mph	Friday	91
Saturday	17.55 mph	Saturday	77



The radar sign was deployed on **Glenview Street** (from Powell Road) beginning **May 2, 2022** for a period of one week. Data collecting during this period is as follows:

Average Speeds:

Sunday	20 mph
Monday	19.7 mph
Tuesday	20.2 mph
Wednesday	20.4 mph
Thursday	20.4 mph
Friday	18.2 mph
Saturday	19.9 mph

Average Daily Vehicle Count:

Sunday	278
Monday	411
Tuesday	416
Wednesday	425
Thursday	442
Friday	435
Saturday	290

This data shows the amount of vehicles that traveled Glenview Street from Powell Road to Pennwood Street each day.



The radar sign was deployed on **Glenview Street** (from Pennwood Street) beginning **May 10, 2022** for a period of two weeks. Data collecting during this two week period is as follows:

Average Speeds:

Sunday	19.85 mph
Monday	20.35 mph
Tuesday	20.35 mph
Wednesday	20.5 mph
Thursday	20.4 mph
Friday	19.3 mph
Saturday	18.6 mph

Average Daily Vehicle Count:

Sunday	265
Monday	415
Tuesday	416
Wednesday	420
Thursday	443
Friday	418
Saturday	320

This data shows the amount of vehicles that traveled Glenview Street from Pennwood Street each day.



RECOMMENDATION

There is no posted speed limit on either of these city streets. Therefore, the assumed speed limit is 35mph. After evaluating the collected data, the highest daily speed average was 20.5 mph (Glenview Street traveling toward Pennwood Street). Based on this information, it does not appear that excessive speeding is taking place.

As neither Pennwood Street nor Glenview Street have an average daily vehicle count of greater than 500 vehicles, neither streets qualify for multi-way stops or speed humps/tables in accordance with traffic calming guidelines.

Rumble strips have been previously installed by the City of Lenoir at the intersection of Glenview Street and Pennwood Street. Due to wear and tear, these strips are becoming ineffective. *I recommend replacing the rumble strips at this intersection to encourage drivers to slow and come to a complete stop at the intersection.*

It is my recommendation that as call volume allows, officers of the Lenoir Police Department continue to have a visible presence in this residential neighborhood in an effort to address citizen concerns regarding motor vehicles.

CITY OF LENOIR**COUNCIL ACTION FORM: September 6, 2022**

- I. Agenda Item:** Call for a public hearing to discuss the establishment of a Social District within Downtown Lenoir.
- II. Background Information:** The State of North Carolina enacted Session Law 2021-150 for ABC Social Districts on September 10, 2021. This law allows local governments to establish Social Districts and common areas where permittees may sell alcoholic beverages in designated cups that may be taken into the common area for consumption. Upon passage of this new law, numerous municipalities have enacted a local ordinance as permitted by the law to encourage local commerce and social gatherings in their downtown core.

As discussed at the Committee of the Whole meeting on August 23, 2022, staff is in the process of drafting an ordinance for Council consideration. The ordinance, if adopted, would establish a Social District along with the boundaries for the downtown district. Further, state law requires that a "Management Plan" be developed and implemented when an ordinance is adopted, which would establish the days, times and boundaries in which the public would be allowed to consume alcoholic beverages within the district. A public hearing is required prior to the adoption of an ordinance creating a social district in the City's downtown. Enclosed please find the information presented at the Committee of the Whole on social districts for your reference.

- III. Staff Recommendation:** Staff requests that City Council call for a public hearing to be held on September 20, 2022 at 6:00 p.m. at their regular Council meeting to allow for input on the establishment of a Social District and consideration of adoption of an ordinance establishing a social district.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Economic Development Director: _____



Downtown Lenoir Social District Maintenance & Operations Plan

SEPTEMBER 1, 2022

MATTHEW ANTHONY

Table of Contents

INTRODUCTION	2
PROPOSED DOWNTOWN LENOIR SOCIAL DISTRICT DETAILS:	5
MANAGEMENT	5
DISTRICT BOUNDARY MAP & LOGO:	5
SOCIAL DISTRICT HOURS:	5
MERCHANT EDUCATIONAL PROGRAM:.....	5
BEVERAGE CONTAINERS & RULES OF USE:	6
DISTRICT SIGNAGE:	6
SECURITY & ENFORCEMENT:	7
INSURANCE:.....	7
SANITATION AND MAINTENANCE:.....	7
MARKETING AND PROMOTION:	7

INTRODUCTION

Background: House Bill 890 was passed by the NC House and Senate on Tuesday, August 10, 2021 and signed by the Governor on September 10. Included in House Bill 890 is a provision that allows the creation of social districts in North Carolina. The North Carolina Retail Merchants Association was the major interest group pushing for the passage of this legislation to drive foot traffic to downtown businesses and level the playing field for brick-and-mortar businesses without ABC permits.

What is a Social District?

A defined outdoor area in which a person may consume alcoholic beverages sold by an ABC permittee.

Who Can Designate a Social District?

House Bill 890 did not create a statewide social district, but instead allows cities and counties to “opt-in” to social districts via an ordinance. A city may adopt an ordinance designating an area within the municipal limits as a social district under G.S. 160A-205.4.

What are the requirements for a City to Create a Social District?

1. Social districts must be clearly defined and post signage in conspicuous locations indicating:
 - a. The area included in the social district
 - b. The days and hours during which alcoholic beverages can be consumed in the social district
 - c. The telephone number for the ALE division and local law enforcement jurisdiction over the social district.
 - d. A clear statement that an alcoholic beverage purchased for consumption in a social district shall:
 - i. Only be consumed within the social district
 - ii. Be disposed of before the person possessing the alcoholic beverage exits the social districts, unless the person is reentering the licensed ABC premises where the alcoholic beverage was purchased (G.S. 18B-904.1(c)(1)).
2. Social districts are only allowed to operate during the hours defined under G.S. 18B-1004: from 7am until 2 am Monday-Saturday and 10am-2am on Sundays. (G.S. 18B-904.1(c)(1))
3. A city designating a social district is required to establish management and maintenance plans for the social district and post these plans along with a drawing of the boundaries and the applicable days and hours of the social district on the city’s website. A social district must be maintained in a manner that protects the health and safety of the general public. (G.S. 18B-904.1(c)(2))

4. Before a social district can become operational, a city must submit to the North Carolina ABC a detailed map of the social district with the boundaries clearly marked and the days and hours during which alcoholic beverages can be consumed. (G.S. 18B-904.1(c)(3))

Who Can Sell Alcohol in a Social District?

Under G.S. 18B-904.1(a)(1), a business holding any of the following ABC Permits may sell alcohol to be consumed in a social district:

1. An on-premises malt beverage permit issued pursuant to G.S. 18B-1001(1)
2. An on-premises unfortified wine permit issued pursuant to G.S. 18B-1001(3)
3. An on-premises fortified wine permit issued pursuant to G.S. 18B-1001(5)
4. A mixed beverages permit issued pursuant to G.S. 18B-1001(10)
5. A distillery permit issued pursuant to G.S. 18B-1100(5)

What additional rules do ABC permittees have to follow to sell alcohol within a social district? (G.S. 18B-904.1(d))

First, an ABC permittee must be located in or contiguous to the social district in which it is selling alcohol to be consumed.

Secondly, the ABC Permittee is only allowed to sell and serve alcoholic beverages ON its licensed premises. In other words, the ABC Permittee cannot sell alcoholic beverages in the street or down the street from its licensed premises just because they are located in, or are contiguous to the social district.

Third, alcoholic beverages that are being sold to be consumed in a social district can only be sold in a container that meets the following requirements:

1. The container clearly identifies the ABC permittee from which the alcoholic beverage was purchased.
2. The container clearly displays a logo or some other mark that is unique to the social district in which it will be consumed.
3. The container is NOT made of glass.
4. The container displays, in no less than 12-point font, the statement “Drink Responsibly – Be 21.”
5. The container cannot hold more than 16 fluid ounces.

Finally, the ABC permittee must prohibit a person from entering or reentering its licensed premises with an alcoholic beverage not sold by the ABC permittee as is the current law. An example XYZ restaurant sells John Smith a cup of wine. John Smith cannot reenter XYZ Restaurant with a cup of beer he bought at Acme Brewing located within the same social district. John Smith also cannot enter XYZ restaurant for the first time with the cup of beer John Smith bought at Acme Brewing. They can, however, re-enter the same location where they purchased the alcohol that they are still consuming.

Businesses Who Wish to Opt Out.

- Signage will indicate that retail customers cannot enter with alcohol (or food & drink if that is the policy).
- Signage can indicate that a bar or restaurant customer may not remove alcohol from the facility.

Customer Requirements:

First, a person can only possess and consume alcoholic beverages purchased from an ABC permittee located in or contiguous to the social district on a designated social district container.

Second, any alcoholic beverages consumed in the social district must be consumed from the required social district container. A person cannot pour their wine, beer or liquor into a solo cup or any type of container other than the one meeting all the requirements for social districts.

Third, alcoholic beverages shall only be possessed and consumer IN the social district during the days and hours set by the city.

The sale and delivery of alcohol in a social district is subject to the same limitations for sales and deliveries of alcohol in North Carolina:

- No more than two malt beverage or wine drinks at one time to a single patron
- No more than one mixed beverage or spiritous liquor drink at one time to a single patron

Finally, a person is required to dispose of any alcoholic beverage in the person's possession prior to exiting the social district unless the person is reentering the licensed ABC premises where the alcoholic beverage was purchased. If a person is leaving the social district area, they must pour out or throw away their alcohol. They also cannot take it with them into any other business that sells alcohol or has opted out of the social district. They may ONLY take their alcoholic drink into the establishment where they bought it or a participating business that does not sell alcohol.

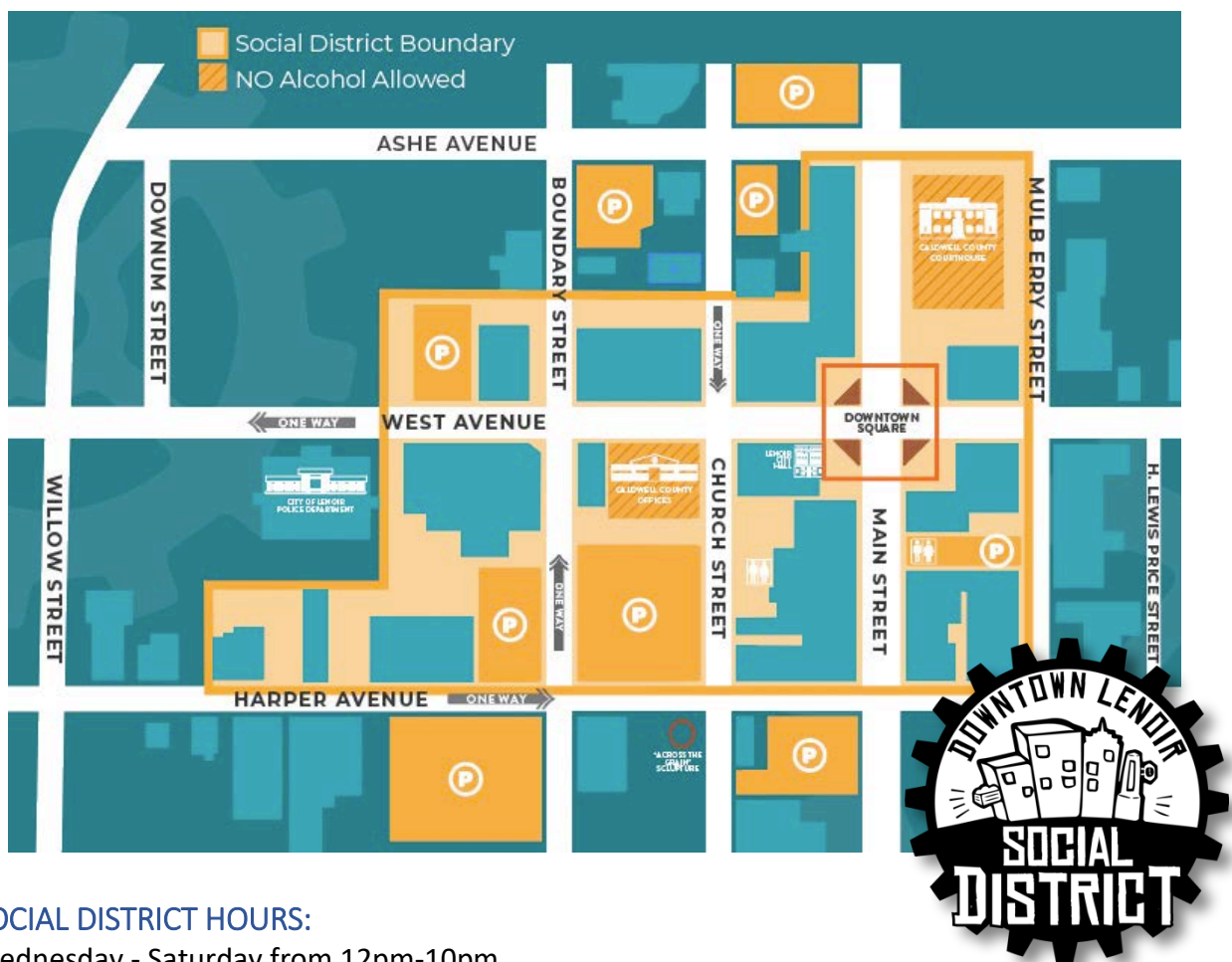
PROPOSED DOWNTOWN LENOIR SOCIAL DISTRICT DETAILS:

In the plan that follows, the management and maintenance of the Downtown Lenoir Social District is outlined. The plan will be submitted to the North Carolina ABC Commission and placed on the City of Lenoir website.

MANAGEMENT

The Downtown Lenoir Social District will be jointly managed by the Downtown Lenoir Main Street, City of Lenoir Police Department, the Planning and Zoning Department, and the Public Works and Utilities Department.

DISTRICT BOUNDARY MAP & LOGO:



SOCIAL DISTRICT HOURS:

Wednesday - Saturday from 12pm-10pm

MERCHANT EDUCATIONAL PROGRAM:

The DLMS would conduct an informational webinar that would also be recorded for the merchants outlining requirements. Chief Phelps would be on this call. Merchants can opt out of the program if they choose to.

BEVERAGE CONTAINERS & RULES OF USE:

The permit holders opting into the social district would supply their own containers that meet the state requirements (branded with their business or using a sticker), and Downtown Lenoir Main Street has designed a district sticker with required verbiage along with date/time line which is required to be filled out at point of sale. The participating permit holders will be responsible for purchasing the district stickers.

The following regulations apply to containers within the Social District:

- i. The container prominently displays the Social District permittee's trade name or logo and a mark that is unique to the Social District permittee under the District permittee's on-premises license.
- ii. The container prominently displays a logo or some other mark that is unique to the Downtown Lenoir Social District as authorized by the City.
- iii. The container displays, in no less than 12 point font, the statement, "Drink Responsibly – Be 21."
- iv. The container is not comprised of glass material.
- v. The container has a liquid capacity that does not exceed 16 ounces.
- vi. Containers will be provided by the permittee after approval of the City.
- vii. Social District containers may not be carried into another establishment.
- viii. The permittee shall not allow a person to enter or re-enter its licensed premises with an alcoholic beverage not sold by the permittee.
- ix. A person shall dispose of any alcoholic beverage in the person's possession prior to exiting the social district unless the person is reentering the licensed premises where the alcoholic beverage was purchased.



DISTRICT SIGNAGE:

Public Works would implement required signage indicating the district (ground decals as is necessary for the state highway on Main Street), and merchants who choose to opt-out would need to provide their own signage. For retailers: "This Retailer Has Opted Out of the Downtown Lenoir Social District. Do not enter with an alcoholic beverage." For permit-holders: "This Business Has Opted Out of the Downtown Lenoir Social District. You May Not Take Alcoholic Beverages Off-Site Purchased from This Location." Additionally, permit-holders opting into to

the program would be encouraged to place signage that indicates “No Outside Alcohol” on their entrances. Those with patios would be encouraged to have signage that indicates “No Glass Beyond this Point” at the patio exit/entrance to the district.



SECURITY & ENFORCEMENT:

Security and enforcement in the Social District will be provided by the City of Lenoir Police Department.

INSURANCE:

The City of Lenoir is insured for its management and operation of the Social District.

SANITATION AND MAINTENANCE:

The City’s Public Works and Utilities Department will provide sanitation services within the district including trash removal and litter pick up. Trash/recycling receptacles will be located at the boundaries of the Social District to encourage patrons to properly dispose of their used cups and unconsumed alcohol, as well as throughout the Social District as presently available throughout the downtown.

MARKETING AND PROMOTION:

Marketing and promotion of the Social District will be provided by the Downtown Lenoir Main Street in collaboration with ABC permitted establishments adjacent to the Social District.

Research:

The structure for the proposed Social District in Downtown Lenoir was based on input from the following:

- Two live webinars in which 3 Town Managers discussed their experiences with their Social Districts: Mobile, AL, Huntsville, AL and Grand Rapids, MI.
- Information gathering from social districts with the state:
 - o Kannapolis, NC
 - o Greensboro
 - o Hickory
 - o Sylva
 - o Newton
 - o Salisbury
 - o Mooresville
 - o Asheboro
 - o Oxford
 - o Monroe
- Discussions with Permit Holders and Non-Permit Holders within the district, as well as downtown residents.
- Discussion with the Chief and Assistant Chief of Police to hear their concerns.
- Conversation with the ABC legal team in Raleigh about liability scenarios.
- Conversations with David Coffey about insurance liabilities.
- A Law Enforcement Meeting with a local ALE agent, Lenoir Police, Katie Brummett (Liquid Roots Brewery, Kaylynn Horn (Economic Development Director) and Scott Hildebran (City Manager) to discuss liability scenarios.

Special Events: ????

If an event is hosted in Downtown that allows the sale of Alcoholic Beverages, the same permit-holder rules will apply to the boundary of the event. That permit holder will be required to serve in the required container, and consumers can move about the district with alcohol purchased at the event, but will not be allowed to bring alcohol into the event purchased from other permit-holder locations outside of the district.

Next Steps:

1. Craft the Ordinance
2. Hold a Public Input Meeting for the Ordinance Proposal
3. Vote on the Ordinance
4. If passed, record the Social District Plan with NC ABC Commission
5. Implement the Program
 - a. Merchant information session
 - b. Place required signage demarking the district
 - c. Acquire social district stickers and create other communication programs

Social District Background Research – Web Meeting

Selling Points: Great for economic development, especially during a pandemic to encourage shoppers and diners to move around outside and patronize retailers. So many festivals did not happen – losses are still significant for businesses. In other towns, it has proven to increase business traffic and property occupancy rates.

Signage Requirements: Where the district boundaries are, hours of the social district and who to call for help.

Cups: Must be non-glass and branded with the permittee who is selling, and required verbiage. It can be a sticker from the town's district, plus a sticker from the permittee.

Social District Specifics:

- Opt-In or Opt-Out for both alcohol sales permit holders and those who don't. All other laws for permittees will still be in place.
- Social districts CAN include NCDOT roads with proper signage.
- The town will need to pass an ordinance.
- The town can define the hours and days of the week
- The town should be comfortable with maintaining and policing the district
- The town will need to submit a plan to ABC for filing, but not for approval

Enforcement:

- No big issues with any of the towns who have it. Most exempted parking lots and decks to discourage people from refilling their cups.