

**LENOIR CITY COUNCIL
TUESDAY, OCTOBER 4, 2022
6:00 P.M.**

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

ABSENT: Councilmember Ike Perkins.

STAFF PRESENT: Parks & Recreation Director Kenny Story, Police Chief Brent Phelps, Fire Chief Ken Hair, Public Services Director Radford Thomas, Public Utilities Operations Manager Jeff Church, Public Works Operations Manager Jonathan Hogan, Planning Director Jenny Wheelock, Planner & GIS Coordinator, Hannah Williams, Economic Development Director Kaylynn Horn, Communications Director Joshua Harris, and Main Street Engagement Coordinator Matthew Anthony.

Cady Davis, *News-Topic* Reporter, was also in attendance.

I. CALL TO ORDER

**HURRICANE
IAN:**

- A. On behalf of City Council, Mayor Gibbons asked everyone to keep the families who have been affected by Hurricane Ian in their thoughts and prayers. The hurricane has caused damage and loss of life in Florida and further affected the states of Georgia, North Carolina and South Carolina.

CONDOLENCES; FAMILY OF

BILL JOHNSON:

- B. On behalf of City Council, Mayor Gibbons extended condolences to the family of William "Bill" Johnson. He stated Mr. Johnson served as a Councilman for the Village of Cedar Rock and has contributed a lot to the community. Mr. Johnson was the owner of Grand Manor Furniture and served on the Board of Directors for the UNC Board of Health and the UNC Foundation.

- C. The meeting was opened by a moment of silence followed by the Pledge of Allegiance.

CONGRATULATIONS;

JON HOGAN:

- D. On behalf of City Council, Mayor Gibbons congratulated Jon Hogan, Public Works Operations Manager, for finishing the Yeti 100 Endurance Run in Damascus, Virginia. He completed the race in 26 hours, 43 minutes and 33 seconds as reported by Joshua Harris, Communications Director.

Mr. Hogan thanked City Council for the recognition.

BREAST CANCER AWARENESS

MONTH:

- E. Mayor Gibbons stated October is Breast Cancer Awareness Month and gave each Councilmember a pink ribbon to wear in support of this important event.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

CONDITIONAL ZONING DISTRICT FOR OVERMOUNTAIN DEVELOPMENT, LLC:

- A. A public hearing was held to consider approval of a proposed Conditional Zoning District ordinance (C Z-9) for Overmountain Development, LLC, for approximately 157 acres of property located at to the north and south of McLean Drive and east of US 321, owned by Broyhill Timber Resources, to be rezoned from R-12 (Single Family) to Conditional Zoning District (CZ-) to allow for a multi-phase residential development with detached and attached housing, master planned to preserve of green space and connect with multi-use paths. The Planning Board recommended approval based on the Consistency Statement as follows:

The proposed Conditional Zoning District is consistent with the land use policy concepts in the Comprehensive Plan that call for distinctive neighborhoods that preserve open space, enhance walkability, accommodate a range of housing types, use stormwater measures as community amenities, and foster a strong sense of place. The proposed development is consistent with the Future Land Use Map, which identifies the parcel as “medium density residential” and “mixed use with commercial” – which identifies the parcel as “medium density residential” and “mixed use with commercial” – while commercial uses aren’t proposed the densities and mix of housing types proposed are consistent with the larger are accommodating a mix os uses. The rezoning is reasonable and in the public interest because it provides much-needed housing at a variety of densities, at an appropriate scale near the US-321 commercial corridor.

A copy of the Conditional Zoning Ordinance is hereby incorporated into these minutes by reference. (Refer to pages 264-274.)

Mayor Gibbons opened the public hearing to receive public comments regarding the proposed Conditional Zoning District.

Planning Director Jenny Wheelock reviewed a map of where the proposed development would be located behind Lowes Hardware. The map of the property (Exhibit B) along with the proposed ordinance will be recorded at the Caldwell County Register of Deeds following City Council’s approval.

Using Power Point slides, Planning Director Jenny Wheelock provided an overview of the proposed district, including the concept plan, showing three different sections for neighborhood clusters, interconnected with greenways and trails that take advantage of the existing topography and preserve environmentally sensitive areas as open space (30 percent of the overall acreage). The overall density and number of homes would not exceed that of the existing R-12 zoning classification (3.6 du/acre), but an individual neighborhood cluster might be built at a higher density than 3.6 due to the large acreage that will remain undeveloped. The proposed Conditional Zoning district would allow for attached/semi-detached (“zero lot line”) units as well as low-density multi-family buildings (duplex, tri-plex, quadplex, or garden apartments) in addition to

single-family homes. Additionally, development standards will allow for smaller lots with smaller building setbacks than would normally be allowed in R-12 zoning. General points of ingress/egress are established for each section, from McLean Drive, Huntington Woods Street, the rear Lowes entrance road, and Hibriten Drive.

Director Wheelock informed Council that the next step for the Developers is to submit a preliminary plat for each phase, which should be generally consistent with the concept plan but would depict exact locations of roads and other public infrastructure.

Director Wheelock noted that any section could be developed in any order, but every phase would need to “stand alone” and satisfy the conditions of the CZ-9 ordinance.

Mr. David Waechter, applicant, 1555 Dulatown Road, reported he owns Hibriten Construction, and informed Council this public hearing is the first step in moving forward with this project. Mr. Waechter also reported his plans are to develop the property in the most environmentally responsible manner and protect the stream.

Mr. Waechter emphasized the views are outstanding in the elevated area behind Lowes and said the neighborhood would include housing with rooftop outdoor living spaces and the larger lot sizes would help to maintain the forest/greenway.

Mr. Waechter shared he has also spoken with Fire and Police personnel and both departments verified their vehicles would be able to get in and out of the neighborhood safely.

Ed Trivette, 1138 Hibriten Drive, addressed City Council and stated his property is located beside of the proposed new road and emphasized residents are not in favor of this road. Mr. Trivette stated his property would be flooded with the water that will flow down the crest from Hibriten Drive and from culverts that may be installed during the construction process. Mr. Trivette remarked the road needs to come out on the south side of Lowes and also mentioned numerous wrecks occur on Hibriten Drive because of the curvy road. He commented the road needs to be straightened out. Mr. Trivette stated the property may have environmental equipment.

Mr. Mike Secreast, 1114 Hibriten Drive, agreed with the speeding issue and reported he is unable to check his mailbox between 6:00 a.m. – 9:00 a.m. and 7:00 p.m. - 9:00 p.m. because of speeding motorists who cannot see around the pine trees on the road. He remarked that Hibriten Drive is too curvy and cannot handle additional traffic.

Mr. Cliff Anderson, 1130 Hibriten Drive, stated the main issue is the entrance on Hibriten Drive. He reported there is a southern entrance at Lowes which would be a great location for the second entrance and suggested the proposed location for the Greenway should be changed as well.

Mr. Trivette inquired about the timeline for the proposed project.

Mr. Waechter informed Council he could not give a specific timeline for the project because of all the work that has to be done first such as engineering and permitting before construction can begin. Mr. Waechter also remarked he couldn't address what Duke Energy did or didn't do previously on the property.

In addition, he stated there is a process you have to go through in order to construct a Greenway. Mr. Waechter further stated it would be cost prohibitive for him to construct another driveway to exit onto US Highway 321 and related the staff at N.C. Department of Transportation would have to be contacted about this request.

There being no further public participation, Mayor Gibbons closed the public hearing and asked Council for action.

Councilmember Perdue asked Director Wheelock if she was aware of any Environmental Phase I studies being done on the property. Director Wheelock stated she was not aware of any studies being done, but reported that any neighborhood concerns about stormwater issues may actually be corrected with good stormwater design.

Director Wheelock informed Council that both the City and NCDOT's standards for driveways and roadway connections would have to be met and explained that NCDOT might require improvements to the geometry of Hibriten Drive if they feel the existing conditions are unsafe or unable to handle the anticipated trip volume. She stated the language on page three, section 11-A of the CZ-9 Ordinance specifically requires a connection onto Hibriten Drive, and if Council wanted to allow for the flexibility for an alternative to opening that connection, they would need to amend that section of the ordinance before adopting.

Discussion centered on amending the CZ-9 Ordinance to offer flexibility for an alternative connection, with consensus of the Council that the flexibility was desirable. Director Wheelock offered the following suggestion for amended language in Section 4, "Special Conditions" Subsection 11(a) (denoted using underlined text below):

11. Ingress and Egress.

a. **Section I:** Access from the road behind Lowes and access from Hibriten Drive or a secondary connection south of Lowe's Hardware is required. At least one road connection must be provided between Section 1 and Section 3.

First Motion

Upon a motion by Councilmember Prestwood, City Council voted 6 to 0 to approve the amended language for Section 4, Subsection 11(a) as described above to be included in the proposed Ordinance as submitted.

Second Motion

Upon a motion by Councilmember Perdue, City Council voted 6 to 0 to approve the Ordinance as amended and as presented by City Staff.

**ORDINANCE; FIRST READING; ESTABLISHMENT OF
A DOWNTOWN SOCIAL DISTRICT:**

B. A public hearing was held for the first reading of an Ordinance Amending Chapter 13 of the Lenoir City Code to add Article V "Downtown Social District," directing Staff to Prepare a Management and Maintenance Plan and Detailed Map, and Providing for Severability, Codification and an Effective Date as submitted. Staff will recommend approval of the Ordinance following the second passage.

A copy of the ordinance is hereby incorporated into these minutes by reference. Refer to pages 275-278.)

Mayor Gibbons opened the public hearing to receive public comments regarding the proposed Ordinance.

There being no public participation, Mayor Gibbons closed the public hearing and asked Council for action.

Upon a motion by Mayor Pro-Tem Crissy Thomas, City Council voted 6 to 0 to adopt the Ordinance for the Establishment of a Downtown Social District as presented as submitted by City Staff. Note: Staff will recommend approval of the Ordinance following the final passage.

AMENDMENT; LENOIR CITY CODE,

SECTION 114: C. A public hearing was held to consider adopting the 20 MPH speed limit by resolution 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. 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.

A copy of the amendment is hereby incorporated into these minutes by reference. (Refer to page 279.)

Mayor Gibbons opened the public hearing to receive public comments regarding the proposed 20 MPH speed limit as described above.

Mayor Gibbons mentioned these streets are in the Lower Creek section and commended Public Works Staff along with Fire and Police for the great job they have done in this area addressing issues. Councilmember Beal also stated the road is narrow and has tight turns.

There being no public participation, Mayor Gibbons closed the public hearing and asked Council for action.

Upon a motion by Councilmember Beal, City Council voted to 6 to 0 to adopt 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 and as recommended by City

Staff. The City of Lenoir Code of Ordinances, Section 114, 20 MPH speed limit on the following streets will be amended to include these streets as described.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, September 6, 2022 as submitted.
- B. Capital Project Budget Ordinance; EPA Brownfields Grant #2: Staff requests City Council adopt the Capital Project Budget Ordinance for the EPA Brownfields Grant #2 Project in the amount of \$500,000 as submitted. (A copy of the Capital Project Budget Ordinance is hereby incorporated into these minutes by reference. Refer to page 280.)
- C. Budget Amendment; Building Reuse Grant; Exela Pharma Sciences, LLC: Staff recommends approval of a Budget Amendment for the Building Reuse Grant for Exela Pharma Sciences, LLC in the amount of \$500,000 as submitted. The grant application was authorized on March 2, 2021. (A copy of the budget amendment is hereby incorporated into these minutes by reference. (Refer to page 281.)

Upon a motion by Councilmember Perdue, City Council voted 6 to 0 to approve the above listed items on the Consent Agenda as presented and as recommended by City Manager Hildebran.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

2023 HOLIDAY SCHEDULE:

- 1. The 2023 Holiday Schedule was submitted to City Council as information. The City of Lenoir follows the state holiday schedule. (A copy of the schedule is hereby incorporated into these minutes by reference. Refer to page 282.)

2023 CITY COUNCIL MEETING SCHEDULE:

- 2. The 2023 City Council Meeting Schedule was submitted to City Council for their review and consideration of approval. (A copy of the schedule is hereby incorporated into these minutes by reference. Refer to pages 283-284.)

As information, City Manager Hildebran pointed out there are a couple of dates that conflict with conferences, but stated City Council could amend the schedule closer to those meeting dates.

Motion

Upon a motion by Councilmember Prestwood, City Council voted 6 to 0 to adopt the 2023 Meeting Schedule as presented.

OCTOBER

CALENDAR:

3. The calendar for the month of October was submitted to City Council listing various meetings and events.

NATIONAL NIGHT OUT:

4. The Police Department held their annual National Night Out event on Tuesday, October 4 from 6:00 p.m. – 9:00 p.m. in downtown Lenoir.

ABC BOARD:

5. The Lenoir ABC Board will meet on Thursday, October 6 at 2:00 p.m.

CITY/COUNTY SERVICES

COMMITTEE:

6. The City/County Services Committee will meet on Monday, October 10 at noon.

EDC:

7. The Caldwell County Economic Development Commission (EDC) will meet on Tuesday, October 11 at 8:00 a.m.

LENOIR TOURISM DEVELOPMENT

AUTHORITY:

8. The Lenoir Tourism Development Authority (LTDA) will meet on Thursday, October 13 at 4:00 p.m. at City Hall, Third Floor.

LENOIR BUSINESS ADVISORY

BOARD:

9. The Lenoir Business Advisory Board will meet on Thursday, October 13 at 6:00 p.m. at City Hall, Third Floor.

PARKS & RECREATION ADVISORY

BOARD:

10. The Parks and Recreation Advisory Board will meet on Monday, October 17 at Mulberry Recreation Center at 6:00 p.m.

ONE-STOP EARLY

VOTING:

11. One-Stop Early Voting begins on Thursday, October 20 through Friday, November 4 from 8:00 a.m. – 7:30 p.m. and Saturday, November 5 from 8:00 a.m. – 3:00 p.m. at the Caldwell County Resource Center (Library) located at 120 Hospital Avenue.

DOWNTOWN TRICK OR TREAT

& MAD HATTERS PARADE:

12. Downtown Trick or Trick and the Mad Hatters Pumpkin Patch Parade will be held on Friday, October 28 from 3:00 p.m. – 6:00 p.m. in downtown Lenoir. Also, a drive-through Trick or Treat will be held at the Martin Luther King, Jr. Center on Monday, October 31 beginning at 5:00 p.m.

B. Items for Council Action

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

BOARD ANNOUNCEMENTS:

1. Mayor Gibbons announced there are upcoming vacancies on the City's Authorities/Boards/Commissions and interested individuals may pick up an application at City Hall or download one from the City's website at www.cityoflenoir.com.

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

A. There being no further business, the meeting adjourned at 6:58 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor

AN ORDINANCE OF THE CITY COUNCIL OF LENOIR, NORTH CAROLINA, DESIGNATING CERTAIN LAND GENERALLY LOCATED NORTH AND SOUTH OF MCLEAN DRIVE, WEST OF HUNTINGTON WOODS NEIGHBORHOOD AND HIBRITEN DRIVE, COMPRISED OF 157 ACRES, MORE OR LESS, AS CONDITIONAL ZONING DISTRICT #9 (CZ-9) ON THE CITY'S OFFICIAL ZONING MAPS; DIRECTING AMENDMENT OF THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY, AND AN EFFECTIVE DATE.

Whereas, at its regularly scheduled meetings of August 22, 2022, the Lenoir Planning Board considered zoning application case number R4-22, requesting the Conditional Zoning district designation, for approximately 157 acres of land, described by the legal description attached to this ordinance as **Exhibit "A"** (hereinafter the "Property"); and

Whereas, the property owner and applicant desires to develop a multi-phase, master planned residential development on the property, while preserving green space and environmentally sensitive areas, necessitating the need for Conditional Zoning; and

Whereas, based upon the evidence presented to the Lenoir Planning Board, including the information and analysis contained in the staff report for application case number R4-22, and subject to

certain conditions, the Lenoir Planning Board recommended that the Lenoir City Council approve said conditional zoning application and adopt an ordinance in accordance therewith; and

Whereas, the Lenoir Planning Board has found that approval of the application is consistent with the City's adopted Comprehensive Plan, which calls distinctive neighborhoods that preserve open space, enhance walkability, accommodate a range of housing types, use stormwater measures as community amenities, and foster a strong sense of place. The proposed development is consistent with the Future Land Use Map, which identifies the parcel as "medium density residential" and "mixed use with commercial" — while commercial uses aren't proposed, the densities and mix of housing types proposed are consistent with the larger area accommodating a mix of uses. The re-zoning is reasonable and in the public interest because it provides much-needed housing at a variety of densities, at an appropriate scale near the US-321 commercial corridor; and

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

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

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

SECTION 1. ZONING. After due notice and public hearing, and pursuant to Appendix A, Article XIV of the Lenoir City Code, and other relevant portions of the Lenoir City Code, the zoning designation for the Property is hereby changed from the R-12 zoning district to Conditional Zoning district on the City's Official Zoning Map (to be denoted as "CZ-9").

SECTION 2. OTHER DEVELOPMENT LAWS. Except as expressly provided otherwise by this ordinance, the CZ-9 zoning district remains subject to all applicable federal, state, and local laws, and nothing in this ordinance shall be construed to exempt the Property from the lawful authority or jurisdiction of any federal, state, or local agency.

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

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

1. **Concept Plan.** Subject to any modifications expressly contained in the text of this ordinance, development and maintenance of the Property must be consistent with the concept plan attached to this ordinance as **Exhibit "B"** (hereinafter the "Concept Plan"). In the event of a conflict between the text of this ordinance and the Concept Plan, the text of this ordinance shall control. References in this

ordinance to lots, parcels, buildings, phases, and other development features refer to such features as identified on the Concept Plan.

2. **Variances.** Zoning variances to the standards of the default zoning district not modified by this ordinance may be approved pursuant to the procedures set forth in Appendix A, Article XIII, Section 1312.1 of the Lenoir City Code.
3. **Modification.** The special conditions specific to the CZ-9 zoning district may only be modified by application for a zoning map amendment following the procedures outlined in Appendix A, Article VIII, Section 820 of the Lenoir City Code.
4. **Definitions.** Where used in this ordinance, the following terms are defined as follows:
 - a. *Dwelling, Single-family attached* (Townhouses or row houses) - A single-family dwelling unit constructed in a series or groups of attached units with a common dividing side wall with property lines separating such units. A single dwelling unit occupies the area from ground to roof and may include front and/or back yard areas. Two, three, or four units may be attached together.
 - b. *Dwelling, Single-family detached* - A detached building on its own platted lot that contains one dwelling unit, other than a manufactured home, designed for occupancy exclusively by one family. One accessory dwelling unit is allowed to be located on any single-family lot.
 - c. *Dwelling, Multi-family low-rise* - A low-intensity multi-family development. Often called garden apartments, buildings are typically arranged around common courtyards or greenspace, with patios, porches, decks, or other private amenities for each unit. Units are usually accessed through private entrances directly from the outside. Maximum four units per building.
5. **Permitted Uses.** The uses permitted in CZ-9 vary by the three sections on the Concept Plan. They are as follows:
 - a. Section I & Section III (South of McLean Drive): Attached single-family, detached single family, low-rise multi-family, and club house.
 - b. Section II (North of McLean Drive): Detached single family and accessory uses.
6. **Density.** Residential uses shall be limited to a maximum density of 3.6 dwelling units/acre. Individual sections may exceed this density provided the overall density falls below 3.6.
7. **Open Space.** At least 30 percent of the overall acreage must be preserved as open space, calculated across all three sections. Each section must contain at least 10 percent open space. Greenways, active recreation/amenities, stormwater features when landscaped/designed to be amenities, and perimeter and stream buffers all may be considered to meet the open space requirement — parking areas are not considered open space. Open space should be located on steep slopes and alluvial areas, in order to protect these areas from erosion and negative impacts of development.
8. **Setbacks.** The minimum setbacks for principal structures are:
 - a. Front: 20 ft.
 - b. Side 10 ft or 0 ft
 - c. Street side: 20 ft
 - d. Rear: 20 ft.
9. **Private Roads.** Where roads exclusively serve attached dwellings or multi-family uses, private maintenance may be required. Frontage on a private road under this scenario will be considered satisfactory frontage for platting fee simple lots.

10. **Home Owners Association.** An HOA, or multiple HOAs, must be established for all sections that contain commonly owned improvements, and will be responsible for maintaining all commonly owned private improvements — including but not limited to private roads, open space, stormwater conveyance systems, and neighborhood entrance signage.

11. **Ingress and Egress.**

- a. **Section I:** Access from the road behind Lowes and access from Hibriten Drive or a secondary connection south of Lowe's Hardware is required. At least one road connection must be provided between Section 1 and Section 3.
- b. **Section II:** The existing road network in Huntington Woods must be extended into Section 2. One additional connection to McLean Drive is required. This connection should be located to align with the clubhouse entrance.
- c. **Section III:** An additional connection to McLean Drive is required, and one additional connection point must be provided to Section 1.
- d. **Clubhouse Parcel:** A driveway connection may be located on McLean Drive, pending approval by NCDOT. Alternative access may be from Section 1 or Section 3.
- e. **Greenway/Pedestrian Connections:** Each subarea and any cul-de-sac lots must have an easily accessible trail access point (within 500 ft. of any dwelling unit), allowing use of the greenway to access other neighborhood clusters as well as community amenities. The greenway crossing of McLean Drive must be approved by NCDOT, and should be designed in accordance with standard engineering practices for mid-block greenway crossings.

12. **Stormwater/Low Density Design.** Development must conform to NCDEQ's SW Design Manual's low density design requirements for dispersed flow and vegetative conveyances whenever feasible. Where subarea clusters exceed 2.4 du/acre, post construction stormwater management may be required for those areas. Density determinations will be made during the preliminary plat process.

13. **Landscaping.** Where a mature tree buffer does not exist, a continuous 15' wide landscape screen must be maintained along all property lines that abut residential zones. The screen must meet the requirements of Sec. 712.12.

14. **Phasing — Cluster Neighborhoods and Community Amenities.** The sections may be built-out in any order, and each section may be developed in multiple phases, in accordance with the following:

- a. Each phase must be able to "stand alone" and function in accordance with generally accepted engineering and planning practices and the requirements of the Lenoir Code of Ordinances.
- b. The main Greenway and unpaved hiking/walking trail south of McLean Drive must be constructed with the first phase of development; the trail north of McLean drive (in Section II) must be constructed prior to the first C/O in Section II. Pedestrian connections to the main greenway trail must be built with other infrastructure in each phase — paving may be required
- c. The clubhouse/community amenity parcel must be developed prior to 75% build-out of any single phase or 30% build-out of the entire project, whichever is sooner.

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

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

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Lenoir, North Carolina, by the City Clerk of the City of Lenoir, North Carolina, the 23rd and the 30th day of September, 2022.

DONE, THE PUBLIC HEARING, at a regular meeting, the 4th day of October, 2022.

DONE, ENACTED ON FINAL PASSAGE, by an affirmative vote of the majority of a quorum present of the City Council of the City of Lenoir, North Carolina, at a regular meeting, this 4th day of October, 2022.

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

Mayor/Mayor Pro Tempore

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

City Clerk

****[Remainder of page intentionally left blank.]****

Exhibit A - As found on Deed Book 1131, Page 1299

EXHIBIT "A"

This is a description of a survey made for First Union National Bank, Trustee of the T. H. Broyhill Estate, being a part of that property as described at Deed Book 125 at Page 471, a part of that property is described at Deed Book 121 at Page 077, a part of that property is described at Deed Book 127 at Page 218, a part of that property is described at Deed Book 290 at Page 247, and a part of that property is described at Deed Book 298 at Page 383, all as recorded in the Caldwell County Registry of Deeds, being in the City of Lenoir, Lower Creek Township, Caldwell County, North Carolina and being more particularly described as follows:

BEGINNING on a concrete monument on the east right-of-way of U.S. Highway 321, said BEGINNING POINT being a corner with that property belonging to Paul Broyhill as recorded at Deed Book 851 at Page 629 in the Caldwell County Registry of Deeds, and being located South 25 degrees 26 minutes 19 seconds East 542.40 feet from the N.C.G.S. Station "Claron", and said BEGINNING POINT having the North Carolina grid coordinates of North 792,005.56 feet East 1,253,043.40 feet; thence from the POINT OF BEGINNING and with the Paul Broyhill property, North 77 degrees 54 minutes 10 seconds East 800.68 feet to the center of a concrete monument; thence still with the Paul Broyhill property and with other properties, North 11 degrees 51 minutes 10 seconds West 2031.51 feet to an existing 3/4-inch iron pipe, which is a corner with that property belonging to BMC Fund, Inc. (see Deed Book 303 Page 623, Deed Book 318 Page 553, Deed Book 536 Page 189, Deed Book 794 Page 077); thence continuing with the BMC Fund, Inc. property, North 77 degrees 55 minutes 32 seconds East passing an existing 1/2-inch iron pipe on line at 65.41 feet and continuing on the same bearing 12.58 feet for a total distance along this bearing of 77.99 feet to a point in the center of a branch, still at the corner of the BMC Fund, Inc. property; thence with the branch and with the BMC Fund, Inc. property for eight calls: North 47 degrees 25 minutes 26 seconds West 218.71 feet; North 45 degrees 43 minutes 52 seconds East 27.40 feet; North 47 degrees 07 minutes 52 seconds West 37.50 feet; North 08 degrees 49 minutes 58 seconds West 101.50 feet; North 20 degrees 29 minutes 11 seconds West 110.94 feet; North 31 degrees 33 minutes 02 seconds East 55.43 feet; North 12 degrees 14 minutes 41 seconds East 110.37 feet; North 61 degrees 48 minutes 36 seconds West 188.83 feet to a point in the center of the branch, the corner of the BMC Fund, Inc. property and that property belonging to Lenoir Golf Club, Inc., a deed of which is recorded at Deed Book 865 at Page 697; thence with the Golf Club property for three calls: North 59 degrees 21 minutes 49 seconds East passing an existing 1/2-inch iron pipe on line at 11.65 feet and continuing on the same bearing 208.40 feet for a total distance along this bearing of 220.05 feet to an existing 1/2-inch iron pipe; North 33 degrees 13 minutes 49 seconds East 45.01 feet to a new 3/4-inch iron pipe; North 49 degrees 24 minutes 08 seconds East 59.01 feet to a new 3/4-inch iron pipe, which is a corner with the Lenoir Golf Club, Inc. property and Lot Number 17 of "Woodridge Estates" (Plat Book

14 Page 129, 130, 146, and 202); thence with the "Woodridge Estates" Subdivision for three calls: South 44 degrees 45 minutes 40 seconds East 239.80 feet to an existing 1/2-inch iron pipe on the northwest right-of-way of Golfview Court (see a 40-foot wide right-of-way recorded at Deed Book 1031 at Page 875); thence with the northwest right-of-way of Golfview Court, South 12 degrees 10 minutes 56 seconds West 159.51 feet to an existing 1/2-inch iron pipe; North 76 degrees 45 minutes 23 seconds East (crossing Golfview Court), passing an existing 1/2-inch iron pipe on line at 44.29 feet, continuing 366.32 feet to an existing 1/2-inch iron pipe and still continuing on the same bearing 1376.44 feet for a total distance along this bearing of 1787.05 feet to an existing 1/2-inch iron pipe, a corner with "Woodridge Estates", that property belonging to Tommy Setzer as recorded at Deed Book 289 at Page 549, and that property belonging to Mack Wilson, a deed of which is recorded at Deed Book 695 at Page 838; thence with the Wilson property South 14 degrees 55 minutes 48 seconds East 458.21 feet to an existing 1/2-inch iron pipe at a poplar tree, a corner with the Wilson property and that property belonging to Brenda Strait, a deed of which is recorded at Deed Book 769 at Page 671; thence with the Strait property South 16 degrees 04 minutes 55 seconds East 65.87 feet to the center of an 18-inch Hickory tree, a corner with the Strait property and that property belonging to Everett Haney, et al, a deed of which is recorded at Deed Book 1045 at Page 524; thence with the Haney, et al, property for three calls: South 33 degrees 44 minutes 53 seconds East 170.94 feet to an existing 1/2-inch iron pipe; South 59 degrees 18 minutes 42 seconds East 187.14 feet to an existing 1/2-inch iron pipe South 48 degrees 13 minutes 58 seconds East 150.38 feet to an existing 3/4-inch iron pipe, a corner with the Haney property and that property belonging to William Spicer, a deed of which is recorded at Deed Book 599 at Page 325; thence with the Spicer property, South 04 degrees 44 minutes 36 seconds West 133.73 feet to an existing 1 1/4-inch iron pipe, a corner with the Spicer property and that property belonging to Duke Power Co., a deed of which is recorded at Deed Book 649 at Page 48; thence with the Duke Power Co. property, South 04 degrees 04 minutes 27 seconds West 134.19 feet to a corner marked by an axle, a corner with the Duke Power Co. property and that property belonging to Clarence Land, a deed of which is recorded at Deed Book 819 at Page 245 and at Deed Book 277 at Page 408; thence with the Land property for two calls: South 07 degrees 33 minutes 11 seconds East 328.13 feet to a 20-inch marked ash tree; South 03 degrees 36 minutes 40 seconds East 199.61 feet to an existing 1/2-inch iron pipe, a corner with the Land property and that property belonging to Andrea Dula, et al, a deed of which is recorded at Deed Book 1119 at Page 427; thence with the Dula property South 41 degrees 14 minutes 46 seconds East 148.41 feet to an existing 1/2-inch iron pipe at a large oak tree, a corner with the Dula property and that property belonging to Vernon Greene, a deed of which is recorded at Deed Book 255 at Page 21; thence with the Greene property North 93 degrees 18 minutes 43 seconds West 166.69 feet to an existing 1/2-inch iron pipe; thence still with the Greene property South 45 degrees 58 minutes 25 seconds West (passing the corner of the Ernest L. Reid, Jr. property) 537.52

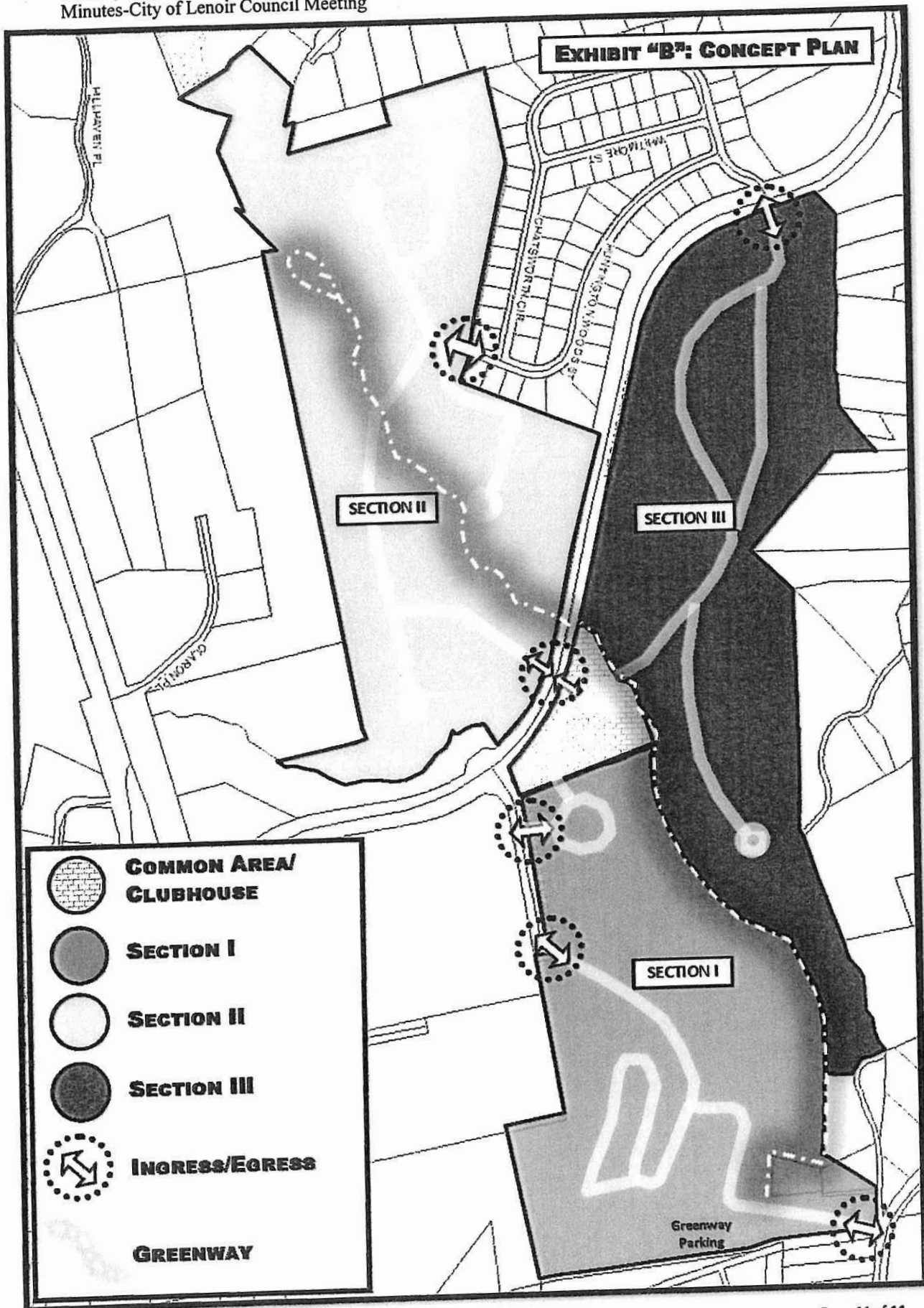
feet to an existing 1/2-inch iron pipe, a corner with that property belonging to Ernest L. Reid, Jr., a deed of which is recorded at Deed Book 1123 at Page 966 and Page 970; thence with the Reid property South 43 degrees 58 minutes 21 seconds East 330.66 feet to a new 3/4-inch iron pipe, a corner with the Reid property, that property belonging to Lorita Bolen, a deed of which is recorded at Deed Book 1117 at Page 811 and that property belonging to Warren Barlow as recorded at Deed Book 945 at Page 579; thence with the Barlow property South 00 degrees 26 minutes 20 seconds West 965.75 feet to a corner marked by an angle iron, a corner with the Warren Barlow property and that property belonging to Carl Clement (see Deed Book 940 Page 249 and Deed Book 708 Page 581); thence with the Clement property and with the center of the Old Shoates Bridge Road for four calls: South 46 degrees 08 minutes 48 seconds East 21.55 feet to a new 3/4-inch iron pipe; South 14 degrees 09 minutes 33 seconds East 35.13 feet to a new 3/4-inch iron pipe; South 17 degrees 51 minutes 58 seconds East 268.06 feet to a new 3/4-inch iron pipe; South 20 degrees 38 minutes 07 seconds East 161.42 feet to an angle iron found in a fence corner, a corner of the Clement property and that property belonging to Edward Miller as recorded at Deed Book 779 at Page 354; thence continuing with the center of the Old Shoates Bridge Road and with the Miller property for seven calls: South 38 degrees 35 minutes 33 seconds East 70.47 feet to a new 3/4-inch iron pipe; South 30 degrees 58 minutes 19 seconds East 102.33 feet to a new 3/4-inch iron pipe; South 08 degrees 11 minutes 59 seconds West 73.07 feet to a new 3/4-inch iron pipe; South 19 degrees 11 minutes 20 seconds East 136.41 feet to a new 3/4-inch iron pipe; South 23 degrees 49 minutes 02 seconds East 61.53 feet to a new 3/4-inch iron pipe; South 37 degrees 09 minutes 11 seconds East 52.69 feet to a new 3/4-inch iron pipe; South 03 degrees 26 minutes 35 seconds East 29.29 feet to a new 3/4-inch iron pipe, over a culvert in the old roadbed, a corner with the Miller property and that property belonging to Nolan Lovins, a deed of which is recorded at Deed Book 661 at Page 1124; thence with the Lovins property for three calls: South 14 degrees 00 minutes 02 seconds West 34.72 feet to an existing 1/2-inch iron pipe; South 08 degrees 01 minutes 35 seconds West passing an existing 3/4-inch iron pipe on line at 97.34 feet and continuing on a same bearing 223.66 feet for a total distance along this bearing of 321.00 feet to an existing 1-inch iron rod, a corner with the Lovins property and that property belonging to Travis Woods, a deed of which is recorded at Deed Book 1090 at Page 585; thence with the Woods property South 70 degrees 53 minutes 15 seconds West 209.58 feet to a railroad spike in an oak stump, a corner with the Woods property and that property belonging to Ralph Anderson, as recorded at Deed Book 298 at Page 145; thence with the Anderson property for two calls: North 78 degrees 44 minutes 34 seconds West 206.46 feet to an existing 3/4-inch iron pipe; South 01 degrees 30 minutes 23 seconds West 159.85 feet to an existing 3/4-inch iron pipe, a corner with the Duke Power Co., as recorded at Deed Book 669 at Page 572; thence with Duke Power Co. for three calls: South 00 degrees 55 minutes 20 seconds West 10.50 feet to an existing 1/2-inch iron pipe; North 85 degrees 09 minutes 10 seconds East 223.09 feet to a new 3/4-inch iron pipe; North 07 degrees 17 minutes 56

seconds West 1.60 feet to a 1/2-inch rebar, a corner with Travis Woods, a deed of which is recorded at Deed Book 1090 at Page 685; thence with Woods North 87 degrees 28 minutes 41 seconds East 68.13 feet to a new 3/4-inch iron pipe, a corner with Duke Power Co., a deed of which is recorded at Deed Book 669 at Page 572; thence with Duke Power Co. for two calls: South 07 degrees 17 minutes 56 seconds East 48.80 feet to a new 3/4-inch iron pipe; North 85 degrees 06 minutes 37 seconds East 119.11 feet to an existing 1/2-inch iron pipe in the center of an old road, a corner with the Duke Power Co. property and the Nolan Lovins property; thence with the old road and with the Nolan Lovins property, South 04 degrees 14 minutes 21 seconds East 111.30 feet to a P.K. Nail in the center of Hibriten Drive; thence with the center of Hibriten Drive South 08 degrees 59 minutes 40 seconds West 39.90 feet to a P.K. Nail in the center of Hibriten Drive, a corner of that property belonging to Wayne Young (see Deed Book 852 Page 932, Deed Book 836 Page 860); thence with the Young property for three calls: South 85 degrees 07 minutes 59 seconds West passing a new 3/4-inch iron pipe on line at 30.00 feet and continuing on the same bearing 394.97 feet for a total distance along this bearing of 424.97 feet to an existing 1/2-inch iron pipe North 01 degrees 04 minutes 50 seconds West 18.00 feet to a new 3/4-inch iron pipe; South 74 degrees 18 minutes 03 seconds West 71.00 feet to an angle iron, a corner with the Young property and that property belonging to Charles Henry, a deed of which is recorded at Deed Book 591 at Page 396; thence with the Henry property South 72 degrees 39 minutes 22 seconds West 21.90 feet to an angle iron, a corner with the Henry property and that property belonging to Duke Power Co., a deed of which is recorded at Deed Book 669 at Page 572; thence with the Duke Power Co. property for two calls: South 85 degrees 04 minutes 20 seconds West 817.71 feet to an angle iron; South 79 degrees 32 minutes 31 seconds West 85.81 feet to a new 3/4-inch iron pipe, a new corner in the line with the Duke Power Co. property; thence three new lines: North 11 degrees 15 minutes 00 seconds West passing the center of a concrete monument on line at 200.02 feet and continuing on the same bearing 1637.07 feet to a total distance along this bearing of 1837.09 feet to a concrete monument; North 49 degrees 27 minutes 46 seconds West 235.72 feet to a concrete monument; North 87 degrees 40 minutes 33 seconds West 908.28 feet to the POINT OF BEGINNING, containing 205.053 acres gross, subject to a 5.184 acre parcel (a 68-foot wide Duke Power right-of-way) and subject to 6.453 acre parcel (a 200-foot wide Duke Power right-of-way) and being 193.46 acres net by coordinates; together with the nonexclusive use of a 60-foot wide right-of-way connecting the subject property to U.S. Highway 321, the center line of said right-of-way being more particularly described as follows:

BEGINNING on a point in the southwest boundary of the above described 205.053 acre tract; SAID BEGINNING POINT being located North 49 degrees 27 minutes 46 seconds West 163.55 feet from the center of a concrete monument; said monument being located South 62 degrees 44 minutes 32 seconds East 1484.37 feet from the N.C.G.S. Station "Claron", and said monument having the North Carolina grid coordinates of North 791,815.55 feet, East 1,254,129.95 feet;

thence from the POINT OF BEGINNING and with the center of the right-of-way for Four calls: South 77 degrees 54 minutes 10 seconds West 470.00 feet to a point of curve; with a curve concave to the southeast having a radius of 520.00 feet and an arc of 247.33 feet and a chord of South 64 degrees 16 minutes 37 seconds West 245.00 feet to a point in tangency; South 50 degrees 39 minutes 05 seconds West 102.08 feet to a point of curve; with a curve concave to the northwest having a radius of 241.55 feet and an arc of 102.65 feet and a chord of South 62 degrees 49 minutes 33 seconds West 101.88 feet to a point on the east right-of-way of U.S. Highway 321.

As surveyed by Western Carolina Surveyors, P.A.; JOHN E. CLAY, RLS, on the 3rd day of February, 1995 and being their JOB #2758GR2.



AN ORDINANCE OF THE CITY COUNCIL OF LENOIR, NORTH CAROLINA, AMENDING CHAPTER 13 OF THE LENOIR CITY CODE TO ADD ARTICLE V “DOWNTOWN SOCIAL DISTRICT,” DIRECTING STAFF TO PREPARE A MANAGEMENT AND MAINTENANCE PLAN AND DETAILED MAP, AND PROVIDING FOR SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Whereas, N.C.G.S. 160A-205.4 authorizes local governments to create and designate one or more “social districts” under N.C.G.S § 18B-300.1 within their jurisdictions, and

Whereas, a “social district” under N.C.G.S § 18B-300.1 is “A defined outdoor area in which a person may consume alcoholic beverages sold by” businesses holding one or more permits issued by the Alcoholic Beverage Commission, and

Whereas, local business owners within the Downtown Lenoir have expressed interest in creating a social district within the same general footprint of the City’s “open concept beer garden” festivals, and

Whereas, the City desires to limit its “social district” to a walkable geographic area in the downtown where local bars and restaurants can sell alcoholic beverages to be consumed throughout the district, subject to certain rules and limitations, and

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

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

SECTION 1. Chapter 13 of the City of Lenoir Code of Ordinances, *Offenses and Miscellaneous Provisions* is hereby appended to add Article V, Sections 13-91 through 13-92, to read as follows:

ARTICLE V. DOWNTOWN SOCIAL DISTRICT

Section 13-91 – Establishment of the Downtown Lenoir Social District.

The City hereby creates and designates the area located generally north of Harper Avenue, south of Ashe Avenue, west of Mulberry Street, and east of Willow Street, and more specifically depicted on the map titled “Downtown Lenoir Social District Boundaries,” which is incorporated here by reference and is filed with the City Clerk as the Downtown Lenoir Social District, as authorized under N.C.G.S. 160A-205.4.

Section 13-92 – General Requirements.

- a) Management: The Social District shall be created, designated and managed in accordance with the requirements contained in N.C.G.S. §§ 160A-205.4 18B-300.1.
- b) Applicable Hours. The Downtown Social District shall be in effect between the hours of 12:00 p.m. and 10:00 p.m., Wednesday through Saturday, except that these hours and days may be extended in conjunction with an approved Special Event Permit when otherwise permitted under the law.
- c) Permit Required: Any business establishment located within or contiguous to the Social District that holds a valid ABC permit and desires to engage as a Social District participant must apply for and obtain a Social District permit from the Lenoir Planning and Community Development Department. The establishment shall be responsible for operating its business in accordance with all City and State ordinances, laws, rules, and regulations governing Social District activities.
- d) Unified Signage Required: Businesses that do not have ABC permits but desire to participate in the Social District must display an official Participating Business sign in a visible location during the times when the social district is active. A customer may not bring an alcoholic beverage into a non-permittee business that does not display the uniform sign.
- e) Violation; Penalty: Any person who violates any provision of this Article, and any person who aids, abets, encourages, assists in, or contributes to such violation, is guilty of a Class 1 misdemeanor pursuant to N.C.G.S. § 18B-102(b) and may be subject to additional fines and administrative remedies including but not limited to suspension or revocation of the permittee's Social District Permit and/or state ABC permit. State law reference: NCGS § 18B-104.

SECTION 2. MANAGEMENT AND MAINTENANCE PLAN. Staff is hereby directed to create a management and maintenance plan for the Downtown Social District that complies with the provisions of N.C.G.S. § 18B-300.1 and to post the plan and a rendering of the district boundaries on the City's website.

SECTION 3. DETAILED MAP. Staff is hereby directed to submit a detailed map of the Downtown Social District, attached here as "Exhibit A," including the days and hours during which the district is in operation to the North Carolina Alcoholic Beverage Commission.

SECTION 4. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 5. CODIFICATION. The City Clerk shall cause the Code of Ordinances of Lenoir, North Carolina to be amended as provided by this ordinance and may renumber, re-letter, and rearrange the codified parts of this ordinance if necessary to facilitate the finding of the law.

SECTION 6. EFFECTIVE DATE. This ordinance takes effect 45 days after adoption.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Lenoir, North Carolina, by the City Clerk of the City of Lenoir, North Carolina, this 24th day of September and this 1st day of October, 2022.

DONE, THE FIRST READING AND PUBLIC HEARING, by an affirmative vote of a majority of a quorum present of the City Council of the City of Lenoir, North Carolina, at a regular meeting, this 4th day of October, 2022.

DONE, THE SECOND READING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Council of the City of Lenoir, North Carolina, at a regular meeting, this 18th day of October, 2022.

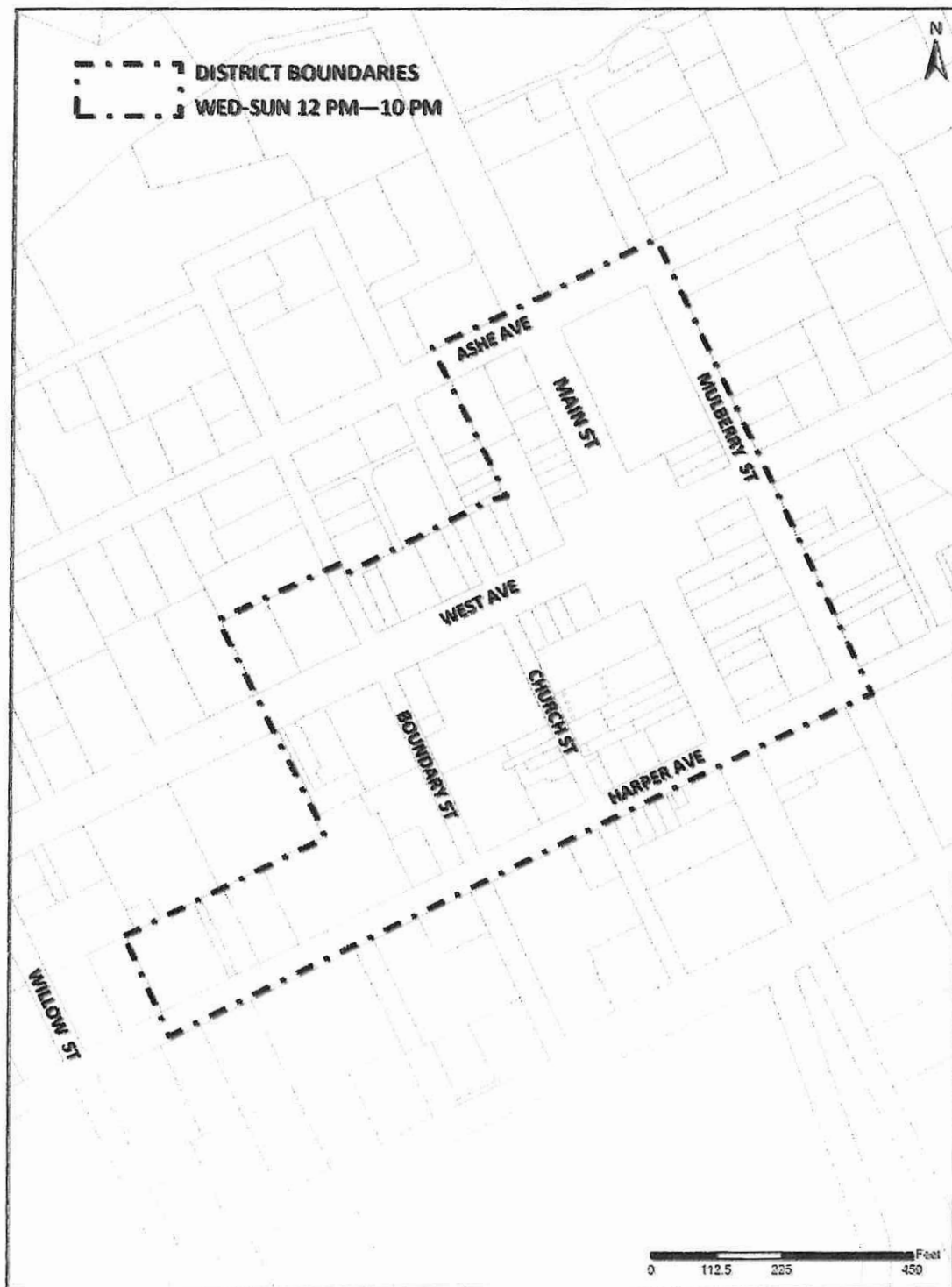
BY THE MAYOR/MAYOR PRO TEMPORE OF THE CITY OF LENOIR, NORTH CAROLINA:

Joseph L. Gibbons, Mayor

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

Shirley M. Cannon, City Clerk

****[Remainder of page intentionally left blank.]****

Exhibit "A"**DOWNTOWN LENOIR SOCIAL DISTRICT BOUNDARIES**

UPDATED OCTOBER 14, 2022

Page 4 of 4

(Deletions indicated by ~~strike through~~; additions indicated by underline, omissions indicated by **** UPDATED 10-14-22)



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

**Ordinance Amending Appendix B – Traffic of the City of Lenoir Code of Ordinances
Lowering the Speed Limit on Various Roads in the City Limits of Lenoir**

WHEREAS, NCGS §20-141(e) authorizes local authorities within their respective jurisdiction by ordinances to set higher or lower speeds than that set forth in NCGS §20-141(b); and

WHEREAS, NCGS §160A-300 authorizes a city by ordinance to prohibit, regulate, divert, control, and limit pedestrian or vehicular traffic upon the public streets, sidewalks, alleys, and bridges of the city.

NOW, THEREFORE, BE IT ORDAINED, by the LENOIR CITY COUNCIL that:

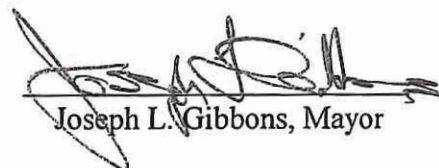
1. Appendix B - Traffic of the City Code of Ordinances, Section 114 titled "Twenty mile an hour speed limit on the following streets:" be amended to add the following streets:

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Quadrant</u>
Pennwood Street	Entire Length		NE
Glenview Street	Entire Length		NE
Circle Drive	Entire Length		NE
Ridgecrest Drive	Entire Length		NE

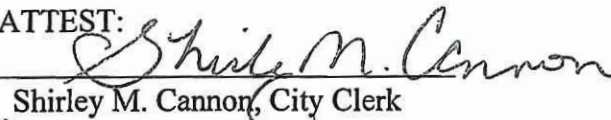
2. Staff is hereby directed to erect appropriate signs giving notice of the established speed limit
3. This ordinance shall become effective when the signs giving notice of the authorized speed limit are erected.

ADOPTED this 4th day of October, 2022.

SEAL


Joseph L. Gibbons, Mayor

ATTEST:


Shirley M. Cannon, City Clerk





CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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

Capital Project Ordinance for the City of Lenoir

EPA Brownfields Grant #2

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 the EPA Brownfield Grant to conduct eligible assessment-related activities as authorized by CERLCA 104(k)(2) in the City of Lenoir, North Carolina. for Brownfield sites. The grant will provide funding to inventory, characterize, assess, and conduct cleanup, planning and community involvement related activities related to Brownfield sites.

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:

Administrative Costs	\$ 11,900
Professional Services	<u>\$488,100</u>
Total	<u>\$500,000</u>

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

US Environmental Protection Agency Brownfields Assessment Grant	\$500,000
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Section 5: The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Project Ordinance.

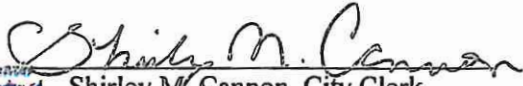
Section 6: The Finance Officer is directed to report, on a quarterly basis, on the financial status of each project element in Section 3.

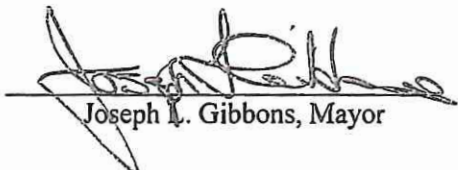
Section 7: The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this Board.

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

Adopted this 4th day of October, 2022

SEAL


Shirley M. Cannon, City Clerk


Joseph L. Gibbons, Mayor



CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item:

Request a Budget Amendment for the Building Reuse Grant for Exela Pharma Sciences, LLC. The grant application was authorized on March 2, 2021.

Background Information:

The Building Reuse Grant for Exela Pharma Sciences, LLC was authorized on March 2, 2021. The Budget Amendment to allow for the receipt and expenditure of these funds is as follows:

Account	Amount of Increase
Building Reuse Grant Award	\$500,000.00
4110 – Economic Development Expenditures	\$500,000.00

Staff Recommendation:

Approve as requested

II. Reviewed by:

City Attorney:

Finance Director: Donna Bean

Public Works/Public Utilities Director:

Planning Director:

Recreation Director:

CITY OF LENOIR

2023 HOLIDAY SCHEDULE

Monday, January 2

New Year's Day

Monday, January 16

Martin Luther King, Jr. Day

Friday, April 7

Good Friday

Monday, May 29

Memorial Day

Tuesday, July 4

Independence Day

Monday, September 4

Labor Day

Friday, November 10

Veterans Day

Thursday, November 23

Thanksgiving Holiday

Friday, November 24

Monday, Tuesday & Wednesday

Christmas Holiday

December 25, 26, & 27

CITY OF LENOIR
LISTING OF
CITY COUNCIL MEETINGS FOR 2023

JANUARY

City Council	Tuesday, January 3	6:00 p.m.
City Council	Tuesday, January 17	6:00 p.m.
Committee of the Whole	Tuesday, January 24	8:30 a.m.

FEBRUARY

City Council	Tuesday, February 7	6:00 p.m.
City Council	Tuesday, February 21	6:00 p.m.
Committee of the Whole	Tuesday, February 28	8:30 a.m.

MARCH

City Council	Tuesday, March 7	6:00 p.m.
City Council	Tuesday, March 21	6:00 p.m.
Committee of the Whole	Tuesday, March 28	8:30 a.m.

APRIL

City Council	Tuesday, April 4	6:00 p.m.
City Council	Tuesday, April 18	6:00 p.m.
Committee of the Whole	Tuesday, April 25	8:30 a.m.

MAY

City Council	Tuesday, May 2	6:00 p.m.
City Council	Tuesday, May 16	6:00 p.m.
Committee of the Whole	Tuesday, May 23	8:30 a.m.

JUNE

City Council	Tuesday, June 6	6:00 p.m.
City Council	Tuesday, June 20	6:00 p.m.
Committee of the Whole	Tuesday, June 27	8:30 am.

JULY

City Council	Tuesday, July 18	6:00 p.m.
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***Only one meeting in July.**

AUGUST

City Council	Tuesday, August 1	6:00 p.m.
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City Council	Tuesday, August 15	6:00 p.m.
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Committee of the Whole	Tuesday, August 22	8:30 a.m.
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SEPTEMBER

City Council	Tuesday, September 5	6:00 p.m.
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City Council	Tuesday, September 19	6:00 p.m.
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Committee of the Whole	Tuesday, September 26	8:30 a.m.
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OCTOBER

City Council	Tuesday, October 3	6:00 p.m.
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City Council	Tuesday, October 17	6:00 p.m.
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Committee of the Whole	Tuesday, October 24	8:30 a.m.
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NOVEMBER

City Council	Tuesday, November 7	6:00 p.m.
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***Only one meeting in November**

DECEMBER

City Council	Tuesday, December 5	6:00 p.m.
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City Council	Tuesday, December 19	6:00 p.m.
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2023 SCHEDULE OF EVENTS**NCLM MEETINGS****Event**

TBA

Town & State Dinner

April 25-27

Annual City Vision Conference
(Concord, NC)**NLC MEETINGS****Event**

March 26-28

Congressional City Conference
(Washington, DC)

November 15 – 18

City Summit
(Atlanta, GA)