

**LENOIR CITY COUNCIL
TUESDAY, JANUARY 17, 2023
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 and Parks & Recreation Director Kenny Story.

STAFF PRESENT: Finance Director Donna Bean, Downtown Event Coordinator Matthew Anthony, Police Chief Brent Phelps, Fire Chief Ken Hair, Planning Technician Hannah Williams, Public Services Director Radford Thomas, Public Works Operations Manager Jon Hogan, Public Utilities Operations Manager Jeff Church, Communications Director Joshua Harris, Police Captain Brian Smith & Police Lieutenant Brett Ingram.

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.

**SPECIAL RECOGNITION;
LT. BRETT INGRAM:**

B. On behalf of City Council, Mayor Gibbons presented a resolution to Lieutenant Brett Ingram in honor and recognition of his 28+ years of dedicated service and outstanding service with the Lenoir Police Department, the City of Lenoir and its citizens. Mayor Gibbons stated Lieutenant Ingram's framed key to the City would be presented at a later date. Lieutenant Ingram will also be presented with his service weapon and badge upon his retirement from the Police Department.

Mayor Gibbons remarked he appreciated Lieutenant Ingram's years of service and commended him for all of his accomplishments during his tenure.

Lieutenant Ingram thanked City Council and stated it has been an honor to serve. He further thanked all of his teammates for their support.

**SPECIAL RECOGNITION;
CAPTAIN BRIAN SMITH:**

C. On behalf of City Council, Mayor Gibbons presented a resolution to Captain Brian Smith in honor and recognition of his 30 years of dedicated and outstanding service with the Lenoir Police Department, City of Lenoir and its citizens. Mayor Gibbons stated Captain Smith's framed key to the City would be presented at a later date. Captain Smith will also be presented with this service weapon and badge upon his retirement from the Police Department.

Mayor Gibbons congratulated Captain Smith and thanked him for his years of service and commented he was a great part of the community and the Police Department.

Captain Smith thanked his family who were in attendance, Police Chief Brent Phelps and City Councilmembers.

Chief Phelps referred to Lieutenant Ingram and Captain Smith's resolutions and all of their accolades and stated it was hard to find people who care about everyone and are willing to serve others before they serve themselves.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, January 3, 2023 as submitted.
- B. Capital Project Budget Ordinance; TH Broyhill Walking Park Improvements Capital Project: Staff requests that City Council adopt the Capital Project Budget Ordinance for the in the amount of \$100,000 for the TH Broyhill Walking Park Improvements Capital Project as submitted. (A copy of the Capital Project Budget Ordinance is hereby incorporated into these minutes by reference. Refer to page 29.)
- C. Capital Project Budget Ordinance; Crossroads Sign Capital Project: Staff requests that City Council adopt the Capital Project Budget Ordinance in the amount of \$165,000 for the Crossroads Sign Capital Project as submitted. (A copy of the Capital Project Budget Ordinance is hereby incorporated into these minutes by reference. Refer to page 30.)
- D. Resolution; Brian Smith: Approval of a resolution in honor and recognition of Captain Brian Smith's 30 years of dedicated and outstanding service with the Lenoir Police Department, City of Lenoir and its citizens. (A copy of the resolution is hereby incorporated into these minutes by reference. Refer to page 31.)
- E. Resolution; Brett Ingram: Approval of a resolution in honor and recognition of Lieutenant Brett Ingram's 28+ years of dedicated and outstanding service with the Lenoir Police Department, City of Lenoir and its citizens. (A copy of the resolution is hereby incorporated into these minutes by reference. Refer to page 32.)
- F. Resolution; Surplus Property: Approval of a resolution commending Captain Brian Smith for his service to the Lenoir Police Department and declaring his badge and service weapon, Sig Sauer Model P-320, Serial Number #581478026 as surplus property. (A copy of the resolution is hereby incorporated into these minutes by reference. (Refer to page 33.)
- G. Resolution; Surplus Property: Approval of a resolution commending Lieutenant Brett Ingram for his service to the Lenoir Police Department and declaring his badge and service weapon, Sig Sauer Model P-320, Serial Number #581472244 as surplus property. (A copy of the resolution is hereby incorporated into these minutes by reference. Refer to page 34.)

Upon a motion by Councilmember Stevens, City Council voted 6 to 0 to approve the items on the Consent Agenda as described above 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

BOARD OF

ADJUSTMENT: 1. The Board of Adjustment will meet on Monday, January 23 at 5:30 p.m. at the City/County Chambers.

COMMITTEE OF THE

WHOLE: 2. The Committee of the Whole will meet on Tuesday, January 24 at 8:30 a.m. at City Hall, Third Floor.

FOOTHILLS REGIONAL AIRPORT

AUTHORITY: 3. The Foothills Regional Airport Authority will meet on Wednesday, January 25 at noon at the Airport Facility.

UPCOMING RETIREMENT;

FIRE CHIEF KEN HAIR:

4. City Manager Hildebran reported Fire Chief Ken Hair has announced his retirement in February. Mr. Hildebran commended Chief Hair for his years of service to the City of Lenoir and its citizens.

On behalf of City Council, Mayor Gibbons also thanked Chief Hair for his service to the Lenoir Fire Department, citizens and City of Lenoir.

B. Items for Council Action

ORDER OF ABATEMENT;

514 CEDAR PLACE:

1. Order of Abatement; 514 Cedar Place: City Staff recommends adoption of an Order of Abatement for property located at 514 Cedar Place, Parcel ID#06-149-1-15 and NCPIN#27581644854 and directing Staff to proceed with the demolition and removal of the structure.

A copy of the recorded Order of Abatement is hereby incorporated into these minutes by reference. (Refer to pages 35-36.)

Upon a motion by Councilmember Perdue, City Council voted 6 to 0 to adopt the Order of Abatement for property located at 514 Cedar Place as described above and as recommended by City Staff.

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

BOARD ANNOUNCEMENT;

LENOIR HOUSING AUTHORITY:

- A. Mayor Gibbons announced a vacancy on the Lenoir House Authority and recommended that Council consider Susan Gray for appointment. Mayor Gibbons stated Ms. Gray was a leader in the community and involved with the community.

This board recommendation will be considered by City Council at their February 7 meeting. Mayor Gibbons reported he was also working on filling other board vacancies.

MLK DAY:

- B. Mayor Gibbons shared Reverend Charlie Rivens, Charlotte, NC, was the guest speaker at the celebration in honor of Martin Luther King, Day and noted the event was well attended. Mayor Gibbons thanked Councilmembers Ike Perkins, Crissy Thomas, MLK Center Director Lester Whittington, and Assistant MLK Center Director Robin Scott, for all their hard work in organizing the program and the event.

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

X. ADJOURNMENT

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

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor

Capital Project Ordinance for the City of Lenoir

TH Broyhill Walking Park Improvements

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 TH Broyhill Walking Park Improvements Capital Project to include the expenditure of funds for the design, construction, and project administration for the TH Broyhill Walking Park Improvement Capital Project. The project is to be funded by a donation from the Broyhill Family Foundation.

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
Broyhill Park Improvements	\$100,000.00
Total Expenditures	\$100,000.00

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

Description	Budget
Private Donations – Broyhill Family Foundation	\$100,000.00
Total Revenue	\$100,000.00

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 17th day of January, 2023.


Mayor


Clerk

Capital Project Ordinance for the City of Lenoir

Crossroads Sign

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 Crossroads Sign Capital Project to include the expenditure of funds for the design, construction, and project administration for the Crossroads Sign Capital Project. The project is to be funded by the Lenoir Tourism Development Authority (LTDA).

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
Crossroads Sign Construction	\$165,000.00
Total Expenditures	\$165,000.00

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

Description	Budget
LTDA Funding	\$165,000.00
Total Revenue	\$165,000.00

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.

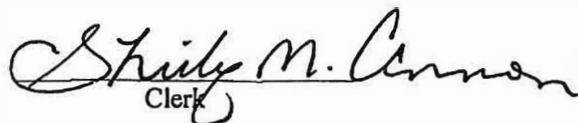
Section 6: The Finance Officer is directed to report, on a quarterly basis, on the financial status of each project element in Section 3.

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 17th day of January, 2023.


Mayor


Clerk



RESOLUTION

In Recognition of Dedicated Service



WHEREAS, from November 2, 1994 to May 3, 1996, Brian Dane Smith served as Patrolman for the City of Lenoir under the direction of Police Chief Jack Warlick;

THAT, upon leaving the City of Lenoir, he served as a Deputy for the Caldwell County Sheriff's Office until he was re-hired on the 6th of July 1998;

THAT, due to Brian's dedication and diligence in performing in an exemplary manner, he advanced through the ranks to achieve his current position as Patrol Commander, admirably serving with great distinction, the citizens of Lenoir during the tenures of four Police Chiefs as a supervisor in all three divisions of the Lenoir Police Department: Patrol, Investigations, and Support Services;

THAT, society and law enforcement as a whole has undergone many changes and challenges over the last 25 years, and Brian has stayed abreast through those changing trends to remain an effective leader and role model within the department and community at large;

THAT, he was promoted to Corporal and Sergeant in 2008, Lieutenant in 2014, and Captain in 2018, and has served in a number of capacities throughout his law enforcement career to include Training and Logistics Lieutenant, Supervisor over VICE/Narcotics, K-9 Handler for Gage, Casper and Andy, K-9 Instructor, Special Response Team Sniper and Leader, Certified Instructor, Detective, Advisor and Mentor. He has been involved in a number of community programs, boards, and committees;

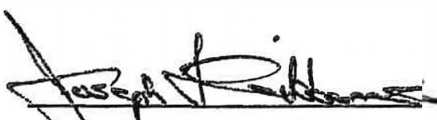
THAT, Brian completed Police Law Institute in 2003, received his Advanced Law Enforcement Certificate in 2004, completed FBI Regional Command College in 2012, was recognized by the Lenoir Optimist Club in 2013 with a "Respect for Law" award, and received a City of Lenoir Golden Ticket Outstanding Customer Service award in 2019;

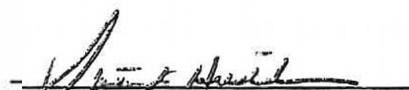
THAT, he has played an active and vital role in the community with a number of accolades in his personnel file showing a willingness to go above and beyond what is expected for the department, city, and community; he has formed close relations throughout his career due to a genuine concern and professional demeanor in performing his duties;

THAT, Brian has humbly served the citizens of the City of Lenoir and Caldwell County and will be retiring on February 1, 2023 with 30 years of creditable service in the North Carolina Local Government Retirement System.

THEREFORE, BE IT RESOLVED, by authority of the Mayor and City Manager, and on behalf of the City Council, that Captain Brian Smith has been an exemplary employee and is himself the epitome of the professional Law Enforcement Officer. His contributions to the safety and well-being of the citizens of Lenoir and officers of the Lenoir Police Department will be held in high esteem and in remembrance by this governing body, as well as all persons impacted by his accomplishments, generosity, and compassion for those in need;

THIS, the 17th day of January, 2023.


Joseph L. Gibbons, Mayor


Scott E. Hildebran, City Manager



RESOLUTION

In Recognition of Dedicated Service



WHEREAS, on the 3rd day of November, 1996, Brett Harrison Ingram was appointed Firefighter for the City of Lenoir under the direction of Fire Chief Bobby Coffey; he later received certifications to include Emergency Medical Technician, Fire Instructor, and North Carolina Fire Inspector;

THAT, on the 7th day of March, 2005, Brett took his Oath of Office under Police Chief Joey Reynolds as a part time, sworn Law Enforcement Officer for the Lenoir Police Department and transferred into a full-time position in February 2006;

THAT, as of the date of this Resolution, he has served the City of Lenoir with great distinction, under the direction of three Police Chiefs and three Fire Chiefs and has formed close relations with citizens and community leaders through his genuine concern and professional dedication to duty;

THAT, society and law enforcement as a whole has undergone many changes and challenges over the last 25 years, and Brett has stayed abreast through those changing trends to remain an effective leader and role model within the department and community at large;

THAT, he has served in a number of capacities during his law enforcement career to include his most recent position as Patrol Lieutenant. Brett was a K-9 Handler of Casper for six years, Honor Guard Member since 2010, a long standing Special Response Team Leader and Medic, Department Armorer, Certified Law Enforcement Instructor, Advisor and Mentor for staff. He has been instrumental in developing several community outreach programs, as well as department courses to include Citizens Academies, Canine, Firearms, CPR Training, In-Service, and Police Fitness;

THAT, due to Brett's dedication and diligence to perform admirably, he was promoted to Corporal in 2012, Sergeant in 2013, and Lieutenant in 2018;

THAT, he received his Advanced Law Enforcement Certificate in May 2012, was awarded the Citation for Valor from the North Carolina Fraternal Order of Police State Lodge in 2016, and completed the FBI Law Enforcement Executive Development Association Leadership Program in 2020;

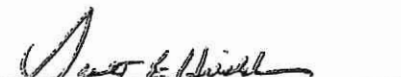
THAT, he has played an active and vital role in the community and has a number of accolades in his personnel file showing his willingness to go above and beyond what is expected for the department, city, and community;

THAT, Brett has humbly served the citizens of the City of Lenoir and Caldwell County and will be retiring on February 1, 2023 with over 28 years of creditable service in the North Carolina Local Government Retirement System.

THEREFORE, BE IT RESOLVED, by authority of the Mayor and City Manager, and on behalf of the City Council, that Lieutenant Brett Ingram has been an exemplary employee and is himself the epitome of the professional Law Enforcement Officer. His contributions to the safety and well-being of the citizens of Lenoir and officers of the Lenoir Police Department will be held in high esteem and in remembrance by this governing body, as well as all persons impacted by his accomplishments, generosity, and compassion for those in need;

THIS, the 17th day of January, 2023.


Joseph L. Gibbons, Mayor


Scott E. Hildebran, City Manager



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, North Carolina, City Council desires to dispose of certain surplus property of the City of Lenoir to be awarded to Captain Brian Smith upon his retirement from the Lenoir Police Department and Declaring his badge and service weapon as Surplus Property.

NOW, THEREFORE BE IT RESOLVED,

- 1) the Mayor and City Council of the City of Lenoir acknowledges Captain Brian Smith's loyal and dedicated service to the citizens of Lenoir, and
- 2) the Mayor and City Council declare the following police weapon and police badge of Captain Brian Smith, upon retirement, as surplus and no longer have any additional use to the City of Lenoir {Sig Sauer Model P320 .45 caliber (Serial # 5 8 1 4 7 2 2 4 4)}
- 3) the Mayor and City Council authorize the City Manager to proceed with the procedures as outlined in N.C.G.S. §20-187.2 regarding the service side arms of retiring members of City law enforcement agencies.

NOW, THEREFORE BE IT FURTHER RESOLVED that, I, Joseph L. Gibbons, Mayor of the City of Lenoir, and on behalf of the Lenoir City Council and all the citizens, do hereby wish the very best for Captain Brian Smith in his retirement and commend him for the outstanding example he has set as a dedicated public servant.

Adopted this the 17th day of January, 2023.

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

RESOLUTION

WHEREAS, the City of Lenoir, North Carolina, City Council desires to dispose of certain surplus property of the City of Lenoir to be awarded to Lieutenant Brett Ingram upon his retirement from the Lenoir Police Department and Declaring his badge and service weapon as Surplus Property.

NOW, THEREFORE BE IT RESOLVED,

- 1) the Mayor and City Council of the City of Lenoir acknowledges Lieutenant Brett Ingram's loyal and dedicated service to the citizens of Lenoir, and
- 2) the Mayor and City Council declare the following police weapon and police badge of Lieutenant Brett Ingram, upon retirement, as surplus and no longer have any additional use to the City of Lenoir {Sig Sauer Model P320 .45 caliber (Serial # 5 8 1 4 7 8 0 2 6)}
- 3) the Mayor and City Council authorize the City Manager to proceed with the procedures as outlined in N.C.G.S. §20-187.2 regarding the service side arms of retiring members of City law enforcement agencies.

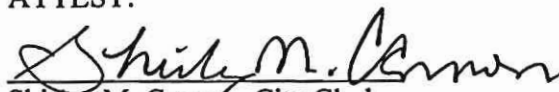
NOW, THEREFORE BE IT FURTHER RESOLVED that, I, Joseph L. Gibbons, Mayor of the City of Lenoir, and on behalf of the Lenoir City Council and all the citizens, do hereby wish the very best for Lieutenant Brett Ingram in his retirement and commend him for the outstanding example he has set as a dedicated public servant.

Adopted this the 17th day of January, 2023.

SEAL


Joseph L. Gibbons, Mayor

ATTEST:


Shirley M. Cannon, City Clerk

BK 2074 PG 2002 - 2003 (2)

This document presented and filed:
01/18/2023 11:31:39 AM

Fee \$26.00



Caldwell County North Carolina
Wayne L. Rash, Register of Deeds

AN ORDINANCE DIRECTING THE MINIMUM HOUSING INSPECTOR TO REMOVE OR DEMOLISH THE PROPERTY HEREIN DESCRIBED AS UNFIT FOR HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED.

✓✓
WHEREAS, the City Council of the City of Lenoir finds that the dwelling described herein is unfit for human habitation under the City Housing Standards, and that all of the procedures of the Minimum Housing Standards have been complied with; and

WHEREAS, this dwelling should be removed or demolished, as directed by the Minimum Housing Inspector, and should be placard thereon the notice prohibiting use for human habitation; and

WHEREAS, the owners of this dwelling, Jack E Bolick and Paula P Bolick, have been given a reasonable opportunity to bring the dwelling up to the standards of the Minimum Housing Standards accordance with G.S. 160A-443 (5) pursuant to an order issued by the Minimum Housing Inspector on November 29, 2022 and the owner has failed to comply with the order;

NOW THEREFORE BE IT ORDAINED BY the City Council of the City of Lenoir that:

Section 1. The Minimum Housing Inspector is hereby authorized and directed to place a placard containing the following:

"This building is unfit for human habitation: the use or occupation of this building for human habitation is prohibited and unlawful."

on the building located at the following address: **514 Cedar Pl**
Lenoir, North Carolina
Parcel-ID 06149 1 15
NCPIN 2758164854

Section 2. The Minimum Housing Inspector is hereby authorized and directed to proceed to remove or demolish the described above dwelling in accordance with this Order, and in accordance with the City of Lenoir Minimum Housing Code, and NCGS 160D-1203.

Section 3. The cost of demolition and improvement of the lot shall be a tax lien on the real property as provided by G.S. 160D-1203 (7).

Section 4. It shall be unlawful for any person to remove or cause to be removed the placard from any building to which it is affixed. It shall be likewise unlawful for any person to occupy or to permit the occupancy of any building therein declared to be unfit for human habitation.

Section 5. A copy of this ordinance shall be recorded in the Register of Deeds of Caldwell County, North Carolina, and indexed in the name of the property owner or owners in the grantor index.

Adopted this the 17th day of January, 2023.


JOSEPH L. GIBBONS
MAYOR

ATTEST:


SHIRLEY M. CANNON
CITY CLERK

APPROVED AS TO FORM:


Timothy J. Roh
CITY ATTORNEY

CITY OF LENOIR, NC
CHARTERED
JANUARY 28, 1851

SEAL