

**LENOIR CITY COUNCIL
TUESDAY, FEBRUARY 21, 2023
6:00 P.M.**

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

ABSENT: Councilmember Todd Perdue.

STAFF PRESENT: Finance Director Donna Bean, Police Chief Brent Phelps, Fire Chief Ken Hair, Recreation Director Kenny Story, Interim Planning Director Hannah Williams, Public Services Director Radford Thomas, Public Works Operations Manager Jon Hogan, Public Utilities Operations Manager Jeff Church, and Communications Director Joshua Harris.

I. CALL TO ORDER

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

**CONDOLENCES; JAMES
BROYHILL FAMILY:**

- B On behalf of City Council, Mayor Gibbons extended condolences to the family of U. S. Senator James Broyhill who passed last week and asked everyone to keep his family in their thoughts and prayers. Mr. Broyhill was an outstanding leader in the community and previously served in the U.S. House and Senate.

SPECIAL RECOGNITION; OFFICER

- CHRIS MILLS:**
- B. On behalf of City Council, Mayor Gibbons presented a resolution to Lieutenant Chris Mills in honor and recognition of his 26 years of dedicated and outstanding service to the Lenoir Police Department, City of Lenoir and its citizens. Mayor Gibbons also presented Lieutenant Mills with a key to the City and stated this is the highest honor the City gives.

Mayor Gibbons commended Officer Mills for protecting the citizens and for all he has done for the community during his tenure. He stated Lieutenant Mills is a great role model and the City is proud to serve with you.

Chief Phelps stated each officer's career serves as a role model for other officers. He shared that he was a training officer when Lieutenant Mills was hired and pointed out that he learned more from him than Lieutenant Mills ever did from him. Chief Phelps remarked that Lieutenant Mills has a heart for training and also helps train officers for other departments in the City.

Lieutenant Mills thanked his family, all of his co-workers and City Council for all of their support.

**SPECIAL RECOGNITION;
FIRE CHIEF KEN HAIR:**

C. On behalf of City Council, Mayor Gibbons presented a resolution to Fire Chief Ken Hair in honor and recognition of his 31 years of dedicated and outstanding service to the Lenoir Fire Department, City of Lenoir and its citizens. Mayor Gibbons also presented Chief Hair with a key to the City and stated it was an honor to serve with him.

In addition, Mayor Gibbons presented Chief Hair with a sign naming the Day Room at Station No. 3 as Chief Ken Hair Day Room in his honor. Mayor Gibbons also presented Chief Hair with a blue folding chair that was signed by City Council members and Staff.

Mayor Gibbons stated Chief Hair was a great leader and well respected by everyone. Mayor Gibbons said he appreciated their friendship and he is honored to recognize him today.

Chief Hair stated it was a privilege to work with the City of Lenoir and an honor to serve as Fire Chief. He thanked his wife Jennifer and family and said he appreciated the leadership before him. He shared that he always wanted to be a fireman and earned all of the ranks except one. In addition, Chief Hair remarked his one claim to fame was when T.J. Rohr voted in favor of a grant application the Fire Department had applied for.

**SPECIAL RECOGNITION; PARKS &
RECREATION DIRECTOR KENNY
STORY:**

D. On behalf of City Council, Mayor Gibbons presented a resolution to Parks & Recreation Director Kenny Story in honor and recognition of his 35+ years of dedicated and outstanding service in the recreation field. Mayor Gibbons also presented Director Story with a key to the City and stated he has represented the City very well during his tenure.

In addition, Mayor Gibbons presented Director Story with a sign naming the field at Optimist Park as the Kenny Story Field. Mayor Gibbons also presented Director Story with a blue folding chair that was signed by City Council members and Staff. Mayor Gibbons said that Kenny has done so much for the recreation department and he will be greatly missed. Mayor Gibbons pointed out that Kenny grew up in Lenoir and congratulated him upon his retirement.

Director Story thanked his family, City Council, Department Directors and Staff and stated he was blessed to work with the City of Lenoir. He remarked he will miss everyone and said the City has the best recreation department along with the best Department Directors and Staff. Director Story said he wants the Recreation Department to continue to grow.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

CONTINUED; HILLHAVEN

PLACE:

- A. A quasi-judicial public hearing was continued from the January 3, 2023 meeting until the February 21, 2023 City Council meeting as requested by the applicant and adjoining property owners for the Preliminary Plat for the Hillhaven Place Subdivision Plat to create 22 lots from two vacant tracts. Planning Staff and the Planning Board recommend approval of the proposed Major Subdivision, based on the Findings/Special Standards for Major Subdivisions on pages 7-9 of the Staff Report and subject to the seven conditions on page 9.

City Attorney Rohr explained to Council that this is an evidentiary public hearing and state law sets specific rules. Testimony must be based on fact and not personal opinion. Attorney Rohr stated parties with standing may address Council during the hearing and present evidence.

Attorney Rohr further explained a quasi-judicial public hearing is a hearing where the City Council is acting much like a judge or jury in Court. City Councilmembers are not allowed to talk to people who are for or against an application prior to the hearing, or if they do, must disclose those conversations at the public hearing. Attorney Rohr emphasized City Council can only consider and make their decision based on the relevant, admissible evidence that is testified to under oath and presented at the hearing.

Attorney Rohr asked City Council if they had any ex-parte communication with anyone regarding this case or if they were contacted by anyone.

Mayor Gibbons stated he was contacted by County Commissioner Donnie Potter and by Barbara Bush but did not discuss the case. Each City Councilmember stated they were also contacted by Barbara Bush and County Commissioner Donnie Potter, but they did not respond to Ms. Bush's call or email.

City Attorney Rohr informed Council they could ask questions of individuals during the public hearing.

Mayor Gibbons opened the public hearing and read the seven (7) conditions listed below.

Conditions

1. The developer shall pay into the sidewalk fund in lieu of sidewalk construction. The payment shall be calculated for the footage of Hillhaven Place by the price of concrete for a 5' sidewalk. The sidewalk fund payment is due prior to the approval of the final plat.
2. A stormwater permit for a low density development is required prior to approval of the final plat. Notes on the face of the final plat including limitations on built upon area will be required.
3. NCDOT must review and approve the existing connection of US 321 and Hillhaven Place, due to the addition of residential density. Any geometric improvements to the connection must be completed prior to approval of the

Final Plat.

4. A cul-de-sac or T-Y-L alternative turnaround must be installed at the end of Hillhaven Place. Prior to starting construction on the turnaround, civil plans demonstrating compliance with the standards in Chapter 18 (Streets and Sidewalks) must be provided to Public Works for review and approval.
5. A 40' wide public right of way must be extended to the southern property line where the City-maintained "fork" off of Hillhaven Place currently extends to serve the house at 120 Hillhaven Place.
6. While current water and sewer infrastructure is sufficient to handle 22 additional homes in the location, the existing fire hydrants are not sufficient to service structures larger than 1,870 square feet. Either the water service can be upgraded to increase capacity of hydrants, or deed restrictions must be recorded that limit overall square footage of individual houses to 1,870 square feet and/or require houses larger than 1,870 square feet to have sprinklers/fire suppression systems.
7. A grading plan must be submitted prior to approval of any building permits on lots 18-21. Placement of homes on steep lots may negatively impact the City's ability to fight House fires on these properties. Residential sprinklers/fire suppression systems are strongly encouraged for future development on the aforementioned lots.

Hannah Williams, Interim Planning Director, was sworn in by the City Clerk.

Ms. Williams submitted the Staff Report as evidence to be included in the record and reiterated the developer (Piedmont Companies, Lincolnton, NC) is asking for approval of 22 residential homes to be built on two vacant tracts. They currently have lots under contract. She reported the property is currently zoned as R-15 and stated Staff analyzed the plat and it meets the City's ordinance. Ms. Williams stated the Planning Board met on January 28, 2023 and voted 4 to 1 in favor of the developer's request.

A copy of the Staff Report is hereby incorporated into these minutes by reference. (Refer to pages 51-61.)

Ms. Williams shared there is an internal technical group comprised of staff members of other Departments that visit and review the site. Ms. Williams stated two proposed changes include a proper turn-around to be constructed for emergency apparatus and the right-of-way will be widened. The City will also prepare for continuation of the street. She noted there are no plans to develop the southern end of the property.

Attorney Rohr informed City Council it was appropriate to ask questions of Ms. Williams. They did not ask any.

Richard Ferraguto, Hillhaven Place, spouse of Barbara Bush, was sworn in by the City Clerk.

Mr. Ferraguto asked if the minutes of the Planning Board meeting and letters were included in the Staff Report and submitted to City Council.

City Attorney Rohr responded the Planning Board minutes are not considered as evidence and were not admissible into the record. Attorney Rohr further stated the letters were considered as hearsay and not admissible into the record unless the owner can establish standing. He informed Mr. Ferraguto he could offer evidence at the appropriate time in the hearing.

Attorney Wesley Deaton, 3638 NC Hwy 10, Denver, NC, attorney for the applicant, addressed City Council and reiterated the applicant is only asking to subdivide the property to build 22 homes and not asking for a change of use or rezoning for the property. Attorney Deaton remarked Piedmont Companies meets all of the guidelines of the City's ordinance (Section 19-65) and it is his obligation to protect his client's rights. He stated he may have to object as evidence is presented.

Attorney Wallace Respass, 138 N. Main Street, Lenoir, NC, informed City Council he represents Barbara Bush. Attorney Wallace reported Barbara Bush retained David Gray to compile a study of the property.

William Clayton, owner of Clayton Engineering, 2080 Drive, Hickory, NC, was sworn in by the City Clerk. Mr. Clayton restated they were not asking for a change of use or rezoning as this was a by-right request. Mr. Clayton reviewed each of the seven (7) conditions and verified his company would be completing each one. He pointed out a driveway permit would be required by NCDOT and stated his company would install a cul-de-sac. Mr. Clayton further shared they would pave the street to the property line and they would place the deed restrictions on the plat as required in the conditions. He referred to condition 7 regarding the grading and sprinkler systems necessary and stated they would install those as well.

Councilmember Stevens referred to Condition No. 6 and asked if there were any other options to consider.

Mr. Clayton said the option to loop is not feasible and it is best to meet the Fire Department's option.

Attorney Rohr stated the proposed conditions are to keep the structures under 1,870 square feet or install sprinkler systems. He referred to pages 7 – 9 of the Staff Report and stated the report says the applicant meets all lot requirements and Planning and zoning requirements.

Mr. Guy Long, 428 Stonecroft Drive, SE, Lenoir, NC, was sworn in by the City Clerk. He stated he represents Piedmont Companies and they have worked hard to meet all of the guidelines of R-15 zoning.

David Gray was sworn in by the City Clerk. Mr. Gray stated he graduated with a civil engineer degree from NC State University in 2003, but does not hold a current license. Mr. Gray listed all of his educational experience and credentials.

Mr. Gray verified for Attorney Wallace Barbara Bush retained him to review the property. Mr. Gray stated he visited the site, each parcel and obtained a

copy of the Planning Board Report. Mr. Gray stated the Planning Board did an excellent job and the seven (7) conditions are good. He pointed out this property has a unique environmental impact and reviewed two (2) additional conditions at the request of Attorney Wallace that he asked to be included along with the current seven (7) conditions.

Proposed Conditions by Mr. Gray

1. Each individual lot have an engineer site plan done.
2. Erosion and Sedimentation Control - A third party be employed to visit each lot to see if proper measures are being taken to maintain the property due to Caldwell County Building Inspections being short-staffed.

Attorney Deaton objected to the proposed conditions and said they would not be relevant since Mr. Gray has not renewed his license.

Attorney Rohr recommended to Council that they allow Mr. Gray to testify if it was the will of the Council. City Council was in consensus to allow Mr. Gray to continue.

Attorney Rohr stated the objection was overruled.

Attorney Wallace asked Mr. Gray to explain why he considers this property to be unique.

Mr. Gray explained that 100% of the property has dirt discharge and zero containment. He stated the majority of the runoff goes directly into the Lower Creek Watershed. Next, Mr. Gray said the Staff Report includes information regarding an elevation change on the site. There is a 140-foot change in elevation from the Lower Creek Watershed, which means the property is very steep. Mr. Gray also stated 38% of the property abuts a floodplain.

Attorney Wallace asked Mr. Gray what was the importance of property abutting a floodplain.

Mr. Gray explained the water goes directly into the Lower Creek Watershed and runoff from lots 17-21 will go straight into Lower Creek as well.

In addition, Mr. Gray pointed out the Planning Staff did a good job of site grading of each lot, but stated nine of the sixteen lots located on the front side has an elevation change of 12+ feet which will require more than minimal grading. He said the backside of the property is very steep and needs a site grading plan.

Attorney Rohr clarified with Mr. Gray if he was asking for Council to adopt the report as his and review it. Attorney Wallace then distributed copies to City Council and to Attorney Deaton.

Discussion centered on concerns for proper permanent stormwater drainage so it does not affect adjacent lots. Ms. Williams stated that stormwater and grading plans for steep lots are required, but Staff does not report on each lot.

Councilmember Greer asked Mr. Gray how much it would cost to monitor sedimentation erosion control.

Mr. Gray estimated it would cost between \$10,000 to \$15,000 per year for each lot.

A brief discussion was held by City Council regarding erosion control and would the contractor address issues over time.

Attorney Deaton asked Mr. Gray if he obtained permission from property owners before walking the lots and if he observed any runoff from lots. Mr. Gray said he did not.

Attorney Deaton stated there was 1 in 100 chance of a flood occurring on the property and reminded everyone that state laws have to be followed. He asked Mr. Gray if there were any plans to build in the floodway. Mr. Gray said there were not.

Mr. Gray stated the erosion control and sedimentation control would be included on the deeds to the properties and that the majority of the lots would not have any disturbance. An erosion control plan has to be prepared for lots that are larger than one acre in order to have a record that you are going to maintain the property.

Curtis Gaines, Western Carolina Surveyors, was sworn in by the City Clerk. Mr. Gaines reported he has completed two surveys for Barbara Bush as she purchased additional Property for building purposes. He stated the site does meet all the specs. Mr. Gaines stated he observed the property on GIS and has also been onsite.

Attorney Wallace asked Mr. Gaines if he had any concerns regarding the property. Mr. Gaines reported he could design hydrology if he is doing the survey and he can design drainage in a subdivision. Mr. Gaines cited his educational experience which includes a 2-year surveying degree, a 7-year apprenticeship, obtained a survey license in 2009 through 2012 and owns two surveying companies. Mr. Gaines confirmed he has training in hydrology.

Mr. Gaines expressed concern regarding keeping water on the lots and pointed out the lots on the knoll of the hill would be affected. Mr. Gaines stated he can design infrastructure and would not need a professional engineer's opinion to do that.

Mr. Clayton stated the Western Piedmont Council of Governments (WPCOG) provides low density permitting for stormwater.

Mr. Long reiterated homes over 1,870 square feet require sprinklers and the floodplain area was just a very small part of the property. Mr. Long commented that to require engineer home plans and individual lots is unnecessary. He pointed out lots 1-17 were normal topography lots and 18-21 were questionable lots. He reiterated there would be a dedicated right-of-way for the property.

Attorney Wallace asked for the engineering site plan to be compiled by a professional due to the steep lots.

Attorney Deaton respectfully disagreed because state statutes govern stormwater provisions and you cannot go above state guidelines.

City Council was in consensus not to add additional conditions to the ones as recommended by City Staff in the Staff Report.

Attorney Rohr advised Council if it is the will of the Council to approve the seven conditions, to make that as one motion. He further stated Council could consider David Gray's recommendation of two additional conditions and then consider approval of the preliminary plat. Attorney Rohr stated that as the hearing is quasi-judicial, a written decision letter has to be prepared whether Council approved or denied the plat application.

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

First Motion

Upon a motion by Councilmember Beal, City Council voted 6 to 0 to approve the seven (7) conditions as submitted by Staff and as presented.

Second Motion

Upon a motion by Mayor Pro-Tem Thomas, City Council voted 6 to 0 to approve the Preliminary Plat for the Hillhaven Place Subdivision Plat to create 22 lots from two vacant tracts and approval of conditions (1-7) as listed on page 9 of the Staff Report. The Staff Report will also be incorporated into the minutes as part of the record for this subdivision plat application.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, February 7, 2023 as submitted.
- B. Final Offer to Purchase Real Property H. Lewis Price Street: Approval of the Final Offer to Purchase Real Property in the amount of \$1,000 plus advertising cost by Resolution following the submission of all upset bids, and as submitted by Hamilton Wall for a 4' by 54' strip of property owned by the City of Lenoir and running alongside the length of his adjacent property at 118 H. Lewis Price Street, NPIN#279847597 and Caldwell County Tax ID#09-9-3-30 as submitted. The legal advertisement for the Notice of Offer to Purchase Real Property was published in the *News-Topic* on Friday, February 10, 2023. Staff recommends Council accept the Final Offer to Purchase Real Property 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 62-63.)
- C. Resolution; Chris Mills: Approval of a resolution presented to Patrol Lieutenant Chris Mills in honor and recognition of 26 years of dedicated and outstanding service to the Lenoir Police Department, City of Lenoir and its citizens. (A copy of the resolution is here by incorporated into these minutes by reference. Refer to page 64.)

- D. Resolution; Surplus Property: Approval of a resolution to declare the following police weapon and police badge of Lieutenant Chris Mills, upon retirement, as surplus and no longer have any additional use to the City of Lenoir (Sig Sauer P-320 Pistol, Serial Number 58J478009) as per N.C.G.S. §20-197.2 and as recommended by the Police Department. (A copy of the resolution is here by incorporated into these minutes by reference. Refer to page 65.)
- E. Resolution; Ken Hair: Approval of a resolution presented to Fire Chief Ken Hair on honor and recognition of 31 years of dedicated and outstanding service to the Lenoir Fire Department, City of Lenoir and its citizens. (A copy of the resolution is here by incorporated into these minutes by reference. Refer to page 66.)
- F. Resolution; Kenny Story: Approval of a resolution presented to Parks & Recreation Director Kenny Story in honor and recognition of 35+ years of dedicated and outstanding service in the recreation field. (A copy of the resolution is hereby incorporated into these minutes by reference. Refer to page 67.)
- G. Naming of Day Room; Fire Station No. 3: Approval of a recommendation by Staff to name the Day Room at Fire Station No. 3 as the "Fire Chief Ken Hair Day Room" in honor of Fire Chief Ken Hair.
- H. Naming of Baseball Field: Approval of naming the Optimist Park Ball Field as the "Kenny Story Field" in honor of Parks and Recreation Director Kenny Story.

Upon a motion by Councilmember Perkins, 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

FOOTHILLS REGIONAL AIRPORT AUTHORITY:

1. The Foothills Regional Airport Authority will meet on Wednesday, February 22 at noon.

CITY COUNCIL PLANNING

RETREAT:

2. City Council will conduct their annual Planning Retreat on Friday, February 24 from 8:00 a.m. – 3:00 p.m. in the meeting room of Blue Ridge Energies, 100 Cooperative Way, Lenoir, NC.

PLANNING BOARD:

3. The Planning Board will meet on Monday, February 27 at 5:30 p.m. at the City/County Chambers.

COMMITTEE OF THE

WHOLE: 4. The Committee of the Whole will meet on Tuesday, February 28 at 8:30 a.m. at City Hall, Third Floor.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY**VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR****BOARD APPOINTMENT;****BOARD OF ADJUSTMENTS:**

A. Mayor Gibbons recommended that Kyle Case be appointed to serve a term on the Board of Adjustments, which will expire June 2026.

Mayor Gibbons stated this appointment was announced at the February 7, 2023 Council meeting. He further stated members of the Planning Board also serve on the Board of Adjustments.

Upon a motion by Councilmember Prestwood, City Council voted 6 to 0 to appoint Kyle Case serve a term on the Board of Adjustments which will expire June 2026.

BOARD ANNOUNCEMENT;**BOARD OF ADJUSTMENT:**

B. Mayor Gibbons recommended Curtis Baker to serve a term on the Board of Adjustments which will expire June 2026. This recommendation will be voted on by City Council at the March 7, 2023 meeting.

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS**CLOSED****SESSION:**

A. Pursuant to N.C.G.S. §143-318.11(a), (4), and upon a motion by Councilmember Stevens, which carried unanimously, City Council entered into closed session to discuss economic development.

OPEN**SESSION:**

B. Upon a motion by Councilmember Stevens, Council voted 6 to 0 re-enter into open session.

X. ADJOURNMENT

A. There being no further business, the meeting adjourned at 8:10 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor

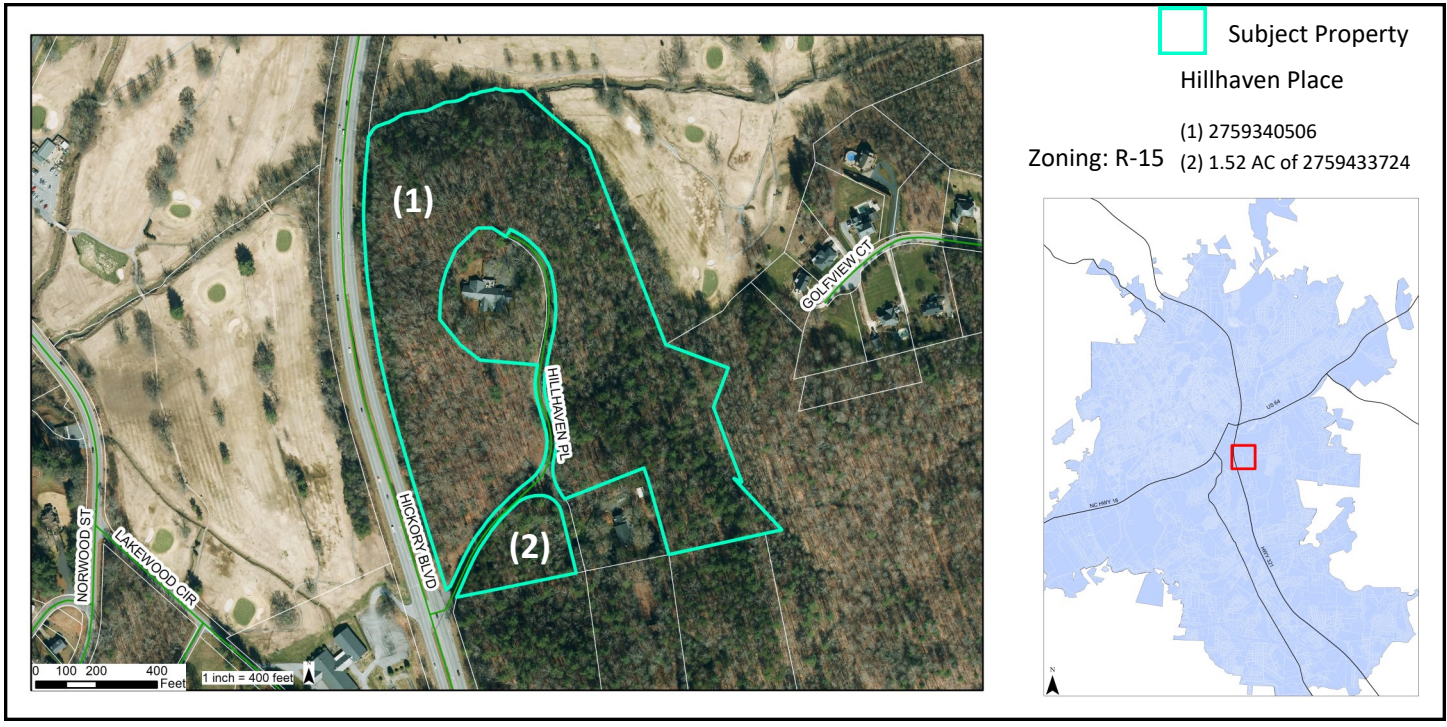


STAFF REPORT

MAJOR SUBDIVISION #1/22

PRELIMINARY PLAT

LOCATION MAP



SUMMARY

Owners

- (1) PB Realty
- (2) Broyhill Timber Resources

Applicants

Guy Long, Piedmont Companies Inc.
Will Clayton, Clayton Engineering

Location

Hillhaven Place, east of US-321
(Hickory Blvd) and north of Mclean Drive

NC PIN

- (1) 2759340506
- (2) 1.52 AC of 2759433724

Project Planner

Hannah Williams, AICP, CZO

Updated February 15, 2023

Applicant's Request:

The applicant is requesting preliminary approval of a major subdivision plat to create 22 lots from two vacant tracts on Hillhaven Place, an existing city-maintained street.

Staff Recommendation:

Approval of the preliminary plat, subject to the conditions in this report. Draft findings are provided on pages 7-9.

Technical Review Committee:

See page 7 for Public Services and Public Safety comments.

Planning Board Recommendation:

Approval of request, see page 9.

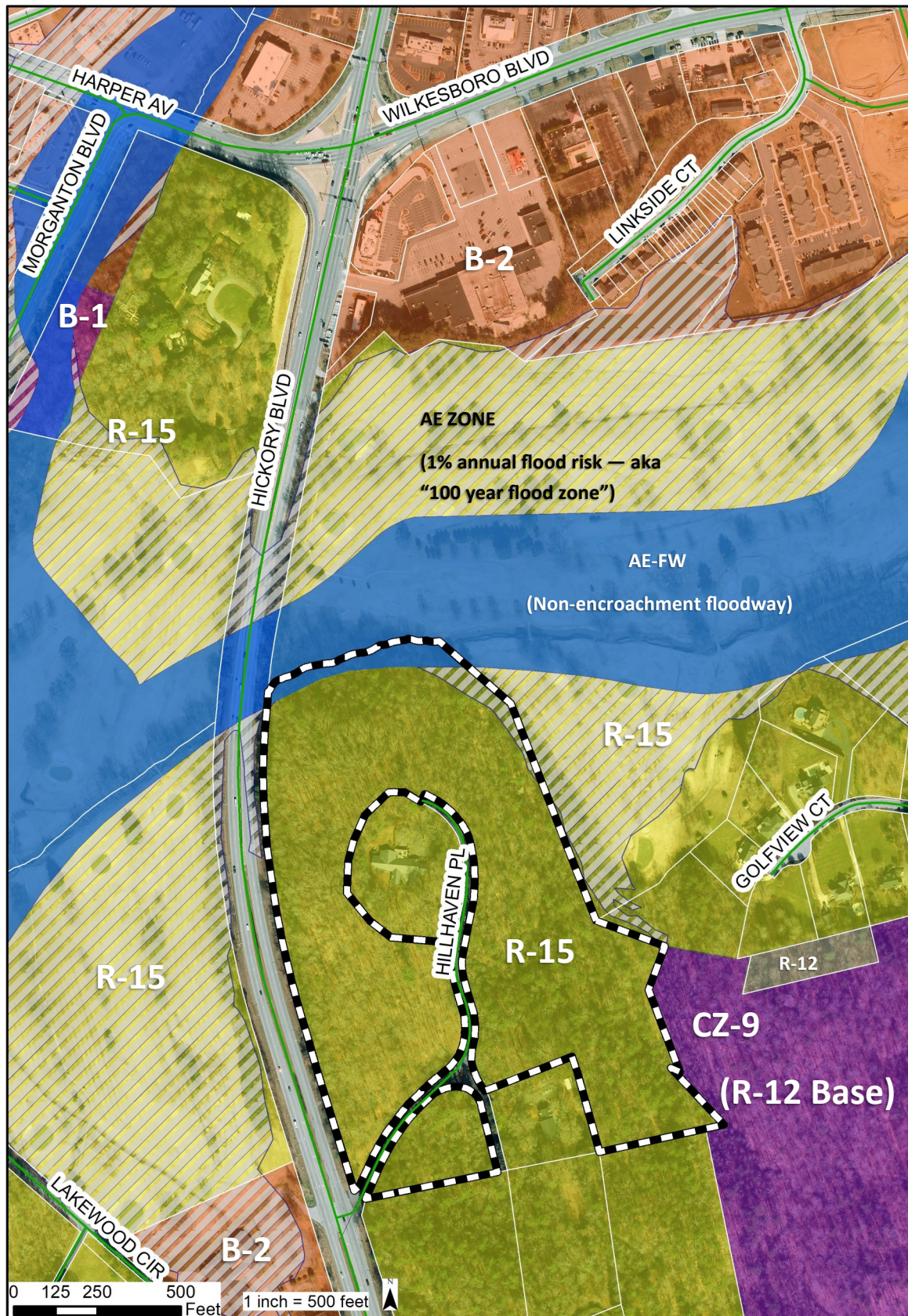
Public Comment: Comments presented by Ms. Bush and Mr. Ferraguto, and a letter from Mr. Strom, owners of adjacent properties on Hillhaven had concerns about safety on steep slopes of the road and increased traffic at the US-321 intersection.

Planning Board Meeting: Scheduled for Nov 28, 2022. Notice of the meeting was mailed to the owners of all adjacent parcels on Nov 18, 2022 (see noticing map, page 3).

City Council: Scheduled for Feb 21, 2023 after a continuance from the City Council meeting on Jan 3, 2023. Notices were mailed Dec 22, 2022.

*****This request is quasi-judicial. You should not discuss this case with decision makers outside of the scheduled hearing*****

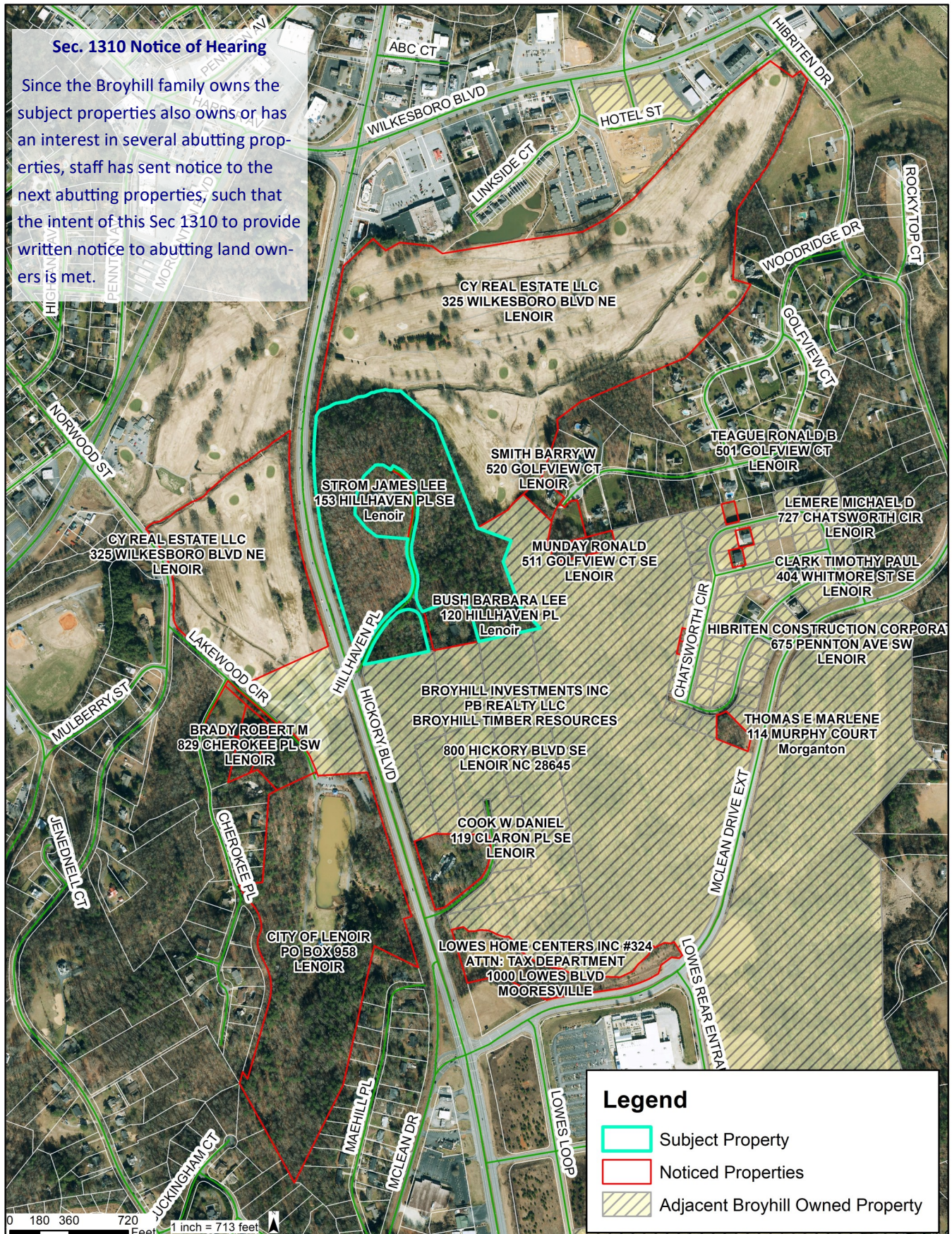
ZONING AND FLOODPLAIN MAP



NOTICING MAP

Sec. 1310 Notice of Hearing

Since the Broyhill family owns the subject properties also owns or has an interest in several abutting properties, staff has sent notice to the next abutting properties, such that the intent of this Sec 1310 to provide written notice to abutting land owners is met.



BACKGROUND AND ANALYSIS

Major Subdivisions

Chapter 19 of the Lenoir Code of Ordinances describes the process of subdivision within City Limits & the ETJ. Major subdivisions are divisions of tracts of land that include dedication of new streets, changes to existing streets, otherwise commit the expenditure of city funds, or create more than ten lots. Approval of major subdivisions occurs in three phases:

Current Phase → (1) Phase 1—Preliminary plat. A preliminary plat is reviewed by the technical review committee and the planning board, and approved by the city council following a quasi-judicial hearing.

(2) Phase 2—Construction of infrastructure. All public improvements must be constructed by the developer in accordance with city standards and the approved preliminary plat prior to approval of a final plat and the acceptance of infrastructure by the City.

(3) Phase 3—Final plat. A final plat is reviewed and approved by the city council, and infrastructure is accepted for public maintenance.

Subject and Surrounding Properties

Hillhaven Place is a public, dead-end road off of Hickory Blvd with an existing 40' wide right-of-way. There are city water and sewer facilities in the right-of-way. The property is located in the R-15, Single-Family Residential district. There are only two homes on Hillhaven Place, on platted lots in separate ownership. The remainder of the acreage is wooded and owned by PB Realty/Broyhill Timber Resources. South of the subject properties are more Broyhill-owned, wooded tracts that abut Claron Place and Mclean Drive. Section II of the Overmountain Forest Planned Development, zoned CZ-9, is west of the subject property.

Applicant's Request

The applicant is proposing to create twenty-two residential lots off of Hillhaven Place, for a total of 24 lots fronting on the street (the two existing lots are in separate ownership and are not a part of this request). Since the number of lots exceeds 10, this development is classified as a major subdivision. The proposed lots meet all minimum dimensional and setback requirements of the zoning ordinance for the R-15 district, and range in size from just over the minimum 15,000 sq. ft. required by the district to over 4.5 acres (lots 17 and 22). The range of lot sizes reflects the topography of the site, which has over 100 ft. of elevation change (elevations range from 1,110 ft. above sea level at the connection to US321, to 1,215 ft. above sea level at the top of the dead-end). The larger acre lots contain the steepest slopes and would not be suitable for further subdivision. Density is concentrated on the southern portion of the existing road, with 16/22 proposed lots fronting on the first ~800 ft. of Hillhaven, and only 6 on the remaining ~600 ft. While the applicant's proposal did not originally include any infrastructure upgrades, the additional density triggers some necessary improvements. As conditions of approval, the applicant will need to dedicate additional right-of-way at the northern end of Hillhaven as well as at the end of the "fork" at the southern end, to accommodate a turn-around and a "stub-out" for future connections, respectively. Additionally, sidewalk construction, or a payment in lieu of construction, is also required.

PROPOSED LOTS WITH SQUARE FOOTAGE

NUMBER	SQ.FT.
LOT 1	21,597
LOT 2	23,642
LOT 3	20,877
LOT 4	25,940
LOT 5	18,874
LOT 6	17,424
LOT 7	16,651
LOT 8	15,578
LOT 9	15,010
LOT 10	15,366
LOT 11	20,356
LOT 12	28,306
LOT 13	51,337
LOT 14	51,509
LOT 15	42,828
LOT 16	32,473
LOT 17	304,649
LOT 18	68,165
LOT 19	70,077
LOT 20	54,950
LOT 21	46,621
LOT 22	232,453

SUBDIVISION SITE PLAN

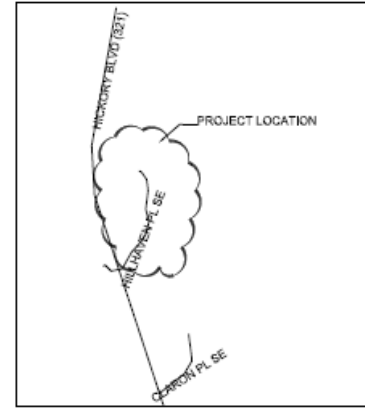
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SITE SKETCH PLAN
SCALE: 1" = 80'

NOTES THIS SHEET:

1. ROADS SHOWN ARE EXISTING. DRIVEWAY CONNECTIONS AND ALL ROAD IMPROVEMENTS ARE TO BE COORDINATED WITH CITY OF LENOIR AND NCDDOT ENGINEERING DEPARTMENT PRIOR TO CONSTRUCTION.
2. ALL WORK TO BE COMPLETED IN ACCORD WITH TO BE COORDINATED WITH NCDDOT.
3. SEWER AND WATER SERVICES PROVIDED BY CITY OF LENOIR.



NUMBER	SQ. FT.	ACREAGE	APR. DIM.
LOT 1	21,597	0.50	212' X 99'
LOT 2	23,642	0.54	101' X 225'
LOT 3	20,877	0.48	75' X 266'
LOT 4	25,940	0.60	92' X 278'
LOT 5	18,874	0.43	71' X 259'
LOT 6	17,424	0.40	72' X 234'
LOT 7	16,651	0.38	72' X 228'
LOT 8	15,578	0.36	72' X 215'
LOT 9	15,010	0.72	110' X 503'
LOT 10	15,366	0.34	128' X 546'
LOT 11	20,356	0.47	67' X 319'
LOT 12	28,306	0.65	70' X 400'
LOT 13	51,337	1.18	110' X 503'
LOT 14	51,509	1.18	128' X 546'
LOT 15	42,828	0.98	94' X 514'
LOT 16	32,473	0.75	83' X 515'
LOT 17	304,649	6.99	856' X 483'
LOT 18	68,165	1.56	203' X 364'
LOT 19	70,077	1.61	220' X 309'
LOT 20	54,950	1.26	156' X 352'
LOT 21	46,621	1.07	115' X 409'
LOT 22	232,453	5.34	714' X 566'



PROJECT DETAILS

1. OWNER:
THE REALTY LLC
800 GOLFVIEW PARK
LENOIR, NC 28645
2. PARCEL ID. NO. = 08123 1 1
3. SITE ZONING = R-15
4. TOTAL SITE AREA = 30.212 ACRES
5. MIN LOT SIZE: 15,000 SQ. FT. (MIN. WIDTH 80')
6. BUILDING SETBACKS:
FRONT 40' (SIDE STREET 20')
SIDE 10'
REAR 30'
7. IMPROVEMENTS:
- EXISTING ROAD = 48,993 SF (GRAVEL/PAVED)
- EXISTING DRIVE = 4,000 SF
- PROPOSED ROADS = 44,000 SF
- PROPOSED SIDEWALK = 2,500 SF
- TOTAL = 104,993 SF (2.39 ACRES)
- BUILT UPON AREA = 6.706 AC
8. SUBDIVISION IS NOT LOCATED IN A WATERSHED AREA

FOR AGENCY REVIEW

BACKGROUND AND ANALYSIS

Transportation and Access

Hillhaven Place has been a city-maintained road since its construction. The road intersects with US-321 about a half mile south of Smith Crossroads and about a half mile north of the McLean Drive (Lowe's Hardware) intersection. US-321 has a continuous grassed median along this thoroughfare, with a break that lines up with Hillhaven, so drivers entering or exiting Hillhaven will be able to travel north or south from the intersection. Hillhaven Place is about 1471 feet long. There is standard curb and gutter along the first 890 ft of the road, while the upper 581 feet has a valley curb. There is a fork off Hillhaven that leads up to the driveway of the home at 120 Hillhaven Place. About 200' of this fork is city-maintained with curb and gutter. The right of way around this fork extends past the city-maintenance and ends close to an adjacent parcel owned by PB Realty (NCPIN 2759236589), which is not part of this subdivision. There is potential for further subdivision development in this area, so it will be a recommendation of this report to extend a 40' right-of-way to the southern property line. Additionally, a turn-around is required on the north end of Hillhaven. (See Appendix A on page 10 for details on additional ROW dedications/extensions.)

All proposed lots have the required 25' of street frontage on and will be accessed from Hillhaven Place. Although Lots 9 through 16 are technically "through-lots," adjacent to US-321, they are designed as reverse frontage lots with no direct access to the highway due to the steep slopes along the western property lines. There is a mature tree buffer along this western exposure as well, limiting highway disruption to the residential area.

One of the proposed lots is a "flag lot," (Lot 22) meaning its frontage is narrower than the rest of the proposed lots. With flag lots, the driveway access is located on a slender strip of land originating at the road (the "flagpole") and extends to wider part of the parcel that is buildable (the "flag"). Lenoir subdivision standards do not limit flag lots, although there are some considerations regarding city services. The private water and sewer hookups need to be extended further for this lot, and the driveway may have to be constructed to accommodate a fire truck if the distance to the home requires such access to adequately respond to a fire or other emergency. Details related to development of the flag lot will be handled at time of permitting.

R-15 Dimensional Standards				
Zoning Designation	Minimum Lot Area	Minimum Lot Width	Setbacks	Max. Building Height
R-15 Single Family Residential	15,000 SF	Street Frontage: 25 Ft At Building Line: 60 Ft	Front: 40 Ft Side: 15 Ft Street Side: 25 Ft Rear: 35 Ft	35 ft.
♦ See Sec. 800, Table A for a full description of Zoning District Development Standards				

Consistency with Major Subdivision Plat Requirements

Sections 19-09 through 19-16 of the Subdivision Ordinance include the basic standards for all plats. The applicant's preliminary plat for the Hillhaven Place site satisfies this criteria. Notable details regarding this project:

- ♦ The proposal meets all dimensional criteria for street frontage, lot size, width, setbacks, area, and block dimensions for single family residential uses in the R-15 zoning district.
- ♦ Lots 17 through 22 have some Special Flood Hazard Areas on them, but it is located towards the rear of the lots and is mostly outside of the building envelope created by the setbacks. See FIRM map 3710275900J.
- ♦ The developer has elected to make a payment into the sidewalk fund in lieu of construction.
- ♦ This project is required to obtain a stormwater permit from the WPCOG and any area of land disturbance greater than one acre will require a sedimentation and erosion control plan from NCDEQ.
- ♦ The development is currently served by the City's water and sewer systems. Existing utility lines have a 25' easement. Prior to submittal of the final plat, a capacity letter will be issued by the Public Utilities Department.

TECHNICAL REVIEW COMMITTEE COMMENTS

Public Services

Public Utilities: Jeff Church (jeff.church@ci.lenoir.nc.us—828-757-4459)

Water and sewer should be fine, there is an existing water service and eight inch sewer service. We will; however, need to review final plans and specs for the connections/extensions prior to final plat approval. If upgrades to existing fire hydrants are needed, the City's Engineer will need to review and approve proposed improvements

Public Works: Jon Hogan (Jon.hogan@ci.lenoir.nc.us—828-757-2183)

Currently [sanitation] services those homes with our small (PakRat) truck. With that subdivision built out we would likely move it to an automated route. Therefore, we would need to add a turnaround or cul-de-sac on the north end of Hillhaven in order to accommodate the larger truck. A turnaround is not needed at the south fork off Hillhaven.

Public Safety

Fire: Chris Jacobs (cjacobs@ci.lenoir.nc.us—828-757-2193)

- Fire vehicles require a cul-de-sac or hammerhead turnaround on Hillhaven per NC Fire Code for apparatus access.
- Driveway access on Lot 22 (flag lot) must be wide and robust enough to support a fire truck
- Water flow (hydrants) in this area currently is designed to support structures up to 1,870 sq. ft., larger structures over this would require an upgrade in the water system for suppression efforts (currently there are three hydrants for this road, 2 of them are less than 650 gpm however there is one hydrant, at Blowing Rock Blvd that is 1,187 gpm). Our calculation is based upon the two lesser gpm hydrants.
- The land grade for lots 18-21 is a concern, as steep grade could prevent or hamper efficient access
residential sprinklers would be a great suggestion at least for these lots.

Police: Brent Phelps (bphelps@ci.lenoir.nc.us—828-757-0471)

For the number of lots, it appears that the roads will support the potential traffic increases.

FINDINGS — SPECIAL STANDARDS FOR MAJOR SUBDIVISIONS

In accordance with Sec. 19-65, the City Council **must** approve the preliminary plat, and release the same for Phase 2 construction of infrastructure, upon finding that the application, based on competent, substantial evidence in the record and following an evidentiary hearing, meets of **all** of the following standards:

- (a) **Lot design and layout.** *The proposed lots meet all standards in Article I of this chapter and all standards for the proposed use and district prescribed by the zoning ordinance, and the length, width, and shape of the blocks are designed with due regard and special consideration to the type of land use proposed.*

Staff response: The proposed lots meet all of the dimensional standards for single-family lots in the R-15 zoning district. While the length of the existing street exceeds the preferred maximum length of 500 ft. for dead-end streets, and dead-end streets are generally discouraged, the street is existing and the surrounding topography limits options for connections. The proposed layout gives special consideration to the topography and existing conditions, consistent with the intent of the district and the subdivision ordinance.

- b) **Suitability of land.** *Land which is found to be unsuitable for subdivision due to flooding, bad drainage, steep slopes, rock formations and other features likely to be harmful to the safety, health and general welfare of the future occupants or to the community shall not be subdivided unless adequate methods are formulated by the developer for meeting the problems created by the subdivision of such land.*

FINDINGS, CONT.

Staff response: A small sliver of the rear boundary on Lots 17-22 contains floodplain and floodway, but it will be outside of the building envelope of the lots. The steepest slopes and rock formations are all located on the perimeter of the site, on the largest lots. Lots 18 through 21 are among the steepest, but are also the largest, allowing for additional flexibility for the grading of a homesite. As a condition of approval, the final site plan/grading plan will be reviewed during permitting, in order to identify any potential issues with emergency response, as discussed in the Fire Marshall's TRC comments.

- c) **Orderly development.** *The subdivision is designed to allow for the opening of future streets and logical further subdivision of subsequent phases and adjacent parcels.*

Staff response: This subdivision leverages an existing city-maintained road that already exists as a dead-end, creating additional lots for single-family homes without very little additional infrastructure for the City to maintain. A "stub out" will be extended to the adjacent parcel to the south, to allow for a future connection, consistent with the intent of this standard. Overall, this proposal is "logical further subdivision" of land served by existing infrastructure, and is anticipated to be the final phase of lot creation on Hillhaven Place.

- d) **Coordination and continuation of streets.** *The proposed street layout is coordinated with the city's existing street system and maximizes the number of connections to the surrounding street network. Streets that abut the proposed subdivision are extended, and new street dedications must extend all the way to abutting parcels to provide for future extensions.*

Staff response: There are currently no streets that abut the proposed subdivision, so extension of abutting streets is not applicable to this request. As a condition of approval, the "fork" portion of roadway located south of the median will be dedicated all the way up to the adjacent parcel to the south, to allow for a future connection. The natural features of the area limit the potential for any other additional connections/continuation of streets.

- e) **Topography.** *The subdivision design considers the limitations and opportunities of the existing topography and minimizes the need for excessive grading or site walls.*

Staff response: A majority of the lots will require minimal grading. Lots 18 through 21 are among the steepest and will need grading to create a buildable area. However, these four lots are more than three times the required lot size, leaving more natural space for gradual grading.

- f) **Access management.** *Where a tract of land to be subdivided adjoins a major thoroughfare, the subdivision design manages access by establishing reverse frontage lots, marginal access streets, or other designs that limit private driveway connections on the major thoroughfare.*

Staff response: The proposed lots west of Hillhaven Place are reverse frontage lots, and adjoin US-321 at their rear. The subdivision is laid out for lots to be accessed by Hillhaven. The topography along the western edge of the parent tract adjacent to US321 is very steep — in places it is a sheer rock wall where blasting was required to construct the northbound lanes of US321. Driveway connections won't be permitted on US321, but in most places they aren't feasible anyway, ensuring compliance with this standard.

- g) **Pedestrian connectivity.** *Lots are arranged to facilitate greenway and sidewalk connections in accordance with the adopted [pedestrian and bicycle plans] to adjacent public facilities, common/open space, greenways, and adjacent developments are provided.*

Staff response: Hillhaven Place will have local traffic only, since the road ends at Lot 17 and does not connect outside the neighborhood. The same topography that limits the roadway connections also limits the ability to connect the larger pedestrian network, as well as creates challenges to building ADA-compliant sidewalks in this location. Since conditions on this road ensure low traffic volume and low speeds with minimal pedestrian risk, a sidewalk payment in lieu is proposed. As the greenway network is built out connecting to the golf course and throughout the proposed Overmountain Forest development, opportunities to eliminate gaps that may enhance future Hillhaven Place residents' access will be explored, and can be funded through the sidewalk fund at that time.

FINDINGS, CONT.

- h) **Adequate public facilities.** *Adequate public facilities exist to serve the proposed subdivision, or will be developed upon approval of the preliminary plat.*

Staff response: The road, water, and sewer are all capable of serving the proposed lots. A cul-de-sac or alternative turnaround will be developed to better serve public vehicles that need adequate space to turn around, such as sanitation or fire trucks. The only concern about adequate facilities relates to the capacity of the existing fire hydrants to serve homes larger than 1,870 sq. ft. Since this limitation is related to the development of the lots themselves and not to the creation of lots, there are multiple ways to address this issue following approval of the preliminary plat. Upgrades to the water system are one option, but limitations on the size of structures or installation of sprinklers also would address without the need for improving existing infrastructure. This is a condition that exists elsewhere in the City — tanker trucks are also used in these scenarios to ensure the water necessary to fight structure fires is available when needed.

STAFF RECOMMENDATION/CONDITIONS

Staff recommends approval of the Hillhaven Place Preliminary Plat, with the following conditions:

1. The developer shall pay into the sidewalk fund in lieu of sidewalk construction. This payment shall be calculated for the footage of Hillhaven Place by the price of concrete for a 5' sidewalk. The sidewalk fund payment is due prior to the approval of the final plat.
2. A stormwater permit for a low density development is required prior to approval of the final plat. Notes on the face of the final plat including limitations on built upon area will be required.
3. NCDOT must review and approve the existing connection of US 321 and Hillhaven Place, due to the addition of residential density. Any geometric improvements to the connection must be completed prior to approval of the Final Plat.
4. A cul-de-sac or T-Y-L alternative turnaround must be installed at the end of Hillhaven. Prior to starting construction on the turnaround, civil plans demonstrating compliance with the standards in Chapter 18 (Streets and Sidewalks) must be provided to Public Works for review and approval.
5. A 40' wide public right of way must be extended to the southern property line where the city-maintained "fork" off Hillhaven Place currently extends to serve the house at 120 Hillhaven Place. A "stub out" must be constructed to the property line within this right-of-way, in order to facilitate future extension/connection to serve future residential subdivision.
6. While current water and sewer infrastructure is sufficient to handle 22 additional homes in this location, the existing fire hydrants are not sufficient to service structures larger than 1,870 sq. ft. Either the water service can be upgraded to increase capacity of hydrants, or deed restrictions must be recorded that limit overall square footage of individual houses to 1,870 sq. ft. and/or require houses larger than 1,870 sq. ft. to have sprinklers/fire suppression systems.
7. A grading plan must be submitted prior to approval of any building permits on lots 18-21. Placement of homes on steep lots may negatively impact the City's ability to effectively fight house fires on these properties. Residential sprinklers/fire suppression systems are strongly encouraged for future development on the aforementioned lots.

PLANNING BOARD RECOMMENDATION

Planning Board recommends approval of the Preliminary Plat, with conditions presented by staff, by a vote of 4 to 1.

EXHIBIT A: FORK OFF HILLHAVEN

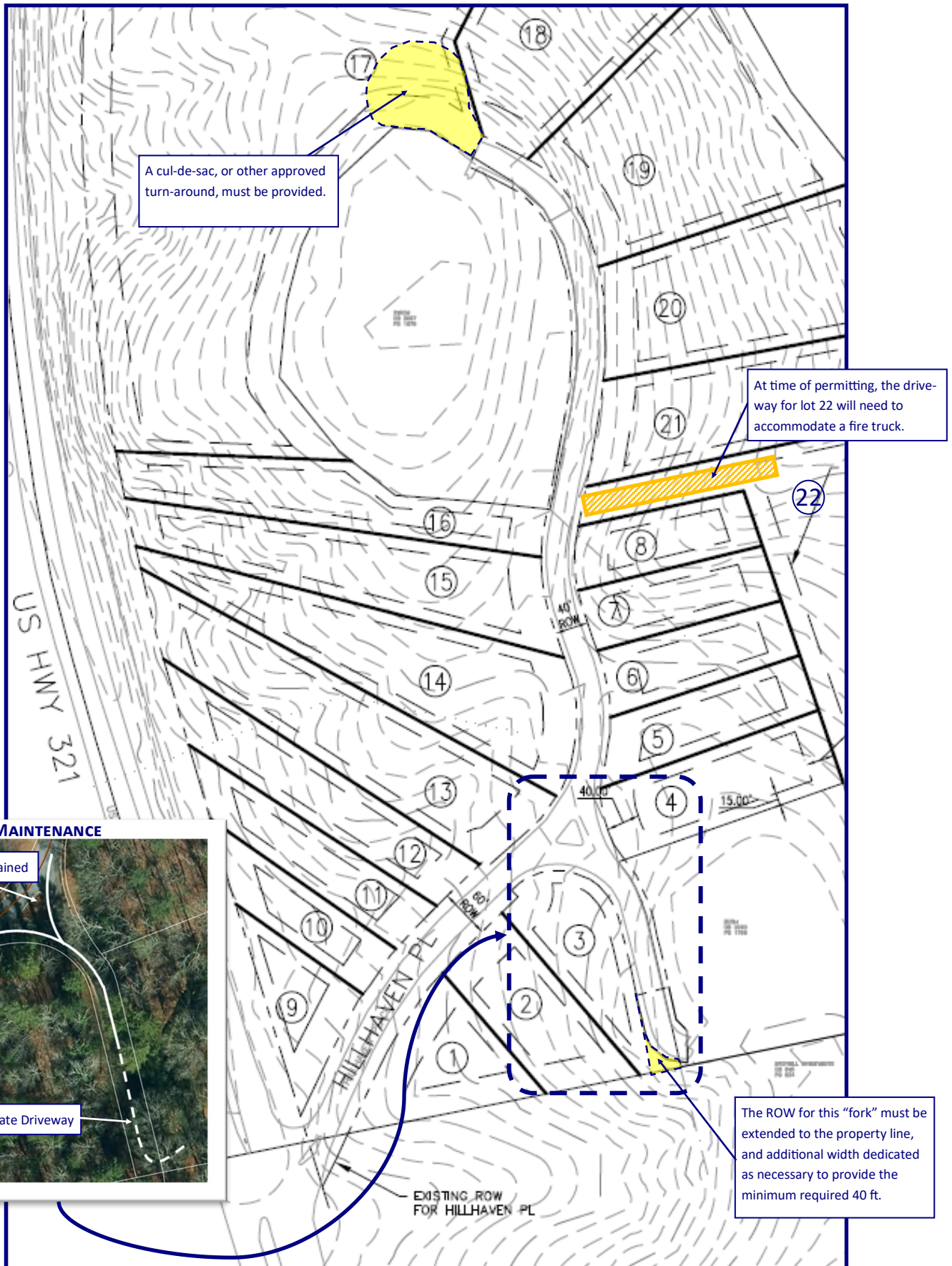


EXHIBIT B: SITE PHOTOS



Above: Hillhaven Connection with US-321

Below: Lower part of Hillhaven PI with curb and gutter shown



Above: Lots 18 and 19 with steep slopes

Below: Upper Hillhaven PI with valley curb





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, running alongside the length of property located at 118 H. Lewis Price Street, Lenoir, NC, and being approximately 0.12 acre, NCPIN#2798474597 and Caldwell County Tax Parcel ID#09-8-2-20; 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 to purchase the property described above, in the amount of \$1,000.00 plus advertising costs, as submitted by Hamilton Wall, Lenoir, NC; and

WHEREAS, Hamilton Wall 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

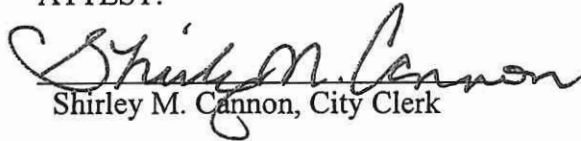
- return the deposit on an offer subject to upset if a qualifying higher bid is received. The City will return the deposit of the final high bidder at closing.
7. The terms of the final sale are that the City Council must approve the final high offer before the sale is closed, which it will do within 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 Hamilton Wall, of Lenoir, North Carolina.

This the 21st day of February 21, 2023.

SEAL


Joseph L. Gibbons, Mayor

ATTEST:


Shirley M. Cannon, City Clerk



RESOLUTION

In Recognition of Dedicated Service



WHEREAS, on the 15th of January, in the year 1998, Christopher Todd Mills was appointed as a Patrol Officer for the City of Lenoir Police Department by Chief Jack Warlick;

THAT, as of the date of this Resolution, Lieutenant Mills has admirably and with great distinction, served the citizens of Lenoir during the tenures of four Police Chiefs;

THAT, Chris has formed close relationships with his genuine concern and dedication to duty; and has contributed to the success of the department and community, with the support of his wife, Crystal.

THAT, prior to being hired by the City of Lenoir, Chris served as a Detention Officer with the Caldwell County Sheriff's Office and Correctional Officer for the Foothills Correctional Department in Morganton during the years 1997 to 1998;

THAT, due to his diligent performance of exemplary manner, he was promoted to Patrol Sergeant in 2003, to Support Services Training Coordinator in 2008, to Lieutenant in 2009, to Patrol overseeing two Platoons in 2012; and since 2018, has lead the department's Community Resources Platoon;

THAT, he received his Instructor Certification in 2001, completed Police Law Institute in 2003, received the Advanced Law Enforcement Certificate in 2007, completed FBI Regional Command College in 2009, was voted Officer of the year by department members in 2015, and completed the FBI-Law Enforcement Executive Development Association Trilogy Program in 2019;

THAT, Chris has been instrumental in overseeing a number of programs and serving in a multitude of capacities to include Department Instructor, Special Response Team Member, Citizens Police and K9 Academy Coordinator, K-9 Team Supervisor, Recruitment and Retention, Ready Response Team, and Crisis Incident Stress Management Team;

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

THAT, he has played an active, vital role in the community with 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, Chris has humbly served the citizens of the City of Lenoir and Caldwell County and will be retiring on March 1, 2023 with over 26 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 Chris Mills 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 21st day of February, 2023.

Joseph L. Gibbons, Mayor

Scott E. Hildebran, City Manager



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

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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 Chris Mills upon his retirement from the Lenoir Police Department and Declaring his badge and service weapon as Surplus Property.

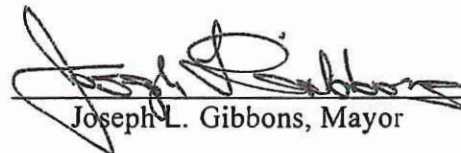
NOW, THEREFORE BE IT RESOLVED,

- 1) the Mayor and City Council of the City of Lenoir acknowledges Lieutenant Chris Mills 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 Chris Mills, upon retirement, as surplus and no longer have any additional use to the City of Lenoir {Sig Sauer Model P320 .45 caliber (Serial # 58J478009)}
- 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.

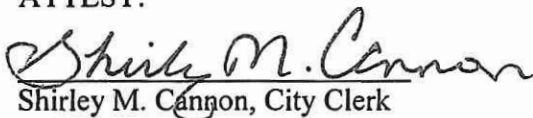
NOW, THEREFORE BE IT FURTHER RESOLVED that, I, Joseph L. Gibbons, Mayor of the City of Lenoir, and on behalf of the Lenoir City Council and all the citizens, do hereby wish the very best for Lieutenant Chris Mills in his retirement and commend him for the outstanding example he has set as a dedicated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

Adopted this the 21st day of February, 2023.

SEAL


Joseph L. Gibbons, Mayor

ATTEST:


Shirley M. Cannon, City Clerk



RESOLUTION

CITY OF LENOIR

HONORING

KENNETH WILLIAM HAIR

WHEREAS, *Kenneth (Ken) William Hair* began his career as a Firefighter with the Lenoir Fire Department on October 8, 1991, and was promoted to 2nd Lieutenant on October 4, 2001, Lieutenant on October 3, 2002, Captain on March 14, 2005, Assistant Chief on February 11, 2008, Deputy Chief on April 3, 2011 and Fire Chief on March 1, 2018; and

WHEREAS, *Ken Hair* has announced his retirement effective February 1, 2023 ending 31plus years of exemplary service to the citizens of Lenoir and Caldwell County; and

WHEREAS, during his tenure of dedicated service, *Ken Hair* has served with great competence and always contributed positively to the professional development of those around him; and

WHEREAS, during all of his endeavors both in and outside the Fire Department *Ken Hair* has brought honor and respect to himself and the City of Lenoir by his actions and his fair treatment of all persons;

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

BE IT FURTHER RESOLVED that we extend our sincere appreciation and deep gratitude for his faithful and outstanding service which has contributed to the betterment of our City.

Witness my hand and seal this the 21st day of February, 2023.

SEAL



Scott E. Hildebran
City Manager



Joseph L. Gibbons
Mayor



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
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C. D. THOMAS

Resolution Honoring Kenneth E. Story

WHEREAS, Kenneth E. "Kenny" Story started his career with the City of Lenoir, North Carolina, on June 29, 1987, and served in various positions in the Parks and Recreation Department through April 10, 1996, including Summer Playground Coordinator, Ball Field Maintenance, Aquatics Director, Assistant Center Director, Center Director, and Athletic Director; and

WHEREAS, Kenny Story returned to work for the City's Parks & Recreation Department on October 15, 2007, as Athletic Programs Supervisor and was promoted to Assistant Recreation Director/Athletic Director in 2011, Interim Director in 2016, and Director in 2017; and

WHEREAS, Kenny Story has been very active in the community including volunteering with the Special Olympics, coaching for several recreation leagues, working as a Tar Heel League Coach; and

WHEREAS, during his tenure as Parks & Recreation Director, Kenny Story has overseen the completion of many improvements to Lenoir Parks and Recreation facilities including improvements to the Lenoir Optimist Park, Greenway extensions, improvements to The Campus at the Historic Lenoir High School, new outdoor pickleball courts at Mulberry Recreation Center, the Regenerative Stormwater Conveyance at J.E. Broyhill Park, new energy efficient LED lighting at Mulberry Recreation Center and Mack Cook Stadium, renovations at T.H. Broyhill Walking Park including three, new single-unit restrooms and decking boards on the observation deck, and securing grant funding for improvements to the Lenoir Aquatic & Fitness Center including a new splash pad; and

WHEREAS, during his career, Kenny Story has worked with many community partners to improve recreation opportunities and facilities for residents in Lenoir including Appalachian State University, the Broyhill Family Foundation, Caldwell Community College & Technical Institute, Foothills Performing Arts, and North Carolina State Agricultural Extension; and

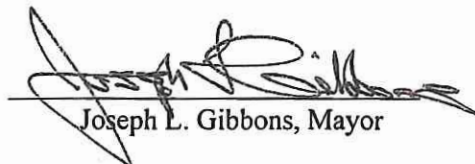
WHEREAS, Kenny Story has announced his retirement effective March 1, 2023, ending more than 24 years of exemplary service to the citizens of Lenoir and more than 35 years of service in Parks and Recreation in the state;

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

BE IT FURTHER RESOLVED, that we extend our sincere appreciation and deep gratitude for his faithful and outstanding service, which has contributed to the betterment of our City.

This, the 21st day of February 2023.

SEAL


Joseph L. Gibbons, Mayor

