



AGENDA
CITY OF LENOIR
CITY COUNCIL MEETING
905 WEST AVENUE
TUESDAY, APRIL 18, 2023
6:00 P.M.



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council Budget Meeting of Thursday, March 30, 2023 as submitted.
- B. Approval of the minutes of the City Council meeting of Tuesday, April 4, 2023 as submitted.
- C. Minutes: Approval of the closed session minutes of the City Council meeting of Tuesday, April 4, 2023 as reviewed by the City Council, City Attorney and City Manager.
- D. Surplus Resolution for Police K9 Uwais: Approval of a Resolution to declare Police K9 Uwais as surplus property and to transfer ownership to Corporal Mitchell Foust as requested and as submitted.
- E. Resolution; Water & Sewer Capital Improvements Projects: Staff recommends approval of a resolution to adopt the Water and Sewer Fund Capital Improvements Projects (CIP) as submitted. Note: The Water and Sewer Fund CIP was presented to City Council at the March 30, 2023 Budget Meeting.
- F. Resolution; 2022 Local Water Supply Plan: Approval of a Resolution to approve the 2022 Local Water Supply Plan for the City of Lenoir as submitted.
- G. Order of Abatement: 431 Rankin Street SW: Approval of adoption of an Order of Abatement Ordinance directing the Minimum Housing Director to Remove or Demolish the property located at 431 Rankin Street NW, Parcel ID 09-27-3- 21 and NCPIN# 2840902161 as submitted.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

- A. Items of Information

- 1. The Committee of the Whole will meet on Thursday, April 20 at 8:30 a.m. at City Hall, Third Floor. Please note date change.
- 2. The 2023 Bootlegger 100 Bicycle Ride event will be held on Saturday, April 22 from 8:00 a.m. – 6:00 p.m. The event begins and ends in downtown Lenoir.
- 3. The Planning Board will meet on Monday, April 24 at the City/County Chambers.

4. The North Carolina League of Municipalities (NCLM) annual City Vision Conference will be held on April 25 through April 27 in Concord. Representing the City of Lenoir is Mayor Joe Gibbons, City Manager Scott Hildebran, Councilmembers Jonathan Beal, Kent Greer, Ike Perkins, Ralph Prestwood, and David Stevens.
5. NCDOT's Spring Litter Sweep ends on Saturday, April 29.

B. Items for Council Action

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

X. ADJOURNMENT

MINUTES

**CITY COUNCIL
FY2023-2024 ANNUAL BUDGET RETREAT
CITY HALL, THIRD FLOOR
TUESDAY, MARCH 30, 2023
8:30 A.M.**

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

ZOOM: Mayor Pro-Tem Crissy Thomas.

City Manager Scott Hildebran, City Clerk Shirley Cannon, Public Information Officer Joshua Harris, Police Chief Brent Phelps, Deputy Fire Kenny Nelson, Finance Director Bean, Planning Director Hannah Williams, Public Services Director Radford Thomas, and Public Works Operation Manager Jonathan Hogan.

ABSENT: Parks & Recreation Director Phillip Harper, Economic Development Director Kaylynn Horn and Public Utilities Operations Manager Jeff Church.

OTHERS: Joel Whitford, PE and Dale Schepers, Financial Analyst, with McGill Associates.

I. CALL TO ORDER

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

- II. B. PROPOSED FY2023-24 BUDGET CALENDAR: City Manager Hildebran presented the proposed FY2023-2024 Budget Calendar to City Council for their review. A public hearing to formally approve the budget will be held on Tuesday, June 6. (A copy of the Budget Calendar is attached to these minutes as information).

Motion

Upon a motion by Councilmember Stevens, Council voted 7 to 0 to approve the FY2023-2024 Budget Calendar as presented by City Manager Hildebran.

- III. C. Review; FY2023 Council Goals: City Manager Hildebran reviewed the list of City Council's goals/priorities for 2023 and stated the proposed budget will support all of City Council's priorities as listed below.

2023 City Council Priorities

1. Continue Efforts to Offer Competitive Compensation and Benefits for Employees.
2. Develop a new Comprehensive Plan (which will include a focus on neighborhood planning including West End, Whitnel, and other neighborhoods) and Parks & Recreation Master Plan.
3. Continues to develop Strategies to Support Affordable, Workforce, and Market-Rate Housing.
4. Continue to Fund & Support Water/Sewer Capital Improvements Plan.
5. Continue to Support Minimum Housing and Code Enforcement.
6. Continue to evaluate organizational staffing needs, and encourage succession planning and professional development.

IV. Utility Fund CIP, Debt, Financial Model & Rates

A. FY2023-23 Draft Capital Improvements Plan – Table 1

Public Services Director Radford Thomas introduced Joel Whitford with McGill Associates. Director Thomas stated with the City's current rates and debt service, the City can maintain the integrity of its water and sewer system.

Mr. Whitford commended City Council and Staff for all of their hard work in planning for the City's future needs. Mr. Whitford stated he works with City Manager Scott Hildebran and Finance Director Donna Bean regarding debt service and that several projects have moved up on the CIP timeline.

Next, Mr. Whitford distributed copies of the spreadsheets for the Water and Sewer Fund CIP Plan (Table 1.) He pointed out the numbers highlighted in blue represent the water system and the numbers in green represent the wastewater system. (A copy of the 2023 Water & Sewer Fund Capital Improvements Plan is attached to these minutes as information.)

Mr. Whitford pointed out projects are ranked by regulatory needs, replacement or efficiencies (age-related.) He explained this list is an organized approach in order for the City to provide and maintain a viable system. (A copy of the Water and Sewer Fund Capital Improvements Plan is attached to these minutes as information.)

Mr. Whitford stated the Crossroads Sewer Replacement Project is a critical project and is almost complete as pipes and manholes have been installed. He also remarked the City applied for funding several times for the Finley Water System Improvements project and recently, with the assistance of North Carolina Representative Destin Hall, funding was obtained.

This project has moved up on the CIP list and is moving forward. Surveying for the for the design plan is currently underway.

Director Thomas stated the Whitnel Transmission Line Replacement Project, Phase I, is currently ranked as number 5 and funding will be sought in 2025. He also stated the Flash

Mix Basin Repairs Project (#19) is currently in the bidding process. In addition, he pointed out that projects 21 through 28 were grouped together and the City would seek funding options over the next few years.

Director Thomas reported the items highlighted in green rank well and stated Project 20, Lower Creek WWTP Mixers, is scheduled to begin next year. He shared he applied for a BRIC grant, but the project did not get funded. However, he reported that other funding is available and he re-applied through the NC Department of Public Safety. He stated the City has a good chance of receiving a grant and stated the timeline for the project is the end of this year.

Director Thomas said Project 22, Lower Creek WWTP Equalization Basin is for flow regulation and pointed out, should there be any hazards, Staff can isolate them in the basin. Also, he shared the sewer line from the Presbyterian Church on Pennell Street will be replaced and includes moving the line and replacing the manhole. He stated these are two important projects for the City.

Next, Director Thomas stated the City plans to pay for smaller projects that are not color coded on the list with its Fund Balance, which is good financial practice for the City.

- B. Debt Service Summary: Mr. Whitford reviewed the Debt Service Summary for the Water and Sewer Fund. The total current debt service for 2023 is \$2,081,633 which equals to \$1,190,626 for Water and \$891,007 for sewer for a total debt of \$2,081,633. (A copy of the Debt Service Summary for the W & S Fund is attached to these minutes.)

Mr. Whitford reported projects are being completed and 2023 has been a good year for the City. Director Thomas remarked the City tries to be as cost efficient as possible.

- C. Water and Sewer Fund Summary: Dale Schepers, Financial Analyst, McGill Associates, reviewed the Water and Sewer Fund Cash Flow Summary and stated the City has experienced a 2.5% growth through its customer base. He stated the 2.5% is a normal range, but it is not covering expenses. He referred to inflation and how to address it. He stated the Cash Flow Summary is a model for how the City can make a rate increase work. Mr. Schepers stated the City has several huge projects coming up with a zero percent decrease the first five years. The summary assists the City with helping to mitigate and prioritize needs. A brief discussion was held regarding using the Fund Balance for projects. City Manager Hildebran stated he expects the City to qualify for some funding from the state. (A copy of the Water & Sewer Cash Flow Summary attached to these minutes as information.)

- D. Proposed Water and Sewer Rates: Mr. Schepers reviewed a Water Rate Comparison Chart for March 2023 based on 5,000 gallons usage per month. He stated the median rate is \$73.78. The City of Lenoir's rate is \$24.57 for water and \$26.65 for sewer for a total rate of \$52.22. Caldwell County's rate for water is \$34.71 as they do not provide sewer service. Mr. Schepers recommended the City increase its water and sewer rates by 4% for FY2023-24. If approved, Mr. Hildebran stated he would notify Caldwell County and the surrounding municipalities today that purchase water from the City of the proposed rate increase, which will become effective July 1, 2023. (A copy of the Proposed Water & Sewer Rates & the Water Rate Comparison Chart attached to these minutes as information.)

Motion

Following a brief discussion and upon a motion by Councilmember Perdue, City Council voted 7 to 0 to approve a 4% water and sewer rate increase for FY2023-24 effective July 1, 2023 as presented and as recommended by City Manager Hildebran.

Current FY2022-23 Budget Update

- E. Financial Summary; February 2023: Finance Director Donna Bean presented a financial summary as of February 28, 2023 and stated the financial balances are where the City anticipated them to be. Director Bean reported the Over/Under balance in the General Fund is \$3,798,412.55, Downtown District is (\$213,746.76), and Water/Sewer Fund is \$2,296,378.60. Director Bean stated the City replaced several capital items last year and reported that funds will be moved from the General Fund to the Downtown District's expenditures line as it is at 13% of its budgeted amount as new Christmas decorations and lighting were purchased last year. (A copy of the February 2023 Financial Summary is attached to these minutes as information.)
- F. Historical Budget Information (Tax Rates, Solid Waste Fees, Health Insurance Rates, W/S Rates, Fund Balance, CPI.

Mr. Hildebran reviewed a list of property rate taxes for the past 25 years and shared that Caldwell County does a revaluation every 4 years. The next revaluation is planned for in 2024-25. The City's current tax rate is \$0.57 per \$100 of assessed value. Next, Mr. Hildebran reviewed the City's list of Solid Waste Fees from 2004-05 to 2022-23 and recommended the City increase its solid waste fee from \$11.00 to \$12.00 due to the increased cost of fuel and other items. City Council was in consensus to increase the monthly solid waste fee by \$1.00 as recommended. This increase will be included in the proposed budget. (A copy of the Solid Waste Fees is attached to these minutes as information.)

Next, Mr. Hildebran reported that Medcost, the City's insurance carrier with the North Carolina League of Municipalities (NCLM), will be increasing its current rate by 5% effective July 1, 2023. The City's rate has been averaging 4.1% since 2007. Mr. Hildebran also shared the Local Government Commission is now recommending municipalities maintain their Fund Balance around 58% for cities similar to Lenoir. He pointed out the City's current Unreserved Fund Balance of \$14,872,480 equals to 80.57% of its annual budget. In addition, Mr. Hildebran reported the Consumer Price Index (CPI), South Region is 6.4% as of February 2023. Mr. Hildebran thanked City Council for all of their support.

Finance Director Bean shared the City anticipates an increase in property and sales tax revenue, but pointed out the City budgeted for the same amount it received last year. Director Bean mentioned the Caldwell County School System pays for the School Resource Officers (SRO's), but the City pays for their uniforms, cars, and other expenses. She stated the City currently has \$240,000 budgeted for four (4) new SRO's.

Director Bean further shared a COLA has been factored into the budget for employees as well as an increase in the amount of retirement to be paid into the Local Government

Retirement Fund System. Director Bean reiterated there is no new debt included in the proposed CIP and stated the City plans to pay for CIP items with cash instead of borrowing funds. Director Bean further reported the paving budget line item reflects an increase of \$10,000 which allows for additional paving of streets.

City Manager Hildebran explained the City pays the Western Piedmont Council of Governments (WPCOG) for providing Stormwater mapping services and Storm water Partnership and emphasized the proposed CIP projects are conservative but realistic in cost. He commented the City has funding but tries not to overspend.

A brief discussion was held regarding retirement, separation allowance pay and recouping any cost for education/training. Police Chief Phelps briefly explained the process for new hires and pointed out an individual may decide not to continue in this field following training due to personal preference.

General Fund Projections

Mr. Hildebran reviewed the General Fund Projections handout for 2023-2024 which includes the proposed \$1.00 solid waste fee. The total revenues and expenditures projections are \$21,720,280. There is no debt service for this budget year.

Outstanding Items

Mr. Hildebran reviewed the list of Outstanding Items and Current & Future Funding Commitments for FY2023-2024. (A copy of the list is attached to these minutes as information.)

Mr. Hildebran stated this is a snapshot of the proposed FY2023-2024 proposed budget and thanked Finance Director Donna Bean and the Department Directors for all of their assistance in compiling the proposed budget information.

Adjourn

There being no further business, the meeting was adjourned at 10:05 a.m.

Attachments

FY2023-2024 Budget Calendar

Water & Sewer CIP

Water & Sewer Debt Service Summary

Water & Sewer Financial Analysis & Cash Flow Summary

Water Rate Comparisons Chart & Local Unifour Area Utilities Chart

Solid Waste Fees (10-year chart)

Financial Summary

Outstanding Items

CITY OF LENOIR
BUDGET CALENDAR
FY2023-2024

May 16, 2023	City Manager presents recommended budget to City Council. (City Clerk will have a copy of the proposed budget available for the public after presentation.)
May 18, 2023	Budget Work Session – 6:00 p.m., Third Floor, City Hall
May 23, 2023	Committee of the Whole – 8:30 a.m., Third Floor, City Hall (Budget Work Session if necessary)
May 30, 2023	Budget Work Session – 6:00 p.m., Third Floor, City Hall *if necessary
June 6, 2023	Public Hearing for recommended FY2023-24 Budget at City Council Meeting at 6:00 p.m. Earliest possible date to adopt the budget. (City Clerk will have a copy of the final budget available for the public within five business days.)
June 20, 2023	City Council
June 27, 2023	Committee of the Whole Meeting

Table 1
City of Lenoir
Water and Sewer Fund
Capital Improvements Plan - 2023

Water Improvements

Project Number	Project Description	10-Yr CIP Cost	Current 2023	Year 1 2024	Year 2 2025	Year 3 2026	Year 4 2027	Year 5 2028	Year 6 2029	Year 7 2030	Year 8 2031	Year 9 2032	Year 10 2033	Years 11+ 2034
Vehicles and Equipment														
	FY23 Water Distribution V&E Total	-	95,000											
	FY23 Water Treatment V&E Total	-	123,000											
	Distribution System Vehicles and Equipment	549,000	-	230,000	-	55,000	-	-	61,000	64,000	-	68,000	71,000	-
	Water Treatment Vehicles and Equipment	790,000	-	127,000	78,000	37,000	118,000	166,000	49,000	51,000	53,000	55,000	56,000	-
	Water Resources Vehicles and Equipment	100,000	-	100,000	-	-	-	-	-	-	-	-	-	-
	Subtotal - Water Vehicles and Equipment	1,439,000	218,000	457,000	78,000	92,000	118,000	166,000	110,000	115,000	53,000	123,000	127,000	-
Distribution System														
1	Water Line Replacements	3,300,000					500,000	600,000		700,000		700,000	800,000	2,219,000
2	Finley Water System Improvements	6,280,000		6,280,000										
3	Major Pressure Reducing Valve Vaults	680,000		330,000		350,000								
4	Hudson Valve Insertions	-												
5	Whitnel Transmission Line Replacement - Phase 1	5,460,000			5,460,000									
6	Walt Arney Road Water Line Replacement	590,000				590,000								
7	Hudson Tank Pump Upgrades	590,000						590,000						
8	Pleasant Hill Road Water Improvements	750,000							750,000					
9	Zacks Fork to Cottrell Hill Water Supply Loop	-												1,650,000
10	Whitnel Transmission Line Replacement - Phase 2	-												13,010,000
11	Morganton Blvd Water Line - Phase 1	1,030,000					1,030,000							
12	Morganton Blvd Water Line - Phase 2	3,037,000										3,037,000		
13	Whitnel-Cajahs Water Pump Station	2,070,000					2,070,000							
14	Divisional Valve Replacements	565,000			99,000	130,000		109,000	113,000		114,000			
15	Joycelton Water Improvements	170,000				170,000								
16	Water System Interconnect #1	3,940,000											3,940,000	
17	Water System Interconnect #2a	10,326,000							10,326,000					
18	Water System Interconnect #2b	11,325,000									11,325,000			
Water Treatment														
19	Flash Mix Basin Repairs	-	470,000											
20	AWIA Compliance Projects	100,000	100,000	100,000										
21	Retrofit all Cahah Pumps and Switchgear	205,000				205,000								
22	Add 3rd Whitnel Finished Water Pump	500,000				500,000								
23	Add 3rd Whitnel Raw Water Pump	500,000				500,000								
24	Filter Valve Upgrades	1,580,000				1,580,000								
25	Finished Water Pump Station Expansion	940,000				940,000								
26	Backwash Supply Improvements	310,000				310,000								
27	Operations Building Upgrades	1,810,000	15,000			1,810,000								
28	Cleanwell Replacement	-												4,380,000
29	Generator and Electrical System Loop	-												3,285,000
	Subtotal - Water Infrastructure Improvements	56,058,000	585,000	6,710,000	5,559,000	7,085,000	3,600,000	1,299,000	11,189,000	700,000	11,439,000	3,737,000	4,740,000	24,545,000
	Total - Water Improvements	57,497,000		7,167,000	5,637,000	7,177,000	3,718,000	1,465,000	11,299,000	815,000	11,492,000	3,860,000	4,867,000	24,545,000
	Current Year (FY23) CIP: Water Improvements		803,000											
	10-Yr CIP: Water Improvements FY24-33	57,497,000		7,167,000	5,637,000	7,177,000	3,718,000	1,465,000	11,299,000	815,000	11,492,000	3,860,000	4,867,000	24,545,000
	Capital Project funded or partially funded using external source(s). ARPA, Direct Allocation, etc.													
	Capital Project funded or partially funded using debt issue(s)													

Minutes-FY2023-24 Budget Retreat
Thursday, March 30, 2023

Table 1
City of Lenoir
Water and Sewer Fund
Capital Improvements Plan - 2023

Wastewater Improvements

Project Number	Project Description	10-Yr CIP Cost	Current 2023	Year 1 2024	Year 2 2025	Year 3 2026	Year 4 2027	Year 5 2028	Year 6 2029	Year 7 2030	Year 8 2031	Year 9 2032	Year 10 2033	Years 11+ 2034
Vehicles and Equipment														
FY23 V&E Total		-												
Collection System Vehicles and Equipment		1,378,000		98,000	-	101,000	104,000	475,000	112,000	116,000	120,000	124,000	128,000	-
Wastewater Treatment Vehicles and Equipment		43,000		-	43,000	-	-	-	-	-	-	-	-	-
Subtotal - Wastewater Vehicles and Equipment		1,421,000		98,000	43,000	101,000	104,000	475,000	112,000	116,000	120,000	124,000	128,000	-
Collection System														
1	Sewer Line Replacements	5,000,000							1,000,000	2,000,000			2,000,000	2,820,000
2	Manhole Improvements	430,000	180,000			200,000				230,000				
3	Pennton to Hwy 18 Sewer	990,000			990,000									
4	Zacks Fork Sewer Replacement	2,050,000			2,050,000									
5	Main Street (Volway to 321) Sewer Replacement	990,000			990,000									
6	Rehab Blairs Fork Outfall	780,000			780,000									
7	Golf Course Sewer Replacement	3,260,000				3,260,000								
8	Gunpowder Creek Interceptor Replacement	3,200,000					3,200,000							
9	East Harper Avenue Sewer Replacement	564,000								564,000				
10	Meadowood Upstream Sewer Replacement	1,779,000									1,779,000			
11	Meadowood Lift Station Improvements	519,000									519,000			
12	Dula Town and Spring St Lift Station Improvements	-	42,000											
Wastewater Treatment														
13	LCWWTP Recycle Water Pump/Lines	-	20,000											
14	GCWWTP 3-phase Power Service	-	4,000											
15	Grinder Pump and Screen	25,000		25,000										
16	Bar Screen Replace at GPWWTP	200,000		200,000										
17	Influent Repairs at LCWWTP	20,000		20,000										
18	Septage Receiving Station / Vactor Dump	580,000			580,000									
19	Lower Creek WWTP Facility Repairs, Roads, Paving	-	149,000											
20	Lower Creek WWTP Mixers	1,200,000		1,200,000										
21	Lower Creek WWTP Diffusers and Concrete Repairs	2,000,000			2,000,000									
22	Lower Creek WWTP Equalization Basin	3,780,000						3,780,000						
23	Lower Creek WWTP Treatment Improvements	7,634,000								7,634,000				
Subtotal - Wastewater Improvements Infrastructure		35,001,000	395,000	1,445,000	7,390,000	3,460,000	3,200,000	3,780,000	1,000,000	10,428,000	2,298,000	-	2,000,000	2,820,000
Total - Wastewater Improvements		36,422,000		1,543,000	7,433,000	3,561,000	3,304,000	4,255,000	1,112,000	10,544,000	2,418,000	124,000	2,128,000	2,820,000
Current Year (FY23) CIP: Wastewater Improvements			395,000											
10-Yr CIP: Wastewater Improvements FY24-33		36,422,000		1,543,000	7,433,000	3,561,000	3,304,000	4,255,000	1,112,000	10,544,000	2,418,000	124,000	2,128,000	2,820,000
Total Water and Wastewater Capital Improvements Plan														
Current Year (FY22) CIP: Total Water/Wastewater			1,198,000											
10-Yr CIP: Total Water and Wastewater		93,919,000		8,710,000	13,070,000	10,738,000	7,022,000	5,720,000	12,411,000	11,359,000	13,910,000	3,984,000	6,995,000	27,365,000

☐ Capital Project funded or partially funded using debt issue(s)

Table 1a
City of Lenoir
Water and Sewer Fund
Capital Improvements Plan - 2023

Water Improvements

Project Number	Project Description	10-Yr CIP Cost	Current 2023	Year 1 2024	Year 2 2025	Year 3 2026	Year 4 2027	Year 5 2028	Year 6 2029	Year 7 2030	Year 8 2031	Year 9 2032	Year 10 2033
Vehicles and Equipment													
	FY23 Water Distribution V&E Total	-	95,000										
	FY23 Water Treatment V&E Total	-	123,000										
Distribution System Vehicles and Equipment		549,000	-	230,000	-	55,000	-	-	61,000	64,000	-	68,000	71,000
1	Pickup Trucks	348,000		41,000	43,000				49,000	51,000	53,000	55,000	56,000
2	Small Truck	110,000			35,000	37,000	38,000						
3	WR Pickup Truck	41,000		41,000									
4	Dump Truck	80,000					80,000						
5	Backhoe	166,000						166,000					
6	Replace Windows/Doors main bldg lobby, paint	45,000		45,000									
Water Treatment Vehicles and Equipment		790,000	-	127,000	78,000	37,000	118,000	166,000	49,000	51,000	53,000	55,000	56,000
1	3/4 Ton Service Truck	80,000		80,000									
2	Used Forklift and Trailer	20,000		20,000									
Water Resources Vehicles and Equipment		100,000	-	100,000	-	-	-	-	-	-	-	-	-
Subtotal - Water Vehicles and Equipment		1,439,000	218,000	457,000	78,000	92,000	118,000	166,000	110,000	115,000	53,000	123,000	127,000

Wastewater Improvements

Project Number	Project Description	10-Yr CIP Cost	Current 2023	Year 1 2024	Year 2 2025	Year 3 2026	Year 4 2027	Year 5 2028	Year 6 2029	Year 7 2030	Year 8 2031	Year 9 2032	Year 10 2033
Vehicles and Equipment													
	FY23 V&E Total	-											
1	Misc. Vehicles	805,000				101,000	104,000		112,000	116,000	120,000	124,000	128,000
2	Vactor Truck	475,000						475,000					
3	Dump Truck	98,000		98,000									
Collection System Vehicles and Equipment		1,378,000		98,000	-	101,000	104,000	475,000	112,000	116,000	120,000	124,000	128,000
1	Pickup Truck	43,000			43,000								
Wastewater Treatment Vehicles and Equipment		43,000		-	43,000	-	-	-	-	-	-	-	-
Subtotal - Wastewater Vehicles and Equipment		1,421,000		98,000	43,000	101,000	104,000	475,000	112,000	116,000	120,000	124,000	128,000
Total - Water and Wastewater Vehicles and Equipment		2,860,000	218,000	555,000	121,000	193,000	222,000	641,000	222,000	231,000	173,000	247,000	255,000

Table 2
City of Lenoir
Water and Sewer Fund
Debt Service Summary - 2023

Current Debt Schedule:

				Current Year	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Type	Description	Issue Date	Issue Amount	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Water	H-LRX-F-07-1058: Whitnel Pump Station S	12/31/2009	2,977,285	178,399	174,707	171,015	167,323	163,632	159,940	156,248	152,556			
Water	H-LRX-F-08-1065: Raw Water Intake	8/4/2011	3,652,714	223,181	219,126	215,072	211,017	206,963	202,908	198,854	194,799	190,745	186,690	
Water	H-LRX-F-15-1875: WTP Improvements	6/3/2018	5,243,453	262,173	262,173	262,173	262,173	262,173	262,173	262,173	262,173	262,173	262,173	262,173
Water	Meter Replacements	2019	4,400,000	526,873	514,003	501,133	488,263	475,393	462,523	449,653				
Sewer	CS370393-04: Gunpowder WWTP	10/28/2015	4,093,662	204,683	204,683	204,683	204,683	204,683	204,683	204,683	204,683	204,683	204,683	204,683
Sewer	CS370393-05: Powell Rd Sewer	2/3/2015	289,250	14,463	14,463	14,463	14,463	14,463	14,463	14,463	14,463	14,463	14,463	14,463
Sewer	CS370393-06: Meadowood Sewer	3/21/2016	1,541,984	77,099	77,099	77,099	77,099	77,099	77,099	77,099	77,099	77,099	77,099	77,099
Sewer	Biosolids	11/1/2019	6,995,000	451,422	446,071	440,720	435,369	430,018	424,666	419,315	413,964	408,613	403,262	397,911
Sewer	CS370393-08: Crossroads Sewer	3/3/2020	2,530,000	143,340	153,660	152,230	150,801	149,371	147,942	146,512	145,083	143,653	142,224	140,795
Total Current Debt Service				2,081,633	2,065,985	2,038,588	2,011,191	1,983,795	1,956,397	1,929,000	1,464,820	1,301,429	1,290,594	1,097,123
Water Subtotal				1,190,626	1,170,009	1,149,393	1,128,776	1,108,161	1,087,544	1,066,928	609,528	452,918	448,863	262,173
Sewer Subtotal				891,007	895,976	889,195	882,415	875,634	868,853	862,072	855,292	848,511	841,731	834,950
WATER %				57.2%	56.6%	56.4%	56.1%	55.9%	55.6%	55.3%	41.6%	34.8%	34.8%	23.9%
SEWER %				42.8%	43.4%	43.6%	43.9%	44.1%	44.4%	44.7%	58.4%	65.2%	65.2%	76.1%

Minutes-FY2023-24 Budget Retreat
Thursday, March 30, 2023

Table 3
City of Lenoir
Water and Sewer Fund
Financial Analysis - Cash Flow Summary

Cash-Flow Summary:

Description	Audit 2019	Audit 2020	Audit 2021	Audit 2022	Budget 2023	Year 1 2024	Year 2 2025	Year 3 2026	Year 4 2027	Year 5 2028	Year 6 2029	Year 7 2030	Year 8 2031	Year 9 2032	Year 10 2033
Water Annual Operating Revenue	6,226,767	6,336,628	6,494,271	6,548,397	6,924,384	7,097,725	7,275,168	7,457,048	7,643,474	7,834,561	8,030,425	8,231,185	8,436,965	8,647,889	8,864,086
Sewer Annual Operating Revenue	3,109,873	3,189,242	3,140,122	3,127,773	3,300,596	3,382,879	3,467,451	3,554,138	3,642,991	3,734,066	3,827,417	3,923,103	4,021,180	4,121,710	4,224,753
System Growth: Customers + Meter Replacement						2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
Water and Sewer Annual Non-Operating Revenue	95,284	67,426	26,747	13,533	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000
Water Revenue Increase from rates						4.0%	4.0%	4.0%	4.0%	4.0%	3.0%	3.0%	3.0%	3.0%	3.0%
Water New Revenue from Rates						283,909	574,916	873,198	1,178,937	1,492,319	1,733,232	1,980,167	2,233,276	2,492,713	2,758,636
Sewer Revenue Increase from rates						4.0%	4.0%	4.0%	4.0%	4.0%	3.0%	3.0%	3.0%	3.0%	3.0%
Sewer New Revenue from rates						135,315	274,013	416,179	561,898	711,261	826,084	943,777	1,064,412	1,188,063	1,314,806
Fund Balance Appropriation						1,000,000	450,000	350,000	350,000	600,000	900,000	1,000,000	1,100,000	400,000	600,000
Total Revenue	9,431,924	9,593,295	9,661,140	9,689,703	10,232,980	11,907,829	12,049,549	12,658,561	13,385,300	14,380,206	15,325,157	16,086,232	16,863,834	16,858,375	17,770,280
Water Operating Expenses	3,150,132	3,095,080	3,251,886	3,624,532	3,479,396	3,673,491	3,802,064	3,916,125	4,014,029	4,114,379	4,217,239	4,322,670	4,430,736	4,541,505	4,655,042
Water Expenses Increase*						4.0%	3.5%	3.0%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
Sewer Operating Expenses	2,820,602	2,734,027	2,750,274	2,936,142	3,434,953	3,572,351	3,697,383	3,808,304	3,903,512	4,001,100	4,101,127	4,203,655	4,308,747	4,416,465	4,526,877
Sewer Expenses Increase*						4.0%	3.5%	3.0%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
Capital Outlay	647,245	436,187	344,757	375,997	1,237,000	2,370,000	1,430,000	1,128,100	1,201,478	1,703,964	1,599,564	1,918,278	1,610,110	1,187,062	1,663,139
Debt Service Existing	1,294,959	1,769,112	1,628,265	1,724,182	2,081,635	2,065,985	2,038,588	2,011,191	1,983,795	1,956,397	1,929,000	1,464,820	1,301,429	1,290,594	1,097,123
Debt Service Proposed						-	876,086	1,601,955	2,047,045	2,365,469	3,199,507	3,929,955	4,877,551	5,105,011	5,525,053
Transfers Out	78,260	139,900	55,550	100,000											
Total Expenses	7,991,198	8,174,306	8,030,732	8,760,653	10,232,980	11,681,826	11,844,121	12,465,675	13,149,859	14,141,329	15,046,437	15,839,378	16,528,574	16,540,638	17,467,234
Accrual Adjustments	684,191	9,104	253,049												
Net Income	2,124,917	1,428,093	1,883,457	928,850	-	226,002	205,428	192,886	235,441	238,877	278,721	246,854	335,260	317,737	303,046
Unrestricted Net Assets	14,407,381	10,647,335	12,530,792	10,840,064	10,840,064	9,616,066	9,471,494	9,314,380	8,949,821	8,288,698	7,567,419	6,714,273	6,649,533	6,367,270	6,670,316
Unrestricted Net Assets / Total Expenses					106%	82%	80%	75%	68%	59%	50%	42%	40%	38%	38%
Residential Inside 5,000 gal Monthly Water Use Charges						\$26.58	\$27.65	\$28.74	\$29.89	\$31.10	\$32.03	\$32.97	\$33.97	\$34.98	\$36.04
Residential Inside 5,000 gal Monthly Sewer Use Charges						\$27.73	\$28.82	\$29.97	\$31.16	\$32.44	\$33.40	\$34.41	\$35.43	\$36.50	\$37.59
Combined Water and Sewer Use Charges						\$54.31	\$56.47	\$58.71	\$61.07	\$63.54	\$65.43	\$67.38	\$69.40	\$71.48	\$73.63
Monthly Increase						\$2.09	\$2.16	\$2.24	\$2.36	\$2.47	\$1.89	\$1.95	\$2.02	\$2.08	\$2.15

* February 2023 Urban South CPI 12 Month Increase = 6.4%

Minutes-FY2023-24 Budget Retreat
Thursday, March 30, 2023

WATER RATE COMPARISONS – March – 2023
5,000 GALLONS USAGE PER MONTH
www.efc.unc.edu/RatesDashboards/nc.html

<u>SYSTEM</u>	<u>WATER</u>	<u>SEWER</u>	<u>TOTAL</u>
Forest City	\$22.37	\$22.37	\$44.74
Morganton	\$15.50	\$33.93	\$49.43
Lenoir	\$24.57	\$26.65	\$52.22
N. Wilkesboro	\$30.74	\$25.47	\$56.21
Valdese	\$44.05	\$13.15	\$57.20
Conover	\$26.54	\$34.66	\$61.20
Hickory	\$27.11	\$35.02	\$62.13
Two Rivers Utilities	\$26.80	\$38.60	\$65.40
** (Gastonia)			
Shelby	\$27.60	\$43.30	\$70.90
Granite Falls	\$37.64	\$35.96	\$73.60
Boone	\$37.95	\$36.00	\$73.95
Taylorsville	\$37.50	\$37.50	\$75.00
Lincolnton	\$29.99	\$46.97	\$76.96
Statesville	\$29.81	\$48.06	\$77.87
Siler City	\$41.00	\$37.25	\$78.25
Lexington	\$35.19	\$47.34	\$82.53
Cherryville	\$43.00	\$43.00	\$86.00
Newton	\$39.20	\$51.72	\$90.92
Thomasville	\$36.91	\$55.44	\$92.35
Blowing Rock	\$52.53	\$52.53	\$105.06
** (Avg./month)			
Billed Bi-monthly			

WATER RATE COMPARISONS – March – 2023
5,000 GALLONS USAGE PER MONTH
www.efc.unc.edu/RatesDashboards/nc.html

Local Unifour Area Utilities

<u>SYSTEM</u>	<u>WATER</u>	<u>SEWER</u>	<u>TOTAL</u>
Baton Water Corp.	\$32.00	N/A	\$32.00
Cajah's Mountain	N/A	\$44.52	\$44.52
Sawmills	\$41.57	\$54.83	\$96.40
Gamewell	N/A	\$37.50	\$37.50
Alexander County	\$43.57	\$42.14	\$85.71
Catawba County	\$54.22	\$70.03	\$124.25
Burke County	\$55.00	\$55.00	\$110.00
Caldwell County	\$34.71	N/A	\$34.71

Table 4
City of Lenoir
Water and Sewer Fund
Proposed Water and Sewer Rates

Proposed Water and Sewer Rates

Customer Classes	Current FY23	Year 1 FY24	Year 2 FY25	Year 3 FY26	Year 4 FY27	Year 5 FY28
Water Inside						
Base Charge; Includes 1,000 gal	\$11.29	\$11.74	\$12.21	\$12.70	\$13.21	\$13.74
Volume per 1,000 gal; 1,001 gal +	\$3.57	\$3.71	\$3.86	\$4.01	\$4.17	\$4.34
Water Outside						
Base Charge; Includes 1,000 gal	\$22.58	\$23.48	\$24.42	\$25.40	\$26.42	\$27.48
Volume per 1,000 gal; 1,001 gal +	\$7.14	\$7.43	\$7.73	\$8.04	\$8.36	\$8.69
Resale Water						
Volume per 1,000 gal	\$2.37	\$2.46	\$2.56	\$2.66	\$2.77	\$2.88
Sewer Inside						
Base Charge; Includes 1,000 gal	\$9.89	\$10.29	\$10.70	\$11.13	\$11.58	\$12.04
Volume per 1,000 gal; 1,001 gal +	\$4.19	\$4.36	\$4.53	\$4.71	\$4.90	\$5.10
Sewer Outside						
Base Charge; Includes 1,000 gal	\$19.80	\$20.59	\$21.41	\$22.27	\$23.16	\$24.09
Volume per 1,000 gal; 1,001 gal +	\$8.39	\$8.73	\$9.08	\$9.44	\$9.82	\$10.21
Resale Sewer						
Volume per 1,000 gal	\$4.14	\$4.31	\$4.48	\$4.66	\$4.85	\$5.04

Sample Monthly Charges: Water and Sewer

Inside 5,000 gal	\$52.22	\$54.31	\$56.47	\$58.71	\$61.07	\$63.54
Inside 10,000 gal	\$91.02	\$94.66	\$98.42	\$102.31	\$106.42	\$110.74
inside 50,000 gal	\$401.42	\$417.46	\$434.02	\$451.11	\$469.22	\$488.34
Inside 100,000 gal	\$789.42	\$820.96	\$853.52	\$887.11	\$922.72	\$960.34
Outside 5,000 gal	\$104.50	\$108.71	\$113.07	\$117.59	\$122.30	\$127.17
Outside 10,000 gal	\$182.15	\$189.51	\$197.12	\$204.99	\$213.20	\$221.67
Outside 50,000 gal	\$803.35	\$835.91	\$869.52	\$904.19	\$940.40	\$977.67
Outside 100,000 gal	\$1,579.85	\$1,643.91	\$1,710.02	\$1,778.19	\$1,849.40	\$1,922.67

residential inside

5,000 gal water	\$25.57	\$26.58	\$27.65	\$28.74	\$29.89	\$31.10
5,000 gal sewer	\$26.65	\$27.73	\$28.82	\$29.97	\$31.18	\$32.44
Combined	\$52.22	\$54.31	\$56.47	\$58.71	\$61.07	\$63.54

residential outside

5,000 gal water	\$51.14	\$53.20	\$55.34	\$57.56	\$59.86	\$62.24
5,000 gal sewer	\$53.36	\$55.51	\$57.73	\$60.03	\$62.44	\$64.93
Combined	\$104.50	\$108.71	\$113.07	\$117.59	\$122.30	\$127.17

City of Lenoir, North Carolina		
Solid Waste Fees		
Fiscal Year	Solid Waste Fees	Solid Waste Collections
2022-23	11.00	TBD
2021-22	10.00	856,385.00
2020-21	10.00	847,783.00
2019-20	10.00	793,464.00
2018-19	9.00	712,381.00
2017-18	9.00	707,721.00
2016-17	9.00	699,283.00
2015-16	9.00	703,382.00
2014-15	8.00	628,144.00
2013-14	8.00	622,819.00
2012-13	8.00	627,002.00
2011-12	8.00	626,743.00
2010-11	7.00	553,866.00
2009-10	7.00	560,940.00
2008-09	7.00	525,142.00
2007-08	7.00	515,359.00
2006-07	6.00	454,131.00
2005-06	6.00	438,734.00
2004-05	-	-



**City of Lenoir
Financial Summary
As of 2/28/2023**



Minutes-FY2023-24 Budget Retreat
Thursday, March 30, 2023

General Fund					
	2022-2023 Budget	2/28/2023	% of Budget	Change from Previous Year	2/28/2022
Total Revenue	\$ 20,320,130.00	\$ 17,347,123.02	85%	\$ 1,606,654.25	\$ 15,740,468.77
Expenditures	\$ 20,320,130.00	\$ 13,548,710.47	67%	\$ 1,442,123.67	\$ 12,106,586.80
Over/Under	\$ -	\$ 3,798,412.55		\$ 164,530.58	\$ 3,633,881.97
Downtown District					
	2022-2023 Budget	2/28/2023	% of Budget	Change from Previous Year	2/28/2022
Revenues	\$ 288,220.00	\$ 38,416.97	13%	\$ 6,118.91	\$ 32,298.06
Expenditures	\$ 288,220.00	\$ 252,163.73	87%	\$ 140,042.93	\$ 112,120.80
Over/Under	\$ -	\$ (213,746.76)		\$ (133,924.02)	\$ (79,822.74)
Water/Sewer Fund					
	2022-2023 Budget	2/28/2023	% of Budget	Change from Previous Year	2/28/2022
Revenues	\$ 10,232,980.00	\$ 6,926,331.51	68%	\$ 345,434.82	\$ 6,580,896.69
Expenditures	\$ 10,232,980.00	\$ 4,629,952.91	45%	\$ (76,778.13)	\$ 4,706,731.04
Over/Under	\$ -	\$ 2,296,378.60		\$ 422,212.95	\$ 1,874,165.65

FY 2023-2024

Outstanding Items

- Workers Comp:
- General Liability:
- Health: 5.0%
- Retirement System: 0.75% for GF and 1.00% for LEO

Current & Future Funding Commitments

- Hospital Avenue Sidewalk -	\$800,000/\$200,000 – City*
- RTP Grant -	\$250,000/\$62,500 in-kind*
- Stormwater Mapping -	\$180,000
- LFD Sinkhole -	\$2,500,000 +/-
- SRO'S Vehicles/Equipment -	\$256,000
- Strategic Milling/Paving: Hospital Ave. -	\$112,500+
Summerhill -	\$93,750+
Parkview Streets -	\$75,500+
Heritage Hills -	\$25,000+
Georgetown -	\$81,250+
- Arrowood Bridge -	\$525,000/\$225,000 - City
- Downtown 2-way Traffic Conversion (3-Phases)	
Phase 1 -	\$125,000
Phase 2 -	\$960,000
Phase 3 -	\$600,000
- The Campus - LHS Auditorium/Gym/Field/Band Bldg. -	TBD
- Circle Drive Repair	TBD
- Greenway Culvert Repair - Red Roof Inn	TBD

OTHER

*already funded

**LENOIR CITY COUNCIL
TUESDAY, APRIL 4, 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, City Manager Scott Hildebran, City Clerk Shirley Cannon and City Attorney T.J. Rohr.

ABSENT: Councilmembers Todd Perdue and David Stevens.

I. CALL TO ORDER

- A. The meeting was opened by a moment of silence and the pledge of allegiance as led by Mayor Gibbons.

**SPECIAL RECOGNITION;
POLICE DEPARTMENT:**

- B. On behalf of City Council, Mayor Gibbons read and presented a proclamation to Police Chief Brent Phelps proclaiming the week of April 9 – 15 as “Public Safety Telecommunicators Week” throughout the City of Lenoir.

Chief Phelps thanked the Telecommunicators for the job they do and stated they are the initial point of contact for citizens during times of crisis. He stated he was proud of them and pointed out they serve behind the scenes and usually do not receive any recognition. Those in attendance at the Council meeting were Rhonda Hollowell, Molly Ford, and Kenny LaCourse.

Mayor Gibbons also expressed appreciation to the Telecommunicators and the Police Department for everything they do daily for the citizens and the community.

**SPECIAL RECOGNITION;
FAIR HOUSING MONTH:**

- C. On behalf of City Council, Mayor Gibbons read and presented a proclamation to Ms. Lauren Hart, Catawba Valley Realtors Association, proclaiming the month of April 2023 as “Fair Housing Month” throughout the City of Lenoir.

Ms. Hart thanked City Council for the recognition and stated becoming a first time homebuyer is life-changing experience for these individuals.

Mayor Gibbons thanked Ms. Hart for coming and for assisting homebuyers throughout the Unifour area.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the Committee of the Whole meeting of Tuesday, February 28, 2023 as submitted.

- B. Minutes: Approval of the minutes of the City Council meeting of Tuesday, March 7, 2023 as submitted.
- C. Minutes: Approval of the minutes of the City council meeting me Tuesday, March 21, 2023 as submitted.
- D. Proclamation; Public Safety Telecommunicators Week: Approval of a proclamation proclaiming the week of April 9 – 15 as “Public Safety Telecommunicators Week” throughout the City of Lenoir as submitted. (A copy of the proclamation is hereby incorporated into these minutes by reference. Refer to page. 99.)
- E. Proclamation; Fair Housing Month: Approval of a proclamation proclaiming the month of April 2023 as “Fair Housing Month” throughout the City of Lenoir. (A copy of the proclamation is hereby incorporated into these minutes by reference. Refer to page 100.)
- F. Authorizing Resolution; Stormwater Planning Grant: Approval of an Authorizing Resolution for the Spring 2023 Department of Water Infrastructure Stormwater Planning Grant authorizing the City Manager and/or Finance Director to execute and file an application on behalf of the Applicant with the State of North Carolina for a loan and/or grant to aid in the study of construction of the project described above and as submitted. (A copy of the authorizing resolution is hereby incorporated into these minutes by reference. Refer to pages 101-102.)

Upon a motion by Mayor Pro-Tem Thomas, City Council voted 5 to 0 to approve the items listed on the Consent Agenda (A-F) as described above and as recommended by City Manager Hildebran.

IV. REQUESTS AND PETITIONS OFCITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

FY2023 ACTION PLAN & UNIFOUR HOME CONSORTIUM PLAN:

- A. Rick Oxford, Plan Administrator, Western Piedmont Council of Governments, held the second of two public meetings to receive public comments regarding the proposed FY2023 Action Plan of the City of Lenoir and the Unifour HOME Consortium as part of the five-year Consolidated Plan. This plan, as required by the U.S. Department of Housing and Urban Development (DHUD), outlines goals and action plans of the City of Lenoir and the Community Development Block Grant (CDBG) and HOME funds for fiscal year 2023, beginning July 1, 2023 and ending June 30, 2024. The City of Lenoir serves as the Lead Entity for the Unifour Consortium.

Mr. Oxford reported this is year 4 of the five-year plan which is comprised of projects for the HOME and CDBG plans. He reviewed funding for the two programs as follows:

HOME Program	\$1,200,690
Program Income	<u>\$ 300,000</u>
Total	\$1,500,690

Mr. Oxford stated they are proposing \$91,010 for Down Payment Assistance for first time home buyers and stated there is still available funding for this program from prior years. He further stated there was an increase in funding of \$420,000 for the CHODO’s Program. In addition, there is \$839,500 in available funding for developers of multi-housing projects.

Mr. Oxford clarified the down payment assistance funding is available for the four-county area and stated they provide 20% of the purchase price for qualified first time homebuyers with a zero interest loan, which the applicant pays back when they sell or transfer the property. The maximum amount of assistance is \$30,000 and one-half of the loan is forgiven after a ten-year period. Mr. Oxford remarked that housing inventory is down while interest rates have increased. He briefly discussed there were more multi-housing projects.

Mr. Oxford reported funding for the CBDG program is \$142,691, which is currently being used for projects at The Campus (former LHS facility) including the auditorium, gymnasium, band building, trades/masonry building, and Mack Cook Stadium. Mr. Oxford stated both plans will be submitted to DHUD for approval and funding will be released on July 1, 2023.

On behalf of City Council, Mayor Gibbons thanked Mr. Oxford for the good report.

Motion

Upon a motion by Councilmember Beal, Council voted 5 to 0 to adopt the HOME Plan and the Community Development Block Grant Plan as submitted and as presented by Rick Oxford, Plan Administrator.

VI. REPORT AND RECOMMENDATIONS OF THE CITYMANAGER

A. Items of Information

APRIL

CALENDAR:

1. The calendar for the month of April was submitted to Council listing various meetings and events.

HOLIDAY

CLOSING:

2. City offices will be closed on Friday, April 7 in observance of Good Friday.

CITY/COUNTY

SERVICES COMMITTEE:

3. The City/County Services Committee will meet on Monday, April 10 at noon.

LENOIR BUSINESS

ADV. BOARD:

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

NCDOT'S LITTER

SWEEP:

5. The North Carolina Department of Transportation's (NCDOT) Spring Litter Sweep begins on Saturday, April 15 through Saturday, April 29.

PARKS & RECREATION

ADV. BOARD:

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

RESCHEDULED; COMMITTEE

OF THE WHOLE:

7. City Manager Hildebran recommended City Council reschedule the April 25 Committee of the Whole meeting to Thursday, April 20 at 8:30 a.m. due to Council attending the North

Carolina League of Municipalities City Vision Conference which begins on April 25.

Motion

Upon a motion by Mayor Pro-Tem Thomas, City Council voted 5 to 0 to reschedule the April 25 Committee of the Whole meeting to Thursday, April 20 as recommended by City Manager Hildebran.

BOOTLEGGER 100

BICYCLE RIDE: 8. The 2023 Bootlegger 100 Bicycle Ride event will be held on Saturday, April 22 beginning at 8:00 a.m. in downtown Lenoir. The event begins and ends in downtown Lenoir.

GOOGLE GRAVITY

GAMES: 9. The North Carolina Gravity Games are scheduled on Saturday, April 29 in downtown Lenoir.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

**VOTING DELEGATE;
NCLM CITY VISION:**

- A. City Council may appoint a Councilmember to serve as the City of Lenoir's voting delegate during the North Carolina League of Municipalities (NCLM) Annual Business meeting scheduled on Thursday, April 27 during the City Vision Conference.

Upon a motion by Councilmember Perkins, Council voted 5 to 0 to designate Mayor Joe Gibbons as the City of Lenoir's voting delegate for the NCLM's Annual Business meeting.

**CLOSED
SESSION:**

- B. Pursuant to N.C.G.S. §143-318.11(a), (3), and upon a motion by Mayor Pro-Tem Thomas, which unanimously carried, City Council entered into closed session at the City Council Meeting on Tuesday, April 4 to discuss attorney/client privilege.

**OPEN
SESSION:**

- C. Upon a motion by Mayor Pro-Tem Thomas, City Council voted 5 to 0 to re-enter into open session.

IX. REPORT AND RECOMMENDATIONS OF THE MAYOR

X. ADJOURNMENT

- A. There being no further business, the meeting was adjourned at 7:03 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor



PROCLAMATION

In Recognition of

Public Safety Telecommunicators Week

April 9 – 15, 2023



Whereas, the City of Lenoir Police Department Telecommunicators play a vital role in the protection of human life and property in our community; and

Whereas, Telecommunicators have been successfully serving the public safety communication needs of the City of Lenoir throughout the year; and

Whereas, while enduring long hours, abnormal schedules, and handling frequent life and death emergencies, Telecommunicators set high standards in performing their duties in a dedicated, diligent, and compassionate manner; and

Whereas, Telecommunicators provide a critical communication link between the residents and Emergency Responders; and

Whereas, these individuals efficiently coordinate emergency services to ensure the health and safety of our residents, visitors, and travelers in our community, 24-hours a day, 7-days a week; and

Whereas, our Public Safety Communications personnel serve the public daily in countless ways without due recognition by the beneficiaries of their services;

Therefore Be It Resolved, that I, Joseph L. Gibbons, Mayor of the City of Lenoir, and on behalf of the Lenoir City Council, do hereby proclaim and declare the week of April 9 – April 15, 2023

“National Public Safety Telecommunicators Week”

in the City of Lenoir, in honor of the men and women whose diligence and professionalism keep our city and first responders safe.

Witness, my hand and seal this the 4th *day of* April, 2023.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk



CITY OF LENOIR
NORTH CAROLINA

CITY MANAGER
SCOTT E. HILDEBRAN

MAYOR
JOSEPH L. GIBBONS

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

PROCLAMATION

FAIR HOUSING MONTH

WHEREAS, April 11, 2023 marks the 55th anniversary of the passage of the U.S. Fair Housing Law, Title VIII of the Civil Rights Act of 1968, as amended, which enunciates a national policy of Fair Housing without regard to race, color, creed, national origin, sex, familial status, and handicap, and encourages fair housing opportunities for all citizens; and

WHEREAS, the Catawba Valley Association of Realtors is committed to highlighting the Fair Housing Law, Title VIII of the Civil Rights Act of 1968, by continuing to address discrimination in our community, supporting programs that will educate the public about the right to equal housing opportunities, and planning partnership efforts with other organizations to help assure every American of their right to fair housing.

NOW, THEREFORE, I, Joseph L. Gibbons, Mayor of the City of Lenoir, North Carolina, and on behalf of the Lenoir City Council, do hereby resolve that April 2023, being *Fair Housing Month*, begins a year-long commemoration of the U.S. Fair Housing Law in the City of Lenoir and urge all citizens to wholeheartedly recognize this celebration throughout the year.

Adopted this the 4th day of April, 2023.

SEAL


Joseph L. Gibbons, Mayor

ATTEST:


Shirley M. Cannon, City Clerk



**CITY OF LENOIR
RESOLUTION BY THE CITY OF LENOIR FOR
SPRING 2023 DEPARTMENT OF WATER INFRASTRUCTURE
STORMWATER PLANNING GRANT**

WHEREAS, The City of Lenoir has need for and intends to construct, plan for, or conduct a study in a project described as the City of Lenoir Stormwater Planning Project, and

WHEREAS, The City of Lenoir intends to request State loan and/or grant assistance for the project,

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

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

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

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement (if required) a provision authorizing the State Treasurer, upon failure of the City of Lenoir to make a scheduled repayment of the loan, to withhold from the City of Lenoir any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

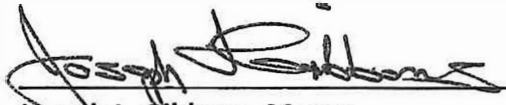
If applying for a regional project, that the **Applicant** will partner and work with other units of local government or utilities in conducting the project.

That Scott Hildebran, City Manager and/or Donna Bean, City Finance Director, the **Authorized Representatives** and successors so titled, are hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

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

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

Adopted this the 4th day of April 2023 at Lenoir, North Carolina.



Joseph L. Gibbons, Mayor

CITY OF LENOIR, NC
CHARTERED
JANUARY 28, 1851

SEAL



Lenoir Police Department



Council Action Form

I. Agenda Item:

Request the surplus of Police K9 Uwais so he may be given to his respective handler. The cost of \$1 will be covered by unnamed member of the police department. This canine is suffering from hip dysplasia and is medically unable to perform tasks associated with this duty.

See attached letter of intent and property surplus form.

II. Background Information:

K9 Uwais - born 11/08/2017; began service Dec. 2019; current handler Cpl. Mitchell Foust.

III. Staff Recommendation:

I fully recommend the surplus of K-9 Uwais by the City of Lenoir. I want to thank the handler for his dedication to this animal and our department during his years of service. Chief Brent Phelps

IV. Reviewed by:

City Attorney: _____ Date: _____

City Manager: _____ Date: _____

Police Chief: Brent Phelps Date: 4/4/2023



Brent Phelps
Chief

CITY OF LENOIR POLICE

1035 West Avenue NW
Lenoir, NC 28645
828-757-2100



Scott Hildebran
City Manager

April 4, 2023

Dear Sir:

I, Corporal Mitchell Foust, do hereby request that I be granted to take ownership of the Police K-9 Uwais from the City of Lenoir. My understanding is K-9 Uwais has been purchased on my behalf by a member of the police department.

Upon the completion of the sale, I, Corporal Mitchell Foust, agree to release the City of Lenoir, the Lenoir Police Department, the Chief of Police, and any official of the City of Lenoir from any and all liability associated with my purchase of the K-9 Uwais from the City of Lenoir. The City of Lenoir, the Lenoir Police Department, the Chief of Police and all other City Officials are hereby released from any and all liability associated with the care, use and upkeep of the K-9 Uwais. I understand that the K-9 Uwais is not to be used in any way in the official performance of my Police Duties and that Uwais is not to be involved in any further police activities effective

I further agree and understand that the K-9 Uwais is no longer associated with the City of Lenoir, the Lenoir Police Department, the Chief of Police or any other City Official as to any ownership or liability associated with the K-9 Uwais upon the signing of this document by myself. Any and all equipment purchased for the use of K9 Uwais by the Lenoir Police Department will be returned to the Logistics Lieutenant John Howard, upon completion of this transfer.

Signed this the _____ day of _____, _____

Signature of Purchaser, Mitchell Foust

Date

Witnessed by:

Witnessed by:

REQUEST TO SURPLUS CITY PROPERTY

Department Requesting Disposal of Surplus Property	
Date of Request	3/27/2023
Department Name	Police Department
Contact Name	Maj. Andy Wilson
Phone	828-757-2100

ITEM	QTY	CODE*	SERIAL/VIN #	MAKE	MODEL YEAR	MILEAGE/ MACHINE HOURS	REASON FOR REQUEST	CURRENT LOCATION OF THE ITEM	ORIGINAL PURCHASE PRICE	DATE OF PURCHASE	ESTIMATED SALVAGE VALUE	ITEM IN WORKING ORDER Y/N	APPROVED TO LIST ON GOVDEALS
Police K9 Uwais	1	S2	N/A	German Shepard	2017	N/A	Medical Retirement	Lenoir PD	\$7,500.00	11/13/19	\$1.00	N	☐
													☐
													☐
													☐
													☐
													☐

* Please enter one CODE per item: (S1) Obsolete (S2) Too Costly to Maintain (S3) Beyond Repair (S4) Cannibalized

APPROVED BY	DATE

ITEM	DATE OF SALE	SELLING PRICE	DATE OF DEPOSIT	BUDGET CODE FOR DEPOSIT	DATE ITEM REMOVED FROM INVENTORY		BY WHOM - SIGNATURE	DATE ITEM REMOVED FROM INSURANCE	BY WHOM - SIGNATURE	DATE TAG CANCELLED OR TRANSFERRED	BY WHOM - SIGNATURE
Police K9 German Shepard											

ALL SURPLUS ITEMS ARE LISTED ON GOVDEALS IN ACCORDANCE WITH CITY OF LENOIR RESOLUTION NO. 6-2007, NC GENERAL STATUTES 160A-270 AND NCGS 160A-270 (c)



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

CITY COUNCIL
J. T. BEAL
F. K. 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, in accordance with § 20-187.4, desires to dispose of a retired service animal, Police K-9 Uwais of the City of Lenoir and award the service animal to Corporal Mitchell Foust for the purchase price of one dollar (\$1.00) from the City of Lenoir.

NOW THEREFORE BE IT RESOLVED,

- 1) the Mayor and City Council of the City of Lenoir acknowledges Police K-9 Uwais's loyal and dedicated service to the citizens of Lenoir, and
- 2) the Mayor and City Council declare the badge of Police K-9 Uwais, upon retirement, as surplus and no longer has any additional use to the City of Lenoir.
- 3) the Mayor and City Council authorize the City Manager to proceed with the procedures as outlined in N.C.G.S. § 20-187.4 regarding the disposition of retired service animals.

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 Police K-9 Uwais in his retirement and commend him for his service.

Adopted this the 18th day of April 18, 2023.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk

CITY OF LENOIR
COUNCIL ACTION FORM

- I. Agenda Item:** Resolution to Adopt the Proposed 2023-2024 Lenoir Water and Sewer Fund Capital Improvement Plan
- II. Background Information:** At the March 30, 2023 City Council Committee of the Whole meeting the Council received an update from McGill Associates and City staff regarding revisions to the Water and Sewer Fund Capital Improvement Plan. This is a ten year plan that is reviewed and updated annually. An updated Water and Sewer Fund financial analysis was presented along with the CIP to the City Council for review and comment. Budget preparation is dependent upon the updated information in the CIP and related financial analysis. Additionally, as we seek grants or SRF financing for capital projects, most applications now require that the applicant have a CIP approved by the City Council.
- III.** The resolution included in your agenda packet is for adoption of the Water and Sewer Fund CIP as presented on March 30, 2023 to meet the requirements of any future funding applications through the NCDEQ Division of Water Infrastructure SRF loan or grant funding programs or other available funding sources.
- IV. Staff Recommendation:** Staff recommends approval of the resolution to adopt the Water and Sewer Fund CIP.
- V. Reviewed by:**
- City Attorney:** _____
- Finance Director:** _____
- Public Works/Public Utilities Director:**_____



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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

RESOLUTION BY THE LENOIR CITY COUNCIL

WHEREAS, The City of Lenoir has a current Capital Improvement Plan (CIP) for the Water and Sewer Enterprise Fund that spans 10-years, and

WHEREAS, The City of Lenoir annually updates its 10-Year Water and Sewer CIP, and

WHEREAS, The City of Lenoir held a City Council Budget Retreat on March 30, 2023 to present the 10-Year Water and Sewer CIP, and

WHEREAS, Applications for funding submitted to the NC Department of Environment Quality (DEQ) Division of Water Infrastructure (DWI) may earn points if the Applicant has a CIP adopted by the City Council within two years of the application date.

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

That City of Lenoir does hereby adopt the Capital Improvements Plan (CIP) as updated for the Fiscal Year 2023-24 budget, as presented at the March 30, 2023 City Council Budget Retreat.

Adopted this the 18th day of April, 2023 at Lenoir, North Carolina.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk



CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Lenoir does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the adoption of the 10-Year Capital Improvement Plan, as regularly adopted at a legally convened meeting of the City Council of the City of Lenoir duly held on the 18th day of April, 2023; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of _____, 2023.

Signature

Shirley M. Cannon, City Clerk

Printed Name and Title

Table 1
City of Lenoir
Water and Sewer Fund
Capital Improvements Plan - 2023

Water Improvements

Project Number	Project Description	10-Yr CIP Cost	Current 2023	Year 1 2024	Year 2 2025	Year 3 2026	Year 4 2027	Year 5 2028	Year 6 2029	Year 7 2030	Year 8 2031	Year 9 2032	Year 10 2033	Years 11+ 2034
Vehicles and Equipment														
	FY23 Water Distribution V&E Total	-	95,000											
	FY23 Water Treatment V&E Total	-	123,000											
Distribution System Vehicles and Equipment														
	Distribution System Vehicles and Equipment	549,000	-	230,000	-	55,000	-	-	61,000	64,000	-	68,000	71,000	-
	Water Treatment Vehicles and Equipment	790,000	-	127,000	78,000	37,000	118,000	166,000	49,000	51,000	53,000	55,000	56,000	-
	Water Resources Vehicles and Equipment	100,000	-	100,000	-	-	-	-	-	-	-	-	-	-
Subtotal - Water Vehicles and Equipment		1,439,000	218,000	457,000	78,000	92,000	118,000	166,000	110,000	115,000	53,000	123,000	127,000	-
Distribution System														
1	Water Line Replacements	3,300,000					500,000	600,000		700,000		700,000	800,000	2,219,000
2	Finley Water System Improvements	6,280,000		6,280,000										
3	Major Pressure Reducing Valve Vaults	680,000		330,000		350,000								
4	Hudson Valve Insertions	-												
5	Whitnel Transmission Line Replacement - Phase 1	5,460,000			5,460,000									
6	Walt Arney Road Water Line Replacement	590,000				590,000								
7	Hudson Tank Pump Upgrades	590,000						590,000						
8	Pleasant Hill Road Water Improvements	750,000							750,000					
9	Zacks Fork to Cottrell Hill Water Supply Loop	-												1,650,000
10	Whitnel Transmission Line Replacement - Phase 2	-												13,010,000
11	Morganton Blvd Water Line - Phase 1	1,030,000					1,030,000							
12	Morganton Blvd Water Line - Phase 2	3,037,000										3,037,000		
13	Whitnel-Cajahs Water Pump Station	2,070,000					2,070,000							
14	Divisional Valve Replacements	565,000			99,000	130,000		109,000	113,000		114,000			
15	Joyceton Water Improvements	170,000				170,000								
16	Water System Interconnect #1	3,940,000											3,940,000	
17	Water System Interconnect #2a	10,326,000							10,326,000					
18	Water System Interconnect #2b	11,325,000									11,325,000			
Water Treatment														
19	Flash Mix Basin Repairs	-	470,000											
20	AWIA Compliance Projects	100,000	100,000	100,000										
21	Retrofit all Cahah Pumps and Switchgear	205,000				205,000								
22	Add 3rd Whitnel Finished Water Pump	500,000				500,000								
23	Add 3rd Whitnel Raw Water Pump	500,000				500,000								
24	Filter Valve Upgrades	1,580,000				1,580,000								
25	Finished Water Pump Station Expansion	940,000				940,000								
26	Backwash Supply Improvements	310,000				310,000								
27	Operations Building Upgrades	1,810,000	15,000			1,810,000								
28	Clearwell Replacement	-												4,380,000
29	Generator and Electrical System Loop	-												3,286,000
Subtotal - Water Infrastructure Improvements		56,058,000	585,000	6,710,000	5,559,000	7,085,000	3,600,000	1,299,000	11,189,000	700,000	11,439,000	3,737,000	4,740,000	24,545,000
Total - Water Improvements		57,497,000		7,167,000	5,637,000	7,177,000	3,718,000	1,465,000	11,299,000	815,000	11,492,000	3,860,000	4,867,000	24,545,000
Current Year (FY23) CIP: Water Improvements			803,000											
10-Yr CIP: Water Improvements FY24-33		57,497,000		7,167,000	5,637,000	7,177,000	3,718,000	1,465,000	11,299,000	815,000	11,492,000	3,860,000	4,867,000	24,545,000

Capital Project funded or patially funded using external source(s). ARPA, Direct Allocation, etc.

Capital Project funded or patially funded using debt issue(s)

Table 1
City of Lenoir
Water and Sewer Fund
Capital Improvements Plan - 2023

Wastewater Improvements

Project Number	Project Description	10-Yr CIP Cost	Current 2023	Year 1 2024	Year 2 2025	Year 3 2026	Year 4 2027	Year 5 2028	Year 6 2029	Year 7 2030	Year 8 2031	Year 9 2032	Year 10 2033	Years 11+ 2034
Vehicles and Equipment														
	FY23 V&E Total	-												
	Collection System Vehicles and Equipment	1,378,000		98,000	-	101,000	104,000	475,000	112,000	116,000	120,000	124,000	128,000	-
	Wastewater Treatment Vehicles and Equipment	43,000		-	43,000	-	-	-	-	-	-	-	-	-
Subtotal - Wastewater Vehicles and Equipment		1,421,000		98,000	43,000	101,000	104,000	475,000	112,000	116,000	120,000	124,000	128,000	-
Collection System														
1	Sewer Line Replacements	5,000,000							1,000,000	2,000,000			2,000,000	2,820,000
2	Manhole Improvements	430,000	180,000			200,000				230,000				
3	Pennton to Hwy 18 Sewer	990,000			990,000									
4	Zacks Fork Sewer Replacement	2,050,000			2,050,000									
5	Main Street (Valway to 321) Sewer Replacement	990,000			990,000									
6	Rehab Blairs Fork Outfall	780,000			780,000									
7	Golf Course Sewer Replacement	3,260,000				3,260,000								
8	Gunpowder Creek Interceptor Replacement	3,200,000					3,200,000							
9	East Harper Avenue Sewer Replacement	564,000								564,000				
10	Meadowood Upstream Sewer Replacement	1,779,000									1,779,000			
11	Meadowood Lift Station Improvements	519,000									519,000			
12	Dula Town and Spring St Lift Station Improvements	-	42,000											
Wastewater Treatment														
13	LCWWTP Recycle Water Pump/Lines	-	20,000											
14	GCWWTP 3-phase Power Service	-	4,000											
15	Grinder Pump and Screen	25,000		25,000										
16	Bar Screen Replace at GPWWTP	200,000		200,000										
17	Influent Repairs at LCWWTP	20,000		20,000										
18	Septage Receiving Station / Vactor Dump	580,000			580,000									
19	Lower Creek WWTP Facility Repairs, Roads, Paving	-	149,000											
20	Lower Creek WWTP Mixers	1,200,000		1,200,000										
21	Lower Creek WWTP Diffusers and Concrete Repairs	2,000,000			2,000,000									
22	Lower Creek WWTP Equalization Basin	3,780,000						3,780,000						
23	Lower Creek WWTP Treatment Improvements	7,634,000								7,634,000				
Subtotal - Wastewater Improvements Infrastructure		35,001,000	395,000	1,445,000	7,390,000	3,460,000	3,200,000	3,780,000	1,000,000	10,428,000	2,298,000	-	2,000,000	2,820,000
Total - Wastewater Improvements		36,422,000		1,543,000	7,433,000	3,561,000	3,304,000	4,255,000	1,112,000	10,544,000	2,418,000	124,000	2,128,000	2,820,000
Current Year (FY23) CIP: Wastewater Improvements			395,000											
10-Yr CIP: Wastewater Improvements FY24-33		36,422,000		1,543,000	7,433,000	3,561,000	3,304,000	4,255,000	1,112,000	10,544,000	2,418,000	124,000	2,128,000	2,820,000
Total Water and Wastewater Capital Improvements Plan														
Current Year (FY22) CIP: Total Water/Wastewater			1,198,000											
10-Yr CIP: Total Water and Wastewater		93,919,000		8,710,000	13,070,000	10,738,000	7,022,000	5,720,000	12,411,000	11,359,000	13,910,000	3,984,000	6,995,000	27,365,000

 Capital Project funded or patially funded using debt issue(s)

CITY OF LENOIR
COUNCIL ACTION FORM

- I. **Agenda Item:** Consideration of a Resolution to Adopt the Lenoir 2022 Local Water Supply Plan
- II. **Background Information:** The City of Lenoir is required each year to complete and submit a Local Water Supply Plan (LWSP) to the NCDEQ Division of Water Resources (DWR) in accordance with NCGS 143-355(l). The 2022 plan for the City of Lenoir has been completed and reviewed by the DWR and it has determined that the plan meets the minimum criteria established in the statute. The plan cannot be considered compliant until an adopted resolution is received by the DWR.
- III. **Staff Recommendation:** Staff recommends City Council approval of the Resolution to approve the 2022 Local Water Supply Plan for the City of Lenoir.
- IV. **Reviewed by:**

City Attorney: _____

Finance Director: _____

Public Works/Public Utilities Director: _____



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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

RESOLUTION FOR APPROVING LOCAL WATER SUPPLY PLAN

WHEREAS, North Carolina General Statute 143-355 (l) requires that each unit of local government that provides public water service or that plans to provide public water service and each large community water system shall, either individually or together with other units of local government and large community water systems, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for the City of Lenoir, has been developed and submitted to the Lenoir City Council for approval; and

WHEREAS, the Lenoir City Council finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355 (l) and that it will provide appropriate guidance for the future management of water supplies for City of Lenoir as well as useful information to the Department of Environmental Quality for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Lenoir City Council of Lenoir, NC that the Local Water Supply Plan entitled, Lenoir LWSP dated April 1, 2023, is hereby approved and shall be submitted to the Department of Environmental Quality, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Lenoir City Council intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

SEAL

This the _____ day of _____, 2023.

Name: _____

Title: _____

Signature: _____

ATTEST:

Lenoir Shirley M. Cannon, City Clerk



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



Lenoir

2022 ▾

The Division of Water Resources (DWR) provides the data contained within this Local Water Supply Plan (LWSP) as a courtesy and service to our customers. DWR staff does not field verify data. Neither DWR, nor any other party involved in the preparation of this LWSP attests that the data is completely free of errors and omissions. Furthermore, data users are cautioned that LWSPs labeled **PROVISIONAL** have yet to be reviewed by DWR staff. Subsequent review may result in significant revision. Questions regarding the accuracy or limitations of usage of this data should be directed to the water system and/or DWR.

1. System Information

Contact Information

Water System Name:	Lenoir	PWSID:	01-14-010
Mailing Address:	P.O. Box 958 Lenoir, NC 28645	Ownership:	Municipality
Contact Person:	Radford L. Thomas	Title:	Public Services Director
Phone:	828-757-2219	Cell/Mobile:	828-750-0016
Secondary Contact:	Kevin Matheson	Phone:	828-757-4460
Mailing Address:	P.O. Box 958 Lenoir, NC 28645	Cell/Mobile:	828-855-7199

Complete

Distribution System

Line Type	Size Range (Inches)	Estimated % of lines
Asbestos Cement	6-16	48.00 %
Cast Iron	4-12	30.00 %
Ductile Iron	6-30	9.00 %
Galvanized Iron	1.5-2	4.00 %
Other	2-12	4.00 %
Polyvinyl Chloride	2-12	5.00 %

What are the estimated total miles of distribution system lines? **220 Miles**

How many feet of distribution lines were replaced during 2022? **260 Feet**

How many feet of new water mains were added during 2022? **0 Feet**

How many meters were replaced in 2022? **6,369**

How old are the oldest meters in this system? **20 Year(s)**

How many meters for outdoor water use, such as irrigation, are not billed for sewer services? **75**

What is this system's finished water storage capacity? **13.5000 Million Gallons**

Has water pressure been inadequate in any part of the system since last update? *Line breaks that were repaired quickly should not be included.* **No**

Programs

Does this system have a program to work or flush hydrants? **Yes, Quarterly**

Does this system have a valve exercise program? **Yes, Semi-Annually**

Does this system have a cross-connection program? **Yes**

Does this system have a program to replace meters? **Yes**

Does this system have a plumbing retrofit program? **No**

Does this system have an active water conservation public education program? **Yes**

Does this system have a leak detection program? **No**

Water Conservation

What type of rate structure is used? **Flat/Fixed**

How much reclaimed water does this system use? **0.0000 MGD** For how many connections? **0**

Does this system have an interconnection with another system capable of providing water in an emergency? **No**

Geography and elevational differences prevent feasible interconnections.

2. Water Use Information

Service Area

Sub-Basin(s)	% of Service Population	County(s)	% of Service Population
Catawba River (03-1)	100 %	Caldwell	100 %

What was the year-round population served in 2022? **22,518**

Has this system acquired another system since last report? **Yes**

The City of Lenoir acquired the Joyceton Water Works system effective at the end of December, 2022. The additional population, connections and distribution information will be reflected on next year's Local Water Supply Plan (2023).

Water Use by Type

Type of Use	Metered Connections	Metered Average Use (MGD)	Non-Metered Connections	Non-Metered Estimated Use (MGD)
Residential	9,023	1.2330	0	0.0000
Commercial	758	0.3220	0	0.0000
Industrial	60	1.1120	0	0.0000
Institutional	227	0.2220	0	0.0000

How much water was used for system processes (backwash, line cleaning, flushing, etc.)? **0.7460 MGD**

Water Sales

Purchaser	PWSID	Average Daily Sold (MGD)	Days Used	MGD	Contract Expiration	Recurring	Required to comply with water use restrictions?	Pipe Size(s) (Inches)	Use Type
Baton WC	01-14-025	0.5280	365	0.6000	2033	No	Yes	6	Regular
Caldwell County	01-14-045	0.5990	365	0.7620	2024	Yes	Yes	12	Regular
Caldwell County	01-14-047	0.6640	365	0.6835	2024	Yes	Yes	12	Regular
Caldwell County	01-14-048	0.0430	365	0.0545	2024	Yes	Yes	8	Regular
Joyceton WC	01-14-114	0.0562	365	0.3000	2020	Yes	Yes	6	Regular
Sawmills	01-14-040	0.2430	365	0.3250	2032	Yes	Yes	6	Regular

To clarify the Sawmills Water Sales Agreement, under Paragraph 8, the Town of Sawmills has the option to renew and continue the agreement beyond the March 31, 2032 expiration date. In the event that the City of Lenoir does not desire to extend or renew the agreement, Paragraph 9 requires Lenoir to provide Sawmills water for a minimum of 24 months beyond the ending date of the agreement. Lenoir will work with Sawmills to ensure their customers are not without water in the future.

3. Water Supply Sources

Monthly Withdrawals & Purchases

	Average Daily Use (MGD)	Max Day Use (MGD)		Average Daily Use (MGD)	Max Day Use (MGD)		Average Daily Use (MGD)	Max Day Use (MGD)
Jan	6.6145	9.2860	May	6.6837	7.6790	Sep	6.6343	7.1940
Feb	6.0203	6.6700	Jun	7.1828	7.8100	Oct	6.4294	7.5770
Mar	5.9242	6.2850	Jul	6.7663	7.4940	Nov	6.1967	7.4580
Apr	6.0963	7.1960	Aug	6.6585	7.1880	Dec	6.4696	9.0900

The maximum day uses in January and December reflect the stark increase in plant flow required to replace water loss due largely to two major leaks that were the result of industrial fire prevention sprinkler pipes that froze and burst.



Surface Water Sources

Stream	Reservoir	Average Daily Withdrawal		Maximum Day Withdrawal (MGD)	Available Raw Water Supply		Usable On-Stream Raw Water Supply Storage (MG)
		MGD	Days Used		MGD	* Qualifier	
Catawba	Lake Rhodhiss	6.4762	365	9.2860	12.0000	C	15,634.0000

* Qualifier: C=Contract Amount, SY20=20-year Safe Yield, SY50=50-year Safe Yield, F=20% of 7Q10 or other instream flow requirement, CUA=Capacity Use Area Permit

Surface Water Sources (continued)

Stream	Reservoir	Drainage Area (sq mi)	Metered?	Sub-Basin	County	Year Offline	Use Type
Catawba	Lake Rhodhiss	1,090	Yes	Catawba River (03-1)	Caldwell		Regular

What is this system's off-stream raw water supply storage capacity? 0 Million gallons

Are surface water sources monitored? Yes, As Needed

Are you required to maintain minimum flows downstream of its intake or dam? No

Does this system anticipate transferring surface water between river basins? Yes

We have a very small amount of potential transfer (<0.045 MGD) into the Yadkin River basin through our wholesale purchaser Caldwell County North.

Water Treatment Plants

Plant Name	Permitted Capacity (MGD)	Is Raw Water Metered?	Is Finished Water Output Metered?	Source
Lenoir - Lake Rhodhiss WTP	12.0000	Yes	Yes	Catawba River, Lake Rhodhiss

Did average daily water production exceed 80% of approved plant capacity for five consecutive days during 2022? No

If yes, was any water conservation implemented?

Did average daily water production exceed 90% of approved plant capacity for five consecutive days during 2022? No

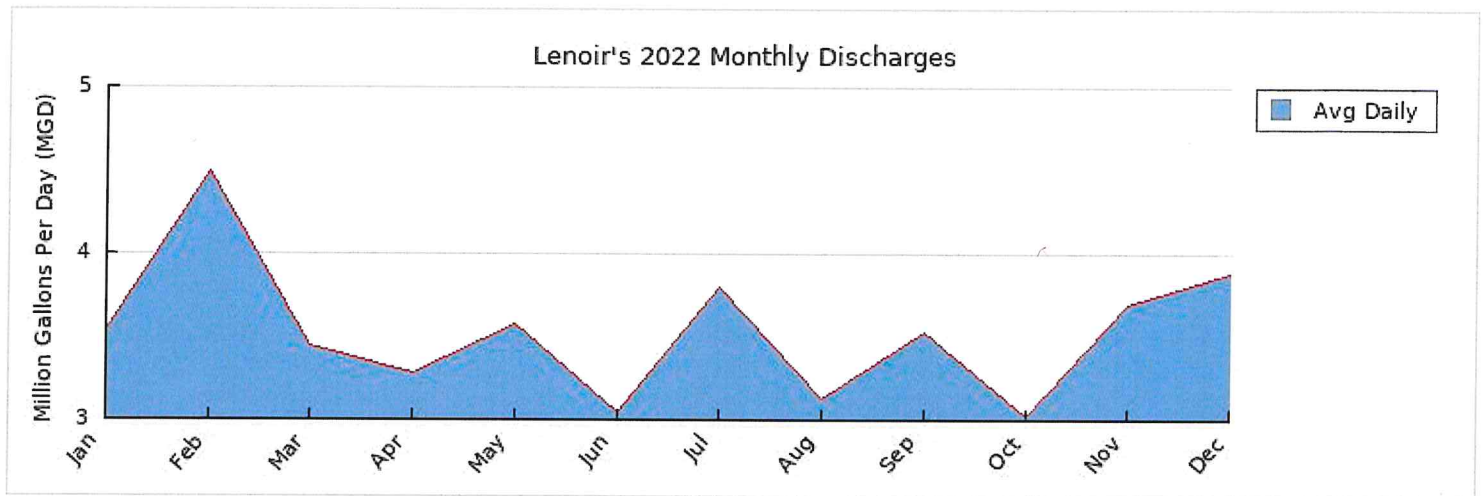
If yes, was any water conservation implemented?

Are peak day demands expected to exceed the water treatment plant capacity in the next 10 years? No

4. Wastewater Information

Monthly Discharges

Average Daily Discharge (MGD)		Average Daily Discharge (MGD)		Average Daily Discharge (MGD)	
Jan	3.5372	May	3.5729	Sep	3.5287
Feb	4.4939	Jun	3.0510	Oct	3.0239
Mar	3.4414	Jul	3.7947	Nov	3.6931
Apr	3.2881	Aug	3.1252	Dec	3.8872



How many sewer connections does this system have? 8,795

How many water service connections with septic systems does this system have? 333

Are there plans to build or expand wastewater treatment facilities in the next 10 years? No

Wastewater Permits

Permit Number	Type	Permitted Capacity (MGD)	Design Capacity (MGD)	Average Annual Daily Discharge (MGD)	Maximum Day Discharge (MGD)	Receiving Stream	Receiving Basin
NC0023736	WWTP	2.0000	2.0000	1.1670	4.3390	Gunpowder Creek	Catawba River (03-1)
NC0023981	WWTP	6.0000	6.0000	2.2020	5.5340	Lower Creek	Catawba River (03-1)
NC0044164	WTP	0.0000	3.0000	0.1610	0.4580	Lake Rhodhiss	Catawba River (03-1)
WQ0010059	CS	0.0000	0.0000	0.0000	0.0000	Land Application	Catawba River (03-1)

Wastewater Interconnections

Water System	PWSID	Type	Average Daily Amount		Contract Maximum (MGD)
			MGD	Days Used	
Town of Sawmills	01-14-040	Receiving	0.0548	365	0.2500

5. Planning

Projections

	2022	2030	2040	2050	2060	2070
Year-Round Population	22,518	22,651	22,764	22,878	24,022	25,223
Seasonal Population	0	0	0	0	0	0
Residential	1.2330	1.2456	1.2518	1.2581	1.3210	1.3870
Commercial	0.3220	0.3236	0.3252	0.3268	0.3431	0.3603
Industrial	1.1120	1.1291	1.1362	1.1434	1.2156	1.2914
Institutional	0.2220	0.2241	0.2262	0.2283	0.2497	0.2722
System Process	0.7460	0.7470	0.7480	0.7490	0.7500	0.7500
Unaccounted-for	0.7080	0.6600	0.6700	0.6800	0.6900	0.7000

Western Piedmont Council of Governments projects a modest 0.05% annual growth rate for Caldwell County through 2050. No projections after then, so a more robust 5% rate was used thereafter to account for potential growth.

We have done a much more thorough job of accounting for water loss via chemical carrier water metering, breaks, flushing, hydrant testing and tanker fillings by the fire department. This has increased our system process water volumes and therefore decreased our unaccounted for water.

Demand v/s Percent of Supply

	2022	2030	2040	2050	2060	2070
Surface Water Supply	12.0000	12.0000	12.0000	12.0000	12.0000	12.0000
Ground Water Supply	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Purchases	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Future Supplies		0.0000	0.0000	0.0000	0.0000	0.0000
Total Available Supply (MGD)	12.0000	12.0000	12.0000	12.0000	12.0000	12.0000
Service Area Demand	4.3430	4.3294	4.3574	4.3856	4.5694	4.7609
Sales	2.1332	2.7250	2.1250	2.1250	2.1250	2.1250
Future Sales		0.0000	0.0000	0.0000	0.0000	0.0000
Total Demand (MGD)	6.4762	7.0544	6.4824	6.5106	6.6944	6.8859
Demand as Percent of Supply	54%	59%	54%	54%	56%	57%



The purpose of the above chart is to show a general indication of how the long-term per capita water demand changes over time. The per capita water demand may actually be different than indicated due to seasonal populations and the accuracy of data submitted. Water systems that have calculated long-term per capita water demand based on a methodology that produces different results may submit their information in the notes field.

Your long-term water demand is 55 gallons per capita per day. What demand management practices do you plan to implement to reduce the per capita water demand (i.e. conduct regular water audits, implement a plumbing retrofit program, employ practices such as rainwater harvesting or reclaimed water)? If these practices are covered elsewhere in your plan, indicate where the practices are discussed here.

Are there other demand management practices you will implement to reduce your future supply needs?

What supplies other than the ones listed in future supplies are being considered to meet your future supply needs?

How does the water system intend to implement the demand management and supply planning components above?

Additional Information

Has this system participated in regional water supply or water use planning? Yes, Charter member of Catawba Wateree Water Management Group.

What major water supply reports or studies were used for planning? CWWMG master plan and WPCOG growth projections.

Please describe any other needs or issues regarding your water supply sources, any water system deficiencies or needed improvements (storage, treatment, etc.) or your ability to meet present and future water needs. Include both quantity and quality considerations, as well as financial, technical, managerial, permitting, and compliance issues: There is another elevated storage tank in the works for Finley Avenue to increase water pressure to the few customers living on higher elevation portions of our city. Additionally, a new finished water clear well will be constructed at the plant in the not too distant future to bring our total storage capacity to over 14 million gallons.

The Division of Water Resources (DWR) provides the data contained within this Local Water Supply Plan (LWSP) as a courtesy and service to our customers. DWR staff does not field verify data. Neither DWR, nor any other party involved in the preparation of this LWSP attests that the data is completely free of errors and omissions. Furthermore, data users are cautioned that LWSPs labeled **PROVISIONAL** have yet to be reviewed by DWR staff. Subsequent review may result in significant revision. Questions regarding the accuracy or limitations of usage of this data should be directed to the water system and/or DWR.

CITY OF LENOIR COUNCIL**ACTION FORM**

- I. **Agenda Item:** City staff request that City Council adopt an Order of Abatement directing staff to abate the minimum housing violations by demolishing the structure on the property of 431 Rankin St.
- II. **Background Information:** The subject structure is unfit for human habitation and attempts to achieve owner abatement have been unsuccessful. See attached time line for detailed information.
- III. **Staff Recommendation:** Recommend adoption of the attached ordinance, directing staff to proceed with the demolition and removal of the structure.
- IV. **Reviewed by:**

City Attorney: _____

Finance Director: _____

Interim Planning Director: _____ *Hannah Williams*

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, **HORTON AGNES**, 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 March 3, 2023 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: **431 Rankin St NW**
Lenoir, North Carolina
Parcel-ID 09 27 3 21
NCPIN 2840902161

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 18th day of April, 2023.

**JOSEPH L. GIBBONS
MAYOR**

ATTEST:

**SHIRLEY M. CANNON
CITY CLERK**

APPROVED AS TO FORM:

**Timothy J. Rohr
CITY ATTORNEY**

Owner: Agnes Horton
 Property: 431 Rankin St NW
 NC Pin: 2840902161
 Minimum Housing Violation Timeline

The following information was provided by former City Housing Inspector Zack Clark:

- **September 17, 2017.** On this day the initial minimum housing violation/hearing notice was mailed to the property owner. Two copies of the letter were mailed one by certified mail and one first-class. Initial minimum housing letter requested that the property owner contact the housing inspector to set up a time for an onsite hearing to discuss the housing violations and abatement procedures. The owner failed to contact the housing inspector and both the certified letter and first-class letter was returned.
Certified Mail No. 7015 1520 0000 1311 1424
- **October 6, 2017.** On this day the second minimum housing violation/order to abate notice was mailed to the property owner. Two copies of the letter were mailed one by certified mail and one first-class. Second minimum housing letter determined that the structure was unfit for human habitation and a danger to the public health, safety, morals, and general welfare of the City's inhabitants. Due to that ruling the structure must be demolished and removed from the property. The owner failed to contact the housing inspector and only the first-class letter was returned.
Certified Mail No. 7016 2710 0001 1759 1501

The following information was provided by City Housing Inspector Robert Teague:

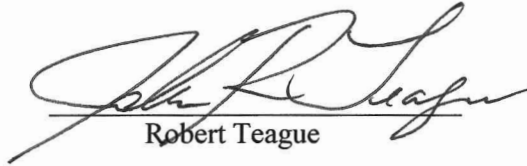
- **February 2, 2023.** On this day the initial minimum housing violation/ hearing notice was mailed to the property owner. Two copies of the letter were mailed, one by certified mail and one first class. Initial minimum housing letter requested that the property owner contact the housing inspector to set up a time for an onsite hearing to discuss the housing violations and abatement procedures. The owner failed to contact the housing inspector and the certified letter was returned.
Certified Mail No. 7021 1970 0001 6846 0233
- **March 3, 2023.** The final minimum housing violation/order to abate notice was mailed to the property owner. Two copies of this letter were mailed one first-class and one certified mail. The final letter determined that to abate the violations the property was to be demolished. The owner/heirs failed to contact the housing inspector and both the certified letter and the first-class letter was returned.
Certified Mail No. 7021 1970 0001 6842 7601
- **April 11, 2023.** Notification was mailed to the owner informing him that the housing inspector will be submitting an ordinance to City Council for the demolition of the dwelling located at 431 Rankin St. The City Council will consider this ordinance for adoption at the April 18, 2023 City Council Meeting, held in the County Chambers at 905 West Ave in Lenoir. Upon adoption of the ordinance the demolition of the dwelling will begin after May 18, 2023. All fees accumulated from the demolition will be placed as a lien on the property.
Certified Mail No. 7021 1970 0001 6843 5415
- **April 2023.** In accordance with the City of Lenoir Code of Ordinance a Notice of Order to Demolish was submitted in the Lenoir News Topic. The ad requested that any person having or claiming an interest in the property be present for the City Council meeting. The ad was submitted and ran once a week for two consecutive weeks. Ad published on Thursday April 6, 2023 and Thursday April 13, 2023.
- At this time it is requested that an ordinance be passed for the demolition of the dwelling at 431 Rankin St. Demolition will take place after May 18, 2023 and all fees accumulated will be placed as a lien on the property.

Minimum Housing Violation Affidavit
(431 Rankin St)

I, Robert Teague affirm that as the housing inspector for the City of Lenoir I have made every possible attempt to contact the property owners of 431 Ranking St. I have exhausted all resources in the effort to find the owners and/or heirs of the property mentioned above. The dwelling is unfit for human habitation and is a health/safety hazard for nearby neighbors. At this time the best course of action to eliminate the minimum housing violations is to demolish the structure and remove all debris from the property.

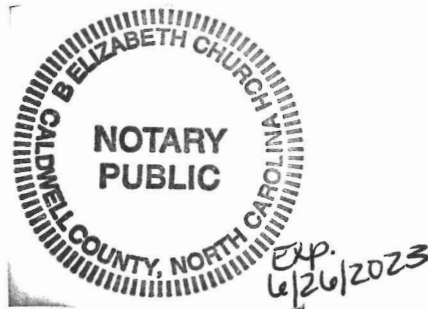
I swear that everything documented in this packet to be true and correct to the best of my information, knowledge, and belief

4/12/2023
Date


Robert Teague

STATE OF NORTH CAROLINA
COUNTY OF CALDWELL

I, the undersigned Notary Public, do hereby affirm that John R. Teague personally appeared before me on the 12th day of April, 2023 and signed the above Affidavit ad hid free and voluntary act and deed.




Notary Public



This map is NOT of land survey quality and is NOT suitable for such use.

<

Notice of Order to Demolish

The public will hereby take notice that the Lenoir Planning Department will be submitting an ordinance to the City Council for the demolition of 431 Rankin St NW on Tuesday April 18, 2023 at the City/County Chambers 905 West Ave, Lenoir. All attempts to make contact with property owners and/or heirs have failed. It is requested that any and all heirs of AGNES HORTON, and any other persons having or claiming an interest in the property 431 Rankin St NW, Lenoir NC 28645 NC Pin 2840902161 be present for the City Council meeting at the date listed above.

- I. This Order set forth by the City of Lenoir Housing Inspector is issued and served pursuant to the Code of Ordinances of the City of Lenoir and the North Carolina General Statutes.
- II. It appears to the undersigned, who is the Housing Inspector under the Code of Ordinances, from his preliminary investigation of the premises, that the property identified above is in violation of one or more of the Minimum Housing Standards in Chapter 10, of the Code of Ordinances of the City of Lenoir.
- III. The undersigned has made attempts to contact the property owners and/or heirs to the property by first class and registered mail, all of which were returned. The property identified above has been posted with the order to abate as specified in Chapter 10, of the Code of Ordinance of the City of Lenoir.
- IV. The undersigned complaining of the afore-said property and all persons owning or having any interest therein, charges that said property fails to meet the Minimum Housing Standards prescribed in the Code of Ordinances of the City of Lenoir as more specifically set forth in the Notice of Violation.

Robert Teague
Code Compliance Officer
City of Lenoir Planning Department
Office: 828.757.2212

51







Minimum Housing Violation and Hearing Notice

02/08/2023

HORTON AGNES
431 RANKIN ST NW
LENOIR, NC 28645

Certified Mail: 7021 1970 0001 6846 0233

To: **HORTON AGNES**, owner(s) of property located at **431 RANKIN ST** (NCPIN:2840902161) in the City of Lenoir, North Carolina.

Condition of structure is determined as: **Dilapidated**

The property listed above has been reported to the City of Lenoir for violations of the City's Minimum Housing ordinance. The structure in its current condition is unfit for human habitation, and is creating conditions detrimental to the public health and safety.

As the legal owner(s), you have **ten (10) days** to contact the City of Lenoir Planning Department to arrange for a site inspection/on-site hearing to discuss the violations. - Please contact the Code Compliance Officer - Robert Teague Call (828-757-2212) or email @rteague@ci.lenoir.nc.us at your earliest convenience.

All violations that are cited during the inspection must be abated. Abatement of the violations must be performed in a specified amount of time that will be determined after the inspection. The inspector may order that dwelling units found to be in violation be vacated and closed until repairs are completed.

The following code violations have been determined: If further inspection is required, additional violations may be added.

Housing Sec. 10-2(b) Abandoned

The dwelling is abandoned and unsecure, creating conditions detrimental to public health and safety as described in Sec. 10-2(b)

Housing Sec. 10-56 Unfit for Human Habitation

Every dwelling and unit used as human habitation, or held out for use as a human habitation, must comply with all of the minimum housing standards and all requirements of the NC Building Code. No person shall occupy as owner-occupant, or let to another for occupancy or use a human habitation, any dwelling or dwelling unit which does not comply with all of the minimum standards for fitness for human habitation and all requirements of the NC Building Code.

Housing Sec. 10-59 structure

Evidence of structural issues (Sec. 10-59)

The property listed above has been reported to the City for not meeting the minimum housing standards as specified in the City of Lenoir Code of Ordinance. An inspection of the dwelling is required and all violations that are cited during the inspection must be abated. Abatement of the violations must be performed in a specified amount of time that will be determined at the conclusion of the inspection. If no violations are discovered at the time of the inspection then the case will be closed and no further action will be required. Please contact me to schedule a time for an onsite hearing.

Stage of the Investigation: **Initial Investigation**

⁵⁴
Failure to comply will result in actions including, but not limited to, civil penalties, posting, and/or city abatement. All questions about the violation or procedures to abate them will be addressed at the hearing.

Sincerely

Robert Teague
Code Compliance Officer
City of Lenoir Planning Department
Office: 828.757.2212



Minimum Housing Violation and Order to Abate

03/03/2023

HORTON AGNES
431 RANKIN ST NW
LENOIR, NC 28645

Certified Mail: 7021 1970 0001 6842 7601

To: **HORTON AGNES**, owner(s) of property located at **431 RANKIN ST** (NCPIN:2840902161) in the City of Lenoir, North Carolina.

Condition of structure is determined as: **Dilapidated**

The following code violations have been determined:

Housing Sec. 10-2(b) Abandoned

Housing Sec. 10-56 Unfit for Human Habitation

Housing Sec. 10-59 structure

This is the final determination for the property listed above. The property was found to be in violation of the City of Lenoir Minimum Housing standards. The structure has been damaged beyond repair and has been determined to be dilapidated. It is unsecure, creating a safety hazard. In order to abate the minimum housing violations, the dwelling and all accessory buildings must be demolished and removed from the property. Abatement of these violations must occur in a specified amount of time, not to exceed **30 days** from receipt of this notice.

Failure to abate the violations within the time specified will result in action including, but not limited to, civil penalties and abatement of the violations by the City. If you have questions concerning the violations or the abatement process, please contact me at 828-757-2212 or at rteague@ci.lenoir.nc.us.

Stage of the Investigation: **Final Determination**

Such lien shall be filed, have the same priority, and be enforced and the costs collected as the lien for special assessment.

Section 1-15 Civil and Criminal Penalties

(c) Violation of any provision of this Code not corrected as provided in this letter shall subject the offender to a civil penalty in the amount of \$50.00 to \$500.00, in accordance with the citation schedule in subsection (e), to be recovered by the city in a civil action in the nature of debt if the offender does not pay the penalty within a period of 72 hours after being cited. The citation shall be in writing, signed by the authorized person issuing the citation, and shall be delivered in person or by mail to the offender.

There was no response from the initial letter for a hearing. This is a final determination letter and if there is no response, the next steps in the procedure will be send these violations to council to adopt and ordinance for the city to abate the violations.

⁵⁶
Sincerely

Robert Teague
Code Compliance Officer
City of Lenoir Planning Department
Office: 828.757.2212



Final Notice of Abatement

04/11/2023

HORTON AGNES
431 RANKIN ST NW
LENOIR, NC 28645

Certified Mail: 7021 1970 0001 6843 5415

Re: Minimum Housing Determination
431 RANKIN ST, LENOIR, NC 28645
Parcel: 2840902161

HORTON AGNES

This letter is to inform you that you have failed to comply with an order of the housing inspector to abate minimum housing violations at 431 RANKIN ST within 30 days of 04/18/2023.

Upon failure of the owner of the dilapidated dwelling to comply with an order of the inspector within the time specified therein, the inspector may submit to the City Council an ordinance ordering the inspector to cause such dwelling to be removed or demolished, as provided in the original order of the inspector. The amount of the cost of vacating and closing, or removal or demolition caused to be made or done by the inspector shall be a lien against the real property upon which such cost was incurred. Such lien shall be filed, have the same priority, and be enforced and the costs collected as the lien for special assessment.

This letter is to inform you that the housing inspector has submitted an ordinance to City Council, as described above. The City Council will consider this ordinance for adoption at the 04/18/2023 City Council Meeting, held in the County Chambers at 905 West Ave in Lenoir.

Sincerely,

Robert Teague
Code Compliance Officer
City of Lenoir Planning Department
Office: 828.757.2212



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

CITY COUNCIL
K. P. EDMISTEN
T. H. PERDUE
J. I. PERKINS
T. J. ROHR
D. F. STEVENS
C. D. THOMAS
B. K. WILLIS

October 6, 2017

Agnes Horton
7207 Van Buren Ave
Savannah, GA 31406

Certified Mail: 7016 2710 0001 1759 1501

**MINIMUM HOUSING VIOLATION
AND ORDER TO ABATE**

To: **Agnes Horton**, owner(s) of property located at **431 Rankin St** (PIN:2840902161) in the City of Lenoir, North Carolina.

**Unsafe Buildings: General Statute 160A-426, 160A-446, 160A-429
North Carolina Code Officials Enabling Act: 160A-412**

Condition of structure is determined as: **Deteriorated** ☐
Dilapidated ☒

The following code violations have been determined: If further inspection is required, additional violations may be added.

G.S. 160A-428

That the building or structure is in a condition that appears to meet one or more of the following conditions:

- A. Constitutes a fire or safety hazard.**
- B. Is dangerous to life, health, or other property.**
- C. Is likely to cause or contribute to blight, disease, vagrancy, or danger to children.**
- D. Has a tendency to attract person(s) intent on criminal activities or other activities which would constitute a public nuisance.**

This is the final determination for the property listed above. Owner failed to contact the housing inspector as instructed in the initial letter that was mailed on September 15, 2017. This property is in violation of the City of Lenoir Minimum Housing Standards. The structure is currently unsecure and is a safety

hazard. Due to the amount of structural damage this dwelling is classified as dilapidated. In order to abate the minimum housing violations the dwelling must be demolished and removed from the property. Abatement of these violations must occur in a specified amount of time, not to exceed 30 days.

Failure to abate the violations by, **November 8, 2017** will result in actions including, but not limited to, civil penalties, postings, and city abatement. If you have any questions concerning the violations or the abatement process please contact me.

Section 1-15 Civil and Criminal Penalties

- (c) Violation of any provision of this Code not corrected as provided in [this letter] shall subject the offender to a civil penalty in the amount of \$50.00 to \$500.00, in accordance with the citation schedule in subsection (e), to be recovered by the city in a civil action in the nature of debt if the offender does not pay the penalty within a period of 72 hours after being cited. The citation shall be in writing, signed by the authorized person issuing the citation, and shall be delivered in person or by mail to the offender.

(e) Civil Penalties Schedule

Violation of any provision of this ordinance shall subject the offender to civil penalties in the following amounts, as applicable. All Civil Penalties must be paid within 72 hours of receipt by the offender.

First Penalty	Second Penalty	Third Penalty	Fourth Penalty	Fifth Penalty	Sixth Penalty	Seventh Penalty	Eighth Penalty	Ninth Penalty	Tenth Penalty
\$50.00	\$50.00	\$50.00	\$100.00	\$100.00	\$100.00	\$250.00	\$250.00	\$250.00	\$250.00

* If violations continue to exist past the tenth penalty, subsequent penalties shall be \$500.00 each.

(f) Unless otherwise specifically provided in this Code and authorized by state law, no single offense (as described in subsection (d), above) may be punished by a fine or civil penalty in excess of \$500.00.

Stage of the investigation

Initial Investigation ☐

Final Determination ☒

Abatement of these violations must occur within a specified period of time, not to exceed 30 days. Failure to comply will result in actions including, but not limited to, civil penalties, posting, and city abatement

Sincerely,



Zach Clark
Zoning and Housing Inspector
City of Lenoir Planning Department
(828) 757-2212





CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

CITY COUNCIL
K. P. EDMISTEN
T. H. PERDUE
J. I. PERKINS
T. J. ROHR
D. F. STEVENS
C. D. THOMAS
B. K. WILLIS

September 15, 2017

Agnes Horton
7207 Van Buren Ave
Savannah, GA 31406

Certified Mail: 7015 1520 0000 1311 1424

**MINIMUM HOUSING VIOLATION AND
HEARING NOTICE**

TO: **Agnes Horton**, owner (s) of property located at **431 Rankin St (PIN: 2840902161)** in the City of Lenoir, North Carolina.

**Unsafe Buildings: General Statute 160A-426, 160A-446, 160A-429
North Carolina Code Officials Enabling Act: 160A-412**

Condition of structure is determined as: **Deteriorated** _____
Dilapidated XXX

As the legal owner, you have **ten (10)** days to call the City of Lenoir Housing Inspector to establish a hearing date and location that must be held within the specified time frame.

The following code violations have been determined: If further inspection is required, additional violations may be added.

G.S. 160A-428

That the building or structure is in a condition that appears to meet one or more of the following conditions:

- A. Constitutes a fire or safety hazard.**
- B. Is dangerous to life, health, or other property.**
- C. Is likely to cause or contribute to blight, disease, vagrancy, or danger to children.**
- D. Has a tendency to attract person(s) intent on criminal activities or other activities which would constitute a public nuisance.**

The property listed above is in violation of the City of Lenoir Minimum Housing Standards. Due to the amount of structural damage the dwelling is classified as dilapidated and unfit for human habitation. The structure is currently unsecure and is a safety hazard. In order to abate the minimum housing violations and the health/safety hazards, the dwelling must be demolished and removed from the property. Please contact me within **10 days** of receiving this notice to schedule a time for an onsite hearing. Abatement procedure and time frame in which it must be completed will be discussed at the hearing.

Stage of the investigation

Initial Investigation XXX

Final Determination

Failure to comply will result in actions including, but not limited to, civil penalties, posting, and city abatement. All questions about the violation or procedures to abate them will be addressed at the hearing.

Sincerely,

Zach Clark
Zoning and Housing Inspector
City of Lenoir Planning Department
(828) 757-2212



CERTIFIED MAIL®

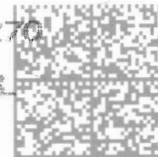
CITY OF LENOIR
P. O. BOX 958
LENOIR, N.C. 28645-0958



7021 1970 0001 6846 0233

GREENSBORO NC 270

10 FEB 2023 PM 1 L

US POSTAGETM PITNEY BOWES

ZIP 28601 \$ 008.10⁰
02 4W
0000390579 FEB 10 2023

VAC
2/14/23
(K41)

HORTON AGNES
431 RANKIN ST NW
LENOIR, NC 28645

NAME
1ST NOTICE
2ND NOTICE
RETURN

NIXIE 274 DE 1 0002/24/23

RETURN TO SENDER
VACANT
UNABLE TO FORWARD

VAC

BC: 28645095858 *0180-03367-10-44

28645-0958
28645-420701



CITY OF LENOIR

P. O. BOX 958
LENOIR, N.C. 28645-0958

FIRST-CLASS MAIL
PRESORTED
U.S. Postage Paid
Hickory NC
EXBS

HORTON AGNES
431 RANKIN ST NW
LENOIR, NC 28645

NIXIE 274 DE 1081 0003/13/23
RETURN TO SENDER
VACANT
UNABLE TO FORWARD

VAC
28645-0958
081048 38 LRCONPI 28645

BC: 28645095858 *2180-06582-13-25

CERTIFIED MAIL®

CITY OF LENOIR
P.O. BOX 958
LENOIR, N.C. 28645-0958



7021 1970 0001 6842 7601

GREENSBORO NC 274
4 MAR 2023 PM 4 L

US POSTAGE[®] PITNEY BOWES

ZIP 28601 \$ 008.10⁰
02 1W
0001391513 MAR 03 2023

HORTON AGNES
431 RANKIN ST NW
LENOIR, NC 28645

NAME _____
1ST NOTICE _____
2ND NOTICE _____
RETURN _____

NIXIE 274 DE 1 0003/13/23
RETURN TO SENDER
NO SUCH NUMBER
UNABLE TO FORWARD

BC: 28645095858 *0480-05046-04-43

9327000085380832

NSN
28645-0958
28645-420701

64
CITY OF LENOIR
P. O. BOX 958
LENOIR, N. C. 28645-0958

Return to sender

Agnes Horton
7207 Van Buren Ave
Savannah, GA 31406

PRESORTED
FIRST CLASS



U.S. POSTAGE PITNEY BOWES
ZIP 28601 \$ 000.45³
02 1W
0001391555 OCT 06 2017

Moved

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

9393529000042203

010101 77 HROOANT 01406

BC: 28645095858 *0638-05200-09-16

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$

☐ Adult Signature Restricted Delivery \$

Postage

Total Postage

Agnes Horton
7207 Van Buren Ave
Savannah, GA 31406

Sent To

Street and Ap

City, State, Zi

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Agnes Horton
7207 Van Buren Ave
Savannah, GA 31406

7015 1520 0000 0251 1424



CITY OF LENOIR
P. O. BOX 958
LENOIR, N. C. 28645-0958

4247 1121 0000 0251 1424

CITY OF LENOIR
P. O. BOX 958
LENOIR, N. C. 28645-0958

PRESORTED
FIRST CLASS



U.S. POSTAGE >> PITNEY BOWES



ZIP 28601 \$ 000.45³
02 1W
0001391273 SEP 15 2017

Ank

Agnes Horton
7207 Van Buren Ave
Savannah, GA 31406

NIXIE 322 FE 1081 0009/24/17

2ACS<

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

ANK BC: 28645095858 *2787-02943-24-17

305115 77 FROM 113 > 94406



66



67



68

A photograph of a brick building, possibly a garage or shed, with a blue tarp covering a portion of its roof. The building is partially obscured by bare tree branches in the foreground. The ground is covered in green grass and weeds. In the background to the left, a white house with a dark roof is visible under a clear blue sky. The number '68' is overlaid on the image in the upper left quadrant.

69



70





72



73



74



75

