

**LENOIR CITY COUNCIL
TUESDAY, APRIL 18, 2023
6:00 P.M.**

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

ABSENT: Councilmembers Ike Perkins, Todd Perdue and Ralph Prestwood.

I. CALL TO ORDER

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

CONDOLENCES; CALVIN

DULA FAMILY: B. On behalf of City Council, Mayor Gibbons asked everyone to keep the family of Calvin Dula, retired City employee, in their thoughts and prayers. Mr. Dula passed away on Monday, April 17 and was a respected leader of the community. He retired from the City of Lenoir following 30+ years of dedicated and outstanding service. In addition, Mr. Dula was a devoted member of Dulatown Presbyterian Church where he held many positions. A memorial service was held on Saturday, April 15 for Mr. Dula who will be greatly missed by everyone.

CONDOLENCES; DAVID ODOM

FAMILY: C. On behalf of City Council, Mayor Gibbons asked everyone to keep the family David Odom in their thoughts and prayers. Mr. Odom served as the Town Manager of Taylorville for twenty years and also held other positions in local government. Mr. Odom was a well-respected leader of the community and will be deeply missed by his family, friends, and peers.

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. Minutes: 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, 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. (A copy of the resolution is hereby incorporated into these minutes by reference. Refer to page 106.)

- E. Resolution; Water and Sewer Capital Improvements Projects: Staff recommends approval of a resolution to adopt the Water and Sewer Fund Capital Improvements Projects (CIP) as submitted. (A copy of the resolution is hereby incorporated into these minutes by reference. Refer to page 107.)
- F. Resolution; 2022 Local Water Supply Plan: Approval of a resolution to adopt the 2022 Local Water Supply Plan for the City of Lenoir as submitted. (A copy of the resolution is hereby incorporated into these minutes by reference. Refer to page 108.)
- G. Order of Abatement; 431 Rankin Street NW: Approval 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. (A copy of the recorded Order of Abatement is hereby incorporated into these minutes by reference. Refer to pages 109-110.)

SPECIAL RECOGNITION;

K9 UWAI: H. Police Chief Brent Phelps recognized Corporal Mitchell Foust and his family members and stated a K9 along with its handler and family form a strong bond due to the K9 being with their handler 24 hours per day. He shared that Uwais is a German Shepherd who was purchased in December 2019 and is around six to seven years old.

Chief Phelps shared Uwais has experienced a great career and has participated in 382 operations and assisted with the recovery of a little over \$200,000 in narcotics. He explained Uwais' retirement was recommended by medical personnel due to some health issues.

Upon a motion by Councilmember Stevens, City Council voted 4 to 0 to approve the items listed on the Consent Agenda (A-G) as described above and as recommended by City Manager Hildebran.

IV. REQUESTS AND PETITIONS OFCITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITYMANAGER

A. Items of Information

COMMITTEE OF

THE WHOLE: 1. The Committee of the Whole will meet on Thursday, April 20, at 8:30 a.m. at City Hall, Third Floor.

BOOTLEGGER 100

BICYCLE RIDE: 2. 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.

NC 2023 GRAVITY

GAMES: 3. The North Carolina 2023 Gravity Games are scheduled on Saturday, April 29 from 8:00 a.m. until 3:00 p.m. in downtown Lenoir. Students from across the state participate in this popular event. This marks the tenth year the event has been held in Lenoir.

PLANNING

BOARD: 4. The Planning Board will meet on Monday, April 24 at 5:30 p.m. at the City/County Chambers.

NCLM: 5. The North Carolina League of Municipalities 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.

EMPLOYEE LITTER

SWEEP: 6. City of Lenoir employees (volunteers) will participate in the annual Employee Litter Sweep on Wednesday, April 26 from 9:00 a.m. until noon.

NCDOT SPRING

LITTER SWEEP: 7. The North Carolina Department of Transportation's Spring Litter Sweep ends on Saturday, April 29.

NATURAL DAY OF

PRAYER: 8. A ceremony will be held on Thursday, May 4 from noon until 12:30 p.m. in honor of the National Day of Prayer. The event will be held at the stage area of the downtown square.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

IX. REPORT AND RECOMMENDATIONS OF THE MAYOR

BOARD ANNOUNCEMENT;

PLANNING DEPARTMENT:

- A. Mayor Gibbons announced Dontrell Parson for consideration of appointment to the Lenoir Planning Board. City Council will consider this board recommendation at the May 2 meeting.

Mayor Gibbons stated Mr. Parson is the Director of Graduate Admissions & Recruiting at Appalachian State University and is a good fit for this position. Mr. Parson resides in Lenoir.

X. ADJOURNMENT

- A. There being no further business, the meeting was adjourned at 6:18 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor



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.

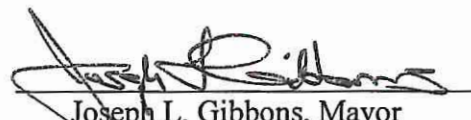
NOW THEREFORE BE IT RESOLVED,

- 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.

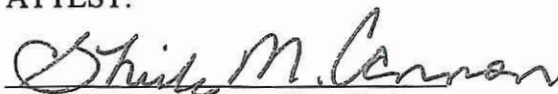
NOW THEREFORE BE IT FURTHER RESOLVED that, I, Joseph L. Gibbons, Mayor of the City of Lenoir, and on behalf of the Lenoir City Council and all the citizens, do hereby wish the very best for Police K-9 Uwais in his retirement and commend him for his service.

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

SEAL


Joseph L. Gibbons, Mayor

ATTEST:


Shirley M. Cannon, City Clerk



CITY MANAGER
SCOTT E. HILDEBRAN



MAYOR
JOSEPH L. GIBBONS

CITY COUNCIL
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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

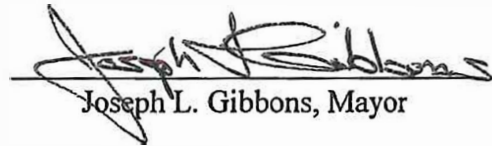
WHEREAS, Applications for funding submitted to the NC Department of Environment Quality (DEQ) Division of Water Infrastructure (DWI) may earn points if the Applicant has a CIP adopted by the City Council within two years of the application date.

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.

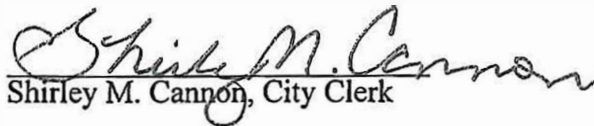
Adopted this the 18th day of April, 2023 at Lenoir, North Carolina.

SEAL



Joseph L. Gibbons, Mayor

ATTEST:



Shirley M. Cannon, City Clerk





CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

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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 18th day of April, 2023.

Name: Joseph L. Gibbons
Title: Mayor
Signature: Joseph L. Gibbons

ATTEST:

Shirley M. Cannon
Shirley M. Cannon, City Clerk



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

