



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



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. FY2023-2024 Annual Budget: A public hearing will be held to receive public comments regarding the Annual Budget for the fiscal year beginning July 1, 2023 through June 30, 2024 for the City of Lenoir. Upon conclusion of the public hearing, Council may take action on adoption of the enclosed FY2023-2024 Budget Ordinance.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council Meeting of Tuesday, May 16, 2023 as submitted.
- B. Minutes: Approval of the minutes of the City Council Budget Work Session of Thursday, May 18, 2023 as submitted.
- C. Minutes: Approval of the closed session minutes of the City Council Budget Work Session of Thursday, May 18, 2023 as reviewed by the City Council.
- D. Minutes: Approval of the minutes of the Committee of the Whole meeting of Tuesday, May 23, 2023 as submitted.
- E. Amendment; American Recovery Plan Capital Project Ordinance: Request approval for an amendment to be made to the American Recovery Plan Capital Project Budget Ordinance in the amount of \$3,834,691 to revise the American Recovery Plan Capital Project Budget Ordinance to allocate funding for capital purchases.
- F. Budget Amendments: FY2022-23: Staff request approval of the amendments to the annual Budget Ordinance for the fiscal year ending June 30, 2023 as follows:
- Budget Amendment #2023-2:
 - o Approve the utilization of additional general fund revenues to make upgrades and repairs.
 - o Approve the allocation of general fund expenditures for upgrades and repairs such as a new garbage truck, HV AC unit, and replacing equipment that became obsolete during the fiscal year.
 - o Approve the allocation of enterprise fund expenditures.
 - o Approve the allocation of funding for the LTDA.
 - o Approve the funding for the Rural Center Building Re-use Grant.
 - o Approve the allocation of funding to utilize additional forfeiture revenue to purchase weapons for the police.
- G. Capital Project Budget Ordinances; WPCOG: City Staff and the Western Piedmont Council of Government Plan Administrator Rick Oxford recommend approval of the three (3) Capital Project Budget Ordinances as follows:

1. The Capital Project Budget Ordinance for the FY2023 Unifour Consortium HOME Program in the amount of \$1,500,690 as submitted.
2. The Capital Project Budget Ordinance for the FY2023 Community Development Block Grant (CDBG) Program in the amount of \$142,691 as submitted.
3. The Capital Project Budget Ordinance for the FY2021 HOME-ARP Program in the amount of \$4,182,773 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 ABC Board will meet on Thursday, June 8 at 2:00 p.m. via Zoom.
2. The Lenoir Tourism Development Authority (LTDA) will meet on Thursday, June 8 at 4:00 p.m., City Hall Third Floor.
3. The Lenoir Business Advisory Board (LBAB) will meet on Thursday, June 8 at 6:00 p.m., City Hall, Third Floor.
4. The band FracXured will perform on the downtown stage on Friday, June 9 from 7:00 p.m. – 10:00 p.m.
5. The City/County Services Committee will meet on Monday, June 12 at noon at CCC& TI.
6. The Economic Advisory Committee (EAC) will meet on Tuesday, June 13 at 8:15 a.m.
7. The movie “Sonic the Hedgehog” will shown on the downtown stage on Friday, June 16 from 8:30 p.m. – 11:00 p.m.

B. Items for Council Action

1. Ordinance Amendment; First Reading: First reading of an Ordinance amending Chapters 1, 3, 5, 10, 12, 13, and 18 of the Lenoir Code of Ordinances, to address updates prompted by recent legislative changes to the General Statutes and authorizes a public hearing to be held on Tuesday, June 20, 2023 for the second reading of the Ordinance.
2. Contiguous Annexation Petition; 2702 Ellerwood Road: Staff recommends that Council adopt a Resolution Directing the Clerk to Investigate an Annexation Petition and a Resolution Setting a Date for a Public Hearing to be held on Tuesday, June 20, 2023 to consider a Contiguous Annexation Petition for property located at 2702 Ellerwood Road, NCPIN#2768447626. Note: The front portion of this parcel is already in the City limits while the back part of the parcel is not in the City limits but is in the ETJ.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

X. ADJOURNMENT

**CITY OF LENOIR
COUNCIL ACTION FORM**

- I. **Agenda Item: FY 2023-2024 Annual Budget:** A public hearing is scheduled to receive public comments regarding the annual budget for the fiscal year beginning July 1, 2023 through June 30, 2024 for the City of Lenoir.
- II. **Background Information:** The Recommended FY 2023-24 Budget is comprised of General Fund - \$22,066,505, Special District Fund - \$236,900, Tourism Development Fund - \$90,000 and Water/Sewer Fund - \$10,726,980, for a total budget of \$33,120,385.

The proposed is balanced with the current property tax rate of 57¢ per \$100 of assessed property value. The budget maintains the current Rescue Readiness Tax Rate of .85¢ per \$100 of assessed property value for a total tax rate of 57.85¢ per \$100. The budget includes a \$1.00 monthly increase in the Solid Waste fee, bringing the total to \$12 per month. All other General Fund charges/fees are unchanged.

The proposed Downtown Municipal Service District budget is balanced with the current property tax rate of 20¢ per \$100 of assessed district property value.

The proposed Water and Sewer Fund budget is balanced and includes a 4% increase in water and sewer rates. All other Water/Sewer Fund charges and fees are unchanged.

The Recommended Budget contains no borrowing and does not use any fund balance.

In accordance with NCGS 159-12, the Recommended Budget has been submitted to the Mayor and City Council and made available for public inspection and notice given that a public hearing will be held on Tuesday, June 6, 2023, beginning at 6:00 p.m., for the purpose of receiving input from citizens wishing to comment on the proposed budget.

- III. **Staff Recommendation:** Upon conclusion of the public hearing, Council may take action on adoption of the enclosed FY 2023-24 Budget Ordinance.
- IV. **Reviewed by:**

City Attorney:

City Manager:



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

May 16, 2023

Honorable Mayor Gibbons and Members of the City Council:

Pursuant to Section 159-11 of the North Carolina General Statutes (NCGS), Local Government Budget and Fiscal Control Act, I am pleased to submit the Recommended Fiscal Year (FY) 2023-2024 Budget for your review and consideration. This document provides a financial plan for the upcoming fiscal year and was developed in accordance with the City Council's Priorities established in both the February Strategic Planning Retreat and the March Budget Retreat as well as during Council/Departmental meetings held over the past year. The budget does take into account our dynamic economy.

A work session to review the Recommended FY 2023-2024 Budget is scheduled to be held on Thursday, May 18, 2023, at 6:00 p.m. and a public hearing on the budget is scheduled on Tuesday, June 6, 2023, at 6:00 p.m.

General Fund

The proposed General Fund budget totals \$22,066,505 and is balanced with the current property tax rate of 57¢ per \$100 of assessed property value. The budget maintains the current Rescue Readiness Tax Rate of .85¢ per \$100 of assessed property value for a total tax rate of 57.85¢ per \$100. The budget includes a \$1.00 increase in the Solid Waste fee.

Nearly 81% of the General Fund's revenue comes from property tax (44%), sales tax (26%) and franchise tax (11%) revenue. The remainder comes from a combination of state-shared revenue, investment earnings, permits and fees, and sales and services. We are conservatively projecting sales tax revenue in FY 2023-24 based on the collections received during FY 2021-2022. As of March of 2023, sales tax revenues are up 12.49% year-to-date (YTD) and in FY 2022-23, sales tax revenues were up 16.23%.

Funds received from the American Rescue Plan (ARP), the NC State Capitol Infrastructure Funds (SCIF) Program, the NC Park and Recreation Trust Fund (PARTF), the Appalachian Regional Commission, NC Rural Transformation Grant, and other grants and contributions are not included in the recommended budget, as we allocate these monies under separate capital project ordinances. These revenue resources will continue to focus on capital items, such as greenway and trail expansion, brownfield assessment and clean-up, The Campus at Historic Lenoir High School (The Campus), Aquatic Center renovations, wayfinding signage and downtown improvements - all of which are long-term capital expenses.



A comprehensive list of capital projects and associated funding sources is included in the proposed budget packet. The City will continue to utilize grant funding and pursue funding opportunities to accomplish Council priorities.

The Recommended Budget contains no new debt and does not use any fund balance.

Downtown Municipal Service District

The proposed Downtown Municipal Service District (MSD) budget is balanced with the current property tax rate of 20¢ per \$100 of assessed district property value. The MSD budget includes funding for additional downtown decorations.

Water and Wastewater Fund

The proposed Water and Sewer Fund budget totals \$10,726,980 and includes a 4% increase in water and sewer rates. The City has traditionally used the annual Consumer Price Index (CPI) - South Region for All Urban Consumers as a gauge and guide when considering increases in Water and Sewer Rates. The CPI was 6.4 % in February of 2023. The rate increase for a typical customer with 5,000 gallons of usage is anticipated to generate \$2.09 per month.

Budget Highlights

The key components of this budget are:

- Core services are continued with revenue projections estimated in a realistic, conservative manner. The projections include consideration for the continued uncertainties in the future economic environment.
- Employee Compensation: The City, like private employers, is experiencing workforce challenges with some positions in both recruitment and retention. City Council and Management continue to recognize that our employees are vital to the delivery of quality municipal services and represent our most valuable asset. As our top strategic priority, the budget includes a cost-of-living-adjustment (COLA) of 4.5% for all employees. The Budget also includes six (6) new positions - a new Purchasing/Logistic Manager and a Safety Coordinator in the Public Services Department, and in partnership with Caldwell County Schools, four (4) new School Resource Officer positions in the Police Department. The budget funds the mandatory increases in the retirement contribution for general employees from 12.10% in FY23 to 12.85% in FY24 and for sworn law-enforcement which increases from 13.10% in FY23 to 14.10% in FY24.
- The City's group health insurance premiums will increase by 5%, while maintaining the current plan benefit levels. The cost of the City's property and liability insurance will increase by 17.49% and the workers' compensation insurance coverages will increase by 7.71%.
- Street Resurfacing: The budget allocates \$410,000 (an increase of \$10,000) to continue resurfacing City-owned streets based on our updated Pavement Study. State Powell Bill funding is expected to remain stable in the coming year. Additionally, the budget includes \$206,250 in funding for our strategic paving priorities.
- Downtown: The budget allocates funds from the federal Community Development Block Grant (CDBG) Capital Project Fund to continue improvements to The Campus. Several grants have been recently awarded to help fund additional improvements to The Campus as well.

- Code Enforcement: The budget includes more than \$100,000 for building demolitions, foreclosures and nuisance enforcement (excluding personnel expenses) in response to the City Council's priorities.
- Technology: There is funding for computer and information technology upgrades throughout the organization to enhance and improve operations and security.
- Environmental: The City continues to contract with the Western Piedmont Council of Governments (WPCOG) to manage and oversee our Federal Phase II Stormwater Program. The budget also includes funding to contract with WPCOG to provide comprehensive mapping of our stormwater system.
- The budget includes funding for a new Comprehensive Plan for the City (which will focus on neighborhood planning including West End, Whitnel, and other neighborhoods).
- The budget funds all debt obligations.

The following General Fund capital projects are included: a heating, ventilation, and air conditioning (HVAC) replacement unit, brake lathe and headlight adjuster for Vehicle Services; a service vehicle for Streets; a Cemetery Master Plan, a zero turn mower, a columbarium, a service truck for Cemeteries; a rear loading garbage truck, and roll-off rentable containers for Sanitation; Police Department and Fire Department classroom renovations; six (6) patrol cars, ten (10) mobile in-car radios, video enhancement system, and four (4) spare Mobile Data Terminals for the Police Department; ten (10) self-contained breathing apparatus (SCBA's), Lenoir Fire Station II apron repairs, a Lung University Cardiopulmonary Assist System (LUCAS) tool, and an HVAC replacement unit for the Fire Department; and new doors for Martin Luther King Jr. Center, a utility vehicle and mower, technology upgrades for Parks and Recreation.

The following Water and Sewer Fund capital projects are included: two (2) pick-up trucks, lobby renovations and American Water Infrastructure Act compliance improvements at the Rhodhiss Water Treatment Plant; a skid steer and mower, a service truck, major pressure reducing valve vaults in Water Distribution; a service truck, a used fork lift and trailer in Utilities Maintenance; a spare pump for the Kincaid Station, upgrade pumps for the Cypress Station, a dump truck in Wastewater Collections; a grinder pump and screen, and bar replacement at Gunpowder Plant; and influent repairs at the Lower Creek Wastewater Plant.

Summary

In closing, this Recommended FY 2023-2024 Budget is balanced in accordance with State Statutes and attempts to address the goals and priorities that have been established by City Council for the City's future while being mindful of the current economic conditions.

Though the budget does not fund all of the requested operating and capital needs, the Recommended FY 2023-2024 Budget represents a level of funding, which will allow the City to maintain and enhance current service levels while making organizational changes to be cost effective and more efficient. Further, as noted in the information distributed for the retreat in February, our staff continues to display a culture that encourages cost savings to maximize resources to accomplish budget initiatives.

I would like to recognize the efforts of Finance Director Donna Bean, as she has been instrumental in the preparation of this document. Her thoroughness and guidance are appreciated.

Finally, I would also like to express my thanks to the Department Directors, Team Lenoir and City Council for their patience, understanding, and dedicated work on this important policy document. Our primary goal, each and every day, via our employee-led customer service initiative, remains to provide "Service Beyond Measure".

Come "Create With Us" in Lenoir!

Respectfully submitted,



Scott E. Hildebran
City Manager

City of Lenoir
Budget Ordinance
Fiscal Year July 1, 2023– June 30, 2024

BE IT ORDAINED by the Lenoir City Council in regular session assembled on June 6th, 2023.

Section 1. That the following amounts are hereby appropriated for the operation of the government of the City of Lenoir and its activities for the fiscal year beginning July 1, 2023, and ending June 30, 2024.

<u>Fund</u>	<u>Estimated Revenues</u>	<u>Fund Balance Appropriated</u>	<u>Total Budget</u>	<u>Appropriated</u>
General	\$ 22,066,505	\$ -	\$ 22,066,505	\$ 22,066,505
Water & Wastewater	\$ 10,726,980	\$ -	\$ 10,726,980	\$ 10,726,980
Total	\$ 32,793,485	\$ -	\$ 32,793,485	\$ 32,793,485

Section 2. That for said fiscal year there is hereby appropriated as expenditures of the General Fund the following:

Legislative	\$ 394,941
Administrative	\$ 724,112
Finance	\$ 900,036
Planning	\$ 621,923
Police	\$ 7,182,620
Fire	\$ 5,027,269
Recreation	\$ 2,060,047
Public Works	
Administrative	\$ 315,506
Cemetery & Grounds	\$ 727,497
Building Maintenance	\$ 397,669
Sanitation	\$ 1,174,271
Streets	\$ 2,160,637
Vehicle Services	\$ 379,977
Total	<u>\$ 22,066,505</u>

City of Lenoir
Budget Ordinance
Fiscal Year July 1, 2023– June 30, 2024

Section 3. That for said fiscal year there is hereby appropriated as expenditures of the Water & Wastewater Fund the following:

<u>DEPARTMENT/DIVISIONS</u>	<u>APPROPRIATION</u>
Admin/Engineering	\$ 655,510
Utilities Maintenance	\$ 496,892
Rhodhiss Water Treatment Plant	\$ 2,542,385
Water Distribution	\$ 2,575,508
Wastewater Collection	\$ 1,333,258
Wastewater Pretreatment	\$ 202,468
Gunpowder Wastewater Plant	\$ 1,031,034
Lower Creek Wastewater Plant	\$ 1,889,925
Total	<u>\$ 10,726,980</u>

Section 4. There is hereby levied for the fiscal year ending June 30, 2024, the following rate of taxes on each one hundred dollars of assessed valuation of taxable property listed as of January 1, 2023, and of registered vehicles in accordance with G.S. 105-330.3(a)(1) for the purpose of raising the revenues from the current year's listed and registered property as set forth in the foregoing estimates of the General Fund revenues and in order to finance the foregoing General Fund appropriations.

General Fund.....\$.57 cents tax rate per one hundred dollars assessed valuation.

Rescue Readiness Tax.....\$.0085 cents tax rate per one hundred dollars assessed valuation.

Said General Fund tax rates are based on an estimated total appraisal value of real and personal property for the purpose of taxation of \$2,440,656,474 with an assessment ratio of one hundred percent (100%) of appraised value and estimated collection rate of 97.17%. Said collection rates are based on the actual 2021-2022 collection rates.

Section 5. That for said fiscal year there is hereby appropriated as expenditures of the special Downtown Tax District Fund for the operation of the Economic Development/Main Street Lenoir program and Tourism Development.

Fund	<u>Estimated Revenues</u>	<u>Fund Balance Appropriated</u>	<u>Total Budget</u>	<u>Appropriated</u>
Special Downtown District	\$ 236,900	\$ -	\$ 236,900	\$ 236,900
Tourism Development	\$ 90,000	\$ -	\$ 90,000	\$ 90,000
TOTAL	<u>\$ 326,900</u>	<u>\$ -</u>	<u>\$ 326,900</u>	<u>\$ 326,900</u>

**City of Lenoir
Budget Ordinance
Fiscal Year July 1, 2023– June 30, 2024**

Section 6. There is hereby levied for the fiscal year ending June 30, 2024, the following rate of taxes on each one hundred dollars of assessed valuation of taxable property listed as of January 1, 2023, and of registered vehicles in accordance with G.S. 105-330.3(a)(1) for the purpose of raising the revenues from the current year's listed and registered property set forth in the foregoing estimates of Special Downtown District Fund revenues and in order to finance the foregoing Special Downtown District Fund appropriations.

Special Downtown District.....\$.20 cents tax rate per one hundred dollars assessed valuation.

Said Special Downtown District tax is based on an estimated total appraised value of property for the purpose of taxation of \$ 16,980,550 with an assessment ratio of one hundred percent (100%) of appraised and registered real and personal property value. The estimated collection rate is 97.17%.

Section 7. It is estimated that \$90,000 in revenue will be available in the Tourism Development Fund for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

Section 8. Water & Sewer rates are established to be effective July 1, 2023 according to the following schedule:

Water Inside Corporate Limits	
0 -1,000 gallons	\$11.74
Over 1,000 gallons	\$3.71 per 1,000 gallons
Sewer Inside Corporate Rates	
1 - 1,000 gallons	\$10.29
Over 1,000 gallons	\$4.36 per 1,000 gallons
Water Outside Corporate Limits	
0 - 1,000 gallons	\$23.48
Over 1,000 gallons	\$7.43 per 1,000 gallons
Sewer Outside Corporate Limits	
0 -1,000 gallons	\$20.59
Over 1,000 gallons	\$8.73 per 1,000 gallons
Resale Water	
\$2.48 per 1,000 gallons	
Resale Sewer	
\$4.31 per 1,000 gallons	

City of Lenoir
Budget Ordinance
Fiscal Year July 1, 2023– June 30, 2024

Section 9. Salaries & wages accounts provide for funding of all budgeted employee positions and City Council.

Section 10. The City Manager and Finance Director shall notify the City Council of any items of over-expenditure or shortfalls in revenue on a timely basis throughout the fiscal year. Request for appropriations not contained in the Budget Ordinance will be presented to Council after a review of the necessary revenue sources to offset the expenditure has been conducted by the Finance Director. Recommended budget amendments will be presented to the Council at the time the request for appropriation is submitted by the Finance Director.

Section 11. Copies of this Budget Ordinance shall be furnished to the Finance Director and the City Manager of the City of Lenoir, North Carolina, to be kept on file by them for their direction in the collection of revenues and the expenditures of amounts appropriated.

Section 12. The City Manager is authorized to amend the budget by transfer of appropriations within each fund. All amendments affecting revenues or total fund appropriations shall be approved by ordinance by the City Council, to be acted on at any regular or special meeting and approved by a simple majority of those present and voting, a quorum being present. Only one reading will be required and a public hearing or publication of notice is not necessary unless requested by Council.

Adopted this 6th day of June, 2023.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk

**LENOIR CITY COUNCIL
TUESDAY, MAY 16, 2023
6:00 P.M.**

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

CITY STAFF: In attendance was Finance Director Donna Bean, Interim Fire Chief Kenny Nelson, Police Chief Brent Phelps, Planning Director Hannah Williams, Planning Technician Lauren Hartley, Parks & Recreation Director Phillip Harper, Public Utilities Operations Manager Jeff Church, Public Works Operations Manager Jon Hogan, City Consultant Ed Evans, Downtown Event Coordinator Matthew Anthony and Communications Director Joshua Harris.

ABSENT: Public Services Director Radford Thomas, and Economic Development Director Kaylynn Horn.

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 May 15 – 21 as “Peace Officers’ Memorial Week” and Monday, May 15 as “Peace Officers’ Memorial Day” throughout the City of Lenoir.

Mayor Gibbons thanked Chief Phelps and members of the Lenoir Police Department for all they do for the citizens of Lenoir every day.

Chief Phelps shared that President John F. Kennedy signed a law on October 1, 1962 designating May 15 as Peace “Officers Memorial Day” in honor of federal, state, and municipal peace officers who have been killed or disabled in the line of duty. Chief Phelps reported that 247 officers across the nation died in the line of duty during 2022. He gave a breakdown of how the officers were as follows:

- a) 82 officers died from Covid 19
- b) 61 officers died as a result of gunfire
- c) 33 officers died as a result of an automobile crash

Chief Phelps expressed sympathy to all the families that lost a loved one. He stated nine of the officers were from North Carolina, but none lived in Caldwell County. Chief Phelps

remarked he was proud of all of the Department's men and women and their dedication for coming in each day aware that an incident could happen at any time. He thanked City Council for recognizing all of these officers.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

ZONING AMENDMENT #1-23 CODE OF ORDINANCES, SECTION 19-66:

- A. A public hearing was held to receive public comments regarding Zoning Amendment #1-23 to the Code of Ordinances, Section 1, Appendix A., Article IV., Definitions, as related to "Retailing, Light" and "Retailing, Intensive" as submitted. Staff recommends adoption of the submitted Ordinance.

Mayor Gibbons opened the public hearing to receive public comments regarding the Zoning Amendment.

Planning Director Hannah Williams stated John Moore, Brushy Mountain Builders, submitted an application to the Planning Board for a Zoning Ordinance Amendment proposing to add "pawn and trade shops" to the definition of "Retailing, Light" in order to develop a pawn shop business at a property he owns, which is zoned B-6 (transitional Business). She explained "pawn and trade shops" are currently defined under "Retailing, Intensive."

Director Williams stated the definition of Light Retailing includes many common retail uses, from shopping malls to liquor stores. Light retail includes any retail use that displays a majority of their products indoors, and does not typically have land use impacts on neighboring properties. Notably, many retail uses that usually sell similar items found in a pawn shop are included under Light Retail, such as hardware, gun and jewelry sales. Intensive Retailing includes any retail use that, due to the nature of the products sold, primarily uses outdoor displays. This includes car and truck sales, boat sales, and heavy equipment sales. These are all retail uses that usually need an outdoor lot to display and store goods. Pawn and trade shops usually do not display goods outdoors. Director Williams stated that classifying pawn and trade as light retail is a logical suggestion.

In addition, Director Williams informed Council the Planning Staff and Planning Board recommended approval of adding pawn and trade to the Retailing, Light definition in the Lenoir Zoning Ordinance, and offered the following consistency statement:

The proposed zoning ordinance amendment is consistent with the Lenoir Comprehensive Plan because it results in sensible and straightforward zoning standards which are easy to understand. This text amendment aligns the land-use impacts with the appropriate permitted use by placing pawn and trade shops, an indoor retail use, within the light retail definition. The proposed amendment is reasonable and in the public interest because it allows for the reuse of a currently vacant building along a major corridor.

A copy of the ordinance is hereby incorporated into these minutes by reference. (Refer to pages 130-132.)

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

Following a brief discussion and upon a motion by Councilmember Perdue, Council voted 7 to 0 to adopt Zoning Amendment #1-23 to the Code of Ordinances, Section 1, Appendix A, Article IV, Definitions, as related to “Retailing, Light” and Retailing, Intensive” by Ordinance and the Consistency Statement as presented and as recommended by Planning Director Hannah Williams.

CODE AMENDMENT #2-23, CODE OF ORDINANCES SECTION 19-66, MODIFICATIONS FOR MAJOR SUBDIVISIONS AS RELATED TO MINOR MODIFICATIONS AND MAJOR MODIFICATIONS/PLAT AMENDMENTS:

- B. A public hearing was held to receive public comments regarding Code Amendment #2-23 to the Code of Ordinances, Section 19-66, Modifications for Major Subdivisions as related to Minor Modifications and Major Modifications/Plat Amendments as submitted. Staff recommends adoption of the submitted Ordinance.

Mayor Gibbons opened the public hearing to receive public comments regarding Code Amendment #2-23 as submitted.

A copy of the ordinance is hereby incorporated into these minutes by reference. (Refer to page 133-135.)

Planning Director Hannah Williams explained to City Council that, according to N.C.G.S. 160D-403(d), “a local government may define by ordinance minor modifications to development approvals that can be exempted or administratively approved.” This statutory language adds administrative modifications as an option for local governments. It authorizes minor adjustments to projects that are already approved by City Council, so long as the local ordinance states what the minor modification allows. This administrative flexibility reduces the need for another full approval process to accommodate a limited change to the plans for a project.

Director Williams pointed out a property owner could not increase the density of their property or amend a condition previously adopted by City Council. These types of amendments would have to be presented to City Council for their consideration of approval.

City Attorney Timothy Rohr verified he was in agreement with the proposed code amendments.

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

Following a brief discussion and upon a motion by Mayor Pro-Tem Thomas, Council voted 7 to 0 to adopt Code Amendment #2-23 to the Code of Ordinances, Section 19-66, Modifications for Major Subdivisions by Ordinance as related to Minor Modifications and Major Modifications/Plat Amendments as submitted and as presented.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council Meeting of Tuesday, May 2, 2023 as submitted.

- B. Proclamation; Approval of a proclamation proclaiming the week of May 15 – 21 as “Peace Officers’ Memorial Week and Monday, May 15 as “Peace Officers’ Memorial Day” throughout the City of Lenoir. (A copy of the proclamation is hereby incorporated into these minutes by reference. Refer to page 136.)
- C. Professional Services & Consulting Services Agreement; McGill Associates: Approval of the proposal for Professional Services & Consulting Services Agreement with McGill Associates: for the Water and Sewer Asset Inventory and Assessments, as submitted. (A copy of the agreement is hereby incorporated into these minutes by reference. Refer to pages 137-139).

Upon a motion by Councilmember Perdue, City Council voted 7 to 0 to adopt the items as listed above on the Consent Agenda as submitted and as presented by City Manager Hildebran.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

BUDGET WORK

- SESSION:** 1. A Budget Work Session will be held on Thursday, May 18 at 6:00 p.m. at City Hall, 801 West Avenue, Third Floor Conference Room.

PLANNING

- BOARD:** 2. The Planning Board will meet on Monday, May 22 at 5:30 p.m. at the City/County Chambers.

HOLIDAY

- CLOSING:** 3. City offices will be closed on Monday, May 20 in observance of Memorial Day.

MEMORIAL DAY

- SERVICE:** 4. The American Legion Post 29 will host a Memorial Day Service on Monday, May 29 beginning at 10:00 a.m. on the square in downtown Lenoir.

FOOTHILLS REGIONAL

AIRPORT AUTHORITY:

5. The Foothills Regional Airport Authority will meet on Wednesday, May 31 at noon at the Airport Facility.

- CRUISE-IN:** 6. A Cruise-In will be held on Saturday, June 3 from 3:00 p.m. – 9:00 p.m. in downtown Lenoir.

B. Items for Council Action

FY2023-24 PROPOSED

- BUDGET:** 1. City Manager Scott Hildebran presented the recommended FY2023-2024 Annual Budget for the City of Lenoir to City Council and further requested that City Council call for a public hearing to be held on Tuesday, June 6, 2023 to consider approval of the recommended

budget. Mr. Hildebran reminded Council the budget is based on City Council's priorities that were established at the annual Budget Retreat.

A copy of the budget is on file in the City Clerk's office and available for review on the City's website at www.cityoflenoir.com/budget.

City Manager Hildebran stated the recommended budget is comprised of General Fund, \$22,066,505, Special District Fund, \$236,900, Tourism Development Fund, \$90,000 and Water & Wastewater Fund, \$10,726,980 for a total budget of \$33,120,385. Mr. Hildebran also reviewed a pie chart of departmental expenditures as follows: Legislative \$394,941, Administrative \$724,112, Finance \$900,036, Planning \$621,923, Police, \$7,182,620, Fire, \$5,027,269, Recreation \$2,060,047 and Public Works \$5,155,557.

Mr. Hildebran stated the budget does not include any new debt or Fund Balance allocations. He further mentioned the state Powell Bill funding is expected to remain stable in the coming year. In addition, Mr. Hildebran stated the budget allocates funds from the federal Community Development Block Grant (CDBG) Capital Project Fund to continue improvements to The Campus. Several grants have been recently awarded to help fund additional improvements to The Campus as well.

The property tax rate of 0.57 per \$100 remains unchanged and the Rescue Readiness Tax remains at 0.85 per \$100 for a total tax rate of 57.85 per \$100. The budget includes a \$1.00 monthly increase in the Solid Waste Fee, bringing the total fee to \$12.00. All other general fund fees remain unchanged.

The budget includes more than \$100,000 for building demolitions, foreclosures and nuisance enforcement (excluding personnel expenses) in response to the City Council's priorities.

The proposed Water/Sewer Fund budget totals \$10,726,980 and includes a 4% increase in water and sewer rates effective July 1, 2023. The rate increase for a typical customer with 5,000 gallons of usage is anticipated to generate \$2.09 per month. All other Water/Sewer Fund charges/fees are unchanged. Mr. Hildebran stated the City has traditionally used the annual Consumer Price Index (CPI-South Region) for All Urban Consumers over the past 12-month period as a benchmark in determining the City's utility rates. The CPI was 6.4% as of February 2023.

Next, Mr. Hildebran reviewed General Fund revenues as follows: Property Taxes \$9,760,282, Sales Tax, \$5,635,970, and Utilities Franchise Tax \$2,410,000, and Other Revenue \$4,260,253.

In addition, Mr. Hildebran stated the current property tax rate of 0.20 per \$100 of assessed Downtown District property value remains unchanged as well.

Mr. Hildebran also shared the City's group health insurance premiums will increase by 5%, while maintaining the current plan benefits. After discussion with representatives from the North Carolina League of Municipalities (NCLM), the increase for the City's property and liability insurance was lowered to 11.86% and the increase for the City's workers' compensation insurance coverage was lowered to .40%.

Mr. Hildebran reported the recommended budget includes funding for computer and information technology upgrades throughout the organization to enhance and improve operations and security. The City continues to contract with the Western Piedmont Council of Governments (WPCOG) to manage and oversee our Federal Phase II Stormwater Program.

The budget also includes funding to contract with WPCOG to provide comprehensive mapping of our stormwater system. Further, the budget includes funding for a new Comprehensive Plan for the City which will focus on neighborhood planning including West End, Whitnel and other neighborhoods. Mr. Hildebran pointed out the budget funds all debt obligations.

Items from the General Fund Capital

Vehicle Services

- HVAC replacement unit
- Brake lathe
- Headlight adjuster

Streets

- Service vehicle

Cemeteries

- Cemetery Master Plan
- Zero turn mower
- Columbarium
- Service Truck

Sanitation

- Rear loading garbage truck
- Roll-off rentable containers

Police

- Classroom renovations
- Six (6) patrol cars
- Ten (10) mobile in-car radios
- Video enhancement system
- Four (4) spare Mobile Data Terminals

Fire

- Classroom renovations
- Ten (10) self-contained breathing apparatus (SCBA's)
- Fire Station II apron repairs
- Lung University Cardiopulmonary Assist System (LUCAS)
- HVAC replacement unit

Parks & Recreation

- New doors for Martin Luther King, Jr. Center
- Utility vehicle and mower
- Technology Upgrades

Rhodhiss Water Treatment Plant

- Two (2) pick-up trucks
- Lobby renovations
- American Water Infrastructure Act compliance improvements

Water Distribution

- Skid steer and mower
- Service Truck
- Major pressure reducing valve vaults

Gunpowder

- Grinder pump
- Screen bar replacement

Lower Creek Wastewater Plant

- Influent repairs

In conclusion, Mr. Hildebran restated the Recommended FY2023-2024 Budget is balanced and addresses Council's goals and priorities. He stated the budget does not fund all of the requested operating and capital needs, it represents a level of funding, which will allow the City to maintain and enhance current service levels while making organizational changes to be cost effective and more efficient. Mr. Hildebran remarked that Staff continues to display a culture that encourages cost savings to maximize resources to accomplish budget initiatives.

Mr. Hildebran stated that core services are continued with revenue projections estimated in a realistic, conservative manner. The projections include consideration for continued uncertainties of the future economic environment. Mr. Hildebran further reiterated that City and private sector employers are experiencing workforce challenges in recruitment and retention of employees. City Council and Management continue to recognize that our employees are vital to the delivery of quality municipal services and represent our most valuable asset.

Mr. Hildebran thanked Donna Bean, Finance Director, Department Directors, Team Lenoir and City Council for all of their hard work and support in compiling the budget. He emphasized the City's primary goal, each and every day, via our employee-led customer service initiative, remains to provide "Service Beyond Measure."

Mayor Gibbons and City Council expressed their appreciation to Mr. Hildebran for his outstanding leadership, hard work and all that he does for the City of Lenoir. Mayor Gibbons further stated he appreciates City Council and Staff's efforts in how well they work together.

Upon a motion by Councilmember Perdue, Council voted 7 to 0 to schedule a public hearing on Tuesday, June 6 at 6:00 p.m. to consider adoption of the recommended FY2023-2024 Annual Budget as presented and as recommended by City Manager Hildebran.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

IX. REPORT AND RECOMMENDATIONS OF THE MAYOR

X. ADJOURNMENT

A. There being no further business, the meeting was adjourned at 6:38 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor

**AN ORDINANCE OF THE CITY COUNCIL OF LENOIR, NORTH
CAROLINA, AMENDING APPENDIX A OF THE LENOIR CITY
CODE RELATED TO THE DEFINITION OF RETAIL,
PROVIDING FOR CODIFICATION, AND AN EFFECTIVE DATE.**

Whereas, Section 400 of the Lenoir Zoning Ordinance currently defines “Retailing, Light” for any retail use that displays a majority of their products indoors and due to the nature of the product for sale does not typically have land use impacts on neighboring properties and “Retailing, Intensive” for any retail use that, due to the nature of the products sold, primarily uses outdoor displays, which may or may not include long-term outdoor storage of merchandise; and

Whereas, Section 400 of the Lenoir Zoning Ordinance currently lists “pawn and trade shops” as a use under “Retailing, Intensive,” although pawn shops can effectively display a majority of products indoors and are similar in land use impacts to other uses listed under “Retailing, Light”; and

Whereas, retail uses with similar characteristics and impacts such as guns and ammunition sales, hardware stores, jewelry sale and repair, lawn and garden care supplies, radio and television sales, rent-to-own stores, second hand stores and swap shops are currently permitted within the “Retailing, Light” definition; and

Whereas, the performance standards and intensity of permitted uses would allow for the orderly and compatible development of pawn and trade shops in zoning districts where “Retailing, Light” is permitted, which are R-C (residential-commercial), O&I (Office and Institutional), B-2 (General Business), B-3 (Central Business), B-5 (Neighborhood Mixed Use), B-6 (Transitional Business), B-7 (Highway Business), I-1 (Light Industrial), and I-2 (Heavy Industrial); and

Whereas, a current owner of B-6 (Transitional Business) zoned property desires to open a pawn and trade shop under the development standards of the current zoning district, prompting staff to review the current ordinances and recommend approval of this proposed amendment; and

Whereas, the Lenoir Planning Board finds and declares that this ordinance and these amendments consistent with the City’s adopted Comprehensive Plan; and

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

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

SECTION 1. Appendix A, Article IV of the Code of Ordinances, City of Lenoir, North Carolina, "Definitions" is hereby amended to read as follows:

ARTICLE IV. – DEFINITIONS

Retailing, Light - Any retail use that displays a majority of their products indoors, does not store product outdoors, and due to the nature of the product for sale does not typically have land use impacts on neighboring properties. Light retail uses include but are not limited to: antennas, radio, TV, and dish sales and service, antique shops, apparel and accessory sales, appliance stores, art galleries, art and drafting supplies, audio/video sales, rental, and repair, automobile parts and accessories (no service), bakeries, bicycle sales/service, book and stationary stores, candy stores, convenience stores (no fuel pumps), crafts/hobby shops, delicatessens, department stores, drug stores, electronic products sales and service, fabric stores, film drop-off booths, florists, furniture and home goods stores, garden supply store, gift shops, glass and mirror store, grocery stores, guns and ammunition sales, hardware stores, jewelry sale and repair, lawn and garden care supplies, lighting stores, line and uniform supply stores, liquor (ABC) stores, music stores, musical instrument sales and service, novelty and souvenir shops, office equipment and supply stores, pawn and trade shops, pet shops, pharmacies, photography supply stores, plumbing and heating supplies, produce stands, radio and television sales, rent-to-own stores, second hand stores and swap shops, shoe sales and repair, shopping centers and malls, sporting goods stores, and supermarkets.

Retailing, Intensive - Any retail use that, due to the nature of the products sold, primarily uses outdoor displays, which may or may not include long-term outdoor storage of merchandise. Intensive retail uses include but are not limited to: Auction sales, automobile and truck sales (new or used), boat sales, farm machinery sales, farm supplies, heavy equipment sales and service, livestock sales, manufactured home sales, RV sales, monument sales, motorcycle sales, ~~pawn and trade shops~~, stone and clay products sales, and truck, farm equipment, and heavy equipment sales.

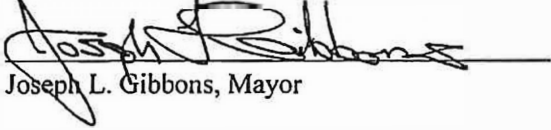
SECTION 2. CODIFICATION. The City Clerk shall cause the Code of Ordinances of Lenoir, North Carolina to be amended as provided by this ordinance and may renumber, re-letter, and rearrange the codified parts of this ordinance if necessary to facilitate the finding of the law.

SECTION 3. EFFECTIVE DATE. This ordinance takes effect upon adoption.

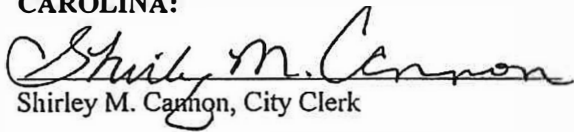
DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Lenoir, North Carolina, by the City Clerk of the City of Lenoir, North Carolina, this 4th day of May and this 16th day of May, 2023.

DONE, THE PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Council of the City of Lenoir, North Carolina, at a regular meeting, this 16th day of May, 2023.

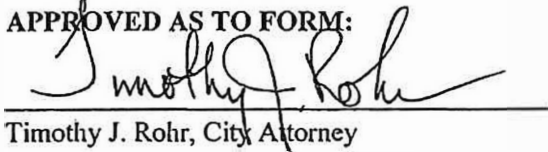
BY THE MAYOR/MAYOR PRO TEMPORE OF THE CITY OF LENOIR, NORTH CAROLINA:


Joseph L. Gibbons, Mayor

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


Shirley M. Cannon, City Clerk

APPROVED AS TO FORM:


Timothy J. Rohr, City Attorney

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



**AN ORDINANCE OF THE CITY COUNCIL OF LENOIR,
NORTH CAROLINA, AMENDING CHAPTER 19
OF THE LENOIR CODE OF ORDINANCES RELATED TO
SUBDIVISIONS, PROVIDING FOR CODIFICATION, AND
AN EFFECTIVE DATE.**

Whereas, the NC General Statutes give local governments authority to regulate land use and development, and specifically establish procedures allowing for administrative review of proposed minor amendments for development approvals in NCGS 160D-403; and

Whereas, the Lenoir Planning Board finds and declares that this amendment is consistent with the City's adopted Comprehensive Plan which calls for straightforward regulation and is linked to Lenoir's local authority to regulate subdivisions; and

Whereas, the Lenoir City Council hereby finds and declares that this amendment is in the best interest of the public health, safety, and welfare since it will streamline approval of minor changes to developments; and

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

SECTION 1. Chapter 19 of the Code of Ordinances, City of Lenoir, North Carolina, "Subdivisions" is hereby amended to read as follows:

Sec. 19-66. ~~Reserved.~~ Modifications for Major Subdivisions

(1) *Minor Modifications.* Subsequent development applications may incorporate minor changes from the development defined by the major subdivision approval, without the need to amend the major subdivision, where the Planning Director determines that the changes:

- a. Continue to comply with this Ordinance or any other local development regulation; and
- b. Are necessary to comply with conditions of approval; or
- c. Are necessary to comply with a development regulation or accommodate a physical site constraint that was not known at the preliminary site design phase and would not significantly alter the development's general function, form, intensity, character, demand on public facilities, impact on adjacent properties, or other characteristic from that indicated by the conditions of approval.

(2) *Major Modifications/Plat Amendments.* Any requests for changes or modifications to the development outlined in the major subdivision that do not meet the standards for minor modifications above shall constitute a major change requiring an amendment to the major subdivision. Amendments for major modifications shall follow the same process for approval as the original preliminary plat. In any case, the following changes from the major subdivision approval shall always constitute a major change:

- a. A change in a condition of approval;
- b. A change in uses permitted or the density of overall development.
- c. An increase greater than ten percent in the amount of land devoted to non-residential uses.

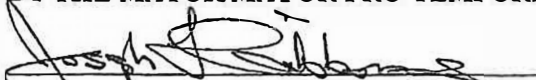
SECTION 2. CODIFICATION. The City Clerk shall cause the Code of Ordinances of Lenoir, North Carolina to be amended as provided by this ordinance and may renumber, re-letter, and rearrange the codified parts of this ordinance if necessary to facilitate the finding of the law.

SECTION 3. EFFECTIVE DATE. This ordinance takes effect upon adoption.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Lenoir, North Carolina, by the City Clerk of the City of Lenoir, North Carolina, this 4th day of May and this 11th day of May, 2023.

DONE, THE PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Council of the City of Lenoir, North Carolina, at a regular meeting, this _____ day of _____, 2023.

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


Joseph L. Gibbons, Mayor

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


Shirley M. Cannon, City Clerk

APPROVED AS TO FORM:


Timothy J. Rollr, City Attorney

CITY OF LENOIR, NC
CHARTERED
JANUARY 28, 1951

SEAL

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PROCLAMATION



In Recognition of
Peace Officers' Memorial Week
May 15 – 21, 2023

WHEREAS, the Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week in which May 15 falls as National Police Week; and

WHEREAS, the members of the law enforcement agency of the Lenoir Police Department play an essential role in safeguarding the rights and freedoms of those inside the City of Lenoir; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the law enforcement agency of the City of Lenoir Police Department unceasingly provide a vital public service;

NOW 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 call upon all citizens of Lenoir and upon all patriotic, civic and educational organizations to observe the week of May 15 – May 21, 2023, as Police Week with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens;

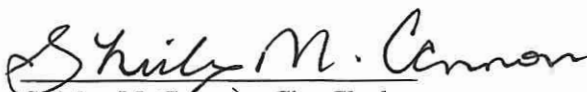
FURTHERMORE, I proclaim and call upon all citizens of the City of Lenoir to recognize May 15, 2023, as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty. Let us recognize and pay respect to the survivors of our fallen heroes.

WITNESS, my hand and seal this the 16th day of May, 2023.

SEAL


 Joseph L. Gibbons, Mayor

ATTEST:


 Shirley M. Cannon, City Clerk



May 9, 2023

Mr. Scott Hildebran, City Manager
City of Lenoir
Post Office Box 958
Lenoir, North Carolina 28645

RE: Proposal for Professional Services
Asset Inventory and Assessments (AIAs)
City of Lenoir, North Carolina

Dear Mr. Hildebran:

McGill is pleased to provide the City of Lenoir with this proposal for professional services related to Water AIA Grant No. AIA-D-ARP-0223 and Sewer AIA Grant No. AIA-W-ARP-0024. The Asset Inventory and Assessment (AIA) Project will build upon the accomplishments of initial AIA grants received in 2016. Key outcomes of the Water AIA work included identifying areas of diminished water transmission capacity, reduced pumping rates, future upgrades required to support effective management of pressure zones, and expanding the Water CIP to address identified infrastructure deficiencies. Key outcomes of Sewer AIA work included identifying areas with excessive inflow/infiltration (I/I), assessments of critical infrastructure contributing to excessive I/I, and expanding the Sewer CIP to address identified infrastructure deficiencies.

The City is now in need of preparing a detailed inventory and assessment of the water and sewer systems. The major tasks and deliverables include:

1. Asset inventory of water and sewer systems, including pipes, manholes, and other horizontal assets, as well as an inventory of vertical assets including the Water Treatment Plant, booster pump stations, tanks, sewer pump stations, and the two Wastewater Treatment Plants.
2. Assessment of the condition of inventoried assets and criticality scoring matrix of assets.
3. Identification of Water System improvements and costs.
4. Updates to the Water Capital Improvements Plan (CIP).
5. Preparation of a complete Water Asset Management Plan for the water system

SCOPE OF SERVICES:

We anticipate providing the following **Scope of Services** for the project. Budgets for individual tasks are indicated below for grant record keeping purposes.

Water AIA

• Preliminary work and site visits	\$30,000
• Water system and WTP asset inventory	\$80,000
• Water asset assessment and scoring	\$50,000
• Water Capital Improvement Plan (CIP)	\$10,000
• Water Asset Management Plan (AMP)	\$30,000

Mr. Scott Hildebran
May 9, 2023
Page 2 of 2

Sewer AIA

• Preliminary work and site visits	\$30,000
• Sewer system and WWTP asset inventory	\$80,000
• Sewer asset assessment and scoring	\$50,000
• Sewer Capital Improvement Plan (CIP)	\$10,000
• Sewer Asset Management Plan (AMP)	\$30,000

BASIS OF COMPENSATION:

Based on the above understanding and scope of services, we proposed to provide our services for the following lump sum fees:

1. Water Asset and Inventory Assessment	\$200,000 (lump sum)
2. Sewer Asset and Inventory Assessment	\$200,000 (lump sum)

This proposal assumes the following:

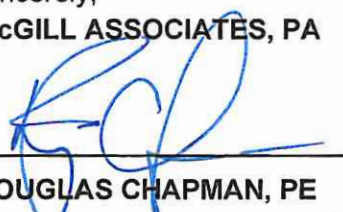
- AIA work does not include mapping or locating services.
- Necessary project information will be provided by City staff in a timely manner.
- City staff will examine all reports, estimates, and documents presented and render decisions and comments within a reasonable time to not delay the services.
- Additional services requested beyond the scope of services are available on an hourly basis in accordance with our Basic Fee Schedule.
- Invoices will be sent monthly as work progresses.

ACCEPTANCE

If you find this proposal acceptable, please sign and return this proposal along with the attached Consulting Services Agreement as your authorization to proceed. We look forward to working with you and your staff on this important project.

If you have any questions regarding this proposal, please do not hesitate to contact us at 828-328-2024.

Sincerely,
McGILL ASSOCIATES, PA

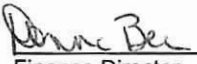

DOUGLAS CHAPMAN, PE
Vice President – Regional Office Manager
Date: 5-22-23

Enclosures: Basic Fee Schedule
Consulting Services Agreement

AUTHORIZATION:
CITY OF LENOIR


SCOTT HILDEBRAN
City Manager
Date: 5/17/2023

"This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act."

 5-17-23
Finance Director Date

CONSULTING SERVICES AGREEMENT

This contract entered into this 16th day of May, 2023 by and between the City of Lenoir hereinafter called the Client, and McGill Associates, P.A.;

Witnesseth that:

Whereas, the Client desires to engage McGill Associates to provide consulting services; and,

Whereas, the Client finds that the attached Scope of Services and terms of this agreement are acceptable; and,

Whereas, McGill Associates desires to provide said services and agrees to do so for the compensation and upon the terms and conditions as hereinafter set forth,

Now, therefore, the parties hereto do mutually agree as follows:

1. Scope of Services: McGill Associates shall provide the services attached hereto in the Exhibit "Scope of Services" to this Agreement, hereinafter called services. Additional services will be invoiced in accordance with the attached rate and fee schedule.

2. Standard of Care: McGill Associates will perform its services using that degree of skill and diligence normally employed by professional engineers or consultants performing the same services at the time these services are rendered.

3. Authorization to Proceed: Execution of this Consulting Services Agreement will be considered authorization for McGill Associates to proceed unless otherwise provided for in this Agreement.

4. Changes in Scope: The Client may request changes in the Scope of Services provided in this Agreement. If such changes affect McGill Associates cost of or time required for performance of the services, an equitable adjustment will be made through an amendment to this Agreement.

5. Compensation: The Client shall pay the compensation to McGill Associates set forth in the Exhibit "Basis for Compensation" attached hereto. Unless otherwise provided in the Basis for Compensation, McGill Associates shall submit invoices to the Client monthly for work accomplished under this agreement and the Client agrees to make payment to McGill Associates within thirty (30) days of receipt of the invoices. Client further agrees to pay interest on all accounts invoiced and not paid or objected to for a valid cause in writing within said thirty (30) days at a rate of 1-1/2 percent per month (18 percent per annum), until paid. Client agrees to pay McGill Associates' cost of collection of the amounts due and unpaid after sixty (60) days, including but not limited to, court costs and attorney's fees. McGill Associates shall not be bound by any provision such as contained in a purchase order or wherein McGill Associates waives any rights to a mechanic's lien or any provision conditioning McGill Associates' right to receive payment for its work upon payment to the Client by any third party. These general conditions are notice, where required, that McGill Associates shall file a lien whenever necessary to collect past due amounts. The Client agrees that failure to make payment in full within thirty (30) days of receipt of the invoice shall constitute a release of McGill Associates from any and all claims of negligence which Client may have. It is also mutually agreed that should the Client fail to make prompt payments as described herein, McGill Associates reserves the right to immediately stop all work under this agreement until disputed amounts are resolved.

6. Personnel: McGill Associates represents that it has, or will secure at their own expense, all personnel required to perform the services under this agreement and that such personnel will be fully qualified and adequately supervised to perform such services. It is mutually understood that should the scope of services require outside subcontracted services, McGill Associates may do so at their discretion.

7. Opinions or Estimates of Cost: Any costs estimates provided by McGill Associates shall be considered opinions of probable costs. These along with project economic evaluations provided by McGill Associates will be on a basis of experience and judgment, but, since McGill Associates has no control over market conditions or bidding procedures, McGill Associates cannot warrant that bids, ultimate construction cost, or project economics will not vary from these opinions.

8. Termination: This Agreement may be terminated for convenience by either the Client or McGill Associates with 15 days written notice or if either party fails substantially to perform through no fault of the other and does not commence correction of such non performance within 5 days of written

notice and diligently complete the correction thereafter. On termination, McGill Associates will be paid for all authorized work performed up to the termination date plus reasonable project closeout costs.

9. Limitation of Liability: McGill Associates liability for Client's damages will, in aggregate, not exceed \$50,000. This provision takes precedence over any conflicting provision of this Agreement or any documents incorporated into it or referenced by it. This limitation of liability will apply whether McGill Associates liability arises under breach of contract or warranty; tort, including negligence; strict liability; statutory liability; or any other cause of action, and shall include McGill Associates' directors, officers, employees and subcontractors. At additional cost, Client may obtain a higher limit prior to commencement of services.

10. Assignability: This agreement shall not be assigned or otherwise transferred by either McGill Associates or the Client without the prior written consent of the other.

11. Severability: The provisions of this Consulting Services Agreement shall be deemed severable, and the invalidity or enforceability of any provision shall not affect the validity or enforceability of the other provisions hereof. If any provision of this consulting services agreement is deemed unenforceable for any reason whatsoever, such provision shall be appropriately limited, and given effect to the extent that it may be enforceable.

12. Ownership of Documents: All documents, calculations, drawings, maps and other items generated during the performance of services shall be considered intellectual property and remain the property of McGill Associates. Client agrees that the deliverables are intended for the exclusive use and benefit of, and may be relied upon for this project only by the Client and will not be used otherwise. Client agrees that any prospective lender, buyer, seller or third party who wishes to rely on any deliverable must first sign McGill Associates' Secondary Client Agreement.

13. Excusable Delay: If performance of service is affected by causes beyond McGill Associates control, project schedule and compensation shall be equitably adjusted.

14. Indemnification: Client agrees to indemnify, defend and hold McGill Associates, its agents, employees, officers, directors and subcontractors harmless from any and all claims, and costs brought against McGill Associates which arise in whole or in part out of the failure by the Client to promptly and completely perform its obligations under this agreement, and as assigned in the Exhibit "Scope of Services" or from the inaccuracy or incompleteness of information supplied by the Client and reasonably relied upon by McGill Associates in performing its duties or for unauthorized use of the deliverables generated by McGill Associates.

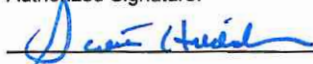
15. Choice of Law: This Agreement shall be governed by the internal laws of the State of North Carolina.

16. Entire Agreement: This Agreement contains all of the agreements, representations and understandings of the parties hereto and supersedes any previous understandings, commitments, proposals, or agreements, whether oral or written, and may only be modified or amended as herein provided; and as mutually agreed.

17. Attachments to this document:

1. Proposal including Scope of Services and Basis of Compensation
2. Fee Schedule

Client: City of Lenoir
Authorized Signature:



Name: Scott Hildebran
Title: City Manager
Address: Post Office Box 958
Lenoir, North Carolina 28645

McGill Associates, P.A.



Name: Douglas Chapman, P.E.
Title: Vice President - Regional Office Manager
Address: 1240 19th Street Lane, NW
Hickory, North Carolina 28601

MINUTES
CITY COUNCIL'S BUDGET REVIEW
SESSION
THURSDAY, MAY 18, 2023
6:00 P.M.

Participants: Mayor Joseph Gibbons, Mayor Pro-Tem Crissy Thomas, Jonathan Beal, Kent Greer, Ike Perkins, Todd Perdue, Ralph Prestwood, and David Stevens.

City Staff: City Manager, Scott Hildebran, City Clerk, Shirley Cannon, Finance Director, Donna Bean, and Public Information Officer, Joshua Harris.

Call to Order

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

II. Financial Summary

A. Donna Bean, Finance Director, presented the Financial Summary as of April 30, 2023. She reported the over/under balance in the General Fund is \$3,544,226.98, Downtown District (\$248,275.41), and Water & Sewer Fund \$2,557,869.05. Director Bean reported the City has collected 99% of its budgeted revenue for the General Fund and is on track to meet plus exceed its projections. The City has expended 82% of its General Fund budget resulting in the City being in a good financial position.

In addition, Director Bean reported the Downtown District's expenditures are higher due to the City purchasing new patriotic/holiday decorations along with other holiday items.

The Water & Sewer Fund is also on target with its budget with revenues being at 86% of the budgeted amount and expenditures at 61%. The City should reach its revenue projections goal.

(A copy of the financial summary is attached to these minutes as information.)

City Manager Hildebran stated the City conducted a paving study that ranks all streets that require paving. He reported the total paving budget is \$410,000, which reflects a \$10,000 increase. Mr. Hildebran shared streets in the Summerhill, Georgetown Estates and Parkview subdivisions are slated to be paved under strategic paving as well as Hospital Avenue once the sidewalk is included. As information, he also shared the outdoor pool at the Aquatic & Fitness Center currently has a leak and Staff are working on having it repaired as soon as possible.

Mr. Hildebran further stated that Public Works Operations Manager Jon Hogan is conducting an evaluation on how to continue to improve the Sanitation collection. A brief discussion was held regarding the automated garbage trucks.

FY2023-24 Budget Review

City Manager Hildebran informed Council the recommended budget attempts to address their goals and priorities they established at the February and March Budget Retreats. The City Council priorities are listed below.

2023 Budget 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. Continue 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.

Mr. Hildebran further shared that Matt Jaeger, Retail Strategies, would be presenting an update via Zoom during the Committee of the Whole meeting on Tuesday, May 23 regarding the company's progress in recruiting new businesses to Lenoir.

In addition, Mr. Hildebran stated the budget is in good shape for the year and sales tax revenues are strong along with growth in property tax revenue. He also reported revenues from the ABC stores has increased.

IV. General Fund

- A. City Manager Hildebran reported the proposed General Fund budget totals \$22,066,505 and is balanced with the property tax rate of 57-cent per \$100 of assessed property value. The budget maintains the current Rescue Readiness Tax Rate of 85-cent per \$100 of assessed property value for a total tax rate of 57.85 per \$100. The budget also includes a \$1.00 increase in the Solid Waste Fee which brings the monthly amount to \$12.00 and helps the City be more comparable with surrounding municipalities.

Next, Mr. Hildebran stated as of March 2023, sales tax revenues are up 12.49% year-to-date and in FY2022-23, sales tax revenues were up 16.23%.

Downtown Municipal Service District Budget

The proposed Downtown Municipal Service District (MSD) budget is balanced with the current property tax rate of 20-cent per \$100 of assessed district property value. The MSD budget includes \$30,000 in funding for additional patriotic/holiday decorations for the downtown area.

Water/Sewer Fund

The proposed Water and Sewer Fund budget totals \$10,726,980 and includes a 4% increase in water and sewer rates. The City has traditionally used the annual Consumer Price Index (CPI) – South Region for All Urban Consumers as a gauge and guide when considering increases in Water and Sewer Rates. The CPI was 6.4% in February of 2023. The rate increase for a typical

customer with 5,000 gallons of usage is anticipated to generate \$2.09 per month.

Mr. Hildebran reviewed the budget highlights which includes the following items:

- Core Services
- Employee Compensation
- Group Health Insurance
- Street Resurfacing
- Greenway/Rail Trail
- Downtown
- Technology
- Environmental
- The budget includes funding for a new Comprehensive Plan for the City (which will focus on neighborhood planning including West End, Whitnel, and other neighborhoods.
- The budget funds all debt obligations.

Mr. Hildebran also shared the City's group health insurance premiums will increase by 5%, while maintaining the current plan benefits. After discussion with representatives from the North Carolina League of Municipalities (NCLM), the increase for the City's property and liability insurance was lowered to 11.86% and the increase for the City's workers' compensation insurance coverage was lowered to .40%.

In addition the budget includes a cost-of-living-adjustment (COLA) of 4.5% for all employees effective July 1, 2023. Mr. Hildebran stated the budget also funds the mandatory increases in the retirement contributions for general employees from 12.10% in FY2023 to 12.85% in FY2024 and for sworn-law-enforcement, which increases from 13.10% in FY2023 to 14.10% in FY2024.

New Positions

The budget includes six (6) new positions:

New Purchasing/Logistic Manager

Safety Coordinator (Public Services)

In partnership with Caldwell County Schools, four (4) new School Resource Officers in the Police Department will be assigned to the elementary schools. The City will purchase any necessary equipment for the SRO's.

The proposed budget includes funding for six (6) new vehicles for the Police Department. As information, Chief Phelps is working on having officers train in other areas to help with succession.

Mr. Hildebran explained the new Safety Coordinator will have a lot of safety knowledge and training and pointed out having this individual at the Public Works facility will help the City be more efficient. Mr. Hildebran said this position will also be assisting Risk Manager David Coffey.

Mr. Hildebran reviewed the following capital items for the General Fund and Water/Sewer Fund and reiterated the budget funds all debt obligations. In addition, Mr. Hildebran briefly discussed the big projects the City currently has underway which includes the following:
Hospital Avenue Sidewalk Project

Gateway Signage
 Wayfinding Signage
 The Campus (former LHS facility)

(A copy describing all of the capital items including cost and description is attached to these minutes as information.)

Capital Items- General Fund

HVAC Replacement Unit – Vehicle Services
 Brake Lathe & Headlight Adjuster – Vehicle Services
 Service Vehicle – Street Division
 Cemetery Master Plan, Zero Turn Mower, Columbarium, Service Truck – Cemeteries
 Rear Loading Garbage Truck & Roll-off Rental Containers – Sanitation
 Classroom Renovations – Police and Fire Departments
 Six (6) Patrol Cars
 Ten (10) Mobile In-car Radios
 Video Enhancement System
 Four (4) Spare Mobile Data Terminals – Police Department
 Ten (10) Self-contained Breathing Apparatus (SCBA's)
 Apron Repairs – Lenoir Fire Station No. 2
 Lung University Cardiopulmonary Assist System (LUCAS) Tool and HVAC Replacement Unit for the Fire Department
 New Doors for the Martin Luther King Jr. Center
 Utility Vehicle and Mower, Technology Upgrades – Parks and Recreation

Capital Items – Water/Sewer Fund

Rhodhiss Water Treatment Plant

Two (2) Pick-up Trucks
 Lobby Renovations and American Water Infrastructure Act Compliance Improvements

Water Distribution

Skid Steer and Mower
 Service Truck
 Major Pressure Reducing Valve vaults

Utilities Maintenance

Service Truck
 Used Fork Lift and Trailer
 Spare Pump for Kincaid Station
 Upgrade Pumps for Cypress Station

Wastewater Collections

Dump Truck

Gunpowder Plant

Grinder Pump and Screen
 Bar Replacement

Lower Creek Wastewater Plant Influent Repairs

General Comments

Mr. Hildebran explained the recommended budget does not include funding from the American Rescue Plan (ARP), the NC State Capitol Infrastructure Funds (SCIF) Program, the NC Parks and Recreation Trust Fund (PARTF), the Appalachian Regional Commission, NC Rural Transformation Grant and other grants and contributions as these monies are allocated under separate capital project ordinances. These revenue resources will continue to focus on capital items, such as greenway and trail expansion, brownfield assessment and clean-up, The Campus at Historic Lenoir High School, Aquatic Center renovations, wayfinding signage and downtown improvements – all of which are long-term capital expenses.

In addition, Mr. Hildebran stated \$500,000 is allocated for Greenway expansions and upgrades which is comprised of state allocations & APR funds. Also, \$312,500 is included for the Greenway OVNHT to repair the railroad bed in order to connect the Greenway properly. Mr. Hildebran reported that Mattern and Craig is looking at plans to connect Williamsburg Drive to the Greenway. He clarified that all of these proposed projects will be completed over several years. As information, Mr. Hildebran explained projects in the pink colored areas of the spreadsheets are 95% complete. There is \$3.5 million in grants committed for the projects listed in the yellow section of the spreadsheets and projects in the green area will be coming up next.

Mr. Hildebran reminded Council the City contracts with the Western Piedmont Council of Governments to provide stormwater and stormwater mapping services. In addition, Mr. Hildebran stated all of the municipalities that partner with the Foothills Regional Airport Authority would be contributing \$47,137 to the Airport's annual budget.

Mr. Hildebran emphasized the City would continue to utilize grant funding and pursue funding opportunities to accomplish Council priorities. He restated the recommended budget contains no new debt and does not allocate any fund balance.

Wrap-Up

City Council commended City Manager Hildebran and Finance Director Bean along with Staff for the great job they are doing daily for the City of Lenoir and for all of their cost savings efforts.

Mr. Hildebran thanked Donna Bean for her thoroughness and guidance in compiling the recommended FY2023-2024 annual budget.

A public hearing will be held on Tuesday, June 6, 2023 at 6:00 p.m. in the City/County Chambers to receive public comments regarding the recommended budget. The budget will also be available online at www.cityoflenoir.com/budgetproposal.

Closed Session

Pursuant to N.C.G.S. §143.11(a),(5), and upon a motion by Councilmember Perdue, City Council voted unanimously to enter into closed session to discuss personnel.

Open Session

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

Motion

Upon a motion by Councilmember Stevens, City Council voted unanimously to approve a 3% salary increase for City Manager Scott Hildebran effective with the next pay period as recommended.

There being no further business, the meeting was adjourned at 7:25 p.m.

Attachments

April 30, 2023 Financial Summary
FY2023-2029 General Fund CIP Spreadsheet
FY2023-2033 Public Utilities CIP Spreadsheets



**City of Lenoir
Financial Summary
As of 4/30/2023**



General Fund					
	2022-2023 Budget	4/30/2023	% of Budget	Change from Previous Year	4/30/2022
Total Revenue	\$ 20,320,130.00	\$ 20,198,067.52	99%	\$ 2,732,904.15	\$ 17,465,163.37
Expenditures	\$ 20,320,130.00	\$ 16,653,840.54	82%	\$ 1,983,966.25	\$ 14,669,874.29
Over/Under	\$ -	\$ 3,544,226.98		\$ 748,937.90	\$ 2,795,289.08
Downtown District					
	2022-2023 Budget	4/30/2023	% of Budget	Change from Previous Year	4/30/2022
Revenues	\$ 288,220.00	\$ 41,539.46	14%	\$ 8,688.80	\$ 32,850.66
Expenditures	\$ 288,220.00	\$ 289,814.87	101%	\$ 153,953.93	\$ 135,860.94
Over/Under	\$ -	\$ (248,275.41)		\$ (145,265.13)	\$ (103,010.28)
Water/Sewer Fund					
	2022-2023 Budget	4/30/2023	% of Budget	Change from Previous Year	4/30/2022
Revenues	\$ 10,232,980.00	\$ 8,799,094.30	86%	\$ 653,444.04	\$ 8,145,650.26
Expenditures	\$ 10,232,980.00	\$ 6,241,225.25	61%	\$ (1,049,542.88)	\$ 7,290,768.13
Over/Under	\$ -	\$ 2,557,869.05		\$ 1,702,986.92	\$ 854,882.13

**CITY OF LENOIR
GENERAL FUND CIP
2023-2024 BUDGET YEAR**

	Total Project Cost	Funding from Other Source	Remaining	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028
PUBLIC WORKS								
OPERATING BUDGET								
Greenway	\$ 200,000.00	\$ -	\$ 200,000.00	\$ -	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00
Resurfacing	\$ 2,110,000.00	\$ -	\$ 2,110,000.00	\$ 410,000.00	\$ 420,000.00	\$ 420,000.00	\$ 430,000.00	\$ 430,000.00
Strategic Paving - Hospital Ave.	\$ 112,500.00	\$ -	\$ 112,500.00	\$ 112,500.00	\$ -	\$ -	\$ -	\$ -
Strategic Paving - Subdivisions - 2" Base - Georgetown	\$ 81,250.00	\$ -	\$ 81,250.00	\$ -	\$ 81,250.00	\$ -	\$ -	\$ -
Strategic Paving - Subdivisions - 2" Base - Heritage Hill	\$ 25,000.00	\$ -	\$ 25,000.00	\$ -	\$ 25,000.00	\$ -	\$ -	\$ -
Strategic Paving - Subdivisions - 2" Base - Parkview	\$ 75,500.00	\$ -	\$ 75,500.00	\$ -	\$ 37,750.00	\$ 37,750.00	\$ -	\$ -
Strategic Paving - Subdivisions - 2" Base -Summerhill	\$ 93,750.00	\$ -	\$ 93,750.00	\$ 93,750.00	\$ -	\$ -	\$ -	\$ -
Total Operating Funds Public Works	\$ 2,698,000.00	\$ -	\$ 2,698,000.00	\$ 616,250.00	\$ 614,000.00	\$ 507,750.00	\$ 480,000.00	\$ 480,000.00
CAPITAL BUDGET								
Brake Lathe	\$ 13,000.00	\$ -	\$ 13,000.00	\$ 13,000.00	\$ -	\$ -	\$ -	\$ -
Epoxy Floor in Garage	\$ 60,000.00	\$ -	\$ 60,000.00	\$ -	\$ 60,000.00	\$ -	\$ -	\$ -
Headlight Adjuster	\$ 4,200.00	\$ -	\$ 4,200.00	\$ 4,200.00	\$ -	\$ -	\$ -	\$ -
Light Duty Truck 1/2 ton 4 WD - Streets	\$ 90,000.00	\$ -	\$ 90,000.00	\$ -	\$ 45,000.00	\$ 45,000.00	\$ -	\$ -
Light Duty Truck 1/2 ton 4 WD - Vehicle Services	\$ 45,000.00	\$ -	\$ 45,000.00	\$ -	\$ 45,000.00	\$ -	\$ -	\$ -
Tire Balancer	\$ 15,000.00	\$ -	\$ 15,000.00	\$ -	\$ 15,000.00	\$ -	\$ -	\$ -
HVAC Vehicle Services	\$ 15,000.00	\$ -	\$ 15,000.00	\$ 15,000.00	\$ -	\$ -	\$ -	\$ -
Vehicle Service Addition/Enclosure	\$ 20,000.00	\$ -	\$ 20,000.00	\$ -	\$ 20,000.00	\$ -	\$ -	\$ -
Backhoe	\$ 162,500.00	\$ -	\$ 162,500.00	\$ -	\$ -	\$ 162,500.00	\$ -	\$ -
Bucket Truck	\$ 145,000.00	\$ -	\$ 145,000.00	\$ -	\$ 145,000.00	\$ -	\$ -	\$ -
Forklift	\$ 26,000.00	\$ -	\$ 26,000.00	\$ -	\$ -	\$ 26,000.00	\$ -	\$ -
Service Truck- Build. Maint. (3)	\$ 198,000.00	\$ -	\$ 198,000.00	\$ -	\$ 66,000.00	\$ 66,000.00	\$ 66,000.00	\$ -
Tractor w/Cab and Loader - Building Maintenance	\$ 46,200.00	\$ -	\$ 46,200.00	\$ -	\$ 46,200.00	\$ -	\$ -	\$ -
Asphalt Trak Truck	\$ 300,000.00	\$ -	\$ 300,000.00	\$ -	\$ -	\$ 300,000.00	\$ -	\$ -
Service Truck/Sign Truck w/Crane	\$ 87,000.00	\$ -	\$ 87,000.00	\$ -	\$ 87,000.00	\$ -	\$ -	\$ -
Single Axle Dump Truck - Streets (4)	\$ 560,000.00	\$ -	\$ 560,000.00	\$ -	\$ 140,000.00	\$ 140,000.00	\$ 140,000.00	\$ 140,000.00
Skid Steer Loader	\$ 184,000.00	\$ -	\$ 184,000.00	\$ -	\$ 92,000.00	\$ 92,000.00	\$ -	\$ -
Vehicles/Equipment - Street	\$ 1,125,000.00	\$ -	\$ 1,125,000.00	\$ 75,000.00	\$ 325,000.00	\$ 75,000.00	\$ 325,000.00	\$ 325,000.00
Wheeled Loader	\$ 210,000.00	\$ -	\$ 210,000.00	\$ -	\$ -	\$ 210,000.00	\$ -	\$ -
Automated Garbage Truck	\$ 570,000.00	\$ -	\$ 570,000.00	\$ -	\$ -	\$ 285,000.00	\$ -	\$ 285,000.00
Automated Leaf Collection Truck	\$ 291,500.00	\$ -	\$ 291,500.00	\$ -	\$ 291,500.00	\$ -	\$ -	\$ -
Pak-Rat Small Garbage Truck/ Truck 305	\$ 148,000.00	\$ -	\$ 148,000.00	\$ -	\$ 148,000.00	\$ -	\$ -	\$ -
Pak-Rat Small Garbage Truck/ Truck 309	\$ 148,000.00	\$ -	\$ 148,000.00	\$ -	\$ -	\$ 148,000.00	\$ -	\$ -
Rear-Loading Garbage Truck	\$ 229,000.00	\$ -	\$ 229,000.00	\$ 229,000.00	\$ -	\$ -	\$ -	\$ -
Sanitation Roll-Off Rentable Containers (2)	\$ 11,400.00	\$ -	\$ 11,400.00	\$ 11,400.00	\$ -	\$ -	\$ -	\$ -
Cemetery Vehicle Replacements	\$ 45,000.00	\$ -	\$ 45,000.00	\$ -	\$ 45,000.00	\$ -	\$ -	\$ -
Cemetery Master Plan & Expansion (TBD)	\$ 375,000.00	\$ -	\$ 375,000.00	\$ 62,500.00	\$ 156,250.00	\$ 156,250.00	\$ -	\$ -
Cemetery/Grounds/Pickup Truck for Hort. Specialist	\$ 50,700.00	\$ -	\$ 50,700.00	\$ 50,700.00	\$ -	\$ -	\$ -	\$ -

**CITY OF LENOIR
GENERAL FUND CIP
2023-2024 BUDGET YEAR**

	Total Project Cost	Funding from Other Source	Remaining	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028
Columbarium	\$ 90,000.00		\$ 90,000.00	\$ 50,000.00	\$ 20,000.00	\$ 20,000.00	\$ -	\$ -
Vehicles/Equipment - Cemeteries	\$ 45,000.00	\$ -	\$ 45,000.00	\$ -	\$ 30,000.00	\$ 15,000.00	\$ -	\$ -
Zero-Turn Mower 60" Cemeteries (5)	\$ 60,000.00	\$ -	\$ 60,000.00	\$ 12,000.00	\$ 12,000.00	\$ 12,000.00	\$ 12,000.00	\$ 12,000.00
Total Capital Budget Public Works	\$ 5,369,500.00	\$ -	\$ 5,369,500.00	\$ 522,800.00	\$ 1,788,950.00	\$ 1,752,750.00	\$ 543,000.00	\$ 762,000.00
OTHER FUNDING SOURCES								
RTP Grant - Greenway OVNHT	\$ 312,500.00	\$ 250,000.00	\$ 312,500.00	\$ 62,500.00	\$ 250,000.00	\$ -	\$ -	\$ -
Arrowood St. Bridge	\$ 750,000.00	\$ 525,000.00	\$ 750,000.00	\$ -	\$ 525,000.00	\$ 225,000.00	\$ -	\$ -
EV Charging Stations	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00				
Greenway Expansions & Upgrades - State Allocation & APR Funds	\$ 950,000.00	\$ 950,000.00	\$ 950,000.00	\$ 500,000.00	\$ 450,000.00	\$ -	\$ -	\$ -
Greenway LAPP Project	\$ 2,167,750.00	\$ 2,167,750.00	\$ 2,167,750.00	\$ 1,083,875.00	\$ 1,083,875.00			
Total Other Funding Sources Public Works	\$ 4,190,250.00	\$ 3,902,750.00	\$ 4,190,250.00	\$ 1,656,375.00	\$ 2,308,875.00	\$ 225,000.00	\$ -	\$ -
Grand Total Public Works	\$ 12,257,750.00	\$ 3,902,750.00	\$ 12,257,750.00	\$ 2,795,425.00	\$ 4,711,825.00	\$ 2,485,500.00	\$ 1,023,000.00	\$ 1,242,000.00
FIRE								
OPERATING BUDGET								
P25 Communication Radio Upgrades	\$ 75,000.00	\$ -	\$ 75,000.00	\$ -	\$ 75,000.00	\$ -	\$ -	\$ -
Total Operating Budget Fire	\$ 75,000.00	\$ -	\$ 75,000.00	\$ -	\$ 75,000.00	\$ -	\$ -	\$ -
CAPITAL BUDGET								
SCBAs	\$ 185,000.00	\$ -	\$ 185,000.00	\$ 37,000.00	\$ 37,000.00	\$ 37,000.00	\$ 37,000.00	\$ 37,000.00
Station 1 HVAC Unit x 3	\$ 24,000.00	\$ -	\$ 24,000.00	\$ 24,000.00	\$ -	\$ -	\$ -	\$ -
CPR TOOL/ LUCAS	\$ 48,000.00	\$ -	\$ 48,000.00	\$ 16,000.00	\$ 16,000.00	\$ 16,000.00		\$ -
Fire Station #2 Apparatus Apron Repairs	\$ 35,000.00	\$ -	\$ 35,000.00	\$ 35,000.00		\$ -	\$ -	\$ -
Fire Station #3 Apparatus Apron Repair	\$ 35,000.00	\$ -	\$ 35,000.00		\$ 35,000.00		\$ -	\$ -
QRV	\$ 90,000.00	\$ -	\$ 90,000.00	\$ -	\$ 45,000.00	\$ -	\$ -	\$ 45,000.00
Station #1 Back Apron Repair	\$ 32,000.00	\$ -	\$ 32,000.00	\$ -	\$ 32,000.00	\$ -	\$ -	\$ -
Station #2 Classroom Renovations	\$ 32,000.00	\$ -	\$ 32,000.00	\$ 32,000.00	\$ -	\$ -	\$ -	\$ -
Total Capital Budget Fire	\$ 481,000.00	\$ -	\$ 481,000.00	\$ 144,000.00	\$ 165,000.00	\$ 53,000.00	\$ 37,000.00	\$ 82,000.00
OTHER FUNDING SOURCES								
Fire Truck Replacement	\$ 1,600,000.00	\$ -	\$ 1,600,000.00		\$ 800,000.00			\$ 800,000.00
Rescue Pumpers (1 paid with ARP Funds)	\$ 1,400,000.00	\$ -	\$ 1,400,000.00	\$ 700,000.00			\$ 700,000.00	
Total Other Funding Sources Fire	\$ 3,000,000.00	\$ -	\$ 3,000,000.00	\$ 700,000.00	\$ 800,000.00	\$ -	\$ 700,000.00	\$ 800,000.00
Grand Total Fire	\$ 3,556,000.00	\$ -	\$ 3,556,000.00	\$ 844,000.00	\$ 1,040,000.00	\$ 53,000.00	\$ 737,000.00	\$ 882,000.00
POLICE								
OPERATING BUDGET								
Rain Gear Replacement	\$ 15,000.00	\$ -	\$ 15,000.00	\$ -	\$ 15,000.00	\$ -	\$ -	\$ -
Weapon Replacement (P365)	\$ 23,400.00	\$ -	\$ 23,400.00	\$ 7,800.00	\$ 7,800.00	\$ 7,800.00	\$ -	\$ -
Total Operating Budget Police	\$ 38,400.00		\$ 38,400.00	\$ 7,800.00	\$ 22,800.00	\$ 7,800.00	\$ -	\$ -
CAPITAL BUDGET								
Departmental Vehicles	\$ 2,100,000.00	\$ -	\$ 2,100,000.00	\$ 360,000.00	\$ 435,000.00	\$ 435,000.00	\$ 435,000.00	\$ 435,000.00
Training Room Remodel/Technology Update	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 50,000.00			\$ -	\$ -

**CITY OF LENOIR
GENERAL FUND CIP
2023-2024 BUDGET YEAR**

	Total Project Cost	Funding from Other Source	Remaining	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028
Crime Mapping Software	\$ 15,000.00	\$ -	\$ 15,000.00	\$ -	\$ 15,000.00	\$ -	\$ -	\$ -
Dual Purpose Patrol K-9	\$ 9,000.00	\$ -	\$ 9,000.00	\$ -	\$ 9,000.00	\$ -	\$ -	\$ -
Evidence Tracking System	\$ 25,000.00	\$ -	\$ 25,000.00	\$ -	\$ 25,000.00	\$ -	\$ -	\$ -
Fencing at Firing Range	\$ 100,000.00	\$ -	\$ 100,000.00	\$ -	\$ 100,000.00	\$ -	\$ -	\$ -
Firing Range Management	\$ 12,000.00	\$ -	\$ 12,000.00	\$ -	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00
HVAC/Building Repairs/Remodeling	\$ 90,000.00	\$ -	\$ 90,000.00	\$ -	\$ 45,000.00	\$ 45,000.00	\$ -	\$ -
Mobile In-Car Radios	\$ 100,000.00	\$ -	\$ 100,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
Parking Lot Repaving	\$ 10,000.00	\$ -	\$ 10,000.00	\$ -	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
Personnel Transport Vehicle	\$ 35,000.00	\$ -	\$ 35,000.00	\$ -	\$ 35,000.00	\$ -	\$ -	\$ -
Spare MDTs	\$ 25,000.00	\$ -	\$ 25,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
SRT Ballistic Entry Vest	\$ 70,000.00	\$ -	\$ 70,000.00	\$ -	\$ 70,000.00	\$ -	\$ -	\$ -
Video Enhancement System	\$ 10,000.00	\$ -	\$ 10,000.00	\$ 10,000.00		\$ -	\$ -	\$ -
Total Capital Budget Police	\$ 2,651,000.00	\$ -	\$ 2,651,000.00	\$ 445,000.00	\$ 764,500.00	\$ 510,500.00	\$ 465,500.00	\$ 465,500.00
Grant Total Police	\$ 2,689,400.00		\$ 2,689,400.00	\$ 452,800.00	\$ 787,300.00	\$ 518,300.00	\$ 465,500.00	\$ 465,500.00
ADMINISTRATION								
OPERATING BUDGET								
ADA Transition Plan Implementation	\$ 125,000.00	\$ -	\$ 125,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
Total Operating Budget Administration	\$ 125,000.00	\$ -	\$ 125,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
OTHER FUNDING SOURCES								
City Hall Stucco/Plaster Exterior/Windows - State Allocation	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00	\$ -	\$ -	\$ -	\$ -
Total Other Funding Administration	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00	\$ -	\$ -	\$ -	\$ -
Grant Total Administration	\$ 325,000.00	\$ 200,000.00	\$ 325,000.00	\$ 225,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
TECHNOLOGY INFRASTRUCTURE								
OPERATING BUDGET								
Computers, Telephone Upgrades & Software	\$ 225,000.00	\$ -	\$ 225,000.00	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00
Servers	\$ 50,000.00	\$ -	\$ 50,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
Total Operating Budget Technology Infrastructure	\$ 275,000.00		\$ 275,000.00	\$ 55,000.00	\$ 55,000.00	\$ 55,000.00	\$ 55,000.00	\$ 55,000.00
OTHER FUNDING SOURCES								
Cybersecurity and Software Upgrade - ARP Funds	\$ 350,000.00	\$ 300,000.00	\$ 350,000.00	\$ 270,000.00	\$ 25,000.00	\$ 15,000.00	\$ 25,000.00	\$ 15,000.00
Total Other Funding Sources Technology Infrastructure	\$ 350,000.00	\$ 270,000.00	\$ 350,000.00	\$ 270,000.00	\$ 25,000.00	\$ 15,000.00	\$ 25,000.00	\$ 15,000.00
Grant Total Technology Infrastructure	\$ 625,000.00	\$ 270,000.00	\$ 625,000.00	\$ 325,000.00	\$ 80,000.00	\$ 70,000.00	\$ 80,000.00	\$ 70,000.00
PARKS AND RECREATION								
CAPITAL BUDGET								
Aquatic Center Ceiling Replacement	\$ 75,000.00	\$ -	\$ 75,000.00	\$ -	\$ -	\$ 75,000.00	\$ -	\$ -
Dog Park	\$ 35,000.00	\$ -	\$ 35,000.00	\$ -	\$ 35,000.00	\$ -	\$ -	\$ -
Disc Golf Course	\$ 25,000.00	\$ -	\$ 25,000.00	\$ -	\$ -	\$ 25,000.00	\$ -	\$ -
MLK Center HVAC Replacement	\$ 100,000.00	\$ -	\$ 100,000.00	\$ -	\$ 100,000.00	\$ -	\$ -	\$ -
MLK Playground Improvements	\$ 100,000.00	\$ -	\$ 100,000.00	\$ -	\$ 100,000.00	\$ -	\$ -	\$ -
MLK Door Replacements	\$ 30,000.00	\$ -	\$ 30,000.00	\$ 30,000.00	\$ -	\$ -	\$ -	\$ -

**CITY OF LENOIR
GENERAL FUND CIP
2023-2024 BUDGET YEAR**

	Total Project Cost	Funding from Other Source	Remaining	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028
Mowers (4)	\$ 48,000.00	\$ -	\$ 48,000.00	\$ 12,000.00	\$ 12,000.00	\$ 12,000.00	\$ -	\$ 12,000.00
Parks Vehicle	\$ 75,000.00	\$ -	\$ 75,000.00	\$ -	\$ 25,000.00	\$ -	\$ 25,000.00	\$ 25,000.00
Security Fence @Zack Fork	\$ 52,000.00	\$ -	\$ 52,000.00	\$ -	\$ -	\$ 52,000.00	\$ -	\$ -
Splash Play Area @ Mulberry	\$ 200,000.00		\$ 200,000.00	\$ -	\$ -	\$ -	\$ 200,000.00	\$ -
Utility Vehicle for Greenway	\$ 20,000.00	\$ -	\$ 20,000.00	\$ 20,000.00	\$ -	\$ -	\$ -	\$ -
Vehicles	\$ 70,000.00	\$ -	\$ 70,000.00	\$ -	\$ 35,000.00	\$ -	\$ 35,000.00	\$ -
West End Park Improvements	\$ 25,000.00	\$ -	\$ 25,000.00	\$ -	\$ 25,000.00	\$ -	\$ -	\$ -
IT Upgrades @ All Parks and Facilities	\$ 25,000.00	\$ -	\$ 25,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
Total Capital Funds Parks and Recreation	\$ 880,000.00	\$ -	\$ 880,000.00	\$ 67,000.00	\$ 337,000.00	\$ 169,000.00	\$ 265,000.00	\$ 42,000.00
OTHER FUNDING SOURCES								
LAFC Renovation - PARTF Grant	\$ 1,090,375.00	\$ 500,000.00	\$ 1,090,375.00	\$ 500,000.00	\$ 590,375.00	\$ -	\$ -	\$ -
LHS Campus Improvements - RTD	\$ 1,883,000.00	\$ 1,883,000.00	\$ 1,883,000.00	\$ 627,667.00	\$ 627,667.00	\$ 627,666.00		
LHS Campus Renovations and Improvements	\$ 2,000,000.00	\$ 2,000,000.00	\$ 2,000,000.00	\$ 500,000.00	\$ 500,000.00	\$ 500,000.00	\$ 500,000.00	\$ -
LHS Gym/Auditorium/Field Improvements CDBG	\$ 575,000.00	\$ 575,000.00	\$ 575,000.00	\$ 115,000.00	\$ 115,000.00	\$ 115,000.00	\$ 115,000.00	\$ 115,000.00
Parks and Rec. Master Plan - ARP Funding	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ -	\$ -	\$ -	\$ -
Total Other Funding Sources Parks and Recreation	\$ 5,598,375.00	\$ 5,008,000.00	\$ 5,598,375.00	\$ 1,792,667.00	\$ 1,833,042.00	\$ 1,242,666.00	\$ 615,000.00	\$ 115,000.00
Grant Total Parks and Recreation	\$ 6,478,375.00	\$ 5,008,000.00	\$ 6,478,375.00	\$ 1,859,667.00	\$ 2,170,042.00	\$ 1,411,666.00	\$ 880,000.00	\$ 157,000.00
PLANNING								
OPERATING BUDGET								
Master Plan	\$ 125,000.00	\$ -	\$ 125,000.00	\$ 125,000.00				
Total Operating Budget Planning	\$ 125,000.00	\$ -	\$ 125,000.00	\$ 125,000.00	\$ -	\$ -	\$ -	\$ -
MAIN STREET								
CAPITAL BUDGET								
Holiday/Christmas Decorations for Downtown	\$ 30,000.00	\$ -	\$ 30,000.00	\$ 30,000.00				
Total Capital Budget Main Street	\$ 30,000.00	\$ -	\$ 30,000.00	\$ 30,000.00	\$ -	\$ -	\$ -	\$ -
OTHER FUNDING SOURCES								
City-wide Wayfinding Signs and Installation - TBD	\$ 591,500.00	\$ 591,500.00	\$ 591,500.00	\$ 295,750.00	\$ 295,750.00	\$ -	\$ -	\$ -
Downtown "Overmountain Victory" Outdoor Market & Pavilion- State Allocation	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00	\$ 500,000.00	\$ 500,000.00			
Downtown Comprehensive Master Plan - ARP Funds	\$ 160,000.00	\$ 160,000.00	\$ 160,000.00	\$ 160,000.00	\$ -	\$ -	\$ -	\$ -
Smith Crossroads Sign - LTDA Funding	\$ 165,000.00	\$ 165,000.00	\$ 165,000.00	\$ 165,000.00	\$ -	\$ -	\$ -	\$ -
Total Other Funding Sources Main Street	\$ 1,916,500.00	\$ 1,916,500.00	\$ 1,916,500.00	\$ 1,120,750.00	\$ 795,750.00	\$ -	\$ -	\$ -
Grand Total Main Street	\$ 1,946,500.00	\$ 1,916,500.00	\$ 1,946,500.00	\$ 1,150,750.00	\$ 795,750.00	\$ -	\$ -	\$ -
Grand Total Operating Budget	\$ 3,336,400.00	\$ -	\$ 3,336,400.00	\$ 829,050.00	\$ 791,800.00	\$ 595,550.00	\$ 560,000.00	\$ 560,000.00
Grant Total Capital Budget	\$ 9,411,500.00	\$ -	\$ 9,411,500.00	\$ 1,208,800.00	\$ 3,055,450.00	\$ 2,485,250.00	\$ 1,310,500.00	\$ 1,351,500.00
Grant Total Other Funding Sources	\$ 15,255,125.00	\$ 11,297,250.00	\$ 15,255,125.00	\$ 5,739,792.00	\$ 5,762,667.00	\$ 1,482,666.00	\$ 1,340,000.00	\$ 930,000.00
Grand Total CIP	\$ 28,003,025.00	\$ 11,297,250.00	\$ 28,003,025.00	\$ 7,777,642.00	\$ 9,609,917.00	\$ 4,563,466.00	\$ 3,210,500.00	\$ 2,841,500.00

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		494,000	-	175,000	-	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		1,384,000	218,000	402,000	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		57,442,000		7,112,000	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		57,442,000		7,112,000	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		1,433,000		153,000	-	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		1,476,000		153,000	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	245,000	8,590,000	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		36,477,000		398,000	8,633,000	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		36,477,000		398,000	8,633,000	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		7,510,000	14,270,000	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 - Projects										
Project	Funding Source	START/END DATE	TERMS	Description	Grant/ Loan Amount	City Match	ARPA/SCIF	LTDA/CDBG	Other	Total Cost
Project Funding Approved - 95% - 100% Completed										
AMI - MeterSys	US Bank Loan	2019/Anticipated 2023	First Payment October, 2019 - last payment April, 2029 (10 year loan) Interest Rate 2.925%	The Metersys Capital Project utilized loan funds for the implementation of the advanced metering system. The funding for this project was from a loan from US Bancorp. An estimated 10,000+ meters were replaced.	4,400,000.00					4,400,000.00
Automated Garbage Truck	ARP Funds	3-21/Encumbered by 12-24, Spent by 12-26	ARPA Revenue Replacement option - funds must be obligated by December 31, 2024 and spent by December 31, 2026	Purchased one automated garbage truck to assist with the continued conversion to automated garbage pick-up as this can be utilized to replace aging equipment. Truck has been received and is in operation.			285,000.00			285,000.00
Biosolids	DWI	11-19/3-23	First payment - Nov, 2021 - last payment May, 2041 (20 year loan) - Interest Rate - 1.53%	The City of Lenoir received State Revolving Funds through the Division of Water Infrastructure (DWI) to design and construct a new biosolids facility for the purpose of handling and disposing of the biosolids generated from the sludge at the Lower Creek WWTP, Gunpowder Creek WWTP, and the Bernhardt Water Treatment Plant. Other related improvements were made to the plant facilities. The total loan amount (at 1.53% interest) is \$6,995,000.00 which includes the dryer purchase, construction cost, all engineering and professional services and the 4.5% contingency. The project should be completed March of 2023.	6,995,000.00				139,900.00	7,134,900.00
Mack Cook Stadium Lights	State Allocated Funds/Donations	2022/Anticipated 2023	Funding from the General Assembly. Deadline for spending funds is 4-1-24. Donations have been received	A grant and donations funded the Mack Cook Stadium Lighting @ The Campus. The total cost of the project is \$213,522. Funding was received as follows: State Capital and Infrastructure Fund (SCIF) Grant \$100,000, Blue Ridge Energy donation of \$8,522, Lenoir Tourism Development Authority appropriation of \$25,000 and other Private Donations amounting to \$80,000.			100,000.00	25,000.00	88,522.00	213,522.00
Subtotal					11,395,000.00	-	385,000.00	25,000.00	228,422.00	12,033,422.00
Project Funding Approved - Underway										
Crossroads Sewer Project	NCDEQ	2020/TBD	First Payment May, 2023 - Last Payment May, 2042 (20 year loan) Interest Rate 1.13%	Funding from NC Division of Water Infrastructure SRF loan is being used to fund the sewer line replacement and rehabilitation from the manhole behind Mayflower Seafood Restaurant to the golf course. The project eliminates sewer lines going under the Smiths Crossroads Intersection as well as a section at Wilkesboro Blvd and Lower Creek Drive. The project is ongoing.	2,530,000.00	50,600.00				2,580,600.00
Cyber Security and Software	ARP Funds	3-2021/2024	ARPA Revenue Replacement option - funds must be obligated by December 31, 2024 and spent by December 31, 2026	Funding to be used to improve the current IT infrastructure to address cyber security changes and upgrade the 14-year-old financial software system. Infrastructure upgrades are underway and the software upgrade is anticipated to begin Fall 2023.			270,000.00			270,000.00
Fire Truck/Rescue Pumper	State Allocated Funds	State Allocation 2022/Encumbered by 12-24, Spent by 12-26, ARPA Allocation- 3/2021/Anticipated Fall 2023	Office of State Budget and Management is administering the grant. Funds were appropriated in the General Assembly. (S.L. 2022-74), \$500,000, ARPA Revenue Replacement option \$200,000 - funds must be obligated by December 31, 2024 and spent by December 31, 2026.	Purchase a Fire Truck/Rescue apparatus to enhance the service capabilities and service delivery to the City's citizens. The new truck will have pumping capabilities to suppress fires as well as haul rescue equipment will replace the 2004 Rescue Truck that has no pumping capabilities. This truck has been ordered and is production. The anticipated delivery date is Fall of 2023.			700,000.00			700,000.00
Hospital Avenue Sidewalk	NCDOT	6-17/TBD	\$800,000 Federal Highway Administration Funds and \$200,000 of local funds already appropriated	The Hospital Avenue Sidewalk Project was funded by a grant and local funds to engineer, design, acquire rights-of-way, relocate utilities, and construct sidewalks on Hospital Avenue. This project is ongoing.	800,000.00				200,000.00	1,000,000.00
OVNHT Greenway Link	RTP Grant	12-20/TBD	Spring 2020 Recreational Trail Program Grant of \$250,000 with \$62,500 city match	The City of Lenoir received a \$250,000 Recreational Trails Program grant to design and build three street crossings along the Overmountain Victory National Historic Trail (OVNHT) that runs through downtown. The total project cost to design and build the crossings is \$312,500. The grant is \$250,000 and the City is matching the grant with \$62,500 in local, in-kind contributions.	250,000.00		62,500.00			312,500.00
Smith Crossroads - Signage	LTDA	2021/TBD	LTDA Allocation	The LTDA allocated funding for a back-lit decorative gateway sign incorporating the City's logo/brand and tagline "CREATE WITH US," and will be installed at Smith Crossroads. The project is currently awaiting NCDOT permitting. It is anticipated that the bidding process will begin in the Spring of 2023.				165,000.00		165,000.00
The Campus Improvements	CDBG	Ongoing	CDBG Allocation	Funding from CDBG has been used for phased improvements to the auditorium in the Historic Lenoir High School. Evaluations and discussions are underway regarding the use of the adjacent buildings with the goal of increasing event spaces in the Downtown core and maximize the use of City owned properties. Future plans for CDBG funding include new fencing, refinishing/repainting the gymnasium floors, upgrades to the gymnasium to include new doors, replacing the backboards and rims, and upgrades to the gymnasium restrooms.				575,000.00		575,000.00
Subtotal					3,580,000.00	50,600.00	1,032,500.00	740,000.00	200,000.00	5,603,100.00
Project Funding - Approved But Not Started Or in the Planning Phase										
AIA SEWER	DEQ	Awarded 2/21/23	TBD	This grant would pay for a detailed inventory and assessment of the entire sewer system.	200,000.00					200,000.00
AIA WATER	DEQ	Awarded 2/21/23	TBD	This grant would pay for a detailed inventory and assessment of the entire water system.	200,000.00					200,000.00
Aquatics Center (LAFC)/Rotary Soccer Complex	PARTF Grant/ARP Match	11-22/10-25	Grant for \$500,000 and City match of \$590,375. Grant period November 1, 2022 to October 21, 2025	This grant will fund much needed upgrades and renovations at the LAFC and the Rotary Soccer complex. Some of the updates include a splash pad where the kiddie pool is currently, a complete renovation of the locker rooms, new flooring throughout the building, including the pool deck, new LED lighting, and a new decktron system to reduce the moisture inside the building. There are also plans to build a picnic shelter and some playground equipment at the Rotary Soccer complex.	500,000.00		590,375.00			1,090,375.00

City of Lenoir - Projects										
Project	Funding Source	START/END DATE	TERMS	Description	Grant/ Loan Amount	City Match	ARPA/SCIF	LTDA/CDBG	Other	Total Cost
Brownfield Assessment Grant - #2	United States Environmental Protection Agency	7-22/9-26	\$500,000 in grant funding for grant period of July 1, 2022 to September 30, 2026	The City was awarded a second EPA Brownfield assessment grant in the amount of \$500,000.00 to complete the work at the old Broyhill site and several other sites in Lenoir including the former American and Efrid location, Steele Cotton Mill and the LHS Campus.	500,000.00					500,000.00
City Hall Improvements	State Allocated Funds	4-1-22/4-1-24	Funds were appropriated in the General Assembly. Deadline for spending funds is 4-1-24	Grant for City Hall Building Improvements by installing energy efficient windows and repairing the stucco and painting the outside of the building.			200,000.00			200,000.00
Clock Tower	Donation	In progress	Donor is working on designs with staff	The funds will cover a sculpture to hold the historic clock on the square. This project will be funded by a private donation.					35,000.00	35,000.00
Downtown/Campus Master Plan	ARP Funds	3-21/Encumbered by 12-24, Spent by 12-26	ARPA Revenue Replacement option - funds must be obligated by December 31, 2024 and spent by December 31, 2026	Funding will be used for the develop master plans for the historic Campus at Lenoir High School, Downtown Lenoir and Parks and Recreation Division.			160,000.00			160,000.00
EV Charging Station	VW Settlement/DEQ	Awarded 9-22	North Carolina DEQ will rebate up to \$5,000 per port with a maximum of \$10,000	This funding is for installation of fast charge EV stations for electric vehicles.	10,000.00					10,000.00
Farmers Market	State Allocated Funds/LTDA Appropriation	4-1-22/4-1-24	State Funds were appropriated in the General Assembly. Deadline for spending funds is 4-1-24. LTDA funding allocated 2-23	The City received a state grant for a OVT Farmer's Market Pavilion adjacent to the Campus in the amount of \$450,000. The LTDA allocated \$50,000 for this project as well. The City purchased the property for \$70,000.			450,000.00	50,000.00	500,000.00	1,000,000.00
Finley Avenue Area Water Project	State Allocated Funds	2022/2024	Allocation of nonrecurring funds appropriated for the 2022-2023 fiscal year from the Clean Water and Drinking Water Reserve. Funds must be obligated by December 31, 2024 and spent by December 31, 2026 (S.L. 2022-74)	This project was identified and placed in the CIP several years ago. Its will improve the low pressure concerns in the area around the Finley water tank through system improvements that create a medium pressure zone in the specified area. Preliminary engineering has been completed and the report was used for a funding application that was submitted to the State Revolving Loan Fund in the fall of 2020. The first application was declined. The applications was resubmitted after making several changes to the scope of the project. The project was not funded by the State Revolving Loan Fund. The project was approved for funding utilizing APR funds allocated at the state level in 2022. The engineering and design phases are underway and the bidding process is expected to begin Fall of 2023.			6,300,000.00			6,300,000.00
Greenway Expansion	State Allocated Funds	4-1-22/4-1-24	Funds were appropriated in the General Assembly. Deadline for spending funds is 4-1-24				750,000.00			750,000.00
Greenway Expansion & Upgrades	ARPA Funds	3-21/Encumbered by 12-24, Spent by 12-26	ARPA Revenue Replacement option - funds must be obligated by December 31, 2024 and spent by December 31, 2026	This funding will be utilized to continue investing in upgrades to the greenways to promote outside healthy living.			200,000.00			200,000.00
Greenway LAPP Project	Surface Transportation Program Direct APPT Fund		Funding for Connection Project Segments 1 through 5 in the amount of \$2,167,750 and the City committed up to \$433,550 as a cash match for the selected Lenoir Greenway Extension	Park Connection Project proposes the addition of five (5) greenway segments that will provide connectivity to existing and future greenway segments and segments currently under construction. The total proposed segments have a length of 7,225 LF or approximately 1.37 miles. The proposed greenway segments run parallel to existing right of ways and crosses through sections of private property	1,734,200.00		433,550.00			2,167,750.00
Lenoir High School Campus	National Historic Trust	9-22/9-23	Awarded 9-22 - 1 year to spend funds	The grant from the National Historic Trust will fund a Economic Feasibility and Reuse Study for The Campus.	5,000.00					5,000.00
Lenoir High School Campus	Marion Covington Grant	Awarded 5-22	Quarterly reporting requirements until completion	The grant covers architectural CAD technical drawings need to be developed by a qualified firm. These plans will facilitate the development of an overall site master plan, strengthen grant funding applications, and position the project for potential public-private-partnerships and future investment.	18,500.00					18,500.00
Lenoir High School Campus (Auditorium/Gymnasium)	Rural Downtown Transformation Grant/LTDA Appropriation	12-22/12-24	RDTG Funds must be obligated by December 31, 2024 and spent by December 31, 2026, LTDA funding allocated 2-23	The City received grant funding of \$580,000 for this project for major renovations to the LHS Campus. The LTDA allocated \$50,000 for this project as well. The final cost estimates to be determined. Preliminary estimates recommend \$794,700 for the auditorium and \$1,088,300 for the gymnasium for a total cost of \$1,883,000.	580,000.00			50,000.00	1,253,000.00	1,883,000.00
Lenoir High School Campus (Band Building)	State Allocated Funds/LTDA Appropriation	2023/2024	Funds appropriated by the General Assembly. Deadline for spending funds is 4-1-24.	The City received \$1,000,000 in state allocated funding for this project for major renovations to the Band Building at the LHS Campus. Final cost estimates to be determined.			1,000,000.00		1,000,000.00	2,000,000.00
Parks and Recreation Master Plan	ARP Funds	3-21/Encumbered by 12-24, Spent by 12-26	ARPA Revenue Replacement option - funds must be obligated by December 31, 2024 and spent by December 31, 2026	ARPA funding will be allocated for a Parks and Recreation Master Plan to assist staff with CIP development and planning over the next 20 years. Estimated cost of \$50,000.			50,000.00			50,000.00
TH Broyhill Walking Park - Lake Dredging	Broyhill Family Foundation	2022/2023	Foundation donation	The City received \$100,000 in funding from the Broyhill Family Foundation to dredge the lake at the TH Broyhill Walking Park.	100,000.00					100,000.00
Water Project - Hwy 18	TBD	TBD	TBD	Fund water line upgrade to improve the water pressure on Morganton Blvd. (HWY 18) and the Fairview area. The total project cost is estimated to be approximately \$2 million.					2,000,000.00	2,000,000.00

City of Lenoir - Projects										
Project	Funding Source	START/END DATE	TERMS	Description	Grant/ Loan Amount	City Match	ARPA/SCIF	LTDA/CDBG	Other	Total Cost
Wayfinding Signs	NC Commerce Tourism Grant/ARC	Pending	TBD, LTDA funding allocated 2-23	Grant funding for a wayfinding system to provide information regarding attractions, municipal amenities and local businesses. Signs will encourage travelers on 321 to visit downtown, the LHS Theater Auditorium and Recreational Fields, Mountain Bike Trails, OVT Trails, Greenway, MLK and Aquatic Center - to name just a few. LTDA allocated \$50,000 on 2-23.	250,000.00		291,500.00	50,000.00		591,500.00
Subtotal					4,097,700.00	-	10,425,425.00	150,000.00	4,788,000.00	19,461,125.00
Funding Opportunities - Application Submitted										
Arrowood Bridge Replacement	FEMA BRIC	TBD	TBD	The Public Works Director worked with consultant, Mattern and Craig, to develop a FEMA grant application for replacement of the Arrowood Street Bridge. The application process began in November, 2021, with intermediate submission deadlines in November, December, and a final submission deadline in January, 2022. The application includes a funding request for \$525,000 (70%), and notice of award, if successful, should occur in July, 2022. The Grant was not funded but was resubmitted Fall of 2022.	525,000.00	225,000.00				750,000.00
Sewer Outfall Upgrade	FEMA BRIC	TBD	TBD	FEMA made available a grant opportunity for funding projects that improve or mitigate infrastructure that is located in flood hazard areas. The Utilities Department, working with the Western Piedmont COG, identified two potential projects and submitted a grant application for 70% funding with a 30% local match. The projects would involve the construction of an equalization basin to equalize the flow during severe rain events and a new septic tank receiving station at the Lower Creek Wastewater Treatment Facility. In addition, funds have been requested to replace the sewer line that follows Zack's Fork Creek from Pennell Street to the soccer complex on Zack's Fork Rd. The total project cost is \$8.0 million with \$5.6 million in grant funding and \$2.4 million in local match. The sewer line replacement is currently in the Utilities Department CIP. The equalization basin is part of a larger renovation project for Lower Creek also identified in the current CIP. The Grant was not funded but was resubmitted Fall of 2022.	5,600,000.00	2,400,000.00				8,000,000.00
Stormwater Planning Grant	DEQ/Stormwater Planning Grant (LASII)	TBD	TBD	The City of Lenoir applied for a Stormwater Planning grant in the amount of \$400,000. The City of Lenoir has identified three top stormwater system priorities to address that will further position the City to better manage and plan for the operations of the city-wide stormwater system. The priorities and associated strategies were developed by the City staff and consultants from Freese & Nichols, Inc.	400,000.00					400,000.00
Subtotal					6,525,000.00	2,625,000.00	-	-	-	9,150,000.00
Pending Applications										
Unity Gardens Demonstration Kitchen	JBS//TBD	TBD	TBD	Exploring funding the addition of a demonstration kitchen to the Unity Gardens in partnership with Appalachian State University.					95,000.00	95,000.00
Water Interconnection Project Phase #1	State/Federal	TBD	TBD	The water distribution system analysis identified a possible interconnection of the Lenoir water system with a neighboring utility in the region. A more detailed engineering review of this project is being finalized. Funds being made available through the state and federal government are being considered to facilitate this project as they come available.	2,240,000.00				560,000.00	2,800,000.00
Water Interconnection Project Phase #2	State/Federal	TBD	TBD	The water distribution system analysis identified a possible interconnection of the Lenoir water system with a neighboring utility in the region. A more detailed engineering review of this project is being finalized. Funds being made available through the state and federal government are being considered to facilitate this project as they come available.	12,800,000.00	3,200,000.00			8,000,000.00	24,000,000.00
Whitnel Water Transmission Main Replacement - Phase #1	Infrastructure Funds or SRF Funding - TBD	TBD	TBD	This project was identified in the water distribution system analysis as a top priority project. It would replace the existing 20 inch line from the water plant to Sawmills with a 24 inch line.	5,300,000.00				106,000.00	5,406,000.00
Subtotal					20,340,000.00	3,200,000.00	-	-	8,761,000.00	32,301,000.00
Pending Projects										
Greenway Culvert - Former Red Roof	TBD	TBD	TBD	The culvert located on the Greenway near the former Red Roof Inn is being evaluated to determine the best alternative for repair. It is anticipated that this will be funded from the General Fund Operating Budget.			62,000.00			62,000.00
Stormwater Mapping	TBD	TBD	TBD	In order to renew the NPDES permit by June 2026, the City will be required to provide a map of the entire stormwater system. The City's MS4 is partially mapped (approximately 20%), and there was no additional mapping of MS4 infrastructure this year. It is likely that the Lenoir area will be audited for permit compliance prior to the renewal of the permit, so the WPCOG has recommended that the majority of the MS4 should be mapped by June 2025. It is anticipated that this will be funded from the General Fund Operating Budget over the next three years.		180,000.00				180,000.00
Lenoir Fire Sinkhole	TBD	TBD	TBD	The sinkhole at the LPD is being evaluated to determine the best alternative for repair.		1,917,656.85	582,343.15			2,500,000.00
Subtotal					-	2,097,656.85	644,343.15	-	-	2,742,000.00
Unfunded/Unapproved Projects										
Comp Plan	TBD	TBD	TBD	Funding will need to allocated for a Comprehensive Plan Consultant to assist planning staff with visualizing development in Lenoir over then next 20 years. Estimated cost of \$125,000.		125,000.00				125,000.00
Two-Way Streets	TBD	TBD	TBD	The possibility of allowing two way traffic in the downtown area is being evaluated.		1,470,000.00				1,470,000.00
Subtotal					-	1,595,000.00	-	-	-	1,595,000.00
Grant Total					45,937,700.00	9,568,256.85	12,487,268.15	915,000.00	13,977,422.00	82,885,647.00

**COMMITTEE OF THE WHOLE
CITY HALL, THIRD FLOOR**

TUESDAY, MAY 23, 2023

8:30 A.M.

Present: Mayor Joe Gibbons, Jonathan Beal, Kent Greer, Ike Perkins, Ralph Prestwood, and David Stevens.

Absent: Mayor Pro-Tem Crissy Thomas, Councilmember Todd Perdue, and Economic Development Director Kaylynn Horn.

Staff Present: City Manager Scott Hildebran, City Clerk Shirley Cannon, Finance Director Donna Bean, Public Services Director Radford Thomas, Public Works Operations Manager Jon Hogan, Public Utilities Operations Manager Jeff Church, Parks & Recreation Director Phillip Harper, Downtown Event Coordinator Matthew Anthony, Deputy Fire Chief Kenny Nelson, Police Major Andy Wilson, Planning Director Hannah Williams, and Communications Director Joshua Harris.

I. Mayor Joe Gibbons welcomed everyone and called the meeting to order.

II. Citizen Comments

A. There were no citizen comments presented at this time.

III. Committee Items:

A. Update; Public Services: Radford Thomas, Public Services Director, presented the following report:

- * Looking at additional properties for Brownfields assessment.
- * As information, Director Thomas reported the City will install 30-inch water lines for the Connelly Springs Road widening project which is in the planning stages and shared the City will pay 25% of the cost difference to install the better pipe. He stated the City would reimburse NCDOT over three to five years. Director Thomas emphasized this is a critical project that will begin in Whitnel and end at Castle Bridge on the Connelly Springs Road.
- * Re-submitted the application for a stormwater grant to the state plus submitted a Letter of Intent to begin the lead and copper project.

B. Update; Public Works/Public Utilities

1. Public Utilities Operation Manager Jeff Church reported on the following items:
2. Mueller Update: 5/19/23: Eric Remote Firmware Broadcast Update (RFBU) was very successful with Valdese. In summary, the update far exceeds what they have been able to do before. It will take approximately 2-3 weeks to update the entire Lenoir system

which will begin on Tuesday, May 30, 2023. The firmware for 10,000 meters will be updated in batches of 500. The updates start daily mid-day into evening. Read performance is currently at 99%. Target date of June 21 to meet in person with Eric Remote Firmware Broadcast Update in Lenoir to discuss project close out.

3. Asset Inventory and Assessment Grant: McGill's contract was approved at the May 16, 2023 council meeting. McGill is beginning work on the project.
4. Freeze and Nichols Facilities Assessment Project: 5/19/23: Blue prints have been gathered for the utilities facilities and are provided to the firm. Staff will meet with FNI in the near future to kick off the project.
5. Freeze and Nichols Lead and Copper Inventory Project: 5/19/23: The phase one final report was received on 4/25/23. Phase two contract was approved on 4/18/23 and an executed copy was emailed to FNI on the morning of 4/26/23. As we move forward with the project we will be working to provide information about the lead and copper requirements to the public in a timely manner.
6. Finley Water Project: 5/19/23: Surveying has been completed and McGill is in the design phase, currently laying out the new water lines. Field engineers will be on site beginning the week of 5/22/23 to insure line installation location from computer modeling is actually feasible in a real world situation. Since the site is a former water plant and structures were most probably covered over, McGill is coordinating with a ground penetrating radar GPR firm to provide a proposal to analyze the site. Once GPR is completed the next step is to work with a geotechnical firm to provide a proposal to layout exploratory boring locations and to approve and schedule the work. Field work is underway, milestone deadlines are updated from the original schedule that was approved by the October 17, 2022, *Letter of Intent to Fund*.

Milestone	Original Deadline	New Deadline
Bid and Design Package Submittal (obtain all necessary permits)	February 1, 2023	August 1, 2023
Bid and Design Package Approval	June 1, 2023	December 1, 2023
Advertise Project, Receive Bids, Submit Bid Information, <u>and</u> Receive Authority to Award from DWI	October 2, 2023	April 2, 2024
Execute Construction Contract(s)	November 1, 2023	May 1, 2024

7. Crossroads Sewer Project: 5/19/23: manholes were poured with flowable fill on the evening of April 18. Staff is now waiting for confirmation for second night of work where the contractor will remove the manholes and patch the road. After the meeting we received notification the manhole removal and road patch project will happen overnight on Tuesday, May 30th.
8. Rhodhiss Flashmix Basin Repairs Project: 5/19/23: Bids were received on 4/20/23. They were significantly over budget. Staff is working with McGill and SKA to determine options. After the meeting we received notification the value engineering was only able to reduce the cost of the project to approximately \$600,000. We will work with McGill and SKA to rebid the project as a formal project this fall.

CONTRACTOR	Freyssinet, Inc.	Watertight Systems, Inc.	Strickland, Inc.
NC LIC. NO.	72158	70228	N/A
BASE BID	\$744,041.00	\$1,519,485.00	\$1,017,000.00
ALTERNATE NO. 1 (CREDIT)	\$31,000.00	\$27,830.00	\$145,000.00
BID BOND	YES	YES	YES
CONSTRUCTION SCHEDULE	YES	YES	N/A
QUALIFICATIONS FORM & AIA A305	YES	YES	YES
ACKNOWLEDGEMENT OF ADDENDA	YES	YES	YES

9. Brownfield Assessment Project - Field work continues.
10. Connelly Springs Road Widening: 5/1/23: Received an email from Joseph Rogers with Withers Ravenel in Wilmington, NC requesting information regarding water and sewer line information along the Connelly Springs Road. Their firm will perform extensive locating services. They will begin sometime early summer with field work locating, marking and surveying. They may be drilling test holes near winter.

C. Update; Public Works Operation Manager Jon Hogan gave the following report:

Operational:

1. Street Department has completed stream bank restoration at Fire Station #2.

Projects:

1. Hospital Avenue Sidewalk Project – NCDOT states that the project is still scheduled for a May let date, executed Duke URA has been submitted.
2. LFD Infrastructure Failure (Sinkhole) -Catawba Valley Engineering and WK Dickson are working on design issues. RFQ for full design will go out this week.
3. Greenway Culvert (Red Roof) - We received one bid, coming in at \$311,000 due to pour in place headwall construction. Working with McGill on options. Have a repair quote from Shotcrete for \$62,000.
4. Smith Crossroads Sign- NCDOT lighting plan/certification has been completed and submitted to NCDOT.
5. EV Charging Station- Awaiting Equipment to be delivered.
6. 2023 Paving - Will assess and prioritize spring/summer paving in the coming weeks.
7. City Hall Improvements: Building quote received. David Coffey should have final window quotes.
8. LPD Stormwater Issue- Working with Chief Phelps and property owner on issue.
9. Greenway: All greenway connections are currently in design with Mattern and Craig. Street Department has started construction on the Waterlife Connection. Asphalt has been removed and delineator curb has been installed. Painting will begin next week. Next piece will be the Google connection once they complete the stream bank restoration project. Awaiting PED counters for HWY 18 crossing.
10. Pennton Ave. Wetland Project: Wetland cleanout is complete. Working on cleaning up the landscape and repairing the kiosk and observation deck.
11. Stormwater Issue at 1003 Pennell St.- Meeting with engineers today on site to inspect and provide design/repair options.

V. Community Development

- A. Lenoir Tourism Development Authority: The Lenoir Tourism Development Authority met on Thursday, May 11, 2023. Minutes of the February 16, 2023 meeting were submitted as information.

Donna Bean, Finance Director, gave the following update on behalf of Kaylynn Horn, Economic Development Director. Director Bean stated the LTDA is working on a marketing campaign for downtown Lenoir. Also, she gave an update on City events.

- B. Lenoir Business Advisory Board: The Lenoir Business Advisory Board met on Thursday, May 11 with the DRL Group to work on the Downtown Master Plan. Mayor Gibbons stated the community meeting went well and the project was moving along.
- C. Planning Board: The Planning Board met on Monday, May 22, 2023. Hannah Williams, Planning Director, gave the following report:

- * Planning Board approved the rezoning recommendation at 2702 Ellerwood Rd and called for a public hearing on June 20. Annexation of the same will also go to public hearing on June 20.
- * New planner has accepted offer of employment and plans to start June 26
- * Finishing up site plan reviews for Quality Plus, Mattress Warehouse, Biscuitville, and AJ's Steakhouse site in the next week or two.
- * Issued floodplain permits for the Google streambank restoration.

- D. Parks & Recreation Advisory Board: The Parks & Recreation Advisory Board does not meet in May, June or July. Minutes of the April 17, 2023 meeting were submitted as information. Recreation Director Phil Harper gave the following report:

- * Barger Ashe should complete the new roof at Mulberry Recreation Center in a few weeks.
- * Receiving quotes to pressure wash the tennis courts and repaint the boundary lines of the basketball court.
- * Staff at the Aquatic & Fitness Center are prepping to get the outdoor pool ready to open for the summer season.
- * Three pickleball courts have been lined off in the gym at the Martin Luther King, Jr. Center.
- * Youth baseball/softball games began on April 17 and umpires are desperately needed. 90 youth are participating.
- * The Mack Cook Stadium lights are working and staff are being trained to turn the lights on remotely. Director Harper is currently working with David Coffey to get the stadium ADA compliant.

VI. Finance and Administration

- A. Update: Donna Bean, Finance Director presented the following new positions for Council's consideration of approval:

1. Public Services-Safety Coordinator/Public Services Administrative Assistant: Director

Bean stated, based on input from the Department Head, Staff recommends the following changes.

Director Bean said she recommends adding a new position that will help with safety compliance as well as allow for succession planning. Director Bean reported this position is included in the budget but will be posted internally first before being advertised. This position becomes effective May 30, 2023.

- B. Public Services – Logistics and Procurement Coordinator: Director Bean stated Staff recommends adding a new position for a Logistics and Procurement Coordinator for Public Services that will provide cost saving by centralizing purchasing and logistics at the Public Services facility. This position becomes effective July 1, 2023.

A copy of each job description is attached to these minutes as information.

Motion

Upon a motion by Councilmember Stevens, City Council voted 6 to 0 to approve the recommendation for a Safety Coordinator/Public Services Administrative Assistant for Public Services and the recommendation for a Logistics and Procurement Coordinator for Public Services as presented and as recommended by Finance Director Bean.

- VII. A. Update; Retail Strategies: Mr. Matt Jaeger, Portfolio Director, stated it is an honor to work with the City of Lenoir. He stated Retail Strategies' goal is to create a unique trade area that is specific to Lenoir and will allow retailers to be successful. The company compiles data and demographics of the area to help define what businesses may want to locate here in addition to building relationships with possible retailers. Mr. Jaeger cited growth along US Hwy 321 and explained how they could market areas along the highway. He pointed out this is a five-year plan and remarked their Staff would visit Lenoir annually.

Mr. Jaeger reported companies interested in locating a business here would first monitor and measure the success of local businesses via tracking. These companies also track the amount of money spent outside our area. He shared the local Wal-Mart in Lenoir is in the top 20 businesses for traffic in North Carolina which helps with recruitment. Mr. Jaeger stated Retail Strategies attends several trade shows annually and would keep in touch with City Staff via e-mail and phone calls.

On behalf of City Council, Mayor Gibbons thanked Mr. Jaeger for the update and stated the City wanted to continue its relationship with Retail Strategies. The City has an annual contract with the company. It was the consensus of City Council continue to contract with Retail Strategies for recruitment services.

- E. Update; Public Communications: Joshua Harris, Public Information Officer, presented the Communications Report for the month of April. Director Harris reported there were 11 news releases, 383 photos, 3 videos, 145 social posts, 25 questions & answers and 2 e-sign ups. The website's social reach is 124,199 along with 694 video views. There were 499 new Facebook, Twitter, and Instagram followers.

Director Harris reported that Planet Fitness is opening today and will have a ribbon cutting on Tuesday, June 6. As information, he stated Planet Fitness sponsors Joey Logano, Nascar driver. He stated he would post news stories as City projects are completed.

Director Harris mentioned the Neon Bike Ride coming up on Friday, June 2 and the second annual Bike Fest is scheduled on Saturday, June 3 from 2:00 p.m. until 2:00 p.m. He stated the City will be giving away a number of bicycle helmets that have been donated and several bicycles. The Police Department will be giving a Bicycle Safety Class at the festival.

VIII. Public Safety

- A. Update; Police Department: Andy Wilson, Major, gave a few highlights of the Department's first quarter report for January through March 2023. Major Wilson stated involuntary commitments have increased and overdoses have increased slightly. In addition, nuisance calls have increased regarding debris and tall grass. Detective Hartley is responding to these types of calls. Major Wilson stated several nuisance properties would be recommended to City Council for consideration of abatement.

Major Wilson further reported the Department has hired three new employees that are in the Basic Law Enforcement Training (BLET) program at CCC&TI. He mentioned four additional new hires would be graduating on August 18, 2023 from Western Piedmont Community College.

- B. Update; Fire Department: Interim Fire Chief Kenny Nelson, reported the Department has responded to 300+ calls and completed 150 inspections. The Department will be burning a house on Saturday, May 27 as a training exercise for firefighters. He also mentioned the Fire Marshall recently issued a citation for an illegal burn.

Chief Nelson commended Mr. Hildebran upon the hiring of Norman Staines as the incoming new Fire Chief. He stated Chief Staines is a great hire for the Department and the City as Mr. Staines is a well respected educator in the community with a background in Public Safety.

In addition, Chief Nelson stated Staff was stream lining some of their equipment in order to use it on their new apparatus that will be delivered in August. He stated that Public Works Operation Manager Jon Hogan and he have discussed installing cameras on the new fire truck which may help with obtaining a lower insurance cost.

IX. OTHER

- A. The June calendar was provided in packet as information listing committee meetings and upcoming events.

X. ADJOURN

There being no further business, the meeting was adjourned at 10:25 a.m.

Attachment

Job Descriptions

(Safety Coordinator/Public Administrative Assistant & Logistics & procurement Coordinator)

Recommendation					
<i>Recommendation: Based on input from the Department Head, staff recommends the following changes.</i>					
To Be Effective 5-30-2023					
Department	Current Title	Proposed Title	Recommendation	Grade	Grade
Add New Position					
Public Services		Safety Coordinator/Public Services Administrative Assistant	Recommend adding a new position that will help with safety compliance as well as allow for succession planning.		20

To Be Effective 7-1-2023					
Department	Current Title	Proposed Title	Recommendation	Current Grade	Proposed Grade
Add New Position					
Public Services		Logistics and Procurement Coordinator	Recommend adding a new position that will provide cost saving by centralizing purchasing and logistics at the Public Services facility.		43

SAFETY COORDINATOR/PUBLIC SERVICES ADMINISTRATIVE ASSISTANT

General Statement of Duties

Performs a variety of complex administrative support, office management and safety related duties requiring a comprehensive understanding of the department's mission, rules, regulations, procedures and services.

Distinguishing Features of the Class

An employee in this class assists the Director of Public Services and Public Works and Public Utilities Operations Managers in carrying out a program's administrative activities by performing a variety of administrative, safety and technical functions and may be independently responsible for some program activities. The employee is responsible for documenting and ensuring the adherence to safety regulations and requirements. Work is characterized by its variety and complexity and requires analytical ability and organizational knowledge of applicable policies, OSHA regulations, safety and City procedures, and programs. The employee must exercise considerable independent judgment, discretion, and initiative in completing assignments and in handling difficult public contact situations requiring considerable tact. Work is typically performed under limited supervision of the Director of Public Services and Public Works and Public Utilities Operations Managers and is evaluated for quality and effectiveness of work by observation, reports, and feedback from staff and the general public.

Duties and Responsibilities

Essential Duties and Tasks

- Gathers information to ensure compliance and prepare safety, OSHA, or related reports for monitoring and compliance agencies.
- Works with the Risk Manager and administration to plan and implement OHSA policies and programs.
- Evaluates the adherence to all safety rules and regulations to include storage of materials.
- Prepare reports on accidents and violations and works with the Risk Manager to determine causes.
- Serves as a member of the Safety Committee.
- Recommends workplace repairs and installations to make the work place safer and avoid harm.
- Works with the Risk Manager and Fire Marshall to insure that all regulations are being followed.
- Routinely inspects fire extinguishers, First Aid Kits and AEDs to ensure compliance.
- Assists with conducting safety meetings or works with departments to present and conduct their own sessions.
- Inspects work areas for compliance with laws, policies, rules and regulations; communicates corrective measures needed to management; reviews and rechecks progress on a regular basis until standards have been met.
- May assist with processing timesheets for the department; verifies timesheets and leave records are accurate and calculates overtime; maintains the department's personnel records and files; prepares and/or types confidential personnel reports, evaluations and disciplinary actions.
- Handles confidential or sensitive technical information in an appropriate manner.
- Drafts and composes correspondence and prepares a variety of scheduled and special

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reports for senior management and/or governmental agencies; reviews and verifies records and reports for correct information; identifies potential inconsistencies and resolves discrepancies; researches files, activity reports and other information; compiles data and statistics and prepares reports; creates or updates policy and procedures manuals.

- Provides customer service requiring considerable knowledge of the department's services, regulations and procedures; answers a variety of questions based on program and technical knowledge; selects appropriate materials to answer questions; explains rationale of answer and often resolves problems or complaints without management's assistance.

Additional Job Duties

- Performs related duties as required.

Recruitment and Selection Guidelines

Knowledge, Skills, and Abilities

- Thorough knowledge of safety procedures and protocol required by OSHA and other compliance agencies.
- Thorough knowledge of assigned department, its functions, policies, procedures, practices, and related laws and operations.
- Thorough knowledge of the organization's safety policies.
- Skill in the use of information technology equipment and associated software products such as word processing, spreadsheets and databases used in area of work assignment including the development of forms, form letters, tables, spreadsheets, databases, presentations, etc. to compile records and generate reports.
- Skill in communicating effectively and confidently while conducting the department's business and have problem-solving and conflict resolution abilities.
- Ability to handle multiple priorities utilizing sound judgment and based on knowledge of departmental issues and needs.
- Ability to do research and gather and compile materials from a variety of sources.
- Ability to arrange and place data, statistics, records, reports and files into a proper sequence and develop hardcopy and electronic systems for retrieval and storage of departmental records.
- Ability to communicate effectively in oral and written form.
- Ability to establish and maintain effective working relationships with the supervisor, coworkers, City officials, customers and the general public.
- Ability to work independently on responsible administrative support, technical and program tasks, some of which may be confidential or sensitive.
- Ability to be tactful and courteous while being persuasive and confident on City business.
- Ability to complete assigned tasks based on general or limited instructions.

Physical Requirements

- Must be able to physically perform the basic life operational functions of reaching, pushing, pulling, standing, walking, fingering, grasping, talking, hearing, and repetitive motions.
- Must be able to perform sedentary work exerting up to 50 pounds of force occasionally and/or a negligible amount of force frequently or constantly to lift, carry, push, pull, or otherwise move objects.
- Must possess the visual acuity to prepare and analyze data and figures, do accounting work,

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operate a computer terminal, do extensive reading and to determine the accuracy, neatness, and thoroughness of the work assigned

Desirable Education and Experience

- Graduation from high school supplemented by extensive experience with safety and some administrative tasks, preferably in a public organization or an equivalent combination of education and experience. Prefer graduation from a two-year community college or business school with an associate degree in a related field and experience in safety and administrative duties.

Lenoir
2023

Logistics and Procurement Coordinator

General Statement of Duties

Performs administrative work for the city departments specifically related to purchasing and logistics.

Distinguishing Features of the Class

The Logistics and Procurement Coordinator is responsible for the efficient oversight of purchasing and distributing materials which includes material procurement, materials cost, and delivery of materials. This position performs technical duties in the storage, inventory, and issuance of equipment, materials and supplies and is responsible for directing tasks, making sure materials procured comply with estimated costs, arrive in accordance with the projected schedule and safeguarding the assets. Work is typically performed under limited supervision of the Director of Public Services and Public Works and Public Utilities Operations Managers and is evaluated for quality and effectiveness of work by observation, reports, and feedback from staff and the general public.

Duties and Responsibilities

Essential Duties and Tasks

- At the direction and approval of the appropriate director, manager or superintendent, this individual procures and issues uniforms, materials, and other equipment to departmental personnel.
- Serves as a liaison between divisions and vendors for obtaining quotes, ordering and maintaining departmental supplies.
- Responsible of shipping, tracking and receiving of all service related materials to include receiving deliveries for the facility and other city departments; verifying materials with packing slips and purchase orders.
- Enter invoices and other information into the computer utilizing various platforms.
- Assist staff, as well as vendors and subcontractors, with scheduling and coordinating materials delivery, notifying departments concerning deliveries or delivers materials to departments and keeping staff well informed of any changes or updates in material availability.
- Maintains inventory and tracking records of distributions.
- Reviews, codes and forwards invoices to the appropriate individual for approval before sending the invoices to accounts payable in an accurate and timely manner.
- Work closely with divisions of City to make centralized/bulk purchases to better utilize resources.
- Maintains records of division's cell phones.
- Manages fleet recordkeeping to include entering information into IWORQ, tracking inventory, issuing gas cards and other tasks related to recordkeeping.
- Prepares accurate equipment related records and reports to include department inventories along with insurance verification and tracking of vehicles and equipment.
- Verifies all purchases have the necessary approvals.
- When necessary, prepares and processes purchase orders.
- Responsible for the warehouse operations to include organization and securing assets.
- Works with suppliers to determine product availability and assure competitive pricing and communicates to City personnel.

Minutes-Committee of the Whole
Tuesday, May 23, 2023

- Responsible for and ensures the completeness, proper expense coding, contract or purchase order terms, attaches the appropriate attachments, and confirms compliance with City Policies and North Carolina Statutes for all purchase orders and invoices.
- Operates forklift to load or unload trucks.
- Responsible for obsolete inventory and selling items on Govdeals.

Additional Job Duties

- Performs other duties as required.

Recruitment and Selection Requirements

Knowledge, Skills, and Abilities

- Considerable knowledge of the operations, functions, procedures, and processes of the City.
- Ability to read and understand the purchasing policy for the City.
- Knowledge of inventory control techniques and policies.
- Ability to communicate in oral and written forms; to prepare clear and comprehensive reports and records of activities.
- Ability to develop and maintain effective work relationships with the public, staff, supervisors, and vendors.
- Thorough knowledge of the City, its functions, policies, procedures, practices, and related laws and operations.
- Considerable knowledge of laws, regulations, procedures and practices related to area of assignment and of the organization's administrative, financial, personnel and purchasing procedures.
- Skill in the use of information technology equipment and associated software products such as word processing, spreadsheets and databases used in area of work assignment including the development of forms, form letters, tables, spreadsheets, databases, presentations, etc. to compile records and generate reports.
- Skill in communicating effectively and confidently while conducting the department's business in person and by telephone and in customer service, problem-solving and conflict resolution.
- Ability to plan and organize administrative support and technical activities and tasks.
- Ability to handle multiple priorities utilizing sound judgment and based on knowledge of departmental issues and needs.
- Ability to do research and gather and compile materials from a variety of sources.
- Ability to arrange and place data, statistics, records, reports and files into a proper sequence and develop hardcopy and electronic systems for retrieval and storage of departmental records.
- Ability to communicate effectively in oral and written form.
- Ability to establish and maintain effective working relationships with the supervisor, coworkers, City officials, customers and the general public.
- Ability to work independently of responsible administrative support, technical and program tasks, some of which may be confidential or sensitive.
- Ability to be tactful and courteous while being persuasive and confident on City business.

- Ability to complete assigned tasks based on general or limited instructions.

Physical Requirements

- Must be able to physically perform the basic life operational functions of standing, kneeling, crouching, crawling, reaching, walking, pushing, pulling, lifting, fingering, grasping, climbing, talking, hearing and repetitive motions.
- Must be able to perform heavy work exerting up to 50 pounds of force occasionally; 25 pounds frequently and 5 pounds constantly.
- Must possess the visual acuity to operate a vehicle, distinguish detail and differences when observing people, places and things, conduct visual inspections, operate a computer and complete reports.
- Must possess the visual acuity to prepare and analyze data and figures, do accounting work, operate a computer terminal, do extensive reading and to determine the accuracy, neatness, and thoroughness of the work assigned.

DESIRABLE TRAINING AND EXPERIENCE

Graduation from high school supplemented by some experience with purchasing and administrative tasks, preferably in a public organization or an equivalent combination of education and experience. Prefer graduation from a two-year community college or business school with an associate degree in a related field and experience in administrative duties.

SPECIAL QUALIFICATIONS

- Possession of a valid North Carolina driver's license
- Possession of a valid forklift certification or the ability to obtain one within (6) six months

CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item:

Request for an amendment to be made to the American Recovery Plan Capital Project Ordinance.

Background Information:

Request for an amendment to be made to the American Recovery Plan Capital Project Ordinance.

- Revise the American Recovery Plan Capital Project Ordinance to allocate funding for capital purchases.

Staff Recommendation:

Approve as requested

II. Reviewed by:

City Attorney:

Finance Director: *Danna Bean*

Public Works/Public Utilities Director:

Planning Director:

Recreation Director:

Capital Project Ordinance for the City of Lenoir

American Recovery Plan Capital Project – Revised 6-6-23

BE IT ORDAINED by the City Council Members of the City of Lenoir, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1: The project to authorize activities for American Recovery Plan Capital Project to include the expenditure of local funds for the capital items and project administration for the American Recovery Plan Capital Project. The project will be funded by federal funds.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

Section 3: The following amounts are appropriated for the project:

Item	Amount
Capital Improvements/Equipment	2,680,268.15
Premium Pay	647,422.85
Sanitation Truck	285,000.00
Master Planning	160,000.00
Culvert Repair for Greenway	<u>62,000.00</u>
	3,834,691.00

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

Federal Funding	3,834,691.00
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Section 5: The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Project Ordinance.

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

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

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

Adopted this 6th day of June, 2023.

Mayor

Clerk

CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item:

Budget Amendments - Request for amendments to be made to the annual budget ordinance for the fiscal year ending June 30, 2023.

II. Background Information:

Request for amendments to be made to the annual budget ordinance for the fiscal year ending June 30, 2023 as follows:

- **Budget Amendment 2023-2:**
 - **Approve the utilization of additional general fund revenues to make upgrades and repairs.**
 - **Approve the allocation of general fund expenditures for upgrades and repairs such as a new garbage truck, HVAC unit, and replacing equipment that became obsolete during the fiscal year.**
 - **Approve the allocation of enterprise fund expenditures.**
 - **Approved the allocation of funding for the LTDA.**
 - **Approve the funding for the Rural Center Building Re-use Grant.**
 - **Approve the allocation of funding to utilize additional forfeiture revenue to purchase weapons for the police.**

Staff Recommendation:

Approve as requested

III. Reviewed by:

City Attorney:

Finance Director: *Danna Bean*

Public Works/Public Utilities Director:

Planning Director:

**2022-2023 Fiscal Year
Budget Amendment 23-2
Tuesday, June 6, 2023**

ITEM 1: APPROVE THE UTILIZATION OF ADDITIONAL GENERAL FUND REVENUES TO MAKE UPGRADES AND REPAIRS.

Account Number	Department	Increase	Decrease
3200	MV TAX	160,000.00	
3837	ABC REVENUE	128,000.00	
3231	SALES TAX ART 39	249,625.00	
3232	SALES TAX ART 40	181,532.00	
3233	SALES TAX ART 42	117,237.00	
3235	SALES TAX HOLD HARMLESS	192,106.00	
3236	SALES TAX SEC 32.19	42,500.00	
3316	POWELL BILL	63,000.00	
3430	FED FORT	29,740.00	
3831	INTEREST EARNED	370,000.00	
	TOTAL REVENUE INCREASE	1,533,740.00	

ITEM 2: APPROVE THE ALLOCATION OF GENERAL FUND EXPENDITURES FOR UPGRADES AND REPAIRS SUCH AS A NEW GARBAGE TRUCK, HVAC UNIT, AND REPLACING EQUIPMENT THAT BECAME OBSOLETE DURING THE FISCAL YEAR.

Account Number	Department	Increase	Decrease
4110	LEGISLATIVE	85,000.00	
3839	INSURANCE REIM	27,000.00	
4120	ADMINISTRATION	80,000.00	
4130	FINANCE	55,000.00	
4260	BUILDING MAINTENANCE	48,000.00	
4270	ENGINEERING	250,000.00	
4310	POLICE SUPPORT	370,000.00	
4311	POLICE DETECTIVE		40,000.00
4312	POLICE PATROL		100,000.00
4340	FIRE SUPPORT	12,740.00	
4341	FIRE SUPPRESSION	48,000.00	
4342	FIRE PREVENTION/TRAINING	12,000.00	
4510	STREET ADMIN	10,000.00	
4511	STREET MAINTENANCE		10,000.00
4512	STREETS TRAFFIC CONTROL	100,000.00	
4710	SANITATION	363,000.00	
4740	CEMETERIES	35,000.00	
4910	PLANNING	28,000.00	
6120	RECREATION ADMIN	25,000.00	
6122	MULBERRY	25,000.00	
6123	MLK CENTER	20,000.00	
6130	GROUPS	20,000.00	
4920	MAIN STREET	70,000.00	
		1,683,740.00	150,000.00
	TOTAL EXPENDITURE CHANGES	1,533,740.00	
	NET EFFECT ON THE GENERAL FUND BUDGET	-	

**2022-2023 Fiscal Year
Budget Amendment 23-2
Tuesday, June 6, 2023**

ITEM 3: ALLOCATE FUNDING TO THE ENTERPRISE FUND FOR EXPENDITURES.

Account Number	Department	Increase	Decrease
7130	RHODHISS PLANT		75,000.00
7131	WATER DISTRIBUTION		125,000.00
7132	WATER RESOURCES	15,000.00	
7133	ADMINISTRATION	225,000.00	
7140	WASTEWATER COLLECTIONS		50,000.00
7141	WASTEWATER PRETREATMENT	10,000.00	
7142	GUNPOWDER PLANT	460,000.00	
7143	LOWER CREEK PLANT		460,000.00
	TOTAL EXPENDITURE CHANGES	710,000.00	710,000.00
	NET EFFECT ON THE WATER FUND BUDGET	-	

ITEM 4 : ALLOCATE FUNDING FOR LTDA.

Account Number	Department	Increase	Decrease
4990	OCC TAX REV	75,000.00	
4940	LTDA EXP.	75,000.00	
	TOTAL EXPENDITURE CHANGES	75,000.00	
	NET EFFECT ON THE LTDA BUDGET	75,000.00	

ITEM 5: ALLOCATE FUNDING TO THE GENERAL FUND FOR EXPENDITURES FOR RURAL CENTER BUILDING REUSE GRANT.

Account Number	Department	Increase	Decrease
3326	RURAL CENTER GRANT	555,000.00	
4110	LEGISLATIVE	555,000.00	
	NET EFFECT ON THE GENERAL FUND BUDGET	555,000.00	

ITEM 6: ALLOCATE FUNDING TO UTILIZE ADDITIONAL FORFEITURE REVENUE TO PURCHASE WEAPONS FOR THE POLICE.

Account Number	Department	Increase	Decrease
	REVENUE		
3430	FORFEITURE	7,400.00	
3430	ABATEMENT CHARGES	62,000.00	
3430	NUISANCE CHARGES	14,000.00	
	EXPENDITURE		
4310	FORFEITURE EXP.	83,400.00	
	NET EFFECT ON THE GENERAL FUND BUDGET	83,400.00	

CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item: Consideration of Three (3) Capital Project Budget Ordinances related to the Community Development Block Grant Program, Unifour Consortium HOME Program and HOME-American Rescue Plan Program

II. Background Information: The following Capital Project Ordinances were submitted by Rick Oxford, Western Piedmont Council of Governments, Plan Administrator for your consideration:

The Capital Project Budget Ordinance for the FY2023 Unifour Consortium HOME Program is \$1,500,690. (The City of Lenoir is the lead entity.)

The Capital Project Budget Ordinance for the FY2023 Community Development Block Grant Program is \$142,691.

The Capital Project Budget Ordinance for the FY2021 HOME-ARP Program is \$4,182,773. (The City of Lenoir is the lead entity.)

III. Staff Recommendation: Staff and the Western Piedmont Council of Government Plan Administrator recommend approval of the three (3) ordinances.

IV. Reviewed by:

City Attorney:

City Manager:

Plan Administrator: *Rick Oxford*

CITY OF LENOIR
2023 UNIFOUR CONSORTIUM HOME PROGRAM
CAPITAL PROJECT BUDGET ORDINANCE

Be it ordained by the City Council of the City of Lenoir that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted.

Section 1. The project authorized is the HOME project described in the work statement contained in the Grant Agreement (#M23-DC370208) between this unit and the United States Department of Housing and Urban Development. This project is more familiarly known as the FY 2023 Unifour Consortium HOME Program (City of Lenoir, is the lead entity).

Section 2. The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the DHUD and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete the project:

Revenue from HOME Grant	\$1,200,690
Anticipated Program Income	<u>300,000</u>
Total Revenues	\$1,500,690

Section 4. The following amounts are appropriated for the project:

Downpayment Assistance (HOME Funds)	\$ 91,121
Multi-Family(From Program Income Funds)	270,000
Program Income Administration	30,000
HOME CHDO (From HOME Grant HOME Funds Allocation)	420,000
Multi-Family Housing	569,500
General Program Administration	<u>120,069</u>
Total Expenditures	\$1,500,690

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreement(s) and Federal and State

regulations.

Section 6. Funds may be advanced from the General Funds for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 7. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future cost and revenues on this grant project in every budget submission made to this Board.

Section 9. Copies of this grant project ordinance shall be made available to the Budget Officer and the Finance Officer for direction in carrying out this project.

Adopted this the _____ day of _____, 2023.

Mayor

Clerk

CITY OF LENOIR
2023 COMMUNITY DEVELOPMENT BLOCK GRANT
CAPITAL PROJECT BUDGET ORDINANCE

Be it ordained by the City Council of the City of Lenoir that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted.

Section 1. The project authorized is the Community Development Project described in the work statement contained in the Grant Agreement (#B-23-MC-37-0022) between this unit and the United States Department of Housing and Urban Development. This project is more familiarly known as the FY-2023 CDBG Entitlement Program.

Section 2. The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the DHUD and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete the project:

Revenues

Community Development Block Grant	\$142,691
Total Revenues	<u>\$142,691</u>

Section 4. The following amounts are appropriated for the project:

Expenditures

Public Facilities (Lenoir High School)	\$114,152
Program Administration	<u>28,538</u>
Total Expenditures	<u>\$142,691</u>

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreement(s) and Federal and State regulations.

Section 6. Funds may be advanced from the General Funds for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 7. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future cost and revenues on this grant project in every budget submission made to this Board.

Section 9. Copies of this grant project ordinance shall be made available to the Budget Officer and the Finance Officer for direction in carrying out this project.

Adopted this the _____day of _____, 2023.

Mayor

Clerk

CITY OF LENOIR
2021 HOME-ARP
CAPITAL PROJECT BUDGET ORDINANCE

Be it ordained by the City Council of the City of Lenoir that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted.

Section 1. The project authorized is the Community Development Project described in the work statement contained in the Grant Agreement (#M21-DP370208) between this unit and the United States Department of Housing and Urban Development. This project is more familiarly known as the FY-2021 HOME-ARP Program.

Section 2. The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the DHUD and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete the project:

Revenues

HOME-ARP Grant	\$4,182,773.00
Total Revenues	<u>\$4,182,773.00</u>

Section 4. The following amounts are appropriated for the project:

Expenditures

Supportive Services	\$2,927,953.10
Tenant Based Rental Assistances	627,409.95
Administration and Planning	<u>627,409.95</u>
Total Expenditures	<u>\$4,182,773.00</u>

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreement(s) and Federal and State regulations.

Section 6. Funds may be advanced from the General Funds for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 7. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future cost and revenues on this grant project in every budget submission made to this Board.

Section 9. Copies of this grant project ordinance shall be made available to the Budget Officer and the Finance Officer for direction in carrying out this project.

Adopted this the 1st day of July, 2022.

Mayor

Clerk

CITY OF LENOIR
COUNCIL ACTION FORM
June 6, 2023

I. Agenda Item:

First reading of an Ordinance amending Chapters 1, 3, 5, 10, 12, 13, and 18 of the Lenoir Code of Ordinances, to address updates prompted by recent legislative changes to the General Statutes and authorizes a public hearing to be held on Tuesday, June 20, 2023 for the second reading of the Ordinance.

II. Background Information:

The attached ordinance makes necessary amendments to Lenoir's Code of Ordinances to address general good housekeeping/statutory compliance, and more specifically as follows:

Changes prompted by SB 300, the Criminal Justice Reform Bill:

SB300 placed restrictions on local governments' previous broad authority to enforce local ordinances with criminal (misdemeanor) penalties under G.S. 14-4. Specifically, local governments may no longer impose criminal penalties on certain types of ordinances (see amended language in 160A-175(b1), attached), and cannot impose any criminal penalties unless the local ordinance specifically states the provision is subject to criminal penalties.

SB300 places an additional requirement that no ordinances that introduce "new" criminal penalties may be adopted on first reading.

Other Changes:

Chapters 3 and 12 of the Lenoir Code of Ordinances contain regulations that pertain to nuisance cause by noise and roaming of dogs, which needed clarification for enforcement action.

Chapter 13 of the Lenoir Code of Ordinances, "Offenses and Miscellaneous Provisions" contains prohibitions related to the discharge of firearms within the City Limits (Sec.13-6), Firebombs (Sec. 13-7) and Consumption of Alcoholic Beverages on City Property (Sec. 13-9), but does not specifically declare violations to constitute misdemeanors under G.S. 14-4 as is now required by the amendments to 160A-175(b) contained in SB 300.

III. Staff Recommendation:

Schedule a public hearing to be held on Tuesday, June 20, 2023 for the second reading of the Ordinance.

IV. Reviewed by: City Attorney: TJ Rohr

Police Chief: Brent Phelps

Planning Director: Hannah Williams

Excerpt from SB300, as adopted:

"§ 160A-175. Enforcement of ordinances.

...
(b) ~~Unless the Council shall otherwise provide,~~ Except for the types of ordinances listed in subsection (b1) of this section, violation of a city ordinance ~~is may be~~ a misdemeanor or infraction as provided by ~~G.S. 14-4.~~ G.S. 14-4 only if the city specifies such in the ordinance. An ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by G.S. 14-4. Notwithstanding G.S. 160A-75, no ordinance specifying a criminal penalty may be enacted at the meeting in which it is first introduced.

(b1) No ordinance of the following types may impose a criminal penalty:

- (1) Any ordinance adopted under Article 19 of this Chapter, Planning and Regulation of Development, or its successor, Chapter 160D of the General Statutes, except for those ordinances related to unsafe buildings.
- (2) Any ordinance adopted pursuant to G.S. 160A-193.1, Stream-clearing programs.
- (3) Any ordinance adopted pursuant to G.S. 160A-194, Regulating and licensing businesses, trades, etc.
- (4) Any ordinance adopted pursuant to G.S. 160A-199, Regulation of outdoor advertising or, its successor, G.S. 160D-912, Outdoor advertising.
- (5) Any ordinance adopted pursuant to G.S. 160A-201, Limitations on regulating solar collectors or, its successor, G.S. 160D-914, Solar collectors.
- (6) Any ordinance adopted pursuant to G.S. 160A-202, Limitations on regulating cisterns and rain barrels.
- (7) Any ordinance adopted pursuant to G.S. 160A-304, Regulation of taxis.
- (8) Any ordinance adopted pursuant to G.S. 160A-306, Building setback lines.
- (9) Any ordinance adopted pursuant to G.S. 160A-307, Curb cut regulations.
- (10) Any ordinance regulating trees.

...."

**AN ORDINANCE OF THE CITY COUNCIL OF LENOIR, NORTH
CAROLINA, AMENDING CHAPTERS 1, 3, 5, 10, 12, 13, AND 18
OF THE LENOIR CITY CODE RELATED TO ANIMALS,
NUISANCES, OFFENSES AND MISC PROVISIONS, STREETS
AND SIDEWALKS, PROVIDING FOR SEVERABILITY,
CODIFICATION, AND AN EFFECTIVE DATE.**

Whereas, the state legislature recently adopted SB300, the Criminal Justice Reform bill, which went into effect on December 1, 2021 and decriminalizes certain local ordinances related to the regulation of animals, nuisances, and offenses related to loitering, soliciting, and firearms; and

Whereas, SB 300 also removed the presumption in 160A-175(b) that any violation of a local ordinance is a misdemeanor under G.S. 14-4, requiring instead that cities must specify by ordinance if a violation is punishable as a misdemeanor or infraction under G.S. 14-4; and

Whereas, Chapters 1, 3, 5, 10, 12, 13, and 18 of the Lenoir Code of Ordinances contain regulations that have been decriminalized under SB300, prompting the necessity to amend the ordinances to remove language related to criminal penalties; and

Whereas, Chapters 3 and 12 of the Lenoir Code of Ordinances contain regulations that pertain to nuisance cause by noise and roaming of dogs, which needed clarification for enforcement action; and

Whereas, Chapter 13 of the Lenoir Code of Ordinances, “Offenses and Miscellaneous Provisions” contains prohibitions related to the discharge of firearms within the City Limits (Sec.13-6), Firebombs (Sec. 13-7) and Consumption of Alcoholic Beverages on City Property (Sec. 13-9), but does not specifically declare violations to constitute misdemeanors under G.S. 14-4 as is now required by the amendments to 160A-175(b) contained in SB 300; and

Whereas, the Lenoir Police Department has historically enforced the aforementioned local prohibitions through charging violators under G.S. 14-4, and although such charges are rare, the City Council finds it to be necessary to retain the ability to charge violators when warranted to ensure the public

health, safety, and general welfare and to protect the resident's rights to quiet enjoyment of their homes; and

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

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

SECTION 1. Chapter 1 of the Code of Ordinances, City of Lenoir, North Carolina, "General Provisions" is hereby amended to read as follows:

Sec. 1-15. - Civil ~~and criminal~~ penalties.

(g) ~~Failure to abate a violation in the specified time period for abatement given pursuant to subsection (a) shall constitute a misdemeanor infraction pursuant to G.S. 14-4, except that no criminal penalties may be imposed under this subsection for violations of Chapter 9 'Flood Damage Prevention,' Chapter 18, Article V 'Driveways,' Chapter 19, 'Subdivisions,' Appendix A: 'Zoning,' Appendix C: 'Phase II Stormwater Ordinance,' or any other ordinance specified in G.S. 160A-175(b1). This section is adopted pursuant to G.S. 160A-175(b).~~

~~(h)~~ Penalties imposed under this section may be recovered by the city in a civil action in the nature of debt.

SECTION 2 Chapter 3 of the Code of Ordinances, City of Lenoir, North Carolina, "Animals" is hereby amended to read as follows:

ARTICLE II. - DOGS

Sec. 3-27. - Running at large.

(a) No dog owner or person who otherwise is exercising responsibility or control over the dog in question, ~~shall~~ may permit his their dog to ~~run at large~~ be on the streets or sidewalks of the city, or upon the private

property of another unless under the control of the owner or ~~a member of his immediate family either by leash, collar, chain or otherwise~~ their responsible person either by leash, collar, chain or otherwise.

(b) The county dog warden shall order the owner of any dog found running at large to place the dog under proper control or confinement.

(c) Any person owning, harboring, walking, in possession of or in charge of a dog which defecates on public property, public park property, public right-of-way or any private property without the permission of the private property owner, ~~shall~~ must remove all feces immediately after it is deposited by the dog. All feces removed in accordance with this section shall be placed in a suitable bag or other container that closes and disposed of in a lawful manner. ~~Violation of subsection (c) may be punishable by a civil citation of \$50.00 per occurrence.~~

(d) A violation of this ordinance is a misdemeanor under N.C. General Statute § 14-4.

Sec. 3-28. - ~~Penalty.~~Reserved

~~The owner of any dog who shall knowingly suffer or permit his dog to run at large on the streets, sidewalks, or upon private property or to occupy unsafe or unsanitary conditions shall be in violation of this article and shall be guilty of a misdemeanor, punishable upon conviction by a fine or imprisonment as provided by G.S. 14-4.~~

ARTICLE IV. – DEER

Sec. 3-50. – Urban archery deer hunting.

The purpose of this article is to reduce urban deer populations through voluntary participation in the North Carolina Urban Archery Deer Hunting Program, which is regulated by the North Carolina Wildlife Resources Commission. For the purposes of this section, deer hunting related to this program is permitted within the corporate limits of the City of Lenoir only in accordance with the following provisions:

~~(l) A violation of any of the provisions of this section shall constitute a misdemeanor offense pursuant to G.S. 14-4.~~ A violation of this ordinance is a misdemeanor under N.C. General Statute § 14-4.

SECTION 3. Chapter 5, Article I of the Code of Ordinances, City of Lenoir, North Carolina, “Business Regulation, Licensing, and Taxation” is hereby amended to read as follows:

Sec. 5-5. – Regulations.

(e) ~~Any person found to be in violation of the requirements of this section shall be guilty of a misdemeanor, punishable as provided in G.S. 14-4. A violation of this ordinance is a misdemeanor under N.C. General Statute § 14-4.~~

SECTION 4. Chapter 10, Article I of the Code of Ordinances, City of Lenoir, North Carolina, “Housing” is hereby amended to read as follows:

Sec. 10-5. – Violations; penalty.

- (a) No owner of any dwelling or dwelling unit shall fail, neglect, or refuse to repair, alter, or improve the same, or to vacate and close and remove or demolish the same, upon order of the inspector duly made and served as provided in this chapter, within the time specified in the order, and each day that the failure, neglect, or refusal to comply with the order continues shall constitute a separate and distinct offense. No owner of any dwelling or dwelling unit, with respect to which an order has been issued pursuant to section 10-32 to occupy or permit the occupancy of the same after the time prescribed in such order for its repair, alteration or improvement or its vacation and closing, and each day that such occupancy continues after such prescribed time shall constitute a separate and distinct offense.
- ~~(b) The violation of any provision of this article shall constitute a misdemeanor, as provided by G.S. 14-4.~~ (b) A violation of this ordinance is a misdemeanor under N.C. General Statute § 14-4.

SECTION 5. Chapter 12, Article I of the Code of Ordinances, City of Lenoir, North Carolina, “Nuisances” is hereby amended to read as follows:

Sec. 12-1. – Designation of nuisances.

~~(c) Any person violating, failing, refusing or neglecting to comply with any of the provisions of this section shall be subject to a civil penalty. This provision is adopted pursuant to and in accordance with G.S. 160A-175(c). Failure to abate a violation may also constitute a misdemeanor or infraction pursuant to G.S. 14-4, as provided in section 1-15(h) of the Lenoir City Code. A violation of this ordinance is a misdemeanor under N.C. General Statute § 14-4.~~

~~(d) Any nuisance violation that constitutes an immediate and substantial risk of harm shall constitute a misdemeanor offense pursuant to G.S. 14-4.~~

Sec. 12-2. – Noise.

(b) Without limiting the generality of subsection (a) of this section, the following acts within the city shall be unlawful:

- (4) The owning, keeping, or maintenance of any animal which, ~~by causing frequent, loud or long continued noise, shall disturb the comfort or repose of persons dwelling in the vicinity of the~~

place where the animal is kept habitually or repeatedly barks, howls, whines, yelps, or otherwise produces any sounds which cause serious annoyance to neighboring residents, or which interfere with the reasonable use and enjoyment of premises occupied by such residents, or which interfere with the reasonable use and enjoyment of public streets, sidewalks or other public areas, is a violation of this section.

(c) ~~Any person creating unlawful noise as described in this section shall be guilty of a misdemeanor, punishable upon conviction by a fine or imprisonment as provided by G.S. 14-4.~~ A violation of this ordinance is a misdemeanor under N.C. General Statute § 14-4.

Sec. 12-11. - ~~Procedures in article not exclusive.~~Reserved.

~~The procedures set forth in this article shall be in addition to any other remedies that may now or hereafter exist under law for the abatement of public nuisances, and this article shall not prevent the city from proceeding in a criminal action against any person violating the provisions of this article as provided in G.S. 14-4.~~

SECTION 6. Chapter 13 “Offenses and Miscellaneous Provisions,” Article VI of the Code of Ordinances, City of Lenoir, North Carolina, “In General” is hereby amended to read as follows:

ARTICLE VI. – IN GENERAL

Sec. 13-6. Firearms.

(d) ~~Any person found to be in violation of the requirements of this section shall be guilty of a misdemeanor, punishable as provided in G.S. 14-4.~~ A violation of this ordinance is a misdemeanor under N.C. General Statute § 14-4.

Sec. 13-7. ~~Firebombs.~~ Reserved.

(a) ~~No person shall manufacture, possess, transport or use any molotov cocktail or other firebomb.~~

(b) ~~No person or group of persons shall possess all the items or materials needed to manufacture molotov cocktails or other firebombs, with intent to manufacture such, other than on his or their premises.~~

(c) ~~The provisions of this section shall be cumulative to any other ordinance or general statute of the state on this subject.~~

(d) ~~Any person found to be in violation of the requirements of this section shall be guilty of a misdemeanor, punishable as provided in G.S. 14-4.~~

Sec. 13-9. Consumption of alcoholic beverages on city property.

~~No consumption of alcohol on city property.~~ No person ~~shall~~may consume alcoholic beverages, fortified or unfortified wine, or malt beverages, as defined in state statutes, or offer the same for consumption by

another person, on the premises of any property owned or occupied by the city except pursuant to a valid North Carolina alcoholic beverage control permit and upon approval of the city. ~~Any person found to be in violation of the requirements of this section shall be guilty of a misdemeanor, punishable as provided in G.S. 14-4.~~ A violation of this ordinance is a misdemeanor under N.C. General Statute § 14-4.

Sec. 13-16. Loitering for purpose of engaging in drug-related activities.

(d) No arrest or charge is permitted hereunder unless the circumstances established probable cause to believe that the person intended to violate one or more of the provisions of the North Carolina Controlled Substances Act. ~~A violation of this section shall subject the offender to the penalties set forth in G.S. 14-4A.~~

(e) A violation of this ordinance is a misdemeanor under N.C. General Statute § 14-4.

Sec. 13-17. Solicitation and begging prohibited.

(d) Penalty. ~~A violation of this section is a misdemeanor as set forth in G.S. 14-4.~~ A violation of this ordinance is a misdemeanor under N.C. General Statute § 14-4.

Sec. 13-19. Weapons prohibited on city property.

(f) ~~Any person in violation of the prohibitions of this section 13-19 shall be guilty of a misdemeanor pursuant to N.C.G.S. 14-4.~~ A violation of this ordinance is a misdemeanor under N.C. General Statute § 14-4. Any firearm, handgun or other weapon possession in violation of the provisions of this section is and are declared to be contraband, to be disposed of in accordance with applicable North Carolina law.

SECTION 7. Chapter 18 “Streets and Sidewalks,” Article I of the Code of Ordinances, City of Lenoir, North Carolina, “In General” is hereby amended to read as follows:

ARTICLE I. – IN GENERAL

Sec. 18-2. Trespassing on or under bridges.

(a) *Prohibited actions.* ~~It shall be~~ is unlawful for any person to loiter upon or under any bridge within the city.

(b) *Enforcement.* ~~Enforcement of this section is authorized for any law enforcement officer with jurisdiction to arrest in the city. The offense is a misdemeanor offense of second degree trespassing, G.S.~~

~~14-159.13. *Signage.* Each bridge will be posted at both entrances notifying potential violators by sign "No Trespassing. Police Authorized to Arrest under G.S. 14-159.13 and 14-4."~~

~~(c) *Signage.* Each bridge will be posted at either entrance notifying potential violators by sign "No Trespassing. Police Authorized to Arrest" under G.S. 14-159.13. A violation of this ordinance is a misdemeanor under N.C. General Statute § 14-4.~~

SECTION 8. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 9. CODIFICATION. The City Clerk shall cause the Code of Ordinances of Lenoir, North Carolina to be amended as provided by this ordinance and may renumber, re-letter, and rearrange the codified parts of this ordinance if necessary to facilitate the finding of the law.

SECTION 10. EFFECTIVE DATE. This ordinance takes effect upon adoption.

DONE, THE FIRST READING, by an affirmative vote of a majority of a quorum present of the City Council of the City of Lenoir, North Carolina, at a regular meeting, this 6th day of June, 2023.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Lenoir, North Carolina, by the City Clerk of the City of Lenoir, North Carolina, this _____ day of _____ and this _____ day of _____, 2023.

DONE, THE SECOND READING AND PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Council of the City of Lenoir, North Carolina, at a regular meeting, this _____ day of _____, 2023.

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

Mayor/Mayor Pro Tempore

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

City Clerk

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CITY OF LENOIR

COUNCIL ACTION FORM

I. Agenda Item:

Contiguous Annexation Petition; 2702 Ellerwood Road: Resolution Directing the Clerk to Investigate an Annexation Petition and Resolution Setting a Date for a Public Hearing to be held on Tuesday, June 20, 2023 to consider a Contiguous Annexation Petition for property located at 2702 Ellerwood Road, NCPIN#2768447626. Note: The front portion of this parcel is already in the City limits while the back part of the parcel is not in the City limits but is in the ETJ.

II. Background Information:

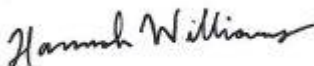
A petition has been filed for a contiguous annexation for the property at 2702 Ellerwood Rd SE (NCPIN 2768447626), highlighted on the attached map. This parcel is currently split between Lenoir's City Limits, ETJ, and Caldwell County, and split between R-20 (Single Family) and IND (Caldwell County's Industrial district). The recommended zoning district for this parcel is R-20 (Single Family).

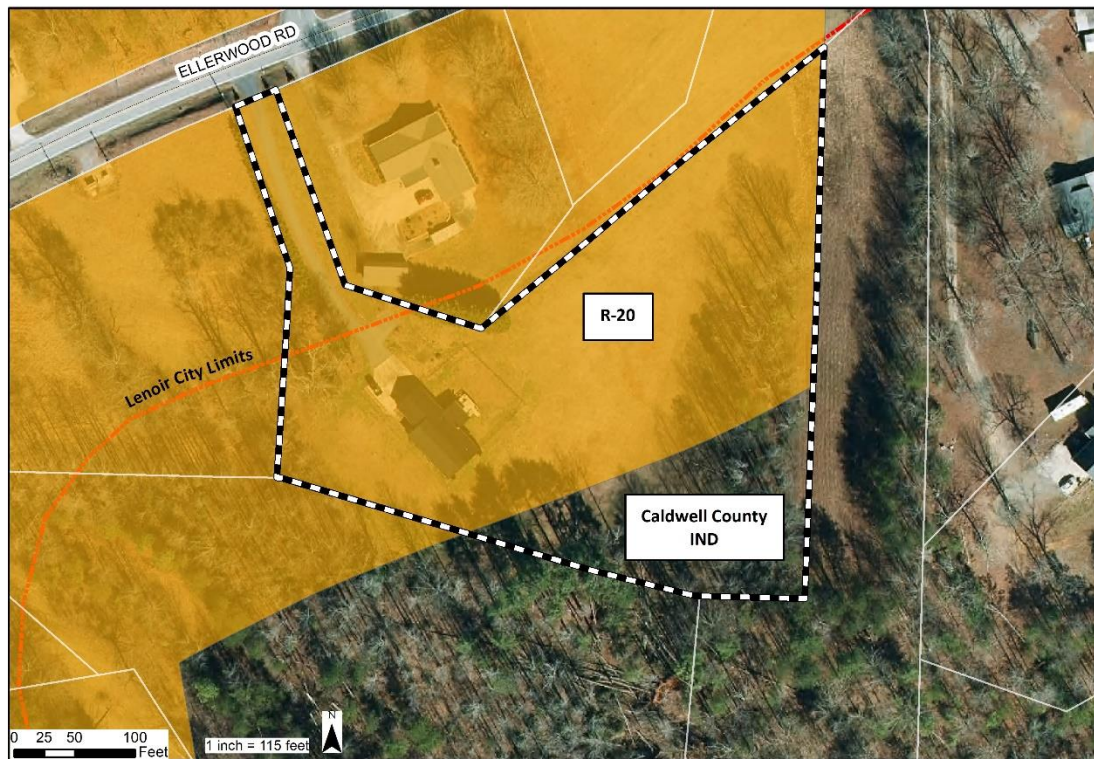
III. Staff Recommendation:

Adopt the Resolution Directing the Clerk to Investigate an Annexation Petition and Resolution Setting a Date for a Public Hearing to be held on Tuesday, June 20, 2023 to consider a Contiguous Annexation Petition for property located at 2702 Ellerwood Road.

IV. Reviewed by:

City Attorney: _____

Planning Director: 





ANNEXATION PETITION

CITY OF LENOIR PLANNING DEPARTMENT

CITY HALL • 801 WEST AVENUE NW • PO BOX 958 • LENOIR, NC 28645

For questions about this petition form or the annexation procedure, please contact the Planning Department at 828.757.2200 to schedule a pre-application meeting. The application fee for an annexation is \$50.00, cash or check payable to the City of Lenoir.

PETITION FOR ANNEXATION OF A CONTIGUOUS AREA

Date 5/16/2023

Petition Number: A 1-23

TO: THE CITY CLERK AND THE CITY COUNCIL OF THE CITY OF LENOIR:

1. I (we) the undersigned owners of real property respectfully request that the area described in Paragraphs 2 and 3 below be annexed into the City of Lenoir in accordance with G.S. 160A-31 (annexation by Petition), which states that "The governing board of any municipality may annex by ordinance any area contiguous to its boundaries upon presentation to the governing board of a petition signed by each owner of real property in the area and shall contain the address of each such owner." (Note: If the property title is listed in both husband's and wife's names, both are required to sign the petition. For land owned by a corporation, the registered agent on file with the NC Secretary of State is required to sign the petition. Attach additional sheets as necessary):

Name (signature):

Address:

Norman Staines [Signature] Kimberly Staines [Signature] 2702 Ellerwood Rd

2. In order to assist the City of Lenoir in locating the property to be annexed, please provide as much of the following information as possible:

Property Address(es): 2702 Ellerwood Rd

NC PIN(s): 2768447626

Township: 03

Tax Map(s) 109, Block(s) 1, Lot(s) 60

Deed Book 1325 Page 1171

3. The area to be annexed is contiguous to the City of Lenoir and the boundaries of such territory are as follows:
(Note: boundaries should be described as a "metes and bounds" legal description—type below and/or attach additional sheets as necessary)

See attached legal description

4. The governing board shall have the authority to make the annexing ordinance effective immediately or on any specified date within six months from the date of passage of the ordinance. The newly annexed territory shall be subject to municipal taxes levied for the fiscal year following the date of annexation as explained in G.S. 160A-31.

OFFICIAL USE ONLY:

Planning Department received annexation petition on _____.

The petition was certified as sufficient on _____.

City Council called for a hearing on _____.

The legal notice was published on _____ in the News-Topic. (Note: must be 10 Days prior to public hearing).

The public hearing was held on _____.

City Council action after public hearing _____

_____.

Filed with Register of Deeds on _____.

City Clerk (signature)

Date

SCHEDULE A

1173

TRACT #2

(Being a part of that property as described at Deed Book 144, at Page 302.)

BEGINNING on a new 3/4 inch iron pipe, a new corner for the Roberts property, said BEGINNING POINT being located South 27 degrees 22 minutes 48 seconds East 581.85 feet from a P.K. Nail in the center of SR 1715, at the intersection of the center line of SR 1712, being also located South 64 degrees 55 minutes 30 seconds East 832.04 feet from a P.K. Nail set in a power pole; thence from the POINT OF BEGINNING and with 4 new lines for the Roberts property: North 85 degrees 51 minutes 47 seconds West 91.11 feet to a new 3/4 inch iron pipe; North 76 degrees 05 minutes 04 seconds West 356.79 feet to a new 3/4 inch iron pipe; North 07 degrees 31 minutes 56 seconds East 170.12 feet to a new 3/4 inch iron pipe; North 19 degrees 58 minutes 07 seconds West, passing a new 3/4 inch iron pipe on line at 157.88 feet and continuing on the same bearing 30.00 feet, for a total distance along this bearing of 187.88 feet to a point in the center of SR 1715; thence with the center of SR 1715 North 68 degrees 21 minutes 07 seconds East 45.02 feet to a point in the center of the road, a corner with that property belonging to Herbert Eller (Deed Book 488, Page 478 and Deed Book 509, Page 457); thence leaving the road and with the Herbert Eller property for 3 calls: South 19 degrees 58 minutes 07 seconds East, passing a new 3/4 inch iron pipe on line at 35.81 feet and continuing on the same bearing 164.40 feet, for a total distance along this bearing of 200.21 feet to a new 3/4 inch iron pipe; South 72 degrees 52 minutes 26 seconds East 118.81 feet to an existing 3/8 inch iron pipe; North 49 degrees 46 minutes 52 seconds East 349.82 feet to a new 3/4 inch iron pipe; thence leaving the Eller property and with a new line for the Roberts property South 01 degrees 28 minutes 54 seconds West, passing a new 3/4 inch iron pipe on line at 449.91 feet and continuing on the same bearing 7.19 feet, for a total distance along this bearing of 457.10 feet to the POINT OF BEGINNING, containing 2.865 ACRES gross, by coordinates.

Subject to a part of a 45 foot wide right of way crossing the above described property, being more particularly described as follows:

BEGINNING on a new 3/4 inch iron pipe which is the same as the POINT OF BEGINNING of the above described 2.865 ACRES tract; thence from the POINT OF BEGINNING and with 4 new lines for the Roberts property; North 85 degrees 51 minutes 47 seconds West 91.11 feet to a new 3/4 inch iron pipe; North 76 degrees 05 minutes 04 seconds West 356.79 feet to a new 3/4 inch iron pipe; North 07 degrees 31 minutes 56 seconds East 170.12 feet to a new 3/4 inch iron pipe; North 19 degrees 58 minutes 07 seconds West, passing a new 3/4 inch iron pipe on line at 157.88 feet and continuing on the same bearing 30.00 feet, for a total distance along this bearing of 187.88 feet to a point in the center of SR 1715; thence with the center of SR 1715 North 68 degrees 21 minutes 07 seconds East 45.02 feet to a point in the center of the road, a corner with that property belonging to

1174

Herbert Eller (Deed Book 488, Page 478 and Deed Book 509, Page 457); thence with the Herbert Eller property South 19 degrees 58 minutes 07 seconds East, passing a new 3/4 inch iron pipe on line at 35.81 feet and continuing on the same bearing 164.40 feet, for a total distance along this bearing of 200.21 feet to a new 3/4 inch iron pipe, a corner with the Herbert Eller property; thence leaving the Eller property and with 3 new lines for the Roberts property: South 07 degrees 31 minutes 56 seconds West 163.53 feet to a new 3/4 inch iron pipe; South 76 degrees 05 minutes 04 seconds East 402.26 feet to a new 3/4 inch iron pipe; South 01 degrees 28 minutes 54 seconds West 7.19 feet to the POINT OF BEGINNING.

Being the same property as conveyed by Helen Roberts Watson et al to Inez Roberts Morrison by deed dated December 29, 1993 and recorded in Book 1101 Page 1164 Caldwell County Registry.

DRAFTSMAN DID NOT ABSTRACT
TITLE OR PERFORM A CLOSING
ON THIS PROPERTY AND MAKES
NO WARRANTIES AS TO TITLE.



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-31**

WHEREAS, a petition requesting annexation of an area described in said petition was received on May 16, 2023 by the City of Lenoir City Council; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Lenoir deems it advisable to proceed in response to this request for annexation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lenoir that:

The City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the result of his/her investigation.

This the 6th day of June, 2023.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk





CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

CITY COUNCIL
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D. F. STEVENS
C. D. THOMAS

CERTIFICATE OF SUFFICIENCY

To the City Council of the City of Lenoir, North Carolina:

I, Shirley Cannon, City Clerk, do hereby certify that I have investigated the attached petition and hereby make the following findings:

- a. The petition contains an adequate property description of the area proposed for annexation.
- b. The area described in the petition is contiguous to the City primary corporate limits, as defined by G.S. 160A-31.
- c. The petition is signed by and includes addresses of all owners of real property lying in the area described therein.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Lenoir, this the 6th day of June, 2023.

SEAL


Shirley M. Cannon, City Clerk

CITY OF LENOIR, NC
CHARTERED
JANUARY 28, 1851

SEAL





CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31

WHEREAS, a petition requesting annexation of the area described herein has been received;
and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the
sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lenoir, North
Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be
held at the City/County Chambers, 905 West Avenue, Lower Level, Lenoir, NC on Tuesday,
June 6, 2023 at 6:00 p.m.

Section 2. The area proposed for annexation is described in Attachment #1.

Section 3. Notice of the public hearing shall be published in the Lenoir News Topic, a
newspaper having general circulation in the City of Lenoir, at least ten (10) days prior to the date
of the public hearing.

This the 6th day of June, 2023.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk

SCHEDULE A

1173

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1174

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