



AGENDA

**CITY OF LENOIR
CITY COUNCIL MEETING
905 WEST AVENUE
TUESDAY, AUGUST 15, 2023
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition: Dysart-Kendall American Legion Post 29 will recognize Captain Roger Whisnant as Firefighter of the Year and Senior Detective Jason Parker as Police Officer of the Year, as selected by their peers and as recognized by Dysart-Kendall American Legion Post 29.
- C. Special Recognition: On behalf of City Council, Mayor Gibbons will present a proclamation to Mrs. Kay Rash in honor and memory of Rick Rash who worked for the City of Lenoir Parks and Recreation Department for thirty-six years and to name a section of the Lenoir Greenway as the "Rick Rash Trail."

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council Meeting of Tuesday, August 1, 2023 as submitted.
- B. Authorizing Resolution; Division of Water Infrastructure: Staff recommends approval of the submitted resolution authorizing the City Manager and Finance Director to execute and file the Lead Service Line Identification and Replacement Grant application with the NC Division of Water Infrastructure for Assistance for Lead Service Line Identification and Replacement for the project in order to develop a comprehensive Lead Service Line Inventory and to construct, plan or conduct a study of the needs in the community regarding lead service line replacements. Note: The grant will provide funding up to \$500,000 and no match is required by the City. This application will also assist in meeting new EPA requirements regarding lead service line replacements.
- C. Proclamation; Naming Portion of Greenway: Staff recommends approval of a proclamation naming a portion of the Lenoir Greenway in honor and memory of Rick Rash who worked for the City of Lenoir Recreation Department for 36 years.

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 annual Southern Sundown 4 Miler race will be held on Saturday, August 19 beginning at 7:00 p.m. in downtown Lenoir.

2. The Committee of the Whole will meet on Tuesday, August 22 at 8:30 a.m. at City Hall, Third Floor Conference Room.
3. The Foothills Regional Airport Authority will meet on Wednesday, August 30, 2023 at noon at the airport facility.
4. The Carolina Tattoo & Arts Gathering will be held on Friday, September 1 through Sunday, September 3. The event is hosted by Carolina Distillery in downtown Lenoir.
5. A Cruise-In will be held on Saturday, September 2 beginning at 3:00 p.m. in downtown Lenoir.
6. City offices will be closed on Monday, September 4 in observance of Labor Day.

B. Items for Council Action

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

- A. Pursuant to N.C.G.S. §143-318.11(a),(4), City Council will enter into closed session to discuss economic development.

X. ADJOURNMENT



Lenoir Police Department



Council Action Form

I. Agenda Item:

We are requesting approval for a presentation at the August 1, 2023 Council Meeting for the annual Dysart-Kendall American Legion Post 29 Police Officer of the Year Award, this year recognizing Senior Detective Jason Parker.

See attached nomination write-up that was submitted to Post Commander Irv Eurto.

II. Background Information:

The Dysart-Kendall American Legion Post 29 Representatives wish to recognize both Police Officer of the Year and Firefighter of the Year at the same city council meeting if possible.

III. Staff Recommendation:

Please let us know if an alternate date is chosen, so we can promptly notify those affected. Thank you.

IV. Reviewed by:

City Attorney: _____ Date: _____

City Manager: _____ Date: _____

Police Chief: *Butt* _____ Date: 7/11/2023



Lenoir Police Department

1035 West Avenue NW
Lenoir, North Carolina 28645
(828) 757-2100



April 21, 2023

REFERENCE: AMERICAN LEGION POST 29 OFFICER OF THE YEAR
NOMINEE: JASON PARKER

MILITARY SERVICE:

Branch of Service: United States Navy
Highest Rank Held: E-3 Seaman

Entrance: Dec. 1990 (Great Lakes, IL)
Discharge: Jan. 1993 (Washington, DC)
(Disabled Veteran, Gulf War)

Medals/Decorations Awarded: National Defense, Joint Meritorious Unit Metal, Silver Wreath Award

LAW ENFORCEMENT CAREER:

Completed B.L.E.T.: July 2003 at Catawba Valley Community College
Hired at Department: Feb. 2005 as Patrol Officer II; Oath Taken on 3/7/2005
Transfers & Promotions: 2/10/2008 to School Resource Officer (William Lenoir Middle School)
8/4/2010 to School Resource Officer (Hibriten High School)
4/28/2013 to Detective I; 4/23/17 Senior Detective (current position)

- **AWARDS / MEDALS:**

Good Conduct Metal (2008); Caldwell Rotary Officer of the Year (2008); 10-year Safe Driver (2016); Hostage Negotiator (2016); Certificate of Merit (2016); City of Lenoir Golden Ticket Customer Service Award (2019)

- **EDUCATION & CERTIFICATES:**

Naval Tactical Training School (Virginia Beach, VA 1991)
Bachelor of Arts in Business Administration from Lenoir-Rhyne College (May 1999)
Detention Officer Certificate from Wilkes Community College (Mar. 2004)
Law Enforcement Intermediate Certificate from Training & Standards (Jun. 2007)
Law Enforcement Advanced Certificate from Training & Standards (May 2011)

- **OTHER ACCOMPLISHMENTS:**

Bike Patrol (2006); D.A.R.E Instructor (2008), Crisis Intervention Team (2009); Crimes Stoppers Program at HHS (2012); Mentor (2013); Gang Investigators Association Member (2013); Back-up Evidence Technician (Mar. 2014); Special Response Team Member (Crisis Negotiations – Jun. 2014); current SRT Member

- **SERVICABLE MENTIONS:**

Juvenile Crime Prevention Council (2014); Money Laundering Task Force (2014); Member of the N.C. Anti-Counterfeiting Task Force (Feb. 2020)

CITY OF LENOIR
COUNCIL ACTION FORM

- I. Agenda Item:** Consider naming a section of the Lenoir Greenway as “Rick Rash Trail.”
- II. Background Information:** Pursuant to the discussion held during the June 27, 2023, Committee of the Whole meeting, included is a proclamation naming a section of the Lenoir Greenway as “Rick Rash Trail.”

The section to be named is the loop beginning at the northernmost parking lot on Zacks Fork Road running south to Powell Road and returning north along the gravel path by the Lenoir Aquatic & Fitness Center.

In addition, staff will place special signage on the section of trail.

Attachments: Proclamation, a map showing the section of trail to be named, and an example of the sign(s) that will be placed on the trail.

- III. Staff Recommendation:** Staff recommends approving the resolution naming the section of greenway mentioned above as “Rick Rash Trail” and placing appropriate signage as needed on that section of trail.

- IV. Reviewed by:**

Parks & Recreation Director Phil Harper

Communication & Public Information Director Joshua Harris

Public Works Manager Jon Hogan







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

Proclamation Honoring Rick Rash and Naming "Rick Rash Trail"

WHEREAS, Richard James Rash, was born and raised in Lenoir and Caldwell County and gave many decades of service to his family, friends, neighbors, and community; and

WHEREAS, Richard, better known as Rick, was a faithful employee of the City of Lenoir serving 36 years from 1967 to 1970 and 1972 to 2004 as a Recreation Specialist, Recreation Supervisor, and Lenoir Aquatic & Fitness Center Supervisor; and

WHEREAS, Rick was a proud veteran of the U.S. Army and served eight years with the American Red Cross; and

WHEREAS, during this three decades of service in recreation, Rick taught unknown numbers of local children how to lifeguard, how to swim, and how to safely enjoy aquatic activities; and

WHEREAS, Rick was a founding member of Caldwell County Pathways and was an active member of the Pathways Board of Directors from its inception serving until his passing in January this year; and

WHEREAS, during his tenure on the Board, Pathways helped expand trail opportunities in Lenoir and Caldwell County and worked to promote outdoor activities and health and wellness opportunities for the community; and

WHEREAS, Rick was loved and respected in Lenoir and the community and was known as always being kind, generous, helpful, friendly, and caring.

NOW THEREFORE, I, Joseph L. Gibbons, Mayor, on behalf of the City of Lenoir Council, do hereby proclaim that the greenway loop beginning at the northernmost parking lot on Zacks Fork Road running south to Powell Road and returning north along the gravel path by the Lenoir Aquatic & Fitness Center be officially named as

"Rick Rash Trail"

In honor and remembrance of Rick's dedication and service to the Lenoir Aquatic & Fitness Center, the City of Lenoir, Caldwell County Pathways, and to his devotion to the community and people he loved.

This the 15th day of August 2023.

SEAL

Joseph L. Gibbons, Mayor



**LENOIR CITY COUNCIL
TUESDAY, AUGUST 1, 2023
6:00 P.M.**

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

ABSENT: Mayor Pro-Tem Crissy Thomas.

CITY STAFF: In attendance was Finance Director Donna Bean, Fire Chief Norman Staines, Deputy Fire Chief Kenny Nelson, Police Chief Brent Phelps, Planning Director Hannah Williams, Parks & Recreation Director Phil Harper, Public Services Director Radford Thomas, Public Utilities Operations Manager Jeff Church, Public Works Operations Manager Jon Hogan, Downtown Event Coordinator Matthew Anthony and Communications Director Joshua Harris.

I. CALL TO ORDER

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

**COMMENDED; CITY
STAFF:**

- B. On behalf of City Council, Mayor Gibbons commended City Staff for all of their hard work in taking care of the debris and damage that occurred in our area due to the recent storms. Mayor Gibbons thanked all of the departments and divisions for all of their hard work during this time.

**RESOLUTION; MY
FUTURE NC:**

- C. On behalf of City Council, Mayor Gibbons read and presented a resolution to Kim Case, Regional Impact Manager, to Support the myFutureNC Attainment Goal that 2 million North Carolinians should have a high-quality credential or postsecondary degree by 2030.

(A copy of the resolution is hereby incorporated into these minutes by reference. Refer to page 221.)

Ms. Case thanked City Council for adopting the resolution and joining the community effort to work towards attaining this goal. She shared that House Bill 664 was approved in 2019 to ensure that the state remains economically competitive and ensure that by the year 2030, 2 million 25 to 44 year olds will have completed a high-quality credential or post secondary degree. Ms. Case also reported that North Carolina was voted number one in business for the past two years and stated that education attainment is the way to economic prosperity. She emphasized a qualified work force is needed, but pointed out nearly 2 in 3 prospective students identify cost as a top barrier to enrollment. Currently, the state is 31,000 below where it needs to be.

In addition, Ms. Case stated, as of November 2022, there were 362,170 job openings in North Carolina and 43% of North Carolinians age 35-44 did not earn a family-sustaining wage in 2021. She reviewed the statistics that show for every 100 NC 9th graders, 72 did not earn a degree or credential within 6 years of graduating high school whereas 28 students did earn a degree or credential.

Ms. Case reported the myFutureNC is governed by a cross-sector Board of Directors comprised of NC education sector heads, policymakers, philanthropists, and business leaders. Ms. Case explained in order to achieve their goal, myFuture NC will accelerate action, monitor & report progress, and identify & advocate for policy solutions. The four key transition areas are academic readiness, college & career access, postsecondary completion and labor market alignment.

Ms. Case shared the County profiles/opportunities for growth, which are college & career-ready in math, NC Pre-K enrollment and transition to postsecondary (on-time college enrollment.) Caldwell County's top 3 opportunities for growth include opportunity youth (teen & young adults between the ages of 16-24 who are not enrolled in school or working), math performance, and adult learners ages 25-44 who have some college, but no degree. Ms. Case reported the NC Workforce Credentials is a collaborative effort to identify industry-valued, non-degree credentials that help workers in NC obtain in-demand, family-sustaining wage jobs.

Ms. Case briefly discussed FAFSA (federal financial aid) and explained FAFSA completion is required for Federal pell & state need-based grants and some scholarships. She noted that 88% of high school seniors who complete a FAFSA application attend college compared to 49% of students who do not. Ms. Case reported that the population declined by 1% between 2018-2021, but the number of individuals holding postsecondary degrees or credentials grew 8% in the same period.

The goal for Caldwell County is 10,959 individuals with a stretch goal of 11,149. Ms. Case reviewed a list of education attainment resolution endorsements as of July 18, 2023. The next steps toward local attainment is 1) endorsing the state goal, 2) adopting the local goal; and 3) collaborating with local partners to develop and execute Caldwell County's local educational attainment plan.

Mayor Gibbons thanked Ms. Case for the good report and invited her to come back and update City Council on the results/progress of achieving the projected attainment goal.

**CONGRATULATIONS; HANNAH
& GARRETT WILLIAMS:**

- D. On behalf of City Council, Mayor Gibbons congratulated Planning Director Hannah Williams and her husband Garrett upon the birth of their daughter, Maris Rose. Mayor Gibbons wished them all the best.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes/closed session minutes of the Special Called Meeting of the joint City Council and Caldwell County Commission meeting on Tuesday, July 11,

- 2023 to discuss economic development. The meeting was called to order with introductions of those in attendance and a closed session followed to discuss economic development. No action was taken.
- B. Minutes: Approval of the minutes of the City Council Meeting of Tuesday, July 18, 2023 as submitted.
 - C. Resolution, Support myFutureNC: Approval of a resolution to Support the myFuture NC Attainment goal as described above.
 - D. FY2022 Tax Settlement Report, FY2023 Tax Receipt Charge: In accordance with N.C.G.S. §105-321 and 352, Staff request the FY2022 Tax Collector's Settlement Report and the FY2023 Receipt Charge be authenticated by the City Council as submitted.

Upon a motion by Councilmember Perdue, City Council voted 6 to 0 to adopt items A through D on the Consent Agenda as described above and as recommended by City Staff.

- IV. REQUESTS AND PETITIONS OF CITIZENS**
- V. REPORTS OF BOARDS AND COMMISSIONS**
- VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER**
 - A. Items of Information

- AUGUST CALENDAR:**
 - 1. The calendar for the month of August was provided to City Council listing committee meetings and events.
- SUMMER MUSIC EVENT:**
 - 2. The band Soul Watt will perform on the downtown stage on Friday, August 4 beginning at 7:00 p.m. This event was rescheduled from July.
- HARAMBEE FESTIVAL:**
 - 3. The annual Harambee Festival begins on Saturday, August 5 and ends on Friday, August 11. Events are scheduled throughout the week at the Martin Luther King, Jr. Center.
- CRUISE-IN:**
 - 4. A Cruise-In is scheduled on Saturday, August 5 beginning at 3:00 p.m. in the downtown area.
- ABC BOARD:**
 - 5. The ABC Board will meet on Thursday, August 20 at 2:00 p.m.
- LENOIR BUSINESS ADVISORY BOARD:**
 - 6. The Lenoir Business Advisory Board will meet on Thursday, August 10 at 6:00 p.m. at City Hall, Third Floor.
- CITY/COUNTY SERVICES COMMITTEE:**
 - 7. The City/County Services Committee will meet on Monday, August 14 at noon.

- B. Items for Council Action

- VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY**
- VIII. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS**

UPDATE; ROTARY RAFFLE:

- A. Councilmember Ralph Prestwood informed Council the Rotary Club donated \$691.04 to the Downtown Lenoir Development Alliance.

On behalf of City Council, Mayor Gibbons thanked Mr. Prestwood for all that the Rotary clubs do in giving back to the community.

IX. REPORT AND RECOMMENDATIONS OF THE MAYOR

**BOARD APPOINTMENTS,
BOARD OF ADJUSTMENT:**

- A. Alternate; Board of Adjustment: Mayor Gibbons recommended that Michael Careccia be appointed to serve as an Alternate on the Board of Adjustment to fill a vacant term which expires June 30, 2025. Mr. Careccia currently serves as a member of the Lenoir Planning Board. This appointment was announced at the July 18, 2023 City Council meeting.

LENOIR TOURISM DEVELOPMENT

AUTHORITY: B. Appointment; Lenoir Tourism Development Authority: Mayor Gibbons recommended that Karin Davidson be appointed to serve a four-year term on the Lenoir Tourism Development Authority (LTDA) that expires June 30, 2027. This appointment was announced at the July 18, 2023 City Council meeting.

Upon a motion by Councilmember Stevens, City Council voted 6 to 0 to approve the above listed board appointments (Item A. & B.) for Michael Careccia and Karin Dickson as recommended by Mayor Gibbons.

X. ADJOURNMENT

- A. There being no further business, the meeting was adjourned 6:30 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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

*Resolution to Support the myFutureNC
Attainment Goal*

WHEREAS, myFutureNC is a statewide non-profit organization focused on educational attainment and is the result of cross-sector collaboration between North Carolina leaders in education, business and government; and

WHEREAS, North Carolina has the goal that 2 million North Carolinians will have a high-quality credential or postsecondary degree by 2030; and

WHEREAS, Lenoir City Council is committed to ensuring that 51% of individuals ages 25 - 44 have a postsecondary degree or credential by 2030; and

WHEREAS, the Lenoir City Council agrees that North Carolina faces a gap between the projected needs for citizens with high-quality credentials or postsecondary degrees and the attainment of those high-quality credentials or postsecondary degrees.

NOW, THEREFORE, BE IT RESOLVED THAT: The Lenoir City Council supports and endorses the attainment goal of myFutureNC that 2 million North Carolinians should have a high-quality credential or postsecondary degree by 2030; and

The Lenoir City Council supports and adopts the local educational attainment goal of 11,159 individuals with a high-quality credential or postsecondary degree by 2030 in Caldwell County; and

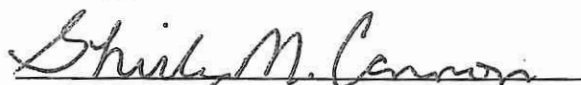
The Lenoir City Council along with leaders in business, education, state and local government, and community organizations will continue to foster collaboration to achieve the goal by developing an action plan, defining success with measurable outcomes, executing on the action plan, and sharing successful practices with myFutureNC and peer communities.

Adopted this the 1st day of August, 2023.

SEAL


Joseph L. Gibbons, Mayor

ATTEST:


Shirley M. Cannon, City Clerk



CITY OF LENOIR
COUNCIL ACTION FORM

- I. Agenda Item:** Resolution By The City Of Lenoir For Fall 2023 Division Of Water Infrastructure Lead Service Line Identification And Replacement

Background Information: The State of North Carolina Department of Water Infrastructure has made available a grant program to make funding available to eligible units of local government that have a need to develop a comprehensive Lead Service Line Inventory and to construct, plan for or conduct a study of the needs in the community regarding lead service line replacement. The grant would provide funding up to \$500,000.00 to assist the City of Lenoir in undertaking this beneficial project for creating an inventory of lead service lines in our water distribution system that will be used to develop a comprehensive service line replacement project. This application will assist in meeting new EPA requirements regarding lead service line replacement. If the application is funded through the Department of Water Infrastructure, no match is required by the City.

- II. Staff Recommendation:** Staff recommends approval of the proposed resolution authorizing the City Manager and Finance Director to execute and file the Lead Service Line Identification and Replacement Grant application with the NC Department of Water Infrastructure for the project described above.

- III. Reviewed by:**

City Attorney: _____

Finance Director: _____

Public Works/Public Utilities Director: _____



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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

**RESOLUTION BY THE CITY OF LENOIR FOR
FALL 2023 DIVISION OF WATER INFRASTRUCTURE
LEAD SERVICE LINE IDENTIFICATION AND REPLACEMENT**

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

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

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

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

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

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

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

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

That Scott Hildebran, City Manager and/or Donna Bean, City Finance Director, the **Authorized Representatives** and successors so titled, are hereby authorized to execute and file an application on behalf of the Applicant with the State of North



Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

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

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

Adopted this the 15th day of August 2023 at Lenoir, North Carolina.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk

FORM FOR CERTIFICATION BY THE RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Lenoir, NC does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the City of Lenoir, City Council duly held on the 15th day of August 2023; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of August 2023.

Shirley M. Cannon, City Clerk