

**COMMITTEE OF THE WHOLE
CITY HALL, THIRD FLOOR
TUESDAY, AUGUST 22, 2023**

8:30 A.M.

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

Absent: Mayor Pro-Tem Crissy Thomas, Economic Development Director Kaylynn Horn and Planning Director Hannah Williams.

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, Ed Evans, Interim Planning Director, Parks & Recreation Director Phil Harper, Fire Chief Norman Staines, Police Chief Brent Phelps, Police Major Andy Wilson, 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, reported he met with representatives of Freeze & Nichols last week and reported the Lead & Copper study has a deadline date of October 2024.
- B. Update; Brownfields Project: Director Thomas introduced Greg Icenhour, Mid-Atlantic Associates, Inc. who presented an update on the City's Brownfields project. Mr. Icenhour stated the City was awarded its second U.S. EPA Brownfield Assessment Grant in the amount of \$500,000 and pointed out the City has acquired \$800,000 total of U.S. EPA Brownfield Assessment Grant funding. He stated the grant capitalizes on the successful implementation of the City's first Brownfield Assessment grant. The current grant awarded in 2022 runs through September 2026.

A brief discussion was held regarding the American Efird property which is comprised of around 12 acres. Mr. Icenhour shared there have not been any immediate inquiries about the site and clarified Phase I and Phase II Environmental Site Assessments have been completed on the property.

Other project highlights of the Brownfields project include the following:

- Completed the assessment of the City-owned former Broyhill Furniture site begun under the initial grant. The NCDEQ is currently preparing a North Carolina Brownfield Agreement to facilitate site redevelopment.

- Completed asbestos and lead-based paint inspections of City-owned former LHS Gymnasium, Auditorium & Band buildings.
- Funded completion of the former J.M. Bernhardt Mill Phase Environmental Site Assessment, currently being developed as Steele Box into 65 apartment units.
- Currently working to identify additional properties that may be desirable for redevelopment.
- Also working with the City Attorney on the old City landfill.

C. Update; Public Works/Public Utilities

D. Public Utilities Operation Manager Jeff Church reported on the following items:

Mueller Update: 8/4/23: Eric: Mi-Net sunseting letter was released on Monday, 8/7/23. Effective 10/9/23, Mueller Water Products will discontinue access to the Mi.Host User Interface. Good progress made in Sentryx in billing. There are about 700 meters still needing firmware updates. Mueller is trying to update over air to keep from having to have boots on ground to facilitate future updates.

1. **Asset Inventory and Assessment Grant (ARPA & SRP):** 7/31/23: We received feedback from Matthew Rushing with NCDEQ on Friday, 7/28/23. Requested revisions were completed and submitted the adjusted timeline/budget is:

Section 3: Itemized Tasks

- Issue, receive, and review a RFQ for engineering services.
- Negotiate and sign engineering contract
- Project scope, timeline, and estimated costs

Milestone	Estimated Timeline	Estimated Budget
Preliminary work and site visits	September 2023 – December 2023	\$30,000
Sewer system and WWTW asset inventory	December 2023 – June 2024	\$80,000
Sewer asset assessment and scoring	July 2024 – November 2024	\$50,000
Sewer Capital Improvement Plan (CIP)	November 2024 – January 2025	\$10,000
Sewer Asset Management Plan (AMP)	November 2024 – July 2025	\$30,000
Total Budget		\$200,000

- Submit to DWI project progress updates (minutes, agendas, or summaries of meetings) at least every two months or with each reimbursement request.
 - Submit to DWI both the Draft and Final deliverable for review.
2. **Freeze and Nichols Facilities Assessment Project:** 8/22/23: A draft facilities assessment was emailed for comments on June 12. Project is ongoing.
3. **Freeze and Nichols Lead and Copper Inventory Project:** 8/17/23: Engineering team met onsite to discuss progress and to introduce an app to use to conduct the inventory. Engineering team and city staff went on location to identify and inventory sample service lines on Beall St.

ACTION ITEMS			
WHAT	WHO	WHEN	STATUS
1. Send an updated PDG map of meter locations and parcel data	FNI (Isabella)	ASAP	Complete
2. Assess and send Lenoir's version of spatial meter data	Lenoir (Derek)	ASAP	In Progress
3. Edit the Field Inspection App: • Designate the material as non-lead for service lines located on parcels with construction dates after 1988 • Set service line inventory features to be un-editable by field crew users if they are installed after 1988 • Set service line inventory features to be un-editable by field crew users if they are installed after 1988	FNI (Kat)	ASAP	In Progress

- Set service line inventory features to be un-editable by field crew users if the field inspection has been completed - Make the Photo Attachment mandatory - Add a drop-down question for the field crew user to select what inspection method was used to identify material and if the meter needs to be re-visited (as a potholing or representative sampling candidate)			
4. Provide feedback on the Field Inspection App functionality	Lenoir	Continuous	In Progress
5. Draft a schedule for field inspection activities from September 2023 – August 2024 with the goal to field verify all service lines with unknown material	FNI (Isabella)	By End of August	In Progress
6. Send a map of Lenoir's water system with areas where Lenoir is confident of service line material	Lenoir (Derek)	ASAP	In Progress
7. Review areas of know service line material and draft an affidavit to present to NCDEQ for approval	FNI and Lenoir	By 9/13/23	Pending Task 6
8. Select two subdivisions (one in Lenoir and one in Hudson as representative sampling examples and recommend homes for Lenoir to verify service line material at	FNI (Isabella)	ASAP	In Progress
9. Conduct field inspections at the selected homes at the representative sampling example subdivisions	Lenoir	By 9/13/23	Pending Task 8
10. Forward the September progress meeting (Wednesday September 13 th at 2 PM) to Josh	Lenoir (Jeff)	By 9/13/23	In Progress
11. Send the signed resolution for funding to FNI	Lenoir	ASAP	In Progress

4. **Finley Water Project:** 8/18/23: City staff, upon the recommendation of McGill, conducted exploratory excavations on the left hand side of the site, at the location of the old plant to determine the viability of tank location. Staff uncovered a concrete slab buried at 10 ft. McGill is still evaluating the appropriate tank location. 7/31/23: City staff, upon the recommendation of McGill Engineering, request a 2-month time extension for all project milestones due to pending geotechnical results and to enable existing conditions plans to be updated before finalizing water line layouts.

Current and proposed deadlines are summarized in the table below.

Milestone	Current Deadline	Proposed Deadline
Bid-and-Design Package Submittal (all permits obtained)	August 1, 2023	October 2, 2023
Bid-and-Design Package Approval	December 1, 2023	February 1, 2024
Advertise Project, Receive Bids, Submit Bid Information, <i>and</i> Receive Authority to Award	April 2, 2024	June 3, 2024
Execute Construction Contract(s)	May 1, 2024	July 1, 2024
Receive Last Reimbursement (Statutory, not extendable)	December 31, 2026	December 31, 2026

5. **Crossroads Sewer Project:** 8/11/23: McGill is still working with contractor on the final pay application to close out the document. The missed manhole, located in the east bound lane, towards Hibriten, approximately at the driveways to the car wash and Jason's Mart, was not part of the project scope. We are waiting for more information.

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

Projects:

1. Hospital Avenue Sidewalk Project – Met with Wetherill and Duke Energy on-site to walk the URA. Tree work will begin within the next two weeks followed by the utility relocation. Pre-bid meeting scheduled with NCDOT on Friday August 25th. Application for Supplemental LAPP funds has been submitted to WPCOG.
2. 1003 Pennell St. Culvert: Based on current insurance claim, we asked Freese and Nichols to take a look at the issue and provide some repair options. They have provided us with 2 phases/options. Option 1 for flood study and preliminary analysis and recommendations for \$46,833 and Option 2 for full, design and administration for \$89,127. Based on the location of the home in reference to the flood plain and the pipes direct outfall this isn't a problem that repairing the culvert pipe will fix completely. However we do feel that we should begin with Option 1.
3. Smith Crossroads Sign- Project is currently in active bid. Bid opening on Wednesday 8/23. We should have at least 1 bid. We may need to do some in-house tree and vegetation removal prior to construction.
4. Arrowood Paving- We received some comments and concerns with the condition of Arrowood road at the intersection of Hibriten High School. The road has several washboards and potholes that had been patched and failed numerous times making travel unsafe. We worked with contractors to overlay a 1 ½" cap from the Arrowood Bridge to the Hibriten intersection.

IV. Community Development

- A. Lenoir Tourism Development Authority: The Lenoir Tourism Development Authority (LTDA) met on Thursday, August 10, 2023. Minutes of the Minutes of the June 22, 2023 meeting are submitted as information. Donna Bean, Finance Director presented a report of the meeting.

Director Bean stated LTDA approved a request by the Caldwell Arts Council for \$5,700 for the Sculpture Festival to help with marketing and \$4,800 for the Tucker's Outdoor Sculpture Gallery for installations and de-installations. In addition, they approved a request by the Carolina Tattoo and Arts Gathering for \$2,500 along with a request by the Martin Luther King, Jr. Center (MLK) for \$2,000 to assist with the 5th Annual Music Festival.

Director Bean also stated Karin Davidson, owner of the Highland Thistle Bed & Breakfast has been appointed to serve a term on the LTDA.

- B. Lenoir Business Advisory Board: The Lenoir Business Advisory Board did not meet in August. The next meeting is scheduled for Thursday, September 14 at 6:00 p.m.
1. DRL Group Update on Downtown Master Plan: Matthew Anthony, Downtown Event Coordinator, introduced Andrew Gale, Project Manager, who was present at the meeting and Yogesh Saoji, Planning and Urban Design Lead and Christina Kruse, Market Analysis and Engagement Lead who participated in the meeting via Zoom.

Mr. Saoji and Ms. Kruse reviewed a power point of the Downtown Master Plan. (A copy of the plan is on file in the Planning Department.)

Mr. Saoji said they have been working on the plan eight months and their goal is to receive feedback from City Council on the draft plan recommendations. The Downtown Master Plan Goals are:

- a) Action-oriented and comprehensive 10-year plan inclusive of the rehabilitation of The Campus.
- b) Achievable plan with attainable goals.
- c) Guide City investments toward strategic infrastructure and public spaces.
- d) Spur additional investment in Downtown housing, commercial development, culture, and retention.
- e) Examine trends that impact development patterns in the community including The Campus.
- f) Collaborate with stakeholders and the Advisory Committee.
- g) Continue to build on previous success and ongoing initiatives.

Mr. Gale reviewed the recommendations which are to connect the neighborhoods to downtown and to connect Ashe Avenue and Boundary Street to downtown. Discussion centered on parking, smaller businesses, and the proposed extension of the courthouse. He further suggested putting a park behind Fire Station No. 1 downtown.

Next, Mr. Gale cited the four proposed downtown districts which are: 1) West District (includes The Campus), 2) North District, 3) Downtown District, and 4) South District (Mulberry Street Mixed-Use District.) He stated for now the City has sufficient parking and noted the proposed plan would be implemented in phases. Mr. Gale also stated the plan needs community outreach and engagement which will include focus groups, workshops, and stakeholder interviews. A copy of the proposed plan will be available on the City's website.

In addition, Mr. Gale reviewed what each District would include and shared they are proposing a Gateway Park, Harper Avenue Park, Community Park along with open space improvements plus an entertainment pavilion at The Campus.

Mr. Gale discussed policy and capacity which includes capacity building, economic development, arts & culture, land use & zoning and other ordinances. He explained the Downtown Main Street Program, with increased capacity, would operate & manage The Campus, Coordinate with Parks & Recreation and Public Works, as well as support downtown programming, outreach, operations and maintenance.

Councilmember Stevens asked about the greenway being closed to through traffic. Mr. Gale said some areas along the greenway are narrow and they would encourage foot traffic. He stated plans have not yet been finalized and they would be having more discussion to receive additional public comments. Mr. Gale reiterated the plan would be implemented in phases.

On behalf of City Council, Mayor Gibbons thanked Mr. Yogesh Saoji, Ms. Christina Kruse and Andrew Gale for the good report.

- C. Planning Board: The Planning Board did not meet in August. Ed Evans, Interim Planning Director presented a report of current projects.
1. Expansion; Apartment Complex: Interim Director Evans reported an apartment complex currently has 98 apartments and a Special Use Permit (SUP) would allow them to build up to 170 units. He stated a developer in North Carolina has inquired about building 2-36 unit apartment buildings which are considered market rate housing.
 2. Oil Change Service Company: The Planning Department has reviewed an application as submitted by an oil change service company and forwarded it to Caldwell County for permitting.
 3. Day Care Center: City Staff reviewed plans of a day care center and are currently waiting on a permit application to be submitted.
 4. A car wash may be constructed at the former Fatz restaurant location. The company is located in Greenville, SC. Also, another company has inquired about locating a car wash beside of Mavis Tire Company.
 5. The City has abated a structure located at 712 Hillcrest Street and will be abating another on College Avenue.

Director Evans reported that David Coffey, Bob Teague and he reviewed downtown buildings and eight have been flagged. All of these eight buildings are occupied. A brief discussion centered on cracks on the outside of some of the buildings. These buildings will be reported to Caldwell County Building Inspections.

- D. Parks & Recreation Advisory Board: The Parks & Recreation Advisory Board met on Monday, August 21. Recreation Director Phil Harper gave the following report:
- * Met with Sheila Brady on July 31 to discuss the dredging of the pond at the Broyhill Walking Park. Mountain Crest will be performing the work which will take around two weeks. This project will be completed after the Sculpture Celebration on September 9.
 - * Met with Risk Manager David Coffey at the Aquatic & Fitness Center to discuss changing tables along with other renovations at the Center. PARTF funding may be used for this project.
 - * The Harambee Festival was a huge success and well attended.
 - * Thanked City Council for the memorial for Rick Rash.
 - * Fall baseball signups began July 1st through the middle of August.
 - * Commended Julianna, Administrative Assistant, at Mulberry Recreation Center for the great job she is doing.
 - * Moving Soccer field #9 to Wilson Field for the Fall 2023 Season.
 - * Building Maintenance has been working on a list of items at Mack Cook Stadium.

1. LHS Campus, Piano Donation and Surplus Resolution for old Piano: Pursuant to N.C.G.S. §160A-270(c), Staff recommends approval of a resolution Authorizing the Sale of Certain Personal Property at Electronic Auction as submitted.

A copy of the authorizing resolution is attached to these minutes as information.

Finance Director Bean stated the surplus piano would be placed for sell on GovDeals.com. Councilmember Beal explained the daughter of the late Patsy Hollar donated a six-foot baby grand piano in memory of her mother. He stated this piano would last between 30 to 40 years. Also, he pointed out it would be cost prohibitive to try and restore the current piano.

Motion

Upon a motion by Councilmember Beal, City Council voted 4 to 0 to adopt the surplus resolution Authorizing the Sale of Certain Personal Property at Electronic Auction as submitted.

VI. Finance and Administration

- A. July Financial Summary: Director Bean reviewed the Financial Summary as of July 31, 2023. The over/under balance in the General Fund is \$ 9,960,370.34, Downtown District \$2,506.73 and Water & Sewer Fund \$370,186.83.

A copy of the July Financial Summary is attached to these minutes as information.

Director Bean stated the City's financials are where she anticipated them to be and they are on target for the year. She stated they are in the process of closing out last year's budget.

- B. Job Descriptions: Based on input from the Department Heads, Staff recommends the following job description changes to be effective on September 3, 2023.
1. Customer Service Rep. to Information Technology Network Specialist
 2. Planning Tech. to Planning Tech/Deputy City Clerk
 3. Administrative Assistant – HR to Human Resources/Benefits Analyst
 4. MPO to Corporal

A copy of the recommendations is attached to these minutes as information.

Finance Director Bean read each recommendation and explained the duties of each position. She stated the four position changes would cost \$21,000 and shared there is available funding in the General Fund budget from a recent retirement and other line items to cover the cost.

Motion

Upon a motion by Councilmember Perkins, Council vote 4 to 0 to adopt the job description recommendations as presented by Finance Director Bean. These job descriptions will become effective on September 3, 2023.

- C. Update; Public Communications: Joshua Harris, Public Information Officer, presented the Communications Report for the month of July. Director Harris reported there were 7 news releases, 576 photos, 2 videos, 128 social posts, 47 questions & answers and 10 e-sign ups. The website's social reach is 48,150 along with 3,817 video views.

VII. Public Safety

- A. Update; Police Department: Brent Phelps, Police Chief presented the Quarterly Report for April, May & June 2023 as information.

Chief Phelps stated the Department was currently working on several projects and gave an update on personnel. He remarked that five new officers were in training and he is waiting on their paperwork from the state. In addition, he shared he met with the NC Leadership Staff in May.

- B. Update; Apprenticeship Program: Major Andy Wilson gave an overview of the program and stated Apprenticeship NC provides the following for participants:

- On-the job learning & related classroom instruction
- Proven programs build talent pipelines
- Reduced turnover & heightened loyalty
- For businesses of all sizes
- Reduced search & recruitment costs
- Works across many industries
- Training supported by local community colleges

Major Wilson stated this hybrid model is a two-year program where participants can earn a degree. The program also provides a grant funding source to assist with tuition if applicants wish to continue their education. Major Wilson explained participants are allowed \$2,000 per apprentice for education and a \$2,000 one-time award for an employer is available for onboarding & training. He shared that six Lenoir officers are enrolled for the program and will start when state funding becomes available. Major Wilson pointed out this is an opportunity for the Department to promote individuals plus apply for incentives. He remarked having an apprenticeship would also help with retention of staff.

C. Update: Fire Department: Norman Staines, Fire Chief presented the Quarterly Report for April, May & June 2023 as information.

1. Update: New Fire Truck: Chief Staines reported the new apparatus will be housed at Fire Station No. 2 and Staff will be adding equipment to it today. The truck has a 1,000 gallon tank which will be beneficial and he mentioned a dedication ceremony would be held in the near future.

In addition, Chief Staines reported a recent house fire resulted in one fatality. He stated the Department may possibly conduct a smoke detector canvas in neighborhoods and contact the state regarding restarting the smoke detector program.

Mayor Gibbons shared that 21 people attended the CPR class conducted by the Fire Department and commended everyone for doing a great job. Mayor Gibbons further shared that tickets are still available if anyone wishes to purchase a tile and decorate it to be placed on the new clock tower in the near future. Also, it was noted that David Coffey has located a vendor to replace the clock located on the outside of the downtown Fire Department building for less than \$1,000.

VIII. OTHER

A. The September calendar was provided in packet as information listing committee meeting and upcoming events.

IX. ADJOURN

There being no further business, the meeting was adjourned at 10:30 a.m.

Attachments

Authorizing Resolution for Surplus Piano

July Financial Summary

Job Descriptions

Tuesday, August 22, 2023
Minutes-Committee of the Whole



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 AUTHORIZING THE SALE OF CERTAIN PERSONAL PROPERTY AT ELECTRONIC AUCTION

WHEREAS, NCGS 160A-270 (c) allows the City Council to sell personal property at electronic auction upon adoption of a resolution or order authorizing the appropriate official to dispose of the property at electronic auction; and

WHEREAS, NCGS 160A-270 (c) allows the City Council to conduct auctions of personal property electronically by authorizing the use or existing private or public auction service; and

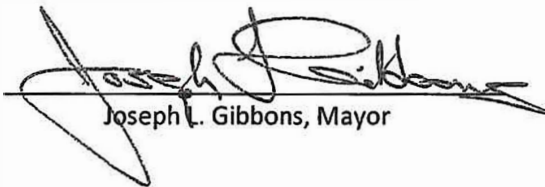
WHEREAS, the City Council of the City of Lenoir desires to dispose of certain surplus property of the City;

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

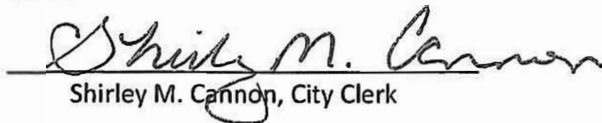
1. The property listed below hereto is hereby declared to be surplus to the needs of the City –
An approximately 80 year old, nine foot Knabe mahogany piano used by the LHS Music Department that needs rebuilding. (Pictures attached)
2. The City Manager or his Designee is authorized to sell said personal property at electronic auction.
3. The highest bid, if it complies with the terms of sale, may be accepted by the City Manager or his Designee and the sale consummated.

ADOPTED this the 22nd day of August, 2023.

SEAL


Joseph L. Gibbons, Mayor

ATTEST:


Shirley M. Cannon, City Clerk



**City of Lenoir
Financial Summary
As of 7/31/2023**



Tuesday, August 22, 2023
Minutes-Committee of the Whole

General Fund					
	2023-2024 Budget	7/31/2023	% of Budget	Change from Previous Year	7/31/2022
Total Revenue	\$ 22,066,505.00	\$ 12,148,269.60	55%	\$ 408,599.48	\$ 11,739,670.12
Expenditures	\$ 22,066,505.00	\$ 2,187,899.26	10%	\$ 265,715.16	\$ 1,922,184.10
Over/Under	\$ -	\$ 9,960,370.34		\$ 142,884.32	\$ 9,817,486.02
Downtown District					
	2023-2024 Budget	7/31/2023	% of Budget	Change from Previous Year	7/31/2022
Revenues	\$ 236,900.00	\$ 15,305.95	6%	\$ 1,696.01	\$ 13,609.94
Expenditures	\$ 236,900.00	\$ 12,799.22	5%	\$ (7,258.19)	\$ 20,057.41
Over/Under	\$ -	\$ 2,506.73		\$ 8,954.20	\$ (6,447.47)
Water/Sewer Fund					
	2023-2024 Budget	7/31/2023	% of Budget	Change from Previous Year	7/31/2022
Revenues	\$ 10,726,980.00	\$ 815,026.41	8%	\$ (137,242.79)	\$ 952,269.20
Expenditures	\$ 10,726,980.00	\$ 444,839.58	4%	\$ (116,288.30)	\$ 561,127.88
Over/Under	\$ -	\$ 370,186.83		\$ (20,954.49)	\$ 391,141.32

Recommendation					
<i>Recommendation: Based on input from the Department Heads, staff recommends the following changes.</i>					
To Be Effective 9/3/2023					
Department	Current Title	Proposed Title	Recommendation	Current Grade	Proposed Grade
Job Responsibilities -Re-Organized - Change Pay Grade					
Finance	Customer Service Rep.	Information Technology Network Specialist	To reclassify a vacant position to better reflect the department's current needs.	14	28
Planning	Planning Tech	Planning Tech/Deputy City Clerk	To provide a back-up for the City Clerk Position.	29	30
Administration	Administrative Assistant - HR	Human Resources/ Benefits Analyst	To better reflect job responsibilities.	18	29
Police	MPO	Corporal	To reclassify a vacant position to better reflect the department's current needs with the addition of new SRO positions.	30	31

Tuesday, August 22, 2023
Minutes-Committee of the Whole