



AGENDA

**CITY OF LENOIR
CITY COUNCIL MEETING
905 WEST AVENUE
TUESDAY, OCTOBER 17, 2023
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Ashley Bolick, Caldwell Economic Development Director, will present information regarding Caldwell County's Strategic Plan for economic development.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council Meeting of Tuesday, October 3, 2023 as submitted.
- B. Minutes: Approval of the closed session minutes of the City Council Meeting of Tuesday, October 3, 2023 as reviewed by the City Council, City Manager and City Attorney.
- C. Change Order #2; Smith Crossroads Sewer Project: Staff recommends City Council approval of Change Order No. 2 as recommended by McGill Associates for the Crossroads Sewer Improvements to reflect a net increase in the contract amount of \$34,740.00 as submitted. Additional background information is included on the Council Action Form in the agenda packet.
- D. 2024 City Council Meeting Schedule: Approval of the 2024 City Council Meeting Schedule following Council's review 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 2024 Holiday Schedule will be submitted to City Council as information.
- 2. One Stop voting begins on Thursday, October 19 through Friday, November 3 from 8:00 a.m. – 5:00 p.m. at the Caldwell County Resource Center located at 120 Hospital Avenue (former library) and on Saturday, November 4 from 8:00 a.m. – 3:00 p.m.
- 3. The annual Wood, Fire, Smoke Festival will be held on Saturday, October 21 from 10:00 a.m. – 7:00 p.m. in downtown Lenoir. Additional information is available online at www.downtownlenoirnc.com.
- 4. The Planning Board and Board of Adjustment will not meet in October due to no agenda items.

5. The Committee of the Whole will meet on Tuesday, October 24 at 8:30 a.m. at City Hall, Third Floor.
6. The Foothills Regional Airport Authority will meet on Wednesday, October 25 at noon at the airport facility.
7. The downtown Trunk or Treat and the Mad Hatters Pumpkin Patch Parade will be held on Friday, October 27 from 3:00 p.m. – 6:00 p.m. in the downtown area.
8. The Parks and Recreation Department is also hosting a Halloween Movie Night on Friday, October 27 at the downtown stage with a free showing of "The Nightmare Before Christmas" from 6:30 p.m. - 8:30 p.m. The public is invited to attend.
9. Parks & Recreation is also hosting the Run for Your Life 5K on Friday, October 27 from 6:00 p.m. – 7:00 p.m. in downtown Lenoir.
10. A Cruise-In & Trunk or Treat event will be held on Saturday, October 28 from 3:00 p.m. - 9:00 p.m. in the downtown area. The public is invited to attend.
11. A drive through Trunk or Treat will be held on Tuesday, October 31 beginning at 5:00 p.m. at the Martin Luther King, Jr. Center. The public is invited to attend.

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 COUNCIL MEMBERS

X. ADJOURNMENT

STRATEGIC PLAN Caldwell County

NORTH CAROLINA
Economic Development



EXISTING INDUSTRY SUPPORT

Possible Strategies & Actions

- » Focus one position within economic development department on existing industry support
- » Conduct both systematic and as-needed visits with existing industry to identify needs
- » Identify & develop existing industry tools & resources (i.e. Annual Caldwell County Wage & Benefits Survey, Labor Market Alignment Information) +
 - Facilitate business engagement with educational institutions to improve labor market alignment and student outcomes +
 - Business engagement around "earn and learn" opportunities for employees +
 - Promote work-based learning opportunities (i.e. internships, apprenticeships) +
- » Support small business development lending for job creation by working with local agencies that provide loans*
- » Promote/market local area careers; labor market details for the region to a variety of audiences (i.e. students, parents, educators) *
- » Work with school system to identify upcoming K-12 talent to retain workforce
- » Build educational/awareness opportunities for educators (i.e. Workforce Wednesday: Connecting Careers to the Classroom)

Metrics

Number of resources for existing industry; number of participants in work-based learning programs; number of loans; new marketing materials.

Partners

Local Governments, community groups, Workforce Development Board, private sector, youth leadership programs, education systems, lenders, grant agencies.

SITE DEVELOPMENT & RECRUITMENT

Possible Strategies & Actions

- » Study the feasibility of development opportunities at/along both the rail in Caldwell County and at the Foothills Regional Airport*
 - Evaluate existing infrastructure at/along both rail & airport
 - Obtain grant funding for improvements
- » Identify potential industrial development sites in the county, assess the number and size of needed shovel-ready & pad-ready sites in the county. Complete an assessment of existing sites, evaluate regulations and future land use plans *
- » Attend targeted industry site selection events
- » Identify critical utility projects and collaborate in multi-jurisdictional projects ~*
- » Explore the use of Public, Private, Partnerships (P3) opportunities*
- » Explore incentive options that would prioritize who Caldwell County would offer incentives
- » Encourage local government to add website links to the Caldwell County site inventory map
- » Maximize building reuse and site redevelopment opportunities*
- » Use the Western Piedmont Industry Growth Analysis (IGA) for business recruitment*

Metrics

Number of pad-ready sites available/created; new public/private partnerships; identified sites and number of new shovel-ready sites; number of evaluated corridors/rights of way/ rail improvements; number of added links; number of successful grants; number of new recruitments.

Partners

Local Governments, railroad, Foothills Regional Airport, NCDOT, grant agencies, WPCOG, utility departments, private utility companies.

~shared strategy/action from January 2020 Caldwell County Caldwell County Comprehensive Plan

*shared strategy/action from the 2022 Comprehensive Economic Development Strategy (CEDS)

+aligned with myFutureNC attainment strategies

- PUBLIC AWARENESS/MARKETING OR BRANDING

Possible Strategies & Actions

- » Improve the website and social media presence of Caldwell County Economic Development
- » Explore marketing/branding initiatives (i.e. Work in Burke, NC Carolina Core); consider an initiative (perhaps regional) to recruit additional talent
- » Increase the use of videos to promote industry in Caldwell County
- » Promote & support regional assets such as the Manufacturing Solutions Center (MSC), Morganton Campus of the NC School of Science and Math (NCSSM), Appalachian State University, Lenoir Rhyne University, the NC Center of Engineering Technologies (NCCET), community colleges, and other critical economic development assets (educational, recreational, etc.) *
 - Inform the community of the importance of these assets*
 - Create new opportunities near campuses, such as retail, hotel, housing, sidewalks, greenways, recreation, and transit*
- » Intentionally focus efforts on disengaged populations +
- » Promote quality of life in county to retain and attract talent ~
 - Develop informational talking points targeting various audiences (visitors, current residents, prospective residents, business & industry) that can be used consistently throughout the county*
 - Link the proximity of the county to the idea that we are a region with everything (NC Foothills Experience website, etc.)*
 - Link the proximity of the county to major metros
- » Ensure students and parents are aware of career opportunities available in the county and educational programs that align with those careers*+
 - Promote postsecondary attainment to meet specific employer/workforce needs
- » Develop methods to encourage relocation to the county and/or market Caldwell as a destination ~*
 - Continue to support the veteran population with jobs, living and healthcare resources. Recruit veterans for workforce needs*

Metrics

Website and social media analytics; number of videos created; size of disengaged population; number of marketing materials created.

Partners

Local Governments, chamber of commerce, TDAs, private and non-profit partnerships, educational facilities, Caldwell Public TV, Greenway Public Transportation, WPCOG.

- OTHER OPPORTUNITIES FOR COLLABORATION, EDUCATION & SUPPORT

Possible Strategies & Actions

- » Beautification (i.e. minimum housing, code enforcement, main street programs, placemaking, HWY 321 & gateway entrances) ~
- » Housing (identify housing development opportunities)*
 - WPCOG Housing Toolkit (policy examples)
 - Support homebuilders' association
 - Pursue second phase of UNC SOG DFI housing study to encourage developers to build in Caldwell ~
 - Unified development ordinances w/ unified planning department
- » Explore the feasibility of creating a tech hub in Caldwell County
- » Promote entrepreneurialism through small business startup and retention efforts
- » Support the expansion of existing childcare centers as well as new centers looking to locate in the county with a emphasis on quality pre-K education~
- » Work to achieve 1.5 to 2% population growth annually to avoid population loss and maintain healthy community growth
 - Determine how many people are needed to replace population losses and also grow by 1-2% annually
- » Decrease the workforce who commute out of the county for jobs
- » Work with local, state, and federal officials to reduce the approval process time for development – modify processes and ordinances to become more development/business friendly*
- » Evaluate the feasibility of adding public transportation or Travel on Demand for Caldwell County to improve labor force participation ~*
 - Promote the development of bicycle and pedestrian facilities connecting communities and area attractions
- » Explore increasing and marketing recreational opportunities such as parks, open spaces, and walking trails/sidewalks/greenways that will attract new residents, tourism, and young adult populations back into the region ~

Metrics

number of designated main street programs; number of gateway improvements; number of new housing units; number of childcare providers; population growth

Partners

Local Governments, chamber of commerce, TDAs, private and non-profit partnerships, educational facilities, local veterans' affairs office, NCDOT, WPCOG, MPO, PARTF, Parks/ Rec Departments.

Caldwell County Economic Development Strategic Plan

Tuesday, October 17, 2023





Why have a Strategic Plan?

Caldwell County Economic Development Strategic Plan

New EDAC
April 1, 2023

Strategic Plan
Work Session
May 9, 2023

Draft Plan Review
w/ EDAC
June 13, 2023

Caldwell County
Commissioners
Approval
July 10, 2023

Economic Development Advisory Committee



Dr. Mark Poarch



Mark Transou



Janet Aiken



Alan Merck



Richard Boyd



Rick Coffey



Max Dyer



Jimmy Harrison

Economic Development Advisory Committee



Ann Smith



Bonnie Caudle



Chase Winebarger



Jerry Church



Jonathan Greer



Jon Blair



Rick Justice



Ronnie Setzer



Scott Hildebran

Notes for May 9, 2023 Work Session

Threats, Weaknesses, Problems to Address

- 1) Lack of housing (15 votes)
- 2) Lack of building/sites that are ready (11 votes)
- 3) Lack of childcare/impacts labor participation (9 votes)
- 4) Attracting younger employees and professionals (6 votes)
- 5) Lower salaries compared to other counties (6 votes)
- 6) Population decline (5 votes)

Notes for May 9, 2023 Work Session

Opportunities, Projects, and Priorities

- 1) Support existing industry for job growth (12 votes)
- 2) Find new sites for industrial development (11 votes)
- 3) Help people understand about jobs and training availability (9 votes)
- 4) Utility projects; water/sewer/fiber (7 votes)
- 5) Collaboration between communities (5 votes)
- 6) Make our communities and county attractive; code enforcement, main street (5 votes)

4 Focus Areas

- ▶ Existing Industry Support
- ▶ Site Development & Recruitment
- ▶ Public Awareness/Marketing
- ▶ Other Opportunities for Collaboration, Education & Support





- ▶ (~) shared strategy/action from January 2020 Caldwell County Comprehensive Plan
- ▶ (*) shared strategy/action from the 2022 Comprehensive Economic Development Strategy (CEDS)
- ▶ (+) aligned with myFutureNC attainment strategies

Existing Industry Support

- ▶ Focus one position within ED on existing industry support
 - ▶ Site Visits
 - ▶ Tool & Resource Development (+)
- ▶ Education awareness Opportunities for Educators
 - ▶ Workforce Wednesday: Connecting Careers to the Classroom



Site Development & Recruitment



Study the feasibility of development at/along the rail and Foothills Regional Airport (*)



Identify potential industrial development sites in the county (*)

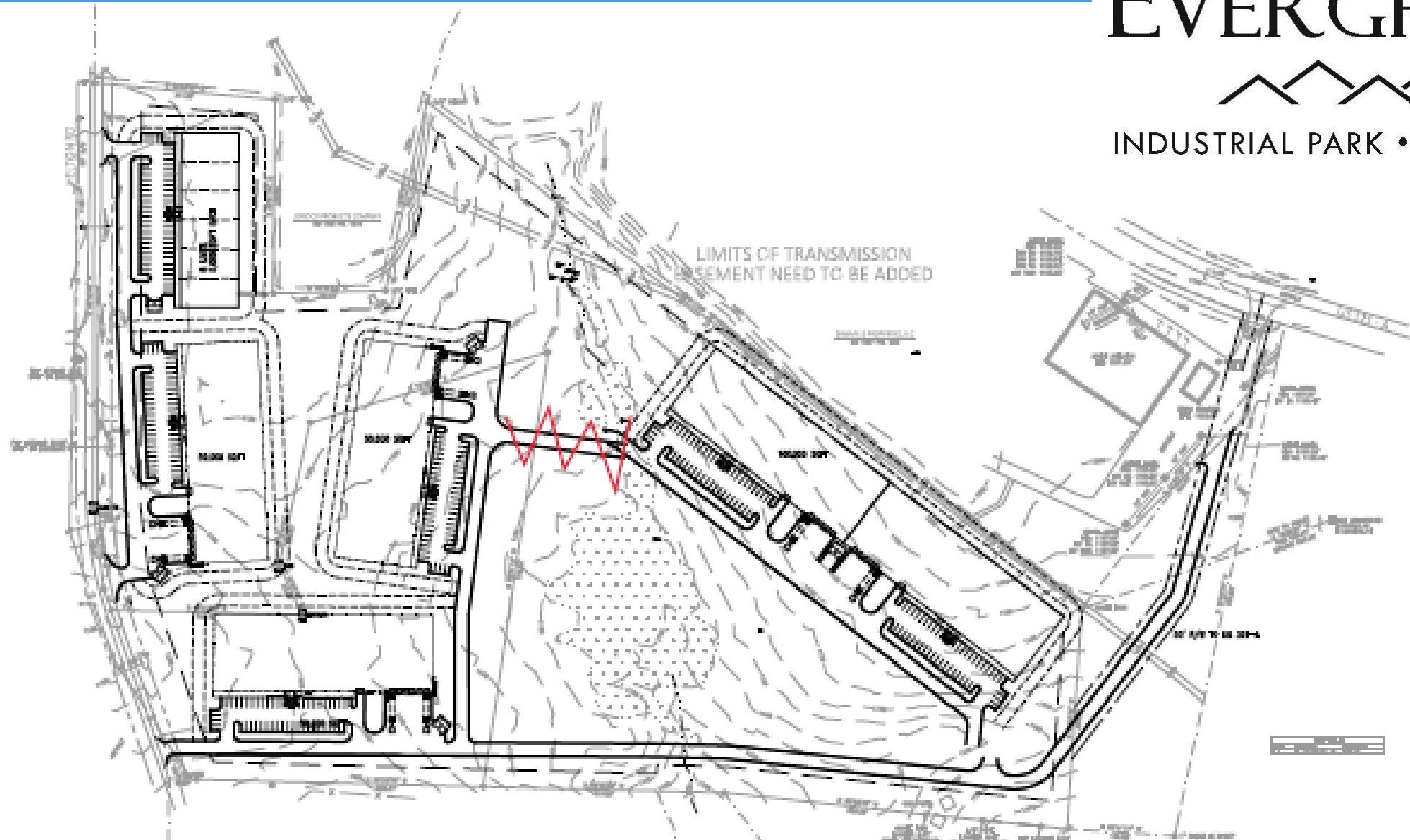


Explore the use of Public, Private, Partnerships (P3) opportunities (*)

EVERGREENE



INDUSTRIAL PARK • SAWMILLS NC



Public Awareness/ Marketing

- ▶ Website Improvements
- ▶ Increase the use of videos
- ▶ Ensure students and parents are aware of career opportunities (*+)



Other Opportunities for Collaboration, Education & Support

- Explore the feasibility of creating a tech hub in Caldwell County
- Promote the development of bicycle and pedestrian facilities connecting communities and area attractions



Welcome feedback & suggestions.

Ashley Bolick

abolick@caldwellcountync.org

828-728-0768

**LENOIR CITY COUNCIL
TUESDAY, OCTOBER 3, 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 Clerk Shirley Cannon and City Attorney Timothy Rohr.

VIA PHONE: City Manager Scott Hildebran participated in the Council and Closed Session via phone.

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.

UPDATE; R.E.S.T.A.R.T.

- PROGRAM:** B. Jason Powell, Director of Caldwell County Restart, stated R.E.S.T.A.R.T. stands for recognize, educate, stabilize, transform, accelerate, rehabilitate, and trust. He reviewed their mission statement and stated their goal is to ultimately reduce overdose deaths.

Director Powell explained R.E.S.T.A.R.T began with a grant application that was approved in September 2021. He explained the Post Overdose Response Team (PORT) was established in June 2023 and their purpose is to help individuals get the assistance and treatment they need. He asked Council if they were aware of the number of fatal overdoses that occur each day in North Carolina and reported the correct answer is 11. He stated there has been a slight increase in overdose cases since 2021.

Director Powell shared a number of statistics and stated the overdose death rate in North Carolina in 2020 was 28 out of 100,000 people. He explained the death rate increased when individuals were isolated during COVID 19 and shared that 77% of these deaths included fentanyl analogs which are medical alterations of the drug. He shared there were 21 overdose deaths in Caldwell County in 2021 and 33 occurred in 2022. As of September 1, 2023, EMS has responded to 149 calls of which 98% were opioid overdoses. Mr. Powell stated 8 deaths were related to opioid overdose. They are currently waiting on the final numbers for 2023 from the Caldwell County Medical Examiner's office as there is a backlog of has a cases to be reviewed.

Director Powell stated there are 204 unique participants that help with PORT and 127 of these are individuals who either used opioids or have opioid disorder. He reported that 36

people agreed to follow up with PORT following treatment. Director Powell pointed out they are building relationships with other counties that have treatment/recovery facilities and 62 people have transferred to one of these facilities in either Burke or Wilkes counties or the cities of Hickory and Asheville.

Director Powell stated they have distributed 216 doses of Narcan in 2023 and have provided 28 doses of Narcan to EMS, 20 doses to law enforcement and 196 doses to the community. A brief discussion was held regarding distribution with Director Powell clarifying that the medical director previously authorized them to be able to distribute Narcan. He also clarified that Narcan is now available for purchase in some area stores.

Next, Director Powell reviewed a map of all the counties in North Carolina that were shown in shaded colors in order to distinguish opioid use. He pointed out there has been a 276% increase in the use of opioids in a one year period and remarked that Caldwell County has a higher percentage of drug use than Mecklenburg County due to Mecklenburg having the resources and facilities to assist people in recovery. Director Powell explained the light green color on the map depicts the times EMS administered one dose of Narcan and the purple marked areas depict when multiple doses were administered. As information, he referred to the drug xylazine which is a large animal tranquilizer that is being used in Caldwell County by individuals in addition to opioids and stressed that Narcan does not work on xylazine.

Director Powell related R.E.S.T.A.R.T makes an impact by meeting an individual where they are and also plays an important role on their road to recovery. He shared there are multi-disciplinary Port specialists and peer support specialists who have also experienced using opioids. Director Powell stated he was a paramedic and a peer support specialist and shared with everyone that he is also a person in recovery. In addition, he mentioned they were in the process of hiring a program coordinator/case worker to further assist individuals.

Director Powell stated prevention and education is key to helping people with this disease. He stated when people finish their treatment and come back, they want to be there to offer support and help. He further shared members of R.E.S.T.A.R.T. can now visit people in hospitals and jail and offer medication therapy to them. He stated the faith community is also a larger part of recovery.

Director Powell announced they were chosen by the Eschelman Institute for Innovation in Chapel Hill to create a platform for a pilot program for a new documentation software program. He reported the Eschelman Institute invests in areas with serious drug problems. He also shared three websites that are available for individuals to access for additional information regarding recovery.

Director Powell stated his office was located on the first floor of the Caldwell County Human Services building and noted they do receive referrals. Individuals may also contact him at restart@caldwellcountync.org. He thanked City Council for the opportunity to share this important information.

On behalf of City Council, Mayor Gibbons thanked Mr. Powell for the great report and Council also invited him to return at a later date to provide an additional update.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council Meeting of Tuesday, September 19, 2023 as submitted.
- B. Minutes: Approval of the minutes of the Committee of the Whole Meeting of Tuesday, September 26 as submitted.
- C. RFQ Based-Selection of Engineering Services; Stormwater Planning: Based upon our review, Staff recommends approval to negotiate a service agreement with Freese and Nichols of Charlotte, NC for the engineering services required for the execution and administration of the Stormwater Planning project based upon the final approval of the funding for the project by the Division of Water Infrastructure (DWI) as submitted.
- D. Capital Project Budget Ordinance; Stormwater Planning Grant: Approval to adopt the Capital Project Budget Ordinance for the Stormwater Planning Grant in the amount of \$248,640 as submitted. (A copy of the Capital Project Budget Ordinance is hereby incorporated into these minutes by reference. Refer to page 260.)
- E. Revised Capital Project Budget Ordinance; T.H. Broyhill Walking Park: Staff requests that City Council adopt the revision of the Capital Project Budget for the T.H. Broyhill Walking Park Improvements Capital Project as submitted. (A copy of the Capital Project Budget Ordinance is hereby incorporated into these minutes by reference. Refer to page 261.)
- F. Capital Project Budget Ordinance; AIA Grant-Water Project: Staff requests City Council to adopt the Capital Project Budget Ordinance for the Asset Inventory and Assessment – Water Project in the amount of \$200,000.00 as submitted. (A copy of the Capital Project Budget Ordinance is hereby incorporated into these minutes by reference. Refer to page 262.)
- G. Capital Project Budget Ordinance; AIA Grant-Wastewater Project: Staff requests City Council to adopt the Capital Project Budget Ordinance for the Asset Inventory and Assessment – Wastewater Project in the amount of \$200,000.00 as submitted. (A copy of the Capital Project Budget Ordinance is hereby incorporated into these minutes by reference. Refer to page 263.)
- H. Refuse Truck; Pac Mac Model RL-8: Staff recommends City Council authorize the purchase of the Pac Mac Model RL-8 eight cubic yard rear loading refuse truck from Carolina Environmental Systems, Inc. at a cost of \$147,947.00 and the utilization of the competitive bidding group purchasing exception as the equipment was bid under the group purchasing program. Funding for this equipment was included in the FY20-2024 budget. (A copy of the bid tab is here incorporated into these minutes by reference. Refer to page 264.)

Councilmember Perdue asked if this purchase was a replacement of the sanitation truck that burned or a planned purchase. City Manager Hildebran clarified this purchase is for a replacement truck.

Upon a motion by Councilmember Perdue, City Council voted 7 to 0 to adopt items A through H on the Consent Agenda as described above and as recommended by City Manager Hildebran.

IV. REQUESTS AND PETITIONS OF CITIZENS

TRAFFIC & PARKING ISSUES; CLIFFSIDE PLACE:

- A. Mr. Christopher Carswell, 1311 Cliffside Place, thanked City Council for the opportunity to speak. He stated Cliffside Place is engineered to be a residential street and remarked the street is 14-feet wide which is the minimum width. Mr. Carswell explained a garage located on

the street is creating safety issues due to the overflow of traffic and customers of the garage parking on the street.

Mr. Carswell pointed out the street has become a major transportation route for the garage which has different types of vehicles and cars continually parking on the street. He submitted several photos to Council of the street for their review.

Mr. Carswell stated the residents were frequently blocked in and could not use their own driveway. In addition, Mr. Carswell reported delivery trucks could not make deliveries and said the street is a cluttered mess. Mr. Carswell stated that, due to the cars parked on the street emergency personnel would not be able to get through to residents nor could a fire truck get through if there was a fire.

Mr. Carswell stated the street was unsafe for the residents and mentioned he was at the point of dreading to go home. He respectfully asked City Council to consider putting up No Parking Tow Away Zone signs and asked Council to consider their own neighborhoods.

On behalf of City Council, Mayor Gibbons thanked Mr. Carswell and informed him that this issue on Cliffside has been placed on tonight's agenda for Council's consideration of approval

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

THANK YOU, JASON POWELL;

- R.E.S.T.A.R.T.:** 1. City Manager Hildebran thanked Mr. Powell for coming and sharing this important information about opioids in Caldwell County. Mr. Hildebran stated this is the most challenging issue for the City and we need to get this information out to the general public and continue to work to make a difference.

CITY/COUNTY SERVICES

- COMMITTEE:** 2. The City/County Services Committee will meet on Monday, October 9 at noon at the J.E. Broyhill Civic Center.

- ABC BOARD:** 3. The ABC Board will meet on Thursday, October 12 at 2:00 p.m. via Zoom.

LENOIR BUSINESS

- ADV. BOARD:** 4. The Lenoir Business Advisory Board will meet on Thursday, October 12 at 6:00 p.m. at City Hall, Third Floor.

PARKS & RECREATION

- ADV. BOARD:** 5. The Parks & Recreation Advisory Board will meet on Monday, October 16 at 6:00 p.m. at Mulberry Recreation Center.

EARLY VOTING; MUNICIPAL

- ELECTIONS:** 6. Early voting will begin on Thursday, October 19 from 8:00 a.m. – 5:00 p.m. at the Caldwell Resource Center (former library.)

B. Items for Council Action

**NIGHT PARKING; 600 BLOCK
OF COLLEGE AVENUE:**

1. Staff recommends City Council, as authorized in City Code, Section 11-44. Night Parking, to add the 600 block of College Avenue between Norwood Street and Mulberry Street to City Code, Appendix B, Section 102. Parking prohibited between the hours of 12:00 midnight and 6:00 a.m. Pursuant to City Code, Section 11-34 Signs Required, Staff further recommends authorization for the posting of signs at the discretion of the Public Works Operations Manager.

City Manager Hildebran stated the City has received concerns regarding overnight parking on the street that is affecting area businesses. He recommended Council consider prohibiting night parking on the 600 block of College Avenue between Norwood Street and Mulberry Street and add this street to City Code, Appendix B, Section 102. Parking prohibited between the hours of 12:00 midnight and 6:00 a.m. Pursuant to City Code, Section 11-34 Signs Required, Staff further recommends authorization for the posting of signs at the discretion of the Public Works Operations Manager.

Upon a motion by Councilmember Beal, Council voted 7 to 0 to adopt the Parking prohibited between the hours of 12:00 midnight and 6:00 a.m. as described above and as recommended by City Staff and authorize the posting of signs at the discretion of the Public Works Operations Manager.

**PARKING PROHIBITED;
CLIFFSIDE PLACE:**

2. Staff recommends City Council, as authorized in City Code, Section 11-43, Prohibited, to add Cliffside Place from Hibriten Road to the dead-end of Cliffside to the City Code, Appendix B, Section 101, -Parking prohibited at all times. Pursuant to City Code, 11-34 Signs Required, Staff further recommends authorization for the posting of signs at the discretion of the Public Works Operations Manager.

City Manager Hildebran stated the City has received several complaints and he recommended prohibiting parking at all times from Hibriten Road to the dead-end of Cliffside Place.

Mayor Gibbons asked Mr. Carswell if this action would solve what he and the neighbors wanted Council to do.

In addition, Mayor Gibbons asked Police Chief Brent Phelps if they could move forward with this request. Chief Phelps reported the Department has talked to the owner of the garage who is leasing the building and clarified Staff was ready to move forward following Council's approval.

Upon a motion by Councilmember Stevens, City Council voted 7 to 0 to adopt the recommendation to amend the City Code to add Cliffside Place from Hibriten Road to the dead-end of the road of Cliffside Place to the City Code, Appendix B, Section 101, - Parking prohibited at all times as recommended by City Staff and authorize the posting of signs at the discretion of the Public Works Operations Manager.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

- A. City Attorney Rohr stated the purpose of the closed session is to discuss pending litigation by the City of Lenoir v. David L. Williams, Doris E. Williams and Crescom Bank, 21 CVS 1082, set to start October 24, 2023.

VIII. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

CLOSED

- SESSION:** A. Pursuant to N.C.G.S. §143-318.11(a)(3), and upon a motion by Councilmember Perdue which carried unanimously, City Council entered into closed session to discuss pending litigation by the City of Lenoir v. David L. Williams, Doris E. Williams and Crescom Bank, 21 CVS 1082, set to start October 24, 2023.

OPEN

- SESSION:** B. Upon a motion by Councilmember Stevens which carried unanimously, City Council returned to open session.

IX. REPORT AND RECOMMENDATIONS OF THE MAYOR

X. ADJOURNMENT

- A. There being no further business, the meeting was adjourned 7:20 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor

Capital Project Ordinance for the City of Lenoir

Stormwater Planning Grant

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 authorized activities for the Stormwater Planning Grant to include the expenditure of grant funds to identified stormwater system priorities that will further position the City to better manage and plan for the operations of the city-wide stormwater system. The project is to be funded by North Carolina Department of Environmental Quality utilizing American Rescue Plan funding.

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:

Planning	\$ 248,640
Total	\$ 248,640

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

State Reserve Funds grant utilizing American Rescue Plan Act (ARPA) Grant	\$ 248,640
Total	\$ 248,640

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.

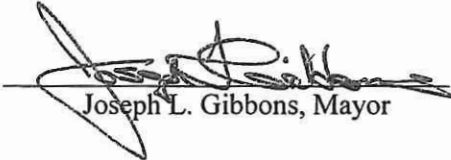
Section 6: The Finance Officer is directed to report, on a quarterly basis, on the financial status of each project element in Section 3.

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.

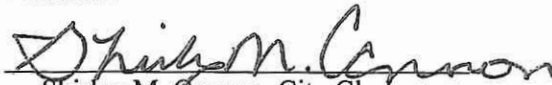
Section 8: Copies of this capital project ordinance shall be furnished to the Budget Officer and the Finance Officer for direction in carrying out this project.

Adopted this 3rd day of October, 2023.

SEAL


Joseph L. Gibbons, Mayor

ATTEST:


Shirley M. Cannon, City Clerk

Capital Project Ordinance for the City of Lenoir

TH Broyhill Walking Park Improvements

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 as revised:

Section 1: The project to authorize activities for TH Broyhill Walking Park Improvements Capital Project to include the expenditure of funds for the design, construction, and project administration for the TH Broyhill Walking Park Improvement Capital Project. The project is to be funded by a donation from the Broyhill Family Foundation.

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 revised expenditure are appropriated for the project:

Description	Original Budget	Revision	Revised Budget
Broyhill Park Improvements	\$100,000.00	\$100,000.00	\$200,000.00
Total Expenditures	\$100,000.00	\$100,000.00	\$200,000.00

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

Description	Original Budget	Revision	Revised Budget
Private Donation – Broyhill Family Foundation	\$100,000.00	\$100,000.00	\$200,000.00
Total Revenue	\$100,000.00	\$100,000.00	\$200,000.00

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.

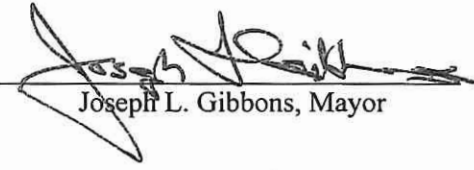
Section 6: The Finance Officer is directed to report, on a quarterly basis, on the financial status of each project element in Section 3.

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.

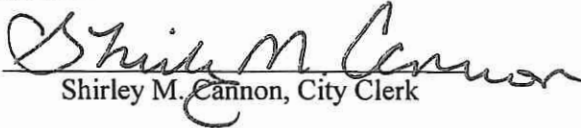
Section 8: Copies of this capital project ordinance shall be furnished to the Budget Officer and the Finance Officer for direction in carrying out this project.

Adopted this 3rd day of October, 2023.

SEAL


Joseph L. Gibbons, Mayor

ATTEST:


Shirley M. Cannon, City Clerk

Capital Project Ordinance for the City of Lenoir

Asset Inventory and Assessment Grant - Water Project

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 authorized activities for the Asset Inventory and Assessment Grant - Water Project to include the expenditure of loan grant and local funds to develop and comprehensive asset inventory of the water system. The project is to be funded by North Carolina Department of Environmental Quality State Reserve Grant.

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:

Planning and Design	\$ 200,000
Total	\$ 200,000

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

NCDEQ Grant	\$ 200,000
Total	\$ 200,000

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.

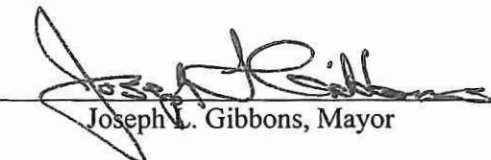
Section 6: The Finance Officer is directed to report, on a quarterly basis, on the financial status of each project element in Section 3.

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.

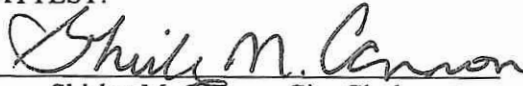
Section 8: Copies of this capital project ordinance shall be furnished to the Budget Officer and the Finance Officer for direction in carrying out this project.

Adopted this 3rd day of October, 2023.

SEAL


Joseph L. Gibbons, Mayor

ATTEST:


Shirley M. Cannon, City Clerk

Capital Project Ordinance for the City of Lenoir

Asset Inventory and Assessment Grant - Wastewater Project

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 authorized activities for the Asset Inventory and Assessment Grant - Wastewater Project to include the expenditure of grant funds to prepare a detailed inventory and assessment of the entire wastewater system. The project is to be funded by North Carolina Department of Environmental Quality utilizing American Rescue Plan funding.

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:

Inventory and Assessment	\$ 200,000
Total	\$ 200,000

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

NCDEQ ARP Grant	\$ 200,000
Total	\$ 200,000

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 3rd day of October, 2023.

SEAL


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 BY LENOIR CITY COUNCIL AUTHORIZING THE
WAIVER OF THE BIDDING PROCEDURES AND AUTHORIZING THE
PURCHASE OF A REFUSE TRUCK**

WHEREAS, the City Council of Lenoir approves the use of operating funding to purchase a Pac Mac Model RL-8 eight cubic yard rear loading refuse truck.

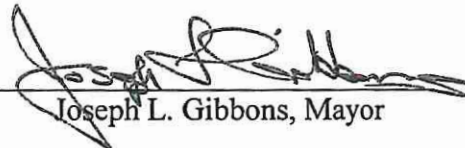
WHEREAS, the City Council of Lenoir approves the waive the formal bidding procedures as allowed by the General Statutes (GS 143-129(e)(3)). This vehicle is on the North Carolina Sheriffs Association (NCSA) contract bid #24-08-0421.

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

City Council approves the purchase of a refuse truck from Carolina Environmental Systems, Inc. in the amount of \$147,947.00 utilizing revenue replacement funding.

Adopted this the 3rd day of October, 2023.

SEAL


Joseph L. Gibbons, Mayor

ATTEST:


Shirley M. Cannon, City Clerk



CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item: Crossroads Sewer Improvements – Change Order No.2

Background Information: The City of Lenoir has planned for the replacement and construction of improvements to the sewer line located along Morganton Blvd. from Lenoir Golf Club along Zack's Fork Creek to Mayflower Seafood Restaurant. Part B of the contract also involves work along Wilkesboro Road and Linkside Court. Council approved a construction contract with Carolina Grading and Utilities, Inc. in the amount of \$1,908,830.00 to complete the project.

Several changes have been necessary for the proper execution of the construction as recommended by McGill Associates and illustrated in the change order documents. The changes were necessary due to unanticipated storm drainage rework and repair. The adjustments are based upon the contractor's schedule of values, as well as some additional work items related to the change order work. These changes will result in a net increase of \$34,740.00. The amended construction amount was \$1,934,339.48 after Change Order #1 was approved. The new construction amount (including Change Order #2) will be \$1,969,079.48. A 10% contingency was included in the project budget. The additional expenses will be taken from the budgeted contingency amount.

II. Staff Recommendation: Staff recommends City Council approval of Change Order No.2 as recommended by McGill Associates for the Crossroads Sewer Improvements to reflect a net increase in the contract amount of \$34,740.00.

III. Reviewed by:

City Attorney: _____

Finance Director: _____

Public Works/Public Utilities Director: 

Change Order No. 02

Date of Issuance: August 23, 2023
 Owner: City of Lenoir
 Contractor: Carolina Grading & Utilities, Inc.
 Engineer: McGill Associates, P.A.
 Project: Crossroads Sewer Replacement Project

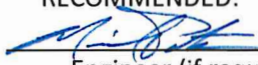
Effective Date: August 23, 2023
 Owner's Contract No.: CS370393-07
 Contractor's Project No.:
 Engineer's Project No.: 19.01109
 Contract Name: Crossroads
 Sewer Replacement Project

The Contract is modified as follows upon execution of this Change Order:

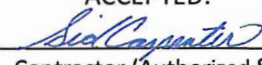
Description: Adjust the Contract Price for additional, unforeseen project work items as outlined in the attached Change Order Summary

Attachments: *Change Order Summary, with back-up documentation*

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>1,908,830.00</u>	Original Contract Times: Substantial Completion: <u>210</u> Ready for Final Payment: <u>240</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u>N/A</u> to No. <u>1</u> : \$ <u>25,509.48</u>	[Increase] [Decrease] from previously approved Change Orders No. <u>N/A</u> to No. <u>1</u> : Substantial Completion: <u>0</u> Ready for Final Payment: <u>0</u> days
Contract Price prior to this Change Order: \$ <u>1,934,339.48</u>	Contract Times prior to this Change Order: Substantial Completion: <u>210</u> Ready for Final Payment: <u>240</u> days or dates
[Increase] [Decrease] of this Change Order: \$ <u>34,740.00</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>40 days</u> Ready for Final Payment: <u>40 days</u> days or dates
Contract Price incorporating this Change Order: \$ <u>1,969,079.48</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>250 days</u> Ready for Final Payment: <u>280 days</u>

RECOMMENDED:
 By: 
 Title: Construction Services Manager
 Date: 10/09/2023

ACCEPTED:
 By: _____
 Title: Owner (Authorized Signature)
 Date: _____

ACCEPTED:
 By: 
 Title: Contractor (Authorized Signature)
 Date: Sid Carpenter, VP
 10/9/2023

Approved by Funding Agency (if applicable):

Date: _____



CHANGE ORDER SUMMARY
City of Lenoir
Crossroads Sewer

CONTRACT AMOUNT REVISIONS

Proposed Change Orders

CO Proposal	Date Submitted	Bid Schedule Description	Unit	Qty	Unit Price	Total Price	Days Requested
1	4/13/2022	Work Change Directive No. 1 & Time Extension Request Due to Material Delivery Dates	LS	1	\$ 17,109.48	\$ 17,109.48	0
1	4/13/2022	Material Delivery Delays	0	0			40
1	4/25/2022	Night Work - Gas Station Driveway Crossings	LS	1	\$ 8,400.00	\$ 8,400.00	0
					\$ -	\$ -	0
Total						\$ 25,509.48	40

Proposed Change Order No. 2 Details

CO Proposal	Date Submitted	Bid Schedule Description	Unit	Qty	Unit Price	Total Price	Days Requested
2	6/27/2023	Unanticipated Storm Drainage Repairs and Rework	LS	1	\$ 34,740.00	\$ 34,740.00	0
						\$ -	0
Total						\$ 34,740.00	0

CONTRACT TIME REVISIONS

Change Order No. 1		40	Original Substantial Completion	August 29 2022
Change Order No. 2		0	Original Final Completion	September 28 2022
			Revised Substantial	October 08 2022
Cumulative Contract Time Adjustment (Substantial)		40	Revised Final	November 07 2022
Cumulative Contract Time Adjustment (Final)		40		

ADJUSTED CONTRACT AMOUNT

Original Contract Amount	\$ 1,908,830.00
Change Order No. 1	\$ 25,509.48
Change Order No. 2	\$ 34,740.00
Contract Amount Incorporating Change Orders	\$ 1,969,079.48



PO Box 785
Jefferson NC 28640

Date	6/27/2023	To	Mike Patton, McGill Associates
		From	Sid Carpenter, CGU
<u>Proposed Change Order</u> Crossroads Sewer Lenoir, NC			

1	16 foot of 12" storm drain upstream of MH 20A, 12/2/22	\$ 5,400.00
2	11 foot of 24" storm drain upstream of MH 18B, 10/25/22	\$ 3,940.00
3	20 foot of 18" storm drain between MH 15 and 16, 9/27/22	\$ 7,400.00
4	24" storm drain w/ 9.5' Depth Precast Box	\$ 12,500.00
5	Unknown/Unplanned Utilities Exploration: 5 days digging and exploring existing water lines behind gas station in early November 22, unknown 2" waterline repair/ unknown gas	\$ 5,500.00
		\$ 34,740.00

This change does not include certain overages and underages of certain items on the contract that will be taken care of via final adjusting change order.

CITY OF LENOIR
LISTING OF
CITY COUNCIL MEETINGS FOR 2024

JANUARY

City Council	Tuesday, January 2	6:00 p.m.
City Council	Tuesday, January 16	6:00 p.m.
Committee of the Whole	Tuesday, January 23	8:30 a.m.

FEBRUARY

City Council	Tuesday, February 6	6:00 p.m.
City Council	Tuesday, February 20	6:00 p.m.
Committee of the Whole	Tuesday, February 27	8:30 a.m.

MARCH

City Council	Tuesday, March 5	6:00 p.m.
City Council	Tuesday, March 19	6:00 p.m.
Committee of the Whole	Tuesday, March 26	8:30 a.m.

APRIL

City Council	Tuesday, April 2	6:00 p.m.
City Council	Tuesday, April 16	6:00 p.m.
Committee of the Whole	Tuesday, April 23	8:30 a.m.

MAY

City Council	Tuesday, May 7	6:00 p.m.
City Council	Tuesday, May 21	6:00 p.m.
Committee of the Whole	Tuesday, May 28	8:30 a.m.

JUNE

City Council	Tuesday, June 4	6:00 p.m.
City Council	Tuesday, June 18	6:00 p.m.
Committee of the Whole	Tuesday, June 25	8:30 a.m.

JULY

City Council	Tuesday, July 16	6:00 p.m.
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***Only one meeting in July.**

AUGUST

City Council	Tuesday, August 6	6:00 p.m.
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City Council	Tuesday, August 20	6:00 p.m.
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Committee of the Whole	Tuesday, August 27	8:30 a.m.
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SEPTEMBER

City Council	Tuesday, September 3	6:00 p.m.
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City Council	Tuesday, September 17	6:00 p.m.
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Committee of the Whole	Tuesday, September 24	8:30 a.m.
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OCTOBER

City Council	Tuesday, October 1	6:00 p.m.
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City Council	Tuesday, October 15	6:00 p.m.
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Committee of the Whole	Tuesday, October 22	8:30 a.m.
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NOVEMBER

City Council	Tuesday, November 5	6:00 p.m.
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***Only one meeting in November**

DECEMBER

City Council	Tuesday, December 3	6:00 p.m.
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City Council	Tuesday, December 17	6:00 p.m.
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2024 SCHEDULE OF EVENTS

NCLM MEETINGS

Event

TBA	Town & State Dinner
April 23 - 25	Annual City Vision Conference (Winston-Salem, North Carolina)

NLC MEETINGS

Event

March 11 - 13	Congressional City Conference (Washington, DC)
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November 13 - 16	City Summit (Tampa, Florida)
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CITY OF LENOIR

2024 HOLIDAY SCHEDULE

Monday, January 1	New Year's Day
Monday, January 15	Martin Luther King, Jr. Day
Friday, March 29	Good Friday
Monday, May 27	Memorial Day
Thursday, July 4	Independence Day
Monday, September 2	Labor Day
Monday, November 11	Veterans Day
Thursday, November 28	Thanksgiving Holiday
Friday, November 29	
Tuesday, Wednesday, Thursday December 24, 25, & 26	Christmas Holiday