

**LENOIR CITY COUNCIL
TUESDAY, APRIL 2, 2024
6:00 P.M.**

PRESENT: Mayor Joe Gibbons presiding. Councilmembers present were Jonathan Beal, Todd Perdue, Ike Perkins, Ralph Prestwood, Kimmie Rogers, Crissy Thomas, City Manager Scott Hildebran, City Clerk Shirley Cannon and City Attorney Timothy Rohr.

ABSENT: Mayor Pro-Tem David Stevens.

CITY STAFF: In attendance was Finance Director Donna Bean, Fire Chief Norman Staines, Assistant Fire Chief Kenny Nelson, Main Street & Economic Development Director Brenda Floyd, Police Chief Brent Phelps, Planning Director Hannah Williams, Parks & Recreation Administrative Assistant Julianna Tripician and Communication 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.

CONDOLENCES: B. On behalf of City Council, Mayor Gibbons asked everyone to keep the family of Captain Ronnie Metcalf with the Lexington Fire Department in their thoughts and prayers as he was killed in the line of duty last week. Captain Metcalf worked for the Lexington Fire Department for twenty years.

Also, Mayor Gibbons asked everyone to keep the family of Geraldine (Geri) Bair in their thoughts and prayers as she passed away on March 23. Mrs. Bair was a previous member of the Sister Cities Board and a great volunteer for the City. Mayor Gibbons said she will be missed by the community.

**SPECIAL
RECOGNITION:**

- C. On behalf of City Council, Mayor Gibbons read and presented a proclamation to Police Chief Brent Phelps proclaiming the week of April 14 – 20 as Public Safety Telecommunicators Week throughout the City of Lenoir. Also in attendance was Director of Communications Dustin Eller along with Telecommunicators Bethany Clark and Molly Ford.

Chief Phelps stated they were the “unseen heroes” of public safety as they handle all of the 911 calls that come in, deal with the stress of the situations and interact with the public. He thanked them for the great job they do daily as they connect with the citizens, officers, EMS personnel and others.

SPECIAL

RECOGNITION: D. On behalf of City Council, Mayor Gibbons read and presented a proclamation to Lauren Hart, proclaiming the month of April 2024 as “Fair Housing Month” throughout the City of Lenoir. Ms. Hart stated it was a privilege to accept the proclamation on behalf of the Catawba Valley Association of Realtors and thanked City Council for their continued support.

Mayor Gibbons thanked Ms. Hart for all she does for prospective homebuyers.

SPECIAL

RECOGNITION: E. On behalf of City Council, Mayor Gibbons read and presented a proclamation to Chase Bostain and Jerry Gragg, linemen with Blue Ridge Energies, proclaiming Thursday, April 18, 2024 as “Line Worker Appreciation Day” throughout the City of Lenoir.

Duke Energy was unable to have a representative at the Council meeting.

Mayor Gibbons stated the City appreciates everyone’s service and mentioned his grandfather was one of the first linemen to help with installing power lines in the City of Lenoir years ago.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS**III. CONSENT AGENDA ITEMS**

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, March 19, 2024 as submitted.
- B. Renewal of Sidewalk Café Permit - Removed from Consent Agenda for discussion. (see below).
- C. Resolution; Water Supply Plan: Approval of a Resolution to adopt the 2023-2028 Water Supply Plan for the City of Lenoir as recommended by City Staff. (A copy of the Resolution and Water Supply Plan is attached to these minutes as information.)
- D. Authorizing Resolution; Bernhardt Transportation, LLC Lease (10-year term): Approval of a Resolution Authorizing the Lease of City Property for a Term of Ten Years to Bernhardt Transportation LLC and approval of the lease upon the terms and conditions set forth herein, and authorizes the City Manager, or his Designee to execute same. (A copy of the lease agreement is attached to these minutes as information.)
- E. Engineering Services Contract, Designation by Design: Staff recommends approval of the Engineering Services Contract with Designation by Design for Phase III in the amount of \$113,500 plus 4% of construction cost in order to move forward with implementation of Phase III of the project. Note: Phase III consists of the survey, design, encroachment, bidding and construction administration for the three (3) remaining minor gateway signs located on (US321-1 and NC18-2). (A copy of the contract is hereby attached to these minutes as information.)
- F. Bid Award; WTP Improvements: Staff recommends City Council approve bids received by Freyssinet, Inc., the lowest responsible bidder, to complete concrete and waterproofing repairs for the George L. Bernhardt, Sr., Lake Rhodhiss Water Treatment Plant for the contract cost of \$844,051.50 with the addition of a construction contingency of \$84,405 for a total project budget of \$928,456.50 as recommended. (A copy of the certified bid tab by McGill Associates is hereby incorporated into these minutes as information.)

- F. Proclamation; National Public Safety Telecommunicators Week: Approval of a proclamation proclaiming the week of April 14 through April 20 as “Public Safety Telecommunicators Week” throughout the City of Lenoir. (A copy of the proclamation is attached to these minutes as information.)
- G. Proclamation; Fair Housing Month: Approval of a proclamation proclaiming the month of April 2024 as “Fair Housing Month” throughout the City of Lenoir. (A copy of the proclamation is attached to these minutes as information.)
- H. Proclamation; National Line Worker Appreciation Day: Approval of a proclamation proclaiming Thursday, April 18, 2024 as “Line Worker Appreciation Day” throughout the City of Lenoir. (A copy of the proclamation is attached to these minutes as information.)

Councilmember Perdue asked to remove Item B. Renewal; Sidewalk Café Permit to discuss number 4 of the submitted conditions. Council was in consensus to remove Item B. from the Consent Agenda as requested by Councilmember Perdue.

First Motion

Upon a motion by Councilmember Perdue, City Council voted 6 to 0 to approve items, A, C, D, E, F, G, and H, as listed on the Consent Agenda as submitted and as described above.

- B. Renewal; Sidewalk Café Permit: Approval of the Side Street Pour House Sidewalk Café Permit with the following conditions (carried forth from the original approval):
 1. The applicant must coordinate with the City’s Public Works Director prior to modifying or installing any support structures for lights or awnings or modifying any enclosure fencing.
 2. String lights installed over the sidewalk café are limited to white, non-blinking lights.
 3. All provisions of Sec. 13-3(3) shall continue to apply to the use and operation of the sidewalk café area.
 4. Current copy of Certificate of Liability Insurance naming the City as the certificate holder must be provided to the Planning Department.

Councilmember Perdue recommended item number 4 of the Sidewalk Café Permit, included a copy of the Side Street Pour House’s current certificate of liability insurance which names the City of Lenoir as an additional insured and a certificate holder as part of the verification of their coverage. Councilmember Rogers stated that was the wording the policy had in the past and is currently.

Councilmember Rogers provides the insurance for the Side Street Pour House. Since the Side Street Pour House would have insurance regardless of whether they are granted the Side Walk Café Permit and thus Councilmember Rogers would receive no benefit from the vote, City Attorney Rohr advised that he found no conflict of interest in Councilmember Rogers voting in this item.

2nd Motion

Following a brief discussion and upon a motion by Councilmember Perdue, City Council voted 6 to 0 to approve amending condition number 4 of the Sidewalk Café Permit for Side Street Pour House as described above and as recommended by Councilmember Perdue.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

APRIL

- CALENDAR:** 1. By consensus of the Council, the calendar for the month of April was approved listing various committee meetings and events.

NCLM'S TOWN &

- STATE DINNER:** 2. The North Carolina League of Municipalities Town and State Dinner will be held on Wednesday, April 3 from 5:15 p.m. to 8:30 p.m. at the Warehouse 18 Venues located at 18 2nd Street SE, Hickory, NC.

- CRUISE-IN:** 3. A Cruise-In Event will be held on Saturday, April 6 beginning at 3:00 p.m. in downtown Lenoir.

CITY/COUNTY SERVICES

- COMMITTEE:** 4. The City/County Services Committee will meet on Monday, April 8 at noon at the J.E. Broyhill Civic Center.

ECONOMIC DEVELOPMENT

ADVISORY COMMITTEE:

5. The Economic Development Advisory Committee (EDAC) will host their annual Industry Appreciation & Awards Luncheon on Wednesday, April 10 from 11:30 a.m. – 1:00 p.m. at the J.E. Broyhill Civic Center.

- ABC BOARD:** 6. The ABC Board will meet on Thursday, April 11 at 2:00 p.m.

WPCOG'S ANNUAL

- MEETING:** 7. The Western Piedmont Council of Governments (WPCOG) Annual Meeting will be held on Thursday, April 11 from 6:00 p.m. – 8:00 p.m. at the Hickory Metro Convention Center.

LENOIR BUSINESS

- ADV. BOARD:** 8. The Lenoir Business Advisory Board (LBAB) will meet on Thursday, April 11 at 6:00 p.m. at the Hickory Metro Convention Center.

NCDOT'S SPRING

LITTER SWEEP:

9. The NC Department of Transportation's (NCDOT) annual Spring Litter Sweep campaign begins on Saturday, April 13 through Saturday, April 27.

PARKS & RECREATION

ADV. COMMITTEE:

10. The Parks and Recreation Advisory Committee will meet on Monday, April 15 at 6:00 p.m. at the Lenoir Aquatic & Fitness Center.

B. Items for Council Action

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY**VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR****BOARD APPOINTMENT;**

LTDA: A. Mayor Gibbons recommended that Kimberly Edmisten be appointed to serve a term on the Lenoir Tourism Development Authority (LTDA) that will expire June 30, 2027.

Upon a motion by Councilmember Prestwood, City Council voted unanimously to appoint Kimberly Edmisten to serve a term on the LTDA as recommended by Mayor Gibbons.

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS**X. ADJOURNMENT**

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

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor