



AGENDA

**CITY OF LENOIR
CITY COUNCIL MEETING
905 WEST AVENUE
TUESDAY, JUNE 4, 2024
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition: On behalf of City Council, Mayor Gibbons will present a resolution to Charles Thomas in honor and recognition of his twenty-four years of dedicated and outstanding leadership on the Board of Directors of the Foothills Regional Airport Authority.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. FY2024-2025 Annual Budget: A public hearing will be held to receive public comments regarding the Annual Budget for the fiscal year beginning July 1, 2024 through June 30, 2025 for the City of Lenoir. Upon conclusion of the public hearing, Council may take action on adoption of the enclosed FY2024-2025 Budget Ordinance.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, May 21 as submitted.
- B. Sidewalk Café Permit Application; Fercott Fermentables: Staff recommends approval of the Sidewalk Café Permit Application as submitted by Fercott Fermentables, 107 Main Street SW, with the following conditions:
 - 1. All alcoholic beverages sold and consumed in the Fercott sidewalk café shall be in Social District containers, according to the Social District Management and Maintenance Plan.
 - 2. A 5-foot clear pedestrian path between the sidewalk adjacent to Main Street.
 - 3. The sidewalk café shall only operate during Social District hours, as outlined by the Social District ordinance (Sec. 13-92, Lenoir Code of Ordinances.)
 - 4. Any fixtures aside from the table and chairs shall be subject to the Planning Director's review.
- C. Agreement for Technical Planning Assistance (WPCOG): Staff requests approval of an Agreement between the Western Piedmont Council of Governments (WPCOG) and the City of Lenoir for the provision of Technical Planning Assistance for a two-year code enforcement period beginning July 1, 2024 through June 30, 2026 at a total cost of \$66,000. Staff further requests that the City Manager be authorized to sign the contract on behalf of the City.
- D. Resolution of Support; ETJ Code Enforcement (WPCOG – Caldwell County): Staff recommends approval of a resolution affirming support for Caldwell County to enforce Minimum Housing and Non-residential Building Ordinances in the Lenoir Extra-Territorial Jurisdiction (ETJ.) Note: Caldwell County recently passed a minimum housing and non-residential building standards ordinance and has contracted with the

WPCOG to enforce the standards in the unincorporated areas. The WPCOG will also do housing enforcement of the County's ordinance within the ETJs of the municipalities within the County. The City of Lenoir will still issue zoning and floodplain permits and will enforce those ordinances within the ETJ.

- E. Construction Contract; Brushy Mountain Builders: Staff recommends awarding the construction contract for the Unity Park & Community Garden Teaching and Learning Pavilion to Brushy Mountain Builders Incorporated for a contract price of \$98,000.00. Brushy Mountain Builders is appropriately licensed to perform this type of work, has successfully completed projects with the City of Lenoir, and is the lowest, responsive, responsible bidder.
- F. Resolution; Charles Thomas: Approval of a resolution in honor and recognition of his twenty-four years of dedicated and outstanding leadership on the Board of Directors of the Foothills Regional Airport Authority.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

- A. Rick Oxford, Plan Administrator, Western Piedmont Council of Governments, (WPCOG) will hold the second public meeting to receive public comments regarding the FY2024 Action Plan and the FY2024 Unifour Consortium Action Plan. Note: City Council may take action regarding consideration of approval of the two plans as presented.
- B. Capital Project Budget Ordinances: City Staff and Rick Oxford, Plan Administrator, recommends approval of the following four (4) Capital Project Budget Ordinances as presented.
 - 1. Approval of the Capital Project Budget Ordinance for the FY2024 Unifour Consortium HOME Program in the amount of \$1,351,716 as submitted.
 - 2. Approval of the Capital Project Budget Ordinance for the FY2024 Community Development Block Grant (CDBG) Program in the amount of \$138,743 as submitted.
 - 3. Approval of the 2023 HOME-ARP Substantial Amendment Capital Project Budget Ordinance in the amount of \$4,182,773 as submitted.
 - 4. Approval of the 2023 Unifour Consortium HOME Program Substantial Amendment Capital Project Budget Ordinance in the amount of \$1,500,690 as submitted.

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

- 1. The Foothills Regional Airport Authority will meet on Wednesday, June 5 at noon at the airport facility.
- 2. A Summer Concert series begins on Friday, June 7 from 7:00 p.m. – 10:00 p.m. at the downtown stage area with the band “Off the Record” performing. On Friday, June 14, the band “Black Tie” will be performing.
- 3. The City/County Services Committee will meet on Monday, June 10 at noon at the J. E. Broyhill Civic Center.

4. The Economic Development Advisory Board will meet on Tuesday, June 11 at 8:15 a.m. at the J. E. Broyhill Civic Center.
5. The ABC Board will meet on Thursday, June 13 at 2:00 p.m.
6. The Lenoir Business Advisory Board will meet on Thursday, June 13 at 6:00 p.m. at City Hall, Third Floor.

B. Items for Council Action

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

- A. Board Appointments/Re-appointments: Mayor Gibbons will present the following individuals for consideration of approval by City Council for appointment/re-appointment to the City of Lenoir's Authorities/Boards/Commissions as follows:

APPOINTMENTS – JULY 1, 2024

ABC Board (3-Year)

Steven Stewart

Foothills Airport Authority (2-Year)

Tom Smith

Lenoir Housing Authority (5-year)

Ben Boaz

Pete Kidder (2026)

Business Advisory Board (3-Year)

Tim Biddix

Mark Transou

Matt Underwood

Amy Adams

Planning Board/Historic Preservation Commission (3-year)

Edward Terry

Marta Lazo

Lucy McCarl

Board of Adjustments (3-year)

Leah Hamilton

Tim Scobie

Curtis Baker (Alternate to Member)

Dontrell Parson – Alternate

Recreation Advisory Board (2-year)

Darrin Foddrell

Darryl Lipford

Charlie Pilkenton

Lenoir Tourism Development Authority (4-year)

Angela Johnson (Lodging)

Jennifer Barlow (Lodging)

Julie Phan Bentley (Lodging)

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

X. ADJOURNMENT



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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

Resolution Honoring Charles Thomas

WHEREAS, the Foothills Regional Airport was built in 1944 by the US Army Corps of Engineers and was originally owned by the cities of Lenoir and Morganton; and

WHEREAS, in the year 2000, the North Carolina Generally Assembly created the Foothills Regional Airport Authority, transferring ownership of the airport to the City of Lenoir, Caldwell County, City of Morganton, and Burke County governments; and

WHEREAS, the Authority board consists of eight members who are residents of either Burke or Caldwell County and one elected official from each local government; and

WHEREAS, Lenoir Mayor David Barlow recommended that Charles Thomas serve on the Foothills Regional Airport Authority Board, and the City of Lenoir Council appointed him to the Board in 2000, the same year the Authority was created; and

WHEREAS, while serving on the Board, Charles helped guide the growth and development at the airport including lengthening and widening the runway and bringing modern renovations and improvements to the facility; and

WHEREAS, Charles has a pilot's license and owned a Cessna 182 Skylane single-engine, four-seat airplane which he stored for many years in a rented hanger at the Foothills Regional Airport and on which Charles and his wife took many trips to the North Carolina coast, Nashville, and other regional destinations; and

WHEREAS, Charles is retiring from the Foothills Regional Airport Authority effective June 30, 2024, after two-plus decades of being a member.

NOW THEREFORE BE IT RESOLVED, that I, Joseph L. Gibbons, Mayor, on behalf of the City of Lenoir Council and all our citizens, do hereby thank Mr. Charles Thomas for his 24 years of dedicated service on the Board of Directors of the Foothills Regional Airport Authority. His passion for flying and aviation and his dedication to the Airport Authority will be remembered always.

This the 4th day of June 2024.

SEAL

Joseph L. Gibbons, Mayor



**CITY OF LENOIR
COUNCIL ACTION FORM**

- I. **Agenda Item: FY 2024-2025 Annual Budget:** A public hearing is scheduled to receive public comments regarding the annual budget for the fiscal year beginning July 1, 2024 through June 30, 2025 for the City of Lenoir.
- II. **Background Information:** The Recommended FY 2024-25 Budget is comprised of General Fund - \$23,751,580, Special District Fund - \$264,700, Tourism Development Fund - \$90,000 and Water/Sewer Fund - \$11,770,028, for a total budget of \$35,876,308.

The proposed is balanced with the current property tax rate of 57¢ per \$100 of assessed property value. The budget maintains the current Rescue Readiness Tax Rate of .85¢ per \$100 of assessed property value for a total tax rate of 57.85¢ per \$100. The budget includes a \$1.00 monthly increase in the Solid Waste fee, bringing the total to \$13 per month. All other General Fund charges/fees are unchanged.

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

The proposed Water and Sewer Fund budget is balanced and includes a 3.2% increase in water and sewer rates. All other Water/Sewer Fund charges and fees are unchanged.

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

In accordance with NCGS 159-12, the Recommended Budget has been submitted to the Mayor and City Council and made available for public inspection and notice given that a public hearing will be held on Tuesday, June 4, 2024, beginning at 6:00 p.m., for the purpose of receiving input from citizens wishing to comment on the proposed budget.

- III. **Staff Recommendation:** Upon conclusion of the public hearing, Council may take action on adoption of the enclosed FY 2024-25 Budget Ordinance.
- IV. **Reviewed by:**

City Attorney:
City Manager:



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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

May 21, 2024

Honorable Mayor Gibbons and Members of the City Council:

Pursuant to Section 159-11 of the North Carolina General Statutes (NCGS), Local Government Budget and Fiscal Control Act, I am pleased to submit the Recommended Fiscal Year (FY) 2024-2025 Budget for your review and consideration. This document provides a financial plan for the upcoming fiscal year and was developed in accordance with the City Council's Priorities established in both the February Strategic Planning Retreat and the March Budget Retreat as well as during Council and Departmental meetings held over the past year.

The recommended budget addresses Council's 2024 Priorities including: offer competitive compensation and benefits for recruitment and retention, increase support for code enforcement and city beautification, continue to support strategies for all types of housing, continue to fund and support for water and sewer infrastructure, and continue to evaluate staffing needs, succession planning and professional development.

The proposed budget takes into account the unique economic challenges such as continued inflation, supply chain disruption, rising benefit costs, increasing health and general liability insurance costs, and the competitive job market.

A work session to review the Recommended FY 2024-2025 Budget is scheduled to be held on Thursday, May 23, 2024, at 6:00 p.m. and a public hearing on the budget is scheduled on Tuesday, June 4, 2024, at 6:00 p.m.

General Fund

The proposed General Fund budget totals \$23,751,580 and is balanced with the current property tax rate of 57¢ per \$100 of assessed property value. The budget maintains the current Rescue Readiness Tax Rate of .85¢ per \$100 of assessed property value for a total tax rate of 57.85¢ per \$100. The recommended budget includes a \$1.00 increase in the Solid Waste fee. All other fees and charges remain unchanged.

Nearly 79% of the General Fund's revenue comes from property tax (43%), sales tax (26%) and franchise tax (10%) revenue. The remainder comes from a combination of State-shared revenue,



investment earnings, and sales and services. Staff is conservatively projecting revenues based on FY 2022-2023 actual collections for the coming year.

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

Downtown Municipal Service District

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

Water and Sewer Fund

The proposed Water and Sewer Fund budget totals \$11,770,028 and includes a 3.2% increase in water and sewer rates. The City has traditionally used the annual Consumer Price Index - South Region for All Urban Consumers (CPI) as a gauge and guide when considering increases in water and sewer rates. This year the CPI was 3.7% in February of 2024. The average increase for a customer with 5,000 gallons of usage per month would be \$1.75 per month.

The Water and Sewer Fund budget utilizes a retained earnings appropriation of \$195,000 for capital expenditures, as recommended in our Water and Sewer Capital Plan developed by McGill Associate.

Multi-Year Capital Projects

Over the past few years, the City of Lenoir has received substantial funding for multi-year capital projects that take an extended period of time to complete. The funding has been received from a variety of sources - the American Rescue Plan, State-directed appropriations, Community Development Block Grant (CDBG), numerous other grants, and private donations.

These funds will be utilized to complete City Council prioritized capital projects. Some of the projects include more greenway connections and expansions, Aquatic Center renovation, a Parks and Recreation master plan, Martin Luther King Jr. Center improvements, Fire Department sink-hole repair, the Hospital Avenue Sidewalk project, cybersecurity infrastructure, wayfinding signage, The Campus at the Historic Lenoir High School improvements, and Lenoir-Valdese Water Interconnection. Staff continues to seek grant opportunities and utilize grant funding to accomplish our capital goals.

The proposed operating budget does not specifically allocate any of this funding. Staff will present budget amendments and/or capital project ordinances as funds are obligated for these capital projects. A comprehensive list of projects and funding sources is included in the proposed budget packet for information.

Budget Highlights

The key components of this budget are:

- Core services are continued with revenue projections estimated in a realistic, conservative manner. The projections include consideration for the continued uncertainties of the future economic environment.
- Employee Compensation: The City, like most employers, is experiencing workforce challenges in the recruitment and retention of employees. City Council and Management continue to recognize that our talented employees are vital to the delivery of quality municipal services and are our most important resource. As the top strategic priority, the budget includes a Cost of Living Adjustment (COLA) of 4% for all employees and a market-based pay plan step adjustment of one grade for non-exempt sworn police and fire

personnel to aid with recruitment and retention. The budget funds the NC Local Governmental Employees' Retirement System (LGERS) employer contribution rate increase, effective July 1, 2024. The law enforcement rate will increase from 14.10% to 15.10%, while the non-law enforcement rate will move from 12.85% to 13.60%.

- The budget includes an increase in employee tuition reimbursement funding from \$1,200 to \$2,000 annually and an increase in the employee safety shoe allowance from \$125 to \$150 annually.
- The City's group health insurance premiums will increase by 9%, while maintaining the current plan benefit levels. The cost of the City's property and liability insurance will increase by 18.4% while the workers' compensation insurance will decrease by 11.7%.
- Street Resurfacing: The budget allocates \$420,000, an increase of \$10,000, to continue implementation of our Pavement Plan. The State Powell Bill funding is expected to remain stable in the coming year. In addition, the budget includes \$141,000 in funding for strategic paving for various Council priorities.
- Street Lighting: In 2024, local governments within Duke Energy Carolinas service area in North Carolina experienced a 23.8% rate increase in electrical rates for street lights, with a subsequent 5.3% increase in 2025. The budget includes an increase of \$146,590 for the street lighting utilities.
- Downtown: Funding is included to begin implementation of our recently adopted Downtown Master Plan and to expand downtown decorations.
- Code Enforcement: The budget includes more than \$100,000 for building demolitions, foreclosures and an additional \$33,000 in new funding for contracted Western Piedmont Council of Governments (WPCOG) Code Enforcement Services (two days per week/four hours per day) to assist with nuisance and code enforcement in response to the City Council's priorities.
- Technology: There is funding for computer and information technology upgrades throughout the organization to enhance and improve operations and security.
- Environmental: The outsourcing of management and oversight of our Federal Phase II Stormwater Program to the WPCOG Stormwater Partnership continues and the budget funds a comprehensive mapping of our stormwater system.
- Organizational Restructuring: The budget moves the reporting structure of the Safety Coordinator position to the Risk Manager due to similar and overlapping responsibilities. Further, the budget establishes a new Public Works - Grounds and Public Properties Division – incorporating the Parks and Recreation Grounds Division, as well as several staff of the Cemeteries Division to increase efficiency and resource sharing.
- The budget funds all debt obligations.

Recommended General Fund capital investments total \$1,724,250, an increase of \$545,450 from FY 2023-2024. Staff will use capital funding for various projects and purchases including:

- Renovations to the Public Services Building and Police Department Headquarters
- Trucks and Utility Terrain Vehicles (UTV) for various departments
- Cemetery Master Plan
- Equipment upgrades and vehicle replacements for the Fire and Police Departments
- Four more pickleball courts and a new gym floor at Mulberry Recreation Center
- Renovations to the basketball court and shelter at West End Park

A complete list of General Fund capital purchases is included in the budget packet.

Recommended Water and Sewer Fund capital investments total \$1,922,150, an increase of \$692,150 from the previous year. Water and Sewer Fund capital projects include:

- Repairs and building renovations at the Water Treatment Plant
- Renovations at the Public Services Building
- Replacement pick-up trucks
- Repair and replacement of pumps and other equipment at the Water Treatment Plant
- East Harper Avenue sewer replacement
- Push camera and an easement machine
- UTV and equipment at the Gunpowder Sewer Treatment Plant.

A complete list of Water and Sewer Fund capital purchases is included in the budget packet.

Downtown Municipal Service District capital funding totals \$40,000, an increase of \$10,000 from the previous budget, for additional downtown decorations.

Summary

In closing, this Recommended FY 2024-2025 Budget is balanced in accordance with State Statutes and attempts to address the goals and priorities that have been established by City Council for the City's future while being mindful of the current economic conditions. Growth in the commercial and residential markets and a diversified employer base should help with weathering the current economy's uncertainty.

The Recommended FY 2024-2025 Budget represents a level of funding, which will allow the City to maintain and enhance current service levels while making organizational changes to be cost effective and more efficient. Further, as noted in the information distributed at the retreat in February, our staff continues to display a culture that encourages cost savings to maximize resources to accomplish budget initiatives.

I would like to recognize and commend the efforts of Finance Director Donna Bean for her hard work and dedication in the preparation of this budget. Her thoroughness and guidance in the management of our financial operations is greatly appreciated.

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

Come "Create With Us" in Lenoir!

Respectfully submitted,



Scott E. Hildebran
City Manager

	Ad must be prepaid.	Includes Current Meeting & Website Non commercial Additional \$5.00 for photo or border	Includes Current Meeting Non commercial Additional \$5.00 for photo or border
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LEGALS**TOR'S NOTICE**

fied as the Executor of David Wayne Barlow, late, of Caldwell County, is hereby given to having claims against to present certified hereof to the undersigned on or before August 2, 2024, notice will be pleaded in bar of their recovery. All persons indebted to said estate are make prompt settle-

of May, 2024.

isa Roberts Barlow, Executor of the Will of David Wayne Barlow RBLOEMEN, FLEISHER & WHITE, PLLC
309 N. Main Street
Suite C
Lenoir, NC 28645
23, 2024

COLINA**COUNTY TO CREDITORS**

RSIGNED, having Administrator of the estate of C Morris, deceased late of Caldwell County, this is to notify all persons, firms, and corporations having claims against to present them to the undersigned on or before the 4th day of May, 2024 or this Notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment to the undersigned.

Daniel G Morris, Administrator
1162 Covington Way
Lenoir, NC 28645
23, 2024

COLINA**COUNTY TO CREDITORS**

RSIGNED, having Administrator of the estate of Cecil W Williams, deceased late of Caldwell County, this is to notify all persons, firms, and corporations having claims against to present them to the undersigned on or before the 4th day of May, 2024 or this Notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment to the undersigned.

William Williams-Byrd, Administrator
2139 Victory Ln
Lenoir, NC 28645
23, 2024

COLINA**COUNTY TO CREDITORS**

RSIGNED, having

0900 LEGALS

recovery. All persons indebted to said Estate please make immediate payment to the undersigned. This the 16th day of May, 2024.

Lori B Taylor, Executor
3635 Hollywood Ridge Rd
Lenoir, NC 28645
May 16, 23, 30, June 6, 2024

NORTH CAROLINA CALDWELL COUNTY**NOTICE TO CREDITORS**

THE UNDERSIGNED, having qualified as Administrator CTA of the Estate of Israel Wilson Shoemaker, deceased late of Caldwell County, this is to notify all persons, firms, and corporations having claims against said Estate to present them to the undersigned on or before the 11th day of August, 2024 or this Notice will be pleaded in bar of their recovery. All persons indebted to said Estate please make immediate payment to the undersigned.

Wilson Dean Shoemaker, Administrator CTA
5707 Fletcher Mtn Ln
Collettsville, NC 28611
May 9, 16, 23, 30, 2024

NORTH CAROLINA CALDWELL COUNTY**NOTICE TO CREDITORS**

THE UNDERSIGNED, having qualified as Co-Executor of the Estate of Jerry Wayne Herman, deceased late of Caldwell County, this is to notify all persons, firms, and corporations having claims against said Estate to present them to the undersigned on or before the 18th day of August, 2024 or this Notice will be pleaded in bar of their recovery. All persons indebted to said Estate please make immediate payment to the undersigned.

Angela Franklin, Co-Executor
5258 Tornado Circle
Granite Falls, NC 28630
Vivian Speagle, Co-Executor
1864 Henry Smith Street
Hickory, NC 28601
May 16, 23, 30, June 6, 2024

NORTH CAROLINA CALDWELL COUNTY**NOTICE TO CREDITORS**

THE UNDERSIGNED, having qualified as Co-Executor of the Estate of Kenneth Wayne Hawkins, deceased late of Caldwell County, this is to notify all

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Phyllis Hawkins Good, Co-Executor
3090 Ashbrook Way
Lenoir, NC 28645
Linda Hawkins Travis, Co-Executor
4680 Ransom Dr
Conover, NC 28613
May 16, 23, 30, June 6, 2024

State Of North Carolina Caldwell County

In The General Court Of Justice District Court Division File No. 24 CVD 5
Margaret Michelle Messer Plaintiff
vs.
Walter Levine Sessoms Jr Defendant

Take notice that pleading seeking relief against you has been filed in the above-entitled action. The nature of relief being sought is as follows:

Absolute Divorce

You are required to make a defense to such pleading not later than 40 days after the first date of the publication of this notice. Upon your failure to do so, the party seeking service against you will apply to the court for the relief sought.

This the 9th day of May 2024.

Margaret Michelle Messer Plaintiff
777 Circle Drive NE
Lenoir, NC 28645
May 9, 16, 23, 2024

0900 LEGALS**NOTICE OF PUBLIC HEARING CITY OF LENOIR**

Pursuant to N.C.G.S. §159-12, notice is hereby given that the proposed budget for the City of Lenoir for the fiscal year beginning July 1, 2024 and ending June 30, 2025, has been presented to City Council. The budget is on file in the City Clerk's office and available for public inspection from 8:30 a.m. until 5:00 p.m. Monday through Friday. The budget is also available online at www.cityoflenoir.com/budget-proposal. City Council will also conduct a public hearing on Tuesday, June 4, 2024 at 6:00 p.m., at the City/County Chambers, 905 West Avenue, NW, Lower Level, to receive public comments regarding the proposed budget. Contact the City Clerk's office at (828) 757-2205 for additional information.

City of Lenoir
Shirley M. Cannon, MMC, NCCMC City Clerk

May 23, 30, 2024

NORTH CAROLINA CALDWELL COUNTY**NOTICE TO CREDITORS**

THE UNDERSIGNED, having qualified as Executor of the Estate of Sylvia Williams Greene, deceased late of Caldwell County, this is to notify all persons, firms, and corporations having claims

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against said Estate to present them to the undersigned on or before the 18th day of August, 2024 or this Notice will be pleaded in bar of their recovery. All persons indebted to said Estate please make immediate payment to the undersigned.

This the 16th day of May, 2024.

Tammy Lynn Greene, Executor
410 Finley Ave NW
Lenoir, NC 28645
May 16, 23, 30, June 6, 2024

NORTH CAROLINA CALDWELL COUNTY**NOTICE TO CREDITORS**

THE UNDERSIGNED, having qualified as Administrator of the Estate of Trina Williams, deceased late of Caldwell County, this is to notify all persons, firms, and corporations having claims against said Estate to present them to the undersigned on or before the 18th day of August, 2024 or this Notice will be pleaded in bar of their recovery. All persons indebted to said Estate please make immediate payment to the undersigned.

This the 16th day of May, 2024.

Danny Williams, Administrator
3319 Friendly Park Road
Lenoir, NC 28645
May 16, 23, 30, June 6, 2024

Fill Your Purse Through the Classifieds

CITY OF LENOIR SANITATION DIVISION MEMORIAL DAY SCHEDULE



GARBAGE SCHEDULE WEEK OF May 27 - May 31, 2024

If your garbage is normally picked up on Monday, May 27, it will be picked up on Wednesday, May 29.

All other household garbage pickups will remain on a normal schedule.

City of Lenoir
Budget Ordinance
Fiscal Year July 1, 2024– June 30, 2025

BE IT ORDAINED by the Lenoir City Council in regular session assembled on June 4th, 2024.

Section 1. That the following amounts are hereby appropriated for the operation of the government of the City of Lenoir and its activities for the fiscal year beginning July 1, 2024, and ending June 30, 2025.

<u>Fund</u>	<u>Estimated</u> <u>Revenues</u>	<u>Fund Balance</u> <u>Appropriated</u>	<u>Total</u> <u>Budget</u>	<u>Appropriated</u>
General	\$ 23,751,580	\$ -	\$ 23,751,580	\$ 23,751,580
Water & Wastewater	\$ 11,575,028	\$ 195,000	\$ 11,770,028	\$ 11,770,028
Total	\$ 35,326,608	\$ 195,000	\$ 35,521,608	\$ 35,521,608

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

Legislative	\$ 409,640
Administrative	\$ 851,600
Finance	\$ 904,739
Planning	\$ 545,031
Police	\$ 7,569,543
Fire	\$ 5,522,654
Recreation	\$ 2,354,565
Public Works	\$ 5,593,807
Administrative	\$ 362,604
Cemetery & Grounds	\$ 784,210
Building Maintenance	\$ 512,860
Sanitation	\$ 1,136,766
Streets	\$ 2,467,418
Vehicle Services	\$ 329,949
Total	<u>\$ 23,751,580</u>

City of Lenoir
Budget Ordinance
Fiscal Year July 1, 2024– June 30, 2025

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

<u>DEPARTMENT/DIVISIONS</u>	<u>APPROPRIATION</u>
Admin/Engineering	\$ 625,706
Utilities Maintenance	\$ 414,700
Rhodhiss Water Treatment Plant	\$ 3,306,278
Water Distribution	\$ 2,366,447
Wastewater Collection	\$ 1,842,826
Wastewater Pretreatment	\$ 203,656
Gunpowder Wastewater Plant	\$ 984,868
Lower Creek Wastewater Plant	\$ 2,025,547
Total	<u>\$ 11,770,028</u>

Section 4. There is hereby levied for the fiscal year ending June 30, 2025, the following rate of taxes on each one hundred dollars of assessed valuation of taxable property listed as of January 1, 2024, and of registered vehicles in accordance with G.S. 105-330.3(a)(1) for the purpose of raising the revenues from the current year's listed and registered property as set forth in the foregoing estimates of the General Fund revenues and in order to finance the foregoing General Fund appropriations.

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

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

Said General Fund tax rates are based on an estimated total appraisal value of real and personal property for the purpose of taxation of \$2,457,644,612 with an assessment ratio of one hundred percent (100%) of appraised value and estimated collection rate of 97.8%. Said collection rates are based on the actual 2022-2023 collection rates.

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

Fund	<u>Estimated Revenues</u>	<u>Fund Balance Appropriated</u>	<u>Total Budget</u>	<u>Appropriated</u>
Special Downtown District	\$ 264,700	\$ -	\$ 264,700	\$ 264,700
Tourism Development	\$ 90,000	\$ -	\$ 90,000	\$ 90,000
TOTAL	<u>\$ 354,700</u>	<u>\$ -</u>	<u>\$ 354,700</u>	<u>\$ 354,700</u>

**City of Lenoir
Budget Ordinance
Fiscal Year July 1, 2024– June 30, 2025**

Section 6. There is hereby levied for the fiscal year ending June 30, 2025, the following rate of taxes on each one hundred dollars of assessed valuation of taxable property listed as of January 1, 2024, and of registered vehicles in accordance with G.S. 105-330.3(a)(1) for the purpose of raising the revenues from the current year's listed and registered property set forth in the foregoing estimates of Special Downtown District Fund revenues and in order to finance the foregoing Special Downtown District Fund appropriations.

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

Said Special Downtown District tax is based on an estimated total appraised value of property for the purpose of taxation of \$17,000,000 with an assessment ratio of one hundred percent (100%) of appraised and registered real and personal property value. The estimated collection rate is 97.8%.

Section 7. It is estimated that \$90,000 in revenue will be available in the Tourism Development Fund for the fiscal year beginning July 1, 2024 and ending June 30, 2025.

Section 8. Water & Sewer rates are established to be effective July 1, 2024 according to the following schedule:

Water Inside Corporate Limits	
0 -1,000 gallons	\$12.12
Over 1,000 gallons	\$3.83 per 1,000 gallons
Sewer Inside Corporate Rates	
1 - 1,000 gallons	\$10.62
Over 1,000 gallons	\$4.50 per 1,000 gallons
Water Outside Corporate Limits	
0 - 1,000 gallons	\$24.23
Over 1,000 gallons	\$7.67 per 1,000 gallons
Sewer Outside Corporate Limits	
0 -1,000 gallons	\$21.25
Over 1,000 gallons	\$9.01per 1,000 gallons
Resale Water	
\$2.56 per 1,000 gallons	
Resale Sewer	
\$4.45per 1,000 gallons	

City of Lenoir
Budget Ordinance
Fiscal Year July 1, 2024– June 30, 2025

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

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

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

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

Adopted this 4th day of June, 2024.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk

**LENOIR CITY COUNCIL
TUESDAY, MAY 21, 2024
6:00 P.M.**

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

ABSENT: Councilmembers Todd Perdue and Crissy Thomas.

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 Director Phil Harper, Director of Special Projects & Grants Jared Wright, Public Services & Public Utilities Director Jeff Church, Public Services & Public Works Director Jon Hogan, Communication Director Joshua Harris and Intern Kate Starr.

Also in attendance was News-Topic Reporter Shelby Powell.

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; SCOTT

HILDEBRAN: B. On behalf of City Council, Mayor Gibbons extended condolences to City Manager Scott Hildebran and his family on the passing of his mother, Dorothy R. Hildebran on Monday. Mayor Gibbons asked everyone to keep the family in their thoughts and prayers during this difficult time.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

**CONTIGUOUS ANNEXATION
PETITION; PROVIDENCE LANE
& HOPEDALE DRIVE:**

- A. A public hearing was held to consider a Contiguous Annexation Petition requested by Carl & Sylvia Wilson for property located at the intersection of Providence Lane and Hopedale Drive, NCPIN#2757372828. This parcel is within the City of Lenoir's Extra Territorial Jurisdiction (ETJ), zoned R-15 and is contiguous with the Lenoir City limits. Staff recommends approval of the Annexation Ordinance.

A copy of the recorded Annexation Ordinance is attached to these minutes as information.

Mayor Gibbons opened the public hearing to receive public comments regarding the annexation petition.

Tuesday, May 21, 2024

Minutes-City of Lenoir Council Meeting

Hannah Williams, Planning Director, addressed City Council and stated the parcel owned by Carl and Sylvia Wilson is located just south of Shephard Court. She shared that drivers have to travel around Swanson Drive and Walt Arney Road in order to reach the subdivision. Director Williams reiterated this area is already zoned as R-15 and already has city services available such as water, sewer and garbage pickup.

In addition, Director Williams stated the applicants plan to build a single-family home and reported the Planning Department can administer the pending zoning permit. Director Williams also shared that Mr. and Mrs. Wilson are present if Council has any questions.

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

Upon a motion by Councilmember Prestwood, City Council voted 5 to 0 adopt the Annexation Ordinance for property owned by Carl and Sylvia Wilson and located at the intersection of Providence Lane and Hopedale Drive, NCPIN#2757372828 as described above and as recommended by City Staff.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, May 7, 2024 as submitted.
- B. Resolution; Interbasin Transfer Request: Approval of a resolution requesting the NC Environmental Management Commission to reject the City of Charlotte's interbasin transfer request to modify their certificate increase from their current transfer of 33 million gallons per day to transfer 63 million gallons of water per day from the Catawba River Basin to the Rocky River Basin as submitted. (A copy of the resolution is hereby attached to these minutes as information.)
- C. Fireworks Authorization Permit: Approval of an application for a Fireworks Display Permit as submitted by Chris Jacobs, Fire Marshall, City of Lenoir. The date of the display is July 4, 2024 beginning at 9:30 p.m. at Lenoir Optimist Park and will be conducted by Pyro Shows, Inc. for the City of Lenoir Recreation Department. A certificate of liability insurance has been submitted by Pyro Shows, Inc. and has also been verified. (A copy of the permit is attached to these minutes as information.)
- D. Bid Award; Zacks Fork Splash Pad: Staff recommends awarding the construction contract for the Zacks Fork Splash Pad to Barrs Recreation with a total contract amount of \$313,845.00. Barrs Recreation met the design requirements and is the lowest, responsive, responsible bidder. (A copy of the bid award is hereby attached to these minutes as information.)
- E. Construction Engineering Inspection Services: Based on the Letters of Interest (LOI) submitted and NCDOT approval, Staff recommends approval to award the contract for the EB-5806 Hospital Avenue Sidewalks Project for Construction Engineering Inspection services (CEI) to Mattern & Craig at an anticipated ceiling of \$354,625.00 based on 15% of the engineers estimated construction cost. The purpose of this sidewalk project is to provide a safe route along Hospital Avenue from Harper Avenue to US Hwy 321. Mattern & Craig has a successful background with NCDOT to provide these services. Mattern & Craig also has a good history of projects completed within the City of Lenoir. (A copy of the contract is attached to these minutes as information.)
- F. Retirement Resolution; Sherry Long Griffin: Approval of a retirement resolution for Sherry Long Griffin, Assistant Executive Director & Community Development, Western Piedmont

Tuesday, May 21, 2024

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Council of Governments (WPCOG) in honor and recognition of her thirty-eight years of dedicated and outstanding service to the citizens and community. (A copy of the resolution is attached to these minutes as information.)

Upon a motion by Mayor Pro-Tem Stevens, City Council 5 voted to 0 to adopt items A through F 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

BUDGET WORK SESSION:

1. City Council will conduct an FY2024-25 Budget Work Session on Thursday, May 23 at 6:00 p.m. at City Hall, Third Floor Conference Room. An additional Budget Work Session will be held on Thursday, May 30 if necessary.

MEMORIAL DAY SERVICE:

2. The American Legion Post 29 will host a Memorial Day Service on Sunday, May 26 beginning at 6:00 p.m. on the square in downtown Lenoir.

HOLIDAY CLOSING:

3. City offices will be closed on Monday, May 27 in observance of Memorial Day.

COMMITTEE OF THE WHOLE:

4. The Committee of the Whole will meet on Tuesday, May 28 at 8:30 a.m. at City Hall, Third Floor Conference Room.

I HEART MAIN STREET DINNER:

5. The I Heart Main Street Dinner will be held on Thursday, May 30 at The Harper Room beginning at 6:30 p.m.

NEON BIKE RIDE:

6. The Neon Bike Ride will be held on Friday, May 31 beginning at 8:30 p.m. at the Lenoir Rotary Soccer Complex.

B. Items for Council Action

FY2024-2025 PROPOSED

BUDGET:

1. City Manager Scott Hildebran presented the recommended FY2024-2025 Annual Budget for the City of Lenoir to City Council and further requested that City Council call for a public hearing to be held on Tuesday, June 4, 2024 at 6:00 p.m. to consider approval of the recommended budget. Mr. Hildebran reminded Council the budget is based on City Council's priorities that were established at the annual Budget Retreat in February and as listed below.

2024 Priorities

1. Continue efforts to offer competitive compensation and benefits for employees to improve recruitment and retention.
2. Develop options to increase code enforcement and improve beautification in three primary areas:
 - Abandoned/neglected housing
 - Dilapidated commercial properties
 - Appearance of downtown buildings
3. Continue to develop strategies to support affordable, workforce, and market-rate housing.
4. Continue to fund and support the Water/Sewer Capital Improvements Plan.
5. Continue to evaluate organizational staffing needs, and encourage succession planning and professional development.

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

City Manager Hildebran stated the recommended budget is comprised of General Fund, \$23,751,580, Downtown Municipal Service District Fund, \$264,700, and Water & Wastewater Fund, \$11,770,028. Mr. Hildebran also reviewed a pie chart of departmental expenditures for Legislative, Administrative/Engineering, Finance, Planning Police, Fire, Recreation and Public Works. He pointed out that Fire and Police Departments have the largest budgets.

Mr. Hildebran reported the budget is balanced according to the Local Government Budget and Fiscal Control Act and funds all debt obligations. He further mentioned the state Powell Bill funding is expected to remain stable in the coming year. In addition, Mr. Hildebran stated the budget allocates funds from the federal Community Development Block Grant (CDBG) Capital Project Fund to continue improvements to The Campus. Several grants have recently been awarded to help fund additional improvements to The Campus as well.

In addition, Mr. Hildebran pointed out the City has received substantial funding for multi-year capital projects that take an extended period of time to complete. The funding has been received from a variety of sources – the American Rescue Plan, State-directed appropriations, Community Development Block Grant (CDBG), numerous other grants and private donations.

The property tax rate of 0.57 per \$100 remains unchanged and the Rescue Readiness Tax remains at 0.85 per \$100 for a total tax rate of 57.85 per \$100. The budget includes a \$1.00 monthly increase in the Solid Waste Fee, bringing the total fee to \$13.00. All other general fund fees remain unchanged.

The proposed Water/Sewer Fund budget totals \$11,770,028 and includes a 3.2% increase in water and sewer rates effective July 1, 2024. The average increase for a customer with 5,000 gallons of usage per month would be \$1.75 per month. All other Water/Sewer Fund charges/fees are unchanged. Mr. Hildebran stated the City has traditionally used the annual Consumer Price Index (CPI-South Region) for All Urban Consumers over the past 12-month period as a benchmark in determining the City's utility rates. The CPI was 3.2% as of February 2024.

Next, Mr. Hildebran reviewed General Fund revenues as follows: Property Taxes \$9,204,689, Sales Tax, \$6,100,000, and Utilities Franchise Tax \$2,410,000, and Other Revenue \$6,036,891.

In addition, Mr. Hildebran stated the current property tax rate of 0.20 per \$100 of assessed Downtown Municipal Service District (MSD) property value remains unchanged as well. The MSD is projected to generate \$35,000.

Mr. Hildebran also shared the City's group health insurance premiums will increase by 9%, while maintaining the current plan benefits. The cost of the City's property and liability insurance will increase by 18.4% while the workers' compensation insurance will decrease by 11.7%.

In addition, the budget includes an increase in employee tuition reimbursement funding from \$1,200 to \$2,000 annually and an increase in the employee safety shoe allowance from \$125 to \$150 annually.

Mr. Hildebran further shared the City is experiencing workforce challenges in the recruitment and retention of employees. The budget includes a Cost of Living Adjustment (COLA) of 4% for all employees and a market-based pay plan step adjustment of one grade for non-exempt sworn police and fire personnel to aid with recruitment and retention. The budget funds the NC Local Governmental Employees' Retirement System (LGERS) employer contribution rate increase, effective July 1, 2024. The law enforcement rate will increase from 14.10% to 15.10%, while the non-law enforcement rate will move from 12.85% to 13.60%.

Budget Highlights

Street Resurfacing: The budget includes \$420,000 for resurfacing-(an increase of \$10,000). The budget also includes \$141,000 in funding for strategic paving for various Council priorities.

Street Lighting: The budget includes an increase of \$141,590 for the street lighting utilities.

Downtown: Funding is included to begin implementation of our recently adopted Downtown Master Plan and to expand downtown decorations.

Code Enforcement: The budget includes more than \$100,000 for building demolitions and an additional \$33,000 in new funding for contracted Western Piedmont Council of Governments (WPCOG) Code Enforcement Services (two days per week/four hours per day) to assist with nuisance and code enforcement in response to the City Council's priorities.

Technology: Funding is available for computer and information technology upgrades throughout the organization to enhance and improve operations and security.

Environmental: The outsourcing of management and oversight of our Federal Phase II Stormwater Program to the WPCOG Stormwater Partnership continues and the budget funds a comprehensive mapping of our stormwater system.

Organizational Restructuring: The budget moves the reporting structure of the Safety Coordinator position to the Risk Manager due to similar and overlapping responsibilities. Further, the budget establishes a new Public Works – Grounds & Public Properties Division that incorporates the Parks & Recreation Grounds Division, as well as several staff of the Cemeteries Division to increase efficiency and resource sharing.

Next, Mr. Hildebran briefly reviewed the General Fund Capital for FY2024-25 in the amount of \$1,724,250 which is an increase of \$545,450 from last year. This funding includes such items as,

- *Renovations to the Public Services Building & Police Department Headquarters
- *Trucks & Utility Terrain Vehicles (UTV) for various departments
- * Creating a Master Plan for the Cemetery Division
- * Equipment upgrades & vehicle replacements (Fire & Police Departments)
- * Renovations to basketball court & shelter at West End Park
- * Four additional Pickleball Courts & new gym floor at Mulberry Recreation Center

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Water & Sewer Fund Capital in the amount of \$1,922,150 which is an increase of \$693,150 from the previous year and will be expended for the following items.

- * Repairs & building renovations at the Water Treatment Plant
- * Renovations at the Public Services Building
- * Replacement pick-up trucks
- * Repair & replacement of pumps & other equipment at the Water Treatment Plant
- * East Harper Avenue sewer replacement
- * Push camera & an easement machine
- * UTV & equipment at the Gunpowder Sewer Treatment Plant

Downtown Main Street Development Capital in the amount of \$40,000 which is an increase of \$10,000 from the previous budget and includes funding for additional downtown decorations.

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

In conclusion, Mr. Hildebran recapped the Recommended FY2024-2025 Budget is balanced and addresses Council's goals and priorities. He stated the budget does not fund all of the requested operating and capital needs but represents a level of funding, which will allow the City to maintain and enhance current service levels while making organizational changes to be cost effective and more efficient. Mr. Hildebran remarked that Staff continues to display a culture that encourages cost savings to maximize resources to accomplish budget initiatives.

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

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

Motion

Upon a motion by Councilmember Prestwood, Council voted 5 to 0 to schedule a public hearing on Tuesday, June 4 at 6:00 p.m. to consider adoption of the recommended FY2024-2025 Annual Budget as presented and as recommended by City Manager Hildebran.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

Tuesday, May 21, 2024
Minutes-City of Lenoir Council Meeting

BK 2110 PG 321 - 324 (4)

This document presented and filed:
05/29/2024 10:53:00 AM

Fee \$26.00



Caldwell County North Carolina
Wayne L. Rash, Register of Deeds

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF LENOIR,
NORTH CAROLINA TO INCLUDE THE ENTIRE CARL & SYLVIA WILSON PROPERTY
LOCATED AT PROVIDENCE LANE, AS RECORDED IN DEED BOOK 2099, PAGE 1332 IN
THE CALDWELL COUNTY REGISTRY.**

WHEREAS, the Lenoir City Council has been petitioned under NCGS 160A-31, as amended, to annex the area described herein; and

WHEREAS, the Lenoir City Council has by resolution directed the City Clerk to investigate the sufficiency of said petition, A#1-24; and

WHEREAS, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held on the **21st day of May, 2024** after due notice by publication on **May 9 and 16th, 2024**; and

WHEREAS, the Lenoir City Council further finds that the area described therein meets the standards for contiguous annexation of NCGS 160A-31; and

WHEREAS, the Lenoir City Council does hereby find as a fact that said petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the Lenoir City Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City of Lenoir and the area proposed for annexation will be best served by annexing the area described herein;

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

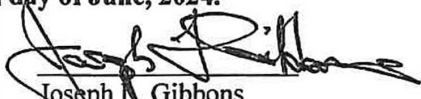
Section 1. By virtue of the authority granted by NCGS 160A-31, the contiguous territory described in "Exhibit A" and shown on map in "Exhibit B" is hereby annexed and made part of the City of Lenoir as of the **30th day of June, 2024**.

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Section 2. Upon and after the **30th day of June, 2024** the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Lenoir and shall be entitled to the same privileges and benefits as other parts of the City of Lenoir. Said territory shall be subject to municipal taxes according to NCGS 160A-31(e).

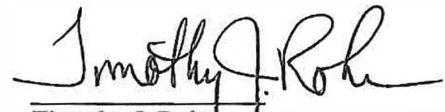
Section 3. The Mayor of the City of Lenoir shall cause to be recorded in the office of the Register of Deeds of Caldwell County, and in the office of the Secretary of State of Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this ordinance.

Adopted this the 21st day of May, 2024. Effective the 30th day of June, 2024.


Joseph A. Gibbons
Mayor

ATTEST:

APPROVED AS TO FORM:


Shirley M. Cannon
City Clerk
Timothy J. Rohr
City Attorney

CITY OF LENOIR, NC
CHARTERED
JANUARY 28, 1851

SEAL

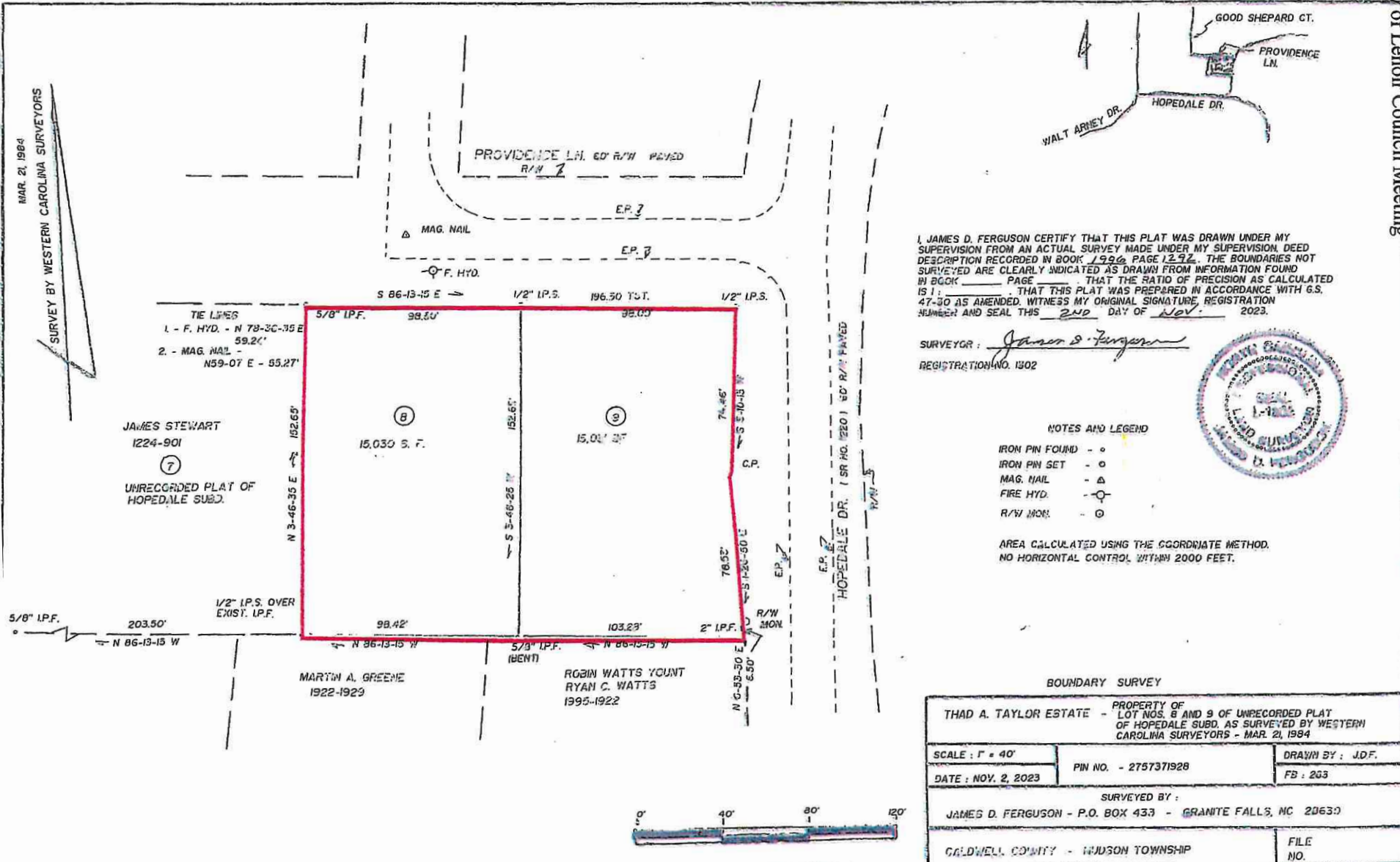
Exhibit "A"

Beginning at an iron pin located in the southern margin of Providence Lane said iron pin also being a corner of James Stewart (Deed Book 1224 Page 901) and running thence with the southern margin of Providence Lane S 86°-13'-15" E 196.50 feet to an iron pin in the western margin of Hopedale Drive and running thence with the western margin of Hopedale Drive S 5°-10'-13" W 74.46 feet to a point and thence S 1°-20'-50" E 78.53 feet to an iron pin located in the western margin of Hopedale Drive and running thence with the property of Robin Watts Yount (Deed Book 1995 Page 1922) and Martin A. Greene (Deed Book 1922 Page 1929) N 86°-13'-15" W 201.70 feet to an iron pin, a corner of James Stewart (Deed Book 1224 Page 901) and running thence with said Stewart property N 3°-46'-35" E 152.65 feet to the point of beginning. The above description contains 30,061 square feet as surveyed by James D. Ferguson, Land Surveyor dated Nov. 2, 2023.

The above description being all of Lot Nos. 8 & 9 of an unrecorded plat of Hopedale Subdivision as surveyed by Western Carolina Surveyors dated March 21, 1984.

Exhibit B - Annexation A1-24

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CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

CITY COUNCIL
J. T. BEAL
T. W. PERDUE
J. I. PERKINS
R. S. PRESTWOOD
K. R. ROGERS
D. F. STEVENS
C. D. THOMAS

RESOLUTION

TO OPPOSE THE CITY OF CHARLOTTE INTERBASIN TRANSFER REQUEST

WHEREAS, North Carolina Environmental Management officials are currently reviewing a request from the City of Charlotte to modify their certificate increase from their current transfer of 33 million gallons per day to 63 million gallons of water per day from the Catawba River Basin to the Rocky River Basin; and

WHEREAS, this latest request is a trend of additional interbasin transfer water usage from the Catawba River as evidenced by the following:

Charlotte/Mecklenburg's previously approved certificate of 33 million gallons per day interbasin transfer to the Rocky River in 2002; and

Concord and Kannapolis's previously approved certificate of 10 million gallons per day interbasin transfer to the Rocky River in 2007; and

WHEREAS, the net effect of the aforementioned actions will result in a total increased usage of 73 million gallons per day from the Catawba River Basin to the Rocky River Basin; and

WHEREAS, the Catawba River and its tributaries are not an unlimited supply of water as evidenced by previous years of drought conditions experienced most notably by the Upper Catawba Basin and the entire State of North Carolina; and

WHEREAS, the City of Lenoir and the Western Piedmont Region is considered a growth area for the North Carolina with additional water needs in the future; and that there's a valid concern that interbasin transfers of this magnitude may effectively subsidize growth in receiving areas using the limited water resources of the Catawba River Basin; and

WHEREAS, issues of equity and sustainability are in question, as it involves one region bearing the environmental and infrastructural costs of supporting growth in another region, and it is essential to consider the long-term implications and fairness of such resource allocations; and

WHEREAS, reducing the flow of the Catawba River by transferring water could lead to greater concentrations of pollutants in the river, a reduced flow rate diminishing the river's natural ability to dilute and transport pollutants, and have detrimental effects on aquatic ecosystems, recreational activities, and public health within the Catawba River Basin; and



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WHEREAS, the Lenoir City Council is concerned the proposed interbasin transfer will limit the amount of water available for withdrawal to support growth in our area due to regulation limits under state and federal laws; and

WHEREAS, the Lenoir City Council does hereby express its concern about the long-term availability of water within the Catawba River Basin and believes transferring water from the Catawba River Basin to the Rocky River Basin could indeed limit future growth opportunities for local communities in the Catawba River Basin; and

WHEREAS, the Catawba Wateree Water Resource Management Group is actively working to update its water supply master plan for the entire river basin and Charlotte should wait until that process is complete; and

WHEREAS, previous studies for the Catawba River called for the elimination of interbasin transfers as a strategy to protect the river and water supplies during drought conditions and an IBT should be a temporary measure to accommodate growth and not a permanent solution; and

WHEREAS, the 2015 Water Supply Master Plan for the Catawba River projected Charlotte's current IBT would be sufficient through 2065 and that Charlotte should not increase its IBT for its growth needs over the next 30 years; and

WHEREAS, Charlotte should instead use that time to implement water infrastructure and policies to eliminate its current IBT certificate issued in 2002; and

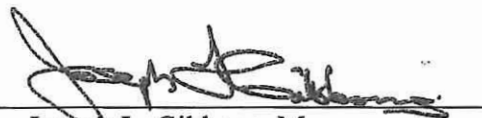
WHEREAS, water availability is crucial for sustaining economic development, agriculture, and quality of life in growing communities and if water is diverted elsewhere, it may constrain the ability of communities within the Catawba River Basin to support their own development and population growth; and

WHEREAS, our region should not be forced to give up its potential growth opportunities to subsidize Charlotte's growth with our water resources.

NOW, THEREFORE, BE IT RESOLVED, that the City of Lenoir City Council requests that the North Carolina Environmental Management Commission deny the City of Charlotte's interbasin transfer request to modify their certificate to transfer 63 million gallons of water per day from the Catawba River Basin to the Rocky River Basin.

Adopted this the 21st day of May, 2024.

SEAL



Joseph L. Gibbons, Mayor
City of Lenoir City Council

ATTEST:



Shirley M. Cannon, City Clerk

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Lenoir Fire Department

602 Harper Avenue, N.W.
Lenoir, North Carolina 28645



Fire Marshal
Christopher W. Jacobs
(828) 757-2193
(828) 394-1206 Fax
cjacobs@ci.lenoir.nc.us

Lenoir Fire Department
(828) 757-2190

Ref: Fireworks Display for July 4th, 2024

Date: May 6th, 2024

In the North Carolina law, fireworks displays are required to be approved by the County Board of Commissioners and/or City Council. This change came in effect February 1, 2010, and the approval must be granted prior to a permit being issued by the Fire Marshal's Office. I have attached a copy of General Statute 14-413. I am acquiring copies of one (1) application packet for fireworks display inside the City of Lenoir. The date of the display is July 4th, 2024 and conducted by Pyro Shows, Inc. for City of Lenoir Parks & Recreation. The display is located at Lenoir Optimist Park located at 701 Mulberry St SW, Lenoir NC, 28645. The General Statute requires that the County/City ensures proof of insurance prior to providing approval. A copy of the insurance certificate is provided in the packet provided by Pyro Shows. I have required that the information be submitted by each applicant that is required by the North Carolina Fire Code and this office will conduct the necessary inspections of these sites prior to the display. I would respectfully request that this fireworks display be placed on the next agenda for consideration by the City Council. It is my understanding that most Counties/Cities are placing these items on the consent agenda once the insurance certificate has been verified (it has). As always, if I can be of any further assistance in this matter, please do not hesitate to contact me.

A handwritten signature in black ink, appearing to read "Chris Jacobs", with a long horizontal line extending to the right.

Chris Jacobs
City of Lenoir Fire Marshal
Phone# 828-757-2193
Email: cjacobs@ci.lenoir.nc.us

Tuesday, May 21, 2024

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§ 14-413. Permits for use at public exhibitions.

(a) For the purpose of enforcing the provisions of this Article, the board of county commissioners of any county, or the governing board of a city authorized pursuant to subsection (a1) of this section, may issue permits for use in connection with the conduct of concerts or public exhibitions, such as fairs, carnivals, shows of all descriptions and public celebrations, but only after satisfactory evidence is produced to the effect that said pyrotechnics will be used for the aforementioned purposes and none other. Provided that no such permit shall be required for a public exhibition under any of the following circumstances:

- (1) The exhibition is authorized by The University of North Carolina or the University of North Carolina at Chapel Hill and conducted on lands or in buildings in Orange County owned by The University of North Carolina or the University of North Carolina at Chapel Hill.
- (2) The exhibition is authorized by the University of North Carolina School of the Arts and conducted on lands or in buildings owned by the State and used by the University of North Carolina School of the Arts.
- (3) The exhibition is authorized by The University of North Carolina or North Carolina State University and conducted on lands or in buildings in Wake County owned by The University of North Carolina or North Carolina State University.

(a1) For the purpose of enforcing the provisions of this Article, a board of county commissioners may authorize the governing body of any city in the county to issue permits pursuant to the provisions of this Article for pyrotechnics to be exhibited, used, or discharged within the corporate limits of the city for use in connection with the conduct of concerts or public exhibitions. The board of county commissioners shall adopt a resolution granting the authority to the city, and it shall remain in effect until withdrawn by the board of county commissioners adopting a subsequent resolution withdrawing the authority. If a city lies in more than one county, the board of county commissioners of each county in which the city lies must adopt an authorizing resolution. If any county in which the city lies withdraws the authority of the city to issue permits for the use of pyrotechnics, the authority of the city to issue permits for the use of pyrotechnics will end, and all counties within which the city lies must resume their authority to issue the permits.

(b) For any indoor use of pyrotechnics at a concert or public exhibition, the board of commissioners or the governing body of an authorized city may not issue any permit unless the local fire marshal or the State Fire Marshal (or in the case of The University of North Carolina, the University of North Carolina at Chapel Hill, or North Carolina State University it may not authorize such concert or public exhibition unless the State Fire Marshal) has certified that:

- (1) Adequate fire suppression will be used at the site.
- (2) The structure is safe for the use of such pyrotechnics with the type of fire suppression to be used.
- (3) Adequate egress from the building is available based on the size of the expected crowd.

(c) The requirements of subsection (b) of this section also apply to any city authorized to grant pyrotechnic permits by local act and to the officer delegated the power to grant such permits by local act.

(d) A board of county commissioners or the governing board of a city shall not issue a permit under this section unless the display operator provides proof of insurance in the amount of at least five hundred thousand dollars (\$500,000) or the minimum amount required under the North Carolina State Building Code pursuant to G.S. 143-138(e), whichever is greater. A board of county commissioners or the governing board of a city may require proof of insurance that exceeds these minimum requirements. (1947, c. 210, s. 4; 1993 (Reg. Sess., 1994), c. 660, s.

Tuesday, May 21, 2024

Minutes-City of Lenoir Council Meeting

3.1; 1995, c. 509, s. 11; 2003-298, s. 1; 2007-38, s. 2; 2009-507, s. 2; 2013-275, s. 2; 2015-124, s. 2.)

Tuesday, May 21, 2024

Minutes - City of Lenoir Council Meeting

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

2/2/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Acrisure, LLC dba Britton Gallagher & Associates
One Cleveland Center, Floor 30
1375 East 9th Street
Cleveland OH 44114

CONTACT

NAME:

PHONE (A/C, No, Ext): 216-658-7100

FAX

(A/C, No):

E-MAIL

ADDRESS:

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A : Everest Indemnity Insurance Co.

10851

INSURER B : Everest Denali Insurance Company

INSURER C : Arch Speciality Ins Co

21199

INSURER D :

INSURER E :

INSURER F :

INSURED
Pyro Shows, Inc.
PO Box 1776
115 North 1st Street
La Follette TN 37766

COVERAGES**CERTIFICATE NUMBER:** 198716938**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR INSR	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY	Y	Y	SI8ML01929-231	11/1/2023	11/1/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Per occurrence) \$ 500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPROP AGG \$ 2,000,000 \$
	☒ COMMERCIAL GENERAL LIABILITY						
	☐ CLAIMS-MADE ☒ OCCUR						
	GEN'L AGGREGATE LIMIT APPLIES PER:						
	☐ POLICY ☒ PRO-JECT ☐ LOC						
B	AUTOMOBILE LIABILITY	Y	Y	SI8CA00004-231	11/1/2023	11/1/2024	COMBINED SINGLE LIMIT (Per accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	☒ ANY AUTO						
	☐ ALL OWNED AUTOS						
	☒ HIRED AUTOS						
	☐ SCHEDULED AUTOS						
	☒ NON-OWNED AUTOS						
C	UMBRELLA LIAB	Y	Y	UXP1034375-04	11/1/2023	11/1/2024	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
	☒ EXCESS LIAB						
	☐ DED ☐ RETENTION \$						
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	Y/N	N/A				WC STATUTORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						
	If yes, describe under DESCRIPTION OF OPERATIONS below						
A	Excess Liability #2	Y	Y	SI8EX01662-231	11/1/2023	11/1/2024	Each Occ Aggregate 5,000,000 Total Limits 10,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Additional Insured extension of coverage is provided by above referenced policies where required by written agreement.

Excess policies are excess of both the general liability and automobile policies for total limits of \$10 million each.
Fireworks Display: July 04, 2024 (Independence Day Celebration)
Additional Insured: City of Lenoir Parks & Recreation, City of Lenoir, NC

CERTIFICATE HOLDER**CANCELLATION**

City of Lenoir Parks & Recreation
P.O. Box 958
Lenoir NC 28645

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



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Tuesday, May 21, 2024
Minutes-City of Lenoir Council Meeting



May 07, 2024

Mr. Scott Hildebran, City Manager
City of Lenoir
801 West Avenue
Lenoir, North Carolina 28645

RE: Recommendation of Award
Zacks Fork Splash Pad Construction Contract
City of Lenoir, North Carolina

Dear Mr. Hildebran:

The Zacks Fork Splash Pad project for the Parks and Recreation Department was re-advertised for bids on March 27, 2024. Bids were informally solicited by emailed invitation in accordance with G.S. 143-131 (a).

Bidders were instructed to clearly indicate design parameters, including but not limited to total square feet of the splash pad area and total number of ground-type spray features. A total of three (3) bids were received, and each bidding contractor provided the required design elements in their proposal.

Following review of bids, we recommend awarding the Zacks Fork Splash Pad construction contract to Barrs Recreation, 36 Diane Street, Pittsboro, North Carolina 27312. Barrs Recreation proposes turn-key project delivery, including required grading and excavation, splash pad construction, potable water, sanitary sewer, and electrical connections, and final restoration. Additionally, Barrs Recreation is also the lowest, responsive, responsible bidder, with a total bid amount of **\$313,845.00**.

A bid tabulation is also included for your review. Please do not hesitate to contact us with questions or concerns regarding received bids or this recommendation of award.

Sincerely,
CITY OF LENOIR

Jared Wright
Director of Special Projects and Grants
City of Lenoir

cc: Mr. Phil Harper, Parks and Recreation Director
Ms. Donna Bean, Finance Director

Enclosures



**City of Lenoir
Zacks Fork Splash Pad**



Bid Tabulation

Bidder	Splash Pad Surface Area	Spray Features	Total Base Bid
Barrs Recreation	1,648 sq. ft.	55	\$313,845.00
Carolina Parks and Play	1,621 sq. ft.	59	\$396,427.87
Southeast Aquatics	1,600 sq. ft.	58	\$367,800.00

**Bidders were instructed to clearly indicate the proposed splash pad surface area and number of spray features for consideration.

Tuesday, May 21, 2024
Minutes-City of Lenoir Council Meeting

Ramity W. Beckner
Bradley C. Craig
Wm. Thomas Austin
James B. Voso
Chad M. Thomas
Jason A. Gorder
Briton R. Newman
D. Jason Strapp
Ryan P. Kinzer



Edwin K. Mattern, Jr. (1949-1982)
Gene R. Cress (1935-2014)
Sam H. McGhee, III (1940-2018)
Stewart W. Hubbell (Retired)
J. Weyne Craig (Retired)
Michael S. Ayres (Retired)
Steven A. Campbell (Retired)
Randy L. Dodson (Retired)

April 25, 2024

Mr. Jon Hogan, ISA
Public Works Director
City of Lenoir
510-B Greer Circle
Lenoir, NC 28645

RE: Construction Engineering and Inspection Services – Hospital Avenue
Sidewalks – EB 5806

Mr. Hogan,

Mattern & Craig (M&C) is respectfully submitting our Letter of Interest and looks forward to a potential new opportunity to continue our longstanding relationship with the City of Lenoir.

Our LOI demonstrates our ability to deliver the quality of services you require in a timely, cost-effective manner and that our team will remain an asset to the City. The core team members proposed to work with you are the same experienced individuals who have performed the engineering design services on several recent City on-call projects. I will serve as Principal & Senior Project Manager and Ed Evans is included on the team for project coordination & public liaison so M&C can provide you continuity of services and multiple contacts to ensure direct line of communication and quick responsiveness throughout the project contract.

Thank you for considering Mattern & Craig for this role. We value this opportunity to continue to serve the City as a top priority under this contract. We remain committed to providing our firm's resources to complete your project skillfully, economically, and on time.

Sincerely,


Brian Newman, PE
Principal & Senior Project Manager
828.855.2233 (o) 828.838.4139 (c)
bnnewman@matternandcraig.com

Addendum Acknowledgement

Mattern & Craig acknowledges receipt of Addendum No. 1 dated April 12, 2024

Expression of Interest:

M&C is pleased to express our interest in providing the City of Lenoir with construction engineering services for the Hospital Avenue Sidewalks project.

Statement of Firm Registration:

M&C is registered under License No. C-1154 with the Office of the Secretary of State and the NC Board of Registration for Professional Engineers and Land Surveyors.

Firm Qualification:

M&C is prequalified with NCDOT to provide services for the required work codes within this contract:

00195 Roadway CEI
00233 Structures CEI

Our most recent letter of prequalification approval is dated May 16, 2023.

Conflict of Interest:

We have a current Private Consulting Firm Questionnaire for our Conflict of Interest Assessment on file with NCDOT. There would be no conflict of interest for Mattern & Craig, or Michael Baker to provide the City with these services.

Summation of Information:

Our Letter of Interest includes the following information demonstrating our capacity, qualifications, experience, and resources to perform the required services for this contract:

- **Introduction:** Overall qualifications to fulfill the requirements of the scope of work.
- **Team Qualifications:** M&C's team credentials & experience to undertake this contract by identifying recent similar project experience.
- **Team Experience:** Identifies M&C and Michael Baker personnel, resources and qualifications, including resumes documenting specific CEI expertise, organizational and capacity charts, & SPSF status.
- **Technical Approach:** M&C's understanding of the latest Program guidance and our technical approach to accomplish this project.
- **Appendices:** RS-2 Forms



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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

Resolution Honoring Sherry Griffin

WHEREAS, Sherry Griffin has served the City of Lenoir and other local government members of the Western Piedmont Council of Governments (WPCOG) for more than three decades; and

WHEREAS, since starting her career with WPCOG in 1986, Sherry rose from Community Development Administrator to Community Development Specialist in 1988, Community and Economic Development Director in 1997, and Assistant Executive Director in 2015; and

WHEREAS, Sherry has made significant contributions to help transform the region in positive ways by working on many notable projects in the region such as business parks in Caldwell, Burke, Catawba, and Alexander counties, the Manufacturing Solutions Center, Target Distribution Center, Trivium Corporate Center, and the Google Data Center here in Lenoir; and

WHEREAS, she helped develop the Unifour Consortium with the City of Lenoir serving as the lead entity, and the consortium, which is funded by the U.S. Department of Housing and Urban Development, has helped increase regional housing options for low-to moderate-income individuals and has provided down-payment assistance funds to more than 3,000 first-time homebuyers during the past 27 years; and

WHEREAS, Sherry has made transformative contributions in our communities by securing and administering 750 grants, improving housing accessibility, and fostering economic growth by drawing in more than \$2 billion in investments to move essential projects forward.

NOW THEREFORE BE IT RESOLVED, I, Joseph L. Gibbons, Mayor, on behalf of the City of Lenoir Council and all the citizens, do hereby congratulate Mrs. Sherry Griffin on her 37-year career with the WPCOG and her well-deserved retirement, and I commend Sherry for her visionary leadership, collaborative approach, and desire to improve the lives of our residents. Her work has had a profound, beneficial, and lasting impact on Lenoir and the Unifour region.

This the 21st day of May 2024.

SEAL


Joseph L. Gibbons, Mayor



**CITY OF LENOIR
COUNCIL ACTION FORM**

June 4, 2024

I. Agenda Item:

Fercott Fermentables Sidewalk Café – 107 Main St NW

II. Background Information:

See attached application. The sidewalk café must meet all provisions of Sec. 13-3 of the Lenoir City Code. This sidewalk café tables and chairs will be removed while business is closed. Fercott Fermentable's hours are Wednesday to Friday, 4-9PM and Saturday, 2-8PM. This business is in the Social District and is permitted by the City of Lenoir Planning Department to sell alcoholic beverages in the Social District. Alcoholic beverages sold and consumed in the Fercott sidewalk café shall be in Social District containers, according to the Social District Management and Maintenance Plan.

The following items are attached: staff-generated Google street view with photos submitted by the applicant, certificate of insurance naming the City of Lenoir as a party insured, and the business's ABC permit.

III. Staff Recommendation:

Approval of the sidewalk café permit application as submitted by staff.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Planning Director: _____

Hannah Williams

CITY OF LENOIR
PLANNING & COMMUNITY DEVELOPMENT
SIDEWALK CAFE
PERMIT APPLICATION

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

The City of Lenoir allows sidewalk cafes within the downtown Municipal Service District when a permit is approved by City Council, in accordance with Sec. 13-3 of the Lenoir City Code. For questions about this application form or the rules pertaining to sidewalk cafes in the City of Lenoir, please contact the Planning Dept. at 828.610.8442. PERMITS ARE GOOD FOR A PERIOD OF 1 YEAR AND MUST BE RENEWED ANNUALLY.

Submittal Checklist:
☐
Application Form
☐
Site Plan (including dimensions):

- Must show all tables, chairs, walkway areas, and entrances/exits to the restaurant.
- Must show location and materials of temporary barrier to be erected around the cafe.
- Must show 5 ft. clear pedestrian path on sidewalk adjacent to cafe area.

☐
Documentation of Public Liability Insurance

- Must carry \$1,000,000.00 insuring against personal injury, wrongful death and property damage, including the City as a party insured and insuring the City against any liability resulting from the uses permitted pursuant to Section 13-3 of the Lenoir City Code.

☐
Copies of All Permits and Licenses

- County Health Department and any other applicable regulatory agencies
- Current ABC/ALE permits if the sidewalk cafe intends to serve alcoholic beverages on the public sidewalk. NOTE: revised permits may be required to include the expanded areas.

Permit Information:

 Property Address: 107 Main St NW NC PIN: 2749870271

 Zoning District: B-3 Located within Municipal Service District? Yes ☒ No ☐

 Business Name: Fercott Fermentables

 Will ABC permit include sidewalk cafe area? Yes ☐ No ☒

 Number of seats in Restaurant: 34 Number of seats* proposed for sidewalk cafe: 2-3

*Note: seating in sidewalk café can not exceed 50% of the seating within the restaurant.)

Contact Information:

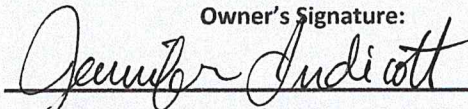
 Name of Restaurant Operator: Jennifer Indicott

 Street Address: 107 Main St NW

 City: Lenoir State: NC Zip: 28645

 Phone Number: 828-394-9069

 Fax Number: N/A

 Email: fercottfermentables@gmail.com
Owner's Signature:


By signing, I certify that the information presented in this application is true to the best of my knowledge and I consent to enter into a hold-harmless agreement with the City and comply with all provisions of the City ordinances in the establishment and operation of the sidewalk café described in this application.

OFFICIAL USE ONLY: City Council approved on _____ Permit No. _____

PAGE 2—SIDEWALK CAFE REQUIREMENTS

The City specifically retains the right to revoke or suspend a sidewalk cafe permit if the permittee fails to comply with the following city requirements, is found to have provided false or misleading information in the permit application, or the City otherwise deems it in the interest of the public health, safety, or welfare. The City shall have the right to suspend or prohibit the operation of a sidewalk cafe at any time and for any necessary period of time because of anticipated or actual problems or conflicts in the use of the sidewalk area. Such problems and conflicts may arise from, but are not limited to, scheduled festivals and similar events, parades or marches, repairs to the street or sidewalks, or from demonstrations or emergencies occurring the area.

General Requirements

- ☐ Permit is good for a maximum period of 1 year.
- ☐ Sidewalk cafe must be conducted as an accessory or incidental use to a legally established restaurant or other eating and drinking establishment (the "associated restaurant"), located on a contiguous adjacent parcel. The associated restaurant must be under the same management as the sidewalk café and share the same name, food preparation facilities, restroom facilities and other customer conveniences.
- ☐ Sidewalk dining may not constitute more than 50 percent of the total seating capacity of the associated restaurant.

Locational and Operational Requirements

- ☐ Majority of area in which the sidewalk cafe will be operated shall be on the public sidewalk directly in front of the associated restaurant, or to the side of the building if the associated restaurant is located on a corner lot.
- ☐ A 5-ft. wide unobstructed pedestrian path must be maintained at all times within the public sidewalk area and handicapped accessibility shall be provided. A temporary, physical barrier must be erected separating the permitted area from the unobstructed sidewalk.
- ☐ All tables, chairs, and other items shall be placed so as not to present a sight hazard to vehicular traffic or a hazard to pedestrians. Use of public amenities such as benches or seats is prohibited. Furniture material must be commercial grade, sturdy, safe, of quality workmanship, and aesthetically complement the permittee's property and the character of the business district where the furniture will be located.
- ☐ All outdoor dining furniture must be movable. Umbrellas must be secured with a minimum base weight of at least 60 lbs. Tables, chairs and other items (excluding planters) must be removed at the end of each day or during the period of the year when the cafe ceases operation. No materials may be stored in the public right-of-way.
- ☐ Hours of operation may be the restaurant's normal operating hours Monday—Saturday and after 12:00 noon on Sunday.
- ☐ The cafe area shall be maintained in a clean and sanitary manner, including daily sweeping and immediate cleaning and washing any liquid, food, debris, broken glass and other trash from the right-of-way. Overnight storage of trash is prohibited.

Alcoholic Beverages Sales

- ☐ Restaurant must otherwise be able to serve alcoholic beverages for on-premises consumption under state and local law and the sidewalk cafe must be included as part of the premises for which an ABC permit is issued.
- ☐ Signs shall be posted that it is unlawful to remove alcoholic beverages from the sidewalk cafe area. —Social District??
- ☐ The restaurant operator shall not have violated any laws relating to intoxicating beverages or controlled substances for three years preceding the commencement of the sale of alcoholic beverages at the sidewalk cafe. No outdoor bar or outdoor preparation of alcoholic beverages is permitted, except that wine may be decanted or beer poured at a table as a part of a meal.
- ☐ Alcoholic beverages must be served and consumed in glasses or cups which bear no markings other than the logo or the name of the business operating the sidewalk cafe.
- ☐ Alcoholic beverages can only be served to and consumed by a customer while that customer is consuming a meal purchased from the business operating the approved sidewalk cafe.



Fercott Fermentables LLC
Fercott Fermentables
107 Main Street NW
Lenoir, NC 28645

ISSUED: 04/24/2023
COUNTY: Caldwell
TYPE: LLC Member Managed

PERMIT NUMBER	ORIGINALLY ISSUED	DESCRIPTION
00256206AJ	01/19/2018	Malt Beverage On Premises
00256206AL	01/19/2018	Unfortified Wine On Premises
00256206MB	01/19/2018	Mixed Beverages Bar

Permit(s) listed in **BLUE** must be registered by **April 30th** every year.

Permit(s) listed in **RED** expire on **04/30/2024** and must be renewed each year.



FILE NUMBER:

00256206AJ-999

William H. Bauer, Jr.

WILLIAM HENRY BAUER, JR.
 Chairman

Pursuant to G.S. 18B-903, these permit(s) are valid only for the business listed at this address, are not transferable, and will automatically expire with an ownership change. See authorization(s) on the **back**.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/25/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Baker & Company Insurance Inc 121 W Plymouth St Bremen, IN 46506	CONTACT NAME: Robyn Goehring PHONE (A/C, No, Ext): 574-546-2685 FAX (A/C, No): 574-546-3527 E-MAIL ADDRESS: robyn@bakerandcompanyinsurance.com
INSURER(S) AFFORDING COVERAGE	
INSURER A: Liberty Mutual	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:	X		BKS63437918	07/07/2023	07/07/2024	EACH OCCURRENCE \$ 1000000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300000 MED EXP (Any one person) \$ 15000 PERSONAL & ADV INJURY \$ 1000000 GENERAL AGGREGATE \$ 2000000 PRODUCTS - COM/PO/AGG \$ 2000000
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED \$ RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Listed as Additional Insured

CERTIFICATE HOLDER

CANCELLATION

City of Lenoir 801 W Avenue NW Lenoir, NC 28645	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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CITY OF LENOIR
COUNCIL ACTION FORM
June 4, 2024

I. Agenda Item:

Staff requests permission to enter into an agreement with the Western Piedmont COG to contract a part-time employee for technical planning assistance. Staff requests that the City Manager be authorized to sign the contract on behalf of the City.

II. Background Information:

The contract provided by WPCOG is attached, along with the work program and budget. The contract is for two years, beginning on July 1, 2024 through June 30, 2026 for \$66,000 total.

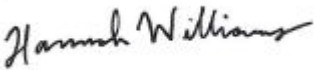
III. Staff Recommendation:

Staff requests the authorization from Council to enter into this contract with WPCOG for their services.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Planning Director: 

AGREEMENT BETWEEN THE
 WESTERN PIEDMONT COUNCIL OF GOVERNMENTS AND
THE CITY OF LENOIR
 FOR THE PROVISION OF
TECHNICAL PLANNING ASSISTANCE:
JULY 1, 2024- JUNE 30, 2026

This AGREEMENT, entered into on this the first day of July, 2024, by and between the Western Piedmont Council of Governments (hereinafter referred to as the "Planning Agency") and the City of Lenoir, North Carolina (hereinafter referred to as the "Local Government"); WITNESSETH THAT:

WHEREAS, the Planning Agency is empowered to provide technical assistance by the North Carolina General Statutes and by resolution passed by the Planning Agency on April 17, 1972. Technical assistance shall consist of the provision of services as described in Attachment A, which is herein made a part of this Contract;

WHEREAS, the Local Government has requested the Planning Agency to provide such technical assistance to the Local Government and;

WHEREAS, the Planning Agency desires to cooperate with the Local Government in every way possible to the end that the proposed activities are carried out in an efficient and professional manner;

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. **Personnel.** That during the period of this Contract, the Planning Agency will furnish the necessary trained personnel to the Local Government.
2. **Travel/Printing.** The Local Government will pay for expenses related to conferences, conventions, seminars, local travel, etc. of the personnel when the Local Government requests or approves travel related to the Local Government's planning program, or if it is beneficial to both parties, the costs will be shared on an agreed-upon ratio.

The Local Government will also pay for expenses related to printing of report(s), mailings to advisory boards, and other costs not related to normal travel and staffing costs associated with personnel furnished by the Planning Agency.

3. **Compensation.** That for the purpose of providing the funds for carrying out this Contract, the Local Government will pay the Planning Agency a fee not to exceed **\$66,000.00** (Sixty-six thousand dollars) during the period beginning July 1, 2024 and ending June 30, 2026. These fees will be billed in quarterly payments.

4. **Termination/Modifications.** The Local Government may terminate the Contract by giving the Planning Agency a thirty-day written notice. Furthermore, if there is a need to amend the proposal outlined in Attachment A, either party may do so with the written consent of the other.
5. **Time of Performance.** The Planning Agency shall ensure that all services required herein shall be completed and all required reports, maps, and documents submitted during the period beginning July 1, 2024 and ending June 30, 2026.
6. **Interest of Members, Officers, or Employees of the Planning Agency, Members of the Local Government, or Other Public Officials.** No member, officer, or employee of the Planning Agency or its agents; no member of the governing body of the locality in which the program is situated; and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the program during his tenure or for one year thereafter, shall have any financial interest, either direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed in connection with the program assisted under this Agreement. Immediate family members of said members, officers, employees, and officials are similarly barred from having any financial interest in the program. The Planning Agency shall incorporate, or cause to be incorporated, in all such contracts or subcontracts, a provision prohibiting such interest pursuant to the purpose of this section.
7. **Nondiscrimination Clause.** No person in the United States shall on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination with any program or activity funded in whole or in part with funds available under the Housing and Community Development Act of 1974, Section 109.
8. **Age Discrimination Act of 1975, as amended.** No qualified person shall on the basis of age be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from federal financial assistance.
9. **Section 504, Rehabilitation Act of 1973, as amended.** No qualified handicapped person shall, on the basis of handicap be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from federal financial assistance.

IN WITNESS WHEREOF, the Planning Agency and the Local Government have executed this Agreement as of the date first above written.

LOCAL GOVERNMENT:
CITY OF LENOIR

PLANNING AGENCY:
WESTERN PIEDMONT COUNCIL
OF GOV'TS.

By: _____
Mayor

By: _____
Executive Director

PLANNING AGENCY:

By: _____
City Manager

By: _____
Chair

Pre-audit statement:

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

By: _____
Local Government Finance Officer

ATTACHMENT A
CITY OF LENOIR
TECHNICAL PLANNING ASSISTANCE:
JULY 1, 2024 – JUNE 30, 2026
WORK PROGRAM/BUDGET

The following work program and budget are presented as descriptive of the work and dollar amounts called for in the agreement concerning planning activities by the Western Piedmont Council of Governments for the City of Lenoir. The product(s) of the planning activities shall be:

WORK PROGRAM

1. Zoning, Subdivision, Flood Plain Code Management

Technical assistance will be provided one day per week.

Technical assistance will be provided in the administration of the City's Zoning Ordinance, Subdivision Regulations, and the Flood Plain Ordinance. Technical planning advice and opinions will also be provided with approval of the Planning Director to the City Council, City Manager, Planning Board and Board of Adjustment, as well as assistance to the public in interpretation of permitting and amendment regulations will be provided.

2. Minimum Housing Support

Technical assistance will be provided in a supporting role to the code enforcement official as directed by the Planning Director.

3. Other Duties as Directed by City Manager or City Council

It is understood that priority changes and/or substitutions may be made by the City Manager or City Council as needed in other planning-related topics, not to exceed the dollar/time/travel amount of this contract.

BUDGET

The contract budget, including all salaries, fringe benefits, travel expenses and indirect costs, totals **\$66,000** (Sixty-six thousand dollars) during the period beginning July 1, 2024 and ending June 30, 2026. These fees will be billed in quarterly payments.

CITY OF LENOIR
COUNCIL ACTION FORM
June 4, 2024

I. Agenda Item:

Resolution affirming support for the County to enforce Minimum Housing and Non-residential Building Ordinance in the Lenoir ETJ.

II. Background Information:

Caldwell County recently passed a minimum housing and non-residential building standards ordinance and has contracted with the WPCOG to enforce the standards in the unincorporated areas. The WPCOG will also do housing enforcement of the County's ordinance within the ETJs of the municipalities within the County.

The City of Lenoir will still issue zoning and floodplain permits and will enforce those ordinances within the ETJ.

III. Staff Recommendation:

Adoption of the attached resolution

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Planning Director: Harold Williams



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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

CITY OF LENOIR
RESOLUTION OF SUPPORT FOR ENFORCING CALDWELL COUNTY'S MINIMUM
HOUSING AND NON-RESIDENTIAL BUILDING STANDARDS ORDINANCE IN THE
LENOIR EXTRA-TERRITORIAL JURISDICTION

WHEREAS, on May 13, 2024, the Caldwell County Board of Commissioners officially adopted the Minimum Housing and Non-Residential Building Standards Ordinance; and

WHEREAS, the adopted Ordinance has been filed in the Office of the Caldwell County Clerk; and

WHEREAS, by contract, Caldwell County's Code Enforcement is provided by the Western Piedmont Council of Governments (WPCOG); and

WHEREAS, the WPCOG's Code Enforcement Division is requesting permission to enforce the provisions of the Minimal Housing and Non-Residential Building Standards Ordinance in the ETJ of Lenoir; and

NOW, THEREFORE, BE IT RESOLVED that the Lenoir City Council grants permission for the WPCOG Code Enforcement Officers to enforce the provisions of the Minimal Housing and Non-Residential Building Standards Ordinance in the ETJ of Lenoir.

SEAL

Adopted this the ____ day of June, 2024.

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk



CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item:

Awarding of the construction contract for the Unity Park & Community Garden Teaching and Learning Pavilion

II. Background Information:

The City of Lenoir partnered with Appalachian State University in 2019 to conceptualize and develop an improvement project at Unity Park & Community Garden. Utilizing architectural design students, the University drafted a sketch and 3-D model of a new modular, open-air structure that was to be built by students in the classroom/lab and assembled on-site. The structure was to serve as a learning pavilion for gardening demonstrations and various training opportunities for gardeners and the public. The project was ultimately delayed due to the COVID-19 pandemic.

In October 2023 the City received direct allocation funding (earmark) of \$125,000.00 from the State of North Carolina to construct an expansion/addition to the Unity Park & Community Garden covered shelter using the previous sketch from Appalachian State as the basis of design. This addition will serve as a teaching and learning pavilion and will offer a covered flex-space, counter space for demonstrations and gardening prep-work, and a dedicated restroom facility. With assistance from the local Agricultural Extension and Master Gardeners, the City has received quotes from three (3) contractors to construct the facility expansion as originally designed. Quotes were informally solicited in accordance with G.S. 143-141 (a).

III. Staff Recommendation:

Staff recommends awarding the construction contract for the Unity Park & Community Garden Teaching and Learning Pavilion to Brushy Mountain Builders Incorporated for a contract price of **\$98,000.00**. Brushy Mountain Builders is appropriately licensed to perform this type of work, has successfully completed projects with the City of Lenoir, and is the lowest, responsive, responsible bidder.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Director of Special Projects and Grants: _____



—



**City of Lenoir
Unity Park & Community Garden
Teaching and Learning Pavilion
Bid Tabulation**

Bidder	Total Base Bid
Wilkie Construction	\$118,000.00
Brushy Mountain Builders	\$98,000.00
Hibriten Construction Company	\$118,000.00

Pricing is based upon the attached sketch. Contractor is responsible for applicable permits, permitting drawings/plans, and coordination with MEP subcontractors as necessary



May 13, 2024

Community Garden

1431 College Avenue SW

Lenoir, N.C. 28645

Reference: New Addition

Mr. David Horn,

Brushy Mountain Builders, Inc. proposes to construct a 30'-0" by 24'-0" covered structure per the plans provided. We will remove the existing slab and pour a new foundation/slab. We will provide all applicable permits, water & sewer taps. The approximate build time is 90 days.

The total cost for this scope of work is \$98,000.00.

If you have any questions or need additional information, please feel free to contact me (828)217-2300 or jmoore@brushymountaininc.com.

Thank you,

John H. Moore

John Moore

Brushy Mountain Builders, Inc.

PREPARED BY**Trent Hamby**

Hibriten Construction

tdhamby@hibritenconstruction.com

675 Pennton Ave SW, Lenoir, NC 28645, USA

PREPARED FOR**David Horn**

Horn, David

(828) 292-1449

drhorn45@icloud.com

1419 College Ave Lenoir, NC 28645

PROPOSAL DETAILS**David Horn**

1419 College Ave Lenoir, NC 28645

DESCRIPTION**TOTAL****1000 Preparation****\$15,899.93****Permits & Fees**

Builder shall complete permit applications and make submissions to municipality for all building and mechanical permits required. Standard permits have been included in this agreement for the permit fees. Unexpected fees will be billed to the client as needed.

Also includes any survey and engineer fees.

Permits

Plans

Plan Prints

Engineer Fees

Site Work

Site Work to Include:

- Digging footings
- Leveling of working area
- Removal of existing concrete pad

Unforeseeable Site Conditions:

Contractor shall promptly, and before the conditions are disturbed, contact the owners on encountering unforeseeable conditions adversely affecting the work. Owners shall investigate the site conditions promptly after receiving notice. If the conditions cause an increase in cost to contractor or the time required for performing any part of the work and were not reasonably foreseeable, an equitable adjustment shall be made under this clause and the change in cost shall be agreed upon in writing.

Site Grading & Concrete Removal

Utility Connections

SEWER:

Sewer tap and connection will be included in this scope of work. Tap is presumed to be a standard 6 inch sewer tap.

Sewer Tap

2000 Foundation**\$17,537.27****Concrete Slabs w/Wire Mesh Reinforcement**

Concrete pad (26x32) placed will be 4" thick with thermal barrier/insulation below per code. Concrete will be placed beside existing structure for new pavilion.

Concrete Slab - 4" Concrete

Concrete Slab - 4" Gravel

Wire Mesh 3.5x7

Rebar

Plastic underlayment

Misc. Concrete Material

Delivery

Concrete/Gravel Labor

Concrete Pump

Footings

Install foundation footings.

Excavate as necessary, form and place poured concrete footings per IRC (International Residential Construction Code).

Install minimum 4" clean stone and perimeter drain system.

Install dampproofing as required.

Concrete Footings

Rebar

Misc. Concrete Material

Concrete Pump/Labor

Piers

Piers may be required where extra support is needed within the concrete pad. Piers will be constructed according to NC Building Code.

Concrete

Rebar

Ties & Chairs

Concrete Pump

Pier Labor

2300 Termite Treatment

\$750.00

Termite treatment is required for the newly placed concrete slab.

Termite Treatment

3000 Rough Structure

\$38,976.98

Framing

All lumber and framing materials sized and spaced per NC Building Code. Materials, where applicable, to be kiln dried.

Wall sheathing to be 1/2" nom. (7/16) oriented strand board installed per code using H clips where applicable. Roof sheathing is to be 5/8 T1-11 Plywood to achieve a tongue and groove look underneath.

The first piece of wood installed on the foundation (sill plate) is installed with foam barrier sealer to help with air infiltration at the foundation level, and the 1st piece of wood is typically a chemically treated lumber to minimize the risk of decay where in contact with the foundation.

Pavilion will cover entirety of new concrete slab and will be a 26'x32' structure.

6x6x8' Timber Post Cedar

6x6 Post Base (Decorative)

2x12x16' Band

26' 2x12 Rafter

2x12x10' WC

LVL 12" 32' Ridge Beam

5/8 T1-11 Plywood Sheathing

2x6x8 PT Bottom Plate

2x6x8' Top Plate

2x6x105 Studs

2x6x8' WC

7/16 OSB Sheathing

Walls: House Wrap

6" Simpson Strong Ties

Framing Nails

Button Cap Nails

Hurricane Straps

2x12 Joist Hangers

Bracing

Blades, Small Tools, Etc.

Framing Labor

Plumbing - Rough In

Plumbing system consists of all piping for supply of water and drains to septic system, and also includes:

- Two (2) lavatories
- One (1) commode

Plumbing Rough In

Electrical - Rough In

Electrical rough-in per plans. A standard rough-in consists of wiring, outlet boxes, switch boxes, service panel, breaker box for electrical as mandated by the North Carolina Electrical Code. Additional wiring may be done at the client's request for an additional fee for communications, cable, cat 5, etc.

Items Included in Price:

- Wiring to be done per National Electrical Code
- Wiring for light fixtures
- Wiring for up to two exterior receptacles
- Wiring for smoke detectors per code supplied by owner
- Supplying all standard receptacles, switches, and plates

Electrical Rough In

4000 Roofing

\$13,125.60

Roofing

The roof will consist of a tin roof in color per client selection. Tin color will be matched to the existing tin as best as possible.

Tin Roofing Panels

Other Roofing Materials

Roofing Labor

4500 Windows & Doors

\$1,500.00

Exterior Doors

One exterior door to be installed in the newly constructed bathroom.

3068 Exterior Door (Fire Rated)

Door Install

4700 Insulation

\$1,874.63

Insulation

Proper air sealing allows the structure to perform more efficiently and also provides additional comfort. Comfort can include not only temperature, but also the sound barrier aspect.

Install Batt insulation in the Following areas:

R-13 to be installed in the walls

R-30 to be installed in the ceiling

R-13 Wall Batts

R-30 Ceiling Batts

Insulation Labor

4800 Exterior Finishes

\$8,871.26

Exterior Trim

Siding will be wooden lap siding and wooden shakes in the gables of the bathroom structure, and will match the existing structure as close as possible.

New 6 Inch gutters and downspouts to be installed throughout the new and old structure.

8" Cedar Lap Siding (Bundle of 6)

Cedar Shake Siding Bundles

1x4x8' Cedar

1x6x8' Cedar

Siding Nails

Siding Labor

Gutters/Downspouts

5000 Drywall

\$1,766.70

Drywall

All drywall to be 1/2" installed with screws in field, perimeter nails, taped and finished to a level 4 finish.

Bath to include moisture resistant drywall. All drywall to be installed in bath.

4x8 1/2" Drywall Walls

4x8 1/2" Drywall Ceilings

Tape

Drywall Compound

Drywall Screws

Drywall Labor

5200 Interior Trim

\$494.29

Interior Trim

- 5 1/2" (1x6 nominal) base boards
- 3 1/2" (1x4 nominal) casing on doors
- all paint grade material and primed

Baseboard Molding

Door Trim

Labor

5600 Finish Plumbing

\$2,700.00

Finish Plumbing

Supply and install plumbing fixtures of your choice. Please note that we install Delta Faucets supplied by our plumbing vendor. Any other fixtures can not be warranted for installation.

An allowance is included for you to select fixtures.

Our preferred vendor is Triplett Plumbing. Please contact our office to schedule a professional consultation.

Finish Plumbing

Plumbing Fixtures

Allowance Includes Stainless Steel Plumbing Fixtures

Any upgraded choices (via Ferguson or Creggers) could possibly incur higher costs.

Contact Information for Plumbing Fixtures:

Jennifer Ellis, Triplett's Plumbing, Lenoir (828) 728-0871

Ferguson Plumbing Supply, Boone (828) 278-6025

Cregger Company, Plumbing Supply, Boone (828) 264-1808

Plumbing Fixture Allowance (\$400.00)

5700 Finish Electrical**\$3,000.00****Finish Electrical**

Electrical trimout includes outlets, switches, fixtures, and connecting appliances. Wall plates and fixtures will be installed.

Finish Electrical

Electrical Fixtures

Electrical Fixtures Include:

- Light Fixtures
- Exhaust Fans
- Extra outside Receptacle
- Extra Flood Lights

These items will be chosen by the customer in accordance with their allowance

Electrical Fixtures (\$500.00)

5900 Interior Wall Coverings**\$7,132.50****Interior Paint**

Select up to three Sherwin Williams Package Colors to use on walls and ceilings.

Package colors are made in large batches and are more likely to touch-up.

Other Mixed colors are available for an additional cost.

White Ceilings are included.

Painters will sand, prep, and seal all walls, trim, and doors as directed. In addition to primer, two coats of high quality paint are applied to the interior.

Primer (Gallons)

Paint (Gallons)

Concrete Sealer

Brushes, tape prep, etc.

Baseboard/Trim Paint

Paint Labor

6100 Landscaping**\$0.00****Landscaping**

Landscaping is not included within this scope of work assuming the gardeners would likely tend to any landscaping. However, landscaping can still be added for additional cost.

Landscaping

9000 Overhead**\$2,100.00****Overhead**

WASTE

Waste will be removed during multiple stages of construction. Any and all waste will be put into a large dumpster and emptied when container is full.

Dumpster

Other Line Items**\$2,270.84**

Contingency

TOTAL**\$118,000.00**

The above specifications, costs, and terms are hereby accepted.

CUSTOMER'S SIGNATURE

DATE



GENERAL CONTRACTORS www.wilkie-const.com
 Telephone (828) 754-6431 • Fax (828) 754-1653

5/8/24

ATTN: David Horn
 City of Lenoir
 1419 College Ave SW

Quote: Unity Park & Garden Shelter and Toilet

Wilkie Construction Company Proposes to provide materials, equipment, and labor for the below scope of work. This estimate is based on the information and sketch provided and our initial site visit, and a secondary visit where structure was discussed.

Gutters #1 Scope:

- Design, and Permit drawings.
- Planning and Zoning approval with city and staff, including Permits.
- Layout and Demolition of existing pad
- New structure as discussed and per sketch attached.
- Single ADA toilet complete with mirror and grab bars, plywood interior walls.
- Wall hung sink and ADA toilet, plus outdoor laundry sink for vegetable prep.
- Matching cedar siding, trim, and roof, including full ice and water damn.
- Gutters, one piped to tank, one to grade, as discussed.
- Hollow Metal Door, with locking bolt and occupancy sensor, for controlled ADA use.
- Water connection, 4" Sanitary Sewer to connection by others at 10' outside of building.
- Toilet powered ventilation fan.
- LED lighting with occupancy sensors
- 26x30 Concrete pad, including medium solids sealing compound.
- Compacted stone walk in front
- Clean Up

Lump Sum Total:

\$118,000.00

Added 4'6"x 30' concrete sidewalk in front.

Added Concrete Cost:

\$2,941.00

Exclusions:

- We have included AIA sealed drawings, if Caldwell Co. Inspections require Plumbing, Electrical, or HVAC engineering that would be an additional cost.
- Painting, Stain, Sealers
- Sewer Connection by others
- Movement or relocation of unknown underground utilities.

Terms: Net 20 or per agreed on terms with Owner.

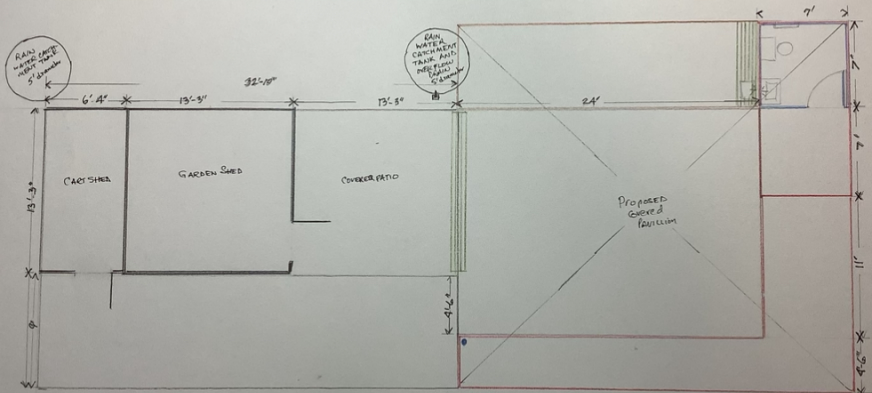
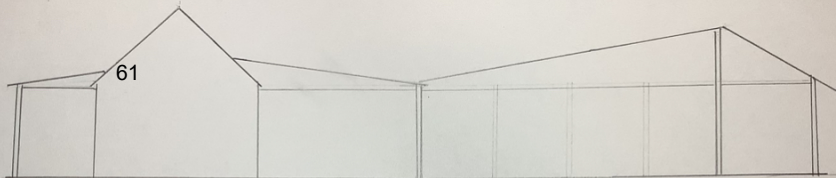
Pricing is good for 30 days, and the design and planning for this project can begin immediately.

Assuming 2-3 months to complete design, the actual construction time is 7-9 weeks, and would need to begin prior to October.

Brandon Harrison, Project Manager
Wilkie Construction SE LLC







- EXISTING STRUCTURES OUTSIDE MEASUREMENT
- EXISTING CONCRETE SLAB AREAS
- PROPOSED CONCRETE SLAB PAVER AREAS
- PROPOSED ADA COMPLIANT ACCESSIBLE RESTROOM
- PROPOSED OUTDOOR CRUSH HANDSCAPE FOR DEMO COOK ZONE
- Beach top counter
- WATER SUPPLY LINE STANDING PIPE

Unity Place & Community Garden Learning/Teaching Pavilion Expansion 2024

UPCG⁶² Teaching and Learning Pavilion

Legend

-  Unity Park and Community Gardens
-  UPCG Pavilion

 Unity Park and Community Gardens



CITY OF LENOIR FY-2024 Action Plan

City of Lenoir

P.O. Box 958
Lenoir, NC 28645
(828) 485-4245

For Submittal to the U.S. Department of Housing and Urban Development
June, 2024

**ACTION PLAN 2024
CITY OF LENOIR, NORTH CAROLINA**

- I. Federal Form 424**
- II. Introduction**
- III. Five Year Strategy**
- IV. Second Year Action Plan 2023**
 - A. Resources**
 - 1. Federal**
 - B. Activities to be Undertaken**
 - 1. Public Facilities Improvements**
 - 2. Program Administration**
- V. Other Actions**
 - A. Affordable Housing**
 - B. Homelessness and Other Special Needs**
 - C. Non-Housing Community Development Needs**
 - D. Lead Based Paint Hazard Reduction**
 - E. Public Housing Improvements**
 - F. Public Housing Residents Initiatives**
- VI. Monitoring**
- VII. Fair Housing - Barriers to Affordable Housing**
- VIII. Anti-Poverty Strategy**
- IX. Coordination of Efforts**
- X. Summary of Citizen Comments**
- XI. Certifications**

II. INTRODUCTION

The Community Development Block Grant Entitlement Program allows the City of Lenoir to address the housing affordability, community and economic development needs for the low and moderate-income residents of Lenoir. The Consolidated Plan is a planning document which guides the development of affordable housing, community and economic development strategies. The Consolidated Plan serves as a guide to be used in decision making for investors, non-profit organizations, community organizations, program administrators, City officials and concerned citizens. The Consolidated Plan, required by the Department of Housing and Urban Development, is designed to promote and coordinate citizen participation in the development of local priority needs and objectives.

This year the City of Lenoir will be utilizing the entitlement funds from the CDBG program for public facilities renovations at the Old Lenoir High School Complex which include the Gym, the Auditorium, Band Building and Mack Cooke Stadium.

Mandated by the U.S. Department of Housing and Urban Development, the Consolidated Plan, developed in FY 2020 for a five year period, set forth a five-year plan for addressing the City's housing, community development and economic development needs of its low and moderate – income residents. The following is the summary of the five-year plan and the strategies for the FY 2024 CDBG program year.

III. FIVE YEAR STRATEGY

Summary of the Five Strategy. The City of Lenoir has established the following significant elements for achieving its strategic purposes and objectives through this consolidated plan.

- Installation of streets and sidewalks in CDBG eligible areas.
- Installation of greenways paths and/or bridges in CDBG eligible areas.
- Streets improvements in CDBG eligible areas.
- Installation of water & sewer in CDBG eligible areas.
- Elimination of slum and blight housing units and vacant buildings in the city through the acquisition and demolition and/or condemned structures.
- Increase economic and job opportunities for low and moderate income persons.
- Stimulating homeownership opportunities for low and moderate income homebuyers by providing downpayment assistance through the HOME Unifour Consortium Program.
- Increase the supply of standard, affordable housing through the rehabilitation of existing structures.
- Continue supporting programs offered by non-profits that benefit low and moderate income people and meet the requirements of CDBG Program.
- Encourage efforts on a regional basis to further study and address homelessness.
- Continue efforts to create, maintain or improve new or existing parks, recreational and other public facilities in CDBG eligible areas.
- Continue efforts to reduce and eliminate lead-based paint hazards through education and testing, utilizing services of the Caldwell County Health Department.
- Continuation of efforts to further Fair Housing and minimize relocation or displacement in all programs.

Priority Analysis and Strategy Development. The City of Lenoir has established its general priorities for allocating federal, state and private resources expected to be available over the five-year period of the consolidated plan. The data obtained from the 2010 Census and HUD Databooks indicate that low-income small related, low-income large related and elderly owner households were more likely to experience housing problems than other sub-populations. The growing number of severe housing problems in the 0 to 80% income categories, indicate the need for rehabilitation assistance. The City will continue to support applications for elderly and low-income housing rehabilitation and construction.

The City also supports any applications for funds which goals are to provide affordable, safe and decent housing to low and moderate income individuals and families.

Sources of Funds. All program activities will be paid by federal CDBG funds

IV. FIFTH YEAR ACTION PLAN 2024

Strategy Implementation-Year 5

Total CDBG Funding **\$138,743**

Total Resources **\$138,743**

In accordance with 24 CFR Part 91.220 of Title 1 of the Housing and Community Development act of 1974, as amended, the City of Lenoir's One Year Action Plan outlines the activities that will be funded using CDBG funds.

A. Resources

1. Federal

Federal resources are expected to be available to address the priority needs and specific objectives identified in the strategic plan of the CDBG Program. The City anticipates receiving \$138,743 in FY 2024.

B. Activities to be Undertaken

Priority 1. Public Facilities - \$110,994.40 for renovations at the Old Lenoir High School Complex which include the Gym, the Auditorium, the Band Building, the Old Leo's building and Mack Cooke Stadium.

Geographic Distribution. Low Income Census Tract

Priority 2. Program Administration - \$27,748.60 in CDBG funds to provide efficient and timely administrative services. Administration will be a key component to the success of the City of Lenoir programs. The staff will be responsible for preparing all documents required of the CDBG Program, monitoring and other requirements of the Program.

V. OTHER ACTIONS

A. Affordable Housing. The City of Lenoir has established its general priorities for allocating federal, state and private resources expected to be available over the five year period. The data obtained from the 2020 Census of Population and Housing and HUD Databooks indicate low-income households are more likely to experience housing problems. Older adults will continue to experience housing problems due to that population's decreased incomes, the age of their homes and their increasing frailty as they age. The City of Lenoir will continue to support individual applications for HOME, CDBG and Rural Development Corporation funds to address these needs.

Priority has been given to improving areas of the city through infrastructure improvements and improvements to public facilities. The City of Lenoir supports any applications, which have goals of providing affordable, safe and decent housing to low and moderate-income families and individuals.

B. Homelessness and Other Special Needs. The City of Lenoir will work closely with the existing network of agencies and organizations that are addressing the needs of the homeless and those threatened with homelessness and those with special needs housing. The City of Lenoir will work with regional efforts by the Western Piedmont Council of Governments or the Unifour Consortium to study the causes and possible remedies for homelessness.

C. Non-Housing Community Development Needs. The City of Lenoir will seek to improve the downtown business area. This revitalization of this area is of extreme importance in maintaining the character of the City. New businesses, restaurants, and industry are needed to create new jobs and to increase the viability of the City.

D. Lead Based Paint Hazard Reduction. The number of homes built before 1970 is 4563 all of which can be classified as potential hazards. Any units assisted with CDBG funds will be addressed for lead hazards on a unit-by-unit basis in accordance with all D-HUD regulations. With limited funds available, the abatement of lead from all units within the city is not possible. Lead based paint hazard and abatement information is made available at the CDBG office for all city residents upon request. Approved measures such as wet scraping to reduce the amount of lead disturbed during rehabilitation will be used.

E. Public Housing Improvements. The Lenoir Housing Authority plans to improve the management and operation of the public housing units by applying for funds to refinance the 97 units currently managed by a private management company. Further, the LHA cooperates with the Western Piedmont Council of Governments to increase homeownership among residents, and encouraging residents to apply for homebuyer assistance funds. The LHA also coordinates efforts with the Lenoir Police Department to reduce crime in at their units.

F. Public Housing Resident Initiatives. The LHA will work in the coming five-year period to

increase resident awareness of energy factors, homeownership possibilities, credit counseling, drug elimination, and community activities. Together with the City of Lenoir, the Western Piedmont Council of Governments, Blue Ridge Community Action the LHA hopes the residents of the authority will be able to accomplish more self-reliance and independence expenditures.

VI. MONITORING. The City of Lenoir will take every measure to ensure the City of Lenoir's long-term compliance, completely and correctly, with provisions of this consolidated plan and all of the provisions of the CDBG program.

The City of Lenoir is committed in its efforts to develop and provide affordable housing and to meet the goals of their five-year strategy outlined in the consolidated plan. The City of Lenoir will review the goals of their one-year strategy on a quarterly basis to determine progress made toward reaching the goals. The City of Lenoir shall be responsible for monitoring only those funds that it receives from DHUD.

All persons receiving assistance under the CDBG program must meet low and moderate-income requirements as determined annually by U.S. Department of Housing and Urban Development.

Any acquisition and relocation will comply with the Uniform Relocation Act.

Any demolition/clearance/construction/site preparation work will be monitored in accordance with Davis-Bacon requirements. Environmental clearance will be received prior to expenditure of any HUD funds. Any asbestos and/or lead-based paint abatements will be done in accordance with applicable state and federal governing laws.

For every \$30,000 in CDBG funds spent on economic development, at least 1 new job will be created for low and moderate-income residents. All required procedures will be followed to ensure compliance with national objective to benefit low to moderate-income persons.

All construction work will be monitored in accordance with any Davis-Bacon requirements.

In order to ensure compliance the Western Piedmont Council of Governments will conduct the monitoring for this program.

VII. Fair Housing – Barriers to Affordable Housing. The City of Lenoir makes every effort in supporting affordable housing. The City serves as the Lead Entity for the Unifour Consortium which has 28 participating local governments. Within the Consortium, there are varying degrees of adopted zoning and land use controls, fees and other costs that will affect the cost of housing. Adopted zoning and subdivision codes that are currently in force are not considered to be excessive or exclusionary. The Consortium staff, the Western Piedmont Council of Governments,

will administer an Individual Development Account program with CDBG funds received by counties. These IDA program will be administered and available throughout the Unifour. The Western Piedmont Council of Governments is a HUD-approved comprehensive housing counseling agency, and as such, it will also continue to provide Home Equity Conversion Mortgage counseling to older adult homeowners.

Lack of education about purchasing home can be a barrier to affordable housing. The lack of a job, money, or even a person's language can be a barrier to fair housing. An analysis of impediments to fair housing has identified various hurdles to fair housing and suggest ways to make housing opportunities more fair.

The City of Lenoir will take an active role in affirmatively furthering fair housing in its jurisdiction through these activities:

- The City of Lenoir will participate in the Unifour Consortium HOME Program, which assists low and moderate-income persons with down payment assistance.
- The City of Lenoir will promote education of housing rights and housing responsibilities through flyers translated into Spanish for our Hispanic population.
- The City of Lenoir will participate in various forums to provide housing and fair housing information to its citizens.
- The City of Lenoir Continued will place handicap accessible sidewalks and improved parking to provide equal access to the city for the handicap and disabled persons of Lenoir.
- The City of Lenoir as Lead Entity of the Unifour Consortium will meet semi-annually to present fair housing information at workshops sponsors by the Catawba Valley Board or Realtors.
- The City will observe April as "Fair Housing Month" by the city adopting a fair housing resolution each April to recognize and support fair housing The City will sponsor public service announcements regarding fair housing and "Fair Housing Month" in local newspaper and/or radio.
- The City of Lenoir will participate semi-annually in community meeting in predominately black neighborhoods in order to present information on various housing programs and to make available printed materials designed to inform citizens of their fair housing rights as outlines in state and federal housing laws.
- The City of Lenoir will supply informational posters, brochures and/or flyers to historically black church and community centers to inform citizens about their fair housing rights.
- The Unifour Consortium will provide down payment assistance for first-time homebuyers, to qualifying low to moderate income minorities and will specifically affirmatively market the down payment assistance program to minority and/or predominately black communities by placing down payment assistance and fair housing posters, brochures, and/or flyers in minority and/or predominately black communities, churches, libraries, and community centers.

VIII. ANTI-POVERTY STRATEGY. The City of Lenoir is seeking new and diverse industries and commercial businesses for the City. Data from the Employment Security Commission of North Carolina states that unemployment in Caldwell County averaged 6.3% in 2015 due to the loss of furniture and textile jobs to overseas labor market. Job-training and job placement is provided through the Workforce Investment Act provide skill training and job placement assistance to over 150 adults and youth each year within Caldwell County.

IX. COORDINATION OF EFFORTS. The City of Lenoir has a strong network of private institutions, non-profit and public agencies that carry out the distribution of funds allocated to help the very-low and low-income families of the City. The staff of the Lenoir Community Development Department has accumulated experience in carrying out these programs. Reporting directly to the city manager and the city council the community development department receives valuable input into most of their activities. The City of Lenoir will continue to work with area service providers and agencies to remain aware of existing programs and make referrals as needed to individuals and families. The WPCOG staff assigned to the City of Lenoir will continue to be involved with various housing, aging, social service and non-profit agencies in order to stay abreast of other activities.

X. SUMMARY OF CITIZEN COMMENTS. A summary of citizen comments regarding the proposed 2024 Action Plan from the March 05, 2024 and the May 21, 2024 public meetings will be included here:

XI. CERTIFICATIONS

Unifour Consortium FY 2024 Action Plan

Unifour Consortium

City of Lenoir, Lead Entity

P.O. Box 958

Lenoir, NC 28645

(828) 485-4245

For Submittal to the U.S. Department of Housing and Urban Development
June, 2024

ACTION PLAN 2024 UNIFOUR HOME CONSORTIUM
CITY OF LENOIR, NORTH CAROLINA

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- II. Introduction
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- IV. Second Year Action Plan 2024
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- V. Other Action
 - A. Affordable Housing
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- VII. Fair Housing – Barriers to Affordable Housing
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II. INTRODUCTION

The Unifour Consortium, comprised of four counties and twenty-four municipalities, located in the western piedmont region of North Carolina have prepared a Consolidated Plan as required to receive HOME funds and an HOME entitlement jurisdiction. The total twenty-eight participating Consortium members are contiguous and are in agreement as to the components of this plan. The Consolidated Plan serves as a guide for decision-making by investors, non-profit organizations, community organizations, elected officials and concerned citizens. The Consolidated Plan, required by the Department of Housing and Urban Development, is designed to promote and coordinate citizen participation in the development of local priority needs and objectives.

The twenty-eight local governments that comprise the Unifour Consortium sit on the Unifour Consortium Governing Board. Each local government provides one representative to sit on the board. Each representative has one vote. The City of Lenoir serves as the Lead Entity for the Unifour Consortium. All funding from the Department of Housing and Urban Development will flow through the City of Lenoir to the benefit of all twenty-eight local governments. The City of Lenoir assures compliance with all required regulations pertaining to the HOME Program. The City of Lenoir contracts with the Western Piedmont Council of Governments for the administration of the HOME Program.

The Consortium has established its general priorities for allocating HOME funds expected to be available over the five-year period. The data obtained from the 2010 Census of Population and Housing indicates that low and moderate-income households are more likely to experience housing problems. Older adults will continue to experience housing problems due to that population's decreased incomes, the age of their homes and their increasing frailty as they age. Priority has been given to making homeownership more available to low and moderate-income families and individuals. This will be addressed through downpayment assistance and counseling for those wishing to purchase a home.

Specifically, funds will be used to provide up to \$30,000 downpayment assistance loans to low and moderate-income families, with incomes no greater than 80% of the area median income. These loans are 0% interest loans and are to be paid back upon the sale or refinancing of the home.

The downpayment assistance program was selected as the most pressing need at this point due to the increasing number of families moving to the Unifour area seeking employment. However, many of the jobs taken by new residents are lower income jobs. The downpayment assistance program will assist the working poor - those who are able to make rent payments but not save enough funds for a downpayment. By assisting individuals in obtaining their own homes, the Consortium hopes to increase the tax base of the area, strengthen neighborhoods, decrease transience, and empower and inspire families to become a permanent fiber in the local community fabric.

Homelessness and Other Special Needs. The Consortium will work closely with the existing network of agencies and organizations that are addressing the needs of the homeless, those threatened with homelessness and those with special needs housing. Implementation of the Continuum of Care plan will be done as federal funds are made available to agencies dealing directly with homeless issues.

The Consortium will set aside a minimum of at least 15% of its funding each year for investment in housing to be developed, sponsored or owned by community development housing organizations (CHDO's). These CHDO's must be a non-profit organizations whose purposes are to provide housing or housing opportunities to low income persons or families or those with special needs. Further, to qualify for funds participating CHDO's must meet criteria as defined by HUD and approved by the Consortium. The Executive Committee of the Consortium will recognize and approve CHDO's and will award funding for CHDO projects.

Preference for CHDO funding will be made to organizations addressing the needs of the homeless, persons with HIV/AIDS, at risk persons, older adults, affordable housing opportunities, or concentrating in areas or neighborhoods identified to have a concentrated need for housing assistance.

III. FIVE YEAR STRATEGY

Summary of the Five Year Strategy. Although significant housing initiatives have and will continue to take place by individual members of the Consortium, gaps in housing service have been identified. These include the lack of assistance for low and moderate-income household in purchasing housing, special needs housing development, affordable housing development (both rental and owner occupied), and housing counseling. The Unifour Consortium has established the following significant elements for fillings these gaps and achieving its purpose of creating housing opportunities through this Consolidated Plan.

- o Stimulating homeownership opportunities for very-low and low income homebuyers by the continuation of a four county-wide Downpayment Assistance Program for First-Time Homebuyers.
- o Homeownership opportunities will be stimulated through homebuying counseling for potential homebuyers
- o Work with developers to increase the supply of standard, affordable housing through development of new housing units under the HOME Program.
- o Encourage community based non-profit organizations to develop the resources and capacity to address special needs housing throughout the Consortium area.
- o Increase the supply of standard, affordable housing opportunities through new construction of housing and rehabilitation of existing housing units under HOME Program, utilizing deferred loans/grants to very-low and low-income families.
- o Provide assistance to agencies that assist homeless persons and families and those threatened with homelessness.
- o Encourage efforts on a regional basis to further the study and address homelessness.
- o Continuation of efforts to further Fair Housing and minimize relocation or displacement in all programs.

IV. FIFTH YEAR ACTION PLAN 2024

Strategy Implementation Year 5

Total HOME Funding for FY 2024

\$ 951,716.00

Total Estimated Program Income

400,000.00

Total Projected Resources

\$1,600,690.00

In accordance with 24 CFR Part 91.220 of Title 1 of the Housing and Community Development act of 1974, as amended, the City of Lenoir's One Year Action Plan outlines the activities that will be funded using HOME funds.

A. Resources

1. Federal

Federal resources are expected to be available to address the priority needs and specific objectives identified in the strategic plan of the HOME Program. The Unifour Consortium anticipates receiving **\$1,200,690 in FY 2023 HOME funds.**

2. Other

The Unifour Consortium expects to receive a loan repayment in the amount of **\$4,000.00** from Exodus.

The Unifour Consortium expects to receive a loan repayment in the amount of **\$5,000.00** from Conover's Cline Village senior apartments.

The Unifour Consortium expects to receive a loan repayment in the amount of **\$9,788.00** from Hickory's Villas at Northview senior apartments.

The Unifour Consortium expects to receive a loan repayment in the amount of **\$7,339.00** from Hudson's Pine Mountain Trace apartments.

The Unifour Consortium expects to receive a loan repayment in the amount of **\$19,570.00** from Hudson's Woodland Village senior apartments.

The Unifour Consortium expects to receive a loan repayment in the amount of **\$19,570.00** from Taylorsville's Milstead Woods apartments.

The Unifour Consortium expects to receive a loan repayment in the amount of **\$5,345.00** from the Lenoir's Viridian apartments.

The Unifour Consortium expects to receive a loan repayment in the amount of **\$12,231.00** from Hickory's Viewmont Square senior apartments.

The Unifour Consortium expects to receive a loan repayment in the amount of **\$6,116.00** from Morganton's Sienna apartments.

The Unifour Consortium expects to receive a loan repayment in the amount of **\$18,347.00** from Claremont's Oxford Crossing apartments.

The Unifour Consortium expects to receive a loan repayment in the amount of **\$18,347.00** from Lenoir's Arbor Glen senior apartments.

The Unifour Consortium expects to receive a loan repayment in the amount of **\$15,289.00** from Pond View apartments.

The Unifour Consortium expects to receive a loan repayment in the amount of **\$18,347.00** from Woodlane Street apartments.

The Unifour Consortium expects to receive a loan repayment in the amount of **\$15,289.00** from Center Crossing senior apartments.

The Unifour Consortium expects to receive a loan repayment in the amount of **\$15,000.00** from Pine Crossing apartments.

The Unifour Consortium expects to receive a loan repayment in the amount of **\$18,347.00** from Kirkland Grove apartments.

The Unifour Consortium expects to receive a loan repayment in the amount of **\$18,347.00** from Fernhill apartments.

Based on past performance and the current number of loans on the books, additional program income of approximately \$173,728. is estimated to be received from the repayment of down-payment assistance loans, bringing the total program income to be received during FY 2024 to approximately \$400,000.

B. Activities to be Undertaken

Priority 1: Regional Down-payment Assistance Program: \$416,569.00 in HOME funds to provide Down-payment assistance for approximately 26 homebuyers in four-county area.

These HOME funds will be used to provide down-payment assistance for approximately 3 homebuyers in the four-county area. This program will provide up to 20% in down-payment assistance to low to moderate- income family with an income of no greater than 80% of the area median income. Applicant families will receive assistance on a first-come-first-served basis. The applicant family must have good credit and be able to obtain a loan.

Assistance will be provided in the form of 0% interest deferred loans. Repayment is due if and when a family sells or refinances. If the home is sold after ten years, one half of the loan amount is repayable to the Unifour Consortium at closing as program income and the other half is forgiven. Any such program income will be used for down-payment assistance prior to Treasury funds, in accordance with HUD HOME regulations.

Matching funds will be provided by local lending institutions through such means as reducing, waiving or discounting ordinary fees and charges such as origination fees, attorney fees, appraisal fees, flood certification fees, private mortgage insurance premiums, etc. Because these discounts will serve as the required local match, local government financial participation will not be required.

Applications will be processed through the program administrator's office at the Western Piedmont Council of Governments.

Geographic Distribution. Funds are distributed on a first-come, first-serve basis.

Priority 2: Program Income Regional Down-payment Assistance Program: \$360,000.00

Priority 3: Program Income Administration: \$40,000.00 or approximately 10% of Program Income funds received will be used to support the administrative services directly related to the expenditure and compliance of Program Income funds received.

Priority 4: CHDO set-asides: \$238,000.40 or approximately will be set-aside community housing development organizations for investment in housing only to be developed, sponsored or owned by community housing development organizations (CHDO's). CHDO's are non-profit community-based organization whose purpose is to provide housing or housing opportunities to low income persons and families or those with special needs. Total matching funds of 25% may be required of CHDO's. Preference will be given to those organizations that address the housing needs of the homeless, those threatened with homelessness, at risk persons, older adults, disabled persons, persons with HIV/AIDS, and CHDO's developing new affordable housing opportunities to low and moderate-income households. The Executive Committee of the Consortium will approve CHDO funding and activities.

Geographic Distribution. Funds will be distributed on a competitive priority needs basis for qualifying CHDO's located in the Consortium jurisdiction.

Priority 5: Development of Multi-Family Housing: \$201,975.00 will be used to work with developers to increase the supply of standard, affordable housing through the development of new housing units under the HOME Program.

Priority6: Program Administration: \$95,171.60 in HOME funds will provide efficient and timely administrative services. Planning and administration will be a key component to the success of the Consortium programs. The staff will be responsible for preparing all documents required of the HOME Program, evaluation of applications, interviews with applicants, monitoring and other legal requirements of the Program.

Resale/Recapture Provision:

The Unifour Consortium uses the Recapture Provision with Recapture from net proceeds. These provisions are imposed for the duration of the period of affordability on all HOME-assisted homebuyer projects through written agreements with the homebuyer, and enforced via a promissory note, deed of trust, and declaration of deed restrictions. The recapture provision is triggered by any transfer of title, either voluntary or involuntary, during the established period of affordability. Recapture is limited to the net proceeds available at sale. The period of affordability is based upon direct HPME subsidy provided to the homebuyer that enabled the homebuyer to purchase the unit. The Unifour Consortium recaptures the entire amount of the direct HOME subsidy provided to the homebuyer before the homebuyer receives a return.

V. OTHER ACTION

A. Affordable Housing. Housing represents the chief means that families have of saving and forming capital. It also represents the key to successful community development. A neighborhood of homeowners is inherently more stable than one which has none. So, the key strengthening our society, or economy, and our families lies in improving access to homeownership. Housing affordability will continue to be addressed through the Unifour Consortium program and by housing programs of individual members of the Unifour Consortium.

B. Homelessness and Other Special Needs. The Consortium will work closely with the existing network of agencies and organizations that are addressing the needs of the homeless, those threatened with homelessness and those with special needs housing. Implementation of the Continuum of Care plan will be done as federal funds are made available to agencies dealing directly with homeless issues.

The Consortium will set aside at least an average of 15% of its funding each year for investment in housing to be developed, sponsored or owned by community development housing organizations (CHDO's). These CHDO's must be non-profit organizations whose purposes are to provide housing or housing opportunities to low income persons or families or those with special needs. Further, to qualify for funds participating CHDO's must meet criteria as defined by HUD and approved by the Consortium. To qualify for funding, each CHDO may have to provide a match of 25%. The Executive Committee of the Consortium will recognize and approve CHDO's and approve funding applications.

Preference for CHDO funding will be made to organizations addressing the needs of the homeless, persons with HIV/AIDS, older adults, affordable housing opportunities, or concentrating in areas or neighborhoods identified to have a concentrated need for housing assistance.

C. Non-Housing Community Development Needs. The Unifour Consortium is not seeking to use funds for non-housing community development needs. However, in accordance with HUD requirements, the non-housing community development plans of the three entitlement cities within the Unifour Consortium are herein incorporated.

D. Lead-Based Paint Hazard Reduction. The number of homes built before 1978 is 78,348, all of which can be classified as potential hazards. Any funds used for rehabilitation will address the lead hazard on a unit-by-unit basis. With limited funds available, the abatement of lead from all units is not possible. Approved measures such as wet scraping to reduce the amount of lead disturbed during rehabilitation will be used. All recipients of HOME funds will be provided information outlining the dangers of lead-based paint.

E. Public Housing Improvements. Each of the four conventional public housing authorities (Morganton, Lenoir, Valdese and Hickory) are working with their local law enforcement/public safety agencies to reduce crime in their PHA's. Since 1996 over \$1.5 million has been spent to bring the public housing units into compliance with the Americans with Disabilities Act requirements.

F. Public Housing Resident Initiatives. Each of the five housing authorities within the Consortium jurisdiction is self-governing and responsible for administering its own funds. Appointments to each board are made from within their own memberships, and they each have their own policies regarding hiring, contracting and procurement.

Outreach efforts will be coordinated with each housing authority to inform residents of the downpayment assistance program and other housing assistance programs available within their jurisdictions. Within the Consortium jurisdiction there are five housing authorities: Hickory,

Lenoir, Morganton, Valdese and the Western Piedmont Council of Governments. Among the assisted housing available are 1,013 units of conventional public housing, and housing subsidies for 1,178 families and individuals through Section 8 vouchers and certificates. There is a need for private landlords for the Section 8 program throughout the Unifour area.

All of the above mentioned housing authorities anticipate no losses from their housing inventories. Those that own and operate conventional housing units as of March, 2018, report 0% vacancy rates and continuous waiting lists of needy families.

Each of the housing authorities will work to accomplish more self-reliance and independence through a variety of programs. They each will continue to strive to increase resident awareness of energy factors, job training, homeownership opportunities, credit counseling, drug elimination and community activities.

VI. MONITORING. The Unifour Consortium will take every measure to ensure the Consortium's long term compliance, completely and correctly, with provisions of the Consolidated Plan and all of the provisions of Title 1 of the National Affordable Housing Act.

The Unifour Consortium is committed in its efforts to develop and provide affordable housing and to meet the goals of their five strategies outlined in this plan. The Consortium will review the goals of their one-year strategy on a quarterly basis to determine progress made toward reaching the goals. The Consortium shall be responsible for monitoring only those funds that it receives from DHUD.

Specifically, for priority 1, the Unifour Consortium will ensure that all participants with the first time homebuyer program meeting HUD income eligibility requirements via income verifications. Such verifications will be maintained on file with each applicant. Each unit purchased with HOME assistance will be meet price limits, as determined annually by HUD. Each purchase price per unit will be maintained on file for each applicant. To ensure the lead-based paint status of each home purchased with HOME assistance, the year of construction for each unit will be verified through county tax records and maintained in each file. For homes built prior to 1978, verification from a lead-based paint inspector will be required for certification that the unit is free of lead-based paint prior to closing. Under no circumstances will any unit built prior to 1978 be purchased with HOME assistance without proper certification of lead-free conditions if a child or children under age seven will reside in or be cared for within. Each unit purchased with HOME assistance shall be inspected by a qualified inspector to verify its compliance with Section 8 Housing Quality Standards at time of the closing. Such verification shall be maintained within each applicant file.

The Unifour Consortium will take every step necessary to ensure that CHDO's funded through the HOME program comply with the Consolidated Plan and all applicable Federal, State and local laws and policies. Specifically, for homeownership projects, each CHDO shall provide documentation of affordability by such means as deed restrictions, deeds of trust and promissory notes. CHDO's receiving funding for rental projects shall provide income verification for beneficiaries annually throughout the period of affordability. Rental project affordability shall be

ensured by deeds of trust and promissory notes. All CHDO's shall provide annual project reports for their HOME assisted units throughout the period of affordability per project.

VII. FAIR HOUSING -BARRIERS TO AFFORDABLE HOUSING. The Unifour Consortium makes every effort in supporting affordable housing. With 28 participating local governments within the Consortium, there are varying degrees of adopted zoning and land use controls, fees and other costs that will affect the cost of housing. Adopted zoning and subdivision codes that are currently in force are not considered to be excessive or exclusionary. Lack of education about purchasing home can be a barrier to affordable housing. The Consortium staff, the Western Piedmont Council of Governments, will administer an Individual Development Account program with CDBG funds received by Caldwell County. This IDA program will be administered and available throughout the Unifour. The Western Piedmont Council of Governments is a HUD-approved comprehensive housing counseling agency, and as such, it will also continue to provide Home Equity Conversion Mortgage counseling to older adult homeowners.

The Unifour Consortium will take an active role in affirmatively furthering fair housing in its jurisdiction through the following activities:

- The Unifour Consortium staff will provide information to various citizens and/or groups about local housing programs offered throughout the area and staff will make available printed materials designed to inform citizens of their fair housing rights as outlined in state and federal housing laws. Information will be translated into Spanish for our Hispanic population.
- The Unifour Consortium will observe April as “Fair Housing Month” by the City adopting a fair housing resolution each April to recognize and support fair housing, The Unifour Consortium will sponsor public service announcements regarding fair housing and “Fair Housing Month” in local newspaper and/or radio.
- The Unifour Consortium will sponsor quarterly Fair Housing Workshops with the Catawba Valley Hispanic Ministry, better known as “Centro Latino:.. Centro Latino is a non-profit organization offering a wide variety of programs including: health, social and educational services, community building, and advocacy for the Latino community of the Unifour area. Written material will be provided in Spanish and English,
- The Unifour Consortium will participate semi-annually in community meeting in predominately black neighborhoods in order to present information on various housing programs and to make available printed materials designed to inform citizens of their fair housing rights as outlines in state and federal housing laws.
- The Unifour Consortium will supply informational posters, brochures and/or flyers to historically black church and community centers to inform citizens about their fair housing rights.
- The Unifour Consortium will provide down payment assistance for first-time homebuyers, to qualifying low to moderate income minorities and will specifically affirmatively market the down payment assistance program to minority and/or predominately black communities by placing down payment assistance and fair housing posters, brochures, and/or flyers in minority and/or predominately black communities, church, libraries, and community centers.

- The Unifour Consortium will annually budget funds for Community Development Housing Organizations (CHDO'S) such as Habitat for Humanity to help finance housing related projects resulting in a home for low to moderate income families.

VIII. ANTI-POVERTY STRATEGY. Each member local government of the Consortium is very aggressive in trying to attracting new and diverse industries and commercial businesses into the area.

IX. COORDINATION OF EFFORTS. The Consortium will continue to work with area service providers and agencies to remain aware of existing programs and make referrals as needed to individuals and families. The WPCOG staff assigned to the Consortium will continue to be involved with various housing, aging, social service and non-profit agencies in order to stay abreast of other activities and expenditures.

The same outreach efforts will be made with area social services providers and non-profit organizations. The Consortium will coordinate its efforts with Blue Ridge Community Action, a local non-profit agency, which provides transitional housing units, new home construction, weatherization, rehabilitation and rental rehabilitation.

The cities of Hickory, Lenoir and Morganton are all HUD entitlement cities. The Consortium will work with each of these cities to coordinate housing initiatives and efforts. If any conflicts or negative effects arise, the Consortium will investigate all possible ways to alleviate the cause(s).

To meet housing and community development needs, individual local governments within the Unifour Consortium have applied for and received funding through other federal housing assistance programs including CDBG, Rural Development Corporation, and the North Carolina Housing Finance Agency. These localized programs assist low and moderate income, elderly and disabled owner occupied households.

X. SUMMARY OF CITIZEN COMMENTS. A summary of citizen comments regarding the proposed 2024 Action Plan from the March 05 and the June 04, 2024 public hearings will be included here:

XI. Certifications

CITY OF LENOIR
COUNCIL ACTION FORM

I. **Agenda Item:** Consideration of two (2) Capital Project Budget Ordinances and two (2) Capital Project Budget Ordinance Amendments related to the Community Development Block Grant (CDBG), Unifour Consortium HOME Program and HOME-American Rescue Plan Program.

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

The Capital Project Budget Ordinance for the FY2024 Unifour Consortium HOME Program is \$1,351,716. (The City of Lenoir is the lead entity.)

The Capital Project Budget Ordinance for the FY2024 Community Development Block Grant Program is \$138,743.

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

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

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III. **Staff Recommendation:** Staff and the Western Piedmont Council of Government Plan Administrator recommend approval of the four (4) ordinances.

IV. **Reviewed by:**

City Attorney:

City Manager:

Plan Administrator: *Rick Oxford*

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

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

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

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

Adopted this the _____ day of _____, 2024.

Mayor

Clerk

CITY OF LENOIR
2024 COMMUNITY DEVELOPMENT BLOCK GRANT
CAPITAL PROJECT BUDGET ORDINANCE

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

Section 1. The project authorized is the Community Development Project described in the work statement contained in the Grant Agreement (#B-24-MC-37-0022) between this unit and the United States Department of Housing and Urban Development. This project is more familiarly known as the FY-2024 CDBG Entitlement Program.

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

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

Revenues

Community Development Block Grant	\$138,743.00
Total Revenues	<u>\$138,743.00</u>

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

Expenditures

Public Facilities (Lenoir High School)	\$110,994.40
Program Administration	<u>27,748.60</u>
Total Expenditures	<u>\$138,743.00</u>

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

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

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

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

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

Adopted this the _____day of _____, 2024.

Mayor

Clerk

CITY OF LENOIR
2023 HOME-ARP SUBSTANTIAL AMENDMENT
CAPITAL PROJECT BUDGET ORDINANCE

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

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

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

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

<u>Revenues</u>	<u>Current</u>	<u>Change</u>	<u>Amended</u>
HOME-ARP Grant	\$4,182,773.00	0.00	\$4,182,773.00
Total Revenues	\$4,182,773.00		\$4,182,773.00

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

<u>Expenditures</u>			
Supportive Services	\$2,927,953.10	+627,409.95	\$3,555,363.05
TBRA	627,409.95	-627,409.95	0.00
Admin and Planning	627,409.95		627,409.95
Total Expenditures	\$4,182,773.00	0.00	\$4,182,773.00

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

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

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

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

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

Adopted this the _____day of _____, 2024.

Mayor

Clerk

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

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

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

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

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

<u>Revenue</u>	<u>Current</u>	<u>Change</u>	<u>Amended</u>
Revenue from HOME Grant	\$1,200,690		\$1,200,690
Anticipated Program Income	<u>300,000</u>	<u>0</u>	<u>300.000</u>
Total Revenues	\$1,500,690	0	\$1,500,690

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

Downpayment (HOME)	\$ 91,121		91,121
Downpayment (From PI)	0	+270,000	270,000
Multi-Family (From PI)	270,000	-270,000	0
Program Income Admin	30,000		30,000
HOME CHDO (HOME)	420,000		420,000
Multi-Family Housing	569,500		569,500
General Program Admin	<u>120,069</u>	<u>0</u>	<u>120,069</u>
Total Expenditures	\$1,500,690	0	\$1,500,690

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

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

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

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

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

Adopted this the _____ day of _____, 2024.

Mayor

Clerk

APPOINTMENTS – JULY 1, 2024

ABC Board (3-Year)

Steven Stewart

Foothills Airport Authority (2-Year)

Tom Smith

Lenoir Housing Authority (5-year)

Ben Boaz

Pete Kidder (2026)

Business Advisory Board (3-Year)

Tim Biddix

Mark Transou

Matt Underwood

Amy Adams

Planning Board/Historic Preservation Commission (3-year)

Edward Terry

Marta Lazo

Lucy McCarl

Board of Adjustments (3-year)

Leah Hamilton

Tim Scobie

Curtis Baker (Alternate to Member)

Dontrell Parson - Alternate

Recreation Advisory Board (2-year)

Darrin Foddrell

Darryl Lipford

Charlie Pilkenton

Lenoir Tourism Development Authority (4-year)

Angela Johnson (Lodging)

Jennifer Barlow (Lodging)

Julie Phan Bentley (Lodging)