

**LENOIR CITY COUNCIL
TUESDAY, MAY 6, 2025
6:00 P.M.**

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

CITY STAFF: In attendance was Finance Director Donna Bean, Fire Chief Norman Staines, Police Chief Brent Phelps, Police Major Andy Wilson, Planning Director Hannah Williams, Parks & Recreation Director Phil Harper, Public Services & Public Works Director Jon Hogan, Public Services Public Utilities Director Jeff Church, Economic Development Main Street Director Brenda Floyd, Director of Special Projects & Grants Jared Wright, and Public Information/Communication Director Joshua Harris.

ABSENT: Councilmembers Todd Perdue and Ralph Prestwood.

I. CALL TO ORDER

- A. On behalf of City Council, Mayor Gibbons asked everyone to keep the countries of India and Pakistan in their thoughts and prayers due to the conflict that started this week. Also, Mayor Gibbons asked everyone to keep the Catholic Cardinals in their thoughts and prayers as they are currently meeting in Rome to elect the successor to Pope Francis, who passed on April 21, 2025.

**SPECIAL RECOGNITION; PEACE
OFFICERS' MEMORIAL WEEK:**

- B. On behalf of City Council, Mayor Gibbons read and presented a proclamation to Police Chief Brent Phelps proclaiming the week of May 11 through May 17, 2025 as "National Peace Officers' Memorial Week." "Peace Officers' Memorial Day" will be observed on Thursday, May 15, 2025.

Mayor Gibbons thanked the Police Department for all they do each day to keep our citizens safe.

Chief Phelps thanked City Council for the recognition and reported that 165 officers were killed across the country last year. He stated that 157 were male including 8 female officers who lost their lives in the line of duty. The causes of the deceased were auto crashes, gunfire, struck by a vehicle, vehicle pursuit, and vehicle assaults. Additionally, Chief Phelps mentioned the four U.S. Marshals in Charlotte, NC who were ambushed and lost their lives on April 29, 2024 in an attempt to serve a warrant. Chief Phelps stated the average age of the 165 officers that were killed in the United States in 2024 was 44 years and their average tour of duty was 14 years.

Chief Phelps shared that he was proud of the men and women who put their lives on the line on a daily basis for everyone's safety. He also emphasized that the Police Department and City

of Lenoir has truly been blessed by not having any incidents.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, April 15, 2025 as submitted.
- B. Minutes: Approval of the minutes of the Committee of the Whole meeting of Tuesday, April 22, 2025 as submitted.
- C. 2025-2029 Sales Tax Reinvestment Agreement: If Council wishes to approve the 2025-2029 Sales Tax Reinvestment Agreement between Caldwell County and the county's municipalities, please authorized adoption of the agreement. (A copy of the agreement is on file in the Finance Department.)
- D. Bid Award; Veterans Paver Project: Following the review of bids submitted, Staff recommends awarding the Pavers Renovation Project bid to Foothills Monument Company for the total sum of \$54,762.75 as submitted. Foothills Monument has worked on several monument projects for the City and in Caldwell County. (A copy of the bid tab is hereby attached to these minutes as reference.)
- E. The City of Lenoir does not currently have utility service lines along Harrisburg Drive from the upper entrance of the Summerhill Development, parcel #NCPIN #2759008291, to property with NCPIN#2748991599. The purchase of the utility easement provides the opportunity for the City to have the ability to expand utility services in the future. (A copy of the recorded utility easement is hereby attached to these minutes as reference.)
- F. Proclamation; Peace Officers' Memorial Week: Approval of a proclamation proclaiming the week of May 11 through May 17, 2025 as "Peace Officers' Memorial Week" throughout the City of Lenoir. Peace Officers' Memorial Day will be observed on Thursday, May 15, 2025. (A copy of the proclamation is hereby attached to these minutes as reference.)

Upon a motion by Mayor Pro-Tem Stevens, City Council voted 5 to 0 to adopt items A through F on the Consent Agenda as described above and as recommended.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

LENOIR BUSINESS

ADVISORY BOARD:

1. The Lenoir Business Advisory Board will meet on Thursday, May 8 at 6:00 p.m. at City Hall, Third Floor Conference Room.

BLOOM BLAST

- EVENT:**
2. The annual Bloom Blast event will be held on Saturday, May 10 from 9:00 a.m. – 11:00 a.m. in downtown Lenoir.

Tuesday, May 6, 2025

Minutes-City of Lenoir Council Meeting

CITY/COUNTY SERVICES

COMMITTEE:

3. The City/County Services Committee will meet on Monday, May 12 at noon at the J.E. Broyhill Civic Center.

ECONOMIC DEVELOPMENT

ADVISORY BOARD:

4. The Economic Development Advisory Board will meet on Tuesday, May 13 at 8:15 a.m. at the J.E. Broyhill Civic Center.

ABC BOARD:

5. The ABC Board will meet on Thursday, May 15 at 2:00 p.m.

PARKS & RECREATION

ADVISORY BOARD:

6. The Parks and Recreation Advisory Board will not meet in May. The next meeting will be held on Monday, August 18 at 6:00 p.m. at the Mulberry Recreation Center.

BUDGET WORK

SESSION:

7. City Council will conduct a Budget Work Session on Thursday, May 22 at 6:00 p.m. at City Hall, Third Floor Conference Room. An additional work session will be held on Thursday, May 29 if necessary.

B. Items for Council Action

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

X. ADJOURNMENT

- A. There being no further business, the meeting was adjourned at 6:15 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor

INVOICE

Date: April 30, 2025

Invoice # [100]

Foothills Monument

4861 Hickory Blvd

Granite Falls NC 28630

828-396-9700

Fax 828-396-9701

tombstonebill@embarqmail.com

LENOIR VA MEMORIAL



MACROBUTTON DoFieldClick [Your Company Slogan]

SALESPERSON	JOB	PAYMENT TERMS	DUE DATE
BILL MORROW	VA MEMORIAL		

QTY	DESCRIPTION	UNIT PRICE	LINE TOTAL
6	40X30 BRONZE PLAQUES APPROX 30 LETTERS/SPACES EACH 3/8" LETTERS 4 COLUMNS PER PLAQUE	\$6,200.00	\$37,200.00
6	44"X36" GRAY GRANITE BEVELED SLANT FLAT TOP ALL POLISHED	\$2,350.00	\$14,100
4 MONTHS DELIVERY- 50% DEPOSIT AT SIGNING OF CONTRACT - BALANCE DUE AT INSTALLATION QUOTE GOOD TILL JUNE 16 2025			
SUBTOTAL			\$51,300
SALES TAX			\$3,462.75
TOTAL			\$54,762.75

Make all checks payable to FOOTHILLS MONUMENT CO.

Thank you for your business!

BK 2134 PG 695 - 697 (3)

This document presented and filed:
05/07/2025 11:04:19 AM

Fee \$26.00 Excise Tax: \$0.00

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

**SANITARY SEWER EASEMENT
CITY OF LENOIR**

NORTH CAROLINA

CALDWELL COUNTY

THIS RIGHT-OF-WAY AND EASEMENT, made this the 5th day of May, 2025, by Jade Builders, LLC, hereafter referred to as party of the first part;

TO

CITY OF LENOIR, a municipal corporation of Caldwell County, North Carolina;

WITNESSETH:

THAT for and in consideration of payment by the City of Lenoir to the party of the first part of the sum, one thousand five hundred dollars (\$1,500), the receipt of which is hereby acknowledged, and the waiver of water and sanitary sewer tap fees for lots number nine and ten, the party of the first part has this day bargained and sold, and by these presents does bargain, sell, convey, transfer and deliver unto CITY OF LENOIR a right-of-way and permanent easement, including the perpetual right to enter upon the real estate hereinafter referred to, at any time it may see fit, and construct, maintain and repair one or more sanitary sewer lines, water, and storm water control for the purpose of conveying and carrying sanitary sewage, water, and/or storm water runoff over, across, through and under then lands hereinafter referred to, together with the right to excavate and refill ditches and/or trenches for the location of said pipelines, and the further right to remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction and maintenance of said lines.

The lands affected by the grant of this easement and right of way are located in the County of Caldwell, State of North Carolina, and are more particularly described in the following deed or deeds:

Deed to Jade Builders, LLC recorded in Caldwell County Registry in Book 2096, at Page 1092.

The right-of-way and easement hereby granted covers a strip of land twenty-five (25) feet in width, twelve-and-one-half (12 and ½) feet each side of the property line between lots number nine and ten, also being the proposed centerline of the sanitary sewer main, over and across the above referred to lands as specifically shown and described in the attached exhibit dated February 28, 2025, and designated "Public Utility Easement for City of Lenoir" across the property of Jade Builders, LLC. In addition to the foregoing permanent easement, the party of the first part also grants unto the party of the second part, its successors and assigns, a temporary construction easement fifty (50) feet in width. This additional temporary construction easement shall exist and continue for and during the construction, laying and completion of any lines by the party of the second part, except at the event that the additional construction easement shall cease and terminate

three (3) years after date of the commencement of the construction. During construction the entire temporary construction easement may be used for any activity essential to construction. After completion of construction or the aforesaid three (3) year period, the easement shall revert and be the permanent easement as set out herein before.

TO HAVE AND TO HOLD said rights-of-way and easements unto the City of Lenoir, its successors and assigns forever.

Jade Builders, LLC, the party of the first part, does hereby covenant with City of Lenoir, the party of the second part, that the party of the first part will construct no improvements on said permanent easement without first obtaining written permission and approval from the party of the second part; that it is lawfully seized and possessed of the real estate above described; that it has a good and lawful right to convey said real estate and/or grant an easement encumbering said real estate, or any part thereof; that it is free from all encumbrances; and that it will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

As part of the consideration for this grant, the party of the first part does hereby release any and all claims for damages from whatsoever cause incidental to the exercise of the rights herein granted; the party of the first part agrees that more than one line can be placed in said easement at any time or times said City desires to so use said easement for the purposes described herein.

IN WITNESS WHEREOF, said party of the first part has executed this easement in the manner required by law, the day and year first written above.

Alan Overcash

Name

Manager

Title

Jade Builders, LLC

Scott Hildebrand

Name

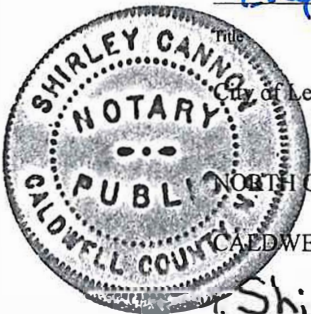
City Manager

Title

City of Lenoir (SEAL)

NORTH CAROLINA

CALDWELL COUNTY



I, Shirley Cannon, a Notary Public of the county and state aforesaid, do hereby certify that Scott Hildebrand personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal, this 7th day of May, 2025.

Shirley Cannon

Notary Public

10-27-2029

My Commission Expires:

G.S. 47 - 30

STATE OF NORTH CAROLINA CALDWELL COUNTY

7. CHEWS L. KING, CERTIFY THAT THIS MAP WAS DRAINED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 2058, PAGE 1092, OR OTHER REFERENCE SOURCE) THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAINED FROM INFORMATION IN BOOK _____ PAGE _____ OR OTHER REFERENCE SOURCE. SOURCE: _____ THE RATIO OF PRECISION OR POSITION ACCURACY IS 1:10,000 AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56. 1800). THIS 20th DAY OF FEBRUARY, 2023.

[illegible]

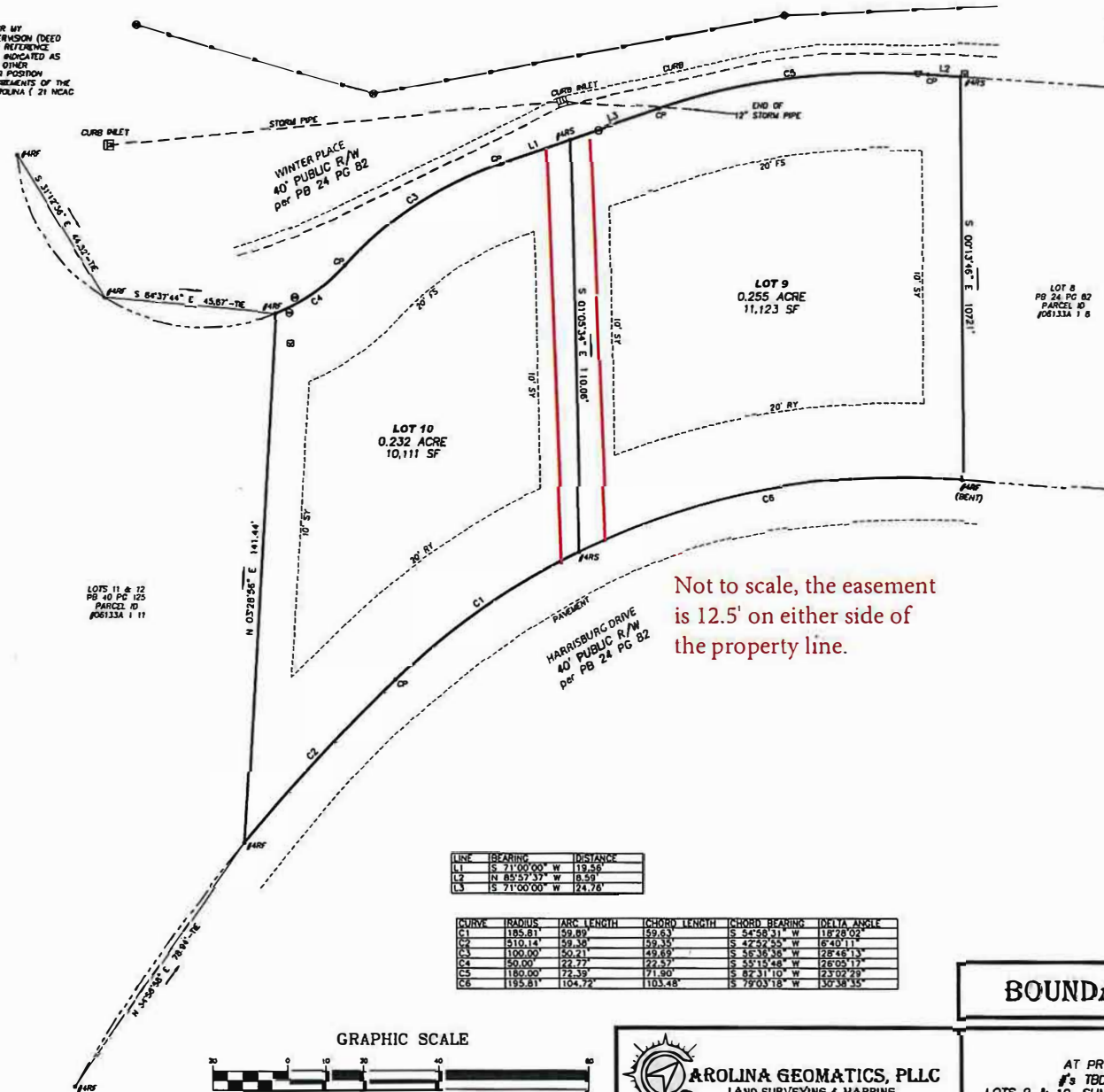
RF	REBAR FOUND
RS	REBAR SET
R/W	RIGHT-OF-WAY
SF	SQUARE FEET
PB	PLAT BOOK
DB	DEED BOOK
PG	PAGE
FS	FRONT SETBACK
RY	REAR YARD
SY	SIDE YARD
P/L	PROPERTY LINE
CP	COMPUTED POINT

NO PORTION OF THE SUBJECT PROPERTY SHOWN HEREON
LIES WITHIN A SPECIAL FLOOD HAZARD AREA PER
F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY
PANEL 37102758000, DATED: JULY 7, 2009.

BOUNDARY LINE
ADJONER LINE
RIGHT OF WAY
SAN. SEWER LINE



Call before you dig.
NORTH CAROLINA
ONE-CALL CENTER INC.
DIAL 811 or 1-800-632-4949
BUSINESS DAYS BEFORE DIGGING
www.ncocc.org



Not to scale, the easement is 12.5' on either side of the property line.

LINE	BEARING	DISTANCE
L1	S 71°00'00" W	19.56'
L2	N 85°57'37" W	8.59'
L3	S 71°00'00" W	24.78'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	185.81	59.89	59.63	S 54°58.31' W	18°28'02"
C2	510.14	59.38	59.35	S 42°32'55" W	6°40'11"
C3	100.00	50.21	49.69	S 55°36.38' W	28°46'13"
C4	50.00	22.77	22.57	S 55°15.48' W	26°05'17"
C5	180.00	72.39	71.90	S 62°31'10" W	23°02'29"
C6	185.83	104.72	101.48	S 28°03'18" W	32°38'35"

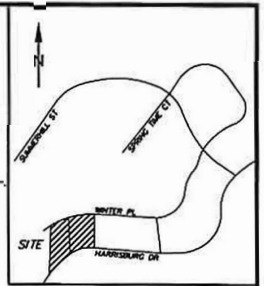
GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

Job No.: 25-134	Drawn: AVD	Checked: CLK	Date: 2/28/25
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CAROLINA GEOMATICS, PLLC
LAND SURVEYING & MAPPING
469 HOSPITAL DR., STE D
GASTONIA, NC 28054
P: (980) 329-3382
CKING@CAROLINAGEOMATICS.COM
NC #P-1965
WWW.CAROLINAGEOMATICS.COM



VICINITY MAP
(Not to Scale)



BOUNDARY SURVEY

AT PROPERTY KNOWN AS
#3 TBD WINTER PLACE SW
LOTS 9 & 10, SUMMERHILL SUBDIVISION, PHASE 1
PB 24 PG 82
PARCEL ID #06133A 1 9 & #06133A 1 10
DB 2096 PG 1092
CITY OF LENOIR, CALDWELL COUNTY, NC
FOR: JADE BUILDERS, LLC



PROCLAMATION

In Recognition of Peace Officers' Memorial Week

May 11 – 17, 2025



WHEREAS, the Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week in which May 15 falls as National Police Week; and

WHEREAS, the members of the law enforcement agency of the Lenoir Police Department play an essential role in safeguarding the rights and freedoms of those inside the City of Lenoir; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

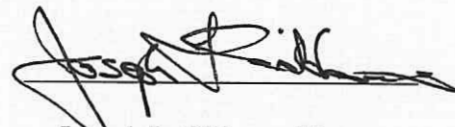
WHEREAS, the men and women of the law enforcement agency of the City of Lenoir Police Department unceasingly provide a vital public service;

NOW THEREFORE, BE IT RESOLVED, that I, Joseph L. Gibbons, Mayor of the City of Lenoir, and on behalf of the Lenoir City Council, do hereby proclaim and call upon all citizens of Lenoir and upon all patriotic, civic and educational organizations to observe the week of May 11 – May 17, 2025, as Police Week with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens;

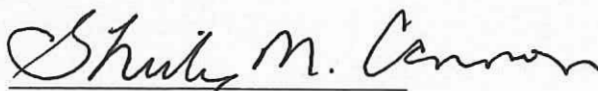
FURTHERMORE, I proclaim and call upon all citizens of the City of Lenoir to recognize May 15, 2025, as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty. Let us recognize and pay respect to the survivors of our fallen heroes.

WITNESS, my hand and seal this the 6th day of May, 2025.

SEAL


Joseph L. Gibbons, Mayor

ATTEST:


Shirley M. Cannon, City Clerk