



AGENDA

CITY OF LENOIR
CITY COUNCIL MEETING
905 WEST AVENUE
TUESDAY, JULY 15, 2025
6:00 P.M.



A retirement reception for City Clerk Shirley Cannon will be held at 4:30 p.m. prior to the meeting.

I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition: On behalf of City Council, Mayor Gibbons will read and present a proclamation to Robert Thomas, Jr., Thomas and Means Law Firm, LLP in honor of his 37 years of dedicated and outstanding service to the Lenoir Police Department.
- C. Special Recognition: On behalf of City Council, Mayor Gibbons will recognize Brent Phelps, Chief of Police upon his retirement from the Lenoir Police Department in honor of his 29 years of dedicated and outstanding service to the Police Department, City of Lenoir and its citizens. Chief Phelps retirement date is effective August 1, 2025.
- D. Special Recognition: On behalf of City Council, Mayor Gibbons will recognize Shirley Cannon, City Clerk upon her retirement from the City of Lenoir in honor of her 27 years of dedicated and outstanding service to the City Council, City of Lenoir and its citizens. Mrs. Cannon's retirement date is effective August 1, 2025.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. Rezoning; 143 Countryside Drive SE: A public hearing will be held to consider a rezoning request submitted by applicant Roger Alex Moss for property located at 143 Countryside Drive SE, NC Pin#2758567900 & 2758567675 to be rezoned from R-15 (Single Family Residential to I-2 (Light Industrial.). The Planning Board and Staff recommend denial of the rezoning request based on the following inconsistency statement.

Inconsistency Statement

The proposed zoning map amendment is not consistent with the adopted Comprehensive Plan because it would allow an inappropriate, intensive land use into a low density residentially zoned area. The comprehensive plan's future land use map identifies this parcel as "existing medium density residential" and abuts "existing low density residential" classifications. The proposed amendment does not protect the residential character of the area.

- B. 2025 Comprehensive Plan/Resolution: Due to feedback received since the drafts have been made public, staff requests that the public hearing be continued to the City Council meeting on August 5th, 2025, in order to thoroughly review drafts and incorporate feedback.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the City Council minutes of the meeting of Tuesday, June 17, 2025 as submitted.
- B. Minutes: Approval of the minutes of the Committee of the Whole meeting of Tuesday, June 24, 2025 as submitted.
- C. Closed Session Minutes: Approval of the closed session minutes of Tuesday, June 24, 2025 as reviewed by the City Attorney, City Council and City Manager.
- D. Surplus Resolution: Pursuant to N.C.G.S. §20-187.2, Staff recommends City Council adopt a resolution to declare the following police weapon (Sig Sauer P-320 Pistol, Serial Number 58J478025) and police badge of Chief Brent Phelps upon retirement, as surplus and no longer have any additional use to the City of Lenoir as submitted.
- E. Engineering Services: Amendment #1; Construction Phase (McGill Associates) - Finley Area Water System Improvements Project: Staff recommends approval of Amendment No. 1 to the Engineering Services Agreement for the Construction Phase of the Finley project. The Construction Phase contract amount will increase from \$276,000 to \$381,000 due to additional project scope and the extended project time schedule.
- F. Adoption; Revised 2025 Water & Sewer Capital Improvement Plan: Staff recommends approval of the revised Water & Sewer Capital Improvement Plan (CIP). The revised CIP reflects adjustments to the March 25, 2025 approved plan. The adjustments allow for the funding of the Finley Area Water System Improvements project.
- G. Amended Capital Project Ordinance; Finley Area Water Improvements Project: Staff recommends approval of an amended Capital Project Budget Ordinance in the amount of \$9,440,000 for the Finley Area Water Improvements Project as submitted.
- H. Resolution: Approval of a resolution presented to Police Chief Brent Phelps in honor and recognition upon his 29 years of dedicated and outstanding service to Police Department, City of Lenoir and its citizens.
- I. Resolution: Approval of a resolution presented to City Clerk Shirley Cannon in honor and recognition upon her 27 years of dedicated and outstanding service to the City Council, City of Lenoir, and its citizens.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

- 1. The Foothills Regional Airport Authority will not meet in July.
- 2. The ABC Board will meet on Thursday, July 17 at 2:00 p.m.
- 3. City Council will not meet on Tuesday, July 22 for the Committee of the Whole Meeting.
- 4. A Summer Concert event is scheduled for Friday, July 25 from 7:00 p.m. to 10:00 p.m. with the band Third Times a Charm performing on the downtown stage area.
- 5. A retirement ceremony will be held on Wednesday, July 30 at the J.E. Broyhill Civic Center from 3:00 p.m. to 5:00 p.m. in honor of Police Chief Brent Phelps.
- 6. The 51st Annual Harambee Festival will be held the week of August 4th through August 10th. Events will be held daily at the Martin Luther King, Jr. Center.

B. Items for Council Action

1. Bid Award; Finley Avenue Area Water Improvement Project: Staff recommends approval of the resolution for the tentative award of bids for the Finley Area Water System Improvements project contingent upon NCDEQ approval of bidder documentation. The tentative award is made for Contract A to T.P. Howard's Plumbing Company, Inc. (Fairview, NC), for the Contract Price of \$6,092,350 and for Contract B to Caldwell Tanks, Inc. (Louisville, KY) for the Contract price of \$2,063,700, both of which are the lowest responsive, responsible bidders. It is recommended, by McGill Associates, to establish a construction contingency of 5% or \$407,800 of the total base construction costs, bringing the total construction project cost to \$8,563,850. It is further recommended that City Council authorize the City Manager to approve change orders within the contingency amount to facilitate maintaining the project schedule.
2. Resolution; Authorization to Remove Traffic Signal-Mulberry Street and College Avenue: Staff recommends approval of the Resolution to decommission and remove the existing traffic signal at College Avenue and Mulberry St. based on a Mattern & Craig Engineering Traffic Signal Warrant Analysis and the installation of a Two-Way Stop Intersection.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBER

- A. Closed Session: Pursuant to N.C.G.S. 143-318.11(a)(3), City Council will enter into closed session to discuss attorney client privilege and N.C.G.S. 143-318.11(a)(2) to prevent the premature disclosure of an honorary degree, scholarship, prize, or similar award.

X. ADJOURNMENT



PROCLAMATION



Recognizing Robert Thomas, Jr.

WHEREAS, in 1986 or 1987, Randy Means and Robert Thomas, Jr. were engaged to provide training at the Lenoir Police Department under the leadership of Chief Terry Crisp, and they signed the first annual contract (of 37) with Chief Jack Warlick in 1988; and

THAT, Robert Thomas, Jr., a partner in the Thomas & Means Law Firm, LLP from its inception until its 2020 dissolution, took sole responsibility for providing legal advice, training, and consulting services to the Lenoir Police Department shortly after being contracted and has continued to do so until his retirement this year; and

THAT, he has admirably and with great distinction, served the Charlotte-Mecklenburg area for 31 years as Senior Associate Attorney and Deputy Compliance Officer for Mecklenburg County, the first full-time Sheriff's Attorney for the Mecklenburg County Sheriff's Office, and the first full-time Police Attorney for the City of Charlotte Police Department; and

THAT, Robert Thomas, Jr. played a major role with the Charlotte Police Department Legal Team in the *Graham v. Connor* case that established the "objective reasonableness" standard for evaluating claims of excessive force by law enforcement during arrests or investigatory stops. This landmark 1989 Supreme Court case is still referenced today during In-Service Training classes covering Use of Force & Search & Seizure; and

THAT, he has represented more than 30 law enforcement agencies in North Carolina and is the Co-Founder of the Police Law Journal and of the Police Administrators Journal, as well as former legal counsel to the American Society for Law Enforcement Training; and

THAT, society and law enforcement as a whole has gone through many changes over the last 40 years, and "Bob" has stayed abreast through all the changes to remain a vital addition to our team. He has made significant contributions throughout his career;

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 recognize and honor **Robert F. Thomas, Jr.** for his 37 years of service to the Lenoir Police Department and commend him for his support and dedication to our city and our law enforcement officers.

THIS, the _____ day of _____, 2025.

Joseph L. Gibbons, Mayor

Scott E. Hildebran, City Manager

CITY OF LENOIR**COUNCIL ACTION FORM: July 15, 2025****I. Agenda Item:**

Public hearing for R 6-25.

Applicant Roger Alex Moss is requesting to rezone the subject property (2.15 AC) from R-15 (single-family residential) to I-2 (heavy industrial) to continue to operate in a junk/salvage yard capacity beyond towing and recovery. This property is currently under code enforcement.

II. Background Information:

The applicant is requesting a zoning change from R-15 (single-family residential) to I-2 (heavy industrial) to continue operations at Whitnel Towing beyond its allowable capacity. The property is under code enforcement for operating a junk/salvage yard.

III. Staff and Planning Board Recommendation:

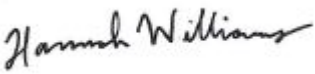
Planning Board recommends denial of the proposed rezoning based on the following statement:

The proposed zoning map amendment is not consistent with the adopted Comprehensive Plan because it would allow an inappropriate, intensive land use into a low density residentially zoned area. The comprehensive plan's future land use map identifies this parcel as "existing medium density residential" and abuts "existing low density residential" classifications. The proposed amendment does not protect the residential character of the area.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Planning Director:  _____

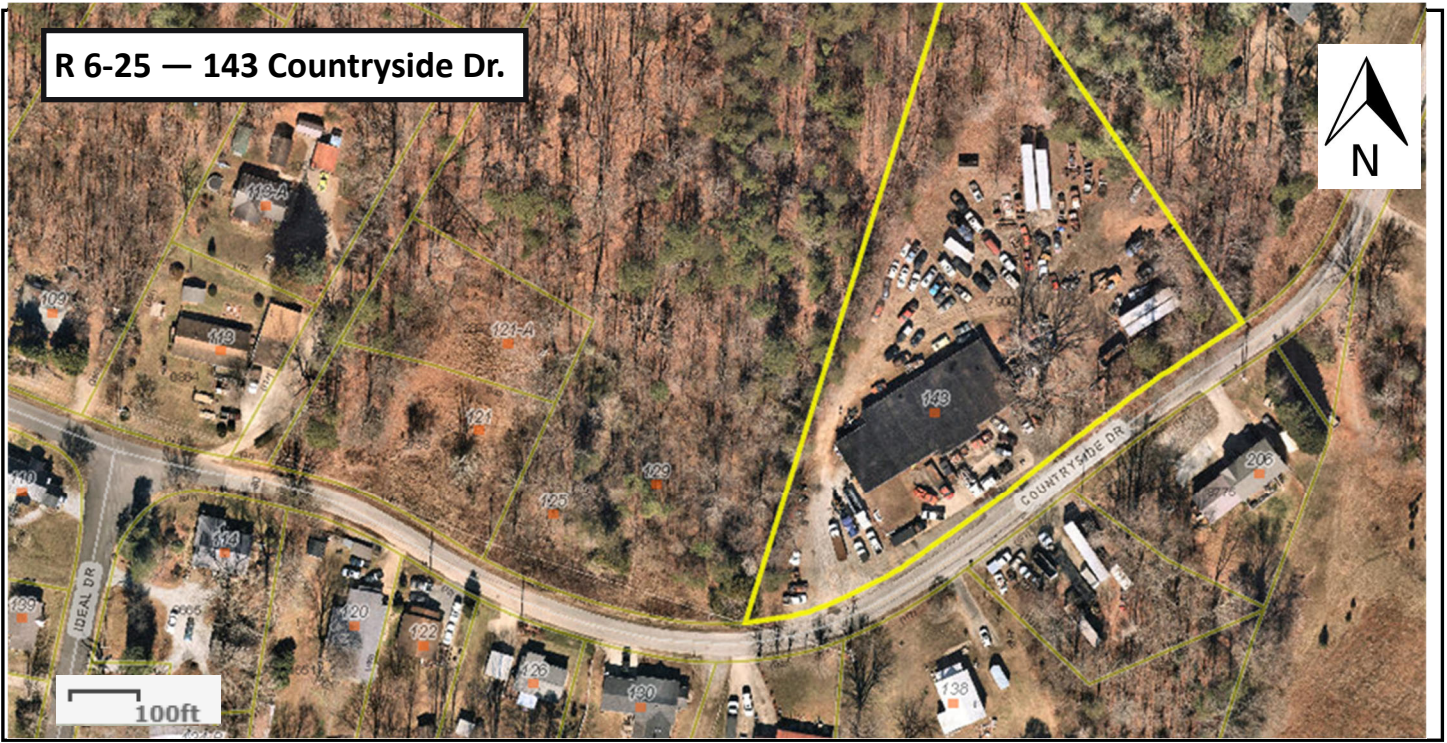


Staff Report

Zoning Amendment

CASE NUMBER R #6-25

LOCATION MAP/AERIAL PHOTOGRAPH



SUMMARY

Owner

Robert Reid

Applicant

Roger Alex Moss

Location

143 Countryside Dr

NC PIN

2758567900

Project Planners

Hannah Williams, AICP, CZO
Matt Duchan, CZO

Description of Request:

The applicant is requesting to rezone the subject property (2.15 AC) from R-15 (single-family residential) to I-2 (heavy industrial) to continue to operate in a junk/salvage yard capacity beyond towing and recovery. This property is currently under code enforcement.

Staff Recommendation:

Denial of the request, based on the consistency statement on page 8.

Planning Board Recommendation:

Denial of the request, based on the staff's consistency statement.

Public Comment:

Attorney Wallace Respass represented the

applicant.

Planning Board Meeting: June 23, 2025. Notice of the meeting was mailed to the owners of all adjacent parcels (identified on map on page 5) June 9, 2025.

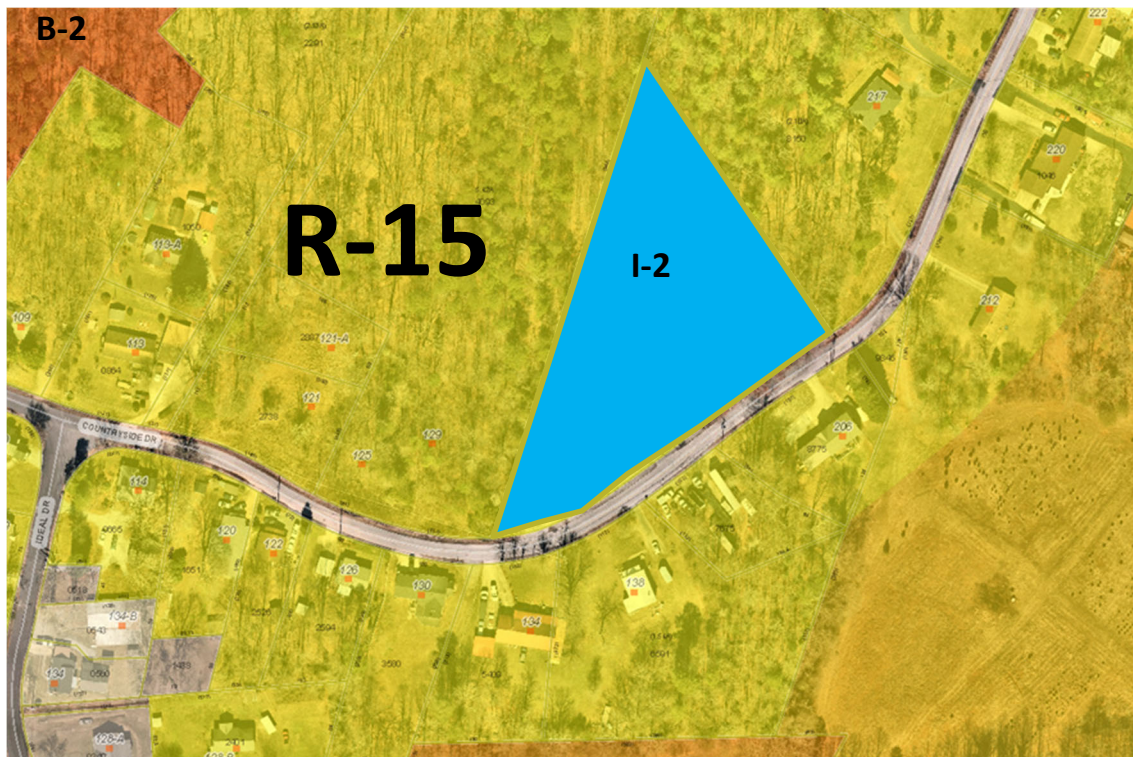
City Council (Public Hearing): Scheduled for July 15, 2025. Notice of the meeting was mailed to abutting owners of all adjacent parcels on July 3, 2025.

EXISTING AND PROPOSED ZONING MAPS

Existing Zoning: R-15



Proposed Zoning: I-2



BACKGROUND AND STAFF ANALYSIS

Zoning Map Amendments

The City of Lenoir Zoning Ordinance establishes an official zoning map/atlas for the City of Lenoir. The zoning map may be amended from time to time by the City Council when public necessity, convenience, general welfare, or good zoning practice justifies the amendment. The zoning map cannot be changed until the Planning Board reviews the request and makes a report to City Council on the proposed change and the City Council holds a public hearing to consider the request.

Reason for Request

The applicant is requesting a zoning change from R-15 (single-family residential) to I-2 (heavy industrial) to continue operations at Whitnel Towing beyond its allowable capacity. The property is under code enforcement for excess noise, oil and gas discharge, and presence of junk and salvage vehicles improperly stored and parked on-premises. City of Lenoir Code Enforcement cannot carry out violations or citations (if necessary) until a determination whether to rezone is made by City Council on July 15, 2025.

Intent of the Zoning Districts

R - 15 Residential (Single-family) District is intended to accommodate low density single-family residences and compatible land uses. R-15 is normally serviced by public water and sewer facilities. Any uses which would adversely affect or interfere with the residential character and development of these areas are excluded.

I - 2 (Heavy Industrial) District is intended to produce areas to accommodate those industrial uses (manufacturing, processing, major vehicle services, junk yards, etc.) which, because of their operation, may be incompatible with surrounding residential and commercial land uses or require large acreage near or adjacent to major thoroughfares and railroad access. Realizing the necessity of providing, maintaining, and preserving land areas for industrial development, all residential uses are prohibited in this zone and commercial uses are limited to those commercial activities that may be supportive of the district or similarly benefit from a location away from sensitive land uses.

Subject and Surrounding Properties

The 2.15 acre subject property is the current site of Whitnel Towing. The property is located east of Ideal Drive, which can be accessed via 321. Because this property is surrounded on all sides by R-15, there are no other businesses in close proximity (closer than 321), so it is purely single-family residential in the area, other than a church zoned O-I off of Ideal Drive. The area immediately surrounding the subject property is zoned R-15, while to the northwest towards Hibriten Drive, properties are zoned B-2. Along Ideal Drive and across 321, there are several properties zoned R-6 (high-density residential).

The subject property has a main office on the left side of the property. The remainder of the property features dozens of junked and repossessed cars. The property is currently under enforcement since the use was not approved as a junkyard or salvage use, but a more traditional towing and recovery business that routinely takes cars off of the property and doesn't disturb the surrounding area with noise or clutter.

Zoning Analysis

The applicant representing the property owners has requested to rezone a property from residential to industrial in an entirely residential area. This is what would be considered a "spot zone" in planning theory. Effectively, when a property is rezoned to a district that is not represented in the area around it, this is generally considered bad practice as it is likely not consistent with what the City's future land use map suggests and it likely isn't compatible with the surrounding area. In this case, rezoning to heavy industrial would be an extreme divergence from residential, especially in a predominantly single-family-zoned area close to the ETJ. Areas zoned heavy industrial are traditionally located in the outskirts of cities so as to not cause major disturbance to surrounding residents.

BACKGROUND AND STAFF ANALYSIS (CONTINUED)

Code Enforcement Concerns

Whitnel Towing has been under enforcement since February for running an unapproved junkyard and not disposing of oil and gas. When the use was approved on the subject property, it only accounted for towing and recovery, but not necessarily storage and certainly not junk or salvage uses. The property also received a notice of violation for improper signage in November 2024, unrelated to the proposed rezoning. City of Lenoir Code Enforcement cannot act on any violations until a determination is made at City Council.

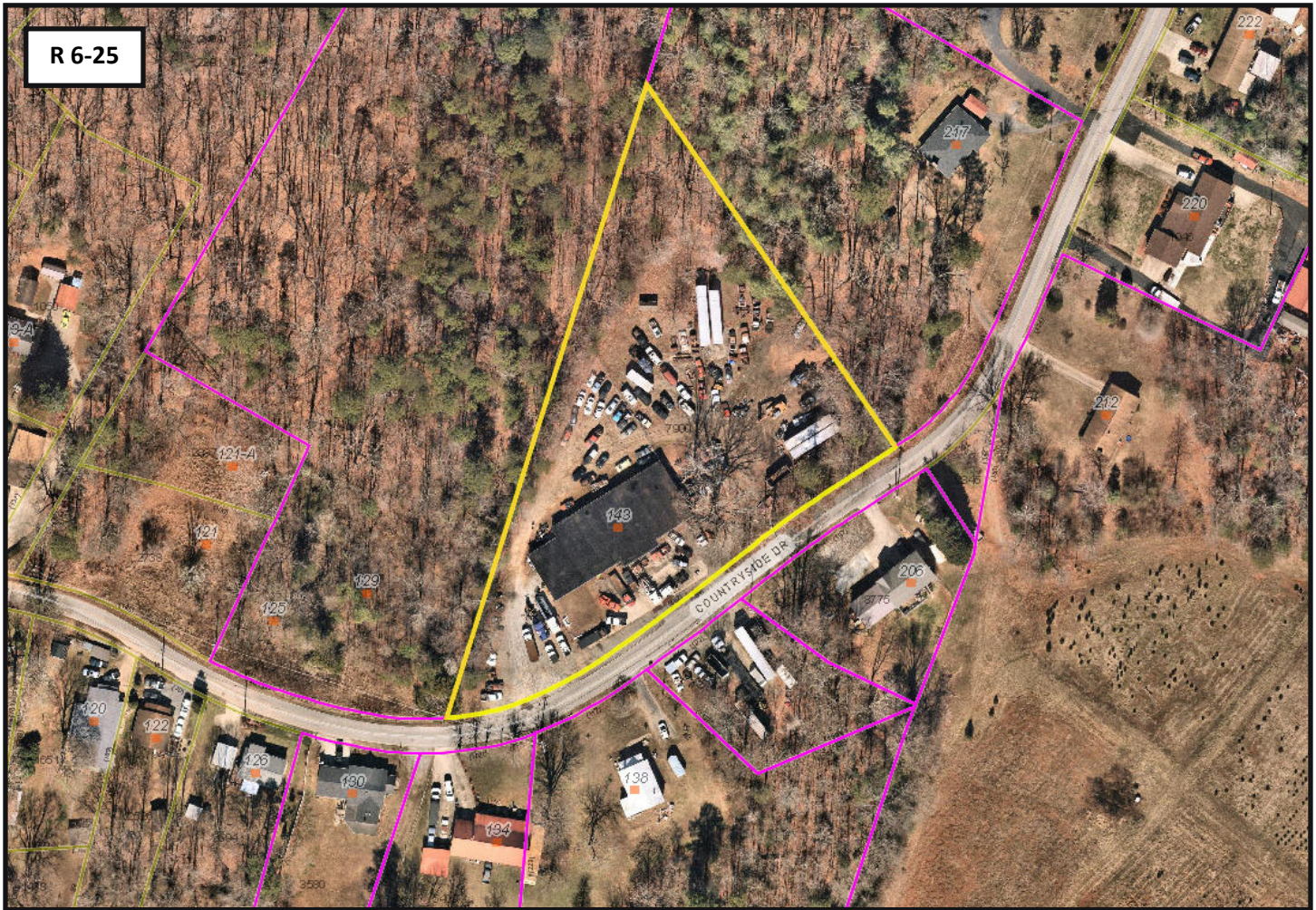
Consistency with the Comprehensive Plan

All decisions of the Planning Board and City Council should be based on consistency of the proposal with the comprehensive plan and any other officially adopted plan that is applicable. The comprehensive plan's future land use map identifies this parcel as "existing medium density residential" in yellow, flanked by additional medium density residential and low density residential to the east. There are existing non-residential zones in the area, but none of those encompass the subject property. Staff finds the proposed rezoning to be inconsistent with the goals and policy concepts of the Comprehensive Plan, as an approval of this proposal would lead to further heavy industrial uses in the middle of a quiet neighborhood intended exclusively for residential.

Next Steps

Following Planning Board, the rezoning request will be brought before a City Council public hearing and voted on. If the City Council votes to approve the rezoning, the applicant will need to apply for a zoning permit to come into compliance with City zoning. If City Council votes to reject the rezoning, the applicant and property owner will be responsible for clearing the property of any junk and salvage vehicles and vehicle parts.

AERIAL PHOTOGRAPHS (SURROUNDING AREA & PROPERTY OWNERS)



Name	Address	City	State	Zip
Thomas Shuford III	1229 CAMELOT CT NE	LENOIR	NC	28645
Edward & Carolyn Lutz	220 COUNTRYSIDE DRIVE SE	LENOIR	NC	28645
Brian & Tanya Henry	206 COUNTRYSIDE DR SE	LENOIR	NC	28645
Robert Reid	2092 SW RACQUET CLUB DR	PALM CITY	FL	34990
Dora Dillingham	138 COUNTRYSIDE DR SE	LENOIR	NC	28645
Robert & Cindy Price	130 COUNTRYSIDE DR SE	LENOIR	NC	28645
Elaine Byrd	126 COUNTRYSIDE DR SE	LENOIR	NC	28645

Comparison of Allowable Uses

Sec. 600 of the Lenoir Zoning Ordinance establishes a chart of permitted and special uses for each zoning district. The R-15 zoning district allows for residential uses. The I-2 zoning district allows for mostly industrial uses and some commercial uses that are compatible with industrial uses that may or may not cause disturbances during operating hours that would otherwise affect residential and smaller commercial operations.

Comparison of Zoning Districts

	R-15	I-2
Development Standards	Min Lot Size— 15,000 sq. ft. for non-residential uses; 20,000 sq. ft. for residential uses Setbacks Front: 40' Side Yard: 15' Street Side Yard: 25' Rear Yard: 35'	Min Lot Size - 0 Setbacks Front: 25' Side Yard: 0' Abutting side Street: 0' Rear Yard: 0', 40' abutting residential or office
Summary of Permitted Uses	Accessory Cottage or Apartment Dwelling, single-family Group Care Facility (1-6 non-related residents) Special Uses: Bed & Breakfast Communication Towers Cultural and Community Facilities Manufactured Home Parks (existing)	Accessory Cottage or Apartment Day Care Centers Eating and Drinking (with and without drive-through) Flea Markets Greenhouses, Commercial Kennels, Commercial Hospitals/Clinics Junk Yard/Salvage Yard Manufacturing & Processing: Boutique/Artisan, Light, Heavy Office (Medical and Dental) Public Service Facilities Personal Storage Recreation, Indoor Rehabilitation Centers/In-Patient Mental Health Facilities Retailing, Light and Intensive Services, Automotive, Major Vehicle, and Business and Personal Shooting Range, Indoor Studios and Specialty Schools Veterinarians Warehousing Special Uses: Agriculture Communication Towers

PROPERTY PHOTOS (824 LOWER CREEK DRIVE)



Vehicles improperly stored at entrance gate on eastern part of the site



Vehicles compacted and stored in the east and northeast part of the site



Front of Whitnel Towing property along Country-side Drive

STAFF RECOMMENDATION AND CONSISTENCY STATEMENT

Staff recommends that the Planning Board deny approval of the request, based on the following consistency statement, and call for a Public Hearing for City Council to consider the request on July 15, 2025:

The proposed zoning map amendment is not consistent with the adopted Comprehensive Plan because it would allow an inappropriate, intensive land use into a low density residentially zoned area. The comprehensive plan's future land use map identifies this parcel as "existing medium density residential" and abuts "existing low density residential" classifications. The proposed amendment does not protect the residential character of the area.

PLANNING BOARD RECOMMENDATION

Planning Board recommends denying approval based upon the above consistency statement.

**LENOIR CITY COUNCIL
TUESDAY, JUNE 17, 2025
6:00 P.M.**

- PRESENT:** Mayor Joe Gibbons presiding. Councilmembers present were Mayor Pro-Tem David Stevens, Jonathan Beal, Ike Perkins, Todd Perdue, Ralph Prestwood, 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, and Public Information/Communication Director Joshua Harris.
- ABSENT:** Parks & Recreation Director Phil Harper.
- Joel Whitford, McGill Associates was also in attendance.

I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Mayor Gibbons asked everyone to keep the family of Andy Day in their thoughts and prayers as Mr. Day passed away on June 14. Mr. Day retired from the Town of Hudson with 30 years of service and served 7 of those years as Chief of Police. Upon retirement, he also worked at CCC& TI as the Director of Basic Law Enforcement for 7 years. Mr. Day served the community and citizens well and will be greatly missed by everyone.

Mayor Gibbons welcomed Major Andy Wilson who has been promoted to Chief of Police effective August 1, 2025. Mayor Gibbons thanked Major Wilson for the great job he is doing and stated Chief Brent Phelps will be missed.

**SPECIAL RECOGNITION;
CHRISTOPHER ROBINSON:**

- C. On behalf of City Council, Mayor Gibbons read and presented a resolution to Lieutenant Christopher Robinson in honor and recognition of his retirement from the Lenoir Police Department effective June 1, 2025.

Mayor Gibbons stated Lieutenant Robinson was a great asset to the City and commended him for all of his accomplishments. He stated he was honored and proud to serve with him.

Chief Phelps stated Lieutenant Robinson was a good representative of the department and a hard worker. Chief Phelps said he always gives 100% and is a "Cop's Cop" which suits him

well.

Additionally, Chief Phelps said the City of Lenoir was fortunate to have him. Chief Phelps shared that Lieutenant Robinson came in last week and assisted the Cadets as they were preparing for their exams because he wants each one to succeed. He remarked that Lieutenant Robinson has a strong dedication to the police profession and the City of Lenoir and congratulated him upon his retirement.

Lieutenant Robinson thanked Mayor Gibbons, City Manager Hildebran and City Council and stated it was an honor to serve with the Lenoir Police Department. He remarked they were a family and a brotherhood. Lieutenant Robinson said he recognized the importance of support from your local government and thanked City Council for everything they have done and continue to do for their profession.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

REZONING; 824 LOWER CREEK DRIVE:

- A. A public hearing was held to consider a rezoning request as submitted by Marty Waters, Applicant, Kestrel Holdings, LLC for property located at 824 Lower Creek Drive NE to be Rezoned from (CZR-15) Conditional Zoning to (B-1) Neighborhood Business as submitted. The Planning Board is in approval of the proposed rezoning based on the following consistency statement:

All decisions of the Planning Board and City Council should be based on consistency of the proposal with the comprehensive plan and any other officially adopted plan that is applicable. The comprehensive plan's future land use map identifies this parcel as "existing medium density residential" in yellow, flanked by "existing non-residential" and "existing high residential density" zones to the south and west and existing medium residential density" to the north and east. The proposed rezoning is consistent with the goals and policy concepts of the Comprehensive Plan, as this would establish and reinforce the presence of either non-residential, lower intensity uses or residential uses should the applicant decide to pursue that route.

Mayor Gibbons opened the public hearing to receive public comments.

Director Williams stated the applicant is requesting a zoning change from CZ/R-15 to B-1 in order to renovate or replace the current Farm Bureau building for future office space, restaurant space, or pursue an opportunity to create multi-family housing. The subject property has a legacy conditional zoning designation and only allows the permitted uses in R-15 and the office use that was established in 1980 and reapproved via special use district in 2007. The property is not considered a legacy conditional zoning district because special use districts are no longer constitutional in the state of North Carolina. The applicant is currently in the due diligence period to acquire the property from Caldwell County Farm Bureau.

Terri Jackson, 817 Hill Farm Street addressed City Council and stated she lives directly behind the Farm Bureau building. Ms. Jackson asked what type of business would locate there.

Director Williams stated that Kestrel Holdings, LLC manages several properties and rents out to tenants. She clarified they were seeking flexibility away from office use. Next, Director Williams read a list of businesses that are permitted in the B-1 zone.

Ms. Jackson asked for a copy of the list of businesses with Director Williams sharing it is available in the agenda packet that is posted on the City's website or she could get one for her.

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

Upon a motion by Councilmember Beal, City Council voted 7 to 0 to adopt the rezoning request to be Rezoned from (CZR-15) Conditional Zoning to B-1 Neighborhood Business for property located at 824 Lower Creek Drive NE as submitted by Marty Waters, Applicant, and as based on the Consistency Statement listed above.

**SPECIAL USE PERMIT;
345 FINLEY AVENUE:**

- B. A quasi-judicial public hearing was held to receive public comments regarding a Special Use Permit for city owned property located at 345 Finley Avenue, NCPIN#284098724 to install a second water tower with improved water pressure and the three (3) conditions listed below and on page 7 of the Staff Report.
1. Any new lighting for the water tower use shall be fully cutoff and shielded so as to eliminate and minimize light spill-over onto adjacent residential properties.
 2. Valid permits and inspections must be obtained for this use, including and any other federal, state, or local regulations that applies.
 3. The applicant must obtain zoning from the Lenoir Planning Department within two years of the issuance of the Special Use Permit (SUP). All proposed changes must adhere to Sec. 819(5-2) North Main Overlay District) of the Lenoir Zoning Ordinance.

Planning Director Williams stated the Planning Board is in approval of the proposed Special Use Permit based on the following consistency statement and the findings of fact (1 through 8) as listed on page 6 of the Staff Report. Director Williams read the 8 findings of fact as information.

All decisions of the Planning Board and City Council should be based on consistency of the proposal with the comprehensive plan and any other officially adopted plan that is applicable. The comprehensive plan acknowledges and encourages utility infrastructure improvements as necessary "depending on the nature of that growth and development." This project falls in line with necessary improvements to infrastructure in conjunction with Lenoir's growth and change.

City Attorney Rohr explained that sworn testimony is given in a quasi-judicial public hearing and recommended that Director Williams submit the Staff Report as evidence and approval is subject to the proposed conditions.

Planning Director Hannah Williams was sworn in by the City Clerk.

Director Williams stated that Public Service Public Utilities Director Jeff Church is in the audience as well as Joel Whitford, PA, McGill Associates if there was any questions.

Director Williams reported the applicant (City of Lenoir) intends to construct a second water tower at 345 Finley Avenue to improve water pressure for nearby Lenoir residents. While this is a City initiated project, public utility projects such as this one require a special use permit in residential neighborhoods. This project is a necessary improvement and establishes a crucial goal towards improving water services in the City of Lenoir.

There being no further public participation, Mayor Gibbons asked Council for action.

Upon a motion by Councilmember Perkins, City Council voted 7 to 0 to adopt the Special Use Permit for city owned property located at 345 Finley Avenue, NCPIN#284098724 to install a second water tower with improved water pressure subject to the three (3) conditions listed above and on page 7 of the Staff Report to be submitted into the record and as based on the Consistency Statement listed above.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, June 3, 2025 as submitted.
- B. Minutes: Approval of the minutes of the Committee off the Whole meeting of Tuesday, May 27, 2025 as submitted.
- C. Closed Session Minutes: Approval of the closed session minutes of Tuesday, May 27, 2025 as reviewed by the City Council, City Manager and City Attorney.
- D. Budget Amendment: Request for amendments to be made to the annual Budget Ordinance for the Fiscal Year ending June 30, 2025 as follows:
 - 1. Approve the reallocation of general fund expenditures for such obligations as needed repairs for various equipment and buildings during the fiscal year as well as professional services for various projects.
 - 2. Approve the reallocation of enterprise fund expenditures such as equipment and contracted services.
 - 3. Approve the funding for Main Street expenditures.
- E. Resolution: Approval of the resolution presented to Lieutenant Christopher Robinson in honor and recognition of 27 years of service to the Police Department, City of Lenoir and its citizens. (A copy of the resolution is hereby incorporated into these minutes as information.)

Upon a motion by Councilmember Perdue, City Council voted 7 to 0 to adopt the above listed items (A through E) on the Consent Agenda as listed 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

PLANNING

BOARD: 1. The Planning Board met on Monday, June 23, 2025 at the City/County Chambers.

COMMITTEE OF THE WHOLE:

- 2. The Committee of the Whole will meet on Thursday, June 24, 2025 at 8:30 a.m. at City Hall, Third Floor Conference Room.

FOOTHILLS REGIONAL AIRPORT AUTHORITY:

- 3. The Foothills Regional Airport Authority will meet on Wednesday, June 25, 2025 at noon at the airport facility.

JUNETEENTH CELEBRATION:

4. The City of Lenoir is hosting a Juneteenth Celebration at the downtown Lenoir Stage on Thursday, June 19, 2025 from 4:00 p.m. to 9:00 p.m. The event is free to the public.

SUMMER CONCERT

- SERIES:** 5. AL G & Friends will be playing Soul, R & B, and Funk at Friday Night Live on Friday, June 20, 2025 on the downtown stage area from 7:00 p.m. – 10:00 p.m.

NEON NIGHT

- RIDE:** 6. The fourth annual Neon Night Ride will be on Friday, June 27, 2025 Lenoir Rotary Soccer Complex. The event begins at 8:30 p.m.

ANNUAL FIREWORKS DISPLAY:

7. The annual Fireworks Display will be held on Saturday, July 5, 2025 beginning at 9:30 p.m. at Optimist Park.

MEETING SCHEDULE:

8. City Council will not meet on Tuesday, July 1 due to the holiday week. The next City Council meeting will be held on Tuesday, July 15 at 6:00 p.m. at the City/County Chambers.

NC BLACKBERRY FESTIVAL:

9. The North Carolina Blackberry Festival will be on Friday, July 11 and Saturday, July 12 in downtown Lenoir. The festival is open from 5:00 p.m. to 9:00 p.m. on Friday and from 9:00 a.m. to 9:00 p.m. on Saturday.

B. Items for Council Action

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

ANNUAL BOARD

APPOINTMENTS/RE-APPOINTMENTS:

- A. Annual Board Appointments/Re-Appointments: Mayor Gibbons will present the following individuals for appointment/re-appointment to the City's Authorities/Boards/Commissions.

Caldwell Railroad Commission

David Stevens (2027)

Todd Perdue (2027)

Parks and Recreation Advisory Board

Melissa Hong (2027)

Rebecca Hites (2027)

Upon a motion by Councilmember Prestwood, City Council voted 7 to 0 to approve the above listed Board Appointments as listed above and as presented by Mayor Gibbons.

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

X. ADJOURNMENT

A. There being no further business, the meeting was adjourned at 6:42 p.m.

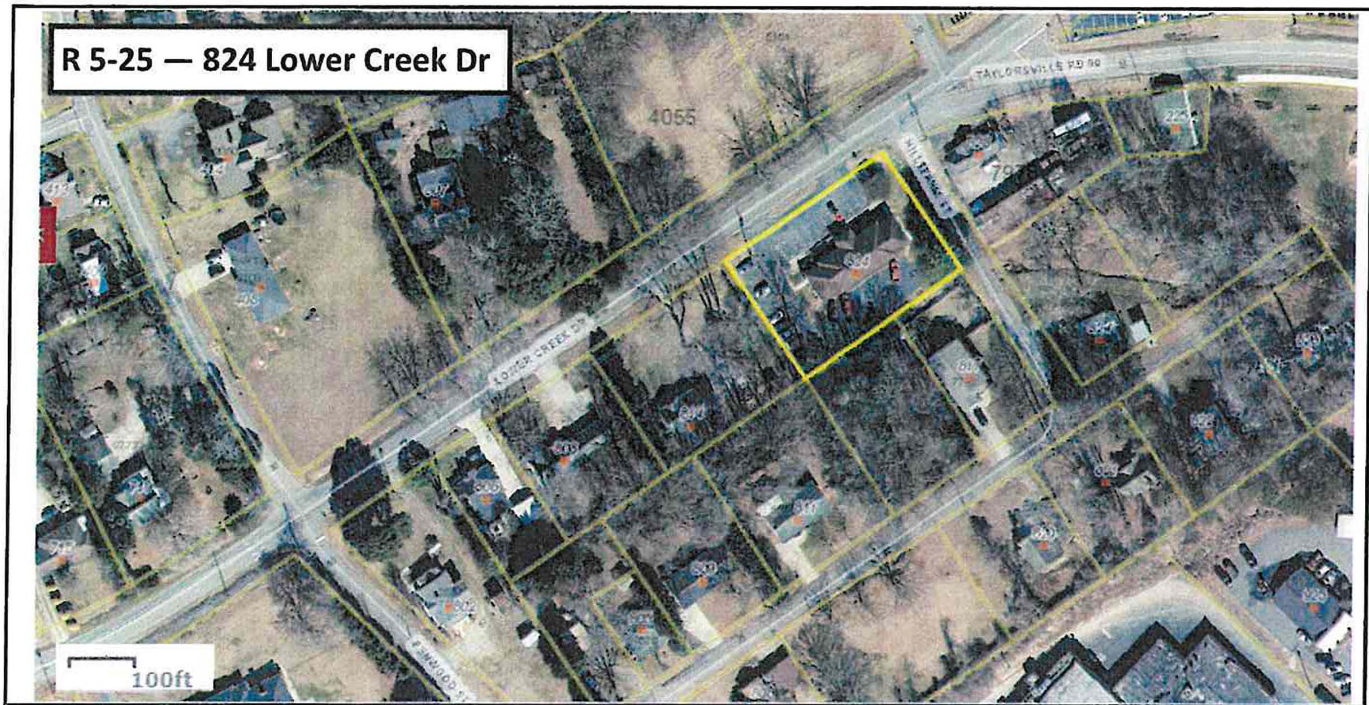
Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor



Staff Report Zoning Amendment CASE NUMBER R #5-25

LOCATION MAP/AERIAL PHOTOGRAPH



SUMMARY

Owner

Caldwell County Farm Bureau
(Matthew Bowman)

Applicant

Kestrel Holdings LLC
(Marty Waters)

Location

824 Lower Creek Dr NE

NC PIN

2850706818

Project Planners

Hannah Williams, AICP, CZO
Matt Duchan, CZO

Description of Request:

The applicant is requesting to rezone the subject property (.6 AC) from CZ-L/R-15 (legacy conditional zoning with R-15 base zoning) to B-1 (neighborhood business) to consider several different development options on the property.

Staff Recommendation:

Approval of the request, based on the consistency statement on page 8.

Planning Board Recommendation:

Approval of the request, based on the consistency statement on page 8.

Public Comment:

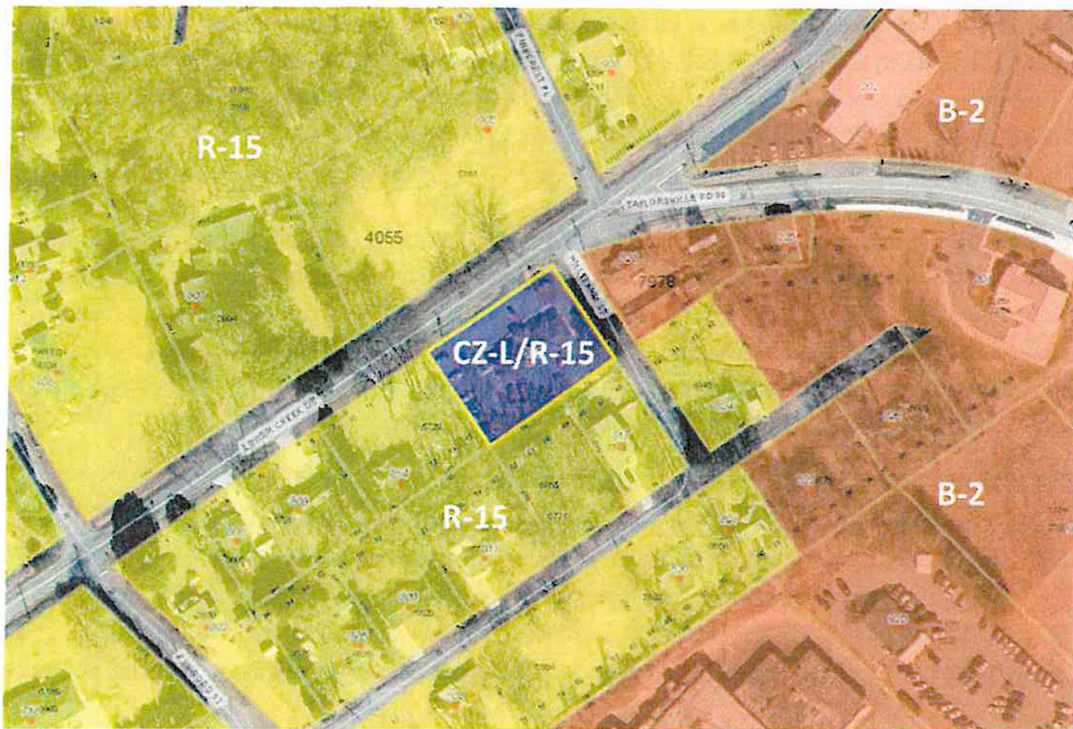
Planning Board Meeting: May 19, 2025.
Notice of the meeting was mailed to the

owners of all adjacent parcels (identified on map above) May 9, 2025.

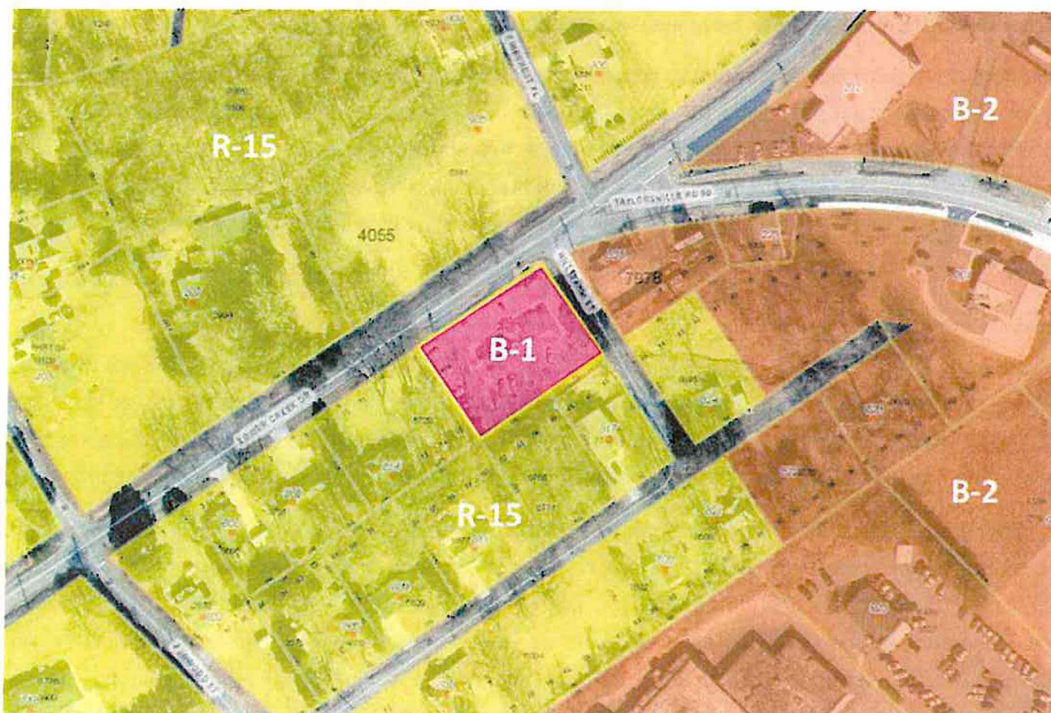
City Council (Public Hearing): Scheduled for June 17, 2025.

EXISTING AND PROPOSED ZONING MAPS

Existing Zoning: CZ-L/R-15



Proposed Zoning: B-1



BACKGROUND AND STAFF ANALYSIS

Zoning Map Amendments

The City of Lenoir Zoning Ordinance establishes an official zoning map/atlas for the City of Lenoir. The zoning map may be amended from time to time by the City Council when public necessity, convenience, general welfare, or good zoning practice justifies the amendment. The zoning map cannot be changed until the Planning Board reviews the request and makes a report to City Council on the proposed change and the City Council holds a public hearing to consider the request.

Reason for Request

The applicant is requesting a zoning change from CZ/R-15 to B-1 in order renovate or replace the current Farm Bureau building for future office space, restaurant space, or pursue an opportunity to create multi-family housing. The subject property has a legacy conditional zoning designation and only allows for permitted uses in R-15 and the office use that was established in 1980 and re-approved via special use district in 2007. The property is now considered a legacy conditional zoning district because special use districts are no longer constitutional in the state of North Carolina. The applicant is currently in the due diligence period to acquire the property from Caldwell County Farm Bureau.

Intent of the Zoning Districts

CZ-L or SUD (Legacy Conditional Zoning District or Special Use Districts) were intended for use in situations where conventional zoning standards were inadequate to facilitate a particular desirable development. A special use district would permit specific use(s) to be allowed and override base zoning. Special use districts were applied as overlay districts and all uses within an SUD were considered "special uses." As soon as the legislative SUD overlay was approved (usually within the same meeting), a quasi-judicial "special use permit" could be approved for whatever use the applicant was requesting that wasn't allowed under the conventional zone.

R - 15 Residential (Single-family) District is intended to accommodate low density single-family residences and compatible land uses. R-15 is normally serviced by public water and sewer facilities. Any uses which would adversely affect or interfere with the residential character and development of these areas are excluded.

B - 1 (Neighborhood Business) District is intended to serve the needs of the surrounding residential neighborhoods by providing convenience goods and services which cater to the everyday needs of the residents. These areas are usually located on small parcels within established neighborhoods, allowing structures built as neighborhood businesses prior to the establishment of zoning to continue to be improved and re-used to suit the changing needs of the neighborhood. It is the intent of this district to protect the integrity of the surrounding residential neighborhoods; and therefore the B-1 district should not normally be extended or new areas established.

Subject and Surrounding Properties

The subject property at the intersection of Hillsfarm Street and Lower Creek Drive approaching Taylorsville Road is .52 acres and can be accessed via Taylorsville Road from Wilkesboro Boulevard where it becomes Lower Creek Drive, or from the West coming from Powell Road. This property is the current location of Caldwell Farm Bureau, but will be vacant in the coming months as Farm Bureau changes location. In 2007, this property was approved to operate as the office for Caldwell Farm Bureau through SUD 8-07.

There is ample parking in the front, side, and rear totaling around 30 parking spaces, with the rear spaces accessible from Hillsfarm Street. The subject property is located adjacent to several residences including those along Pinecrest Place, Pennwood Street, and Hillsfarm Street. East of the fork between Taylorsville Road and Lower Creek Drive is Wildwood Hospitality, a specialized furniture repair company. The area immediately surrounding the subject property is zoned R-15, while to the south is the Wilkesboro Boulevard commercial corridor, where the vast majority of properties are zoned B-2. Beginning at the intersection of Tremont Park Drive and Lower Creek Drive, many properties are zoned R-9 (medium-density residential) and four properties at the corner of Woodhaven Street and Lower Creek Drive are zoned B-1.

BACKGROUND AND STAFF ANALYSIS (CONTINUED)

Special Use Districts Pre-2019

In August 2007, the subject property was approved for a Special Use District (SUD 8-07, now known as Legacy Conditional Zoning District, or, CZ-L) when then-owner Jim Arnette applied to bring Caldwell Farm Bureau into compliance in an R-15 zoning district. Arnette originally requested a traditional rezoning to B-1 from R-15, but upon recommendation by the Planning Board, applied for a Special Use District instead. Planning staff had issued a building permit for the current office space in 1980 during which time the property was allegedly zoned for general business. Staff was unable to locate a record confirming that so planning staff and Jim Arnette pursued a compliant zoning designation.

In the present day, conditional zoning districts have superseded special use districts, wherein conditional zoning is a legislative decision that involves creating a new zoning designation to reflect plans and conditions set forth by the applicant and oftentimes suggested by planning staff. More specifically, North Carolina did away with special use/conditional use districts in 2019 through Chapter 160D in the North Carolina General Statutes (NCGS). The standard practice was to use a conventional district but make all its permitted uses special uses in a parallel SUD/CUD (UNC SOG, 2023). Special use districts essentially allowed for property owners to create a blank slate when, if reasonable, their requested use(s) would be approved and run with the land, and *only those uses*. On the other hand, Conditional zoning as we know it today, is an all-encompassing strategy to establish base zoning as well as set conditions (in addition to permitted uses such as parking, lighting, landscaping, density, etc.) that would run with the land in perpetuity, memorialized through a custom zoning ordinance and concept plan.

Zoning Analysis

The applicant is pursuing a rezone back to B-1 (neighborhood business) to have a wider array of development options after he has acquired the property from Caldwell County Farm Bureau. B-1 permits several residential options, as well as daycare centers, boutique/artisan manufacturing, neighborhood business retail, business and personal services, and studios and specialty schools by-right. The Lower Creek area is far less suitable for B-2 (general business) given the surrounding neighborhood context directly adjacent to the site as well as west of the site along and off of Lower Creek Drive. More intense uses allowed in B-2 such as full-service restaurants, light manufacturing, storage facilities, and automotive services would create too much traffic and noise to reasonably suit the neighborhoods adjacent. A B-1 neighborhood business zoning designation bridges the gap between residential neighborhoods and more intensive uses along high-traffic corridors.

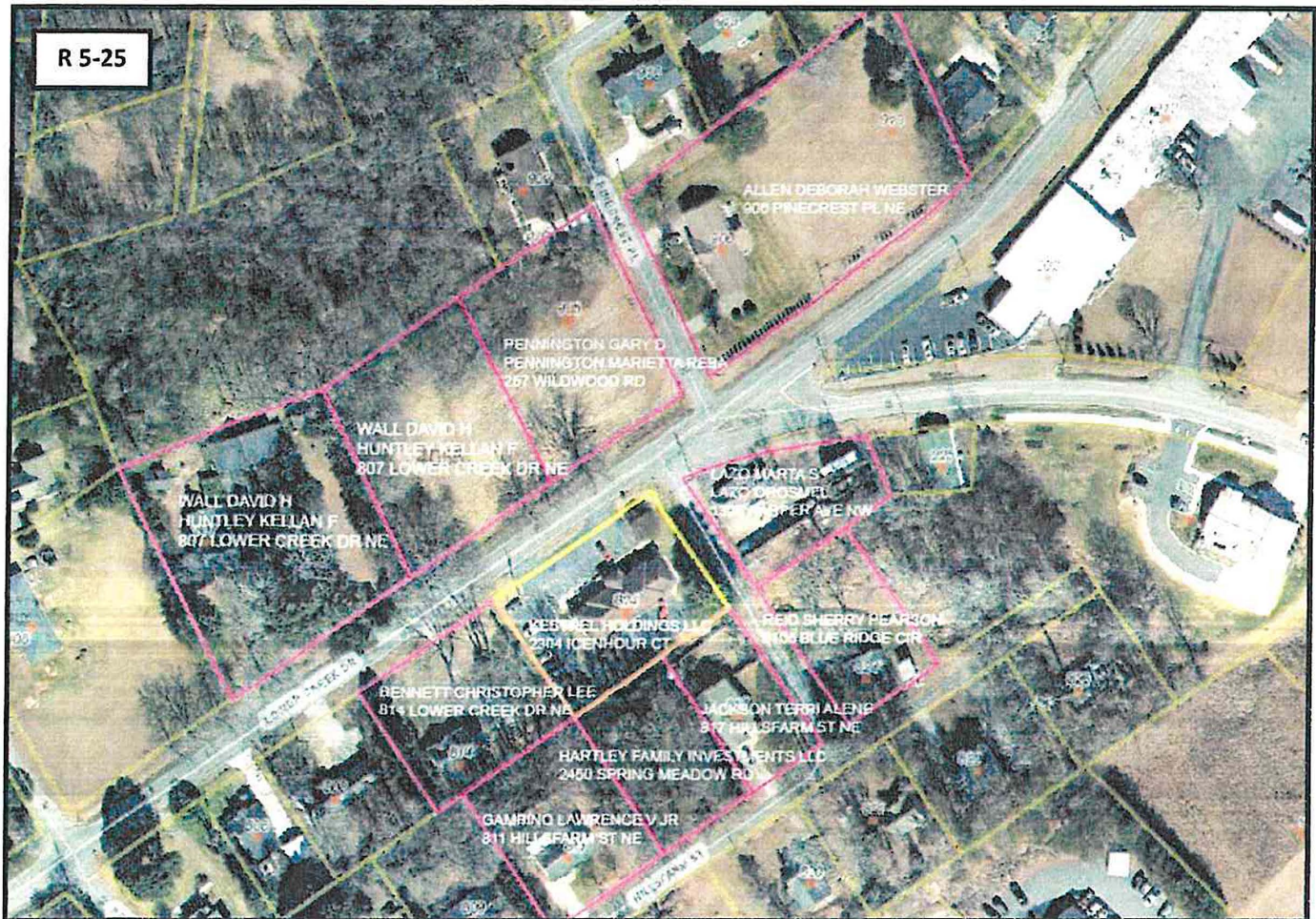
Consistency with the Comprehensive Plan

All decisions of the Planning Board and City Council should be based on consistency of the proposal with the comprehensive plan and any other officially adopted plan that is applicable. The comprehensive plan's future land use map identifies this parcel as "existing medium density residential" in yellow, flanked by "existing non-residential" and "existing high residential density" zones to the south and west and "existing medium residential density" to the north and east. Staff finds the proposed rezoning to be consistent with the goals and policy concepts of the Comprehensive Plan, as this would establish and reinforce the presence of either non-residential, lower intensity uses or residential uses should the applicant decide to pursue that route.

Next Steps

Following Planning Board, the rezoning request will be brought before a City Council public hearing and voted on. Pending approval, the applicant will then submit a zoning permit application along with civil and architectural plans as applicable, which will be reviewed by City of Lenoir planning staff.

AERIAL PHOTOGRAPHS (SURROUNDING AREA & PROPERTY OWNERS)



Name	Address	City	State	Zip
Marta & Orosme Lazo	1308 Harper Ave NW	Lenoir	NC	28645
Sherry Pearson Reid	2105 Blue Ridge Cir	Lenoir	NC	28645
Terri Alene Jackson	817 Hillsfarm St NE	Lenoir	NC	28645
Hartley Family Investments LLC	2450 Spring Meadow Rd	Lenoir	NC	28645
Lawrence V. Gambino Jr.	811 Hillsfarm St NE	Lenoir	NC	28645
Christopher Lee Bennett	814 Lower Creek Dr NE	Lenoir	NC	28645
David Hamilton Wall & Kellan F Huntley	807 Lower Creek Dr NE	Lenoir	NC	28645
Gary & Marietta Pennington	257 Wildwood Rd	Lenoir	NC	28645
Deborah Webster Allen	906 Pinecrest Pl NE	Lenoir	NC	28645
Kestrel Holdings LLC (Marty Waters)	2304 Icenhour Ct	Lenoir	NC	28645

Comparison of Allowable Uses

Sec. 600 of the Lenoir Zoning Ordinance establishes a chart of permitted and special uses for each zoning district. The R-15 zoning district allows for residential uses and the office use approved in 2007. The B-1 zoning district allows for many residential and commercial uses.

Comparison of Zoning Districts

	CZ-L/R-15	B-1
Development Standards	Min Lot Size– 15,000 sq. ft. for non-residential uses; 20,000 sq. ft. for residential uses Setbacks Front: 40' Side Yard: 15' Street Side Yard: 25' Rear Yard: 35'	Min Lot Size - 0 Setbacks Front: 10' Side Yard: 10' Abutting side Street: 10' Rear Yard: 10', 30' abutting residential
Summary of Permitted Uses	Accessory Cottage or Apartment Dwelling, single-family Group Care Facility (1-6 non-related residents) Office/Clinics (SUD 8-07) Special Uses: Bed & Breakfast Communication Towers Cultural and Community Facilities Manufactured Home Parks (existing)	Accessory Cottage or Apartment Bed & Breakfast Day Care Centers Dwelling, Single/Two-Family/Multi-family/Group Eating and Drinking (with or w/o drive through) Manufacturing & Processing (Artisan & Light) Retail (Neighborhood Business) Services (Business & Personal) Studios & Specialty Schools Special Uses: Attached Dwellings (townhomes) Communication Towers Cultural and Community Facilities Eating and Drinking (without drive-through) Flea Markets Group Housing (1-6 non-related residents, no care provided) Planned Residential Development

PROPERTY PHOTOS (824 LOWER CREEK DRIVE)



Front of property facing east on Lower Creek Drive towards Taylorsville Rd. fork



Front of site along Lower Creek Drive (sign behind truck indicating Farm Bureau is moving to Wilkesboro Blvd.



Front of property facing west on Lower Creek Drive in the direction of Lower Creek Elementary and Lower Creek Baptist Church



Rear of property with entry along Hillsfarm Street.

STAFF RECOMMENDATION AND CONSISTENCY STATEMENT

Staff recommends that the Planning Board recommend approval of the request, based on the following consistency statement, and call for a Public Hearing for City Council to consider the request on June 17, 2025:

All decisions of the Planning Board and City Council should be based on consistency of the proposal with the comprehensive plan and any other officially adopted plan that is applicable. The comprehensive plan's future land use map identifies this parcel as "existing medium density residential" in yellow, flanked by "existing non-residential" and "existing high residential density" zones to the south and west and "existing medium residential density" to the north and east. Staff finds the proposed rezoning to be consistent with the goals and policy concepts of the Comprehensive Plan, as this would establish and reinforce the presence of either non-residential, lower intensity uses or residential uses should the applicant decide to pursue that route.

PLANNING BOARD RECOMMENDATION

Planning Board recommends approval of the request, based on above consistency statement.



RESOLUTION

In Recognition of Dedicated Service



WHEREAS, on the 12th of December, in the year 2002, Christopher Alan Robinson was appointed Patrol Officer II for the City of Lenoir Police Department by Chief Jack Warlick and has admirably and with great distinction, served the citizens of Lenoir during the tenures of four Police Chiefs;

THAT, prior to being hired by the City of Lenoir, Chris held a position as Corporal in the Special Police Division at Catawba Memorial Hospital, where he was assigned as Training Officer and Bike Patrol Supervisor. He also worked for Granite Falls Police Department for nearly three years;

THAT, due to his diligent performance and exemplary leadership skills, Chris served on the department's Traffic Team for nearly five years before being promoted to Platoon Sergeant in 2009. He transferred to Investigations and Supervised the Narcotics Division in 2014 before being promoted to Lieutenant in 2015, where he served in a number of capacities including Road Patrol, Logistics and Training Coordinator;

THAT, Lieutenant Robinson has been invaluable as a Recruiter, Mentor to new officers and served on many Oral Assessment Boards at other agencies. He has been a member of our Special Response Team and served as Field Training Officer, Advanced Traffic Crash Reconstructionist, Child Passenger Safety Seat Senior Technician, Safe Kids Secretary, Fraternal Order of Police President and Crisis Intervention Team. He has been instrumental in developing and instructing classes in Basic Law Enforcement, Citizens Police Academy, Driving, General and State Mandated In-Service;

THAT, while working for Lenoir, Chris received the Advanced Law Enforcement Certificate from the NC Criminal Justice Education and Training Standards Commission, completed First Line Supervision, FBI Command College and Police Law Institute and served on a number of Committees;

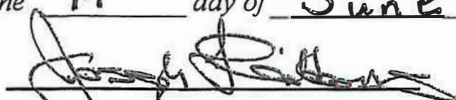
THAT, Lieutenant Robinson has played an active, vital role in the community and shown his willingness to go above and beyond what is expected for the department, city, and community. He has received a number of accolades and awards throughout his career to include the City of Lenoir Golden Rule for excellent Customer Service, Officer of the Year, Certificate of Merit, and completed the FBI-Law Enforcement Executive Development Association Trilogy Program;

THAT, society and law enforcement has undergone many changes and challenges over the last 27 years, and Chris has stayed abreast through those changing trends to remain an effective leader, role model and mentor to all whom he meets;

THAT, Chris has humbly served the citizens of the City of Lenoir and Caldwell County and will be retiring on June 1, 2025 with 27 years of creditable service in the North Carolina Local Government Retirement System.

THEREFORE, BE IT RESOLVED, by authority of the Mayor and City Manager, and on behalf of the City Council, that Lieutenant Christopher Alan Robinson been an exemplary employee and is himself the epitome of the professional Law Enforcement Officer. His contributions to the safety and well-being of the citizens of Lenoir and officers of the Lenoir Police Department will be held in high esteem and in remembrance by this governing body, as well as all persons impacted by his accomplishments, generosity, and compassion for those in need;

THIS, the 17th day of June, 2025.


Joseph L. Gibbons, Mayor


Scott E. Hildebran, City Manager

Tuesday, June 24, 2025
Minutes-Committee of the Whole

**COMMITTEE OF THE WHOLE
TUESDAY, JUNE 24, 2025
8:30 A.M.**

Present: Mayor Joe Gibbons, Mayor Pro- Tem David Stevens, Jonathan Beal, Ike Perkins, Todd Perdue, Ralph Prestwood and Kimmie Rogers.

Staff Present: City Manager Scott Hildebran, City Clerk Shirley Cannon, Finance Director Donna Bean, Economic & Main Street Director Brenda Floyd, Planning Director Hannah Williams, Public Services Public Works Director Jon Hogan, Parks & Recreation Director Phil Harper, Fire Chief Norman Staines. Police Major Andy Wilson, Interim Director of Special Projects & Grants & Risk Management/Purchasing David Coffey, and Communications Director Joshua Harris.

Absent: Councilmember Crissy Thomas and Police Chief Brent Phelps.

Public Services Public Utilities Director Jeff Church participated in the meeting via telephone.

I. CALL TO ORDER

Mayor Pro-Tem David Stevens welcomed everyone and called the meeting to order.

II. CITIZEN COMMENT

- III. Easement; Quest for Life: City Attorney Timothy Rohr presented information regarding a greenway easement across from Quest4Life at the former Lenoir Mall. Attorney Rohr stated Lenoir wants to extend the greenway across the old mall's parking lot to connect to the Mulberry Recreation Center to the segment that runs with Morganton Boulevard to Google. The city already has an easement from Waterlife Church and an agreement in principle with StarLenoir, the two properties on either side of Quest4Life. Hannah Williams and Attorney Rohr have been in contact with Jim Cogdell, who owns Quest4Life, and their attorney for a couple years by telephone, email, and regular mail, without making any progress. Attorney Rohr discussed statutory liability protections for entities that have greenway easements across their property and displayed a map of the property, pointing out where the easement would be likely located on the property.

Director Williams shared there appears to have been a change of management at Quest4Life recently which has offered hope of movement on their part. Director Williams and Attorney Rohr asked City Council for direction if they do not get a positive response from Quest4Life in the near future.

Motion

Based on City Attorney Rohr's advice, Councilmember Perdue made a motion to authorize Attorney Rohr to proceed with sending a notification letter to Quest for life and to authorize him to seek condemnation if a response is not received. This motion carried with a 6 to 0 vote.

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IV. PUBLIC SAFETY

A. Update; Police Department: Police Major Andy Wilson presented the following report regarding the recent Cadet Camp.

CADET Camp –

- 30 Cadet's age 10-15 participated in the event.
- The camp was for 5 days from 9:00 a.m. – 4:00 p.m.
- The Cadet's participated in Police Demo's, Investigations, Social Media, etc.
- The group took a field trip to Big Foot Climbing Gym.
- Toured the NC Forest Service Hanger and Aviation Museum.
- Participated in Water Safety training at the Aquatic Center.
- Participated in NC Wildlife Boater/Water Safety, Fishing Regulations, etc. at Johnny Wilson's Farm.
- An Awards Ceremony was held at the Police Department with their parents in attendance. They also attended a Hickory Crawdads baseball game where they were recognized.
- Detective Hartley was promoted to Lieutenant.
- The Department held a Detective process and Corporal Shane Woodward was promoted to Detective. Detective Woodward will be taking over Lieutenant Hartley's duties.

Employees-

- (2) Trainees graduated the Basic Law Enforcement Training (BLET) at Caldwell Community College & Technical Institute (CCC&TI) on Monday, June 16.
 - Elsie Alward
 - Joshua Earp
 - They will begin orientation training this week and are waiting their certification notification to return from Training and Standards
- (2) Trainees (Dalton Inman & Robert Reed) graduated BLET and will begin on June 30, 2025.
- (2) Trainees (Austen Absher & Nathan Conner) graduated BLET and will begin on July 14, 2025.

The Police Department presented the following two (2) items for Council's consideration of approval:

1. Legal Representation for the Police Department:

Major Wilson reported that Attorney Bob Thomas has represented the Police Department since 1988 and plans to fully retire as of July 2025. He stated in recent years, Bob has only represented both the Lenoir Police Department and Marion Police Department. In trying to find comparable service, the Police Department contacted Smith, Rodgers, & Aldridge PLLC. Major Wilson said this firm comes highly recommended and is used by numerous agencies within our region. The annual contract amount is \$16,293 and he stated the amount will increase if anything is added to the contract. He further clarified the Police Department will continue to retain Attorney Angie Clark.

Staff requests that City Council approve this contractual agreement with Smith, Rodgers, and Aldridge to represent the Lenoir Police Department in legal matters as presented.

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

Tuesday, June 24, 2025
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Motion

Upon a motion by Councilmember Prestwood, City Council voted 6 to 0 to adopt the contractual agreement between the Lenoir Police Department and Smith, Rodgers, & Aldridge PLLC as submitted and as recommended.

2. Surplus Property; Burke County Sheriff's Office:

Major Wilson reported after purchasing the additional police K9's back in January, Staff began looking for additional K9 inserts for police vehicles in order to transfer the K9's safely. He stated the Police Department continues to seek out ways to expand cost saving measures. In February, the Department learned the Burke County Sheriff's Office had a K9 kennel insert manufactured for a 2021 Ford Explorer they offered to exchange. In return, Burke County requested a prisoner transport insert for the same vehicle. The Police Department requests City Council approve the surplus of a prisoner transport insert to the Burke County Sheriff's Office in order to complete the exchange.

Motion

Upon a motion by Councilmember Beal, City Council voted 6 to 0 to accept the surplus K9 kennel insert from the Burke County Sheriff's Office and approve the surplus of a prisoner transport insert that will fit a 2021 Ford Explorer to the Burke County Sheriff's Office in order to complete the exchange as presented.

A. Update; Fire Department: Fire Chief Norman Staines presented the following report:

- 36 Smoke Detectors were installed on June 7th as part of Smoke Detector Saturday.
- In addition to the fire at the Taco trailer, a fire occurred in a freezer at JBS that had crews on the scene for an extended time. The Fire Department also received assistance from the Regional HazMat team from Asheville.
- Two incidents of flooding occurred within the past few weeks. The first flood event occurred on a Saturday night with some road closures, but no major damage. The second flood event occurred last Thursday and had some extensive damage with at least one house having approximately 3 feet of water in it.
- Staff has completed training on our new Utility Terrain Vehicle (UTV).
- As calls allow, staff is out working on their assigned hydrant inspections and flows.
- Following the death of the Hickory Firefighter, the Fire Department staffed an engine company for three (24) hours shifts at Hickory Station # 5. Also, the Department assisted Conover Fire Department with displaying the American flag at the funeral home.

II. PUBLIC SERVICES

A. Public Services Public Works: Public Services Public Works Director Jon Hogan presented updates on the following projects:

1. **LFD Infrastructure Repair (Sinkhole):** WK Dickson is working on plan amendments based on McGill Associates utility relocation plans.
2. **Hospital Avenue Sidewalk Project:** A formal letter is being sent to AT&T and they have started on the relocation. Mattern & Craig is working on scheduling a pre-construction meeting and project handoff and is planning to send a Notice to Proceed (NTP) in July.
3. **Phase II Gateway Project:** Destination by Design is working on bid documents and NCDOT is working on encroachments. These reports will be submitted to NCDOT by end of month.
4. **Clock Tower:** The steel was delivered and Spann began processing and cutting it last week. Staff is

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Minutes-Committee of the Whole

working through communication issues with Spann Welding and the Western North Carolina Sculpture Center.

5. **Greenway Links:**

- **BL-0065 Morganton Blvd to Mulberry Rec:** A draft RFOLI has been completed and should be sent out within the next 2 weeks.
- **HWY 18 Crossing:** Mattern & Craig is working on the submittal to NCDOT.

6. **Beautification Projects:**

- **Harper Planters:** The planters have been shipped.
 - **Downtown:** Staff is currently doing mulching and river rock installation.
7. **Harper Avenue Streetscape:** Staff held the first of two public meetings on June 16 for the Harper Avenue Streetscape project. Around 25 attendees participated in the meeting and a survey is also available for citizens to take that could not attend the meeting.
 8. **Traffic Signal Analysis:** National Data & Surveying Services completed traffic counts and provided a report. Mattern & Craig is currently working on development of a Signal Warrant Analysis which may be available around mid-June.
 9. **Greenway Forestry Mulching:** The City is on schedule for 5 Days (40 hrs.) of forestry mulching. The project will start on the Western end (Red Roof) and move east along the greenway.
- B. Public Services Public Utilities: Public Utilities Director Jeff Church presented updates on the following projects:
1. Finley Water project: The tentative bid award by Council is scheduled for the July 15, 2025 meeting. McGill Associates will submit the Project Bid Information package to the Division of Water Infrastructure (DWI) after the Resolution of Tentative Award is approved and signed. McGill's contract amendment for extended construction phase services is also scheduled for the July 15 Council meeting.
 2. East Harper and Ridge St. / West Ave. Sewer Replacements: The re-bid is scheduled for Thursday July 24, 2025 at 11:00 am. The project will be bid and awarded as two (2) separate contracts.
 3. Lenoir-Valdese Water Interconnect: The evaluation is being reviewed internally and will be provided to City staff upon completion.
 4. Lenoir-Hickory-Granite Falls Water Interconnect: The funding application for Helene state revolving funding is being prepared for submittal in late July/early August. A funding resolution will be presented at the July 15 City Council meeting for consideration of approval.
 5. Water and Sewer AIA: City staff is currently reviewing water and sewer mapping to fill in inventory gaps and provide feedback to McGill Associates for this project.

III. COMMUNITY DEVELOPMENT

- A. Lenoir Tourism Development Authority: The Lenoir Tourism Development Authority did not meet in June. Brenda Floyd, Economic & Main Street Director presented the following report on current activities.

LTDA/Tourism Photographer with Compass Media Group

- The original photographer cannot fulfill our contract and Staff is fielding several others.
- The Committee is working to identify Lenoir assets to build a media library for tourism promotion.

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LBAB

- Staff will schedule Main Street Training this fall in August or September for a Refresher course.

America 250

- Leading Lenoir and Events subcommittee are scheduling meetings.
- Mayor Gibbons attends all Caldwell County America 250 and sub-committee meetings.

Social District Renewals

- Annual renewals for the social district are being conducted.
- Winnifred (Intern) will complete these when she returns from vacation after July 4th

Extend the social district

- Joy Amatuuccio business owner of Sunshine and Chaos spoke at June Council Meeting about expanding the social district.
- Currently, staff is explaining how local government works and fielding likeminded property and business owners questions.

Meet Me in the Garden

- May ticketed event by Hibriten Garden Club raised funds to donate for Triangle Park beautification.
- Public Utilities will meet with the Club to design improvements and execute this project in the fall.

Blackberry Festival 18 days away

- Filling volunteer shifts.
- New this year is the acoustic stage.
- Filled all vendor spots with over 500 applications.

Downtown Events

6/20 International Yoga Day on square/free classes.

- 9:30 a.m. Beginner yoga class starts.
- 10:30a.m. Every body yoga class starts.
- 2 Kids/Family Yoga.
- 6-7 Sip n' Stretch yoga.

6/27 Neon Night Ride was held on May 30. Last year we had approximately 150 riders.

- Assisting Parks & Rec

7/4 Independence Day Downtown

- 10:00 a.m. - Patriotic Promenade & family stroll in downtown.
- 10:30 a.m. – Daughters of American Revolution Program include Mayor Gibbons reading proclamation at the Charters of Freedom and the Boy Scout Troop will lead the Pledge of Allegiance.
- Mayor Gibbons will introduce the band at the downtown stage area.
- 11:00 a.m. - The Brass Band Concert will play a 45 minute set ending with Star Spangled Banner.

- B. Planning Board: The Planning Board met on Monday, June 23. Hannah Williams, Planning Director presented the following report.
- Reported Tim Scobie is retiring from the Board and the Board welcomed new member Joey Petrack.
 - Reported Freese and Nichols, Inc. presented the Comprehensive Plan at the meeting and remarked the Plan will be very helpful.
 - The R6-25 rezoning request for Countryside Drive will be on the July 15 City Council agenda. Also, a public hearing is scheduled for July 15 regarding the code enforcement issues at Papa Johns.
 - Burger King plans to install a sidewalk in the near future following their remodel and landscaping.
 - Currently accepting applications for a new planning technician.

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C. Parks and Recreation Advisory Board: The Parks & Recreation Board did not meet in June. Recreation Director Phil Harper presented the following report:

- A Ribbon Cutting was held on Saturday, June 14 at 10:00 a.m. at the new splash pad located at the Rotary Soccer Complex with around 40 people attending.
- The Summer Food program is going well.
- An Elementary Pop-Up event was held on Saturday, June 21 with 12 families attending.
- An Adult Men's Soccer Tournament was held (1-day event) and 8 local teams within a 100 mile radius participated in the tournament.
- Waterlife Church will have food trucks available for the July 5th fireworks event. There will also be music and the annual foam event for children.
- The Summer youth basketball league was held at the Martin Luther King, Jr. (MLK) Center. Around 60 basketball players and 25 cheerleaders participated.
- Registration is underway for the Summer Basketball Camp at the Martin Luther King, Jr. Center on July 9 & 10.
- Open swim attendance is going well and our largest day was June 7 with 265 recreational swimmers.

1. Finance and Administration: Finance Director Donna Bean presented the Financial Summary of May 31, 2025 to City Council as follows:

- A. May Financial Summary: Director Bean reported the General Fund's Over/Under balance as of May 31, 2025 is \$888,571.16, the Downtown District is \$12,413.12 and the Water & Sewer Fund is \$766,898.41. She further presented a Financial Summary by Department and stated the financials are where they should be. Additionally, Director Bean stated she is working on closing out the fiscal year ending June 30, 2025 plus working on tax bills.

(A copy of the May Financial Summary is attached to these minute as information.)

- B. Capital Project Budget Amendment: Director Bean presented a Capital Project Budget Amendment in the amount of \$430,000 to be made to the capital budget ordinances for the fiscal year ending June 30, 2025. The purpose of the budget amendment is to authorize transferring funding into the departmental budget lines.

(A copy of the Capital Project Budget Amendment is attached to these minutes as information.)

Motion

Upon a motion by Councilmember Beal, City Council voted 6 to 0 to approve the Capital Project Budget Amendment in the amount of \$430,000 as recommended by Finance Director Donna Bean.

IV. Interim Director of Special Projects and Grants David Coffey gave the following updates on Projects:

Playgrounds

- The new 5-12 year old set is installed at Mulberry and the new 2-5 year old set is installed at West End. The gravel is being installed today for a drainage base under the mulch. Then we will install a geo fabric over top of the grave to create a separation between the gravel and mulch. The mulch is being delivered Wednesday and Thursday. Weather permitting we will have the playgrounds complete and opened back up by the end of the week.

Mulberry Recreation Center

- The contractor (Precision Contracting, David Grey) was hoping to be wrapping up the project

Tuesday, June 24, 2025
Minutes-Committee of the Whole

by the end of June, but rain and waiting on some of the products to come in have held them up a little. The new gutters are being installed this week. The outdoor basketball court has been pressure washed, and is being repainted this week. Building maintenance will be installing new ceiling fans in the large meeting room. The new tables are scheduled to be delivered today which will give MLK 10 new round folding tables and 60 new padded folding chairs.

Aquatic Center

- We are still in the design phase and getting pricing on some of the updates to consider the feasibility of the new features we hope to install. We are very happy with the new design and layout at this facility as it will make the function of the facility much better. We are scheduled to do a 100% plan review on Wednesday, June 25. The contractor has a schedule to go out to bid around July 7th with a completed project by April 2026.
- The Splash Pad project is 99% complete and the remaining small items will be done by staff. The project has turned out well and is getting a lot of use by the public.

The Campus

- The design team at Maurer Architecture is making progress on the design and is planning to have a 90% page turn meeting for plan review around July 11th. A subcontractor outreach was held on June 6th with eight different subcontractors showing up. J.M. Cope is planning to go out to bid by the end of July and provide the notice to proceed to the subcontractors in August.

VII. OTHER

- A. July Calendar: The calendar for the month of July was provided in the packet as information listing Committee meetings and upcoming events.
- B. Closed Session: Pursuant to N.C.G.S. §143-11.a(5), and upon a motion by Councilmember Perdue, City Council entered into closed session to discuss personnel.
- C. Open Session: Upon a motion by Councilmember Prestwood which carried unanimously, City Council re-entered into open session.

Mayor Gibbons stated City Council has done an evaluation for City Manager Scott Hildebran and recommends a 3% salary increase effective the next pay period as recommended by Council.

Mayor Gibbons expressed Council's appreciation to Mr. Hildebran for all he does along with keeping Council well informed and up-to-date on matters. Mayor Gibbons stated Council was proud of Mr. Hildebran and referenced how active he is locally and across the state.

City Manager Hildebran thanked City Council for the privilege of working for the City of Lenoir, such a great Council, and all Staff members. He referred to how City Council supports education for Staff and how it helps build our culture.

VIII. ADJOURN

Tuesday, June 24, 2025

Minutes-Committee of the Whole

A. There being no further business, the meeting was adjourned at 10:12 a.m.

Attachments

Smith, Rodgers, & Aldridge PLLC Contractual Agreement

May Financial Summary

Budget Amendment

SMITH RODGERS & ALDRIDGE, PLLC

A Professional Limited Liability Company

Contract to Retain Smith Rodgers & Aldridge PLLC for 24-Hour Law Enforcement Legal Support

Agreement made by and between the **Lenoir Police Department** (hereinafter the "Client") and Smith Rodgers & Aldridge PLLC; (hereinafter the "Attorneys" or "SRA"). [NOTE: *Smith Rodgers PLLC has changed its name to Smith Rodgers & Aldridge, PLLC.*]

SECTION ONE PURPOSE AND NATURE OF EMPLOYMENT

In recognition of the legally-intensive and high-consequence nature of police supervisory decision-making, the Client employs the Attorneys to provide state-of-the-art "24/7" legal consultation services in support of the performance demands placed upon modern professional law enforcement organizations operating in an increasingly complex justice system. Under this contract, consultation provided to the Client by the Attorneys will generally pertain to "real-time" or "tactical" legal needs arising under either of two circumstances:

- (1) Criminal investigations for which real-time police decision-making requires or may be enhanced by the judgment and intervention of skilled police counsel, and with the objective of maximizing the ultimate admissibility of criminal evidence or probability of a successful court prosecution;
- (2) Legal uncertainty arising as the result of any other law enforcement tactical situation, law enforcement response incident, or law enforcement circumstance for which imminent police action or supervisory-level decision-making may expose the Client, its agents and employees, to civil liability risk.

By the terms of this contract, the Attorneys shall be available for real-time law enforcement legal consultation 24 hours a day, 365 days a year, without absence or leave for holiday, sick time, "day off," or other interruption of service (barring extraordinary and unforeseen circumstances). The Attorneys shall be prepared for continuous availability for the immediate and real-time consultation needs of the Client, to include maintaining law enforcement legal subject matter expertise as well as continuous telephone access, maintaining access to essential legal resource materials at all times (including while "away from the office"), and by taking such other and further steps as may be expeditious in meeting the "continuously on call" demands of the Client's reasonable expectations under this contract.

As necessary to keep 24/7 tactical legal fees affordably priced for all agencies, the parties agree as follows: This legal services contract is for the Client's "real-time" or "tactical" legal questions only. Examples of real-time tactical questions are as set forth in the attachment, Sample Client Calls. Tactical legal questions do *not* include such matters as on-site legal training, policy revision projects, review or drafting of legal instruments, time-intensive research projects, negotiation of conflicts or strategies with outside counsel, filing motions or briefs, litigation or court appearances, management of subpoena objections, travel, or conferencing. Additional legal services can be billed or paid by separate agreement or "proposed invoice" upon agreement with client.

Client requests for tactical real-time legal services will be handled by the Attorneys without limitation, regardless of the number of such requests received, their complexity, or the day of week or time of day such requests are initiated. These requests for service will be handled in real-time by the Attorneys around-the-clock. In all cases, Client's telephone calls to the SRA 24-hour Call Center, regardless of nature, will be handled immediately by a qualified SRA Attorney. [The term "Attorney" as used in this Agreement may in some instances include a specially-trained paralegal working under the supervision of an attorney.]

Legal consultation shall generally be by telephone. In the event of a legal consultation need for which the Client desires assistance, the Client shall contact the SRA 24-hour Call Center and thereupon inform the receptionist of the

general nature of the legal issue. The SRA receptionist shall immediately "call out" the designated attorney(s) who will immediately contact the Client at the phone number provided.

The Attorneys undertake to provide legal consultation and advice consistent with prevailing legal standards, not necessarily the Client's internal policy and procedure. The Client will conform the legal advice provided to more restrictive internal policy and procedure should such be necessary or appropriate in the judgment of the Client.

The parties agree that law enforcement legal inquiries not requiring real-time analysis, including matters that can be more leisurely or effectively referred to the offices of district attorneys, attorneys general, or city/county attorneys (etc.), should ordinarily be directed to those offices for resolution in accordance with their standard operating hours and practices. The parties agree and understand that such "coordination of services" is for the universal benefit of all SRA law enforcement Clients statewide, and serves to keep SRA "emergency lines open" while ensuring that 24-hour police consultation services remain practical, affordable, and cost-effective.

In recognition of the importance of the law enforcement command structure, the Attorneys and Client agree that it may be advisable for officers to first attempt to resolve legal uncertainties with an immediate supervisor prior to seeking to initiate services under the contract. Further, Chiefs and Sheriffs in their judgment may elect to designate a specific command level threshold (such as Lieutenant or Captain) through which authorization must be granted in order to initiate services under the contract. The parties agree and understand that the consultation services provided under the contract are principally for the Chief/Sheriff and command staff. Officers working in special assignments or functions (such as CID, civil process deputies and execution specialists, narcotics investigators, youth division detectives, etc.) may be granted permission to initiate services without the intervention or approval of a supervisor. The parties agree that this Agreement is not an employment contract, and that the Attorneys are not and will not be employees of the Client.

Consistent with the Attorneys' efforts to keep 24-7 real-time legal consultation reasonably affordable for as many agencies as possible, these additional terms are set forth:

- Analysis of cases arising under Article 37 of Chapter 14 (lotteries, video gaming, sweepstakes, etc.) are uniquely within the province of District Attorneys and cannot be included as "tactical legal needs."
- Management of extensive public records requests, and direct subpoena management and consultation, may exceed the coverage of this Agreement or otherwise fall within the province of city/county attorneys; general legal guidance by way of summary review and recommendation may nevertheless be provided in the customary fashion.
- Other subject matter may be excluded if so requested by a city/county attorney.
- At Client's option, legal inquiries not requiring an immediate response may be submitted via email rather than through the 24-hour Call Center.
- At Client's option, the client may inform the 24-hour Call Center that an immediate call-back is not essential; whether urgent or not, an immediate call-back remains the Client's prerogative.

SECTION TWO LIMITATION OF REPRESENTATION

The parties understand and agree that the Attorneys' services on behalf of the Client shall be limited to those activities delineated in Section One. It is expressly agreed that the Attorneys will not serve as trial counsel, or otherwise undertake to replace the services ordinarily available through the offices of city/county attorneys, district attorneys, or other government counsel offices operating on standard schedules.

And whereas the legal services to be provided under this contract may tend to be "emergency" in nature; and whereas the Client will ordinarily be seeking expedited if not instantaneous legal opinions to guide its prospective and imminent law enforcement actions, it is further acknowledged and expressly agreed by all parties that the attorneys will undertake to provide expedited legal opinions in such instances, and that the attorneys may and will formulate and

communicate such legal opinions “on the spot” without the benefit of the incident-specific legal research opportunities and time-intensive deliberations and reflections customary in conventional private practice settings.

SECTION THREE CONFLICT OF INTEREST

The Client and the Attorneys acknowledge that in the course of a given legal inquiry, the legal interests of the Client Agency and the legal interests of individual officer(s) may potentially conflict. In such circumstance the Attorneys will provide legal consultation that in their judgment will serve the best interests of the police agency Client. The Attorneys do not undertake to represent the legal interests of individual officers where the interests of officer(s) may be in conflict with those of the Client.

SECTION FOUR ATTORNEYS’ FEES

The Client agrees to pay the Attorneys, upon execution of this Contract, a fee of **Sixteen Thousand Two Hundred and Ninety-Three Dollars (\$16,293)** to assure that the Attorneys shall be available for the term set forth in Section Five below to provide the legal services and expertise set forth in Section One above. This fee constitutes the full sum payable by the Client for the term of services. This fee is not refundable, as it represents a fee for the Attorneys’ continuous availability and expertise over the life of the Contract, and is not in the nature of a fee for specific services rendered. *[NOTE: The fee would be refundable if for any reason required by the Rules of Professional Conduct of the North Carolina State Bar.]*

Smith Rodgers & Aldridge cannot undertake to serve in the capacity of *general counsel* for its client agencies, and recognizes the continuing importance of city and county attorneys in their respective legal roles and local government law specialties.

This Agreement is intended for **operational (principally patrol and investigations) ‘tactical’-type calls** (see “Sample Client Calls,” incorporated into this Agreement by reference at policehelp.net). If the Client requests legal services beyond those covered by this Agreement, such services may be provided by SRA (with the advance approval of local government counsel, as appropriate in certain instances). SRA will bill such services separately. Smith Rodgers & Aldridge strives to make real-time, tactical legal consulting fair, cost-effective, and affordable for as many North Carolina agencies as possible.

Examples of services which are not considered tactical:

- In-depth analysis of public records requests, document redaction compliance, project oversight and management (*Compare: general questions about basic public records law may be considered ‘tactical’*)
- Subpoena compliance management, preparation of written objections, negotiation with defense or plaintiff’s counsel, etc. (*Compare: general questions about subpoena legal issues may be considered ‘tactical’*)
- Firearm permit matters involving research into out-of-state databases, historical conviction analysis under state codes, etc. (*Compare: general questions about concealed permit law may be ‘tactical’*)
- Civil Process writ management, analysis of extensive civil case file documents, negotiation or coordination with plaintiff or debtor counsel, memo drafting for clerks of court, etc. (*Compare: a deputy’s direct call from the scene of an eviction in progress may be ‘tactical’*).
- Extensive analysis of federal and state legislative platforms (Drivers Privacy Protection Act, video gaming TROs, Ryan White CARE Act), MOUs, government contracting, etc. (*Compare: general questions and “chats” about such topics may be ‘tactical’ at the basic level*)
- Detention Center regulatory compliance management (*Compare: general questions about detention issues and the North Carolina Administrative Code may be ‘tactical’*)

SECTION FIVE
EFFECTIVE DATE/TERM

This Agreement shall be in effect for one year, beginning **XXX, 2025**, and ending **XXX, 2026**.

SECTION SIX
AVAILABILITY OF TELEPHONE SERVICE

The Attorneys will make reasonable efforts to ensure that they are available by telephone and pager as set forth in Section One above. Availability will include the occasional use of cellular phones as well as conventional landline phones. Cellular coverage may vary depending on location, terrain, atmospheric conditions, and equipment. The Attorneys undertake to avail themselves of the best cellular coverage and equipment possible, but cannot be responsible for coverage problems beyond their control. The Client approves the use of cellular phones, emails, and texts under the terms of this Agreement, accepting these limitations and acknowledging that communications may be intercepted by individuals with certain equipment.

SECTION SEVEN
TERMINATION

Either party to this contract may, at any time, terminate the services described in Section One, upon notice to the other party. In such event, the parties agree that the Attorneys shall return to the Client a pro-rata share of the retainer fee described in Section Four above, based on the portion of the term of this contract then remaining. The pro-rata refund will be calculated based on the number of days remaining in the contract.

SECTION EIGHT
NOTICE

Any notices required under this contract shall be in writing and shall be deemed to have been duly served if delivered in person to the party for whom it is intended, or if delivered at or sent by registered or certified mail to the business address of the person for whom it is intended, as specified in this Agreement. The addresses are specified as the following:

SMITH RODGERS & ALDRIDGE PLLC
Post Office Box 4803
Greensboro, NC 27404-4803

Chief Brent Phelps
1035 W Avenue NW
Lenoir, NC 28645

SECTION NINE
ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties and any prior understanding or representation of any kind preceding the date of this Agreement shall not be binding on either party except to the extent incorporated in this Agreement.

SECTION TEN
MODIFICATION OF AGREEMENT

Any modification of this Agreement or additional obligation assumed by either party in connection with this Agreement shall be binding only if in writing signed by each party or an authorized representative of each party.

IN WITNESS WHEREOF, EACH PARTY TO THIS AGREEMENT HAS CAUSED IT TO BE EXECUTED AT GREENSBORO/ LENOIR, NORTH CAROLINA, ON THE DATES INDICATED BELOW.

SMITH RODGERS & ALDRIDGE PLLC

BY:

(date)

LENOIR POLICE DEPARTMENT
(or Town of Lenoir)

BY:

(date)

 City of Lenoir Financial Summary As of 05/31/2025 					
General Fund					
	2024-2025 Budget	5/31/2025	% of Budget	Change from Previous Year	5/31/2024
Total Revenue	\$ 23,751,580.00	\$ 22,129,561.99	93%	\$ 638,294.63	\$ 21,491,267.36
Expenditures	\$ 23,751,580.00	\$ 21,240,990.83	89%	\$ 1,764,684.77	\$ 19,476,306.06
Over/Under	\$ -	\$ 888,571.16		\$ (1,126,390.14)	\$ 2,014,961.30
Downtown District					
	2024-2025 Budget	5/31/2025	% of Budget	Change from Previous Year	5/31/2024
Revenues	\$ 264,700.00	\$ 276,640.96	105%	\$ (10,543.17)	\$ 287,184.13
Expenditures	\$ 264,700.00	\$ 264,497.84	100%	\$ (15,413.09)	\$ 279,910.93
Over/Under	\$ -	\$ 12,143.12		\$ 4,869.92	\$ 7,273.20
Water/Sewer Fund					
	2024-2025 Budget	5/31/2025	% of Budget	Change from Previous Year	5/31/2024
Revenues	\$ 11,770,028.00	\$ 10,788,372.82	92%	\$ 433,431.65	\$ 10,354,941.17
Expenditures	\$ 11,770,028.00	\$ 10,021,474.41	85%	\$ 408,216.20	\$ 9,613,258.21
Over/Under	\$ -	\$ 766,898.41		\$ 25,215.45	\$ 741,682.96



City of Lenoir
Financial Summary By Department
As of 5/31/2025



General Fund

	BUDGET	5/31/2025	% OF BUDGET
REVENUE			
PROPERTY TAXES	\$ 10,557,689.00	\$ 10,859,446.01	103%
SALES TAX	\$ 6,100,000.00	\$ 4,866,773.55	80%
FRANCHISE TAX	\$ 2,410,000.00	\$ 1,885,127.79	78%
SOLID WASTE FEE	\$ 1,111,000.00	\$ 1,029,272.39	93%
OTHER	\$ 3,572,891.00	\$ 3,488,942.25	98%
TOTAL	\$ 23,751,580.00	\$ 22,129,561.99	93%
EXPENDITURES			
GENERAL GOVERNMENT	\$ 2,165,979.00	\$ 2,043,512.80	94%
PLANNING	\$ 545,031.00	\$ 427,302.92	78%
POLICE	\$ 7,569,543.00	\$ 7,135,036.86	94%
FIRE	\$ 5,522,655.00	\$ 4,760,274.91	86%
RECREATION	\$ 1,810,535.00	\$ 1,696,884.39	94%
PUBLIC WORKS			
Administrative	\$ 362,604.00	\$ 264,987.77	73%
Cemetery & Grounds	\$ 1,328,240.00	\$ 1,167,971.01	88%
Building Maintenance	\$ 512,860.00	\$ 472,927.37	92%
Sanitation	\$ 1,136,766.00	\$ 1,009,282.21	89%
Streets	\$ 2,467,418.00	\$ 1,957,151.22	79%
Vehicle Services	\$ 329,949.00	\$ 305,659.37	93%
TOTAL	\$ 23,751,580.00	\$ 21,240,990.83	89%
OVER/UNDER	\$ -	\$ 888,571.16	

Downtown District

	BUDGET	5/31/2025	% OF BUDGET
TOTAL REVENUES	\$ 264,700.00	\$ 276,640.96	105%
TOTAL EXPENDITURE	\$ 264,700.00	\$ 264,497.84	100%
OVER/UNDER	\$ -	\$ 12,143.12	

Water/Sewer Fund

	BUDGET	5/31/2025	% OF BUDGET
--	---------------	------------------	--------------------

REVENUE				
WATER SALES	\$	7,585,127.00	\$ 7,085,505.12	93%
SEWER SALES	\$	3,622,901.00	\$ 3,323,505.29	92%
OTHER	\$	562,000.00	\$ 379,362.41	68%
TOTAL REVENUES	\$	11,770,028.00	\$ 10,788,372.82	92%
EXPENDITURES				
ADMIN & ENGINEERING	\$	625,706.00	\$ 534,025.52	85%
WATER RESOURCES	\$	414,700.00	\$ 388,424.94	94%
RHODHISS PLANT	\$	3,306,278.00	\$ 2,652,570.21	80%
WATER DISTRIBUTION	\$	2,366,447.00	\$ 2,334,049.28	99%
WASTEWATER COLLECTION	\$	1,842,826.00	\$ 1,303,612.69	71%
WASTEWATER PRETREATMENT	\$	203,656.00	\$ 162,828.96	80%
GUNPOWDER WASTEWATER PL	\$	984,868.00	\$ 737,876.18	75%
LOWER CREEK WASTEWATER PL	\$	2,025,547.00	\$ 1,908,086.63	94%
TOTAL EXPENDITURE	\$	11,770,028.00	\$ 10,021,474.41	85%
OVER/UNDER	\$	-	\$ 766,898.41	

2024-2025 Fiscal Year
Capital Project Amendment
Tuesday, June 24, 2025

Request for amendment to be made to the capital budget ordinances for the fiscal year end 6/30/2025.

ITEM 1: ALLOCATE FUNDING TO THE CAPITAL PROJECT FUNDS UTILIZING ARPA FUNDS PREVIOUSLY MOVED TO FUND BALANCE.

	Use	Increase	Decrease
	PARTF Capital Project - Local Funding	40,000.00	
	Hospital Avenue	200,000.00	
	Stormwater Planning	190,000.00	
	Fund Balance for previous capital purchases		430,000.00
	TOTAL	430,000.00	430,000.00



City of Lenoir Police

1035 West Avenue NW
 Lenoir, North Carolina 28645
 (828) 757-2100 • Fax (828) 757-2103



Council Action Form

I. Agenda Item:

II. Background Information:

III. Staff Recommendation:

IV. Reviewed by:

City Attorney: _____	Date: _____
City Manager: _____	Date: _____
Police Chief:  _____	Date: _____

REQUEST TO SURPLUS CITY PROPERTY

Department Requesting Disposal of Surplus Property	
Date of Request	7/2/2025
Department Name	Police Department
Contact Name	Major Andy Wilson
Phone	828-757-2100

ITEM	QTY	CODE*	SERIAL/VIN #	MAKE	MODEL YEAR	MILEAGE/ MACHINE HOURS	REASON FOR REQUEST	CURRENT LOCATION OF THE ITEM	ORIGINAL PURCHASE PRICE	DATE OF PURCHASE	ESTIMATED SALVAGE VALUE	ITEM IN WORKING ORDER Y/N	APPROVED TO LIST ON GOVDEALS
													☐
Sig Sauer P-320 Pistol	1	S1	58J478025	Sig Sauer			Retirement	PD	\$ 764.00	9/1/23		Y	☐
Police Badge (Chief)	1	S1	N/A	Blackinton			Retirement	PD	\$ 128.00	Unk		Y	☐
													☐
Retiree: Chief Brent Phelps													☐
													☐

* Please enter one CODE per item: (S1) Obsolete (S2) Too Costly to Maintain (S3) Beyond Repair (S4) Cannibalized

APPROVED BY	DATE

ITEM	DATE OF SALE	SELLING PRICE	DATE OF DEPOSIT	BUDGET CODE FOR DEPOSIT	DATE ITEM REMOVED FROM INVENTORY		BY WHOM - SIGNATURE	DATE ITEM REMOVED FROM INSURANCE	BY WHOM - SIGNATURE	DATE TAG CANCELLED OR TRANSFERRED	BY WHOM - SIGNATURE

ALL SURPLUS ITEMS ARE LISTED ON GOVDEALS IN ACCORDANCE WITH CITY OF LENOIR RESOLUTION NO. 6-2007, NC GENERAL STATUTES 160A-270 AND NCGS 160A-270 (c)

CITY OF LENOIR
COUNCIL ACTION FORM

- I. Agenda Item:** Consideration to approve Amendment No. 1 to the Agreement for Engineering Services – Dated October 25, 2022 for McGill Associates for the Construction Phase of the Finley Area Water System Improvements project.

Background Information: Caldwell Tanks, Inc. was the lowest responsive, responsible bidder for the Finley Area Water System Improvements-Contract B re-bid. Contract B is the installation of a 150,000 gallon elevated storage tank. The contractor requested they be able to complete tank installation and painting before any additional structures are erected as part of this project.

This request extends the construction timeline by approximately seven (7) months.

McGill Associates is requesting an amendment of the Engineering Services Agreement dated October 25, 2022 in the amount of \$105,000, for additional construction phase services and CFR time related to extending the construction time for the construction contract scope by seven (7) months from the original agreement.

The original Construction Phase contract amount was \$276,000 the requested amended Construction Phase contract amount is \$381,000.

- II. Staff Recommendation:** Staff recommends City Council approve the requested Amendment No. 1 to the Agreement for Engineering Services-dated October 25, 2022, as presented.

- III. Reviewed by:**

City Attorney: _____

Finance Director: _____

Public Works/Public Utilities Director: Jeff Church

AMENDMENT NO. 1
to the
AGREEMENT FOR ENGINEERING SERVICES – DATED OCTOBER 25, 2022

NOW, THEREFORE, in consideration of the mutual covenants herein set forth and other good valuable consideration, the parties agree to amend the Agreement for Engineering Services as follows:

Section 2 – Basic Services shall be amended as follows:

2.4 CONSTRUCTION PHASE

2.4.21 Additional construction phase services and CFR time related to extending the construction time for the construction contract scope by seven (7) months from the original agreement.

Section 6 – Payment to the Engineer, Article 6.1.1 shall be amended to the following lump sum fee:

6.1 PAYMENT FOR BASIC SERVICES

Construction Phase

\$381,000

In accordance with the Agreement for Engineering Services, the Owner agrees to pay the ENGINEER the amounts noted above for the Additional Services rendered as outlined in this Amendment No. 2.

CITY OF LENOIR

McGILL ASSOCIATES, P.A.

Scott Hildebran
City Manager

Douglas Chapman, PE
Vice President-Regional Manager

Date: _____

Date: _____

ATTEST: _____
Shirley M. Cannon
City Clerk

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

By: _____
Donna Bean
Finance Director

CITY OF LENOIR
COUNCIL ACTION FORM

- I. Agenda Item:** Consideration to approve the revised Capital Improvement Plan (CIP). The revised CIP reflects adjustments to the March 25, 2025 approved plan. The adjustments allow for the funding of the Finley Area Water System Improvements project.

Background Information: Bids were received, via a re-bid, on May 20, 2025 for the Finley Area Water System Improvements project. Contract A is for installation of project related line work and Contract B is for the installation of a 150,000 gallon elevated storage tank.

The March 25, 2025 approved CIP needs to be modified by adjusting project timelines and allocating \$3,500,000 in Capital Reserve Funds to fully fund the project. This allocation is in addition to an ARPA appropriation of \$6,948,640 for the project.

- II. Staff Recommendation:** Staff recommends City Council approve the revised CIP as presented.

- III. Reviewed by:**

City Attorney: _____

Finance Director: _____

Public Works/Public Utilities Director: Jeff Charch

Table 1
City of Lenoir
Water and Sewer Fund
Capital Improvements Plan - 2025

Water Improvements

Project Number	Project Description	10-Yr CIP Cost	Current 2025	Year 1 2026	Year 2 2027	Year 3 2028	Year 4 2029	Year 5 2030	Year 6 2031	Year 7 2032	Year 8 2033	Year 9 2034	Year 10 2035	Years 11-15
Vehicles and Equipment														
7130	Water Treatment Vehicles and Equipment	699,000	138,900	192,000	80,000	166,000	49,000	50,000	52,000	54,000	56,000			300,000
7131	Distribution System Vehicles and Equipment	595,000	125,000	272,000	59,000		62,000	64,000	-	67,000	71,000			200,000
7132	Water Resources Vehicles and Equipment	-	157,500											75,000
7133	Water Admin/Engineering Vehicles and Equipment	25,000	110,000	25,000										75,000
Subtotal - Water Vehicles and Equipment		1,319,000	531,400	489,000	139,000	166,000	111,000	114,000	52,000	121,000	127,000	-	-	650,000

Capital Project funded or patially funded using external source(s). ARPA, Direct Allocation, etc.

Capital Project funded or patially funded using debt issue(s)

Water Improvements continued

Project Number	Project Description	10-Yr CIP Cost	Current 2025	Year 1 2026	Year 2 2027	Year 3 2028	Year 4 2029	Year 5 2030	Year 6 2031	Year 7 2032	Year 8 2033	Year 9 2034	Year 10 2035	Years 11-15
Distribution System														
1	Finley Water System Improvements	2,491,360	6,948,640	2,491,360										
2	Major Pressure Reducing Valve Vaults	710,000		350,000	360,000									
3	Divisional Valve Replacements	464,000	100,000	130,000		110,000	110,000		114,000					
4	US321 Mt Herman Rd - Betterments	140,000				140,000								
5	Hudson Waterline Relocation 321 Pine Mtn Rd Betterments	190,000				190,000								
6	Hudson Water Line Relocations	-				-								
7	Joyceton Water Improvements	170,000		170,000										
8	Valdese System Interconnect	17,000,000			17,000,000									
9	Morganton Blvd Water Line - Phase 1	1,000,000		1,000,000										
10	Whitnel Transmission Line Replacement to Sawmills	6,060,000				6,060,000								
11	Walt Arney Road Water Line Replacement	660,000					660,000							
12	Pleasant Hill Road Water Improvements	780,000						780,000						
13	Whitnel-Cajahs Water Pump Station	2,450,000								2,450,000				
14	Lead Service Line Replacements - Phase 2	-	500,000											
15	Lead Service Line Replacements - Phase 3	1,000,000		1,000,000										
16	Zacks Fork to Cottrell Hill Water Supply Loop	-												1,650,000
17	Whitnel Transmission Line Replacement - to Whitnel	-												13,010,000
18	Hwy 18 (Mgt Blvd) Water Line Upgrade	-												3,860,000
19	Hickory-Granite Falls-Lenoir Interconnection	-												32,680,000
20	Water Line Replacements	2,800,000				600,000		700,000		700,000		800,000		1,500,000
Water Treatment														
21	Sedimentation Basin Repairs	2,040,000			1,000,000	1,040,000								
22	Residual Systems Upgrade	2,340,000				2,340,000								
23	Add 3rd Whitnel Finished Water Pump and VFD	1,000,000				1,000,000								
24	Retrofit all Cahah Pumps and Switchgear	270,000							270,000					
25	Add 3rd Raw Water Pump and VFD	1,330,000							1,330,000					
26	Filter Valve Upgrades	1,900,000							1,900,000					
27	Finished Water Pump Station Upgrades	1,330,000							1,330,000					
28	Backwash Supply Improvements	370,000							370,000					
29	Operations Building Upgrades	2,150,000							2,150,000					
30	Clearwell Baffles	15,000			15,000									
30	Clearwell Replacement	-												4,860,000
31	Water Treatment Plant Expansion - 18MGD	-												71,290,000
32	Generator and Electrical System Loop	-												3,710,000
Subtotal - Water Infrastructure Improvements		48,660,360	7,548,640	5,141,360	18,375,000	11,480,000	770,000	1,480,000	7,464,000	3,150,000	-	800,000	-	132,560,000
Current Year (FY25) CIP: Water Improvements			8,080,040											
10-Yr CIP: Water Improvements FY26-35		49,979,360	-	5,630,360	18,514,000	11,646,000	881,000	1,594,000	7,516,000	3,271,000	127,000	800,000	-	133,210,000

Capital Project funded or patially funded using external source(s). ARPA, Direct Allocation, etc.

Capital Project funded or patially funded using debt issue(s)

Table 1
City of Lenoir
Water and Sewer Fund
Capital Improvements Plan - 2025

Wastewater Improvements

Project Number	Project Description	10-Yr CIP Cost	Current 2025	Year 1 2026	Year 2 2027	Year 3 2028	Year 4 2029	Year 5 2030	Year 6 2031	Year 7 2032	Year 8 2033	Year 9 2034	Year 10 2035	Years 11-15
Vehicles and Equipment														
7140	Collection System Vehicles and Equipment	1,369,000	115,000	769,000		112,000		116,000	120,000	124,000	128,000			400,000
7141	Wastewater PreTreatment Vehicles and Equipment	-	-	-	-	-		-	-	-	-	-	-	
7142	GPC Wastewater Treatment Vehicles and Equipment	15,000		15,000										75,000
7143	LC Wastewater Treatment Vehicles and Equipment	225,000	135,250	225,000										175,000
Subtotal - Wastewater Vehicles and Equipment		1,609,000	250,250	240,000	769,000	-	112,000	116,000	120,000	124,000	128,000	-	-	650,000
Collection System														
1	Ridge Street Sewer Replacement	1,300,000		1,300,000										
2	Extend Sewer System / Easement Acquisition	75,000		75,000										
3	East Harper Avenue Sewer Replacement	550,000		550,000										
4	Boxwood St Sewer Relocation	390,000			390,000									
5	Pennton to Hwy 18 Sewer	1,130,000					1,130,000							
6	Main Street (Valway to 321) Sewer Replacement	1,140,000					1,140,000							
7	Rehab Blairs Fork Outfall	890,000					890,000							
8	Gunpowder Creek Interceptor Replacement	3,460,000					3,460,000							
9	Zacks Fork Sewer Replacement	2,350,000					2,350,000							
10	Meadowood Upstream Sewer Replacement	1,780,000							1,780,000					
11	Meadowood Lift Station Improvements	500,000						500,000						
12	Golf Course Sewer Replacement	4,290,000										4,290,000		
13	Manhole Improvements	1,190,000			210,000		220,000		240,000		250,000		270,000	
14	Sewer Line Replacements	5,000,000					1,000,000			2,000,000			2,000,000	
Wastewater Treatment														
15	GPWWTP Drywell Repairs, Carport for Flammables Storage	70,000		70,000										
16	Lower Creek WWTP Mixers	1,660,000			1,660,000									
17	Lower Creek WWTP Diffusers and Concrete Repairs	2,550,000			2,550,000									
18	Septage Receiving Station / Vactor Dump	640,000				640,000								
19	Lower Creek WWTP Equalization Basin	3,780,000				3,780,000								
20	Lower Creek WWTP Treatment Improvements	7,630,000						7,630,000						
21	Gunpowder Creek WWTP Future Upgrades	-												12,000,000
22	Lower Creek WWTP Future Upgrades	-												30,000,000
Subtotal - Wastewater Improvements Infrastructure		40,375,000	-	1,995,000	4,810,000	4,420,000	10,190,000	8,130,000	2,020,000	2,000,000	250,000	4,290,000	2,270,000	42,000,000
Current Year (FY25) CIP: Wastewater Improvements			250,250											
10-Yr CIP: Wastewater Improvements FY26-35		41,984,000		2,235,000	5,579,000	4,420,000	10,302,000	8,246,000	2,140,000	2,124,000	378,000	4,290,000	2,270,000	42,650,000
	Capital Project funded or patially funded using external source(s). ARPA, Direct Allocation, etc.													
	Capital Project funded or patially funded using debt issue(s)													
Total Water and Wastewater Capital Improvements Plan														
Current Year (FY25) CIP: Total Water/Wastewater				8,330,290										
10-Yr CIP: Total Water and Wastewater		91,963,360	-	7,865,360	24,093,000	16,066,000	11,183,000	9,840,000	9,656,000	5,395,000	505,000	5,090,000	2,270,000	175,860,000

**CITY OF LENOIR
COUNCIL ACTION FORM**

- I. Agenda Item:** Consideration of a Capital Project Budget Ordinance revision for Finley Water System Project.
- II. Background Information:** Attached for your consideration is a Capital Project Budget Ordinance revision to authorize activities for the Finley Water System Project to improve the water distribution system to increase the water pressure in the Finley area. Due to increases in costs, additional funding of \$648,640 being allocated from ARPA funding and local capital reserve funding of \$2,491,360 being allocated, the budget for the Finley Water System needs to be revised. The original budget was \$6,300,000 and needs to be revised to \$9,440,000 due to additional construction, engineering and geotechnical costs as well as time extensions for the project.
- III. Staff Recommendation:** Request City Council to revise the Capital Project Budget Ordinance for the Finley Water System Project to \$9,440,000.00.
- IV. Reviewed By:**
- City Attorney:
- Finance Director: *Donna Bean*
- Public Works/Public Utilities Director:

Capital Project Ordinance for the City of Lenoir

Finley Water System Project - Revised

BE IT ORDAINED by the City Council Members of the City of Lenoir, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby revised:

Section 1: The project authorized activities for the Finley Water System Project to include the expenditure of grant funds to improve the water distribution system to increase the water pressure in the Finley area. Funding will be received from the American Rescue Plan funding through the State Fiscal Recovery Fund Grant as well as Capital Reserve funds.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

Section 3: The following revised amounts are appropriated for the project:

	Amount	Change	Revised Amount
Administration Costs	299,000.00	(264,000.00)	35,000.00
Engineering Costs	632,000.00	209,150.00	841,150.00
Construction Cost	5,369,000.00	2,787,050.00	8,156,050.00
Contingency		407,800.00	407,800.00
Total	<u>\$ 6,300,000.00</u>	<u>\$ 3,140,000.00</u>	<u>\$ 9,440,000.00</u>

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

	Amount	Change	Revised Amount
ARPA Funding	6,300,000.00	648,640.00	6,948,640.00
Capital Reserve		2,491,360.00	2,491,360.00
	<u>\$ 6,300,000.00</u>	<u>\$ 3,140,000.00</u>	<u>\$ 9,440,000.00</u>

Section 5: The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Project Ordinance.

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

Section 7: The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this Board.

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

Adopted this 15th day of July, 2025.

Mayor

Clerk

PROJECT BUDGET

Finley Area Water System Improvements

City of Lenoir

5/20/2025

Description	Base Bid
CONSTRUCTION COSTS	
Contract A - Water Lines and Pump Station	\$ 6,092,350
Contract B - Water Tank	\$ 2,063,700
Contingency	\$ 407,800
TOTAL CONSTRUCTION COSTS	\$ 8,563,850
Design and Permitting	\$ 338,000
Bidding and Award	\$ 18,000
Construction Phase Engineering	\$ 276,000
Additional Construction Phase Services	\$ 105,000
Geotechnical	\$ 21,800
Construction Materials Testing	\$ 80,000
Funding Administration	\$ 35,000
Planning	\$ -
Easement Prep, Easement Acquis, Legal Costs	\$ 2,350
Grant Fee	\$ -
TOTAL PROJECT COSTS	\$ 9,440,000

Revenue Sources	
ARPA Grant	\$ 6,300,000
ARPA Grant Amendments	\$ 648,640
Additional Funding	\$ 2,491,360
Local City Funds	
Funding Total	\$ 9,440,000
Closing Costs (2%)	\$ -
TOTAL PROJECT COSTS	\$ 9,440,000





RESOLUTION

In Recognition of Dedicated Service



WHEREAS, on the 3rd day of June, 1996, Brent Phelps was appointed Patrol Officer by Chief Jack Warlick and has admirably and with great distinction, served the citizens of Lenoir during the tenures of three Police Chiefs, until taking on that role himself in 2018 on the 1st day of August;

THAT, due to his dedication and diligence in performing in an exemplary manner, Brent advanced through the ranks, being promoted to Detective in the Narcotics Unit from 1999 to 2002, until his promotion to Patrol Sergeant. In 2003, he was selected as Patrol Lieutenant, where he served until 2006, at which time he transferred back to Investigations. In 2009, he pivoted into the role of Professional Standards under Support Services, where he worked until being selected as Captain in 2012;

THAT, Brent has been an invaluable member of the department, serving as Mentor, Special Response Team Member and Instructor, teaching Firearms and Law Enforcement classes internally, externally and college BLET curriculums. He has contributed greatly in the areas of our K9 Program, Investigative procedures, NextGen 911, and Field Training/Evaluation Program. Brent has also played an active, vital role in the community, most recently serving as Board Member, Vice Chair and Chair President of the Caldwell County Shelter Home, Board Member for the Robin's Nest, and a number of committees to include Domestic Preparedness, Incident Command, Criminal Justice Advisory, and NC League of Municipalities Police Chief Advisory. He graduated in the 231st Session of the NC FBI National Academy, later serving as Regional VP/President and NC Chapter President;

THAT, while working for Lenoir, Brent earned his Bachelors of Applied Arts and Science in Criminal Justice from Lees-McRae College, received the Advanced Law Enforcement Certificate from the NC Criminal Justice Education and Training Standards Commission, received and held his Sig Sauer Armorer Certification, and completed the Municipal Administration and UNC PELA programs;

THAT, he has shown a willingness to go above and beyond what was expected. Under his leadership, the department implemented the first certified Critical Incident Stress Management Team for the state, collaborated with the Western Piedmont Council of Government on the Unsheltered Initiative, assigned full-time School Resource Officers in every public school in the city, and established the first C.A.D.E.T. camp for local students ages 10-15;

THAT, society and law enforcement as a whole has gone through many changes over the last 30 years, and Brent has stayed abreast through those changing trends, making significant contributions throughout his career and humbly serving the citizens of the City of Lenoir and Caldwell County. He will be retiring under the North Carolina Local Government Retirement System on August 1, 2025;

THEREFORE, BE IT RESOLVED, by authority of the Mayor and City Manager, and on behalf of the City Council, that Chief Brent Phelps has been an exemplary employee, and is himself the epitome of the professional Law Enforcement Officer. His contributions to the safety and well-being of the citizens of Lenoir and officers of the Lenoir Police Department will be held in high esteem and remembrance by this governing body, as well as persons impacted by his accomplishments;

THIS, the _____ day of _____, 2025.

Joseph L. Gibbons, Mayor

Scott E. Hildebran, City Manager

Resolution

Honoring Shirley M. Cannon

WHEREAS, Shirley M. Cannon started working as an Administrative Assistant for the City of Lenoir, North Carolina, on May 11, 1998, and she was promoted to City Clerk on Aug. 16, 2004; and

WHEREAS, during her career, Shirley earned accreditation as a North Carolina Certified Municipal Clerk, and she earned certifications as Certified Municipal Clerk and Master Municipal Clerk from the International Institute of Municipal Clerks; and

WHEREAS, Shirley has served two Mayors – David W. Barlow and Joseph L. Gibbons; 17 City Councilmembers; and four City Managers – James H. Hipp, H. Lewis Price, W. Lane Bailey, and Scott E. Hildebran; numerous department heads and staff in the performance of her duties; and

WHEREAS, a City Clerk plays a critical role in providing open and transparent government by issuing notices of public meetings, creating meeting agendas, and writing minutes of meetings that are made available to the public for review; and

WHEREAS, the Clerk also maintains a copy of the City’s Code of Ordinances, ensures that the City Code is updated when Council approves or changes ordinances, makes sure legal notices and proceedings are properly advertised in the local newspaper, and maintains hundreds of other types of municipal documents and records; and

WHEREAS, during her career, Shirley has proven herself to be an accomplished and dedicated City Clerk; a devoted assistant to City of Lenoir Mayors, Councilmembers, and City Managers; a faithful employee to the City of Lenoir, and an honorable public servant to our residents.

NOW THEREFORE BE IT RESOLVED, I, Joseph L. Gibbons, Mayor, on behalf of the City of Lenoir City Council and all of our citizens, do hereby congratulate Shirley Cannon on her retirement, and I extend our sincere appreciation and deep gratitude for her 27 years of unselfish and invaluable service and contributions to the City of Lenoir.

THIS, the 15th day of July 2025.

Joseph L. Gibbons, Mayor, City of Lenoir

ATTEST:

Lauren Hartley, Deputy City Clerk

CITY OF LENOIR
COUNCIL ACTION FORM

- I. Agenda Item:** Consideration to approve the bids and Resolution of Tentative Award for the Finley Area Water System Improvements project. A re-bid was held on May 20, 2025. Contract A is for installation of project related line work and Contract B is for the installation of a 150,000 gallon elevated storage tank.

Background Information: Two bids were received on May 20, 2025 for the Finley Area Water System Improvements Contract A re-bid. Howard's Plumbing Company, Inc was the lowest responsive, responsible bidder with a total base bid amount of \$5,830,000 and one alternate bid item in the amount of \$262,350, for a total bid amount of \$6,092,350.

One bid was received on May 20, 2025, for the Finley Area Water System Improvements-Contract B re-bid. Caldwell Tanks, Inc. was the lowest responsive, responsible bidder with a total base bid amount of \$2,063,700.

It is recommended, by the engineering firm of McGill Associates, to establish a construction contingency of 5% or \$407,800 of the total base construction costs, bringing the total project cost to \$8,563,850.

- II. Staff Recommendation:** Staff recommends City Council approve bids for the re-bid Contract A and Contract B and the Resolution of Tentative Award for the Finley Area Water System Improvements project contingent upon approval of bidder documentation. It is further recommended that City Council authorize the City Manager to approve change orders within the contingency amount to facilitate maintaining the project schedule.

III. Reviewed by:

City Attorney: _____

Finance Director: _____

Public Works/Public Utilities Director: Jeff Charch

RESOLUTION OF TENTATIVE AWARD

WHEREAS, the **City of Lenoir**, North Carolina has received bids, pursuant to duly advertised notice therefore, for construction of the **Finley Area Water System Improvements project**, and

WHEREAS, the City's Consulting Engineer, McGill Associates, has reviewed the bids; and

WHEREAS, of two (2) bids received at the re-bid, T.P. Howard's Plumbing Company Inc. of Fairview, North Carolina was the lowest responsive, responsible bidder for Contract A (Water Lines and Pump Station) in the total bid amount (including one alternate bid item) of \$6,092,350; and

WHEREAS, of the one (1) bid received at the rebid, Caldwell Tanks, Inc. of Louisville, Kentucky was the lowest responsive, responsible bidder for Contract B (Water Tank) in the total base bid amount of \$2,063,700; and

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

That **TENTATIVE AWARD** is made for Contract A to T.P. Howard's Plumbing Company, Inc., for the Contract Price of \$6,092,350 and for Contract B to Caldwell Tanks, Inc. for the Contract price of \$2,063,700.

That such **TENTATIVE AWARD** be contingent upon the approval of bidding documentation by the North Carolina Department of Environmental Quality, Division of Water Infrastructure.

That Scott Hildebran, the **Authorized Official**, and successors so titled or titled as City Manager, is hereby authorized to execute and approve all contract documents and change orders for this project on behalf of the **City of Lenoir**.

Adopted this the 15th day of July, 2025 at Lenoir, North Carolina.

SEAL

Joseph Gibbons, Mayor

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting **City Clerk of Lenoir** does hereby certify: That the above/attached resolution is a true and correct copy of the resolution, as regularly adopted at a legally convened meeting of the **City of Lenoir** duly held on the 15th day of July, 2025; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of July, 2025.

Signature of Recording Officer

Shirley Cannon, City Clerk

Printed Name and Title

June 25, 2025

Mr. Jeff Church, Public Utilities Director
City of Lenoir
801 West Avenue NW
Lenoir, North Carolina 28645

RE: Award Recommendation
Finley Area Water System Improvements
City of Lenoir, North Carolina

Dear Mr. Church:

Two (2) bids were received on May 20, 2025, for the Finley Area Water System Improvements-Contract A re-bid. T.P. Howard's Plumbing Company, Inc was the lowest responsive, responsible bidder with a total base bid amount of \$5,830,000, and one alternate bid item in the amount of \$262,350. T.P. Howard's Plumbing Company, Inc, is appropriately licensed with the NC General Contractor Licensing Board and has completed similar projects. Therefore, we recommend that the City award the project Base bid and Alternate No. one (1) to T.P. Howard's Plumbing Company, Inc in the total amount of \$6,092,350.

One (1) bid was received on May 20, 2025, for the Finley Area Water System Improvements-Contract B re-bid. Caldwell Tanks, Inc. was the lowest responsive, responsible bidder with a total base bid amount of \$2,063,700. Caldwell Tanks is appropriately licensed with the NC General Contractor Licensing Board and has completed similar projects. Therefore, we recommend that the City award the project to Caldwell Tanks in the total amount of \$2,063,700.

Both awards should be made contingent upon approval of bidder documentation. It is also recommended that the City establish a construction contingency in the amount of \$407,800 or 5% of the total base construction costs. This is important to cover any quantity overruns or unforeseen circumstances. Finally, to maintain the project schedule, it is recommended that the City authorize the City Manager to approve change orders within the contingency amount.

Enclosed for your use is the Certified Bid Tabulation. If you have any questions, please do not hesitate to contact us.

Sincerely,
McGILL ASSOCIATES, P.A.

A handwritten signature in blue ink, appearing to read 'Tia Register'.

TIA REGISTER, PE
Project Engineer

TR:rlh
Enclosure
Cc: Joel Whitford, McGill Associates

CERTIFIED BID TABULATION
FINLEY AREA WATER SYSTEM IMPROVEMENTS-CONTRACT A
CITY OF LENOIR, NORTH CAROLINA

				Iron Mountain Construction		T.P. Howard's Plumbing Co., Inc.	
No	Description	Unit	Estimated Quantity	Bid Unit Price	Bid Price	Bid Unit Price	Bid Price
1	Mobilization	LS	1	\$ 193,500.00	\$ 193,500.00	\$ 157,100.00	\$ 157,100.00
2	12" DIP Water Line	LF	2,300	\$ 206.00	\$ 473,800.00	\$ 175.00	\$ 402,500.00
3	12" Restrained Joint DIP Water Line	LF	2,300	\$ 222.00	\$ 510,600.00	\$ 190.00	\$ 437,000.00
4	8" DIP Water Line	LF	1,500	\$ 180.00	\$ 270,000.00	\$ 150.00	\$ 225,000.00
5	8" Restrained Joint DIP Water Line	LF	1,600	\$ 191.00	\$ 305,600.00	\$ 160.00	\$ 256,000.00
6	6" DIP Water Line	LF	1,100	\$ 169.00	\$ 185,900.00	\$ 140.00	\$ 154,000.00
7	6" Restrained Joint DIP Water Line	LF	1,100	\$ 177.00	\$ 194,700.00	\$ 148.00	\$ 162,800.00
8	12" Gate Valve	EA	13	\$ 6,500.00	\$ 84,500.00	\$ 5,300.00	\$ 68,900.00
9	8" Gate Valve	EA	10	\$ 4,000.00	\$ 40,000.00	\$ 3,500.00	\$ 35,000.00
10	6" Gate Valve	EA	17	\$ 2,820.00	\$ 47,940.00	\$ 2,500.00	\$ 42,500.00
11	2" Blowoff Assembly	EA	1	\$ 3,750.00	\$ 3,750.00	\$ 4,500.00	\$ 4,500.00
12	8" Insertion Valve	EA	2	\$ 17,875.00	\$ 35,750.00	\$ 17,000.00	\$ 34,000.00
13	6" Insertion Valve	EA	4	\$ 16,246.00	\$ 64,984.00	\$ 15,000.00	\$ 60,000.00
14	Compact Ductile Iron Fittings	LBS	12,200	\$ 14.00	\$ 170,800.00	\$ 15.00	\$ 183,000.00
15	Fire Hydrant Assembly	EA	12	\$ 12,250.00	\$ 147,000.00	\$ 11,000.00	\$ 132,000.00
16	Water Service Reconnections	EA	100	\$ 3,275.00	\$ 327,500.00	\$ 2,000.00	\$ 200,000.00
17	PRV's for Water Service	EA	540	\$ 1,875.00	\$ 1,012,500.00	\$ 1,670.00	\$ 901,800.00
18	1" Combination Air Release/Vacuum Valve	EA	4	\$ 5,038.00	\$ 20,152.00	\$ 5,200.00	\$ 20,800.00
19	2" Combination Air Release/Vacuum Valve	EA	2	\$ 7,325.00	\$ 14,650.00	\$ 7,300.00	\$ 14,600.00
20	Connect to Existing 8" Water Service	EA	1	\$ 7,913.00	\$ 7,913.00	\$ 9,000.00	\$ 9,000.00
21	Connect to Existing 6" Water Service	EA	13	\$ 7,513.00	\$ 97,669.00	\$ 7,000.00	\$ 91,000.00
22	Connect to Existing 2" Water Service	EA	3	\$ 8,083.00	\$ 24,249.00	\$ 5,000.00	\$ 15,000.00
23	6" Tapping Sleeve and Valve	EA	2	\$ 10,031.00	\$ 20,062.00	\$ 10,000.00	\$ 20,000.00
24	8" Tapping Sleeve and Valve	EA	1	\$ 11,485.00	\$ 11,485.00	\$ 11,500.00	\$ 11,500.00
25	Asphalt Road Pavement Repair	LF	8,600	\$ 75.00	\$ 645,000.00	\$ 100.00	\$ 860,000.00
26	Curb and Gutter Repair	LF	2,600	\$ 88.00	\$ 228,800.00	\$ 100.00	\$ 260,000.00
27	Concrete Sidewalk Repair	LF	460	\$ 38.00	\$ 17,480.00	\$ 200.00	\$ 92,000.00
28	Driveway Repair	LF	50	\$ 125.00	\$ 6,250.00	\$ 100.00	\$ 5,000.00
29	Erosion Control Measures-Max \$50,000	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 50,000.00	\$ 50,000.00
30	Water Pump Station	LS	1	\$ 1,447,620.00	\$ 1,447,620.00	\$ 900,000.00	\$ 900,000.00
16	SCADA Allowance	LS	1	\$ 25,000.00	\$ 25,000.00	\$25,000	\$ 25,000.00
TOTALS:					\$ 6,645,154.00		\$ 5,830,000.00
Alternate 1-Stage Street (Sheet C-206)							
6A	6" DIP Water Line	LF	600	\$ 169.00	\$ 101,400.00	\$ 140.00	\$ 84,000.00
7A	6" Restrained Joint DIP Water Line	LF	200	\$ 177.00	\$ 35,400.00	\$ 148.00	\$ 29,600.00
10A	6" Gate Valve	EA	2	\$ 2,820.00	\$ 5,640.00	\$ 2,500.00	\$ 5,000.00
14A	Compact Ductile Iron Fittings	LBS	370	\$ 14.00	\$ 5,180.00	\$ 15.00	\$ 5,550.00
15A	Fire Hydrant Assembly	EA	1	\$ 12,250.00	\$ 12,250.00	\$ 11,000.00	\$ 11,000.00
16A	Water Service Reconnections	EA	10	\$ 3,275.00	\$ 32,750.00	\$ 2,000.00	\$ 20,000.00
17A	PRV's for Water Service	EA	10	\$ 1,680.00	\$ 16,800.00	\$ 1,670.00	\$ 16,700.00
23A	8" Tapping Sleeve and Valve	EA	1	\$ 11,485.00	\$ 11,485.00	\$ 11,500.00	\$ 11,500.00
24A	6" Tapping Sleeve and Valve	EA	1	\$ 10,031.00	\$ 10,031.00	\$ 10,000.00	\$ 10,000.00
25A	Asphalt Raod Pavement Repair	LF	690	\$ 75.00	\$ 51,750.00	\$ 100.00	\$ 69,000.00
TOTALS:					\$ 282,686.00		\$ 262,350.00

This is to certify that the bids tabulated herein were accompanied by a 5% bid bond or certified check and publicly opened and read aloud at 2:00 pm local time on the 20th day of May 2025 for the second (re-bid) bid opening in the Lenoir Public Works Break Room located at 510-B Greer Circle, Lenoir, North Carolina 28645.

TIA REGISTER, PE



1240 19th Street Lane, NW, Hickory, North Carolina 28601
Firm License No. C-0459



CERTIFIED BID TABULATION

FINLEY AREA WATER SYSTEM IMPROVEMENTS-CONTRACT B CITY OF LENOIR, NORTH CAROLINA

BIDDER	TOTAL BASE BID
Caldwell Tanks	\$2,063,700
This is to certify that the bids tabulated herein were accompanied by a 5% bid bond or certified check and publicly opened and read aloud at 2:00 pm local time on the 20th day of May 2025 for the second (re-bid) bid opening in the Lenoir Public Works Break Room located at 510-B Greer Circle, Lenoir, North Carolina 28645.	

TIA REGISTER, PE



CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item:

Resolution Adoption: Traffic Signal Removal Authorization at the intersection of College Avenue and Mulberry Street. Intersection reconfiguration to Two-Way Stop.

II. Background Information:

The City of Lenoir entered into an Engineering Services Agreement (Task Order No.011) with Matten & Craig Engineers and Surveyors on April 5, 2025 to perform a Traffic Signal Warrant Analysis at the signalized intersection of College Avenue and Mulberry Street in accordance with MUTCD (Manual on Uniform Traffic Control Devices) guidelines. This analysis was coordinated for the purposes of determining if the existing traffic signal is still warranted at this particular location and if it was not, to provide guidance on the signal removal process and the reconfiguration of this intersection.

Based on the signal warrant analysis performed as described above, none of the traffic volume warrants are met for signalization. Provided there are no other outstanding circumstances justifying the traffic signal, the traffic signal can be decommissioned and removed.

The public will be notified and the signal will be placed into an All-Red Flash for a 90-Day period before being decommissioned and removed. Stop signs will be installed and existing lanes realigned to create a Two-Way Stop at this intersection.

Attachments: Analysis report, turning and movement counts and summary, Two-Way Stop Reconfiguration/Signing Exhibit, Resolution

III. Staff Recommendation:

1. Staff recommends councils approval to decommission and remove the existing traffic signal at College Avenue and Mulberry St. based on the report and findings of Task Order No.011 Traffic Signal Warrant Analysis.

2. Installation of a Two-Way Stop Intersection (Installation of signs, and lane realignment). Based on exhibit and data provided by Matten & Craig Traffic Engineering.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Public Works/Public Utilities Director: _____JAH_____

**RESOLUTION AUTHORIZING THE REMOVAL OF THE TRAFFIC SIGNAL
EQUIPMENT AT THE INTERSECTION OF COLLEGE AVENUE AND MULBERRY
STREET AND THE PLACEMENT OF A TWO-WAY STOP**

WHEREAS, Mattern & Craig Engineers recently was tasked with performing a traffic signal study on the intersection of College Avenue and Mulberry Street; and

WHEREAS, the traffic signal study on the intersection of College Avenue and Mulberry Street determined that the traffic signal is no longer warranted based on criteria set forth in the Federal Highway Administration Manual on Uniform Traffic Control Devices (MUTCD); and

WHEREAS, the traffic signal study suggests the City inform the public of the recommended signal removal and place the signal on flash or cover the signal heads for a minimum of 90 days, and install the appropriate STOP sign control or other traffic devices; and

WHEREAS, based on the aforementioned signal study, staff recommends the placement of a two-way stop at this intersection to adequately accommodate traffic; and

WHEREAS, after the 90-day transition period, the City may decommission and remove the traffic signal.

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

- 1) based on the traffic signal study performed by Mattern & Craig Engineers, the traffic signal located at College Avenue and Mulberry Street is no longer warranted and should be removed; and
- 2) City staff will inform the public of the pending signal removal and place the signal on flash or cover the signal heads for a minimum of 90 days, and will place a two-way stop at this intersection to adequately accommodate traffic.

BE IT FURTHER RESOLVED, after the 90-day transition period, city staff are to decommission and remove the traffic signal located at College Avenue and Mulberry Street.

Adopted this 15th day of July, 2025.

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk

Randy W. Beckner
 Bradley C. Craig
 Wm. Thomas Austin
 James B. Voso
 Chad M. Thomas
 Jason A. Carder
 Brian R. Newman
 D. Jason Snapp
 Ryan P. Kincer



Edwin K. Mattern, Jr. (1949-1982)
 J. Wayne Craig (1940-2024)
 Gene R. Cress (1935-2014)
 Sam H. McGhee, III (1940-2018)
 Stewart W. Hubbell (Retired)
 Michael S. Agee (Retired)
 Steven A. Campbell (Retired)
 Randy L. Dodson (Retired)

June 19, 2025

TECHNICAL MEMORANDUM

TO: Mr. Jon Hogan, Public Works Director
 City of Lenoir, NC

FROM: James Voso, PE
 Traffic Engineer
 Mattern & Craig, Inc.

DocuSigned by:
James Voso
 140FD60379E041F...

SUBJECT: College at Mulberry (11-086) Traffic Signal Warrant Analysis
 M&C Commission Number 4322G

INTRODUCTION/PURPOSE

In accordance with Task Order No. 11 of the Agreement between Owner (City of Lenoir) and Engineer, (Mattern & Craig) dated April 5, 2022, Mattern & Craig has performed a signal warrant analysis on the signalized intersection of College Avenue and Mulberry Street in Lenoir, NC for the purposes of determining if a traffic signal is still warranted at this particular location.

SIGNAL WARRANT ANALYSIS

For this study, PC-Warrants (Version 1.23.0; JAMAR Technologies, Inc.) was used to analyze the various traffic volume warrants for the intersection. 16-hour turning movement traffic counts were collected at the subject intersection on Wednesday, May 28, 2025 with school in session (see Attachment 1).

According to the 11th Edition of the Manual on Uniform Traffic Control Devices (MUTCD), an engineering study shall be performed to determine whether the installation of a traffic signal is justified at a particular location. The typical study shall include an analysis of the applicable factors contained in nine warrants (listed below) and other factors related to existing operation and safety at the study location as applicable.

- *Warrant 1, Eight-Hour Vehicular Volume* – The purpose of this warrant is to consider the installation of a traffic signal because of either large volume of traffic at intersecting streets (Condition A) or the need to interrupt continuous or near-continuous traffic on a large volume street (Condition B).
- *Warrant 2, Four-Hour Vehicular Volume* – The purpose of this warrant is to consider the installation of a traffic signal where, for four hours of the day, the minor-street traffic suffers undue delay trying to enter and/or cross the major street.
- *Warrant 3, Peak Hour* – The purpose of this warrant is to consider the installation of a traffic signal where, for a peak hour, the minor-street traffic suffers undue delay trying to enter and/or cross the major street. It is generally intended to be applied only in unusual cases such as office complexes or industrial complexes that attract and/or discharge large numbers of vehicles over a short period of time.
- *Warrant 4, Pedestrian Volume* – The purpose of this warrant is to consider the installation of a traffic signal on a major street where the traffic is so heavy that pedestrians experience excessive delay in crossing the major street.
- *Warrant 5, School Crossing* – The purpose of this warrant is to consider the installation of a traffic signal at a school crossing where children need adequate gaps in traffic.
- *Warrant 6, Coordinated Signal System* – The purpose of this warrant is to consider the installation of a traffic signal on a major street to maintain the desired platooning of traffic so that there is coordinated traffic movement along the street.
- *Warrant 7, Crash Experience* – The purpose of this warrant is to consider the installation of a traffic signal where it would be beneficial in reducing the frequency and/or severity of crashes at an intersection.
- *Warrant 8, Roadway Network* – The purpose of this warrant is to consider the installation of a traffic signal at the intersection of two major routes.
- *Warrant 9, Intersection Near a Grade Crossing* – The purpose of this warrant is to consider the installation of a traffic signal at an intersection where a grade crossing on one approach is in close proximity to the intersection.

Subsequently, the MUTCD also provides guidance on the removal of traffic control signals. Section 4B.05 of the MUTCD indicates that “if the engineering study indicates that the traffic control signal is no longer justified, a decision can be made for the removal of the subject traffic signal.” Based on this, the various MUTCD warrants were studied to determine if the signal is no longer justified (warrants not met).

Warrants 1, 2, and 3 (the traffic volume warrants) were evaluated for this study. Warrant 4 was not studied because the vehicular traffic volumes are not heavy enough to cause excessive pedestrian delays. Warrant 5 was not studied because this intersection does not serve as a school crossing. Warrant 6 was not studied because platooning of traffic is not necessary or desired. Warrant 7 was not studied because crash data was not available. Warrant 8 was not studied because this is not the intersection of two major routes. Warrant 9 was not studied because a railroad crossing is not in close proximity to the subject intersection.

CONCLUSIONS/RECOMMENDATIONS

Based on the signal warrant study analysis performed as described above, **none of the traffic volume warrants are met for signalization**. Provided there are no other outstanding circumstances justifying the traffic signal, the traffic signal can be decommissioned and removed. It is recommended that the following steps (as described in the MUTCD) be taken during the decommissioning and removal process:

- Determine the appropriate traffic control to be used after removal of the signal
- Remove any sight distance restrictions as necessary
- Inform the public of the removal study and its findings
- Flash or cover the signal heads for a minimum of 90 days, and install the appropriate STOP sign control or other traffic control devices
- After the 90 day period, remove the traffic signal

If any additional information or clarification of this subject is needed, please don't hesitate to contact me directly via email at jbvoso@matternandcraig.com or by telephone at (828) 254-2201. Thank you for the opportunity to provide this information to you.

National Data & Surveying Services
Intersection Turning Movement Count

Location: Mulberry St SW/Mulberry St NW & College Ave SW
City: Lenoir
Control: Signalized

Project ID: 25-170019-001
Date: 5/28/2025

Data - Total																	
NS/EW Streets:	Mulberry St SW/Mulberry St NW				Mulberry St SW/Mulberry St NW				College Ave SW				College Ave SW				
AM	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				TOTAL
	1 NL	0.5 NT	0.5 NR	0 NU	1 SL	0.5 ST	0.5 SR	0 SU	1 EL	0.5 ET	0.5 ER	0 EU	0 WL	1 WT	0 WR	0 WU	
6:00 AM	1	1	0	0	0	1	0	0	0	1	2	0	3	0	0	0	9
6:15 AM	2	2	1	0	0	0	0	0	0	2	3	0	2	4	0	0	16
6:30 AM	1	2	1	0	0	2	0	0	1	2	7	0	7	6	0	0	29
6:45 AM	3	5	2	0	0	1	0	0	1	6	3	0	4	2	1	0	28
7:00 AM	4	5	3	0	0	1	0	0	1	3	1	0	4	7	0	0	29
7:15 AM	7	8	3	0	0	4	0	0	1	5	4	0	8	15	1	0	56
7:30 AM	6	12	0	0	0	7	0	0	5	18	18	0	7	43	0	0	116
7:45 AM	10	17	3	0	1	11	0	0	6	26	22	0	5	39	3	0	143
8:00 AM	7	16	1	0	0	9	0	0	3	3	13	0	10	13	0	0	75
8:15 AM	4	22	2	0	0	5	0	0	3	4	12	0	6	11	1	0	70
8:30 AM	4	19	1	0	0	8	1	0	0	8	2	0	7	6	1	0	57
8:45 AM	7	19	5	0	0	8	0	0	3	5	12	0	5	7	2	0	73
9:00 AM	8	13	2	0	0	15	0	0	2	2	5	0	13	11	1	0	72
9:15 AM	5	17	3	0	1	10	0	0	2	4	13	0	12	12	6	0	85
9:30 AM	8	13	5	0	0	6	1	0	1	6	8	0	9	15	3	0	75
9:45 AM	5	23	2	0	1	13	0	0	1	7	9	0	12	12	4	0	89
TOTAL VOLUMES:	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
APPROACH %'s:	82	194	34	0	3	101	2	0	30	102	134	0	114	203	23	0	1022
	26.45%	62.58%	10.97%	0.00%	2.83%	95.28%	1.89%	0.00%	11.28%	38.35%	50.38%	0.00%	33.53%	59.71%	6.76%	0.00%	
PEAK HR:	07:30 AM - 08:30 AM																TOTAL
PEAK HR VOL:	27	67	6	0	1	32	0	0	17	51	65	0	28	106	4	0	404
PEAK HR FACTOR:	0.675	0.761	0.500	0.000	0.250	0.727	0.000	0.000	0.708	0.490	0.739	0.000	0.700	0.616	0.333	0.000	0.706
	0.833				0.688				0.616				0.690				
NOON	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				TOTAL
	1 NL	0.5 NT	0.5 NR	0 NU	1 SL	0.5 ST	0.5 SR	0 SU	1 EL	0.5 ET	0.5 ER	0 EU	0 WL	1 WT	0 WR	0 WU	
	10:00 AM	5	20	4	0	0	9	3	0	1	6	15	0	18	5	6	
10:15 AM	5	32	2	0	0	6	1	0	1	3	7	0	8	11	1	0	77
10:30 AM	9	21	2	0	0	5	1	0	2	9	10	0	9	9	2	0	79
10:45 AM	5	16	3	0	1	11	1	0	3	5	8	0	14	8	4	0	79
11:00 AM	8	22	5	0	0	11	1	0	6	4	8	0	8	11	5	0	89
11:15 AM	7	15	6	0	2	12	0	0	7	5	15	0	10	11	1	0	91
11:30 AM	7	23	7	0	0	7	3	0	2	8	11	0	18	14	4	0	104
11:45 AM	14	26	7	0	0	4	0	0	3	8	14	0	17	6	3	0	102
12:00 PM	9	25	1	0	0	14	0	0	4	6	18	0	12	17	5	0	111
12:15 PM	12	26	2	0	0	12	2	0	2	4	11	0	15	5	3	0	94
12:30 PM	2	18	2	0	0	13	3	0	6	14	14	0	12	16	2	0	102
12:45 PM	12	18	6	0	0	9	0	0	4	9	19	0	17	12	2	0	108
1:00 PM	4	24	3	0	2	8	2	0	5	6	12	0	19	14	3	0	102
1:15 PM	1	27	7	0	0	13	0	0	3	7	11	0	12	21	2	0	104
1:30 PM	7	18	6	0	1	14	2	0	6	9	13	0	14	17	3	0	110
1:45 PM	9	27	2	0	0	10	0	0	1	7	11	0	18	10	3	0	98
TOTAL VOLUMES:	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
APPROACH %'s:	116	358	65	0	6	158	19	0	56	110	197	0	221	187	49	0	1542
	21.52%	66.42%	12.06%	0.00%	3.28%	86.34%	10.38%	0.00%	15.43%	30.30%	54.27%	0.00%	48.36%	40.92%	10.72%	0.00%	
PEAK HR:	12:45 PM - 01:45 PM																TOTAL
PEAK HR VOL:	24	87	22	0	3	44	4	0	18	31	55	0	62	64	10	0	424
PEAK HR FACTOR:	0.500	0.806	0.786	0.000	0.375	0.786	0.500	0.000	0.750	0.861	0.724	0.000	0.816	0.762	0.833	0.000	0.964
	0.924				0.750				0.813				0.944				
PM	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				TOTAL
	1 NL	0.5 NT	0.5 NR	0 NU	1 SL	0.5 ST	0.5 SR	0 SU	1 EL	0.5 ET	0.5 ER	0 EU	0 WL	1 WT	0 WR	0 WU	
	2:00 PM	9	21	3	0	0	12	0	0	1	11	10	0	16	21	4	
2:15 PM	7	14	1	0	0	9	0	0	5	9	13	0	22	13	5	0	98
2:30 PM	8	25	2	0	0	4	2	0	4	10	16	0	12	22	1	0	106
2:45 PM	7	20	4	0	1	11	1	0	10	16	28	0	12	23	2	0	135
3:00 PM	5	31	5	0	1	6	1	0	3	14	11	0	13	19	2	0	111
3:15 PM	9	26	4	0	0	9	0	0	6	22	13	0	11	11	2	0	113
3:30 PM	7	23	8	0	0	3	2	0	3	7	19	0	6	8	1	0	87
3:45 PM	13	21	5	0	0	10	0	0	3	12	16	0	11	14	2	0	107
4:00 PM	7	20	3	0	0	6	1	0	5	12	19	0	5	11	2	0	91
4:15 PM	7	22	6	0	1	9	1	0	1	13	16	0	9	13	1	0	99
4:30 PM	12	28	3	0	0	9	0	0	1	4	18	0	10	13	2	0	100
4:45 PM	4	33	4	0	0	11	2	0	3	8	12	0	13	16	0	0	106
5:00 PM	5	32	9	0	0	14	2	0	3	9	18	0	7	17	4	0	120
5:15 PM	8	14	5	0	0	9	1	0	1	13	13	0	16	12	0	0	92
5:30 PM	5	12	4	0	1	7	0	0	1	11	6	0	5	5	1	0	58
5:45 PM	4	16	5	0	0	3	2	0	1	6	5	0	3	10	1	0	56
6:00 PM	5	16	2	0	0	5	1	0	1	8	10	0	7	12	0	0	67
6:15 PM	1	16	6	0	0	11	0	0	3	10	9	0	5	6	0	0	67
6:30 PM	4	9	2	0	0	5	1	0	3	7	5	0	7	4	0	0	47
6:45 PM	5	12	1	0	0	9	1	0	2	2	7	0	4	10	0	0	53
7:00 PM	3	9	2	0	0	3	0	0	0	3	5	0	4	7	0	0	36
7:15 PM	4	10	1	0	0	6	0	0	0	3	2	0	1	6	1	0	34
7:30 PM	5	9	0	0	0	5	0	0	0	6	5	0	3	10	1	0	44
7:45 PM	1	3	1	0	0	4	0	0	0	6	4	0	4	9	0	0	32
8:00 PM	2	8	0	0	0	1	0	0	1	3	2	0	0	6	1	0	24
8:15 PM	1	6	2	0	1	3	1	0	2	4	6	0	4	3	0	0	33
8:30 PM	2	5	1	0	0	2	4	0	0	2	1	0	4	7	0	0	28
8:45 PM	4	3	0	0	0	2	0	0	2	3	5	0	1	4	0	0	24
9:00 PM	3	5	2	0	0	4	0	0	0	0	1	0	5	5	0	0	25
9:15 PM	1	6	0	0	0	1	1	0	2	3	2	0	1	6	0	0	23
9:30 PM	1	5	1	0	0	2	0	0	1	1	6	0	1	7	0	0	25
9:45 PM	3	3	0	0	0	0	1	0	0	0	1	0	2	0	0	0	10
TOTAL VOLUMES:	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
APPROACH %'s:	162	483	92	0	5	195	25	0	68	238	304	0	224	330	33	0	2159
	21.98%	65.54%	12.48%	0.00%	2.22%	86.67%	11.11%	0.00%	11.15%	39.02%	49.84%	0.00%	38.16%	56.22%	5.62%	0.00%	
PEAK HR:	02:30 PM - 03:30 PM																TOTAL
PEAK HR VOL:	29	102	15	0	2	30	4	0	23	62	68	0	48	75	7	0	465
PEAK HR FACTOR:	0.806	0.823	0.750	0.000	0.500	0.682	0.500	0.000	0.575	0.705	0.607	0.000	0.923	0.815	0.875	0.000	0.861
	0.890				0.692				0.708				0.878				

National Data & Surveying Services
Intersection Turning Movement Count

Location: Mulberry St SW/Mulberry St NW & College Ave SW
City: Lenoir

Project ID: 25-170019-001
Date: 5/28/2025

Data - Pedestrians (Crosswalks)

NS/EW Streets:	Mulberry St SW/Mulberry St NW		Mulberry St SW/Mulberry St NW		College Ave SW		College Ave SW		
AM	NORTH LEG		SOUTH LEG		EAST LEG		WEST LEG		TOTAL
	EB	WB	EB	WB	NB	SB	NB	SB	
6:00 AM	0	0	0	0	0	0	0	0	0
6:15 AM	0	0	0	0	0	0	0	0	0
6:30 AM	1	1	0	0	0	0	0	0	2
6:45 AM	0	0	0	0	0	0	0	0	0
7:00 AM	0	0	0	0	0	0	0	0	0
7:15 AM	0	0	0	0	0	0	1	0	1
7:30 AM	0	0	0	0	0	0	0	1	1
7:45 AM	0	0	0	0	0	0	0	0	0
8:00 AM	0	1	0	0	1	0	0	0	2
8:15 AM	1	0	0	0	0	1	0	0	2
8:30 AM	1	0	0	0	1	0	0	0	2
8:45 AM	0	0	0	0	0	0	0	0	0
9:00 AM	0	0	0	0	0	0	0	0	0
9:15 AM	0	2	0	0	0	0	0	0	2
9:30 AM	0	0	0	0	0	0	0	1	1
9:45 AM	0	0	0	0	1	0	0	0	1
TOTAL VOLUMES :	EB	WB	EB	WB	NB	SB	NB	SB	TOTAL
APPROACH %'s :	3	4	0	0	3	1	1	2	14
	42.86%	57.14%			75.00%	25.00%	33.33%	66.67%	
PEAK HR :	07:30 AM - 08:30 AM								TOTAL
PEAK HR VOL :	1	1	0	0	1	1	0	1	5
PEAK HR FACTOR :	0.250	0.250			0.250	0.250	0.250	0.250	0.625
		0.500				0.500			

NOON	NORTH LEG		SOUTH LEG		EAST LEG		WEST LEG		TOTAL
	EB	WB	EB	WB	NB	SB	NB	SB	
10:00 AM	0	0	0	0	0	0	0	0	0
10:15 AM	0	1	0	0	0	0	0	0	1
10:30 AM	0	2	0	0	0	0	0	0	2
10:45 AM	0	0	0	0	0	0	0	0	0
11:00 AM	1	0	0	0	0	0	0	0	1
11:15 AM	0	0	0	0	0	0	0	0	0
11:30 AM	0	0	0	0	0	0	0	0	0
11:45 AM	1	0	0	0	0	1	0	0	2
12:00 PM	1	0	0	0	0	0	2	0	3
12:15 PM	0	0	0	0	0	0	0	0	0
12:30 PM	0	0	0	0	0	0	0	0	0
12:45 PM	0	0	0	0	0	0	0	0	0
1:00 PM	0	0	0	0	0	0	0	0	0
1:15 PM	0	0	0	0	0	0	0	0	0
1:30 PM	0	0	0	0	0	0	1	0	1
1:45 PM	0	0	0	0	0	0	0	0	0
TOTAL VOLUMES :	EB	WB	EB	WB	NB	SB	NB	SB	TOTAL
APPROACH %'s :	3	3	0	0	0	1	3	0	10
	50.00%	50.00%			0.00%	100.00%	100.00%	0.00%	
PEAK HR :	12:45 PM - 01:45 PM								TOTAL
PEAK HR VOL :	0	0	0	0	0	0	1	0	1
PEAK HR FACTOR :							0.250	0.250	0.250

PM	NORTH LEG		SOUTH LEG		EAST LEG		WEST LEG		TOTAL
	EB	WB	EB	WB	NB	SB	NB	SB	
2:00 PM	1	1	1	0	1	1	0	1	6
2:15 PM	0	0	0	0	0	0	0	0	0
2:30 PM	0	1	0	0	1	0	0	0	2
2:45 PM	0	0	0	0	0	0	0	0	0
3:00 PM	0	0	0	0	0	0	1	0	1
3:15 PM	0	0	0	0	0	0	0	0	0
3:30 PM	0	0	0	0	0	0	0	1	1
3:45 PM	0	0	0	1	0	0	0	0	1
4:00 PM	0	0	1	0	1	0	1	0	3
4:15 PM	0	0	0	0	0	0	0	0	0
4:30 PM	0	0	1	0	2	0	0	3	6
4:45 PM	2	0	0	0	0	0	0	0	2
5:00 PM	0	1	2	0	1	0	0	0	4
5:15 PM	1	0	0	0	0	0	1	1	3
5:30 PM	0	0	0	0	0	0	2	0	2
5:45 PM	0	0	0	0	0	0	0	0	0
6:00 PM	0	1	0	0	0	0	0	0	1
6:15 PM	0	0	0	0	0	0	0	0	0
6:30 PM	0	0	0	0	0	0	0	0	0
6:45 PM	0	0	0	0	0	0	0	1	1
7:00 PM	0	1	0	1	0	0	0	0	2
7:15 PM	0	0	0	0	0	0	1	0	1
7:30 PM	0	0	0	0	0	0	0	0	0
7:45 PM	0	0	0	0	0	0	0	0	0
8:00 PM	0	0	0	0	0	0	0	0	0
8:15 PM	0	0	0	0	0	0	0	0	0
8:30 PM	0	0	0	0	0	0	0	0	0
8:45 PM	2	2	0	0	0	0	0	0	4
9:00 PM	0	0	0	0	0	0	0	0	0
9:15 PM	2	0	0	0	0	0	0	0	2
9:30 PM	0	0	0	0	0	0	0	0	0
9:45 PM	0	0	0	0	0	0	0	0	0
TOTAL VOLUMES :	EB	WB	EB	WB	NB	SB	NB	SB	TOTAL
APPROACH %'s :	8	7	5	2	6	1	6	7	42
	53.33%	46.67%	71.43%	28.57%	85.71%	14.29%	46.15%	53.85%	
PEAK HR :	02:30 PM - 03:30 PM								TOTAL
PEAK HR VOL :	0	1	0	0	1	0	1	0	3
PEAK HR FACTOR :		0.250			0.250		0.250	0.250	0.375
		0.250				0.250			

Mulberry St SW/Mulberry St NW & College Ave SW

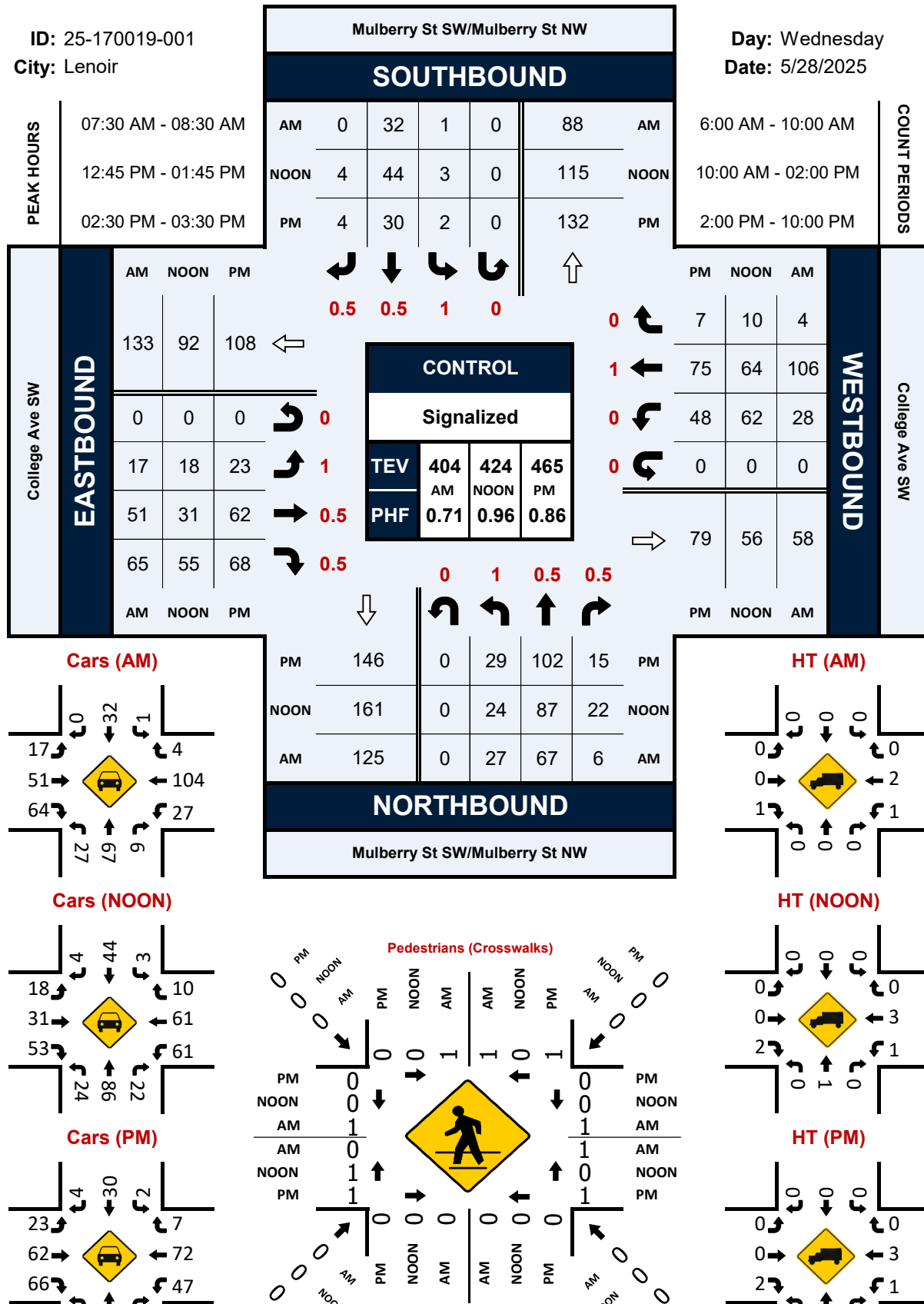
Peak Hour Turning Movement Count

ID: 25-170019-001

City: Lenoir

Day: Wednesday

Date: 5/28/2025



15
- 101
29

ON
PM

NOV
PM

10
- 1
0

Project ID: 25-170019-001

Location: Mulberry St SW/Mulberry St NW & College Ave SW

City: Lenoir

Day: Wednesday

Date: 5/28/2025

Groups Printed - Cars, PU, Vans - Heavy Trucks

	Mulberry St SW/Mulberry St NW Northbound						Mulberry St SW/Mulberry St NW Southbound						College Ave SW Eastbound						College Ave SW Westbound							
Start Time	Left	Thru	Rgt	Uturn	Peds	App. Total	Left	Thru	Rgt	Uturn	Peds	App. Total	Left	Thru	Rgt	Uturn	Peds	App. Total	Left	Thru	Rgt	Uturn	Peds	App. Total	Int. Total	
6:00 AM	1	1	0	0	0	2	0	1	0	0	0	1	0	1	2	0	0	0	3	3	0	0	0	0	3	9
6:15 AM	2	2	1	0	0	5	0	0	0	0	0	0	0	2	3	0	0	0	5	2	4	0	0	0	6	16
6:30 AM	1	2	1	0	0	4	0	2	0	0	2	2	1	2	7	0	0	0	10	7	6	0	0	0	13	29
6:45 AM	3	5	2	0	0	10	0	1	0	0	0	1	1	6	3	0	0	0	10	4	2	1	0	0	7	28
Total	7	10	4	0	0	21	0	4	0	0	2	4	2	11	15	0	0	0	28	16	12	1	0	0	29	82
7:00 AM	4	5	3	0	0	12	0	1	0	0	0	1	1	3	1	0	0	0	5	4	7	0	0	0	11	29
7:15 AM	7	8	3	0	0	18	0	4	0	0	0	4	1	5	4	0	1	10	8	15	1	0	0	0	24	56
7:30 AM	6	12	0	0	0	18	0	7	0	0	0	7	5	18	18	0	1	41	7	43	0	0	0	0	50	116
7:45 AM	10	17	3	0	0	30	1	11	0	0	0	12	6	26	22	0	0	0	54	5	39	3	0	0	47	143
Total	27	42	9	0	0	78	1	23	0	0	0	24	13	52	45	0	2	110	24	104	4	0	0	0	132	344
8:00 AM	7	16	1	0	0	24	0	9	0	0	1	9	3	3	13	0	0	0	19	10	13	0	0	1	23	75
8:15 AM	4	22	2	0	0	28	0	5	0	0	1	5	3	4	12	0	0	0	19	6	11	1	0	1	18	70
8:30 AM	4	19	1	0	0	24	0	8	1	0	1	9	0	8	2	0	0	0	10	7	6	1	0	1	14	57
8:45 AM	7	19	5	0	0	31	0	8	0	0	0	8	3	5	12	0	0	0	20	5	7	2	0	0	14	73
Total	22	76	9	0	0	107	0	30	1	0	3	31	9	20	39	0	0	68	28	37	4	0	3	69	275	
9:00 AM	8	13	2	0	0	23	0	15	0	0	0	15	2	2	5	0	0	0	9	13	11	1	0	0	25	72
9:15 AM	5	17	3	0	0	25	1	10	0	0	2	11	2	4	13	0	0	0	19	12	12	6	0	0	30	85
9:30 AM	8	13	5	0	0	26	0	6	1	0	0	7	1	6	8	0	1	15	9	15	3	0	0	0	27	75
9:45 AM	5	23	2	0	0	30	1	13	0	0	0	14	1	7	9	0	0	17	12	12	4	0	1	28	89	
Total	26	66	12	0	0	104	2	44	1	0	2	47	6	19	35	0	1	60	46	50	14	0	1	110	321	
BREAK																										
10:00 AM	5	20	4	0	0	29	0	9	3	0	0	12	1	6	15	0	0	22	18	5	6	0	0	0	29	92
10:15 AM	5	32	2	0	0	39	0	6	1	0	1	7	1	3	7	0	0	11	8	11	1	0	0	0	20	77
10:30 AM	9	21	2	0	0	32	0	5	1	0	2	6	2	9	10	0	0	21	9	9	2	0	0	0	20	79
10:45 AM	5	16	3	0	0	24	1	11	1	0	0	13	3	5	8	0	0	16	14	8	4	0	0	0	26	79
Total	24	89	11	0	0	124	1	31	6	0	3	38	7	23	40	0	0	70	49	33	13	0	0	0	95	327
11:00 AM	8	22	5	0	0	35	0	11	1	0	1	12	6	4	8	0	0	18	8	11	5	0	0	0	24	89
11:15 AM	7	15	6	0	0	28	2	12	0	0	0	14	7	5	15	0	0	27	10	11	1	0	0	0	22	91
11:30 AM	7	23	7	0	0	37	0	7	3	0	0	10	2	8	11	0	0	21	18	14	4	0	0	0	36	104
11:45 AM	14	26	7	0	0	47	0	4	0	0	1	4	3	8	14	0	0	25	17	6	3	0	1	1	26	102
Total	36	86	25	0	0	147	2	34	4	0	2	40	18	25	48	0	0	91	53	42	13	0	1	108	386	
12:00 PM	9	25	1	0	0	35	0	14	0	0	1	14	4	6	18	0	2	28	12	17	5	0	0	0	34	111
12:15 PM	12	26	2	0	0	40	0	12	2	0	0	14	2	4	11	0	0	17	15	5	3	0	0	0	23	94
12:30 PM	2	18	2	0	0	22	0	13	3	0	0	16	6	14	14	0	0	34	12	16	2	0	0	0	30	102
12:45 PM	12	18	6	0	0	36	0	9	0	0	0	9	4	9	19	0	0	32	17	12	2	0	0	0	31	108
Total	35	87	11	0	0	133	0	48	5	0	1	53	16	33	62	0	2	111	56	50	12	0	0	0	118	415
1:00 PM	4	24	3	0	0	31	2	8	2	0	0	12	5	6	12	0	0	23	19	14	3	0	0	0	36	102
1:15 PM	1	27	7	0	0	35	0	13	0	0	0	13	3	7	11	0	0	21	12	21	2	0	0	0	35	104
1:30 PM	7	18	6	0	0	31	1	14	2	0	0	17	6	9	13	0	1	28	14	17	3	0	0	0	34	110
1:45 PM	9	27	2	0	0	38	0	10	0	0	0	10	1	7	11	0	0	19	18	10	3	0	0	0	31	98
Total	21	96	18	0	0	135	3	45	4	0	0	52	15	29	47	0	1	91	63	62	11	0	0	0	136	414
BREAK																										
2:00 PM	9	21	3	0	1	33	0	12	0	0	2	12	1	11	10	0	1	22	16	21	4	0	2	41	108	
2:15 PM	7	14	1	0	0	22	0	9	0	0	0	9	5	9	13	0	0	27	22	13	5	0	0	0	40	98
2:30 PM	8	25	2	0	0	35	0	4	2	0	1	6	4	10	16	0	0	30	12	22	1	0	1	35	106	
2:45 PM	7	20	4	0	0	31	1	11	1	0	0	13	10	16	28	0	0	54	12	23	2	0	0	0	37	135
Total	31	80	10	0	1	121	1	36	3	0	3	40	20	46	67	0	1	133	62	79	12	0	3	153	447	
3:00 PM	5	31	5	0	0	41	1	6	1	0	0	8	3	14	11	0	1	28	13	19	2	0	0	0	34	111
3:15 PM	9	26	4	0	0	39	0	9	0	0	0	9	6	22	13	0	0	41	11	11	2	0	0	0	24	113
3:30 PM	7	23	8	0	0	38	0	3	2	0	0	5	3	7	19	0	1	29	6	8	1	0	0	0	15	87
3:45 PM	13	21	5	0	1	39	0	10	0	0	0	10	3	12	16	0	0	31	11	14	2	0	0	0	27	107
Total	34	101	22	0	1	157	1	28	3	0	0	32	15	55	59	0	2	129	41	52	7	0	0	0	100	418
4:00 PM	7	20	3	0	1	30	0	6	1	0	0	7	5	12	19	0	1	36	5	11	2	0	0	1	18	91
4:15 PM	7	22	6	0	0	35	1	9	1	0	0	11	1	13	16	0	0	30	9	13	1	0	0	0	23	99
4:30 PM	12	28	3	0	1	43	0	9	0	0	0	9	1	4	18	0	3	23	10	13	2	0	2	25	100	
4:45 PM	4	33	4	0	0	41	0	11	2	0	2	13	3	8	12	0	0	23	13	16	0	0	0	0	29	106
Total	30	103	16	0	2	149	1	35	4	0	2	40	10	37	65	0	4	112	37	53	5	0	3	95	396	
5:00 PM	5	32	9	0	2	46	0	14	2	0	1	16	3	9	18	0	0	30	7	17	4	0	1	28	120	
5:15 PM	8	14	5	0	0	27	0	9	1	0	1	10	1	13	13	0	2	27	16	12	0	0	0	0	28	92
5:30 PM	5	12	4	0	0	21	1	7	0	0	0	8	1	11	6	0	2	18	5	5	1	0	0	11	58	
5:45 PM	4	16	5	0	0	25	0	3	2	0	0	5	1	6	5	0	0	12	3	10	1	0	0	0	14	56
Total	22	74	23	0	2	119	1	33	5	0	2	39	6	39	42	0	4	87	31	44	6	0	1	81	326	

6:00 PM	5	16	2	0	0	23	0	5	1	0	1	6	1	8	10	0	0	19	7	12	0	0	0	19	67
6:15 PM	1	16	6	0	0	23	0	11	0	0	0	11	3	10	9	0	0	22	5	6	0	0	0	11	67
6:30 PM	4	9	2	0	0	15	0	5	1	0	0	6	3	7	5	0	0	15	7	4	0	0	0	11	47
6:45 PM	5	12	1	0	0	18	0	9	1	0	0	10	2	2	7	0	1	11	4	10	0	0	0	14	53
Total	15	53	11	0	0	79	0	30	3	0	1	33	9	27	31	0	1	67	23	32	0	0	0	55	234
7:00 PM	3	9	2	0	1	14	0	3	0	0	1	3	0	3	5	0	0	8	4	7	0	0	0	11	36
7:15 PM	4	10	1	0	0	15	0	6	0	0	0	6	0	3	2	0	1	5	1	6	1	0	0	8	34
7:30 PM	5	9	0	0	0	14	0	5	0	0	0	5	0	6	5	0	0	11	3	10	1	0	0	14	44
7:45 PM	1	3	1	0	0	5	0	4	0	0	0	4	0	6	4	0	0	10	4	9	0	0	0	13	32
Total	13	31	4	0	1	48	0	18	0	0	1	18	0	18	16	0	1	34	12	32	2	0	0	46	146
8:00 PM	2	8	0	0	0	10	0	1	0	0	0	1	1	3	2	0	0	6	0	6	1	0	0	7	24
8:15 PM	1	6	2	0	0	9	1	3	1	0	0	5	2	4	6	0	0	12	4	3	0	0	0	7	33
8:30 PM	2	5	1	0	0	8	0	2	4	0	0	6	0	2	1	0	0	3	4	7	0	0	0	11	28
8:45 PM	4	3	0	0	0	7	0	2	0	0	4	2	2	3	5	0	0	10	1	4	0	0	0	5	24
Total	9	22	3	0	0	34	1	8	5	0	4	14	5	12	14	0	0	31	9	20	1	0	0	30	109
9:00 PM	3	5	2	0	0	10	0	4	0	0	0	4	0	0	1	0	0	1	5	5	0	0	0	10	25
9:15 PM	1	6	0	0	0	7	0	1	1	0	2	2	2	3	2	0	0	7	1	6	0	0	0	7	23
9:30 PM	1	5	1	0	0	7	0	2	0	0	0	2	1	1	6	0	0	8	1	7	0	0	0	8	25
9:45 PM	3	3	0	0	0	6	0	0	1	0	0	1	0	0	1	0	0	1	2	0	0	0	0	2	10
Total	8	19	3	0	0	30	0	7	2	0	2	9	3	4	10	0	0	17	9	18	0	0	0	27	83
Grand Total	360	1035	191	0	7	1586	14	454	46	0	28	514	154	450	635	0	19	1239	559	720	105	0	12	1384	4723
Apprch %	22.7	65.3	12.0	0.0	0.4		2.7	88.3	8.9	0.0	5.4		12.4	36.3	51.3	0.0	1.5		40.4	52.0	7.6	0.0	0.9		
Total %	7.6	21.9	4.0	0.0	0.1	33.6	0.3	9.6	1.0	0.0	0.6	10.9	3.3	9.5	13.4	0.0	0.4	26.2	11.8	15.2	2.2	0.0	0.3	29.3	
Cars, PU, Vans	351	1013	185	0		1549	14	442	46	0		502	151	448	625	0		1224	546	702	105	0		1353	4628
% Cars, PU, Vans	97.5	97.9	96.9	0.0		97.7	100.0	97.4	100.0	0.0		97.7	98.1	99.6	98.4	0.0		98.8	97.7	97.5	100.0	0.0		97.8	98.0
Heavy trucks	9	22	6	0		37	0	12	0	0		12	3	2	10	0		15	13	18	0	0		31	95
%Heavy trucks	2.5	2.1	3.1	0.0		2.3	0.0	2.6	0.0	0.0		2.3	1.9	0.4	1.6	0.0		1.2	2.3	2.5	0.0	0.0		2.2	2.0

Project ID: 25-170019-001
 Location: Mulberry St SW/Mulberry St NW & College Ave SW
 City: Lenoir

PEAK HOURS

Day: Wednesday
 Date: 5/28/2025

AM

	Mulberry St SW/Mulberry St NW Northbound					Mulberry St SW/Mulberry St NW Southbound					College Ave SW Eastbound					College Ave SW Westbound					
Start Time	Left	Thru	Rgt	Uturn	App. Total	Left	Thru	Rgt	Uturn	App. Total	Left	Thru	Rgt	Uturn	App. Total	Left	Thru	Rgt	Uturn	App. Total	Int. Total
Peak Hour Analysis from 06:00 AM - 10:00 AM																					
Peak Hour for Entire Intersection Begins at 07:30 AM																					
7:30 AM	6	12	0	0	18	0	7	0	0	7	5	18	18	0	41	7	43	0	0	50	116
7:45 AM	10	17	3	0	30	1	11	0	0	12	6	26	22	0	54	5	39	3	0	47	143
8:00 AM	7	16	1	0	24	0	9	0	0	9	3	3	13	0	19	10	13	0	0	23	75
8:15 AM	4	22	2	0	28	0	5	0	0	5	3	4	12	0	19	6	11	1	0	18	70
Total Volume	27	67	6	0	100	1	32	0	0	33	17	51	65	0	133	28	106	4	0	138	404
% App. Total	27.0	67.0	6.0	0.0	100	3.0	97.0	0.0	0.0	100	12.8	38.3	48.9	0.0	100	20.3	76.8	2.9	0.0	100	
PHF	0.833					0.688					0.616					0.690					0.706
Cars, PU, Vans	27	67	6	0	100	1	32	0	0	33	17	51	64	0	132	27	104	4	0	135	400
% Cars, PU, Vans	100.0	100.0	100.0	0.0	100.0	100.0	100.0	0.0	0.0	100.0	100.0	100.0	98.5	0.0	99.2	96.4	98.1	100.0	0.0	97.8	99.0
Heavy trucks	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	1	2	0	0	3	4
%Heavy trucks	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.5	0.0	0.8	3.6	1.9	0.0	0.0	2.2	1.0

NOON

	Mulberry St SW/Mulberry St NW Northbound					Mulberry St SW/Mulberry St NW Southbound					College Ave SW Eastbound					College Ave SW Westbound					
Start Time	Left	Thru	Rgt	Uturn	App. Total	Left	Thru	Rgt	Uturn	App. Total	Left	Thru	Rgt	Uturn	App. Total	Left	Thru	Rgt	Uturn	App. Total	Int. Total
Peak Hour Analysis from 10:00 AM - 02:00 PM																					
Peak Hour for Entire Intersection Begins at 12:45 PM																					
12:45 PM	12	18	6	0	36	0	9	0	0	9	4	9	19	0	32	17	12	2	0	31	108
1:00 PM	4	24	3	0	31	2	8	2	0	12	5	6	12	0	23	19	14	3	0	36	102
1:15 PM	1	27	7	0	35	0	13	0	0	13	3	7	11	0	21	12	21	2	0	35	104
1:30 PM	7	18	6	0	31	1	14	2	0	17	6	9	13	0	28	14	17	3	0	34	110
Total Volume	24	87	22	0	133	3	44	4	0	51	18	31	55	0	104	62	64	10	0	136	424
% App. Total	18.0	65.4	16.5	0.0	100	5.9	86.3	7.8	0.0	100	17.3	29.8	52.9	0.0	100	45.6	47.1	7.4	0.0	100	
PHF	0.924					0.750					0.813					0.944					0.964
Cars, PU, Vans	24	86	22	0	132	3	44	4	0	51	18	31	53	0	102	61	61	10	0	132	417
% Cars, PU, Vans	100.0	98.9	100.0	0.0	99.2	100.0	100.0	100.0	0.0	100.0	100.0	100.0	96.4	0.0	98.1	98.4	95.3	100.0	0.0	97.1	98.3
Heavy trucks	0	1	0	0	1	0	0	0	0	0	0	0	2	0	2	1	3	0	0	4	7
%Heavy trucks	0.0	1.1	0.0	0.0	0.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	3.6	0.0	1.9	1.6	4.7	0.0	0.0	2.9	1.7

PM

	Mulberry St SW/Mulberry St NW Northbound					Mulberry St SW/Mulberry St NW Southbound					College Ave SW Eastbound					College Ave SW Westbound					
Start Time	Left	Thru	Rgt	Uturn	App. Total	Left	Thru	Rgt	Uturn	App. Total	Left	Thru	Rgt	Uturn	App. Total	Left	Thru	Rgt	Uturn	App. Total	Int. Total
Peak Hour Analysis from 02:00 PM - 10:00 PM																					
Peak Hour for Entire Intersection Begins at 02:30 PM																					
2:30 PM	8	25	2	0	35	0	4	2	0	6	4	10	16	0	30	12	22	1	0	35	106
2:45 PM	7	20	4	0	31	1	11	1	0	13	10	16	28	0	54	12	23	2	0	37	135
3:00 PM	5	31	5	0	41	1	6	1	0	8	3	14	11	0	28	13	19	2	0	34	111
3:15 PM	9	26	4	0	39	0	9	0	0	9	6	22	13	0	41	11	11	2	0	24	113
Total Volume	29	102	15	0	146	2	30	4	0	36	23	62	68	0	153	48	75	7	0	130	465
% App. Total	19.9	69.9	10.3	0.0	100	5.6	83.3	11.1	0.0	100	15.0	40.5	44.4	0.0	100	36.9	57.7	5.4	0.0	100	
PHF	0.890					0.692					0.708					0.878					0.861
Cars, PU, Vans	29	101	15	0	145	2	30	4	0	36	23	62	66	0	151	47	72	7	0	126	458
% Cars, PU, Vans	100.0	99.0	100.0	0.0	99.3	100.0	100.0	100.0	0.0	100.0	100.0	100.0	97.1	0.0	98.7	97.9	96.0	100.0	0.0	96.9	98.5
Heavy trucks	0	1	0	0	1	0	0	0	0	0	0	0	2	0	2	1	3	0	0	4	7
%Heavy trucks	0.0	1.0	0.0	0.0	0.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	2.9	0.0	1.3	2.1	4.0	0.0	0.0	3.1	1.5

Signal Warrants - Summary

Major Street Approaches

Northbound: Mulberry St
Number of Lanes: 1
85% Speed < 40 MPH.
Total Approach Volume: 1,586

Southbound: Mulberry St
Number of Lanes: 1
85% Speed < 40 MPH.
Total Approach Volume: 514

Minor Street Approaches

Eastbound: College Ave
Number of Lanes: 1

Total Approach Volume: 1,239

Westbound: College Ave
Number of Lanes: 1

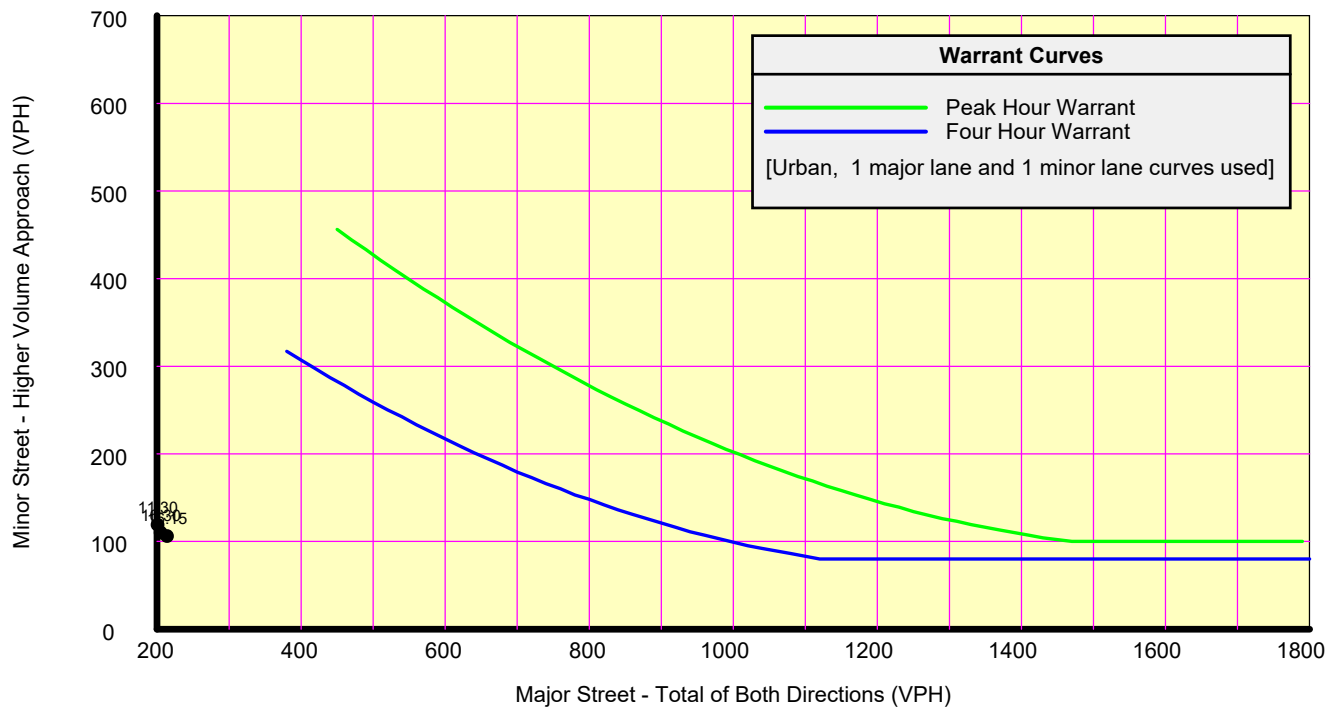
Total Approach Volume: 1,384

Warrant Summary (Urban values apply.)

Warrant 1 - Eight Hour Vehicular Volumes	Not Satisfied
Warrant 1A - Minimum Vehicular Volume Not Satisfied	
Required volumes reached for 0 hours, 8 are needed	
Warrant 1B - Interruption of Continuous Traffic Not Satisfied	
Required volumes reached for 0 hours, 8 are needed	
Warrant 1C - Combination of Warrants Not Satisfied	
Required 1A volumes reached for 0 hours, 8 are needed	
Required 1B volumes reached for 0 hours, 8 are needed	
Warrant 2 - Four Hour Volumes	Not Satisfied
Number of hours (0) volumes exceed minimum < minimum required (4).	
Warrant 3 - Peak Hour	Not Satisfied
Warrant 3A - Peak Hour Delay Not Satisfied	
Approach volumes on minor street don't exceed minimums for any hour. Delay data not evaluated.	
Warrant 3B - Peak Hour Volumes Not Satisfied	
Volumes do not exceed minimums for any hour.	
Warrant 4 - Pedestrian Volumes	Not Evaluated
Warrant 5 - School Crossing	Not Evaluated
Warrant 6 - Coordinated Signal System	Not Evaluated
Warrant 7 - Crash Experience	Not Evaluated
Warrant 8 - Roadway Network	Not Evaluated
Warrant 9 - Intersection Near a Grade Crossing	Not Evaluated

Mattern & Craig
Engineers - Surveyors
Asheville, North Carolina

Signal Warrants - Summary



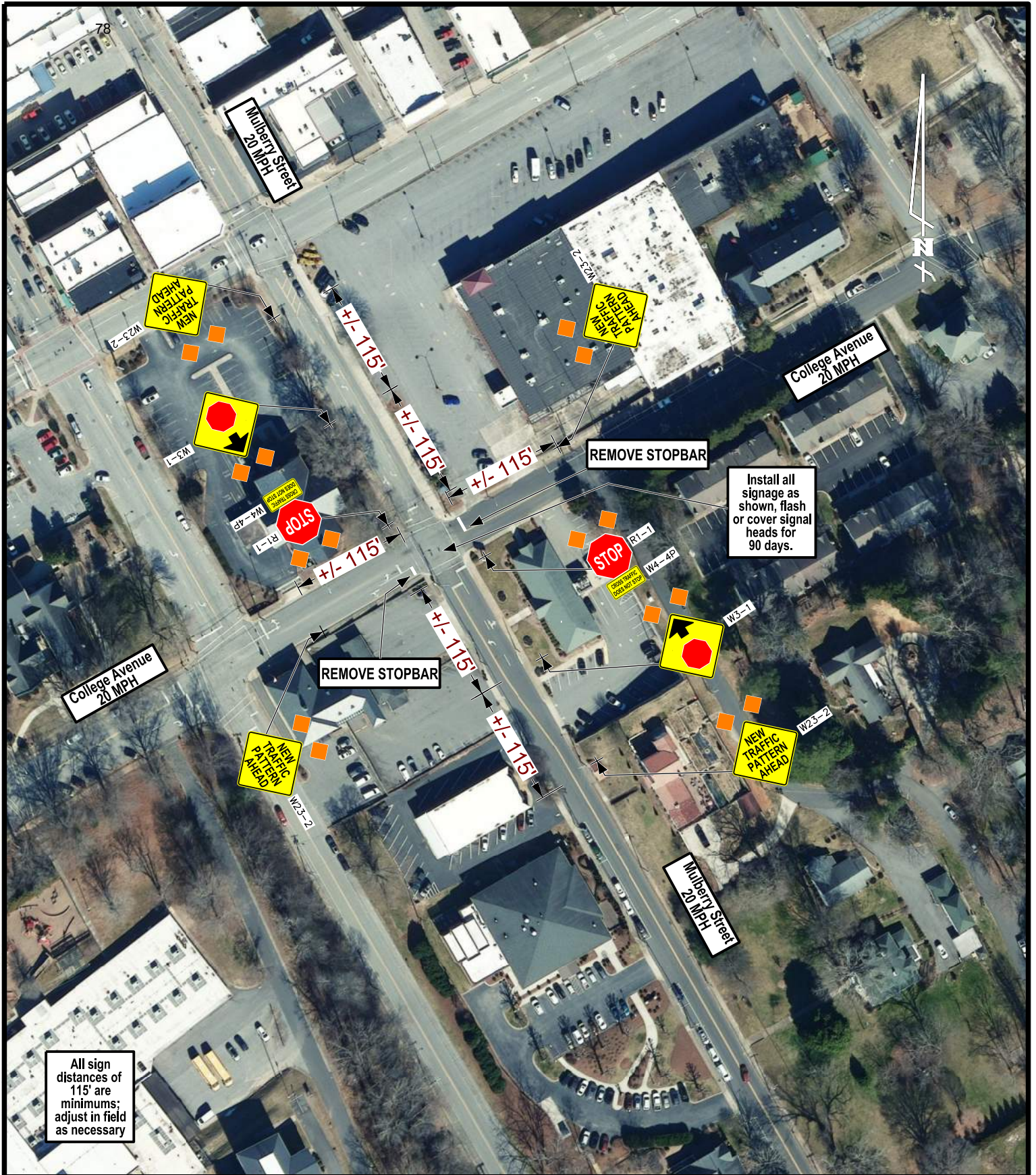
Analysis of 8-Hour Volume Warrants:

War 1A-Minimum Volume

War 1B-Interruption of Traffic

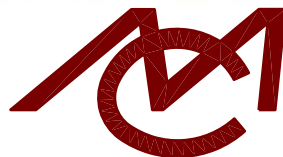
War 1C-Combination of Warrants

Hour Begin	Major Total	Minor Vol Dir	Maj 500	Min 150	Hour Begin	Major Total	Minor Vol Dir	Maj 750	Min 75	Hour Begin	Major Total	Minor Vol Dir	1A Met	1B Met
16:15	214	106 EB	No	No	16:15	214	106 EB	No	Yes	16:15	214	106 EB	No	No
16:30	205	110 W	No	No	16:30	205	110 W	No	Yes	16:30	205	110 W	No	No
11:30	201	119 W	No	No	11:30	201	119 W	No	Yes	11:30	201	119 W	No	No
11:45	192	113 W	No	No	11:45	192	113 W	No	Yes	11:45	192	113 W	No	No
16:00	189	112 EB	No	No	16:00	189	112 EB	No	Yes	16:00	189	112 EB	No	No
15:00	189	129 EB	No	No	15:00	189	129 EB	No	Yes	15:00	189	129 EB	No	No
13:15	189	141 W	No	No	13:15	189	141 W	No	Yes	13:15	189	141 W	No	No
11:15	189	118 W	No	No	11:15	189	118 W	No	Yes	11:15	189	118 W	No	No
13:00	187	136 W	No	No	13:00	187	136 W	No	Yes	13:00	187	136 W	No	No
11:00	187	108 W	No	No	11:00	187	108 W	No	Yes	11:00	187	108 W	No	No
12:00	186	118 W	No	No	12:00	186	118 W	No	Yes	12:00	186	118 W	No	No
15:45	184	120 EB	No	No	15:45	184	120 EB	No	Yes	15:45	184	120 EB	No	No
14:45	184	152 EB	No	Yes	14:45	184	152 EB	No	Yes	14:45	184	152 EB	No	No
12:45	184	136 W	No	No	12:45	184	136 W	No	Yes	12:45	184	136 W	No	No
16:45	182	98 EB	No	No	16:45	182	98 EB	No	Yes	16:45	182	98 EB	No	No
14:30	182	153 EB	No	Yes	14:30	182	153 EB	No	Yes	14:30	182	153 EB	No	No
12:15	180	120 W	No	No	12:15	180	120 W	No	Yes	12:15	180	120 W	No	No
15:15	177	137 EB	No	No	15:15	177	137 EB	No	Yes	15:15	177	137 EB	No	No
15:30	175	126 EB	No	No	15:30	175	126 EB	No	Yes	15:30	175	126 EB	No	No
12:30	174	132 W	No	No	12:30	174	132 W	No	Yes	12:30	174	132 W	No	No
10:45	173	108 W	No	No	10:45	173	108 W	No	Yes	10:45	173	108 W	No	No
13:30	172	146 W	No	No	13:30	172	146 W	No	Yes	13:30	172	146 W	No	No
09:45	169	97 W	No	No	09:45	169	97 W	No	Yes	09:45	169	97 W	No	No
10:15	168	90 W	No	No	10:15	168	90 W	No	Yes	10:15	168	90 W	No	No



INTERIM SIGNING EXHIBIT

College-Mulberry Signal Removal
Lenoir, NC



Mattern & Craig

ENGINEERS - SURVEYORS
FIRM LICENSE No. C-1154
12 BROAD STREET
ASHEVILLE, NORTH CAROLINA 28801
(828) 254-2201
FAX (828) 254-4562

Comm. No. 4322G

Figure:

1

Comm. No. 4322G