



AGENDA

**CITY OF LENOIR
CITY COUNCIL MEETING
905 WEST AVENUE
TUESDAY, MAY 7, 2019
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition: On behalf of City Council, Mayor Gibbons will present a proclamation to Brent Phelps, Chief of Police, proclaiming the month of May as "Motorcycle Safety & Awareness Month" throughout the City of Lenoir and Caldwell County.
- C. Special Recognition: On behalf of City Council, Mayor Gibbons will present a proclamation to Brent Phelps, Chief of Police, proclaiming the week of May 12 through 18 as "Peace Officers' Memorial Week" throughout the City of Lenoir and Caldwell County. Also, Wednesday, May 15 is recognized as "Peace Officers' Day" and an Officer Down Memorial Service is scheduled at First Baptist Church beginning at 7:00 p.m.
- D. Special Recognition: On behalf of City Council, Mayor Gibbons will present a proclamation to Radford Thomas, Public Utilities Director, proclaiming the week of May 5 through May 11 as "Celebrate Drinking Water Week" throughout the City of Lenoir and Caldwell County.
- E. Special Recognition: On behalf of City Council, Mayor Gibbons will present a proclamation to Jared Wright, Public Works Director, proclaiming the week of May 19 through May 25 as "National Public Works Week" throughout the city of Lenoir and Caldwell County.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, April 16, 2019 as submitted.
- B. Minutes: Approval of the minutes of the Committee of the Whole meeting of Tuesday, April 23, 2019 as submitted.
- C. Capital Project Budget Ordinance; Close Out of the 2016 Community Development Block Grant: Approval of a Capital Project Budget Ordinance to close out the 2016 Community Development Block Grant Capital Project in the amount of \$140,272 as funds have been expended.
- D. Amendment; 2017 Capital Project Budget Ordinance: Approval of an amendment of the 2017 Capital Project Budget Ordinance as recommended by City Staff. The amendments are as follows: 1) Reduce Clearance/Spot Slum & Blight \$13,347; and 2) Increase Public Facilities Funds (for the J. E. Broyhill

Park) in the amount of \$13, 347. The amount of the 2017 Capital Project Budget Ordinance is \$131,683.

- E. Capital Project Budget Ordinance; EPA Brownfield Grant: Approval of a Capital Project Budget Ordinance in the amount of \$300,000 for the Environmental Protection Agenda (EPA) Brownfield Grant.
- F. Capital Project Budget Ordinance; ARC Grant: Approval of a Capital Project Budget Ordinance in the amount of \$768,000 for the Appalachian Regional Commission (ARC) Grant.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

- A. Rick Oxford, Plan Administrator, Western Piedmont Council of Governments, will hold the second of two public meetings to receive public comments regarding the proposed FY2019 Action Plan of the City of Lenoir and the Unifour HOME Consortium as part of the five-year Consolidated Plan. This plan, as required by the U.S. Department of Housing and Urban Development (DHUD), outlines goals and action plans of the City of Lenoir and the Unifour HOME Consortium and its use of Community Development Block Grant (CDBG) and HOME funds for fiscal year 2019, beginning July 1, 2019 and ending June 30, 2020. The City of Lenoir serves as the Lead Entity for the Unifour Consortium.

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

- 1. The Lenoir Business Advisory Board will meet on Thursday, May 9 at 6:00 p.m. at City Hall, Third Floor.
- 2. The annual Cycle to Serve (Rotary Club) event will be held in downtown Lenoir on Saturday, May 11 beginning at 8:00 a.m.
- 3. The City/County Services Committee will meet on Monday, May 13 at 11:45 a.m.
- 4. The Caldwell County Economic Development Commission will meet on Tuesday, May 14 at 8:00 a.m.
- 5. The North Carolina League of Municipalities annual City Vision Conference will be held on Tuesday, May 15 through Thursday, May 16 at the Hickory Metro Center.

B. Items for Council Action

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

- A. Board Re-Appointments: Mayor Gibbons will announce for the general public the following list of individuals to be considered for re-appointment to the City's Authorities/Boards/Commissions. These names will be placed on the May 7 Agenda for consideration of approval by City Council.

Lenoir Business Advisory Board

Dana Clark
Byron Grayson
John Moore
Grey Scheer
Glenda Wilson

Planning Board

Leah Hamilton

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

- A. Delegate/Alternate Delegate; NCLM City Vision Conference: City Council will appoint a Delegate and an Alternate Delegate to represent the City of Lenoir at the North Carolina League of Municipalities City Vision Conference on May 15-16 at the Hickory Metro Convention Center. Representing the City of Lenoir is Mayor Joe Gibbons, Mayor Pro-Tem Ben Willis, Councilmember Ike Perkins and City Manager Scott Hildebran.

X. ADJOURNMENT



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:

Request approval of proclamations for May (requires Mayor signature and City Seal):

- Motorcycle Safety & Awareness Month, May 2019
- Peace Officers' Memorial Week, May 12 – 18, 2019 (Peace Officers' Day, May 15th).

II. Background Information:

Annual recognition for these 2 awareness pieces.

- Request presentation at the next available Council Meeting

III. Staff Recommendation:

IV. Reviewed by:

City Attorney: _____

Date: _____

City Manager: _____

Date: _____

Police Chief:  _____

Date: 4-15-19



PROCLAMATION

Motorcycle Safety & Awareness Month

May 2019



***WHEREAS**, the growth in popularity of motorcycle riding and touring, combined with the many scenic destinations in our state and the year-long riding season, have led to North Carolina having one of the largest populations of motorcycle enthusiasts in the nation; and*

***WHEREAS**, more and more residents of the City of Lenoir are taking up this mode of transportation to commute to and from their places of employment; and*

***WHEREAS**, many motorcyclists undergo specialized training by attending professionally taught motorcycle operator training courses with emphasis on skills, traffic laws, and proper safety equipment; and*

***WHEREAS**, it is the responsibility of all motorists to be aware of motorcyclists and extend to them the same courtesy as any other vehicles on our roadways.*

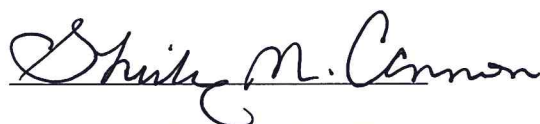
***NOW, THEREFORE, BE IT RESOLVED**, that I, Joseph L. Gibbons, Mayor of the City of Lenoir, and on behalf of the Lenoir City Council, do hereby proclaim the month of May as "Motorcycle Safety and Awareness Month" throughout the City of Lenoir.*

***WITNESS**, my hand and seal this the 1st day of May, 2019.*

SEAL


Joseph L. Gibbons, Mayor

ATTEST:


Shirley M. Cannon, City Clerk

PROCLAMATION



In Recognition of Peace Officer's Memorial Week

May 12 – 18, 2019

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

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

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

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

NOW THEREFORE, BE IT RESOLVED, that I, Joseph L. Gibbons, Mayor of the City of Lenoir, and on behalf of the Lenoir City Council, do hereby proclaim and call upon all citizens of Lenoir and upon all patriotic, civic and educational organizations to observe the week of May 12 – May 18, 2019, as Police Week with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

FURTHERMORE, I proclaim and call upon all citizens of the City of Lenoir to observe May 15, 2019, as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty. Let us recognize and pay respect to the survivors of our fallen heroes.

WITNESS, my hand and seal this the _____ day of _____, 2019.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

CITY COUNCIL
J. T. BEAL
T. H. PERDUE
J. I. PERKINS
T. J. ROHR
D. F. STEVENS
C. D. THOMAS
B. K. WILLIS

**PROCLAMATION
IN CELEBRATION OF
DRINKING WATER WEEK**

WHEREAS, water is our most valuable natural resource; and

WHEREAS, only tap water delivers public health protection, fire protection, support for our economy and the quality of life we enjoy; and

WHEREAS, any measure of a successful society - low mortality rates, economic growth and diversity, productivity, and public safety are in some way related to access to safe water; and

WHEREAS, we are all stewards of the water infrastructure upon which future generations depend; and

WHEREAS, each citizen of the City of Lenoir and Caldwell County is called upon to help protect our source waters from pollution, to practice water conservation, and to get involved in local water issues by getting to know their water;

NOW, THEREFORE, be it resolved that by virtue of the authority vested in me as Mayor of the City of Lenoir, North Carolina, and on behalf of the Lenoir City Council, I do hereby proclaim the week of May 5 – 11, 2019 as *“Celebrate Drinking Water Week”* throughout the City of Lenoir and Caldwell County.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Lenoir to be affixed this the 7th day of May, 2019.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:

Shirley Cannon, City Clerk





CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

**PROCLAMATION
NATIONAL PUBLIC WORKS WEEK**

MAYOR
JOSEPH L. GIBBONS

CITY COUNCIL
J. T. BEAL
T. H. PERDUE
J. I. PERKINS
T. J. ROHR
D. F. STEVENS
C. D. THOMAS
B. K. WILLIS

WHEREAS, Public Works infrastructure, facilities and services are of vital importance to the health, safety and well-being of the people of this nation; and

WHEREAS, Such facilities and service could not be provided without the dedicated efforts of public works professionals, engineers and administrators, representing federal, state, and local units of government, who are responsible for and must design, build, operate, and maintain the transportation, and refuse disposal systems, public buildings, and other structures and facilities essential to serve our citizens; and

WHEREAS, Public Works professionals provide critical response capabilities, experience and support to all levels of government in times of natural and man-made disasters; and

WHEREAS, It is in the public interest for the citizens and civic leaders of this country to gain knowledge of and to maintain a progressive interest in the public works needs and programs of the respective communities;

NOW, THEREFORE, I Joseph L. Gibbons, Mayor, and on behalf of the Lenoir City Council urge all our citizens to join with representatives of governmental agencies and the American Public Works Association in proclaiming the week of May 19 through May 25, 2019 as “**National Public Works Week**” in activities and ceremonies designed to pay tribute to our public works professionals, engineers and administrators and to recognize the substantial contributions they have made to our national health and welfare.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Lenoir to be affixed this the 7th day of May, 2019.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk



**LENOIR CITY COUNCIL
TUESDAY, APRIL 16, 2019
6:00 P.M.**

PRESENT: Mayor Gibbons presiding. Councilmembers present were Beal, Perdue, Perkins, Thomas and Willis. Also in attendance were City Manager Hildebran, City Clerk Cannon and City Attorney Rohr.

Note: Councilmember Rohr's seat is vacant on City Council due to his accepting the position of City Attorney.

ABSENT: Councilmember Stevens.

I. CALL TO ORDER

- A. The meeting was opened by a moment of silence followed by the Pledge of Allegiance led by Mayor Gibbons.

SYMPATHY; LEWIS PRICE

FAMILY: B. On behalf of City Council, Mayor Gibbons extended sympathy to former City Councilmember Lewis Price upon the recent passing of his wife Carol Price and asked everyone to keep Lewis and his family in their thoughts and prayers during this difficult time.

**SPECIAL RECOGNITION; NATIONAL
LINEMAN DAY:**

- C. On behalf of City Council, Mayor Gibbons presented a proclamation to Ms. Robin Nicholson, District Manager, Duke Energy, and Mr. Scott Dula, Blue Ridge Energy, proclaiming Thursday, April 18 as "National Lineman Day" throughout the City of Lenoir and Caldwell County.

A copy of the proclamation is hereby incorporated into these minutes by reference. (Refer to page 348).

Ms. Nicholson thanked City Council for their recognition and support of all linemen and support personnel who work diligently to restore power during inclement weather.

Mr. Dula also thanked City Council along with Emergency Services Personnel and Police Officers who assist with keeping everyone safe during weather related events.

Mayor Gibbons thanked Ms. Nicholson and Mr. Dula for their great partnership with the City and for all their Staff does for the citizens and community.

UPDATE; CHARTERS OF

FREEDOM: C. Mr. Mike Unruh, Communications & Resources, Charters of Freedom, Foundation Forward, Inc., presented a report to City Council on the Charters of Freedom to be installed at the historic Caldwell County Courthouse in July. The term Charters of Freedom is used to describe the three documents in early American history which are considered instrumental to its founding and philosophy. These documents are the United States Declaration of Independence, the Constitution and the Bill of Rights. Foundation Forward, Inc. is a non-profit educational project, 501(c)(3), that builds Charters of Freedom Settings in local communities across the country.

In addition, Mr. Unruh stated they are working with a number of local businesses and suppliers seeking donations for this project. He reported the masonry class from Caldwell Community College & Technical Institute along with masonry students from Hibriten and West Caldwell High Schools would be installing the brick work. He further mentioned that Statesville Brick Company has donated the brick for Lenoir's project.

Mr. Unruh reported that Mr. and Mrs. Vance Patterson established the Charters of Freedom Foundation as an educational project following a visit to Washington, DC where they had the opportunity to view the original documents. He stated the purpose of this project is to educate students and preserve history along with installing as many of these Charters as possible in counties across the state. The first Charters of Freedom was built at the Morganton Historic Courthouse in the City of Morganton.

The Foundation also plans to do community outreach and has composed a Broadway Musical called *1776* with plans to have this production available in communities in order that future students will understand their rights and liberties. Mr. Unruh stated they are currently working with Staff at the J. E. Broyhill Civic Center and the Caldwell County School System to have the production shown here.

He stated that nineteen Charters have been fully built and dedicated so far across North Carolina and there are thirty-three more in the works to be built. A dedication ceremony and ribbon cutting will be held in July for the City of Lenoir site. Mr. Unruh also shared that 240 pavers will be available for purchase by individuals or businesses that want to be a part of this historic project. He stated that everyone that donates to this project will have their name placed in a time capsule to be buried at the site and opened in eighty-seven years in conjunction with the 300th Anniversary of the Signing of the Declaration of Independence.

On behalf of City Council, Mayor Gibbons thanked Mr. Unruh for the good report.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

A. Upon a recommendation by City Manager Hildebran, the following Consent Agenda items were submitted for approval:

1. Minutes: Approval of the minutes of the City Council Meeting of Tuesday, April 2, 2019, as submitted.
2. Minutes: Approval of the minutes of the Committee of the Whole Meeting of Tuesday, March 26, 2019, as submitted.
3. Proclamation; National Lineman Day: Approval of a proclamation proclaiming Thursday, April 18 as "*National Lineman Day*" throughout the City of Lenoir and Caldwell County for the staff of Blue Ridge Energy and Duke Energy as requested by Robin Nicholson, District Director, Duke Energy.

Upon a motion by Mayor Pro-Tem Willis, Council voted 5 to 0 to approve the above listed items on the Consent Agenda as presented and as recommended by City Manager Hildebran.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

CALDWELL IS HIRING

EVENT: 1. The annual Caldwell is Hiring Event will be held on Wednesday, April 17 from 8:30 a.m. – noon at the J.E. Broyhill Civic Center.

HOLIDAY

CLOSING: 2. City offices will be closed on Friday, April 19 in observance of Good Friday.

ANNUAL BOOTLEGGERS 100

BIKE RACE: 3. The annual Bootlegger 100 Bike Race will be held on Saturday, April 20 beginning at 8:00 a.m. in downtown Lenoir.

ANNUAL EASTER EGG

HUNT; MULBERRY RECREATION:

4. The annual Easter Egg Hunt will be held on Saturday, April 20 beginning at 10:00 a.m. at the Mulberry Recreation Center.

PLANNING

BOARD: 5. The Planning Board will meet on Monday, April 22 at 5:30 p.m.

COMMITTEE OF THE

WHOLE: 6. The Committee of the Whole will meet on Tuesday, April 23 at 8:30 a.m. at City Hall, Third Floor, former Council Chambers.

FOOTHILLS REGIONAL AIRPORT

AUTHORITY: 7. The Foothills Regional Airport Authority will meet on Wednesday, April 24 at noon.

LENOIR TOURISM DEVELOPMENT

AUTHORITY: 8. The Lenoir Tourism Development Authority will meet on Thursday, April 25 at 10:00 a.m. at City Hall, Third Floor, former Council Chambers.

MAYOR'S BREAKFAST FOR NATIONAL DAY

OF PRAYER: 9. The Mayor's Breakfast in conjunction with the National Day of Prayer will be held on Thursday, May 2 at 8:00 a.m. at Lenoir Presbyterian Church. The guest speaker is Mr. Doug Gillin, Director of Athletics, Appalachian State University. Tickets are \$10.00 and are available at City Hall.

B. ITEMS FOR COUNCIL ACTION

AUTHORIZING RESOLUTION; LAND EXCHANGE REQUEST; 512 NORTH MAIN STREET:

- A. If City Council wishes to proceed with the proposed land exchange which would convey Lot "B" -0.01 acres of land (a portion of NCPIN#2749787948) owned by Joel Kincaid/Seth Hickel to the City of Lenoir in exchange for Lot "A" -0.01 acres of city owned land (a portion of NCPIN#2749890145 both located at or near 512 North Main Street NW, Staff recommends approval of the submitted Resolution. Both tracts are of similar size and value and would further a public purpose in maintaining a city park sidewalk. **Note:** In accordance with N.C.G.S. §160A-271, a public notice outlining the terms of the exchange was published in the *News-Topic* for a minimum of ten (10) days.

A copy of the Resolution Authorizing the Land Exchange is hereby incorporated into these minutes by reference. (Refer to page 349).

Following a brief discussion and upon a motion by Councilmember Perdue, Council voted 5 to 0 to approve the Authorizing Resolution for the Land Exchange Request as presented and as recommended by City Staff.

BID AWARD; PLAYGROUND EQUIPMENT; MULBERRY RECREATION CENTER:

2. Staff recommends City Council award the low bid of \$45,809.84 to Barrs Recreation for playground equipment for Optimist Park: This is part of the Parks and Recreation Trust Fund Grant (PARTF) Grant for the Mulberry Optimist Park Project.

A copy of the bid tab is hereby incorporated into these minutes by reference. (Refer to page 350).

Upon a motion by Councilmember Thomas, Council voted 5 to 0 to award the low

bid of \$45,809.84 to Barrs Recreation for playground equipment for Optimist Park as presented and as recommended by City Staff.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

ANNOUNCEMENT; RE-APPOINTMENTS; AUTHORITIES/BOARDS/COMMISSIONS:

- A. Mayor Gibbons announced for the general public that the following individuals will be presented for consideration of re-appointment to the City's Authorities/Boards/Commissions at the May 7 City Council Meeting. These individuals were announced at the April 16 City Council Meeting. Mayor Gibbons also stated that all of these board members are doing a great job and have asked to be re-appointed.

Lenoir Business Advisory Board

Dana Clark Byron Grayson
John Moore Grey Scheer
Glenda Wilson

Planning Board

Leah Hamilton

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

X. ADJOURNMENT

- A. There being no further business, the meeting was adjourned at 6:30 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA
PROCLAMATION

MAYOR
JOSEPH L. GIBBONS

CITY COUNCIL
J. T. BEAL
T. H. PERDUE
J. I. PERKINS
T. J. ROHR
D. F. STEVENS
C. D. THOMAS
B. K. WILLIS

IN HONOR AND RECOGNITION OF

NATIONAL LINEMAN APPRECIATION DAY

WHEREAS, linemen are often first responders during storms and other catastrophic events, working to make the scene safe for other public safety heroes; and

WHEREAS, linemen work with thousands of volts of electricity high atop power lines 24 hours a day, 365 days a year, to keep electricity flowing; and

WHEREAS, linemen must often work under dangerous conditions far from their families to construct and maintain the energy infrastructure of the United States; and

WHEREAS, linemen put their lives on the line every day with little recognition from the community regarding the danger of their work; and

WHEREAS, the City of Lenoir further recognizes and honors the significant and dangerous work of all the dedicated line work support personnel, engineering staff, work management group and vegetation management (tree) crews,

NOW, THEREFORE, I, Joseph L. Gibbons, Mayor of the City of Lenoir, and on behalf of the Lenoir City Council, do hereby proclaim Thursday, April 18, 2019 as "*National Lineman Appreciation Day*" throughout the City of Lenoir and Caldwell County and urge all citizens to thank the linemen and supporting staff of Blue Ridge Energy and Duke Energy for all they do for our citizens that enables us to enjoy health, safety, comfort and quality of life every day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Lenoir, North Carolina to be affixed this the 16th day of April, 2019.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk



RESOLUTION AUTHORIZING EXCHANGE OF PROPERTY

WHEREAS, the City of Lenoir owns approximately 0.01 acres of land in the County of Caldwell, North Carolina, (a portion of NCPIN 2749890145), located in the 500 block of North Main Street NW; and

WHEREAS, Joel Kincaid/Seth Hickel owns approximately 0.01 acres of land in the County of Caldwell, North Carolina, (a portion of NCPIN 2749787948), located at 512 North Main Street NW; and

WHEREAS, the City of Lenoir and Kincaid/Hickel wish to make an exchange of the above-described properties and as shown on "Recombination Survey of the Joel D. Kincaid & Steven Seth Hickel Properties" from Western Carolina Surveyors, P.A. (Job #9620) subject to the following negotiated terms and conditions:

- (1) The City of Lenoir will convey approximately 0.01 acres of land to Kincaid/Hickel in fee simple.
- (2) Kincaid/Hickel will convey approximately 0.01 acres of land to the City of Lenoir in fee simple.

WHEREAS, the exchange is considered to provide a full and fair compensation to the City as both tracts are similar in size, location and value, and further a public purpose in maintaining a city park sidewalk;

WHEREAS, North Carolina General Statute 160A-271 authorizes the City of Lenoir to make such an exchange if authorized by the City Council by a resolution adopted at a regular meeting of the City Council upon at least 10 days' public notice; and

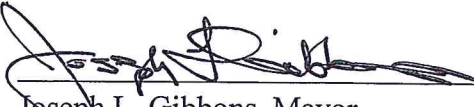
WHEREAS, the City of Lenoir has given the required public notice, and the City Council is convened in a regular meeting.

THEREFORE, THE CITY COUNCIL OF THE CITY OF LENOIR RESOLVES THAT:

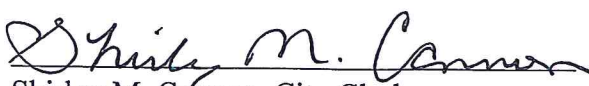
1. The exchange of properties is authorized subject to the approved negotiated terms and conditions as stated above.
2. The appropriate City officials are directed to execute the instruments necessary to carry out the exchange.

Adopted this the 16th day of April, 2019.

SEAL


Joseph L. Gibbons, Mayor

ATTEST:


Shirley M. Cannon, City Clerk



BARRS RECREATION, LLC
9521 LUMLEY ROAD
SUITE A

QUOTATION

Date	Estimate #
4/2/2019	114932

Name / Address
Lenoir Parks and Rec Lenoir, NC 28645

Rep	Project
April	

Description	Qty	U/M	Rate	Total
Custom Voltage 2-5 Playground	1	ea	6,170.00	6,170.00T
Custom Voltage 5-12 Playground	1	ea	20,915.00	20,915.00T
Single Post Swings - 2 belts/1 toddler	1	ea	1,991.00	1,991.00T
Comet Spinner	1	ea	1,760.00	1,760.00T
				30,836.00
Barrs Rec Discount			-5,812.80	-5,812.80
Freight	1		2,500.00	2,500.00T
Installation of Your Commercial Equipment - completed in typical soil conditions. *In atypical situations where excessive bedrock is encountered such that a rock hammer or other heavy equipment is needed to complete the job, additional fees may be discussed.	1		8,750.00	8,750.00T
Certified Engineered Wood Fiber	120	CuYd	37.00	4,440.00T
Commercial Border Timber	55		40.00	2,200.00T

All purchases subject to a 5 - 7 week delivery schedule, unless otherwise noted. This quote is valid for 90 days. Payment terms are issuance of PO, or 50% deposit with order, balance due upon delivery (or completion of installation if we are providing that service). To accept this quotation, please sign and date on line below, and fax to (919) 781-5779 Thank you for your consideration. If an order is cancelled after production begins, there will be a 35% re-stocking fee

Subtotal \$42,913.20

Sales Tax (6.75%) \$2,896.64

Total \$45,809.84

Phone #	Toll Free Phone	E-mail	Web Site
919-781-4870	800-909-PLAY	carolynneb@barrsrec.com	www.barrsrec.com

**COMMITTEE OF THE WHOLE
CITY HALL, THIRD FLOOR
TUESDAY, APRIL 23, 2019
8:30 A.M.**

PRESENT: Mayor Pro-Tem Willis presiding. Committee members Beal, Gibbons, Perdue, Perkins, and Stevens.

City Manager Hildebran, City Clerk Cannon, Public Information Officer Harris, Police Chief Phelps, Fire Chief Hair, Economic Development Director Horn, Finance Director Bean, Assistant Recreation Manager Zack Carter, Planning Director Wheelock, Public Utilities Director Thomas, and Tracy Huffman, Street Superintendent.

ABSENT: Councilmember Crissy Thomas, Public Works Director Jared Wright and Recreation Director Kenny Story.

OTHERS: Joel Whitford, PA, McGill Associates, Ms. Erin Schotte, Community & Economic Development Administrator, Western Piedmont Council of Governments, and Virginia Annable, *News-Topic*.

Note: There is one Council seat vacant due to T. J. Rohr being appointed as the City Attorney.

I. CALL TO ORDER

A. Mayor Pro-Tem Willis welcomed everyone and called the meeting to order.

B. Radford Thomas, Public Utilities Director, reminded Council the City received two Asset Inventory and Assessment (AIA) grants for the City's water and wastewater systems in 2018 which were funded by the North Carolina Division of Water Infrastructure. The cost of the wastewater project is \$140,000 and the City received a grant in the amount of \$126,000 with a City match of \$14,000. The cost of the water project is \$80,000 and the City received a grant in the amount of \$72,000 with a City match of \$8,000. Director Thomas then introduced Joel Whitford, McGill Associates, who presented a brief video outlining the goals and scopes of these two projects.

Copies of the two Assessment Reports are on file in the City Clerk's office.

Mr. Whitford stated they assessed the City's water and sewer system and these assessments would result in key findings for the City to address. He pointed out the City was awarded its AIA Assessment funding in the first round of applications. Mr. Whitford reviewed the scope and goals of each project and the future tasks as follows:

Water AIA Scope

- Review water GIS mapping
- Water mapping updates
- Update/expand water model

- Identify locations for testing
- Hydrant flow & pressure testing
- Calibrate water model
- Evaluate water system concerns
- Prioritize improvements
- Opinions of probable costs
- Update CIP

Water (AIA) Goals

- Condition Assessment - Hydraulic Modeling
- Operation Efficiency – Pumping and Pressure Zones

Sewer AIA Scope

- Review sewer GIS mapping
- Identify flow monitoring needs
- Flow monitoring equipment purchase and monitoring

Sewer AIA Goals

- Flow Monitoring and Analysis
- System Evaluation and Facility Assessment

Future Water Tasks

- Monitor water pumped to the main pressure zones.
- Update mapping and modeling as system upgrades are implemented.
- Regularly review priorities as the system grows or changes in demand and efficiency.
- Develop priority list of divisional valves to be replaced.
- Implement capital improvement projects.

Future Sewer Tasks

- Continue locating manholes and updating GIS mapping.
- When cleaning critical sewer lines, perform video evaluations.
- Develop program for continues flow monitoring in high priority areas and sub-basins.
- Continue to develop hydraulic models of key sewer outfalls.
- Begin smoke testing efforts in high 1/1 areas to determine sewer rehabilitation needs.

Mr. Whitford also pointed out there is an area of homes that experience low water pressure on Finley Avenue and another area that is upstream from Lower Creek Drive to Wilkesboro Boulevard. He reported that hydrants can be calibrated in order to address low pressure areas to help them function more efficiently and mentioned a project is currently listed on the City's Capital Improvement Project (CIP) list to address this issue.

Motion

Upon a motion by Councilmember Perdue, Council voted 5 to 0 to approve the Asset and Inventory Assessments (AIA's) Reports as submitted and as presented by McGill

Associates.

- C. Authorizing Resolution; Appalachian Regional Commission: Staff recommends approval of a Resolution Authorizing the Execution of a Grant Agreement with the Appalachian Regional Commission (ARC) for a \$300,000 Grant Award for the Old Broyhill Plant Site Clearance Project.

Staff further recommends that the Mayor and/or City Manager are hereby authorized to execute the Appalachian Regional Commission Grant Contract, and any related documents for the grant award of \$300,000, and further authorizes the grant match of \$250,000 in City funds for the Old Broyhill Plant Site Project.

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

Ms. Erin Schotte, Community & Economic Development Administrator, Western Piedmont Council of Governments, presented an update to City Council regarding the project. Ms. Schotte stated she has worked with both Planning Director Wheelock and Public Utilities Director Thomas and currently, the City has done as much environmental assessment as possible at the site. Ms. Schotte explained that a full environmental assessment can't be completed until all of the rubble on the site is cleaned up. Director Thomas stated the cost of the clean-up is around \$550,000 and once finished, the City will move forward with its Brownfields application process. Planning Director Wheelock also reported there were several more items that need to be completed for this project.

Ms. Schotte explained a portion of the funding from the Environmental Protection Agency (EPA) plus the appraisal value of the property was used in estimating the amount of the City's match. She reported the North Carolina Department of Commerce would administer this project instead of the Appalachian Regional Commission. The Brownfields grant will assist with the cost of this project as well.

Director Thomas clarified this funding would assist with making these properties more marketable and mentioned a buyer is interested in purchasing the former Depot building. In addition, Director Thomas stated that approval of the authorizing resolution is part of the ARC's criteria the City has to meet.

Motion

Upon a motion by Councilmember Perdue, Council voted 5 to 0 to adopt the Authorizing Resolution for the Execution of a Grant Agreement with the Appalachian Regional Commission (ARC) for a \$300,000 Grant Award, and further authorizes the Mayor and/or City Manager to execute the grant contract, and any related documents for the grant award of \$300,000 and further authorizes the grant match of \$250,000 in City funds for the Old Broyhill Plant Site Clean-up Project as submitted and as recommended.

II. CITIZEN COMMENT PERIOD

III. COMMITTEE ITEMS

A. Public Utilities/Public Works

1. Public Utilities Director Radford Thomas reported on the following items:

- The final change order was approved for Water Project #1 and the City is waiting on the final payment request. Water Project #2 is moving forward and may be completed by the end of May.
- Staff met with the engineers regarding the Biosolids Project and he reported the drawings and plans are 75% complete. The EPA will have to approve a Phase 2 Project. Director Thomas reported he did a presentation in Boone on April 10 for the NC Water Infrastructure Authority who is providing funding for this project and remarked they were impressed with the scope of this project.
- Reported that Request for Proposals (RFQ) for the Crossroads Sewer Line Replacement Project will be accepted on Tuesday, April 30. This procedure is part of the City's requirements for the State Revolving Loan Program and a recommendation will be placed on the May 7 City Council Agenda for consideration of approval.

B. Public Works

1. Street Superintendent Tracy Huffman updated City Council on the following Projects:

- 30 ADA (Americans with Disabilities Act) mats have been installed in the downtown area at a cost of \$175.00 each in order to remain in compliance.
- Gravel will be placed on the Greenway from Main Street to Robbins Avenue for the Over Mountain Victory Trail (OVT).
- The road will be repaired at the Police Department Firing Range due to the bank washing. The road is 10-feet wide.
- On Wednesday, April 24, Staff will assist with the placement of the Charters of Freedom at the historic downtown courthouse with the pouring of the footings & concrete. The Charters are the Declaration of Independence, Bill of Rights and the United States Constitution and were donated to the City by Mr. and Mrs. Vance Patterson. They will be installed at the courthouse in the near future.
- Building Maintenance Staff has upgraded the downtown sound system plus combined the City's two community gardens into one location.
- A reception will be held on Tuesday, April 30 from 2:00 – 4:00 p.m. at Mulberry Recreation Center in honor of J.R. Goforth who is retiring from the City following 23 years of dedicated service to the City and its citizens.
- The annual Leaf Compost sale was held on April 20 at the Public Works facility and will be held again on April 27.
- City Staff will begin to acquire the rights-of-way for the Hospital avenue Sidewalk Project in May.
- The annual Bloom Blast event is scheduled for Saturday, May 18 at 8:00 a.m. The Master Gardeners will plant flowers in the downtown planters.
- National Public Works Week will be held the week of May 19 – 25. Details regarding the annual Public Works Breakfast will be announced in the near future.

C. Planning Board: The Planning Board met on Monday, April 23. Planning Director Wheelock reported on the following items:

- The National Historic Preservation Committee is reviewing citizen comments from their prior community meeting. Director Wheelock stated the Committee needs further clarification on some of the historic sites and may be ready at the June 4 City Council meeting to submit ordinances for consideration of approval by City Council.
- The City continues to work with the Western Piedmont Council of Governments on ways to come into compliance with the state regarding the City's notice of violation received regarding its Stormwater program.

IV. COMMUNITY DEVELOPMENT

A. The Lenoir Tourism Development Authority (LTDA) met on Thursday, April 11. Minutes of the February 14 and March 21 meetings were submitted as information. Economic Development Director Kaylynn Horn stated that Chris Cavanaugh will be meeting with the Committee on Thursday, April 25 to conduct a Strategic Planning Session.

B. The Lenoir Business Advisory Board met on Thursday, April 11. Minutes of the February 14 and March 21 meetings were submitted as information. Economic Development Director Kaylynn Horn reported on the following:

- Due to the rescheduling of the Google Gravity Games, the City lost about 75% of the funfest events that were scheduled, but additional vendors signed up to attend.
- The annual Bootlegger 100 Bike Race was very successful and had a large attendance.

C. Financial and Administration

1. Financial Summary: Finance Director Bean reviewed the Financial Summary as of March 31, 2019. The over/under balance in the General Fund is \$2,195,617.75, Downtown District (\$77,393.20), and Water & Sewer Fund \$2,099,991.91. Director Bean stated revenue remains above expenditures and reported the City collected \$2,506,634.68 in sales tax as of March 31, 2019 for a change of 4.71%. (A copy of the March financial summary is attached to these minutes as information).

2. Tax Releases and Refunds: Director Bean recommended approval of the Tax Releases and Refunds as of April 15, 2019 as submitted in accordance with N.C.G.S. §105-381.

A copy of the tax releases and refunds are attached to these minutes as information.

Motion

Upon a motion by Councilmember Stevens, Council voted 5 to 0 to approve the

Tax Releases and Refunds for April 15, 2019 as presented by Finance Director Bean.

- D. Parks & Recreation Advisory Board: The Parks & Recreation Advisory Board met on Monday, April 15. Lenoir Aquatic & Fitness Center Manager Zack Carter stated 150 children and youth participated in the annual Easter Egg Hunt at Mulberry Recreation Center. He reported that Saturday, May 4 is opening day for Youth Baseball/Softball and registration for the summer basketball leagues will be held in May.

Also Mr. Carter reported a new event called the End of School Blast is scheduled on Saturday, May 25 from noon – 4:00 p.m. at Mulberry Recreation Center. The outdoor pool at the Aquatic Center also opens on May 25. In addition, he reported the handicap sidewalk at the J.E. Broyhill Park has been completed and mentioned cameras are also being installed at the park for additional security. Mr. Carter thanked City Council for approving the playground equipment at the Lenoir Optimist Park.

- E. Update; Public Communications: Joshua Harris, Public Information Officer, reviewed the highlights of the Communications Reports for April. Activity included 209 social posts, 115 photos, 2 radio spots and 3 news releases. In addition, the website experienced 30,762 views and the City's Facebook account has 971 new followers. Director Harris reported the City will have a summer intern and asked Department Directors to submit any ideas for future radio spots.

Director Harris further shared the new website is moving forward and stated the code red emergency switch will be finished in May.

IV. PUBLIC SAFETY

- A. Police Department: Police Chief Brent Phelps stated the delay of their quarterly report is due to switching over to the National Incident-Based Reporting System, or *NIBRS*, which is technology to improve the overall quality of crime data collected by law enforcement.

Chief Phelps stated Staff will be working with the District Attorney's office regarding their evidence room and the amount of evidence they have stored. He shared that part-time Staff will be assisting with this project. Chief Phelps reported they are continuing their training, and mentioned a graduation ceremony is scheduled for Thursday, April 25 for the graduates of the Police Academy.

- B. Fire Department: Fire Chief Ken Hair presented a copy of the Department's Quarterly Report. (A copy of the report is attached to these minutes as information). He stated the Department has assisted Emergency Medical Services (EMS) recently with twenty (20) calls and is currently providing more service to

this Department.

Chief Hair reported construction continues on Station No. #3 and stated the framing has been completed and cabinets will be installed following the completion of the sheetrock. He shared the Department has saved money on some of the costs of this project and remarked a plaque has been ordered to be placed in the front entrance of the building.

V. OTHER

- A. Mayor Pro-Tem Ben Willis stated he currently serves on the Western Piedmont Council of Governments (WPCOG) Policy Board while Mayor Gibbons serves as an Alternate member. Mr. Willis explained they decided to switch positions and asked Council for consideration of approval.

Motion

Upon a motion by Councilmember Perdue, Council voted 5 to 0 to appoint Mayor Gibbons as the City's Delegate to the Western Piedmont Council of Governments and Mayor Pro-Tem Willis as the City's Alternate as recommended by Mayor Pro-Tem Willis.

- B. May Calendar: By consensus of the Council, the calendar for the month of May was approved by Council listing various meetings and events. The following event was highlighted:
- The Mayor's Prayer Breakfast in conjunction with the National Day of Prayer will be held on Thursday, May 2 at 8:00 a.m. at Lenoir Presbyterian Church located at 1002 Kirkwood Street.

VI. Adjourn:

There being no further business; the meeting was adjourned at 9:52 a.m.

Attachments

Authorizing Resolution (Brownfields)
Financial Summary
Tax Releases and Refunds



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

CITY COUNCIL
J. T. BEAL
T. H. PERDUE
J. I. PERKINS
T. J. ROHR
D. F. STEVENS
C. D. THOMAS
B. K. WILLIS

**Resolution Authorizing the Execution of a Grant Agreement with
the Appalachian Regional Commission (ARC) for a \$300,000
Grant Award for the Old Broyhill Plant Site Clearance Project**

WHEREAS, the City of Lenoir has received notification from the Appalachian Regional Commission (ARC) that its application for grant funds for the Old Broyhill Plant Site Clearance Project has been approved; and

WHEREAS, the Old Broyhill Plant Site Clearance Project proposes to prepare an old, blighted manufacturing site for a new industrial development by removing demolition debris, conducting environmental assessments and preparation of a Brownfield Agreement to create a marketable industrial 15-acre site; and

WHEREAS, the total project budget is \$768,000, which includes \$45,000 in Environmental Protection Agency Funds, \$173,000 in in-kind funds (appraised value of the property), and the ARC grant award in the amount of \$300,000 and a required cash match of \$250,000 in city funds.

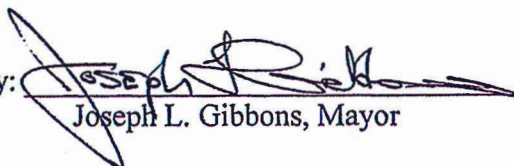
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LENOIR:

That the Mayor and/or City Manager are hereby authorized to execute the Appalachian Regional Commission Grant Contract, and any related documents for the grant award of \$300,000, and further authorizes the grant match of \$250,000 in City funds for the Old Broyhill Plant Site Project.

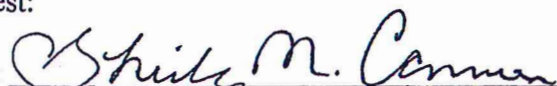
This the 23rd day of April, 2019.

(SEAL)

CITY OF LENOIR, NORTH CAROLINA

By: 
Joseph L. Gibbons, Mayor

Attest:

By: 
Shirley M. Cannon, City Clerk





City of Lenoir
Financial Summary
As of March 31, 2019



General Fund					
	2018-2019 Budget	3/31/2019	% of Budget	Change from Previous Year	3/31/2018
Total Revenue	\$ 17,090,331.00	\$ 14,837,294.76	87%	\$ (254,222.00)	\$ 15,091,516.76
Expenditures	\$ 17,090,331.00	\$ 12,641,677.01	74%	\$ 685,915.53	\$ 11,955,761.48
Over/Under	\$ -	\$ 2,195,617.75		\$ (940,137.53)	\$ 3,135,755.28

Downtown District					
	2018-2019 Budget	3/31/2019	% of Budget	Change from Previous Year	3/31/2018
Revenues	\$ 183,736.00	\$ 57,251.07	31%	\$ 55,541.17	\$ 1,709.90
Expenditures	\$ 183,736.00	\$ 134,644.27	73%	\$ (14,139.76)	\$ 148,784.03
Over/Under	\$ -	\$ (77,393.20)		\$ 69,680.93	\$ (147,074.13)

Water/Sewer Fund					
	2018-2019 Budget	3/31/2019	% of Budget	Change from Previous Year	3/31/2018
Revenues	\$ 8,890,000.00	\$ 6,948,983.63	78%	\$ 57,676.88	\$ 6,891,306.75
Expenditures	\$ 8,890,000.00	\$ 4,848,991.72	55%	\$ 239,411.95	\$ 4,609,579.77
Over/Under	\$ -	\$ 2,099,991.91		\$ (181,735.07)	\$ 2,281,726.98

Tax Collections					
		Collections As Of 3/31/2019***	Percentage of Change	Change from Previous Year	Collections As Of 3/31/2018
Ad Valorem Tax Collection - % of Budget		110%			104%
Sales Tax (January Deposits with adjustment for HB97)		\$ 2,665,955.32	4.77%	\$ 121,356.01	\$ 2,544,599.31
Sales Tax (January Deposits without adjustment for HB97)		\$ 2,506,634.68	4.71%	\$ 112,823.44	\$ 2,393,811.24
Sales Tax adjustment for HB97					
	2018-2019 Budget	Collections As Of 3/31/2019***	Percentage Collected YTD		Collections As Of 3/31/2018***
Sales Tax adjustment for HB97	\$ 218,000.00	\$ 159,320.64	73.08%		\$ 150,788.07

***8 months collections

Tax Releases and Refunds

Apr-19

Tax Refunds				
Tax Payer	REF #	Tax Year	Amount	Reason
Belk Inc.	735	2018	\$ 49.46	Discount did not apply
Charles Dula	2858	2018	\$ 264.83	County Exemption was not applied - system issue
Charles Tassinari	9203	2018	\$ 784.78	Overpayment
Charles Troutman	9544	2018	\$ 15.16	Discount did not apply
Cornellia Dobbins	2800 & 14847	2014 & 2017	\$ 46.22	Overpayment
Ernie & Brenda Cline	09 146 1 10	2013-2017	\$ 389.16	Overpayment of city split
Evolution Event Solutions Inc.	3100	2018	\$ 101.90	Customer paid tax and per county business was moved 8.17.17
Gloria and Larry Hatley	23441	2017	\$ 40.11	Customer was garnished twice resulting in credit balance
Henry Smith	8646	2018	\$ 26.32	Discount did not apply
Horace Gary Link	06173 1 16	2013-2017	\$ 2,474.10	Overpayment of city split
James Johnson	5318	2018	\$ 264.83	County Exemption was not applied - system issue
Jerry B Laws	5713	2018	\$ 190.54	Credit balance
Joretta C Stevens	47566	2017	\$ 253.64	Overpayment
Joretta C Stevens	8941	2018	\$ 264.83	County Exemption was not applied - system issue
Kelly Bentley	793 & 799	2013 & 2018	\$ 325.09	Overpayment
Lenoir Big LLC	09 48 1 9	2018	\$ 324.84	Customer paid full amount in July 18 and thus did not receive early payment discount
Malcolm Langston	30338	2017	\$ 23.36	Discount did not apply
Nancy Mills	6623	2018	\$ 8.37	Discount did not apply
Paul Propst	7700	2018	\$ 264.83	County Exemption was not applied - system issue
Richard Hagen	4115	2018	\$ 1,001.07	Customer and escrow paid
Roby June Michaux	09 30 1 12	2006-2017	\$ 323.39	Marcus Michaux was listed on tax bill by county incorrectly and he should have been listed in care of Marcus Michaux. Marcus was garnished incorrectly.
Sergio Venegas	9719	2018	\$ 10.78	Discount did not apply
Sheila Suddreth	9103	2018	\$ 211.64	County Exemption was not applied - system issue
Steve Marshall	03 18 1 12 & 03 18 1 14	2013-2017	\$ 238.33	Overpayment of city split
Terry Hall	4149	2018	\$ 13.64	Discount did not apply
Thomas Ives	5583	2012	\$ 77.07	Overpayment
Waterlife Church	9880	2018	\$ 4,529.69	County Exemption was not applied - system issue
Wells Fargo Vendor	9981	2018	\$ 34.17	Discount did not apply
George Beam	708	2018	\$ 45.47	Discount did not apply
Total			\$ 12,597.62	
Tax Releases				
Tax Payer	REF #	Tax Year	Amount	Reason
Bobby Joe Dixon	06 17 3 15	2006-2012	\$ 2,530.47	City foreclosed on property - Release back taxes
Tax Releases - Less than \$1				
Tax Payer	REF #	Tax Year	Amount	Reason
Bernice Griffin	20843	2017	\$ 0.35	Less than \$1
Bernice Griffin	3959	2018	\$ 0.02	Less than \$1
Charles Corriher	2312	2018	\$ 0.02	Less than \$1
Coffey's Insulation	2160	2018	\$ 0.09	Less than \$1
Heads Up Hair Design	4446	2016	\$ 0.05	Less than \$1
Heads Up Hair Design	23804	2017	\$ 0.05	Less than \$1
Heads Up Hair Design	23920	2015	\$ 0.06	Less than \$1
Jack Norman	6985	2016	\$ 0.04	Less than \$1
Jill Griffin	3953	2016	\$ 0.01	Less than \$1
Jonathan Greer	3823	2016	\$ 0.25	Less than \$1
Kristle Morrow	35926	2017	\$ 0.15	Less than \$1
Marvin Hartso Jr	4376	2018	\$ 0.03	Less than \$1
Mignonne Pearson	7262	2018	\$ 0.10	Less than \$1
Stephen Parlier	7757	2012	\$ 0.08	Less than \$1
Tammy Yarborough	10493	2016	\$ 0.13	Less than \$1
Total			\$ 1.43	

CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item:

Background:

The City of Lenoir periodically establishes capital project ordinances for endeavors that involve construction/infrastructure activities or grant funding for a particular purpose covering more than one year. In most cases, the duration of a project will extend from one fiscal year into another. Consequently, the adoption of a capital project ordinance allows the governmental entity to appropriate funds for the life of the project without the governing board having to reallocate funding on a fiscal year basis.

The City adopted the Capital Project Budget Ordinance for the 2016 Community Development Block Grant on the 17th day of May, 2016 with a total project budget of \$140,272.00. This project was complete as of December, 2018 with total expenditures of \$140,272.00. There were no excess funds.

Staff would like to close out the capital project noted above. A Capital Project Budget Ordinance To Close Capital Project has been prepared and is attached for your review and approval.

II. Staff Recommendation:

Approve as requested

III. Reviewed by:

City Attorney:

Finance Director: *Donna Bean*

Public Works/Public Utilities Director:

Planning Director:

Recreation Director:

ORDINANCE #2019-1**CAPITAL PROJECT BUDGET ORDINANCE TO CLOSE CAPITAL PROJECT
FOR THE CITY OF LENOIR**

WHEREAS, the City Council of the City of Lenoir has adopted a Budget Ordinance for fiscal year beginning July 1, 2018, and ending June 30, 2019, in accordance with the General Statutes of the State of North Carolina, and

WHEREAS, the City Council desires to recognize the completion of the following Capital Project and

WHEREAS, The City adopted the Capital Project Budget Ordinance for the 2016 Community Development Block Grant on the 17th day of May, 2016 with a total project budget of \$140,272.00. This project was complete as of December, 2018 with total expenditures of \$140,272.00. There were no excess funds and,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA, THAT:

The Capital Project Budget Ordinance for the 2016 Community Development Block Grant be closed.

Adopted this 7th day of May, 2019

Joseph L. Gibbons, Mayor

Attest:

Shirley M. Cannon, City Clerk

CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item:

Request for an amendment to be made for the fiscal year ending June 30, 2019 to the Capital Project Budget Ordinance – 2017 Community Development Block Grant which was adopted on June 6, 2017

Background Information:

Request for an amendment to be made for the fiscal year ending June 30, 2019 to the Capital Project Budget Ordinance – 2017 Community Development Block Grant which was adopted on June 6, 2017 as requested by the Western Piedmont Council of Government as follows:

Reduce Clearance/Spot Slum & Blight	13,347
Increase Public Facilities funds (for the JE Broyhill Park)	13,347

Staff Recommendation:

Approve as requested

II. Reviewed by:

City Attorney:

Finance Director: Donna Bean

Public Works/Public Utilities Director:

Planning Director:

Recreation Director:

AMENDED

CITY OF LENOIR 2017 COMMUNITY DEVELOPMENT BLOCK GRANT CAPITAL PROJECT BUDGET ORDINANCE

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

Section 1. The project authorized is the Community Development Project described in the work statement contained in the Grant Agreement (#B-17-MC-37-0022) between this unit and the United States Department of Housing and Urban Development. This project is more familiarly known as the FY 2017 CDBG Entitlement Program.

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

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

Revenues

Community Development Block Grant	\$131,683
Total Revenues	\$131,683

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

<u>Expenditures</u>	<u>Original</u>	<u>Amended</u>
Pubic Facilities (Greenway)	\$75,000	\$ 75,000
Public Facilities	17,000	30,347
Clearance/Spot Slum & Blight	13,347	
Program Administration	26,336	26,336
Total Expenditures	\$131,683	\$131,683

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor

agency required by the grant agreement(s) and Federal and State regulations.

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

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

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

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

Adopted this the _____ day of _____, 2019.

Mayor

Clerk

**CITY OF LENOIR
COUNCIL ACTION FORM**

- I. **Agenda Item:** Consideration of a Capital Project Budget Ordinance for the EPA Brownfields Grant.
- II. **Background Information:** Attached for your consideration is a Capital Project Budget Ordinance to authorize activities for the EPA Brownfield Grant to inventory, characterize, assess, conduct cleanup planning and community involvement related activities for Brownfield sites. The funds will also help the city conduct outreach and work towards encouraging redevelopment.
- III.
- IV. **Staff Recommendation:** Request City Council to adopt the Capital Project Budget Ordinance for the EPA Brownfield Grant in the amount of \$300,000.
- V. **Reviewed By:**

City Attorney:

Finance Director: *Donna Bear*

Public Works/Public Utilities Director:

Planning Director:

Recreation Director:

Capital Project Ordinance for the City of Lenoir

EPA Brownfields Grant

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

Section 1: The project to authorize activities for the EPA Brownfield Grant to inventory, characterizes, assess, conduct cleanup planning and community involvement related activities for Brownfield sites. The funds will also help the city conduct outreach and work towards encouraging redevelopment.

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

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

Professional Services	\$300,000.00
------------------------------	---------------------

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

US Environmental Protection Agency Brownfields Assessment Grant	\$300,000.00
--	---------------------

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

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

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

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

Adopted this _____ day of May, 2019

Mayor

Clerk

**CITY OF LENOIR
COUNCIL ACTION FORM**

- I. **Agenda Item:** Consideration of a Capital Project Budget Ordinance for the ARC Grant.
- II. **Background Information:** Attached for your consideration is a Capital Project Budget Ordinance to authorize activities for the ARC Grant for the Broyhill Plant Site Redevelopment project to clear the waste from a portion of site, a 15-acre brownfield located in the center of the Fairfield South redevelopment area. The scope of work also includes completion of Phase II level testing and entering the property into a Brownfield Agreement with the state of North Carolina. Upon build-out, the site will serve at least one business and attract up to \$10 million in private investment and create at least 50 jobs.
- III. **Staff Recommendation:** Request City Council to adopt the Capital Project Budget Ordinance for the ARC Grant in the amount of \$768,000.
- IV. **Reviewed By:**

City Attorney:

Finance Director:

Donna Bean

Public Works/Public Utilities Director:

Planning Director:

Recreation Director:

Capital Project Ordinance for the City of Lenoir

ARC Grant

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

Section 1: The project to authorize activities for the ARC Grant for the Broyhill Plant Site Redevelopment project to clear the waste from a portion of site, a 15-acre brownfield located in the center of the Fairfield South redevelopment area. The scope of work also includes completion of Phase II level testing and entering the property into a Brownfield Agreement with the state of North Carolina. Upon build-out, the site will serve at least one business and attract up to \$10 million in private investment and create at least 50 jobs.

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

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

Demo & Removal	\$ 550,000.00
Architectural/Engineering Fees	\$ 45,000.00
Land & Rights-of-Way	\$ 173,000.00
Total	<u>\$ 768,000.00</u>

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

ARC Funds	\$ 300,000.00
EPA Assessment Funds	\$ 45,000.00
City In-Kind	\$ 173,000.00
City of Lenoir Funds	\$ 250,000.00
Total	<u>\$ 768,000.00</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 _____ day of May, 2019

Mayor

Clerk

NOTICE OF PUBLIC MEETING CITY OF LENOIR

Notice is hereby given that the City of Lenoir and the Unifour HOME Consortium will hold a second public meeting to receive public input and comments concerning the proposed FY-2019 Action Plan of the City of Lenoir and the Unifour HOME Consortium as part of the five year Consolidated Plan. This plan, as required by the U.S. Department of Housing and Urban Development (DHUD), outlines goals and action plans of the City of Lenoir and the Unifour HOME Consortium and its use of Community Development Block Grant (CDBG) and HOME funds for fiscal year 2018, beginning July 1, 2019 and ending June 30, 2020.

The public meeting will be held on Tuesday, May 7, 2019 at 6:00pm before the Lenoir City Council in the City/County Chambers on the bottom floor of the Caldwell County Office building located at 905 West Avenue, Lenoir, NC.

A summary of the proposed Action Plan is available for public review at the Lenoir City Hall. There is a 30-day comment period beginning March 7, 2019, to obtain citizen input before the plan is adopted.

The City of Lenoir has received entitlement status by HUD and receives CDBG funds for carrying out community development activities as described in the Consolidated Plan. The Unifour HOME Consortium is comprised of 28 member local governments located within and including Alexander, Burke, Caldwell and Catawba Counties. The City of Lenoir serves as Lead Entity for this Consortium. The Unifour Consortium has received entitlement status by HUD, and will receive HOME funds to carrying out affordable housing activities as described in the Consolidated Plan.

This meeting is open to the public. Any person with a disability needing special accommodations or non-English speaking persons needing translation services should contact the City of Lenoir at least 48 hours prior to the meeting. For more information, contact Rick Oxford at the Western Piedmont Council of Governments at (828) 322-9191 extension 245, or 1-(800) 735-2962 TDD.

PUBLISH: Thursday, April 25, 2019

Please run this ad on Thursday, April 25, 2019

Please run one time only

Use Small Block Ad

Use HUD and Fair Housing, EEO logos

Affidavit Required

Send Bill & Affidavit to:

Attention: **Rick Oxford**
Unifour HOME Program
1880 2nd Avenue NW
Hickory, NC 28601

If you need further information contact Rick Oxford at (828) 485-4245.

City of Lenoir

Authorities/Boards/Commission

*These re-appointments were announced at the April 16 City Council Meeting.

Lenoir Business Advisory Board

Dana Clark

Bryon Grayson

John Moore

Grey Scheer

Glenda Wilson

Planning Board

Leah Hamilton