

# AGENDA



CITY OF LENOIR  
CITY COUNCIL MEETING  
905 WEST AVENUE  
TUESDAY, APRIL 16, 2019  
6:00 P.M.



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## I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Mr. Mike Unruh, Communications & Resources, Charters of Freedom, Foundation Forward, Inc., will present a report to City Council on the Charters of Freedom that will be installed at the Caldwell County Courthouse. 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 nonprofit educational project 501(c)(3) that builds Charters of Freedom Settings in local communities across the country.

## II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

## III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, April 2, 2019 as submitted.
- B. Minutes: Approval of the minutes of the Committee of the Whole meeting of Tuesday, March 26, 2019 as submitted.
- C. Proclamation; National Lineman Day: Approval of a proclamation proclaiming Thursday, April 18 as "*National Lineman Day*" throughout the City of Lenoir and Caldwell County in recognition of the staff of Blue Ridge Energy and Duke Energy.

## 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 annual Caldwell is Hiring event will be held on Thursday, April 18 from 8:30 a.m. until noon at the J. E. Broyhill Civic Center.
2. City offices will be closed on Friday, April 19 in observance of Good Friday.
3. The annual Bootlegger 100 Bike Race will be held on Saturday, April 20 beginning at 8:00 a.m. in downtown Lenoir.
4. The annual Easter Egg Hunt will be held on Saturday, April 20 beginning at 10:00 a.m. at the Mulberry Recreation Center.

5. The Planning Board will meet on Monday, April 22 at 5:30 p.m.
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.
7. The Foothills Regional Airport Authority will meet on Wednesday, April 24 at noon.
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.
9. The NC Gravity Games sponsored by Google have been postponed until Saturday, April 27 from 9:30 a.m. – 3:00 p.m. in downtown Lenoir
10. The Mayor’s Breakfast for the National Day of Prayer will be held on Thursday, May 2 beginning at 8:00 a.m. at Lenoir Presbyterian Church located at 1002 Kirkwood Street. Tickets are \$10.00 and available at City Hall located at 801 West Avenue. The guest speaker is Mr. Doug Gillin, Director of Athletics, Appalachian State University.

B. Items for Council Action

1. Resolution Authorizing Land Exchange; 512 Main Street NW: 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/Steven Hickel to the City of Lenoir in exchange for Lot “A” – 0.01 acres of city-owned land (a portion of NCPIN#2739890145) both located at or near 512 Main Street NW; Staff recommends approval of the Resolution Authorizing the Land Exchange. Both tracts are of similar size and value, and would further a public notice 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.
2. Bid Award; Playground Equipment (Optimist Park): Staff recommends Council award the low bid of \$45,809.84 to Barrs Recreation for playground equipment for Optimist Park. **Note:** This is part of the Parks and Recreation Trust Fund Grant for the Mulberry Optimist Park Project.

**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

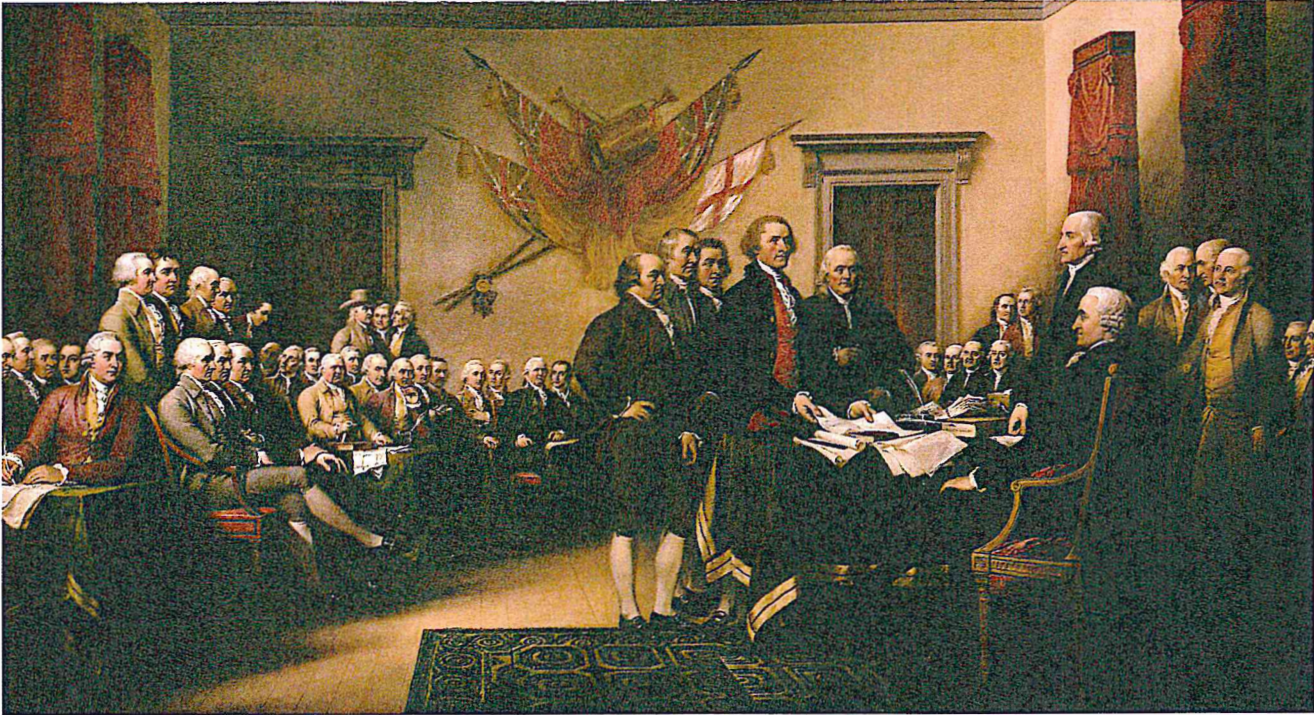
**Planning Board**

Leah Hamilton

**IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS**

**X. ADJOURNMENT**

# OUR MISSION



Our Founding Fathers authored The Declaration of Independence, The United States Constitution, and The Bill of Rights.

These three documents are known as **The Charters of Freedom**.

These three documents declare:

1. We are an independent people.
2. We are governed by a democratic republic.
3. We are secure in our freedom and rights as citizens of The United States of America.

## OUR MISSION

Simply put, Foundation Forward, Inc. is an educational, not-for-profit project. It is an organization that builds Charters of Freedom settings in communities across the country. We then follow up with community organized events to educate to preserve the history of our country while explaining the operations of our government.

**Our Passion** is to preserve the ideas of our Founding Fathers and founding documents.

**Our Vision** is to provide easy Access and Education to our founding documents in a proper setting in all communities across the United States of America.

**Our Goals** are to educate the children and citizens of each community on how our government is meant to serve and protect We The People, and to preserve history.

WHERE HISTORY MEETS THE FUTURE

# OUR STORY



It all started in the fall of 2011 when Vance and Mary Jo Patterson were in Washington, DC. They decided to go to the National Archives because they'd never seen the Declaration of Independence and Constitution.

Vance recalls, "Seeing something our Founding Fathers had penned, and then seeing their signatures, Thomas Jefferson, Benjamin Franklin, John Adams, Rutledge, Wilson and the others, I just got goosebumps; and when we moved over to see the Constitution and those three words, 'We The People,' I actually got a lump in my throat. I looked at Mary Jo and she had tears in her eyes. It was really an emotional experience for us."

Back home in Western North Carolina, Vance was thinking about the experience and the thought came to him, "What if I could duplicate that experience we had in Washington, when we saw the founding documents for the first time? What if I could bring that experience back to the citizens of Burke County?"

Two years later, on July 2, 2014 Vance and Mary Jo dedicated and gifted the first Charters of Freedom setting outside of Washington, D.C. to the Children, Veterans, and Citizens of Burke County on the Historic Courthouse Green in downtown Morganton, NC. This was only the beginning.

In 2013 the Pattersons started Foundation Forward, Inc., a 501(c)(3) not-for-profit Educational Project to promote civics education and preserve American history. To date, Vance and Mary Jo have gifted through Foundation Forward a total of 18 settings across the country in NC, SC, KY, IN, IL, NE, SD, and as far west as Carson City, NV.

Our long-term goal is to place Charters of Freedom Settings in as many communities as possible over the next 10 years.

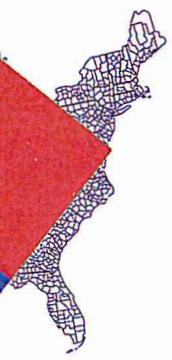
AN ORGANIZATION OF WORKS OVER WORDS

FUTURE



Dedication

2 COUNTIES  
STATES OF AMERICA



## LONG TERM PLAN



Founder Vance Patterson states, "It took me over 60 years to get to The National Archives in Washington, D.C. to see our Founding Documents. Even though it's free and open to the public, most people will never see and experience these documents in a proper setting."

The goal of Foundation Forward is to bring these documents to local communities in life size replicas of the settings in the National Archives. Your Charters of Freedom setting will be placed in a location central to the community, with high visibility, high foot traffic, and easy access for school children and veterans. They are built to last 300 to 500 years!

Your Charters of Freedom will show that your community takes pride in being an All-American Community. This will be a positive attraction for those considering moving to your area, both people and businesses.

Veterans will feel a sense of pride and comfort as the United States Constitution is that to which they swore allegiance.

On the 300th anniversary of our U.S. Constitution Day, September 17th, 2087, your community will participate in the opening of the time capsules, along with all the other communities around the country.



Foundation Forward is a very proud recipient of The Daughters of The American Revolution Certificate of Award for Excellence in Community Service, presented to Vance and Mary Jo Patterson by the Columbia, South Carolina Chapter on May 12, 2017.

WHERE HISTORY MEETS THE FUTURE

## HISTORY CIVICS: THE FOUNDING OF OUR NATION



You would not believe how many people come up to the documents and say, "That's all there is to our Constitution... just four pages?"

You would not believe how many people do not know that our first ten amendments are our Bill of Rights!

People do not know that the First Amendment, which covers Freedom of Speech, Freedom of The Press, Freedom of Religion, Freedom to Assemble, and Freedom to Petition The Government is only 45 words long (most people reading this just learned something)!



Imagine school teachers taking their 3rd, 4th, and 5th grade classes on annual field trips to see their permanent display of the Founding Documents. Sitting on the grass in front of The United States Constitution, they are listening to stories about our Founding Fathers and learning about our Founding Documents. While there, they're learning about our government, their state and local history, along with local heroes.



Our hope is that our future leaders will come from communities with their *own* Charters of Freedom. They will grow up not just talking about The Constitution and Bill of Rights in Washington, but talking about *Their Constitution* and *Their Bill of Rights*, the ones *they grew up with*, right in their home community. And they will know how government is supposed to work to protect and serve "*We The People*."



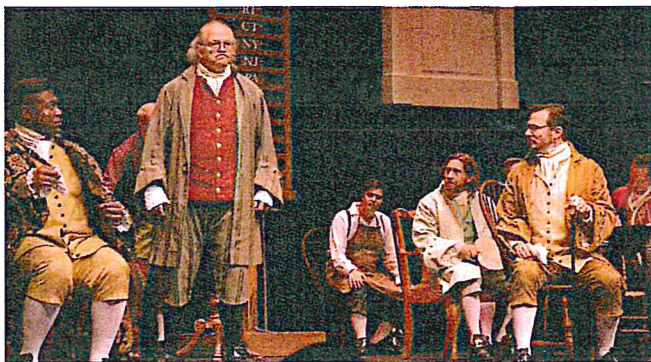
# 7 COMMUNITY INVOLVEMENT

## FOUNDATION FORWARD IS COMMITTED TO MEANINGFUL, MEASURABLE CIVIC ENGAGEMENT

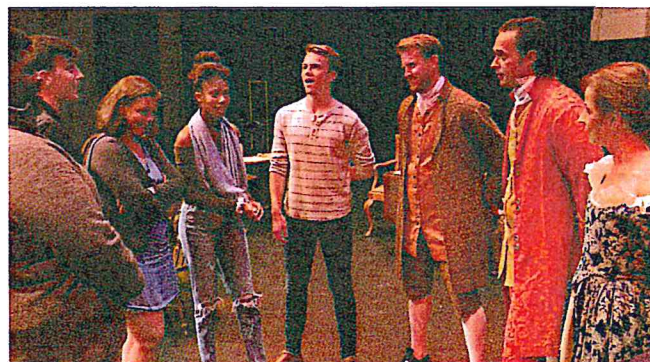
On November 1, 2018 over 1,100 students from the Charlotte, NC area attended a Broadway-quality production of *1776 the Musical*, funded by Foundation Forward. Paying rapt attention, giving standing ovations, interacting with the cast and truly learning, this may be the first time these students have ever felt they are a part of their American history.

Starring former Miss America and opera star Susan Powell, this humorous drama brought American history to life; portraying the events leading up to the July 4th, 1776 approval of our Declaration of Independence. The Founding Fathers fiercely debate whether to remain as colonists or break from Mother England, the then dominant world power, a treasonous act punishable by death.

The interest was so strong, another 2,500 students wanted to attend, but due to the lack of seating they will have to wait until the next performance to see the musical.



From the beginning, Foundation Forward has focused on bringing meaningful civic education to local communities. We work hard to educate young people and the general citizenry about the incredible history of the founding of the United States. As members of a free and independent society, it is essential that we understand our freedoms and rights, know where these personal protections are guaranteed, and understand how our government works in order to protect our fundamental rights.



Foundation Forward *truly is* where History Meets The Future!



# OUR TEAM



## VANCE & MARY JO PATTERSON

*Founders*

Vance is a businessman, entrepreneur, and industrial manufacturer who has started 22 companies, two of which made the INC. 500 list for the fastest growing companies in the U.S. He's a two-time finalist Entrepreneur of The Year in the Southeast. A father of four, Vance has been married 44 years to his wife and Foundation co-founder, Mary Jo.



## PERRY SNIDER

*Operations Manager - Materials, Construction, and Veterans Action*

Perry is a passionate, patriotic, experienced individual who can organize schedules, procure materials, and direct construction of the settings while developing, implementing and maintaining veterans and military involvement.

As Command Sergeant Major, US Army (retired), Perry has spent 11 years in both Iraq & Afghanistan, building and sustaining camps for the US Military. He was a Project Manager for Kellogg, Brown & Root as well as Fluor Daniels.



## ANDREW YOUNG

*Director of Communications and Resources*

Andrew is a proud native of Asheville, North Carolina who has raised over \$400 million for charitable causes and managed numerous local, state, and national initiatives.

He is a passionate, experienced individual with skills in foresight, organization, planning, and implementation of all facets of communication to develop resources necessary to expand and maintain the efforts of Foundation Forward, Inc. He's a father of three wonderful teenagers, married for 20 years.



## MIKE UNRUH

*Communications and Resources*

Mike works with individuals to build community support and communicate what Foundation Forward is doing to advance Education in Civics and American History. He corresponds with businesses, organizations, and individuals to explain how Foundation is gifting these settings without using any tax dollars.

Mike's background includes Constituent Advocate for Military and Veterans Affairs with the United States Senate, campaign support for Senate candidate, and small business owner. A husband and proud grandfather of two, Mike is passionate about preserving the ideals of our Founding Fathers.

# OUR TEAM



## RON LEWIS

*Facilitator, Spokesman, Foundation Treasurer*

Ron is the primary contact for those counties considering a Charters of Freedom setting in their community. He schedules presentations and speaks on behalf of Foundation Forward in the absence of the Founder. Ron also works directly with community support and outreach programs.



## DAVID STREATER

*Educational Director, Community Support*

David researches the history of the Founding Fathers and develops supplemental educational curriculum materials to be shared with educators across the U.S. These materials are then used for visits to their local settings.

As a criminologist with an acute history interest, he has an extensive background with careers in probation and parole holding officer and higher management positions, in addition to college teaching and senior administration.

Dr. Streater is a veteran of the US Navy having served aboard the USS Nitro and in the Navy JAG office, NTC Orlando. David married his wife, Vivian, during December 1979. They have two children, Matthew and Aaron.

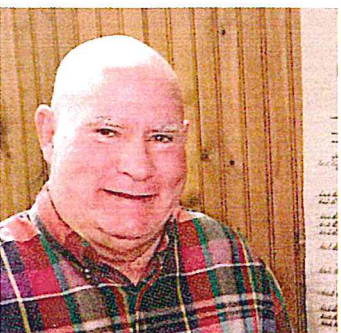


## CONNIE SNIDER

*Office Manager*

Connie manages the daily operation of Foundation Forward's corporate office in Valdese, NC, answering and directing inquiries to the appropriate team members. She handles initial and follow-up correspondence, accounting, extensive research, monitoring and updating social media as well as handling press related matters.

Connie has over 20 years experience in office management both in Florida and North Carolina. She enjoys spending time with her husband and their two loving pups.



## DON RAMSEY

*Construction Manager, Santa*

Don assists community volunteers and contractors with the installation of the Charters of Freedom settings. He coordinates materials and labor from each community, and provides site plans and construction documents for each setting. Don's a graduate of North Carolina State University (the *only* State University), father of two Eagle Scouts, and married to Patti Ramsey since 1983.

**LENOIR CITY COUNCIL  
TUESDAY, APRIL 2, 2019  
6:00 P.M.**

**PRESENT:** Mayor Gibbons presiding. Councilmembers present were Beal, Perdue, Perkins, Stevens, 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.

**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; FAMILY OF LOUANNE**

**KINCAID:** B. On behalf of City Council, Mayor Gibbons asked everyone to continue to keep the family of LouAnne Kincaid in their thoughts and prayers as Ms. Kincaid passed away unexpectedly on Sunday, March 24. Ms. Kincaid served as the Caldwell County's Public Information Officer.

**PROCLAMATION; FAIR HOUSING**

**MONTH:** C. On behalf of City Council, Mayor Gibbons presented a proclamation to Ms. Lauren Hart, Catawba Valley Realtors Association, proclaiming the month of April as "Fair Housing Month" throughout the City of Lenoir and Caldwell County.

A copy of the proclamation is hereby incorporated into these minutes by reference. (Refer to page 336).

On behalf of the Catawba Valley Association of Realtors, Ms. Hart thanked City Council for their recognition and support of Fair Housing Month. Ms. Hart stated fair housing is allowing people of all walks of life to have the opportunity of applying for affordable housing without the fear of discrimination. In addition, Ms. Hart stated Lenoir currently has a thriving housing market.

Mayor Gibbons thanked Ms. Hart for coming and stated he hopes housing will continue to grow in our community.

**ANNUAL REPORT; LENOIR POLICE  
DEPARTMENT:**

- D. Brent Phelps, Chief of Police, reviewed a power point presentation of the Department's Annual Report. The full report is available online at [www.cityoflenoir.com/police](http://www.cityoflenoir.com/police).

Chief Phelps stated there was a 16% reduction in violent crimes from 2017 to 2018, but noted a 12% increase in property crimes. This increase is a result of motor vehicle thefts increasing from 42 in 2017 to 100 in 2018. Chief Phelps attributed the spike due to individuals using the Internet to search for specific models of cars and/or trucks. He reported the Department has made 32 arrests and stated they are currently working with the surrounding agencies and the North Carolina License and Theft Bureau to address this issue.

In addition, Chief Phelps reported Communications received 35,000 calls with an average of 5,000 of these calls being for 911 purposes. There were 31,000 Police service calls and a total of 865 follow-up calls which is an important part of their service to the community. He stated there were over 39,000 pieces of evidence in their evidence room of which the majority is digital media due to their use of body cameras. He remarked the Department is seeking ways to efficiently accomplish more.

Chief Phelps reported there was a 4% increase in vehicle crashes and remarked the Department does most of their speed enforcement on US Highway 321 where most vehicle crashes occur. He stated that inattention was the most attributing factor for these accidents.

Next, Chief Phelps stated the Department investigated 38 deaths in 2018 of which 6 were due to overdoses. He reported nine individuals were saved due to Police personnel administering the drug narcan (naloxone) which works to reverse the respiratory depression that people experience with an opioid overdose.

Chief Phelps also explained there were 56 incidents of use of force, but pointed out that this number also includes every time an officer may have to point a weapon at an individual. He compared this number to the number of calls (35,000) and remarked he is proud of this percentage. Chief Phelps further reviewed the number of overtime hours Staff works during events paid by other organizations but noted this figure doesn't include coverage of city sponsored events.

Chief Phelps reported Staff investigated 1,200 crimes along with 382 nuisance Cases and pointed out the Department may have to reassess how they are going to handle the nuisance cases if they continue to increase.

In addition, Chief Phelps stated the Department does a great job with keeping up with mandated and specialized training for all personnel. Next, he shared the Department has changed the ways it reports data to the state by changing from the Uniform Crime Reporting System (UCR) to the National Incident-Based Reporting System, or NIBRS, which was implemented to improve the overall quality of crime data collected by law enforcement agencies. He reported the Police Department has implemented NIBRS and is ready to report to the state, but shared the state does not have their technology ready yet to receive the data

from agencies.

Chief Phelps shared they have experienced delays with implementing the City's Alarm Ordinance, but explained they have partnered with a company and hope to begin this project in July. He stated they would begin with a public education campaign. The Department also plans to review all of their current policies in the near future.

## **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, March 19, 2019, as submitted.
  2. Change Order No. 3; Water Treatment Plant: Staff recommends approval of Change Order No. 3 as recommended by McGill Associates for the Water Treatment Plant Improvements Project to reflect a net deduction in the contract amount of \$82,280.15. (A copy of the Change Order is hereby incorporated into these minutes by reference. Refer to page 337-339).
  3. Resolution; General Records Retention and Disposition Schedule: Approval of a resolution adopting the updates to the General Retention and Disposition Schedule as requested by the North Carolina Department of Cultural Resources. (A copy of the resolution is hereby incorporated into these minutes by reference. Refer to page 340).

Upon a motion by Councilmember Stevens, Council voted 6 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

**CRUISE-IN:** 1. A Cruise-In Event is scheduled for Saturday, April 6 at 4:00 p.m. in downtown Lenoir.

### **CITY/COUNTY SERVICES**

**COMMITTEE:** 2. The City/County Services Committee will meet on Monday, April 8 at 11:45 a.m.

### **CALDWELL COUNTY ECONOMIC DEVELOPMENT**

**BOARD:** 3. The Caldwell County Economic Development Commission will meet on Tuesday, April 9 at 8:00 a.m.

### **LENOIR TOURISM DEVELOPMENT**

**AUTHORITY:** 4. The Lenoir Tourism Development Authority will meet on Thursday, April 11 at 4:00 p.m.

### **LENOIR BUSINESS ADVISORY**

**BOARD:** 5. The Lenoir Business Advisory Board will meet on Thursday, April 11 at 6:00 p.m. at City Hall, Third Floor.

**ABC BOARD:** 7. The ABC Board will meet on Tuesday, April 16 at 2:00 p.m. at Lenoir Store #1.

### **MAYOR'S PRAYER**

**BREAKFAST:** 8. The Mayor's Prayer Breakfast in conjunction with the National Day of Prayer will be held on Thursday, May 2 at Lenoir Presbyterian Church located at 1002 Kirkwood Street. Tickets are \$10.00 and will be available at City Hall.

### **CALDWELL IS HIRING**

**EVENT:** 9. 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.

## **B. ITEMS FOR COUNCIL ACTION**

### **CONDITIONAL USE PERMIT; 316 LOWER CREEK DRIVE:**

- A. A quasi-judicial public hearing was held on Tuesday, March 19, 2019 for City Council to consider a Conditional Use Permit (CUP) as submitted by MC Morgan & Associates, Inc. for property located at 316 Lower Creek Drive.
- NOTE: This item was tabled for Council Action until the City Council Meeting of Tuesday, April 2 2019 in order to allow City Council additional time to review the application.** This request is for property located between Tywood Street and Eastover Circle, NCPIN#2759488961 and NCPIN#2759488577. The applicant is requesting a Conditional Use Permit for a 68-unit apartment complex in the R-9 and B-2 zoning districts. Staff recommends approval subject to the following conditions:
1. The development shall substantially comply with the site plan on page 8 of the staff report, inclusive of staff's additional notes and clarifications. The maximum number of units shall be 68.
  2. The sidewalk along Lower Creek Drive will be 8' wide and straightened for accessibility. A pedestrian connection must be provided from the sidewalks along Lower Creek Drive to the internal pedestrian network.
  3. The smaller parcel (NCPIN#2759488577) will be recombined with the larger tract (NCPIN# 2759488961), in compliance with City of Lenoir zoning and subdivision regulations, prior to permitting.
  4. The vegetative buffer will be a minimum of 20' wide along the northwestern side property lines where adjacent to single-family residential properties.
  5. The architectural standards for articulation through the provision of architectural features as well as the standards for materials and parking lot landscaping found in Section 714 of the Zoning Ordinance shall apply to

- the entire site, not just the B-2 zoned portions. Primary facades shall be any façade that is visible from Lower Creek Drive or adjacent residential properties.
6. Dumpsters shall be screened on all sides with dumpster enclosures finished to match the principal buildings.
  7. All lighting shall be fully cut-off and shielded so as to eliminate/minimize light spill-over onto adjacent residential properties.
  8. Signage on Lower Creek Drive shall use exterior illumination only (no internal illumination). Exterior lighting shall be directed at the sign face and be fully shielded to prevent light spill-over onto neighboring residential properties.
  9. Valid permits must be obtained for this project and all construction must meet the requirements of the City of Lenoir Code of Ordinances, the North Carolina State Building Code, the North Carolina State Fire Code, and any other federal, state, or local regulation that applies.
  10. If a building permit has not been issued within 24 months of the adoption of the Conditional Use Permit, the approval shall be considered null and void.
  11. A traffic calming device (e.g. speed hump, rumble strip, or similar treatment) shall be installed near the Lower Creek entrance, to encourage traffic leaving the site to utilize the southern driveway.

Mayor Gibbons read the above listed conditions and reported the CUP was tabled from the March 19 Council meeting in order to make sure City Council is doing everything they possibly can to protect the neighborhood.

Mayor Gibbons asked City Attorney Rohr to review the guidelines that City Council has to legally abide by when considering approval of a Conditional Use Permit.

City Attorney Rohr stated the purpose of a Conditional Use Permit is to show the proposed use and location will be harmonious to areas near the site and will not be detrimental to the surrounding property values.

Mr. Rohr stated the Planning Board and Staff has submitted eight findings of fact on pages 5 and 6 of the Staff Report for Council to consider and the Developer has to comply with all of them. (A copy of page 5 and page 6 of the Staff Report is hereby incorporated into these minutes. Refer to pages 341-342). Attorney Rohr reminded Council they are only to consider the evidence presented by sworn testimony at the March 19 Council meeting upon making their decision. He stated that Council may not discuss this issue with others or among themselves or be an advocate for the project, but noted they are required to remain neutral in order to retain the integrity of the Council. He stated Council may review the video of the meeting. Attorney Rohr further advised Council they are sitting as judges during a quasi-judicial hearing since it is not a legislative issue.

Mayor Pro-Tem Willis referred to his absence at the March 19 Council Meeting and asked Attorney Rohr whether he could vote on this issue. For the record,

Mr. Willis stated he has read the March 19 minutes, reviewed the meeting video and hasn't spoken with anyone about this project. Attorney Rohr stated he contacted the UNC School of Government and received clarification that Mr. Willis could vote as long as he has had the opportunity to review the all of the material. Attorney Rohr cited a case that occurred in the Town of Lincoln in 2016 in which the Court stated that change in Board membership has no effect on the outcome. Attorney Rohr clarified that Mr. Willis could participate in the vote on the Conditional Use Permit.

Mayor Gibbons informed Council there were three issues brought up at the March 19 meeting for consideration:

- 1) Driveway location on Lower Creek Drive
- 2) 60-foot setback in order to decide if buildings would be 1 or 2 story
- 3) traffic control on Lower Creek Drive

Planning Director Jenny Wheelock was sworn in by the City Clerk. Attorney Rohr also informed the individuals in the audience that spoke at the March 19 meeting that they also had the opportunity to ask questions.

Councilmember Perdue asked Director Wheelock if she has conducted any research regarding the proposed requirement of a 60-foot buffer on the property.

Director Wheelock stated she has not received any new site plans, but she did review the conceptual site plan and has spoken with Mr. Morgan. Ms. Wheelock clarified the minimum setback is 35-feet and reported the grade of the site is going to determine the final placement of the buildings. She informed Council if they chose to make the setback 60-feet, it may cause issues with the site plan as far as the grading and whether the buildings would be one or two stories. Director Wheelock noted a retaining wall may also have to be constructed in front of the buildings if the buildings were moved further from the slope, but she is unsure of how close to the street it would need to be built. In addition, Director Wheelock clarified the building designs might change if the setback was increased.

Councilmember Stevens inquired about adding a traffic calming feature on the Lower Creek Drive side in order to encourage traffic to exit onto Highway 18.

Following a brief discussion regarding traffic calming, City Council was in consensus **to add Condition No. 11 to the Staff Report as follows: A traffic calming device (e.g. speed hump, rumble strip, or similar treatment) shall be installed near the Lower Creek entrance, to encourage traffic leaving the site to utilize the southern driveway.**

Director Wheelock said this was a feasible plan and pointed out motorists will have to make a turn anyway to go around the apartment complex.

Councilmember Thomas moved to approve the Conditional Use Permit based on



the evidence as presented. Mayor Gibbons suggested Ms. Thomas add the traffic calming recommendation made by Councilmember Stevens to the motion. Councilmember Perdue asked developer to consider constructing the buildings as far back as possible in order not to impede the integrity of the slopes.

Director Wheelock stated they could consider any additional setback above the 35-foot minimum that can be achieved with or without a retaining wall. Mr. Perdue also referenced the clubhouse and stated he didn't want to do anything to impede the view by going from one story to two story.

**Amended Motion**

Councilmember Thomas amended her motion to approve the Conditional Use Permit with the ten listed conditions and the eight findings of fact as listed on pages 5 and 6 of the Staff Report and to include **the new Condition No. 11 regarding traffic calming as cited above and as added to the report.** This motion carried with a 6 to 0 vote.

**LAND EXCHANGE REQUEST;  
 512 NORTH MAIN STREET:**

C. City Manager Hildebran informed Council that a recent survey to combine two adjacent properties both owned by Joel Kincaid and Steven Hickel, it was discovered that a small portion of a city owned sidewalk slightly encroaches onto their property. As a resolution, Mr. Kincaid has recommended a land exchange to allow for the sidewalk to remain "as is".

The proposed exchange would convey Lot "B" – 0.01 acres of land (a portion of NCPIN#2749787948 owned by Joel Kincaid/Steven 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. Both tracts are of similar size and value and would further a public purpose in maintaining a city park sidewalk.

Following a brief discussion, City Council was in consensus to proceed with the land exchange as described and place this item on the April 16 Agenda for consideration of approval by resolution. A public notice will be published for a minimum of ten days.

**VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY**

**VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR**

**IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS**

**X. ADJOURNMENT**

A. There being no further business, the meeting was adjourned at 7:03 p.m.

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Shirley M. Cannon, City Clerk

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Joseph L. Gibbons, Mayor



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

### FAIR HOUSING MONTH


**WHEREAS**, April 11, 2019 marks the 51<sup>st</sup> anniversary of the passage of the U.S. Fair Housing Law, Title VIII of the Civil Rights Act of 1968, as amended, which enunciates a national policy of Fair Housing without regard to race, color, creed, national origin, sex, familial status, and handicap, and encourages fair housing opportunities for all citizens; and

**WHEREAS**, the Catawba Valley Association of Realtors is committed to highlighting the Fair Housing Law, Title VIII of the Civil Rights Act of 1968, by continuing to address discrimination in our community, supporting programs that will educate the public about the right to equal housing opportunities, and planning partnership efforts with other organizations to help assure every American of their right to fair housing.

**NOW, THEREFORE, I, Joseph L. Gibbons, Mayor of the City of Lenoir, North Carolina, and on behalf of the Lenoir City Council, do hereby resolve that April 2019, being *Fair Housing Month*, begins a year-long commemoration of the U.S. Fair Housing Law in the City of Lenoir and urge all citizens to wholeheartedly recognize this celebration throughout the year.**

Adopted this the 2<sup>nd</sup> day of April, 2019.

SEAL



Joseph L. Gibbons, Mayor

ATTEST:



Shirley M. Cannon, City Clerk





March 28, 2019

Mr. Radford Thomas  
Director of Public Utilities  
City of Lenoir  
801 West Avenue  
Lenoir, North Carolina 28645

RE: Final Adjusting Change Order  
Water Treatment Plant Improvements  
City of Lenoir, North Carolina

Dear Mr. Thomas:

Please find enclosed for your review and approval *Change Order No. 3 – Final* for the Water Treatment Plant Improvements project for the City of Lenoir. The final adjusting change order includes the final quantity adjustments to the project. These final adjustments are based upon the contractor's schedule of values, as well as some additional work items.

The amount of the final adjusting change order will result in a deduction of \$82,280.15. The original construction contract amount was \$4,415,000.00. With the execution of this final change order the final construction contract amount will be in the amount of \$4,301,419.99. Should you have any questions regarding this change order submittal package please do not hesitate to contact us at (828) 328-2024.

Sincerely,  
McGILL ASSOCIATES, P.A.

A handwritten signature in blue ink, appearing to read "Michael Patton".

MICHAEL PATTON  
Construction Services Manager

Enclosures

:mp

L:\Hickory\Projects\2015 PROJECTS\15.01103 CITY OF LENOIR - DWSRF WTP Improvements\04\_Construction Phase\ChangeOrders\Change Order 3 - Final Adjusting CO\FinalAdjCO Cvr Ltr.docx

Date of Issuance: March 28, 2019	Effective Date: March 28, 2019
Owner: City of Lenoir	Owner's Contract No.: WIF-1875
Contractor: Frizzell Construction Company, Inc.	Contractor's Project No.:
Engineer: McGill Associates, P.A.	Engineer's Project No.: 15.01103
Project: Lenoir WTP Improvements	Contract Name:

The Contract is modified as follows upon execution of this Change Order:

Description: Adjustment of the Contract Price in order to deduct project work items

Attachments: *Change Order Summary, with Contractor's change order request documentation*

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price:  \$ 4,415,000.00	Original Contract Times: Substantial Completion: <u>480</u> Ready for Final Payment: <u>510</u> days or dates
{Increase} [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>2</u> :  \$ 31,299.86 <i>(Cumulative decrease from original contract amount)</i>	[Increase] {Decrease} from previously approved Change Orders No. <u>1</u> to No. <u>2</u> : Substantial Completion: <u>63</u> Ready for Final Payment: <u>63</u> days
Contract Price prior to this Change Order:  \$ 4,383,700.14	Contract Times prior to this Change Order: Substantial Completion: <u>543</u> Ready for Final Payment: <u>573</u> days or dates
{Increase} [Decrease] of this Change Order:  \$ 82,280.15	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>N/A</u> Ready for Final Payment: <u>N/A</u> days or dates
Contract Price incorporating this Change Order:  \$ 4,301,419.99	Contract Times with all approved Change Orders: Substantial Completion: <u>543</u> Ready for Final Payment: <u>573</u> days or dates

RECOMMENDED:		ACCEPTED:		ACCEPTED:	
By: _____	By: _____	By: _____	By: _____	By: _____	By: _____
Engineer (if required)	Owner (Authorized Signature)	Contractor (Authorized Signature)			
Title: _____	Title _____	Title _____			
Date: _____	Date _____	Date _____			

Approved by Funding Agency (if applicable)

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Title: \_\_\_\_\_



**CHANGE ORDER SUMMARY**  
 City of Lenoir, North Carolina  
 Frizzell Construction Co.  
 15.01103 WIF-1875

**APPROVED CHANGE ORDER SUMMARY**

CO #	Description	Date Approved	# Days	Amounts
1	Upgraded Bfly Vlv Flg's, Hollow Shft, Quazite Box	11/14/2017	5	\$ 12,666.42
2	Various CO Items	7/25/2018	58	\$ (43,966.28)
<b>PREVIOUSLY APPROVED CHANGE ORDER TOTAL</b>			<b>63</b>	<b>\$ (31,299.86)</b>

**CHANGE ORDER NO. 3 - PROPOSED CHANGE ORDER DETAILS**

CONTRACT AMOUNT REVISIONS				
CO #3	Description	Date Submitted	# Days	Amounts
3-Final	Additional I/O Card for relays to stop 4 flocculators, 2 mixers, 3 raw water pumps	8/23/2018		2,855.00
3-Final	Blower Line Reactor	10/4/2018		1,071.00
3-Final	Chain Link Fence & Gates			(5,000.00)
3-Final	Allowance - Concrete Repairs to Filters			(75,000.00)
3-Final	Laboratory Equipment Allowance Remaining Amount			(4,706.15)
3-Final	Project Plaque			(1,500.00)
<b>Change Order Total</b>			<b>0</b>	<b>\$ (82,280.15)</b>

ADJUSTED CONTRACT AMOUNT	
Original Contract Amount	\$ 4,415,000.00
Executed CO No.1 - Adjusted Contract Amount	\$ 4,427,666.42
Executed CO No.2 - Adjusted Contract Amount	\$ 4,383,700.14
Current Change Order Contract Adjustment	\$ (82,280.15)
<b>Contract Amount Incorporating Final Adjusting Change Order</b>	<b>\$ 4,301,419.99</b>

2019 Local Government Agencies  
General Records Retention and Disposition Schedule

The records retention and disposition schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the *General Statutes of North Carolina*, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement. The local government agency agrees to comply with 07 NCAC 04M .0510 when deciding on a method of destruction. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule. *Public records, including electronic records, not listed in this schedule are not authorized to be destroyed.*

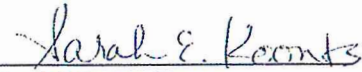
All local government agencies and the Department of Natural and Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods that allow these records to be destroyed when "reference value ends." All local government agencies hereby agree that they will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction "destroy when reference value ends." If a local government agency does not establish internal policies and retention periods, the local government agency is not complying with the provisions of this retention schedule and is not authorized by the Department of Natural and Cultural Resources to destroy the records with the disposition instruction "destroy when reference value ends."

All local government agencies and the Department of Natural and Cultural Resources concur that the long-term and/or permanent preservation of electronic records requires additional commitment and active management by the agency. Agencies agree to comply with all policies, standards, and best practices published by the Department of Natural and Cultural Resources regarding the creation and management of electronic records.

It is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reason they may be retained for longer periods. This schedule supersedes the general standards in all previous local government retention and disposition schedules and is to remain in effect from the date of approval until it is reviewed and updated.

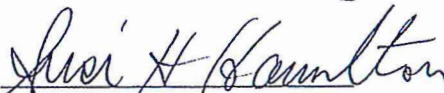
APPROVAL RECOMMENDED

\_\_\_\_\_  
Municipal/County Clerk or Manager  
Title: \_\_\_\_\_

  
Sarah E. Koonts, Director  
Division of Archives and Records

APPROVED

\_\_\_\_\_  
Head of Governing Body  
Title: \_\_\_\_\_

  
Susi H. Hamilton, Secretary  
Department of Natural and Cultural  
Resources

Municipality/County: \_\_\_\_\_

## FINDINGS

No Conditional Use Permit shall be approved unless the Planning Board and City Council find that:

1. The proposed conditional use will comply with all height, yard, lot and area requirements and other regulations of the district in which it is located unless otherwise specified. *The project site is currently split zoned (R-9 and B-2). The proposed development complies with all height, yard, and area requirements of the R-9 and B-2 zoning districts. It will also comply with the design standards of the B-2 zoning district.*
2. All driveways will be designed with respect to such matters as proper ingress and egress for automobiles in order to minimize traffic congestion and increase pedestrian safety and conveniences. *To reduce traffic on Lower Creek Drive and to have a second access point the proposed plans show the development of a second driveway along an existing 50' easement that travels south of the property through 509 Wilkesboro Blvd (Community One Bank) to provide ingress/egress on Wilkesboro Blvd. ITE trip generation rates for low-rise apartments project low traffic generation rates, especially for peak hour traffic. Sidewalks will be installed along Lower Creek Drive, which ultimately will connect to the City's overall sidewalk system, as Lower Creek Drive is listed as a priority corridor for pedestrian connections in Lenoir's Pedestrian Plan. There will also be internal pedestrian access between the apartment buildings and parking areas, as well as property recreation areas.*
3. Off-street parking and loading areas will be provided in compliance with the Zoning Ordinance. *Two parking spaces per dwelling unit are required by the zoning ordinance. For the proposed 68 unit complex, 136 parking spaces are provided.*
4. The establishment of the conditional use will not hinder the normal and orderly development and improvement of surrounding property for uses already permitted in the district. *Multi-family uses make good transitional uses between lower density residential areas and more intense commercial districts. The establishment of a multi-family use on this site will not hinder the surrounding B-2 properties from developing as either commercial or multi-family residential, nor will it hinder the improvement of other underutilized residential parcels for infill housing development (both detached and attached/multi-family).*
5. Any required screening and landscaping will be designed or planted with full consideration of the effectiveness of individual plant types, dimensions, and characteristics in minimizing the noise, glare, visual impacts and other economic effects on adjoining properties. *Where the subject property shares a boundary with single-family homes, a 20 foot vegetative buffer consisting of a combination of evergreen and deciduous trees is required to be installed in accordance with the standards in §712.8 of the zoning ordinance. Street trees and landscaped planting areas within the parking lots must meet the requirements of §1002. All trees and shrubs must be selected from §714.22, List of Approved Trees and Shrubs.*
6. Any permitted signs and proposed exterior lighting will be designed to reduce glare and to mitigate any adverse effects of sign size and height; so as to make the signs aesthetically pleasing and compatible with adjoining properties. *The applicant proposes one monument sign. All signage will meet the standards of the sign ordinance. As a condition of approval, all exterior lighting will be designed to reduce glare and light pollution on neighboring properties, and signage will have external illumination only.*
7. The exterior architectural appearance and functional plan of any proposed building or structure will not vary greatly from any buildings or structures already construction or in the course of construction in the immediate vicinity or from the character of the applicable district, so as to cause a substantial depreciation in the property values of the immediate vicinity. *The applicant is proposing 4 apartment buildings and one community building. Façade materials include brick veneer, fiber cement board trim, vinyl lap siding, and vinyl shakes. Two of the apartment buildings are split-level, which reduce visibility impacts on Lower Creek Drive and create a greater transition to the predominately single-story residential development surrounding the subject property. As a condition of approval, the architectural standards for the B-2 zoning district will be met throughout the site to ensure this criterion is satisfied.*
8. The type, size, hours of operations, location of the use upon the site, and intensity of the proposed conditional use will not be harmful or annoying to surrounding properties. *Great effort was made in the site planning and building designs to develop a*

*plan that was sensitive to the context of the neighborhood and the natural lay of the land. The site plan is designed so that three-story buildings are located on the lower elevations of the site, closer to commercial neighbors, with the relative height of such structures all but hidden by creatively placing split-level designed buildings in front of them, facing Lower Creek Drive. Parking areas are largely screened by buildings, which also helps block light and noise from such areas. While at 68 units the proposed complex will be one of the most dense projects in the immediate vicinity, the intensity is camouflaged by creative site planning. Estimates on school and traffic impacts presented in the staff analysis show that this project will not have impacts that significantly exceed those of a typical single family development that could also be built out on the site today by right.*

## STAFF RECOMMENDATIONS

Staff recommends approval of the requested Conditional Use Permit, with the following conditions:

1. The development shall substantially comply with the site plan on page 8 of the staff report, inclusive of staff's additional notes and clarifications. The maximum number of units shall be 68.
2. An 8-ft wide sidewalk is required along Lower Creek Drive, as shown on the submitted site plan. A pedestrian connection must be provided from the sidewalks along Lower Creek Drive to the internal pedestrian network.
3. The smaller parcel (NCPIN 2759488577) will be recombined with the larger tract (NCPIN 2759488961), in compliance with City of Lenoir zoning and subdivision regulations, prior to permitting.
4. The vegetative buffer will be a minimum of 20' wide along the northwestern side property lines where adjacent to single-family residential properties.
5. The architectural standards for articulation through the provision of architectural features as well as the standards for materials and parking lot landscaping found in Section 714 of the Zoning Ordinance shall apply to the entire site, not just the B-2 zoned portions. Primary facades shall be any façade that is visible from Lower Creek Drive or adjacent residential properties.
6. Dumpsters shall be screened on all sides with dumpster enclosures finished to match the principal buildings.
7. All lighting shall be fully cut-off and shielded so as to eliminate/minimize light spill-over onto adjacent residential properties.
8. Signage on Lower Creek Drive shall use exterior illumination only (no internal illumination). Exterior lighting shall be directed at the sign face and be fully shielded to prevent light spill-over onto neighboring residential properties.
9. Valid permits must be obtained for this project and all construction must meet the requirements of the City of Lenoir Code of Ordinances, the North Carolina State Building Code, the North Carolina State Fire Code, and any other federal, state, or local regulation that applies.
10. If a building permit has not been issued within 24 months of the adoption of the Conditional Use Permit, the approval shall be considered null and void.

## PLANNING BOARD RECOMMENDATIONS

Planning Board recommends approval of the Conditional Use Permit, with conditions listed by staff and the following:

11. The City of Lenoir Planning, Public Works, and Police Departments' staff will evaluate the location of the Lower Creek driveway entrance to maximize safety for the apartment complex and the existing driveways nearby. *NOTE: This has been done, and City of Lenoir staff supports the proposed driveway location in it's current configuration.*



## MINUTES

### CITY COUNCIL FY2019-2020 ANNUAL BUDGET RETREAT CITY HALL, THIRD FLOOR TUESDAY, MARCH 26, 2019 8:30 A.M.

PRESENT: Mayor Gibbons, Councilmembers Perdue, Perkins, Stevens, Thomas, and Willis.

City Manager Hildebran, City Clerk Cannon, Public Information Officer Harris, Police Chief Phelps, Fire Chief Hair, Finance Director Bean, Economic Development Director Horn, Planning Director Wheelock, Recreation Director Story, Public Utilities Director Thomas, Public Works Director Wright.

ABSENT: Councilmember Beal.

Note: Councilmember Rohr was not present due to his accepting the position of City Attorney.

OTHERS: Virginia Annable, *News-Topic*, Dennie Martin, WR Martin, Inc., Andy Lovingood and Joel Whitford, McGill Associates.

#### I. CALL TO ORDER

A. Mayor Gibbons welcomed everyone and called the meeting to order. In addition, Mayor Gibbons asked everyone to keep the family of LouAnne Kincaid in their thoughts and prayers as Ms. Kincaid passed away on Sunday, March 24. Ms. Kincaid was the Public Information Officer for Caldwell County.

II. B. PROPOSED FY2019-20 BUDGET CALENDAR: City Manager Hildebran presented the proposed FY2019-2020 Budget Calendar to City Council for their review. A public hearing to formally approve the budget will be held on Tuesday, June 5. (A copy of the Budget Calendar is attached to these minutes as information).

#### Motion

Upon a motion by Mayor Pro-Tem Willis, Council voted 5 to 0 to approve the FY2019-2020 Budget Calendar as presented.

III. C. Review; FY2019-20 Council Goals: City Manager Hildebran reviewed the list of City Council's goals/priorities for 2019 and asked Council if there were any additional questions or concerns they wished to discuss further.

### 2019 Council Budget Priorities

#### 1. Employee Compensation:

- Continue efforts to offer competitive compensation and benefits for employee recruitment and retention
- Incentives/Rewards for savings
- Satisfaction Surveys

## **2. Housing:**

- Minimum Housing Enforcement
- Pursue Market Rate Housing (UNCSOG-DFI Study)
- Market City-owned Properties to Sell
- Encourage Downtown Living (Moving Lenoir to the 2<sup>nd</sup> Floor)
- Highlight shovel-ready areas such as Hibriten Mountain, Stonecroft, Huntington Woods, Summerhill, Parkview, Heritage Hills (Woodbine/Williamsburg) & Georgetown Estates
- Work with WPCOG Vacant & Substandard Housing Task Force

## **3. Healthy Infrastructure:**

- Street Paving
- Downtown Traffic Study
- Bike Plan (Pennton Avenue)
- Maintain City Facilities
- Water/Sewer Improvements
- Stormwater
- City Hall
- Fire Station #3
- Sidewalks/Greenway/OVT (also downtown sidewalks)
- Optimist Park/Mulberry Improvements/JE Broyhill Park Improvements
- Information Technology

## **4. Economic Development:**

- Explore what other local governments are doing with public/private partnerships
- Maintain Healthy Infrastructure
- Continue Work with EDC
- Market Quality of Life Amenities (Greenway, OVT, Bike Plan, etc.)

## **5. US 321 & Community Beautification**

- Neighborhood Branding Signage
- City Wayfinding
- Work on Commercial Blight (city-wide & downtown)
- Address Major Visibility Issues (Smith Crossroad, Old Mall, etc.)
- Implement North Main Area Plan & Fairfield South Plan

## **6. Public Engagement**

- Neighborhood Meetings
- Walk-through's
- State of the City Presentations
- Social Media/Website Redesign

## **Future Issues/Items (3-5 Year Timeframe) Priorities**

### **1. City Facilities**

### **2. Employee Compensation**

**Street Maintenance**

**Wayfinding Signage**

### **5. Pedestrian Access – Wilkesboro Boulevard Corridor**

Mr. Hildebran led a brief discussion regarding City-owned properties and the ongoing project “Move Lenoir to Second Floor”. He shared that several downtown buildings have been purchased recently plus a new restaurant is opening downtown in the former Bella

- 26 Torte building which indicates market interest in the downtown area. Mr. Hildebran also highlighted areas that are “shovel ready” for future developments including Hibriten Mountain, Stonecroft, Huntington Woods, Summerhill, Parkview, Heritage Hills (Woodbine/Williamsburg) and Georgetown Estates.

Mr. Hildebran further reviewed Council’s future issues/items. City Council unanimously agreed that housing remains their number one priority along with employee compensation.

Next, Radford Thomas, Public Utilities Director, introduced Dennie Martin, WR Martin, Inc., along with Andy Lovingood and Joel Whitford, McGill Associates, who partner with the City for engineering services. Director Thomas stated Mr. Lovingood will be reviewing the City’s ten-year Capital Improvements Plan (CIP) and Mr. Martin will be reviewing the City’s Water and Sewer Fund Cash Flow Summary for 2019. (A copy of the CIP List and Water and Sewer Fund Summary is attached to these minutes as information).

- A. Draft Capital Improvements Plan: Andy Lovingood distributed copies of the proposed Utility Fund Capital Improvements Plan (CIP) which list projects in priority order. He explained this list is an organized approach in order for the City to provide and maintain a viable system. The total cost of the proposed water and sewer projects over a ten-year period is \$45,481,000.

(A copy of the Water and Sewer Fund CIP list is attached to these minutes as information. Refer to page).

Mr. Lovingood related this plan allows the City to have financial stability with its rates and noted these projects are ranked by regulatory needs, replacement or efficiencies (age-related). Mr. Lovingood reviewed the list of projects and their goals with City Council. (Refer to the attached list).

Mr. Lovingood reported the City has a well-planned, well-executed Capital Improvements Project list which the City is able to update via grants or low interest loans. He commended City officials along with Staff for planning for future projects in order for the City to maintain its current infrastructure. Mr. Lovingood stated the City has accomplished a lot of great projects over the years.

Mr. Joel Whitford, McGill Associates, stated the City has over 10,000 water customers and pointed out the Water Treatment Plant capacity is 12 MGD (million gallons per day). He reiterated the City has completed a number of good projects. Mr. Whitford mentioned the newer projects include project #4 (Major Pressure Reducing Valve Vaults); #7 (Hudson Tank Pump Upgrades); #8 (Pleasant Hill Road Water Improvements); and #11 (Divisional Valve Replacements).

Councilmember Perkins asked for additional information regarding the low water pressure valves project. Mr. Lovingood explained that Project #3, Water System Improvements, addresses the high and low water pressure issues that residents of the entire neighborhoods of Hill Street and Finley Avenue are experiencing. It was noted completion of this project will be beneficial to the City in the future.

- 27 Mr. Whitford pointed out projects 5 through 10 address major improvements for the City's Water Treatment Plant while the Wastewater Collections top projects pertain to overflow issues. It was noted the sewer line replacement project for Highway 18 will be funded with a low interest loan and the Biosolids project has been permitted and may be completed around late summer.

As information, Public Utilities Director Thomas shared the sludge hold tank will be replaced and the City has the funding in place to pay for the MeterSYS Project with Mueller Systems for the installation of new meters and software technology. Director Thomas estimated the City's accuracy rate when the new meters are installed will be around 99%-101%.

- C. Update; Public Utility Fund Revenues: Dennie Martin, WR Martin, Inc. stated the City's goal is to keep up with inflation and maintain a margin of funds to allow the City to manage all of its capital outlay projects. Mr. Martin reiterated the cost of the thirty CIP projects is \$45,481,000 which equals to a \$38,490,000 debt package and \$6,691,000 in annual capital outlay. Mr. Martin explained the goal is to determine what projects the City needs to do to in order to stay ahead of any unexpected improvements projects.

Next, Mr. Martin reported the February 2019 Consumer Price Index (CPI) for the Urban South which the City uses to determine any rates increases is 1.1% and recommended a 1.1% increase in the City's water rates for FY2019-20 and a 2.5% sewer rate increase in order to keep up with inflation. The City's debt service for 2019 is \$1,332,526.00 and proposed capital outlay expenditures are \$170,000.00. He pointed out the debt service for FY2029 will increase to \$4,405,879.00. It was also noted the City is required to notify Caldwell County and other municipalities that purchase water from the City of any proposed rate increases by April 1 each year.

Mr. Martin also reported that \$200,000 would be transferred to the City's Capital Reserve Fund and commented the City will be able to pay cash for Debt Package 8 which is a total of \$1,780,000. Mr. Martin also stated the City's unrestricted net assets/total expenditures average 64.66% and recommended the City keep this amount around 58%. He also pointed out that Lenoir has moved up to the number 2 ranking on the Water Rate Comparisons Chart of March 2019 for low water rates. (Refer to the copy of the chart attached to these minutes.)

Mr. Martin emphasized it was important for the City to continue planning its improvements projects plus take advantage of any available grant funding. He further suggested the City continue to build reserves for future projects because this step will reduce the City's principal debt.

### **Motion**

Upon a motion by Councilmember Stevens, Council voted 5 to 0 to approve the recommended 1.1% water rate increase and the 2.5% sewer rate increase for FY2019-2020 as recommended. These new rates become effective July 1, 2019.

City Manager Hildebran stated the FY2019-2020 budget would be prepared reflecting these rate increases and the City would notify Caldwell County and all of its utility customers.

<sup>28</sup>D. FY2019-20 General Fund Update: Finance Director Bean presented a financial summary as of February 28, 2019 and reported the City is in good financial shape with a General Fund balance of \$2,809,045 and a water/sewer fund balance of \$1,805,202.79. She remarked the City has collected \$2,370,815.74 of its budgeted sales tax which is a 4% increase over last year. Director Bean stated the Downtown District fund Over/Under amount is (\$107,346.64) and the Water/Sewer Fund Over/Under amount is \$1,805,202.79. Director Bean commended the Department Directors for all of their hard work in maintaining their departmental budgets.

Finance Director Bean also reviewed the City's General Fund CIP list of approved projects for FY2019-FY2026 and noted several items may have to be moved out farther on the schedule while others will be contingent upon funding.

**General Fund**

- Fire Station III
- Hospital Avenue Sidewalks
- Mulberry Recreation Center/Optimist Park Expansion

**Enterprise Fund**

- Biosolids Facility Improvements
- Bernhardt Water Treatment Plant Improvements-Phase II
- MeterSys AMI Project
- Water System Asset Inventory Grant
- Wastewater System Asset Inventory Grant
- Bernhardt Water Treatment Plant Improves

Among the proposed improvements include replacement of a diesel fuel pump along with additional improvements at the Greenway and improvements at several of the City owned bridges. Mr. Hildebran shared the FY2019-2020 budget will also include increased funding for resurfacing and improvements to the intersection of Smith Crossroads which may consist of installing sculpture, etc.

Other important information presented by Mr. Hildebran included a listing of property tax rates for the past 21 years, a copy of the Consumer Price Index for the past 12 months, a chart of the 10-year CPI/COLA/Water/Sewer percentages, health insurance rates from 2007 forward and the solid waste fees from 2004 forward. Mr. Hildebran informed Council the City's insurance provider (Medcost) has notified the City there will not be any increase in its insurance rates for FY2019-2020.

F. General Information; Department Directors:

1. Police Chief Phelps reported their upcoming budget will include funding for improvements to their facility. He also clarified for Council the state did not have any restrictions pertaining to the use of seized money, but stated the federal government does have requirements. It was noted that Staff submits a report to the federal government. Chief Phelps reported the Department uses the state funds to assist with their K-9 program.
2. Finance Director Bean stated the financial software would be upgraded for the new technology pertaining to the new meter system and shared that Burl Sprouse, IT Specialist, will be building a new server for this project.
3. Public Works Director Wright reported he plans to update the Master Plan for the City's cemeteries and pointed out there were only 2,000 plots remaining. He reported the remaining undeveloped property would be developed and future plans are to add

29 several columbarium niches in areas that are not suitable for plots.

City Manager Hildebran stated Blue Ridge Memorial Gardens is slated to be repaved along with some City streets.

4. Fire Chief Hair reported the Department needs to purchase two rescue trucks of which one will be converted for a pump apparatus. In addition, he noted there will be an engine truck stationed at Station No. 3. He remarked it is more feasible for the City to move forward with the purchase of these trucks as their cost continues to increase annually. Chief Hair also stated the Fire Department does not need to purchase the additional equipment listed on the CIP list for FY2024.
5. Recreation Director Story remarked their proposed improvements include improvements to the field and lighting at Mack Cook Stadium, the former LHS auditorium and gym, plus replacement of heating units, steam generators among other items at the Aquatic Fitness Center in order to keep the facility up to date for the general public. It was noted the City will have the opportunity to offer more events at Mack Cook Stadium with the field being lighted.

G. Fund Balances:

City Manager Hildebran reported the City's current Unreserved Fund Balance of \$8,421,722 equals to 51.56%. In 2017, the Unreserved Fund Balance was \$7,222,443 which equals to 43.14%. He stated part of this funding can be used for capital items and the remainder will be placed in capital reserves. (Refer to the copy of the Fund Balance report attached to these minutes).

Next, Mr. Hildebran reviewed the General Fund Projections for FY2019-2020 through FY2025-2026. He reported the City is also recommending a \$1.00 Solid Waste Fee increase for FY2019-20 which will increase the monthly fee to \$10.00. This proposed fee will generate \$75,000 in revenue for the City which equals to the cost of one brush truck.

Mr. Hildebran stated the City could subsidize other City vehicles with the purchase of a brush truck. Councilmember Perdue led a brief discussion regarding citizens putting out brush for pickup that should have been taken care of by their contractors. Mr. Perdue stated Council should consider giving Staff guidelines to enforce this issue along with the issue of people placing brush in dumpsters. Director Wright stated Staff removed 35 loads of brush in one day from dumpsters and remarked they are reviewing ways to address this issue.

- H. Stormwater Program: City Manager Hildebran shared the City has discussed the issue of stormwater with the Western Piedmont Council of Governments (WPCOG) and they reported they will create a stormwater management plan and a model ordinance to fit the needs of the City of Lenoir, as well as, ensure North Carolina Stormwater requirements are being met. The WPCOG is willing to take over this program for the City at an annual cost of \$51,669. This quote would remain in effect for a two-year period. He mentioned the WPCOG is also discussing the issue with other municipalities regarding taking over their stormwater programs. (A copy of the proposal by WPCOG is attached to these minutes as information).

Planning Director Wheelock stated the WPCOG has a large staff and pointed out that

- 30 one Staff person cannot feasibly cover all of the territory the City currently manages for stormwater. In addition, Director Wheelock shared City Staff was notified by the Division of Water Quality (DEQ) that they had to adhere to more additional requirements than the City originally anticipated. Director Wheelock also reminded Council they adopted a resolution on February 19, 2019 affirming the City of Lenoir's support regarding implementation of a compliant NPDES MS4 Stormwater Program.

### **Motion**

Councilmember Thomas moved to partner with the WPCOG for the City's Stormwater Program at an annual cost of \$51,669 for a two-year period as recommended by City Staff. This motion carried by a 5 to 0 vote.

### **Review of Outstanding Items:**

Per City Council direction, City Manager Hildebran informed Council the City would be seeking Request for Qualifications (RFQ) for the City's municipal insurance. He stated the City is seeking the best coverage for all of its insurance needs. He also reported the City would experience a 1.2% increase for its contribution to the Local Government Retirement System (LGERS) to offset their recent rate increase which may have a possible impact of \$75,000 to the City's budget. Mr. Hildebran stated any compensation and cost of living allowance (COLA) for employees would be announced at a later date.

Mr. Hildebran briefly reviewed the list of Outstanding Items, Current Commitments-General Fund, Community Block Grant Funds (CDBG) and Possible Future Outstanding Items-General Fund. The CDBG funds will be used for improvements to the Over Mountain Victory Trail (OVT/Rail/Greenway Trail Segment(s) and the proposed improvements to the LHS Auditorium/Gym/Field Improvements. (A copy of the handout is attached to these minutes as information).

In addition, Mr. Hildebran stated the budget will include funding for the two-way traffic project. Planning Director Wheelock shared Staff has completed around 75% of its code enforcement issues, but more properties are being added as well. Staff is reviewing how to proceed with this issue. She further stated Staff is continuing to partner with the firm of Groome, Tuttle, Pike and Blair regarding the City's foreclosures. City Manager Hildebran stated the City is making progress on a number of issues and expressed appreciation to Dennie Martin, Andy Lovingood and Joel Whitford for all of their time and assistance during this budget meeting.

City Council thanked Staff for the great information and good report. Councilmember Thomas suggested the City share this information with the citizens to make them more aware of what the City is accomplishing.

## **II. ADJOURN**

There being no further business, the meeting was adjourned at 10:50 a.m.

### **Attachments**

FY2019-20 Budget Calendar  
Water and Sewer Fund Capital Improvements Plan  
Water and Sewer Cash Flow Summary  
Water Rate Comparison Chart  
WPCOG Handout

31 Fund Balances Handout  
Outstanding Items Handout



**CITY OF LENOIR**  
**BUDGET CALENDAR**  
**FY2019-2020**

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May 21, 2019	City Manager presents recommended budget to City Council. (City Clerk will have a copy of the proposed budget available for the public after presentation.)
May 23, 2019	Budget Work Session – 6:00 p.m., Third Floor, City Hall
May 28, 2019	Committee of the Whole – 8:30 a.m., Third Floor, City Hall (Budget Work Session if necessary)
May 30, 2019	Budget Work Session – 6:00 p.m., Third Floor, City Hall *if necessary
June 4, 2019	Public Hearing for recommended FY2019-20 Budget at City Council Meeting at 6:00 p.m. Earliest possible date to adopt FY2019-20 Budget. (City Clerk will have a copy of the final budget available for the public within five business days.)
June 18, 2019	City Council
June 25, 2019	Committee of the Whole Meeting

WATER RATE COMPARISONS – March – 2019  
5,000 GALLONS USAGE PER MONTH  
[www.efc.unc.edu/RatesDashboards/nc.html](http://www.efc.unc.edu/RatesDashboards/nc.html)

<u>SYSTEM</u>	<u>WATER</u>	<u>SEWER</u>	<u>TOTAL</u>
Forest City	\$22.37	\$23.12	\$45.49
Lenoir	\$23.62	\$24.30	\$47.92
Morganton	\$15.25	\$33.23	\$48.48
Valdese	\$37.70	\$11.15	\$48.85
N. Wilkesboro	\$28.98	\$23.99	\$52.97
Hickory	\$23.90	\$30.87	\$54.77
Statesville	\$23.45	\$37.43	\$60.88
Cherryville	\$30.52	\$30.52	\$61.04
Two Rivers Utilities **(Gastonia)	\$26.20	\$36.40	\$62.60
Granite Falls	\$32.37	\$30.83	\$63.20
Lexington	\$27.23	\$36.60	\$63.83
Boone	\$34.20	\$32.25	\$66.45
Shelby	\$25.42	\$41.42	\$66.84
Taylorsville	\$33.95	\$33.95	\$67.90
Newton	\$32.44	\$42.81	\$75.25
Blowing Rock **(Bi-monthly)	\$37.75	\$37.75	\$75.50
Lincolnton	\$29.99	\$46.97	\$76.96
Siler City	\$41.00	\$37.25	\$78.25
Thomasville	\$34.90	\$49.30	\$84.20

**City Of Lenoir  
Fund Balances**

	<u>2018</u>	<u>2017</u>	<u>2016</u>	
Unreserved Fund Balances	\$8,421,722	\$7,222,443	\$4,554,559	
Fund Balance Percent	51.56%	43.14%	25.33%	
Water Fund Transfers	\$0	\$0	\$0	
	<u>2015</u>	<u>2014</u>	<u>2013</u>	<u>2012</u>
Unreserved Fund Balances	\$4,061,603	\$3,574,740	\$3,211,745	\$3,028,662
Fund Balance Percent	23.14%	21.90%	19.80%	18.75%
Water Fund Transfers	\$0	\$0	\$0	\$0
	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>
Unreserved Fund Balances	\$2,896,417	\$3,760,253	\$3,653,831	\$3,319,100
Fund Balance Percent	17.72%	23.59%	20.42%	21.18%
Water Fund Transfers	\$0	\$0	\$0	\$0
	<u>2007</u>	<u>2006</u>	<u>2005</u>	<u>2004</u>
Unreserved Fund Balances	\$3,188,151	\$2,285,977	\$2,024,965	\$1,797,042
Fund Balance Percent	20.48%	15.96%	12.62%	12.59%
Water Fund Transfers	\$0	\$0	\$86,371	\$582,020

### Outstanding Items

- 1) Workers Comp
- 2) General Liability
- 3) Health
- 4) Retirement System
- 5) Compensation/COLA

### Current Commitments - General Fund

- 1) PARTF Grant (Optimist/Mulberry Parks)
- 2) LFD#3 Debt Service
- 3) Hospital Avenue Sidewalk
- 4) Zacks Fork Range (Fence/Power)
- 5) JE Broyhill Park - Phase 2
- 6) Downtown 2-way Traffic Conversion (3-Phases)
- 7) Linkside Connector

### CDGB

- 1) OVT/Rail/Greenway Trail Segment(s)
- 2) LHS Auditorium/Gym/Field Improvements

### Possible Future Outstanding Items - General Fund

- 1) ARC - Broyhill Site Clean-up/Brownfield Agreement
- 2) Strategic Milling/Paving (Greenhaven/Finley, Mulberry St., Hospital Ave., etc.)
- 3) Greenway Extensions
- 4) Strategic Foreclosures
- 5) Smith Crossroads Art/Plantings
- 6) City Hall Renovation/Annex
- 7) Branding Signage



Name of Counterparty: \_\_\_\_\_  
\_\_\_\_\_

**IRAN DIVESTMENT ACT CERTIFICATION**

As of the date listed below, the entity listed above is not listed on the Final Divestment List created by the State Treasurer.

The undersigned hereby certifies that he or she is authorized by the entity listed above to make the foregoing statement.

\_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_ Title \_\_\_\_\_

**Iran Divestment List Verified by:**

\_\_\_\_\_ Western Piedmont Council of Government Employee \_\_\_\_\_ Date \_\_\_\_\_

AGREEMENT BETWEEN THE  
WESTERN PIEDMONT COUNCIL OF GOVERNMENTS AND  
THE CITY OF LENOIR  
FOR ASSISTANCE IN SUPPORTING THE WESTERN PIEDMONT  
STORMWATER PARTNERSHIP  
JULY 1, 2019 – JUNE 30, 2021

This AGREEMENT, to be effective on the 1st day of July, 2019, by and between the Western Piedmont Council of Governments (hereinafter referred to as the "Planning Agency") and the City of Lenoir, North Carolina (hereinafter referred to as the "Local Government");

WITNESSETH THAT:

WHEREAS, the Local Government is required to provide adequate staffing and funding to support the NPDES Phase II six minimum measures, including Stormwater Public Education and Outreach, Public Involvement and Participation, Illicit Discharge Detection and Elimination, Construction Site Stormwater Runoff Control, Post-Construction Storm Water Management in New Development and Redevelopment, and Pollution Prevention/Good Housekeeping for Municipal Operations. ("Stormwater Partnership" hereinafter) ; and

WHEREAS, the Planning Agency is empowered to provide technical assistance to local governments by the North Carolina General Statutes and by resolution passed by the Planning Agency on April 17, 1972; and

WHEREAS, the Local Government has requested the Planning Agency to provide such technical assistance to support the NPDES Phase II six minimum measures through a Stormwater Partnership and;

WHEREAS, the Planning Agency desires to cooperate with the Local Government in providing technical assistance and services and that the proposed assistance and services are carried out in an efficient and professional manner.

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

1. **Scope of Services.** The Planning Agency will provide technical assistance to the Western Piedmont Stormwater Partnership. Technical assistance shall consist of the services described in EXHIBIT A, which is incorporated more fully by reference herein.
2. **Personnel.** The Planning Agency will furnish the necessary trained personnel to the Local Government.
3. **Office/Equipment.** The Planning Agency will provide office space, miscellaneous office supplies, office equipment, software, and hardware necessary to perform the

work described in this contract.

4. **Compensation.** The Local Government will pay the Planning Agency a regional Stormwater Partnership fee for services provided as part of the Agreement as outlined in Exhibit A. The City of Lenoir's calculated Stormwater Partnership fee for the period beginning July 1, 2019 and ending June 30, 2021 is not to exceed **\$101,338** (one hundred and one thousand three hundred and thirty-eight dollars). These fees will be billed in twenty-four equal monthly payments of **\$4,305.75** (four thousand three hundred and five dollars and seventy-five cents).
  
5. **Non-salary Expenses.** (a) The Planning Agency personnel's local travel mileage will be considered to be a part of the Scope of Work as outlined in Exhibit A.  
  
(b) The Stormwater Partnership will pay for personnel's travel expenses related to attendance of conferences, conventions, and seminars if the events are related to the development of the Stormwater Partnership's program. Travel expenses shall include registration fees, hotel expenses, meals, and mileage. The Stormwater Partnership will pay for hotel, meals, and mileage costs at the prevailing local government rate.
  
6. **Termination/Modifications.** The Local Government may terminate the Contract by giving the Planning Agency a thirty-day written notice. Furthermore, if there is a need to amend the proposal outlined in Attachment A, either party may do so with the written consent of the other.
  
7. **Time of Performance.** The Planning Agency shall ensure that all services required herein shall be completed during the period beginning July 1, 2019 and ending June 30, 2021.
  
8. **Interest of Members, Officers, or Employees of the Planning Agency, Members of the Local Government, or Other Public Officials.** No member, officer, or employee of the Planning Agency or its agents; no member of the governing body of the locality in which the program is situated; and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the program during his tenure or for one year thereafter, shall have any financial interest, either direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed in connection with the program assisted under this Agreement. Immediate family members of said members, officers, employees, and officials are similarly barred from having any financial interest in the program. The Planning Agency shall incorporate or cause to be incorporated in all such contracts or subcontracts, a provision prohibiting such interest pursuant to the purpose of this section.

9. **Nondiscrimination Clause.** No person in the United States shall on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination with any program or activity funded in whole or in part with funds available under the Housing and Community Development Act of 1974, Section 109.
10. **Age Discrimination Act of 1975, as amended.** No qualified person shall on the basis of age be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from federal financial assistance.
11. **Section 504, Rehabilitation Act of 1973, as amended.** No qualified handicapped person shall, on the basis of handicap be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from federal financial assistance.



IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

LOCAL GOVERNMENT:  
CITY OF LENOIR

PLANNING AGENCY:  
WESTERN PIEDMONT COUNCIL OF  
GOVERNMENTS

By: \_\_\_\_\_  
City Manager

By: \_\_\_\_\_  
Executive Director

Attest: \_\_\_\_\_

Planning Agency:

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Chairman

Preaudit statement:

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

By: \_\_\_\_\_  
Local Government Finance Officer

## EXHIBIT A

### THE CITY OF LENOIR WESTERN PIEDMONT STORMWATER PARTNERSHIP JULY 1, 2019 – JUNE 30, 2021

#### PROGRAM OVERVIEW

The following work program is presented as descriptive of the work called for in the agreements concerning stormwater program assistance activities by the Western Piedmont Council of Governments for local governments in the Stormwater Partnership.

1. The Western Piedmont Council of Governments staff will work with the Local Government's Staff to adapt the work plan and priorities as needed to satisfactorily implement requirements in NPDES Phase II Permits and management plans.
  - Public Education and Outreach on Storm Water Impacts – The Planning Agency will fulfill the education and outreach component of the permit by developing workshops; arranging speakers; development of school partnerships and projects; preparing outreach materials; and presenting to various groups and at events, and other Education Outreach activities as required by the NPDES Phase II Permit and outlined in the Local Government's Stormwater Management Plan.
  - Public Involvement and Participation – The Planning Agency will manage planning and implementation of public events for stormwater information to the general public as well as coordination of volunteer programs for stormwater programs or stream cleanups, and other Public Involvement and Participation activities as required by the NPDES Phase II Permit and outlined in the Local Government's Stormwater Management Plan.
  - Illicit Discharge Detection and Elimination – The Planning Agency will conduct active investigation and enforcement of the Local Governments illicit discharge within the Local Governments jurisdiction and other Illicit Discharge Detection and Elimination activities as required by the NPDES Phase II Permit and outlined in the Local Government's Stormwater Management Plan.
  - Construction Site Stormwater Runoff Control – North Carolina Division of Environmental Quality is responsible for the Local Government's Construction Site Stormwater Runoff Control Program. Follow-up by the Planning Agency will occur.
  - Post-Construction Storm Water Management in New Development and Redevelopment – The Planning Agency will manage the permitting process, annual reports, inspections,

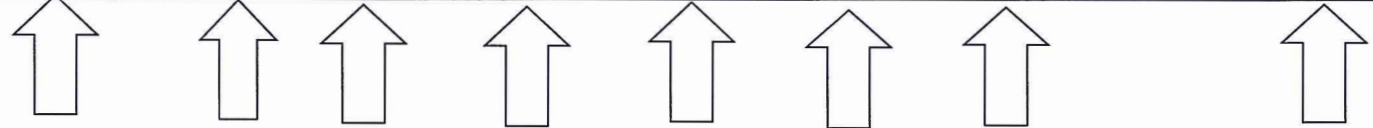
and files associated with Post Construction as required by the NPDES Phase II Permit and outlined in the Local Government's Stormwater Management Plan.

- Pollution Prevention/Good Housekeeping for Municipal Operations – The Planning Agency will conduct education to Local Government employees and inspection of Local Government facilities for Pollution Prevention/Good Housekeeping activities as required by the NPDES Phase II Permit and outlined in the Local Government's Stormwater Management Plan.

**TABLE 1**  
**CITY OF LENOIR**  
**WATER AND SEWER FUND**  
**CAPITAL IMPROVEMENTS PLAN - 2019**

PROJECT NUMBER	PROJECT LOCATION	COST	2019	YEAR 1 2020	YEAR 2 2021	YEAR 3 2022	YEAR 4 2023	YEAR 5 2024	YEAR 6 2025	YEAR 7 2026	YEAR 8 2027	YEAR 9 2028	YEAR 10 2029	YEARS 11+ 2029+
<b>WATER IMPROVEMENTS</b>														
<b><u>DISTRIBUTION SYSTEM</u></b>														
1	US 321 / CONNELLY SPRINGS ROAD INTERCHANGE UTILITY RELOCATION-WAT	34,000	34,000											
2	ROOF REPLACEMENT	45,000		45,000										
3	WATER SYSTEM IMPROVEMENTS	3,810,000			3,810,000									
4	MAJOR PRESSURE REDUCING VALVE VAULTS	640,000			300,000					340,000				
5	WHITNEL TRANSMISSION LINE REPLACEMENT- PHASE 1	4,930,000				4,930,000								
6	WALT ARNEY ROAD WATER LINE REPLACEMENT	550,000						550,000						
7	HUDSON TANK PUMP UPGRADES	500,000					500,000							
8	PLEASANT HILL ROAD WATER IMPROVEMENTS	0												1,140,000
9	ZACK FORKS TO COTTRELL HILL WATER SUPPLY LOOP	0												1,510,000
10	WHITNEL TRANSMISSION LINE REPLACEMENT- PHASE 2	0												11,900,000
11	DIVISIONAL VALVE REPLACEMENTS	797,000				90,000	92,000	95,000	98,000	101,000	104,000	107,000	110,000	
<b><u>BERNHARDT TREATMENT PLANT</u></b>														
12	FILTER VALVE REPLACEMENTS	680,000					680,000							
13	BACKWASH SUPPLY	290,000						290,000						
14	FLASH MIX BASIN REPAIRS	520,000						520,000						
15	OPERATIONS BUILDING UPGRADES	1,780,000								1,780,000				
16	GENERATOR AND ELECTRICAL SYSTEM LOOP	0												2,560,000
	VEHICLES	718,000	42,000	50,000	150,000	60,000		58,000	48,000	70,000	140,000	50,000	50,000	
	<b>WATER IMPROVEMENTS SUBTOTAL</b>	<b>15,294,000</b>	<b>76,000</b>	<b>95,000</b>	<b>4,260,000</b>	<b>5,080,000</b>	<b>1,272,000</b>	<b>1,513,000</b>	<b>146,000</b>	<b>2,291,000</b>	<b>244,000</b>	<b>157,000</b>	<b>160,000</b>	<b>17,110,000</b>
<b>WASTEWATER IMPROVEMENTS</b>														
<b><u>COLLECTION SYSTEM</u></b>														
17	US 321 / CONNELLY SPRINGS ROAD INTERCHANGE UTILITY RELOCATION-SEW	52,000	52,000											
18	CROSSROADS SHOPPING CENTER TO LENOIR GOLF CLUBHOUSE SEWER	2,480,000			2,480,000									
19	MANHOLE IMPROVEMENTS	1,100,000			280,000		150,000	155,000		165,000		350,000		
20	PENNTON TO HWY 18 SEWER	920,000					920,000							
21	ZACKS FORK REPLACEMENT	1,970,000						1,970,000						
22	MAIN STREET SEWER REPLACEMENT	950,000						950,000						
23	REHAB BLAIRS FORK OUTFALL	750,000						750,000						
24	GOLF COURSE SEWER REPLACEMENT	3,120,000							3,120,000					

25	GUNPOWDER CREEK INTERCEPTOR REPLACEMENT	3,100,000								3,100,000				
26	EAST HARPER AVENUE SEWER REPLACEMENT	500,000									500,000			
27	MEADOWOOD UPSTREAM SEWER REPLACEMENT	0												1,660,000
	<b>LOWER CREEK TREATMENT PLANT</b>													
28	BIOSOLIDS IMPROVEMENTS	6,600,000		6,600,000										
29	SEPTAGE RECEIVING STATION / VACTOR DUMP	510,000			510,000									
30	OTHER LOWER CREEK WWTP NEEDS	7,400,000										7,400,000		
	VEHICLES	735,000	42,000	50,000	150,000	45,000				48,000			400,000	
	<b>WASTEWATER IMPROVEMENTS SUBTOTAL</b>	30,187,000	94,000	6,650,000	3,420,000	45,000	1,070,000	3,825,000	3,168,000	3,265,000	500,000	8,150,000	0	1,660,000
	<b>TOTAL</b>	45,481,000	170,000	6,745,000	7,680,000	5,125,000	2,342,000	5,338,000	3,314,000	5,556,000	744,000	8,307,000	160,000	18,770,000



**DEBT PACKAGES**

		DEBT PKG 1	DEBT PKG 2	DEBT PKG 4	DEBT PKG 5	DEBT PKG 6	DEBT PKG 7	DEBT PKG 8	DEBT PKG 10	
38,490,000		6,600,000	3,810,000	4,930,000	1,600,000	3,670,000	3,120,000	1,780,000	7,400,000	
		DEBT PKG 3						DEBT PKG 9		
			2,480,000					3,100,000		

**ANNUAL DEBT  
ANNUAL CAPITAL OUTLAY**

38,490,000	0	6,600,000	6,290,000	4,930,000	1,600,000	3,670,000	3,120,000	4,880,000	0	7,400,000	0
6,991,000	170,000	145,000	1,390,000	195,000	742,000	1,668,000	194,000	676,000	744,000	907,000	160,000

**NEW OPERATING COSTS \***

<b>WTP</b>		20,000	20,500	21,013	21,538	22,076	22,628	23,194	23,774	24,368	24,977
<b>NEW OPERATING COSTS</b>		20,000	20,500	21,013	21,538	22,076	22,628	23,194	23,774	24,368	24,977

**CITY OF LENOIR WATER AND SEWER FUND  
CASH FLOW SUMMARY - 2019**

	<b>ESTIMATE 2019</b>	<b>YEAR 1 2020</b>	<b>YEAR 2 2021</b>	<b>YEAR 3 2022</b>	<b>YEAR 4 2023</b>	<b>YEAR 5 2024</b>	<b>YEAR 6 2025</b>	<b>YEAR 7 2026</b>	<b>YEAR 8 2027</b>	<b>YEAR 9 2028</b>	<b>YEAR 10 2029</b>
WATER ANNUAL OPERATING REVENUE	\$6,544,248	\$6,673,223	\$6,804,759	\$6,938,907	\$7,075,717	\$7,215,245	\$7,357,543	\$7,502,667	\$7,650,673	\$7,801,619	\$7,955,563
SEWER ANNUAL OPERATING REVENUE	\$3,294,675	\$3,358,659	\$3,423,903	\$3,490,434	\$3,558,275	\$3,627,453	\$3,697,996	\$3,769,929	\$3,843,280	\$3,918,078	\$3,994,351
WATER & SEWER ANNUAL NON-OPERATING REVENUE	9,000	5,000	6,000	6,000	6,000	6,000	6,000	6,000	7,000	7,000	7,000
WATER REVENUE INCREASE *		1.1%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
SEWER REVENUE INCREASE		2.5%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
WATER & SEWER NEW REVENUE		\$150,429	\$353,288	\$568,279	\$795,969	\$1,036,953	\$1,291,848	\$1,561,302	\$1,845,987	\$2,146,605	\$2,463,890
<b>TOTAL REVENUE</b>	<b>\$9,847,923</b>	<b>\$10,187,311</b>	<b>\$10,587,951</b>	<b>\$11,003,619</b>	<b>\$11,435,961</b>	<b>\$11,885,651</b>	<b>\$12,353,387</b>	<b>\$12,839,898</b>	<b>\$13,346,940</b>	<b>\$13,873,302</b>	<b>\$14,420,803</b>
WATER OPERATING EXPENDITURES	\$3,834,137	\$3,929,990	\$4,028,240	\$4,128,946	\$4,232,169	\$4,337,974	\$4,446,423	\$4,557,584	\$4,671,523	\$4,788,311	\$4,908,019
SEWER OPERATING EXPENDITURES	\$3,044,946	\$3,121,070	\$3,199,096	\$3,279,074	\$3,361,051	\$3,445,077	\$3,531,204	\$3,619,484	\$3,709,971	\$3,802,720	\$3,897,788
NEW OPERATING COSTS		\$20,000	\$20,500	\$21,013	\$21,538	\$22,076	\$22,628	\$23,194	\$23,774	\$24,368	\$24,977
CAPITAL OUTLAY	\$170,000	\$145,000	\$1,390,000	\$195,000	\$742,000	\$1,668,000	\$194,000	\$676,000	\$744,000	\$907,000	\$160,000
DEBT SERVICE	\$1,332,526	\$2,090,995	\$2,295,067	\$2,524,167	\$2,731,205	\$2,954,058	\$3,252,060	\$3,528,620	\$3,656,114	\$4,046,386	\$4,405,879
TRANSFER TO CAPITAL RESERVE FUND	\$0	\$200,000	\$0	\$200,000	\$200,000	\$0	\$400,000	\$200,000	\$200,000	\$200,000	\$200,000
<b>NET INCOME</b>	<b>\$1,466,314</b>	<b>\$680,257</b>	<b>-\$444,953</b>	<b>\$655,420</b>	<b>\$147,999</b>	<b>-\$541,534</b>	<b>\$507,072</b>	<b>\$235,016</b>	<b>\$341,557</b>	<b>\$104,516</b>	<b>\$824,139</b>
UNRESTRICTED NET ASSETS	\$5,419,514	\$6,099,771	\$5,654,818	\$6,310,238	\$6,458,237	\$5,916,702	\$6,423,774	\$6,658,790	\$7,000,348	\$7,104,864	\$7,929,003
UNRESTRICTED NET ASSETS / TOTAL EXPENDITURES	64.66%	64.16%	51.25%	60.98%	57.21%	47.61%	54.23%	52.83%	53.83%	51.60%	58.32%
CAPITAL RESERVE FUND	\$626,610	\$826,610	\$826,610	\$1,026,610	\$1,226,610	\$1,226,610	\$1,626,610	\$46,610	\$246,610	\$446,610	\$646,610
RESIDENTIAL INSIDE 5,000 GAL WATER CHARGE ^	\$23.62	\$23.88	\$24.36	\$24.84	\$25.34	\$25.85	\$26.37	\$26.89	\$27.43	\$27.98	\$28.54
RESIDENTIAL INSIDE 5,000 GAL SEWER CHARGE ^	\$24.30	\$24.91	\$25.41	\$25.91	\$26.43	\$26.96	\$27.50	\$28.05	\$28.61	\$29.18	\$29.77

\* FEBRUARY 2019 CPI URBAN SOUTH 12 MONTH AVERAGE IS 1.1%.



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 16<sup>th</sup> day of April, 2019.

SEAL

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Joseph L. Gibbons, Mayor

**ATTEST:**

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Shirley M. Cannon, City Clerk



**CITY OF LENOIR**  
**COUNCIL ACTION FORM**

- I. **Agenda Item:** Kincaid-Hickel/City of Lenoir Land Exchange Request
- II. **Background Information:** Upon a recent survey to combine two adjacent properties both owned by Joel Kincaid and Steven Hickel, it was discovered that a small portion of a city park sidewalk slightly encroaches on their property. As a resolution, Mr. Kincaid has recommended a land exchange to allow for the sidewalk to remain “as is”.

The proposed exchange would convey Lot “B” - 0.01 acres of land (a portion of NCPIN 2749787948) owned by Joel Kincaid/Steven 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 Main Street NW. Both tracts are of similar size and value, and would further a public purpose in maintaining a city park sidewalk.

A map of the proposed exchange is enclosed for your information.

- III. **Staff Recommendation:** If Council wishes to proceed with the land exchange as described, a Resolution Authorizing Exchange of Property is enclosed for your consideration.

In accordance with NCGS 160A-271, a public notice outlining the terms of the exchange was published for a minimum of 10 days.

- IV. **Reviewed by:**

**City Attorney:**

**City Manager:**



**CITY OF LENOIR**

**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/Steven 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 16<sup>th</sup> day of April, 2019.

SEAL

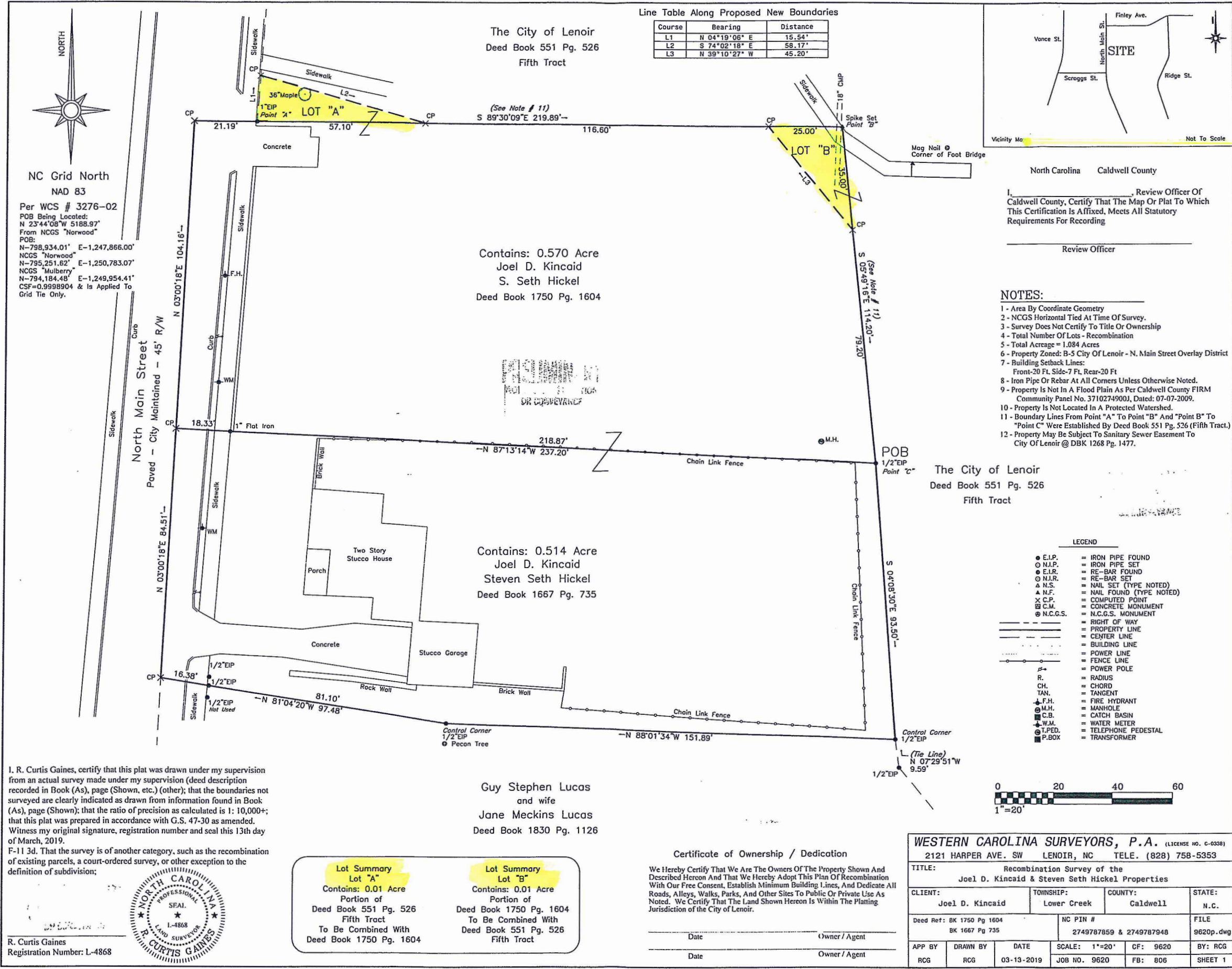
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Joseph L. Gibbons, Mayor

ATTEST:

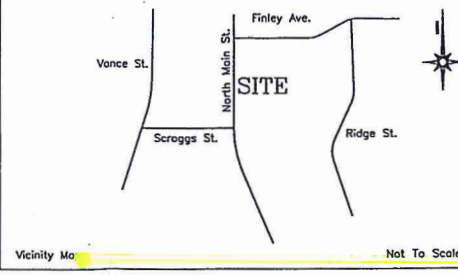
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Shirley M. Cannon, City Clerk



Line Table Along Proposed New Boundaries

Course	Bearing	Distance
L1	N 04°19'06" E	15.54'
L2	S 74°02'18" E	58.17'
L3	N 39°10'27" W	45.20'



NC Grid North  
NAD 83  
Per WCS # 3276-02  
POB Being Located:  
N 23°44'08" W 5188.97'  
From NCGS "Norwood"  
POB:  
N-798,934.01' E-1,247,866.00'  
NCGS "Norwood"  
N-795,251.62' E-1,250,783.07'  
NCGS "Mulberry"  
N-794,184.48' E-1,249,954.41'  
CSF=0.998904 & Is Applied To  
Grid Tie Only.

North Carolina Caldwell County  
I, \_\_\_\_\_, Review Officer Of  
Caldwell County, Certify That The Map Or Plat To Which  
This Certification Is Affixed, Meets All Statutory  
Requirements For Recording  
Review Officer

- NOTES:
- Area By Coordinate Geometry
  - NCGS Horizontal Tied At Time Of Survey.
  - Survey Does Not Certify To Title Or Ownership
  - Total Number Of Lots - Recombination
  - Total Acreage = 1.084 Acres
  - Property Zoned: B-5 City Of Lenoir - N. Main Street Overlay District
  - Building Setback Lines:  
Front-20 Ft. Side-7 Ft. Rear-20 Ft
  - Iron Pipe Or Rebar At All Corners Unless Otherwise Noted.
  - Property Is Not In A Flood Plain As Per Caldwell County FIRM  
Community Panel No. 3710274900J, Dated: 07-07-2009.
  - Property Is Not Located In A Protected Watershed.
  - Boundary Lines From Point "A" To Point "B" And "Point B" To  
"Point C" Were Established By Deed Book 551 Pg. 526 (Fifth Tract).
  - Property May Be Subject To Sanitary Sewer Easement To  
City Of Lenoir @ DBK 1268 Pg. 1477.

LEGEND

● I.P.	= IRON PIPE FOUND
○ N.I.P.	= IRON PIPE SET
○ E.I.R.	= RE-BAR FOUND
○ N.I.R.	= RE-BAR SET
▲ N.S.	= NAIL SET (TYPE NOTED)
▲ N.F.	= NAIL FOUND (TYPE NOTED)
× C.P.	= COMPUTED POINT
■ C.M.	= CONCRETE MONUMENT
⊙ N.C.G.S.	= N.C.G.S. MONUMENT
---	= RIGHT OF WAY
---	= PROPERTY LINE
---	= CENTER LINE
---	= BUILDING LINE
---	= POWER LINE
---	= FENCE LINE
---	= POWER POLE
R	= RADIUS
CH	= CHORD
TAN	= TANGENT
▲ F.H.	= FIRE HYDRANT
⊙ M.H.	= MANHOLE
⊙ C.B.	= CATCH BASIN
▲ W.M.	= WATER METER
⊙ T.PED.	= TELEPHONE PEDESTAL
■ P.BOX	= TRANSFORMER



I, R. Curtis Gaines, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book (As), page (Shown, etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book (As), page (Shown); that the ratio of precision as calculated is 1: 10,000+; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this 13th day of March, 2019.  
F-11 3d. That the survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exception to the definition of subdivision;



R. Curtis Gaines  
Registration Number: L-4868

Lot Summary	Lot Summary
<b>Lot "A"</b> Contains: 0.01 Acre Portion of Deed Book 551 Pg. 526 Fifth Tract To Be Combined With Deed Book 1750 Pg. 1604	<b>Lot "B"</b> Contains: 0.01 Acre Portion of Deed Book 1750 Pg. 1604 To Be Combined With Deed Book 551 Pg. 526 Fifth Tract

Guy Stephen Lucas  
and wife  
Jane Meckins Lucas  
Deed Book 1830 Pg. 1126

Certificate of Ownership / Dedication  
We Hereby Certify That We Are The Owners Of The Property Shown And Described Hereon And That We Hereby Adopt This Plan Of Recombination With Our Free Consent, Establish Minimum Building Lines, And Dedicate All Roads, Alleys, Walks, Parks, And Other Sites To Public Or Private Use As Noted. We Certify That The Land Shown Hereon Is Within The Planning Jurisdiction of the City of Lenoir.

Date \_\_\_\_\_ Owner / Agent  
Date \_\_\_\_\_ Owner / Agent

WESTERN CAROLINA SURVEYORS, P.A. (LICENSE NO. C-0338)  
2121 HARPER AVE. SW LENOIR, NC TELE. (828) 758-5353

TITLE: Recombination Survey of the  
Joel D. Kincaid & Steven Seth Hickel Properties

CLIENT: Joel D. Kincaid	TOWNSHIP: Lower Creek	COUNTY: Caldwell	STATE: N.C.
Deed Ref: BK 1750 Pg 1604 BK 1667 Pg 735	NC PIN # 2749787859 & 2749787948	FILE 9620p.dwg	
APP BY RCG	DRAWN BY RCG	DATE 03-13-2019	SCALE: 1"=20' CF: 9620 JOB NO. 9620 FB: 806
			BY: RCG SHEET 1

**CITY OF LENOIR  
COUNCIL ACTION FORM**

**I. Agenda Item:**

**Bid request: New playground equipment at Optimist Park.**

**II. Background Information:**

**This is part of the Parks and Recreation Trust Fund Grant for the Mulberry Optimist Park Project.**

**Bids: Barrs Recreation \$45,809.84  
Cunningham Recreation \$46,319.98  
Playground Packages \$59,174.25**

**III. Staff Recommendation:**

**Staff recommends to approval the bid to Barrs Recreation in the amount of \$45,809.84**

**IV. Reviewed by:**

**City Attorney:**

**Finance Director:**

**Public Works/Public Utilities Director:**

**Planning Director:**

**Recreation Director: Kenny Story**



**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

# Lenoir Parks & Recreation Optimist Park

Proposal # Lenoir - Optimist Park  
April 02, 2019



Presented by





Cunningham Recreation  
 PO Box 240981  
 Charlotte, NC 28224  
 800.438.2780  
 704.525.7356 FAX  
 www.cunninghamrec.com

QUOTE  
 #135600

03/22/2019

### Mulberry Park Playground

Lenoir Parks & Recreation  
 Attn: Doug Main  
 720 Mulberry Street, SW  
 Lenoir, NC 28645

Project #: P94831  
 Ship To Zip: 28645

Quantity	Part #	Description	Unit Price	Amount
1	RDU	GameTime - Powerscape 5-12 Yr Old Modular Structure (per drawing)	\$24,316.72	\$24,316.72
1	P831	GameTime - T-Swing (Painted), 3 1/2" Od	\$957.91	\$957.91
1	8696	GameTime - Encl Seat 3 1/2"(8696)	\$276.21	\$276.21
1	8910	GameTime - Belt Seat 3 1/2"Od(8910)	\$221.34	\$221.34
48	FTB-00001	Cunningham Recreation - 12" Borders with Stake	\$30.00	\$1,440.00
1	ADA-00001	Cunningham Recreation - 12" ADA Ramp	\$450.00	\$450.00
108	EWf	Pallet One - Engineered Wood Fiber Safety Surfacing (CY)	\$25.00	\$2,700.00
1	INSTALL	MISC - Installation of Equipment, Surfacing, and Borders Above:	\$10,295.00	\$10,295.00

Site must be clear, level, free of obstructions, and accessible.

SubTotal: \$40,657.18  
 Tax: \$2,744.36  
 Freight: \$2,918.44  
**Total Amount: \$46,319.98**

#### TERMS & CONDITIONS:

- **PRICING:** Prices are firm for 30 days unless otherwise noted. Request updated pricing when purchasing from quotes more than 30 days old.
- **PAYMENT TERMS:** Net 30 days subject to approval by Credit Manager. A signed P.O. made out to Cunningham Recreation or this signed quotation is required for all orders unless otherwise noted. Equipment shall be invoiced separately from other services and shall be payable in advance of those services and project completion. Checks should be made payable to Cunningham Recreation unless otherwise directed.
- **FINANCE CHARGE:** A 1.5% monthly finance charge (or as permitted by law) will be added to invoices over 30 days past due.
- **TAXES:** Taxes will be shown as a separate line item when included. Any applicable taxes not shown will be added to final invoice. A copy of your tax exemption certificate must be submitted at time of order or taxes will be added to your invoice.
- **SHIPMENT:** Multiple shipments may be required based on point of origin. Above costs assume one shipment for each vendor quoted.
- **LEAD TIME:** Standard orders shipped 4 weeks after receipt of order and acceptance of your purchase order, color selections, approved submittals (if required) unless otherwise noted. Custom equipment and shades may require a longer lead times. Surfacing lead time is approximately 2 weeks after scheduling request.
- **DELIVERY:** It is the responsibility of the owner to offload and inventory equipment, unless other arrangements have been made. Missing or damaged equipment must be reported within 60 days of acceptance of delivery.



# QUOTATION

Quote Number: 203643

Quote Date: 03/27/2019

110 Charleston Dr., Suite 105  
Mooresville, NC 28117

Phone: 866-628-0727

Fax: 704-799-8772

Bill To:
Lenoir Park and Rec City of Lenoir PO Box 958 Lenoir, NC 28645

Ship To:
Lenoir Park and Rec Mulberry Park Additions Lenoir, NC 28645

Customer ID	Good Thru	Payment Terms	Sales Rep
	9/12/2018	Prepaid	CHobb

Quantity	Item	Description	Unit Price	Amount
1	TKF-00003-G	TracForms 50' Rail Ride (GREEN)	11,278.00	11,278.00T
42	FTB-00003	9" High Funtimber w/ spike MSRP \$35.00	25.95	1,089.90T
1	STR-354124-G	The Patriot GREEN	29,978.00	29,978.00T
27	FTB-00003	9" High Funtimber w/ spike MSRP \$35.00	25.95	700.65T
1	Freight - 1Outbo...	Outbound Freight	500.00	500.00T
88	EWf-00001	Certified Playground Mulch - Engineered Wood Fiber	15.75	1,386.00T
1	Freight - 1Outbo...	Outbound Freight for Surfacing	500.00	500.00T
1	Installation	Professional Installation FOR TRACFORMS TRACK RIDE, PATRIOT, FUNTIMBERS, AND SURFACING -Includes coordination of delivery -Includes unloading truck and trash removal from delivered goods -Includes marking of utilities in playground area	10,000.00	10,000.00T
			<b>Subtotal</b>	<b>\$55,432.55</b>
			<b>Sales Tax (6.75%)</b>	<b>\$3,741.70</b>
			<b>TOTAL</b>	<b>\$59,174.25</b>

## **CITY OF LENOIR**

### **List of Board Re-Appointments**

\*These individuals 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

Glenda Wilson

### **Planning Board**

Leah Hamilton