

AGENDA



CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, JANUARY 8, 2013
6:00 P.M.



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. North Carolina Recreation Trails Grant Application; Greenway Extension: A public hearing will be held to receive public comment regarding a North Carolina Recreation Trails Grant to be submitted by the City of Lenoir and Caldwell County Pathways, Inc. for an extension of the greenway. If approved, this grant will provide funding to create a greenway section connecting Optimist Park and the Google Data Center.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, December 4, 2012.
- B. Minutes: Approval of minutes from the Committee of the Whole meeting of Tuesday, November 27, 2012.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSION

- A. Seth Nagy, County Extension Director, North Carolina Cooperative Extension, will present information regarding the history of locally grown food and their plans to form a Local Food Council.

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

- A. Items of Information
 1. January Calendar: The calendar for the month of January will be submitted to Council with various meetings & events.
 2. Curbside Christmas Tree Pickup ends on Friday, January 11 and Curbside Leaf Pickup ends on Tuesday, January 15.
 3. The City/County Services Committee meets on Monday, January 14 at 11:45 a.m.
 4. The Lenoir ABC Board meets on Tuesday, January 15 at 5:30 p.m. at Lenoir Store #1 located at 123 ABC Court.

5. City offices will be closed on Monday, January 21 in observance of the Martin Luther King, Jr. holiday.
6. The Committee of the Whole meets on Tuesday, January 22 at 8:30 a.m., Third Floor, City Hall.
7. The North Carolina League of Municipalities Advocacy Goals Conference is scheduled for Thursday, January 24 at the Raleigh Convention Center. Hall.
8. The City/County Coordinating Committee will meet on Monday, January 28 at 11:30 a.m. at City Hall, Third Floor. *Please note date change.
9. The Foothills Regional Airport Authority will meet on Wednesday, January 30 at noon.

B. Items for Council Action

1. Order of Abatement; 822 Corpening Place: City Staff recommends approval of an Order of Abatement for property located at 822 Corpening Place directing Staff to abate the public nuisance on the property, including removal of uninhabited structures.
2. CE & I Contract Award; Fairview Drive Bridge: City Staff recommends that Council award the CE & I contract for the Fairview Drive Bridge Project B-5011 to the Louis Berger Group.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

- A. Councilman Perry would like to discuss the possibility of eliminating the potential primary in City Council elections.

X. ADJOURNMENT

AGENDA



CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, FEBRUARY 5, 2013
6:00 P.M.



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, January 8, 2013.
- B. Minutes: Approval of minutes from the Committee of the Whole meeting of Tuesday, January 22, 2013.
- C. Minutes: Approval of closed session minutes from November 6, 2012, November 7, 2012, November 20, 2012, December 4, 2012 and January 8, 2013 as submitted. The minutes have been reviewed by the City Attorney, City Manager and City Council.
- D. FY2012-2013 Audit Contract: Staff recommends approval of the annual Audit Contract in the amount of \$28,500 for the City of Lenoir as submitted by S. Eric Bowman, PA.
- E. FY2012-2013 Audit Contract: Staff recommends approval of the annual Audit Contract in the amount of \$1,147 for the Lenoir Tourism Development Authority as submitted by S. Eric Bowman, P.A.
- F. Proclamation; Black History Month: Staff recommends approval of a Proclamation proclaiming the month of February as "*Black History Month*" throughout the City of Lenoir.

IV. REQUESTS AND PETITIONS OF CITIZENS

- A. Presentation; Black History Month: Reverend Charlie Rivens, Smith Memorial United Methodist Church, will present information on Black History Month which is celebrated during the month of February.
- B. Presentation; Aquatic & Fitness Center Improvements: Parks & Recreation Director Rob Winkler will present information regarding the recent improvements at the Lenoir Aquatic & Fitness Center.

V. REPORTS OF BOARDS AND COMMISSION

- A. Planning Board: The Planning Board met on Monday, January 28. Phyllis Huffstetler, Chairperson, will present a report of the meeting.

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

1. February Calendar: The calendar for the month of February will be submitted to Council with various meetings & events.
2. The City/County Services Committee will meet on Monday, February 11 at 11:45 a.m.
3. The Caldwell County Economic Development Commission will meet on Tuesday, February 12 at 8:00 a.m.
4. The Lenoir ABC Board will meet on Tuesday, February 12 at 5:30 p.m. at Lenoir Store #1 located at 123 ABC Court.
5. The Lenoir Business Advisory Board will meet on Tuesday, February 12 at 6:00 p.m.
6. The Sister Cities Committee will meet on Wednesday, February 13 at 11:30 a.m. at City Hall.
7. The City/County Coordinating Committee will meet on Monday, February 18 at 11:30 a.m.
8. The Lenoir Parks & Recreation Committee will meet on Monday, February 18 at 6:00 p.m.
9. A Community Meeting is scheduled for Sunday, February 24 beginning at 2:00 p.m. at St. Francis of Assisi located at 328-B Woodsway Lane, NW.

B. Items for Council Action

1. Order of Abatement; 822 Corpening Place: **Note:** This item was tabled from the January 8, 2013 City Council meeting. The property has been brought into compliance by the owner and no further action is required.
2. Resolution of Intent, Municipal Elections & Amendment; Charter Code of Ordinances: Mayor Pro-Tem Rohr will present a Resolution of Intent and recommend that Council call for a public hearing to be held on Tuesday, February 19, 2013 to consider amending Article III, Section 3 of the Charter Code of Ordinances as follows with the italicized language replacing the struck through language: **“Regular municipal elections; conduct and method of election.** Regular municipal elections shall be held in the City every (2) years in odd-numbered years and shall be conducted in accordance with the uniform municipal election laws of North Carolina. The mayor and members of Council shall be elected by the nonpartisan ~~primary and election~~ *plurality* method in accordance with the rules set out in N.C.G.S. §163-292.”
3. Recommendation; New Taxi Cab Company: Staff recommends that Yellow Cab Company, owned by James Wilson Matlock, be permitted and licensed to operate a taxi-cab business in the City of Lenoir.

4. Amendment; Charter Code of Ordinances, Article 20, Vehicles for Hire, Sections 20-26, 20-27, 20-29, 20-52, and 20-53: Staff recommends that Council call for a public hearing to be held on Tuesday, February 19 to consider amending the Charter Code of Ordinances, Article 20, Vehicles for Hire, Sections 20-26, 20-27, 20-29, 20-52 and 20-53 authorizing the Chief of Police or his designee to approve the licensing and permitting process for taxi-cab operators.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

- A. Closed Session: Pursuant to N.C.G. S. §143-318.11, (5), City Council will enter into closed session on Tuesday, February 5 to discuss a property acquisition.

X. ADJOURNMENT

AGENDA



CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, FEBRUARY 19, 2013
6:00 P.M.



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. Amendment; Charter Code of Ordinances: A public hearing will be held to consider amending Article III, Section 3 of the Charter Code of Ordinances as follows with the italicized language replacing the struck through language: **“Regular municipal elections; conduct and method of election.** Regular municipal elections shall be held in the City every (2) years in odd-numbered years and shall be conducted in accordance with the uniform municipal election laws of North Carolina. The mayor and members of Council shall be elected by the nonpartisan ~~primary and election~~ *plurality* method in accordance with the rules set out in N.C.G.S. §163-292.”
- B. Amendment; Charter Code of Ordinances; Article 20, Vehicles for Hire: A public hearing will be held to consider amending Article 20, Sections 20-26, 20-27, 20-29, 20-52 and 20-53 of the Charter Code of Ordinances authorizing the Chief of Police or his designee to approve the licensing and permitting process for taxi-cab operators.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, February 5, 2013.
- B. Resolution; Greg Pilkenton: Approval of a resolution honoring Greg Pilkenton for over twenty years of service as a member of the Lenoir Planning Board.
- C. Proclamation; March History Month in Lenoir & Caldwell County: Approval of a proclamation designating the month of March each year as “*Caldwell County and City of Lenoir History Month.*”

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSION

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

1. The Lenoir Tourism Development Authority will meet on Thursday, February 21 at 4:00 p.m. at City Hall, Third Floor.
2. A Community Meeting has been scheduled for Sunday, February 25 at 2:00 p.m. at St. Francis of Assisi located at 328-B Woodsway Lane NW. The public is encouraged to attend.
3. The Lenoir Planning Board will meet on Monday, February 25 at 5:30 p.m.
4. The Employee Recognition Banquet is scheduled on Monday, February 25 at the J.E. Broyhill Civic Center beginning at 6:00 p.m.
5. The Committee of the Whole will meet on Tuesday, February 26 at 8:30 a.m. at City Hall, Third Floor.
6. The Foothills Regional Airport Authority will meet on Wednesday, February 27 at noon.
7. City Council has scheduled a Budget Retreat on Friday, March 1 beginning at 8:00 a.m. at the Caldwell County Library, Room 7.

B. Items for Council Action

1. Contract for Design & Engineering Services for Gunpowder Creek WWTP; McGill Associates: City Staff recommends Council approval to enter into a contract for engineering services with McGill & Associates for the Gunpowder Creek WWTP Improvements Project.
2. Grant Application/Resolution; Meadowood Sewer Replacement Project: City Staff recommends approval of a resolution authorizing the City Manager to execute and file a grant application on behalf of the City of Lenoir for state loan/grant assistance for the Meadowood Sewer Replacement Project.
3. Resolution; Revised Water Shortage Response Plan: City Staff recommends approval of a resolution to revise the Lenoir Water Shortage Response Plan to reflect the contact information for Radford Thomas, Public Utilities Director for the City of Lenoir.
4. Award of Construction Contract; Fairview Drive Bridge, Project B-5011: Bids were received on January 28, 2013 for the replacement of the Fairview Drive Bridge. City Staff recommends Council award the construction contract to Country Boys Landscaping who submitted the low bid of \$665,567.63 for the Fairview Drive Bridge, Project B-5011.
5. Rights-of-Way Acceptance; Holloway Place: City Staff recommends that Council accept the Rights-of-Way for the unpaved portion of Holloway Place.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

X. ADJOURNMENT

AGENDA



**CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, MARCH 5, 2013
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Caldwell Arts Council – Lee Carol Giduz, Executive Director, will present information on the Thomas Sayre Sculpture Project.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, February 19, 2013.
- B. Minutes: Approval of minutes from the Committee of the Whole Meeting of Tuesday, February 26, 2013.
- C. Sales Tax Reinvestment Agreement: Approval of the agreement to extend Sales Tax Reinvestment Agreement between the City of Lenoir, Caldwell County, Town of Gamewell, Town of Sawmills, Town of Cajahs Mountain, Town of Hudson and Town of Granite Falls.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSION

- A. Planning Board: The Planning Board met on Monday, February 26. Phyllis Huffstetler, Chairperson, will present a report of the meeting. A public hearing was scheduled for Tuesday, March 19 for the following item:
 - 1. Zoning Ordinance Amendment submitted by Staff. The proposed amendment will allow crematories as a principal use in the B-2, I-1, and I-2 Zoning Districts and as an accessory use to a funeral home in the O&I, B-2, B-4, B-5, B-6 and B-7 Zoning Districts.
- B. Sister Cities Board: Communications Director Kaye Reynolds and Special Events Coordinator Kara English will present an updated report regarding the activities of the Sister Cities Board.

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

1. March Calendar: The calendar for the month of March will be presented to Council with various meetings and events.
2. The National League of Cities Conference will be held on March 9 through March 13 in Washington, D.C.
3. The City/County Services Committee will meet on Monday, March 11 at 11:45 a.m.
4. The Caldwell County Economic Development Commission will meet on Tuesday, March 12 at 8:00 a.m.
5. The Lenoir Business Advisory Board will meet on Tuesday, March 12 at 6:00 p.m. at City Hall, Third Floor.
6. The Sister Cities Committee will meet on Wednesday, March 13 at 11:30 a.m.
7. The City/County Challenge Event (Leprechaun Leap) will be held on Saturday, March 15 beginning at 9:00 a.m. at the Lenoir Aquatic & Fitness Center.
8. The City/County Coordinating Committee will meet on Monday, March 18 at 11:30 a.m. on third floor of City Hall.
9. The Parks & Recreation Advisory Board will meet on Monday, March 18 at 6:00 p.m.
10. The Lenoir ABC Board will meet on Tuesday, March 19 at 5:30 p.m. at Lenoir Store #1 located at 123 ABC Court.

B. Items for Council Action

1. Amendment; Charter Code of Ordinances: A public hearing was held on February 19 to consider amending Article III, Section 3 of the Charter Code of Ordinances as follows with the italicized language replacing the struck through language: **“Regular municipal elections; conduct and method of election.** Regular municipal elections shall be held in the City every (2) years in odd-numbered years and shall be conducted in accordance with the uniform municipal election laws of North Carolina. The mayor and members of Council shall be elected by the nonpartisan ~~primary and election~~ *plurality* method in accordance with the rules set out in N.C.G.S. §163-292.” **NOTE:** City Council tabled taking any action until Tuesday, March 5 to allow Councilman Perry to be present.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

- A. Closed Session: Pursuant to N.C.G. S. §143-318.11, (5), City Council will enter into closed session on Tuesday, March 5 to discuss a property acquisition.

X. ADJOURNMENT



AGENDA

CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, MARCH 19, 2013
6:00 P.M.



I. CALL TO ORDER

A. Moment of Silence & Pledge of Allegiance

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

A. A public hearing will be held to consider a Zoning Ordinance Amendment as submitted by Staff. The proposed amendment will allow crematories as a principal use in the B-2, I-1, and I-2 Zoning Districts and as an accessory use to a funeral home in the O&I, B-2, B-4, B-5, B-6 and B-7 Zoning Districts.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, March 5, 2013.
- B. Minutes: Approval of minutes from the annual Budget Retreat of Friday, March 1, 2013.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSION

A. Rick Oxford, Plan Administrator, Western Piedmont Council of Governments, will hold the first of two public meetings to receive public comments regarding the proposed FY2013 Unifour Consortium's Consolidated Plan and the FY2013 Action Plan for City of Lenoir Consolidated Plan. The City of Lenoir serves as the Lead Entity for this program.

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

1. The annual Easter Egg Hunt is scheduled for Saturday, March 23 at 10:00 a.m. at Mulberry Recreation Center.
2. The City of Lenoir has designated Saturday, March 23 at 8:30 a.m. as Earth Hour throughout the City of Lenoir. This is an annual campaign by the World Wildlife Fund to raise awareness of the environmental challenges such as climate change. Additional information is available on the City's website at www.cityoflenoir.com.

3. The Planning Board will meet on Monday, March 25 at 5:30 p.m.
4. The Committee of the Whole will meet on Tuesday, March 26 at 8:30 a.m. at City Hall, Third Floor, former Council Chambers.
5. The Foothills Regional Airport Authority will meet on Wednesday, March 27 at noon.
6. The North Carolina League of Municipalities' Town Hall Day is scheduled for Wednesday, March 27 in Raleigh. Those attending are Mayor Gibbons, City Manager Bailey and Councilmen Perry & Willis.
7. A Cruise-In Event is scheduled for Saturday, April 6 from 4:00 – 9:00 p.m. downtown Lenoir.
8. City offices will be closed on Friday, March 29 in observance of Good Friday.
9. The Sanitation Division's annual Spring Trash Bash Week is scheduled for the week of April 15 – 19. The public is encouraged to participate.
10. The NCDOT's annual Spring Litter Sweep Campaign begins April 13 – 27.

B. Items for Council Action

1. Proposed Amendment; Robinson Lumber Agreement: City Council will consider a second addendum to contract regarding the agreement between Robinson Lumber, Caldwell Railroad Commission, Caldwell County & the City of Lenoir. City Council will also review an Offer to Purchase Contract between Robinson Lumber Company, Caldwell County & the City of Lenoir for the purchase of the Transload Facility.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

- A. Closed Session: Pursuant to N.C.G.S. §143-318.11, (5), City Council will enter into closed session on Tuesday, March 19 to discuss a property acquisition.

X. ADJOURNMENT

AGENDA



**CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, APRIL 2, 2013
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition
- C. Proclamation; Fair Housing Month: Mayor Gibbons will present Glenda Wilson, Realtor, with a proclamation proclaiming the month of April as “Fair Housing Month” throughout the City of Lenoir.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, March 19, 2013.
- B. Minutes: Approval of minutes from the Committee of the Whole Meeting of Tuesday, March 26, 2013.
- C. Proclamation; Fair Housing Month: Approval of a Proclamation proclaiming the month of April as “Fair Housing Month” throughout the City of Lenoir.

IV. REQUESTS AND PETITIONS OF CITIZENS

- A. Mrs. Linda Haas, 2316 Lakeside Terrace, has requested to address City Council regarding the Transload Facility Agreement and Offer to Purchase.

V. REPORTS OF BOARDS AND COMMISSIONS

- A. Planning Board: The Planning Board met on Monday, March 25. Phyllis Huffstetler, Chairperson, will present a report of the meeting. The Board scheduled public hearings to be held on Tuesday, April 16 for the following items:
 - 1. Rezoning Application, submitted by James Michael Correll, for property located at 230 McCrary Place. The applicant seeks zoning from Heavy Industrial (I-2) to Multi-Family Residential (R-6) in order to construct a single family dwelling.
 - 2. Conditional Use Permit, submitted by Roy Helm on behalf of Wesley Community Development, for property located at Brookdale Place and Abington Road. The applicants propose to develop a 50 unit apartment complex for Senior citizens. The Planning Board recommends increasing the driveway width to 36 feet.

3. Conditional Use Permit, submitted by Jim Yamin on behalf of D&J Properties, for property located at Linkside Court. The applicants propose to develop a multi-family housing facility on the property.

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

1. April Calendar: The calendar for the month of April will be submitted to Council with various meetings and events.
2. A Cruise-In Event is scheduled for Saturday, April 6 from 4:00 – 9:00 p.m. in downtown Lenoir.
3. The City/County Services Committee will meet on Monday, April 8 at 11:45 a.m.
4. The Caldwell County Economic Development Commission will meet on Tuesday, April 9 at 8:00 a.m.
5. The Lenoir Business Advisory Board will meet on Tuesday, April 9 at 6:00 p.m., City Hall, Third Floor, former Council Chambers.
6. NCDOT's Spring Litter Sweep begins Saturday, April 13 through Saturday, April 27. The public is encouraged to participate.
7. The City/County Coordinating Committee will meet on Monday, April 15 at 11:30 a.m. at the City/County Chambers.
8. The Recreation Advisory Board will meet on Monday, April 15 at 6:00 p.m.
9. The Sanitation Division's annual Spring Trash Bash week begins on Monday, April 15 through Friday, April 19. Citizens are encouraged to participate.

B. Items for Council Action

1. Proposed Amendment; Robinson Lumber Agreement: City Council will consider a second addendum to contract regarding the agreement between Robinson Lumber, Caldwell Railroad Commission, Caldwell County & the City of Lenoir. City Council will also review an Offer to Purchase Contract between Robinson Lumber Company, Caldwell County & the City of Lenoir for the purchase of the Transload Facility & Robinson Lumber. **Note:** This item was tabled from the March 19 City Council Meeting.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

- A. Board Appointments: Mayor Gibbons will recommend a list of individuals to be reappointed to the Lenoir Business Advisory Board and the Recreation Advisory Board.

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

X. ADJOURNMENT

AGENDA



**CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, APRIL 16, 2013
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. Rezoning Application; 230 McCrary Place: A public hearing will be held to consider a Rezoning Application, submitted by James Michael Correll, for property located at 230 McCrary Place. The applicant seeks zoning from Heavy Industrial (I-2) to Multi-Family Residential (R-6) in order to construct a single family dwelling.
- B. Conditional Use Permit; Brookdale Place & Abingdon Road: A public hearing will be held to consider a Conditional Use Permit as submitted by Roy Helm on behalf of Wesley Community Development., for property located at Brookdale Place and Abingdon Road. The applicants propose to develop a 50 unit apartment complex for senior citizens. The Planning Board recommends increasing the driveway width to 36 feet.
- C. Conditional Use Permit; Linkside Court: A public hearing will be held to consider a Conditional use Permit as submitted by Jim Yamin on behalf of D & J Properties, for property located at Linkside Court. The applicants propose to develop a 64 unit multi-family housing facility on the property.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, April 2, 2013.
- B. FY2012-2013 Budget Amendment; Transload Facility: Approval of a Budget Amendment in the amount of \$300,000 for the purchase of the Transload Facility.
- C. FY2012-2013 Budget Amendment; NCDOT Beautification Grant at Smith Crossroads: Approval of a Budget Amendment in the amount of \$149,730 for the Smith Crossroads improvements made with the NCDOT Beautification Grant.
- D. FY2012-2013 Budget Amendment; Rural Center Grants: Approval of a Budget Amendment in the amount of \$30,000 for the RollEase Project and \$120,000 for the Randall Miller Company. The total Rural Center Grants received was \$150,000.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

- A. Rick Oxford, Plan Administrator, Western Piedmont Council of Governments, will hold the second of two public meetings to receive public comments regarding the proposed FY2013 Unifour Consortium's Consolidated Plan and the FY2013 Action Plan for the City of Lenoir Consolidated Plan. **Note:** City Council will consider formal approval of these two plans to be submitted to HUD.

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

1. The Sanitation Division's Annual Trash Bash Week ends on Friday, April 19.
2. The Planning Board will meet on Monday, April 22 at 5:30 p.m.
3. The Committee of the Whole will meet on Tuesday, April 23 at 8:30 a.m., Third Floor, City Hall.
4. The Foothills Regional Airport Authority will meet on Wednesday, April 24 at noon.
5. NCDOT's Annual Litter Sweep Campaign ends on Saturday, April 27.
6. A Cruise-In Event is scheduled for Saturday, May 4 from 4:00 – 9:00 p.m. in downtown Lenoir.

B. Items for Council Action

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

X. ADJOURNMENT

AGENDA



CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, MAY 7, 2013
6:00 P.M.



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition; Lenoir Fire Department
- C. Special Recognition: Mr. Bud Brown will be recognizing Police Chief Brown, Mayor Gibbons, City Council and City Manager Bailey for all of their support of employees that have served or currently serving in the National Guard.
- D. Special Recognition: Mayor Gibbons will be presenting a proclamation to Ms. Barbara Younce declaring the month of May as "*National Mental Health Month*" throughout the City of Lenoir.
- E. Special Recognition: Mayor Gibbons will present Public Works Director Charles Beck with a proclamation proclaiming the week of May 19 – 25 as "*National Public Works Week*" throughout the City of Lenoir.
- F. Special Recognition: Mayor Gibbons will present Police Chief Brown with a proclamation proclaiming May 13 – 17 as "*Peace Officers' Memorial Week*" throughout the City of Lenoir.
- G. Special Recognition: Mayor Gibbons will present Police Chief Brown with a proclamation proclaiming Saturday, May 25 as "*National Missing Children's Day*" throughout the City of Lenoir.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the Committee of the Whole Meeting of Tuesday, April 23, 2013.
- B. Proclamation; National Mental Health Month: Approval of a proclamation proclaiming the month of May as "*National Mental Health Month*" throughout the City of Lenoir.
- C. Proclamation; National Public Works Week: Approval of a proclamation proclaiming the week of May 19-25 as "*National Public Works Week*" throughout the City of Lenoir.
- D. Proclamation; Peace Officers' Memorial Week: Approval of a proclamation proclaiming the week of May 13 – 17 as "*Peace Officers' Memorial Week*" throughout the City of Lenoir.

- E. Proclamation; National Missing Children’s Day: Approval of a proclamation proclaiming Saturday, May 25 as “*National Missing Children’s Day*” throughout the City of Lenoir.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

- A. Planning Board: The Planning Board did not meet on Monday, April 22. The next meeting is scheduled for Monday, May 20 at 5:30 p.m. at City Hall, Third Floor, former Council Chambers.
- B. Update; School Facilities: Dr. Steve Stone, Superintendent of Caldwell County Schools, will present an update of the school facilities to City Council.

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

1. May Calendar: The calendar for the month of May will be submitted to Council with various meetings and events.
2. The Sister Cities Committee will meet on Wednesday, May 8 at 11:30 a.m.
3. A Cycle to Serve event is scheduled for Saturday, May 11 beginning at 8:30 a.m. downtown.
4. The City/County Services Committee will meet on Monday, May 13 at 11:45 a.m.
5. City Council will conduct an FY2013-14 Budget Workshop on Monday, May 13 at 6:00 p.m., Third Floor, City Hall. **Note:** If necessary, a second Budget Workshop will be held on Monday, May 20 at 6:00 p.m.
6. The Caldwell County Economic Development Commission will meet on Tuesday, May 14 at 8:00 a.m.
7. The Lenoir ABC Board will meet on Tuesday, May 14 at 5:30 p.m. at Lenoir Store #1.
8. The Lenoir Business Advisory Board will meet on Tuesday, May 14 at 6:00 p.m., Third Floor, City Hall.
9. A ceremony for Peace Officers’ Week is scheduled for Tuesday, May 14 at 6:00 p.m. at First Baptist Church of Lenoir. The service will conclude outside at the Officer Down Memorial located at the Caldwell County Courthouse.
10. Festival in the Park is scheduled for Saturday, May 18 from 11:00 a.m. – 4:30 p.m. at the Mulberry Recreation Center.
11. The City/County Coordinating Committee will meet on Monday, May 20 at 11:30 a.m., at the City/County Chambers.

B. Items for Council Action

1. Agreement for Engineering Services; McGill & Associates; Powell Road & Greenway Sewer Replacement Project: Staff recommends approval to enter into an Agreement for Engineering Services in the amount of \$63,000 between McGill & Associates and the City of Lenoir for the Powell Road/Greenway Sewer Replacement Project.
2. Resolution; Offer and Acceptance Document; NCDENR: Staff recommends approval of a resolution accepting an Offer and Acceptance Document submitted by the North Carolina Department of Environment and Natural Resources (NCDENR) for a State Revolving loan in the amount of \$3,850,000 for the Gunpowder Creek WWTP Improvements Project.
3. Resolution; Special Order by Consent (SOC): Staff recommends approval of a resolution authorizing the City Manager to sign and execute a Special Order by Consent (SOC) between the City of Lenoir and the Environmental Management Commission for the Gunpowder Creek Waste Water Treatment Plant.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

X. ADJOURNMENT

AGENDA



**CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, MAY 21, 2013
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition – Lenoir Sister Cities Young Artists Showcase Winner

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, April 16, 2013.
- B. Minutes: Approval of minutes from the City Council Meeting of Tuesday, May 7, 2013.
- C. Minutes: Approval of minutes from the City Council Budget Work Session of Monday, May 13, 2013.
- D. Minutes: Approval of closed session minutes from Tuesday, February 5, Tuesday, March 5, Tuesday, March 19, Tuesday, March 26 & Tuesday, April 2.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

- A. Planning Board: The Planning Board will meet on Monday, May 20 at 5:30 p.m. Phyllis Huffstetler, Chairperson, will present a report of the meeting.

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

1. A Public Works Breakfast in honor of employees is scheduled for Wednesday, May 22 at 8:00 a.m. at 1841 Café.
2. City offices will be closed on Monday, May 27 in observance of Memorial Day.
3. A Memorial Day Service is scheduled for Monday, May 27 beginning at 6:00 p.m. at the stage area on the square in downtown Lenoir.
4. The Committee of the Whole will meet on Tuesday, May 28 at 8:30 a.m. on third floor of City Hall.

5. The Foothills Regional Airport Authority will meet on Wednesday, May 29 at noon.
6. A Cruise-In event is scheduled for Saturday, June 1 from 4-9:00 p.m. in the downtown area.

B. Items for Council Action

1. Revised By-Laws; Caldwell Railroad Commission: City Staff recommends approval of the revised by-laws for the Caldwell Railroad Commission.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

X. ADJOURNMENT

AGENDA



**CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, JUNE 4, 2013
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition – Lenoir Fire Department

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. FY2013-2014 Annual Budget: A public hearing will be held to receive public comments regarding the annual budget for the fiscal year beginning July 1, 2013 through June 30, 2014 for the City of Lenoir.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, May 21, 2013.
- B. Minutes: Approval of minutes from the Committee of the Whole Meeting of Tuesday, May 28, 2013.

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. June Calendar: The calendar for the month of June will be presented to Council with various meetings and events.
 - 2. The Pop Ferguson Blues Festival is scheduled for Friday, June 7 beginning at 7:00 p.m. and Saturday, June 8 at 9:00 a.m. in downtown Lenoir.
 - 3. The City/County Services Committee will meet on Monday, June 10 at 11:45 a.m.
 - 4. The Caldwell County Economic Development Commission will meet on Tuesday, June 11 at 8:00 a.m.
 - 5. The Lenoir Business Advisory Board will meet on Tuesday, June 11 at 6:00 p.m., Third Floor, City Hall.
 - 6. The Lenoir Sister Cities Committee will meet on Wednesday, June 12 at 11:30 a.m., Third Floor, City Hall.

7. Friday after Five begins on Friday, June 14 from 7-10:00 p.m. on the square in downtown Lenoir. The band “Nautical Wheelers” will be performing.
8. The City/County Coordinating Committee will meet on Monday, June 17 at 11:30 a.m., Third Floor, City Hall.
9. An Employee Appreciation event is scheduled for Monday, June 17 from 4:00 – 8:00 p.m. at the Aquatic & Fitness Center.
10. The ABC Board will meet on Tuesday, June 18 at 5:30 p.m. at Lenoir Store #1.

B. Items for Council Action

1. Resolution; Offer and Acceptance Document; NCDENR: Staff recommends approval of a resolution accepting an Offer and Acceptance Document submitted by the North Carolina Department of Environment and Natural Resources (NCDENR) for a State Revolving loan in the amount of \$578,500 with \$289,250 of principal forgiveness for the construction of the Powell Road Greenway Sewer Replacement Project.
2. Technical Service Contract; Land of Sky Regional Council: Staff and the Business Growth Committee recommend approval of a Technical Service Contract between the City of Lenoir and Land of Sky Regional Council for services related to the preparation of an EPA Brownfield Assessment Grant.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

- A. Board Appointment: Mayor Gibbons will recommend that Lomack Stover be re-appointed for a three-year term on the Lenoir Housing Authority.

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

- A. Closed Session: Pursuant to N.C.G.S. §143-318.11, (4) City Council will enter into closed session to discuss an economic development incentive.

X. ADJOURNMENT

AGENDA



**CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, JUNE 18, 2013
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, June 4, 2013.
- B. FY2013-2014 Annual Privilege License Fee Schedule: Approval of the FY2013-2014 Annual Privilege License Fee Schedule for the City of Lenoir as submitted.

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. Friday after Five is scheduled for Friday, June 21 from 7-10:00 p.m. on the square in downtown Lenoir. The band "Nautical Wheelers" will be performing. The "Deacon Black" band will be performing on Friday, June 28.
2. Fabulous Film Night begins on Saturday, June 22 with the movie "The Odd Life of Timothy Green" being shown at dark on the square.
3. The Planning Board cancelled its Monday, June 24 meeting. The Board will conduct a joint meeting with the Lenoir City Council on Tuesday, July 16.
4. The Committee of the Whole will meet on Tuesday, June 25 at 8:30 a.m., Third Floor, City Hall.
5. The Foothills Regional Airport Authority will meet on Wednesday, June 26 at noon.
6. City offices will be closed on Thursday, July 4 in observance of Independence Day.
7. The Sister Cities Committee will not meet in July. The next meeting is scheduled for Wednesday, August 14 at 11:30 a.m. at the Full Moon Café.

B. Items for Council Action

1. FY2013-2014 Annual Budget: A public hearing was held on Tuesday, June 4, 2013 to receive public comments regarding the proposed annual budget for the fiscal year beginning July 1, 2013 through June 30, 2014 for the City of Lenoir. **Note: City Council tabled taking action until June 18 at the recommendation of the City Manager due to allowing the state time to adopt its budget.**
2. Economic Development Incentive; Exela Pharma Sciences: City Council will call for a public hearing to be held on Tuesday, July 16 to consider a Municipal Tax Grant for Exela Pharma Sciences who is planning an expansion of their Lenoir operations.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

- A. Discussion; Offer to Purchase & Contract; Watershed Property: City Council will review an Offer to Purchase and Contract submitted by Southern Land NC, LLC for the former Watershed Property located on Zacks Fork Road which is comprised of 568.36 acres. **Note:** This item will be placed on the July 16 City Council Agenda for consideration of approval by City Council.
- B. Proposal for Best Use Assessment; McGill Associates: City Council will consider approval of a proposal submitted by McGill Associates in the amount of \$6,200 to conduct a Best Use Assessment for the Lenoir Watershed Property.
- C. Closed Session: Pursuant to N.C.G.S. §143-318.11, (5) City Council will enter into closed session to discuss a property acquisition.

X. ADJOURNMENT

AGENDA



**CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, JULY 16, 2013
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. Charter Code Amendment, Chapter 5, Article 1, Solicitors and Peddlers: A public hearing will be held to consider amendments to the Charter Code of Ordinances, Chapter 5, Business Regulation, Licensing, and Taxation, Article 1, Solicitors and Peddlers, which allows the solicitation permitting process to be coordinated by the Police Department.
- B. Economic Development Incentive; Exela Pharma Sciences: A public hearing will be held to consider a Municipal Tax Grant for Exela Pharma Sciences, who is planning an expansion of their Lenoir operations.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, June 18, 2013.
- B. Minutes: Approval of minutes from the Committee of the Whole Meeting of Tuesday, June 25, 2013.
- C. Capital Project Budget Ordinance; 2013 Unifour Consortium HOME Program: Staff recommends approval of the 2013 Capital Project Budget Ordinance for the Unifour Consortium HOME Program in the amount of \$977,392.
- D. Capital Project Budget Ordinance; 2013 Community Development Block Grant Program: Staff recommends approval of the Capital Project Budget Ordinance for the 2013 Community Development Block Grant (CDBG) Program in the amount of \$155,258 as submitted.
- E. Resolution; Declaration of Official Intent to Reimburse: Staff recommends approval of a resolution of Declaration of Official Intent to Reimburse for the Capital Equipment to be financed during the fiscal year 2013-2014 in the amount of \$529,000.
- F. Capital Project Budget Ordinance: Staff recommends approval of a Project Budget Ordinance in the amount of \$3,927,000 for the Gunpowder Creek WWTP Improvements Project.

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. August Calendar: The calendar for the month of August will be submitted to Council with various meetings and events.
2. Friday after Five is scheduled for Friday, July 19 from 7-10:00 p.m. on the square in downtown Lenoir. The band "Band of Brothers" will be performing. "The Logic" will be performing on Friday, July 26 & "Tim Hall & Buffalo Country" on Friday, August 2.
3. The Committee of the Whole meeting for July has been cancelled. The next meeting is scheduled for Tuesday, August 27 at 8:30 a.m. at City Hall.
3. Fabulous Film Night is scheduled for Saturday, July 27 with the movie "Brave" being shown at dark on the square.
4. The Foothills Regional Airport Authority will meet on Wednesday, July 31 at noon.
5. The annual Harambee Festival begins on Saturday, August 3 and continues through Friday, August 9 at the Martin Luther King, Jr. Center.
6. A Cruise-In Event is scheduled for Saturday, August 3 beginning at 4:00 p.m. in the downtown area.

B. Items for Council Action

1. Bid Award; Harper Avenue & Boundary Street Parking Lot: Bids were received on Tuesday, June 4 for the construction of a new parking lot at the intersection of Harper Avenue and Boundary Street. City Staff recommends approval of the low bid of \$103,106.30 to Mountain Crest, LLC, which includes a 10% contingency of \$9,373.30. Note: This bid does not include asphalt paving to be done by others at an estimate of \$12,000.
2. Traffic Recommendation; Sharon Avenue & Pennton Avenue: Following a Traffic Study, City Staff recommends that the stop sign at the intersection of Sharon Avenue and Pennton Avenue be replaced with a Yield Sign.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

- A. Board Appointment; ABC Board: Mayor Gibbons will recommend that Council re-appoint Jerry Brooks to serve a three-year term on the Lenoir ABC Board.

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

A. Watershed Property: City Council will continue further discussion of a proposed offer to purchase the former Watershed Property owned by the City of Lenoir.

B. Closed Session: Pursuant to N.C.G.S. §143-318.11(a), (3), (4), City Council will enter into closed session to discuss a property acquisition and economic development.

X. ADJOURNMENT

AGENDA



**CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, AUGUST 6, 2013
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, July 16, 2013.
- B. Budget Amendment; Main Street Grant: Approval of a Budget Amendment for the FY2013-2014 Main Street Grant in the amount of \$175,000 for Carolina Distillery.

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. August Calendar: The calendar for the month of August will be submitted to Council with various meetings and events.
2. Friday after Five is scheduled for Friday, August 9 from 7-10:00 p.m. on the square in downtown Lenoir. The "Harris Brothers" will be performing. The band "Chickweed" will be playing on Friday, August 16.
3. Fabulous Film Night is scheduled for Saturday, August 10 with the movie "Rise of the Guardians" being shown at dark on the square.
4. The City/County Services Committee will meet on Monday, August 12 at 11:45 a.m.
5. The Caldwell County Economic Development Board will meet on Tuesday, August 13 at 8:00 a.m.
6. The ABC Board will meet on Tuesday, August 13 at 5:30 p.m. at Lenoir Store #1.
7. The Lenoir Business Advisory Board will meet on Tuesday, August 13 at 6:00 p.m.
8. The Sister Cities Committee will meet on Wednesday, August 14 at 11:30 a.m.

9. The City/County Coordinating Committee will meet on Monday, August 19 at 11:30 a.m.
10. The Planning Board will meet on Monday, August 19 at 5:30 p.m. Please note date change.
11. The Recreation Advisory Board will meet on Monday, August 19 at 6:00 p.m.

B. Items for Council Action

1. Economic Development Incentive; Exela Pharma Sciences: A public hearing was held on Tuesday, July 16 to consider a Municipal Tax Grant for Exela Pharma Sciences, who is planning an expansion of their Lenoir operations. Note: City Council tabled taking any action until Tuesday, August 6 regarding this request to allow Council additional time to prepare the economic development incentive agreement.
2. Amendments; Charter Code of Ordinance, Chapter 13, Section 13-6, Firearms: City Staff recommends that Council call for a public hearing to be held on Tuesday, August 20 to consider amendments to the Charter Code of Ordinances, Chapter, 13, Offenses and Miscellaneous Provisions, Section 13-6, Firearms, as submitted by the Police Department.
3. Amendments; Charter Code of Ordinances, Chapter 11, Section 11-34, Signs required: City Staff recommends that Council call for a public hearing to be held on Tuesday, August 20 to consider amendments to the Charter Code of Ordinances, Chapter 11, Motor Vehicles and Traffic, Section 11-34, Signs required, as submitted by the Police Department.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

- A. Closed Session: Pursuant to N.C.G.S. §143-318.11(a), (3), City Council will enter into closed session to discuss potential litigation.

X. ADJOURNMENT

AGENDA



**CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, AUGUST 20, 2013
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition: On behalf of City Council, Mayor Gibbons will present a resolution to Mr. Jimmy Bryant and Mr. Joe Clary, State Commander of the Military Order of the Purple Heart, designating the City of Lenoir as a “Purple Heart City.”

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. Charter Code Amendment, Chapter 13, Offenses and Miscellaneous Provisions, Section 13-6, Firearms: A public hearing will be held to consider an amendment to the Charter Code of Ordinances, Chapter 13, Offenses and Miscellaneous Provisions, Article 1, Section 13-6 Firearms as recommended by City Staff.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, August 6, 2013.
- B. Resolution; Purple Heart City: Approval of a resolution proclaiming the City of Lenoir as a “Purple Heart City” as recommended.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

- A. Planning Board: The Planning Board will meet on Monday, August 19. Phyllis Huffstetler, Chairperson, will present a report of the meeting.

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

- A. Items of Information
 1. Friday after Five is scheduled for Friday, August 23 from 7-10:00 p.m. on the square in downtown Lenoir. The band “Hotz Gritz” will be performing. The band “Throw Down Jones” will be playing on Friday, August 30.
 2. Fabulous Film Night is scheduled for Saturday, August 24 with the movie “Oz: The Great & Powerful” being shown at dark on the square.
 3. The Committee of the Whole will meet on Tuesday, August 27 at 8:30 a.m., Third Floor, City Hall.

4. The Foothills Regional Airport Authority will meet on Wednesday, August 28 at noon.
5. The Lenoir Tourism Development Authority will meet on Friday, August 30 at 10:00 a.m. on third floor of City Hall.
6. City offices will be closed on Monday, September 2 in observance of Labor Day.
7. The annual Sculpture Festival is scheduled for Saturday, September 7 beginning at 10:00 a.m. at the Broyhill Walking Park. The public is encouraged to attend.

B. Items for Council Action

1. Economic Development Incentive; Exela Pharma Sciences: A public hearing was held on Tuesday, July 16 to consider a Municipal Tax Grant for Exela Pharma Sciences, who is planning an expansion of their Lenoir operations. Note: City Council tabled taking any action until Tuesday, August 20 in order to finalize the incentive agreement.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

- A. Board Appointment: Mayor Gibbons will recommend that Mac Martin be appointed to serve as an alternate on the Board of Adjustments.

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

- A. Closed Session: Pursuant to N.C.G.S. §143-318.11(a), (4), City Council will enter into closed session to discuss economic development.

X. ADJOURNMENT

AGENDA



**CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, SEPTEMBER 3, 2013
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. Rezoning; 308 Morganton Boulevard: A public hearing will be held to consider a Rezoning Application, submitted by R & R Enterprises, for property located at 308 Morganton Boulevard. The applicant seeks rezoning from Neighborhood Business to General Business (B-1) to (B-2.) Staff is also requesting the neighboring properties located at 312 & 318 Morganton Boulevard be added to the request.
- B. Floodplain Development Permit; 110 Morganton Boulevard: A public hearing will be held to consider a Floodplain Development Permit submitted by Stimml Associates on behalf of McDonalds, for property located at 110 Morganton Boulevard to allow for the redevelopment of the McDonalds restaurant.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, August 20, 2013.
- B. Addendum; Conservation Easement: Approval of an addendum to the Conservation Easement for the purpose of clarification and technical correction to the Zack's Fork Creek full-delivery site in Caldwell County.

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. September Calendar: The calendar for the month of September will be submitted to Council with various meetings and events.
 - 2. The annual Sculpture Celebration is scheduled for Saturday, September 7 beginning at 9:00 a.m. at the T. H. Broyhill Park.

3. A Cruise-In event is scheduled for Saturday, September 7 at 4:00 p.m. in the downtown area.
4. The City/County Services Committee will meet on Monday, September 9 at 11:45 a.m.
5. The Caldwell County Economic Development Commission will meet on Tuesday, September 10 at 8:00 a.m.
6. The Lenoir Business Advisory Board will meet on Tuesday, September 10 at 6:00 p.m.
7. The Sister Cities Committee will meet on Wednesday, September 11 at 11:30 a.m.
8. Fabulous Film Night is scheduled for Saturday, September 14 with the movie “Wreck It Ralph” shown at dark on the square.
9. The annual Bridge to Bridge Bike Race will be held on Sunday, September 15 beginning at 8:00 a.m.
10. The Sanitation Division’s Annual Fall Trash Bash Week is scheduled for September 16 – 20. A list of items that will be collected is available on the City’s website at www.cityoflenoir.com.
11. The City/County Coordinating Committee will meet on Monday, September 16 at 11:30 a.m.

B. Items for Council Action

1. Proposed Zoning Ordinance Amendment; Temporary Advertising Devices: Staff recommends that Council call for a public hearing to be held on Tuesday, October 1 to consider proposed Zoning Ordinance Amendments as they pertain to Temporary Advertising Devices.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

- A. Closed Session: Pursuant to N.C.G.S. §143-318.11(a), (3), City Council will enter into closed session to discuss potential litigation.

X. ADJOURNMENT

AGENDA



**CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, SEPTEMBER 17, 2013
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, September 3, 2013 as submitted.
- B. Minutes: Approval of minutes from the joint City Council/Planning Board Meeting of Tuesday, August 20, 2013 as submitted.
- C. Minutes: Approval of minutes from the Committee of the Whole Meeting of Tuesday, August 24 as submitted.
- D. Minutes: Approval of closed session minutes from April 16, 2013, May 7, 2013, June 4, 2013, June 18, 2013, June 25, 2013, July 16, 2013, August 6, 2013, August 20, 2013 & September 3, 2013 as reviewed by the City Attorney, City Manager and City Council..
- E. Matrix; Economic Development Incentive: Approval of the City's revised Economic Development Incentive Matrix as recommended by Staff.
- F. Resolution; Ellis Hankins: Approval of a resolution honoring Ellis Hankins, Executive Director of the North Carolina League of Municipalities, who is retiring on January 31, 2014 after thirty-one years of dedicated service to the state of North Carolina.

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 Sanitation Division's Annual Trash Bash week end on Friday, September 20. The public is encouraged to participate.
2. NCDOT's Annual Fall Litter Sweep begins on Saturday, September 21 through Saturday, October 5.
3. The Planning Board will meet on Monday, September 23 at 5:30 p.m.
4. The Foothills Regional Airport Authority will meet on Wednesday, September 25 at noon.

5. The Committee of the Whole will meet on Thursday, September 26 at 8:30 a.m. on third floor of City Hall. **Please note date change.**
6. The ABC Board will meet on Thursday, September 26 at 5:00 p.m. at Lenoir Store #1.
7. A joint meeting of the Lenoir City Council and the ABC Board is scheduled for Thursday, September 26 at 6:00 p.m., City Hall, Third Floor.
8. Fabulous Film Night is scheduled for Saturday, September 28 with the movie "Hotel Transylvania" being shown at dark on the square.

B. Items for Council Action

1. Voting Delegate; 2013 Annual N.C. League Business Meeting: City Council will appoint a voting delegate and an alternate delegate for the North Carolina League of Municipalities Annual Business Meeting to be held on Tuesday, October 15, 2013. Note: Councilmembers Gibbons Perry, Price, Stilwell and Willis will be attending this conference.
2. Voting Delegate; 2013 Annual National League of Cities Business Meeting: City Council will appoint a voting delegate and an alternate voting for the 2013 National League of Cities Annual Business Meeting to be held on Saturday, November 16, 2013. Note: Councilmembers Perry, Price, Rohr, and Willis will be attending this conference.
3. Contract; Ferguson Group: The City Council requested an update on the Ferguson Group. Included in the packet is the FY2014 Federal Agenda. If Council chooses not to have an active federal agenda, then there is no need to continue their services.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

- A. Closed Session: Pursuant to N.C.G.S. §143-318.11(a), (3), (4), City Council will enter into closed session to discuss potential litigation and property acquisitions.

X. ADJOURNMENT

AGENDA



CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, OCTOBER 1, 2013
6:00 P.M.



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. A public hearing will be held to consider adoption of proposed amendments amending Article A, Article XI, Section 1102-14 (Definitions-Temporary Sign) and Section 1109 (Outdoor Advertising Devices) of the City of Lenoir Zoning Ordinance and adding Section 1102.16 (Definitions-Temporary Advertising Device) to the same.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, September 17, 2013 as submitted.
- B. Resolution; Municipal Records Schedule Amendment: Approval of a resolution amending the Municipal Records Retention & Disposition Schedule published on September 10, 2012. The schedule amends Standard 4, Budget, Fiscal & Payroll Records and Standard 12, Personnel Records.
- C. Resolution; Municipal Records Retention & Disposition Schedule: Staff recommends approval of a resolution establishing a Retention Schedule for records identified within the *Records Retention and Disposition Schedule* published by the NC Department of Cultural Resources, Division of Archives and Records, as having "Administrative Value."

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

- A. Update; Pedestrian Planning Report – Mike Norris, McGill Associates.

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

- A. Items of Information

- 1. October Calendar: The calendar for the month of October will be presented to Council with various meetings and events.

2. A Community Meeting is scheduled for Thursday, October 3 at New Life Baptist Church beginning at 6:00 p.m.
3. A Cruise-In is scheduled for Saturday, October 5 beginning at 4:00 p.m. in the downtown area.
4. The Caldwell County Economic Development Commission will meet on Tuesday, October 8 at 8:00 a.m.
5. The Lenoir Business Advisory Board will meet on Tuesday, October 8 at 6:00 p.m.
6. Fabulous Film Night is scheduled for Saturday, October 12 with the movie “Paranorman” being shown at dark on the square.
7. The North Carolina League of Municipalities Conference will be held in Hickory on October 13 – 15.
8. The City/County Services Committee will meet on Monday, October 14 at 11:45 a.m.

B. Items for Council Action

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

- A. Mayor Pro-Tem Rohr has requested that Council further discuss the City’s current ordinance pertaining to Livestock and Fowl within the City limits (Article 3, Section 3-2 of the City’s Charter Code of Ordinances) to consider possibly amending this ordinance to allow chicken hens within the City limits.

X. ADJOURNMENT

AGENDA



**CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, OCTOBER 15, 2013
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition- Mark Townsend Water Treatment Plant Superintendent
- C. Special Recognition: Mayor Gibbons will recognize Gerry Bair, American Field Services, along with several foreign exchange students.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. Proposed Amendments; Parking Ordinance: A public hearing will be held to consider adoption of amendments to the Charter Code of Ordinances, Chapter 11, Motor Vehicles and Traffic, Article II, Stopping, Standing and Parking, Sections 11-35 through 11-50 as recommended by the Police Department.
- B. Proposed Amendments; Firearms Ordinance: A public hearing will be held to consider adoption of amendments to the Charter Code of Ordinances, Chapter 13, Offenses and Miscellaneous Provisions, Article I, Section 13-6 Firearms as recommended by the Police Department.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, October 1, 2013.
- B. Minutes: Approval of minutes from the Committee of the Whole Meeting of Thursday, September 26.
- C. Minutes: Approval of minutes from the joint City Council/ABC Board Meeting of Thursday, September 26.
- D. Resolution; Mark Townsend: Approval of a resolution honoring Mark Townsend, Water Treatment Plant Superintendent, upon his 35 ½ years of service to the citizens of Lenoir.
- E. Resolution; FY2012 Local Water Supply Plan: Approval of a resolution adopting the FY2012 Local Water Supply Plan to be submitted to the Department of Environment and Natural Resources, Division of Water Resources on behalf of the City of Lenoir.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

- A. Mike Norris, McGill Associates, will present an overview of the City's Pedestrian Planning Report to City Council.

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

1. The City/County Coordinating Committee will meet on Monday, October 21 at 11:30 a.m.
2. The Parks & Recreation Advisory Board will meet on Monday, October 21 at 6:00 p.m.
3. The Committee of the Whole will meet on Tuesday, October 22 at 8:30 a.m., City Hall, Third Floor, former Council Chambers.
3. The ABC Board will meet on Tuesday, October 22 at 5:30 p.m. at Lenoir Store No. 1.
4. Downtown Trick or Treat will be held on Friday, October 25 from 3:00 – 5:00 p.m.
5. The Lenoir Planning Board will meet on Monday, October 28 at 5:30 p.m.
6. The Foothills Regional Airport Authority will meet on Wednesday, October 30 at noon.
7. A Halloween Youth Carnival is scheduled on Thursday, October 31 from 6-9:00 p.m. at the Martin Luther King, Jr. Center.
8. A Retirement Reception for Councilman Lewis Price will be held on Sunday, November 3 from 2:00 – 4:00 p.m. at First Baptist Church.
9. Election Day is Tuesday, November 5. **Note:** City Council will meet at City Hall, Third Floor, former Council Chambers at 6:00 p.m.
10. The 2014 Holiday Schedule will be submitted to Council as information.
11. The 2014 City Council Meeting Schedule will be submitted to Council for their review and approval.

B. Items for Council Action

1. Bid Award; Demolition of the former Carolina Custom Cabinets: Bids were received on Tuesday, October 1 for the demolition of the former Carolina Custom Cabinets. Staff will recommend that Council award the low bid. The bid tab will be submitted.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

A. Closed Session: Pursuant to N.C.G.S. §143-318.11(a), (3), City Council will enter into closed session to discuss potential litigation.

X. ADJOURNMENT

AGENDA



**CITY OF LENOIR
CITY COUNCIL MEETING
CITY HALL, THIRD FLOOR
801 WEST AVENUE
TUESDAY, NOVEMBER 5, 2013
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Mayor Gibbons will recognize exchange students of the German American Partnership Program (GAAP), members of the Hibriten German Club, and faculty. The group arrived in Lenoir on October 28 for a two week visit in our area. Hibriten High School Instructor Joe Korner will represent the group.
- C. Mayor Gibbons will present a proclamation to Sharon Osborne, Executive Director of Caldwell County Yokefellow, Inc., proclaiming the week of November 18-23 as National Hunger and Homeless Awareness Week throughout the City
- D. Mayor Gibbons will present a proclamation to Deborah Ashley, Executive Director of the Caldwell County Chamber of Commerce, proclaiming the month of November as Caldwell County Business Expose' Month throughout the City of Lenoir and Caldwell County.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, October 15, 2013.
- B. Minutes: Approval of minutes from the Committee of the Whole Meeting of Tuesday, October 22, 2013.
- C. Minutes: Approval of closed session minutes from Tuesday, September 17, Tuesday, October 15 and Tuesday, October 22, 2013 as reviewed by the City Attorney, City Manager and City Council.
- D. Proclamation; National Hunger & Homeless Awareness Week: Approval of a proclamation proclaiming the week of November 18-23 as National Hunger and Homeless Awareness Week throughout the City of Lenoir.
- E. Proclamation; Caldwell County Business Expose' Month: Approval of a proclamation proclaiming the month of November as Caldwell County Business Expose' Month throughout the City of Lenoir and Caldwell County.
- F. Bid Award; Cambridge Court Stormwater Project: Staff recommends that Council award the low bid of \$201,090.00 to Mountain Crest, LLC for the Cambridge Court Stormwater Improvements Project. Staff further recommends that a construction budget of \$221,199.00 be established, which includes a 10% contingency fund of \$20,109.00.

- G. Project Budget Ordinance: Staff recommends approval of a Project Budget Ordinance in the amount of \$1,300,500 for the Meadowood Sewer Replacement Project.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

- A. Planning Board: The Planning Board met on Monday, October 28. Phyllis Huffstetler, Chairperson, will present a report of the meeting. The Board scheduled public hearings to be held on Tuesday, November 19 for the following items:
 - 1. Conditional Use Permit, Rezoning Request, Floodplain Development Permit, submitted by Caldwell County Schools, for property located along Wilkesboro Boulevard. The applicants propose to build a new middle school on the property. Staff recommends approval for the Rezoning Request. Staff also recommends approval for the Conditional Use Permit and Floodplain Development Permit subject to conditions in the Staff review report.
 - 2. Rezoning Request, submitted by the N.C. Datacenter, LP, for property located at 801 Main Street NW. The applicants are requesting to rezone a portion of the property from Multi-Family Residential to Light Industrial (R-6 to I-1) for a computer datacenter. Staff recommends approval.

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

- 1. November Calendar: The calendar for the month of November will be submitted to Council with various meetings and events.
- 2. The Lenoir Tourism Development Authority will meet on Thursday, November 7 at 3:00 p.m. at City Hall, Third Floor, former Council Chambers.
- 3. City offices will be closed on Monday, November 11 in observance of Veterans Day.
- 4. The City/County Services Committee will meet on Monday, November 11 at 11:45 a.m.
- 5. A Veterans Day Ceremony will be held on Monday, November 11 from 10:45 a.m. – noon at the Veterans Plaza on the Square.
- 6. The Caldwell County Economic Development Commission will meet on Tuesday, November 12 at 8:00 a.m.
- 7. The ABC Board will meet on Tuesday, November 12 at 5:30 p.m. at Lenoir Store #1.
- 8. The Lenoir Business Advisory Board will meet on Tuesday, November 12 at 6:00 p.m.
- 9. The Sister Cities Committee will meet on Wednesday, November 13 at 11:30 a.m.

10. The National League of Cities Conference will be held on Wednesday, November 13 through Saturday, November 16.
11. The City/County Coordinating Committee will meet on Monday, November 18 at 11:30 a.m.
12. The Planning Board will meet on Monday, November 18 at 5:30 p.m. at City Hall, Third Floor, former Council Chambers.

B. Items for Council Action

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

X. ADJOURNMENT

AGENDA



CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, NOVEMBER 19, 2013
6:00 P.M.



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. Amendment; Charter Code of Ordinances, Chapter 3, Article 1, Section 3-2, Livestock and Fowl within City Limits: A public hearing will be held to consider amending the Charter Code of Ordinances, Chapter 3, Article 1, Section 3-2, Livestock and Fowl within City Limits, Section 3-2 (b) as follows: Shed, pen, lot or similar area shall be a minimum of 200 feet from any residential structure. **Subject to a permit issued by the City, up to 4 chicken hens may be kept on a residential lot provided that they are located in the rear yard and at least 50 feet from any adjoining residences.**
- B. Rezoning Request, submitted by the N.C. Datacenter, LP, for property located at 801 Main Street NW. The applicants are requesting to rezone a portion of the property from Multi-Family Residential to Light Industrial (R-6 to I-1) for a computer datacenter. Staff recommends approval.
- C. Rezoning Request, submitted by Caldwell County Schools, for property located along Wilkesboro Boulevard. The applicants propose to build a new middle school on the property. Staff recommends approval of the rezoning of the property from R-20 to R-9 with the understanding that the site will be annexed into the City and retain this zoning classification.
- D. Conditional Use Permit, submitted by the Caldwell County Schools, for property located along Wilkesboro Boulevard. Staff recommends approval subject to the following conditions listed in the Staff Review Report: (1) Sidewalks be installed as required by the ordinance, or alternative greenways/multi-use paths be installed to the minimum standards of the City's Public Works Department, or the School Board participates in the Sidewalk Fund Program, should one be adopted by City Council, in lieu of constructing public facilities; (2) The existing vegetation be maintained to the fullest extent possible, particularly within the Flood Hazard Areas, in order to provide appropriate buffering of the school use to the surrounding properties; and (3) Any lighting in parking facilities and athletic fields be fully shielded and directed only at the school property.

- E. Floodplain Development Permit, submitted by the Caldwell County Schools, for property located along Wilkesboro Boulevard. Staff recommends approval subject to the following conditions listed in the Staff Review Report: (1) All provisions of the Flood Damage Prevention Ordinance shall govern final construction permits and any deviations from the requirements shall require additional review and approval by City Council, as specified in Sec. 9-49; and (2) Any development activity within the floodway shall be certified not to increase the BFE of the floodway more than 1 foot.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, November 5, 2013.

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. Light up Lenoir is scheduled for Friday, November 22 from 3:00 – 6:00 p.m. in the downtown area.
2. The annual downtown Light Show begins daily on Friday, November 22 through January 5 from 6:00 – 10:00 p.m. in downtown Lenoir.
3. Fabulous Film Night is scheduled for Saturday, November 23 with the movie “Escape from Planet Earth” being shown at 7:00 p.m. at the LHS Auditorium.
4. The Committee of the Whole will meet on Tuesday, November 26 at 8:30 a.m. at City Hall, Third Floor, former Council Chambers.
5. The Foothills Regional Airport Authority will meet on Wednesday, November 27 at noon.
6. City offices will be closed on Thursday, November 28 & Friday, November 29 in observance of the Thanksgiving holiday.
7. The Lenoir Christmas Parade is scheduled for Friday, December 6 at 6:00 p.m. in downtown Lenoir.

B. Items for Council Action

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

- A. Closed Session: Pursuant to N.C.G.S. §143-318.11(a), (4), City Council will enter into closed session to discuss a property acquisition.

X. ADJOURNMENT

AGENDA



CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, DECEMBER 3, 2013
6:00 P.M.



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition: Mayor Gibbons will recognize Councilman Merlin Perry for his years of service on the Lenoir City Council.
- C. Oath of Office: The Honorable Clerk of Court Kim Clark will administer the oath of office to: James I. Perkins, Councilmember, David F. Stevens, Councilmember, R. Ron Stilwell, Councilmember and Crystal D. Thomas, Councilmember.
- D. Election of Mayor Pro-Tempore: City Council will elect a Councilmember to serve a two-year term on as Mayor Pro-Tempore.
- E. Appointment; City Attorney: City Council will formally appoint Edward Blair to serve as the City Attorney.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. Application, Environmental Protection Agency (EPA): A public hearing will be held to consider the City's intent to apply to the Environmental Protection Agency (EPA) for FY2014 Brownfields Cleanup Funds to assist with the cleanup of any environmental issues that may exist at the former Broyhill Furniture site located at the corner of College Avenue and Virginia Street. Information regarding the proposed project will be discussed and public input is requested.
- B. Special Use District and Permit Request; Woodland Place & Blowing Rock Boulevard: A public hearing will be held to consider a Special Use District and Permit Request submitted by MGM of Lenoir, LLC, for property located between Woodland Place and Blowing Rock Boulevard, north of Hospital Avenue. **Note: This request consists of two parts, (a) adoption of a Special Use Overlay District on the subject properties and (b) approval of a Special Use Permit for a drive-through restaurant on the northern portion of the subject properties.**

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, November 19, 2013.

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. December Calendar: The calendar for the month of December will be presented to Council with various meetings and events.
2. The annual Christmas Parade will be held on Friday, December 6 at 6:00 p.m. in the downtown area.
3. The annual Luminary Display at Blue Ridge Memorial Gardens will be held on Friday, December 6 from 6:00 p.m. – 11:00 p.m. *A rain date is scheduled for Friday, December 13.
4. The City/County Services Committee will meet on Monday, December 9 at 11:45 a.m.
5. The new City Council Orientation is scheduled for Wednesday, December 11 at 8:00 a.m. at Fire Station No. 2 in Whitnel.
6. The Caldwell County Economic Development Commission will meet on Tuesday, December 10 at 8:00 a.m.
7. The Lenoir Business Advisory Board will meet on Tuesday, December 10 at 6:00 p.m.
8. The Sister Cities Committee will meet on Wednesday, December 11 at 4:00 p.m. at City Hall, Second Floor Conference Room.
9. Fabulous Film Night is scheduled for Saturday, December 14 at 7:00 p.m. at the LHS Auditorium with the movie “Santa Paws 2” being shown.
10. The City/County Coordinating Committee will meet on Monday, December 16 at 11:30 a.m.
11. The Planning Board will meet on Monday, December 16 at noon.
12. The Foothills Regional Airport Authority will meet on Wednesday, December 18 at noon.
13. City offices will be closed on December 24, 25 & 26 in observance of the Christmas holidays and also on Wednesday, January 1 in observance of the New Year holiday.

B. Items for Council Action

1. A public hearing was held on Tuesday, October 15 to consider proposed amendments to the Charter Code of Ordinances, Chapter 11, Motor Vehicles and Traffic, Article II, Stopping, Standing and Parking, Sections 11-35 through 11-50 as recommended by the Police Department. **Note:** City Council tabled taking any action until Tuesday, December 3 to allow Staff additional time to review suggested changes to the ordinance. City Council will also receive a report regarding a Parking Validation Research Study for the Town of Boone, NC.

2. Bid Award; Fire Sprinkler System for Homeless Shelter: City Staff recommends that Council award the low bid of \$21,917.00 to Central Carolina Sprinkler Company, Inc. for a Fire Sprinkler System to be installed in the new Homeless Shelter. **Note:** This project has been on the City's Capital Improvements Projects List (CIP) for a number of years. We have also stated that the City would do this portion of the work and then ask local churches, civic groups and others to work on the remaining portion of the project. By awarding this bid, the City will be giving notice of our intent to proceed with this project.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

- A. Appointment of Council Committees: Mayor Gibbons will present a list of Representatives for consideration by City Council to be appointed to various Committee's at the January 7th City Council Meeting.

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

X. ADJOURNMENT