

AGENDA



**CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, FEBRUARY 2, 2016
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 the minutes from the City Council Meeting of Tuesday, January 19, 2016 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. The Lenoir Tourism Development Authority will meet on Thursday, February 4 at 3:00 p.m. at City Hall, Third Floor, former Council Chambers.
2. The City/County Services Committee will meet on Monday, February 8 at 11:45 a.m.
3. The Caldwell County Economic Development Commission will meet on Tuesday, February 16 at noon.
4. The Lenoir ABC Board will meet on Tuesday, February 9 at 5:30 p.m.
5. The Lenoir Business Advisory Board will meet on Tuesday, February 9 at 6:00 p.m.
6. The Sister Cities Committee will meet on Tuesday, February 11 at 1:15 p.m.
7. The City/County Coordinating Committee will meet on Monday, February 15 at 11:30 a.m.
8. The Parks & Recreation Advisory Board will meet on Monday, February 15 at 6:00 p.m.

B. Items for Council Action

1. Order of Abatement; 538 Willow Street: City Staff recommends Council adopt an Order of Abatement directing Staff to abate the minimum housing violations by demolishing the structure on the property of 538 Willow Street, NCPIN #2749585812 and Parcel ID #06-17-1-12. Note: This property is listed as number seven (7) on the Minimum Housing Priority List.

2. Authorizing Application; PARTF Grant: City Staff recommends approval to apply for a Parks and Recreation Trust Fund Grant (PARTF) in the amount of \$327,200.00 to assist in the development of the Optimist Park property which was deeded to the City of Lenoir. The appraised value of the property is \$227,200.00 with a maximum City match of \$100,000.00 over a three-year grant cycle for a total PARTF match of \$327,200.00
3. Amendment; Charter Code of Ordinances, Appendix B, Traffic (1), Section 101: City Staff recommends that Council call for a public hearing to be held on Tuesday, February 16 to consider amending the Charter Code of Ordinances, Appendix B, Traffic (1), Section 101, to indicate that on-street parking be allowed on the 200 Block of Church Street between Ashe Avenue and West Avenue.
4. Amendment; Charter Code of Ordinances, Appendix B, Traffic, Section 110: City Staff recommends that Council call for a public hearing to be held on Tuesday, February 16 to consider amending the Charter Code of Ordinances, Appendix B, Traffic, Section 110, to remove the 300 block of Church Street from Kirkwood Street to Ashe Avenue which eliminates the current one-way street designation. **Note:** This 300 block of Kirkwood Street to Ashe Avenue is already designated in the City's Code as no on-street parking allowed.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

X. ADJOURNMENT

**LENOIR CITY COUNCIL
TUESDAY, JANUARY 19, 2016
6:00 P.M.**

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

ABSENT: Councilmember Todd Perdue.

I. CALL TO ORDER

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

**SPECIAL RECOGNITION; 175TH ANNIVERSARY
CALDWELL COUNTY:**

B. On behalf of City Council, Mayor Gibbons, read a resolution to in honor of Caldwell County's 175th Anniversary. Mayor Pro-Tem Ben Willis accepted the resolution on behalf of the Caldwell County 175th Anniversary Steering Committee of which he is a member. Mayor Gibbons stated events will be planned throughout the year to celebrate this historic occasion.

Mayor Pro-Tem Willis encouraged everyone to incorporate the 175th Anniversary into all their events during 2016. In addition, he reported that each of the surrounding municipalities are supporting this event as well. Mr. Willis thanked City Council for this recognition.

SPECIAL RECOGNITION;

DON WEILLER: C. On behalf of City Council, Mayor Gibbons presented Mr. Don Weiller with a framed copy of a recent article in the *News-Topic* highlighting his two-years of service at the City's Recycling Center. Mayor Gibbons commended Mr. Weiller for all of his service to the City and the community.

Mr. Weiller stated he enjoyed working with such great people and he was looking forward to his next adventure. He thanked City Council for the recognition.

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 minutes from the City Council Meeting of Tuesday, January 5, 2016 as submitted.
2. Resolution; Caldwell County's 175th Anniversary: Approval of a resolution honoring Caldwell County's 175th Anniversary. (A copy of the resolution is hereby incorporated into these minutes by reference. Refer to page 19.)

Upon a motion by Councilmember Stevens, Council voted 6 to 0 to approve the above listed items on the Consent Agenda as recommended by City Manager Hildebran.

IV. REQUESTS AND PETITIONS OF CITIZENS

MINIMUM HOUSING ISSUE; 533, 533-A & 533-B HILL STREET:

A. Mr. Ron Walker, 535 Hill Street, NW, addressed City Council regarding three vacant properties located at 533, 533-A and 533-B Hill Street that are dilapidated and have overgrown yards. Mr. Walker emphasized the City has not done anything to clean these properties up and he has erected a six-foot by 160-foot fence in order to help keep rodents and snakes out of his yard. Mr. Walker stated he could not allow his grandchildren to play in his front yard due to these unsafe conditions.

Mr. Walker reported he has tried for years to get something done and also spoke with former Mayor David Barlow and former Planning Staff about these conditions. He further noted that he recently spoke with Mayor Gibbons, Planning Staff Zack Clark along with Councilmembers Perkins and Thomas about this issue. Mr. Walker pointed out he was aware the City has a minimum housing priority list, but he wasn't interested in the list, he just wanted the City to take action by cleaning these properties up and billing the owners for the expense.

Mr. Walker further stated he was informed the City recently paid for the demolition and removal of debris for property located on Steel Street. Mr. Walker stated the West End Community is a predominately black neighborhood which has not received any benefits from the City. He respectfully asked Council to "do the right thing for all of us" and further mentioned this situation has decreased the value of his property.

Mayor Gibbons clarified the owner of the property on Steel Street paid for the demolition/removal and not the City of Lenoir.

Mr. Richard Gaither, 505 Westview Place, informed Council that he was

contacted by City Staff when he previously lived in New York regarding code violations with properties he owned in Lenoir. He stated he had to take care of the expense of the abatements and asked why the City cannot find the current owners of the property on Hill Street in order to resolve this issue for Mr. Walker.

City Attorney Blair explained the City can notify a property owner to bring their property into compliance with the City's Code, but if they do not comply, the City can then take corrective action after following certain procedures and place a lien against the property.

Planning Director Wheelock stated she was familiar with these properties and noted there are about six properties in the West End area coming up for abatement. Director Wheelock reported Staff has sent notices to these property owners of pending foreclosure by the bank, but commented she thinks the bank stopped the foreclosure process making it more difficult for Staff to establish ownership. She stated the City's next step will be to submit an abatement ordinance for Council's consideration of approval.

Mayor Gibbons reiterated the City does have a priority list of minimum housing issues and Staff is working hard to resolve these issues. Following much discussion, City Council directed City Attorney Blair to do a title search on these three properties to determine the legal owners and Mayor Gibbons also informed Mr. Walker the City would address this issue.

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

CANCELLED; PLANNING

BOARD: 1. The Planning Board cancelled its meeting of Monday, January 25 due to no agenda items.

COMMITTEE OF THE

WHOLE: 2. The Committee of the Whole will meet on Tuesday, January 26 at 8:30 a.m., Third Floor, City Hall.

FOOTHILLS REGIONAL AIRPORT

AUTHORITY: 3. Foothills Regional Airport Authority will meet on Wednesday, January 27 at noon.

STRATEGIC PLANNING

RETREAT: 4. City Council will conduct a Strategic Planning Retreat on Friday, January 29 beginning at 8:00 a.m. at the Caldwell County Library, Room 7.

B. Items for Council Action

**BID AWARD; SMITH CROSSROADS
EXPANSION PROJECT, PHASE 2:**

1. Staff recommends Council award the low bid of \$285,462.00 to Mountain Crest, LLC, for the Smith Crossroads Expansion Project, Phase 2, contingent upon approval by the North Carolina Department of Transportation (NCDOT.) Note: The City received a federal highway grant in the amount of \$150,000.00 to extend the retaining wall and landscaping from its current termination to the entry drive at the Broyhill House. CCC&TI also granted the City an easement to extend the project.

A copy of the bid tab is hereby incorporated into these minutes by reference. (Refer to page 20.)

Public Works Director Beck informed Council the bids estimates were higher than the grant funding the City received and he was unsuccessful in requesting additional funding from the Federal Highway Program due to their not being any further funding available. Director Beck also stated he was unable to reduce any of the cost associated with this project.

Mike Norris, McGill Associates, reviewed a power point presentation of the project and pointed out the bank of the Broyhill House property will be heavily graded to control erosion and the retaining wall along with the Cyprus trees to be planted there. He mentioned the fill dirt would be moved to the site of the future Fire Station #3 which could possibly save the City some money with that project. Mr. Norris also pointed out the acceleration lane would be closed during construction which necessitates drivers making a right hand turn onto US Highway 321 at the Smith Crossroads intersection. Mr. Norris further stated that NCDOT also requires this portion of the project to be completed at night due to the high volume of traffic at this intersection. Mr. Norris also clarified for Council that the acceleration lane would not be extended with this project.

In addition, Mr. Norris commented Smith Crossroads is considered as the gateway to Lenoir and one additional option the City may consider is placing a sculpture at the intersection in the future to further enhance it.

Councilmember Perkins asked for clarification regarding the project being contingent upon NCDOT's approval.

Mr. Norris explained that all contractors have to be pre-qualified and they go through a formal review by NCDOT after the project has been bid out. He stated this process normally takes around thirty days.

Director Beck stated that, following approval by NCDOT, a Notice to Proceed will be issued.

City Manager Hildebran reported the City would need to take an appropriation of \$179,000.00 from Fund Balance in order to proceed with this project. Mr. Hildebran noted the total cost of the project is \$329,000.00 which includes the bid of \$285,462.00, a \$28,538.00 contingency fee and \$15,000.00 for administration fees.

Mayor Gibbons stated the City's goal is to complete the project down to the driveway at the Broyhill House in addition to shoring up the bank.

Mayor Pro-Tem Willis moved to approve the project contingent upon City Council approving a budget amendment for \$179,000.00 for completion of the proposed project. Mr. Willis pointed out the project is also considered as economic development due to the improvement of this significant area.

Mayor Pro-Tem Rohr expressed his opposition to the Fund Balance appropriation by stating it was a monumental waste of taxpayers' money and Council was not being a good steward of these funds. Mr. Rohr also reminded Council of the money previously spent on the four quadrants at this intersection.

Director Beck reiterated that grading the bank makes it easier to maintain and re-emphasized the amount of fill dirt that will be available to the City as a result of this project.

Mayor Gibbons also reminded Council that NCDOT is paying for over one-half of this project.

Upon the motion by Mayor Pro-Tem Willis, Council voted 5 to 1 to award the low bid of \$285,462.00 to Mountain Crest, LLC, for the Smith Crossroads Expansion Project, Phase 2, contingent upon approval by the North Carolina Department of Transportation (NCDOT) and contingent upon City Council approving a budget amendment in the amount of \$179,000.00 for completion of the proposed project. Councilmember Rohr voted against this motion.

**BID AWARD; POWELL ROAD
RE-ALIGNMENT PROJECT:**

2. City Staff recommends Council award the low bid of \$154,400.00 which includes Alternate Bid 1 to Mountain Crest, LLC, for the Powell Road & Lower Creek Drive Improvements Project. (Caldwell County will reimburse the City in the amount of \$18,300.00 for this project.) Staff further recommends approval of the establishment of a Construction Budget in the amount of \$180,428.00 which includes a 12% contingency in the amount of \$18,528.00 and construction administration in the amount of \$7,500.00.

A copy of the bid tab is hereby incorporated into these minutes by reference. (Refer to page 21.)

Public Works Director Beck explained this project realigns Powell Road with the exit driveway at Lower Creek Elementary School and is also a partnership with Lower Creek Baptist Church and Caldwell County Schools. Mr. Beck related the church has granted the City a right-of-way and will also be moving the existing wall back at their cemetery and replacing it in order for the City to extend the sidewalk.

Matt Oetting, McGill Associates, reviewed a map of the project and reiterated that 300-feet of Powell Road will be relocated to line up with the school's driveway plus 200-feet of sidewalk will be expanded and connected with the existing sidewalk. Mr. Oetting clarified there are currently no plans to extend this sidewalk with the Greenway.

Councilmember Perkins stated he was in favor of this project and its cost, but suggested Council also consider putting as much emphasis on taking care of minimum housing issues for all of the City of Lenoir residents as well.

Councilmember Rohr suggested to Council that they can't keep approving every project and may need to say no at some point in order to keep from running out of money in the future.

Upon a motion by Councilmember Stevens, Council voted 5 to 1 to award the low bid of \$154,400.00 which includes Alternate Bid 1 to Mountain Crest, LLC, for the Powell Road & Lower Creek Drive Improvements Project and the establishment of a Construction Budget in the amount of \$180,428.00 which includes a 12% contingency in the amount of \$18,528.00 and construction administration in the amount of \$7,500.00 as recommended by City Staff. Councilmember Rohr voted against this motion.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

BOARD RE-APPOINTMENTS:

A. Mayor Gibbons presented the following list of individuals for re-appointment to the City's Authorities/Boards/Commissions. Mayor Gibbons also briefly explained the City's process for Board Appointments/Re-appointments.

Debbie Smith – Lenoir Housing Authority (3-year term)

Mac Martin and Mattie Patterson – Planning Board (4-year terms)

Leah Beth Hubbard – Parks & Recreation Advisory Board (2-year term)

Susan Strawn – Sister Cities (3-year term)

Angela Johnson and Rose Noakes – Lenoir Tourism Development Authority (4-year terms)

Mayor Gibbons also informed Council that Ralph Prestwood, Interim Director of the Caldwell County Chamber of Commerce, will be replacing Deborah Ashley-

Smith as the Ex-Officio member of the Lenoir Tourism Development Authority.

Councilmember Rohr suggested City Council consider appointing a youth representative on all of the City's boards with Mayor Gibbons stating he would check with Caldwell County Schools for possible recommendations. It was noted that youth representatives already serve on the Parks & Recreation Advisory Board.

Upon a motion by Mayor Pro-Tem Willis, Council voted 6 to 0 to re-appoint the above list of individuals to the City's various board and committees as listed above and as recommended by Mayor Gibbons.

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

COMMENDED; CITY

STAFF: A. Councilmember Thomas thanked City Staff for all of their hard work and support during the recent celebrations held in honor of the Martin Luther King, Jr. holiday. Ms. Thomas stated the events were coordinated in partnership with the NAACP and remarked the group's goal is to continue to grow the experience of celebrating this historic event.

X. ADJOURNMENT

A. There being no further business, the meeting was adjourned at 7:28 p.m.

Joseph L. Gibbons, Mayor

Shirley M. Cannon, City Clerk



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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

RESOLUTION
HONORING THE 175TH ANNIVERSARY OF
CALDWELL COUNTY, NORTH CAROLINA

WHEREAS, Caldwell County, North Carolina was created by the state legislature on January 11, 1841 from parts of Burke and Wilkes counties; and

WHEREAS, Caldwell County was named after Dr. Joseph Caldwell, former president of the University of North Carolina, who was an advocate for creating a state-wide public school system; and

WHEREAS, Caldwell County provides much needed and desired services to its residents concentrating on funding for public education, public health, and the safety and the general well-being of all county residents; and

WHEREAS, the quality of the services provided by Caldwell County makes the county a great place to live, work, play and to conduct business by establishing excellent standards of living and high quality of life standards for county residents; and

WHEREAS, the City of Lenoir is proud and honored to serve as the County seat in Caldwell County since the town was incorporated on January 28, 1851 by the General Assembly of North Carolina; and

WHEREAS, the City of Lenoir wishes to commend and recognize all past and current Caldwell County elected officials and employees for their many years of dedicated service to the citizens of Caldwell County and the City of Lenoir; and

WHEREAS, this year marks the 175th anniversary of Caldwell County, North Carolina.

NOW, THEREFORE, BE IT RESOLVED, that I, Joseph L. Gibbons, Mayor of the City of Lenoir, North Carolina, and on behalf of the Lenoir City Council, hereby officially issue this resolution honoring Caldwell County, North Carolina upon its 175th Anniversary.

This the 19th day of January, 2016.

Joseph L. Gibbons, Mayor



CERTIFIED BID TABULATION with UNIT PRICES
City of Lenoir - Smith Crossroads Improvements, Phase 2

BIDDERS:				MOUNTAIN CREST, LLC Lenoir, NC		COUNTRY BOY LANDSCAPE Harmony, NC		M&M CONSTRUCTION Banner Elk, NC	
NO	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Mobilization (maximum 3%)	1	LS	\$8,200.00	\$8,200.00	\$20,000.00	\$20,000.00	\$10,000.00	\$10,000.00
2	Construction Surveying	1	LS	\$5,000.00	\$5,000.00	\$3,500.00	\$3,500.00	\$8,000.00	\$8,000.00
3	Sign & Monument Relocation/Adjustment	1	LS	\$2,000.00	\$2,000.00	\$297.00	\$297.00	\$2,000.00	\$2,000.00
4	Clearing and Grubbing	1	LS	\$26,000.00	\$26,000.00	\$30,000.00	\$30,000.00	\$20,000.00	\$20,000.00
5	Misc items not listed but needed for Construction	1	LS	\$500.00	\$500.00	\$1.00	\$1.00	\$42,000.00	\$42,000.00
6	Modular Block Retaining Wall (back fill, site prep., drainage, tie into existing structure, sealed structural design etc.)	2,100	SF Exposed Face	\$28.00	\$58,800.00	\$70.00	\$147,000.00	\$45.65	\$95,865.00
7	12" HDPE	10	LF	\$100.00	\$1,000.00	\$45.00	\$450.00	\$40.00	\$400.00
8	Drop Inlet & Grate	1	EA	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$2,500.00	\$2,500.00
9	Silt Fence	600	LF	\$2.00	\$1,200.00	\$6.00	\$3,600.00	\$10.00	\$6,000.00
10	Grading	1	LS	\$97,250.00	\$97,250.00	\$108,408.00	\$108,408.00	\$165,000.00	\$165,000.00
11	Erosion Control Stone	1	LS	\$1,000.00	\$1,000.00	\$800.00	\$800.00	\$2,500.00	\$2,500.00
12	Erosion Control Mat	3,628	SY	\$4.00	\$14,512.00	\$4.00	\$14,512.00	\$2.50	\$9,070.00
13	Thuja occidentalis 'Smaragd' – Arborvitae	98	EA	\$200.00	\$19,600.00	\$300.00	\$29,400.00	\$250.00	\$24,500.00
14	Seeding	1	LS	\$4,000.00	\$4,000.00	\$520.00	\$520.00	\$4,000.00	\$4,000.00
15	Hardwood Mulch	28	CY	\$50.00	\$1,400.00	\$50.00	\$1,400.00	\$44.00	\$1,232.00
16	Traffic Control During Construction	1	LS	\$42,000.00	\$42,000.00	\$50,000.00	\$50,000.00	\$30,000.00	\$30,000.00
TOTAL BID AMOUNT:				\$285,462.00		\$412,888.00		\$423,067.00	

This is to certify that the bids tabulated herein were accompanied by a 5% bid bond or certified check and publicly opened and read aloud at 2:00 pm local time on the 5th day of January, 2016, in the former City Council Chambers - 3rd Floor of City Hall - 801 West Avenue, Lenoir, North Carolina 28645.

MICHAEL J. NORRIS, ASLA



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



POWELL ROAD - LOWER CREEK DRIVE INTERSECTION IMPROVEMENTS

CITY OF LENOIR NORTH CAROLINA

Friday, January 8, 2016; 2:00 pm

Former City Council Chambers - City Hall 3rd Floor, 801 West Avenue NW, Lenoir, North Carolina 28645

BID RESULTS				BIDDERS			
				MOUNTAIN CREST, LLC		MIDSTATE CONTRACTORS, INC.	
No.	Bid Items	Qty.	Unit	Unit Price	Extension	Unit Price	Extension
1	Powell Road & Lower Creek Drive Roadway and Sidewalk Improvements	1	Lump Sum	\$136,100.00	\$136,100.00	\$142,950.00	\$142,950.00
2	Lower Creek Drive Exit Modification	1	Lump Sum	\$5,000.00	\$5,000.00	\$5,950.00	\$5,950.00
TOTAL BASE BID (Add Bid Items 1 thru 2):				\$141,100.00		\$148,900.00	
ALT 1	Lower Creek Drive Exit Modification	1	Lump Sum	\$18,300.00	\$18,300.00	\$20,050.00	\$20,050.00

This is to certify that the bids tabulated herein were accompanied by a 5% bid bond or certified check and publicly opened and read aloud at 2:00 pm local time on the 8th day of January, 2016, at the Lenoir Former City Council Chambers, City Hall 3rd Floor, 801 West Avenue NW, Lenoir, North Carolina 28645.

MATTHEW D. OETTING, PE



1240 19th Street Lane NW
Hickory, North Carolina 28603
License No. C-0459



CITY OF LENOIR
COUNCIL ACTION FORM

- I. **Agenda Item:** City staff request that City Council adopt an Order of Abatement directing staff to abate the minimum housing violations by demolishing the structure on the property of 538 Willow St.

- II. **Background Information:** The subject structure is unfit for human habitation and attempts to achieve owner abatement have been unsuccessful. See attached time line for detailed information.

- III. **Staff Recommendation:** Recommend adoption of the attached ordinance, directing staff to proceed with the demolition and removal of the structure. This property is No. 7 on the minimum housing priority list.

IV. **Reviewed by:**

City Attorney: _____

Finance Director: _____

Planning Director: *DeeDee* _____

AN ORDINANCE DIRECTING THE MINIMUM HOUSING INSPECTOR TO REMOVE OR DEMOLISH THE PROPERTY HEREIN DESCRIBED AS UNFIT FOR HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED.

WHEREAS, the City Council of the City of Lenoir finds that the dwelling described herein is unfit for human habitation under the City Housing Standards, and that all of the procedures of the Minimum Housing Standards have been complied with; and

WHEREAS, this dwelling should be removed or demolished, as directed by the Minimum Housing Inspector, and should be placard thereon the notice prohibiting use for human habitation; and

WHEREAS, the owner of this dwelling, **Christopher S. Becker & Monique Becker**, has been given a reasonable opportunity to bring the dwelling up to the standards of the Minimum Housing Standards accordance with G.S. 160A-443 (5) pursuant to an order issued by the Minimum Housing Inspector on October 6th, 2015 and the owner has failed to comply with the order;

NOW THEREFORE BE IT ORDAINED BY the City Council of the City of Lenoir that:

Section 1. The Minimum Housing Inspector is hereby authorized and directed to place a placard containing the following:

"This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful."

on the building located at the following address: **538 Willow St.**
Lenoir, North Carolina.
Parcel-ID 06 17 1 12
NCPIN 2749585812

Section 2. The Minimum Housing Inspector is hereby authorized and directed to proceed to remove or demolish the described above dwelling in accordance with this Order, and in accordance with the City of Lenoir Minimum Housing Code, and NCGS Chapter 160A, Article 19, Part 6.

Section 3. The cost of demolition and improvement of the lot shall be a tax lien on the real property as provided by G.S. 160A-443 (6).

Section 4. It shall be unlawful for any person to remove or cause to be removed the placard from any building to which it is affixed. It shall be likewise unlawful for any person to occupy or to permit the occupancy of any building therein declared to be unfit for human habitation.

Section 5. A copy of this ordinance shall be recorded in the Register of Deeds of Caldwell County, North Carolina, and indexed in the name of the property owner or owners in the grantor index.

Section 6. This ordinance shall become effective upon the passing of 30 days from the final abatement notice (February 29, 2016).

Adopted this the 2nd day of February, 2016.

**JOSEPH L. GIBBONS
MAYOR**

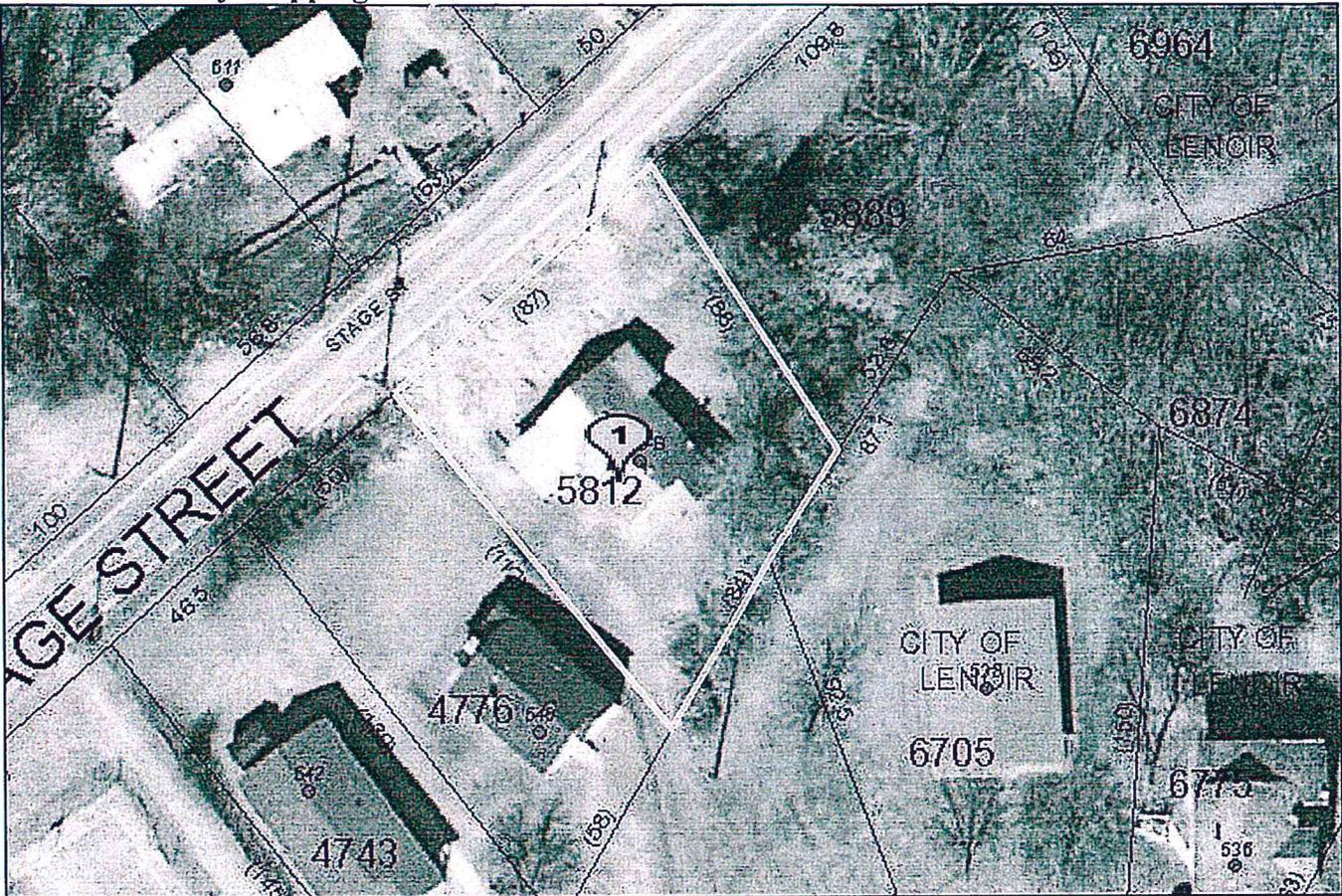
ATTEST:

**SHIRLEY M. CANNON
CITY CLERK**

APPROVED AS TO FORM:

**EDWARD H. BLAIR, JR
CITY ATTORNEY**

Caldwell County Mapping



1 inch = 50 feet

Owner
BECKER CHRISTOPHER S
BECKER MONIQUE
20 DANIEL ST
GRANITE FALLS, NC 28630

Account Info
NCPIN: 2749585812
Account#: 132859
Parcel-id: 06 17 1 12

Property Info

Acreage: 0.18919937
Land Units: 99 (FF)
Legal: BK 1634 PG 1501 YR 07 ST 58.00
Total Value: 33200
Property Address: 538 WILLOW ST

This map is prepared for the inventory of real property found within this jurisdiction, and is compiled from recorded deeds, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map. Caldwell County and its mapping and software contractors assume no legal responsibility for the information contained on this map or in this website. This map and information are NOT of land survey quality and are NOT suitable for such use.

Owner: Christopher S Becker
Monique Becker
Property: 538 Willow St
NC Pin No. 2749585812
Minimum Housing Violation Time Line

<u>Date</u>	<u>Description</u>
January 2015	<p>Received numerous complaints from neighbors regarding the minimum housing violations at 538 Willow St. They stated that the home was abandoned and in terrible condition. Due to the over grown vegetation vermin were beginning to enter onto neighboring properties. The initial inspection of the dwelling revealed deterioration in the exterior structural components including foundation, roofing, and siding. Deflection in the roof has led to water penetrating into the dwelling compromising interior components including electrical, plumbing, roof supports, interior walls, and wall coverings. It was determined based on the buildings tax value and the amount of deterioration that the dwelling was classified as dilapidated. The property was added to the Minimum Housing Priority Formula and was ranked based off complaints, police calls, condition, etc. This property moved up the priority formula based on the number of citizen complaints.</p> <p>Once the property was ranked in the top 10 on the priority formula a minimum housing case was started. Initial minimum housing violation/hearing notice was mailed to the property owner on this date. Two copies of the letter were mailed one first class and one certified mail. Initial minimum housing letter requested that the property owner contact the housing inspector to schedule a time for an onsite hearing to discuss the housing violations and abatement procedures. Owner failed to contact the housing inspector and the certified letter was returned to sender. The first class letter was never returned and arrived to the owners address. Register mail letter were returned on August 3rd, 2015 Certified Mail No. 7015 1520 0000 1311 1585</p>
July 22, 2015	<p>Final minimum housing determination letters were mailed to the property owner on this date. Two copies of this letter were mailed one first class and one certified mail. Due to the severe dilapidated condition of the structure and the health/safety hazard the final order was to demolish the dwelling and remove it from the property. A 30 day abatement period was given to remove the dwelling. The signed certified mail receipt was received October 14, 2015. Certified Mail No. 7015 0640 0007 2312 5397</p>
October 6, 2015	<p>During the abatement time period of 30 days the owners never contacted the City or made any attempts to abate the minimum housing violations. The dwelling remained untouched and continues to deteriorate. Further research was done to locate any other family or relatives affiliated with this property, but none were found. Some information regarding the property was located through Caldwell County Register of Deeds, but all information led back to Christopher and Monique Becker.</p>
October 2015 – November 2015	<p>Final abatement order was mailed to the listed property owners. Two copies one by first class mail and one by registered mail. Another copy was attached to the dwelling. This notice specified to the owners of the property that an ordinance for the demolition of 538 Willow St. will be submitted to the City of Lenoir City Council on February 2nd, 2016. The ordinance will allow the City to abate the housing violations and all expenses accumulated from the abatement will be placed as a lien against the property.</p>
January 27, 2016	<p>At this time it is requested that an ordinance be passed for the demolition of the dwelling at 538 Willow St. This demolition will be performed after February 29, 2016 to allow the full 30 days to expire as specified in the final order to abate sent January 27, 2016. Demolition will take place after the above mentioned date and all fees accumulated will be placed as a lien on the property.</p>
January 26, 2016	

Minimum Housing Violation Affidavit
(538 Willow St.)

I, Zach Clark affirm that as the housing inspector for the City of Lenoir I have made every possible attempt to contact the property owners of 538 Willow St. I have exhausted all resources in the effort to find the owners and/or heirs of the property mentioned above. The dwelling is unfit for human habitation and is a health/safety hazard for nearby neighbors. At this time the best course of action to eliminate the minimum housing violations is to demolish the structure and remove all debris from the property.

I swear that everything documented in this packet to be true and correct to the best of my information, knowledge, and belief.

1-27-2016
Date

Zach Clark
Zach Clark

STATE OF NORTH CAROLINA
COUNTY OF CALDWELL

I, the undersigned Notary Public, do hereby affirm that Zach Clark personally appeared before me on the 27 day of January 2016, and signed the above Affidavit as his free and voluntary act and deed.

Jacqueline Sigmon
Notary Public





CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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

July 22, 2015

Christopher S Becker
Monique Becker
20 Daniel St.
Granite Falls, NC 28630

Certified Mail: 7015 1520 0000 1311 1585

**MINIMUM HOUSING VIOLATION AND
HEARING NOTICE**

TO: **Christopher S Becker & Monique Becker**, owner(s) of property located at **538 Willow St.** (PIN: **2749585812**) in the City of Lenoir, North Carolina.

**Unsafe Buildings: General Statute 160A-426, 160A-446, 160A-429
North Carolina Code Officials Enabling Act: 160A-412**

Condition of structure is determined as: **Deteriorated**
Dilapidated XXX

After an investigation promoted by a complaint, several issues with your property must be addressed. As the legal owner, you have ten (10) days to call the City of Lenoir Housing Inspector to establish a hearing date and location that must be held within the specified timeframe.

The following code violations have been determined: If further inspection is required, additional violations may be added.

G.S. 160A-428

That the building or structure is in a condition that appears to meet one or more of the following conditions:

- A. Constitutes a fire or safety hazard.**
- B. Is dangerous to life, health, or other property.**
- C. Is likely to cause or contribute to blight, disease, vagrancy, or danger to children.**
- D. Has a tendency to attract person(s) intent on criminal activities or other activities which would constitute a public nuisance.**

The property listed above is in violation of City of Lenoir Minimum Housing Standards. The structure is currently unsecure and is a safety hazard. Due to the excessive structural deterioration and the health/safety hazard it presents, the dwelling is being classified as dilapidated. This property must be brought into compliance with the City of Lenoir Minimum Housing Standards or demolished and removed from the property. Please contact me to schedule a time for an onsite hearing to discuss what actions will need to take place to abate the current minimum housing violations.

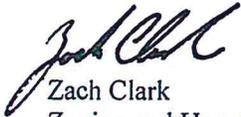
Stage of the investigation

Initial Investigation XXX

Final Determination

Abatement of these violations must occur within a specified period of time, not to exceed 60 days. Failure to comply will result in actions including, but not limited to, civil penalties, posting, and city abatement. All questions about the violation or procedures to abate them will be addressed at the hearing.

Sincerely,



Zach Clark
Zoning and Housing Inspector
City of Lenoir Planning Department
(828) 757-2212



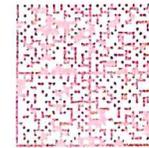
CITY OF LENOIR
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LENOIR, N. C. 28645-0958

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Christopher S Becker
Monique Becker
20 Daniel St.
Granite Fall

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Postage	\$

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Street and Apt. No.

City, State, ZIP+4

Christopher S Becker
Monique Becker
20 Daniel St.
Granite Falls, NC 28630

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<ul style="list-style-type: none"> ■ Complete Items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X</p>														
<p>1. Article Addressed to:</p> <p style="text-align: center;">Christopher S Becker Monique Becker 20 Daniel St. Granite Falls, NC 28630</p>	<p>B. Received by (Printed Name) C. Date of Delivery</p>														
<p style="text-align: center;">  9590 9403 0440 5163 4072 61 </p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>														
<p>2. Article Number (Transfer from service label)</p> <p style="text-align: center;">7015 1520 0000 1311 1585</p>	<p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input checked="" type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Mail Restricted Delivery</td> <td></td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Mail Restricted Delivery	
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<p>PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p>															

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City, State, ZIP+4	Granite Falls, NC 28630
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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

October 6, 2015

Christopher S Becker
Monique Becker
20 Daniel St.
Granite Falls, NC 28630

Certified Mail: 7015 0640 0007 2312 5397

**MINIMUM HOUSING VIOLATION
AND ORDER TO ABATE**

TO: **Christopher S Becker & Monique Becker**, owner(s) of property located at **538 Willow St. (PIN: 2749585812)** in the City of Lenoir, North Carolina.

**Unsafe Buildings: General Statute 160A-426, 160A-446, 160A-429
North Carolina Code Officials Enabling Act: 160A-412**

Condition of structure is determined as: **Deteriorated** _____
Dilapidated XXX

The following code violations have been determined: If further inspection is required, additional violations may be added.

G.S. 160A-428

That the building or structure is in a condition that appears to meet one or more of the following conditions:

- A. Constitutes a fire or safety hazard.**
- B. Is dangerous to life, health, or other property.**
- C. Is likely to cause or contribute to blight, disease, vagrancy, or danger to children.**
- D. Has a tendency to attract person(s) intent on criminal activities or other activities which would constitute a public nuisance.**

This is the final determination for the property listed above. Owner failed to contact the housing inspector as instructed in the initial letter. This property is in violation of the City of Lenoir Minimum Housing Standards. The structure is currently unsecure and is a safety hazard. Due to the amount of structural

damage this dwelling is classified as dilapidated. In order to abate the minimum housing violations and the health/safety hazards, the dwelling must be demolished and removed from the property. Abatement of these violations must occur in a specified amount of time, not to exceed 30 days.

Failure to abate the violations by, Monday November 9, 2015 will result in actions including, but not limited to, civil penalties, postings, and city abatement. If you have any questions concerning the violations or the abatement process please contact me.

Section 1-15 Civil and Criminal Penalties

(c) Violation of any provision of this Code not corrected as provided in [this letter] shall subject the offender to a civil penalty in the amount of \$50.00 to \$500.00, in accordance with the citation schedule in subsection (e), to be recovered by the city in a civil action in the nature of debt if the offender does not pay the penalty within a period of 72 hours after being cited. The citation shall be in writing, signed by the authorized person issuing the citation, and shall be delivered in person or by mail to the offender.

(e) Civil Penalties Schedule

Violation of any provision of this ordinance shall subject the offender to civil penalties in the following amounts, as applicable. All Civil Penalties must be paid within 72 hours of receipt by the offender.

First Penalty	Second Penalty	Third Penalty	Fourth Penalty	Fifth Penalty	Sixth Penalty	Seventh Penalty	Eighth Penalty	Ninth Penalty	Tenth Penalty
\$50.00	\$50.00	\$50.00	\$100.00	\$100.00	\$100.00	\$250.00	\$250.00	\$250.00	\$250.00

* If violations continue to exist past the tenth penalty, subsequent penalties shall be \$500.00 each.

(f) Unless otherwise specifically provided in this Code and authorized by state law, no single offense (as described in subsection (d), above) may be punished by a fine or civil penalty in excess of \$500.00.

Stage of the investigation

Initial Investigation

Final Determination XXX

Abatement of these violations must occur within a specified period of time, not to exceed 30 days. Failure to comply will result in actions including, but not limited to, civil penalties, posting, and city abatement. All questions about the violation or procedures to abate them will be addressed at the hearing.

Sincerely,



Zach Clark
Zoning and Housing Inspector
City of Lenoir Planning Department
(828) 757-2212



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>	<p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Address</p> <p>B. Received by (Printed Name) C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p style="text-align: center;">Christopher S Becker Monique Becker 20 Daniel St. Granite Falls, NC 28630</p>  <p style="text-align: center;">9590 9403 0440 5163 4010 54</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>2. Article Number (Transfer from service label)</p> <p style="text-align: center;">7015 0640 0007 2312 5397</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p style="text-align: center;">Mail Mail Restricted Delivery 30</p>

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<p>Postage \$ _____</p> <p>Total Postage \$ _____</p> <p>Sent To Christopher S Becker Monique Becker 20 Daniel St. Granite Falls, NC 28630</p>	

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CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

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C. D. THOMAS
B. K. WILLIS

January 27, 2016

Christopher S Becker
Monique Becker
20 Daniel St.
Granite Falls, NC 28630

Certified Mail: 7015 1520 0000 1313 0128

**RE: Minimum Housing Determination
538 Willow St Lenoir, NC 28645
NCPIN: 2749585812**

Mr. and Mrs. Becker

This letter is to inform you that you have failed to comply with an order from the housing inspector to abate minimum housing violations at 538 Willow St. The initial minimum housing letter was mailed July 22nd, 2015. The City was never contacted and the housing violations were never abated. At this time the City will be submitting an ordinance to City Council for the abatement of the housing violations by demolishing the dwelling at 538 Willow St.

Upon failure of the owner of the dilapidated dwelling to comply with an order of the inspector within the time specified therein, the inspector may submit to the City Council an ordinance ordering the inspector to cause such dwelling to be removed or demolished, as provided in the original order of the inspector. The amount of the cost of vacating and closing, or removal or demolition caused to be made or done by the inspector shall be a lien against the real property upon which such cost was incurred. Such lien shall be filed, have the same priority, and be enforced and the costs collected as the lien for special assessment.

This letter is to inform you that the housing inspector has submitted an ordinance to City Council, as described above. The City Council will consider this ordinance for adoption at the February 2, 2016 City Council Meeting, held in the County Chambers at 905 West Ave in Lenoir. Upon

Sincerely,

Zach Clark
Zoning and Housing Inspector
City of Lenoir Planning Department
(828)757-2212



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<input type="checkbox"/> Adult Signature Required	\$ _____
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1-27-14

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Total Postage

\$ _____ Christopher S Becker

Sent To _____ Monique Becker

Street and Ap. _____ 20 Daniel St

City, State, Z. _____ Granite Falls, NC 28630











CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item:
Mulberry Center Park Addition Proposed Improvements:
Apply for a Parks and Recreation Trust Fund Grant
with the City to budget at max \$100,000 over a 3 year Grant Cycle as
our match:

II. Background Information:
The Optimist Club property was deeded to the City of Lenoir. The appraised value plus a City of Lenoir contribution can be used as our match towards improvements and development of Recreational programs.

Appraised Value of Property	\$227,200
City of Lenoir contribution	<u>\$100,000</u>
PARTF Match	\$327,200
Total Funds available to spend on project	<u>\$427,200</u>

III. Staff Recommendation:
Staff recommends the City to Apply for a PARTF grant to assist in the development of the Optimist Park. This will follow with our Master Plan in providing recreational opportunities to our citizens at cents on the dollar.

IV. Reviewed by:

City Attorney:

Finance Director:

Public Works/Public Utilities Director:

Planning Director:

Recreation Director: Rob Winkler



Lenoir Police Department

1035 West Avenue NW
Lenoir, North Carolina 28645
(828) 757-2121 • Fax (828) 757-2103



Council Action Form

I. Agenda Item:

Call for a public hearing on Tuesday, February 16 to amend the Charter Code to reflect a wording change in the Lenoir City Ordinance to indicate that the 300 block of Church Street from Ashe Avenue to Kirkwood Street is a two-way street with no on-street parking allowed.

(Ref: Parking Project Synopsis by MPO Ruppard on 12/30/2015)

II. Background Information:

A complaint was made about parking on both sides of the road, hindering traffic flow. In reviewing the current ordinance, it states that this section of Church Street is a one-way street; however, there are no signs marking it as such and as a result, traffic has moved in a two-way pattern for years. Only 2 traffic crashes have occurred in this area in the past 5 years, both of which occurred in the parking lot of First United Methodist Church. In speaking with the Hospice Director, if the Council decides to enforce one-way traffic, the State of NC can revoke the license of the facility for not having easy access for emergency vehicles. Based on these concerns and the fact that this section can be safely utilized as a two-way street, we recommend no change in traffic flow, but to change the wording in the ordinance to indicate that it is a two-way street with no parking allowed. Three additional no parking signs have been added for a total of 8. Door hangers were left at each apartment at Nelsons explaining the concerns, as well as the staff at First United Methodist Church were asked to make similar announcements to their congregation.

III. Staff Recommendation:

IV. Reviewed by:

City Attorney: _____	Date: _____
Assistant City Manager: _____	Date: _____
Police Chief: <u></u>	Date: <u>January 26, 2016</u>



Lenoir Police Department

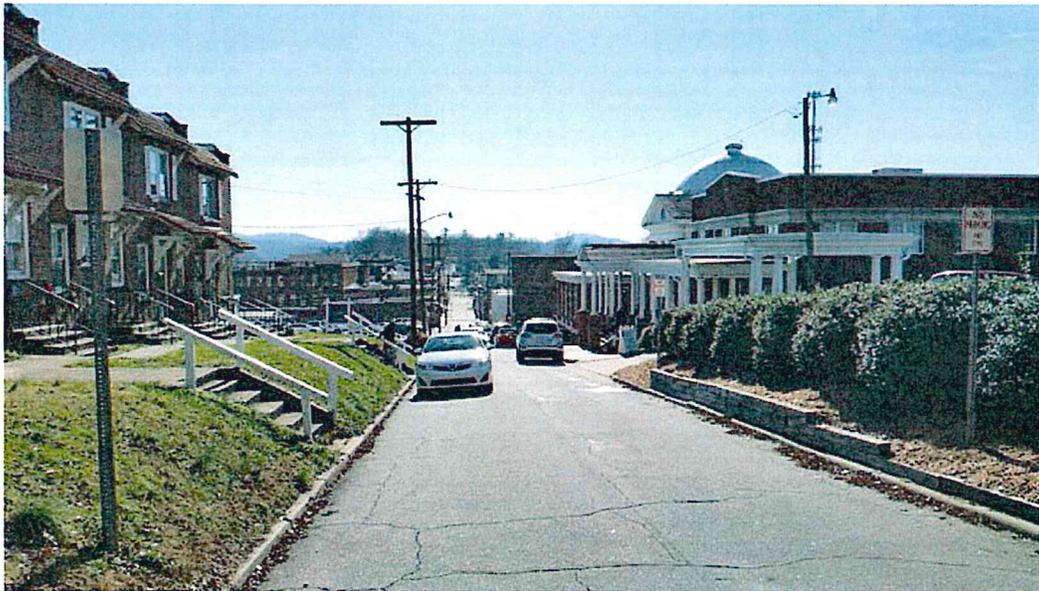
1035 West Avenue NW
Lenoir, North Carolina 28645
(828) 757-2121 • Fax (828) 757-2103



Community Services Platoon

Parking Project

LOCATION	PURPOSE	ORIGIN	DATE COMPLETED
Church Street/ Kirkwood to Ashe Avenue	Two Way Traffic	MPO Marshall Ruppard	12/30/2015



View of Church Street from Kirkwood to Ashe Avenue

PARKING PROJECT COMPLETED BY:

MPO Marshall Ruppard
Lenoir Police Department
Parking Enforcement Officer
828-757-2100



View of No Parking Signs on Church Street

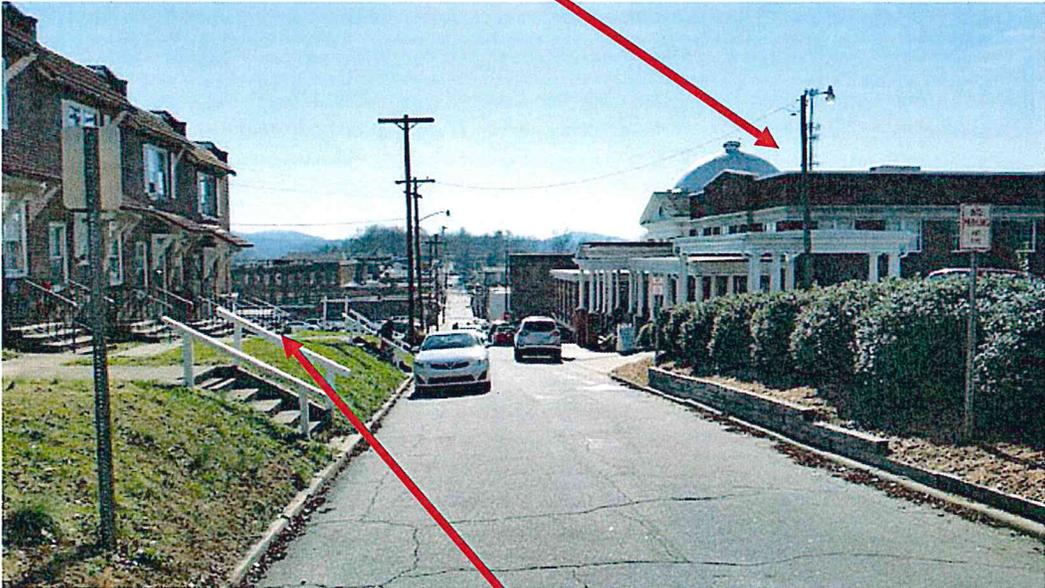
INTRODUCTION

The Lenoir Police Department's Parking Enforcement Officer conducted a study of traffic flow issues on Church Street from Ashe Avenue to Kirkwood Street. As viewed from the above photo, Church Street is posted as "No Parking Anytime" and is also listed in Lenoir City Ordinance as such. The complaint from area businesses is in regards to vehicles being parked on the street in both directions and blocking traffic flow, especially emergency vehicles responding to Hospice. As I began to study and research Lenoir City Ordinance, I discovered that Church Street is listed as a One-Way Street. However, there are no erected signs advising motorists of this pattern and as a result, traffic has moved in a 2-way pattern for years. This project is to evaluate the section of Church Street from Kirkwood Street to Ashe Avenue to determine if the continuance of 2-way traffic is safe.

LOCATION / DESCRIPTION

The 300 Block of Church Street is primarily traveled by business and residential traffic. Shown below in the listed photo is the First United Methodist Church on the right and the Nelson Apartment building on the left. The two buildings shown in the photo below are the only buildings on this section of Church Street.

First United Methodist Church



Nelson Apartment Complex

Notice how the traffic flow is blocked by vehicles being parked on both sides of the road.

EVALUATION

The information gathered during this study indicates that Church Street has been used as a two – way traffic pattern for numerous years, even though Lenoir City Ordinance has the entire street listed as a one – way street. The traffic complaint originated from vehicles being parked on the street when the street is clearly posted no parking at any time and hindering vehicles from using the roadway safely. As it pertains to vehicles being parked on the street, three (3) additional No Parking signs have been added totaling the number of signs to eight (8) to further inform motorists of the ordinance violation. In regards to accidents or other traffic complaints for this section of Church Street, only two traffic accidents have been reported in the last five (5) years and both occurred in the parking lot area of the First United Methodist Church. I have also made contact in person with office personnel at First United Methodist Church informing them of the issue at hand, and I was informed that the information would be announced throughout the entire church. I have also left door hangers at each apartment at the Nelson Apartment complex explaining the issue.



TRAFFIC SAFETY ISSUE

The traffic safety concern is primarily for pedestrians and emergency vehicles responding to Caldwell County Hospice. If the determination to leave Church Street a one – way street as Lenoir City Ordinance lists currently, it would result in emergency vehicles (Fire and EMS) travelling from Ashe Avenue and make a right turn onto Boundary Street, an additional right turn onto Kirkwood Street, and a 90 degree left turn into the entrance of Hospice. The entrance to Hospice is at the intersection of Church Street and Kirkwood Street. After speaking with Hospice Director, Cathy Swanson, I was informed that if Council decides to not to change the traffic pattern to a two – way street, the State of North Carolina can revoke the license of the facility for not having easy access for emergency vehicles.

Kirkwood Street



By entering from the street shown in the photo above, emergency vehicles would have to make a 90 degree turn between the brick pillars and would not be able to execute the turn safely.

CONCLUSION

Based on the information obtained as a result of this study the Lenoir Police Department offers the following conclusion:

The Lenoir Police Department concludes that the section of Church Street between Kirkwood Street and Ashe Avenue can be safely be utilized as two-way traffic. Based on the concerns of Hospice Staff, we recommend that Council approve the necessary changes to city ordinance to reflect the same.



Lenoir Police Department

1035 West Avenue NW
Lenoir, North Carolina 28645
(828) 757-2121 • Fax (828) 757-2103



Council Action Form

I. Agenda Item:

Call for a public hearing on Tuesday, February 16 to amend the Charter Code to reflect wording in Appendix B – Traffic (1) Sec. 101 of the Lenoir City Ordinance to indicate that on-street parking be allowed on Church Street between Ashe Avenue and West Avenue.

(Ref: Parking Project Synopsis by MPO Ruppard on 1/6/2016)

II. Background Information:

The current ordinance states that parking is prohibited the entire length of Church street at all times; however, parking spaces are clearly marked and currently being used to accommodate downtown businesses and their patrons in the 200 block of Church Street. Church Street from Ashe Avenue travelling south to West Avenue is a one-way street with 8 parking spaces. No complaints or traffic crashes were reported in the last 5 years. Recommend no change in traffic flow, but to change the wording in the ordinance to indicate that on-street parking be allowed for this section of Church Street.

III. Staff Recommendation:

IV. Reviewed by:

City Attorney: _____	Date: _____
Assistant City Manager: _____	Date: _____
Police Chief: <u></u>	Date: <u>January 26, 2016</u>



Lenoir Police Department

1035 West Avenue NW
Lenoir, North Carolina 28645
(828) 757-2121 • Fax (828) 757-2103



Community Services Platoon

Parking Project

LOCATION	PURPOSE	ORIGIN	DATE COMPLETED
Church Street/ Ashe Avenue To West Avenue	Parking On Street	MPO Marshall Ruppard	01/06/2016



PARKING PROJECT COMPLETED BY:

MPO Marshall Ruppard
Lenoir Police Department
Parking Enforcement Officer
828-757-2100

INTRODUCTION

During a recent traffic project of Church Street, MPO Marshall Ruppard discovered that wording in the Lenoir City Ordinance was different from the actual signage and utilization of the 200 block of Church Street. The section of Church Street is from Ashe Avenue to West Avenue, as the view in the photo below indicates. Appendix B – Traffic (1) Sec. 101 of Lenoir City Ordinance lists the entire length of Church Street as parking prohibited at all times, and as shown in the below photo, parking spaces are clearly marked. This project is to change the wording of Lenoir City Ordinance allowing parking on Church Street between Ashe Avenue and West Avenue.



View of Church Street traveling South towards West Avenue

LOCATION / DESCRIPTION

Church Street from Ashe Avenue travelling south to West Avenue is a one – way street and is utilized by businesses on the street and downtown visitors. Currently the street has 8 parking spaces on this section of roadway, however Lenoir City Ordinance list the roadway as parking prohibited.



View of parking spaces on Church Street

EVALUATION

The information gathered during this study indicates that Church Street between Ashe Avenue and West Avenue is being used with on - street parking. During this study I researched complaints and traffic accidents for this section of Church Street, but no incidents were listed in the last five years.

TRAFFIC SAFETY ISSUE

There is no traffic or safety issue pertaining to this traffic study.

CONCLUSION

Based on the information obtained as a result of this study the Lenoir Police Department offers the following conclusion:

The Lenoir Police Department concludes that the section of Church Street between Ashe Avenue that travels south toward West Avenue continue to be used with on - street parking to better accommodate downtown businesses and their patrons. Furthermore this study concludes that no changes to be made to the traffic flow pattern, but only to change the wording in Lenoir City Ordinance to indicate that on – street parking be allowed for this section of Church Street.



February 2016



Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2 6:00 p.m. City Council	3	4 3:00 p.m. Lenoir Tourism Development Authority (City Hall, Third Floor)	5	6
7	8 11:45 a.m. City/County Services Committee	9 5:30 p.m. ABC Board 6:00 p.m. Lenoir Business Adv. Board	10 9:00 Staff Meeting	11 1:15 p.m. Sister Cities Committee	12	13
14	15 11:30 a.m. City/County Coordinating Com. 6:00 p.m. Parks & Recreation Adv. Board	16 EDC Luncheon-noon 6:00 p.m. City Council	17	18	19	20
21	22 5:30 p.m. Planning Board	23 8:30 a.m. Committee of the Whole	24 Noon - Foothills Regional Airport Authority	25	26	27
28	29					
<p>Notes for March</p> <p>Daylight savings time begins on Sunday, March 13th. City offices will be closed on Friday, March 25 in observance of Good Friday.</p>						

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