

# AGENDA



**CITY OF LENOIR  
CITY COUNCIL MEETING  
905 WEST AVENUE  
TUESDAY, JANUARY 3, 2012  
6:00 P.M.**



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## **I. CALL TO ORDER**

- A. Invocation: Councilmember Perry.

## **II. MATTERS SCHEDULED FOR PUBLIC HEARINGS**

## **III. CONSENT AGENDA ITEMS**

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, December 6, 2011.
- B. Re-Affirm Minutes: Staff request that City Council re-affirm the October 27, 2011 Committee of the Whole Minutes to include the closed session that was held during this meeting.
- C. Minutes: Approval of minutes from the Special City Council Meeting of Friday, December 16, 2011.
- D. FY2011-2012 Audit Contract: Staff recommends approval of the FY2011-2012 Audit Contract in the amount of \$28,500 as submitted by S. Eric Bowman, PA.
- E. Budget Amendment; Transload Facility: Staff recommends approval of a budget amendment in the amount of \$50,000 for the lease payout of the Transload Facility.

## **IV. REQUESTS AND PETITIONS OF CITIZENS**

- A. Lee Carol Giduz, Executive Director of the Caldwell Arts Council, will present information regarding the September sculpture event.

## **V. REPORTS OF BOARDS AND COMMISSION**

## **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 and events.
  - 2. The City/County Services Committee will meet on Monday, January 9 at 11:45 a.m.
  - 3. The Lenoir Parks & Recreation Advisory Board will meet on Monday, January 9 at 6:00 p.m.

4. The Caldwell County Economic Development Commission will meet on Tuesday, January 10 at 8:00 a.m. at the EDC offices.
5. The Lenoir Business Advisory Board will meet on Tuesday, January 10 at 6:00 p.m.
6. The Sister Cities Committee will meet on Wednesday, January 11 at 11:00 a.m., Third Floor, City Hall.
7. City Council will conduct a Strategic Planning Retreat on Friday, January 13 beginning at 8:30 a.m. at the Caldwell County Library, Room 7.
8. Curbside Christmas Tree pickup and Curbside Leaf pickup ends on Friday, January 13.
9. City offices will be closed on Monday, January 16 in observance of the Martin Luther King, Jr. holiday.
10. The City/County Coordinating Committee meeting is tentatively scheduled for Tuesday, January 17 at 11:30 a.m. at City Hall, Third Floor, former Council Chambers.

**B. Items for Council Action**

1. Grant Application; Fire Department: The Fire Department request permission to accept the FEMA Assistance to Firefighters Grant (AFG) for Source Capturing Diesel Exhaust Systems in the amount of \$86,002 for both Fire Station Facilities. The City's 5% match to the grant was budgeted in the FY2011-2012 operating budget.
2. Orders of Abatement; 514 Arlington Circle & 721 Hillcrest Street: City Staff requests that the City Council adopt Orders of Abatement directing Staff to abate the public nuisances on the properties of 514 Arlington Circle and 721 Hillcrest Street, including removal of uninhabited structures. The owners of the dwellings located at 514 Arlington Circle and 721 Hillcrest Street were requested to demolish and remove the dilapidated homes on the properties by August 19, 2011, and December 31, 2011, respectively, but have failed to do so. Copies of the files regarding these issues were distributed to City Council.

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

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

- A. Board Appointments: Mayor Gibbons will present recommendations for various Boards/Committees for Council's consideration.

**IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS**

**X. ADJOURNMENT**

# AGENDA



CITY OF LENOIR  
CITY COUNCIL MEETING  
905 WEST AVENUE  
TUESDAY, JANUARY 17, 2012  
6:00 P.M.



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## I. CALL TO ORDER

- A. Invocation: Councilmember Perdue.

## 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.**

## III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, January 3, 2012.

## 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 City Council will conduct an Orientation Session/Tour of City Facilities on Friday, January 20.
  2. The Lenoir Planning Board will meet on Monday, January 23 at 5:30 p.m., Third Floor, City Hall.
  3. The Committee of the Whole will meet on Tuesday, January 24 at 8:30 a.m., Third Floor, City Hall.
  4. The Foothills Regional Airport Authority will meet on Wednesday, January 25 at noon.

B. Items for Council Action

1. Grant Application; NC Recreational Trails Program: City Staff recommends support of a grant application for up to \$47,100 in funding from the North Carolina Recreational Trails Program to be used for extending the City's Greenway System.

**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  
905 WEST AVENUE  
TUESDAY, FEBRUARY 7, 2012  
6:00 P.M.**



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## **I. CALL TO ORDER**

- A. Invocation: Mayor Gibbons.
- B. Special Recognition: Former Past President of the North Carolina League of Municipalities & Brevard City Councilman Rodney Locks will present copies of the *Encyclopedia of North Carolina Black Elected Municipal Officials* to former Lenoir City Councilmembers Inez Jones, Larkin Horton, Jr. and to the family of Claude Erwin (deceased.) This encyclopedia was published by the North Carolina Black Elected Municipal Officials (NCBEMO) to commemorate their thirtieth anniversary.
- C. Special Recognition; City of Lenoir: Dr. Steve Stone, Superintendent, Caldwell County School System, will present a plaque and certificate of achievement to the City of Lenoir in recognition for the N.C. Rehabilitation Association Employer of the Year Award.

## **II. MATTERS SCHEDULED FOR PUBLIC HEARINGS**

## **III. CONSENT AGENDA ITEMS**

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, January 17, 2012.
- B. Minutes: Approval of minutes from the Strategic Planning Retreat of Friday, January 13, 2012.
- C. Minutes: Approval of minutes from the Committee of the Whole Meeting of Tuesday, January 24, 2012.
- D. Proclamation; Spay Day 2012: Approval of a proclamation proclaiming February 22 as "Spay Day 2012" throughout the City of Lenoir and Caldwell County.

## **IV. REQUESTS AND PETITIONS OF CITIZENS**

## **V. REPORTS OF BOARDS AND COMMISSION**

- A. Planning Board: The Planning Board met on Monday, January 23. Phyllis Huffstetler, Chairperson, will present a report of the meeting. The Board scheduled public hearings to be held on Tuesday, February 21 for the following items:
  - 1. Rezoning request, submitted by Jim Yamin, on behalf of Workforce Homestead, Inc., for property located at 938 Seehorn Street NE. The applicant seeks

rezoning from B-6 Business and R-15 Residential to R-12 Residential.

2. Conditional Use Permit, submitted by Jim Yamin, on behalf of Workorce Homestead, Inc., for property located at 938 Seehorn Street NE. The applicant seeks a Conditional Use Permit for a 64-unit multi-family housing development.
3. Rezoning Request, submitted by Staff, seeking to rezone 161 parcels in the downtown area. The Lenoir Planning Board recommends approval to expand the Central Business, Limited Business, and Office/Institutional zoning districts to several City blocks adjacent to the downtown core.
4. Special Use District, submitted by Jennifer Townsend and Anquinett Burnett, for property located at 502 Hospital Avenue NW. The applicants seek a Special Use Permit to operate a transitional home.

## **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 and events.
2. The Sister Cities Committee will meet on Wednesday, February 8 at 4:00 p.m., Third Floor, City Hall.
3. The City/County Services Committee will meet on Monday, January 13 at 11:45 a.m.
4. The Caldwell County Economic Development Commission will meet on Tuesday, February 14 at 8:00 a.m. at the J.E. Broyhill Civic Center.
5. The Lenoir Business Advisory Board will meet on Tuesday, February 14 at 6:00 p.m., Third Floor, City Hall.
6. The City/County Coordinating Committee will meet on Monday, February 20 at 11:30 a.m. at the City/County Chambers.
7. The Lenoir ABC Board will meet on Tuesday, February 21 at 5:30 p.m. at the Lenoir Store #1.

### **B. Items for Council Action**

1. Bylaws; Lenoir Business Advisory Board: Staff recommends approval of the proposed Lenoir Business Advisory Board Bylaws as submitted by the members of the LBAB.

## **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, (3), City Council will enter into closed session on Tuesday, February 7 to discuss potential litigation.

**X. ADJOURNMENT**

# AGENDA



**CITY OF LENOIR  
CITY COUNCIL MEETING  
905 WEST AVENUE  
TUESDAY, MARCH 6, 2012  
6:00 P.M.**



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## I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition; Lenoir Police Department: Interim Police Chief Scott Brown recommends that City Council approve the awarding of the Medal of Valor and Life Saving Medal to Patrol Officer Taylor Lee Johnson for her heroic efforts in saving the lives of three family members during a house fire on January 20, 2012 while she was on patrol. Note: The Medal of Valor is an award that is granted for an act of heroism within the performance of normal duties when placed in imminent threat of death or serious injury to personal self or others. The Life Saving Medal is awarded for an act above and beyond the call of duty that results in the saving of another human life.
- C. Special Recognition; Lenoir Police Department: Police Captain Tom Deighton will present Police Corporal Greg Snider with retiring K-9 Officer Doc's police badge.
- D. Proclamation; Girl Scouts Centennial: Approval of a proclamation in honor of the 100<sup>th</sup> Anniversary of the Girl Scouts of America. Mayor Gibbons will present the proclamation to Susan Pritchard, Caldwell County Service Unit Manager, Cathy McCoy, Caldwell County Service Unit Secretary & Media Coordinator, and several members of the Girl Scouts troop.
- E. Resolution; Pop Ferguson Blues Festival: Approval of a resolution in honor of the fourth annual Pop Ferguson Blues Festival to be held on Friday, June 8 & Saturday, June 9. Mayor Gibbons will present the proclamation to Clyde "Pops" Ferguson.

## II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. Rezoning request; 938 Seehorn Street: A public hearing will be held to consider a rezoning request submitted by Jim Yamin, on behalf of Workforce Homestead, Inc., for property located at 938 Seehorn Street NE. The applicant seeks rezoning from B-6 Business and R-15 Residential to R-12 Residential.
- B. Conditional Use Permit; 938 Seehorn Street: A public hearing will be held to consider a conditional use permit, submitted by Jim Yamin, on behalf of Workforce Homestead, Inc., for property located at at 938 Seehorn Street NE. The applicant seeks a conditional use permit for a 64-unit multi-housing development.

- C. Rezoning Request; Downtown Area: A public hearing will be held to consider a rezoning request submitted by Staff to rezone 161 parcels in the downtown area. The Lenoir Planning Board recommends approval to expand the Central Business, Limited Business, and Office Institutional zoning districts to several City blocks adjacent to the downtown core.
- D. Special Use District; 502 Hospital Avenue NW: A public hearing will be held to consider a special use district, submitted by Jennifer Townsend and Anquinett Burnett, for property located at 502 Hospital Avenue NW. The applicants seek a special use permit to operate a transitional home.

### III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, February 7, 2012.
- B. Bid Award; Fairview Drive Utility Relocation Project: Bids were received on January 26, 2012 for the Fairview Drive Utility Relocation Project. Staff recommends approval of the low bid of \$280,875 to Max Prestwood Water & Sewer, Inc.
- C. Cost Estimates; Expansion of Streetscape Project: Staff recommends approval of two cost estimates submitted by Mountain Crest LLC in the amount of \$33,138 for the extension of the Harper Avenue Streetscape Project beginning at the US Post Office up West Avenue to Main Street and ending at the Veterans Memorial Plaza. **Note:** If a Capital Project Ordinance is needed for this project, Staff will present one for Council approval at a later date.
- D. Easement Agreement; City of Lenoir and Caldwell County Arts Council: Staff recommends approval of a Temporary Easement Agreement between the City of Lenoir and the Caldwell County Arts Council for the purpose of the erection of a sculpture work of art commissioned by Thomas Sayre (the Sayre Sculpture.)
- E. Bid Award; Air Cleaning Systems: Staff recommends approval of the bid proposal of Air Cleaning Systems (Plymovent) in the amount of \$90,527 to purchase the Source Capturing Diesel Exhaust Systems for both Fire Station Facilities through the FEMA Assistance to Firefighters Grant (AFG) the Department was awarded.

### IV. REQUESTS AND PETITIONS OF CITIZENS

### V. REPORTS OF BOARDS AND COMMISSION

- A. Planning Board: The Planning Board met on Monday, February 27. Phyllis Huffstetler, Chairperson, will present a report of the meeting. The Board scheduled public hearings for the following two items to be held on Tuesday, March 20:
  - 1. Rezoning Request submitted by Larry Tuttle, on behalf of Damian Keyes, for property located at 2007 Valway Road. The applicant seeks rezoning from Heavy Industrial to Rural Residential (I-2 to RR) in order to construct a single family dwelling.

2. Zoning Ordinance Amendment, submitted by Staff to amend Section 1108 of the Lenoir Zoning Ordinance to permit a single banner or flag per business in the City's commercial zones.

## **VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER**

### **A. Items of Information**

1. March Calendar: The calendar for the month of March will be submitted to Council with various meetings and events.
2. The City/County Services Committee will meet on Monday, March 12 at 11:45 a.m.
3. The Caldwell County Economic Development Commission will meet on Tuesday, March 13 at 8:00 a.m.
4. The Lenoir Business Advisory Board will meet on Tuesday, March 13 at 6:00 p.m., Third Floor, City Hall.
5. The Sister Cities Committee will meet on Wednesday, March 14 at 4:00 p.m., Third Floor, City Hall.
6. The City/County Coordinating Committee will meet on Monday, March 19 at 11:30 a.m., Third Floor, City Hall.
7. A dedication ceremony for the new raw water intake project will be held on Friday, March 23 beginning at noon at the George L. Bernhardt, Sr., Water Treatment Plant.

### **B. Items for Council Action**

1. Utility Agreement; NCDOT: City Staff recommends approval of a Utility Agreement between the City of Lenoir and NCDOT for Project U-2111B, Highway Improvements to SR 1001 (Hibriten Drive) from US 321-A (Norwood Street) to SR1712 (Starcross Road) East of US 321 in Lenoir.

## **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, (3), (5), City Council will enter into closed session on Tuesday, March 6 to discuss a potential litigation and a property acquisition.

## **X. ADJOURNMENT**

**REVISED**

**MEMO**

**CITY OF LENOIR  
CITY COUNCIL MEETING  
TUESDAY, MARCH 6, 2012**

**III. Consent Agenda Items**

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, February 7, 2012.
- B. Bid Award; Fairview Drive Utility Relocation Project: Bids were received on January 26, 2012 for the Fairview Drive Utility Relocation Project. Staff recommends the low bid of \$280,875 to Max Prestwood Water & Sewer, Inc.
- C. Cost Estimates; Expansion of Streetscape Project: Staff recommends approval of two cost estimates submitted by Mountain Crest LLC in the amount of \$33,138 for the extension of the Harper Avenue Streetscape Project beginning at the US Post Office up West Avenue to Main Street and ending at the Veterans Memorial Plaza. **Note:** If a Capital Project Ordinance is needed for this project, Staff will present one for Council approval at a later date.
- D. Easement Agreement; City of Lenoir and Caldwell County Arts Council: Staff recommends approval of a Temporary Easement Agreement between the City of Lenoir and the Caldwell County Arts Council for the purpose of the erection of a sculpture work of art commissioned by Thomas Sayre (the Sayre Sculpture.)
- E. Bid Award; Air Cleaning Systems: Staff recommends approval of the bid proposal of Air Cleaning Systems (Plymovent) in the amount of \$90,527 to purchase the Source Capturing Diesel Exhaust Systems for both Fire Station Facilities through the FEMA Assistance to Firefighters Grant (AFG) the Department was awarded.
- F. Special Recognition; Lenoir Police Department: Interim Police Chief Scott Brown recommends that City Council approve the awarding of the Medal of Valor and Life Saving Medal to Patrol Officer Taylor Lee Johnson for her heroic efforts in saving the lives of three family members during a house fire on January 20, 2012 while she was on patrol. Note: The Medal of Valor is an award that is granted for an act of heroism within the performance of normal duties when placed in imminent threat of death or serious injury to personal self or others. The Life Saving Medal is awarded for an act above and beyond the call of duty that results in the saving of another human life.
- G. Special Recognition; Lenoir Police Department: Approval of a request submitted by Police Captain Tom Deighton to present Police Corporal Greg Snider with retiring K-9 Officer Doc's police badge.
- H. Proclamation; Girl Scouts Centennial: Approval of a proclamation in honor of the 100<sup>th</sup> Anniversary of the Girl Scouts of America. Mayor Gibbons will present the proclamation to Susan Pritchard, Caldwell County Service Unit

Manager, Cathy McCoy, Caldwell County Service Unit Secretary & Media Coordinator, and several members of the Girl Scouts troop.

- I. Resolution; Pop Ferguson Blues Festival: Approval of a resolution in honor of the fourth annual Pop Ferguson Blues Festival to be held on Friday, June 8 & Saturday, June 9. Mayor Gibbons will present the proclamation to Clyde “Pops” Ferguson.

# AGENDA



**CITY OF LENOIR  
CITY COUNCIL MEETING  
905 WEST AVENUE  
TUESDAY, MARCH 20, 2012  
6:00 P.M.**



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## **I. CALL TO ORDER**

- A. Moment of Silence & Pledge of Allegiance
- B. 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**

- A. Speed Limit Reduction; Prospect Street: A public hearing will be held to consider reducing the speed limit on Prospect Street from 35 mph to 25 mph. The City’s Charter Code of Ordinances, Traffic Section 115, Twenty-Five Mile per Hour Speed Limit on the Following Streets will be amended to include Prospect Street following approval.
- B. 2 Hour Parking Limit; Mulberry Street: A public hearing will be held to consider changing that portion of Mulberry Street from College Avenue to Pennton Avenue to a 2-hour parking zone. This zone will be included in the Downtown parking Enforcement Area and will be patrolled by the Downtown Parking Enforcement Officer.
- C. Rezoning Request; 2007 Valway Road: A public hearing will be held to consider a rezoning request submitted by Larry Tuttle, on behalf of Damian Keyes, for property located at 2007 Valway Road. The applicant seeks rezoning from Heavy Industrial to Rural Residential (I-2 to R-R) in order to construct a single family dwelling.
- D. Zoning Ordinance Amendment; Section 1109 of the Lenoir Zoning Ordinance: A public hearing will be held to consider amending Section 1109 of the Lenoir Zoning Ordinance to permit a single banner or flag per business in the City’s commercial zones.

## **III. CONSENT AGENDA ITEMS**

- A. Minutes: Approval of minutes from the FY2012-2013 Budget Work Session of Friday, February 24, 2012.
- B. Minutes: Approval of minutes from the Committee of the Whole Meeting of Tuesday, February 28, 2012.

- 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.

#### **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 FY2012 Unifour Consortium’s Consolidated Plan and the FY2012 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. A dedication ceremony for the newly completely raw water intake at the George L. Bernhardt, Sr. Water Treatment Plant is scheduled for Friday, March 23 beginning at 11:30 a.m.
2. The Lenoir Planning Board will meet on Monday, March 26 at 5:30 p.m.
3. The Committee of the Whole will meet on Tuesday, March 27 at 8:30 a.m., Third Floor, City Hall.
4. The Foothills Regional Airport Authority will meet on Wednesday, March 28 at noon.
5. City offices will be closed on Monday, April 6 in observance of Good Friday.

##### **B. Items for Council Action**

1. Bid Award; Sculpture Park: City Staff recommends that City Council award the low bid of \$44,275 to Mountain Crest, LLC for the Sculpture Park Project.

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

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

- A. Board Appointment: Mayor Gibbons will recommend that Joel Kincaid be re-appointed to serve a two-year term on the Lenoir Parks & Recreation Advisory Board.

#### **IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS**

#### **X. ADJOURNMENT**

# AGENDA



CITY OF LENOIR  
CITY COUNCIL MEETING  
905 WEST AVENUE  
TUESDAY, APRIL 3, 2012  
6:00 P.M.



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## I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition: Mayor Gibbons will present a Proclamation in honor of Peace Officers' Memorial Week to Interim Police Chief Scott Brown and other fellow Police Officers.

## II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. Amendment; Charter Code of Ordinances, Chapter 3, Article 3, 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 3, Section 3-2, Livestock and Fowl within the 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 away from any adjoining residences. Note:** A public hearing was held on Tuesday, January 17, 2012 for consideration of this request. The public hearing will be re-opened to receive additional information and comments regarding the proposed amendment.
- B. Amendments, Charter Code of Ordinances, Chapter 3, Article III, Establishing Regulations for High-Volume Dog Breeders: A public hearing will be held to consider amending the Charter Code of Ordinances, Chapter 3 by establishing Article III, Regulations for High-Volume Dog Breeders.

## III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, March 6, 2012.
- B. Proclamation; Peace Officer's Memorial Week: Approval of a proclamation proclaiming May 15, 2012 as Peace Officers Day throughout the City of Lenoir.

## IV. REQUESTS AND PETITIONS OF CITIZENS

- A. Sharon Osborne, Executive Director of Yokefellow, Charlie Frye, and Father Mike Cogsdale, St. James Episcopal Church, will be presenting a report on the Homeless Shelter.

## **V. REPORTS OF BOARDS AND COMMISSION**

- A. Planning Board: The Planning Board met on Monday, March 26. Phyllis Huffstetler, Chairperson, will present a report of the meeting. The Board scheduled a public hearing on Tuesday, April 17 for the following item:
1. Zoning Ordinance Amendment, submitted by Staff to amend Appendix A, Zoning, Sections 400, 600, 810.2, 812.2, and 814.2 to establish definitions for High Volume Dog Breeders and High Volume Dog Retailers, and permit them in the General Business, Limited Business, and Heavy Industrial Zoning Districts where commercial kennels are currently permitted.

## **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. The Lenoir Tourism Development Authority will meet on Thursday, April 5 at 3:00 p.m., Third Floor, City Hall.
3. City offices will be closed on Friday, April 6 in observance of Good Friday.
4. The City/County Services Committee will meet on Monday, April 9 at 11:45 a.m.
5. The Caldwell Arts Council is hosting a reception for Thomas Sayre on Monday, April 9 at 6:00 p.m. at the City/County Chambers, 905 West Avenue.
6. The Caldwell County Economic Development Commission will meet on Tuesday, April 10 at 8:00 a.m.
7. The Lenoir Business Advisory Board will meet on Tuesday, April 10, at 6:00 p.m., Third Floor, City Hall.
8. The North Carolina League of Municipalities Legislative Meeting is scheduled for Wednesday, April 11 from 11:30 a.m. – 1:00 p.m. at the Blowing Rock Art & History Museum, 152 Chestnut Street, Blowing Rock, NC.
9. The Sister Cities Committee will meet on Wednesday, April 11 at 4:00 p.m., Third Floor, City Hall.
10. The NCDOT's Annual Litter Sweep Campaign begins on Saturday, April 14 through Saturday, April 28. Citizens are encouraged to participate.
11. The City/County Coordinating Committee will meet on Monday, April 16 at 11:30 a.m. in the City/County Chambers.
12. The Lenoir Parks & Recreation Advisory Board will meet on Monday, April 16 at 6:00 p.m.
13. The Sanitation Division's annual Spring Trash Bash begins Monday, April 16 through Friday, April 20. Please refer to the City's website at [cityoflenoir.com](http://cityoflenoir.com) for items that cannot be picked up or call 757-2173 for additional information.
14. The Lenoir ABC Board will meet on Tuesday, April 17 at 5:30 p.m. at Store #1 in Lenoir.

**B. Items for Council Action**

1. Bid Award; Boundary Street Parking Lot Project: Bids were received on Thursday, March 29 for the Boundary Street Parking Lot (former Kimbrells parking lot.) City Staff recommends that Council award the low bid of \$34,045.00 to Precision Contracting Company. The bid includes \$20,416 for curb & gutter plus miscellaneous concrete and \$13,629 for landscaping for a total bid of \$34,045.00.

**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 on Tuesday, April 3 to discuss potential litigation.

**X. ADJOURNMENT**

# AGENDA



CITY OF LENOIR  
CITY COUNCIL MEETING  
905 WEST AVENUE  
TUESDAY, APRIL 17, 2012  
6:00 P.M.



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## 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, submitted by Staff to amend Appendix A, Zoning, Sections 400, 600, 810.2, 812.2, and 814.2 to establish definitions for High Volume Dog Breeders and High Volume Dog Retailers, and permit them in the General Business, Limited Business, and Heavy Industrial Zoning Districts where commercial kennels are currently permitted. **NOTE: This public hearing has been postponed until the next City Council Meeting scheduled for Tuesday, May 1 at 6:00 p.m.**

## III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, March 20, 2012.
- B. Minutes: Approval of minutes from the City Council Meeting of Tuesday, April 3, 2012.
- C. Minutes: Approval of minutes from the Committee of the Whole Meeting of Tuesday, March 27, 2012.

## 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 second of two public meetings to receive public comments regarding the proposed FY2012 Unifour Consortium's Consolidated Plan and the FY2012 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 Planning Board has moved their meeting to Monday, April 30 at 5:30 p.m.

2. The Committee of the Whole will meet on Tuesday, April 24 at 8:30 a.m., Third Floor, City Hall.
3. The Foothills Regional Airport Authority will meet on Wednesday, April 25 at noon.
4. A Committee Appreciation & Community Update Luncheon for Authorities/Boards/Commission members is scheduled for Thursday, April 26 at 11:30 a.m. at the J.E. Broyhill Civic Center.
5. The NCDOT's Annual Litter Sweep Campaign ends on Saturday, April 28.
6. A 61<sup>st</sup> National Day of Prayer event is scheduled for Thursday, May 3 from 12:00 to 12:30 p.m. at the downtown plaza.
7. A Mayor's Prayer Breakfast is scheduled for Thursday, May 3 at First United Methodist Church beginning at 7:30 a.m. The guest speaker is Scott Satterfield. Tickets are \$10.00 and may be purchased at City Hall.

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  
801 WEST AVENUE  
LENOIR, NC  
TUESDAY, MAY 1, 2012  
6:00 P.M.**



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## I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition
  - 1. Mayor Gibbons will present a Proclamation to Police Chief Scott Brown and Traffic Enforcement Officer Marshall Ruppard proclaiming the month of May as “*Motorcycle Safety & Awareness Month.*”
  - 2. Mayor Gibbons will present a Proclamation to Parks & Recreation Director Rob Winkler and Events & Marketing Coordinator Zack Carter proclaiming the month of May as “*National Bike Month*” and further proclaiming Friday, May 18 as “*National Bike to Work Day.*”

## II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

## III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, April 17, 2012.
- B. Proclamation; Motorcycle Safety Awareness Month: Staff recommends approval of a Proclamation proclaiming the month of May as “*Motorcycle Safety and Awareness Month*” throughout the City of Lenoir.
- C. Proclamation; National Bike Month: Staff recommends approval of a Proclamation proclaiming the month of May as “*National Bike Month*” and further proclaiming Friday, May 18 as “*National Bike to Work Day*” throughout the City of Lenoir. **Note:** Parks & Recreation Director Rob Winkler, Events & Marketing Coordinator Zack Carter, along with Dr. Randall Bast, and Jeff Welch, Luna Cycles will provide additional information regarding this event and National Bike to Work Day.

## IV. REQUESTS AND PETITIONS OF CITIZENS

- 1. Mr. Lucas Bruch has requested to address City Council regarding the ban on burning yard waste and the City’s policy of picking up garbage and brush.

## V. REPORTS OF BOARDS AND COMMISSION

- A. Planning Board: The Planning Board's meeting for Monday, April 30 has been cancelled. The next meeting will be held on Monday, May 21 at 5:30 p.m.

## **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 listing various meetings and events.
2. A 61<sup>st</sup> National Day of Prayer event is scheduled for Thursday, May 3 from Noon to 12:30 p.m. at the downtown plaza.
3. A Mayor's Prayer Breakfast is scheduled for Thursday, May 3 at First United Methodist Church beginning at 7:30 a.m. The guest speaker is Scott Satterfield, Assistant Head Coach, Appalachian State University. Tickets are \$10.00 and may be purchased at City Hall.
4. A Garden Party is scheduled at Unity Park on Saturday, May 5 from 10:00 a.m. – Noon.
5. A Cruise-In Event is scheduled for Saturday, May 5 from 4:00 p.m. – 9:00 p.m. in the downtown area.
6. The Caldwell County Economic Development Commission will meet on Tuesday, May 8 at 8:00 a.m.
7. The Lenoir ABC Board will meet on Tuesday, May 8 at 5:30 p.m. at Lenoir Store #1.
8. The Lenoir Business Advisory Board will meet on Tuesday, May 8 at 6:00 p.m., Third Floor, City Hall.
8. The Sister Cities Committee will meet on Wednesday, May 9 at 4:00 p.m., Third Floor, City Hall.
9. City Council will conduct an FY2012-2013 Budget Workshop on Thursday, May 10 at 6:00 p.m., Third Floor, City Hall. Note: A second Budget Workshop is scheduled for Monday, May 14 at 6:00 p.m.
10. The City/County Services Committee will meet on Tuesday, May 14 at 11:45 a.m.

### **B. Items for Council Action**

1. FY2012-2013 Recommended Budget: City Manager Bailey will present the recommended FY2012-2013 Annual Budget to City Council and recommends that Council call for a public hearing to be held on Tuesday, June 5 for consideration of the proposed Annual Budget.

## **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 on Tuesday, May 1 to discuss potential litigation and a property acquisition.

**X. ADJOURNMENT**

# AGENDA



**CITY OF LENOIR  
CITY COUNCIL MEETING  
905 WEST AVENUE  
TUESDAY, MAY 15, 2012  
6:00 P.M.**



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## I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Oath of Office: The Honorable Superior Court Judge Beverly Beal will administer the oath of office to Chief of Police Scott Brown.
- C. Proclamation; National Public Works Week: Mayor Gibbons will present a proclamation to Charles Beck, Public Works Director, proclaiming the week of May 20 – May 26 as “National Public Works Week” throughout the City of Lenoir.

## II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. Amendment, Charter Code of Ordinances, Chapter 3, Article III, Establishing Regulations for High-Volume Dog Breeders: A public hearing will be held to consider amending the Charter Code of Ordinances, Chapter 3 by establishing Article III, Regulations for High-Volume Dog Breeders. This amendment would establish regulations for high-volume dog breeders and retailers. Note: City Council adopted an ordinance on April 3 but is conducting a second public hearing to receive additional public comments.
- B. Zoning Ordinance Amendment: A public hearing will be held to consider a Zoning Ordinance Amendment, submitted by Staff to amend Appendix A, Zoning, Sections 400, 600, 810.2, 812.2, and 814.2 of the Lenoir Code of Ordinances to establish definitions for High-Volume Dog Breeders and High-Volume Dog Retailers, and permit them in the General Business, Limited Business, and Heavy Industrial Zoning Districts where commercial kennels are currently permitted.
- C. Traffic Calming Device & Speed Limit Recommendation; H. Lewis Price Street: A public hearing will be held to consider recommendations submitted by the Lenoir Police Department for consideration of the following traffic improvements to H. Lewis Price Street: 1) establish a travel lane by painting two white lines (fog lines) the length of the street; 2) reduce the current speed limit from 20 mph to 15 mph; 3) install a composite speed bump; and 4) install a new “One Way” and “No Left Turn” sign at the corner of 626 Harper Avenue along with new speed limit signs. Following approval, the Charter Code of Ordinances, Appendix B-Traffic, Section 121, Fifteen mile per hour speed limit on the following streets will be amended to include H. Lewis Price Street.

### **III. CONSENT AGENDA ITEMS**

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, May 1, 2012.
- B. Minutes: Approval of minutes from the Committee of the Whole Meeting of Tuesday, April 24, 2012.
- C. Proclamation; National Public Works Week: Staff recommends approval of a proclamation proclaiming the week of May 20 – May 26 as “National Public Works Week” throughout the City of Lenoir.

### **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 annual Festival in the Park event is scheduled for Saturday, May 19 from noon until 5:00 p.m. at Mulberry Recreation Center.
- 2. The City/County Coordinating Committee will meet on Monday, May 21 at 11:30 a.m. at the City/County Chambers.
- 3. The Lenoir Planning Board will meet on Monday, May 21 at 5:30 p.m.
- 4. The Committee of the Whole will meet on Tuesday, May 22 at 8:30 a.m., Third Floor, City Hall.
- 5. The City Council Business Growth Committee will meet on Tuesday, May 22 at 2:00 p.m., Second Floor, City Hall.
- 6. The annual Public Works Breakfast is scheduled for Wednesday, May 23 at 7:30 a.m. at Sweet T's in celebration of National Public Works Week.
- 7. A U. S. Department of Transportation Investment Generating Economic Recovery (T.I.G.E.R.) grant meeting is scheduled for Wednesday, May 23 beginning at 11:30 a.m. at the J.E. Broyhill Civic Center, Room 215, to discuss the purpose of developing plans to apply for funding for the construction of a victory trail that will include the counties of Burke, Caldwell and Wilkes.
- 8. City offices will be closed on Monday, May 28 in observance of Memorial Day.
- 9. American Legion Post #29 will hold a Memorial Day Service on the Square on Monday, May 28 from 9:30 a.m. until 10:30 a.m.
- 10. The Foothills Regional Airport Authority will meet on Wednesday, May 30 at noon.
- 11. Parks & Recreation is sponsoring a Friday after Five event on Friday, June 1 from 7:00 – 10:00 p.m. on the square. The band Soul Watt will be performing and the event is free to the public.

**B. Items for Council Action**

1. Award of Asbestos Removal & Housing Demolition Bids: Staff solicited informal bids for asbestos removal and demolition of five (5) residential structures that were previously ordered by City Council to be demolished. Staff recommends that City Council award asbestos abatement and demolition contracts with the low bidders on an item-by-item basis as noted in the bid tabulation for a total cost of \$18,233.00.

**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 on Tuesday, May 15 to discuss potential litigation,

**X. ADJOURNMENT**

# AGENDA



**CITY OF LENOIR  
CITY COUNCIL MEETING  
905 WEST AVENUE  
TUESDAY, JUNE 5, 2012  
6:00 P.M.**



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## **I. CALL TO ORDER**

- A. Moment of Silence & Pledge of Allegiance

## **II. MATTERS SCHEDULED FOR PUBLIC HEARINGS**

- A. FY2012-2013 Annual Budget: A public hearing will be held to receive public comments regarding the annual budget for the fiscal year beginning July 1, 2012 through June 30, 2013 for the City of Lenoir.

## **III. CONSENT AGENDA ITEMS**

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, May 15, 2012.
- B. Minutes: Approval of minutes from the City Council Budget Workshop of Monday, May 14, 2012.
- C. Minutes: Approval of minutes from the Committee of the Whole Meeting of Tuesday, May 22, 2012.
- D. FY2012-2013 Annual Privilege License Fee Schedule: Approval of the FY2012-2013 Annual Privilege License Fee Schedule for the City of Lenoir as submitted.

## **IV. REQUESTS AND PETITIONS OF CITIZENS**

## **V. REPORTS OF BOARDS AND COMMISSION**

- A. Planning Board: The Lenoir Planning Board met on Monday, May 21 and scheduled a public hearing to be held on Tuesday, June 19 for the following item:
  - 1. Floodplain Development Permit, as submitted by the Louis Berger Group, Inc. on behalf of the City of Lenoir, for the replacement of the bridge on Fairview Drive SW. The existing two-span bridge with its support piling in Lower Creek will be removed and replaced with a single-span bridge that does not impede stream flow.

## **VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER**

A. Items of Information

1. Town Hall Day is scheduled for Wednesday, June 6 at the Quorum Center in Raleigh.
2. A Rules of Procedure Workshop sponsored by the Western Carolina University will be held on Thursday, June 7 from 1:00 – 4:30 p.m. at the WPCOG offices.
3. The Pops Ferguson Blues Festival will be held on Friday, June 8 beginning at 4:00 p.m. on the square and will continue on Saturday, June 9 beginning at noon on the square.
4. The City/County Services Committee will meet on Monday, June 11 at 11:45 a.m.
5. The Caldwell County Economic Development Board will meet on Tuesday, June 12 at 8:00 a.m.
6. The Lenoir Business Advisory Board will meet on Tuesday, June 12 at 6:00 p.m.
7. The Sister Cities Committee will meet on Wednesday, June 13 at 11:00 a.m., Third Floor, City Hall.
8. The Lenoir ABC Board will meet on Thursday, June 14 at 5:30 p.m. at the Lenoir Store #1.
9. Friday after Five is scheduled for Friday, June 15 with the band “Band of Brothers” performing on the square from 7-10:00 p.m.
10. The City/County Coordinating Committee will meet on Monday, June 18 at 11:30 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**

**X. ADJOURNMENT**

# AGENDA



**CITY OF LENOIR  
CITY COUNCIL MEETING  
905 WEST AVENUE  
TUESDAY, JUNE 19, 2012  
6:00 P.M.**



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## **I. CALL TO ORDER**

- A. Moment of Silence & Pledge of Allegiance

## **II. MATTERS SCHEDULED FOR PUBLIC HEARINGS**

- A. Floodplain Development Permit; Fairview Drive Bridge: A public hearing will be held to consider a Floodplain Development Permit, as submitted by the Louis Berger Group, Inc. on behalf of the City of Lenoir, for the replacement of the bridge on Fairview Drive SW. The existing two-span bridge with its support piling in Lower Creek will be removed and replaced with a single-span bridge that does not impede stream flow.

## **III. CONSENT AGENDA ITEMS**

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, June 5, 2012.
- B. Asphalt Bid Award: Approval of the low bid of Mid-State Contractors, Inc. in the amount of \$82.80 per ton for the FY2012-2013 Asphalt Contract for the City of Lenoir. The bid includes an escalator clause based on the current price of liquid asphalt at \$627.00 plus tax. The price per ton for asphalt put in place could be more or less than \$82.80 depending on the price of liquid asphalt at the time of paving.
- C. Project Budget Ordinance; Fairview Drive Bridge: Approval of a Project Budget Ordinance in the amount of \$1,092,300 for the construction of the Fairview Drive Bridge.

## **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 Sister Cities Committee has changed their meeting to Wednesday, June 20 at 4:00 p.m. on third floor of City Hall.
  - 2. Friday after Five is scheduled for Friday, June 22 from 7-10:00 p.m. with the band "The Logic" playing on the square. The "Folsom Prison Gang" will

- perform on Friday, June 29.
3. Fabulous Film Night is scheduled for Saturday, June 23 with the movie “Tin Tin” being shown on the square at dark.
  4. The Planning Board will meet on Monday, June 25 at 5:30 p.m.
  5. The Committee of the Whole will meet on Tuesday, June 26 at 8:30 a.m., Third Floor, City Hall.
  6. The Foothills Regional Airport Authority will meet on Wednesday, June 27 at noon.
  7. City offices will be closed on Wednesday, July 4 in observance of Independence Day.
  8. The July 3 City Council Meeting was cancelled due to the holiday week. The next meeting is scheduled for Tuesday, July 17 at 6:00 p.m. **Note:** The Committee of the Whole will also not meet in July.

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 HALL  
801 WEST AVENUE  
TUESDAY, JULY 17, 2012  
6:00 P.M.



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## I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Recognition of Nicholas Burress, Boy Scout Troop 254
- C. Recognition of Police Sergeant Tracy Daryl Cornett, who returned from active duty for the 455<sup>th</sup> Expeditionary Mission Support Group and served as First Sergeant at Bagram Air Base, Afghanistan.

## II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

## III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, June 19, 2012.
- B. Minutes: Approval of minutes from the Committee of the Whole Meeting of Tuesday, June 26, 2012.
- C. Amendment; FY2012-2013 Privilege License Fee Schedule: Staff recommends approval of amending the wording of Internet Cafes to **Electronic Gaming Machines (Intranet and Internet Sweepstakes.)** The current fees will apply.
- D. Capital Project Budget Ordinance; 2012 Unifour Consortium HOME Program: Staff recommends approval of the 2012 Capital Project Budget Ordinance for the Unifour Consortium HOME Program in the amount of \$974,401.
- E. Capital Project Budget Ordinance; 2012 Community Development Block Grant Program: Staff recommends approval of the Capital Project Budget Ordinance for the 2012 Community Development Block Grant (CDBG) Program in the amount of \$147,527 as submitted.
- F. Resolution; Alcoholic Beverage Control Commission: Staff recommends approval of a resolution authorizing the Chief of Police to make recommendations concerning the suitability of persons or locations for ABC Permits.

## 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. Friday after Five is scheduled for Friday, July 20 with the band “Flying Saucers” playing on the square from 7:00 – 10:00 p.m. The band “Deacon Black” will perform on July 27.
2. A presentation at the Beall Street Community Gardens is scheduled for Saturday, July 21 at 9:00 a.m.
3. The Lenoir Planning Board will meet on Monday, July 23 at 5:30 p.m.
4. The Committee of the Whole meeting for July has been cancelled. The next meeting will be held on Tuesday, August 28 at 8:30 a.m., Third Floor, City Hall.
5. The Foothills Regional Airport Authority will meet at noon on Wednesday, July 25.
6. Fabulous Film Night is scheduled for Saturday, July 28 with the movie “The Muppets” being shown at dark on the square.
7. The annual Harambee Festival will be held from Saturday, August 4 through Friday, August 10 with various events being held at the Martin Luther King, Jr. Center.

B. Items for Council Action

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

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

- A. Board Appointments: Mayor Gibbons will recommend the following Board Appointments to City Council: John Bumgarner, Student Representative on the Parks & Recreation Advisory Board along with Jimmy Griffith and Deborah Murray on the Sister Cities Board.

**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 on Tuesday, July 17 to discuss economic incentives.

**X. ADJOURNMENT**

# AGENDA



CITY OF LENOIR  
CITY COUNCIL MEETING  
CITY/COUNTY CHAMBERS  
905 WEST AVENUE  
TUESDAY, AUGUST 7, 2012  
6:00 P.M.



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## 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 III, Establishing Regulations for High-Volume Dog Breeders: A second public hearing was held on Tuesday, May 15 and tabled until Tuesday, August 7 to further consider amending the Charter Code of Ordinances, Chapter 3 by establishing Article III, Regulations for High-Volume Dog Breeders. This amendment would establish regulations for high-volume dog breeders and retailers. **Note:** City Council adopted an ordinance on April 3 but tabled this item until August 7 in order to allow a committee that was established to present a revised ordinance.

**Staff Recommendation:** Staff recommends City Council schedule a public hearing on Tuesday, August 21, 2012 to discuss amendments to Chapter 3, Article III of the Lenoir Code of Ordinances.

## III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, July 17, 2012.

## IV. REQUESTS AND PETITIONS OF CITIZENS

- A. Ms. Debbie Mitchell, Director of Landscape & Garden Program, Caldwell Community College, has requested to address City Council regarding the efforts of the City and the Community Gardens and also to promote educational opportunities for those interested in learning more about gardening and landscaping.

## V. REPORTS OF BOARDS AND COMMISSION

## 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. The Lenoir Business Advisory Board will meet on Monday, August 6 at 6:00 p.m., Third Floor, City Hall.
3. The Sister Cities Committee will meet on Wednesday, August 8 at 4:00 p.m., Third Floor, City Hall.
4. Friday after Five is scheduled on Friday, August 10 with the band “Throw Down Jones” playing on the square from 7:00 p.m. – 10:00 p.m. The band “Sanctum Sully” will perform on Friday, August 17.
5. Fabulous Film Night is scheduled for Saturday, August 11 with the movie “Kung Fu Panda 2” being shown at dark on the square.
6. The City/County Services Committee will meet on Monday, August 13 at 11:45 a.m.
7. The Caldwell County Economic Development Commission will meet on Tuesday, August 14 at 8:00 a.m.
8. The ABC Board will meet on Tuesday, August 14 at 5:30 p.m. at Lenoir Store #1 located at 123 ABC Court.
9. The Lenoir Tourism Development Authority will meet on Thursday, August 16 at 4:00 p.m., Third Floor, City Hall.
10. The City/County Coordinating Committee will meet on Monday, August 20 at 11:30 a.m. at the City/County 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**

- A. Closed Session: Pursuant to N.C.G. S. §143-318.11, (3), City Council will enter into closed session on Tuesday, August 7 to discuss potential litigation.

## **X. ADJOURNMENT**

# AGENDA



**CITY OF LENOIR  
CITY COUNCIL MEETING  
CITY/COUNTY CHAMBERS  
905 WEST AVENUE  
TUESDAY, AUGUST 21, 2012  
6:00 P.M.**



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## **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 III, Establishing Regulations for High-Volume Dog & Cat Breeders: A public hearing will be held to consider a revised ordinance amending the Charter Code of Ordinances, Chapter 3 by establishing Article III, Regulations for High-Volume Dog and Cat Breeders.

## **III. CONSENT AGENDA ITEMS**

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, August 7, 2012.
- B. Bid Award; Smith Crossroads Improvement Project: Staff recommends that Council award the low bid of \$118,958.00 to Mountain Crest, LLC for the Smith Crossroads Improvement Project.
- C. FY2011-2012 Budget Amendment; Vehicle Fuel Contract: Staff recommends approval of an FY2011-2012 Budget Amendment in the amount of \$100,000 for the Vehicle Fuel Contract.
- D. Local Governmental Resolution; NC Highway Safety Program: Staff recommends approval of a Local Governmental Resolution to authorize Lt. Allen Lawrence to file an application contract on behalf of the City of Lenoir for federal funding in the amount of \$20,000. The grant does not require a City match.
- E. Resolution; Powell Road Greenway Sewer Replacement Project: Staff recommends approval of a resolution to authorize an application for state loan/grant assistance for the Powell Road Greenway Sewer Replacement Project.
- F. Resolution; Gunpowder Creek Wastewater Treatment Plant: Staff recommends approval of a resolution to authorize an application for state loan/grant assistance for improvements to the Gunpowder Creek Wastewater Treatment Plant.
- G. Water Tank Maintenance Contract; Southern Corrosion, Inc.: Staff recommends approval of a one-year Water Tank Maintenance Contract with Southern Corrosion, Inc. located in Roanoke Rapids, NC in the amount of \$61,796.

## **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. Friday after Five is scheduled for Friday, August 24 with the band “Hot Gritz” playing on the square from 7:00 – 10:00 p.m. and again on Friday, August 31 with the band “Mercury Rising” performing on the square.
2. Fabulous Film Night is scheduled on Saturday, August 25 with the movie “Dolphin Tale” being shown at dark on the square.
3. The Planning Board will meet on Monday, August 27 at 5:30 p.m.
4. The Committee of the Whole will meet on Tuesday, August 28 at 8:30 a.m., Third Floor, City Hall.
5. The Foothills Regional Airport Authority will meet on Wednesday, August 29 at noon.
6. City offices will be closed on Monday, September in observance of Labor Day.
7. A Cruise-In will be held on Saturday, September 1 beginning at 4:00 p.m. in the downtown area.

### **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, (3), City Council will enter into closed session on Tuesday, August 21 to discuss potential litigation.

## **X. ADJOURNMENT**

# AGENDA



**CITY OF LENOIR  
CITY COUNCIL MEETING  
CITY/COUNTY CHAMBERS  
905 WEST AVENUE  
TUESDAY, SEPTEMBER 4, 2012  
6:00 P.M.**



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## **I. CALL TO ORDER**

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition: Mayor Gibbons will recognize Daniela Berry for her contribution in the establishment of the Whitnel Elementary School Wrap Around Program Garden and Plant a Row for the Hungry Program as well as her volunteerism at the Beall Street Community Gardens & Unity Park and Community Gardens.

## **II. MATTERS SCHEDULED FOR PUBLIC HEARINGS**

## **III. CONSENT AGENDA ITEMS**

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, August 21, 2012.

## **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. September Calendar: The calendar for the month of September will be submitted to Council with various meetings and events.
  - 2. A Dedication Ceremony for the Thomas Sayre Sculpture is scheduled for Friday, September 7 at 3:00 p.m.
  - 3. The annual Sculpture Celebration is scheduled for Saturday, September 8 at 10:00 a.m. at the J.E. Broyhill Walking Park.
  - 4. Fabulous Film Night is scheduled for Saturday, September 8 with the movie "Happy Feet 2" being shown at dark on the square.
  - 5. The City/County Services Committee will meet on Monday, September 10 at 11:45 a.m.
  - 6. The Caldwell County Economic Development Commission will meet on Tuesday, September 11 at 8:00 a.m.
  - 7. The ABC Board will meet on Tuesday, September 11 at 5:30 p.m. at Lenoir Store #1 located at 123 ABC Court.
  - 8. The Lenoir Business Advisory Board will meet on Tuesday, September 11 at 6:00 p.m.

9. A Community Walk Through is scheduled for Wednesday, September 12 at 10:00 a.m. The group will tour Spainhour Street.
10. The Sister Cities Committee will meet on Wednesday, September 12 at 4:00 p.m. on third floor of City Hall.
11. The Lenoir Tourism Development Authority will meet on Thursday, September 13 at 4:00 p.m. on third floor of City Hall.
12. An Employee Celebration Event is scheduled for Thursday, September 13 from 4:00 – 8:00 p.m. at the Community Gardens for all those that volunteered at the Community Gardens.
13. A formal Dedication Ceremony is scheduled on Friday, September 14 at 4:00 p.m. for Unity Park & the Community Gardens located at 1419 College Avenue. The public is invited to attend.
14. The NCDOT Annual Fall Litter Sweep Campaign beings on Saturday, September 15 and ends on Saturday, September 29.
15. The Sanitation Division's Annual Fall Trash Bash Week begins Monday, September 17 through Friday, September 21. Additional information is available on the City's website at cityoflenoir.com.
16. The annual Bridge to Bridge Bike Race will be held on Sunday, September 16 beginning at 8:00 a.m.
17. The City/County Coordinating Committee will meet on Monday, September 17 at 11:30 a.m. on third floor of City Hall.
18. The Lenoir Planning Board will meet on Monday, September 17 at 5:30 p.m. Please note date change.
19. The Parks & Recreation Advisory Board will meet on Monday, September 17 at 6:00 p.m.

**B. Items for Council Action**

1. Resolution; Authorizing Condemnation to Acquire Certain Property: Staff recommends approval of a resolution Authorizing Condemnation to Acquire Certain Property located at 222 Holloway Place, Deed Book 1425, Page 356 and 223 Holloway Place, Deed Book 1528, page 1710.
2. Speed Limit Reduction; Finley Avenue: Staff recommends that City Council call for a public hearing to be held on Tuesday, September 18 to consider reducing the current speed limit of 35 mph on Finley Avenue to 25 mph. Staff further recommends the current school zone speed of 20 mph remain unchanged to continue to allow for the safety of the students.

**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, (4), City Council will enter into closed session on Tuesday, September 4 to discuss economic development.

**X. ADJOURNMENT**

# AGENDA



**CITY OF LENOIR  
CITY COUNCIL MEETING  
CITY/COUNTY CHAMBERS  
905 WEST AVENUE  
TUESDAY, SEPTEMBER 18, 2012  
6:00 P.M.**



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## **I. CALL TO ORDER**

- A. Moment of Silence & Pledge of Allegiance

## **II. MATTERS SCHEDULED FOR PUBLIC HEARINGS**

- A. Speed Limit Reduction; Finley Avenue: A public hearing will be held to consider reducing the current speed limit of 35 mph on Finley Avenue to 25 mph. Staff further recommends the current school zone speed of 20 mph remain unchanged to continue to allow for the safety of the students. The City's Charter Code of Ordinances, Traffic, Section 115, Twenty-Five Mile per Hour Speed Limit on the Following Streets, will be amended to include Finley Avenue following approval.

## **III. CONSENT AGENDA ITEMS**

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, September 4, 2012.
- B. Minutes: Approval of minutes from the Committee of the Whole Meeting of Tuesday, August 28, 2012.

## **IV. REQUESTS AND PETITIONS OF CITIZENS**

## **V. REPORTS OF BOARDS AND COMMISSION**

- A. Planning Board: The Lenoir Planning Board met on Monday, September 17. Phyllis Huffstetler, Chairperson, will present a report of the meeting.
  - 1. Rezoning Request, submitted by Larry Tuttle on behalf of Caldwell Freight Lines, Inc. for property located at Hickory Boulevard SW. The request seeks rezoning of approximately 16 acres containing the main office, warehouses, and truck garages for the former Caldwell Freight Lines trucking terminal.
  - 2. Expansion of the billboard exclusion. Zone. The City currently prohibits billboards along US321 between Smith's Crossroads and Nuway Circle, and along Harper Avenue between Smith's Crossroads and Ridge Street. The City Council's Corridors and Appearance Committee have recommended that the exclusion zone be extended.

## **VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER**

### **A. Items of Information**

1. The Sanitation Division's Annual Fall Trash Bash Week ends Friday, September 21. The public is encouraged to participate. Additional information is available on the City's website at [www.cityoflenoir.com](http://www.cityoflenoir.com).
2. Fabulous Film Night is scheduled for Saturday, September 22 with the movie "Lorax" being shown at dark on the square.
3. The first session of the City's Lenoir 101: Citizens Academy begins on Monday, September 24 beginning at 6:30 p.m. on third floor of City Hall.
4. The Committee of the Whole will meet on Tuesday, September 25 at 8:30 a.m. on third floor of City Hall.
5. The Foothills Regional Airport Authority will meet on Wednesday, September 26 at noon.
6. The NCDOT Annual Litter Sweep Campaign ends on Saturday, September 29.

### **B. Items for Council Action**

1. New Disposal Fee Coupon Rates: Staff recommends approval of the new Septic Hauler Service/Hauler Disposal Coupon Rate Schedule. Also, a report on the procedural changes will be presented.
2. Establishment of Reward Program: Staff recommends approval of the Establishment of a Reward Program for Information Identifying Violators of the City of Lenoir Sewer Use Ordinance Concerning Illegal Discharges or Dumping into the Sewer Collection/Treatment System and Staff will be working with Crime Stoppers to administer the program.

## **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, OCTOBER 2, 2012  
6:00 P.M.**



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## **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 Rezoning Request as submitted by Larry Tuttle on behalf of Caldwell Freight Lines, Inc. for property located at Hickory Boulevard SW to be rezoned from R-15 (Residential to B-2 General Business.) The request seeks rezoning of approximately 16 acres containing the main office, warehouses, and truck garages for the former Caldwell Freight Lines trucking terminal.

## **III. CONSENT AGENDA ITEMS**

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, September 18, 2012.
- B. Minutes: Approval of minutes from the joint City Council/ABC Board Meeting of Monday, September 17, 2012.
- C. Minutes: Approval of closed session minutes as reviewed by the City Attorney, City Council and City Manager.

## **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. October Calendar: The calendar for the month of October will be submitted to Council with various meetings and events.
  - 2. The Lenoir Police Department is hosting National Night Out on Tuesday, October 2 from 6:00 p.m. – 8:00 p.m.
  - 3. The Lenoir Tourism Development Authority will meet on Thursday, October 4 at 3:00 p.m. on third floor of City Hall.
  - 4. A Cruise-In Event is scheduled for Saturday, October 6 from 4:00 – 9:00 p.m. in the downtown area.
  - 5. The City/County Services Committee will meet on Monday, October 8 at 11:45

a.m.

6. The third session of Lenoir 101: Citizens Academy will be held on Monday, October 8 from 6:30 – 8:30 p.m. at Lenoir Fire Station No. 1.
7. The Caldwell County Economic Development Board will meet on Tuesday, October 9 at 8:00 a.m.
8. The ABC Board will meet on Tuesday, October 9 at 5:30 p.m. at Store No. 1 located at 123 ABC Court.
9. The Lenoir Business Advisory Board will meet on Tuesday, October 9 at 6:00 p.m. on third floor of City Hall.
10. The Sister Cities Committee meets on Wednesday, October 10 at 4:00 p.m.
11. Fabulous Film Night is scheduled for Saturday, October 13 with the movie “Journey 2: The Mysterious Island” being shown at dark.
12. The City/County Coordinating Committee meets on Monday, October 15 at 11:30 a.m. at the City/County Chambers.
13. Customer Service Training sessions will be held on Tuesday, October 16 from 9:00 a.m. – 11:00 a.m. & 4:00 p.m. – 6:00 p.m. at the Lenoir Police Department.

#### B. Items for Council Action

1. Voting Delegate; 2012 Annual N.C. League Business Meeting: City Council will appoint a voting delegate and an alternate delegate for the Annual North Carolina League of Municipalities Annual Business Meeting to be held on Tuesday, October 23, 2012. Note: Councilmembers Perry, Perdue, Gibbons, Price and Stilwell will be attending this conference.
2. Voting Delegate; 2012 Annual National League of Cities Business Meeting: City Council will appoint a voting delegate and an alternate voting for the 2012 Annual National League of Cities Annual Business Meeting to be held on Saturday, December 1, 2012. Note: Councilmembers Perry, Price and Rohr will be attending this conference.

### **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, (3), City Council will enter into closed session on Tuesday, October 2 to discuss pending litigation between Caldwell County, City of Lenoir and the Caldwell County Railroad.

### **X. ADJOURNMENT**

# AGENDA



**CITY OF LENOIR  
CITY COUNCIL MEETING  
CITY/COUNTY CHAMBERS  
905 WEST AVENUE  
TUESDAY, OCTOBER 16, 2012  
6:00 P.M.**



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## **I. CALL TO ORDER**

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition: 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 15 for a two week visit in our area. Hibriten High School Instructor Joe Korner will represent the group.

## **II. MATTERS SCHEDULED FOR PUBLIC HEARINGS**

## **III. CONSENT AGENDA ITEMS**

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, October 2, 2012.
- B. Minutes: Approval of minutes from the Committee of the Whole Meeting of Tuesday, September 25, 2012.
- C. FY2012-2013 Budget Amendment; Caldwell County Railroad & Sealed Air Corporation: Staff recommends approval of a Budget Amendment in the amount of \$74,694 to the Caldwell County Railroad for surcharge fees and \$13,375 for Sealed Air's Transportation cost according to the Caldwell Railroad Commission's budget. The total budget amendment is \$88,069.

## **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 North Carolina League of Municipalities Annual Conference will be held on October 21 through October 23 in Charlotte.
  - 2. The Lenoir Planning Board will meet on Monday, October 22 at 5:30 p.m.
  - 3. The Committee of the Whole will meet on Thursday, October 25 at 8:30 a.m. on third floor of City Hall. Please note date change.
  - 4. The annual Downtown Trick or Treat Event is scheduled for Friday, October 26 from 3:00 - 5:00 p.m. at participating downtown businesses.

5. The fifth session of Lenoir 101: Citizens Academy will be held on Saturday, October 27 from 9:30 a.m. – 11:30 a.m. at the Lake Rhodhiss Water Plant.  
Note: The final session of the Citizens Academy is scheduled for Monday, October 29 from 5-7:00 p.m. at City Hall, Third Floor. A graduation ceremony will be held at 7:00 p.m. with dinner to follow at Sweet T's for the participants.
6. The Foothills Regional Airport Authority will meet on Wednesday, October 31 at noon.
7. The City Council Meeting scheduled for Tuesday, November 6 at 6:00 p.m. will be held at City Hall, Third Floor, former Council Chambers due to Election Day.

**B. Items for Council Action**

1. Resolution; Conveyance of Property: City Staff recommends approval of a resolution authorizing the City of Lenoir to appropriate or convey property comprised of three adjoining tracts of land totaling 7,350 square feet and as described in Deed Book 1579, pages 793-795 and Deed Book 1656, pages 1100-1102, Caldwell County Registry, to Caldwell Memorial Hospital, a NC Non-Profit Corporation, for the purpose of constructing a medical facility.

**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 HALL, THIRD FLOOR  
801 WEST AVENUE  
TUESDAY, NOVEMBER 6, 2012  
6:00 P.M.**



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## **I. CALL TO ORDER**

- A. Moment of Silence & Pledge of Allegiance

## **II. MATTERS SCHEDULED FOR PUBLIC HEARINGS**

- A. Rezoning Request; 2437 Rose Drive SW: A public hearing will be held to consider a rezoning request submitted by Bank of Granite, for property located at 2437 Rosedale Drive SW. The owners have requested that approximately four (4) acres of land be rezoned from Heavy Industrial to Rural Residential (I-2 to R-R.)

## **III. CONSENT AGENDA ITEMS**

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, October 16, 2012.
- B. Minutes: Approval of minutes from the Committee of the Whole Meeting of Thursday, October 25, 2012.
- C. Minutes: Approval of closed session minutes of Tuesday, October 2, 2012.
- D. Resolution; Transitional Hold Harmless Provision: Approval of a resolution requesting the inclusion of an Extension of the Transitional Hold Harmless Provision in the 2013-14 Legislative Agenda of the NC League of Municipalities as recommended by the City of Lenoir.
- E. Addendum to Contract; Robinson Lumber Company, Inc.: Approval of an Addendum to Contract between the City of Lenoir, Caldwell County, Caldwell County Railroad and Robinson Lumber Company, Inc. for the purpose of Robinson Lumber maintaining a record of each railcar that enters and uses the transload facility.

## **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. November Calendar: The calendar for the month of November will be submitted to Council with various meetings and events.
  - 2. A Veterans Day Ceremony is scheduled for Sunday, November 11 at 3:00 p.m. at the Veterans Plaza downtown.

3. City offices will be closed on Monday, November 12 in observance of Veterans Day.
4. The City/County Services Committee will meet on Monday, November 12 at 11:45 a.m.
5. The Caldwell County Economic Development Commission will meet on Tuesday, November 13 at 8:00 a.m.
6. The Lenoir ABC Board will meet on Tuesday, November 13 at 5:30 p.m. at Store No. 1.
7. The Sister Cities Committee will meet on Wednesday, November 14 at 4:00 p.m.
8. The first annual Meleah Mikeal Half Marathon is scheduled for Saturday, November 17 beginning at 8:00 a.m. at the Aquatic & Fitness Center.
9. Fabulous Film Night is scheduled for Saturday, November 17 with the movie "Big Miracle" being shown at LHS Auditorium at 7:00 p.m.
10. The City/County Coordinating Committee meets on Monday, November 19 at 11:30 a.m. at City Hall, Third Floor.
11. The Lenoir Business Advisory Board will meet on Monday, November 19 at 6:00 p.m. Please note date change.

B. Items for Council Action

1. Economic Development Incentive Agreement; Caldwell Memorial: City Staff recommends that Council adopt an Economic Development Incentive Agreement between the City of Lenoir and Caldwell Memorial Hospital for the former Blackwelder Hospital property as described in Deed Book 1579, pages 793-795 and Deed Book 1656, pages 1100-1102 Caldwell County Registry, for the purpose of constructing a medical facility.
2. Appeal from Notice of Violation; 1008 Connelly Springs Road: The owners of property located at 1008 Connelly Springs Road have appealed the Code Enforcement Officer's Notice of Violation concerning the location of livestock (sheep) within the City limits. Chapter 3, Article 1, Section 3-2 requires that livestock be stabled no less than 300 feet from any residence, and pastured no less than 200 feet from any residence.
3. Authorization; Zacks Fork Creek Conservation Easement: City Staff recommends that City Council authorize the Lenoir Planning Director to execute plats, deeds and easements as delegated by the City Manager for the conservation easement along Zacks Fork Creek. Refer to Council Action Form for additional background information.

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

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

A. Board Appointment; Airport Authority: Mayor Gibbons currently serves as the City of Lenoir's representative on the Foothills Regional Airport Authority. His term expired October 2012.

**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 on Tuesday, November 6 to discuss economic development.

**X. ADJOURNMENT**

# AGENDA



**CITY OF LENOIR  
CITY COUNCIL MEETING  
CITY/COUNTY CHAMBERS  
905 WEST AVENUE  
TUESDAY, NOVEMBER 20, 2012  
6:00 P.M.**



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## **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, November 6, 2012.
- B. Minutes: Approval of minutes from the reconvened City Council Meeting of Wednesday, November 7, 2012.
- C. Resolution; Municipal Records Retention and Disposition Schedule: Approval of a resolution adopting the revised Municipal Records and Retention Schedule of September 2012 as recommended by the North Carolina Department of Cultural Resources.

## **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. City offices will be closed on Thursday, November 22 & Friday, November 23 in observance of the Thanksgiving holiday.
2. The Lenoir Planning Board will meet on Monday, November 26 at 5:30 p.m.
3. The Committee of the Whole will meet on Tuesday, November 27 at 8:30 a.m. on third floor of City Hall.
4. The Foothills Regional Airport Authority will meet on Wednesday, November 28 at noon.
5. The annual Christmas Parade is scheduled for Friday, November 30 at 6:30 p.m. in downtown Lenoir.

### **B. Items for Council Action**

1. Sign Ordinance Update; Corridors & Appearance Committee: Councilman Perdue will present a recommendation from the Committee for Council consideration.

2. FY2013 City Council Meeting Schedule: City Council will discuss their FY2013 Meeting Schedule.
3. Economic Development Incentive Agreement; Caldwell Memorial Hospital: City Council may call for a public hearing to be held on Tuesday, December 4 to consider an Economic Development Agreement between Caldwell Memorial and the City of Lenoir.
4. Economic Development Incentive Agreement; Woodgrain Millwork: City Council may call for a public hearing to be held on Tuesday, December 4 to consider an Economic Development Incentive Agreement between the City of Lenoir and Woodgrain Millwork.
5. Traffic Project; Diamondhead Drive: City Council will consider rescheduling a public hearing for Tuesday, December 4 to consider approval of posting the speed limit on Diamondhead Drive of 20 miles per hour and to further authorize City Staff to install No Parking signs on both sides of the street. The City's Charter Code of Ordinances, Traffic, Section 101, Parking prohibited at all times on the following streets and Traffic, Section 114, Twenty mile per hour speed limit on the following streets will both be amended to include Diamondhead Drive.
6. Contract Proposal; The Ferguson Group: City Council will consider approval of a contract proposal between the City of Lenoir and the Ferguson Group for services rendered. The contract becomes effective immediately upon approval and expires December 31, 2013.

## **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, (4), City Council will enter into closed session on Tuesday, November 20 to discuss economic development.

## **X. ADJOURNMENT**

# AGENDA



**CITY OF LENOIR  
CITY COUNCIL MEETING  
CITY/COUNTY CHAMBERS  
905 WEST AVENUE  
TUESDAY, DECEMBER 4, 2012  
6:00 P.M.**



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## **I. CALL TO ORDER**

- A. Moment of Silence & Pledge of Allegiance

## **II. MATTERS SCHEDULED FOR PUBLIC HEARINGS**

- A. Speed Limit Reduction; Diamondhead Drive: A public hearing will be held to consider posting the speed limit on Diamondhead Drive at 20 miles per hour and to further authorize City Staff to install No Parking signs on both sides of the street. There are currently no posted speed limit signs on Diamondhead Drive which makes the speed limit 35 miles per hour on this narrow, two-way street. The City's Charter Code of Ordinances, Traffic, Section 101, parking prohibited at all times on the following streets and Traffic, Section 114, Twenty mile per hour speed limit on the following streets will both be amended to include Diamondhead Drive.
- B. Economic Development Incentive Agreement; Woodgrain Millwork: A public hearing will be held to consider adoption of an economic development incentive agreement between the City of Lenoir and Woodgrain Millwork, Inc.
- C. Economic Development Incentive Agreement: A public hearing will be held to consider adoption of an economic development incentive agreement between the City of Lenoir and Caldwell Memorial Hospital.

## **III. CONSENT AGENDA ITEMS**

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, November 20, 2012.

## **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. December Calendar: The calendar for the month of December will be submitted to Council with various meetings & events.
  2. The annual Luminary Display is scheduled for Friday, December 7 from 6:00 – 10:00 p.m. at Blue Ridge Memorial Park. In the event of inclement weather, the event will be held on Friday, December 14.

3. Fabulous Film night is Saturday, December 8 with the movie “Arthur Christmas” being shown at the former LHS Auditorium at 7:00 p.m.
4. The City/County Services Committee will meet on Monday, December 10 at 11:45 a.m.
5. The Caldwell County Economic Development Commission will meet on Tuesday, December 11 at 8:00 a.m.
6. The Lenoir ABC Board will meet on Tuesday, December 11 at 5:30 p.m. at Lenoir Store #1.
7. The Lenoir Business Advisory Board will meet on Tuesday, December 11 at 6:00 p.m., Third Floor, City Hall.
8. The Sister Cities Committee will meet on Wednesday, December 12 at 4:00 p.m., Third Floor, City Hall.
9. The Lenoir Tourism Development Authority will meet on Thursday, December 13 at 3:00 p.m., Third Floor, City Hall.
10. The City/County Coordinating Committee will meet on Monday, December 17 at 11:30 a.m. at the City/County Chambers.
11. The Lenoir Planning Board will meet on Monday, December 17 at noon, Third Floor, City Hall.
12. City offices will be closed on December 24, 25 & 26 in observance of the Christmas holidays.

**B. Items for Council Action**

1. Revised Sewer Use Ordinance: City Staff recommends approval of the proposed Sewer Use Ordinance (SUO) for the City of Lenoir Gunpowder Creek and Lower Creek Wastewater Treatment Plants as submitted and as required by the North Carolina Department of Environment and Natural Resources, Division of Water Quality.
2. Sign Ordinance: Mayor Gibbons has requested that we look at a special permit for a one time per year large sign, banner, balloons for a 30 day period. The Planning Board must take up this amendment change and call for the public hearing. The Planning Board’s next meeting will be December 17, 2012. If you would like to give the Planning Board any direction on this issue, you may do so at this time.

**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, (4), (5), City Council will enter into closed session to discuss economic development and a property acquisition.

**X. ADJOURNMENT**