



AGENDA

**CITY OF LENOIR
CITY COUNCIL MEETING
905 WEST AVENUE
TUESDAY, SEPTEMBER 15, 2020
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition; Constitution Day: On behalf of City Council, Mayor Joe Gibbons will present a proclamation to Diana Hale, proclaiming Thursday, September 17, 2020 as “Constitution Day” throughout the City of Lenoir and Caldwell County.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, August 18, 2020 as submitted.
- B. Minutes: Approval of the minutes of the Committee of the Whole meeting of Tuesday, August 25, 2020 as submitted.
- C. Proclamation; Constitution Day: Approval of a proclamation proclaiming Thursday, September 17 at “Constitution Day” throughout the City of Lenoir and Caldwell County.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

1. The Parks & Recreation Advisory Board will conduct a virtual meeting on Monday, September 21, 2020 at 6:00 p.m.
2. The Committee of the Whole will not meet in September.
3. The Planning Board will conduct a virtual meeting on Monday, September 28 at 5:30 p.m.
4. The Foothills Regional Airport Authority will conduct a virtual meeting on Wednesday, September 30 at noon.

B. Items for Council Action

1. Change Order No. 1; Lower Creek WWTP Biosolids Project: Staff recommends approval of Change Order No. 1 in the amount of \$23,607.96 for the Lower Creek Waste Water Treatment Plant Improvements as recommended by City Staff.

Note: The additional cost is well within the 10% construction contingency approved for the project and does not result in an increase to the overall funds approved for the project.

2. Engineering Services; McGill Associates: Staff recommends acceptance of the McGill Associates proposal and execution of Task Order No. 4 for consultant services related to the replacement of the 96-inch culvert and headwalls at 206 Blowing Rock Boulevard for a total cost of \$24,400.00.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

- A. Board Announcements: Mayor Gibbons will recommend that Marta Lazo be considered for appointment to serve a term on the Lenoir Planning Board, Margaret Forney to serve a term on the Lenoir Business Advisory Board, and Dr. John Tye for re-appointment to the ABC Board.

Note: These two new board appointments and re-appointment will be presented to City Council for their consideration of approval at the October 6, 2020 City Council Meeting.

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

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

X. ADJOURNMENT



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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

**PROCLAMATION IN HONOR OF
CONSTITUTION WEEK**

WHEREAS, The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS, September 17, 2020 marks the two hundred thirty-third anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating the week of September 17 through September 23 as Constitution Week,

NOW, THEREFORE, I, Joseph L. Gibbons, Mayor of the City of Lenoir, North Carolina, and on behalf of the Lenoir City Council and all the citizens, do hereby proclaim the week of September 17 through September 23, 2020 as "Constitution Week" in the City of Lenoir and Caldwell County and urge all citizens to study the Constitution and reflect on the privilege of being an American with all of the rights and responsibilities this privilege affords.

This the 15th Day of September, 2020.

SEAL

Joseph L. Gibbons, Mayor



**LENOIR CITY COUNCIL
 TUESDAY, AUGUST 18, 2020
 6:00 P.M.**

PRESENT: Mayor Joe Gibbons presiding. Councilmembers present were Jonathan Beal, Todd Perdue, Ike Perkins, David Stevens, Ben Willis and City Manager Scott Hildebran.

Staff present was Communications Director Joshua Harris.

VIA TELECONFERENCE:

Participating via teleconference were Mayor Pro-Tem Crissy Thomas, Councilmember Ralph Prestwood, City Attorney T.J. Rohr and City Clerk Shirley Cannon.

Department Directors participating via teleconference were Finance Director Donna Bean, Fire Chief Ken Hair, Recreation Director Kenny Story, Planning Director Jenny Wheelock, Main Street Coordinator Kyle Case, Public Utilities Director Radford Thomas and Public Works Director Jared Wright.

ABSENT: Kaylynn Horn, Economic Development Director.

I. CALL TO ORDER

- A. The meeting was opened by a moment of silence followed by the Pledge of Allegiance as led by Mayor Gibbons.
- B. Mayor Gibbons requested that everyone keep praying for our leaders across the state, nation, and community as they strive to handle the coronavirus issues and keep everyone safe. Mayor Gibbons also reminded everyone to continue following the protocols established for the COVID-19 virus which include wearing a mask, social distancing and washing your hands.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

**AMENDMENT; SECTION 12-1;
 DESIGNATION OF NUISANCES:**

- A. A public hearing was held on Tuesday, August 18 to consider amending the City's Code of Ordinances, Section 12-1; Designation of Nuisances by ordinance as related to raccoons and other "disease vector" species as submitted by City Staff. The proposed changes expand on the existing nuisance declarations and clarify the intent of the ordinance to apply to all nuisance species, including rabies-vector species. Upon approval, the Code of Ordinances will be amended to reflect this change.

Note: Council may defer taking action until the August 25 Committee of the Whole meeting per remote meeting statutes.

Mayor Gibbons opened the public hearing to receive public comments | regarding the proposed amendment.

Planning Director Jenny Wheelock explained the intent of the proposed amendment is not only to clarify the City's previous ordinance, but to provide officers with additional authority when working with code enforcement issues.

There being no further public participation, Mayor Gibbons closed the public hearing and asked Council for action.

Upon a motion by Councilmember Perdue, Council voted 7 to 0 to defer taking action until the August 25, 2020 Committee of the Whole meeting in order to comply with remote meeting guidelines.

III. CONSENT AGENDA ITEMS

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

1. Minutes: Approval of the minutes of the City Council meeting of Tuesday, August 4, 2020 as submitted.

Upon a motion by Councilmember Willis, Council voted 7 to 0 to approve the above listed item on the Consent Agenda as recommended by City Manager Hildebran.

IV. REQUESTS AND PETITIONS OF CITIZENS

REMARKS; DOWNTOWN CONFEDERATE

MONUMENT: 1. Ms. Amanda Bregel, 2403 Central Drive, Lenoir, NC, addressed City Council and spoke in favor of moving the Confederate monument located in downtown Lenoir to another location. Ms. Bregel shared she is President of the Local Chapter of the NAACP and represents the group along with other residents in Lenoir and Caldwell County who support this request.

Ms. Bregel stated the Downtown Association's motto "Together We Create" promotes the City in a positive way, while the monument doesn't represent anything positive. Ms. Bregel said the monument reminds people of the time of slavery in America and noted she was fighting for all the residents of Lenoir in order to help them feel more safe and secure.

Ms. Bregel respectfully suggested that City Council make their intentions known regarding moving the monument and asked that they focus on the positive.

2. Mr. Roger Patterson, 331 Eastview Place, Lenoir, NC, addressed City Council in support of moving the Confederate monument to a museum or another location. Mr. Patterson said a public monument is not a piece of history and moving the

monument does not mean we are erasing history. He also stated a monument should not project racism. Mr. Patterson explained that the Confederate States of America stood for two basic principles, as laid out in its own constitution of 1861. First, it stood for a dis-union of the United States. Second, it stood for an official establishment of slavery based on race. Mr. Patterson remarked the South fought the war to preserve slave labor and referred to the Cornerstone Speech delivered by Confederate Vice-President Alexander H. Stevens in March 1861 who defended slavery as a fundamental and just result of the black race.

Mr. Patterson asked City Council to remove the Confederate monument from public property. He also said individuals reserve the right to fly the Confederate flag, but it shouldn't be flown on public property.

3. Bishop Michael Sloan, 826 Queen Street, addressed City Council and stated he is inquiring about the status of moving the monument due the number of telephone calls and comments he has received from local citizens. Mr. Sloan expressed appreciation to City Council for their leadership and their good relationship with the community and respectfully asked Council to consider removing the monument in the legal way.

Mayor Gibbons thanked everyone for their remarks and informed the audience that the City is doing due diligence and researching the legality of what may or may not be done regarding the monument. Mayor Gibbons further stated the City Attorney is handling the matter and trying to find out who actually can make a decision about 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 their meeting of Monday, August 24 due to no agenda items.

COMMITTEE OF THE

WHOLE: 2. The Committee of the Whole will meet on Tuesday, August 25 at 8:30 a.m. on third floor of City Hall.

FOOTHILLS REGIONAL AIRPORT

AUTHORITY: 3. The Foothills Regional Airport Authority will conduct a virtual meeting on Wednesday, August 26 at noon.

HOLIDAY

CLOSING: 4. City offices will be closed on Monday, September 7 in observance of Labor Day.

B. ITEMS FOR COUNCIL ACTION

AUTHORIZING RESOLUTION;

PROJECT ECHO:

1. If Council wishes to proceed with the grant submittal, City Council should adopt the enclosed Authorizing Resolution for a NC Department of Commerce Building Reuse Grant Submission for "Project Echo."

City Manager Hildebran shared the grant amount is \$500,000 and the company plans a \$1,500,000 investment along with the creation of ninety (90) full-time new positions. The average salary will be \$43,000 which is above Caldwell County's average wage. The proposed project entails a well-established manufacturing company (new to Caldwell County but not new to the industry) looking to locate a manufacturing operation in Lenoir.

City Manager Hildebran also reported the Caldwell County Board of Commissioners approved local financial incentives representing the required five percent local government grant match at their Board of Commissioners meeting held on Monday, August 17. In addition, Mr. Hildebran further clarified the incentives would be funded by the Sales Tax Reinvestment Fund.

A copy of the authorizing resolution is hereby incorporated into these minutes by reference. (Refer to page 164).

Upon a motion by Councilmember Stevens, Council voted 7 to 0 to approve the authorizing resolution for Project Echo as presented by City Manager Hildebran.

AUTHORIZING RESOLUTION;

STATE LOAN/GRANT ASSISTANCE; FINLEY

AREA WATER SYSTEM IMPROVEMENT PROJECT:

2. Staff recommends approval of an authorizing resolution for the purpose of authorizing the City Manager to file an application with the state of North Carolina for a state loan and/or grant aid in the construction of the Finley Area Water System Improvement Project.

A copy of the authorizing resolution is hereby incorporated into these minutes by reference. (Refer to page 165-166).

City Manager Hildebran stated the estimated project cost is \$4,900,000 and clarified for Council the purpose of the project is to address the water pressure issues along Finley Avenue. He reported an engineering study was conducted and mentioned this project has been on the City's Capital Improvements Project (CIP) list for several years.

Upon a motion by Councilmember Willis, Council voted 7 to 0 to approve the authorizing resolution to authorize the City Manager to file an application with the state of North Carolina for a state loan and/or grant aid in the construction of the Finley Area Water System Improvement Project as presented and as recommended by City Staff.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY**VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR****BOARD APPOINTMENTS;
RE-APPOINTMENTS:**

- A. On behalf of City Council, Mayor Gibbons presented the following list of individuals for consideration of approval to the City's Authorities/Boards/Positions:

<u>Board Re-Appointments</u>		<u>Term</u>
Lenoir Business Advisory Board	Patrick Longano	4-year
Planning Board	Lucy McCarl	4-year
Board of Adjustments	Lucy McCarl	3-year
	Richard Hedrick*Retiring off of Board	
Lenoir Housing Authority	Charlie Rivens	3-year
	Ron Smith*Retiring off of Board	

Mayor Gibbons stated that Richard Hedrick and Ron Smith would be recognized for their tenure at a later date. In addition, Mayor Gibbons stated he has contacted all of the above individuals and everyone is willing to serve another term. Mayor Gibbons commended all board members that are currently serving for the great job they are doing for the City of Lenoir.

New Board Appointments

Planning Board	Kent Greer	4-year
Lenoir Business Advisory Board	Darren McKinney	2-year
	Gonzalo Vasquez	2-year
Lenoir Housing Authority	John Francis	3-year

These appointments/re-appointments were announced at the August 4 City Council meeting. Also, Mayor Gibbons reported that applications to serve on a Board or Commission are available for download on the City's website at www.cityoflenoir.com or individuals may contact the City Clerk's office.

Upon a motion by Councilmember Perdue, Council voted 7 to 0 to approve the above list of Board appointments/re-appointments as presented and as recommended by Mayor Gibbons.

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

- A. There being no further business, the meeting was adjourned at 6:42 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
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**Project Echo
Authorizing Resolution**

Whereas, Deborah Murray, Executive Director of the Caldwell County Economic Development Commission, has been working with a company to locate a manufacturing operation in Lenoir and;

Whereas, the Building Reuse Grant requires a local government to serve as the formal applicant for these incentive grant dollars on behalf of the company, and

Whereas, this project will result in the creation of additional jobs and private investment at the Lenoir facility and;

Whereas, The City of Lenoir wishes to assist in this expansion by serving as the local government applicant for a Rural Building Reuse Grant for the project

Now Therefore Be It Resolved, By The City of Lenoir: that the City Council of Lenoir supports the Project Echo in the City; and

BE IT FURTHER RESOLVED that The City of Lenoir shall serve as the project applicant for the Building Reuse Grant; and

BE IT FURTHER RESOLVED that The City of Lenoir will meet the local government 5% match requirement through the Caldwell County Local Jobs Incentive for the project; and

BE IT FURTHER RESOLVED that Scott E. Hildebran, City Manager, and successors so titled, is hereby authorized to execute and file applications on behalf of the City of Lenoir with the North Carolina Department of Commerce for grant assistance in the development of the project described above; and

BE IT FURTHER RESOLVED that the City of Lenoir has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and the grants pertaining thereto.

Adopted this the 18 day of August 2020, in Lenoir North Carolina.

SEAL:

ATTEST:


Shirley M. Cannon, City Clerk


Joseph L. Gibbons, Mayor





CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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RESOLUTION BY GOVERNING BODY OF APPLICANT

- WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of drinking water distribution system projects, and
- WHEREAS, The **City of Lenoir** has need for and intends to construct a drinking water distribution system project described as the Finley Area Water System Improvements project, and
- WHEREAS, The **City of Lenoir** intends to request state loan and/or grant assistance for the project,

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

That **City of Lenoir**, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the **City of Lenoir** to make scheduled repayment of the loan, to withhold from the **City of Lenoir** any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Scott Hildebran, City Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 18th day of August, 2020 at Lenoir, North Carolina.

SEAL


Joseph L. Gibbons, Mayor



CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Lenoir does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the City Council of the City of Lenoir duly held on the 18th day of August, 2020; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of August, 2020.



Signature

Shirley Cannon, City Clerk

Printed Name and Title

CITY OF LENOIR, NC
CHARTERED
JANUARY 28, 1851

SEAL

**COMMITTEE OF THE WHOLE
CITY HALL, THIRD FLOOR
TUESDAY, AUGUST 25, 2020
8:30 A.M.**

PRESENT: Committee members, Joe Gibbons, Crissy Thomas, Ralph Prestwood, Ike Perkins, and David Stevens.

ABSENT: Councilmember Jonathan Beal and Joshua Harris, Communications Director.

STAFF PRESENT: City Manager Scott Hildebran and City Clerk Shirley Cannon.

VIA TELECONFERENCE:

Participating via teleconference were Councilmembers Todd Perdue and Ben Willis, Fire Chief Ken Hair, Finance Director Donna Bean, Police Chief Brent Phelps, Recreation Director Kenny Story, Main Street Director Kaylynn Horn, Planning Director Jenny Wheelock, Public Utilities Director Radford Thomas, Public Works Director Jared Wright and Garrett Stell, *News-Topic*.

I. CALL TO ORDER

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

II. CITIZEN COMMENT PERIOD

III. COMMITTEE ITEMS

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

1. Update; Biosolids Project: Director Thomas presented a slide show of the construction of the improvements project at the Water Treatment Plant for the installation of the new gryphon dryer and belt press. The estimated cost of the dryer is \$1.7 million and the total project cost is \$6.5 million. The gryphon dryer includes a built in wash down system plus a cooling system. The dryer has the capability of cooling down within 20 to 30 minutes. He also shared the new belt press will increase the efficiency of the sludge removal process.

Director Thomas also mentioned improvements are scheduled for the sludge tank and pointed out a new building was being built for the drying unit and air handling system. He explained a future option is to install a belt press that feeds directly into the dryer which may give the City an opportunity to work with other communities regarding the disposal of their sludge plus expand the City's equipment. Director Thomas stated an enclosed storage shed has been built to store equipment and a pit has been dug for the purpose of handling the sludge.

Director Thomas stated the dryer will be operational in October and tests will be

completed before it goes online. The dryer will be fully operational by the first of the year. He further clarified for Council that Staff did some demolition work at the site prior to the project, but they did not participate in any of the construction work.

2. General Comments

- Brownfields – The two new ongoing Brownfield projects include Harper Avenue and the downtown area. Also, Phase 2 will begin soon for the environmental cleanup of the former Broyhill site. Staff has also begun working on the Brownfields agreement.
- Water Treatment Plant – 70% of the sludge has been removed from the lagoon.
- Finley Avenue Improvements Project – The funding application for this project is pending.
- Metering Project – continues to move forward.
- Freese & Nichols – are completing the Risk & Resiliency Study to be submitted to the Environmental Protection Agency (EPA) and the NC Department of Environmental & Water Quality (NCDEQ).

B. Public Works: Public Works Director Jared Wright reported on the following items:

1. Hospital Avenue Sidewalk Project: Director Wright reported the Hospital Avenue Sidewalk Project was placed on hold by the North Carolina Department of Transportation (NCDOT) due to a lack of reimbursement money. A total of 21 projects within a four County region were affected by this action. Director Wright stated the City received an e-mail on July 15, 2020 from Brian D. Horton, Western Piedmont Council of Governments (WPCOG) that the Hospital Avenue Sidewalk Project has been recommended to resume right-of-way, as part of an initial release of funding for the projects across all NC urban areas. Director Wright commented the next step will be to present this project to Council for their consideration of approval.

Next, Director Wright reminded Council they previously approved an authorizing resolution to submit for grant funding for the Greenway conversion for Harper Avenue and the former Depot site. The application is being prepared by Mattarn and Craig and he stated survey work has begun which will include the scope of the area on Harper Avenue where the intersection splits. Director Wright stated approval of this project will help if the two-way traffic project is approved in the future.

In addition, Director Wright stated that Greenhaven and Mulberry streets are scheduled to be paved and a pre-construction meeting is scheduled for September. He further stated a large pipe will have to be replaced on the Greenway where the sinkhole is located. Also, brush pick up has been suspended until September 1.

2. Update; Sanitation Department: Director Wright reported the Department expects to be fully converted over to the new sanitation carts on Monday, August 31. He stated 661 carts were delivered by Staff and pointed out Staff discovered 17 properties that were receiving City services were located outside of the City limits. There are 169 inactive accounts and 209 solid waste fee accounts were added which amounts to \$2,090 of additional revenue for the City. He reported that 59 customers receive special garbage pickup service by Staff due to their not being physically able to pull their cart to the road.

Director Wright further mentioned that Building Maintenance Staff assisted with the placement of new carts and other projects. They also helped install the security cameras and motion lights at the Community Gardens at a cost savings for the City. He reported the cameras are fully operational.

Also, Director Wright shared he has received several complaints about the appearance of the downtown area and stated Staff would be focusing on taking care of that issue. Director Wright also clarified for Council the Department was fully prepared in case of a major storm event. Further, he mentioned when the new software is installed, the Department will be able to stay on top of it.

In addition, Director Wright verified Staff is working on replacing signage around the City. The columns and placard on the entrance sign to Lenoir located on Morganton Boulevard are being replaced along with others around the City.

IV. COMMUNITY DEVELOPMENT

- A. The Lenoir Business Advisory Board (LBAB): The Lenoir Business Advisory Board (LBAB) conducted a teleconference meeting on Thursday, August 13. Director Horn reported she has been checking with the downtown property owners to see if any are interested in applying for a façade grant. In addition, Director Horn mentioned the Chamber of Commerce has started a program called “Count on Me” and the merchants are being encouraged to become a part of it.

Also, she reported the Lenoir Tourism Development Authority (LTDA) did not meet in August, but pointed out they are supporting programs and assisted with the purchase of the picnic tables to be placed on the square in order to support the downtown restaurants.

- B. Planning Board: The Planning Board met on Monday, August 24. Planning Director Jenny Wheelock reported applications have decreased over the past few months, but requests for permits are on target with last year’s numbers. Currently, there are no new permits for construction projects. She mentioned the driveway planned for the Kattz Corner Apartment Project has been eliminated, but clarified residents would have access to Wilkesboro Boulevard. Director Wheelock also reported the property owners on Sehorn Street were notified, if the shed they placed in their front yard would not work in their back yard, it would have to be removed entirely. She stated the City has to allow them sufficient time to remove the shed.

Next, Director Wheelock shared the new software program module the Department plans to install will assist Public Works, Public Utilities and Code Enforcement Staff by allowing them to login and check the status of a permit, code enforcement case, etc.

In addition, Director Wheelock clarified that people can build tiny homes and stated they are designed for the intent of the recreational vehicle (RV) code.

- C. Parks and Recreation Advisory Board: The Parks and Recreation Board held a virtual meeting on Monday, August 17. Minutes of the meeting were submitted as information. Director Story reported on the following items:
- Reported a decision on whether to have fall sports will depend on Governor Cooper's announcement on Tuesday, September 1 regarding reopening the state. Currently, all fall programs are cancelled. All youth activities are postponed as well.
 - Staff continues to work on projects at the recreation centers such as mowing, cutting trees and pressure washing the tennis courts.
 - Reported work will begin soon at the former LHS Auditorium beginning with renovations to the downstairs restrooms along with replacing the HVAC systems. Additional renovations include door replacements, new carpet, paint, a sound system and lighting. These improvements will be funded with a Community Development Block Grant. Bids will be solicited for this project after Staff receives quotes. In addition, the grant will fund renovations to the gym and Mack Cook Stadium.
 - Signage will be added along the Greenway citing the recommended speed limit in order to address complaints regarding bicyclists riding too fast on the Greenway. City Attorney Rohr has also discussed this issue with the North Carolina League of Municipalities (NCLM) and reported the City's insurance includes coverage for any incidents that may occur on the Greenway. Director Story said this was happening in hard to see areas on the Greenway located off of Pennell Street as you travel towards Powell Road. Councilmember Perdue stated individuals were also riding skateboards on the Greenway with Director Story replying he would include signage about skateboards as well.
 - Reported Scott Triplett, Coach for the Softball Team, submitted their COVID 19 Action Plan, but stated Mr. Triplett is unsure if they will be allowed to play any games.

Councilmember Perdue asked about Staffing levels with City Manager Hildebran reporting only part-time Staff was furloughed because of COVID 19. He further shared that some individuals were tele-working and several have been reassigned to other Departments.

D. Financial and Administration

1. Sales Tax Chart by Year: Director Bean compared a Sales Tax Chart to previous years and pointed out revenue was up in March and then decreased slightly, but not as much as the state had projected. In June, she stated that sales tax was up by 1.67% and noted the City finished the fiscal year in good shape. (A copy of the sales tax chart is attached to these minutes as information).

City Manager Hildebran mentioned that tourist areas with occupancy tax and major metro retail centers were reporting decreases in revenue. He also shared the surrounding municipalities were also experiencing a slight decrease in sales tax revenue, but it is better than expected thus far.

2. Sub-Recipient Agreement; Caldwell County Yokefellow, Inc. and the City of Lenoir: City Manager Hildebran presented an agreement between Caldwell County Yokefellow, Inc. and the City of Lenoir as it relates to the expenditure of Community Development Grant Funds (CDBG-CV CARES ACT Covid 19 Funding) in the amount of \$86,056 for the purpose of providing public service related to COVID 19 to prevent, prepare for and respond

to coronavirus. Mr. Hildebran explained that Yokefellow shall assist qualified low & moderate income households by paying for reasonable water, sewer and solid waste utility bills for six (6) months per household. It was noted the applicant households must reside within the City limits. These funds will assist with utility bills from March 2020 forward.

Finance Director Bean stated this information will be shared via social media and that flyers would be inserted in the utility bills in order to make people aware of this available funding. Customers may also contact the City about setting up a payment plan regarding their account if necessary.

A copy of the agreement is on file in the Finance Director's office.

MOTION

Following a brief discussion and upon a motion by Councilmember Willis, Council voted 7 to 0 to approve the agreement between Caldwell County Yokefellow and the City of Lenoir as submitted.

- G. Update; Public Communications: A copy of the July 2020 Communications Report was presented to Council as information. No report was given at this time.

As information there were 2 news releases, 9 photos, 3 videos, 1 radio spot, 113 social posts, 10 notify me requests, 45 questions & answers and 4 e-sign up. The website experienced 35,737 views and reached 52,066 people via Facebook and Twitter. Also, there were 175 new followers and 3,771 video views.

V. PUBLIC SAFETY

A. Police Department

1. Update: Police Chief Brent Phelps reported on the following items:

- A. Reported the Department currently has only one open position. He mentioned the the Basic Law Enforcement Training program (BLET) was beginning at Caldwell Community College & Technical Institute (CCC&TI) and he hopes to be fully staffed in the new future. The Department currently employs 55 officers.
- B. Reported Staff is taking measures to make sure everyone is properly trained in de-escalation and stated that communication skills are extremely important.
- C. Shared that City Manager Hildebran and he are participating in a Leadership Course on Diversity and Inclusion offered by Lenoir Rhyne College.
- D. Stated that cameras are needed at the J. E. Broyhill Walking Park for safety reasons.
- E. Reported there are asphalt/paving issues at the parking lot behind the Police Department.
- F. Staff received calls regarding golf carts being on the Lenoir Greenway.

Mayor Gibbons thanked Chief Phelps and Public Works Director Wright for their hard work regarding the recent parking issues along Norwood Street. Mayor Gibbons stated citizens were using the parking spaces that were identified.

Mayor Pro-Tem Crissy Thomas thanked Chief Phelps for the continued training and knowledge Staff is receiving pertaining to de-escalation. She stated it was very beneficial.

C. Fire Department

1. Update: Fire Chief Ken Hair reviewed the Quarterly Report for April, May & June. (A copy of the report is attached to these minutes as information). Staff conducted 4,407 Training Hours, 51 Inspections and responded to a total of 262 service calls during the quarter. He reported that calls related to COVID-19 were declining. Also, Staff assisted Public Works with the installation of tables at the stage area on the downtown square along with the cutting of some trees. New lighting has been installed at Headquarters and at Station No. 2.

Chief Hair reported Captain Chris Jacobs was promoted to Assistant Chief/Fire Marshall replacing Roger Barlow, Fire Prevention/Inspection, who retired August 1, 2020. Lieutenant Jonathan Wright was promoted to Captain, Driver/Operator Anthony Harrison was promoted to Lieutenant, Firefighter II Hunter Winkler was promoted to Driver/Operator and Cassidy Auton was promoted to full-time Firefighter.

In addition, Chief Hair reported that Kevin Brown is assisting the City of Lenoir with Level III Inspections and Plan Reviews until Assistant Chief/Fire Marshall Chris Jacobs acquires all of the necessary certifications which may take a couple of years.

VI. OTHER

- A. September Calendar: By consensus of the Council, the calendar for the month of September was approved listing various committee meetings.
- B. Meeting Cancellation: City Manager Hildebran informed Council the City did not have any agenda items for the September 1 City Council meeting should they decide to cancel the meeting.

MOTION

Upon a motion by Councilmember Perkins, Council voted 7 to 0 to cancel the September 1 City Council meeting due to no agenda items as recommended by City Manager Hildebran.

VII. Adjourn:

There being no further business; the meeting was adjourned at 10:08 a.m.

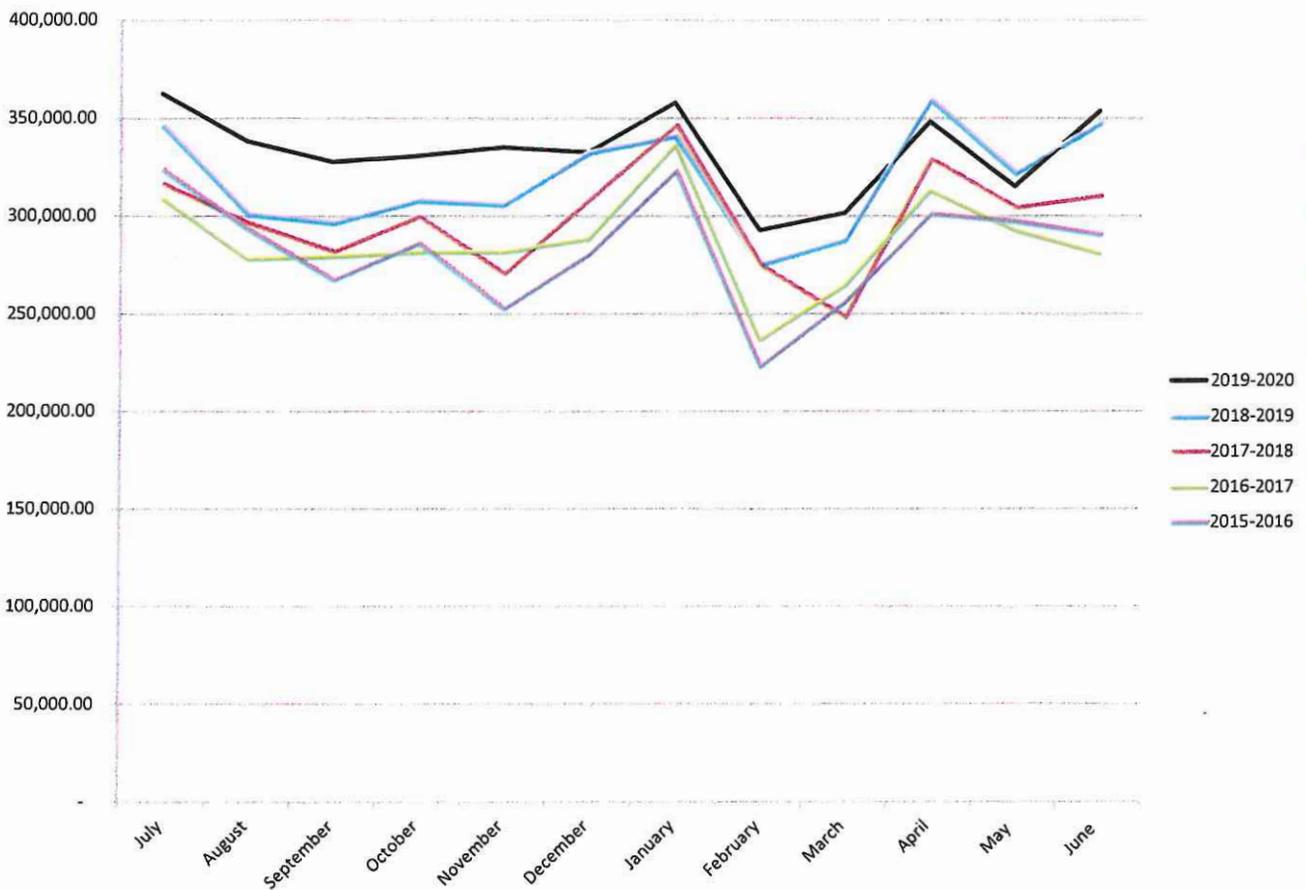
Attachments

Sales Tax Chart

Communications Report

Quarterly Report (Fire Department)

SALES TAX BY YEAR



Tuesday, August 25, 2020

TO: Scott Hildebran, City Manager
FROM: Ken Hair, Fire Chief
DATE: July 6, 2020
RE: Fire Department Report for April, May, and June 2020

TRAINING AND FIRE PREVENTION:

Training Hours	4,407
Inspections	51
Fire Prevention Education Programs	0

INCIDENT REPORTS BY TYPE SITUATION FOUND: Total Incidents

Fire, structure	6
Fire, vehicle and heavy equipment	1
Fire, brush or grass	16
Fire, trash	4
Fire, other	0
Medical call	29
EMS lift assist	6
Assist Invalid, lift assist	1
10-50, PI	12
10-50, no PI	23
Rescue call	12
Service call, public	57
Cover in assignment	2
Hazardous condition, other, power lines down	11
Hazardous material or spill	5
False alarm, sprinkler malfunction	7
False alarm, smoke or carbon monoxide detector malfunction	34
False alarm, alarm sounded, no fire	17
False alarm, malicious	0
False alarm, other	18
Severe weather or natural disaster, other	1

TOTAL INCIDENTS 262

RESPONSES BY DISTRICTS:

<u>HQ's</u>	<u>STA. 2</u>	<u>STA. 3</u>
166	68	28

July 2020 Communication Report

By Joshua Harris, Director, Communication & Public Information 8/18/2020



LENOIR
NORTH CAROLINA

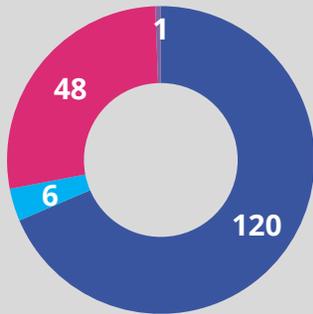
CONTENT CREATION

News Releases	Photos	Videos	Radio Spots	Social Posts	Notify Me	Q&A	eSign
2	9	3	1	113	10	45	4

PUBLIC ENGAGEMENT

New Followers

175



Facebook Instagram Twitter City Alerts

Social Reach

52,066

Facebook **49,095**

Twitter **2,616**

Video Views

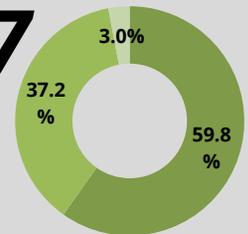
3,771

Facebook **3,721**

YouTube **50**

Website Views

35,737

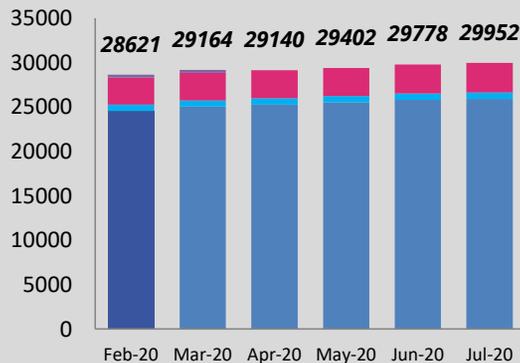


Mobile Desktop Tablet

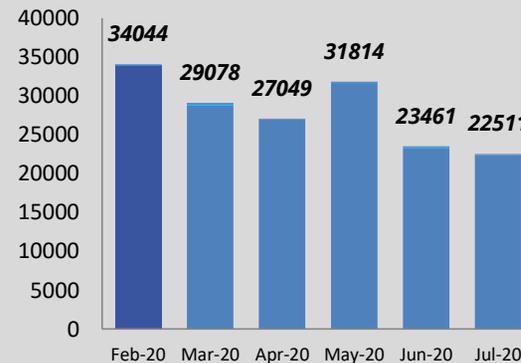
Top Pages

- 1 Payment Options
- 2 Garbage Collection
- 3 Coronavirus Plan
- 4 Water & Sewer Service
- 5 Jobs
- 6 Calendar
- 7 Police

Total Followers



Social Engagement

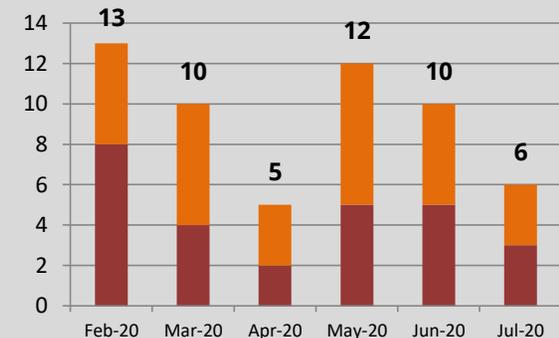


Media Coverage

6

Papers 3

Web 3





Top Facebook

Reach: The number of people who saw the post on their feed

Engagements: Reactions, comments, shares, photo/video views, and clicks

Total Facebook Followers

25,914

Last Month 25,794

Gain **120**

City of Lenoir, NC Government
July 25 at 12:43 PM · 🌐

City Council has recently started receiving many calls and questions about the monument in the City. Below is a public statement about the monument from Council.

"The City of Lenoir City Council has made no decision regarding the Confederate monument in the City. Further, Council currently isn't confident that any decision about the monument would be the Council's to make. The Council has asked the City Attorney to research the origin, ownership, and legal status of the monument. We encourage everyone to share their opinions and thoughts by sending an email to comments@ci.lenoir.nc.us. All Council members will receive emails sent to that address." - City of Lenoir City Council

11,130 People Reached 1,520 Engagements [Boost Post](#)

👍👎👉👎👉 47 293 Comments 112 Shares

Downtown Lenoir
July 22 at 12:10 PM · Instagram · 🌐

Coming soon to downtown Lenoir... Main Street Magic Cafe!

6,921 People Reached 977 Engagements [Boost Post](#)

👍👎👉👎👉 146 35 Comments 47 Shares

Lenoir Police Department
July 1 · 🌐

Shout out to Animal Control (AC) Supervisor McGuirt, and AC Officer Coffey for their assistance on this call.

Golden Ticket Winner

Officer Chris Smith

Submitted by Lt. Chris Robinson, June 22, 2020

Officer Chris responded to a call of a dog that had apparently been trapped under a pool cover all night during a recent storm. The following is a Facebook post from Mark Coffey, who was a witness to the incident: "I want to give recognition this morning to a young man that I have known and watched grow from a small kid playing on a baseball field to my experience this morning. In all of the chaos of trying to reach this animal before it drowns, I came around the corner of his home to find this young Officer pulling this animal from its certain death.

This young man went above and beyond his call of duty!! To see this young man desperately struggling to pull this 120 pound animal from the water and seeing this Officer sacrifice his own dignity and honor and the detailed uniform he wears to save an unknown animal which could have easily pulled him into that same certain death. To see this Officer embrace the animal in his arms, is a sight that I could only wish I could describe.

I could not be more proud of the young man/Officer and who he has turned out to be. The sacrifices these men and women make every single day is truly heroic. I am proud to live and call Lenoir my home and knowing these guys are here. Officer C. Smith you sir should be commended for your actions this day!!"

Lt. Robinson said Officer Smith performed "Service Beyond Measure" by demonstrating the City of Lenoir's Customer Service Golden Rule Keys: #1 - Personable, #2 - Proactive, #3 - Timely & Efficient, and #7 - Equitable Service.

Lenoir Police Officer Chris Smith assists Copper from pool

6,299 People Reached 678 Engagements [Boost Post](#)

👍👎👉👎👉 156 15 Comments 46 Shares

	Paid	Organic	Rate
Reach		11,130	
Engagements		1,520	14%
> Comments		293	
> Shares		112	

	Paid	Organic	Rate
Reach		6,921	
Engagements		977	14%
> Comments		35	
> Shares		47	

	Paid	Organic	Rate
Reach		6,299	
Engagements		678	11%
> Comments		15	
> Shares		46	



Top Tweets

Impressions: Times people saw this Tweet on Twitter
Engagements: Times people interacted with this Tweet

Total Twitter Followers

724

Last Month 718 Gain 6



City of Lenoir, NC @CityofLenoir
Raccoons may be cute, but they can spread rabies and damage property. Be considerate of your neighbors; don't feed raccoons. Read more @NCWildlife at <https://www.ncwildlife.org/Portals/0/Learning/documents/Profiles/Mammals/Co-exist-Raccoons-Update-FINAL.pdf> ... [pic.twitter.com/fiWjwkwDIR](https://www.ncwildlife.org/Portals/0/Learning/documents/Profiles/Mammals/Co-exist-Raccoons-Update-FINAL.pdf)



Reach a bigger audience

Impressions	482
Total engagements	14
Detail expands	4
Media engagements	3
Likes	3
Retweets	2
Link clicks	1
Profile clicks	1

Downtown Lenoir, NC @DowntownLenoir
Dine in the shade! The cityoflenoirnc recently placed picnic tables around the square in downtown. Order takeout from any of your favorite restaurants and enjoy your dinner outside. Additional permanent tables are... <https://www.instagram.com/p/CC8105qlUX0/?igshid=lf7e12ajfc78> ...

Impressions	185
Total engagements	13
Link clicks	6
Likes	3
Detail expands	3
Retweets	1



Top Instagram

Likes: The number of people who liked the post on their feed

Total Instagram Followers

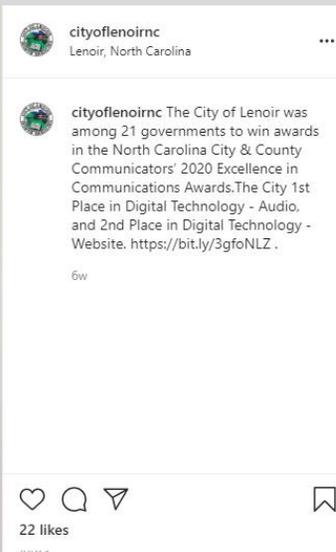
3,314

Last Month 3,266

Gain **48**



Likes **102**
Comments **5**

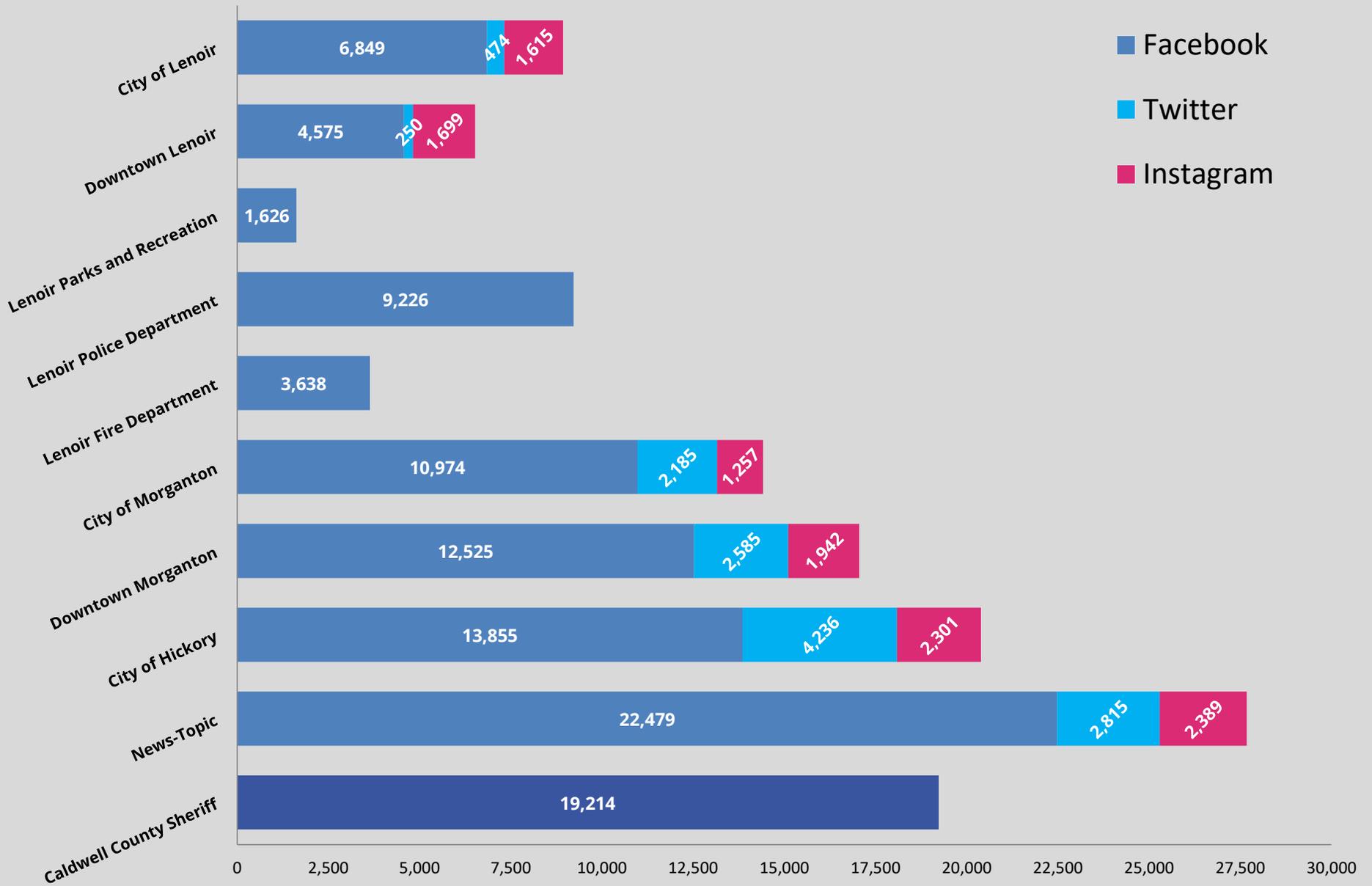


Likes **22**
Comments



Social Comparison

The chart below compares Lenoir's social accounts with surrounding organizations.





Questions and Requests

45

Bulk Garbage 39
Garbage Pickup 37
Cart Issue 39
Extra Cart 39

I called and requested an additional grey cart a few weeks ago. I never got one. I just saw the post that I tried logging on today to pay my water bill but received a message saying that the application is currently unavailable. Please try again later. We are supposed to take our trash to the recycle centers and don't use curbside pickup? Do you get a tax break?

My husband and I just moved to Lenoir and we saw the notice regarding trash pick up with a specified bin. We currently do not have one of those bins. I cannot log into my account to pay my water bill.

I live in Tennessee. I was trying to buy a car being sold in Lenoir North Carolina. I did not buy the car because I got frustrated trying to find your city. My parents live at 289 Pennton Ave NW Lenoir. They are wondering if they are allowed to have a small fire pit. The ones you buy at Lowe's.

Hi, will there be a fireworks show this year?

What do we do if our new cart needs a repair? One of the pins that holds the lid on is missing. I looked around and couldn't find it so it must've been missing. Trash Bash was canceled ... How are items that would have been collected in Trash Bash going to be hauled off for city residents?

What is the procedure for a citizen to present an ordinance change?

Our trash was missed today.

Hello. Who do I speak with about getting 2 more garbage cans for my household? I bought 2 right before the grey ones were distributed and my garbage can is missing.

Trying to check about getting a street light.

I walk on the greenway and there is a spot on the greenway at a speedhump on Pennel where the tree foliage blocks the view, coming down the hill.

New garbage cart is missing one pin that holds on the lid.

What about recycling? Do you pick up recycling?

I know it was in the works for years but whoever did that all in the work on the Greenway through Lower Creek did an excellent job. My grandson and I are starting a mobile electronics repair business in Lenoir. Where do I get my permit?

Unleashed dog doing property damage, digging up and destroying potted plants. Light grey Weimaraner-looking dog with bright orange collar.

Did not receive the tax notice until July 13, 2020.

I live on a hill, I'm 87 years old, those garbage cans are too much for an old lady, they told me they would have a smaller truck come by.

Can I fill the application in person for additional trash container? I don't have a computer and it won't let me do it in the phone.

Jared Wright, advised that I call you. I asked him about possibly doing a petition to amend, having to purchase an additional trash can, as well as for a tree blocking Waterfalls Road. Looks like the recent storm made it fall.

I received a 2020 Property Tax Notice for "personal property" valued at \$750.00, for my former business, Foothills Framing. Account #3307. I would like to have the property assessed as commercial property. 427 Folk St, Entire property is overgrown with grass, weeds, shrubs and trees.

Felony having guns. Gets rid of them as soon as he knows cops are coming. Has a gun safe locked up and has it locked somewhere in the house. My water leaking in my yard reported once came and put out orange cone and orange flag haven't seen anyone since my yard is starting to turn into a parking lot.

Tree overhanging lines. Tree companies won't cut branches due to line liability issues. Was told to contract the city to ask about their utilities contractor.

I am Executive Director of Shelter Home of Caldwell County and we are in need of four (4) additional grey trashcans. Is this possible? I understand that

I'm online trying to fill out a form to get an additional garbage container, and there is no button to click and send the form.

I put in a bulk trash pickup request last Saturday. I received a confirmation email and it states I may have to wait until Wednesday for the normal bin pickup. Do you have info on next town council meeting? Time? Date? Location?

last and week before they have to empty my trash then it stinks so bad why are they just empty half the new trash can in to old to try to clean it I never see the bin

Please correct the spelling of my last name on all of my accounts. My name is SANDRA WELSH, spelled with the letter E, and not the letter A.

Was wondering if the City had the ability to take on an intern for recreation/event planning/coordination for the fall from September-December?

I'm Fred Buchanan, been unable to reach the sanitation department in the last 4 or 5 days. I have left the message, 728-3100.

I wanted to check on care and maintenance fees for outside provider, monuments at Blue Ridge Memorial

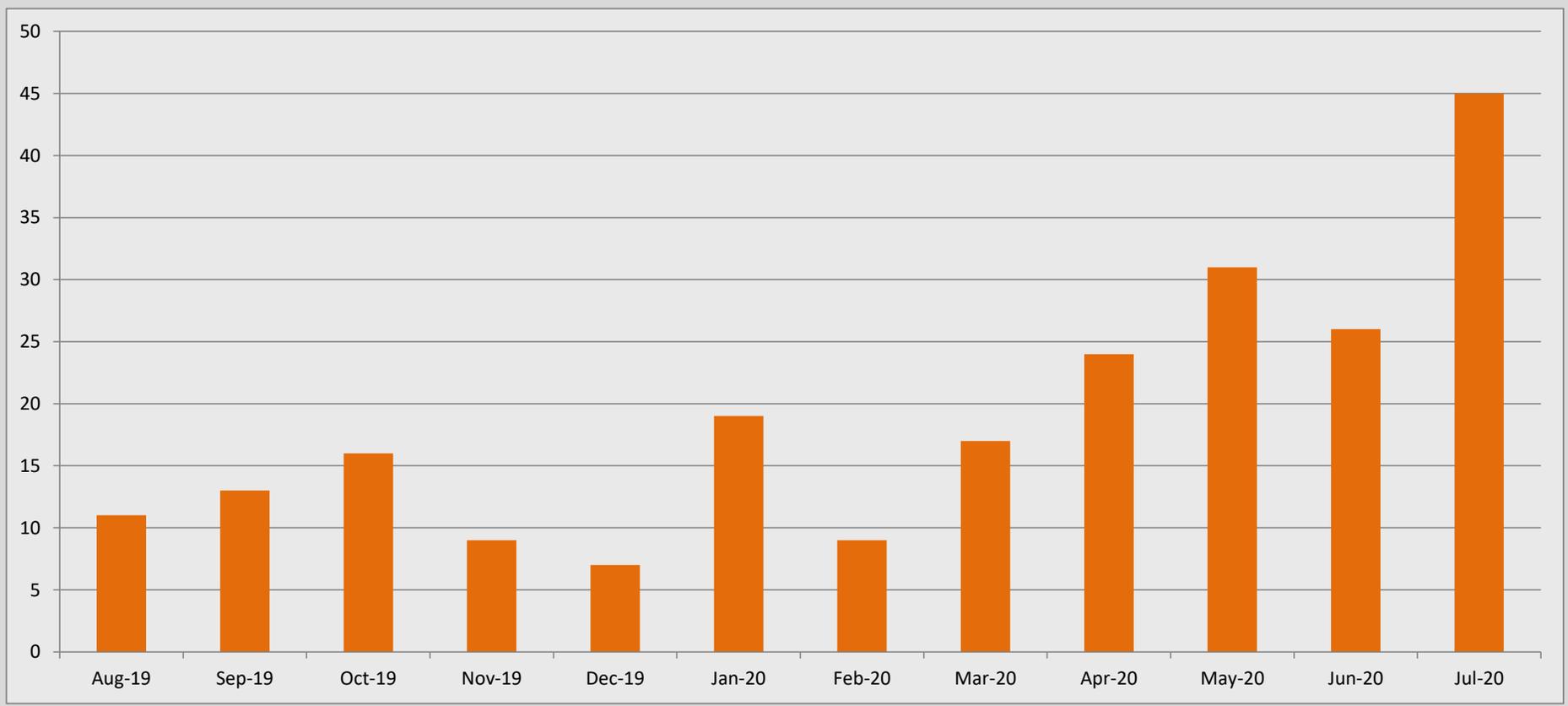
How can I exchange my new trash can for the new smaller one? The one that I was given is too heavy for me to handle. It practically took me down

Bad pothole, Wilkesboro Blvd at Pizza Hut

Hi! When we left boxes next to our bin before they were picked up but now they are not. Is there a new protocol for that because of the new bins?

Does the city happen to keep copies of old addresses? For instance, I remember growing up on Oakmont Drive here in Lenoir when we had only three houses on the street

Hi my name is Melissa I live in Connecticut my grandmother now lives here with us. My grandmother still has a home down there and my uncle sold it. Michelle Mahaffey Tybrisa Books, landscape management out here. This area needs to be mowed, our flower bed isn't managed like the others.



CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item: Lower Creek WWTP Biosolids Improvements – Change Order No.1

Background Information: The City of Lenoir has planned the construction of improvements to the Lower Creek WWTP Biosolids facility which is currently underway. The project generally consists of the installation of a new sludge drying system, improvements to the solids storage building and the installation of a new belt press.

Several changes have been necessary for the proper execution of the construction. Design changes to the dryer electrical panel, additional roofing improvements, and changes to the truck loading structure, grading for the truck loading area, interior changes to the solids building and changes to the guardrail installation have been necessary.

These changes have resulted in a net increase in the construction cost of \$23,607.96 as reflected in the attached Change Order No.1. The new contract amount will increase to \$4,282,607.96 from \$4, 259,000.00. However, please note the additional cost is well within the 10% construction contingency approved for the project. Therefore, the changes do not result in an increase to the overall funds approved for the project.

II. Staff Recommendation: Staff recommends City Council approval of Change Order No.1 as recommended by McGill Associates for the Water Treatment Plant Improvements in the amount of \$23,607.96.

III. Reviewed by:

City Attorney: _____

Finance Director: _____

Public Works/Public Utilities Director: _____

Date of Issuance: August 25, 2020
 Owner: City of Lenoir
 Contractor: Brushy Mountain Builders
 Engineer: McGill Associates, P.A.
 Project: Biosolids Facility Improvements

Effective Date: August 25, 2020
 Owner's Contract No.:
 Contractor's Project No.:
 Engineer's Project No.: 17.01107
 Contract Name: Biosolids
 Facility Improvements

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

Description: Adjust the Contract Price for additional, unforeseen project work items as outlined in the attached Change Order Summary

Attachments: *Change Order Summary, with back-up documentation*

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>4,259,000.00</u>	Original Contract Times: Substantial Completion: <u>330</u> Ready for Final Payment: <u>360</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u>N/A</u> to No. <u>1</u> : \$ <u>N/A</u>	[Increase] [Decrease] from previously approved Change Orders No. <u>N/A</u> to No. <u>1</u> : Substantial Completion: <u>330</u> Ready for Final Payment: <u>360</u> days
Contract Price prior to this Change Order: \$ <u>4,259,000.00</u>	Contract Times prior to this Change Order: Substantial Completion: <u>330</u> Ready for Final Payment: <u>360</u> days or dates
[Increase] [Decrease] of this Change Order: \$ <u>23,607.96</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>25 days</u> Ready for Final Payment: <u>25 days</u> days or dates
Contract Price incorporating this Change Order: \$ <u>4,282,607.96</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>355 days</u> Ready for Final Payment: <u>385 days</u>

RECOMMENDED: By: <u>[Signature]</u> Title: <u>OFFICE MANAGER</u> Date: <u>8-27-2020</u>	ACCEPTED: By: _____ Title: _____ Date: _____	ACCEPTED: By: <u>[Signature]</u> Title: <u>Project Manager</u> Date: <u>8-27-2020</u>
--	---	--

Approved by Funding Agency (if applicable):

_____ Date: _____



CHANGE ORDER SUMMARY
City of Lenoir, North Carolina
Lower Creek WWTP Biosolids Facility Improvements

PROPOSED CHANGE ORDER NO. 1 DETAILS

CONTRACT AMOUNT REVISIONS

CO Proposal	Date Submitted	Bid Schedule Description	Unit	Qty	Unit Price	Total Price	Days Requested
1	WCD No 1 (04/10/2020)	Gryphon Panel Changes	LS	1	\$ 1,404.22	\$ 1,404.22	0
1	8/18/2020	Roof Curb Changes	LS	1	\$ 2,876.11	\$ 2,876.11	7
1	4/1/2020	Guardrail Changes	LS	1	\$ 673.22	\$ 673.22	0
1	8/18/2020	Truck Loading Structure Changes	LS	1	\$ 2,976.34	\$ 2,976.34	4
1	8/18/2020	Solids Building Interior Changes	LS	1	\$ 6,572.17	\$ 6,572.17	7
1	8/18/2020	Truck Loading Grading Changes	LS	1	\$ 9,105.90	\$ 9,105.90	7
Total						\$ 23,607.96	25

CONTRACT TIME REVISIONS			
Change Order No. 1			25
Cumulative Contract Time Adjustment (Substantial)			25
Cumulative Contract Time Adjustment (Final)			25

December 26 2020
 January 25 2021

ADJUSTED CONTRACT AMOUNT	
Original Contract Amount	\$ 4,259,000.00
Change Order No.1 - Addition to Contract Amount	\$ 23,607.96
Contract Amount Incorporating Change Orders	\$ 4,282,607.96

Change Order Recap

Lower Creek WWTP			Sales Tax Rate 6.75%				WCD #1					
			Labor Burden Rate 68%				Date: 04/10/20					
DESCRIPTION	QTY	UM	SUB UNIT PRICE (NON TAXED)	SUB TOTAL	MATERIAL UNIT PRICE	MATERIAL W/TAX	MEN	HR/DY	DAYS	RATE	LABOR INCL BURDEN	LINE TOTAL
			\$ -	\$ -	\$ -	\$ -				\$ 20	\$ -	\$ -
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Electrical Sub	1	LS	\$ 1,318.24	\$ 1,318.24	\$ -	\$ -				\$ 20	\$ -	\$ 1,318.24
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P. O. Box 2095
1576 Fairbanks Drive
Lenoir, NC 28645

Telephone: 828.758.9438
Fax: 828.758.4930
email: meco@mcmillioninc.com

QUOTE

DATE: April 7, 2020

TO: Brushy Mountain Builders
Jason Beard

From: Tommy Welch

RE: Lenoir-Lower Creek WWTP
Work Change Directive No. 1

Panel DP ----- Add(1) 3P 20a breaker -----	\$ 425.00
Panel LP800 – Added (6) QOB120 breakers -----	\$ 95.00
(1) 480v 60a 3p 4xss Stainless Steel Disconnect -----	<u>\$ 600.00</u>
Sub Total -----	\$ 1,120.00
7% Tax -----	<u>78.40</u>
	\$ 1,198.40
10% Overhead/Profit --	<u>119.84</u>
TOTAL -----	\$ 1,318.24

Thank you.

*Residential, Commercial, and Industrial
Electrical Contracting / Heating & Air Conditioning*



"It's Hard to Stop a Trane"



Fister Fence of Hickory, LLC



1702 11th Avenue S. W. Hickory NC 28602
Phone: 828-855-9860 Fax: 828-855-9862
e-mail: fisterfence@charter.net

April 1st, 2020

PROPOSAL: BRUSHY MTN. BUILDERS
ATTENTION: JASON/CHUCK
RE: LOWER CREEK WWTP

Jason/Chuck:

We submit, herewith, our proposal for the above mentioned project.

ADDITIONAL POSTS & FLARED ENDS

- 2 Additional steel posts
- 4 Flared ends

TOTAL PRICE OF MATERIALS AND LABOR, INSTALLED.....\$632.00

NOTE Price is valid for thirty (30) days. If there is any variance in quantities and specifications shown by us or in your request, please notify us immediately. A 3.99% surcharge will be added to all invoices paid by debit or credit cards.

Respectfully Submitted,

Signature Acceptance_____

Printed Name_____

Date_____

Tim Pfister
Commercial Sales

CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item:

Execution of Task Order No. 4 under the current Master Services Agreement with McGill Associates for survey, design, permitting, and construction phase services related to replacement of a 96-inch culvert and headwalls that serves a portion of the Lenoir Greenway.

II. Background Information:

City of Lenoir Public Works and Recreation Department staff has identified significant issues with a 96-inch culvert crossed by the Lenoir Greenway near 206 Morganton Boulevard (Days Inn property). Over the past two (2) years, numerous sinkholes have developed in the greenway path at this location, and temporary asphalt repairs completed by City staff continue to settle, sink, and fail. Given the size of the culvert and headwalls and complexity of the project, staff consulted McGill Associates requesting a proposal for design and construction assistance. McGill has provided a proposed Task Order, as outlined in the attached Public Works Department memorandum dated September 08, 2020. The task order includes four (4) scope elements: survey - **\$4,100.00**, design - **\$11,500.00**, permitting - **\$5,300.00**, and construction phase services - **\$3,500.00**. The total proposed cost for the work described in this task order is **\$24,400.00**.

III. Staff Recommendation:

Consistent with the Public Works Department memorandum, staff recommends acceptance of the McGill Associates proposal and execution of Task Order 4 for consultant services related to replacement of the 96-inch culvert and headwalls at 206 Blowing Rock Boulevard.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____



Public Works/Public Utilities Director: _____

TASK ORDER NO. 4

This **TASK ORDER NO. 4** dated the _____, day of _____ 20____, is a supplement to the **MASTER SERVICES AGREEMENT** between the City of Lenoir, North Carolina, dated October 23, 2018, hereinafter referred to as OWNER and McGill Associates, P.A., hereinafter referred to as "ENGINEER". The purpose of this Task Order is to authorize the ENGINEER to provide services for the "PROJECT" entitled:

Lenoir Greenway Drainage Culvert Replacement

SECTION 1 - PROJECT DESCRIPTION:

The project can generally be described as:

Replacement of approximately 50 LF of failing drainage pipe and headwalls across the Lenoir Greenway and a private driveway located approximately 300 LF east of Highway 321.

SECTION 2 - SCOPE OF SERVICES:

The Engineer shall provide all professional services (the "Services") for the Project including, performance of the following:

Land Surveying Services

Perform a topographic survey of the project site according to the following criteria:

1. Horizontal and vertical geodetic survey control on NAD83(2011) and NAVD88 (GEOID12A).
2. Mapping to include the area inside the mapping limits as shown on the attached survey scope map.
3. Locate planimetric data for above ground features, accessible piping networks, roads, buildings, structure
4. Topographic mapping and digital terrain model of the site suitable to produce a one foot contour.
5. Contact NC One Call and request utility locations for the project area.
6. Locate utilities as marked.

7. Establish property boundaries and ROW lines in CAD for project area as shown on survey scope map.

8. Prepare one (1) temporary construction easement description with map for attachment to easement documents prepared by Owner's attorney.

Civil Engineering Services

1. Attend one (1) meeting at the project site to coordinate with Owner and observe site conditions.

2. Prepare plan drawings for layout, grading, drainage, and erosion control based on the following criteria/assumptions:

- Layout will be based on surveying information provided by McGill Associates under Task Order 4.
- Replacement pipe sizing will match existing pipe sizes. No drainage study or calculations will be performed.
- Construction will result in disturbing less than one (1) acre, therefore, application for an NCDEQ Erosion Control Permit will not be necessary.

3. Provide one (1) engineer's estimate of probable construction cost.

4. Attend one (1) design review meeting with Owner's staff.

5. Provide McGill standard specifications for construction in MasterSpec format.

6. Provide one (1) set of documents for informal solicitation of bids. Bid solicitation will be performed by the Owner, so no bid solicitation assistance will be provided.

Permit Assistance Services

1. Provide 404/401 permitting correspondence with the U.S. Army Corps of Engineers and NCDEQ, including:

- Perform a delineation of the project area, including a site assessment in accordance with the guidelines and standards of the US Army Corps of Engineers – Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region (Version 2.0)
- Prepare and submit US Army Corps of Engineers Nationwide 3 Permit Application package with all drawings, maps, forms, and other supporting documentation.

2. Provide no-impact statement to address floodplain permitting. No modeling or calculations are included under this task order.

Construction Phase Services

1. Review Shop Drawings and Submittals

2. Provide responses to Contractor Requests for Information (RFI's)

3. Provide up to 10 hours of construction observation services during active project construction.

4. Conduct one (1) punch list site visit and one (1) final closeout site visit.

SECTION 3 – COMPENSATION

The Owner shall pay the Engineer for services outlined in Task Order No. 4 the following Not to Exceed and/or Lump Sum amounts:

Land Surveying Services	\$ 4,100.00 (Lump Sum)
Civil Engineering Services	\$11,500.00 (Lump Sum)
Permit Assistance Services	\$ 5,300.00 (Lump Sum)
Construction Phase Services	\$ 3,500.00 (Lump Sum)
Total	\$24,400.00 (Lump Sum)

SECTION 4 - MISCELLANEOUS

Except as otherwise provided herein, this Task Order supersedes all prior written or oral understanding of the parties and may only be changed by a written amendment executed by both parties.

SECTION 5 – AUTHORIZATION TO PROCEED

IN WITNESS WHEREOF, and as AUTHORIZATION TO PROCEED the parties execute below this Task Order No. ___ in duplicate originals:

EXECUTED this _____ day of _____, 20____.

McGill Associates, P.A.



Douglas Chapman, PE
Hickory Office Manager

City of Lenoir

By: _____
Scott Hildebran
City Manager

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

By: _____
Donna Bean
Finance Director



DEPARTMENT MEMORANDUM

DATE: September 08, 2020

Mr. Scott Hildebran, City Manager
Mr. Kenny Story, Recreation Director

RE: Greenway Culvert Replacement – Engineering Services

This memorandum provides background information and a summary of engineering and design services necessary to replace a failing culvert crossed by a portion of the Lenoir Greenway.

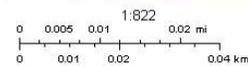
For the past two years, on numerous occasions, City Public Works and Recreation staff has been alerted to sinkholes appearing in the greenway path directly above a 96-inch culvert near the Days Inn property, 206 Blowing Rock Boulevard. Each time staff has responded by filling the holes with hot mix asphalt or cold patch (temporary asphalt repair material). These temporary repairs were necessary to open the trail section to pedestrian traffic.

Greenway Culvert (9-9-20)



September 9, 2020

This map is NOT of land survey quality and is NOT suitable for such use.



In August 2020, staff responded to a report of a sinkhole in this area. After placing a temporary asphalt repair, staff performed a more thorough investigation of the culvert condition and discovered several apparent points of failure. These included corrosion of the culvert floor (the pipe material is corrugated metal) and a faulty connection between culvert sections. At this time it was determined that a full replacement should be considered.



Public Works Department staff contacted McGill Associates and conducted an on-site meeting on August 21, 2020. McGill was the designing engineer on this trail section and the adjacent US321 box culvert/tunnel crossing that was constructed in 2010, so project and location-specific experience may assist with expediting design should the City move forward with the permanent repair and culvert replacement.

McGill Associates has provided a proposal which outlines the scope for project design. The scope elements include the following:

- **Survey:** The City has provided an easement plat for this trail section which establishes horizontal limits of the permanent easement, but this plat does not contain vertical data, geo-data specific to the culvert and headwalls, or existing utilities. This information must be obtained prior to design. This project may also require a temporary construction easement from the property owner at 206 Blowing Rock Boulevard. The northern head wall appears to be outside the permanent easement, and this area will be impacted during demolition and construction.
- **Project Design:** This element includes development of project plans necessary to bid, award, and build the project. The design phase will also include a preliminary estimate of probable construction costs. We anticipate an informal (by invitation) bid process that will be administered by City staff.

- **Permitting:** The project will require permitting through the North Carolina Department of Environmental Quality (NCDEQ) and the United States Army Corps of Engineers (USACE). Direct impacts to the stream channel require permitting prior to construction authorization.
- **Construction Phase Services:** The proposal also includes construction observation, submittal and shop drawing review, and final inspection(s) following completion of construction. Due to the complexity of this project, City staff supports third-party observation to ensure compliance with project plans and permitting requirements.



Respectfully submitted,

City of Lenoir
Public Works Department

JARED WRIGHT
Public Works Director

Lenoir Board Appointment List

ABC Board

Dr. John Tye *re-appointment

Lenoir Business Advisory Board

Margaret Forney *new appointment

Planning Board

Marta Lazo *new appointment