



AGENDA

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



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition: On behalf of City Council, Mayor Gibbons will recognize Richard Hedrick for his twenty-three years of dedicated service to the Lenoir Planning Board and the community.
- C. FY2019-2020 Annual Audit: Eric Bowman, PA, will present an update of the City's FY2019-2020 Annual Audit Report.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, September 15, 2020 as submitted.
- B. Closed Session Minutes: Approval of the closed session minutes of the City Council meeting of Tuesday, September 15, 2020 as reviewed by the City Council, City Attorney and City Manager.
- C. Closeout; Capital Project Budget Ordinance; Bernhardt WTP Improvements, Phase II: Approval to close the Bernhardt Water Treatment Plant Improvements Project, Phase II. City Council adopted the Capital Project Ordinance on January 16, 2018 and the Project was completed on September 30, 2020 at a cost of \$9,039,576.24 and was \$1,010,423.76 under budget.
- D. Closeout; Rural Building Reuse Grant; UNC Health Care: Authorization to close Rural Building Reuse Grant for the City of Lenoir for the UNC Health Care Behavioral Health Facility. This project was complete as of September 3, 2020 with total expenditures of \$500,000.00. There were no excess funds.
- E. Resolution; Richard Hedrick: Approval of a resolution honoring Richard Hedrick's twenty-three years of dedicated service to the Lenoir Planning Board and the community.

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. October Calendar: The calendar for the month of October will be submitted to Council listing various meetings.

2. The 2021 Holiday Schedule will be submitted to Council as information.
3. The 2021 City Council Meeting Schedule will be submitted to Council for their review and approval.
4. The ABC Board will conduct an electronic meeting on Thursday, October 8 at 2:00 p.m.
5. The Lenoir Business Board will conduct an electronic meeting on Thursday, October 8 at 6:00 p.m.
6. The City/County Services Committee will conduct a live and electronic meeting on Monday, October 12 at noon.
7. The Caldwell County Economic Development Commission will conduct an electronic meeting on Tuesday, October 13 at 8:00 a.m.
8. The Parks & Recreation Advisory Board will meet on Monday, October 19 at 6:00 p.m. at the Mulberry Recreation Center.
9. Early Voting for Municipal Elections begins on Thursday, October 15 through Saturday, October 31 from 8:00 a.m. until 7:30 p.m. at the Caldwell County Resource Center located at 120 Hospital Avenue, Lower Level. Early voting will also be held on Saturday, October 17 and Saturday, October 24 from 8:00 a.m. – 6:00 p.m. and again on Saturday, October 31 from 8:00 a.m. until 3:00 p.m.

B. Items for Council Action

1. Delegate/Alternate; NLC City Summit: City Council will choose a Delegate and Alternate Delegate to represent the City of Lenoir during the National League of Cities (NLC) City Summit's Virtual Business Meeting in November.

Councilmembers participating in the Virtual Summit are Mayor Joe Gibbons, City Attorney T.J. Rohr and Councilmember Ben Willis.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

- A. Board Appointments: Mayor Gibbons will recommend the following individuals for Council's consideration of approval to the City's Authorities/Boards/Commissions:

Marta Lazo	Planning Board	4-year term
Margaret Forney	Lenoir Business Adv. Board	2-year term
Dr. John Tye*	ABC Board	3-year term
*re-appointment		

Note: The two new board appointments and one re-appointment were announced for the general public at the September 15, 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

RESOLUTION HONORING
Richard Hedrick

WHEREAS, Richard Hedrick, has served faithfully and diligently as a member of the Lenoir Planning Board since 1997 when he was first appointed to serve as an Extraterritorial representative; and

WHEREAS, Richard Hedrick went on to serve as a regular member of the Lenoir Planning Board as well as a member of the Lenoir Board of Adjustment, and recently was also an inaugural member of the Lenoir Historic Preservation Commission; and

WHEREAS, Richard Hedrick during his 23 year tenure as a Board Member, has served with great competence and made important contributions to a large variety of land development cases; including the adoption of a Comprehensive Plan, amendments to the Land Development Code, re-zonings, conditional use permits, variances, conditional zoning districts, and other planning projects; and

WHEREAS, Richard Hedrick is being honored and recognized for his volunteerism, devotion to the community, and his commitment and hard work;

NOW THEREFORE BE IT RESOLVED, that the Lenoir City Council hereby expresses sincere appreciation to our friend and colleague, who, through his leadership and dedicated service to the City has earned respect and has made lasting contributions for the betterment of the City,

BE IT FURTHER RESOLVED, I, Mayor Joseph L. Gibbons, by virtue of the authority vested in me as Mayor of the City of Lenoir, North Carolina, and on behalf of the City Council and all the citizens, do hereby extend sincere appreciation and deep gratitude to **Richard Hedrick** for his devoted and outstanding service.

This the 6th day of October, 2020.

SEAL

Joseph L. Gibbons, Mayor



City of Lenoir, North Carolina

Management's Discussion and Analysis For the Year ended June 30, 2020

As management of the City of Lenoir, we offer readers of the City of Lenoir's financial statements this narrative overview and analysis of the financial activities of the City of Lenoir for the fiscal year ended June 30, 2020. We encourage readers to read the information presented here in conjunction with additional information that we have furnished in the City's financial statements, which follow this narrative.

Financial Highlights

- The assets and deferred outflows of resources of the City of Lenoir exceeded its liabilities and deferred inflows of resources at the close of the fiscal year by \$86,948,900 (*net position*).
- The government's total net position increased by \$2,173,944 with a 745,851 increase in governmental activities and a \$1,428,093 increase in business-type activities.
- As of the close of the current fiscal year, the City of Lenoir's governmental funds reported combined ending fund balances of \$13,279,779 an increase of \$1,163,793 in comparison with the prior year. Approximately 78.94 percent of this total amount or \$10,483,369 is available for spending at the government's discretion.
- At the end of the current fiscal year, unassigned fund balance for the General Fund was \$10,483,369 or 58.23 percent of total general fund expenditures for the fiscal year.
- The City of Lenoir's total debt increased by \$625,237 or 2.96 percent during the current fiscal year.

Overview of the Financial Statements

This discussion and analysis are intended to serve as an introduction to City of Lenoir's basic financial statements. The City's basic financial statements consist of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements (see Figure 1). The basic financial statements present two different views of the City through the use of government-wide statements and fund financial statements. In addition to the basic financial statements, this report contains other supplemental information that will enhance the reader's understanding of the financial condition of the City of Lenoir.

City of Lenoir, North Carolina

Statement of Revenues, Expenditures and Changes in Fund Balances
Governmental Funds
For the Year Ended June 30, 2020
(Exhibit D)

	General	Special Revenue Fund	Non Major Governmental Funds	Total Governmental Funds
Revenues				
Ad valorem taxes	\$ 8,889,572			\$ 8,889,572
Other taxes and licenses	4,252,707			4,252,707
Unrestricted intergovernmental revenues	2,499,881			2,499,881
Restricted intergovernmental revenues	1,082,662	1,632,920	50,924	2,766,506
Permits and fees	256,363			256,363
Sales and services	1,353,940			1,353,940
Investment earnings	111,304		5,350	116,654
Miscellaneous	414,275	404,443	6,600	825,318
Payment from ABC Board	418,302			418,302
Total revenues	<u>19,279,006</u>	<u>2,037,363</u>	<u>62,874</u>	<u>21,379,243</u>
Expenditures				
Current:				
General Government	2,979,743			2,979,743
Public safety	9,140,826			9,140,826
Transportation	1,772,999			1,772,999
Environmental protection	1,524,983			1,524,983
Economic and physical development	469,512	1,799,597		2,269,109
Cultural and recreational	1,631,019			1,631,019
Capital projects			412,170	412,170
Debt service:				
Principal retirement	478,922			478,922
Interest and fees	5,679			5,679
Total expenditures	<u>18,003,683</u>	<u>1,799,597</u>	<u>412,170</u>	<u>20,215,450</u>
Excess (deficiency) of revenues over (under) expenditures	<u>1,275,323</u>	<u>237,766</u>	<u>(349,296)</u>	<u>1,163,793</u>
Other financing sources (uses)				
Transfers	(314,995)		314,995	-
Total other financing sources (uses)	<u>(314,995)</u>	<u>-</u>	<u>314,995</u>	<u>-</u>
Net change in fund balances	960,328	237,766	(34,301)	1,163,793
Fund balance - beginning	<u>11,361,196</u>	<u>395,159</u>	<u>359,631</u>	<u>12,115,986</u>
Fund balance - ending	<u>\$ 12,321,524</u>	<u>\$ 632,925</u>	<u>\$ 325,330</u>	<u>\$ 13,279,779</u>

City of Lenoir, North Carolina

Balance Sheet
Governmental Funds
June 30, 2020
(Exhibit C)

	General	Special Revenue Fund	Non Major Governmental Funds	Total Governmental Funds
Assets				
Cash and cash equivalents	\$ 10,826,902	\$ 399,340	\$ 29,433	\$ 11,255,675
Cash and cash equivalents-restricted			295,897	295,897
Taxes receivable (net)	336,832			336,832
Accounts receivable (net)	1,081,929			1,081,929
Other receivables	638,926	234,997		873,923
Total assets	<u>\$ 12,884,589</u>	<u>\$ 634,337</u>	<u>\$ 325,330</u>	<u>\$ 13,844,256</u>
Liabilities:				
Accounts payable	226,233	1,412		227,645
Total liabilities	<u>226,233</u>	<u>1,412</u>	<u>-</u>	<u>227,645</u>
Deferred Inflow of Resources:				
Unavailable Property Taxes	336,832			336,832
Total Deferred Inflows of Resources	<u>336,832</u>	<u>-</u>	<u>-</u>	<u>336,832</u>
Fund balances:				
Non Spendable				
Cemetery Care			295,897	295,897
Restricted				
Stabilization by State Statute	1,720,855			1,720,855
Public Safety	117,300			117,300
Assigned				
To Future Capital Projects			29,433	29,433
To Future Economic Development		632,925		632,925
Unassigned	10,483,369			10,483,369
Total fund balances	<u>12,321,524</u>	<u>632,925</u>	<u>325,330</u>	<u>13,279,779</u>
Total liabilities, deferred inflows of resources, and fund balances	<u>\$ 12,884,589</u>	<u>\$ 634,337</u>	<u>\$ 325,330</u>	<u>\$ 13,844,256</u>

City of Lenoir, North Carolina

Enterprise Fund - Water and Sewer Fund

**Supplemental Schedule of Revenues and Expenditures -
Budget and Actual (Non-GAAP)**

For the Year Ended June 30, 2020

(Schedule 11, Part III)

Reconciliation from budgetary basis (modified accrual) to full accrual basis:

	2020 Actual
Total revenues and other financing sources on Schedule 11, Part I, Water and Sewer	\$ 9,593,295
Total expenditures on Schedule 7, Part II, Water and Sewer	<u>8,174,306</u>
Revenues and other sources over (under) expenditures and other uses:	<u>1,418,989</u>
Reconciling items:	
Grants - Capital Projects	129,630
Interest Earned - Capital Projects	6,090
Debt principal	1,567,794
Capital outlay	436,188
Transfer to Capital Projects	139,900
Increase in accrued vacation pay	(16,612)
Bad debts	(200,000)
Depreciation expense	(1,604,238)
Decrease in Inventory	(115,294)
Decrease in Deferred Outflows-Pensions	(82,313)
Decrease in Deferred Inflows-Pensions	26,684
Increase in Net Pension Liability	(253,245)
Increase (Decrease) in deferred outflows of resources - OPEB	(8,994)
(Increase) Decrease in deferred inflows of resources - OPEB	(61,990)
(Increase) Decrease in OPEB Liability	<u>45,504</u>
Total reconciling items	<u>9,104</u>
Change in Net Position (Exhibit G)	<u>\$ 1,428,093</u>

City of Lenoir, North Carolina

Management's Discussion and Analysis
For the Year ended June 30, 2020

**City of Lenoir's Outstanding Debt
Revolving Loans and Installment Purchases**

Figure 7

	Governmental Activities		Business-type Activities		Total	
	2020	2019	2020	2019	2020	2019
Direct Placement Revolving Loans	\$		\$ 16,469,484	\$ 14,656,371	\$ 16,469,484	\$ 14,656,371
Direct Placement Installment Purchase Contracts	\$ 1,188,175	1,667,097	4,058,323	4,767,277	\$ 5,246,498	\$ 6,434,374
Total	\$ 1,188,175	\$ 1,667,097	\$ 20,527,807	\$ 19,423,648	\$ 21,715,982	\$ 21,090,745

The above debt of the City of Lenoir increased by \$625,237 (2.96%) during the past fiscal year.

As mentioned in the financial highlights section of this document, the City of Lenoir has an "A" rating from Standard & Poor's, dated March of 1999; an "A2" rating from Moody's Investors Services dated July of 1997; and an "81" council rating from the North Carolina Municipal Council, Inc., dated January of 1999.

North Carolina general statutes limit the amount of general obligation debt that a unit of government can issue to 8 percent of the total assessed value of taxable property located within that government's boundaries less statutory deductions for bonds applicable to water systems. The legal debt margin for City of Lenoir is \$212,471,459.

Additional information regarding the City of Lenoir's long-term debt can be found beginning on page 64 of this report.

Economic Factors and Next Year's Budgets and Rates

During fiscal year 2019-2020, the economic indicators for Lenoir exhibited small, but significant gains, reflecting that the economy of the City is continuing to recover from the impact of the national recession. Retail sales tax revenue and local occupancy tax revenue both increased. The Hickory-Lenoir-Morganton MSA unemployment rate continued to decline with the availability of more private sector jobs.

**LENOIR CITY COUNCIL
 TUESDAY, SEPTEMBER 15, 2020
 6:00 P.M.**

PRESENT: Mayor Joe Gibbons presiding. Councilmembers present were Jonathan Beal, Mayor Pro-Tem Crissy Thomas, Ike Perkins, Ralph Prestwood, David Stevens, and City Manager Scott Hildebran. Police Chief Brent Phelps was also in attendance at the meeting.

VIA TELECONFERENCE:

Participating via teleconference were Councilmembers Todd Perdue, Ben Willis, City Attorney T.J. Rohr and City Clerk Shirley Cannon.

Department Directors participating via teleconference were Finance Director Donna Bean, Fire Deputy Chief Kenny Nelson, Recreation Director Kenny Story, Planning Director Jenny Wheelock, Economic Development Director Kaylynn Horn, Public Utilities Director Radford Thomas, Public Works Director Jared Wright and Communications Director Joshua Harris.

Also attending via teleconference was Garrett Stell, News Topic.

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.

**SPECIAL RECOGNITION;
 CONSTITUTION DAY:**

- C. On behalf of City Council, Mayor Gibbons presented a proclamation to Diana Hale, representative of the Daughters of the American Revolution, proclaiming Thursday, September 17, 2020 as "Constitution Day" and the week of September 17 through September 23 as "Constitution Week" throughout the City of Lenoir and Caldwell County. Mayor Gibbons stated this marks the 233rd anniversary of the signing of the Constitution.

Mayor Gibbons stated a ceremony would also be held on Thursday, September 17 at 9:00 a.m. at the Charters of Freedom located downtown beside of the former Caldwell County Court House in honor of Constitution Day. He thanked Ms. Hale for coming and for all of her support.

Ms. Hale thanked City Council for the recognition for this important occasion

and commented that by working together, everyone can accomplish much.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Upon a recommendation by City Manager Hildebran, the following Consent Agenda items were submitted for approval:
1. Minutes: Approval of the minutes of the City Council meeting of Tuesday, August 18, 2020 as submitted.
 2. Proclamation; Constitution Day: Approval of a proclamation proclaiming Thursday, September 17, 2020 as "Constitution Day" and the week of September 17 through September 23 as "Constitution Week" throughout the City of Lenoir and Caldwell County. (A copy of the proclamation is hereby incorporated into these minutes by reference. Refer to page 172).

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

IV. REQUESTS AND PETITIONS OF CITIZENS

COMMENTS; CONFEDERATE MONUMENT:

- A. Mr. Dennis Benfield, 3455 Civil War Drive, Hudson, NC, addressed City Council and spoke in favor of keeping the Confederate monument that is located downtown in its current location. Mr. Benfield presented a background report on the Civil War and shared his great, great grandfather died at the battle of Gettysburg. Mr. Benfield remarked the monument represents the soldiers who died for the gray and further explained that each state placed a monument at Gettysburg representing the area where their soldiers were standing when the battle began.

In addition to the Confederate monument, Mr. Benfield referred to the City's Veterans Plaza on the downtown square along with the marker that was installed providing information about the Over Mountain Victory Trail battle.

Mr. Benfield further mentioned the City of Lenoir celebrates Black History Month along with Kwanza in December, which is an African-American celebration of life and also has a recreation center named in honor and memory of Dr. Martin Luther King, Jr. Mr. Benfield mentioned that other towns have monuments and reiterated Lenoir's monument has stood as a source of pride for the families who fought for it. He urged City Council to leave it in its current location and pointed out the City has had decades to make a decision to move it as it has stood in its current location for over 110 years.

Mayor Gibbons informed Mr. Benfield that City Council would take his comments under advisement. City Attorney T.J. Rohr 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

PARKS AND RECREATION ADVISORY

BOARD: 1. The Parks and Recreation Advisory Board will meet on Monday, September 21 at 6:00 p.m. at Mulberry Recreation Center.

PLANNING

BOARD: 2. The Planning Board will conduct a virtual meeting on Monday, September 28 at 5:30 p.m.

CANCELLED; COMMITTEE OF

THE WHOLE: 3. The Committee of the Whole will not meet in September.

FOOTHILLS REGIONAL

AIRPORT AUTHORITY:

4. The Foothills Regional Airport Authority will conduct a virtual meeting on Wednesday, September 30 at noon.

B. ITEMS FOR COUNCIL ACTION

CHANGE ORDER NO. 1;

BIOSOLIDS PROJECT:

1. City Manager Hildebran recommends that Council approve Change Order No. 1 in the amount of \$23,607.96 for the Lower Creek Wastewater Treatment Plant Biosolids Improvements Project (LCWWTP). 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.

A copy of the Change Order is here by incorporated into these minutes by reference. (Refer to page 173).

Mr. Hildebran stated Change Order NO. 1 is being requested for six (6) revision items for the project.

Upon a motion by Councilmember Beal, Council voted 7 to 0 to approve Change Order No. 1 in the amount of \$23,607.96 for the LCWWTP Biosolids Project as described above and as recommended by City Manager Hildebran.

ENGINEERING SERVICES; MCGILL

ASSOCIATES:

2. 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.

A copy of Task Order No. 4 is hereby incorporated into these minutes by reference. (Refer to page 174-175).

City Manager Hildebran explained the current 96" culvert failure has previously been repaired, but it continues to sink. 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. He referred to Staff's recommendation and clarified for Council the new replacement would be the same type of culvert.

Upon a motion by Councilmember Stevens, Council voted 7 to 0 to approve the proposal and execution of Task Order No. 4 in the amount of \$24,400.00 as described above and as recommended by City Staff.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

BOARD ANNOUNCEMENTS:

- A. Mayor Gibbons recommends that Marta Lazo be appointed to serve a four-year term on the Lenoir Planning board, Margaret Forney be appointed to serve a two-year term on the Lenoir Business Advisory Board, and Dr. John Tye be re-appointed to serve a three-year term on the ABC Board.

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

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

UPDATE; LENOIR GREENWAY:

- A. Councilmember Stevens expressed appreciation for the City's Greenway and stated he receives a lot of compliments about it.

Mayor Gibbons asked Parks and Recreation Director Kenny Story to give an update on the current usage of the City's recreation's centers.

Director Story reported a number of people are now beginning to use the Greenway along with the City's parks and playgrounds. He stated there have not been any issues at the parks with large gatherings of people. It was also noted individuals are using the new tables that have been placed on the downtown square for outside dining.

Mayor Gibbons stated additional tables with the new downtown logo on them will be installed in the near future.

CLOSED SESSION:

- A. Pursuant to N.C.G.S. §143.318.11(a), (3), and upon a motion by Councilmember

Perkins, which unanimously carried, City Council entered into closed session to discuss attorney client privilege.

OPEN SESSION:

B. Upon a motion by Councilmember Stevens, Council voted 7 to 0 to return to open session.

X. ADJOURNMENT

A. There being no further business, the meeting was adjourned at 8:15 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor

CITY MANAGER
SCOTT E. HILDEBRANCITY OF LENOIR
NORTH CAROLINAMAYOR
JOSEPH L. GIBBONSCITY COUNCIL
J. T. BEAL
T. H. PERDUE
J. I. PERKINS
R. S. PRESTWOOD
D. F. STEVENS
C. D. THOMAS
B. K. WILLIS*Constitution Week 2020 Proclamation*

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 rules by law; and

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

WHEREAS: Five delegates were therein elected to represent North Carolina at the Constitutional Convention – William Blount, William Richardson Davie, Alexander Martin, Richard Dobbs Spaight, Sr. and Hugh Williamson, and the State of North Carolina ratified the Constitution on November 21, 1789, the twelfth state to do so; 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 it; and

WHEREAS: As Mayor of the City of Lenoir, I encourage our residents to read the United States Constitution and discuss the meaning and importance of the document with children and grandchildren; and

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

NOW, THEREFORE I, Joseph L. Gibbons, by virtue of the authority vested in me as Mayor of the City of Lenoir in Caldwell County, do hereby proclaim the week of September 17 through 23, 2020, as

CONSTITUTION WEEK

and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Lenoir, North Carolina to be affixed this 15th day of September of the year of our Lord two thousand twenty.

SEAL

Joseph L. Gibbons, Mayor

Date of Issuance: August 25, 2020	Effective Date: August 25, 2020
Owner: City of Lenoir	Owner's Contract No.:
Contractor: Brushy Mountain Builders	Contractor's Project No.:
Engineer: McGill Associates, P.A.	Engineer's Project No.: 17.01107
Project: Biosolids Facility Improvements	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: \$ 4,259,000.00	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: \$ 4,259,000.00	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: \$ 23,607.96	[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: \$ 4,282,607.96	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: <u>[Signature]</u> Title: <u>CITY MANAGER</u> Date: <u>9/16/2020</u>	ACCEPTED: By: <u>[Signature]</u> Title: <u>Project Manager</u> Date: <u>8-27-2020</u>
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Approved by Funding Agency (if applicable):

Date: _____

TASK ORDER NO. 4

This **TASK ORDER NO. 4** dated the 15th, day of September, 2020 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.

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

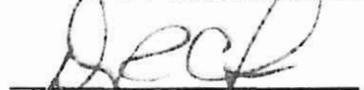
Except as otherwise provided herein, this Task Order supersedes all prior written or oral understanding of the parties and may only be changed by a written amendment executed by both parties.

SECTION 5 - AUTHORIZATION TO PROCEED

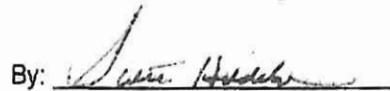
IN WITNESS WHEREOF, and as AUTHORIZATION TO PROCEED the parties execute below this Task Order No. ___ in duplicate originals:

EXECUTED this 15th day of September, 2020

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
 Donna Bean
 Finance Director

CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item:

Request to close the Rural Building Reuse Grant for UNC Health Care Behavioral Health Facility which was authorized on August 7th, 2018.

Background Information:

The Rural Building Reuse Grant for UNC Health Care Behavioral Health Facility was authorized on August 7th, 2018 as follows:

Building Reuse Grant Award	\$500,000 .00
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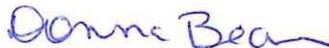
The Project was on budget with no excess. The Department of Commerce closed the project as of 9/3/2020

Staff Recommendation:

Approve as requested

II. Reviewed by:

City Attorney:

Finance Director: 

Public Works/Public Utilities Director:

Planning Director:

Recreation Director:

**CLOSE RURAL BUILDING REUSE GRANT AUTHORIZED
FOR THE CITY OF LENOIR**

WHEREAS, the City Council desires to recognize the completion of the following authorized Rural Center Reuse Grant(s), and

WHEREAS, The City authorized the Rural Building Reuse Grant for the UNC Health Care Behavioral Health Facility on August , 2018 with a total grant from the NC Department of Commerce in the amount of \$500,000.00. This project was complete as of September 3, 2020 with total expenditures of \$500,000.00. There were no excess funds.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA, THAT:

The Rural Building Reuse Grant for the UNC Health Care Behavioral Health Facility is closed.

Adopted this 6th day of October, 2020

Joseph L. Gibbons, Mayor

Attest:

Shirley M. Cannon, City Clerk

CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item:

Request to be made for the fiscal year ending June 30, 2021 to closeout the Capital Project Budget Ordinance - Bernhardt Water Treatment Plant Improvements - Phase II, which was adopted on January 16, 2018.

Background Information:

Request to be made for the fiscal year ending June 30, 2021 to close the Capital Project Budget Ordinance- Bernhardt Water Treatment Plant Improvements - Phase II that was adopted on January 16th, 2018 as follows:

Original Budget:

Construction	\$ 8,337,000.00
Construction Administration and Observation	\$ 590,000.00
Cleaning Residuals Lagoon (allowance)	\$ 200,000.00
Legal and Administrative	\$ 40,000.00
Project Commissioning	\$ 25,000.00
Construction Materials Testing	\$ 25,000.00
Contingency	\$ 833,000.00
Total	<u>\$ 10,050,000.00</u>

The Project was completed on 9/30/2020 at a cost of \$9,039,576.24 and was \$1,010,423.76 under budget.

Staff Recommendation:

Approve as requested

II. Reviewed by:

City Attorney:

Finance Director: Donna Bean

Public Works/Public Utilities Director:

Planning Director:

Recreation Director:

ORDINANCE #2021-1

CAPITAL PROJECT BUDGET ORDINANCE TO CLOSE CAPITAL PROJECT FOR THE CITY OF LENOIR

WHEREAS, the City Council of the City of Lenoir has adopted a Budget Ordinance for fiscal year beginning July I, 2020, and ending June 30, 2021, in accordance with the General Statutes of the State of North Carolina, and

WHEREAS, the City Council desires to recognize the completion of the following Capital Project(s), and

WHEREAS, The City adopted the Capital Project Budget Ordinance for the Bernhardt Water Treatment Plant Improvements - Phase II on the 16th day of January 2018 with a total project budget of \$10,050,000.00. This project was complete as of September 30th, 2020 with total expenditures of \$9,039,576.24. There were excess funds of \$1,010,423.76.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA, THAT:

The Capital Project Budget Ordinance for the Bernhardt Water Treatment Plant Improvements-Phase II closed.

Adopted this 6th day of October, 2020.

Joseph L. Gibbons, Mayor

Attest:

Shirley M. Cannon, City Clerk



October 2020



Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6 6:00 p.m. City Council	7 9:00 a.m. Staff Mtg.	8 2:00 p.m. ABC Board 6:00 p.m. Lenoir Business Adv. Brd. (Virtual)	9	10
11	12 Noon - City/County Services Committee (Virtual Meeting)	13 8:00 a.m. EDC (Virtual Meeting)	14	15 8:00 a.m. - 7:30 p.m. Early Voting Begins (Caldwell County Resource Center)	16	17 8:00 a.m. - 6:00 p.m. Early Voting (Caldwell County Resource Center)
18	19 6:00 p.m. Parks & Recreation Adv. Brd. (Mulberry Recreation Center)	20 6:00 p.m. City Council	21 9:00 a.m. Staff Mtg.	22	23	24 8:00 a.m. - 6:00 p.m. Early Voting (Caldwell County Resource Center)
25	26 5:30 p.m. Planning Board (Virtual Meeting)	27 8:30 a.m. Committee of the Whole (City Hall, 3rd Floor)	28 Noon - Foothills Regional Airport Authority (Virtual Meeting)	29	30	31 8:00 a.m. - 3:00 p.m. Early Voting Ends (Caldwell County Resource Center)
Notes for November						
City offices will be closed on Wednesday, November 11 in observance of Veterans Day and on Thursday, November 26 & Friday, November 27 in observance of Thanksgiving.						

City of Lenoir
 P.O. Box 958
 Lenoir, N.C. 28645
www.cityoflenoir.com
 757-2200 / 757-2162 fax

Joseph L. Gibbons, Mayor
 Scott E. Hildebran, City Manager
 Shirley M. Cannon, City Clerk

CITY OF LENOIR

2021 HOLIDAY SCHEDULE

Friday, January 1

New Year's Day

Monday, January 18

Martin Luther King, Jr. Day

Friday, April 2

Good Friday

Monday, May 31

Memorial Day

Monday, July 5

Independence Day

Monday, September 6

Labor Day

Thursday, November 11

Veterans Day

Thursday, November 25

Thanksgiving Holiday

Friday, November 26

Thursday, Friday & Monday

Christmas Holiday

December 23, 24, & 27

CITY OF LENOIR
LISTING OF
CITY COUNCIL MEETINGS FOR 2021

JANUARY

City Council	Tuesday, January 5	6:00 p.m.
City Council	Tuesday, January 19	6:00 p.m.
Committee of the Whole	Tuesday, January 26	8:30 a.m.

FEBRUARY

City Council	Tuesday, February 2	6:00 p.m.
City Council	Tuesday, February 16	6:00 p.m.
Committee of the Whole	Tuesday, February 23	8:30 a.m.

MARCH

City Council	Tuesday, March 2	6:00 p.m.
City Council	Tuesday, March 16	6:00 p.m.
Committee of the Whole	Tuesday, March 23	8:30 a.m.

APRIL

City Council	Tuesday, April 6	6:00 p.m.
City Council	Monday, April 19	6:00 p.m.
Committee of the Whole	Tuesday, April 27	8:30 a.m.

MAY

City Council	Tuesday, May 4	6:00 p.m.
City Council	Tuesday, May 18	6:00 p.m.
Committee of the Whole	Tuesday, May 25	8:30 a.m.

JUNE

City Council	Tuesday, June 1	6:00 p.m.
City Council	Tuesday, June 15	6:00 p.m.
Committee of the Whole	Tuesday, June 22	8:30 am.

JULY

City Council	Tuesday, July 20	6:00 p.m.
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***Only one meeting in July.**

AUGUST

City Council	Tuesday, August 3	6:00 p.m.
City Council	Tuesday, August 17	6:00 p.m.
Committee of the Whole	Tuesday, August 24	8:30 a.m.

SEPTEMBER

City Council	Tuesday, September 7	6:00 p.m.
City Council	Tuesday, September 21	6:00 p.m.
Committee of the Meeting	Tuesday, September 28	6:00 p.m.

OCTOBER

City Council	Tuesday, October 5	6:00 p.m.
City Council	Tuesday, October 19	6:00 p.m.
Committee of the Whole	Tuesday, October 26	8:30 am.

NOVEMBER

City Council	Tuesday, November 2	6:00 p.m.
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***Only one meeting in November.**

DECEMBER

City Council	Tuesday, December 7	6:00 p.m.
City Council	Tuesday, December 21	6:00 p.m.

2021 SCHEDULE OF EVENTS**NCLM MEETINGS****Event**

TBA	Town & State Dinner
April 21-23	Annual City Vision Conference (Wilmington, NC)

NLC MEETINGS**Event**

March 7-10	Congressional City Conference (Washington, DC)
November 17-20	City Summit (Salt Lake City, Utah)

Authorities/Boards/Commissions
Board Appointments/Reappointment List

<u>Name</u>	<u>Board</u>	<u>Term</u>
Marta Lazo	Planning Board	4-year term
Margaret Forney	Lenoir Business Advisory Board	2-year term
Dr. John Tye* *re-appointment	ABC Board	3-year term