

**LENOIR CITY COUNCIL
TUESDAY, MAY 21, 2019
6:00 P.M.**

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

Note: Councilmember Rohr's seat is vacant on City Council due to his accepting the position of City Attorney.

ABSENT: Councilmembers Todd Perdue and Crissy Thomas.

I. CALL TO ORDER

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

**SYMPATHY; CITY OF
MOORESVILLE:**

- B. Mayor Gibbons asked everyone to continue to keep the City of Mooresville in their thoughts and prayers regarding the loss of Officer Jordan Sheldon, K-9 Officer, who was killed during a routine traffic stop on Saturday, May 4. Mayor Gibbons stated he has spoken with Miles Atkins, Mayor of Mooresville, who shared the family and everyone is still having a difficult time regarding this tragic loss.

Mayor Gibbons also expressed appreciation to the Lenoir Police Department for all they do in keeping our community safe and thanked all City Departments for all their hard work for the City and its citizens.

BRYAN MOORE, CHAMBER OF

COMMERCE: B. Mr. Bryan Moore, President, Caldwell County Chamber of Commerce, addressed City Council and stated his schedule has been fairly busy as he has completed 77 days of his 100-day plan for Lenoir and Caldwell County. Mr. Moore explained the goal of his plan is to learn how the Chamber of Commerce can better meet the needs of the community.

Mr. Moore also thanked Kaylynn Horn, Kyle Case and other City Staff for their assistance regarding the annual Blackberry Festival scheduled on July 13 and 14 and sponsored by the Chamber of Commerce. Mr. Moore further commended City Council for the great job they are doing.

Mayor Gibbons stated the City enjoys a great partnership with the Chamber of Commerce and mentioned a number of good projects are scheduled to begin in the near future.

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, May 7, 2019, as submitted.
2. Resolution More Powerful NC Campaign: Approval of a Resolution Supporting the More Powerful NC Campaign against the opioid crisis in North Carolina as requested by the North Carolina League of Municipalities (NCLM) and Josh Stein, North Carolina Attorney General. (A copy of the resolution is hereby incorporated into these minutes by reference. Refer to pages 358-359).

Mayor Gibbons read several of the statistics cited by the North Carolina Opioid Action Plan Data Dashboard for 2017 as follows:

- a) There were 12 Caldwell residents unintentional opioid overdose deaths
- b) There were 73 Caldwell residents opioid overdose Emergency Department visits
- c) 7,926,000 opioid pills were dispensed to Caldwell residents
- d) There were 7 reported community naloxone reversals in Caldwell County

Police Chief Brent Phelps thanked City Council for taking an active part in addressing this critical issue and shared the Department has joined the online campaign against opioids as a partnering agency.

Chief Phelps shared opioid use is an epidemic plus it is a hard problem to handle. The Department is seeking resources to get drugs off the streets and he related that City and County Officers are also equipped with Narcan, which is an opioid antagonist used for the complete or partial reversal of opioid overdose, including respiratory depression. Chief Phelps explained that officers' always remain at a scene whenever they have to administer Narcan to anyone until other agencies and support personnel arrive.

Mayor Pro-Tem Willis commended the Police Department for taking part to make sure that everyone is aware of this problem that affects everyone at all levels.

3. Service Agreement; Engineering Services: Staff recommends approval to negotiate a Service Agreement with McGill Associates of Hickory, NC, for the Engineering Services for the Design and Construction of the Crossroads Sewer Line Improvements Project. **Note:** The City received proposals from four engineering firms and, following review of the proposals with City Staff, it is believed that McGill Associates is the best qualified firm for the work required for the project.

Mayor Pro-Tem Willis stated he was pleased the City had requested proposals

for engineering services and received proposals from very qualified firms.

Upon a motion by Councilmember Stevens, Council voted 4 to 0 to approve the above listed items on the Consent Agenda as presented and as recommended by City Manager Hildebran.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

BUDGET WORK

SESSION: 1. City Council will conduct a Budget Work Session on Thursday, May 23 at 6:00 p.m. at City Hall, Third Floor. An additional Budget Work Session will be held on Thursday, May 30 at 6:00 p.m. if necessary.

END OF SCHOOL

BLAST: 2. Parks & Recreation will host an End of School Blast from noon – 4:00 p.m. at Mulberry Recreation Center on Saturday, May 25. Also, the outdoor pool at the Aquatic & Fitness Center will be open to the public.

HOLIDAY

CLOSING: 3. City offices will be closed on Monday, May 27 in observance of Memorial Day.

MEMORIAL DAY

SERVICE: 4. The American Legion will host a Memorial Day Service at 10:00 a.m. on Monday, May 27 at the Veterans Plaza on the square.

COMMITTEE OF THE

WHOLE: 5. The Committee of the Whole will meet on Tuesday, May 28 at 8:30 a.m. at City Hall, Third Floor.

FOOTHILLS REGIONAL AIRPORT

AUTHORITY:

6. The Foothills Regional Airport Authority will meet on Wednesday, May 29 at noon.

B. ITEMS FOR COUNCIL ACTION

FY2019-2020 ANNUAL RECOMMENDED

BUDGET: 1. City Manager Scott Hildebran presented the FY2019-2020 Annual Budget to City Council and recommended that Council call for a public hearing to be held on Tuesday, June 4 for consideration of adoption of the proposed budget.

The budget is comprised of General Fund of \$17,362,391 and is balanced with the

current property tax rate of \$0.58 per \$100 of assessed property value and the current Rescue Readiness Tax of \$0.0085 per \$100 of assessed property value. The budget includes a \$1.00 increase in the monthly solid waste fee in order to fund a second brush truck; but, all other General Fund charges/fees are unchanged. Mr. Hildebran reported that no funding from the City's Fund Balance was used to balance the proposed budget.

Mr. Hildebran stated the recommended budget meets all of Council's priorities and pointed out this is the City's seventh straight year without a tax increase. Mr. Hildebran also reported the City's insurance rate for FY2019-2020 will not be increasing, but noted that Staff would present information regarding the City's property and liability rates at the May 28 Committee of the Whole meeting for consideration of approval by City Council.

The proposed Water/Sewer Fund budget totals \$8,941,688 and is balanced with a 1.1% water rate increase and a 2.5% sewer rate increase. The proposed rate increases would cost the average ratepayer an additional \$0.87 on a monthly bill. The Consumer Price Index – South Region for All Urban Consumers over the past 12 month period is 1.1% (February 2019) which is a benchmark the City uses in determining its utility rates. All other Water/Sewer Fund charges/fees are unchanged. The budget also includes a 3% COLA for City employees effective January 1, 2020.

The General Fund includes traditional City services such as police and fire, planning and zoning, parks, recreation, and public works which provides services such as trash pickup, street maintenance and brush collection.

The City is required to have its budget adopted by July 1, 2019 in order to establish its legal spending limits. The budget is available in the City Clerk's office for public inspection from 8:30 a.m. until 5:00 p.m. Monday through Friday. The budget is also available online at the City's website at www.cityoflenoir.com.

Mr. Hildebran reported the proposed budget addresses Council's 2019 goals and priorities that were established at the February Budget Retreat without raising taxes. He reviewed the key components of the budget as follows:

Priorities

1. Employee compensation
2. Housing
3. Healthy Infrastructure
4. Economic Development
5. US 321 & Community Beautification

6. Public Engagement

Highlights

- Core services continued
- Employee Compensation
 - 3% cost of living increase in January 2020
 - Funds 12% increase for the Local Government Retirement System
- Health Insurance:
- No increase in premiums, maintains current benefit levels
- Competitively bid property/liability and works comp insurance, relatively flat premiums with improved coverages
- Street Resurfacing: \$385,000 for street paving, \$10,000 increase over last year
- Fire Station #3
 - Debt service
 - Operating expenses
- Downtown:
 - Community Development Block Grant (CDBG) funding for improvements to Lenoir
 - High School auditorium, gym, and Mack Cook Stadium
 - \$15,000 to assist in downtown development
- Fiduciary Responsibility:
 - Does not use fund balance
 - Maintains 50% fund balance, exceeds 24% goal
- Sidewalks/Greenways/Trails:
 - Provides \$75,000 for projects
 - Supports Hospital Avenue Sidewalk Project
- North Main Street Plan: Allocates CDBG funds to pave greenway rail trail
- Fairfield South Plan:
 - Leverages EPA grant to conduct environmental assessments
 - Allocates ARC grant funds to clean up Virginia Street property
- Code Enforcement:
 - \$24,000 for building demo
 - \$12,000 for nuisance removal
 - \$2,000 for strategic foreclosure expenses

- Technology
 - Continues IT upgrades
 - Funds advanced metering infrastructure
- Environment:
 - Funds biosolids project at wastewater treatment plant
 - Outsources stormwater management and oversight of our NPDES Phase II Stormwater Program to the Western Piedmont Council of Governments
 - Funds all debt obligations
- General Fund Capital
 - Patrol cars (4)
 - Detective cars – used (2)
 - First floor City Hall updates
 - Brush truck – used (1)
 - Building and roof repairs for Public Works, Police, and Fire Station II
 - MLK tennis court rehab
 - Mulberry gym equipment
 - Diesel fuel pump
- Water/Sewer Capital
 - Mud pumps (2)
 - Software upgrade
 - Raw water pumps (2)
 - Meadowood pump repair
 - Trench box
 - Replacement vehicles (5)
 - Utility trailer
 - Sampling equipment
 - Sludge holding tank
 - Roof replacement for Rhodhiss Water Plant

City Manager Hildebran stated that the City’s primary goal, each and every day, via our employee-led customer service initiative, remains to provide “Service Beyond Measure.”

Mr. Hildebran thanked Finance Director Donna Bean, Department Directors, and Team Lenoir for all of their hard work and also thanked City Council for their leadership. The City will conduct a Budget Work Session on Thursday, May 23 at 6:00 p.m. at City Hall, Third Floor, former Council Chambers.

Upon a motion by Mayor Pro-Tem Willis, Council voted 4 to 0 to schedule a public hearing on Tuesday, June 4 for consideration of approval for the recommended FY2019-2020 Annual Budget as recommended by City Manager Hildebran.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

CLOSED SESSION:

- A. Pursuant to N.C.G.S. §143-318.11(3), City Attorney Rohr recommended that Council enter into closed session to discuss attorney/client privilege regarding pending litigation of James Dean Eaker versus the City of Lenoir, Loto Greelee Caviness and Scott Hildebran and pending litigation regarding the case of P.B. Realty versus David Williams, Doris Williams, and the City of Lenoir.

OPEN SESSION:

- B. Upon a motion by Councilmember Stevens, Council voted unanimously to return to open session.

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

X. ADJOURNMENT

- A. There being no further business, the meeting was adjourned 6:50 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor

RESOLUTION SUPPORTING THE MORE POWERFUL NC CAMPAIGN

WHEREAS the opioid epidemic, overdose deaths, and substance misuse pose a threat to the life, health, and well-being of North Carolina residents;

WHEREAS life expectancy in the United States has declined for three years in a row for the first time since World War I, fueled in large part by a record number of drug overdose deaths;

WHEREAS more people die from drug overdoses than car crashes;

WHEREAS more than 13,000 North Carolina residents lost their lives to unintentional opioid overdoses between 1999 and 2017;

WHEREAS the number of unintentional opioid overdose deaths in our state was nearly 17 times higher in 2017 than it was in 1999;

WHEREAS more than 2,000 North Carolinians lost their lives to opioid overdoses in 2017 alone, or more than five people a day on average;

WHEREAS for every opioid overdose death, there are nearly two hospitalizations and nearly four emergency department visits in North Carolina (based on 2017 data);

WHEREAS the opioid epidemic has contributed to a rise in Hepatitis C and heart valve infections (endocarditis), among other serious and costly health consequences;

WHEREAS the opioid epidemic has contributed to a significant rise in the number and rate of hospitalizations associated with drug withdrawal in newborns and a rise in the number of children in foster care;

WHEREAS the economic cost of the opioid crisis exceeded \$500 billion in 2015 – equal to 2.8 percent of the U.S. Gross Domestic Product (GDP) that year, according to the White House Council of Economic Advisers;

WHEREAS the opioid epidemic has imposed significant and continuing costs on our healthcare, criminal justice, and social service systems;

WHEREAS the opioid epidemic has imposed major costs on private employers and the economy as a whole through excess sick days, disability claims, diminished productivity, and lost productivity due to incarceration and premature death;

WHEREAS the opioid epidemic, overdose deaths, and substance misuse cause pain, suffering, and loss to individuals, families, and communities that can never be measured;

WHEREAS the opioid epidemic has affected the City of Lenoir, Caldwell County, North Carolina in the following ways:

According to the NC Opioid Action Plan Data Dashboard for the year 2017: (<https://injuryfreenc.shinyapps.io/OpioidActionPlan/>)

- *There were 12 Caldwell resident unintentional opioid overdose deaths*
- *There were 73 Caldwell resident opioid overdose ED visits*
- *7,926,000 opioid pills were dispensed to Caldwell residents*
- *There were 7 reported community naloxone reversals in Caldwell County*

According to the statistics submitted by the Lenoir Police Department in their 2018 Annual Report:

- *All 34 Patrol Officers have been supplied with Narcan since 2016 to revive subjects who have overdosed*
- *In 2018, Narcan was used 15 times (most often multiple doses); wherein, 9 subjects were revived*
 - *There were 32 identified overdoses, 4 suicides, 6 suicide attempts (1 by Rx); 38 deaths (4 identified by opioid)*
 - *There were 116 involuntary commitments (most often due to drug usage) that officers had to stand by with*
 - *Confiscated was 5 GR fentanyl, 31 GR heroin, 300 GR meth, 1,038 DU Rx, 121 GR unknown, plus other¹*
 - *373 lbs. of unused/expired medication was collected at 5 mobile events and permanent lobby box²*
- *Opioid presentations given to groups on awareness; joined local coalition in 2014 (using Wilkes Project Lazarus model)*

¹41 GR cocaine powder, 19 GR crack cocaine, 3,229 GR marijuana

²This does not include statistics for Hudson Police, Granite Falls Police, or Caldwell Co. Sheriff's Office

According to NCDHHS Chronic Disease and Injury Section: (<https://www.injuryfreenc.ncdhhs.gov/DataSurveillance/Poisoning.htm>)

- The unintentional medication and drug death rates per 100,000 persons (2012 – 2016) were 20.3 for Caldwell, higher than the 16 reported for Region 2 and the 12.2 reported in NC (during the same period)
 - The age group most affected by overdose deaths in Caldwell County is 25-44 (23%) and 45-64 (30%)
 - 51% of unintentional overdose deaths in Caldwell County were male, 49% were female
- Hospitalizations associated with drug withdrawal syndrome in newborns per 1,000 live births for NC residents (2012 – 2016) were 29.6 for Caldwell County, higher than the 20.1 reported for Region 2 and the 9 reported in NC (during the same period)

WHEREAS an effective response to the opioid epidemic combines prevention, intervention, treatment, recovery, harm reduction, and law enforcement strategies – including those outlined in North Carolina’s Opioid Action Plan and described on www.MorePowerfulNC.org;

WHEREAS an effective response to the opioid epidemic requires commitment and collaboration among federal, state, and local governments as well as healthcare providers, businesses, foundations, non-profits, universities, colleges, schools, community coalitions, faith communities, and other community partners;

NOW THEREFORE LET IT BE RESOLVED that the City of Lenoir and the Lenoir Police Department will join forces with others to address the opioid epidemic in the City of Lenoir and Caldwell County, North Carolina by:

- ✓ Joining the More Powerful NC opioid awareness campaign as a partner;
- ✓ Encouraging community members with substance use disorders to connect with treatment and recovery resources, and offering support and assistance to their families and loved ones;
- ✓ Supporting community members in treatment and recovery by getting the facts about addiction, treatment, and recovery, helping to dispel myths and misconceptions, and reducing stigma;
- ✓ Encouraging community members to dispose of leftover medications and to secure needed medications that remain in the home;
- ✓ Encouraging community members to talk to healthcare providers and healthcare providers to talk to patients and community members – about the risks associated with prescription pain medications and alternatives to opioids for treating pain;
- ✓ Encouraging community members to talk to their children, families, and loved ones about risks related to drug misuse and methods for coping with social pressure, stress, and other challenges;
- ✓ Working with members of the faith community and encouraging them to get involved in efforts to address the opioid epidemic;
- ✓ Working with local schools to offer programs and curricula that help foster healthy students and discourage misuse of opioids and other drugs;
- ✓ Working with the business community to support community efforts to address the opioid epidemic and to create healthy and recovery-friendly workplaces;
- ✓ Encouraging community members to call 911 to report overdoses and to increase awareness of the state’s Good Samaritan law;
- ✓ Increasing awareness of and access to the overdose reversal drug naloxone;
- ✓ Working with first responders and emergency departments to develop post-overdose response strategies that connect overdose survivors to treatment, harm reduction, and other services and supports;
- ✓ Working with law enforcement agencies, district attorneys, judges, court personnel, and reentry councils to connect individuals with substance use disorders to drug treatment and other services, develop pre-arrest diversion programs, support treatment and recovery courts, support drug treatment in prisons/jails, and connect people who are released from prison/jail to treatment and other services;

On behalf of the City of Lenoir, Caldwell County, NC, witness my hand and seal this the _____ day of _____, _____.

SEAL

ATTEST

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor