



Life. Well Crafted.

A = Approved, A1 = Approved First Reading, A2 = Approved Second Reading, D = Deferred, NA = No Action, PH = Authorized Public Hearing, AD = Approval Denied

ACTION AGENDA

Hickory City Council
76 North Center Street

February 6, 2024
6:00 p.m.

- I. Call to Order
- II. Invocation by Reverend Bill Garrard, Retired Clergy
- III. Pledge of Allegiance
- IV. Special Presentations
- NA** A. Proclamation Recognizing Lenoir-Rhyne Women's National Champion Triathlon Team. **(Exhibit IV.A.)**

Mayor Guess read and presented a proclamation to Lenoir-Rhyne Women's Triathlon Team.
- NA** B. Proclamation for SkillsUSA Week February 5-9, 2024 – Presented to Tammy Muller Executive Director, Strategic Business Partnerships and SkillsUSA, and Gary Muller, Executive Dean, Economic Development and Corporate Education, Catawba Valley Community College. **(Exhibit IV.B.)**

Mayor Guess read the proclamation for SkillsUSA Week February 5-9, 2024.
- V. Persons Requesting to Be Heard
- NA** A. Mr. Jamie Larmore, 3216 Old Shelby Road, Hickory to Discuss Water Disconnection Fees

Mr. Larmore was not present to be heard.
- VI. Approval of Minutes
- A** A. Regular Meeting of January 16, 2024. **(Exhibit VI.A.)**
- VII. Reaffirmation and Ratification of Second Readings. Votes recorded on first reading will be reaffirmed and ratified on second reading unless Council Members change their votes and so indicate on second reading.
- A2** A. Budget Revision Number 13. **(First Reading Vote: Unanimous)**
- VIII. Consent Agenda: All items below will be enacted by vote of City Council. There will be no separate discussion of these items unless a Council Member so requests. In which event, the item will be removed from the Consent Agenda and considered under Item IX.
- A** A. Approval of the Purchase and Up-Fit of 8 Specialized Police Package Emergency Vehicles. **(Exhibit VIII.A.)**

Hickory Police Department requests approval to purchase and up-fit 8 specialized police package emergency vehicles. Hickory Police Department staff and the City of Hickory

February 6, 2024

Fleet Manager researched and reviewed independent comparison studies comparing available police package vehicles. The Ford Police Interceptor Utility all-wheel drive best fits the needs of the department based on a number of considerations. Parks Ford in Hendersonville, NC currently has the NC Sheriff's Association Contract for the Ford Police Interceptor Utility all-wheel drive with a base price of \$41,004.63. Parks Ford has partnered with Global Public Safety, LLC in Statesville, NC to provide the total "turnkey" up-fitting of these 8 specialized police package emergency vehicles. Global Public Safety, LLC would install all of the specialized and emergency equipment. Added up-fitting options provided by Global Public Safety, LLC - \$20,788.58. Total purchase and up-fitting price - \$61,793.21. Hickory Police Department recommends the purchase and up-fitting of 8 all-wheel drive Ford Police Interceptor Utility vehicles from Parks Ford on the NC Sheriff's Association Contract at a cost of \$61,793.21 per vehicle and a total cost of \$494,345.68. Hickory Police Department has funds budgeted in the 2023-2024 CIP for replacement and up-fitting of police vehicles.

- A B.** Approval of the Resolution Authorizing Staff to Apply for a Building Reuse Grant for Project Plat. **(Exhibit VIII.B.)**

Staff requests approval to submit a Building Reuse Grant for Project Plat. The Building Reuse Grant is offered by the North Carolina Department of Commerce to provide funding to businesses looking to occupy existing buildings. The total funding amount is based on a formula involving the number of types of jobs created. The program pays 50% of eligible rehabilitation costs up to a maximum of \$500,000. Project Plat proposes to create 80 new jobs in a manufacturing enterprise over a four-year period, paying an overall average wage at or above \$59,566, which is above the Catawba County average wage. Project Plat is requested a \$240,000 grant from the North Carolina Department of Commerce. If the grant is approved, a 5% match from the City of Hickory and Catawba County (up to \$6,000 each) would be required. Staff recommends that City Council approve the Resolution authorizing staff to apply for a Building Reuse Grant for Project Plat.

- A1 C.** Approval to Implement an All-Way Stop at the Intersection of 3rd Avenue SE and 1st Street SE. **(Exhibit VIII.C.)**

Staff request Council's approval to implement an all-way stop at the intersection of 3rd Avenue SE and 1st Street SE. City Council implemented a Neighborhood Traffic Calming Program that enables citizens to request measures to improve traffic safety in the area where they own property. Citizens are required to submit an application to request measures and provide a reason for the request. Then, the City performs analysis to determine what, if any, measures are warranted. Citizens requesting traffic calming measures are required to complete and submit a petition with 75% of properties in favor of implementation for the request to move forward. The Traffic Division staff received the completed petition from property owners along 3rd Avenue SE, 1st Street SE, and 2nd Street SE with regards to the Neighborhood Traffic Calming Program and have found the property owners to be in compliance with the guidelines. The petition qualifies for an all-way stop at the intersection listed. Twenty-three properties were included in the petition and seventeen properties signed in favor of implementation. This represents at least 75% approval, which meets the requirement. The necessary sign modifications along the roadway can be performed as a normal part of the Traffic Division's signs/markings shop operations. Staff recommends Council's approval to implement an all-way stop at the intersection of 3rd Avenue SE and 1st Street SE.

- A D.** Acceptance of the Bid and Award the Contract to Neill Grading and Construction Company, Inc. in the Amount of \$22,714,090.80 for OLLE Art Walk, Contingent upon NCDOT Concurrence. **(Exhibit VIII.D.)**

Staff requests Council acceptance of the bid and award of the contract for construction of the Projects TIP # EB-5911/EB-5977 – OLLE Art Walk to Neill Grading and Construction Company, Inc. in the amount of \$22,714,090.80 contingent upon North Carolina Department of Transportation (NCDOT) concurrence. The OLLE Art Walk (formerly referred to as Old Lenoir Road and 9th Street NW Connector Multi-Use Trail) will be part of

the larger Hickory Trail multi-use system and bond program that seeks to increase quality of life for residents and spur economic revitalization by providing pedestrian and bicycle connectivity throughout the City. OLLE Art Walk will specifically provide this connectivity linking City Walk with Aviation Walk and Riverwalk along 9th Street NW and Old Lenoir Road. Bids were advertised for the project and received on January 18, 2024. Two bids were received and opened but the bid from James Vannoy & Sons Construction Company Inc., in the amount of \$24,822,317.58 was deemed non-responsive, Neill Grading and Construction Company, Inc. bid \$22,714,090.80. Staff recommends Council's acceptance of the bid and award of the contract for construction of Project TIP # EB-5911/EB-5977 – OLLE Art Walk to Neill Grading and Construction Company, Inc. in the amount of \$22,714,090.80, contingent upon NCDOT concurrence.

- A E.** Approval of an Agreement with Catawba Valley Engineering and Testing in the Amount of \$20,000 for Trivium East Road Widening and Traffic Signal Design Project. **(Exhibit VIII.E.)**

Staff requests Council's approval for construction materials testing and special inspection observations with Catawba Valley Engineering and Testing in the amount of \$20,000, for Trivium East Road Widening and Traffic Signal Design Project. This phase of the project will consist of the main entrance and access for the east business park. This will include road widening on Startown Road and traffic signal along with all associated work. North Carolina Department of Transportation (NCDOT) standards will be followed for the widening of Startown Road. Included in this project is the relocation of a 12" water main and additional line into the park to serve the future business. Neill Grading and Construction was awarded the project in November 2023 and scheduled to start construction early 2024. This agreement will ensure that installations of the infrastructure meet the design requirements of the contract. Soil testing, concrete testing and road surface testing are all part of this proposal. Staff recommends Council's approval for construction materials testing and special inspection observations with Catawba Valley Engineering and Testing in the amount of \$20,000, for Trivium East Road Widening and Traffic Signal Design Project. The costs will be split 50/50 between the City of Hickory and Catawba County.

- A1 F.** Budget Revision Number 14. **(Exhibit VIII.F.)**

1. *To transfer \$385,000 from the General Fund to the Solid Waste Fund to cover the cost of a damaged commercial recycling truck.*
2. *To appropriate a \$300 payment received by the Fire Department from Catawba County for HazMat services.*
3. *To appropriate a \$30 contribution received from the Hickory Youth Council to assist with programming costs.*
4. *To appropriate \$2,340 in NCDOT reimbursement funds for material costs within the Traffic Division.*
5. *To appropriate a payment of \$6,750 from CVCC for field maintenance for material costs within the Landscaping Division.*
6. *To appropriate \$500 in sponsorship funds from Catawba County Council on Aging for Senior Games materials costs.*
7. *To appropriate \$5,500 in recreation revenues to go towards youth sports programming and material costs within the Parks, Recreation, & Sports Tourism Department.*
8. *To appropriate \$6,000 in recreation revenues to cover programming costs within the Parks, Recreation, & Sports Tourism Department.*
9. *To appropriate a total of \$20,000 towards the Trivium Center East Road Widening project for materials testing and special inspection observations in a professional services agreement with Catawba Valley Engineering and Testing. \$10,000 will come from General Fund Balance. The other \$10,000 will come from Catawba County.*
10. *To appropriate \$11,817,116 towards the OLLE Art Walk Project to award a construction bid to Neill Grading & Construction in the amount of \$22,714,091. \$7,000,000 will come in the form of a grant from NCDOT with a City match of*

\$1,750,000. The remaining funds will come from the sale of land and unspent Hickory Trail project funds.

11. To appropriate \$1,339,148 in additional funds to award the construction bid for the 9th Ave Dr NW Road Project.

IX. Items Removed from Consent Agenda – None

X. Informational Item

XI. New Business:

A. Public Hearings

- A**
1. Consideration of Closing a Portion of 1st Avenue SE, a Portion of 8th Street Court SE, a Portion of 2nd Avenue Drive SE, and an Unnamed Alley Located Off of 2nd Avenue Drive SE, as Petitioned by Jojida, LLC and Linda H. Huffman – Presented by Public Works Director Steve Miller. **(Exhibit XI.A.1.)**

The City Clerk received a petition from Jojida, LLC and Linda H. Huffman, owners of the properties abutting a portion of 1st Avenue SE, portion of 8th Street Court SE, portion of 2nd Avenue Drive SE, and an unnamed alley located off of 2nd Avenue Drive SE. The petition requests the City to close the aforementioned areas per NCGS § 160A-299. The aforementioned areas are bound by the properties owned by the Petitioners Jojida, LLC and Linda H. Huffman. The signatures on the petition represent all the owner(s) of the property abutting these portions of the right-of-way. The petition fee of \$830 has been paid. A memo was sent to various departments for their input on the street closing. Public Utilities advised 1st Avenue SE and 8th Street Court SE both have public water and sewer infrastructure that is in service. These utilities serve properties that are not part of this closing. A 25-foot utility easement needs to be recorded for this infrastructure or appropriate relocation and easements need to take place at the requestor's cost. Staff recommends Council conduct the public hearing to consider closing a portion of 1st Avenue SE, portion of 8th Street Court SE, portion of 2nd Avenue Drive SE, and an unnamed alley located off of 2nd Avenue Drive SE as petitioned by Jojida, LLC and Linda H. Huffman.

The public hearing was advertised in a newspaper having general circulation in the Hickory area on January 6, 13, 20, and 27, 2024.

- A1**
2. Consideration of Rezoning Petition 24-02 requested by Gregory Williams for 29.59 acres owned by GTC Investment Properties, LLC, Located on Highway 127 South between Moss Farm Road, and Nello Drive – Presented by Planning Director Brian Frazier **(Exhibit XI.A.2.)**

Staff requests Council's consideration of Rezoning Petition 24-02 to rezone approximately 29.59 acres, located on Highway 127 South, between Moss Farm Road and Nello Drive, from low density residential (R-1) and commercial corridor (CC-2) to planned development (PD). The current R-1 zoning district is primarily residential and permits one and two-family residential uses at a density of two dwelling units per acre. Commercial corridor (CC-2) is primarily residential in nature but does allow for up to thirty units per acre for residential development. The requested planned development is proposed to be residential in nature. The development on the newly acquired parcels would consist of 198 single-family residential units, consisting of 118 single-family detached homes and 80 townhomes. The development will include two outparcels along Highway 127 for future non-residential development. The Hickory Regional Planning Commission conducted a public hearing on January 24, 2024 to consider the petition. Upon closing the public hearing, the Hickory Regional Planning Commission acknowledged the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan. Based upon its findings, the Hickory Regional Planning

Commission voted (6-1) to recommend approval of the petition. Staff concurs with the recommendation of the Hickory Regional Planning Commission.

The public hearing was advertised in a newspaper having general circulation in the Hickory area on January 27, and February 3, 2024.

B. Departmental Reports

- NA 1. Quarterly Financial Report – Presentation by Deputy City Manager Rodney Miller
- A 2. Appointments to Boards and Commissions

COMMUNITY APPEARANCE COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
At-Large (Outside City but within HRP) (Council Appoints) VACANT

COMMUNITY RELATIONS COUNCIL

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Other Minority (Council Appoints) VACANT
Other Minority (Council Appoints) VACANT
Other Minority (Council Appoints) VACANT

HICKORY REGIONAL PLANNING COMMISSION

(Term Expiring 6-30; 3-Year Terms With Unlimited Appointments) (Appointed by City Council)
Burke County Representative (Mayor Appoints with Recommendation from Burke County) VACANT

HISTORIC PRESERVATION COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Historic Properties Owner (Council Appoints) VACANT
Building Trades Profession (Council Appoints) VACANT

LIBRARY ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 3 (Seaver Appoints) VACANT

Alderman Seaver nominated Pamela Kiefer as Ward 3 Representative on the Library Advisory Board.

PUBLIC HOUSING AUTHORITY

(Terms Expiring 6-30; 5-Year Terms) (Appointed by Mayor)
Position 5 (Mayor Appoints) Kenneth Geathers Resigned 1-25-2024 VACANT

Mayor Guess nominated Sherry Griffin as a Representative on the Public Housing Authority.

RECYCLING ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 6 (Patton Appoints) VACANT
At-Large (Council Appoints) VACANT

C. Presentation of Petitions and Requests

- XII. Matters Not on Agenda (requires majority vote of Council to consider)
- XIII. General Comments by Members of Council, City Manager or City Attorney of a Non-Business Nature
- XIV. Adjournment

***Hickory City Code Section 2-56. Public Address to Council:**

“When conducting public hearings, considering ordinances, and otherwise considering matters wherein the public has a right to be heard, when it appears that there are persons present desiring to be heard, the Mayor shall require those opposing and favoring the proposed action to identify themselves. Each side of the matter shall be given equal time. Those opposing the proposed action shall be allowed 15 minutes for presentation, followed by 15 minutes for those favoring the action, with the opponents then to have five minutes for rebuttal and the proponents to then have five minutes for surrebuttal. Those persons on either side shall have the right to divide their allotted time among them as they may choose. The Council, by majority vote, may extend the time for each side equally. On matters in which the person desiring to address the Council does not have a legal right to speak, the Council shall determine whether it will hear the person. The refusal to hear a person desiring to speak may be based upon grounds that the subject matter is confidential, that its public discussion would be illegal, that it is a matter not within the jurisdiction of the Council or for any other cause deemed sufficient by the Council. Any person allowed to speak who shall depart from the subject under discussion or who shall make personal, impertinent, or slanderous remarks, or who shall become boisterous while addressing the Council shall be declared out of order by the Mayor, or by vote of the Council, and barred from speaking further before the Council unless permission to continue shall be granted by a majority vote of the Council, under such restrictions as the Council may provide.”

**The City of Hickory holds all public meetings in accessible rooms.
Special requests for accommodation should be submitted by individuals
with disabilities at least 48 hours before the scheduled meeting.
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