



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 2, 2016
7:00 p.m.

- I. Call to Order
- II. Invocation by Rev. Bob Thompson, Pastor, Corinth Reformed Church
- III. Pledge of Allegiance
- IV. Special Presentations
- V. Persons Requesting to Be Heard
 - A. Ms. Darbah Skaf, Executive Director of Statesville Housing Authority presented a PowerPoint presentation regarding Statesville Housing Authority. She discussed the stock overview, resident services, finance, management strategies, housing strategies, and administrative strategies.
 - B. Ms. Jeannette Jamison, 638 South Center Street, discussed Community Development Block Grant funding.
- VI. Approval of Minutes
 - A** A. Regular Meeting of January 19, 2016. **(Exhibit VI.A.)**
 - A** B. Special Meeting of January 19, 2016. **(Exhibit VI.B.)**
- 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. Approval of the Contract with Wilkie Construction in the Amount of \$290,800 to Construct Phase II of the Planned Improvements to Hickory Optimist Park. **(First Reading Vote: Unanimous)**
 - A2** B. Approval of the Purchase of a Front Loader Unit from Carolina Environmental Systems, Inc. in the Amount of \$248,478. **(First Reading Vote: Unanimous)**
 - A2** C. Budget Ordinance Amendment Number 15. **(First Reading Vote: Unanimous)**
 - A2** D. Grant Project Ordinance Amendment Number 5. **(First Reading Vote: Unanimous)**
 - A2** E. Consideration of Closing the Southern Portion of the Alley beside Community One Bank for the Friends of Hickory Park. **(First Reading Vote: Unanimous)**
 - A2** F. Approval of Grant/Construction Easement Agreement for the Friends of Hickory Downtown Park Project. **(First Reading Vote: Unanimous)**

VIII. Consent Agenda: All items below are considered to be routine by the City Council and will be enacted by one motion. 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. Special Events Activities Application for Hike for Hope +5K, Leslie W. Cothren, Board of Director's President, ALFA (AIDS Leadership Foothills Alliance), April 9, 2016 from 6:00 a.m. to 12:30 p.m., Union Square Under the Sails. **(Exhibit VIII.A.)**

A B. Special Events Activities Application for Catawba County Younlife Glow 5K Run, Stephanie C. Bost, Younlife Race Coordinator, Catawba County Younlife, May 7, 2016 from 6:00 p.m. to 10:00 p.m. at Hickory Regional Airport, 3101 9th Avenue Drive NW. **(Exhibit VIII.B.)**

A C. Approval of the National Naval Aviation Museum Certification of Loaned Government Property. **(Exhibit VIII.C.)**

The City of Hickory/Hickory Regional Airport has on loan from the National Naval Aviation Museum (NNAM) certain retired aircraft and artifacts located at the Hickory Regional Airport and on display by the Hickory Aviation Museum. The Hickory Regional Airport has participated in and has had on loan property from the National Naval Aviation Museum for over fifteen (15) years. The Loan Agreement with NNAM requires biennial re-certification of the loaned property, which covers the period of 2016 – 2018. The loaned property is assigned to the City of Hickory while the Hickory Aviation Museum holds full responsibility for the maintenance and exterior upkeep of said loaned property including any associated costs. Hickory Aviation Museum Director, Jeff Wofford has completed inventory of the loaned property, taken the required photos and completed the certification document. Staff recommends execution of the National Naval Aviation Museum Certification of Loaned Government Property document.

A D. Request from Hickory Police Department to Award Police Badge and Service Weapon to Retiring MPO David Leeper. **(Exhibit VIII.D.)**

By authority of NC General Statute §20-187.2, City Council may award the service weapon and police badge to retiring MPO David Leeper upon his retirement from Hickory Police Department on March 1, 2016 after completing 30 years of qualifying service with Hickory Police Department. Upon approval from City Council, the police badge and service weapon will be declared surplus and removed from the City's fixed asset inventory.

A E. Approval of the Transfer of a Cemetery Deed from the City of Hickory to Jackie W. Robinson, Southside Cemetery, Plot 4F, Lot Numbers 2 and 3, Section 4. (Prepared by Deputy City Attorney Arnita M. Dula)

A F. Approval of the Transfer of a Cemetery Deed from Claude Shuford Abernethy, III, and wife, Jayne Osborne Abernethy; Anne Abernethy Wepner, and husband Timothy J. Wepner; and Martha Abernethy Sowers and husband, Michael William Sowers to Claude Shuford Abernethy, III, and wife Jayne Osborne Abernethy, Oakwood Cemetery, Section 36, Block A, Lot 2, containing Four Gravesites labeled Number 005, 006, 007, and 008. (Prepared by Attorney John G. Fuller)

A1 G. Approval of the Purchase of a 2016 Rosenbauer ARFF (Aircraft Rescue and Firefighting) Truck in the Amount of \$328,892 in Accordance with North Carolina Department of Transportation – Division of Aviation (NCDOT- DOA) Grant Process. **(Exhibit VIII.G.)**

The Fire Department, in cooperation with Airport management, has been monitoring the condition of the Airport's current 1990 GMC Topkick ARFF Truck that is stationed on the airport grounds. In the past ten years the truck's operational ability has declined considerably. The truck is over 26 years old, and most of the equipment has become outdated in relation to today's standards. ARFF personnel have noticed a decrease in the

truck's ability to flow water to the standards it was initially built. In December 2015, the truck's fire pump was tested by a third party vendor and deemed inefficient for maintaining its manufactured flow rates. Replacing the pump would cost almost eight times the value of the truck, which is not an economical solution. Quote for repairs executing almost \$100,000. The few used trucks that were available to purchase were as outdated as our current truck and would potentially cost just as much to make functional for the airport response. The purchase will be through the Houston-Galveston Area Cooperative (HGAC) of which the City of Hickory is a current member. This membership negates the need for a formal bid. The purchase of the ARFF truck is critical to the continued fire service to our based, transient and charter service customers; and any future commercial air service at the Hickory Regional Airport in addition to being in compliance per CFR Part 139. Both Fire and Airport Staff recommends Council's approval for the purchase of the Rosenbauer ARFF truck in the amount of \$328,892. Funds are available through existing grants provided by NCDOT-DOA for 90 percent of the purchase price. The 10 percent local share of approximately \$33,000 will come from the Airport fund. A budget amendment is included for your approval under Item J (Exhibit VIII.J).

- A** **H.** Approval to Accept a Grant from North Carolina Governor's Crime Commission in the Amount of \$9,796.24 on Behalf of Lenoir-Rhyne University. **(Exhibit VIII.H.)**

Hickory Police Department requests permission to accept a grant from NC Governor's Crime Commission in the amount of \$9,796.24 on behalf of Lenoir-Rhyne University. NC Governor's Crime Commission suggested that the university partner with Hickory Police Department to complete the necessary paperwork and manage the grant. Lenoir-Rhyne University cannot reach direct funds from the Governor's Crime Commission because it is not a non-profit organization. Hickory Police Department works very closely with the Security Services at Lenoir-Rhyne University and recognizes the overall benefit to assist with their funding needs to enhance their ability to provide security to their students, staff and visitors of the campus. Any equipment obtained by the NC Governor's Crime Commission grant funds will be the property of the City of Hickory and would be on loan to Lenoir-Rhyne University. A Memorandum of Agreement between the University and the City of Hickory will be in place to ensure proper accountability and asset retention for the property. Hickory Police Department requests approval to accept a NC Governor's Crime Commission grant in the amount of \$9,796.24 on behalf of Lenoir-Rhyne University and authorize the City Manager to appropriate funds to be spent in the Hickory Police Department for security of the educational institution.

- A1** **I.** Grant Project Ordinance Number 5. **(Exhibit VIII.I.)**

1. *This Grant Project Ordinance will establish the project budget for North Carolina Department of Transportation - Division of Aviation State Funding to purchase Aircraft Rescue & Fire Fighting (ARFF) Equipment. Replacement of current ARFF truck (26 years old, pump issues, parts no longer available) was noted during the 2015 139 inspection conducted by FAA. It was noted that our current equipment did not meet FAA standards. The proposed new equipment will be constructed in accordance with and meet the current FAA Advisory Circular No. 150/5220-10E and NFPA 414. The current funding allocation is 90% State funding and 10% required local match (from the transportation fund).*

- A1** **J.** Budget Ordinance Amendment Number 16. **(Exhibit VIII.J.)**

1. *To recognize as revenue \$50.00 received from donations to the Youth Council for their Christmas projects.*
2. *To recognize as revenue a \$3,684.00 insurance-claim check from Traveler's Insurance for damage to a police vehicle that occurred on 12/10/15.*
3. *To establish budget for North Carolina Department of Transportation - Division of Aviation Federal Funding to purchase Aircraft Rescue & Fire Fighting (ARFF) Equipment. The current funding allocation is 90% State funding and 10% required local match (from the transportation fund). This Amendment transfers*

the required local matching funds (\$33,000) to the transportation capital projects fund.

IX. Items Removed from Consent Agenda – NONE

X. Informational Item

XI. New Business:

A. Public Hearings

A1 1. Consideration of the Bond Commission's Recommendation Combined Option "A" for Riverwalk, City Walk, Streetscapes and Gateways. **(Exhibit XI.A.1.)**

This public hearing was advertised in a newspaper having general circulation in the Hickory area on January 22, 2016.

B. Departmental Reports:

Remanded 1. Appeal of a Decision of the Community Appearance Commission for the Request for a Community Appearance Grant in the Amount of \$3,897.50 to Rahe Bryce LLC for Property Located at 200 2nd Street NW. **(Exhibit XI.B.1.)**

At the Community Appearance Commission meeting held on January 25, 2016 the Commission heard a request for a Community Appearance Grant in the amount of \$3,897.50, requested by Rahe Bryce, LLC. The requested grant garnered a total of 15 points, which falls into the medium overall scoring category. The current operating guidelines for the Community Appearance Grant program gives the Community Appearance Commission 90 days to make a decision regarding the grant proposal. After discussion, the Community Appearance Commission felt the request had some merit, but wanted some additional time to consider the request. A motion was made, and seconded, to table the request until its next meeting for further consideration, and was approved by a 4-1-1 vote (one person abstained from the vote). After the vote was taken, the applicant's agent, Mr. Jim Mitchell, requested a vote made at this meeting to approve or deny the request. Receiving this request from the applicant, the Community Appearance Commission moved, and seconded, to rescind its vote to table the request, which was approved by a 6-0 vote. After a brief discussion a motioned was requested to approve or deny the request. A motion was made, and seconded, to deny the request, and was approved on a 6-0 vote. Mr. Jim Mitchell contacted the City Clerk's office on January 26th an emailed a written request to appeal the decision to City Council which is allowed in the grant application process.

City Council voted 5-2 to remand the request for a Community Appearance Grant in the amount of \$3,897.50, requested by Rahe Bryce LLC, back to the Community Appearance Commission for further consideration by the Commission.

A1 2. Consideration of an Ordinance to Demolish an Abandoned Structure at 747 Main Avenue SW. **(Exhibit XI.B.2.)**

Hickory Police Department's Code Enforcement Unit has addressed both nuisance and minimum housing issues at 747 Main Avenue SW, Hickory (PIN#3702-05-29-3468) owned by Arlene K. Kye. On September 16, 2011, a nuisance case began because of tall vegetation, and junk and debris on the property. The first minimum housing case began on December 1, 2011 because of vagrancy. The property owner abated the first nuisance and minimum housing cases by removing the junk and debris and boarding up the structure. Six additional nuisance cases occurred over a period of two years, all being abated

by the property owner. A second minimum housing case began on October 9, 2014. The structure quickly fell into disrepair. The windows were broken, power panel and wiring was stripped from the residence and the boarding of entrances were removed. Vagrancy started at the property and complaints escalated. Violation notices were sent to the owner, the owner's attorney and mortgagee's bank because a foreclosure process had begun. After a period of time the vagrancy continued which left little option but to proceed with a third minimum housing case on the property. Upon inspection on September 18, 2015, Code Enforcement Supervisor Bobby Baker determined the structure to be dilapidated, meaning the cost to repair exceeds 50 percent of the tax value. He also determined the structure posed an imminent threat to health and human safety. The violation protocols for notification of the owner and interested parties were followed with no action or response from those parties. The Deputy City Attorney reviewed the case and concurs that the proper procedures have been followed. The cost for demolition will be approximately \$8,500 not including any asbestos or lead based paint remediation and testing. Hickory Police Code Enforcement has a budget line item to cover the demolition. Staff recommends Council adopt an ordinance ordering the demolition of the structure located at 747 Main Avenue SW.

A 3. Appointments to Boards and Commissions

BOND IMPLEMENTATION COMMISSION

Ex Officio Representatives:

Per Ordinance 15-01 representatives appointed by the boards, commissions, and the Chamber shall serve for a term of one year and may be reappointed for up to two additional one year terms with the exception of the Youth Council representative. (Terms Expiring 2/1/2017)

Hickory International Council	Hani Nassar
Library Advisory Board	Carolyn Sinclair
Recycling Advisory Board	Norm Meres
University City Commission	Dr. Ralph Griffith

COMMUNITY RELATIONS COUNCIL

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

HICKORY REGIONAL PLANNING COMMISSION

(Terms Expiring 6-30; 3-Year Terms With Unlimited Appointments)
 (Appointed by City Council)
 Burke County (Mayor to Nominate) VACANT Since 8-6-2008
 Brookford (Mayor to Nominate) VACANT Since 6-2006

INTERNATIONAL COUNCIL

(Appointed by Mayor with the Concurrence of City Council)
 (8) Positions VACANT

Mayor Wright appointed Gretchen Oetting to the International Council

PARKS AND RECREATION COMMISSION

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

PUBLIC ART COMMISSION

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

RECYCLING ADVISORY BOARD

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

YOUTH COUNCIL

(Terms Expiring 6-30; 1-Year Terms) (Appointed by City Council)

Hickory Career Arts Magnet VACANT

**TRANSPORTATION ADVISORY COMMITTEE FOR THE GREATER HICKORY
METROPOLITAN PLANNING ORGANIZATION**

Delegate to replace former Alderman Meisner

- 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

City Attorney John Crone recognized, congratulated, commended and embarrassed Deputy City Attorney Arnita Dula who was the recipient of the North Carolina Bar Associations Citizen Lawyer Award. It is a very prestigious award which is given to a handful of lawyers in the State of North Carolina. It recognizes not only her abilities as an attorney, but exemplary public service to her community. She never brags on herself, but she does a lot for boards and commissions that she doesn't want to get a pat on the back for. The audience applauded Ms. Dula.

Mayor Wright commented that he thought that was great and he was glad that Mr. Crone had mentioned it because he didn't know about it. He asked for that to be put in the paper. He had noticed that Ms. Dula's name appears on a lot of non-profit stationary and lists of board members around the community.

- XIV. Adjournment

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Special requests for accommodation should be submitted by individuals
with disabilities at least 48 hours before the scheduled meeting.
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