



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

July 14, 2015
7:00 p.m.

I. Call to Order

II. Invocation by Alderman Seaver

III. Pledge of Allegiance

IV. Special Presentations

NA A. Recognition of Retiring Boards and Commissions Members

Jeff Neuville	Business Development Committee
Dave Gissy	Business Development Committee
Dave Paist	Business Development Committee
Michael Holland	Citizens Advisory Committee
Steven Bowman	Community Appearance Commission
Neal Orgain	Community Relations Council
Ray Cerda	Community Relations Council
Christopher Wilson	Historic Preservation Commission
Thomas Dobbins	Historic Preservation Commission
Kathy Ivey	Library Advisory Board
Bee Yang	Parks and Recreation Commission
Michael (Tony) Wood	Parks and Recreation Commission
Thomas McBrayer	Public Art Commission
Clement Geitner	Public Housing Authority
J.C. Epting Jr.	Recycling Advisory Board
Bill McBrayer	University City Commission
Joseph Butler	Youth Council
Kathryn McKenna Shaver	Youth Council
Laura Velazquez	Youth Council
Darion Best	Youth Council
Jordan Hatch	Youth Council
Zackariah Amrani	Youth Council
Marina Pitofsky	Youth Council
Jamen Beck	Youth Council

Mayor Wright recognized the retiring boards and commissions members and presented those in attendance with a certificate of appreciation.

NA B. Educational Video by Office of Communications

Communication Specialist Mrs. Dana Kaminske presented Council with an educational video which had been produced with the help of interns, Staff, and the Leadership 2000 group. The video highlighted the process of Council meetings.

V. Persons Requesting to Be Heard

Mr. Mark Faruque, 2080 6th Street NW, Hickory addressed Council regarding concerns with the construction of the additional parking lot at Glenn C. Hilton Jr. Recreation Park. He requested Council postpone approval of the construction on the parking lot until some issues have been formalized and discussed. He requested a resolution that would be satisfactory to all parties.

VI. Approval of Minutes

- A A. Regular Meeting of June 16, 2015 **(Exhibit VI.A.)**
- A B. Special Meeting of June 22, 2015 **(Exhibit VI.B.)**
- A C. Special Meeting of June 25, 2015 **(Exhibit VI.C.)**

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 Community Development Block Grant Funding Agreement with Hickory Soup Kitchen, Inc. for Fiscal Year 2015-2016 in the Amount of \$20,000. **(First Reading Vote: Unanimous)**
- A2 B. Approval of Community Development Block Grant Funding Agreement with AIDS Leadership Foothills-Area Alliance, Inc. for Fiscal Year 2015-2016 in the Amount of \$15,000. **(First Reading Vote: Unanimous)**
- A2 C. Approval of Community Development Block Grant Funding Agreement with Exodus Outreach Foundation, Inc. for Fiscal Year 2015-2016 in the Amount of \$10,000. **(First Reading Vote: Unanimous)**
- A2 D. Approval of Community Development Block Grant Funding Agreement with City of Refuge Community Development Center, Inc. for Fiscal Year 2015-2016 in the Amount of \$3,550. **(First Reading Vote: Unanimous)**
- A2 E. Approval of Community Development Block Grant Funding Agreement with Habitat for Humanity of the Catawba Valley, Inc. for Fiscal Year 2015-2016 in the Amount of \$20,000. **(First Reading Vote: Unanimous)**
- A2 F. Consideration of Rezoning Petition 15-01. **(First Reading Vote: Unanimous)**
- D G. Approval of an Invitation to Bid and Contract to Huffman Grading Co. Inc. in the Amount of \$121,287 for Additional Parking at Glenn C. Hilton Jr. Recreation Park. **(First Reading Vote: Ayes: Alderman Meisner, Alderman Seaver, Alderman Guess, Mayor Pro Tempore Zagaroli and Alderwoman. Nay: Alderman Lail)**

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.

- PH A. Call for Public Hearing for Consideration of Voluntary Contiguous Annexation of 2.001 acres Located at 2191 13th Avenue Drive SE. **(Authorize Public Hearing for August 4, 2015) (Exhibit VIII.A.)**
- PH B. Call for Public Hearing for Consideration of Designating the Whisnant Hosiery Mills Complex as a Local Historic Landmark. **(Authorize Public Hearing for August 4, 2015) (Exhibit VIII.B)**
- A C. Renewal of Taxicab and Other Passenger Vehicles for Hire Franchises. **(Exhibit VIII.C.)**

Company	Taxicabs	Passenger Vehicle for Hire
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Mile High Enterprises dba The Hickory Hop	0	5
Yellow Cab	13	1
Diamond Cab of Hickory	3	0
Hickory Limousine	0	3
Platinum Limousine LLC	0	3
Total	16	12

Annually, these companies apply for a renewal of their Certificate of Convenience and Necessity for the operation of taxicabs and other vehicles for hire.

- A D. Approval of a Cemetery Deed from City of Hickory to Jacqueline E. Connor, (Southside Cemetery, Plot 4B, Lot Number 9 and 10, Section 4) (Prepared by Deputy City Attorney Arnita Dula).
- A E. Approval of the Transfer of a Cemetery Deed from Daniel C. Dillon and wife, Catherine H. Dillon to Sherry Lynn Pruitt, (Oakwood Cemetery, Section, 57A, Lot Nos. 1 and 2) (Prepared by Attorney Jimmy R. Summerlin Jr.).
- A F. Approval of the Transfer of a Cemetery Deed from Peggy F. Flowers, Widow of John R. Flowers and the Estate of David S. Flowers to Peggy F. Flowers, (Oakwood Cemetery, Section 38, Block G, Lot 3, Plots 001, 004, 005, and 008) (Prepared by Attorney Rufus F. Walker Jr.).
- A G. Approval of the Transfer of a Cemetery Deed from Peggy F. Flowers, Widow of John R. Flowers and the Estate of David S. Flowers to Peggy Flowers, (Oakwood Cemetery, Section 36, Block J, Lot 3, Plots 001, 002, 003, 004, and 005) (Prepared by Attorney Rufus F. Walker Jr.)
- A1 H. Approval to Purchase a CAD, RMS and Message Switch Server from OSSI in the Amount of \$123,419. **(Exhibit VIII.H)**

Hickory Police Department requests approval to purchase a CAD, RMS and Message Switch Server in the amount of \$123,419 from OSSI. The CAD, RMS and Message Switch Server will allow Hickory Policy Department to receive calls from citizens, dispatch those calls to the officers, allow officers to write the necessary reports and submit the reports using the message switch. This purchase is a sole source as OSSI is the police department's current vendor of this product and switching vendors would be cost prohibitive. Funds were approved in the FY2015-2016 budget.
- A I. Adoption of the Amended Memorandum of Understanding regarding the Greater Hickory Metropolitan Organization for Alexander, Burke, Caldwell and Catawba Counties. **(Exhibit VIII.I.)**

On May 27, 2015 the Greater Hickory Metropolitan Planning Organization Technical Advisory Committee approved the amended Metropolitan Planning Organization (MPO) Memorandum of Understanding (MOU). Several changes were made to the MOU with the most important involving the MPO officially accepting the Unifour RPO into the MPO's planning boundary (all four counties). Due to the significance of this action, the MPO member municipalities must approve the amended MOU by resolution. Staff requests approval of adoption of the amended Memorandum of Understanding regarding the Greater Hickory Metropolitan Organization for Alexander, Burke, Caldwell and Catawba Counties.
- A1 J. Budget Ordinance Amendment Number 20. **(Exhibit VIII.J.)**

1. *To appropriate Tourism Development Authority (TDA) revenue to repay debt on new parking deck in FY2014-15 budget. The City entered into an agreement with the Tourism Development Authority (TDA) in August 2014 to build a parking*

deck to accommodate visitors to the convention center. The City secured a \$3 million loan with BB&T for a term of 15 years at 2.94% with an increase in TDA rental payments pledged to repay the debt. The first debt payment came due in April 2015, yet an appropriation of the rental payments was not established in the FY2014-15 budget. The attached Budget Ordinance Amendment appropriates the additional revenue that has been received from the TDA as a result of their increase in rental payments.

A1 K. Budget Ordinance Amendment Number 1. **(Exhibit VIII.K.)**

1. To increase General Government-Other Professional Services by \$146,200 and decrease Other Financing Uses-Transfer to the Solid Waste Fund by \$146,200. This amendment is necessary to correct the original annual budget ordinance due to a change in the Solid Waste fee (from \$1 to \$2) to a total of \$18.50.
2. To appropriate \$100 of General Fund Balance and budget in the Library Books line item. Donation from the Hickory Woman's Club in honor of Tamara Faulkner, Paralibrarian of the Year 2015 was received towards the end of the fiscal year and therefore rolled into General Fund Balance. Funds are now appropriated to the Library expenditure line item.
3. To appropriate \$73,504 of General Fund Balance and budget in the Library Books line item (\$1,160) and Departmental Supplies (\$72,344). Donations for the Astronomy purchases were unable to be spent prior to the end of the fiscal year; therefore an appropriation from General Balance is necessary.
4. To budget a \$1,366 insurance claim payment from Geico Insurance Company in the Traffic division signs and posts line item. This payment is for damage sustained to a street sign on 03-22-15; however the check was dated 07-02-15 and deposited on 07-06-15.
5. To appropriate \$12,180 of General Fund Balance and budget in the Police Departments Contracted Services line item. This amendment is necessary to pay for Smith Rogers PLLC Attorneys at Law for annual legal support. These funds are from State Unauthorized Tax money and are received and reside in General Fund Balance until the time of appropriation for specific uses under the State guidelines.
6. To appropriate \$242,814 of Water and Sewer Fund Balance and budget in the Water and Sewer Reimbursable Materials line item. City received two checks from Alexander County for two waterline projects in June and funds rolled into W&S Fund Balance at year end. Once funding is received City Staff solicits bids to complete the project. Therefore an appropriation is necessary to budget funds in the new fiscal year.

A L. Special Events Activities Application, Mel's Jingle Run (Benefitting Operation 300 & PORCH), Sarah Prencipe (Op300 Volunteer), Leslie Knapp (Mellow Mushroom), and Mandy Pitts (PORCH Volunteer), Operation 300, PORCH, and Mellow Mushroom (Peace-A-Pie Makers, LLC), December 12, 2015, Sails on the Square Stage and 5K Route, 6:00 a.m. to 12:00 p.m. **(Exhibit VIII.L.)**

IX. Items Removed from Consent Agenda

X. Informational Item

NA A. Proposed Technical Amendments to Blue Bloodhound, LP Economic Development Agreement.

In review of the final agreements with Blue Bloodhound, LP, it was determined the intended three year improvement period was incorrectly defined to end 12/31/2017. The unintended effects of this error are reflected in some additional provisions of the agreement. Documentation for the State of North Carolina One NC grant award, for which these grants are being used as a match, allow 36 months for investments and job creation beginning 6/23/2015. Scott Millar, Catawba EDC President, requested mirroring the State filings in his presentation to the Board. Carrying the technical correction

throughout the document include extending the initial date of 12/31/2017 to June 23, 2018 in the following provisions:

- 1) Second Whereas, in the date defining the Improvement Period
- 2) Paragraph 1.1
- 3) Paragraph 5.
- 4) The Chart in Paragraph 7.c. and text in 7.e, and
- 5) Exhibit A., section (b).

NA B. Report of City Manager Mick Berry's travel to North Carolina City County Managers Seminar, Wilmington, North Carolina, June 18 – 21, 2015. (Lodging - \$127.44; Meals - \$51.00; Registration - \$250; Mileage - \$348.45; Tips for Parking - \$12.00) **(Exhibit X.B.)**

XI. New Business:

A. Public Hearings

B. Departmental Reports:

A2 1. Second Reading of Budget Ordinance Amendment Number 20. **(Exhibit VIII.J.)**

To appropriate Tourism Development Authority (TDA) revenue to repay debt on new parking deck in FY2014-15 budget. The City entered into an agreement with the Tourism Development Authority (TDA) in August 2014 to build a parking deck to accommodate visitors to the convention center. The City secured a \$3 million loan with BB&T for a term of 15 years at 2.94% with an increase in TDA rental payments pledged to repay the debt. The first debt payment came due in April 2015, yet an appropriation of the rental payments was not established in the FY2014-15 budget. The attached Budget Ordinance Amendment appropriates the additional revenue that has been received from the TDA as a result of their increase in rental payments.

A1 2. Approval to Purchase .890 Acres Located at 1352 12th Avenue NE, Hickory, PIN 3713-14-43-2647 in the amount of \$100,000. **(Exhibit XI.B.2.)**

Staff requests approval to purchase .890 acres next to the existing Public Services Complex. The property owner, Ms. Katie Childers, approached the City about purchasing this parcel located at 1352 12th Avenue NE, PIN 3713-14-43-2647. The City owns the property to the south and east. The purchase of this property would close out the northwest corner of the public services property. There is an old skating rink structure on the property that would be of no use to the City. The estimated cost to demolish the structure would be approximately \$9,000 - \$10,000, and would eliminate an eyesore in the neighborhood. Also on the property is a metal building that is approximately ten years old, which could be utilized by Public Services. A budget amendment was previously approved by City Council for the purchase of the property. Staff recommends approval of the purchase of the property in the amount of \$100,000 and approval of the demolition of the old skating rink building located on the property.

A 3. Presentation of Crafting Hickory Logo

Communications Director Mandy Pitts presented Council with two options for the Crafting Hickory Logo. Council approved option one.

A 4. Appointments to Boards and Commissions

BUSINESS DEVELOPMENT COMMITTEE

(Terms Expiring 6-30; 2 Year Terms) (Appointed by City Council)

At-Large VACANT

At-Large VACANT

Mayor Wright nominated Cheryl Garnett and Ed Henson to Business Development Committee, At-Large Representatives.

CATAWBA COUNTY ECONOMIC DEVELOPMENT BOARD OF DIRECTORS FOR HICKORY

(Terms Expiring 6-30; 3-Year Terms with Unlimited Appointments) (Appointed by City Council)

Position One Gary Garvey and Stephen Shuford have expressed interest

CITIZENS ADVISORY COMMITTEE

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

At-Large VACANT

Mayor Wright nominated Bert Showfety to Citizens Advisory Committee, At-Large Representative.

COMMUNITY RELATIONS COUNCIL

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

Caucasian VACANT

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

Caldwell County (Mayor to Nominate) James R. Noggle
(Eligible for Reappointment)

Catawba County (Mayor to Nominate) Oscar Vasquez
(Eligible for Reappointment)

Mayor Wright nominated James Noggle to Hickory Regional Planning Commission, Caldwell County Representative.

HISTORIC PRESERVATION COMMISSION

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

Licensed Architect VACANT

At-Large (3) VACANT

Alderman Guess nominated Ernest Sills to Historic Preservation Commission, Licensed Architect Representative.

INTERNATIONAL COUNCIL

(Appointed by Mayor with the Concurrence of City Council)

(10) Positions VACANT

LIBRARY ADVISORY BOARD

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

Ward 1 VACANT

Ward 3 VACANT

PARKS AND RECREATION COMMISSION

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

At-Large Minority VACANT

At-Large (2) VACANT

Mayor Wright nominated Angie Aycock to Parks and Recreation Commission, At-Large (2) Representative.

PUBLIC ART COMMISSION

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

Ward 3 VACANT

At-Large (Mayor Nominates) VACANT

At-Large (Mayor Nominates) VACANT

Mayor Wright nominated Mylinda Strittmatter to Public Art Commission, At-Large Representative.

PUBLIC HOUSING AUTHORITY

(Terms Expiring 6-30; 5-Year Terms) (Appointed by Mayor)

Position 3 (Mayor Nominates) VACANT

Tenant Representative (Mayor Nominates) VACANT

Mayor Wright nominated Matthew Fallaw to Pubic Housing Authority, Position 3 Representative.

RECYCLING ADVISORY BOARD

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

Ward 3 VACANT

At-Large (1) VACANT

Mayor Wright nominated Jeffrey Enders to Recycling Advisory Board, At-Large (1) Representative

UNIVERSITY CITY COMMISSION

(Terms Expiring 6-30; 2-Year Terms) (Appointed by City Council)

At-Large VACANT

YOUTH COUNCIL

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

Hickory Career Arts Magnet VACANT

The Youth Council Applicant Review Committee Makes the Following Recommendation for Appointment to the Youth Council:

Kyle Chang – Challenger High School – Challenger High School Representative

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

Mayor Wright congratulated City Manager Mick Berry on becoming a grandfather.

Alderwoman Patton requested an update from Staff regarding data from the recycling program.

City Manager Mick Berry advised that Staff would do that in a few months, which would give citizens time to get used to the recycling program.

Alderwoman Patton commented that it would be nice if there was pickup for recycling every week and trash pickup every other week.

Mayor Wright mentioned that Alderman Guess, Alderman Zagaroli, Assistant City Manager Andrea Surratt, City Manager Mick Berry and himself would be going to Washington on Thursday to lobby for the 22 million dollar TIGER grant that the City is well entitled to. They will be speaking with the City's Representatives and Senators to ask for their assistance in obtaining the grant. He commented think what that could do on top of what we have already accumulated through tax credits, grants, donations, private investment and 40 million dollar bond issuance. What could be done for Hickory with another 22 million dollars?

Mr. Berry introduced interns: Will Sigmon, an ASU student; Bradley Setzer, interning in the Legal Department, a Wake Forest University student in his third year of law school; Paul Wood, a St. Stephens High School rising senior; Melissa Loveless interning in the Communications Department, she attended Western Carolina University. Mr. Berry introduced the new Library Director, Ms. Sarah Greene. She previously served as Library Director in Caldwell County.

City Attorney John Crone requested Council go into closed session to discuss two matters of litigation concerning the airport: AGI Associates LLC versus the City of Hickory, 5:11-CV-61-RLV which is pending in the United States District Court for the Western District; and an ejectment action that was filed by the City of Hickory in Burke County (15CVM350) regarding what is known as the Moose Hangar at the airport. Council was aware that a mediation had taken place that was very lengthy. Mr. Crone advised that he had a proposed settlement agreement and resolution for discussion in closed session. He requested Council return to open session and consider approval of the terms of settlement and the resolution that approved the terms of settlement.

Council convened to closed session and returned to open session to approve the resolution and the terms of the settlement agreement.

XIV. Adjournment

**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.
Phone Services (hearing impaired) – Call 711 or 1-800-735-2962**