



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

April 3, 2018
7:00 p.m.

- I. Call to Order
- II. Invocation by Pastor Antonio Logan, Friendship Missionary Baptist Church
- III. Pledge of Allegiance
- IV. Special Presentations
- NA** A. Proclamation for Fair Housing Month – Presented to Cory Klassett on Behalf of the Catawba Valley Association of Realtors. **(Exhibit IV.A.)**

Mayor Guess read and presented a Proclamation for Fair Housing Month to Cory Klassett on behalf of the Catawba Valley Association of Realtors.
- NA** B. Veteran Recruitment Initiative – Presentation by Lindsay Keisler, President/CEO Catawba County Chamber of Commerce

Ms. Lindsay Keisler, President/CEO of Catawba County Chamber of Commerce and Mr. Nathan Huret, Catawba County Economic Development Corporation presented information for the “Welcome Home, Hickory Metro” program, which recruits transitioning veterans and their families to move to the area to fill job opportunities and to grow population.
- V. Persons Requesting to Be Heard
- VI. Approval of Minutes
- A** A. Special Meeting of March 14, 2018. **(Exhibit VI.A.)**
- A** B. Special Meeting of March 15 & 16, 2018. **(Exhibit VI.B.)**
- A** C. Regular Meeting of March 20, 2018. **(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. Budget Revision Number 17. **(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 Swinging Under the Stars, Tony Eltora, Executive Director, Hickory Music Factory, Sails on the Square, Downtown Hickory, May 27, 2018 from 12:00 p.m. to 10:30 p.m. **(Exhibit VIII.A.)**
- A B. Special Events Activities Application Hickory Choral Society Pops Concert "A Salute to Our American Freedom", Bonita Ferretti, Hickory Choral Society Office Manager, Sails on the Square, Downtown Hickory, May 20, 2018 2:30 p.m. to 9:00 p.m. **(Exhibit VIII.B.)**
- A C. Special Events Activities Application Crossfit Catawba Valley Special Olympics Rowraiser, Vinnie Curtis, Co-owner of Crossfit Catawba Valley, Sails on the Square, Downtown Hickory, August 18, 2018 from 3:00 p.m. to 9:00 p.m. **(Exhibit VIII.C.)**
- A D. Proclamation for Child Abuse Prevention Month. **(Exhibit VIII.D.)**
- A E. Cemetery Deed Transfer from Jeffrey Bryan Pierce, Trustee of the Judith Bryant Pierce Revocable Trust, dated March 25, 2013 to David Scott Pierce, Oakwood Cemetery, Section 57, Plot N, Lot No. 9. (Prepared by Casey W. Pope, Patrick, Harper & Dixon, LLP) **(Exhibit VIII.E.)**
- A F. Cemetery Deed Transfer from Kathy White Armstrong, aka Kathy Jean White to Hal F. Huffman Jr. and wife Sheila H. Huffman, Oakwood Cemetery, Plot C, Lot No. 10, Section 54. (Prepared by Kimberly H. Whitley, Patrick, Harper & Dixon, L.L.P.) **(Exhibit VIII.F.)**
- A G. Approval of a Construction Contract with Neill Grading & Construction Company in the Amount of 994,602 for Construction Services Related to the Entrance Road and Landscaping for Trivium Corporate Center, Formerly Known As Park 1764. **(Exhibit VIII.G.)**

Trivium Corporate Center is the business park recognized in the bond projects to receive money from bond proceeds for development. The City, County and the EDC have worked on development of the project to a condition that is receptive to marketing. One of the main infrastructure improvement projects that is necessary for development and showing the property is to install an entrance road, landscaping, berm, and entrance sign to the property. McGill Associates was selected to prepare engineering documents to complete construction of infrastructure related to this project. McGill Associates has reviewed all bids received and has determined that all documents are in proper order. McGill Associates determine that Neill Grading & Construction Company is the lowest responsible bidder and recommends award of the contract. This project will be funded with bond proceeds and NCIDF grant matching funds. Half of all City expenses will be reimbursed by the County through a joint funding arrangement. Staff recommends Council's approval of the construction contract with Neill Grading & Construction Company in the amount of \$994,602 for construction services related to the entrance road and landscaping for Trivium Corporate Center.

- A H. Approval of a Contract in the Amount of \$60,000 for the Purchase of Approximately .63 Acres of Property Located Adjacent to the Public Services Complex on 15th Street NE, Identified as PIN Number 3713-1552-2740. **(Exhibit VIII.H.)**

The Public Services complex has been located at 1441 9th Avenue NE since 1982. Over the years the City has purchased adjacent property as both a buffer from surrounding residential neighborhoods and space for potential expansion. The property is located directly north of the 15th Street entrance to the Public Services complex. There is a single family residential house located on the property. The property is currently zoned C-2 commercial and could be renovated into office space or used for future expansion of the Public Services complex. Staff was approached by the property owner about purchasing the tract. The assessed value is \$62,700. There have been recent upgrades to the HVAC, plumbing, and electrical systems. Staff has negotiated with the property owner and feels \$60,000 to be a fair value for the purchase of the property. The purchase of this property will provide beneficial use to the Public Services Department by allowing for a buffer with adjacent neighborhoods and property for planned uses. The property

purchase will be paid for with a 50/50 split from Public Utilities and General Fund Balance. Staff recommends Council's approval of the contract to purchase approximately 0.63 Acres of property from Bill Johnson in the amount of \$60,000.

A1 I. Budget Revision Number 18. **(Exhibit VIII.I.)**

1. To recognize as revenue an insurance claim payment received for storm damages sustained to Parks and Recreation facilities during Fall 2017 as follows:
a) \$37,232 for damages to grounds at various Parks facilities; and b) \$34,780 for damages to the outfield wall at L.P. Frans Stadium.

IX. Items Removed from Consent Agenda

X. Informational Item

NA A. Budget Transfer Report. Under Section 22 (b) of the Fiscal Year 2017-2018 Budget Ordinance, the City Manager is authorized to transfer appropriations with a report to City Council as follows:

Section 22 (b): "He may transfer amounts up to \$50,000 between functional areas including contingency appropriations, within the same fund. He must make an official report on such transfers at the next regular meeting of the Governing Board."

**Note: To expedite the availability of insurance-claims revenue to the appropriate department once the City receives said funds, in lieu of a Budget Amendment the City has allocated specific funds within the Risk Management division which may be transferred as necessary for making repairs and/or replacements in the most timely manner.*

The following transfer(s) recently occurred under this provision:

March 12, 2018 (BT#55): To recognize the receipt of insurance claim payments related to storm/tornado damages on 10/23/17 to the City Hall roof (\$575) and to the Hickory Police Station access system (\$302).

March 27, 2018 (BT#57): To recognize receipt of an insurance claim payment from private party insurance in the amount of \$2,265 for damages to a Police vehicle on 2/27/18.

XI. New Business:

A. Public Hearings

A 1. Consideration of a Resolution Directing that Street Improvement Project Be Undertaken for Curb and Gutter along the Property Located on Hathaway Drive NE, Hickory, Petition No. 18-01 – Presentation by Public Services Director, Kevin Greer. **(Exhibit XI.A.1.)**

The City Clerk has received a petition from the owners of the property located at 4858 Elmhurst Drive NE, to install curb and gutter along a portion of their street as per section 29-2 of the Hickory Code of Ordinances. The petitioners represent a majority, greater than 50 percent, of the property owners as well as a majority, greater than 50 percent, of the property footage of the property frontage requested in the petition and therefore qualifies as a valid petition. The signatures on the petition represent 100 percent of the property owners affected, who in turn represent 100 percent of the property footage affected. The City Clerk has validated these numbers as shown on the Certificate of Sufficiency. Staff recommends Council's approval of a "Resolution Directing That Street Improvement Project Be Undertaken" for curb and gutter petition 18-01 to install

curb and gutter along a portion of the property located on Hathaway Drive NE in response to a petition from the property owners.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on March 9, 2018.

B. Departmental Reports:

- A 1. Consideration and Acceptance of the Completed Sandy Pines Park Master Plan, Presentation by Parks and Recreation Director Mack McLeod. **(Exhibit XI.B.1.)**

In 1985, the City of Hickory purchased the approximately 13 acre Sandy Pines property, located in the Northeast quadrant, as the site for a future park. In March of 2017, a Request for Qualifications (RFQ) was released to begin the process to select a design firm to develop a master park site plan for the property. Alfred Benesch & Company was selected as the most responsive and qualified submittal due to their past work experience on other City of Hickory projects and their areas of expertise.

Even though development of the Sandy Pines property is not identified within Parks and Recreation's five (5) year Capital Improvement Program (CIP) plan, nor is a high priority park project, it is important to develop a vision for what a future park on the property would be. After conducting several public meetings a final master plan document was prepared. It identifies project priorities, estimates of construction costs, phasing strategies, and establishes responsibilities with regard to future development and maintenance. Cost estimates are based on the fact that park development will not begin for several years. The Parks and Recreation Commission, at their January 9, 2018 meeting, accepted the Sandy Pines Park Master Plan and recommended consideration of the same by City Council. Staff recommends City Council's acceptance of the Sandy Pines Park Master Plan.

- NA 2. Law Enforcement Assisted Diversion (LEAD) Presentation by Deputy Chief of Police Reed Baer, Hickory Police Department

- A 3. Appointments to Boards and Commissions

BOND IMPLEMENTATION COMMISSION

(Terms Expiring 2-1; 3 Year Terms) (Appointed by City Council)

Alderman Ward 2 Appoints

Jennifer Beane expires 2-1-18 eligible for reappointment

Kay Schmucker expires 2-1-18 eligible for reappointment

(Note: The representatives for Ward 2 will continue serving until such time as the Ward 2 Alderman appoints or reappoints these positions.)

***Ex-Officio Members to Bond Implementation Commission
(Appointed by Boards and Commissions)***

Catawba County Chamber of Commerce

Will Locke

Not Eligible

**CATAWBA COUNTY ECONOMIC DEVELOPMENT BOARD
OF DIRECTORS FOR HICKORY**

(Terms Expiring 6-30; 3-Year Terms with Unlimited Appointments)

(Appointed by City Council)

Position Two

Tony Rose Resigned

Mayor Guess nominated Jeff Cline to Catawba County Economic Development Board of Directors for Hickory.

COMMUNITY APPEARANCE COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 2 (Alderman Ward 2 Appoints)

VACANT

COMMUNITY RELATIONS COUNCIL

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

VACANT

VACANT

VACANT

HICKORY REGIONAL PLANNING COMMISSION

(Terms Expiring 6-30; 3-Year Terms With Unlimited Appointments)
(Appointed by City Council)
Burke County (Mayor Appoints)

VACANT

INTERNATIONAL COUNCIL

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

VACANT

PARKS AND RECREATION COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
At-Large Minority (1) (Council Appoints)
(David Williams no longer eligible)

VACANT

PUBLIC ART COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 4 (Williams Appoints)

VACANT

PUBLIC HOUSING AUTHORITY

(Terms Expiring 6-30; 5-Year Terms) (Appointed by the Mayor)
Position 9

VACANT

RECYCLING ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 4 (Williams Appoints)

VACANT

YOUTH COUNCIL

(Terms Expiring 6-30; 1-Year Terms) (Appointed by City Council)
Challenger High School Representative
Homeschool Representative
St. Stephens High School Representative

VACANT

VACANT

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

Alderman Seaver mentioned the Children's Advocacy Center event scheduled for April 4th at the Zahra Baker Playground, Pinwheels for Prevention. They would be putting out the pinwheels at 10:00 a.m., and the program started at 12:00 p.m. He also advised that April 14th was Mr. John Gordon Ross' last concert at P.E. Monroe Auditorium.

Alderwoman Williams advised Council she had left them some information at their seats. There were three departments at Lenoir-Rhyne University that are working with Reverend Kim Moss in the Ridgeview Community. Mt. Pisgah AME, would observe the 50th anniversary commemorating Martin Luther King Jr.'s assassination. There would be a panel discussion there, including some

professors, students, and community members. The event was scheduled for 6:00 p.m. at Mt. Pisgah AME.

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