



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

August 21, 2018  
7:00 p.m.

- I. Call to Order
- II. Invocation by Rev. Patrick Campbell, Pastor, Peace United Church of Christ
- III. Pledge of Allegiance
- IV. Special Presentations
- V. Persons Requesting to Be Heard
- VI. Approval of Minutes
- A A. Regular Meeting of August 7, 2018. **(Exhibit VI.A.)**
- A B. Special Meeting of August 14, 2018. **(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. Budget Revision Number One. **(First Reading Vote: Unanimous)**
  - A2 B. Consideration of Rezoning Petition Number 18-02. **(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. Approval of a Future Annexation Agreement for George and Bianca Rosca for Property Located at 2630 36<sup>th</sup> Avenue NE, Hickory. **(Exhibit VIII.A.)**

*The City of Hickory has a long-standing policy of requiring the owners of property outside the city limits to be annexed before connecting to the City's sanitary sewer system. However, sometimes the City is not able to immediately provide the necessary services required for annexation. In that event, Hickory City Council adopted a policy requiring the property owners to enter into a future annexation agreement with the City, which would enable the City to initiate annexation procedures when it is feasible to do so. The George and Bianca Rosca own a residential lot located at 2630 36<sup>th</sup> Avenue NE, which is part of the Hickory Woods subdivision. The property is also identified as PIN number 3724-10-46-3096 on the Catawba County tax maps. The Rosca's request connection to the City of Hickory's sewer system without being annexed. They have agreed to be annexed at a point in the future when the City finds it feasible to do so. The subject property is approximately 4,650 linear feet from the primary incorporated boundary of the City of Hickory. Upon analysis, staff has determined sanitary sewer is available to serve the property; however, due to the property's distance from the City's primary boundary,*

August 21, 2018

*immediate annexation is not recommended. Staff recommends City Council's approval of the future annexation agreement for George and Bianca Rosca to allow for connection to sanitary sewer.*

- A B.** Approval of a Resolution to Declare Library Materials as Surplus and Donate the Materials to the Friends of the Library. **(Exhibit VIII.B.)**

*Staff requests approval of a Resolution to declare surplus 6,875 discarded library materials. These materials will be donated to the Friends of the Library to be sold at the Friends "Corner Book Store" at Patrick Beaver Memorial Library and/or at the October 2018 book sale. The sale of the donated and discarded books is the primary fundraising activity of the Friends of the Library, and discarded library materials comprise a significant portion of their inventory. The sale of these items ultimately benefits the library and is an appropriate means of disposing of unneeded materials. Public notice was advertised in the Hickory Daily Record on August 10, 2018. Staff recommends Council's approval of the Resolution to declare the library materials as surplus and donate the materials to the Friends of the Library for their use at the annual October book sale and/or the "Corner Book Store".*

- A C.** Approval of Four Vacation Days to be utilized as Prizes for Employee Participation in the 2018 United Way Campaign. **(Exhibit VIII.C.)**

*City Council has historically granted vacation days for participation in the United Way campaign. The vacation days incentivize employee participation in the Campaign. The Human Resources Department requests two vacation days for a drawing for all fair share givers. Fair Share is one hours pay per month or 0.6 percent of salary. There will be one fair share winner of two vacation days. The additional two days of vacation will be utilized in a drawing for two winners out of coworkers whom pledge a minimum of \$8 per month to the United Way Campaign. Staff recommends City Council's approval of this annual request.*

- A D.** Citizens' Advisory Committee Recommendations for Assistance through the City of Hickory's Housing Programs. **(Exhibit VIII.D.)**

*The following request was considered by the Citizens' Advisory Committee at their regular meeting on August 7, 2018.*

- *Javario Robinson & Chardae Wilson, 430 South Center Street, Hickory, were awarded a City of Hickory's Housing Rehabilitation Loan. The Citizens' Advisory Committee recommends approval for assistance not to exceed \$15,000 for repairs to her house. Assistance would be in the form of a 0 percent interest deferred loan.*

*Funds are budgeted for these items through the City of Hickory's former Rental Rehabilitation Program income received in FY 2017 and/or program income received through the City of Hickory's Community Development Block Grant Program.*

*Each of the following applicants are being recommended for approval for assistance under the City of Hickory's 2018 Urgent Repair Program. This program provides qualified low income citizens with assistance for emergency-related repairs not to exceed \$8,000.*

- *Marilyn Deal, 2024 10<sup>th</sup> Street Place NW, Hickory-up to \$8,000.*
- *Sharon Sanderson, 122 18<sup>th</sup> Street Place NW, Hickory-up to \$8,000.*
- *Joyce Travis, 1097 18<sup>th</sup> Street Drive NE, Hickory-up to \$8,000.*

*The Citizens' Advisory Committee recommends approval of the aforementioned requests for assistance through the City of Hickory's housing assistance programs.*

- A E. Approval of a Contract with Carolina Environmental Systems, Inc. in the Amount of \$267,982 for the Replacement of a Front Loading Refuse Truck under the Heil National Joint Powers Alliance (NJPA) National Cooperative Contract #112014. **(Exhibit VIII.E.)**

*The City plans for regular and normal replacement of necessary equipment as a means of maintaining a fleet that is efficient and effective and that will enable the City to provide customary services. The City uses these front loader trucks for collection of refuse with our dumpster service. This unit is operated daily in the Commercial Division of the Solid Waste Division and replaces truck unit #3725 which is a 2003 model. These trucks are used to collect commercial solid waste dumpsters and account for nearly 50 percent of the waste we collect. Maintenance of these trucks is very expensive due to the level of difficulty in the hydraulics and electronics, so the division recommends replacing trucks prior to major expenses for mechanical repairs that typically come with older equipment. Staff from the Solid Waste and Fleet Divisions prepared specifications to purchase equipment meeting the City's requirements. The City participates in a buying cooperative with the National Joint Powers Alliance (NJPA) National Cooperative Contract Solutions. The approved Commercial Solid Waste Division (5482) Capital Budget includes purchase of a front load refuse truck in the amount of \$259,000. Due to unexpected market conditions, specifically increased steel prices, the bid price for this equipment through the National Joint Powers Alliance (NJPA) National Cooperative Contract #112014 was higher at \$267,982. The division will move \$10,982 from 039-5482-544-15.10 to cover the difference in budget and \$2,000 road use taxes. The total purchase price will be \$269,982. Staff recommends Council's approval of the contract with Carolina Environmental Systems, Inc. in the amount of \$267,982 for the replacement of a front loading refuse truck under the Heil National Joint Powers Alliance (NJPA) National Cooperative Contract #112014.*

- A F. Approval of the Contract with Amick Equipment for the Purchase of an Automated Side Loading Residential Garbage Truck in the Amount of \$298,541.33. **(Exhibit VIII.F.)**

*The City plans for regular and normal replacement of necessary equipment as a means of maintaining a fleet that is efficient and effective and that will enable the City to provide customary services. The City uses automated side loader trucks for collection of refuse with our residential service. This unit allows for residential solid waste to be collected by a single operator and collects approximately 800 residential cans per day. This truck will replace a similar piece of equipment purchased in 2011. Staff from the Solid Waste and Fleet Divisions prepared specifications to purchase equipment meeting the City's requirements. The City participates in a buying cooperative with the NC Sheriffs Association that meets all bidding requirements and allows for the purchase of equipment in a more expedient manner from a larger pool of vendors. The specified truck applies to the NC Sheriffs Association bid #19-03-0504 for a 2019 Crane Carrier Cab/Chassis with a new way sidewinder 29yd dump body. The approved Residential Solid Waste Division (5480) Capital Budget includes purchase of an automated refuse truck in the amount of \$290,700. The bid price for this equipment through the NC Sheriffs Association was \$298,541.33 due to an increase in pricing for market conditions related to steel pricing. The Division will move \$4,920.67 from 039-5480-546-33-01 and \$4,920.66 from 039-5480-544-20-01 to cover the difference of an unexpected price increase. This transferred amount also includes the \$2,000 amount for the road use tax portion of the purchase. The total purchase price will be \$300,541.33. Staff recommends Council's approval of the contract with Amick Equipment for an automated side loading residential garbage truck per the N.C. Sheriffs Association reference bid #19-03-0504 refuse truck body in the amount of \$298,541.33.*

- A G. Acceptance of the Bid and Approval of the Contract with Southern Lawscapes of Hickory, LLC in the Amount of \$65,370 for Construction Services Related to the Claremont/SALT Block Landscaping Improvements. **(Exhibit VIII.G.)**

*Staff requests Council acceptance of the bid and approval of a construction contract with Southern Lawscapes of Hickory, LLC in the amount of \$65,370 for construction services related to the Claremont/SALT Block landscaping improvements. The City of Hickory*

requested and received a \$100,000 Grant-In-Aid from the NC Department of Cultural and Natural Resources for an identified park improvement that would encourage neighborhood connectivity and enhance an existing passive park area. Staff identified the Arrowhead Park area and the adjacent landscaping along 3<sup>rd</sup> Avenue NE along the eastern side of the SALT Block to be the area we targeted for improvement with this Grant-In- Aid. The Claremont/SALT Block landscape improvement project did not receive any bids at the first advertisement. The project was re-advertised for bids and opened with one bid received on July 31, 2018 from Southern Lawnsapes of Hickory, LLC in the amount of \$65,370. Staff has reviewed all documents and has determined that all documents are in proper order. Staff recommends Council's acceptance of the bid and approval of a construction contract with Southern Lawnsapes of Hickory, LLC in the amount of \$65,370 for construction services related to the Claremont/SALT Block landscaping improvements.

**A H.** Approval of Three Supplemental Agreements with Eastern Structures, LLC in the Amount of \$57,691.81 for the Falling Creek Road Bridge Replacement Project. **(Exhibit VIII.H.)**

*The City of Hickory contracted with Eastern Structures, LLC for the construction of the Falling Creek Road bridge replacement project. Three items arose during the construction of the project that were not correct on the plan drawings and required four supplemental agreements to properly complete the project. The first of four total supplemental agreements was approved by Council prior to beginning the construction of the project. This project received State Transportation Improvement Program (STIP) for replacement of the bridge with 80 eighty percent of the replacement cost provided by federal funds and twenty percent provided as matching funds by the City of Hickory. The three items addressed by the Supplemental Agreements are:*

- *Addition of a stone decorative face to the proposed concrete rails. The concrete rails were bid at a cost of \$16,200 and were replaced with concrete vertical stacked block design at a cost of \$63,000 for a net contract increase of \$46,800 via Supplemental Agreement Number 2.*
- *Addition of grooving of the concrete deck wear surface to increase the safety of the bridge during inclement weather and costed \$9,700.*
- *Replacement of proposed elastomeric joint seals to allow for expansion and contraction of the bridge deck at a cost of \$1,191.81.*

*The total cost of the three supplemental agreements is \$57,691.81. Because the replacement of the bridge was placed on the State Transportation Improvement Program (STIP), eighty percent of the replacement cost will be provided by federal funds and twenty percent will be borne by the City of Hickory. The City will be responsible for paying \$11,538.36 to Eastern Structures, LLC for this work and the remaining eighty percent, \$46,153.45, will be reimbursed to the City by the federal government. Staff recommends Council's approval of three supplemental agreements with Eastern Structures, LLC for changes to the original construction drawings and specifications on the Falling Creek Bridge Replacement project in the amount of \$57,691.81.*

**A1 I.** Budget Revision Number 2. **(Exhibit VIII.I.)**

1. *To recognize a \$900 donation to the Library from Patrick Beaver Memorial Library Friends. Of this total, \$100 will be for Summer Learning Supplies and \$800 for Bingo prizes.*
2. *To roll forward from FY17-18 a total of \$7,111 in left-over funds from donations and registrations for the 2017-18 Unifour Senior Games.*
3. *To correct an error in accounting which, at the end of FY17-18, resulted in a duplicated group that rolled several budgets with negative balances at year end. This Revision will bring those accounts back to a \$0.00 roll amount in the expense accounts.*
4. *To establish Capital Project Ordinance #700011 City Hall 2<sup>nd</sup> Floor Renovations in the amount of \$136,375. These funds were previously encumbered from FY17-18 and went unused at year-end. This initial amount will establish the*

*project and, upon further construction planning and estimates, will be adjusted through further Budget Revisions as necessary.*

5. *To amend the Falling Creek Road Bridge Replacement Capital Project Ordinance (#490001) to cover supplemental agreements to the construction contract with Eastern Structures, LLC. Additional items total \$57,691.81 and include the following three components: stone decorative face to proposed concrete rails; grooving of the concrete deck wear surface to enhance safety during inclement weather; and replacement of elastomeric joint seals to allow for expansion and contraction of the bridge deck. As this project is a State Transportation Improvement Plan project, 80% of the cost (\$46,153.45) will be paid by federal funds via reimbursement and 20% (\$11,538.36) directly by the City of Hickory.*
6. *To pay for the first year of a 3-year contract with Internetwork Engineering to purchase CISCO's cloud-based cyber security services. The 3-year term totals \$140,689.98, with the first year's cost at \$83,472.66.*
7. *To cover an emergency storm drain repair on Main Ave SE between 26th St Dr. SE and 29th St SE. During the week of August 13, a 48-inch storm drain-line separated and failed causing erosion of the roadway in the vicinity of several shipping and construction headquarters. Repairs are anticipated at \$50,000 and will be covered by the Stormwater Fund Balance.*

IX. Items Removed from Consent Agenda

X. Informational Item

- NA** A. Mayor Guess' Travel to New York, New York, July 24 – 25, 2018, for Rating Agency Presentation, (Meals - \$104). **(Exhibit X.A.)**
- NA** B. Alderwoman Patton's Travel to New York, New York, July 24 – 25, 2018, for Rating Agency Presentation, (Meals - \$104). **(Exhibit X.B.)**
- NA** C. Alderman Lail's Travel to New York, New York, July 24 – 25, 2018, for Rating Agency Presentation, (Meals - \$104). **(Exhibit X.C.)**
- NA** D. City Manager Warren Wood's Travel to New York, New York, July 24 – 25, 2018, for Rating Agency Presentation, (Meals - \$104). **(Exhibit X.D.)**

XI. New Business:

- A. Public Hearings
- B. Departmental Reports:
  - NA** 1. Annual Update from Code Enforcement – Presentation by Hickory Police Department, Captain Vidal Sipe
  - A** 2. Appointments to Boards and Commissions

**COMMUNITY APPEARANCE COMMISSION**

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

VACANT

**COMMUNITY RELATIONS COUNCIL**

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

- African-American (Council Appoints)
- Caucasian (Council Appoints) (Katherine Newton Resigned 8-13-18)
- Other Minority (Council Appoints)
- Other Minority (Council Appoints)
- Other Minority (Council Appoints)

VACANT  
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VACANT

Mayor Guess appointed Debbie Haynes as Caucasian Representative on the Community Relations Council.

**HICKORY REGIONAL PLANNING COMMISSION**

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

(Appointed by City Council)

Burke County (Mayor Appoints with Recommendation from County) VACANT

Caldwell County (Mayor Appoints with Recommendation from County) VACANT

**INTERNATIONAL COUNCIL**

(Appointed by Mayor with the Concurrence of City Council)

(3) Position

VACANT

**PARKS AND RECREATION COMMISSION**

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

Ward 4 (D. Williams Appoints)

VACANT

At-Large Minority (1) (Council Appoints)

VACANT

**PUBLIC ART COMMISSION**

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

Ward 1 (Lail Appoints)

VACANT

Ward 4 (D. Williams Appoints)

VACANT

**RECYCLING ADVISORY BOARD**

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

Ward 4 (D. Williams Appoints)

VACANT

**YOUTH COUNCIL**

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

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

VACANT

At-Large Representative

VACANT

At-Large Representative

VACANT

Fred T. Foard 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
- 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.”**

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with disabilities at least 48 hours before the scheduled meeting.  
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