



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 7, 2018
7:00 p.m.

- I. Call to Order
- II. Invocation by Rev. Adrienne Martin, Pastor, Sardis Evangelical Lutheran Church
- III. Pledge of Allegiance
- IV. Special Presentations
 - A. Presentation of the 22nd Consecutive Certificate of Achievement for Excellence in Financial Reporting to the City of Hickory by the Government Finance Officers Association of the United States and Canada for its Comprehensive Annual Financial Report (CAFR) – Presentation to Finance Officer Melissa Miller

Mayor Guess presented the Certificate of Achievement for Excellence in Financial Reporting to Finance Officer Melissa Miller.
- V. Persons Requesting to Be Heard
 - A. Ms. Deborah McNuer was not present to be heard.
 - B. Mr. Robert Russell spoke about problems with kudzu in Hickory, abandoned houses and growth of vegetation on powerlines.
 - C. Mr. Jim Koutsogoulas discussed some remediation options for the kudzu problem.
- VI. Approval of Minutes
 - A** A. Regular Meeting of July 17, 2018. **(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. Consideration of Text Amendment 18-01 – A Five Year Review and Update to the Hickory Land Development Code with the Exception of Two Amendments as discussed in the July 17th City Council meeting. **(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. Renewal of Taxicab and Other Passenger Vehicles for Hire Franchise. **(Exhibit VIII.A.)**

August 7, 2018

Company	Taxicabs	Passenger Vehicle for Hire
Platinum Limousine, LLC	0	3
Total	0	3

Annually, companies apply for a renewal of their Certificate of Convenience and Necessity for the operation of taxicabs and other vehicles for hire. Hickory Police Department recommends approval of the Certificate of Convenience and Necessity for the business and vehicles for fiscal year of 2018-2019.

- A B. Approval of the Purchase of one 2019 Spartan/Smeal/SVI Heavy Rescue Fire Apparatus in the Amount of \$634,190. **(Exhibit VIII.B.)**

Hickory Fire Department requests approval of the contract for the replacement of Rescue 1, a heavy-rescue apparatus that was placed in service in 1995. The new 2019 rescue truck will be purchased through the Houston-Galveston Area Council (HGAC) Interlocal Contract. The fire department identified and reviewed requirements for a heavy-rescue apparatus for the City of Hickory in April 2017 and defined numerous minimum criteria. This project will complete a two and one-half year process for replacing a rescue truck. The fire department's staff has reviewed the capabilities of numerous manufacturers of apparatus, and have determined that Smeal/SVI Fire Apparatus designs and builds emergency vehicles that meet or exceed the minimum standards set forth by the fire department while remaining within the department's capital budget. The requirements of the apparatus and the performance history recounted from these local contacts aided the decision to purchase from Smeal Fire Apparatus. The apparatus being replaced, a 1995 Spartan Ferrara rescue, will be placed into reserve status upon the delivery of the new heavy-rescue truck from Smeal/SVI Fire Apparatus. The heavy rescue apparatus will be purchased from Smeal/SVI Fire Apparatus under the guidelines and stipulations set forth by the HGAC contract. The City of Hickory has participated in this purchasing format since November 2012. This new Smeal fire apparatus will include an aluminum body, a Spartan Gladiator cab, and a 22-foot heavy rescue body manufactured by SVI (Super Vacuum Mfg. Co. Inc.). The total cost of this new rescue unit is \$634,190, which is within the department's capital budget from capital reserve funds. Hickory Fire Department recommends the acceptance of the proposed contract for the purchase of a 2019 Spartan/Smeal/SVI heavy rescue fire apparatus.

- A C. Acceptance of the Offer to Sell 816.64 Square Feet of Property Adjacent to Glenn Hilton Park in the Amount of \$1,115. **(Exhibit VIII.C.)**

Acceptance of an offer to sell 816.64 square feet of property adjacent to Glenn Hilton Park to Broyhill Investments, Inc. A property survey indicated that a fence constructed by the Cape Townhomes is encroaching on City-owned property. In order to remedy the encroachment, Broyhill Investments, Inc. has offered to purchase 816.64 square feet of property from the City. The property is located along the northern boundary of the park that abuts the Cape Townhomes Development. The sales price of \$1,115 was determined by examining the assessed value of the land owned by Broyhill Investments. The sales price will be subject to the upset bid process as required by state law. If no upset bids are received, the City and the buyer will proceed to closing on or about September 6th. Staff recommends City Council's acceptance of the offer to sell 816.64 square feet of property adjacent to Glenn Hilton Park and authorize staff to advertise for upset bids.

- A D. Approval of a Community Appearance Grant for Non-Residential Property Owned by Derken Holdings, LLC Located at 7 14th Street SW in the Amount of \$4,932. **(Exhibit VIII.D.)**

The City Council created the Community Appearance Grant program in 1999 to provide economic incentives for property owners to improve the general appearance of properties located within the City's designated Urban Revitalization Area. The Community Appearance Commission reviews applications for the grant program and forwards a recommendation of approval or denial to City Council. The grants are designed as a

reimbursement grant in which the City of Hickory will match the applicant on a 50/50 basis. The maximum grant amount from the City of Hickory is \$5,000. Derken Holdings, LLC has submitted an application for a Community Appearance Grant. The proposal involves improvements to a commercial building located at 7 14th Street SW. The grant proposal put forth involves the replacement of twenty-four (24) windows. The property is located within the City's defined Urban Revitalization Area, and as such is eligible for the consideration of a Community Appearance Grant. The applicant has provided three estimates for the work listed above, which total \$9,864, \$19,734, and \$31,757.42. If Council moves to approve the proposed grant at the lower of the two estimates, the request would qualify for a \$4,932 grant. The subject property's current tax value is assessed at \$104,200. The requested grant amounts to 4.7 percent of the property's tax value. The application was reviewed by the Community Appearance Commission at its July 23, 2018 meeting. Upon review the Community Appearance Commission scored the application utilizing its grant scoring criteria. The Community Appearance Commission scored the application at 19 points out of a possible 36 points, which placed the application into the medium category of scoring. Upon completion of the scoring exercise, the Community Appearance Commission voted unanimously (6-0) to recommend funding of the grant application in the amount of \$4,932.

- A** **E.** Approval of a Community Appearance Grant for Non-Residential Property Owned by Tim Cline Properties Located at 219 1st Avenue NW in the Amount of \$5,000. **(Exhibit VIII.E.)**

The City Council created the Community Appearance Grant program in 1999 to provide economic incentives for property owners to improve the general appearance of properties located within the City's designated Urban Revitalization Area. The Community Appearance Commission reviews applications for the grant program and forwards a recommendation of approval or denial to City Council. The grants are designed as a reimbursement grant in which the City of Hickory will match the applicant on a 50/50 basis. The maximum grant amount from the City of Hickory is \$5,000. Tim Cline Properties has submitted an application for a Community Appearance Grant. The proposal involves improvements to a commercial building located at 219 1st Avenue NW. The grant proposal put forth involves the repair of existing stucco, the painting of the building's exterior, the replacement of doors and windows, and the repair of an existing stairwell. The property is located within the City's defined Urban Revitalization Area, and as such is eligible for the consideration of a Community Appearance Grant. The applicant has provided two bids for the work listed above, which total \$15,200 and \$23,550. If Council moves to approve the proposed grant at the lower of the two estimates, the request would qualify for a \$5,000 grant. The subject property's current tax value is assessed at \$173,900. The requested grant amounts to 2.9 percent of the property's tax value. The application was reviewed by the Community Appearance Commission at its July 23, 2018 meeting. Upon review the Community Appearance Commission scored the application utilizing its grant scoring criteria. The Community Appearance Commission scored the application at 30 points out of a possible 36 points, which placed the application into the high category of scoring. Upon completion of the scoring exercise, the Community Appearance Commission voted unanimously (6-0) to recommend funding of the grant application in the amount of \$5,000.

- A** **F.** Approval of a Change Order in the Amount of \$17,315 with Evans Construction for Improvements to Cliff Teague Park. **(Exhibit VIII.F.)**

Community Development Block Grant (CDBG) funds were approved in the past year's budget to repave the parking lot and make improvements to the trails and picnic areas at Cliff Teague Park (1125 C Avenue SE). The project included resurfacing the parking area and constructing a new sidewalk on the side. Also constructed was a new accessible walkway to connect to the playground at the south end of the park. The walking trail and picnic areas were also improved. The low bidder on the project was Evans Construction Company with a bid of \$97,260 for the improvements to the park. The original contract did not include the resurfacing of the basketball court or the lack of stone base under the original parking lot. It also needed additional seeding and mulch that was not included.

Therefore a change order in the amount of \$17,315 is being requested by staff to complete this project. This project is fully funded with Community Development Block Grant Funds. Staff recommends approval of the change order to the contract to complete the improvements to Cliff Teague Park.

- A G.** Approval of a Community Development Block Grant Funding Agreement in the Amount of \$8,000 with AIDS Leadership Foothills-Area Alliance. **(Exhibit VIII.G.)**

In February 2018, the City of Hickory Community Development Division requested applications from local nonprofit organizations for funding under the Community Development Block Grant (CDBG) Program. The Citizen's Advisory Committee reviewed and recommended funding for these applications as part of the City's Annual Action Plan. The Annual Action Plan was approved following a public hearing on June 19, 2018. The CDBG funding agreement describes the requirements for the City and AIDS Leadership Foothills-Area Alliance to ensure that all applicable federal regulations are met. Funds will be used to provide support for a medical case manager position, which will assist persons living with HIV and AIDS to ensure that they remain in medical care and also receive other services as they are available. AIDS Leadership Foothills-Area Alliance has requested and been approved for funding in the amount of \$8,000 through the City of Hickory's Community Development Block Grant program. Staff recommends approval of the CDBG funding agreement between the City of Hickory, North Carolina and AIDS Leadership Foothills-Area Alliance, Inc. in the amount of \$8,000.

- A H.** Approval of a Community Development Block Grant Funding Agreement in the Amount of \$8,000 with Greater Hickory Cooperative Christian Ministry. **(Exhibit VIII.H.)**

In February 2018, the City of Hickory Community Development Division requested applications from local nonprofit organizations for funding under the Community Development Block Grant (CDBG) Program. The Citizen's Advisory Committee reviewed and recommended funding for these applications as part of the City's Annual Action Plan. The Annual Action Plan was approved following a public hearing on June 19, 2018. The CDBG funding agreement describes the requirements for the City and Greater Hickory Cooperative Christian Ministry to ensure that all applicable federal regulations are met. Funds will be used to provide support to assist the NETworX Catawba Program which is a 15 week program that provides training to individuals looking to break the cycle of generational poverty. Greater Hickory Cooperative Christian Ministry has requested and been approved for funding in the amount of \$8,000 through the City of Hickory's Community Development Block Grant program. Staff recommends approval of the CDBG funding agreement between the City of Hickory, North Carolina and Greater Hickory Cooperative Christian Ministry in the amount of \$8,000.

- A I.** Approval of a Community Development Block Grant Funding Agreement in the Amount of \$8,000 with Exodus Outreach Foundation, Inc. **(Exhibit VIII.I.)**

In February 2018, the City of Hickory Community Development Division requested applications from local nonprofit organizations for funding under the Community Development Block Grant (CDBG) Program. The Citizen's Advisory Committee reviewed and recommended funding for these applications as part of the City's Annual Action Plan. The Annual Action Plan was approved following a public hearing on June 19, 2018. The CDBG funding agreement describes the requirements for the City and Exodus Outreach Foundation to ensure that all applicable federal regulations are met. Funds will be used to provide support to provide transportation and employment services at Exodus Homes, which provides support to homeless and previously incarcerated persons with substance abuse issues. Exodus Outreach Foundation has requested and been approved for funding in the amount of \$8,000 through the City of Hickory's Community Development Block Grant program. Staff recommends approval of the CDBG funding agreement between the City of Hickory, North Carolina and Exodus Outreach Foundation, Inc. in the amount of \$8,000.

- A J.** Approval of a Community Development Block Grant Funding Agreement in the Amount of \$8,000 with Family Guidance Center. **(Exhibit VIII.J.)**

In February 2018, the City of Hickory Community Development Division requested applications from local nonprofit organizations for funding under the Community Development Block Grant (CDBG) Program. The Citizen's Advisory Committee reviewed and recommended funding for these applications as part of the City's Annual Action Plan. The Annual Action Plan was approved following a public hearing on June 19, 2018. The CDBG funding agreement describes the requirements for the City and Family Guidance Center to ensure that all applicable federal regulations are met. Funds will be used to provide counseling staff to their operation. The objective of the program is to produce mortgage ready, well-qualified home-buyers to establish homeownership in the community. This program also provides financial and housing counseling programs to assist low to moderate income individuals with foreclosure avoidance. Family Guidance Center has requested and been approved for funding in the amount of \$8,000 through the City of Hickory's Community Development Block Grant program. Staff recommends approval of the CDBG funding agreement between the City of Hickory, North Carolina and Family Guidance Center in the amount of \$8,000.

- A K.** Approval of a Community Development Block Grant Funding Agreement in the Amount of \$6,000 with Safe Harbor Rescue Mission. **(Exhibit VIII.K.)**

In February 2018, the City of Hickory Community Development Division requested applications from local nonprofit organizations for funding under the Community Development Block Grant (CDBG) Program. The Citizen's Advisory Committee reviewed and recommended funding for these applications as part of the City's Annual Action Plan. The Annual Action Plan was approved following a public hearing on June 19, 2018. The CDBG funding agreement describes the requirements for the City and Safe Harbor Rescue Mission to ensure that all applicable federal regulations are met. Funds will be used to provide support to provide a transitional housing at Safe Harbor, which provides support to homeless women and children in addition to meeting physical needs, such as food and shelter. Safe Harbor Rescue Mission has requested and been approved for funding in the amount of \$6,000 through the City of Hickory's Community Development Block Grant program. Staff recommends approval of the CDBG funding agreement between the City of Hickory, North Carolina and Safe Harbor Rescue Mission in the amount of \$6,000.

- A L.** Approval of a Community Development Block Grant Funding Agreement in the Amount of \$8,000 with Hickory Soup Kitchen, Inc. **(Exhibit VIII.L.)**

In February 2018, the City of Hickory Community Development Division requested applications from local nonprofit organizations for funding under the Community Development Block Grant (CDBG) Program. The Citizen's Advisory Committee reviewed and recommended funding for these applications as part of the City's Annual Action Plan. The Annual Action Plan was approved following a public hearing on June 19, 2018. The CDBG funding agreement describes the requirements for the City and the Hickory Soup Kitchen to ensure that all applicable federal regulations are met. Funds will be used to provide support to staff at the Soup Kitchen to ensure that they are able to provide hot meals and food pantry services to those in need. The Hickory Soup Kitchen has requested and been approved for funding in the amount of \$8,000 through the City of Hickory's Community Development Block Grant program. Staff recommends approval of the CDBG funding agreement between the City of Hickory, North Carolina and Hickory Soup Kitchen, Inc. in the amount of \$8,000.

- A M.** Approval to Apply for the 2018 Justice Assistance Grant (JAG). **(Exhibit VIII.M.)**

Hickory Police Department request approval to apply for the 2018 Justice Assistance Grant. The City of Hickory has received notification of approval to receive \$15,028 under the 2018 Justice Assistance Grant Program. The JAG Program is a formula-based grant through the Office of Justice Programs/Bureau of Justice Assistance (BJA) that utilizes

Uniform Crime Reporting statistics of all law enforcement agencies to determine eligibility for direct federal grant awards. Cities and counties are required to submit joint applications for the available funding. Hickory Police Department will use the grant funds to purchase a covert mobile and/or pole camera system that can be utilized as an investigative tool in areas where gun and drug gang violence occur. Additionally, Hickory Police intends to purchase a software licensing module for a records management system that would allow users remote access via the web. This functionality would grant real time access to the prosecutor's office giving them the ability to access reports immediately for swift prosecution of felony cases and repeat violent offenders. BJA requirements mandate that all JAG award recipients not certified by their state as NIBRS compliant set aside three percent of the total award to achieving total compliance with the FBI's NIBRS data submission requirements. Hickory Police will use the three percent for training which is occurring July 24, 2018, and July 25, 2018, and hope to be compliant September 2018. There is no City of Hickory match required. Hickory Police Department recommends approval to apply for the 2018 Justice Assistance Grant in the amount of \$15,028.

- A N.** Approval of Change Order Number One with Neill Grading and Construction, Inc. in the Amount of \$59,448.50. **(Exhibit VIII.N.)**

Staff requests Council's approval of Change Order Number One with Neill Grading and Construction, Inc. in the amount of \$59,448.50 for demolition of additional structures and asbestos removal services related to the entrance road and landscaping for Trivium Corporate Center. The City of Hickory identified an area in southeast Hickory that is large enough and conducive to development of a business park, convenient to major roadways and adjacent to significant utility infrastructure. The City of Hickory (City), Catawba County (County) and Economic Development Corporation (EDC) have worked on development of this area as a business park for several years and the City and County have agreed to split the cost of development. Trivium Corporate Center is the business park identified for bond proceeds for the bond referendum that was passed by the City of Hickory. One of the main infrastructure improvements that is necessary for development and showing the property is to install an entrance road, landscaping berm and entrance sign to the property. Change Order Number One is necessary for the asbestos removal and demolition of existing structures that had been identified for removal by other means on the plans. The Hickory Fire Department had previously identified the remaining structures as great candidates for training burns; however this training burn could not be arranged. 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 Change Order Number One with Neill Grading and Construction, Inc. in the amount of \$59,448.50.

- A O.** Approval of a Memorandum of Understanding with the City of Claremont for the Treatment of Wastewater. **(Exhibit VIII.O.)**

Staff requests Council's approval of a Memorandum of Understanding (MOU) with the City of Claremont for wastewater treatment services and authorize staff to enter into negotiations to develop a contract for wastewater treatment at the Hickory-Catawba Wastewater Treatment Facility (WWTF). The City of Claremont approached the City of Hickory in 2009 with desires to employ the services of the City of Hickory Public Utilities Department to operate, maintain and manage two wastewater treatment facilities, five collection system lift stations and portions of their distribution system. The City of Claremont and City of Hickory in 2011 amended the contract to include the services of the City of Hickory Public Utilities Department to provide for the operator in responsible charge of their distribution and collection systems. The initial term of these contracts expired on June 30, 2014, and has since renewed expiring on June 30, 2017. We currently are operating on a one year extension of the contract. In January 2018 staff was contacted to help negotiate a contract for the treatment of wastewater services into the Hickory-Catawba WWTF for the City of Claremont. City of Hickory Public Utilities Staff has analyzed data from all facilities and feel that we can sufficiently treat, at a cost

efficient rate to the users of the City of Claremont's system, the requested allocation of flow. In this MOU, key points of interest for each party have been discussed and analyzed to be beneficial to the users of each system. The MOU will be a three-party agreement between the City of Hickory, City of Claremont and Catawba County. The contract remains to be negotiated with the points of this MOU as the major points of consideration. The City of Claremont will have to purchase "right to treat" volume from the City of Hickory. All parties will have construction expenses in line work to facilitate this agreement. Staff recommends Council's approval of this Memorandum of Understanding with the City of Claremont.

A1 P. Budget Revision Number 1. (Exhibit VIII.P.)

1. To recognize the receipt of \$20,000 during FY17-18 in donation/sponsorship revenues for Hickory's hosting of the 2018 NC League of Municipalities Conference. This revision will clarify on the books that these revenues were received during the preceding year, while they were actually budgeted during FY18-19.
2. To appropriate \$10,000 from General Fund Balance to match coworker contributions for the Rudy Project with Habitat for Humanity of Catawba County.
3. To appropriate \$4,769 in unspent donations during the previous Fiscal Year (2017-18) to the Hickory International Council Film Festival.
4. To recognize and roll over the receipt of a \$50 patron's donation to the Library, received at the end of June 2018. These funds will be pulled from General Fund Balance and placed into Library Programming expense.
5. To appropriate \$12,180 of General Fund Balance towards annual legal support by Smith Rogers PLLC Attorneys-at-Law within the Police Department's Contracted Services line-item. These funds come from State Unauthorized Tax revenues and are received and reside within General Fund Balance until the time of appropriation for specific uses under the State guidelines.
6. To re-appropriate the \$3,000 Walmart grant received by the Police Department during the latter part of FY17-18; the Fiscal Year ended prior to the funds being used. Funds will be used for community education and outreach through providing educational materials, promotional items, and equipment for various community activities including enhancement of the Explorer program.
7. To appropriate an additional \$26,977 in PSAP 911 funds to be received from the State during FY 2018-19. Originally, the State announced Hickory's allotment would be \$171,949; this amount subsequently increased to \$198,926.
8. To appropriate funds received during late June (FY17-18) from Lenoir-Rhyne University towards an infrastructure project in cooperation with the City. Of this \$27,143 total, \$19,087 will be applied towards the Grounds/Landscape Division and \$8,056 to Water and Sewer for four (4) water taps.
9. To recognize receipt of the 2018 Urgent Repair Program funds in the amount of \$50,000. This amount requires a local match of \$5,000 which will be budgeted from within the URP Fund Balance.
10. To re-appropriate from General Fund Balance a total of \$2,565 in unspent funds from FY17-18 towards upgrades to the City Hall video security system.
11. To re-appropriate from General Fund Balance a total of \$334,508 in unspent funds from FY17-18 towards repaving of streets.
12. To appropriate \$72,135 of General Fund Balance into the Library Departmental Supplies account to roll from FY17-18 a donation for Astronomy programming made in FY15. These endowment funds from FY17 were unable to be spent prior to the end of the fiscal year.
13. To transfer \$84,700 from Water and Sewer Fund Balance into the Water and Sewer budget for waterlines at CVCC driving range area.
14. To establish Capital Project Ordinance #700010 "Public Safety Building Renovations" by transferring \$100,000 from the Police Department's budgeted capital outlay. The funds were originally set up in the General Fund to initiate the planning of improvements at the old Rescue Squad building for use by both Fire and Police.

15. To transfer \$10,000 from the Police Department budget for an encumbered contract with CBSA Architects for professional services on the Public Safety Building Renovation project. These funds were first budgeted in FY17-18 and, with the encumbered contract, were rolled into FY18-19. This Revision will therefore send those funds into the new Project Ordinance #700010.
16. To establish Capital Project Ordinance #549003 "Claremont / SALT Block Pocket Park" by recognizing the receipt of a \$100,000 grant from the NC Department of Natural & Cultural Resources. No local match is required.
17. To transfer \$199,910 from General Fund Balance for the construction contract with Sign Systems, Inc. for construction services related to the Highway 321 / 70 Gateway Project.
18. To transfer \$99,816 from General Fund Balance for contract with Southern Lawnsapes of Hickory, LLC for construction services on the Highway 321 / 70 Gateway Project.
19. To transfer \$15,200 from General Fund Balance into the Trivium Corporate Center Project Ordinance (#B1B001) for additional sanitary sewer system design and contract administration.
20. To transfer \$108,710 from General Fund Balance into the Trivium Corporate Center Project Ordinance (#B1B001) for additional design and contract administration services for extension of the entrance road and installation of waterline.
21. To transfer \$59,449 from General Fund Balance into the Trivium Corporate Center Project Ordinance (#B1B001) ref: change order #1 to Neill Grading and Construction, Inc. for demolition and asbestos removal of additional structures.
22. To establish the Justice Assistance Grant (JAG) 2017 Capital Project Ordinance (#G5110V). The Hickory Police Department has been awarded \$15,205 from this program to send officers through the VALOR Officer Safety Initiative and Blue Courage leadership programs.

- A Q. Approval to Issue a Pyrotechnic Display Permit to Hickory Motor Speedway. **(Exhibit VIII.Q.)**

Kevin Piercy, General Manager of the Hickory Motor Speedway has submitted a request to obtain permission to have a public fireworks display on August 11, 2018. The North Carolina Fire Code requires an operational permit for the use and handling of pyrotechnic special effects material. The Division of Fire & Life Safety Bureau shall review all required documentation for the events. The Fire Prevention Bureau will also inspect the pyrotechnics display area prior to the events to ensure compliance with all guidelines and codes. Staff recommends approval of the pyrotechnics displays.

IX. Items Removed from Consent Agenda

- A. Item O was removed and discussed. City Council approved unanimously.

X. Informational Item

XI. New Business:

- A. Public Hearings

- A 1. Resolution Authorizing Preparation of Assessment Rolls and Public Hearing on Preliminary Assessment Roll for Street Improvements Petition Number 18-01 (Curb and Gutter for Hathaway Drive NE, Hickory) – Presentation by Public Services Director Kevin Greer. **(Exhibit XI.A.1.)**

A petition was submitted on February 22, 2018 approved by City Council on March 6, 2018, and the project was completed on June 11, 2018. The preliminary assessment roll number 18-01 has been prepared based on the curb and gutter constructed along Hathaway Drive NE, Hickory in response to a petition by property owners. The City Clerk mailed a copy of the adopted Preliminary

Resolution, which called for a public hearing, to all affected property owners. Staff requests Council's approval of a Resolution confirming the assessment roll.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on July 20, 2018.

- A** 2. Consideration of a Voluntary Non-Contiguous Annexation of Property Owned by Trivium Corporate Center – Presentation by Assistant Planning Manager Cal Overby. **(Exhibit XI.A.2.)**

Trivium Corporate Center Inc., fka Park 1764 Development Corporation submitted a petition for the voluntary non-contiguous annexation of 113.383 acres of property located at 2369 and 2355 Startown Road. The subject properties are currently occupied by residences and utilized for farmland. The properties are part of the future Trivium Corporate Center, which is a venture between the City of Hickory, Catawba County, and the Catawba County Economic Development Corporation. The current tax value of the property is approximately \$1,900,000. If annexed with its present value, the property would not immediately generate additional tax revenues, as the Trivium Corporate Center is a public development project intended to attract private investment. The future tax revenues generated by the business park are unknown at this time, but will inevitably increase as the properties are sold and private businesses locate within the park. Upon analysis, staff has determined the petition meets the statutory requirements for voluntary non-contiguous annexation, and adequate public services are available. Staff finds the petition to be in conformity with applicable statutes, and recommends approval of the annexation petition.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on July 20, 2018.

- A1** 3. Consideration of Rezoning Petition Number 18-02 – Presentation by Planning Director Brian Frazier. **(Exhibit XI.A.3.)**

Over the past year, Planning staff have completed updates to the Hickory by Choice 2030 Comprehensive Plan, as well as, the Hickory Land Development Code. As part of this update process, staff has reviewed the city's zoning map and identified several areas that staff are recommending be rezoned. This rezoning petition represents a review of the City's official zoning map after it was initially adopted in 2011. The review of the zoning map resulted in eight separate areas that staff believe warrant a zoning change. Two of the changes are related to mapping errors. Full analysis of the proposed mapping changes can be found in the accompanying staff report. The Hickory Regional Planning Commission conducted public hearings for each of the eight items on June 27, 2018 to consider the petition. During the public hearings, no one spoke for or against Items A, B, C, E, and F. During the public hearing for Item D (10th Street Boulevard NW) multiple neighbors spoke against the petition. Concerns were expressed regarding traffic, pollution, and the potential expansion of an industrial business. One neighbor spoke in favor of Item G (2020 Old Shelby Road), while no one spoke in opposition. During the public hearing for Item H (Southeast Hickory), multiple neighbors initially planned to speak against the proposal, spoke in favor of the change, as they felt it would reduce commercial encroachment, as well as, encourage homeownership and reinvestment in the neighborhood. Upon closing the public hearings for Items A, B, C, E, F, G, and H, the Hickory Regional Planning Commission voted unanimously to affirm the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan, and recommended City Council's approval of the petition. Upon closing the public hearing for Item D, the Hickory Regional Planning Commission voted 6-2 in favor to affirm the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan, and recommended City Council's approval of the petition.

Staff concurs with the recommendation of the Hickory Regional Planning Commission and recommends City Council approve Rezoning Petition 18-02.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on July 27 and August 3, 2018.

B. Departmental Reports:

- A 1. Approval of a Resolution to Provide for the Issuance of \$15 Million Dollar General Obligation Public Improvement Bonds, Series 2018 – Presentation by Assistant City Manager Rodney Miller. **(Exhibit XI.B.1.)**

An official bond introduction outlining the two general obligation bond orders was presented to City Council and adopted on August 5, 2014. These bond orders initially outlined the two phases of bond sales including \$15,000,000 for Economic Development to fund land purchases and improvements for both industrial and commercial purposes. The Streets and Sidewalk Bonds, which consist of \$25,000,000, will fund the construction and improvements to streets, roads, and intersections including any related costs of studies, plans, and designs. The bond referendum was overwhelming approved by voters on November 4, 2014. Parker Poe, Bond Counsel, has directed the City of Hickory to proceed with the next processes from the November 2014 bond referendum which includes the issuance of \$15,000,000 General Obligation Bonds and establishment of the schedule for the annual installment payments for the 2018 Bonds. The 2018 Bonds will be dated as of their date of issuance with interest payable semiannually on March 1 and September 1, beginning March 1, 2019. In addition, the 2018 Bonds will be payable in annual installments on September 1 of each year beginning in 2019 through 2038. The Local Government Commission (LGC) will sell the 2018 Bonds through a competitive sale to the bidder which results in the lowest interest expense to the City. All bond sale proceeds will be deposited into a separate Project Fund created and established specifically for the Series 2018 Bonds. Any expenditures related to each of the projects will be monitored through the Project Fund. The City's Finance Department will prepare and submit all bond related documents and reports in a timely manner as directed by the Securities Exchange Commission (SEC), Municipal Securities Rulemaking Board (MSRB), and Local Government Commission (LGC). Staff recommends approval of a Resolution for the Issuance of \$15,000,000 General Obligation Public Improvement Bonds, Series 2018.

- A 2. Appointments to Boards and Commissions

BUSINESS DEVELOPMENT COMMITTEE

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

At-Large (Council Appoints) (2 Year Term)

VACANT

At-Large (Council Appoints) (2 Year Term)

VACANT

Alderman Williams appointed Eddie Salyards and Hank Eimer as At-Large Representatives on the Business Development Committee.

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)

VACANT

Other Minority (Council Appoints)

VACANT

Other Minority (Council Appoints)

VACANT

Other Minority (Council Appoints)

VACANT

HICKORY REGIONAL PLANNING COMMISSION

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

(Appointed by City Council)

Ward 4 (D. Williams Appoints)

Sam E. Hunt

(Eligible for Reappointment/Willing to Serve Again)

Burke County (Mayor Appoints)

VACANT

Caldwell County (Mayor Appoints with Recommendation from County)

VACANT

Alderman Williams reappointed Sam Hunt as the Ward 4 Representative on the Hickory Regional Planning Commission.

HISTORIC PRESERVATION COMMISSION

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

At-Large (3) (Council Appoints)

VACANT

Alderman Seaver appointed Sam Hunt as an At-Large Representative on the Historic Preservation Commission.

INTERNATIONAL COUNCIL

(Appointed by Mayor with the Concurrence of City Council)

(3) Position

VACANT

LIBRARY ADVISORY BOARD

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

Ward 2 (C. Williams Appoints)

Walter C. Smith

(Eligible for Reappointment/Willing to Serve Again)

At-Large (3) (Mayor Appoints)

VACANT

Alderman Williams reappointed Walter Smith as Ward 2 Representative on the Library Advisory Board.

Mayor Guess appointed Helen Devlin as an At-Large Representative on the Library Advisory Board.

PARKS AND RECREATION COMMISSION

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

Ward 4 (D. Williams Appoints)

VACANT

Ward 5 (Zagaroli Appoints)

David Crosby

(Eligible for Reappointment/Willing to Serve Again)

Ward 6 (Patton Appoints)

VACANT

At-Large Minority (1) (Council Appoints)

VACANT

Alderman Zagaroli reappointed David Crosby as Ward 5 Representative on the Parks and Recreation Commission.

Alderman Patton appointed Steve Snyder as Ward 6 Representative on the Parks and Recreation Commission.

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

UNIVERSITY CITY COMMISSION

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

At-Large (not including ETJ) (Council Appoints) VACANT
At-Large (not including ETJ) (Council Appoints) VACANT

Alderman Zagaroli appointed Constance Snyder as an At-Large Representative on the University City Commission.

Mayor Guess appointed Rob Taylor as an At-Large Representative on the University City Commission.

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.”

**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**