



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

December 4, 2018
7:00 p.m.

- I. Call to Order
- II. Invocation by Rev. Vince Ross, Christ United Methodist Church
- III. Pledge of Allegiance
- IV. Election and Oath of Office of Mayor Pro Tempore for Calendar Year 2019 Pursuant to NC General Statute §160A-70 and Section 2-54 of the Hickory City Code.

Alderman Williams was appointed as Mayor Pro Tempore for Calendar Year 2019. Mayor Guess administered the Oath of Office to Alderman Williams.
- V. Appointment and Oath of Office of City Attorney for Calendar Year 2019 Pursuant to the Hickory City Code, Section 4.151 of the Charter.

Attorney John Crone was appointed as the City Attorney for Calendar Year 2019. Mayor Guess administered the Oath of Office to Attorney Crone.
- VI. Special Presentations
 - A. Audit Presentation – Kari Dunlap, Martin Starnes & Associates

Ms. Kari Dunlap with Martin Starnes & Associates gave the audit presentation.
 - B. Proclamation for Human Rights Day, December 10, 2018 and Bill of Rights Day, December 15, 2018 – Presented to Catawba Valley Interfaith Council, President, Rabbi Dennis Jones. **(Exhibit VI.B.)**

Mayor Guess read and presented the Proclamation for Human Rights Day and Bill of Rights Day to the President of Catawba Valley Interfaith Council, Rabbi Dennis Jones and members of the organization.
- VII. Persons Requesting to Be Heard
 - A. Mr. Cliff Moone, 2925 8th Street Court NE, Hickory requested a moment of silence for former President George H.W. Bush who had passed away. A moment of silence was observed. Mr. Moone briefly discussed the Bill of Rights and thanked City Council for the Proclamation.
- VIII. Approval of Minutes
 - A. Regular Meeting of November 20, 2018. **(Exhibit VIII.A.)**
- IX. 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.

December 4, 2018

- A2** A. Budget Revision Number 7. **(First Reading Vote: Unanimous)**
- A2** B. Consideration of Closing a Portion of “E” Avenue SE as Petitioned by Catawba County. **(First Reading Vote: Unanimous)**
- X. 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 XI.
- A** A. Approval of a Grant Agreement and Resolution for Project 36237.66.6.1 from North Carolina Department of Transportation for the Rehabilitation of the North Ramp at Hickory Regional Airport. **(Exhibit X.A.)**
- On October 23, 2017 the Hickory Regional Airport was hit with a tornado which destroyed two of its hangars located on the North Ramp. The City filed a Request for Aid with North Carolina Department of Transportation (NCDOT) to assist in the rehabilitation of the pavement of said ramp where the hangars once stood, which consists of a 32,000 square foot footprint. By letter dated November 7, 2018 NCDOT approved the City’s Request for Aid and now requires approval of the Grant Agreement. The grant has a State share of 90 percent equal to \$74,979 and a local share of 10 percent equal to \$8,331 for the design-bid phase of this project. This grant will assist in the rehabilitation of the North Ramp pavement and continuation of the airfield improvement program as recommended by the Airport’s Task Force. The design-bid phase is the first step in moving forward with rehabilitation of the North Ramp. Staff recommends Council’s approval of the Grant Agreement and Resolution for Project 36237.66.6.1 from the North Carolina Department of Transportation.*
- A** B. Approval of a Work Authorization with Talbert, Bright & Ellington, Inc. in an Amount not to Exceed \$83,309.61 for Engineering Consulting Services for the Design through Bidding Phase of the North Ramp Rehabilitation Project. **(Exhibit X.B.)**
- This Work Authorization will provide engineering services for the design-bidding phase of this project using FAA Non-Primary Entitlement (NPE) funds in an amount not to exceed \$83,309.61. This portion of the project is part of the ongoing pavement rehabilitation for the airfield pavement, but is not part of another specific project. The scope of work will include bid documents for the removal of the existing failed pavement followed by subgrade stabilization and construction of a new asphalt surface and stabilized base course pavement located within the footprint of destroyed Hangars N1 & N2 on the North Ramp. The North Carolina Department of Transportation – Division of Aviation (NCDOT-DOA) has approved grant 36237.66.6.1 in the amount of \$83,310, the State share is 90 percent in the amount of \$74,979 and the Local share is 10 percent in the amount of \$8,331. To prepare for possible new hangar construction on the North Ramp, or convert this area to new heavy aircraft parking, the geotechnical testing and design plans need to be performed so the City is ready for whatever direction its decides to take. Staff recommends approval of the Work Authorization with Talbert, Bright & Ellington, Inc. regarding Grant 36237.66.6.1 in the amount of \$83,309.61.*
- PH** C. Call for a Public Hearing for Consideration of a Voluntary Contiguous Annexation of Property Owned by City of Hickory Located at 9th Avenue NW South of Goat Farm Road, in Burke County, Containing Approximately 39.97 Acres. **(Authorize Public Hearing for December 18, 2018, at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building). (Exhibit X.C.)**
- PH** D. Call for a Public Hearing for Consideration of Amending the Bond Commission Ordinance. **(Authorize Public Hearing for December 18, 2018, at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building). (Exhibit X.D.)**

PH E. Call for a Public Hearing for Consideration of Amending the Personnel Ordinance. **(Authorize Public Hearing for December 18, 2018, at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building). (Exhibit X.E.)**

A F. Approval of an Agreement with Freese and Nichols, Inc. in the Amount of \$197,645 for the Evaluation and Design of a One Million Gallon Elevated Storage Tank. **(Exhibit X.F.)**

Staff requests Council's approval of the agreement with Freese and Nichols, Inc., for the evaluation and design of a one million gallon elevated storage tank in the amount of \$197,645. The Public Utilities Department annually identifies infrastructure that is in need of replacement or rehabilitation, as appropriate, as a component of the Department's sustainability programs. Infrastructure to be upgraded is identified by reviewing records of maintenance calls to the area, reviewing annual inspection records from staff, age of infrastructure and overall size of project that needs to be performed. This project is the results of former studies and system observations by City staff. Currently the 9th Avenue tank supplies the bulk of the load for the greater northeast and northwest areas including Alexander County and Conover. The addition of this tank will greatly increase system redundancy, volumes of storage and increase fire flow scenarios in the general area. Staff prepared and disseminated a Request for Qualifications for engineering services to design a new one million gallon elevated water storage tank in the northeast Hickory area. Responses were received from: Freese and Nichols; Hulseley, McCormick and Wallace; McGill and Associates; and Tank Industry Consultants. Freese and Nichols, Inc. was selected as the most qualified firm for this project based on past experience with other projects of this type and their familiarity with the City of Hickory's distribution system due to a water model they previously completed. The project consists of the preliminary engineering, design and bid of a one million gallon elevated water storage tank including: hydraulic analysis, tank type evaluation, site and drainage evaluation and environmental review, renderings and shadow cast evaluation, 30 percent plans, PER and review meeting, final design, survey, geotechnical, permitting, and bidding assistance. The funds for this project are budgeted in the FY 18-19 Public Utilities Capital Budget. Staff recommends Council's acceptance and award of the agreement with Freese and Nichols, Inc., for the evaluation and design of the one million gallon elevated storage tank in the amount of \$197,645.

A G. Approval of the Agreement for Engagement of Legal Counsel with the Firm of Young, Morphis, Bach & Taylor, LLP for Legal Services for City Attorney John Crone. **(Exhibit X.G.)**

A1 H. Budget Revision Number 8. **(Exhibit X.H.)**

1. *To recognize receipt of a \$250 donation from the Luke Garrison Foundation for a child to participate in the 2019 SOAP program.*
2. *To recognize receipt of \$307 in donations for the Youth Council.*
3. *To recognize receipt of \$12,803 in materials-reimbursement revenue from Catawba County for a waterline extension project in the southeastern portion of the county.*
4. *To appropriate \$29,017 of available funds within the Consortium Home Program Fund to assist with housing rehabilitation needs throughout the City.*
5. *To appropriate \$78,219 of available funds within the NC Housing Finance Agency Fund to assist with housing rehabilitation needs throughout the City.*

XI. Items Removed from Consent Agenda

XII. Informational Item

XIII. New Business:

A. Public Hearings

- A** 1. Consideration of a Voluntary Contiguous Annexation of Property Owned by Dennis Knecht, Located at the Northwest Corner of 6th Street Drive NW and 32nd Avenue Drive NW, Containing Approximately 6.485 Acres - Presentation by Planning Manager Cal Overby. **(Exhibit XIII.A.1.)**

Dennis Knecht has submitted a petition for the voluntary contiguous annexation of 6.485 acres of property located at the northwest corner of 6th Street Drive NW and 32nd Avenue Drive NW. The subject property is currently vacant, but is intended to be subdivided to create five single-family residential building lots. The current tax value of the property is \$195,200. If annexed with its present value, the property would immediately generate \$1,105 in additional tax revenues. The future tax revenues generated after the construction of the previously mentioned homes will be substantially greater. Existing residences in the vicinity range from \$250,000 to \$400,000. Upon analysis, staff has determined the petition meets the statutory requirements for voluntary contiguous annexation, and adequate public services are available. Staff finds the petition to be in conformity with applicable statutes, and recommends Council's approval of the annexation.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on November 23, 2018.

- A** 2. Consideration of a Voluntary Contiguous Annexation of Property Owned by REC Group, LLC, Elizabeth Campbell, Norma Jean S. Tsumas, Connie S. Kirby, and Patsy Smith, Located at 1900, 1995, and 2019 Startown Road, Containing Approximately 4.3 Acres - Presentation by Planning Manager Cal Overby. **(Exhibit XIII.A.2.)**

REC Group, Elizabeth Campbell, and Patsy Smith have submitted petitions for the voluntary contiguous annexation of 4.3 acres of property located at 1900, 1995, and 2019 Startown Road. The subject properties are either vacant, or occupied by single-family residences. The properties owned by the REC Group and Patsy Smith are intended to be added to an approved mixed-use planned development consisting of several hundred apartments and approximately 50,000 square feet of commercial space. The properties owned by Elizabeth Campbell are not being immediately developed, but will serve as an area for future commercial growth along Startown Road. The current tax value of the properties is \$321,100. If annexed with its present value, the property would immediately generate \$1,819 in additional tax revenues. The future tax revenues generated after the development of the properties is currently unknown, but is expected to increase substantially once development commences. Upon analysis, staff has determined the petition meets the statutory requirements for voluntary contiguous annexation, and adequate public services are available. Staff finds the petition to be in conformity with applicable statutes, and recommends Council's approval of the annexation.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on November 23, 2018.

B. Departmental Reports:

- NA** 1. Blue Courage – Presented by Chief of Police Thurman Whisnant
- NA** 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)	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)	
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
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PARKS AND RECREATION COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council) At-Large Minority (1) (Council Appoints)	VACANT
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PUBLIC ART COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council) At-Large (Mayor Appoints) (Lisë Swensson Resigned 9-13-18)	VACANT
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RECYCLING ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council) Ward 2 (C. Williams Appoints) (Mahesh Patel Resigned 10-1-18)	VACANT
Ward 4 (D. Williams Appoints)	VACANT
At-Large (Council Appoints)	VACANT

YOUTH COUNCIL

(Terms Expiring 6-30; 1-Year Terms) (Appointed by City Council)	
At-Large Representative	VACANT
At-Large Representative	VACANT

- C. Presentation of Petitions and Requests
- XIV. Matters Not on Agenda (requires majority vote of Council to consider)
- XV. General Comments by Members of Council, City Manager or City Attorney of a Non-Business Nature
- XVI. 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**