



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

January 15, 2019  
7:00 p.m.

- I. Call to Order
- II. Invocation by Reverend David Roberts, Morning Star First Baptist Church
- III. Pledge of Allegiance
- IV. Special Presentations
  - A. Business Well Crafted Award to First Security Insurance
  - A** B. State Park - Presentation by Tom Kenney, Land Protection Director, Foothills Conservancy. **(Exhibit IV.B.)**
- V. Persons Requesting to Be Heard
- VI. Approval of Minutes
  - A** A. Regular Meeting of January 8, 2019. **(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. Budget Ordinance Number 10. **(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 Contract with City of Claremont for Wastewater Treatment Services for Flow into the Hickory-Catawba Wastewater Treatment Facility. **(Exhibit VIII.A.)**

*Staff requests Council's approval of a contract for sale of wastewater treatment services between the City of Claremont and the City of Hickory for flow into the Hickory-Catawba Wastewater Treatment Facility (H-CWWTF). The City of Claremont approached the City of Hickory in 2009 with the desire to employ the services of the City of Hickory's Public Utilities Department to operate, maintain and manage two wastewater treatment facilities, five collection system lift stations, provide an operator in responsible charge credentials for distribution and collections systems, and provide ancillary operations testing, flushing, engineering, etc. Claremont and Hickory have continued this working relationship successfully for many years. Claremont now seeks to employ the treatment services of the H-CWWTF to provide modern, cost effective treatment services to the City of Claremont for the long term. The Hickory-Catawba Wastewater Treatment Facility (H-CWWTF) was upgraded in 2015 to serve as a regional facility in Southeastern Catawba County. The H-CWWTF is a 1.5 million gallon per day wastewater treatment facility. The*

*City of Claremont wishes to purchase the right to treat 450,000 gallons per day at a cost of \$1,860,000. With this contract Claremont would also be allowed to purchase additional 50,000 gallon increments of right to treat as defined in the agreement. Claremont will receive inside City of Hickory rates for treatment with a discount as long as the operation and maintenance contract is in place in recognition that Claremont is paying the City of Hickory separately for a portion of the services typically covered by rates. Should the operation and maintenance contract not be renewed at a later date this discount will not be applied to the inside rate. This contract for right to treat will be valid for a minimum of 20 years with 5 year review periods and renewals. This agreement will require both the City of Claremont and the City of Hickory to install additional infrastructure to transfer the wastewater to the H-CWWTF. Staff recommends Council's approval of this contract for sale of wastewater treatment services between the City of Claremont and the City of Hickory for flow into the Hickory-Catawba Wastewater Treatment Facility (H-CWWTF).*

- A B.** Approval of a Resolution Authorizing North Carolina Industrial Development Grant Funds for Trivium Corporate Center Project Cure in the Amount of \$225,000 to Assist Development of Infrastructure. **(Exhibit VIII.B.)**

*Staff requests Council's approval of a Resolution Authorizing North Carolina Industrial Development Grant Funds for Trivium Corporate Center Project Cure in the amount of \$225,000 to assist development of infrastructure. 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, Catawba County and Catawba County Economic Development Corporation 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. In an effort to leverage available money the City of Hickory and Catawba County Economic Development Corporation (EDC) submitted an application and subsequent award of North Carolina Industrial Development Funds. The City, Catawba County and the EDC have worked on development of the project to a condition that is receptive to marketing. The City and the EDC submitted an application for North Carolina Industrial Development Funds and were approved for \$225,000 in grant funds with a matching requirement of 100 percent. The grant proceeds are to be used for infrastructure construction to serve the Project Cure site. The City of Hickory and Catawba County entered into an agreement previously to equally cover the cost of development previously estimated at \$1,173,000 for this phase of development. Staff recommends Council's approval of a Resolution Authorizing North Carolina Industrial Development Grant Funds for Trivium Corporate Center Project Cure in the amount of \$225,000 to assist development of infrastructure.*

- A C.** Approval of Updates to the Neighborhood Traffic Calming Program. **(Exhibit VIII.C.)**

*Staff requests Council's approval of updates to the Neighborhood Traffic Calming Program. City of Hickory Traffic Division staff has updated the Neighborhood Traffic Calming Program after receiving comments from citizens and staff that have gone through the current traffic calming process. Traffic Division staff feels that it is time to update the program that was implemented in January 2008. The changes to the program address comments received from citizens who have recently went through the program, give more traffic calming options and clearly explains the program and procedures than the previous version. The current Neighborhood Traffic Calming Program was adopted in January 2008 and does not include some of the new standards for traffic calming. The updated program has been reviewed by appropriate City of Hickory staff to consider their comments and concerns, including addressing Fire Code Section 503.4.1 which requires traffic calming devices to be approved by a fire code official. Updates include more possibilities from the previous version where the three options were: speed limit reduction, multi-way stop, or speed humps/tables. The new version also includes: adding double yellow centerlines and/or white edge lines; marked on-street parking; raised chicanes or other road diet measures such as bulb-outs or future traffic calming*

measures that may develop over the years. Updates extend the minimum study area for multi-way stops, chicanes, and speed tables from 1,200 feet to at least 1,320 feet (¼ mile), as well as any other properties the City of Hickory Traffic Engineer deems necessary for better characterizing the traffic flow. The deadline for signature verification was also extended from ten calendar days to fifteen business days from the date on the petition verification letter. A section was also added to explain that City Council will need to approve any traffic calming measures after two readings. Staff recommends Council's approval of the update to the Neighborhood Traffic Calming Program.

- A D. Approval of a Contract Amendment with Freese and Nichols, Inc. for the Design of City Walk Electrical Construction Documents and the Addition of Union Square and the Downtown Block. **(Exhibit VIII.D.)**

*Acceptance of contract amendment with Freese and Nichols, Inc. for additional services and Bond Program Assistance to include the City Walk Electrical Construction Documents and assistance on Union Square and Downtown Block. Freese and Nichols prepared the design plans, specifications and bid items for the electrical section of the bid package for the City Walk project. With the addition of Union Square and the Downtown Block, Freese and Nichols, Inc. engaged Stewart and LandDesign to perform the additional survey and design needed for Union Square and the surrounding downtown block area. The amendment in the amount of \$383,044.88, provides additional services for the design of City Walk electrical construction documents as well as the addition of Union Square and the Downtown Block as stated: Design of City Walk Electrical Construction Documents - \$6,323.57; Addition of Union Square and Downtown Block - \$376,721.31; Total - \$383,044.88. To complete the work as directed by the Bond Implementation Commission and Hickory City Council, staff began working with Freese and Nichols to discuss the new services needed. Staff recommends City Council's approval of the contract amendment with Freese and Nichols, Inc. for the additional services for bond program assistance in the amount of \$383,044.88.*

- A E. Approval of an Engineering Agreement with McGill and Associates in the Amount of \$197,500 for the Design and Construction Administration of the McLin and Lyle Creek Wastewater Outfall Project. **(Exhibit VIII.E.)**

*Staff requests Council's approval of an agreement with McGill and Associates for the design and construction administration of the McLin and Lyle Creek Wastewater Outfall Project in the amount of \$197,500. In 2011, the City of Hickory, in partnership with Catawba County, the City of Conover, and the City of Claremont made a joint venture with Davis and Floyd Engineering for a basin wide analysis of this area. During the study, five different scenarios were developed and a consensus made upon the group for the future routes to be pursued. In 2015, McGill and Associates performed the initial pump station design and permitting at the Hickory-Catawba Wastewater Treatment Facility. The City of Hickory and the City of Claremont have been discussing and negotiating this agreement since the study and PER was completed by Davis and Floyd. The sewer outfall line is envisioned to start at the intersection of Old Catawba Road and McLin Creek and continue approximately 7,100 feet to the pump station to be constructed at the Hickory-Catawba Wastewater Treatment Facility. The preliminary design is to include 24" pipe for the construction of this project for current and future flows of the study. This agreement will include all aspects of design, permitting and construction observation of the project. This project will be funded from Public Utilities' fund balance. Staff requests Council's approval of the agreement with McGill and Associates for the design and construction administration of the McLin and Lyle Creek Wastewater Outfall Project in the amount of \$197,500.*

- A F. Approval to Apply for a Brownfield Assessment Grant from the US Environmental Protection Agency. **(Exhibit VIII.F.)**

*The Brownfield Assessment Grant program provides grants of up to \$300,000 for municipalities to assess environmental contamination and conduct redevelopment planning activities at Brownfield sites. These sites are defined as idle commercial or*

*industrial properties whose redevelopment is hindered by the presence of real or perceived environmental contamination. The City has previously received this funding in 2007 and 2012, and a Planning grant in 2015. Staff anticipates that applying for the assessment grant funding will further enhance the ongoing Bond Project initiatives. This funding will enable the City to continue its Brownfield program. There are still over 100 suspect Brownfield sites within the City. This funding has played a vital role in the redevelopment of numerous sites in the City including the former Piedmont Wagon Company, Moretz Mill, Hollar Hosiery Mill, Lyerly Mill, etc. Redevelopment at former Brownfield sites has resulted in over \$60 million in private investment at these sites and the creation of over 600 jobs. There is no required match to apply for the grant. These funds will help leverage additional private investment at targeted Brownfield sites. Staff recommends that City Council authorize staff to apply for EPA Brownfield Assessment Grant funding for petroleum and hazardous materials in the amount of \$300,000.*

**A1 G. Budget Revision Number 11. (Exhibit VIII.G.)**

1. *To correct an accounting error on Budget Revision #8 (12/18/18) regarding a \$250 donation received from Luke Garrison Foundation for the SOAP program. This transaction did not require budgetary action and hence will be reversed.*
2. *To recognize receipt of a \$100 donation by the Hickory Women's Club for the purchase of children's library books.*
3. *To recognize receipt of a \$120,077 federal block grant to assist with the Airport Master Plan Update project (Capital Project Ordinance #650028).*
4. *To recognize receipt of a \$2 million grant of federal Transportation funds towards construction of the Riverwalk Project (Capital Project Ordinance #B1R001). The grant will be administered through NCDOT; Federal aid# STBGDA-1143(016).*

IX. Items Removed from Consent Agenda - None

X. Informational Item

XI. New Business:

A. Public Hearings

**A 1. Consideration of the Proposed Expansion of Oakwood National Register Historic District. – Presented by Senior Planner Ross Zelenske. (Exhibit XI.A.1.)**

*Over the past two years, the Hickory Historic Preservation Commission has been working with the North Carolina State Historic Preservation Office and project consultant Landmark Preservation Associates to research and complete a nomination report to expand the existing Oakwood National Register Historic District. The nomination report has now reached the final stage, which requires approvals starting at the local level. A special called meeting of the Hickory Historic Preservation Commission was held on January 7, 2019. If City Council recommends approval of the project, the nomination will be considered by the National Register Advisory Committee at its meeting on February 14, 2019 and then forwarded to the National Park Service for final approval. By expanding the Oakwood National Register Historic District, additional properties in the neighborhood will be recognized for their historical value and will be able to access State and Federal tax credits to incentivize long term preservation. Listing on the National Register is honorary and does not require design review/demolition approval by the Historic Preservation Commission for changes to buildings and properties within the district. Design review is associated with local historic designations. An expansion of the Oakwood Local Historic District is not being considered at this time. Property owners have been mailed letters regarding the expansion and a newspaper advertisement will be completed in accordance to local and State regulations. Property owners may formally indicate support or opposition to the State Historic Preservation Office. In the event a majority of the property owners formally object to the expansion, the nomination*

*will not be listed. Staff has only received positive or neutral responses from the community during past meetings. Staff recommends that City Council review the nomination and recommend that the proposed expansion area be listed in the National Register of Historic Places.*

*This public hearing was advertised in a newspaper having general circulation in the Hickory area on January 4, 2019.*

B. Departmental Reports:

NA 1. Traffic Count Data Analysis - Presentation by Senior Data Analyst, Taylor Dellinger, Western Piedmont Council of Governments

A 2. Appointments to Boards and Commissions

**COMMUNITY APPEARANCE COMMISSION**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
 Ward 5 (Zagaroli Appoints) (Justin Query Moved Out of Ward 5) VACANT  
 At-Large (Outside City but within HRP) (Council Appoints) VACANT

Alderman Zagaroli nominated Nancy Zagaroli as Ward 5 Representative on the Community Appearance Commission

**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) Positions VACANT

**PARKS AND RECREATION COMMISSION**

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

**PUBLIC ART COMMISSION**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
 At-Large (Mayor Appoints) VACANT

**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

- 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.  
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