



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

June 19, 2018  
7:00 p.m.

- I. Call to Order
- II. Invocation by Rabbi Dennis Jones, Temple Beth Shalom
- III. Pledge of Allegiance
- IV. Special Presentations
- NA** A. Live Well Hickory Video Presentation – Communications and Marketing Manager Dana Kaminske.  
  
Communications and Marketing Manager Dana Kaminske presented the video “Do You Live Well Hickory”.
- V. Persons Requesting to Be Heard  
  
Mr. Richard Frye, 1004 13<sup>th</sup> Street SW, Hickory addressed Council on two garages located near his home and concerns with the number of vehicles located on these properties. He inquired about Ordinances pertaining to this type of business and code enforcement concerns.  
  
Mr. Robert Russell requested assistance in removal of kudzu weeds at 10<sup>th</sup> Avenue SE. He also discussed concerns with boarded up houses which lead to drug problems and a number of pest in the area close to downtown, including rats, snakes, raccoons and groundhogs.  
  
Mr. Jim Koutsogoulas advised Council he just purchased property in Ward 3, across the street from Snyder’s Trucking. He proposed structuring something for veterans and the community and he wants to explore a business incubator for the six acres which he just purchased there.
- VI. Approval of Minutes
- A** A. Regular Meeting of June 5, 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. Budget Revision Number 23. **(First Reading Vote: Unanimous)**
- A2** B. City Manager’s FY2018-2019 Recommended Budget. **(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 Franchises. (Exhibit VIII.A.)**

<b>Company</b>	<b>Taxicabs</b>	<b>Passenger Vehicle for Hire</b>
Mile High Enterprises dba The Hickory Hop	0	8
Yellow Cab	8	5
Diamond Cab of Hickory	3	0
Hickory Limousine	0	3
<b>Total</b>	<b>11</b>	<b>16</b>

*Annually, these 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 Certificates of Convenience and Necessity for the four businesses and vehicles for fiscal year of 2018-2019.*

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

*The following requests were considered by the Citizens' Advisory Committee at their regular meeting on June 7, 2018.*

*Each of the following applicants are being recommended for approval for assistance under the City of Hickory's 2017 Urgent Repair Program. This program provides qualified low income citizens with assistance for emergency related repairs not to exceed \$8,000.*

- *Paul Brooks, 711 9<sup>th</sup> Avenue Drive SE, Hickory – up to \$8,000*
- *Anna Farley, 112 15<sup>th</sup> Street SE, 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 C. Acceptance of the 2018 Urgent Repair Program Grant from North Carolina Housing Finance Agency in the Amount of \$50,000 and Approval of the Assistance and Procurement Policies. (Exhibit VIII.C.)**

*In January 2018, the City of Hickory Community Development Division applied for funding through the North Carolina Housing Finance Agency's Urgent Repair Program. The City of Hickory has been awarded \$50,000 through this program in order to assist approximately seven very low income homeowners with urgently needed repairs in an amount not to exceed \$8,000 per housing unit. The City of Hickory will provide an additional \$5,000 in matching funds, which are available from Rental Rehabilitation program income. The total program budget will be \$55,000. NC Housing Finance Agency requires the City of Hickory to prepare Assistance and Procurement Policies. These policies must be made available to the public and explain the guidelines of the URP18 program. The City of Hickory Community Development Department, in complying with the N.C. Housing Finance Agency's funding requirements for URP18, has prepared an Assistance Policy and Procurement Policy. These policies incorporate program requirements, applicant eligibility standards, and program capabilities. Upon approval by Hickory City Council these policies will be submitted along with additional required information to the NC Housing Finance Agency. Upon receipt and acceptance by NCHFA funds will be dispersed to the City of Hickory in order to begin repairs to eligible homes. Staff recommends City Council accept the 2018 Urgent Repair Program Grant and approve the Assistance and Procurement Policies.*

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

*Kevin Piercy, General Manager of the Hickory Motor Speedway has submitted a request to obtain permission to have a public fireworks display on July 7, 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

X. Informational Item

NA A. Budget Transfer Report

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

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

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

*The following transfer recently occurred under this provision:*

*June 12, 2018 (BT#81): To recognize an insurance claim payment in the amount of \$39,974 received for damages sustained to the outfield wall at LP Frans Stadium from storms during October 2017.*

XI. New Business:

A. Public Hearings

A 1. Consideration of the Community Development Block Grant 2018 Annual Action Plan – Presentation by Community Development Manager Karen Dickerson. **(Exhibit XI.A.1.)**

*In program year 2018, the City of Hickory will receive \$307,542 through the U.S. Department of Housing and Urban Development, and approximately \$110,000 in program income for a total of \$417,542. Funds will be used to develop stronger communities by providing decent housing, creating suitable living environments, and expanding economic opportunities, principally for people of low and moderate incomes. The City of Hickory's 2015-2019 Consolidated Plan is updated on an annual basis through the development of an Annual Action Plan. This plan sets priorities among these needs and sets out the action plan for use of available funds on a yearly basis. This provides for flexibility in determining priorities as the needs of the community change from year to year. The 2018 Annual Action Plan will be submitted to the U.S. Department of Housing and Urban Development upon approval by City Council. The plan will serve as the City's strategy for administering 2018 federal funds for community development and housing. The Citizen's Advisory Committee reviewed the draft action plan at their meeting on May 3, 2018 and recommended approval of the proposed budget. Staff recommends Council's approval of the Community Development Block Grant 2018 Annual Action Plan.*

*This public hearing was advertised in a newspaper having general circulation in the Hickory area on May 18, June 9, and June 19, 2018.*

A1

- 2. Consideration of an Amendment to the Ordinance for the Membership Provisions of the Hickory Youth Council – Presentation by Business Services Manager Dave Leonetti. **(Exhibit XI.A.2.)**

*The Hickory Youth Council is a group of 30 high school students that provides input to City Council, staff, and other Boards and Commissions on issues important to youth. Members also learn about city government and perform community service projects. Membership on the council includes seats for Hickory High School, Saint Stephens High School, Fred T. Foard High School, Challenger Early College High School, Hickory Career Arts Magnet High School, private schools in the City Limits, homeschool, and at-large appointees. Membership is currently open to students living within the Hickory City Limits or extra-territorial zoning jurisdiction (ETJ). At times it can be difficult to fill spaces for Saint Stephens, Fred T. Foard, and Challenger given that many of the students attending those schools live outside the City Limits and ETJ.*

*The proposed ordinance would give priority to applicants living within the Hickory City Limits. This is not the case under the current ordinance, which treats applicants from the ETJ on equal footing to City residents. The proposed amendment would also give staff and City Council flexibility to appoint youth from outside the City limits but who attend a school with a designated seat on the council. Students from outside the City limits would only be able to be appointed if fewer applications are received during the spring recruitment period than there are seats on the council. The elimination of the reference to ETJ may actually result in more City residents on the council while also providing additional flexibility for harder to fill positions. This amendment will also make the application process easier to explain to potential applicants. Staff recommends Council's consideration of amending the membership provisions of the Hickory Youth Council Ordinance.*

*This public hearing was advertised in a newspaper having general circulation in the Hickory area on June 8, 2018.*

B. Departmental Reports:

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- 1. Appointments to Boards and Commissions

**BUSINESS DEVELOPMENT COMMITTEE**

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

At-Large (Council Appoints) (1 Year Term)	Lori Alala (Eligible for Reappointment/Willing to Serve)
At-Large (Council Appoints) (1 Year Term)	Michael Ellwanger (Eligible for Reappointment/Willing to Serve)
At-Large (Council Appoints) (1 Year Term)	Ed Henson (Eligible for Reappointment/Willing to Serve)
At-Large (Council Appoints) (2 Year Term)	Jeff Hale (Not Eligible for Reappointment)
At-Large (Council Appoints) (2 Year Term)	Kirk Hobart (Not Eligible for Reappointment)
At-Large (Council Appoints) (3 Year Term)	Rich Brown (Not Eligible for Reappointment)
At-Large (Council Appoints) (3 Year Term)	Joan Long (Eligible for Reappointment/Willing to Serve Again)

Alderwoman Patton appointed Brandon Hedrick as an At-Large Representative on the Business Development Committee.

**CITIZENS ADVISORY COMMITTEE**

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

At-Large (Council Appoints)	David B. Myers
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At-Large (Council Appoints) (Eligible for Reappointment/Willing to Serve Again) Cliff Moone  
(Eligible for Reappointment/Willing to Serve Again)

Alderman Lail appointed Margaret Nealon as Ward 1 Representative on the Citizens Advisory Committee.

### **COMMUNITY APPEARANCE COMMISSION**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
Ward 1 (Lail Appoints) Margaret Nealon  
(Eligible for Reappointment/Willing to Serve Again)  
Ward 2 (C. Williams Appoints) VACANT

### **COMMUNITY RELATIONS COUNCIL**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
African-American (Council Appoints) Crystal S. Killian  
(Eligible for Reappointment/Does Not Wish to Serve Again)  
Caucasian (Council Appoints) Mandy Pitts Hildebrand  
(Eligible for Reappointment/Willing to Serve Again)  
Differently-Abled (Council Appoints) Beth Whicker  
(Eligible for Reappointment/Willing to Serve Again)  
Other Minority (Council Appoints) VACANT  
Other Minority (Council Appoints) VACANT  
Other Minority (Council Appoints) VACANT

### **EDC BOARD OF DIRECTORS FOR HICKORY**

(Terms Expiring 6-30; 3-Year Terms with Unlimited Appointments)  
(Appointed by City Council)  
Hickory Representative Stephen Shuford  
(Eligible for Reappointment)

Alderman Lail appointed Stephen Shuford as Hickory Representative on the EDC Board of Directors for Hickory.

### **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) James Noggle  
(Eligible for Reappointment/Does Not Wish to Serve Again)  
Catawba County (Mayor Appoints with Recommendation from County) Jeff Kerley  
(Eligible for Reappointment/Willing to Serve Again)

### **HISTORIC PRESERVATION COMMISSION**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
Licensed Architect (Council Appoints) Ernest K. Sills  
(Eligible for Reappointment/Willing to Serve Again)  
At-Large (2) (Council Appoints) Jody Blake  
(Not Eligible for Reappointment)  
At-Large (3) (Council Appoints) Jeff T. Mitchell  
(Eligible for Reappointment/Does Not Wish to Serve Again)

Alderwoman Patton appointed Mary Moorer as At-Large (2) Representative for 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)
Ward 3 (Seaver Appoints)	Joy Tilton (Eligible for Reappointment/Does Not Wish to Serve Again)
Ward 6 (Patton Appoints)	Carolyn Sinclair (Not Eligible for Reappointment)
At-Large (3) (Mayor Appoints)	John T. Kenny (Not Eligible for Reappointment)

Alderwoman Patton appointed Gail Miller as Ward 6 Representative on the Library Advisory Board.

Alderman Seaver appointed Laci LeBlanc as Ward 3 Representative on the Library Advisory Board.

**PARKS AND RECREATION COMMISSION**

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

Ward 1 (Lail Appoints)	Lanie Wood (Eligible for Reappointment/Does Not Wish to Serve Again)
Ward 4 (D. Williams Appoints)	Allen Mitchell Jr. (Eligible for Reappointment/Does Not Wish to Serve Again)
Ward 5 (Zagaroli Appoints)	David Crosby (Eligible for Reappointment/Willing to Serve Again)
Ward 6 (Patton Appoints)	Jim Powers (Not Eligible for Reappointment)
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)	Jennifer Helton (Eligible for Reappointment/Does Not Wish To Serve Again)
Ward 4 (D. Williams Appoints)	VACANT
At-Large (Mayor Appoints)	Laura Costello (Eligible for Reappointment/Willing to Serve Again)
At-Large (Mayor Appoints)	Beth C. Bowman (Eligible for Reappointment/Willing to Serve Again)

**PUBLIC HOUSING AUTHORITY**

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

Position 4 (Mayor Appoints)	Dr. Michael K. Wimberly (Eligible for Reappointment)
Tenant Representative (Mayor Appoints)	Velesia Wynette Hackett (Eligible for Reappointment)

**RECYCLING ADVISORY BOARD**

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

Ward 4 (D. Williams Appoints)	VACANT
Ward 5 (Zagaroli Appoints)	Robert Warmuth (Eligible for Reappointment)
At-Large (Council Appoints)	Jeffrey Enders (Eligible for Reappointment/Does Not Wish to Serve Again)

Alderman Zagaroli appointed Robert Warmuth as Ward 5 Representative on the Recycling Advisory Board.

**SALT BLOCK FOUNDATION**

(Terms Expiring 6-30; 2-Year Terms) (Appointed by City Council)  
Hickory Representative (Council Appoints) Alderman Zagaroli  
(Eligible for Reappointment/Willing to Serve Again)

Alderman Lail appointed Alderman Zagaroli as the Hickory Representative on the SALT Block Foundation.

**UNIVERSITY CITY COMMISSION**

(Terms Expiring 6-30; 2-Year Terms) (Appointed by City Council)  
At-Large (not including ETJ) (Council Appoints) Muriel Gabriel  
(Not Eligible for Reappointment)  
At-Large (not including ETJ) (Council Appoints) Ryan Edwards  
(Not Eligible for Reappointment)

**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:

Emma Lail	At-Large Representative
Nathaniel Watts	At-Large Representative
Lea French	At-Large Representative
Madison Midea	At-Large Representative
Mackenzie Fairchild	At-Large Representative
Lauren Seshul	At-Large Representative
Lucas Osborne	At-Large Representative
Liza Sakhonenko	At-Large Representative
VACANT	At-Large Representative
VACANT	At-Large Representative
Andrew Stephens	Challenger High School Representative
VACANT	Fred T. Foard Representative
Caitlyn Nalley	Hickory Career & Arts Magnet Representative
Aidan Nigrelli	Hickory High School Representative
Madeline Pitts	Hickory High School Representative
Carter Sinclair	Hickory High School Representative
Eric Schoellner	Hickory High School Representative
Emily Greene	Hickory High School Representative
Sophie Dickerson	Hickory High School Representative
Lillian Pitts	Hickory High School Representative
VACANT	Homeschool Representative
Chase Collins	Private School Representative
Peyton O'Neal	Private School Representative
Nicole Hicks	St. Stephens High School Representative
Hemani Patel	St. Stephens High School Representative
Kate Starr	St. Stephens High School Representative
Michael Sumpter	St. Stephens High School Representative
Rachel Hodakowski	St. Stephens High School Representative
Kaitlyn Day	St. Stephens High School Representative
Jonah Sanderson	St. Stephens High School Representative

Mayor Guess appointed the above applicants to the Hickory Youth Council.

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

Mayor Guess and Alderman Zagaroli recently attended the SALT Block, specifically the Hickory Museum of Art Founders garden was restored and repaired. In appreciation, not just the City of Hickory, but for those that were presented there that evening, they gave those in attendance handmade blown glass. Mayor Guess advised that Alderman Zagaroli had placed it on a wooden stand. They presented it to the City in appreciation for the help that they gave for the Founders garden on the SALT Block. Mayor Guess gave it to the City Manager to be displayed appropriately at City Hall.

Alderman Williams mentioned on June 20, 2018 it would be the 20th Anniversary of the Ridgeview Library. A celebration would take place at the Ridgeview Library at 3:00 p.m. There would be refreshments and should be a good event. They were hoping for a great turnout. He invited everyone to the event on June 20<sup>th</sup> at 3:00 p.m. at the Ridgeview Library.

XIV. Closed Session Per NC General Statutes 143-318.11(a)(1)(4) to consult with the attorneys regarding the following: (Action on these items, if any, will occur in Open Session)

1. Approval of Closed Session Minutes of June 5, 2018 - NCGS §143-318.11(a)(1)
2. Discussion of Potential Economic Development - NCGS §143-318.11(a)(1)(4)

**A** City Council approved an Authorizing Resolution with the North Carolina Department of Commerce Building Reuse Program, Project “Design” Building Reuse Application.

XV. 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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