



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 5, 2018
7:00 p.m.

- I. Call to Order
- II. Invocation by Reverend Cliff Moone
- III. Pledge of Allegiance
- IV. Special Presentations
- V. Persons Requesting to Be Heard
- VI. Approval of Minutes
 - A A. Special Meeting of May 15, 2018. **(Exhibit VI.A.)**
 - A B. Regular Meeting of May 15, 2018. **(Exhibit VI.B.)**
 - A C. Special Meeting of May 16, 2018. **(Exhibit VI.C.)**
- 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 21. **(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. Special Events Activities Application for Heart in the Park, Taylor Young, American Heart Association, Inc., June 9, 2018, 12:00 p.m. to 5:30 p.m., L.P. Frans Stadium. **(Exhibit VIII.A.)**
 - A B. Special Events Activities Application for Back to School Bash, Durham Castellaw, Recreation Programmer, Hickory Parks and Recreation, August 18, 2018, 9:00 a.m. to 3:00 p.m., Stanford Park. **(Exhibit VIII.B.)**
 - A C. Special Events Activities Application for Patriots Day Evening of Remembrance, Fire Chief Fred Hollar, September 11, 2018, 5:30 p.m. to 7:30 p.m., on Union Square. **(Exhibit VIII.C.)**
 - PH** D. Call for Public Hearing for Consideration of the Community Development Block Grant 2018 Annual Action Plan. **(Authorize Public Hearing for June 19, 2018, at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building). (Exhibit VIII.D.)**

PH E. Call for Public Hearing for Consideration of an Amendment to the Ordinance for the Membership Provisions of the Hickory Youth Council. **(Authorize Public Hearing for June 19, 2018, at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building). (Exhibit VIII.E.)**

A F. Approval to Write-Off Uncollectible Accounts Totaling \$218,155.25, in Accordance with North Carolina General Statutes. **(Exhibit VIII.F.)**

In accordance with the North Carolina General Statutes, a list of accounts to be written off is submitted for Council's approval each year, in conjunction with the annual audit. North Carolina General Statutes establish all street assessments, demolitions, nuisance violations, and property taxes that are over ten years old are no longer collectable and should be written off in conjunction with the annual audit. For the current fiscal year 2017-2018, there are \$119,630.71 in unpaid property taxes which exceed the ten year limitation. The City of Hickory's Accounting Division requires all other accounts that are over eighteen (18) months in arrears be written off to comply with Generally Accepted Accounting Principles in order to more fairly represent financial assets of the City on the balance sheet. For the current fiscal year, this amount is \$98,524.54. Current fiscal year write-offs total \$218,155.25, compared to \$294,146.12 for FY 2016-2017. The difference is related to the write-off of Profile Aviation Center Rental accounts associated with a litigation settlement in FY 2015-2016 for the FBO operations at the Airport. Even though these accounts will be written off, the Finance Department will continue to pursue collection of the debts. All eligible accounts over \$50 are submitted to the North Carolina Debt Setoff Program for collection. As of May 18, 2018, the City of Hickory has collected \$25,043.48 from the garnishment of North Carolina State income tax refunds and North Carolina State lottery winnings during this current fiscal year. Staff recommends City Council's approval to write-off uncollectible accounts for Fiscal Year 2017-2018.

A G. Consideration of Future Annexation Agreement for Peggy Bayne. **(Exhibit VIII.G.)**

Peggy G. Bayne requests connection to the City of Hickory's sewer system without being annexed. She has agreed to be annexed at a point in the future when the City finds it feasible to do so. The City of Hickory has a long-standing policy of requiring the owners of property outside the city limits to be annexed before connecting to the City's sanitary sewer system. However, sometimes the City is not able to immediately provide the necessary services required for annexation. In that event, Hickory City Council adopted a policy requiring the property owners to enter into a future annexation agreement with the City, which would enable the City to initiate annexation procedures when it is feasible to do so. Ms. Bayne owns a residential lot located at 4673 Bowman Road, which is part of the Mary W. Grindstaff subdivision. The property is also identified as PIN number 3701-14-34-4623 on the Catawba County tax maps. The subject property is approximately 2,900 linear feet from the primary incorporated boundary of the City of Hickory. Upon analysis, staff has determined sanitary sewer is available to serve the properties; however, due to the property's distance from the City's primary boundary, immediate annexation is not recommended. Staff recommends City Council's approval the future annexation agreement for Peggy G. Bayne to allow for connection to sanitary sewer.

A H. Approval of a Resolution for Cancellation of the July 3, 2018 City Council Meeting. **(Exhibit VIII.H.)**

Be it resolved by the City Council of the City of Hickory that the regularly scheduled City Council Meeting for July 3, 2018 be cancelled. (This meeting in July has traditionally been cancelled by the City Council.)

A1 I. Budget Revision Number 23. **(Exhibit VIII.I.)**

1. *To recognize the acceptance of a Walmart grant in the amount of \$3,000 to the Hickory Police Department. 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.

2. To recognize \$270 received in registration fees for the 2017-18 Unifour Senior Games.
3. To recognize \$938 donated by Ridgeview Library Friends for the purchase of toys and books for prize giveaways for Summer Reading participants.
4. To transfer \$17 from the General Fund to cover an overage in the actual expenditures of the Downtown Lighting Grant Project (#545005). Project was initially budgeted at \$94,340 and actual cost was \$94,357.
5. To recognize the receipt of \$3,330 in revenue from the NC Department of Transportation associated with Airport Grant Project #650027(Land/Easement Acquisition and Obstruction Removal - Runway 6-24 Phase I).

IX. Items Removed from Consent Agenda

X. Informational Item

XI. New Business:

A. Public Hearings

- A1** 1. Consideration of the City Manager's FY2018-2019 Recommended Budget. **(Exhibit XI.A.1.)**

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

B. Departmental Reports:

- NA** 1. 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)
Other Minority (Council Appoints)
Other Minority (Council Appoints)
Other Minority (Council Appoints)

VACANT

VACANT

VACANT

HICKORY REGIONAL PLANNING COMMISSION

(Terms Expiring 6-30; 3-Year Terms With Unlimited Appointments)
(Appointed by City Council)
Burke County (Mayor Appoints)

VACANT

INTERNATIONAL COUNCIL

(Appointed by Mayor with the Concurrence of City Council)
(3) Position

VACANT

PARKS AND RECREATION COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
At-Large Minority (1) (Council Appoints)
(David Williams no longer eligible)

VACANT

PUBLIC ART COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 4 (D. Williams Appoints)

VACANT

RECYCLING ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 4 (D. Williams Appoints)

VACANT

YOUTH COUNCIL

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

Challenger High School Representative

Homeschool Representative

St. Stephens High School Representative

VACANT

VACANT

VACANT

C. Presentation of Petitions and Requests

XII. Matters Not on Agenda (requires majority vote of Council to consider)

A Council considered, discussed and approved two items not on the agenda; a Non-Warranty Deed with Norfolk Southern Railway Company, and a Resolution Amending NC House Bill 947 to include the City of Hickory supporting a referendum to levy a one-quarter cent municipal sales and use tax.

XIII. General Comments by Members of Council, City Manager or City Attorney of a Non-Business Nature

Mayor Guess and Alderman Lail discussed a recent trip to Raleigh where they discussed DOT road project(s) costs for relocating the water and sewer lines. They also requested some assistance in recouping some of the money spent in the repair of the sinkhole. Additional discussions were had regarding the Build Grant.

Alderman Seaver mentioned the sinkhole was almost finished and there had been a number of groundbreaking and ribbon cuttings, the Mountain Bike Trails and the Rudy Project.

City Manager Warren Wood mentioned the groundbreaking of the Trivium Corporate Center. He clarified if the one-quarter cent sales and use tax was approved it would be used in three areas, public safety, economic development and public facilities.

XIV. Closed Session Per NC General Statutes 143-318.11(a)(1)(3)(6) to consult with the attorneys regarding the following: (Action on these items, if any, will occur in Open Session)

City Attorney John Crone requested adding an item to closed session: Discussion of Litigation Grimes versus City of Hickory - NCGS §143-318.11(a)(3)

1. *Approval of Closed Session Minutes of April 17, 2018 - NCGS §143-318.11(a)(1)*
2. *Discussion of a Personnel Matter - NCGS §143-318.11(a)(6)*

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.
Phone Services (hearing impaired) – Call 711 or 1-800-735-2962**