



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

May 1, 2018
7:00 p.m.

- I. Call to Order
- II. Invocation by Rev. Cliff Moone Representing First Presbyterian Church
- III. Pledge of Allegiance
- IV. Special Presentations
 - NA** A. Proclamation for National American Public Works Week – May 20 - 26, 2018. **(Exhibit IV.A.)**

Mayor Guess read and presented a proclamation for National American Public Works Week to public services staff.
 - NA** B. Proclamation for Building Safety Month – May 2018. **(Exhibit IV.B.)**

Mayor Guess read and presented a proclamation for Building Safety Month to Code Enforcement Officers.
 - NA** C. Proclamation for National Police Week – May 13 -19, 2018. **(Exhibit IV.C.)**

Mayor Guess read and presented a proclamation for National Police Week to Hickory Police Department officers.
 - NA** D. Employment Trends and Census – Presentation by Taylor Dellinger, Data Analyst, Western Piedmont Council of Governments

Mr. Taylor Dellinger from the Western Piedmont Council of Governments presented Council with employment trends and census.
- V. Persons Requesting to Be Heard
- VI. Approval of Minutes
 - A** A. Regular Meeting of April 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. Approval to Modify the Traffic Ordinance to Increase the Speed Limit from 35 mph to 45 mph along Startown Road within the City Limits and to Increase the Speed Limit from 45 mph to 50 mph along McDonald Parkway within the City Limits. **(First Reading Vote: Unanimous)**

May 1, 2018

A2 B. Budget Revision Number 19. **(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 the 4th Annual WNC CASI Chili Cook Off, Andrea Beatty, Shooting Stars Booster Club President, Shooting Stars Gymnastics Booster Club, September 15, 2018, L.P. Frans Stadium, 9:30 a.m. to 3:30 p.m. **(Exhibit VIII.A.)**

A B. Approval to apply for a Walmart Grant in the Amount of \$3,000. **(Exhibit VIII.B.)**

Hickory Police Department requests approval to apply for a Walmart Grant in the amount of \$3,000. The job of policing is a difficult one. Involving the community is an important aspect of their duty to society. The ability of the police to perform their duty is dependent on public approval of their existence, actions, behavior, and their ability to secure and maintain public respect. The department regularly tries to become involved in community activities, such as; neighborhood watch programs, back to school events, safety classes for children and adults, daycare and scouting activities, and crime prevention classes for the public. They believe that building a bond with the community only makes their jobs easier and that preventing crime is only a benefit to every citizen. Money from the grant will be used for community education and outreach through providing educational materials, promotional items, and equipment for various community activities. Funds will also be used to enhance the explorer program. Hickory Police Department requests approval to apply for a Walmart grant in the amount of \$3,000.

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

Kevin Piercy, General Manager of the Hickory Motor Speedway has submitted a request to obtain permission to have a public fireworks display on June 2, 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.

A/PH D. Call for a Public Hearing for Consideration of a Voluntary Non-Contiguous Annexation of Property Owned by Accel Discount Tire of Springs Road, Inc. **(Authorize Public Hearing for May 15, 2018, at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).** **(Exhibit VIII.D.)**

PH E. Call for a Public Hearing for Review and Consideration of the System Development Fees Compliant with the Requirements of House Bill 436. **(Authorize Public Hearing for May 15, 2018, at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).** **(Exhibit VIII.E.)**

A1 F. Approval to Amend the Traffic Ordinance to Designate the Speed Limit to 25 mph on 12th Street NW between Main Avenue NW and 2nd Avenue NW. **(Exhibit VIII.F.)**

Staff requests Council's approval to amend the Traffic Ordinance such that 12th Street NW, between Main Avenue NW and 2nd Avenue NW, be designated 25 mph. The Traffic Division received all necessary paperwork from residents within the area with regards to the Traffic Calming Guidelines and have found the residents to be in compliance with the guidelines. Based on recent speed studies it appears traffic is exceeding the speed limit on 12th Street NW. Following the City's Traffic Calming Guidelines, the petition qualifies for a speed limit reduction on the roadway listed. Nineteen properties were included in the petition and eighteen property owners signed the petition. This represents 95 percent approval which exceeds the required 75 percent. The necessary sign modifications

along the roadway can be performed as a normal part of the Traffic Division's signs/markings shop operations. Staff recommends Council's approval to amend the Traffic Ordinance such that 12th Street NW, between Main Avenue NW and 2nd Avenue NW, be designated 25 mph.

- A1** G. Approval to Amend the Traffic Ordinance to Designate the Speed Limit to 25 mph on 8th Street Drive NW between 6th Avenue NW and 9th Avenue NW. **(Exhibit VIII.G.)**

Staff requests Council's approval to amend the Traffic Ordinance such that 8th Street Drive NW, between 6th Avenue NW and 9th Avenue NW, be designated 25 mph. The Traffic Division received all necessary paperwork from residents within the area with regards to the Traffic Calming Guidelines and have found the residents to be in compliance with the guidelines. Based on recent speed studies it appears traffic is exceeding the speed limit on 8th Street Drive NW. Following the City's Traffic Calming Guidelines, the petition qualifies for a speed limit reduction on the roadway listed. Twenty-five properties were included in the petition and twenty-four property owners signed the petition. This represents 96 percent approval which exceeds the required 75 percent. The necessary sign modifications along the roadway can be performed as a normal part of the Traffic Division's signs/markings shop operations. Staff recommends Council's approval to amend the Traffic Ordinance such that 8th Street Drive NW, between 6th Avenue NW and 9th Avenue NW, be designated 25 mph.

- A** H. Approval to Apply for the 2018 Bullet Proof Vest Grant. **(Exhibit VIII.H.)**

Hickory Police Department requests permission to apply for a grant to assist in funding the purchase of bulletproof vests for police officers. The City of Hickory will receive up to 50 percent reimbursement for each vest purchased. Since 1999, the Bullet Proof Vest Grant program has provided an opportunity for law enforcement agencies to apply for a grant to receive up to 50 percent funding on the purchase of ballistic vests. In order to be eligible, the agency must have a policy in effect making it mandatory for uniformed officers to wear the vests while on duty. Hickory Police Department has the mandatory wear policy in effect and has been a recipient of this grant for numerous years. Monies are placed in the police department budget uniform line item annually to purchase vests for police officers. Life expectancy of each vest is approximately five years. The Police Department recommends the submission of this grant to receive up to 50 percent funding to purchase bulletproof vests for police officers.

- A** I. Approval of a Professional Services Agreement with Civil & Environmental Consultants, Inc. in the Amount of \$9,100. **(Exhibit VIII.I.)**

Staff requests Council's acceptance of a Professional Services Agreement with Civil & Environmental Consultants, Inc. (CEC) for the construction observation and contract administration of the off-site sanitary sewer extension for Trivium Corporate Center in the amount of \$9,100. 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 (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. The City, County and EDC have jointly worked on development of the project to a condition that is receptive to marketing. One of the main infrastructure improvements that is necessary for development is to install gravity sanitary sewer to the lowest point on the property. The project was advertised for bids and Hickory Sand Company, Inc. was the responsible low bidder at \$347,625. Staff recommends that Civil & Environmental Consultants, Inc. continue the field observation, construction documentation and closeout of the project for the lump sum fee of \$9,100. Staff requests Council's acceptance of a Professional Services Agreement with Civil & Environmental Consultants, Inc. for the construction observation and contract administration of the off-site sanitary sewer extension for Trivium Corporate Center in the amount of \$9,100.

- A** **J.** Denial of Special Events Activities Amended Application for Hickory Farmers Market 2018, Sarah Taylor Wood, Downton Hickory Farmer's Market Manager, April 21, 2018 through November 24, 2018, Union Square, Start Time, Wednesdays 10:00 a.m. and Saturdays 8:00 a.m., End Time Wednesdays at 2:00 p.m. and Saturdays at 1:00 p.m. Set-up Begins 1.5 Hours Prior to Event and Clean-up Ends 1.5 Hours after Closing. **(Exhibit VIII.J.)**

Staff does not recommend approval of the amended application. Any mobile food truck vendors that were not listed on the original special event application are welcome to use any of the designated parking locations that the City has approved for mobile vendors with permits.

- A1** **K.** Budget Revision Number 20. **(Exhibit VIII.K.)**

1. *To recognize \$420 in donations received for the Hickory Youth Council for Habitat.*
2. *To recognize \$30,000 in fuel-sales discount revenue received from Eastern Aviation Fuels, Inc., the Airport's fuel vendor. These funds will be applied towards the Capital purchase of a diesel Ground Power Unit for the Airport during the current FY 2017-18. Total cost of the GPU will be \$36,700 with the balance paid from Airport operating funds.*
3. *To recognize \$500 in Senior Games Sponsorships received.*
4. *To recognize \$6,551 in registration fees received for the 2017-18 Unifour Senior Games.*

IX. Items Removed from Consent Agenda

X. Informational Item

XI. New Business:

A. Public Hearings

- A** 1. Consideration of a Voluntary Contiguous Annexation of Property Owned by Graystone Enterprises, LLC, located at 2412 Century Place SE, Hickory, Containing 3.603 Acres, PIN 3722-05-18-0333. – Presentation by Planning Manager Cal Overby. – Presentation by Planning Manager Cal Overby. **(Exhibit XI.A.1.)**

Consideration of the voluntary contiguous annexation of 3.603 acres of property located at 2412 Century Place SE, which is also identified as PIN 3722-05-18-0333. Graystone Enterprises, LLC has submitted a petition for the voluntary contiguous annexation of 3.603 acres of property located at 2413 Century Place SE. The annexation area consists of a lot which is to be combined with Graystone's property immediately to the south to create an expansion area for their existing medical office. The owners of the property are seeking annexation, which was part of an agreement with the property developers when the McDonald Crossing development was initially constructed. The agreement was that properties would be voluntarily annexed as they were developed, and in turn the City would maintain the roadways and developer constructed utility system. The current tax value of the property is \$373,700. If annexed with its present value, the property would generate approximately \$2,117 in additional tax revenues. The subject property is poised to be developed as an expansion area of the existing Graystone Eye medical facility, which will inevitably increase the property's tax value, and the tax revenue generated by the property. 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 approval of the annexation petition.

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

B. Departmental Reports:

A 1. Appointments to Boards and Commissions

BOND IMPLEMENTATION COMMISSION

(Terms Expiring 2-1; 3 Year Terms) (Appointed by City Council)

Alderman Ward 2 Appoints

Jennifer Beane expires 2-1-18 eligible for reappointment

Kay Schmucker expires 2-1-18 eligible for reappointment

(Note: The representatives for Ward 2 will continue serving until such time as the Ward 2 Alderman appoints or reappoints these positions.)

Alderwoman Williams reappointed Jennifer Beane and Kay Schmucker as Ward 2 Representatives on the Bond Implementation Commission.

BUSINESS DEVELOPMENT COMMITTEE

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

At-Large (Council Appoints)

VACANT

(Dana Chambers Resigned 4-3-18)

Mayor Guess appointed Joan Long to 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)

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)

VACANT

INTERNATIONAL COUNCIL

(Appointed by Mayor with the Concurrence of City Council)

(1) Position

VACANT

PARKS AND RECREATION COMMISSION

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

At-Large Minority (1) (Council Appoints)

VACANT

(David Williams no longer eligible)

PUBLIC ART COMMISSION

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

Ward 4 (D. Williams Appoints)

VACANT

PUBLIC HOUSING AUTHORITY

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

Position 9

VACANT

Mayor Guess appointed Rebecca Clements to the Public Housing Authority.

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

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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

Alderman Seaver mentioned the splash pad was open.

Mayor Guess advised it was dedicated and named in memory of Charles Dixon at a ceremony today. He mentioned that on Sunday, April 29, 2018, all City coworkers were invited by Dr. Davis to a special service at Viewmont Baptist Church. Mayor Guess had attended the service and advised there was a good turnout. He read the plaque that was presented at the service and presented it to City Manager Warren Wood for display at City Hall.

Alderman Seaver congratulated all of the coworkers and requested a round of applause.

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.”

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with disabilities at least 48 hours before the scheduled meeting.
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