



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

November 1, 2016
7:00 p.m.

- I. Call to Order
- II. Invocation by Rev. Bob Thompson, Pastor, Corinth Reformed Church
- III. Pledge of Allegiance
- IV. Special Presentations
 - A. Presentation of a Proclamation to Hendrick Honda Heroes. **(Exhibit IV.A.)**

Mayor Wright read and presented a Proclamation to Hendrick Honda Heroes: Joey "Robert" Lankford, J.D. Roy, Chris Osborne, J.R. Dula, Kris Stephens, Villy Vongsarath, Cody Ayers, and Mark Sutton. These Hendrick Honda employees assisted two women when their vehicle was in caught up in floodwaters while traveling on Highway 70.
 - B. Presentation of a Proclamation for Hunger and Homelessness Awareness Week to the Continuum of Care. **(Exhibit IV.B.)**

Mayor Wright read and presented a Proclamation for Hunger and Homelessness Awareness Week to Austin Pearce, Hickory Soup Kitchen and Casey McCall, Salvation Army.
 - C. Presentation of a Proclamation for Extra Mile Day. **(Exhibit IV.C.)**

The link was shared for extramileamerica.org recognizing: Friends of Hickory, Bond Implementation Commission, Charles "Charlie" Dixon, Hickory Kiwanis Club and the Kiwanis Club of Western Catawba County, for going the extra mile to make a difference and lift up fellow members of their community.
- V. Persons Requesting to Be Heard
- VI. Approval of Minutes
 - A. Regular Meeting of October 18, 2016. **(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 of a Contract with Wilkie Construction, in the Amount of \$63,700 for Remodeling of the Second Floor Public Restrooms at Patrick Beaver Memorial Library. **(First Reading Vote: Unanimous)**

- A2** B. Approval of a Contract with Western Piedmont Council of Governments for Financial Administration of the North Carolina Industrial Development Fund Grant. **(First Reading Vote: Unanimous)**
- A2** C. Approval of a Community Appearance Grant for Non-Residential Property Owned by Mark Tuttle Located at 104 2nd Avenue NW in the Amount of \$5,000. **(First Reading Vote: Unanimous)**
- A2** D. Approval of a Community Appearance Grant for Non-Residential Property Owned by Resource Recovery Company Located at 313 Main Avenue NE in the Amount of \$5,000. **(First Reading Vote: Unanimous)**
- A2** E. Approval of a Community Appearance Grant for Non-Residential Property Owned by Schmidt Real Estate Investors Located at 1122 Highland Avenue NE in the Amount of \$3,500. **(First Reading Vote: Unanimous)**
- A2** F. Approval of an Agreement with Duke Energy in the Amount of \$137,296.97 for Utility Relocation Associated with the Replacement of the Bridge on Falling Creek Road. **(First Reading Vote: Unanimous)**
- A2** G. Approval of an Agreement with CenturyLink in the Amount of \$31,623.04 for Utility Relocation Associated with the Replacement of the Bridge on Falling Creek Road. **(First Reading Vote: Unanimous)**
- A2** H. Approval of Modification of the Loan with Habitat for Humanity for the Glen at Green Park Subdivision. **(First Reading Vote: Unanimous)**
- A2** I. Acceptance of a Temporary Construction Easement and Permanent Easement for the Property of Carolotta K. Spruill Described as PIN 3702-06-47-8996. **(First Reading Vote: Unanimous)**
- A2** J. Approval of the Renewal Option of the Corporate Hangar Lease with CommScope, Inc. of North Carolina. **(First Reading Vote: Unanimous)**
- A2** K. Approval of the Renewal Option of the Lease Agreement with FMD Aviation, LLC. **(First Reading Vote: Unanimous)**
- A2** L. Acceptance of the Bid from Buckeye Bridge, LLC for the Construction of Random Woods Sewer Project in the Amount of \$948,873 and a Contingency in the Amount of \$47,444. **(First Reading Vote: Unanimous)**
- A2** M. Budget Revision Number 9. **(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.
- A1** A. Approval of the Community Relations Council's Fall 2016 Grant Recommendations. **(Exhibit VIII.A.)**

As part of the Community Relations Council's work plan and annual budget process, the Community Relations Council receives funds to disperse during the fiscal year through the Community Relation Council's grant process. Non-profit agencies working with diverse populations in Hickory are eligible for funding. The grant proposal must show how the program under consideration fits into the Community Relations Council's goals and mission and how the program will serve to improve human relations in the Hickory area. For the Fall 2016 grant cycle, the Community Relations Council received nine grant applications for projects totaling \$11,072.25 and is recommending approval of seven of the grants totaling \$6,626.45. Those approved are as follows:

<i>Palliative Care & Hospice of Catawba Valley</i>	\$ 1,200.00
<i>Lenoir-Rhyne University</i>	\$ 750.00
<i>One Purpose Parks and Recreation Council</i>	\$ 525.00
<i>Olive Branch Ministry</i>	\$ 1,100.00
<i>Jenkins Elementary PTA</i>	\$ 1,090.00
<i>First United Methodist Nursery School</i>	\$ 461.45
<i>Hickory Museum of Art</i>	\$ 1,500.00

Funds are available in the Community Relations Council's budget for the recommended grant approvals. The Community Relations Council recommends funding of the seven grants listed totaling \$6,626.45.

- A1 B.** Approval to Award the Contract to Buckeye Bridge, LLC for the Construction of Random Woods Sewer Project in the Amount of \$948,873 and a Contingency in the Amount of \$47,444. **(Exhibit VIII.B.)**

The Public Utilities Department and Catawba County Environmental Health identified Random Woods Subdivision as one of three areas of concern in 1998 as a part of the future service areas for the City of Hickory sanitary sewer system. Staff originally applied for a State Revolving Grant funds for completion of this project April 1, 1999. An updated preliminary engineers report was resubmitted in 2009. NCDENR Division of Water Quality and NC Construction Grants and Loans issued final approval of the preliminary engineers report on May 10, 2010. In July of 2010 City Council approved the Resolution accepting the application for grant funds. McGill Associates were responsible for design and bidding of the project. Construction bids were received from two perspective bidders as follows: Hickory Sand Company, Inc. - \$987,825 and Buckeye Bridge, LLC - \$948,873. McGill Associates evaluated the bid packages and found Buckeye Bridge, LLC to be the lowest responsible bidder. Staff recommends Council's approval to award the contract with the responsible low bidder Buckeye Bridge, LLC in the amount of \$948,873. Staff also requests approval of a contingency in the amount of \$47,444, for a total of \$996,317.

- A1 C.** Approval of Change Order 2 with McGill Associates, PA in the Amount of \$44,700 for Engineering Services for Eastwood, Random Woods and Sherwood Forest Subdivisions Sanitary Sewer. **(Exhibit VIII.C.)**

Staff requests Council's approval of change order 2 with McGill Associates, PA for Engineering Services for Eastwood, Random Woods and Sherwood Forest Subdivision sanitary sewer project. The existing subdivisions are approximately 30 to 40 years old and are principally built out. This project will have a potential to serve approximately 226 homes and eliminate the potential public health hazard of septic tank system failures impacting surface waters. This project was envisioned to be designed, bid, and constructed as one project, however due to easement negotiations, regulation changes, and the need to renew some permits which had expired, this could not be achieved. These issues have resulted in additional work on the part of McGill Associates. This change order is intended to address all issues that have arisen on behalf of the engineer for each of the three subdivisions. City Council accepted the grant offer in July 2012 in the amount of \$2,946,042.99 for completion of this project. Funds for this change order have been approved by the NC Division of Water Infrastructure for inclusion in the grant money reimbursement request. Staff requests Council's approval of change order 2 in the amount of \$44,700 with McGill Associates, PA. Revised contract total to date will be \$214,650.

- A1 D.** Budget Revision Number 10. **(Exhibit VIII.D.)**

1. *To recognize Donations revenue in the amount of \$39,460 for the Library. Funds will be used as follows: *FY17 Endowment Funds: Supplies \$14460 (\$4460 General Supplies; \$3000 Children's Furniture; \$7000 Tablets); Programming Fund \$10000 (\$5000 RV; \$5000 PBML; Operations Fund (Improvements)*

\$10000 upgrade 2nd floor public bathrooms; Contracted Services Fund \$3000; Electronic Materials Fund \$2000.

IX. Items Removed from Consent Agenda – None

X. Informational Item

NA A. Budget Transfer Report

Under Section 22 (b) of the Fiscal Year 2016-2017 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.”

The following transfer recently occurred under this provision:

- To expedite the availability of insurance-claims revenue to the appropriate department, in lieu of a Budget Amendment the City has budgeted specific funds within the Risk Management division which, upon the case-by-case receipt of said revenues, may be transferred as necessary for making repairs and/or replacements in a timely manner.
- October 18, 2016 (BT #19): \$1,748.00 insurance-claims revenue transferred to Police Department for damages to a fence sustained during an auto accident on 9-28-16.

XI. New Business:

A. Public Hearings

B. Departmental Reports:

NA 1. Catawba County EDC/Committee of 100 Bus Tour Update

A 2. Appointments to Boards and Commissions

BOND IMPLEMENTATION COMMISSION

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

Alderman Tarlton’s Appointment

(Unexpired Term of Blake “Bee” Watts Jr. (2-2-17) who resigned 10-6-2017)

Community Relations Council appointed Sandi Fotheringham as Ex-officio Representative on the Bond Implementation Commission.

Alderman Tarlton nominated James “Jim” Campbell to the Bond Implementation Commission.

CITIZENS ADVISORY COMMITTEE

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

At-Large (Council Appoints)

VACANT

At-Large (Council Appoints)

VACANT

COMMUNITY APPEARANCE COMMISSION

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

Ward 3 (Seaver Appoints)

VACANT

Ward 4 (Guess Appoints)

VACANT

At-Large (Outside City but within Hickory Regional Planning Area) (Council Appoints)

VACANT

At Large (Council 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

HICKORY REGIONAL PLANNING COMMISSION

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

INTERNATIONAL COUNCIL

(Appointed by Mayor with the Concurrence of City Council)
(5) Positions VACANT

Alderman Lail suggested Aaron Kohrs as a nomination to International Council.

LIBRARY ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 4 (Guess Appoints) VACANT
At-Large (Mayor Appoints) VACANT

PARKS AND RECREATION COMMISSION

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

PUBLIC HOUSING AUTHORITY

(Terms Expiring 6-30; 5-Year Terms) (Appointed by the Mayor)
Position 9 VACANT

RECYCLING ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 2 (Tarlton Appoints) VACANT
Ward 3 (Seaver Appoints) VACANT
Ward 4 (Guess Appoints) VACANT
At-Large (Council Appoints) VACANT
At-Large (Council Appoints) VACANT

YOUTH COUNCIL

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

The Youth Council Applicant Review Committee Makes the Following Recommendation for Appointment to the Youth Council:

Jose Garcia (At-Large Representative)

Tessa Rodriguez (Hickory Career Arts Magnet Representative)

St. Stephens High School Representatives 1 Position VACANT
At-Large Representatives 2 Positions VACANT
Challenger High School Representative 1 Position VACANT
Hickory Career Arts Magnet Representative 1 Position VACANT

Mayor Wright nominated Jose Garcia and Tess Rodriguez to the 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

Alderwoman Patton mentioned the promotion of Reed Baer to Deputy Chief of Police.

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 October 18, 2016 - NCGS §143-318.11(a)(1)
2. Discussion of Potential Economic Development - NCGS §143-318.11(a)(4)

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.”

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Special requests for accommodation should be submitted by individuals
with disabilities at least 48 hours before the scheduled meeting.
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