



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 21, 2017  
7:00 p.m.

- I. Call to Order
- II. Invocation by Pastor David E. Roberts II, Morning Star First Baptist Church
- III. Pledge of Allegiance  
Mayor Cline recognized Boy Scout Troops in attendance, Troop 250, Troop 1, and Troop 235
- IV. Special Presentations
  - NA** A. Honoring Mayor Wright  
Mayor Cline presented Mayor Wright's wife Donna Wright the gavel used for 16 years by Mayor Wright.
  - NA** B. Catawba Valley Habitat for Humanity: Rudy Wright Project  
Catawba Valley Habitat for Humanity's Executive Director Mitzi Gellman discussed the Rudy Project.
  - NA** C. Neighborhood College Graduation  
Communications Specialist, Sarah Prencipe recognized the graduates of the Neighborhood College.
  - NA** D. Audit Presentation: Kari Dunlap, CPA, Audit Manager, Martin Starnes  
Ms. Kari Dunlap, CPA, Audit Manager presented the Audit Report.
- V. Persons Requesting to Be Heard
- VI. Approval of Minutes
  - A** A. Regular Meeting of November 7, 2017. **(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 the Community Relations Council's Fall 2017 Grant Recommendations in the Amount of \$7,205.20 for Six Grants. **(First Reading Vote: Unanimous)**
  - A2** B. Approval of Amendment One to Extend the Vacant Building Grant Agreement with AKSS Real Estate, LLC by 180 Days. **(First Reading Vote: Unanimous)**

November 21, 2017

**A2** C. Approval of an Amendment to the City Walk Design Contract in the Amount of \$252,000 with Amec Foster Wheeler. **(First Reading Vote: Unanimous)**

**A2** D. 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.

**A** A. Approval to Apply for the Sam's Club/Walmart Foundation Grant to Purchase Smoke and Carbon Monoxide Alarms. **(Exhibit VIII.A.)**

*During public relations event, staff of Sam's club shared information on the community grant program and suggested that we apply. The fire department would like to use the funds to purchase smoke and carbon monoxide alarms. The purpose of this grant is to install 10-year lithium smoke alarms and carbon monoxide alarms in high fire risk areas. This program is designed as a total community canvassing project to provide both education and long-life smoke alarms as needed. Recipients must identify high fire risk areas in their communities to target and conduct fire safety sweeps. The goal of this project is to reduce fire deaths and injuries to North Carolina residents. The long-term outcomes includes communities that are better prepared should a fire break-out in their residence. The purpose of this grant is to increase safety of citizen and response personnel. Sam's Club Walmart Foundation normally starts the panel review process within 30 days of the end of the application period and then typically will award throughout the year. The fire department is requesting approval to apply for a grant through Sam's Club/Walmart Foundation for an estimated \$2,000 to purchase smoke and carbon monoxide alarms. There are no matching funds required by the City of Hickory. If awarded the grant, Sam's Club/Walmart Foundation would pay 100% of this purchase.*

**A** B. Special Events Activities Application St. Patrick's Day 5K, Kelly Stewart, Owner Run Time Races LLC, Run Time Races LLC, March 17, 2018, Sails on Union Square, 6:30 a.m. to 11:00 a.m. **(Exhibit VIII.B.)**

**A** C. Proclamation for Small Business Saturday, November 25, 2017. **(Exhibit VIII.C.)**

**A** D. Acceptance of a Bullet Proof Vest Grant in the Amount of \$5,063.35. **(Exhibit VIII.D.)**

*Hickory Police Department requests permission to accept a grant to assist in funding the purchase of bulletproof vests for police officers. 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 acceptance of this grant to receive up to 50 percent funding to purchase bulletproof vests for police officers. Hickory Police Department has been awarded \$5,063.35.*

**A1** E. Approval of the Professional Services Agreement with Hulsey McCormick & Wallace in the Amount of \$50,000 for the Sodium Hypochlorite Generation Replacement Project. **(Exhibit VIII.E.)**

*Staff requests City Council's approval of the Professional Services Agreement with Hulsey McCormick & Wallace for completion of the construction phase services on the sodium hypochlorite generation replacement project in the amount of \$50,000. The City of Hickory Public Utilities Division owns and operates one 32 MGD Water Treatment*

Facility that was last upgraded in 1992. The current system was the first to be installed in North Carolina and has worked well for the facility. In recent years, Public Utilities has spent a substantial amount of resources on maintenance and replacement. Staff has reviewed options and made comparisons for more extensive repairs versus replacement and feels that it is time to replace the system with newer technology. Public Utilities Division staff developed and distributed a Request for Qualifications for design and construction administration of the sodium hypochlorite replacement system project. Hulsey McCormick and Wallace (HMW) was chosen as the design firm to complete design for the project. Staff worked with HMW to develop comprehensive plans and documents to design the replacement of the system. Due to the complexity and intricate nature of this project, staff feels that we should engage HMW for construction administration as well. The construction contract was approved with The Harper Corporation by City Council on November 7, 2017. The project is budgeted in the Public Utilities Capital Improvement budget for FY 17-18. Staff recommends City Council's approval of the Professional Services Agreement with Hulsey McCormick & Wallace for completion of the construction phase services on the sodium hypochlorite generation replacement project in the amount of \$50,000.

- A F. Approval of a Loan in the Amount of \$25,000 to the Woda Group to Assist in the Construction of a 50 Unit Apartment Complex for Low to Moderate Income Senior Citizens. **(Exhibit VIII.F.)**

*The Woda Group has requested funding to assist in the construction of a 50 unit apartment complex for low and moderate income senior citizens. The project will be constructed at 105 South Center Street. The project plans to make use of Low Income Housing Tax Credits. The estimated cost of the project is \$7.4 million. The project has also been awarded a \$200,000 loan from the Unifour HOME Consortium. The developer has requested these loans to reduce the amount of tax credits required per unit, which should make the proposal more likely to be awarded the tax credits that are necessary to finance the construction. On November 2, 2017, the Citizen's Advisory Committee approved this request at their meeting. They have recommended funding a \$25,000 loan payable over 20 years at a three percent interest rate. Similar to other loans to nonprofit organizations and homeowners, staff will develop a promissory note and deed of trust that represents these requirements. This loan will be made from residual program income from the City's former rental rehabilitation program. The loan will be contingent on receipt of the Low Income Housing Tax Credits from the North Carolina Housing Finance Agency. Staff recommends City Council's approval of funding a \$25,000 loan payable over 20 years at a three percent interest rate with the Woda Group.*

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

1. *To appropriate a \$50 donation to the Library by Joyce Trado in memory of Bobbie Patterson for the purchase of non-fiction books.*
2. *To appropriate \$6,250 from General Fund Balance into the Riverwalk Capital Project Ordinance to cover the cost of replacing damaged signs from severe storms on October 23, 2017.*
3. *To appropriate \$7,800 from Water and Sewer Contingency into the Business Park 1764 Capital Project Ordinance for Design of the Sanitary Sewer Force Main relocation within Park 1764.*

IX. Items Removed from Consent Agenda

X. Informational Item

XI. New Business:

A. Public Hearings

A1

1. Consideration of Rezoning Petition 17-04 for Approximately 1.25 Acres of Property Located at 4100 54<sup>th</sup> Avenue NE – Presentation by Planner Ross Zelenske. **(Exhibit XI.A.1.)**

*The City of Hickory has petitioned for the rezoning of 1.25 acres of property located at 4100 54<sup>th</sup> Avenue NE. The property is currently under construction for a single family residence owned by Karolyn Lee Voelbel Living Trust. The property is currently zoned R-40 by Catawba County. The property was recently annexed into the City of Hickory. This petition represents the initial zoning of the property, which must take place to assign a zoning classification within the City of Hickory Land Development Code. The petition is to rezone the property from Catawba County R-40 to Medium Density Residential – 2 (R-2). The Hickory by Choice 2030 Comprehensive Plan classifies the vicinity as Low Density Residential. This classification is intended to provide transition areas between urban residential areas and rural areas. The HBC 2030 plan recommends residential densities in the range of two to four units per acre. While the requested zoning district is called medium density, its permissible density falls into the range recommended by the plan, and as such, should be considered to be consistent with the plan's recommendations. The R-2 zoning district permits single family development at a maximum of four dwelling units per acre. The Hickory Regional Planning Commission conducted a public hearing on October 25, 2017 to consider the petition. During the public hearing, no one spoke for or against the proposal. Upon closing the public hearing, the Hickory Regional Planning Commission voted unanimously (9-0) to affirm the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan, and recommended City Council's approval of the petition. Staff concurs with the recommendation of the Hickory Regional Planning Commission*

*This public hearing was advertised in a newspaper having general circulation in the Hickory area on November 10 and November 17, 2017.*

A1

2. Consideration of Rezoning Petition 17-05 for Approximately 3.74 Acres of Property Located at 112 2<sup>nd</sup> Avenue SE, 116 2<sup>nd</sup> Avenue SE, 210 2<sup>nd</sup> Street SE, 228 2<sup>nd</sup> Street SE, 225 1<sup>st</sup> Street SE, 231 1<sup>st</sup> Street SE and Three Vacant Parcels Located on 2<sup>nd</sup> Avenue SE – Presentation by Planning Director Brian Frazier. **(Exhibit XI.A.2.)**

*Vicki Murray, Executive Director of Safe Harbor Rescue Mission, Inc. has petitioned for the rezoning of approximately 3.74 acres of property located at 112 2<sup>nd</sup> Avenue SE, 116 2<sup>nd</sup> Avenue SE, 210 2<sup>nd</sup> Street SE, 228 2<sup>nd</sup> Street SE, 225 1<sup>st</sup> Street SE, 231 1<sup>st</sup> Street SE and three vacant parcels located on 2<sup>nd</sup> Avenue SE. The Hickory by Choice 2030 Comprehensive Plan classifies the area as High Density Residential. The High Density Residential future land use classification is characterized as an area with small building lots, short building setbacks, and pedestrian friendly roads near mixed use and commercial areas. The classification includes small lot single-family residential, all forms of multi-family residential, open space, and institutional uses. These areas may also contain office uses along thoroughfares and adjacent to commercial areas to act as a transition between commercial and residential land uses, provided, such office uses are located immediately adjacent to existing office uses and districts. Hickory by Choice 2030 goes on to list the Office and Institutional (OI) district as being an implementing zone for this specific future land use classification. In evaluating the proposal with the goals outlined within the Hickory by Choice 2030 Plan, staff feels the request is consistent with the comprehensive plan. The Hickory Regional Planning Commission conducted a public hearing on October 25, 2017 to consider the petition. During the public hearing the applicant spoke in favor of the petition, while no one spoke in opposition of the petition. Upon closing the public hearing, the Hickory Regional Planning Commission voted 9-0 to affirm the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan, and recommended City Council's approval of the petition.*

Staff concurs with the recommendation of the Hickory Regional Planning Commission.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on November 10 and November 17, 2017.

- A1**            3.        Consideration of Amending Hickory City Code of Ordinance, Chapter 18, Motor Vehicles and Traffic, Article III, Section 18-81 and Article IV, Section 18-106 – Presentation by Deputy City Attorney Arnita Dula. **(Exhibit XI.A.3.)**

*The current Hickory City Code of Ordinance Section 18-81 lists the designated traffic zones, spaces, and areas that are to be included on the City’s official traffic maps. Section 18-106 lists those traffic related areas where standing, stopping, and parking a vehicle are prohibited. Although several areas are specifically listed in these sections, neither section includes the City’s designated bicycle lanes. Additionally, Section 18-81 has an outdated reference to “play streets.” The proposed amendments would list “designated bicycle lanes” in both sections. The inclusion of designated bicycle lanes will give clear notice the lanes are part of the City’s official traffic maps and better provide for the safety and well-being of the public using the bicycle lanes. In addition, the reference to “play streets” will be deleted. Staff recommends City Council’s approval of the proposed ordinance amending Article III, Section 18-81 and Article IV, Section 18-106 of the Hickory City Code.*

*This public hearing was advertised in a newspaper having general circulation in the Hickory area on November 10, 2017.*

**B.        Departmental Reports:**

- A**            1.        City Walk Presentation by Ron Huffman, Principal Landscape Architect, AMEC Foster Wheeler
- A**            2.        Riverwalk Presentation by Glenn Walters, Principal Design Workshop
- A**            3.        Appointments to Boards and Commissions

**CITIZENS ADVISORY COMMITTEE**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
Small Cities Project Area (Council Appoints)

VACANT

Alderman Patton nominated Shannon Auer as the Small Cities Project Area Representative for the Citizens Advisory Committee

**COMMUNITY APPEARANCE COMMISSION**

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

VACANT  
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)  
Catawba County (Mayor Appoints)

VACANT  
VACANT

**HISTORIC PRESERVATION COMMISSION**

(Terms Expiring 6-30; 3-Year Terms (Appointed by City Council)  
Building Trades Profession (Council Appoints)

VACANT

**INTERNATIONAL COUNCIL**

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

VACANT

**LIBRARY ADVISORY BOARD**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
At-Large (2) (Mayor Appoints)

VACANT

**PUBLIC ART COMMISSION**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
Ward 3 (Seaver Appoints)  
Ward 4 (Guess Appoints)

VACANT

VACANT

**PUBLIC HOUSING AUTHORITY**

(Terms Expiring 6-30; 5-Year Terms) (Appointed by the Mayor)  
Position 1

Grover Lineberger  
(Eligible for Reappointment)

Position 9

VACANT

**RECYCLING ADVISORY BOARD**

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

VACANT

**UNIVERSITY CITY COMMISSION**

(Terms Expiring 6-30; 2-Year Terms) (Appointed by City Council)  
At-Large (not including ETJ) (Council Appoints)

VACANT

Alderman Zagaroli nominated Matthew Maulding as an At-Large Representative on the University City Commission.

**YOUTH COUNCIL**

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

Challenger High School Representative

VACANT

Homeschool Representative

VACANT

St. Stephens High School 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

Alderwoman Patton mentioned the Foothills Magazine article that Carmen Eckard had done. She advised so far it looked fantastic and she encouraged everyone to take a look at it.

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

1. 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.”**

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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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