



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

October 2, 2018
7:00 p.m.

- I. Call to Order
- II. Invocation by Reverend Jill Isola, Northminster Presbyterian Church
- III. Pledge of Allegiance
- IV. Special Presentations
 - A. Farewell to Fire Chief Fred Hollar

Mayor Guess presented retiring Fire Chief Fred Hollar with a large key to the City, a Proclamation honoring his 51 years of service and the Order of the Long Leaf Pine issued by Governor Cooper.
 - B. Presentation of Fire Prevention Week Proclamation. **(Exhibit IV.B.)**

Mayor Guess read and presented Interim Fire Chief Steve Moore and Fire Department Staff with a Proclamation for Fire Prevention Week.
- V. Persons Requesting to Be Heard
 - A. Mr. Robert Russell, 5960 Willowbottom Road, Hickory, Progress of Kudzu Cleanup, Evacuation Plan and Telephone Poles

Mr. Robert Russell addressed City Council about the progress of the kudzu cleanup in the City and the need for research about the plant's potential usages. He also discussed the need to top trees that are over 40-60 feet tall as they pose a danger in storms. He discussed the need for an evacuation plan for the City. He commented that nothing has yet to be done in regards to the \$40 million dollar bond referendum.
 - B. Mr. Don Baldwin, 4008 Pinecrest Drive NE, Hickory, addressed City Council about the Hickory Aviation Museum. They had over 800 people sign the guest book this past weekend. He thanked Terry Clark for the new signage at the airport and requested that City Council follow-up on the wayfinding signage for the Museum.
 - C. Ms. Daria Jackson addressed City Council on the need for a public fireworks display for the 4th of July for the citizens to enjoy.
- VI. Approval of Minutes
 - A** A. Regular Meeting of September 18, 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.

October 2, 2018

- A2 A. Amending the Traffic Ordinance Designating the Speed Limit as 25 MPH on 9th Street NW between 6th Avenue NW and 9th Avenue NW. **(First Reading Vote: Unanimous)**
- A2 B. Amending the Traffic Ordinance Designating the Speed Limit as 25 MPH on 7th Street NW and 13th Avenue Place NW between 12th Avenue NW and 6th Street NW. **(First Reading Vote: Unanimous)**
- A2 C. Budget Revision Number 3. **(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/PH A. Resolution Authorizing Preparation of Assessment Rolls and Public Hearing on Preliminary Assessment Roll for Street Improvements Petition Number 17-01 (Curb and Gutter for 1440 8th Street NW). A petition was submitted on December 8, 2017, approved by City Council on December 19, 2017, and the project was completed on August 24, 2018. **(Authorize Public Hearing for October 16, 2018.) (Exhibit VIII.A.)**

- A B. Approval of a Utility Relocation Agreement with Duke Energy Carolinas, LLC in the Amount of \$326,380.19. **(Exhibit VIII.B.)**

Staff requests Council's approval the Utility Relocation Agreement with Duke Energy Carolinas, LLC in the amount of \$326,380.19 for relocation of overhead powerlines and poles necessary for construction of City Walk. The City Walk project is a component of the City of Hickory bond program that is being designed for construction. This project involves the installation of a multi-modal path, landscaping and enhancements to the road right of way along Main Avenue NE/NW. Due to this planned construction the existing utilities and roadway will have to be modified to accommodate the planned improvements. Duke Energy is directly affected in three specific locations as a part of this project that will require relocation. Duke Energy directly contracts and constructs all relocations for their infrastructure of projects. Staff requested a Utility Relocation Agreement with Duke Energy Carolinas, LLC for the construction necessary to accommodate City Walk. The agreement addresses the points of conflict that Duke Energy must relocate infrastructure to address. Duke Energy's relocation is estimated to cost \$326,380.19 per the agreement. This estimate was prepared by Duke Energy and recognizes all expenses they anticipate for the necessary construction. This project is budgeted as a component of the City Walk project and will be funded from bond sale proceeds. Staff recommends Council's approval of the Utility Relocation Agreement with Duke Energy Carolinas, LLC in the amount of \$326,380.19 for relocation of overhead powerlines and poles necessary for construction of City Walk.

- A C. Acceptance of the Donation of a SCBA Air Compressor System from Johnson Control Fire Protection Company to the City of Hickory Fire Department. **(Exhibit VIII.C.)**

Johnson Control Fire Protection has a 28-year old SCBA air compressor fill station that their company has declared as surplus. The unit is still in good working order, and Johnson Control would like to donate this equipment to the Hickory Fire Department with no-kind or monetary reciprocity. The equipment being offered to the City of Hickory Fire Department is a SCBA filling station with a compressor. The system is an Ingersoll-Rand model BAPT 10 TCI with a manufactured date of 10/18/90. The air system is being donated to Hickory Fire Department by Johnson Control Fire Protection. If the donation is accepted, this unit will be installed and maintained at the Headquarters Fire Station. Staff recommends City Council's approval to accept the donation of the air system from Johnson Control.

- A D. Acceptance of North Carolina Department of Transportation Grant 36237.NPE.18 (Non-Primary Entitlement Funds) in the Amount of \$150,000 for Airport Improvements. **(Exhibit VIII.D.)**

Staff requests City Council's acceptance of Grant 36237.NPE.18 (Non-Primary Entitlement Funds) awarded by the NC Department of Transportation (NCDOT) in the amount of \$150,000 for future airport improvements at the Hickory Regional Airport. The North Carolina Department of Transportation, by letter dated September 7, 2018, has allocated FAA Non-Primary Entitlement funds under the State Block Grant Program for Federal Fiscal Year 2018 for the Hickory Regional Airport. Said funds are to be used for airside safety needs first with consideration of other needed airport projects. These funds are to be expended no later than May 30, 2022. The NCDOT has allocated Federal funds via Grant 36237.NPE.18 with the Federal share of \$150,000 and the local share of \$16,667 for airport improvements. This grant will assist in the continuation of the airfield improvement program as recommended by the Airport's Task Force. Once City Council accepts said grant, any future proposed projects that fall under the guidelines of this grant will be brought back to Council for approval. Staff recommends City Council's acceptance of Grant 36237.NPE.18 in the amount of \$150,000 from the North Carolina Department of Transportation.

A1 E. Budget Revision Number 4. (Exhibit VIII.E.)

1. To establish Grant Project Ordinance #650028, "ALP/Master Plan Update" for the Hickory Regional Airport. The NCDOT Aviation Division is providing a \$225,000 grant for this effort, to be matched locally with a \$25,000 contribution from the Transportation (Airport) Fund Balance. Total project cost is \$250,000.

IX. Items Removed from Consent Agenda

Item "B" was removed, discussed and approved.

X. Informational Item

XI. New Business:

A. Public Hearings

B. Departmental Reports:

- A**
1. Consideration and Approval of the Greater Hickory Tennis Association's Requests to Name the Upper Level Tennis Courts at Hickory City Park – Presentation by Parks and Recreation Director Mack McLeod. **(Exhibit XI.B.1.)**

In April of 2015, the City of Hickory entered into a priority use agreement with the Greater Hickory Tennis Association for improvements to the tennis complex at Hickory City Park. The improvements included a new restroom/picnic shelter/meeting room facility, a parking lot expansion from 20 parking spaces to 122 parking spaces, and a new entrance road into the park. The Greater Hickory Tennis Association agreed to contribute \$125,000 towards the improvement project. The \$125,000 commitment was paid in full on August 23, 2018. The priority use agreement allows the Greater Hickory Tennis Association to sell facility naming rights at Hickory City Park with the following approved available naming rights opportunities: 1) Naming rights to the entire park = \$200,000; 2) Naming rights to each of eight (8) tennis courts = \$10,000 per court; 3) Naming rights to the restroom/picnic shelter/meeting room facility = \$28,000.

The Greater Hickory Tennis Association has requested the following naming rights to the first four (4) upper level tennis courts at Hickory City Park based on having obtained the required \$10,000 per court funding level: Court #1 – Kathy Kim / David and Elaine Myers; Court #2 – Steve White Motors, Inc.; Court #3 – Benefit Solutions, Inc. / Linney Teague; and Court #4 – Corning Inc. Foundation. These naming rights would be valid for a twenty (20) year period, per the stipulations contained within the priority use agreement. On September 11, 2018,

the Parks and Recreation Commission unanimously recommended City Council consider the Greater Hickory Tennis Association's tennis court naming requests. Staff recommends approval of the Greater Hickory Tennis Association's requests listed above. There will be a short ribbon cutting ceremony on Saturday, October 13th at 10:00 a.m.

A

2. 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)
African-American (Council Appoints) VACANT
Caucasian (Council Appoints) VACANT
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 with Recommendation from County) VACANT
Caldwell County (Mayor Appoints with Recommendation from County) 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)
Ward 4 (D. Williams Appoints) VACANT
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) VACANT
Ward 4 (D. Williams Appoints) VACANT
At-Large (Mayor Appoints) (Lisë Swensson Resigned 9-13-18) 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)

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

At-Large Representative VACANT
At-Large Representative VACANT
Fred T. Foard Representative Lana Foss

Alderman Seaver nominated Lana Foss as the Fred T. Foard Representation for the Youth Council.

AUDIT COMMITTEE

Addition of One Councilmember to Serve on the Audit Committee. Currently Mayor Guess and Alderman Lail are serving on this Committee.

- 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
- XIV. Closed Session Per NC General Statutes 143-318.11(a)(1)(6) 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 July 17, 2018 and September 4, 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