

A Regular Meeting of the City Council of the City of Hickory was held in the Council Chamber of the Municipal Building on Tuesday, July 17, 2018 at 7:00 p.m., with the following members present:

Brad Lail	Hank Guess	David L. Williams
Charlotte C. Williams	Aldermen	Jill Patton
Danny Seaver		

A quorum was present.

Also present were: City Manager Warren Wood, Assistant City Manager Rick Beasley, City Attorney John W. Crone, III, Deputy City Attorney Arnita Dula, Executive Assistant to the City Manager Deisy Zavala Vazquez and City Clerk Debbie D. Miller

- I. Mayor Guess called the meeting to order. All Council members were present except for Alderman Zagaroli
- II. Invocation by Mr. Gene Elliott, Founder of Hickory Humanist Alliance, Secular Humanist
- III. Pledge of Allegiance

Mayor Guess recognized a special visitor, Mr. Ryan Harnell. Mr. Harnell was visiting the City from England. He was a student and interested in government affairs. He was visiting as part of the UK Youth Parliament. He was present to observe how the Council works in the City of Hickory. He welcomed Mr. Harnell and thanked him for his attendance.

IV. Special Presentations

- A. Recognition of the Hickory Water Treatment Facility for Receiving the Area Wide Optimization Program (AWOP) Award for 2017

Mayor Guess asked the City's Public Services Director Kevin Greer to the podium.

Public Services Director Kevin Greer advised the City of Hickory received the prestigious Area Wide Optimization Program (AWOP) Award presented by the NC Department of Environmental Quality for 2017. This award was recognition of the knowledge, professionalism and diligence of the Water Treatment Facility to meet the very strict standards set for this award. The main measure was turbidity which is known to carry viruses and bacteria that can be harmful to people. The required standard for turbidity was 0.3 and to receive this award the facility must be 0.1 or less. He recognized Assistant Public Services Director – Public Utilities Shawn Pennell, and Water Treatment Facility Superintendent Andrew Foy as the recipients of the award.

- B. Recognition of Retiring Boards and Commissions Members

**BUSINESS DEVELOPMENT COMMITTEE**

Rich Brown  
Jeff Hale  
Kirk Hobart

**COMMUNITY RELATIONS COUNCIL**

Crystal S. Killian

**HICKORY REGIONAL PLANNING COMMISSION**

James R. Noggle

**HISTORIC PRESERVATION COMMISSION**

Jody Blake  
Jeff Mitchell

**LIBRARY ADVISORY BOARD**

John T. Kenny  
Carolyn Sinclair  
Joy Tilton

**PARKS AND RECREATION COMMISSION**

Allen Mitchell Jr.  
Jim Powers  
Lanie Wood

**PUBLIC ART COMMISSION**

Jennifer Helton

**RECYCLING ADVISORY BOARD**

Jeffrey Enders

**UNIVERSITY CITY COMMISSION**

Ryan Edwards  
Muriel Gabriel

**YOUTH COUNCIL**

Caroline Collins  
Chase del Charco  
Jose Garcia  
Shea Hall  
Claire Henson  
Seth Herndon  
Claire McCrea  
Cameron Neilson  
Lorenzo Nigrelli  
Tri Pham  
Sophie Rice  
Mikaela Simmons  
Katelynn Thompson  
Elizabeth Wood  
Hanna Worthington

Mayor Guess recognized the retiring boards and commission members. He presented those in attendance with a certificate for their service to the City. Those present were Rich Brown, Kirk Hobart, John Kenny, Lanie Wood, Jeffrey Enders, Caroline Collins, Jose Garcia, and Elizabeth Wood. On behalf of staff and Hickory City Council, he thanked the members who had volunteered their time and service to these boards and commission.

V. Persons Requesting to Be Heard

VI. Approval of Minutes

A. Regular Meeting of June 19, 2018.

Alderman Lail moved, seconded by Alderwoman Patton that the Minutes of June 19, 2018 be approved. The motion carried unanimously.

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.

Alderwoman Patton moved, seconded by Alderman Seaver that the following be reaffirmed and ratified on second reading. The motion carried unanimously.

A. Consideration of an Amendment to the Ordinance for the Membership Provisions of the Hickory Youth Council. (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.

Alderwoman Patton moved, seconded by Alderwoman Williams approval of the Consent Agenda. The motion carried unanimously.

A. Approved a Cemetery Deed Transfer from Elizabeth Witherspoon, Widow of Marvin Harold Witherspoon to Martha Witherspoon Barden, Oakwood Cemetery, Section 24, Lot 9, Plots 1, 2, 3, 4, and 8, Containing 160 Square Feet, more or less. (Prepared by Leslie M. Yount, Attorney)

B. Accepted the 2017 Justice Assistance Grant in the Amount of \$15,205.

City of Hickory has received notification of approval to receive \$15,205 under the 2017 Justice Assistance Grant Program (JAG). The JAG Program is a formula-based grant through the Office of Justice Programs/Bureau of Justice Assistance (BJA) that utilizes Uniform Crime Reporting statistics of all law enforcement agencies to determine eligibility for direct federal grant awards. Cities and counties are required to submit joint applications for the available funding. There is no match required. Hickory Police Department will use the funding to send officers through an officer wellness program. Hickory Police Department recommends acceptance of the 2017 Justice Assistance Grant in the amount of \$15,205. There is no City of Hickory match required. The remainder of funds will be taken from the police operational budget.

C. Approved a Resolution Authorizing Preparation of Assessment Rolls and Public Hearing on Preliminary Assessment Roll for Street Improvements Petition Number 18-01 (Curb and

Gutter for Hathaway Drive NE). A petition was submitted on February 22, 2018, approved by City Council on April 3, 2018, and the project was completed on June 11, 2018. (Authorize Public Hearing for August 7, 2018.)

RESOLUTION NO. 18-19

RESOLUTION AUTHORIZING PREPARATION OF ASSESSMENT ROLL AND  
PUBLIC HEARING ON PRELIMINARY ASSESSMENT ROLL  
NO. 18-01

WHEREAS, the curb and gutter project along a portion of Hathaway Drive NE, Hickory has been completed and it has been determined that the project consisted of 120 linear feet of curb and gutter at \$28.69 per linear foot (which includes storm drain piping) excluding driveway cuts and \$53.69 per linear foot of driveway apron measured at its narrowest point (which includes storm drain piping).

NOW, THEREFORE, BE IT RESOLVED:

THAT, the property whose owners that have not paid their proportionate part of the project shall be assessed at the rate of \$28.69 per linear foot excluding driveway cuts and \$53.69 per linear foot of driveway apron measured at its narrowest point;

THAT, the Clerk be and she is hereby ordered to prepare an assessment roll or ledger to show the names of persons assessed as far as they can be ascertained, the amount assessed against them, respectively, with a brief description of the lots or parcels of land assessed, and

THAT, the clerk shall file the Preliminary Assessment Roll in the City Clerk's Office available for public inspection and shall publish and notify property owners of the public hearing as required by North Carolina General Statute 160A-227.

THAT, a public hearing will be held at 7:00 p.m. in the Council Chamber of the Municipal Building, located at 76 North Center Street, Hickory, North Carolina, on the 7<sup>th</sup> day of August, 2018, for the purpose of hearing all interested persons who appear with respect to any matter covered by the Preliminary Assessment Roll.

D. Approved an Agreement with Hickory Public Schools for School Resource Officers.

The Hickory Police Department has placed School Resource Officers in Hickory Public Schools for many years and continues to have a great working relationship with Hickory Public Schools. Hickory Police Department places a School Resource Officer in each of the High Schools (Hickory High and Hickory Career & Arts Magnet) and a School Resource Officer in each of the Middle Schools (Grandview and Northview). Also, the School Resource Officers in the Middle Schools teach D.A.R.E. classes. Each Middle School Resource Officer is assigned as a liaison officer to each of the Elementary Schools. The purpose of the School Resource Officers in Hickory Public Schools is to provide a safer learning environment for students and staff while creating a positive interaction between students and Hickory Police Department. The School Resource Officer Agreement is for school years 2018-2019 and 2019-2020. Hickory Police Department will provide four Police Officers as School Resource Officers and Hickory Public School agrees to reimburse the City of Hickory Police Department a total of \$90,000 at \$22,500 per School Resource Officer for its expenses in providing the said School Resource Officer Program for the 2018-2019 school year. The amount of reimbursement for each subsequent annual agreement shall be subject to a 2.5 increase. The said reimbursement shall be paid by the Hickory Public School System to the City of Hickory in twelve monthly installments on or about the first day of each calendar month. Hickory Police Department recommends approval of the Agreement with Hickory Public Schools for School Resource Officers.

E. Approved a Special Events Activities Application for Girl Scouts National S'mores Day Event, Ellen Ball, Administration and Board Services Specialist, Girl Scouts Carolinas Peaks to Piedmont, August 10, 2018, 2:00 p.m. to 8:00 p.m., at the Union Square Flag Court or the Stage Area Under the Sails.

F. Approved the Purchase of Ten Specialized Police Package Emergency Vehicles.

Hickory Police Department staff and the City of Hickory Fleet Manager have researched and reviewed independent comparison studies comparing available police package vehicles. The 2019 Ford Police Interceptor Utility all-wheel drive best fits the needs of the department based on a number of considerations. The Police Interceptor Utility has been the top choice of the Police Department for the past three budget years. This vehicle comes standard with all-wheel drive designed to deliver low-speed traction and high-speed handling and stability. Other benefits of the Police Interceptor Utility include: availability (much shorter delivery time), ergonomics (visibility and better occupant and cargo space to

carry specialized equipment), safety and durability (larger heavy duty frame in the event of a crash) and enhanced braking distance. Asheville Ford in Asheville, North Carolina currently has the NC Sheriff's Association contract for the 2019 Ford Police Interceptor Utility all-wheel drive with a base price of \$27,681.17. Added options that are needed include the following: driver's side spot lamp (Whelen or compatible) - \$420, front headlamp/police interceptor housing - \$125, dome lamp-red-white in cargo area - \$50, rear door handles inoperable - \$35, remote keyless entry (two remotes/four sets of keys) - \$340, SYNC basic (voice activated communications system) - \$295, police silence mode - \$20, and daytime running lamps - \$45. Total price with added options - \$29,011.17. Hickory Police Department recommends the purchase of ten all-wheel drive 2019 Ford Police Interceptor Utility vehicles from Asheville Ford on the NC Sheriff's Association Contract at a cost of \$29,011.17 per vehicle and a total cost of \$290,111.70. Funds are budgeted in the FY 2018/2019 CIP.

- G. Approved a Modification to the Contract with Hickory Sand Company, Inc. for the Central Business District Waterline, Sewer Line and Storm Drainage Rehabilitation Project for a Decrease in the Amount of -\$83,281.50, Reducing the Contract from \$4,650,274 to \$4,566,992.50.

The Central Business District, for the purpose of this project, is defined as the area of downtown Hickory bounded by Trade Alley north to 2nd Avenue NW and 2nd Street NW west to 3rd Street NW. This area is served by an older portion of the City of Hickory's distribution system predominantly consisting of 6, 8 and 12-inch cast iron waterlines. This project is intended to restore the full pipe diameter, and re-establish necessary fire flows and available service to customers. Sanitary sewer lines are predominantly 6 and 8-inch terra-cotta lines which are older and degrading allowing a significant amount of inflow/infiltration to enter the lines and cause problems downstream of the Central Business District. Finally, as a component of the overall evaluation the main trunk-line storm drainage system was evaluated and found to have some issues that were requiring attention as well. The infrastructure in this area is estimated to be over 100 years old. This change order is to reconcile the bid quantities with actual field installed quantities, adjust for time delays, and adjust for liquidated damages incurred during the project. Staff requests Council's approval of a modification to the contract with Hickory Sand Company, Inc. for the Central Business District project in a decreased amount of -\$83,281.50, reducing the contract from \$4,650,274 to \$4,566,992.50.

- H. Approved a Supplemental Agreement with North Carolina Department of Transportation for the City Walk Project.

On August 29, 2017, the City of Hickory and the North Carolina Department of Transportation (NCDOT) entered into a certain Project agreement for the construction of a 10 - 14 foot multi-use path along Main Street from 9<sup>th</sup> Street NW to 7<sup>th</sup> Avenue NE. In addition to the path, numerous enhancements are proposed. NCDOT reserves the right to determine the items that are eligible for participation as the project is designed, in consultation with the Federal Highway Administration (FHWA), programed under Project EB-5750. NCDOT in concurrence with the Greater Hickory Metropolitan Planning Organization (MPO) have agreed to modify the project funding sources. NCDOT shall reimburse 80 percent of eligible expenses incurred by the City of Hickory up to \$14.1 million dollars. The City of Hickory shall provide the non-federal match, as detailed in the agreement, and all costs that exceed the total estimated cost. The Supplemental Agreement reflects the modification of the Project Funding Sources, by the Greater Hickory MPO, as specified in the agreement. There is no change in the funding amount. Upon approval of the locally administered project supplemental agreement, NCDOT shall execute the agreements to modify the project funding sources. Staff recommends City Council's approval of the locally administered project supplemental agreement to continue to move forward with the project and access to project funding sources.

- I. Called for a Public Hearing for Consideration of a Voluntary Non-Contiguous Annexation of Property Owned by Trivium Corporate Center. (Authorize Public Hearing for August 7, 2018, at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).

RESOLUTION NO. 18-20  
RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED  
UNDER G.S. 160A-31 AND/OR 160A-58.1, AS AMENDED

WHEREAS, a petition from Trivium Corporate Center, Inc. fka Park 1764 Development Corporation requesting annexation of an area described in a petition was received on July 12, 2018 by the City Council of the City of Hickory; and

WHEREAS, G.S. 160A-31 and G.S. 160A-58.1 provide that the sufficiency of the petition shall be investigated by the Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Hickory deems it advisable to proceed in response to this request for annexation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HICKORY:

THAT, the Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the City Council the result of her investigation.

CERTIFICATE OF SUFFICIENCY

TO THE CITY COUNCIL OF THE CITY OF HICKORY, NORTH CAROLINA:

I, Debbie D. Miller, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31 and/or G.S. 160A-58.1, as amended:

2369 and 2355 Startown Road, Newton, NC, containing 113.383 acres more or less

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Hickory this 12<sup>th</sup> day of July, 2018.

/s/Debbie D. Miller, City Clerk

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION,  
PURSUANT TO G.S. 160A-31 OR G.S. 160A-58.1, AS AMENDED

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council of the City of Hickory has, by Resolution, directed the clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the Clerk as to the sufficiency of said petition has been made.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HICKORY:

Section 1: That a public hearing on the question of annexation of the area described herein will be held at 7:00 p.m. on August 7, 2018 in the Council Chambers of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina.

Section 2: The area proposed for annexation is described as follows:  
  
2369 and 2355 Startown Road, Newton, NC, containing 113.383 acres more or less

Section 3: Notice of said public hearing shall be published in The Hickory Daily Record, a newspaper having general circulation in the City of Hickory, at least ten (10) days prior to the date of said public hearing.

RESOLUTION NO. 18-21

A RESOLUTION DETERMINING THE INTENT TO ANNEX INTO THE CORPORATE LIMITS OF THE CITY OF HICKORY CERTAIN PROPERTY OWNED BY TRIVIUM CORPORATE CENTER, INC. AND CALLING FOR A PUBLIC HEARING ON THE SAME

WHEREAS, Trivium Corporate Center is the owner of certain real property as described herein, which property is located at 2369 and 2355 Startown Road, Newton, NC, containing 113.383 more or less; and

WHEREAS, such property is currently located in the City's extra-territorial jurisdictional (ETJ); and

WHEREAS, it is in the best interest of the health, safety and well-being of the residents of the City of Hickory to annex such property into the corporate limits of the City of Hickory as authorized by N.C.G.S. Section 160A-31; and

NOW, THEREFORE BE IT RESOLVED by the Hickory City Council, sitting in open session this 17th day of July, 2018, at a regularly scheduled meeting of the governing body of said Council, duly called and posted in accordance with the statutes of the State of North Carolina, as follows:

- Section 1: That the Hickory City Council does determine that it is in the best interest of the health, safety and well-being of the residents of the City of Hickory to annex the property described hereinafter into the corporate limits of the City of Hickory.
- Section 2: That a public hearing on the question of annexation of the area described herein will be held at 7:00 p.m. on August 7, 2018 in the Council Chamber of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina.
- Section 3: The same being that property reflected on a maps entitled Future Trivium Business Park Map 1 Current Municipal Boundary, subject property outlined in red; Future Trivium Business Park Map 2, 2017 Aerial Photo, subject property outlined in red; Future Trivium Business Park Map 3, Current Zoning, subject property outlined in red.
- Section 4: Notice of said public hearing shall be published in The Hickory Daily Record, a newspaper having general circulation in the City of Hickory, at least ten (10) days prior to the date of said public hearing.

IX. Items Removed from Consent Agenda – None

X. Informational Item

XI. New Business:

A. Public Hearings

- 1. Consideration of Text Amendment 18-01 – A Five Year Review and Update to the Hickory Land Development Code – Presentation by Planning Director Brian Frazier. **(Exhibit XI.A.1.)**

Over a period of several months, the City's Planning Division analyzed the latest iteration of the Hickory Land Development Code, which was last updated in 2016. Unlike previous updates, the 2018 update was conducted after an update to the Hickory by Choice 2030 Comprehensive Plan. The Hickory Land Development Code serves as the tool that is used to move towards implementation of the Hickory by Choice 2030 Comprehensive Plan. The Hickory Regional Planning Commission conducted a public hearing on March 28, 2018 and voted unanimously (10-0) 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. In addition, on May 15, 2018 staff held a workshop with City Council to provide an initial review of the draft document. During the workshop Councilmembers brought up several topics of concern regarding the draft. Since this time staff has refined the draft document to address the concerns expressed by City Council.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on July 6 and 13, 2018.

City Manager Warren Wood mentioned that City Council previously had a special work session on the Land Development Code and this was the public hearing on the text amendments to the Land Development Code. He asked the City's Planning Director Brian Frazier to the podium to present City Council with Text Amendment 18-01.

Planning Director Brian Frazier presented a PowerPoint presentation. He highlighted items from his May 15<sup>th</sup> presentation. Text Amendment 18-01, Land Development Code, was prepared for City Council's consideration after they adopted Hickory by Choice the comprehensive plan last August. They had conducted a review of the Land Development Code to determine if any amendments were needed. There were several, nothing which was identified as anything substantive. Much of it was correction of typos, housekeeping, and administrative items. They modified or revised the code to change anything that the State of North Carolina and the Federal Government out of Washington required them to. They also identified the Board of Adjustment (BOA) and not the Hickory Regional Planning Commission as the correct jurisdictional body to hear appeals of administrative decisions, specifically in regard to property subdivisions. Within the IND, as discussed previously, they are now requiring screening of rooftop HVAC equipment, otherwise known as (RTU) roof top units, which are adjacent to residential zoned properties for added neighborhood protection. The terminology at the Federal and State level had changed from BMP's to storm

water control measures (SCM). The high rise site overlay district was revised to increase the audible sign area by an additional 50 square feet. Sixty feet tall doesn't really amount to a whole lot, but it would help to some extent.

Mr. Frazier discussed Article 6 under the electronic gaming operations. They totally removed those from the Land Development Code, from the use table, basically in order to comply with existing North Carolina State law. Right now, State statute allows "game of skill" currently. That may be changed in the next session of the General Assembly. They will follow that closely.

Mr. Frazier discussed additional screening measures would be required for open storage visible from both private and public streets. Chain link fencing with slating would no longer be considered to be an acceptable screening measure. Multi-family development containing more than 150 dwelling units would now be required to provide at least two vehicular access points for traffic flow and emergency safety. Duke Energy helped the City out in revising the existing landscaping standards to make sure that we are somewhat compliant with theirs, especially under large powerlines. They also had a couple of local sign companies, review the revised sign standards, and they didn't see anything out of line. In terms of the findings the proposed amendments were necessitated due to recent changes in the State General Statute and also reflect amendments consistent with the update that Council adopted in August 2017 for the Hickory by Choice 2030 Plan. The Hickory by Choice plan does not specifically address language verbatim within the Land Development Code (LDC), but the language within the LDC does work towards implementation of the recommendations that Council made to the Hickory by Choice Comprehensive Plan last year. The LDC, along with the proposed amendments which they reviewed in May, they believe they will continue to protect the public health, safety, and general welfare of the citizens of Hickory and the extra territorial jurisdiction (ETJ). He advised that was the background which they looked at last time. From that conversation, and some of the subjects Council brought up, they tried to hit all of them.

Mr. Frazier advised from the meeting in May, they kept the parking requirements for furniture type businesses the same as they were. They weren't reduced in scale. They modified that back. They put the landscaping reductions, which staff had proposed, back to the regular spacing and height as Council requested. For the vehicle sales lots, they had not been enforcing the landscape islands within the parking lot for the trees. It really makes a mess. A lot of landscapers, when they plant trees, they plant a lot of trees with acidic berries, which is not good for brand new cars. They had removed that. Staff would keep the current landscaping standards intact. They are working with Public Services Director, Mr. Kevin Greer, and the Public Services and Engineering divisions to update the manual of practice regarding specific landscape species. In the C1 district, the Central Business District (CBD), projecting signs of three feet, meaning perpendicular off the building façade of the wall would continue to be allowed. In all of the districts they are adding projecting signs that would be two feet in projection. All districts would include residential, basically talking about churches and other houses of worship, as well as schools. Staff had also recommended additional regulations regarding sign areas for the LED signs. You could have LED instrumentation up to 50 percent of the total square area of the sign. The message transition would be eight seconds for commercial zones, which DOT regulates to some extent now, which was their requirement, their recommendation; and 12 seconds for those residential zones, which would be churches and schools. They are looking at regulating the brightness or nits by lumens requiring a dimmer control, which would be added to the sign, by the sign company, which would be automatic. It would regulate it whether it was day or night, whether it was sunny or cloudy, whether it is raining or snowing. If they find out that is not being regulated correctly or they have citizen complaints, they will go out there and meter the brightness themselves. They felt that was a worthwhile compromise in the LEDs. The whole design of the industry has really changed in the past several years and a lot more of the people who inquire about them are not commercial businesses, but churches.

Mr. Frazier advised staff reviewed the staff report, and there was an error for Council's notification regarding the conservation subdivision area. That was just a simple mistake, but building envelopes was changed to make it clearer. Where the building envelopes that have 1,200 square feet would be the absolute minimum. The multi-family development adjacent to single family development and residential zoning districts would be required to have pitched roofs. That was something which was discussed last time. The planned development densities had been restored to the existing maximum.

Mr. Frazier advised that the Planning Commission adopted a statement of consistency of these proposed text amendments, with Hickory by Choice 2030, our

Comprehensive Plan, back in March and they recommended unanimous approval to City Council. Staff requested City Council adopt Text Amendment 18-01. He asked for questions or concerns from City Council.

Mayor Guess asked for any questions.

Alderman Lail asked about the electronic message boards. He was thinking about residential areas, and the most likely place that you are going to find a sign in a residentially zoned area, he guessed would be a church.

Mr. Frazier replied perhaps a school, but in Hickory mostly churches.

Alderman Lail asked if Council had the authority to regulate those electronic message boards and prohibit them in residential areas.

Mr. Frazier responded under this amendment, no sir.

Alderman Lail understood the way this one was written. He thought Council was limited in what they could do with regards to. . .

Mr. Frazier interjected to size. In residential the signs are much smaller than they are. He thought the sign height in the residential district was eight feet.

Alderman Lail commented that it seemed to him that if he was in a residential neighborhood, an electronic message board, even with brightness adjustable, and it is changing messages, it was not ideal. He didn't think they would have to do it. He didn't feel any real urgency. He hadn't heard anyone speak about it, and it had not come before Council. His sense would be to not allow any electronic message boards in residentially zoned areas.

Alderman Seaver asked if there were any currently at this time.

Alderwoman Williams asked which neighborhoods. She presumed that most of them were on busier streets that may be adjacent to residential.

Mr. Frazier interjected for the most part, but there were several churches, in recent months, two since the main meeting, which had asked him and they were residentially zoned. But, they also did not get their permits in before this meeting.

Mayor Guess asked if Council could wait to see if there was an issue that pops up and then they could make an amendment or perhaps, put some kind of language in there after a certain time of night it has to be cutoff completely.

Alderman Lail wanted to see it struck. He used as an example Holy Trinity, a pretty well-known church in a residentially zoned area on 6<sup>th</sup> Street. Imagine an eight foot sign, 20 square feet, illuminated message board that flashes every 12 seconds. That is what this would allow. He would be opposed to that.

Mayor Guess commented Council didn't have any examples of that size sign.

Alderman Lail advised Council was allowing them to do that by right. Council doesn't have to, which was what he was saying.

Alderwoman Patton commented the ones that do already have signs would be grandfathered, correct. So, it would be preventing any further intrusion into the neighborhoods.

Alderman Lail commented, yes for those signs.

Alderwoman Patton couldn't recall where she had saw it, but it seemed to be a rolling sign, very, very, bright, it was not in residential, but it was still over the top.

Mayor Guess asked if he had the dimming capability or did she know.

Alderwoman Patton did not know.

Mayor Guess commented that currently is not a requirement, correct.

Mr. Frazier responded currently no sir.

Mayor Guess replied it probably doesn't.

Alderwoman Patton commented there is no way that it has a dimmer.

Mayor Guess commented they are grandfathered in on that.

Mr. Frazier advised the technologies can be very different and distinct in terms of what type of lumens are the brightness. Some of them are very subdued with just a black background and other ones can be a multitude of colors in one panel or in all.

Alderwoman Williams asked if they had received any complaints.

Mr. Frazier had not received any complaints from residential neighborhoods, they had received some complaints from some signs in the Viewmont Business District, but nothing in residential.

Alderman Lail stated that was because they are none. Do you understand that? That is why they are not getting any complaints. If they are complaining about commercial signs, if they go up in neighborhoods, his sense was they might get a complaint.

Alderwoman Patton thought they ought to prevent that from happening.

City Attorney John Crone advised unless there were other issues that Council had with other sections they could always move to approve this with the exception of that particular section.

City Manager Warren Wood commented for issues that are questions that Council has, they could go through those and then adopt the recommendation as is after the public hearing is over and then one by one, he would like for City Council to vote on each one of their issues to get clear direction to direct staff to go back and come back with recommendations.

Alderman Williams wanted to revisit the flag signs as well.

City Manager Warren Wood advised they would take those one at a time.

Mayor Guess explained the rules for conducting the public hearing. He declared the public hearing open and asked if there was anyone present to speak in opposition to the proposal. No one appeared. He asked if there was anyone present to speak in favor of the proposal.

Mr. Cliff Moone thought what Mr. Frazier had laid out was very good limitations and things. He didn't know if Council could answer this question in the public hearing at this point, but he understood what Council was about to do, and approving these had nothing to do directly with what Alderman Lail was potentially moving. That had not been included yet, right. He asked Mayor Guess that question.

Mayor Guess advised he could ask, but they were not prepared to answer.

Mr. Cliff Moone commented it was a public hearing and he didn't know if that was slightly different than people requesting to be heard. He was not prepared to make comments about that yet, that was not a part of this. This is what Mr. Frazier had placed before Council and only that at the moment. If that was true, he thought they were very good changes that were being made.

Mayor Guess asked if anyone else wished to speak. No one appeared. Mayor Guess closed the public hearing.

Alderman Lail advised in the interest of expediency then that was the only issue that he had with the updates.

Mayor Guess commented to ban them from residential areas.

Alderwoman Patton commented totally.

Alderman Lail responded it is not banning them, they were not going to add language that allows them. Right now they are prohibited and he suggested that they stay prohibited. Strike "Section 10" that applies to the illuminated electronic message boards in residentially zoned districts.

Mayor Guess interjected obviously those that are already in existence are grandfathered.

Alderman Lail responded there are none in existence.

Mayor Guess asked if they knew that for a fact.

Alderman Lail commented that Mr. Frazier didn't know of any.

Mayor Guess replied if they are they would have to grandfather them.

Alderwoman Patton asked if Alderman Lail had made that motion.

Alderman Lail confirmed that he made that motion. He advised they could make separate motions and then make one large motion.

City Attorney John Crone asked if there were any other Councilmembers that had objections to any sections of the text amendment.

City Manager Warren Wood requested that each one of the suggestions be voted on individually. Alderman Lail had moved.

Alderman Lail moved that Council amend the proposal and if it fails it will stand as written, if it passes then it will be amended. Alderwoman Patton seconded the motion.

Mayor Guess clarified just for that one.

Alderman Lail confirmed just for that one.

Mayor Guess stated there was a motion and a second, to clarify the motion Council does not allow any such LED signs in residentially zoned areas.

Alderman Seaver responded strike the language.

Alderman Lail commented strike the language that allows electronic message boards in residential areas and reinstate the language that specifically prohibits illuminated signs in residential areas.

Mayor Guess advised there was a motion and a second. The motion carried unanimously.

Alderman Williams commented the last time Council discussed this, they made it known that the flag signs were an Ordinance which they don't allow. He wanted to change that, because if you think about small businesses, those flag signs mean a lot. Right now, they don't fit under our Ordinance. He would like to amend that. Change to where they would allow those in certain areas, maybe certain sizes. He moved in favor of that.

Mayor Guess asked if they were currently prohibited.

City Manager Warren Wood advised he and Mr. Frazier had spoken about that. The Planning Board, and staff did not recommend them. But, this isn't our policy it is City Council's policy so they get to decide. There was a concern about the aesthetic impact when they discussed that as well as the administrative side, the enforcement. As an example, they felt like they had a pretty liberal banner policy where you could get a 12 week permit or one year permit for a very large banner, but in the recommendations the feather flags were not included. He suggested on that one if Council was in favor of that, that Council direct staff to come back with some recommendations specifically to address that.

Alderman Williams moved for Council have to staff look at that and come back to Council with some type of recommendations.

City Attorney John Crone commented and exclude that from the present Ordinance as presented.

City Manager Warren Wood corrected Mr. Crone it would be to include it.

Mayor Guess advised there was a motion. He asked for a second.

Alderman Seaver seconded the motion.

Alderwoman Patton commented when staff does come back, if it passes, she would like to see some examples of what is and is not. The concern was if you allow it then all of a sudden we are inundated with tons of them because they are cheap.

Mayor Guess commented what it includes specifically.

Alderwoman Patton commented what is included and what is excluded.

Alderwoman Williams replied maybe perimeters in terms of size and type.

Alderman Seaver added and time too maybe.

Alderwoman Patton added and number on a property.

Mayor Guess commented staff is going to come back with a report on that at a future Council meeting. He reiterated there was a motion and a seconded. He asked for any further discussion. The motion carried unanimously.

Mayor Guess moved, seconded by Alderwoman Patton approval of Text Amendment 18-01 with the exception of the two amendments which were previously discussed. The motion carried unanimously.

#### ORDINANCE 18-21

AN ORDINANCE OF THE HICKORY CITY COUNCIL AMENDING THE CITY'S LAND DEVELOPMENT CODE.

WHEREAS, Exhibit A outlines the specific text of the amendments to City's Land Development Code, Dimensional and Design Standards); and

WHEREAS, Article 2 of the Land Development Code establishes the methods and procedures for amending the text of the Land Development Code; and

WHEREAS, the Hickory Planning Commission considered the amendments at a public meeting on March 26, 2018 and forwarded a recommendation of approval; and

WHEREAS, the proposed amendments are reasonable in keeping with the purpose and intent of the Hickory By Choice 2030 Comprehensive Plan and the Land Development Code; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of Hickory, North Carolina, that the Hickory Land Development Code is amended as outlined in Exhibit A.

SECTION 1. All ordinances or provisions of the Hickory City Land Development Code which are not in conformance with the provisions of the Amendment occurring herein are repealed as of the effective date of this Ordinance.

SECTION 2. Upon consideration the Hickory City Council finds the amendment to be consistent with the findings and recommendation of the Hickory by Choice 2030 Comprehensive Plan, and the City's Land Development Code. The findings of the Hickory City Council are based upon the review criteria for Land Development Code text amendments as found in Article 2, Section 2.2.7(B) of the City's Land Development Code, which are as follows:

- a) Whether the proposed amendment corrects an error or inconsistency in the Land Development Code or meets the challenge of a changing condition.

The proposed amendments reflect a 5-year review of the Land Development Code, which coincide with a recent update of the Hickory by Choice 2030 Comprehensive Plan,

- b) Whether the proposed amendment is consistent with the Hickory by Choice Comprehensive Land Use and Transportation Plan, and the stated purpose of the Land Development Code.

The Hickory by Choice 2030 Comprehensive Plan was recently updated, and the proposed amendments to the City's Land Development Code reflect the update to the comprehensive plan.

The purpose and intent of the Land Development Code is to:

- i. Implement the Hickory By Choice 2030 Comprehensive Plan;

The proposed revisions are intended to better implement the updated comprehensive plan.

- ii. Protect natural resource and property values, promote efficient provision of public services; and

The proposed amendments will work to protect property values by implementing recent policy changes incorporated in the city's comprehensive plan

- iii. Regulate development;

The proposed amendments will, and are, intended to provide meaningful regulatory standards for development within the city's planning area.

- iv. Provide protection from natural disasters and fire.

Upon submission of a development proposal, city and county staff will review all plans and specifications to ensure they comply with the safety specifications contained within the North Carolina State Building and Fire Code. This review will also ensure development within flood prone areas is done in a manner consistent with federal, state, and local laws.

- c) Whether the proposed amendments will protect the public health, safety and general welfare.

The proposed amendment will in no way impact any rules or laws implemented to protect public health and safety. All building, fire and sanitation standards will apply to development projects as they occur. The general welfare of the citizens of Hickory will be protected, and likely improved, by the proposed amendments.

SECTION 3. Technical Corrections. City Staff is authorized to correct any typographical, cross-reference, numbering, formatting or other errors which may hereafter be discovered and to publish or distribute correction sheets as may be necessary. This section shall not be construed as authorizing City Staff to make any substantive changes to the provisions of the code without presenting the same to Council for consideration and approval as required by law.

SECTION 4. This Ordinance shall become effective immediately upon adoption.

B. Departmental Reports:

- 1. Approval to Apply for BUILD Grant Funding from the US Department of Transportation (USDOT) – Presentation by Assistant to the City Manager Yaidee Fox.

The 2018 Better Utilizing Investments to Leverage Development (or BUILD) Transportation Discretionary Grant program provides opportunities for USDOT to invest in roads and other projects that have a significant local or regional impact. The funding provides up to 80 percent of projects costs in urban areas for surface transportation infrastructure projects. There is a \$5 million dollar minimum funding request this year. (Previously known as Transportation Investment Generating Economic Recovery or TIGER Discretionary Grants, Congress has dedicated nearly \$5.6 billion dollars.)

The BUILD grant application encompasses the continuation and enhancement of projects identified by the citizens of Hickory through the development of the Inspiring Spaces Plan. Many of these projects are being funded through multiple partners and a recent bond referendum. The project scope would include a corridor connector improvement project linking two funded corridor improvement projects (9th & 11th Street Connector) and a pedestrian bridge to cross over US Hwy 321. The City's vision is to build connectivity through improved multi-modal transportation corridors; connecting people throughout the City to each other, resources, services, jobs, educational opportunities, and cultural people-centric spaces. Total estimated cost of the projects will be \$22.2 million dollars with the City of Hickory's match of \$4.44 million dollars (20 percent minimum match amount) and BUILD grant request of \$17.76 million dollars (80 percent maximum match amount). Staff recommends City Council authorize staff to apply for the BUILD Discretionary Grant in the amount of \$17.76 million dollars with a cash match of \$4.44 million dollars.

City Manager Warren Wood advised the grant formally known as the TIGER Grant was now the BUILD Grant. It is a Federal Grant program which the City had previously applied for and the City would be applying for BUILD Grant funding from the US Department of Transportation (USDOT) this year. He asked the City's

Assistant to the City Manager Yaidee Fox to the podium to present Council with what is included in the grant application. He advised Council would need to take action on this item.

Assistant to the City Manager Yaidee Fox presented Council with a PowerPoint. She discussed the 2018 BUILD Grant application. The BUILD grant was now called "Better Utilizing Investments to Leverage Development" (or BUILD) transportation discretionary grant program. This actually takes over the formerly known program called TIGER, the "Transportation Investment Generating Economic Recovery" discretionary grant. This was actually funded earlier this year with \$5.6 billion dollars for infrastructure projects. They will provide up to 80 percent of projects costs in urban areas for surface transportation infrastructure projects with a \$5 million dollar minimum funding request this year. She discussed the grant criteria advising it was the same thing as it was before, they had just consolidated it. Before they had two different tiers, a primary and a secondary, and they just rolled it all in together. It still included safety, state of good repair, economic competitiveness, partnerships, environmental protection, and quality of life. They added a piece called non-federal revenue for transportation infrastructure investments and innovation. One of the things they wanted to do when they were looking at all of the different projects for submission was to make sure they kept in mind the City's vision, which was to build the connectivity throughout the improved multimodal transportation corridors; connecting people throughout the City to resources, services, jobs, educational opportunities and all of the many cultural things that we have. She referred a slide on the PowerPoint and advised it was a snapshot from the Inspiring Spaces Plan. It was all of the different connectivity's to all of the different components, greenways, and proposed greenways throughout the City.

Mrs. Fox advised in the BUILD grant application they wanted to make sure that it did encompass projects identified already by citizens of Hickory throughout the development of the Inspiring Spaces Plan. They connect to projects that are already funded through either other partners like NCDOT or through our bond referendum. In the grant application they are focusing on two areas, because this will actually provide connectivity to two areas that are currently not funded, the 9<sup>th</sup> Street and the 11<sup>th</sup> Street connector, 9<sup>th</sup> Street was identified in the bond referendum, but 11<sup>th</sup> Street was not. They would provide an extension of the City Walk and then it will connect up to Old Lenoir Road. There is a pedestrian bridge to crossover US 321. She referred to a map and pointed out Lenoir-Rhyne, the City Walk, 9<sup>th</sup> Street, and the connection up to 11<sup>th</sup> and Old Lenoir Road, the Riverwalk, the bridge which connects to a multiuse path towards the airport, and the Book Walk. She discussed the multiuse path. Because 321 is going to be expanded from a four lane divided highway into a six lane super street this would help provide some additional connectivity from east to west, it would thereby be separated. One of the things they had heard from the community was pedestrians aren't going to be able to get across 321 safely. How can we better utilize that connection? Making sure there is lighting, crosswalks, also having opportunities for fiber to also be connected into that side, connecting over to L. P. Frans Stadium, the airport and other facilities, as well as the other 23 miles over interconnected infrastructure system. This was identified in the Inspiring Spaces Plan. The estimated costs of the 1.7 mile, and a 10 foot path with the bridge all the way over towards the airport, was \$15.7 million dollars to complete. She referred to a photo on the PowerPoint and advised it was from the Inspiring Spaces Plan, there was a pedestrian bridge over the highways proposed that provides that connectivity over to L. P. Frans Stadium. She showed a rendering of a pedestrian bridge which someone had done already to show what it could look like. She referred to the bottom of the rendering and advised it was what the designers had proposed as a potential concept from the Inspiring Spaces Plan. She showed a rendering which was a concept for the application. She pointed out Old Lenoir Road, the connection piece extending over from 13<sup>th</sup> Avenue NW and it merges over to 9<sup>th</sup> Street Lane NE to Clement Boulevard, 9<sup>th</sup> Avenue Drive NW and then down to the baseball stadium to the Hickory Regional Airport. She noted the connection and the bridge. It provides the opportunity for a multipurpose path all the way over towards the airport, and passing by the stadium as well as any other amenities which could be along that corridor. They also have the 9<sup>th</sup> and 11<sup>th</sup> Street streetscape connector. Those two had been identified which would provide additional connectivity. It would extend the City Walk from where 9<sup>th</sup> Street is at 3<sup>rd</sup> Avenue to Main Avenue, the City Walk, and then from the City Walk over to 9<sup>th</sup> Street and 11<sup>th</sup> Street and then it merges up to Old Lenoir Road. These were unfunded segments that would connect to funded segments already. This will enhance additional reinvestment and reuse for additional opportunities providing connectivity to the City Walk, Riverwalk, as well as to downtown investments. Additionally, it will cost \$6.3 million dollars to complete, but this continues to improve our streetscapes all along that corridor. She showed a snapshot of a map which was in the Inspiring Spaces Plan, providing that connectivity up to the

Riverwalk, Old Lenoir Road and to the City Walk, just promoting that growth. She referred to the PowerPoint and showed a map, pointing out the City Walk and the connection to Old Lenoir Road. She explained they would extend it over and it would provide all kinds of opportunity for reinvestment.

Mrs. Fox advised that the BUILD Grant requested was for \$22.2 million dollars of which the City's match would be \$4.4 million dollars, the total request \$17.76 million dollars, which was 80 percent. The BUILD Grant would also provide safer access for pedestrians and bicyclist, connect sections of Hickory that otherwise would not be linked, encourages reinvestment, and reuse opportunities, and connect amenities to existing and future infrastructure projects, and work to extend our \$40 million dollar bond project. Staff recommended City Council authorize staff to apply for the 2018 BUILD Discretionary Grant in the amount of \$17.76 million dollars, with a local match of \$4.44 million dollars.

City Manager Warren Wood clarified the \$4.4 million dollar City match is already programmed bond money, so we are taking our bond money and leveraging it for additional grant money. That is not coming out of the City's general fund. That is bond program money that is already programmed for projects.

Alderwoman Patton asked when it was due and what the timeframe was on being awarded.

Mrs. Fox advised the grant was due this Thursday. They have a short timeframe when they announce the grant, to when there is a turnaround. They are anticipating announcing it sometime before the end of the year.

Mayor Guess responded excellent. It provides some of the missing pieces of the puzzle.

Alderwoman Patton responded maybe the fourth time is the charm.

Alderman Lail asked if they were still planning on a lobbying trip.

Mrs. Fox replied yes, they most certainly would, there would be a trip up to D.C. to visit our congressional delegation and USDOT.

Alderman Lail thought it was great work in a short amount of time, from when we got the unfortunate news that we didn't get the TIGER Grant funding. He thought that we were a little bit out of the gate early on this, which is great.

City Manager Warren Wood advised they had enlisted the services of a grant writer who had written two successful TIGER grants previously. This is the best application that we have had.

Alderwoman Patton moved, seconded by Alderman Williams approval to submit the application as soon as possible. The motion carried unanimously.

#### RESOLUTION NO. 18-22

RESOLUTION AUTHORIZING THE CITY OF HICKORY TO SUBMIT AN APPLICATION TO THE US DEPARTMENT OF TRANSPORTATION FOR THE 2018 BETTER UTILIZING INVESTMENTS TO LEVERAGE DEVELOPMENT (OR BUILD) TRANSPORTATION DISCRETIONARY GRANT

Intent/Purpose:

WHEREAS, on or before July 19, 2018 the City of Hickory will apply to the US Department of Transportation for the 2018 BUILD Grant. The BUILD grant application encompasses the continuation and enhancement of projects identified by the citizens of Hickory through the development of the Inspiring Spaces Plan and the Bond Commission. Many of these projects are being funded through multiple partners and a bond referendum. The project scope would include a corridor connector improvement project linking two funded corridor improvement projects (9th & 11th Street Connector) and a pedestrian bridge to cross over US Hwy 321.

WHEREAS, the City of Hickory's BUILD request for the total project cost will be \$22.2 million with the City of Hickory match of \$4.44 million (20% minimum match amount) and BUILD grant request of \$17.76 million (80% maximum match amount).

PROJECT	Total Cost	City	BUILD
9 <sup>th</sup> and 11 <sup>th</sup> Street Connector	\$6,500,000	\$1,300,000	\$5,200,000
321 Pedestrian Bridge and multi-use path to airport	\$15,700,000	\$3,140,000	\$12,560,000
TOTAL	\$22,200,000	\$4,440,000	\$17,760,000

WHEREAS, the City's vision is to build connectivity through improved multi-modal transportation corridors; connecting people throughout the City to each other, resources, services, jobs, educational opportunities, and cultural people-centric spaces. Two significant pieces of the 24-planned streetscape / corridor connector projects to the plan needing funding are:

- 9th Street & 11th Street Connector: Streetscape improvements on 9th Street between 3rd Avenue and Main Avenue; Main Avenue between 9th Street and 11th Street, and 11th Street between Main Avenue and Old Lenoir Road, where it merges into 3rd Avenue Drive.
- 321 Pedestrian Bridge & Multi-Use Path to Airport: Design and construct bike-pedestrian bridge and multi-use path to the Hickory Regional Airport. The pedestrian bridge would provide access going over US Hwy 321.

NOW, THEREFORE BE IT RESOLVED, that the City of Hickory is hereby authorized to submit a BUILD grant application in the amount of \$17,760,000 and will commit 20% or \$4,440,000 as a cash match.

Mayor Guess thanked Ms. Fox and staff for helping put this together.

Mrs. Fox responded there was a lot of staff and she couldn't thank them all enough for it. She appreciated it.

2. Bond Update – Presentation by Assistant to the City Manager Yaidee Fox.

City Manager Warren Wood advised the Mrs. Fox would go over the bond update. He advised there would not be any action required from City Council.

Assistant to the City Manager Yaidee Fox presented Council with a PowerPoint. She updated Council on the Bond Implementation Commissions' recommendations as brought forth at their June 26<sup>th</sup> meeting. She referred to the map on the PowerPoint pointing out Union Square, and the piece that was pulled aside when they were working with the multipurpose path which had NCDOT funding. It allowed them the opportunity to just focus on what was going to be happening in that area and to work with some additional stakeholders. During that process they were able to get some feedback after several meetings. The Chair of the City Walk subcommittee also attended several of those meetings as well. She showed some of the concepts and ideas which came forward from both the Bond Commission and the stakeholders. She advised they discussed expanding the footprint, storefront visibility, providing more of that defined center path, providing some additional improved lighting, more outdoor seating, and looking at a variety of different things to help enhance the entire experience. More particularly focusing on expanding that footprint, going beyond just the Union Square corridor. They worked with staff internally to come up with a concept so they could show this to the Bond Commission, as well as the City Walk subcommittee, after speaking to the stakeholders. The items that were all around were lighting, trees, as well as the defined pathway. It really expands what you are experiencing and brightens up everything from both sides just not on Union Square itself.

City Manager Warren Wood made a correction, he wanted City Council to take action to approve. There were two recommendations, this was the first one, excluding any changes which Council would like to make. He wanted Council to consider these one at a time. Council could discuss the first one now, Union Square, and basically what the recommendations are.

Mrs. Fox advised the City Walk recommendation was the Bond Implementation Commission accepted the City Walk subcommittee's recommendation and unanimously voted to recommend to City Council the concept as shown in this presentation and recommended moving forward with the design.

Alderman Lail moved, seconded by Alderwoman Patton approval. The motion carried unanimously.

Mrs. Fox continued discussing Riverwalk. She advised originally the concept was overwater and on land for the Riverwalk. That was revisited because the riparian buffers were removed and it allowed us the opportunity to look at extending the bridge. She pointed out the location on the PowerPoint map. She advised they

were looking at options to come on land to enhance that additional experience that someone might have going up into the trails and having different overlooks. One of the things that also provided was a more reasonable review of the costs for building the Riverwalk. Additionally, one other thing which had happened over the fall of last year was the City had discussions with NCDOT regarding the northbound bridge going between Catawba County, Burke County, and Caldwell County. When the new 321 bridge is constructed they will actually give the City the northbound bridge. We will be able to provide additional waterfront bridge opportunities for people to experience the waterfront along with additional overlooks. She showed photos of some of the views from the 321 bridge. She noted one of the photos was taken recently and it gets down close to where the bridge would start coming back up into the trails. She showed a view from the other side of the Geitner-Rotary Park. She advised the photo was near where the rock is, right before you go up into the trails. It connects to some multiuse path that is already there, the greenway which is already identified and has been in existence for quite some time, but it also provides that connectivity back over to Geitner-Rotary Park and to the future Lackey Project. She advised those were some views from some of the concepts which they provided as well. The Bond Commission had voted unanimously on the Riverwalk recommendation and recommended to City Council an overwater and on land option with consideration given to overlooks connecting back to Lake Hickory at both ends and coordinating with the existing bikeway trails.

Alderman Lail moved, seconded by Alderwoman Patton approval. The motion carried unanimously.

3. Appointments to Boards and Commissions

BUSINESS DEVELOPMENT COMMITTEE

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

At-Large (Council Appoints) (1 Year Term)	Lori Alala (Eligible for Reappointment/Willing to Serve)
At-Large (Council Appoints) (1 Year Term)	Michael Ellwanger (Eligible for Reappointment/Willing to Serve)
At-Large (Council Appoints) (1 Year Term)	Ed Henson (Eligible for Reappointment/Willing to Serve)
At-Large (Council Appoints) (2 Year Term)	VACANT
At-Large (Council Appoints) (2 Year Term)	VACANT
At-Large (Council Appoints) (3 Year Term)	Joan Long (Eligible for Reappointment/Willing to Serve Again)

Mayor Guess reappointed Lori Alala, Michael Ellwanger, Ed Henson and Joan Long as an At-Large Representatives on the Business Development Committee.

CITIZENS ADVISORY COMMITTEE

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

At-Large (Council Appoints)	David B. Myers (Eligible for Reappointment/Willing to Serve Again)
At-Large (Council Appoints)	Cliff Moone (Eligible for Reappointment/Willing to Serve Again)

Mayor Guess reappointed David Myers and Cliff Moone as At-Large Representatives on the Citizens Advisory Committee.

COMMUNITY APPEARANCE COMMISSION

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

Ward 2 (C. Williams Appoints)	VACANT
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COMMUNITY RELATIONS COUNCIL

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

African-American (Council Appoints)	VACANT
Caucasian (Council Appoints)	Mandy Pitts Hildebrand (Eligible for Reappointment/Willing to Serve Again)
Differently-Abled (Council Appoints)	Beth Whicker (Eligible for Reappointment/Willing to Serve Again)
Other Minority (Council Appoints)	VACANT
Other Minority (Council Appoints)	VACANT
Other Minority (Council Appoints)	VACANT

Mayor Guess reappointed Mandy Pitts Hildebrand as a Caucasian Representative and Beth Whicker as the Differently-Abled Representative on the Community Relations Council.

HICKORY REGIONAL PLANNING COMMISSION

(Terms Expiring 6-30; 3-Year Terms With Unlimited Appointments)

(Appointed by City Council)

Ward 4 (D. Williams Appoints)

Sam E. Hunt

(Eligible for Reappointment/Willing to Serve Again)

Burke County (Mayor Appoints)

VACANT

Caldwell County (Mayor Appoints with Recommendation from County)

VACANT

Catawba County (Mayor Appoints with Recommendation from County)

Jeff Kerley

(Eligible for Reappointment/Willing to Serve Again)

Mayor Guess reappointed Jeff Kerley as a Catawba County Representative on the Hickory Regional Planning Commission.

HISTORIC PRESERVATION COMMISSION

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

Licensed Architect (Council Appoints)

Ernest K. Sills

(Eligible for Reappointment/Willing to Serve Again)

At-Large (3) (Council Appoints)

VACANT

Mayor Guess reappointed Ernest Sills as the Licensed Architect on the Historic Preservation Commission.

INTERNATIONAL COUNCIL

(Appointed by Mayor with the Concurrence of City Council)

(3) Position

VACANT

LIBRARY ADVISORY BOARD

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

Ward 2 (C. Williams Appoints)

Walter C. Smith

(Eligible for Reappointment/Willing to Serve Again)

At-Large (3) (Mayor Appoints)

VACANT

PARKS AND RECREATION COMMISSION

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

Ward 1 (Lail Appoints)

VACANT

Ward 4 (D. Williams Appoints)

VACANT

Ward 5 (Zagaroli Appoints)

David Crosby

(Eligible for Reappointment/Willing to Serve Again)

Ward 6 (Patton Appoints)

VACANT

At-Large Minority (1) (Council Appoints)

VACANT

Alderman Lail appointed Ryan Carroll as Ward 1 Representative on the Parks and Recreation Commission.

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)

Laura Costello

(Eligible for Reappointment/Willing to Serve Again)

At-Large (Mayor Appoints)

Beth C. Bowman

(Eligible for Reappointment/Willing to Serve Again)

Mayor Guess reappointed Laura Costello and Beth C. Bowman as At-Large Representatives on the Public Art Commission.

PUBLIC HOUSING AUTHORITY

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

Position 4 (Mayor Appoints)

Dr. Michael K. Wimberly

(Eligible for Reappointment)

Tenant Representative (Mayor Appoints)

Velevia Wynette Hackett

(Eligible for Reappointment)

Mayor Guess reappointed Dr. Michael Wimberly as Position 4 Representative and Velevia Wynette Hackett as the Tenant Representative on the Public Housing Authority.

RECYCLING ADVISORY BOARD

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

Ward 4 (D. Williams Appoints)

VACANT

At-Large (Council Appoints)

VACANT

Mayor Guess appointed William Garrard as an At-Large Representative on the Recycling Advisory Board.

UNIVERSITY CITY COMMISSION

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

At-Large (not including ETJ) (Council Appoints)

VACANT

At-Large (not including ETJ) (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 Recommendations for Appointment to the Youth Council:

VACANT	At-Large Representative
VACANT	At-Large Representative
VACANT	Fred T. Foard Representative
Macy White	St. Stephens Representative
Brynne Van Allsburg	Homeschool Representative

Mayor Guess appointed Macy White as a St. Stephens Representative and Brynne Van Allsburg as the Homeschool Representative on the Youth Council.

Alderman Patton moved, seconded by Alderman Williams approval of the above nominations. The motion carried unanimously.

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 Peggy Manos, Assistant Principal at Hickory High School and Principal at the alternate school does a lot of historical study. He asked when the first time was that someone appeared before City Council for a parking deck.

City Attorney John Crone guessed 1968.

Alderman Seaver advised 1910. He advised that Colonel Thornton, born in New Orleans, and claimed to be in the Confederate Army and have a plantation. He didn't. He was one of the biggest liars buried in Oakwood Cemetery. He actually started one of the first newspapers in Hickory, called the Hickory Times Mercury. Then the Hickory Democrat came along a little later. He also started the Electric Light Company. He married a very wealthy widow from the Morganton area which he had met her in Washington, D.C. They came and lived in the house that the Shuler's built, which was the Harper House. They had to sell that upon her death because he ran out of all of her money. He came before City Council wanting to build a raised deck for automobiles in 1910. Alderman Seaver didn't know where it was supposed to be, he was just saying that we have to look forward.

City Manager Warren Wood introduced Roderick Setzer II who was a rising second year law student at Wake Forest University and he was serving as Deputy City Attorney Arnita Dula's law clerk for the next few weeks. He is a native of Newton, and graduated from Fred T. Foard. He was doing a great job for the City. He was glad to have him.

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)

Alderman Lail moved, seconded by Alderman Seaver that Council go into closed session to consult with the attorneys to discuss the items below. The motion carried unanimously.

1. Approval of Closed Session Minutes of June 19, 2018 - NCGS §143-318.11(a)(1)
2. Discussion of Potential Economic Development - NCGS §143-318.11(a)(1)(4)

City Council convened to closed session at approximately 8:01 p.m.

City Council reconvened to open session at approximately 8:24 p.m.

Mayor Guess moved, seconded by Alderman Seaver approval of the Authorizing Resolution with the Rural Economic Development Division North Carolina Department of Commerce for the Building Reuse Program. Ayes: Alderman Williams, Mayor Guess, Alderman Seaver, Alderman Williams, and Alderman Patton. Nay: Alderman Lail. The motion passed 5 to 1.

RESOLUTION NO. 18-23  
City of Hickory  
Authorizing Resolution  
The Rural Economic Development Division  
North Carolina Department of Commerce  
Building Reuse Program  
Project "Design"  
Building Reuse Application

WHEREAS, the North Carolina General Assembly authorized in 2013 funds to the North Carolina Department of Commerce Rural Economic Development Division to stimulate economic development and job creation. A portion of the funding authorized the making of grants to aid eligible units of government to stimulate the creation of jobs through the expansion and renovation of buildings currently in use that will spur economic activity; and

WHEREAS, The City of Hickory desires to assist through grant funding the economic renovation of a former manufacturing building located in Hickory; and

WHEREAS, The City of Hickory intends to request from NC Department of Commerce Rural Economic Development Division grant assistance for the project from the Building Reuse Program for the "up-fitting" and renovation of the facility:

NOW THEREFORE BE IT RESOLVED, BY THE HICKORY CITY COUNCIL:

That the City of Hickory will provide a minimum 5% match for an estimated \$500,000 grant request, if approved for a grant.

That Warren Wood, City Manager, and successors so titled, is hereby authorized to execute and file an application on behalf of the City of Hickory with The NC Department of Commerce Rural Economic Development Division for a grant to assist in the pre-development of the project described above.

That Warren Wood, City Manager, and successors so titled, is hereby authorized and directed to furnish such information as The NC Department of Commerce Rural Economic Development Division may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the City of Hickory has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to the grants pertaining thereto.

XV. There being no further business, the meeting adjourned at 8:24 p.m.

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Mayor

\_\_\_\_\_  
City Clerk