

A G E N D A

HICKORY CITY COUNCIL

March 15, 2016



7:00 p.m.



AGENDA
www.hickorync.gov

If you have any questions about any item on this agenda or if you need more information about any item in addition to the information contained in the agenda package, please call the City Manager at 323-7412. A "Citizen Comment Sheet", which explains the procedure to address the City Council, is located on the table outside Council Chambers. We also encourage you to complete the Comment Sheet and offer any suggestions or questions you have. For more information about the City of Hickory go to: www.hickorync.gov.

Hickory City Council
76 North Center Street

March 15, 2016
7:00 p.m.

- I. Call to Order
- II. Invocation by Rev. George Coates, Pastor, Hartzell Memorial and McQueen's Chapel United Methodist Churches
- III. Pledge of Allegiance
- IV. Special Presentations
 - A. Presentation of the Distinguished Budget Presentation Award for the Fiscal Year Beginning July 1, 2015. This is the twenty-first consecutive year the City has received this recognition. **(Exhibit IV.A.)**
 - B. Presentation of a Proclamation to Crawdads General Manager, Mark Seaman, Recognition of the Crawdads as the 2015 South Atlantic League Champions. **(Exhibit IV.B.)**
- V. Persons Requesting to Be Heard
- VI. Approval of Minutes
 - A. Regular Meeting of March 1, 2016. **(Exhibit VI.A.)**
 - B. Special Meeting of February 25, 2016. **(Exhibit VI.B.)**
 - C. Special Meeting of March 3, 2016. **(Exhibit VI.C.)**
- 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.
 - A. Approval of Temporary and Permanent Easements with Piedmont Natural Gas on City-Owned Property Located Off of Dietz Road. **(First Reading Vote: Unanimous)**
 - B. Acceptance of the Offer to Purchase City-Owned Property Located at 159 12th Street Court SE in the Amount of \$81,000. **(First Reading Vote: Unanimous)**
 - C. Budget Ordinance Amendment Number 18. **(First Reading Vote: Unanimous)**
 - D. Consideration of an Ordinance to Restrict Un-Muffled Engine Noise within the City of Hickory Limits. **(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. Approval of a Community Appearance Grant for Non-Residential Property Owned by Rahe Bryce, LLC Located at 200 2nd Street NW in the Amount of \$3,897.50. **(Exhibit VIII.A.)**

City Council created the Community Appearance Grant program in 1999 to provide economic incentives for property owners to improve the general appearance of properties located within the City's designated Urban Revitalization Area. The Community Appearance Commission reviews applications for the grant program and forwards a recommendation of approval or denial to City Council. The grants are designed as a reimbursement grant in which the City of Hickory will match the applicant on a 50/50 basis. The maximum grant amount from the City of Hickory is \$5,000. The grant proposal put forth by Rahe Bryce, LLC involves the renovation of an existing non-residential building. The proposal involves the installation of new stonework around two street side lower elevations of the existing commercial building. The applicant has provided two bids which total \$7,795 and \$17,100. Using the lower of the two bids, the request qualifies for a \$3,897.50 grant. The current tax value of the property is \$349,400. The value of the grant represents approximately 1.1 percent of the properties' tax value. On February 22, 2016, the Community Appearance Commission considered the grant request. Upon consideration the Community Appearance Commission, utilizing the City Council approved grant scoring criteria, scored the grant in the medium category (15 to 19 points), and voted 5 to 2 to recommend City Council's approval of the grant request.

- B. Special Events Activities Application, Hickory Oktoberfest 2016, Connie Kincaid, HDDA Executive Director, Hickory Downtown Development Association, event Times: October 7, 2016 12:00 p.m. to 11:00 p.m.; October 8, 2016, 10:00 a.m. to 11:00 p.m.; October 9, 2016, 12:00 p.m. to 5:00 p.m.; Set-up begins October 6, 2016 at 3:00 p.m. and Clean-up ends October 9, 2016 at 11:00 p.m. Alcohol sales will end at 10:30 p.m. on October 7th and 8th and 5:00 p.m. on October 9th. **(Exhibit VIII.B.)**
- C. Special Events Activities Application, Charity Chase Half Marathon, Kelly Pulliam, Chair, Rotary Club of Catawba County, June 5, 2016, 5:00 a.m. to 12:00 p.m., Hickory Elks Lodge to the Sails on the Square. **(Exhibit VIII.C.)**
- D. Special Events Activities Application, Patriots Day, Fire Chief Fred Hollar, City of Hickory, September 11, 2016 3:00, p.m. to 5:30 p.m., Union Square. **(Exhibit VIII.D.)**
- E. Special Events Activities Application, Pinwheels for Prevention/National Child Abuse Prevention Month, Kate Landry, Community Education & Outreach Coordinator, Children's Advocacy & Protection Center, April 1, 2016, 7:30 a.m. to 2:00 p.m. Zahra Baker All Children's Playground at Kiwanis Park. **(Exhibit VIII.E.)**
- F. Special Events Activities Application, Good Friday Gathering, Caleb Hayworth, Operations Pastor, Vintage City Church, May 25, 2016, 5:00 p.m. to 9:00 p.m., downtown Under the Sails. **(Exhibit VIII.F.)**
- G. Call for a Public Hearing – For Consideration of Rezoning Petition 16-01 for Approximately .48 Acres of Property Located at 225 S NC Highway 127. The Petition is to rezone the Property from High Density Residential (R-4) to Office & Institutional (OI). **(Authorize Public Hearing for April 5, 2016) (Exhibit VIII.G.)**
- H. Call for a Public Hearing – For Consideration of Rezoning Petition 16-02 for Approximately 2.44 Acres of Property Located at 826 21st Street Drive SE, 828 21st Street Drive SE, 857 23rd Street Court SE, 863 23rd Street Court SE, 903 23rd Street Court SE and a Portion of 830 21st Street Drive SE. The Petition is to Rezone the Properties from

High Density Residential – 4 (R-4) to Industrial (IND). **(Authorize Public Hearing for April 5, 2016) (Exhibit VIII.H.)**

IX. Items Removed from Consent Agenda

X. Informational Item

XI. New Business:

A. Public Hearings

B. Departmental Reports:

1. Contract Addition with Freese Nichols to Proceed with Bond Project Designer RFQ. **(Exhibit XI.B.1.)**

At the February 25th and March 3rd City Council Planning Workshops, Council reviewed the timing of bond projects under the purview of the Bond Commission. The next step is to select the best qualified designers for the Riverwalk, City Walk and the two gateways on US 321. Staff recommends Council amend the contract with Freese Nichols for \$27,000 to perform services in assisting the Bond Commission, Staff, and Council in selecting and contracting with designers for the three projects and approve the budget amendment.

2. Appointments to Boards and Commissions

COMMUNITY RELATIONS COUNCIL

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

HICKORY REGIONAL PLANNING COMMISSION

(Terms Expiring 6-30; 3-Year Terms With Unlimited Appointments)
(Appointed by City Council)
Burke County (Mayor to Nominate) VACANT Since 8-6-2008
Brookford (Mayor to Nominate) VACANT Since 6-2006

INTERNATIONAL COUNCIL

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

PARKS AND RECREATION COMMISSION

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

PUBLIC ART COMMISSION

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

RECYCLING ADVISORY BOARD

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

XIV. Adjournment

***Hickory City Code Section 2-56. Public Address to Council:**

“When conducting public hearings, considering ordinances and otherwise considering matters wherein the public has a right to be heard, when it appears that there are persons present desiring to be heard, the Mayor shall require those opposing and favoring the proposed action to identify themselves. Each side of the matter shall be given equal time. Those opposing the proposed action shall be allowed 15 minutes for presentation, followed by 15 minutes for those favoring the action, with the opponents then to have five minutes for rebuttal and the proponents to then have five minutes for surrebuttal. Those persons on either side shall have the right to divide their allotted time among them as they may choose. The Council, by majority vote, may extend the time for each side equally. On matters in which the person desiring to address the Council does not have a legal right to speak, the Council shall determine whether it will hear the person. The refusal to hear a person desiring to speak may be based upon grounds that the subject matter is confidential, that its public discussion would be illegal, that it is a matter not within the jurisdiction of the Council or for any other cause deemed sufficient by the Council. Any person allowed to speak who shall depart from the subject under discussion or who shall make personal, impertinent or slanderous remarks, or who shall become boisterous while addressing the Council shall be declared out of order by the Mayor, or by vote of the Council, and barred from speaking further before the Council unless permission to continue shall be granted by a majority vote of the Council, under such restrictions as the Council may provide.”

**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**



City of Hickory
PO Box 398
Hickory, NC 28603
Phone: (828) 828-323-7412
Fax: (828)323-7550
Email: rwright@hickorync.gov

Office of the Mayor

**RESOLUTION OF THE HICKORY CITY COUNCIL
HONORING THE HICKORY BUDGET OFFICE STAFF
UPON RECEIPT OF THE DISTINGUISHED BUDGET
PRESENTATION AWARD FOR THE
FISCAL YEAR BEGINNING JULY 1, 2015**

WHEREAS, the Government Finance Officers Association of the United States and Canada has bestowed upon the City of Hickory's Budget Office the Distinguished Budget Presentation Award for the twenty-first consecutive year; and

WHEREAS, this award is the highest form of recognition in governmental budgeting, representing a significant achievement by the City of Hickory, and reflecting the commitment of the City Council and Staff to meeting the highest principles of governmental budgeting; and

WHEREAS, in order to receive this budget award, the City of Hickory Budget Office satisfied nationally recognized guidelines for effective budget presentation that are designed to assess how well a City's budget serves as a policy document, a financial plan, an operations guide and a communications device.

NOW, THEREFORE, BE IT RESOLVED THAT the Hickory City Council hereby recognizes and honors the Budget Office Staff upon receipt of the **DISTINGUISHED BUDGET PRESENTATION AWARD** and its continuing efforts to improve the quality of budgeting and provide an excellent example for other governments throughout North America.

This the 15th day of March, 2016.

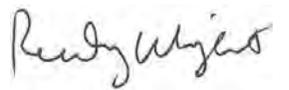

Rudy Wright, Mayor



Exhibit IV.B.
City of Hickory
PO Box 398
Hickory, NC 28603
Phone: (828) 828-323-7412
Fax: (828)323-7550
Email: rwright@hickorync.gov

Office of the Mayor

PROCLAMATION

WHEREAS, on September 17, 2015 the Hickory Crawdads won the South Atlantic League Championship; and

WHEREAS, the championship marked the third title in the Crawdads franchise history and the first since their wins in 2002 and 2004; and

WHEREAS, the Hickory Crawdads have consistently been an asset to the community, providing family fun and entertainment for all ages since their inception in 1993; and

WHEREAS, every Hickory citizen can be proud to have a three-time championship winning hometown baseball team to support.

NOW, THEREFORE, I RUDY WRIGHT, MAYOR OF THE CITY OF HICKORY, on behalf of Hickory City Council, do hereby proclaim April 4, 2016 as

HICKORY CRAWDADS DAY IN HICKORY, NORTH CAROLINA

This the 15th day of March, 2016.

A handwritten signature in black ink that reads "Rudy Wright".

Rudy Wright, Mayor

A Regular Meeting of the City Council of the City of Hickory was held in the Council Chamber of the Municipal Building on Tuesday, March 1, 2016 at 7:00 p.m., with the following members present:

Brad Lail Vernon Tarlton Danny Seaver	Rudy Wright Aldermen	Hank Guess David P. Zagaroli Jill Patton
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A quorum was present.

Also present were: City Manager Mick Berry, Assistant City Manager Rodney Miller, Assistant City Manager Andrea Surratt, Deputy City Attorney Arnita Dula, City Attorney John W. Crone, III, Governmental Affairs Manager Yaidee Fox and City Clerk Debbie D. Miller

- I. Mayor Wright called the meeting to order. All Council members were present.
- II. Invocation by Rev. Whit Malone, Pastor, First Presbyterian Church
- III. Pledge of Allegiance
- IV. Special Presentations
 - A. Business Development Committee, Dr. Dana Chambers, Legacy Award Presentation to Byron Logan, Carolina Office Equipment

Dr. Dana Chambers of the Business Development Committee explained the purpose of the Business Development Committee (BDC), which was to support economic development, and increase employment in the City of Hickory by identifying and accessing ideas and applying local economic development resources to determine the potential success of a project proposal. The committee evaluates grants, researches creative business spaces and discusses innovative incentives to help promote and grow new and existing businesses. She recognized Carolina Office Equipment which had been doing business and serving the Hickory community for over 65 years. She advised that Mr. Byron Logan, along with his three sons and 17 employees, had made helping customers run their businesses his business. They offer equipment and support services, a wide variety of office supplies, design services, and a gift and stationary department. As a US Navy combat veteran of World War II, Mr. Logan exemplifies the type of businessmen that the BDC is proud to support and honor, he has truly created a legacy. She presented Mr. Logan with the first Legacy Award.

Mr. Byron Logan commented that he was proud of Hickory and proud to be awarded this award. He signed up for the US Navy in 1944. He started selling out of his car in 1949 and worked in different counties selling typewriters and other machines. He commented there was a big difference in Catawba County compared to other counties. He could sell better in Catawba County. People were more open minded in Catawba County. He picked up and worked on equipment at night. He commented that he was pushing 90 and still worked. If you don't keep your mind active and keep working you will end up over in Oakwood. He recognized his wife, sons, and some of his employees who were in attendance. He mentioned that he had worked with George for 45 years and they never had an argument. He recognized the veterans in the audience and commented that we have to appreciate veterans. He suggested that City Council recognize the veterans with a key to the City when they come back from Iraq, or Iran to recognize them for their service. Mr. Logan praised the City of Hickory for the Senior Games. He talked about his great-great uncle Avery Powell and his role in bringing the railroad to Hickory. He commented that Hickory was a great place to live.

Mayor Wright asked Mr. Logan what was the last race he had ran.

Mr. Logan advised he did the polar plunge last Saturday. His mother paid for him to go to the "Y" for swimming lessons when he was 10. He was an exceptional underwater swimmer. He was washed out to sea, and by being a good underwater swimmer it saved his life. He had ran a race in Denver on Saturday and showed a medal he had won. He talked about a 5 mile run in Salisbury. He told a comical story about "today is the day".

Mayor Wright asked Mack McLeod if he knew how many medals and trophies Mr. Logan had won in the senior events.

Mr. Mack McLeod stated it was a bunch.

Mayor Wright commented that Mr. Logan's jacket was a State Senior Games Competition jacket with the navy insignia on the back. He commented that was a great award and it was fantastic that the BDC did that.

- B. Presentation of FY 2016-2017 Board and Commission Work Plans. Presenters will be allotted five (5) minutes to make their presentations to Council.

Board/Commission	Presenter
Business Development Committee	Dr. Dana Chambers

Citizens' Advisory Committee	Mark Huggins
Community Appearance Commission	Andrew Straw
Community Relations Council	Clise Plant
Hickory International Council	Hani Nassar
Hickory Regional Planning Commission	Brian Frazier
Hickory Youth Council	Alanna Church
Historic Preservation Commission	Larry Triplett
Library Advisory Board	John Kenny
Parks and Recreation Commission	Lloyd Coley
Public Art Commission	Todd Hefner
Recycling Advisory Board	Norm Meres
University City Commission	Ryan Edwards

Business Development Committee, Dr. Dana Chambers, mentioned that Jeff Neuville had agreed to stay on the committee as an ex officio member as well as Dr. Ralph Griffith with the Lenoir-Rhyne University Center for Commercial and Social Entrepreneurship. She discussed the key points of the work plan and advised that the Vacant Building Grant was an ongoing item that they would continue to fund to repurpose some of the spaces. The CDBG Microenterprise Grant is brand new and there are certain requirements for very small business owners. There are poverty level requirements with regards to the amount of the family income. One person has applied for that and they think it is a very innovative grant. They will continue recognizing established businesses, and other businesses that are 75 years and older. They will work with internships and mentoring and how they can partner with other groups to see what is needed in the community. She advised that they were presenting the work plan and budget but there may be some more requests through the year if some other opportunities come up for small businesses.

Citizens' Advisory Committee, Chair Mr. Mark Huggins, advised that the committee's primary goal is to get input from and give the citizens a voice on the Community Development program of how the funds are spent. The committee's objective is to represent citizens in planning, accessing, and reviewing the Community Development Block Grant (CDBG) program and utilization of home funds, North Carolina Housing Finance Agency funds and any other community development based funding the City of Hickory may receive through the Community Development Department. This impacts the community by providing services and programs to stimulate the development of affordable housing for low and moderate income families located in distressed neighborhoods within the City. They recommend loan applications to City Council for various housing related programs offered to low and moderate income families within the City of Hickory, including renovations of existing homes through the City's housing rehabilitation programs. This will provide affordable low interest housing loans to renovate existing substandard housing for low and moderate income homeowners. Funding from this would come from the CDBG Entitlement Funds Rental Rehabilitation Program income, NC Housing Finance Agency funds, and other funds as they become available. To stimulate the development of new affordable housing they will continue to investigate options for redevelopment of City owned property as affordable housing. Funding will be from CDBG Entitlement funds, North Carolina Housing Finance Agency, local finance institutions and self-help credit union. Low to moderate income families within the City of Hickory will be recipients of loans using available funds. They will also provide funding for infrastructure and public facility improvements in low to moderate income neighborhoods using CDBG Entitlement funds to help achieve the CDBG goal of creating suitable living environments. He thanked Council.

Community Appearance Commission, Chairman Mr. Andrew Straw, showed a PowerPoint presentation and listed the members serving on the commission. Their mission is to enhance the appearance of the City by advising and implementing programs of community beautification. In the current year the commission had implemented new grant operating guidelines and procedures, re-energized the beautification awards program, continued the refresh of the adopt-a-spot program, and participated in the Arbor Day program by giving away tree seedlings. He advised that their major budget item was the grant program. The commission had forwarded to City Council nine grant applications totaling over \$34,000. He showed a photo of the impact of one of the projects in the Highland Avenue area. He pointed out a photo of Carson Hart and his Eagle Scout project which had received a beautification award in the special category for 2015. The work plan for 2016/2017 was largely the same as the previous year. The major part being the grant program and the support of the litter pickup program. They recommended the minor redistribution of funds to add some funding to support the beautification awards by slightly decrementing the Arbor Day Tree and Litter Education Programs. He showed a slide of the recommended breakdown of the total \$51,300 budget request.

Mayor Wright commented each of these chairmen and representatives of these commissions were here on behalf of their entire commission. On average these commissions have 12-15 people, some bigger and some smaller. A total of approximately 200 people serve on the boards and commissions not counting the Bond Commission

group which is approximately 45. That 200 represents about one-half of one percent of the people of Hickory or about one out of every 200. They are giving their time and serving the City well and making this a better place to live.

Community Relations Council, Chair Ms. Clise Plant, presented a PowerPoint presentation of the work plan and how their budget had helped various organizations of the City. The work plan consisted of four main parts: 1) a grant program which occurs twice a year in the spring and fall. She advised there had been an uptick in applications for the grants. This past fall they had a total of 17 applicants. She advised that it was tough to narrow down the recipients and these groups are doing amazing things for the City of Hickory. 2) There is also a multicultural event which is typically held in the spring. This event honors groups and individuals for outstanding human relations in the community. 3) A Board retreat in Hickory that trains the Community Relations Council members. She showed a slide of the Board retreat held in September 2015, the Community Relations Council members participated in a diversity exercise lead by Emma Sellers who is the Director of the Lenoir-Rhyne Office of Multicultural Affairs. 4) A Community sponsored event in October which is the community movie night. Residents can donate food in exchange for movie tickets at the Carolina Theatre. They had about 250 people that attended that event last year and donated 465 pounds of can foods. The movie shown was Charlie Brown. She showed examples of the previous and recent grants: Western NC Epilepsy Hope garden. This program provides fresh vegetables and fruits to its members and other non-profits such as Cooperative Christian Ministry and the Soup Kitchen. The program strives to help people with garden skills so they can better provide for themselves. The Young People of Integrity produced a documentary "Calling Catawba County Home", which was a documentary on diversity from actual Hickory and Catawba County residents from their own perspectives and experiences dealing with race relations. She commented that we are doing really well in the City of Hickory with regards to that and it is a must see. Hickory Music Factory which is a program that has the musical storytelling series that exposing children in the community through literature through the use of music and musical instruments. The Lenoir-Rhyne Office of Multicultural Affairs designed to expose Latino High School students to the college experience. She showed the Human Relations Award event held Under the Sails on the Square in the spring. They typically have four award winners. She advised their events are open to the public and the food is always provided by local vendors and there is a musical event at the end. She showed a photo of the Aztec Dancers performance. She advised that the Community Relations Council requests was for \$17,000 for fiscal year 2016/2017. She commented that this was the same amount that was granted to them in the previous year. She provided a breakdown of the funds that they had received: Grants - \$12,400, Community Relations Events - \$2,500, Training and Council Development - \$1,250 and Outreach Efforts - \$850 for the movie night. She thanked Council for the opportunity.

Alderman Zagaroli inquired about the community garden. He asked if anybody could get a plot on that.

Ms. Plant didn't have the information. She commented that it was so important for people in the community to know how to grow their food, especially during this economy. This is a great way, especially for low income citizens to know how to grow their food. It is a win/win for everybody, and they are glad to help this organization and other organizations help out the citizens.

Alderman Zagaroli questioned if the plot was in town.

Ms. Plant confirmed there was a plot in the City of Hickory. That is why they were approved for the funds because it is in the City of Hickory. It is in their work plan that it has to benefit the City of Hickory since the funds are from the City.

Alderman Zagaroli asked if she could advise him of the location.

Alderman Lail advised it was located off of North Center Street in a lot beside the creek in the floodplain area.

Alderman Seaver commented that there are also community gardens at Ridgeview and Civitan Park too.

Ms. Plant advised that there is more than one plot.

Hickory International Council, Mr. Hani Nassar presented a PowerPoint presentation. He advised the activities were a repeat of last year. He showed the Pangea Model UN Conference scheduled for March 8 - 9, 2016 at Lenoir-Rhyne University, they have 175 students registered for this event. It is delegates in roleplay of what the United Nations does. There are 29 countries that will have delegates represented at this event next week. The International Film Festival for Children will occur sequentially April 25-28 at the SALT Block, Maiden High School, and Newton Conover Middle School auditorium. He listed the schools involved in the event for grades 4-6. He advised that the Footcandle Society

received 321 submissions from 49 countries. He listed some of the countries of where the submissions were from. They had to go through all of the submissions to select a few that the students would see. Fifteen of those had been submitted to the school system Superintendents so they could screen through them and decide which ones that they would show the students. The Folkmoot USA Festival is scheduled for July 19, 2016 at the SALT Block Auditorium. He advised that four times a year they bring in foreign movies for the Footcandle Film Society. They bring in movies that have won academy awards. Son of Saul will be shown in April at the Carolina Theatre. In September and October they have Great Decisions which is America's largest discussion program on world affairs. There are eight topics issued by the Foreign Policy Association every year. The topics are discussed and debated two hours a week for eight weeks by approximately 30 community members who participate. He showed a list of the eight topics for this year. Mr. Nassar discussed the Community Grant and commented that they would like to have more applications. He advised that one winner was St. Stephens Elementary School for Hmong Scholars Day Camp which was for two weeks in July. Another winner was from the Western Piedmont Council of Governments area Agency on Aging. This was called the Care for the Hispanic Family Caregiver project. The goal was to empower all caregivers of older adults in Catawba County with information, resources, and support to help their caregiving journey be successful. This project is starting in the Hispanic community. This year the grant was for \$500 each. In the work plan for next year he wanted to increase that to \$750 for a total of \$1,500 or three grants of \$500 each depending on how many applications that they have. He mentioned the Steve McCurry Photographic Exhibit at the Hickory Museum of Arts which was a collaboration between the Hickory Museum of Arts and Catawba Camera Club as well as the Hickory International Council. He pointed out the 1984 photo taken by Steve McCurry which became the most recognized photograph in history for National Geographic magazine. The exhibit will be at the Hickory Museum of Art from September 2015 to May 2016. He advised that the Christmas Concert was scheduled for December 10, 2016, done by the Romanian Baptist Church at the SALT Block Auditorium. Last year the concert was recorded and livestreamed. He advised that there was a link on their website that the concert could be accessed through. He requested to increase the grants from \$500 to \$750. He requested \$14,000 for Hickory International Council. He advised that they also raised some money for some events, so it is not only the money that they get from the City. They do give back to the City what they don't use.

Alderman Lail commented that it was a lot of work to screen 321 movies.

Mr. Nassar confirmed that was correct. It is tough to select movies for children so they have to be very careful.

Hickory Regional Planning Commission, Mr. Brian Frazier, advised the Chairman could not be present therefore he would be presenting the work plan. He advised that the Planning Commission was not requesting additional funding. The commission would be completing its five year review of Hickory by Choice. He commented that it was a significant review and update which would be driven by the Planning Commission and Staff. They are looking at adding chapters to address the bond initiative as well as historic preservation and public health. Once Staff and the commission's subcommittee goes through the Hickory by Choice plan, chapter by chapter, they will delve into the Hickory Future Land Use and the zoning map as well as the Land Development Code. This process is expected to not be brought to Council until late 2016 or early 2017 because it is a five year update and there is quite a bit of work. The commission will also continue its expeditious review of rezoning special use permits, rezoning's, and the like. They are also working with planning staff to monitor the City's EPA area wide planning grant located on the south side in the 127 and 70 corridors. That process is just getting started. They started a new and revised Brownfield Advisory Group. They are working with AMEC Foster Wheeler out of Durham who had assisted with the last Brownfield Grant. They are looking at staying current on planning related issues at the State, local and national levels, and they will continue to provide direction for City Staff regarding any upcoming long range planning projects.

Hickory Youth Council, Chair, Ms. Alanna Church, highlighted events from this year. They had two department tours one at the Public Service complex, and the Hickory water plant. The next tour will be at the Police Department. They coordinated with Frye Regional Hospital where they held a Christmas and Valentine's Day party for rehabilitation patients. They also volunteered with the backpack program. They attend two conferences, one in Durham and one in Winston-Salem. They furthered their knowledge regarding the Youth Council by communicating and meeting with various Youth Council's from across the State. For the remainder of the year they are planning on attending the State Youth Council convention that will be held in Charlotte and they are also holding an elected official forum in April. They are going to help with the planning and execution of the annual Easter Egg Hunt. They had great success with their coat drive in the fall which inspired them to have a sports equipment drive in the spring. The Youth Council teaches High School students the fundamentals of local government and also prepares them for a future in the community. They requested \$3,600. They felt that this amount was sufficient for them to achieve and hopefully exceed these goals next year and to grow the youth into better citizens. She

commented that the question always comes up on how to get people her age to come back to Hickory and get a family here. She felt that by being a part of the Youth Council it was a great first step. She had gained such an appreciation for Hickory and she is happy to live here.

Mayor Wright asked how many eggs they would hide this year.

Ms. Church responded it seems like a million, but she wasn't exactly sure of the number, it was a lot.

Mayor Wright commented he thought it was 25,000 eggs.

Ms. Church commented that the Youth Council stuffed all of them.

Mayor Wright commented that it always amazed him, 25,000 eggs.

Historic Preservation Commission, Chair Mr. Larry Triplett advised that they review applications for Certificates of Appropriateness, review nominations for the National Register of Historic Places and make recommendations on historic districts and landmarks and they attend planning conferences to keep up to date on those things. He advised that their budget remained \$11,100. They recently completed an updated historical survey. They did post war neighborhoods dating from the 40's to the 70's. They continue to implement their plaque program for the historic houses. In the last year and a half they have distributed 41 plaques. There is still approximately 100 that could be purchased by the residents, one half by the City and one half by the residents as they are paid for. On March 8th they will be having a preservation workshop at the Crossing at Hollar Mill at 6:30 p.m. They will learn about State and local programs and tax credits.

Mayor Wright commented that the City has really stood out in preserving our old buildings and converting them to up to date uses.

Library Advisory Board, Chairman Mr. John Kenny, advised that there were ten members on the Library Advisory Board. He discussed a brief explanation of what they do and why they exist. He felt it was important to educate folks about what the Library Board does. They may not know about other things going on at the library. He commented that they exist to get the greater Hickory and Catawba County communities involved in what the libraries are doing, both in an educational sense and making them aware of learning opportunities. He discussed some things that the library had done in the past year. There had been articles in the Hickory Daily Record about the library. There is a public library newsletter. Members of the Board have been speaking to local civic groups. It had been on the radio on the Hal Rowe Morning First Talk show. There had been a focus on advocating for library funding at the local and State levels. One of their objectives is to work with the Lenoir-Rhyne University visiting writer's series, which has been immensely popular in terms of the kinds of folks it brings and the statue of those writers. He gave an example of Anne Lamott, a California writer, coming to Lenoir-Rhyne University, but before that appearance she will be at the Public Library on April 7th to do a book signing.

Parks and Recreation Commission, Mr. Lloyd Coley presented a PowerPoint presentation. He advised that their objective is to strongly emphasize the Parks and Recreation department's plans and efforts to renovate and upgrade the existing recreation facilities and buildings. He showed photos of completed projects: the Hickory Optimist Park Phase 1 improvements, Brown Penn Senior Citizen Center renovation, and Kiwanis Park Field number one fence replacement. He advised that the next five projects were already funded which included the Southside Heights Park restroom facility location, additional parking at Hilton Park, Hickory Optimist Phase 2 improvements, and the paved trail resurfacing at Hilton Park. Another objective was to continue to pursue collaborative public/private partnerships to upgrade and improve Hickory's parks and recreations services. To play special emphasis and focus on the following four initiatives: proposed improvements to Geitner Rotary Park by the Robert Lackey family, proposed tennis complex improvements at the Hickory City Park by the Greater Hickory Tennis Association (GHTA), Friends of Hickory proposed downtown park, and the Kiwanis Park splash pad. Another objective is to continue exploring the Parks and Recreation Commissions recommendation to pursue an aquatic recreation facility that would serve the entire Hickory community by researching funding mechanisms, locations, and infrastructures. They will play special emphasis on the potential inclusion of splash pads and spray grounds into the Hickory Park system. He showed a rendering of the actual splash pad that is underway at Kiwanis Park. They will also continue support of Hickory's partnership with the Hickory Foundation YMCA to provide the opportunity for all personal residents to participate in swim lessons. He pointed out there had been 2,223 people from 2009-2015 for swim lessons. Another important object was to support completion of the Sandy Pines Park Master Site Plan as recommended in the 1997 Parks and Recreation Master Plan. The 2010 Parks and Recreations need assessment and endorsed by Hickory by Choice. He showed a property shot of the Sandy Pines area. The final objective was to support the

development of the future Bruce Meisner Park as recommended by the approved Park Master Site Plan.

Mayor Wright commented that is pretty ambitious.

Alderman Seaver commented that they had already been to work there was three things scratched off from the very beginning.

Mr. Coley commented that he was technologically challenged and he had asked Mr. McLeod to put something together for the presentation that would be simple enough for him to present. He thanked Mack McLeod, Michelle Wilkerson and his Staff for their assistance.

Public Art Commission, Mr. Todd Hefner, showed a PowerPoint presentation. He discussed accomplishments of the Public Art Commission. They had purchased three new sculptures and were awaiting installation. The first sculpture was "Generations" designed by Stefan "Steebo" Bonitz which would be located in Sally Fox Park. The next one was "Study Time" by Jonathan Mhondorhuma which will be located to the left of the entrance to Patrick Beaver Memorial Library. The third one is "Nature's Way" by Prosper Chirodza and will also be located in Sally Fox Park. They are having some maintenance issues with the benches. He showed a photo of the bench with the Hickory Logo at Robinson Park. The issues are rust and skateboards. He showed the American Flag bench at Hickory Optimist Park and Lady of the Lake at McComb Park that also needed repairs. They have at least 12 benches that are in need of repair and two sculptures. The average cost of the bench is \$150, and the sculptures are approximately \$1,000 each. They have to be removed and taken off site and brought back to where they are located. In the 2016/2017 work plan they will continue the public art program sculpture acquisition in the amount of \$16,000; and provide outreach and educational efforts to build support for public art. Some of the commission's continuing initiatives include the art walk brochure development. After almost 10 years they hope this will be accomplished this year in the amount of \$2,000. Revisions and improvements to the Public Art website, training and subscriptions - \$500, provide for maintenance of existing art work - \$4,000. The Public Art Commission returned \$9,184.94 to General Fund in fiscal year 2015. The total request was \$22,500.

Alderman Seaver asked about the 12 benches that needed maintenance, did they need to be rebuilt or just painted.

Mr. Hefner advised painted and repaired.

Alderman Seaver commented that those are pretty sturdy benches, it would really take something to tear one of those up.

Mr. Hefner replied they weigh about 300 pounds each.

Alderman Seaver commented that is why they are still there.

Recycling Advisory Board, Chairman Mr. Norm Meres, discussed accomplishments from last year. They took a really big step forward with the single stream recycling program and the implementation of it in June of 2015. It was a big step forward for the recycling program that was already successful with the curbside recycling in the residential. It had gone a long way to continue to reduce the waste stream and things going to the landfill. He advised that it is the large blue rollout that enables the City to take on a much broader range of materials to recycle. The pickup is every other week. Items now taken are mixed paper, cardboard, and more plastics than was done before. He reiterated that it began in June and it had not been a full year yet. The transition to it and the implementation went very well and smoothly. There was a lot of great support from the City and really good feedback from citizens on what has happened with it. Everyone had been real positive about the additional materials and what they were able to rollout to tell people what they could recycle and how the whole program worked. There has been a tremendous increase in the amount of residential recycled material that is recycled therefore it is diverted from the landfill. It nearly doubled the tonnage year to year at this point. They are still tracking the numbers of the residential recycled amounts because of the availability of the single stream. The participation rates remain strong in the City. They were strong with the curbside program. They are continuing to look at those numbers too. It is a little difficult to have direct comparisons because the pickup is every other week. If someone doesn't use it every other week, it looks like they are not using it when it is they have space and they are just doing it more like once a month. It has been successful and continues to grow. For the coming year the Board will continue to monitor the program itself and what they can do to improve it, and extend the program. In 2015 they added some items to the website to make it easier for the citizens to see information about what to recycle, and if there is something that they can't recycle where else they could take it. There had been hits a number of times with the maps to tell you what day the pickup occurs. Another area that they have had great support within the City, in conjunction with the County, was the household hazardous waste collection that happens once a year. It occurred last

November and they had a record number of participants in that, another success that has continued from year to year. In 2016 they will keep looking at areas where there is low participation and increase educational opportunities to get more people to recycle and do the right things. They will look at multifamily housing as other areas of opportunity to do more recycling. Also in the work plan is to continue to educate the children. Each year they have sponsored, together with the County, a play for 4th graders to get children thinking about recycling and talking to their parents about it. He thanked City Council for their support. He stated that it started with the curbside program in 1991, it is in the 25th year that the Board has been together. He commented that it is great to see it grow and expanding and doing real well. They expect to have continued improvement and changes this year. Hickory has been a leader in the recycling.

Alderwoman Patton requested an up to date report on how much was diverted when the year was up. She thought it had been a great program.

Mr. Meres advised they were tracking numbers and would do that at the end of the year.

Alderman Seaver liked the strategy of tracking what areas may not be using it as much. He asked how they proposed to educate the people in that area. Would they knock on doors, or have a community meeting?

Mr. Meres advised that some of that had been neighborhood meetings, and other community type of meetings before. Some could be more specifically targeted like that. They haven't done anything quite like that yet, but try to understand why people are not doing it, and if they aren't do they really understand the program. It is really getting the information out to them.

Alderman Seaver questioned if there was data showing how successful they were in educating the citizens.

Mr. Meres commented he didn't know if they had anything exactly like that. They have always done that each year with looking at the general curbside program. It is so much easier when you are throwing all of the things together and let them be sorted out later, people don't realize how easy it really is to do that.

Alderman Seaver stated at his house they had enough to go every week.

Mr. Meres commented that many people are finding that what is going into the regular trash can it is not as full anymore because you are moving so much to the recycling bin. It has worked really well at a lot of households.

University City Commission, Chair Mr. Ryan Edwards, commented that they had done a lot this year. They are going into their third year of existence as a commission. He highlighted some of their projects. They had further implemented the Lenoir-Rhyne corners, the discount program which has over 30 retailers/restaurants within the area providing discounts to faculty, staff, and students for Lenoir-Rhyne. He advised that was the ones that they had tract and turned in their logos to the University. The Lenoir-Rhyne corners project has taken that to a second level. They are putting together packages and initially seeking out those members of the discount program and providing them with pennants or other types of Lenoir-Rhyne apparel or memorabilia. This has gained a lot of traction within the last few weeks and there has been a lot of support with that. There has been the presence of the University City Commission (UCC) through shirts within the student section of Lenoir-Rhyne, through Bear Nation. As the UCC seeks to forge a deepened relationship between Lenoir-Rhyne University and the City of Hickory that is presence on the back of the student shirts. When they are going out further from Hickory, friends, family members, and the public can see that. They will be working with Lenoir-Rhyne, and have been throughout, to promote their 125th anniversary. They have a number of events going on this year celebrating that anniversary. They are trying to make other people in the area and citizens within Hickory aware of those. One item that they are assisting with is the 5K run in April. They are also working with the City to potentially have a Lenoir-Rhyne night at the Sails later this year. They are working with the City, Duke Energy, the Bond Commission's Streetscapes and Gateways Subcommittee, and Lenoir-Rhyne with ideas from I-40 into the University. They had several meetings and they hope to have further discussions with the Bond Commission as they look to try to get public/private partnerships, especially with that corridor. He advised that the request was \$12,000 to continue to maintain current programs, and they will pursue other programs and partnership opportunities to enhance their mission during the given year.

Mayor Wright asked for a hand for all of the volunteers. There is something going on all the time, every day. Citizens trying to better the community we all share.

V. Persons Requesting to Be Heard

March 1, 2016

- A. Mr. Larry Pope, thanked Council for the opportunity to be heard on an issue that he was personally working on through others in the City and the community. He had received a copy of the City Charter for the City of Hickory. When he read that copy that he was given, he was interested in seeing what it had to say about impeachment of City Council, Mayor or anyone else in the City who was elected to a position. The only thing that it said was that City Council members can impeach another City Council member by a majority vote for doing something that was unacceptable. Nowhere in that charter did it say how a citizen who has the right to vote, and who has the right to choose who sits on Hickory City Council and who is the Mayor of the City. What steps need to be taken for that citizen to circulate whatever is required to get the number of signatures that is needed? He personally called Catawba County Board of Elections, they did not have an answer because they did not know. He called the State of Board of Elections, they had no answer because they did not know. He wrote the Attorney General for the State of North Carolina Roy Cooper and he never received a response from him. He asked Mayor Wright to submit to him, by whomever needs to submit it, in writing, what it would take to impeach Mayor Wright and City Council as Council members. He commented that there has got to be something somewhere but no one seems to know where it is or what it exist under. He advised that he was asking for it in a reasonable amount of time. In which to him was ten days should be reasonable and should be enough time to submit whatever needs to take place by voters/citizens of this City and what they need to do if it is a desire to impeach the Mayor and City Council members if that is what is chosen to happen. He thanked Council.

Mayor Wright asked City Attorney Crone if he would take that up for the next meeting.

City Attorney Crone commented that he could give him a shortcut if he wanted to have something to look at before he gave them something formal. The way citizens remove people from City Council or the Mayor is called the ballot box. That is the first way. There is a great treatise if you go onto the Institute of Government's website. There is a lawyer who specializes in this particular area of the law named Robert Joyce who has a very good treatise on removing elected board members from office. Mr. Crone advised that he would be glad to print it for Mr. Pope and get it to him.

Mr. Pope thanked Mr. Crone.

VI. Approval of Minutes

A. Regular Meeting of February 16, 2016

Alderman Lail advised of a correction to the minutes, page 55 in the agenda packet the term "against a fine item" should have been "against finite".

Alderman Seaver moved, seconded by Alderman Lail that the Minutes of February 16, 2016 be approved with the noted correction. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderman Seaver seconded by Alderman Lail and 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 Zagaroli that the following be reaffirmed and ratified on second reading. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderwoman Patton seconded by Alderman Zagaroli and the motion carried unanimously.

- A. Approval of a Community Appearance Grant for Non-Residential Properties Owned by Tim Cline Properties, LLC Located at 246-252 Union Square in the Amount of \$5,000. (First Reading Vote: Unanimous)
- B. Approval of the 2016 Loan Agreement with the National Museum of the United States Air Force under their Static Display Program for Loan of Aircraft to the City of Hickory/Hickory Regional Airport. (First Reading Vote: Unanimous)
- C. Approval to Amend the Parking Ordinance for the Farmer's Market to Supersede Last Year's Ordinance (15-03) with a Time and Date Change. (First Reading Vote: Unanimous)
- D. Approval of Amendment One (1) to the Agreement for Consulting Services with Gavel & Dorn, PLLC in the Amount of \$17,000 for the Central Business District Waterline, Sewer Line and Storm Drainage Rehabilitation Project. (First Reading Vote: Unanimous)

March 1, 2016

- E. Acceptance of Change Order One (1) with Hickory Sand Company, Inc. in the Amount of \$6,890 for the Construction of the Sherwood Forest Sewer Project. (First Reading Vote: Unanimous)
 - F. Acceptance of a 25 Foot Temporary Construction Easement and 25 Foot Sanitary Sewer Line Easement for the Property of Randall Javann Bryant and wife, Constance E. Bryant, PIN #3724-18-40-0894, for Installation of a Sanitary Sewer Line. (First Reading Vote: Unanimous)
 - G. Acceptance of Bid and Award of Construction Contract to Iron Mountain Construction Co. Inc. for the Construction of the Kenworth Waterline Rehabilitation Phase 3 Project in the Amount of \$627,000. (First Reading Vote: Unanimous)
 - H. Budget Ordinance Amendment Number 17. (First Reading Vote: Unanimous)
 - I. Approval of the Parks and Recreation Commission's Recommendation to Rename the Proposed Cloninger Mill Park to Bruce Meisner Park. (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.

Alderman Lail moved, seconded by Alderman Tarlton approval of the Consent Agenda. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderman Lail seconded by Alderman Tarlton and the motion carried unanimously.

- A. Approved the Special Events Activities Application Hickory Hops, Connie Kincaid, HDDA Executive Director, April 16, 2016, Event Time 1:00 p.m. to 7:00 p.m., (Set-up April 15, 2016 7:00 a.m. and Clean-up Ends April 16, 2016 11:00 p.m.), Government Avenue & Second Street SW.
- B. Approved the Special Events Activities Application Downtown Hickory Art Crawls, Connie Kincaid, HDDA Executive Director, May 19, September 15, and October 28, 2016, 4:00 p.m. to 9:00 p.m., Union Square, 3rd Street NW, 2nd Street NW, 1st Avenue NW, 1st Avenue SW, 2nd Street SW, and Government Avenue SW.
- C. Approved on First Reading the Temporary and Permanent Easements with Piedmont Natural Gas on City-Owned Property Located Off of Dietz Road.

The City owns multiple properties located off of Dietz Road near the River Road interchange on US 321. Piedmont Natural Gas has a sizable transmission easement and two gas lines running through the property. Piedmont Natural Gas is working on a project to upgrade the existing lines and construct a new line in the easement. This requires an additional 2.051 acres be added to the existing 3.722 acre easement. An additional 1.108 acres of temporary easement will be required during the construction process. Staff has researched easement prices and spoken with professionals involved in real estate and feels that the price offered by Piedmont Natural Gas of \$7,200 for the permanent easement and \$1,600 for the temporary easement is fair. The easement prices are based on 50 percent of the total value for the permanent easement and 20 percent of the total value for the temporary easement. Staff recommends City Council approve the temporary and permanent easements with Piedmont Natural Gas on City-owned property.

- D. Approved the Revisions to the Vacant Building Revitalization Grant Program.
- In the 2015 session the North Carolina General Assembly approved some revisions to the State Economic Development Law (NCGS §158-7.1). The revisions clarified the procedural requirements for cities that make expenditures under that part. The City has used this section as the authority for its Vacant Building Grant Program since its inception in 2008. The statute now requires that the City hold a public hearing prior to expending funds under the authority. The revisions to the guidelines outline the required procedures to keep the City's policy consistent with the new law. Another change removes the requirement for a Phase 1 Environmental Site Assessment prior to application for funding. Since the City no longer has funding from the EPA to conduct these assessments, this requirement is no longer practical as it creates an additional required cost to the owner that may not be required by their financing institution. Staff recommends Council approve the proposed revisions to the Vacant Building Revitalization Grant Program.
- E. Approved on First Reading Acceptance of the Offer to Purchase City-Owned Property Located at 159 12th Street Court SE in the Amount of \$81,000.

March 1, 2016

Community Development Block Grant (CDBG) funds were used to purchase and rehabilitate the home located at 159 12th Street Court SE. Because the property was purchased and renovated with CDBG housing rehabilitation and purchase program funds, the property must be sold to a low or moderate income buyer and who will occupy the home as a principal residence. Staff has received an offer on the property for \$81,000, which is slightly above the asking price of \$79,900. However, the buyer is asking for the \$4,000 in closing cost assistance. This will help reduce the out of pocket expense for the buyer. The property has been listed for sale with Hickory Real Estate Group since July 2015. Staff feels that this offer is fair in light of the income and owner occupancy restrictions on the home. Since the home is being sold to an income eligible buyer as affordable housing, NCGS §157-9 authorizes the City to sell the property without using a competitive sale or upset bid process. The competitive sale requirement would be incompatible with the income and ownership restrictions that are necessary due to the use of CDBG funds to purchase and rehabilitate the property. Staff recommends acceptance of the offer to purchase City-owned property at 159 12th Street Court SE.

F. Approved on First Reading Budget Ordinance Amendment Number 18.

ORDINANCE NO. 16-11
BUDGET ORDINANCE AMENDMENT NO. 18

BE IT ORDAINED by the Governing Board of the City of Hickory, that pursuant to Section 15 of Chapter 159 of the General Statutes of North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2016.

SECTION 1. To amend the General Fund, the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Public Safety	21,057	-
TOTAL	21,057	-

SECTION 2. To amend the General Fund revenues for the above, the revenues will be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous Revenues	293	-
Other Financing Sources	20,764	-
TOTAL	21,057	-

SECTION 3. Copies of the budget ordinance amendment shall be furnished to the Clerk of the Governing Board, and to the City Manager (Budget Officer) and the Finance Officer for their direction.

IX. Items Removed from Consent Agenda – None

X. Informational Item

A. Report of City Manager Mick Berry’s travel to the NC City and County Management Seminar, February 3-5, 2016, Durham, North Carolina, (Meals and Lodging - \$322.56; Registration Fee - \$335; Mileage Reimbursement - \$183.43).

City Manager Mick Berry reiterated his travel to the NC City and County Management Seminar, February 3-5 in Durham, NC.

XI. New Business:

A. Public Hearings

1. Approved on First Reading Consideration of an Ordinance to Restrict Un-Muffled Engine Noise within the City of Hickory Limits.

Un-muffled engine noise is a concern for citizens, especially those who live near the interchange of I-40 and US Hwy 321 particularly at night. Large trucks exiting the interstate use their engine to slow them down in an inappropriate manner in lieu of using their braking systems properly. The noise caused by using this method is loud and disturbing to nearby property owners creating noise pollution. The City of Hickory Traffic Division has worked closely with NCDOT to follow guidelines in order to restrict un-muffled engine noise. Steps are being taken to get the appropriate signage in place as soon as the ordinance is passed. Staff recommends Council consider adopting the ordinance regarding un-muffled engine noise.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on February 19, 2016.

City Manager Mick Berry asked the City's Public Services Director Mr. Chuck Hansen to the podium to present Council with a draft ordinance to restrict un-muffled engine noise within the city limits of the City of Hickory.

Public Services Director Chuck Hansen advised Alderwoman Patton that he would give her a sneak preview on her previous question. For the seven months that the City had single stream recycling compared to the previous seven months and before that, the City was up 94 percent in tonnage.

Mr. Hansen began his presentation on un-muffled engine braking. Staff had some requests, mainly in the interchange of I-40 and 321. There are some local subdivision in that area, and most of this was nighttime noise versus daytime noise. They do get some nighttime noise in that area mainly tractor trailers using an engine braking mechanism. He advised that it sounded like a chattering and using a lot of exhaust noise to help slow the vehicle down. He advised that it has to do with the compression of the engine and releasing that compression off. It produces a pretty loud noise in the exhaust system and it keeps them from hitting the truck brakes.

Alderman Zagaroli commented a jake brake.

Mr. Hansen advised that the Department of Transportation has been working with this across the State. This has gone on for 9 to 11 months. The Department of Transportation (DOT) is in the process of developing some standards that they would allow that across the State, if municipalities chose to follow, that on one of DOT's roadways. He commented that I-40 and 321 are NCDOT roadways. Part of that is in the City limits. That interchange is in the City limits. Through DOT's guidelines they allow if a City chooses to adopt a local ordinance then the City can enforce the un-muffled engine braking policy where that use is prohibited. In this case the first step would be the ordinance be approved to allow that to be enforced. The next step would be signage would be installed along the exit ramps on I-40, where you drop off to US 321 both northbound and southbound. It is difficult to enforce and to police. In that industry they do see it a lot of places where the un-muffled engine brake signs exist. He felt there would be some participation from the truck industry associated with that. He advised if Council adopted the ordinance that Staff would work with DOT to obtain an encroachment agreement, and they would have to get the signs made and installed. He advised that the ordinance was due to the tractor trailers using the engine braking system which creates noise in doing that. This says you can't do that in this area use your regular brakes. Even after the signs are installed it will take a little while for trucks to cycle through their location in their routing and see that sign, and hopefully begin to honor that sign and improve that condition. He advised that Staff was responding to requests from neighbors in mainly the southwest quadrant of that interchange, which is one of the closer subdivisions in there.

Mayor Wright questioned if the truckers were doing this to extend the life of the brakes.

Mr. Hansen commented in most cases. It would be extending the life of the brake system. You actually turn this mechanism on and off with the flip of a switch. He clarified that this doesn't permit someone from using that system in an emergency scenario. He commented that is a long exit ramp, off of I-40 on to the exit lane. It is easy for them to flip the switch and stay off the brakes and slow down and roll through that. Probably more so headed southbound I-40 east to 321 southbound.

Alderman Seaver asked if the ordinance specifically was to handle those kind of brakes on the trucks, the noise ordinance holds the others.

Mr. Hansen commented that in most cases this tucks up under the noise ordinance. This is not the exhaust system. This is not the muffler on a vehicle. This is an engine braking system which vents itself through the exhaust sound on those types of trucks.

Mayor Wright 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. No one appeared. Mayor Wright closed the public hearing.

Alderman Seaver moved, seconded by Alderman Guess approval of the Ordinance to Restrict Un-Muffled Engine Noise within the City of Hickory Limits. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderman Seaver seconded by Alderman Guess and the motion carried unanimously.

ORDINANCE NO. 16-10

AN ORDINANCE OF THE CITY OF HICKORY, NC RELATING TO THE REGULATION OF UNMUFFLED ENGINE COMPRESSION BRAKES

WHEREAS, under N.C.G.S. 160A-187, a city may by ordinance regulate, restrict, or prohibit the production or emission of noises or amplified speech, music, or other sounds that tend to annoy, disturb, or frighten its citizens; and

WHEREAS, the use of engine compression brakes, also known as "jake brakes" by motor vehicles, creates noise which unreasonably and excessively disturbs the public; and

WHEREAS, the City Council of the City of Hickory deems it appropriate and necessary to prohibit the use of engine compression brakes in the City of Hickory; and

WHEREAS, the City Council of the City of Hickory finds that adoption of this ordinance would further the public health, safety and welfare of the City of Hickory:

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HICKORY, NORTH CAROLINA, DO ORDAIN AS FOLLOWS:

Section 1 Amended:

Definitions.

Unmuffled engine compression brake: a motor vehicle brake which is activated or worked by the compression of the engine of a motor vehicle, and which is not effectively muffled to prevent excessive noise.

Prohibition.

- (a) No person shall use an engine braking system within the corporate limits of the City of Hickory which is in any way activated or operated by the compression of the engine of any such motor vehicle or any such unit or part thereof, except in cases of emergency or necessary for the protection of persons and/or property.
- (b) The City of Hickory shall identify the areas that engine braking is prohibited and signs shall be conspicuously posted in such areas stating: "No engine braking" or its equivalent.

Section 2: Severability.

If any portion of this Section is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed severable, and such holding shall not affect the validity of the remaining portions hereof.

Section 3: Repealed.

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

Section 4: Effective Date.

This Ordinance shall become effective April 30, 2016.

B. Departmental Reports:

- 1. Appointments to Boards and Commissions

COMMUNITY RELATIONS COUNCIL

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

Other Minority	VACANT
Other Minority	VACANT

Alderman Guess nominated Mike Ashabi to Community Relations Council, Other Minority Representative.

HICKORY REGIONAL PLANNING COMMISSION

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

(Appointed by City Council)
 Burke County (Mayor to Nominate) VACANT Since 8-6-2008
 Brookford (Mayor to Nominate) VACANT Since 6-2006

INTERNATIONAL COUNCIL

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

PARKS AND RECREATION COMMISSION

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

PUBLIC ART COMMISSION

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

RECYCLING ADVISORY BOARD

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

Alderman Guess moved seconded by Alderman Seaver approval of the above nomination. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderman Guess seconded by Alderman Seaver and 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 Lail commented that the new City website looked fabulous. It went live one day this week.

Alderman Seaver commented that it doesn't take long to figure out how to get around it.

Alderman Lail commented that it really looks up to date.

Mr. Berry advised that it was specifically for your phones. He had been testing it with his phone. He was satisfied with how it scaled.

Alderman Seaver commented that things were logically located.

Mr. Berry commended Patrick Tabor, the City's Webmaster. He didn't go out and hire this out to anybody. He had been sitting at his computer for a couple of months combing through tons of data, with the assistance of Dana Kaminske and Sarah Prencipe. It was an incredible task that he took on. He appreciated the comments from City Council.

Alderman Seaver commented that he would like to have a file for citizens to access with pictures of the City. Photos to sell the City would be good.

- XIV. There being no further business, the meeting adjourned at 8:30 p.m.

 Mayor

 City Clerk

February 25, 2016

A Special Meeting of the City Council of the City of Hickory was held in the Highland Recreation Center Community Room of the Highland Recreation Center on Thursday, February 25, 2016 at 1:50 p.m., with the following members present:

Brad Lail	Rudy Wright	Hank Guess
	Aldermen	David P. Zagaroli
Danny Seaver		Jill Patton

A quorum was present.

Also present were: City Manager Mick Berry, Assistant City Manager Rodney Miller, Assistant City Manager Andrea Surratt, Governmental Affairs Manager Yaidee Fox, and City Clerk Debbie D. Miller

Staff Present: Parks and Recreation Director Mack McLeod, Public Services Director Chuck Hansen, Planning Director Brian Frazier, Communication Specialist Policy Analyst Sarah Prencipe, Communications, Marketing Manager Dana Kaminske, Human Resources Director Claudia Main, Executive Assistant Cari Burns, Finance Officer Melissa Miller, Budget Analyst Cameron McHargue, Fire Chief Fred Hollar, and Police Chief Tom Adkins

Freese Nichols Present: Charles Archer and Mike Wayts

Bond Implementation Commission Present: Burke Wyatt, Chair, James Tilton and Cliff Moone

Catawba County Economic Development Corporation Present: Scott Millar, President

- I. Mayor Pro Tempore Lail called the meeting to order. All Council members were present except for Alderman Tarlton, with the arrival Mayor Wright at 2:10 p.m. and Alderman Zagaroli at 2:25 p.m.
- II. Discussion of Project Management & Timing of Bond Project

City Manager Mick Berry recognized Bond Implementation Commission members in attendance Burk Wyatt and James Tilton, and Cliff Moone, Hickory Daily Record Reporter K.J. Hiramoto, and Charles Archer and Mike Wayts from Freese Nichols. He advised that Mr. Archer and Mr. Wayts would walk through the projects, layout everything, and give City Council a week to think about their options in proceeding. After a decision is made then they would be moving forward working with the Bond Commission to select a designer.

Mr. Charles Archer displayed charts to Council. He advised that he and Mr. Wayts would discuss with Council the adopted recommendations and how to schedule them –as well as each -project and its moving parts. -. He provided a handout to Council and advised that Mr. Wayts would discuss the projects' schedules from the starting date, to the day of ribbon cutting. The handout reflected - icons on the left which indicated steps in the projects and the purpose, and a table on the right which indicated who would be taking the lead for those particular items. Mr. Archer discussed each of the steps and the purposes-. City Staff Meetings, update City Staff on progress of program following Freese Nichols' meeting with design and construction teams, lead taken by City Staff and Freese Nichols. Chair/Vice Chair Involvement, the Chair and Vice Chair of the appropriate Bond Commission Subcommittee, along with either the Chair or Vice Chair of the Bond Commission (total of 3 Bond Commission members) will be involved in this interview process, lead taken by City Staff, Freese Nichols, and Bond Commission. Grant Deadline, deadline to submit a grant for possible funding, plenty of time will need to be planned for before the deadline to prepare the grant submission. Grant Award Announcement, when it is actually announced who was awarded the grant funding. Design Progress Meeting, design consultants will be required to provide project updates in accordance with a program template. Any project or coordination issues will be discussed at this meeting, including, but not limited to: schedule, budget, regulatory coordination, general direction of design, decisions, issue resolution, etc. All detailed design questions should be handled at the milestone review meetings, lead will be taken by Freese Nichols and design/construction teams. Council/Bond Commission Meeting, to help keep the Bond Commission involved and energized, they will meet directly before the public meetings, lead taken by City Staff, Freese Nichols, Bond Commission, City Council, and design/construction teams. Public Meetings to gather public input on direction of design, lead taken by City Staff, Freese Nichols, design/construction teams and citizens. Groundbreaking to celebrate the start of construction and keep citizens excited about progress of the program, lead taken by City Staff, Freese Nichols, Bond Commission, City Council, design/construction teams, and citizens. Construction Progress Meeting, contractors will be required to provide project updates in accordance with a program template. Any project or coordination issue will be discussed at this meeting, including, but not limited to: schedule, budget, regulatory coordination, submittals, change orders, decisions, issue resolution, etc., lead taken by Freese Nichols and design/construction teams. Ribbon Cutting to celebrate the completion of a project and keep citizens excited about progress of the program, lead taken by City Staff, Freese Nichols, Bond Commission, City Council, design/construction teams, and citizens. Milestone Review, there will be a workshop with City Staff and Freese Nichols to review all comments and combine them into one set of comments for the design consultant. Freese Nichols will then provide the consultant with the final set of comments and answer any questions they may have, lead will be taken by City Staff and Freese Nichols. Council Decision, decisions needing City Council approval usually required to go through two readings for approval, lead taken by City Staff and City Council. Council/Bond Commission Quarterly Update, regular update to keep City Council and Bond Commission informed of program progress, lead taken by City Staff, Freese Nichols, Bond Commission, City Council, and citizens.

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Alderman Lail asked why Council needed Freese Nichols to add another layer to the design and construction progress.

Mr. Archer advised that Freese Nichols would coordinate with all the designers on all of the projects at the same time.

Mr. Mike Wayts commented for management and oversight.

Alderman Lail questioned Freese Nichols level of involvement and the cost associated.

Mr. Wayts discussed the nine project schedule beginning with the City Walk in detail. The process would begin with hiring a designer, putting out RFQ's which Freese Nichols would take the lead in developing. City Council would be given the design firm's documents for consideration, estimated timeframe of six weeks for evaluation of different proposal for the City Walk. The design firms would then be narrowed to 3 or 4 and those would be interviewed, giving them 1 to 2 weeks to put together a presentation. Those would be scored collaboratively and one selected. Freese Nichols and staff would negotiate appropriate scope and negotiate the fee and a contract. The contract then would be sent to City Council for their approval. The process would be the same for both the Riverwalk and the City Walk. Once a designer is on board there would be a kickoff with the Bond Commission. There would be back to back meeting with each project. There will be issues throughout the design/construction life of the projects. Reports will be available once a month to Council from Freese Nichols, and they will stay on top of it.

Mr. Wayts discussed the milestones. At the 30 percent milestone review they would have the basic sheets, layouts, and unforeseen items. At this point there would be different options. At the 40 percent milestone a request would be made for the input from the Bond Commission. City Council and the Bond Commission would have a meeting and discuss how to present it to the public.

2:10 p.m. Mayor Wright arrived.

Alderman Guess asked at this point, what would be the likelihood that they could still change something.

Mr. Wayts advised that there were three opportunities. At the kickoff meeting Freese Nichols will supply all of the information from the Bond Commission and City Council and advise what the vision is. There will be an opportunity for change at the 40 percent meeting. There will also be specific things at the 40 percent meeting that they will need feedback on. The next milestone will be at 60 percent. At this point they have added additional sheets and design details; enough detail to approach regulatory agencies and utility conflicts at locations in the area. City Staff will also identify other conflicts. At the 80 percent milestone they will come in and present overall progress and the public will review landscaping types, colors, and features. At the 90 percent milestone there will be a complete set of plans and a contract. At the 80 to 90 percent milestone, there will be an engineering workshop; probably a half day workshop. He advised that the permit phase overlaps the design phase. Norfolk Southern will be the most complicated on this project. He advised it would be good to have final permits, if possible, prior to the bid phase. The selection of the contractors would be similar to the design selection. The bids would be submitted, references checked, and appropriate responses checked. Once the contractor is selected, the construction phase would go through the same process as the design phase.

Alderman Lail expressed concerns about the 18 month timeframe for design. He felt that was a long time.

Mr. Wayts advised that the City Walk had a lot of moving parts and so many pieces, utility conflicts and dealing with Norfolk Southern Railroad. They want to show Council realistic schedules, but that will fluctuate. Norfolk Southern Railroad could take as long as a year.

Mr. Archer commented that Norfolk Southern Railroad responds when they want to.

Mr. Wayts advised that they will have to pay a consultant to deal with Norfolk Southern Railroad.

Alderman Guess asked what if they got into it and Norfolk Southern derailed the whole thing.

Mr. Archer advised they had three meetings with them and the railroad would be gaining public safety from this project.

Alderman Lail wanted a shorter design process. He suggested chunking it up, start with Union Square, a concurrent process and everything else staged to come behind it.

2:25 p.m. Alderman Zagaroli arrived.

Mr. Wayts commented that different contractors and designers would be added cost, but they could break ground sooner. He discussed the timeline on the three gateway projects, which was shorter than the City Walk; approximately six weeks for Freese Nichols to review.

Alderman Guess questioned if the City Walk was the largest project.

Mr. Wayts confirmed that it was.

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Mr. Archer advised Council they had four or five firms contacting Freese Nichols to check on the status of the project.

Mr. Wayts commented that a smaller firm could handle the gateway projects.

Alderman Zagaroli questioned the scope of the gateway.

Mr. Wayts advised US 70 and Highway 321, US 321 and Clement Boulevard, Lenoir Rhyne Boulevard and Interstate 40. Some elements had been proposed.

Mr. Archer advised that the Inspiring Spaces document contained examples of what the gateways would look like.

Mr. Wayts reiterated that this was a realistic schedule as a starting place.

Alderman Seaver commented that they were mapping out the playing field.

Mr. Wayts estimated the gateway projects could complete by the end of the second quarter in 2017, starting April 1st, and a six month design window.

Alderman Lail commented that there was not a whole lot to meet about on the gateways.

Mr. Wayts advised coordination with the Department of Transportation. The gateways would have different elements, for example the Highway 321 and Clement Boulevard gateway would have a ballfield element. Mr. Wayts commented that regarding the Riverwalk, the permitting through Duke could take up to a year. The FERC process and core of engineers could take more than one year. The design consultants would take the lead on the permits.

Alderman Lail questioned why they had to go through the FERC process if Duke Energy controlled the lake.

Mr. Wayts advised that if you encroach upon Duke's limits, you have to submit a request through the FERC process.

Mr. Archer interjected that there were 11 agencies that had to be on the same page. Duke has to submit to FERC as part of their license for public projects.

Public Services Director Chuck Hansen advised that it is different than a dock, it is for anything in their license boundary.

Mr. Archer advised that the Town of Cramerton just did a project and they had to go through FERC.

Mr. Wayts commented there would also be coordination with the Lackey project and the Department of Transportation (DOT) Highway 321 Bridge project.

Alderman Guess questioned the timeframe of the bridge.

Mr. Wayts advised 2020 or 2021. Highway 321 after the bridge is not funded. Groundbreaking approximately 2018.

Mr. Hansen responded 2018, 2019 and 2020 would be right of way acquisitions, and 2021 construction.

Alderman Seaver questioned if the City would have any input on that bridge.

Mr. Wayts advised they had meetings with DOT about the bridge, the possibility of parking underneath, and they seemed okay with it.

Alderman Seaver wanted to know the height of the bridge, and what the Riverwalk might look like from that elevation.

Alderman Zagaroli questioned if they would be keeping the old bridge.

Mr. Wayts commented that they may agree to the City taking over the maintenance on the old bridge for a pedestrian bridge. He advised the schematic designs were out for public comment.

Mr. Archer advised that the Riverwalk would connect to that pedestrian bridge.

Mr. Wayts continued the discussion with P3's and the need for access roads and parking lots.

Mr. Berry commented that the City could look at - P3 opportunities for some type of commercial entity to come in. The City would need to be in that type of process to engage the market. That is not going to happen until the Riverwalk is built. He questioned how the bridge would affect the visual, and the rest of the park. Do you go forward with the Riverwalk straight forward, and stub out for a P3? A P3 passive recreation space? Build up the Riverwalk in terms of connectivity and a few years of public/private partnership might help with scheduling of all of these things. He felt it was more practical from a market driven approach.

Alderman Seaver agreed.

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Mr. Berry commented tie into the dealership, part of the trigger to development.

Alderman Lail commented have flexibility.

Mr. Wayts discussed the Lenoir Rhyne Boulevard project which would take coordination with DOT. They had also looked at the TIGER grant as well. The Riverwalk and City Walk connections combined into one would save money with the design process and save time.

Alderman Seaver advised the Bond Commission was pushing connection.

Mr. Wayts advised that on Old Lenoir Road, the Carolina Thread Trail and TIGER grant was also an opportunity.

Mr. Archer commented that the overall program would require lots of meetings, coordination, and thousands of documents. He presented charts to Council and explained the nine projects on the left, each project had the same steps with a timeframe of four years or 48 months. The top grid showed the different types of meetings. He mentioned the significant impact that it would have on everyone's workload. All of the projects starting at once, with the exception of the gateway at Lenoir Rhyne Boulevard and Interstate 40, which was confined by DOT. He advised that starting all of these projects was not realistic. It would be too much to manage and the more stacked the higher the likelihood that something would fall through the tracks. It would be a challenge.

Alderman Zagaroli asked if they had considered priorities.

Mr. Archer advised that a slightly staggered schedule would be four projects in 2016, staggered four the first year, three the second year and two the third year. All nine projects would be in different stages in year two. He stated that was not practical. It speeds it up, but it is a lot to try and accomplish. He did not recommend this option. He discussed three projects in 2016 which would span over the course of five years and the seven or eight other projects that are currently going on: Kiwanis Splash Pad Project, Friends of Hickory Park, parking lot at the tennis courts, Bruce Meisner Park, Lackey Project, wayfinding, and downtown streetscape upgrades. The City Walk would take the longest, and the gateway project would be the shortest, possibly a year from now. The Riverwalk would be staggered back four to five months. He commented three projects, three designers, three contractors, combine and save time. This was their recommendation.

Mr. Wayts commented add a few months to the design process, more pieces, design firms, and contractors.

Mr. Archer advised eight to nine months difference in time, it spreads the workload. He commented that there will be some variations of give and take throughout the process.

Mr. Wayts interjected that a realistic schedule was five years for \$35 million dollars.

Alderman Patton and Alderman Zagaroli liked Freese Nichols recommendation.

Alderman Patton wanted to combine the three together to save time and money.

Alderman Seaver like Mr. Berry's recommendation regarding the P3's.

Mayor Wright questioned what would be out of the ground in 2016.

Mr. Wayts advised Mayor Wright of the projects for 2016 while the design process was going on.

Mr. Berry commented that once they got started that they had to keep on going.

Alderman Guess liked Freese Nichols' recommendation as well.

Council and Staff took a short break at approximately 3:05 p.m. and returned at 3:25 p.m.

The next item of discussion was Non-Bond Projects Cash Flow and Reserves. Mr. Berry presented a PowerPoint Presentation with a list of projects. He asked Parks and Recreation Director Mack McLeod to the podium to discuss the Lackey Project, Kiwanis Splash Pad, Bruce Meisner Park and City Park – Tennis Courts.

Parks and Recreation Director Mack McLeod began his presentation with the Lackey Project. The Lackey family is to donate \$5 to \$7 million dollars for a memorial in Rotary Geitner Park. The plans are to construct a lake house, performance dock, amphitheater, conservatory, canopy walk, gardens, and an overflow parking lot. Discussions are underway with Tunnel-Spangler-Walsh (TSW) to design both the Lackey and City portions of the project. The estimated City cost of \$750,000 is for a driveway, parking lot, restrooms, canoe launch, boat dock and fishing pier. The operation and maintenance costs are unknown at this point. City Council can move forward with appointing their three members to the Conservancy.

Discussion ensued about the process for choosing the City's three representatives on the Conservancy Board. Mr. Berry advised that the Lackey's had four appointments to make to the Board. Alderman Lail suggested possibly a Subcommittee of City Council to bring forth a slate of candidates. Alderman Guess suggested calling Mr. Lackey to see if he had more than four people that he felt was qualified to serve on the Board and perhaps those names could be considered by City Council.

Mr. McLeod continued his presentation with the Kiwanis Park Splash Pad. The splash pad was a public/private partnership with the Hickory Kiwanis Club, the Kiwanis Club of Western Catawba County and the City of Hickory. The City would own and maintain the splash pad as an addition to park operations. City Council had wanted the "Wow" factor like the Zahra Baker Park. City Council approved a project cost not to exceed \$300,000 with the Kiwanis Clubs raising \$100,000. A Memorandum of Understanding was signed with the Kiwanis Clubs. The anticipated completion date of the splash pad is June 2016.

Alderwoman Patton asked how much money that the Kiwanis Club had raised.

Alderman Seaver commented they had \$20,000 to \$25,000 in pledges.

Mayor Wright commented that they had \$20,000 and would exceed the \$100,000.

Mr. McLeod stated that on February 16, 2016 City Council had approved a utility upgrade that was tied into the splash pad project. It would be on for second reading on March 1, 2016. He showed a photo of the splash pad and pointed out the seat wall and the "Wow" factor which was the super splash bucket.

Mr. McLeod continued his presentation with the Bruce Meisner Park. City Council had accepted the updated master site plan and the name change to Bruce Meisner Park at their February 16, 2016 meeting. The original master plan was for 63 acres and was completed in 2009 with a total project cost estimate of \$2.9 million dollars. In 2015, North Carolina Outward Bound donated \$900,000 to the City to add the 10 acre commercial tract back into the park. The original master plan was updated to incorporate the 10 acres into the master plan. On January 12, 2016 the Parks and Recreation Commission accepted the updated plan and City Council accepted the updated plan at their February 16, 2016 meeting. The total project cost estimate was \$3.9 million dollars. Phase 1 development, which is access from Cloninger Mill Road, is estimated at \$2.3 million dollars. The \$900,000 was received from North Carolina Outward Bound and is solely designated for park design and development. The project design work could be done in FY2016-2017. Mr. McLeod showed a map of the updated master plan.

Mayor Wright asked about the sign for the park.

Mr. McLeod advised that he was working on it and they should have a sample next week. He continued his presentation with the City Park Tennis Courts. On April 7, 2015 City Council approved a ten year Priority Use Agreement with Greater Hickory Tennis Association (GHTA). Greater Hickory Tennis Association will contribute a minimum of \$125,000 to the City. Funds raised by GHTA in excess of the minimum commitment level would be applied towards the City's funding commitment. The project will include construction of a 122 space paved parking lot including clearing, grading, paving, striping, curb and gutter, concrete walkways, storm drainage and landscaping; the removal of an existing picnic shelter and restroom facility and construction of a new picnic shelter, restroom, meeting room facility, which would be located adjacent to the tennis courts. Area lighting would be installed by Duke Energy. The original cost estimate was \$574,000, \$125,000 funds from GHTA, and \$449,000 City of Hickory funds. That would increase parking from 20 spaces to 80 spaces, all on one level, with a new picnic shelter, restroom, and meeting room facility located at the tennis courts. Updated cost estimates of \$915,000, \$125,000 GHTA funds, and \$790,000 City of Hickory funds. This would increase parking from 20 spaces to 122 spaces on a tiered layout similar to stadium parking at Winkler Park. Cost estimate new picnic shelter, restroom, meeting room facility were based off bid cost for a similar facility being constructed at Hickory Optimist Park. Construction can be accomplished in two phases: Phase 1, construction of 80 paved parking spaces, associated landscaping, walkways and the picnic shelter, restroom, meeting room facility at a cost estimate of \$773,000. Phase 2, construction of 42 paved parking spaces, associated landscaping and walkways at a cost of \$142,000. Mr. McLeod showed the original site plan pointing out 12th Street Drive NW. He advised that this would be all one level. He showed a revised site plan and pointed out the location of the 60 and 20 parking spaces. He also advised of eight spaces that were wider to allow access to the bikeway. He showed the parking space in Phase 1. He pointed out the 10 foot trail that lead down to the P3 projects. He advised that the intent of the increased parking from the original plan was to assist with required parking needs or demands for both the improvements being made at Rotary Geitner Park by the Lackey Family and the addition of the future Riverwalk.

Alderman Seaver commented that was a lot of grading.

Mr. McLeod advised that is why the cost had gone up.

Alderman Lail advised that he was not inclined to phase this project. He was supportive of the added parking.

Mr. McLeod commented that he was showing this to Council as an option.

Alderman Seaver asked if there was a high demand for the tennis courts.

Mr. McLeod replied that there is a strong tennis program. Since Kathy Kim had become involved the tennis program had exploded. Lenoir-Rhyne had requested to play matches there but they were unable to accommodate them.

Alderman Guess questioned if the estimates included gating and lighting.

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Mr. McLeod confirmed they did. He advised that the Greater Hickory Tennis Association had made their first installment of \$50,000. He felt like interest would increase.

Planning Director Brian Frazier came to the podium to discuss Streetscapes/Zoning Overlay Consultant. He advised the estimated cost of \$150,000 was for improving nine streetscapes. The goal is to strengthen existing site design standards for private development in the nine corridors where streetscape improvements are planned. . The overlay will assist in the creation of a more aesthetically pleasing design for private development. Coordination on lighting, landscaping, improved signage design and placement, building façade, and more efficient ingress and egress. Staff received five statements from RFQ's and is currently interviewing three design landscape planning firms to design guidelines for overlay districts. He showed an example.

Alderman Lail questioned the funding of the planned corridors.

Mr. Frazier advised that four of them were funded and five were not.

Alderman Lail asked if the Planning Commission was aware of this.

Mr. Frazier advised that they were aware of the interviews with the consultants.

Alderman Lail questioned if there was pushback from areas not getting streetscapes.

Mr. Frazier advised that the areas were new development and redevelopment.

Public Services Director Chuck Hansen came to the podium to discuss the Sandy Ridge Road Roundabouts planned at the intersections of Sandy Ridge Road and 29th Avenue NE and 16th Street NE, 8th Street Drive NE and 21st Avenue NE to relieve traffic congestion. The City received a Congestion Mitigation Air Quality (CMAQ) grant in the amount of \$3,701,126 for fiscal year 2016/2017. This area originally was designed to add lanes at both of these intersections, but due to right of way and utility relocation costs, roundabouts were selected. The estimated project costs is \$4,626,408 with a 20 percent match by the City of \$925,282. Mr. Hansen showed a map of the area pointing out the location of the roundabouts. Installation of the roundabouts will save work along Sandy Ridge Road. There will be some utilities to relocate and intersection improvements. The roundabout at Sandy Ridge Road and 29th Avenue Drive NE will be two lanes. He displayed a chart of the anticipated timeline. Right of way acquisitions should occur in 2016/2017, advertise for contractors in 2017, and construction between 2017/2018. He advised that the final finished design was being done in house by the City's Senior Civil Engineer Rick Patton. We are leveraging City monies against Department of Transportation monies.

Alderman Seaver asked if the area would contain plantings.

Mr. Hansen advised that landscaping would be part of that, but there were limitation on what could be used in the location. The interior area of the roundabouts would have some landscaping.

Alderman Guess questioned if the money had been secured.

Mr. Hansen confirmed that the Department of Transportation money was secured. He showed a chart of the project budget: Roadway Construction Cost: \$1,863,524.20; Right of Way Acquisition Cost: \$1,722,459; Utility Relocation Cost: \$660,824.30; Administration Cost: \$379,600; Project Total: \$4,626,407.50; 80 Percent Grant Funds: \$3,701,126 and 20 Percent City of Hickory's Responsibility: \$925,281.50. The City will be responsible for the relocation of the utilities. He pointed out that the administrative cost was to the Department of Transportation for overseeing the project.

Alderman Guess asked if there would any loss of businesses for this project.

Mr. Hansen advised there would not be, the front yards would just be closer to the businesses.

Assistant City Manager Andrea Surratt came to the podium to discuss wayfinding and gateways. She advised that the wayfinding system of signage is to help people find their way. The Department of Transportation is allowing cities to do this on their own right of ways. The original program has been in place for a number of years, it was developed in 2008. Mrs. Surratt displayed a map of the major gateways in the City and pointed out the entry points that were originally used. They had worked with various organizations to develop what would go on the signage. She showed examples of the signage. The first example listed four public destinations. The signs are varied in height and size. The example of the downtown sign had additional signage to indicate a parking area location. She discussed the variations of the size of the signs and advised there would be a seven foot clearance underneath. The program would install a total of 97 signs. The largest signs would be located closer to the Interstate highway, 20 feet tall with the pole and a 10-12 foot sign face. Most other signs would have a 6-8 foot face. She advised that Frazier Associates had designed the signs, and the design had evolved with the branding. It was very classic, met the sign guidelines, had a round black fluted pole, clam shell base, and a blue back with a leaf on the back. The signs did not say Hickory, because they didn't feel the need for that. They wanted the signs design to be timeless and not look dated.

Mayor Wright asked who had installed the signs in Morganton.

Mr. Hansen advised it was done by various people.

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Mrs. Surratt advised that the estimated cost of this project was \$800,000 for materials, fabrication, and foundation structure which is a concrete base. The bids should be coming back in April and should be on a City Council agenda in May. The fabrication will be finalized with the Department of Transportation. There will need to be easements, permits and inspections for this project. She showed an example of the sign at a street level scale.

Alderman Lail was concerned that the people using the signs might not know they are in Hickory. He suggested maybe putting that on the trailblazers. He commented that people might not connect the leaf with the Hickory brand.

Mrs. Surratt advised that there were five gateways in the program. Some of the existing signs are being refurbished and are not part of this program. The big gateways are Highway 321 and exit 125 off of Interstate 40.

Assistant City Manager Rodney Miller came to the podium to discuss Capital Projects for 2016. The committed projects included:

Lackey Project, project cost \$7,000,000, estimated City cost \$750,000
 Kiwanis Splash Pad, project cost \$300,000, estimated City cost \$200,000
 Sandy Ridge Road Roundabouts, project cost \$4,626,408, estimated City cost \$925,282
 Bruce Meisner Park, project cost \$3,928,004, estimated City cost \$3,028,004
 City Park – Tennis Courts, project cost, \$915,000, estimated City cost \$790,000
 Streetscapes/Zoning Overlay Consultant, project cost \$150,000, estimated City cost \$150,000
 Wayfinding/Gateway, project cost \$800,000, estimated City cost \$800,000
 Other Infrastructure Demands, project cost \$750,000, estimated City cost \$750,000

Total Project Costs: \$18,469,412 Estimated City Cost \$7,393,286

Mr. Miller advised that the change in the City Park Tennis Courts was an extra \$300,000. As of June 30, 2015 the City's unassigned Fund Balance amount was \$1,972,445 or 33 percent. He advised that there were three areas that were committed fund balance which were parking, District Court and miscellaneous capital and two areas in restricted Fund Balance which were Bruce Meisner Park and Kiwanis/GHTA. The total for unassigned, committed and assigned Fund Balance was \$4,102,064. Restricted Fund Balance totaled \$1,125,000. He commented that it is City Council's policy to maintain 25 percent in Fund Balance. Mr. Miller advised that police vehicles and fire trucks were part of the general Capital Reserve and were not included in the totals.

Mayor Wright questioned the estimated cost in 2017.

Mr. Miller referenced the Bruce Meisner Park estimates \$2.9 million versus \$3.9 million in 2016. The ten acres that were not going to be developed added an extra \$1,000,000.

Alderman Lail questioned if Fund Balance would increase for 2016.

Mr. Miller commented that assuming the same revenues it would be between \$1 to \$1.5 million dollars.

Alderwoman Patton felt that they should be conservation about spending the money.

City Manager Mick Berry commented that they were showing this to Council so they could make decisions about the timing of the projects. What do we trade off? What do we postpone? We hope to have some great economic development opportunities along City Walk which will likely require some City participation for projects to work. Is there opportunities for new headquarters, or other economic and redevelopment projects?

Mr. Miller advised that there would be a sizeable decrease in debt in FY2017/2018.

Mayor Wright commented that this was for City Council's consideration for them to mull over.

Alderman Zagaroli commented that they may be able to sale the old fire trucks.

City Manager Mick Berry continued the presentation with "Bringing it all Together; Bonds and Non-Bond Projects". He advised that the City would need sufficient reserves to cover bond costs before the issuance. City Council could tap into General Fund balance two to three percent to equal \$1 to \$1.5 million dollars, which for FY2016/2017 General Fund balance would be 22 to 23 percent. They could anticipate two bond issues, depending on the project timing. The first issue Spring of 2018. Tax increase would be planned in July 2018 (5 cents) to start making payments. The reserves would be down for one year.

Alderman Lail suggested a short term line of credit borrowing versus being exposed to a disaster.

Mr. Berry commented City Council could use the City's cash or someone else's.

Alderman Lail commented that you wouldn't draw it until you have to pay the bill.

Mr. Berry commented depending on how much Fund Balance that is put back they may not go down below the 25 percent. It might happen.

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Alderman Lail commented that the design fees and Freese Nichols were the two main expenditures for the bonds.

Mr. Miller advised that the City also has the non-bond projects.

Mr. Berry advised that Staff wanted a sense of consensus of City Council. There is going to be things that they do not anticipate and want the planning to be as crisp as it possibly can be. Mr. Berry discussed the next steps that City Council would discuss at their March 3rd workshop: Finalize Project Management and Timing of the Bond projects; Finalize the Non-Bond projects and Funding; Consensus on Cash Flow plan; Bond Counsel; Crafting Hickory Overview, he advised that there would be an advertisement in Sunday's Hickory Daily Record with information on that; and Legislative Issues, which Governmental Affairs Manager Yaidee Fox would update City Council. Mr. Berry discussed upcoming things within the next 60 days: Appropriation of Wayfinding and Zoning Overlay; appointment of Conservancy Board; Appropriation for 1764, with a scheduled joint meeting with Catawba County on March 21st; the City Manager will approve the splash pad installation contract and the TSW contract associated with the Lackey project, which the City cannot control the timing of that, they are the contracted designer for that project and the City can't do their piece until the Lackey's do their piece.

Alderman Seaver questioned if there was anything for City Council to approve at their next meeting.

Mr. Berry advised not on City Council's next agenda.

Catawba County Economic Development President Scott Millar discussed Park 1764, a Class "A" Business Park. He advised that this type of park does not exist between Charlotte and Asheville. It takes a lot of time and effort to design a Class "A" Park. The asking price for property in this type of park could be as much as \$60,000 per acre. The first phase for Park 1764 would be a grand entrance between silos that exist on the piece of property. Currently the property doesn't have any of the "feel good" attributes in making this a Class "A" Business Park. This phase would also include the installation of fencing and landscaping. Mr. Millar showed a drawing of the proposed park and pointed out where berms would be placed on the Startown Road side of the property, which is the marketing side entrance. The berms and landscaping feature would be similar to the property owned by Sarstedt. There would be a buffer to the northeast to protect that area as well. Currently on the Robinwood Road side there is no landscaping at all in that area. They would not develop an interior roadway at this time. They would install sewer to the central part of the park and storm water retention. Mr. Millar showed an estimate summary for Park 1764's entrance, landscaping, berming, wastewater, and storm water improvements. He advised that he had blocked out the widening of Startown road which reduced the overall cost. The request from the City of Hickory was \$1,460,720 and the other half would be leveraged from Catawba County.

Alderman Seaver asked if they were backing away from spec buildings.

Mr. Millar commented that they are not considering that right now.

Alderman Lail questioned the installation of the sewer and the storm water since the land is under option and had not been purchased yet.

Mr. Millar commented that the large basin offers storm water capabilities for everybody.

Alderman Seaver commented makes it attractive to a potential buyer.

Alderman Guess questioned the cost of the sewer installation.

Mr. Berry advised that it follows the creek line.

Mr. Millar advised the cost was \$360,000. He commented that this plan shields residences along Startown Road. He also advised that there was some rental houses and it would take additional money to get those out.

Alderman Zagaroli questioned if there had been any interest in the property.

Mr. Millar commented some interest, more project activity than over the last year. He was hesitant bringing the plan to the City of Hickory before he knew what was happening. There would be a presentation to the County Commissioners on March 21st. He advised that the estimate summary did not include three other items which were interior road network, interior water network, and acquisition of property. They hope to pass the cost on to the buyer. The purchase price was \$25,000 per acre and they hope to sell it for \$60,000 per acre.

Alderman Zagaroli questioned how long the option was for.

Mr. Millar advised it was for another six years.

Mayor Wright thanked Mr. Millar. He commented that the surplus in the Fund Balance was good, and building permits were up in the City of Hickory. He commented right place right time, or plan coming together, encouraging signs.

III. There being no further business, the meeting adjourned at 5:03 p.m.

Mayor

City Clerk

March 3, 2016

A Special Meeting of the City Council of the City of Hickory was held in the Highland Recreation Center Community Room of the Highland Recreation Center on Thursday, March 3, 2016 at 1:37 p.m., with the following members present:

Brad Lail	Rudy Wright	Hank Guess
Vernon Tarlton	Aldermen	David P. Zagaroli
Danny Seaver		Jill Patton

A quorum was present.

Also present were: City Manager Mick Berry, Assistant City Manager Rodney Miller, Assistant City Manager Andrea Surratt, City Attorney John W. Crone, III, Deputy City Attorney Arnita Dula, Governmental Affairs Manager Yaidee Fox, and City Clerk Debbie D. Miller

Staff Present: Parks and Recreation Director Mack McLeod, Public Services Director Chuck Hansen, Planning Director Brian Frazier, Communication Specialist Policy Analyst Sarah Prencipe, Communications, Marketing Manager Dana Kaminske, Human Resources Director Claudia Main, Executive Assistant Cari Burns, Finance Officer Melissa Miller, Budget Analyst Cameron McHargue, Fire Chief Fred Hollar, Deputy Chief of Police Thurman Whisnant, Assistant Public Services Director Steve Miller, Assistant Public Services Director Kevin Greer, Library Director Sarah Greene, and Information Technology Manager Mike Woods

Others Present: Bond Counsel Scott Leo and Bond Commission member Frank Young

- I. Mayor Wright called the meeting to order. All Council members were present. Mayor Wright excused himself to attend another City function and advised that he would return to the meeting around 3:00 p.m.

City Manager Mick Berry reviewed the items that City Council would be discussing during the meeting.

- II. Recent Legislation

Governmental Affairs Manager Yaidee Fox presented City Council a PowerPoint presentation. She gave a 2015 State legislative recap which were: maintained local and regional delegation relationships with Catawba, Caldwell, Alexander, Burke, Lincoln, and Iredell County State legislators; attended rallies against sales tax redistribution and Historic Tax Credits; established new partnerships with more groups with similar legislative interest; and invited both State and Federal legislators to local events. She informed City Council of what happened with the sales tax redistribution. Cities, counties, chambers, and businesses defeated the 50/50 redistribution of sales tax proposal. The proposal would have taken more than two million dollars of sales tax revenue from Hickory and many more millions from others in the State. Hickory and Catawba County are held harmless in this new formula. She advised City Council that their efforts were invaluable. Their calls, meetings, emails and support helped "beat the drum" against sales tax redistribution.

Mr. Berry commended Mrs. Fox and City Council for their efforts.

Mrs. Fox advised that the legislators expanded the sales tax base to include repairs, maintenance and installation of cars and personal property, which started on March 1, 2016. The revenue will be distributed to the counties across the State that would have received funds from the 50/50 redistribution proposal. Catawba County is not a recipient of this revenue. She advised that maps the City had prepared showing the loss of revenue due to proposed sales tax distribution were all over Raleigh, even when Hickory was not in Raleigh, they were being passed all around Chambers and Legislative Office Buildings. She thanked the City's Information Technology Manager Mike Woods for his assistance along with the Council of Governments. She advised that the Historic Tax Credits were reinstated as well as Powell Bill funds. They also passed the language to maintain funding sources and economic development incentives we need through JDIG and the One NC Fund. She advised of the increase of municipal vehicle tax cap from \$10 to \$30. The City currently charges \$5 per vehicle. She advised in July 2015 Federal lobbying was moved in house. A few Council members, and Staff had went to Washington, D.C. to meet with Federal legislators and USDOT in pursuit of the TIGER grant funding. Staff also continued the pursuit of other Federal funding opportunities and regulatory support on bond projects. She advised that they had also worked on strengthening relationships with Federal legislators as well.

Mrs. Fox continued her presentation with looking ahead at 2016 "short" session for the North Carolina General Assembly (NCGA). The NCGA is working in various interim oversight and study committees reviewing items from last session and remaining items from any prior sessions. The "short" session will start on April 25, 2016. She advised that current legislative affairs partners with the North Carolina Metro Mayors Coalition and the NC League of Municipalities (NCLM). The NCLM has now retained an additional outside lobbying firm to aid in varying efforts for them. She advised that the NCGA's focus would include budget adjustments, and raising teacher's pay. They are currently monitoring the following topics: municipal revenues, transportation discussions, and the economic development tier system by the NC Department of Commerce and NCGA. The key issues for the 2016 "short" session would be protection of municipal revenue sources, especially sales tax. She advised of a new proposal for sales tax refunds for nonprofits (\$700 by Senator Andy Wells). This is currently in the Rules and Operation of the Senate Committee with no sister bill in the House. Another key issues is the economic development tier system rewrite. The State incentives are pushing jobs away from some cities.

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The current system does not provide the greatest benefit to the most distressed counties. The NCGA and the Department of Commerce feel the current system should be discontinued and reexamined. She advised that the City of Hickory is in tier two and the ones in tier one got a lot of the funding. She referenced Iredell County who is linked with Mecklenburg County, they are suffering and missing out on the incentive. Mrs. Fox also advised that another key issue was transportation which included: NC Connect Bonds, additional changes to the STI (Transportation Formula), maintaining Powell Bill Funds, MPO issues, and road diet discussions. She advised regarding the MPO issues, some issues from last year are still pending and involve a complete study of the organization, structure, and oversight of MPO's and RPO's. She also informed that the opportunity to have road diets did not pass last year and there would be tweaks to the FY2015-2017 biennial budget.

Mrs. Fox discussed the 2016 connect NC Bond. Currently the only place in Catawba County that would receive funding would be CVCC, however, there may be some grant opportunities available if it passes.

Alderman Lail commented that Burke County would be receiving 90 million dollars.

Public Services Director Chuck Hansen commented that the City could go after some of the 310 million dollars under water and sewer.

Mrs. Fox discussed pending city cases of concern. She referenced the City of Asheville water system case. The Asheville system serves over 124,000 customers including residential, commercial, industrial, and institutional users. The N.C. Supreme Court has allowed a temporary stay in the case allowing the City of Asheville to retain ownership of the water system while legal action is pending. She also discussed the Lowe's property tax commission appeal. The national retail chain Lowes is using the courts to possibly reduce its local property taxes as it has in other states in recent years. The issue is that counties show different values in the property and they are paying different property tax amounts. She advised this is part of a national strategy to challenge valuation of big box stores. Some area government officials are concerned that if the company is successful, other big box stores would follow suit. The result would be less tax money for already lean government budgets.

Mrs. Fox continued the discussion with what was new in the 2016 Federal session. The TIGER (Transportation Investment Generating Economic Recovery) grant deadline is April 29, 2016. Current funding available is \$500 million dollars. The threshold for urban projects was \$10 million dollars and is now \$5 million dollars. They are evaluating possible Federal grant opportunities with congressional staff. City staff does not know what will apply to our area and projects.

Mrs. Fox discussed recent events which included Corning Optical Communications Headquarters moving due to economic development incentives. Corning would receive over \$2 million dollars in taxpayer funded incentives to move their headquarters from Catawba County to another county in the State. She commented that was a big sting to the City of Hickory. This along with the recent discussion to change the economic development incentives tiering system are key points of interest. She reiterated that the NC Connect Bond has no funding ties to Hickory other than the construction, repair and renovations earmarked for CVCC in the amount of \$6 million dollars.

Mrs. Fox discussed things moving forward. Regarding the economic development revaluation tiering system, the various recommendations by the NC Department of Commerce and the North Carolina General Assembly staff is the creation of a new oversight commission. The commission would determine factors to identify distressed communities, review the mission and resources of existing programs, and consult with subject matter experts from within and outside State government. The commission would consist of 22 members: six each from the House of Representatives and the Senate; eight members of the general public representing local government and business from counties identified as distressed; and two members from the Secretary of Commerce and President of the Community College system as non-voting ex-officio members. She advised that in September 2015 the Municipal Caucus was formed to focus on City, and Town issues. This stemmed from the sales tax and various infrastructure items this past session. This will bring more focus to the effects of legislative actions at the local level.

Alderman Guess commented that we had learned a lot from applying for the TIGER grants. He asked if we were in line for applying by the next deadline.

Mrs. Fox confirmed we were in line.

Alderwoman Patton asked when the City would find out if they were awarded the grant.

Mrs. Fox advised October at the earliest.

Assistant City Manager Andrea Surratt advised that the City didn't have the engineering yet or the details.

Mr. Berry advised that the application was generally the same, and we are one step closer to the engineering and design.

Mrs. Surratt commented that we should have the RFQ's for the design by the time of the review.

Mr. Berry commented that we do have DOT funding through the MPO process. If we get the TIGER grant we may lose the DOT money, but there was no reason not to pursue the TIGER grant.

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Mr. Hansen commented that the City should move on with the process and get the design plan ready.

Mr. Berry advised that in the big scheme of things we are not doing great on Connect NC compared to Burke County. We were stung by the loss of Corning. Alderman Seaver commented that the incentive program should be for creating jobs instead of stealing it from somewhere else. He referred to it as corporate welfare handed out.

Alderman Lail commented that it was nothing but a game, Corning didn't need the money to move their headquarters.

City Attorney John Crone commented that what it boils down to is a bidding war. The whole concept is to get the smaller or middle size businesses to relocate.

Alderman Lail commented that Catawba County is still suffering.

Discussion ensued on thoughts of a narrative to petition for. The 1764 Park could bring in new businesses.

Alderman Zagaroli suggested contacting "friends" of the newer industries, they might want to locate to Hickory.

Mr. Berry advised that the Catawba County EDC was working on that.

Alderman Guess felt that the City needed to do a better job in communications with new businesses, he mentioned the U-Haul business that had located in Hickory and the refurbishment of Midland Plaza.

Alderman Lail suggested that the Business Development Committee (BDC) could possibly look at some type of recognition for new businesses or redevelopment.

Alderman Seaver referenced the presentation of the Boards and Commission's work plans and commented that a lot of businesses do fundraisers. There could be a business recognition for businesses that are helping people. He mentioned Carolina Theatre's participation in the Community Relations Council's fundraiser.

Mrs. Surratt advised that Carolina Theatre had previously been recognized by the BDC.

Alderman Guess questioned the amount of revenue brought into the City by the vehicle tag tax.

Assistant City Manager Rodney Miller advised \$170,000.

III. Communicating the Crafting Hickory Plan

Marketing Manager Dana Kaminske presented a PowerPoint presentation. She advised that the branding had been around for five years. The City had incorporated the message and logo into the community with their brand partners, and created and partnered on great local events. Our Life. Well Crafted. message has even taken new life with the "Crafting Hickory" project campaign. "Crafting Hickory" is a great umbrella to summarize projects. Staff will continue to market this message internally to our citizens and regional markets. Mrs. Kaminske displayed a slide which contained a list of the brand partnerships and events that had been held. She advised that people are talking about the "Sails Music Series", and it is getting out into the community, but our story continues to evolve.

Mrs. Kaminske discussed the next steps, Phase 2, branding Hickory and the Life. Well Crafted. message to internal and external markets. The first goal was to drive the Hickory brand message, Life. Well Crafted., as well as the overall Hickory story, (i.e. Crafting Hickory), to external larger markets, as well as continue internal updated messaging to residents. The larger markets being Charlotte, Asheville, and Winston. The strategies for this goal would be increase economic development in Hickory, showcase Hickory as a place to craft a life, and for the City to be the ultimate resource for the overall message. She discussed how we could do that. She referenced the "Crafting Hickory" magazine insert that was in the Hickory Daily record, 30,000 plus reached. She advised of other ways which could include: develop a concise Hickory story to share with everyone, be the resource; engage the Bond Commission to share the bond project messages; create a document that speaks to Hickory's quality of life/place that can be shared with our partners; create a library of short videos, 30 seconds to one minute long, highlighting Hickory's quality of life/place; and work to partner with Lenoir-Rhyne University for when they are recruiting students and parents and larger events like the Global Entrepreneur Week, the 125th 5K Race and the University City Commission's activities.

Mr. Berry recognized Bond Commission member who was in attendance Mr. Frank Young.

Mrs. Kaminske commented that we have to be the center of influence. It is great to have interaction and to share that engagement.

Mr. Berry asked City Council how they felt about the videos of Hickory. Focus on controlling the message and let everybody piggyback on it.

Alderman Guess commented that it worked well with the brand.

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Alderman Lail commented that brand awareness was super expensive.

Discussion ensued regarding marketing strategies through the web to people who have already connected with Hickory through the convention center and other places (websites)... Mrs. Kaminske continued her presentation with Goal 2 which was connect with local Hickory businesses for cross promotion and to find out their needs to recruit mid to higher level talent to Hickory. The strategies for this goal were: build strong relationships with local businesses; understand what recruiters are looking for to "Sell" Hickory; drive their important public relations messages to our citizens; and create future video and content to use to speak to other markets. Mrs. Kaminske discussed how this could be done which was meet with company talent recruiters and marketing staff; and determine the quality of life/place components these businesses need or use to target talent to this area. She used as an example partner with the recruiters like Transportation Insight's marketing department. She advised that CommScope's recruiter had been recruiting for eight years and had never been to Hickory. She commented use their message to share information. She suggested pushing information out when a business does something exceptionally well, or is recognized. She referenced Highland Avenue Restaurant being in the top 30 in Southern Living Magazine.

Mr. Berry commented that new people are our biggest cheerleaders.

Mrs. Kaminske advised send a positive message for people who want to come here because it is Hickory. Tell people about the City's services and quality of life, new people need to know.

Alderman Seaver commented that the City of Hickory is adding amenities for citizens and some cities are taking away.

Mrs. Kaminske discussed Goal 3, which was increase the young professional population and their interaction with the City, helping young professionals to share Hickory's story. The strategies for this goal were: growing a future talent base of creative and skilled young professionals working here; having them create their life in Hickory first the Life. Well Crafted. brand message; and drives an increase in home sales and sales tax by eating, shopping, and living in Hickory. She discussed how to do this: develop current partnerships with Hickory Young Professionals and Hickory Jaycees; showcase the lifestyles of young professionals via Hickory's marketing tools, (i.e. Pedals and Pubs, Lake Hickory, walking trails, Carolina Thread Trail, Sails events, music scene, arts and culture, etc.); speak with and learn from other cities similar to Hickory that have universities and young professionals, how to connect; connect with Lenoir-Rhyne University's various departments and the University City Commission to see what ways we could work together to share Hickory's story with student/parents, such as student/parent orientation.

Mr. Berry commented that one idea was to grow and expand the entertainment component at the Sails on the Square. Also the Hickory Metro Convention Center and Visitors Bureau could play a bigger role. They could bring in money and resource sponsorship for those kinds of things. He advised that Mrs. Meg Jenkins-Locke was seeking partnerships for entertainment at the mill and they are talking with the Convention Center about that. Broaden the sense of activity and the quality of place.

Alderman Seaver commented that American's want to be entertained.

Mrs. Kaminske discussed the redesigned City of Hickory website, www.HickoryNC.gov. The website was redesigned for easier citizen access and usability, a cleaner look and adaptable to mobile devices. It is more consistent with attracting millennials, the home page contains the most important items, and there is a section for updating Crafting Hickory and Bond pages. Mrs. Kaminske demonstrated the site to Council pointing out the placement of the objects on the page and the areas that were most visited.

Alderman Seaver commented that it looks great and it was more user friendly.

Mr. Berry commented that Mrs. Kaminske had big shoes to fill replacing Mandy Pitts and she had hit the ground running. She wrote 90 percent of the informational magazine that went to the Hickory Daily Record and got that all set up. The Record sold the ads, but they made them look like part of the publication.

Mrs. Kaminske advised that they were going to keep doing those kinds of things.

City Council took a break at approximately 3:00 p.m. and returned at approximately 3:20 p.m.

IV. Bond Counsel

Mr. Berry introduced Scott Leo, Bond Counsel and advised that he would discuss the \$25 million dollar Transportation Bonds and \$15 million dollar Economic Development Bonds with Council.

Mr. Scott Leo commented that the two bond questions on the ballot passed. The two questions touch on specific projects and authorize the bond market. The projects must fit into one or the other category. He had received information about the projects and they were very consistent with talking about the City Walk, Riverwalk, gateways and streetscapes. They looked very familiar from the big picture. The business park would fall into the economic development bucket. The City Walk was designated as a corridor to attract commercial businesses and jobs to the center city, or a headquarters in the central business district. The Riverwalk project would spur new retail jobs. He discussed the \$15 million dollars for economic development. Five million dollars was to be used for the business park. The \$25 million dollar bond for streets and

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sidewalks was drafted broadly for pedestrian and bike paths, and sidewalks. The gateway project would fall into the \$25 million dollar bucket. He advised that the City was on the right path and that it was exactly what they had talked about when they put it on the ballot.

Mr. Berry asked City Council if they had questions and were comfortable that the projects were consistent with the buckets.

Councilmembers discussed the few questions they've heard from the community about the different categories for the bond projects.

Alderman Lail commented that the streets and sidewalks bond did well.

Mr. Leo advised that typically streets are the highest margin.

Alderman Lail commented that the City's information was straight forward.

Mr. Leo commented that the types of projects talked about was the information that was put out.

Mr. Berry commented that what was said is still what they are going to do.

Mayor Wright commented that there are very few of these things that you can put a "T" for transportation or an "E" for economic development. You can't be that precise. They had told the truth on that.

City Council confirmed that from this discussion with Bond Counsel, they are comfortable that the projects are consistent with the two categories approved by the voters.

V. Finalizing Bond Program Schedule & Non-Bond Capital Plan

Mr. Berry discussed the program schedule for 2016 highlighting approximate design schedules for the bond projects design. Timeframe for the City Walk would be design RFQ in April, contract to City Council in July; 321 gateways would be design RFQ in May, contract to City Council in August; and Riverwalk design RFQ in July and contract to City Council in October. He discussed the program schedule for 2017-2019: Lenoir-Rhyne I-40 gateway – 2017. This would coincide with the DOT project; Lenoir-Rhyne Boulevard 2017-2018; Riverwalk/City Walk connection 2018; Riverwalk P-3, proof of concept and developer interest 2017, 2019 design, and coincide with the 321 bridge project. He advised that Freese Nichols and Staff had discussed developers going into the Riverwalk area and it may not happen until both the 321 bridge and Riverwalk are done. That might backup the P3 opportunity for a couple of years. Mr. Berry discussed the possibility of adding some low cost amenities to the area, a picnic space or a sand volleyball court.

Alderman Zagaroli felt that it would be good to see activity going on there.

Alderman Lail commented that a \$70 million dollar investment was going beside the Little Riverwalk in Rock Hill.

Mr. Berry asked if there was a consensus regarding the program schedule.

Mayor Wright advised that he was okay with it since all the other things (non-bond projects) are going to be done.

Mr. Berry showed a comical video about cowboys herding cats. He referenced the visit to Chattanooga and how they heard about "Chattanooga Way" of revitalizing their City. He commented that Staff feels like the "Hickory Way" to be very inclusive and transparent in the process, which can seem like herding cats, they want everyone to be happy and in support of these projects and were very pleased with the work of the Bond Commission to this point. Mr. Berry asked City Council what they felt about the Bond Commission and their work so far.

The consensus of City Council was they had and were doing a wonderful job.

Mr. Berry commented that the citizen's involvement was unique to Hickory, no one had ever done a 42 member Bond Commission. He advised that the Bond Commission had 26 meetings in 38 weeks. There was a lot of thought put into those meetings. The Chairs and the Vice Chairs wanted to be informed of what was being planned for the subcommittee meetings, so that was another level of engagement. When the Bond Commission was created in January 2015 they to meet four times a year. He commented that the interaction from the Bond Commission created confidence and Staff felt good about that. Mr. Berry commented that it was a labor intensive process. He asked City Council what they expected going forward.

Alderwoman Patton felt they should be part of the design portion, and should stay engaged to the end, or the opening of the project.

Alderman Lail felt that the Subcommittee's communication with the designers could be valuable.

Mr. Berry discussed the role of the Bond Commission going forward. He advised that the next full Bond Commission's meeting would be in April. They are excited and ready to go. He commented that if the Subcommittees would be involved in the selection of the designer that would be 2-4 meetings each, three projects, so between 6-12 meetings between April and October. Then one predesign meeting for each project. Then the design development phase to determine the context of what they would need to be designing, which would be at least two

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meetings for each of the projects. That would total 21 plus or minus meetings between April and December, which is pretty intensive in nine months. He asked City Council for their thoughts.

Alderman Seaver thought they were more in tune with everything.

Alderman Zagaroli commented that some of them may not hit the mark at all, the subcommittee could send options to Council for their review.

Alderwoman Patton commented that the Subcommittee talks to the people.

Alderman Seaver commented that the connectivity was easier on the Riverwalk.

Mayor Wright commented that they should have some dialogue with the community to see what they see as the ongoing goal.

Alderman Tarlton questioned if project estimates included the budget for the design work.

Mr. Berry advised that the design budget was built in.

Discussion ensued about the Bond Commission's ongoing role. There was great comradery within the commission and they want to do a good job. They are at the interesting part now. Concerns were raised about the expediency of the projects, and the possibility of too many cooks in the kitchen. Council felt that communication was a valuable tool. After the design is complete the Bond Commission's role becomes less intensive, and the professionals work will take place. Mr. Berry referenced the role specified in the Ordinance which created the Bond Commission which included talking it up in the community, building partnerships, and fundraising. There was some discussion about the fundraising aspect and concerns on not hitting the same target three times.

Mr. Berry referenced the Inspiring Spaces plan which included a lot of art and fountain water features that were not in the spine of the City Walk. There was the possibility of State money or TIGER grant funds that could be used for those amenities as well as fund raising

Alderman Zagaroli questioned who designed the amenities.

Mr. Berry advised that the design for the spine of the City Walk would be approved by Council, then they would start planning for the amenities and raising money to add to the spine. City Attorney Crone advised that once the amenities are identified you could address naming rights, donations, support, and funding for one of those amenities, perhaps in the name of a loved one.

Mrs. Surratt advised that the cost of the Inspiring Spaces concept was \$27 million dollars and 14 amenities were identified for the spine. The program recommended by the Bond Commission and endorsed by council included four of those 14 amenities, the pedestrian bridge, the parking deck, fountain, and redevelopment of Union Square.

Alderman Lail commented that there is a message that they need to get out to leverage public/private partnership money.

Mr. Berry asked what the consensus of City Council was for what the Bond Commission had already done and if they were okay with the Bond Commission's role in selecting the designer.

Discussion ensued briefly regarding the attendance of the Bond Commission members and how the process would be for selecting the "short list" of the designer. Mr. Berry advised that Staff would negotiate the contract, and City Council would award the contract. Out of the 21 Commission and subcommittee meetings City Council could plug into as much of those as they wanted to and there would not be a separate process for Council to be involved with the design

The next segment was "Chocolate with Chuck and Kevin", which discussions included the community's part and administration portion.

Mr. Hansen commented that they had crafted a great process and it was well received by the public with excitement and credibility. These projects had taken several generations of people to create an idea going forward. Mr. Hansen displayed a road sign that said "Hickory Way". Mr. Hansen used the analogy of building a vehicle. We are going to not only build a car, but also a SUV, and a truck, formulating design teams for each one of these. Time relates to dollars and expense upfront. It is best to change it on paper instead of on the ground. He discussed program management and project management. He advised program management was at the 1,000 foot level looking down and project management was the 0 to 50 foot level of details. He explained that program management was the level of suppliers to deliver at the right time for the project date to keep everything going to mesh together. He commented that time and effort, doing that correctly, the payoff is great dividends and product. The project managers would be overseeing the design teams, multiple design teams, with the projects, as well as the structural, electrical and mechanical components that are tucked in under the lead group. They would be the coordinating body to make sure it meshes between structural and electrical, using the automobile example. The project manager would address the project design schedule, budget, right of way and legal issues, utility relocations, and other pieces of conformity in design specifications. There is a lot of pieces under project management. He advised that the program management level relates to scheduling the bond sells, and moving everything through the process.

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Mr. Hansen referenced the work that Freese Nichols had done. He advised that we only saw three people from there, but there was 24 people putting stuff together to make it all flow. The program manager would know about the grant cycles and where to plug in up or down. They also would have to work with the Local Government Commission's (LGC) schedule. They would make sure that everyone was well organized. He commented that program management is a specialty in and of itself. He advised that City staff did one project at a time, not three. The City's projects have staggered capital therefore they have a project every year or every couple of years. He advised that public works and engineering departments had 14 less people than they did in 1995. Some tweaked equipment made some things more efficient but they are stretched tight. There might be more money upfront to get there, but less cost overall.

Mr. Hansen commented that Freese Nichols fleshed out the details and keep continuity going forward. Once a designer is hired we need to pass on the expectations.

Alderman Lail asked if they had consultant management getting to design on the waste water treatment plant.

Mr. Greer advised that they did, Leo Davenport and staff.

Mr. Hansen commented that Freese Nichols delivered on time and the Bond Commission had confidence with Freese Nichols. Freese Nichols can handle the program management and the project management program. The next 10-12 months will be the most critical point of the program.

Alderman Patton asked if the City had a price with Freese Nichols.

Mr. Berry commented that roles were still being defined, who would do what, city staff vs. contract. We need to be mindful of the money and good stewards of other resources of the City to use for this.

Alderman Patton asked at what point that would come to City Council.

Mr. Berry advised that the Phase 2 contract with Freese Nichols was not on the March 15th agenda yet.

Alderman Patton asked if he had an idea of the cost.

Mr. Berry commented that it is not near what it was for the past project. They are in negotiations for a draft contract.

Mr. Berry referenced the PowerPoint and discussed items coming up in the next 60 days which included appropriation for wayfinding, and zoning overlay; appointment of conservancy, joint meeting with Catawba County on March 21st for appropriation for 1764; splash pad installation contract, and the TSW contract associated with the Lackey project. He reminded City Council of the capital projects that were coming out of the General Fund and other sources which were: Lackey project, Kiwanis splash pad, Sandy Ridge Road roundabouts, Bruce Meisner Park, City Park – Tennis Courts, Streetscapes/Zoning Overlay, Wayfinding/Gateway, and other infrastructure demands. Total Project Cost: \$18,469,412, Estimated City Cost: \$7,393,286, External Contributions: \$11,076,126. He commented that is \$4 million dollars against \$7.3 million dollars. If we are successful with the City Walk we may have partners because we need money to do that, to balance those out.

Alderman Lail commented and add in the Freese Nichols contract money.

Assistant City Manager Rodney Miller commented it is a cash flow issue versus having the money. The Sandy Ridge Road roundabouts and the Lackey project funds will not all hit in 2016.

Alderman Lail commented that if they build all of Bruce Meisner Park it won't hit in the same year.

Alderman Patton commented that she liked the cushion at 25 percent.

Mr. Miller advised that there was \$900,000 designated for the park. Phase 1 was \$2.3 million dollars.

Alderman Guess questioned if they could do what was designated.

Mr. Miller advised that they would have to come up with \$1.4 million dollars and that we don't have a revenue source for that.

Mr. Berry commented that would be a decision of City Council for Meisner Park. They could use the \$900,000 and plan going forward on the rest of it.

Alderman Zagaroli commented that he would like to see some progress there.

Mr. Miller advised that the parking funds could be used for the GHTA parking at the City Park.

Mayor Wright commented they could use the cushion funds for capital projects. There won't be any cushions like these balances again. He felt that the taxpayers would invest.

Alderman Guess commented that the City did not have much debt.

March 3, 2016

Mayor Wright commented we have \$4 million dollars and are talking about using it.

Mr. Miller advised that there was two cents dedicated for capital reserve so there would be some balance from that, probably a couple hundred thousand dollars.

Mayor Wright commented that building permits were good compared to last year. There is a lot going on for the City now.

Mr. Miler advised the City Park tennis courts, streetscapes and zoning overlay consultant and wayfinding would hit this year. The splash pad had already been appropriated. Sandy Ridge Road roundabouts where not appropriated.

Mr. Berry stated there seemed to be consensus on Council for the plan presented, phasing Meisner Park and staying within the 25% fund balance goal.

Mayor Wright commented that the City of Hickory has the best staff in North Carolina and he appreciated it very much.

VI. There being no further business, the meeting adjourned at 5:20 p.m.

Mayor

City Clerk

COUNCIL AGENDA MEMOS

To: City Manager's Office
From: Community Appearance Commission
Contact Person: Cal Overby, Planning Department
Date: February 23, 2016
Re: Community Appearance Grant – Rahe Bryce, LLC

REQUEST

The Community Appearance Commission recommends City Council approval of a Community Appearance Grant for non-residential properties owned by Rahe Bryce, LLC located at 200 2nd Street NW in the amount of \$3,897.50.

BACKGROUND

The City Council created the Community Appearance Grant program in 1999 to provide economic incentives for property owners to improve the general appearance of properties located within the City's designated Urban Revitalization Area. The Community Appearance Commission reviews applications for the grant program and forwards a recommendation of approval or denial to City Council. The grants are designed as a reimbursement grant in which the City of Hickory will match the applicant on a 50/50 basis. The maximum grant amount from the City of Hickory is \$5,000.00.

ANALYSIS

The grant proposal put forth by Rahe Bryce, LLC involves the renovation of existing non-residential building. The proposal involves the installation of new stonework around two street-side lower elevations of the existing commercial building. The subject property is located within the City's Urban Revitalization Area, which makes the application eligible for funding under the Community Appearance Grant program.

The applicant has provided two (2) bids for the items listed above, which total \$7,795.00 and \$17,100.00. Using the lower of the two bids, the request qualifies for a \$3,897.50 grant.

The current tax value of the properties is \$349,400.00. The value of the grant represents approximately 1.1% of the properties' tax value.

RECOMMENDATION

On February 22, 2016 the Community Appearance Commission considered the grant request. Upon consideration the Community Appearance Commission utilizing the City Council approved grant scoring criteria, scored the grant in the medium category (15 to 19 points), and voted 5 to 2 to recommend City Council approval of the grant request.

BUDGET ANALYSIS:

Budgetary Action

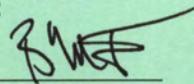
Is a Budget Amendment required?

Yes

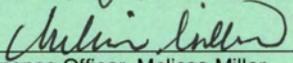
No

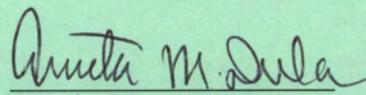
LIST THE EXPENDITURE CODE:

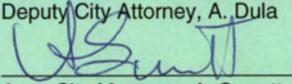
Reviewed by:

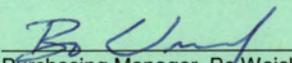
Brian Frazier  2/23/16
Initiating Department Head Date

Rodney Miller  3-4-16
Asst. City Manager Rodney Miller Date

Melissa Miller  3-7-16
Finance Officer, Melissa Miller Date

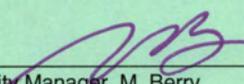
Amata M. Dula  3-4-16
Deputy City Attorney, A. Dula Date

A. Surratt  3/4/16
Asst. City Manager, A. Surratt Date

Bo Weichel  3-7-16
Purchasing Manager, Bo Weichel Date

Date

Recommended for approval and placement on _____ Council agenda (as
Consent, Public Hearing, Informational, Department Report, etc).



City Manager, M. Berry

3/10/16

Date



Office of Planning and Development

MEMORANDUM

To: Hickory City Council

From: Cal Overby, AICP, Principal Planner

Re: Rahe Bryce, LLC – Community Appearance Grant

REQUEST

Jim Mitchell, agent for Rahe Bryce, LLC, has submitted an application for a Community Appearance Grant. The proposal involves improvements to a commercial building located at 200 2nd Street NW.

The grant proposal put forth by Rahe Bryce, LLC involves the installation of new stonework around two street-side lower elevations of the existing commercial building. The property is located within the City's defined Urban Revitalization Area, and as such is eligible for the consideration of a Community Appearance Grant.

The applicant has provided two (2) bids for the work listed above, which total \$7,795.00 and \$17,100.00. If the Commission moves to approve the proposed grant at the lower of the two estimates, the request would qualify for a \$3,897.50 grant.

COMMUNITY APPEARANCE COMMISSION MEETING

On February 22, 2016 the Community Appearance Commission considered the grant request. Upon consideration the Community Appearance Commission utilizing the City Council approved grant scoring criteria, scored the grant in the medium category (15 to 19 points), and voted 5 to 2 to recommend City Council approval of the grant request.



Exhibit VIII.A.



3RD AV NW

N CENTER ST

2ND AV NE

2ND ST NW



2ND AV NW

1ST AV NW

Rahe Bryce, LLC
200 2nd Street NW
Community Appearance Grant

 Subject Property

Community Appearance Grant Application Form

Project Location Address: 200 2nd St NW

Applicant's Name: James Mitchell

Applicant's Mailing Address: 1068 13th Ave Pl NW
Hickory, NC 28601

Telephone: Day: 828 322-1723 Mobile: 828 381-7110

E-mail address: mitchell@bhicp.com

Property Owner's Name (if not the Applicant): Rake Bryce, LLC

Mailing Address: 203 1st Ave NW Suite 507
Hickory, NC 28601

Telephone: Day: 828 322-1723 Mobile: 828 234-7676

E-mail address: gavinbmitchell@yahoo.com

Project Description: Install stone along two walls...
that face 2nd St + 2nd Ave

Total Estimated Project Cost \$ 7,795.⁰⁰
Grant Request Amount \$ 3,897.⁵⁰

Required Attachments

- Property Deed or Lease
- Color photographs of the existing site or project area
- A plan (drawing) of the site showing the exact location of proposed improvements
- A detailed list of the materials to be used
- A detailed project narrative that fully explains how the application meets the grant guidelines; and
- Two cost estimates/bids.** Cost estimates must be from two different companies or individuals who are capable of performing the proposed work as outlined.

Certification by Applicant and Owner

I have completed the enclosed application and attached the items requested above. I have informed the owner of the project prior to obtaining his/her signature on this application. I have been adequately informed of the requirements of this grant (including eligible and ineligible activities) and the process for review of my application.

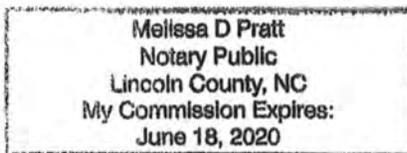
I understand that the grant money will only apply for approved work that is completed in accordance with the information I have provided in this grant application. Additional work that may be done on site but that is not described in this application will not be reimbursed.

Applicant Signature: *Gavin R. Mitchell* Date: 1/4/16
 Owners Signature: *[Signature]* Date: 1/4/16
 (Owners signature must be notarized)

**NORTH CAROLINA
CATAWBA COUNTY**

I, Melissa D. Pratt, a Notary Public for said County and State, do hereby certify that Gavin R. Mitchell personally appeared before me this day and acknowledge the due execution of the foregoing instrument.

Witness my hand and official seal, this the 5th day of JANUARY, 2016.



Melissa D. Pratt
 Notary Public
 My Commission Expires: June 18, 2020

January 5, 2016

To: City of Hickory Community Appearance Commission

From: James Mitchell

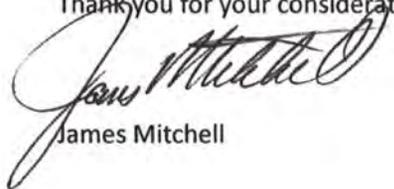
Re: 200 2nd St, NW

We believe this building is a good candidate for an appearance grant. Located in the heart of Downtown, the building fronts on a major thoroughfare and is very visible.

We plan to install Southern LedgeStone from Boral on the two sides of the building that front 2nd Ave and 2nd St NW. At the corner the stone will be 3ft tall and rise to 6ft on both sides. The stone will have a water table at the top and will be properly flashed. Once this project is complete we plan to update the window treatments on the exterior to give it a more finished look.

After these much needed façade improvements have been performed, we hope to entice more businesses to the beautiful Downtown area. The building is currently vacant and has been for a few years.

Thank you for your consideration

A handwritten signature in black ink, appearing to read "James Mitchell", written over the typed name below.

James Mitchell

3318-0349

FILED Catawba County
on Nov 23, 2015 at 11:10:00 am

Excise Tax \$410.00 (AT)

INST. # 19937

DONNA HICKS SPENCER,
Register of Deeds

Ek 03318 Pg 0349-0351

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 410.00

Parcel Identifier No. 3703-19-50-8414 Verified by _____ County on the ____ day of _____, 20____
By: _____

✓ Mail/Box to: John G. Fuller, 352 2nd Street NW, Suite 106, Hickory, North Carolina 28601

This instrument was prepared by: John G. Fuller, 352 2nd Street NW, Suite 106, Hickory, North Carolina 28601

Brief description for the Index: _____

THIS DEED made this 17th day of November, 2015 by and between

GRANTOR
Western NC Investment Properties LLC
PO Box 428
Morganton, NC 28680

GRANTEE
Rahe Bryce LLC
200 1st Ave NW, Suite 507
Hickory, NC 28601

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of _____ Township, Catawba County, North Carolina and more particularly described as follows:

See Attached Exhibit A

The property hereinabove described was acquired by Grantor by instrument recorded in Book 2967 page 601.

All or a portion of the property herein conveyed includes or does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book _____ page _____.

NC Bar Association Form No. 3 © 1976, Revised © 1/1/2010
Printed by Agreement with the NC Bar Association

3318-0350

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

0350

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing.

**WESTERN NC INVESTMENT
PROPERTIES LLC**

By: Philip J Schmitt (SEAL)
PHILIP J. SCHMITT, MANAGING MEMBER

STATE OF NORTH CAROLINA - COUNTY OF Catawba



I, the undersigned Notary Public of the County and State aforesaid, certify that PHILIP J. SCHMITT personally came before me this day and acknowledged that he is Managing Member of WESTERN NC INVESTMENT PROPERTIES, LLC, a North Carolina LLC and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and official stamp or seal, this 17th day November, 2015.

Darla M Crowe
Name of Notary Public: Darla M Crowe
My commission expires: 11/15/2018

3318-0351

0351

Exhibit A

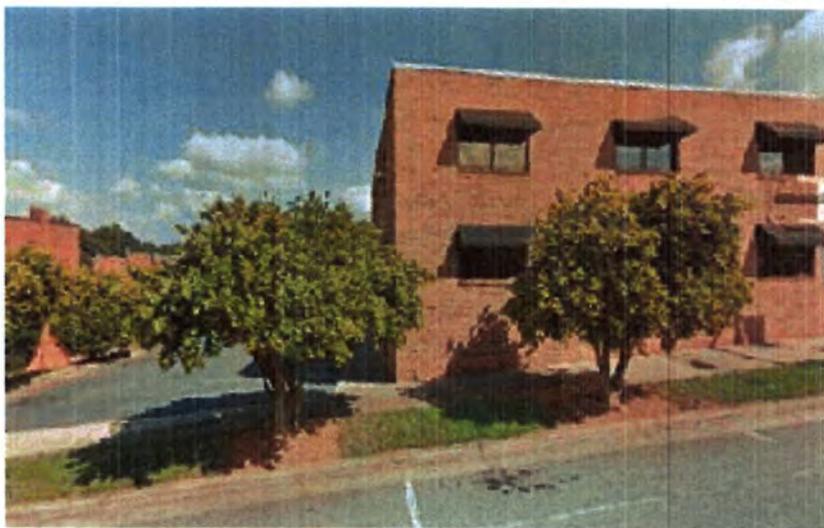
BEGINNING at iron pin in the Northern margin of the right-of-way of Second Avenue, NW, said point being Grover Honeycutt's Southwest corner, and running thence North 87° 44' 40" West with the right-of-way of Second Avenue, NW, 99.56 feet to an iron pin in the Northeastern point of the intersection of Second Avenue, NW, with Second Street NW; and runs thence North 1° 45' East with the margin of the right-of-way of Second Street, NW, 97.22 feet to an iron pin; thence South 88° 13' East 98.73 feet to an iron pin; thence South 1° 16' West 98.00 feet to the Beginning. Containing .22 acres more or less, as surveyed by Donald S. Miller, Registered Surveyor, dated January 11, 1984.

WEB

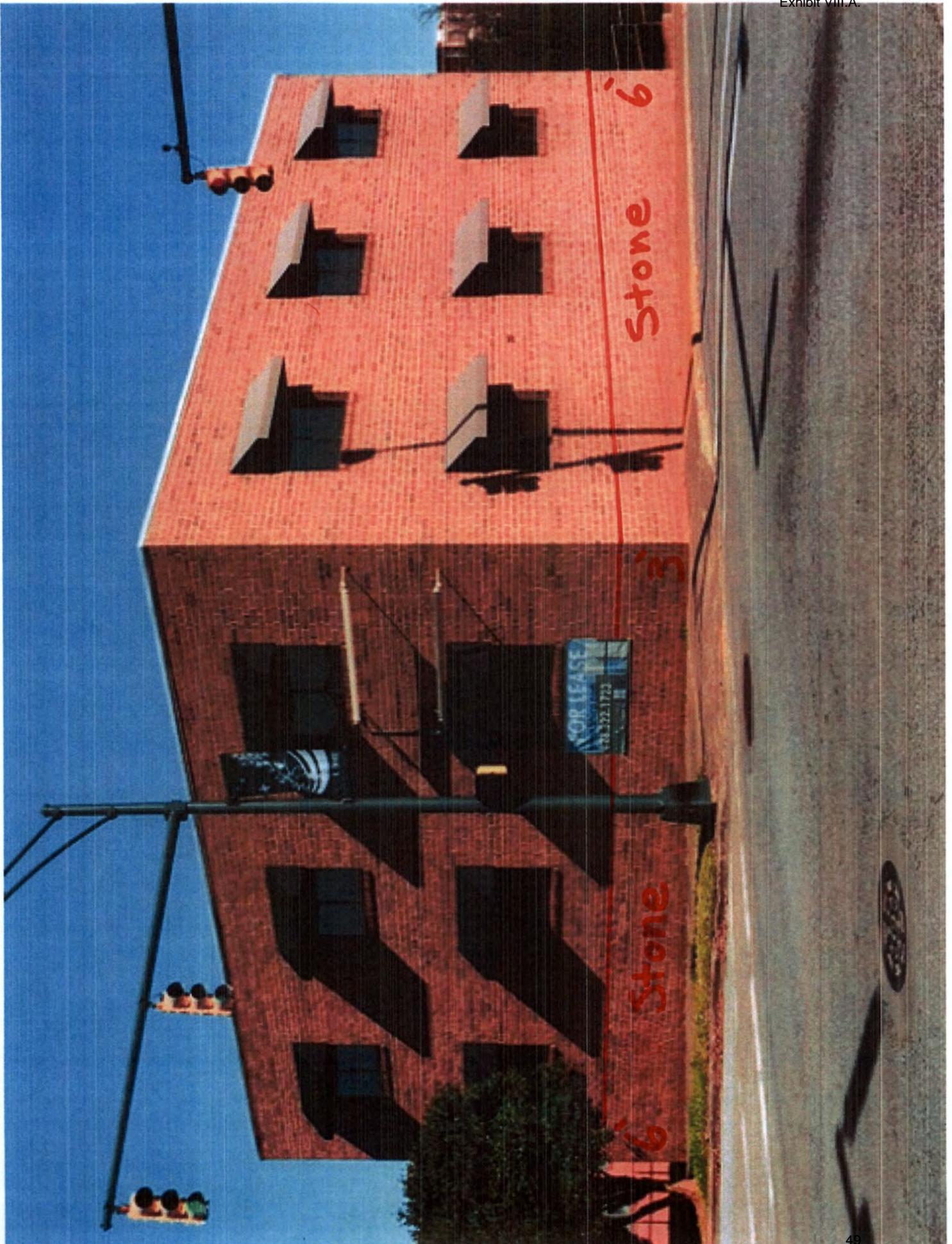
Google Maps 200 2nd St NW



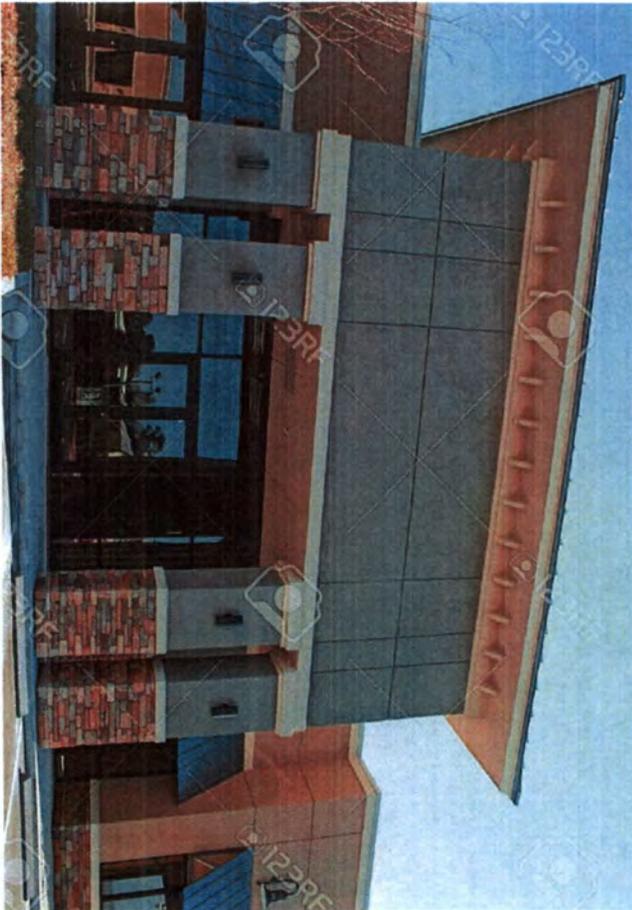
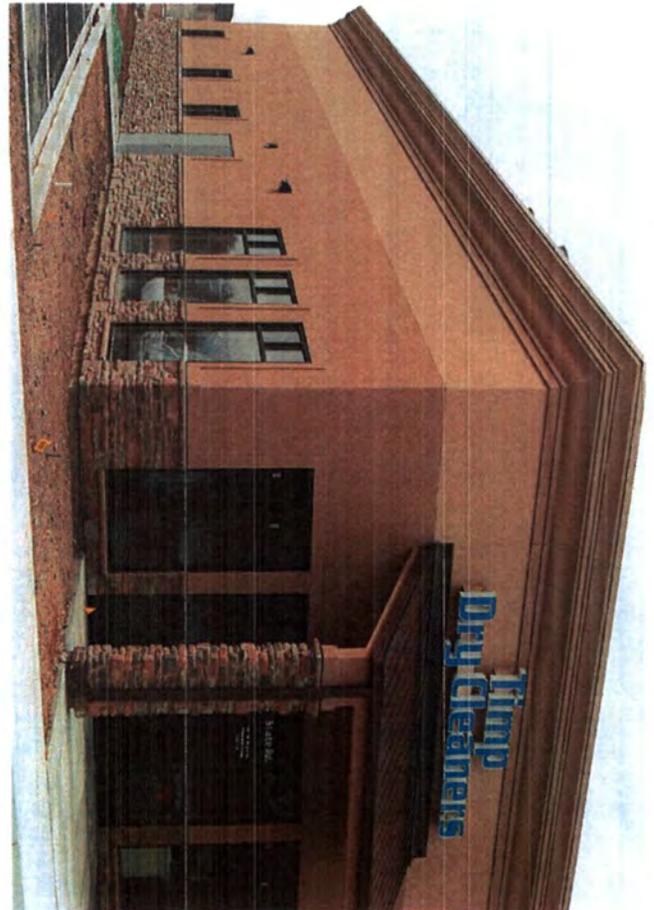
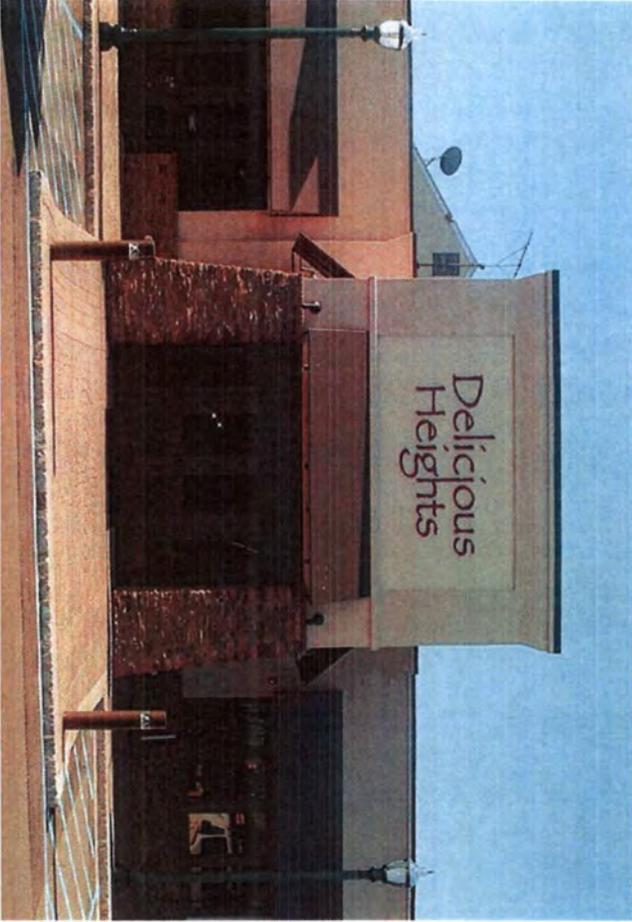
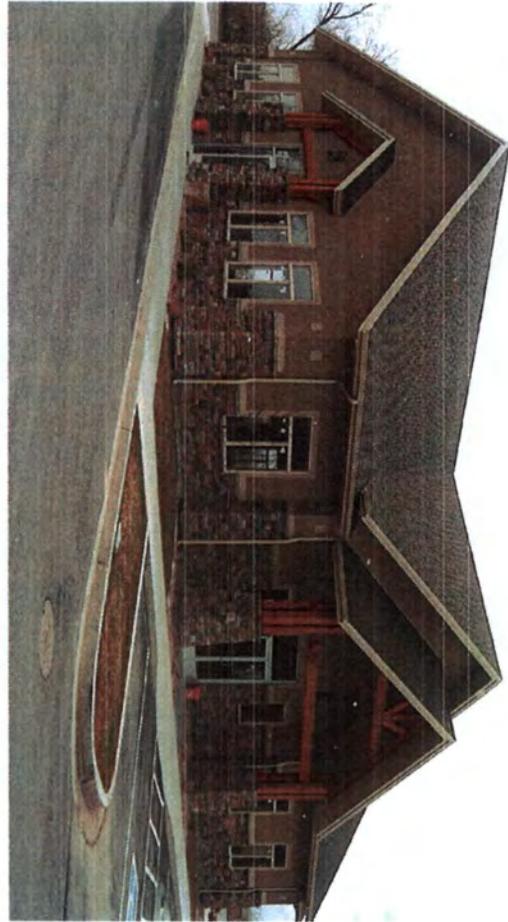
Imagery ©2016 Google, Map data ©2016 Google 50 ft



200 2nd St NW
Hickory, NC 28601







12-14-15

TO: GAVIN MITCHELL

FROM: COLVIN KILLIAN = 828-291-7090.

FOR: ESTIMATE FOR STONEMWORK ON BUILDING
UP TOWN HICKORY.

STONE =

\$3345.00

LABOR =

\$3325.00

FLASHING =

\$ 500.00

SAND-MIX =

\$ 125.00

\$7295.00

Finish Corners 2x 500.00

\$ 7795.00

TOTAL	=	\$7295.00
	+	500.00
		<u>7795.00</u>

Kirby Construction Services Inc.
901 6th Street SW.
Conover NC 28613-2909
Fax 828-465-6244
Cell 828-381-8458
Email: wlkirby@ yahoo.com

01-05-2106
Page 1 of 1

Boyd & Hassell I-C Inc.
Hickory NC

ATT: Gavin Mitchell

RE: Stone veneer on to the existing building @ the corner of 2nd Street NW & 2nd Ave. NW

We propose to provide the following services as outline in the scope of work of this proposal. Our pricing includes all necessary materials labor equipment insurance and supervision to complete the work as outlined for this project.

Scope of work:

- From the highest corner install new stone veneer up approx. 3-0 and continue level down the 2 sides of the building being approx. 6-0 high at the lower point.
- Pressure wash the existing face brick to remove all the loose debris from the wall where the new stone is to be installed.
- Install new Boral cultured stone with a Southern Ledge stone pattern Echo Ridge color in a dry stacked pattern
- Install new flashing at the top of the stone work saw cut into the existing face brick and out over the new stone veneer.
- Install a new grey stone textured color water table at the top of the new stone veneer.
- Remove our trash

Our price for this work is: \$17,100.00

Normal KCSI payment terms shall apply

Respectfully Submitted

W. Larry Kirby CME
President
Kirby Construction Services Inc.
A-Certified Masonry & Concrete Contractor

PREPARED BY: Legal Department, City of Hickory
PO Box 398, Hickory, NC 28603

STATE OF NORTH CAROLINA

**APPEARANCE
GRANT AGREEMENT**

COUNTY OF CATAWBA

THIS AGREEMENT, made and entered into this _____ day of _____, 2016, by and between the **CITY OF HICKORY**, a municipal corporation of Catawba County, North Carolina, hereinafter referred to as the CITY, and having a mailing address of P.O. Box 398, Hickory, North Carolina 28603, and **RAHE BRYCE, LLC.**, referred to as the RECIPIENT, and having a mailing address of 200 1st Avenue NW, Suite 507, Hickory, NC 28601.

WITNESSETH

THAT WHEREAS, the City is dedicated to the visual and functional improvements of properties within one mile of the City Center area, as defined by the City Center Plan, dated October 20, 1998; and

WHEREAS, the City is willing to award grants for physical improvements for the purpose of assisting in the visual enhancement of certain existing properties provided the Recipient agrees to certain conditions.

NOW, THEREFORE, in consideration of the promises and mutual covenants herein contained the parties agree as follows:

1. The Recipient agrees to utilize the grant funds to fulfill that project described in the Downtown Appearance Improvement Incentive Grant Application attached hereto as Exhibit "A" and to utilize said funds solely for physical improvements. Said application is made a part of this Agreement and incorporated herein by reference as if more fully set forth.
2. The Recipient agrees to improve those premises described in Exhibit "A" in accordance with the intent of the City Center Plan to enhance the aesthetic integrity of the premises in accordance with the specifications established in attached "Exhibit A".
3. The Recipient agrees to maintain the design integrity of the proposed improvements, creating, retaining and/or modifying those elements, which enhance the premises.
4. The Recipient agrees to abide by and conform all construction, rehabilitation, renovation, demolition, and landscaping undertaken pursuant to this agreement to all applicable laws of the United States, the State of North Carolina, and those applicable provisions of the ordinances of the City of Hickory directly or indirectly related to the subject matter of this agreement.
5. The amount of this grant is Three Thousand Eight Hundred Ninety-Seven Dollars and 50/100 (\$3,897.50), payable upon completion of said project, and submission of

documentation confirming payment of all contractors and/or subcontractors, provided said project is completed within 120 days from the date of this agreement being signed in accordance with those provisions specified in the Downtown Appearance Improvement Incentive Grant Application.

- 6. The Recipient agrees that in the event the actual project costs are less than the estimated costs, the City grant will be reduced to solely the amount of the actual project costs that would be eligible for participation in this program.
- 7. Technical assistance provided by the City will be advisory only. The City will not be a party in negotiations between the Recipient and any contractor employed by the Recipient nor will the City provide legal advice or services to any party. The Recipient agrees to hold the City harmless for any defects in workmanship or from any liability, damages, or other costs relative to this project.
- 8. This Agreement may be terminated and the City may withhold grant monies upon the Recipient's breach of or failure to perform any of the terms of this agreement. The City shall give the Recipient notice in writing of any potential breach of this Agreement, after which the applicant shall have ten (10) calendar days in which to cure said breach. In the event of a failure to cure a breach of this Agreement, the City of Hickory may pursue any remedy available, either in equity or at law.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be signed upon the day and year first written above.

CITY OF HICKORY
A North Carolina Municipal Corporation

By: _____
Rudy Wright, Mayor

ATTEST: (SEAL)

Debbie D. Miller, City Clerk

Approved as to form and legality on behalf of the City of Hickory only:

Arutha M. Duce
Attorney for the City of Hickory

This document has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

Melissa Miller
Melissa Miller, Finance Officer

James R. Mitchell

JAMES R. MITCHELL, MEMBER

Gavin B. Mitchell

GAVIN B. MITCHELL, MEMBER

STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

I, _____ a Notary Public of said county and state, certify that **Debbie D. Miller** personally came before me this day and acknowledged that she is City Clerk of the City of Hickory, a North Carolina municipal corporation, and that by authority duly given and as the act of the City Council of the City of Hickory, the foregoing instrument was signed in its name and by its Mayor, sealed with its corporate seal and attested by her as its City Clerk.

Witness my hand and seal this _____ day of _____, 2016.

(Seal)

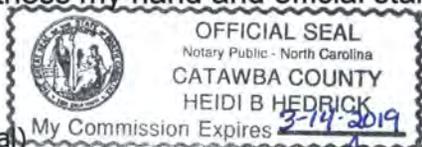
Notary Public

My Commission Expires: _____

STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

I, Heidi B. Hedrick, a Notary Public of the County and State aforesaid certify that **James R. Mitchell and Gavin B. Mitchell**, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official stamp or seal this 25th day of February, 2016.



(Seal)

Heidi B. Hedrick

Notary Public

My Commission Expires: March 14, 2019



City of Hickory
 PO Box 398
 Hickory, NC 28603
 Telephone
 828-323-7410
 Fax 828-323-7474

City of Hickory
Special Events/Activities Application
 (Must be submitted to Planning & Development)

SPECIAL EVENT APPLICATION

The purpose of this application is to provide information about your event or activity in order for various departments and agencies to determine if they need to be involved in the approval and/or permitting process. Depending on the specific event, a permit application and/or fee(s) from individual departments may be required.

The applicant is responsible for providing complete and accurate information on the application, including an attached detailed site plan. The applicant is also responsible for notifying the Planning Department of any changes. Incomplete applications will not be accepted. **For public property events a complete application should be submitted at least 90 days prior to the planned event to allow sufficient review time. For private property events a complete application should be submitted at least 30 days prior to the planned event. Public officials may contact you with specific questions. Any official may require a pre-planning meeting.

Applications and events are prioritized based on a first come-first served basis and the City may approve or disapprove an event's requested date based on availability of resources. Events that occur on an annual basis will receive priority the following year.

**If the event is to be held on public property, approval to use the property must be obtained from City Council; therefore the application must be submitted 22 days prior to the event.

APPLICANT INFORMATION

Name of Event: HICKORY OKTOBERFEST 2016
 Applicant Name & Title: Connie Kincaid, HDDA Executive Director
 Organization: Hickory Downtown Development Association
 Mailing (Billing) Address: PO Box 9086
 City / State / Zip: Hickory, NC 28603
 Daytime Phone: 828-322-1121 Cell: 828-781-1121 Email: info@downtownhickory.com
 Description of the Event: Three-day outdoor festival with four stages featuring live entertain
100+ vendors, amusement rides, and lots of people (depending on the weather).
 Does the event have a Twitter, Facebook or other social networking page? _____
 If yes, please list URL(s): _____

Event Address:	<u>Blocks within boundaries of 3rd St NW (W), Government Ave SW (S), 2nd</u>	
Date of Event:	<u>October 7, 8, and 9, 2016; Oct 7 noon - 11pm; Oct 8 10am - 11pm; Oct 9 noon - 5pm</u>	
Event Start Time:	<u>Oct 7-noon-11pm; Oct 8-10</u>	Event End Time: <u>Oct 9 5pm</u>
Road Closure Begins (if applicable):	<u>Thurs, Oct 6, 6</u>	Road Closure Ends (if applicable): <u>Sun, Oct 9, 1</u>
Set-Up Begins:	<u>Thurs, Oct 6 - 3pm</u>	Clean-Up Ends: <u>Sun, Oct 9 - 11pm</u>
Preferred Date & Time of Inspection:	<u>Friday, Oct 7, 10:30am</u>	
Estimated Attendance:	<u>70,000 - 100,000 people over three day period depending on weath</u>	
The Event is:	<u>Private (by invitation only) or <input checked="" type="checkbox"/> Open to General Public</u>	
Describe the procedures to be used for selecting participants and vendors for this event: <u>Volunteer committee selects sponsors/vendors, entertainers, and participants</u>		

APPLICANT'S SIGNATURE *CKincaid* DATE: 2-23-16

A pre-planning meeting may be required and will be scheduled to include the appropriate staff. The event applicant must attend the meeting. The city reserves the right to require others to attend.

TENTS & MEMBRANE STRUCTURES

**** Tent is a structure, enclosure, or shelter, with or without sidewalls or drops ****

Will tent(s) be used for the event? Yes No (If no, proceed to next section)

of Tent(s) 180 (fabric structure that is ENCLOSED with sidewalls or drops exceeding 400 square feet)

of Tent(s) 2 (fabric structure that is OPEN on all sides exceeding 700 square feet)

Are there multiple tents without sidewalls placed side by side such that the total square footage of all the tents in this group exceeds 700 square feet without 12 feet of clear space between all other permanent and temporary structures? Yes No

**** Membrane structure is an air-inflated or air supported structure ****

Will Membrane(s) be used for the event? Yes No (If no, proceed to next section)

of Membrane Structure(s) 4 exceeding 400 square feet

POWER SOURCES

Will you use electric generators? Yes No

If yes, will Power Distribution boxes be used? Yes No

Provide contact information for contractor supplying generator power:

Name: _____ Phone: _____ Email: _____

Will you use electric power from an existing structure? Yes No

If yes, will direct wiring to breakers be required? Yes No

Provide contact information for person responsible for setup of power:

Name: _____ Phone: _____ Email: _____

VOICE/MUSIC AMPLIFICATION

Are there any musical entertainment features related to your event? Yes No
(If no proceed to next section)

If yes, state the number of bands and type of music: Number of bands: 40 +/-

Type(s) of music: German Polka, Steel Drums, Classic Rock, Jazz, Christian Contemporary

Will a portable or temporary stage be utilized? Yes No

If yes*, state the number of portable or temporary stages: 4

Provide contact information for contractor providing stage:

Name: L&N Productions, It's My Party, HDDA Phone: 828-322-1121 Email: info@downtownhickroy.com

A Temporary Stage Certification Form must be completed for Catawba County Building Services

Will your event use amplified sound? Yes No

If yes, please indicate times: Start time: Oct 7, Noon Finish time: Oct 9, 6:00pm

HAZARDOUS MATERIALS

Will the event have any hazardous materials such as propane, butane, gasoline, diesel tanks, helium cylinders or other upright tanks? Yes No
If yes, all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.

Will there be any portable heaters? Yes No

Will there be any deep fat fryers? Yes No

Will there be any fireworks, lasers, torches, candles or pyrotechnics? Yes No
If yes, contact the City of Hickory Fire Prevention office at 828-323-7522 for more information.

ALCOHOL

Will alcoholic beverages be served? Yes No **(If yes, NC ABC permit required)**

Will alcoholic beverages be sold? Yes No **(If yes, NC ABC permit required)**

What type of alcohol will be served?
 Draft Beer Can/Bottle Beer Wine Liquor

Who will be serving the alcohol? United Beverages and Hickory Jaycees

Times for alcohol to be served: Fri, Oct 7, 5-10:30; Sat, Oct 8, noon-10:30, Sun, Oct 9, noon-5pm

Locations within event site where alcohol will be served: In the Pavilion Tent (Union Square) and in the Main Stage area (City Hall Parking lot)

Have you applied for a North Carolina temporary ABC permit? Yes No

VENDORS

List all commercial vendors who will be present during the event (serving, selling, sampling, or displaying).
 (Use additional sheet of paper if necessary)

VENDOR NAME	ADDRESS	PHONE NUMBER(S)
A final list of vendors will be given to the City a week prior to the festival		

Does the event include mechanical rides, or other similar attractions? Yes No
 If yes, please describe attractions:
BRINKLEY ENTERTAINMENT

Applicants contracting with amusement ride companies are required to provide the City of Hickory with a certificate of insurance, naming applicant and the City of Hickory (if applicable) as additional insured on general liability.

VENDORS

Does the event include food vendors? Yes No

If the event will have food vendors, please check the following that apply:
 Served Sold Free Catered Prepared Outdoors
An applicant having any food service must contact the Catawba County Health Department at (828) 465-8270 for approval of any food preparation or service.

Does the event include food concession and/or cooking areas? Yes No

If yes, please list each vendor and specify cooking method (Gas, Electric, Charcoal, Other)
(Use additional sheet if necessary)

VENDOR	COOKING METHOD	FOOD ITEM
Complete List will be given to		
city one week prior to festival		

Fire Code requires a fire extinguisher at each cooking location. Food and beverages shall not be sold at an event unless approved and licensed, if necessary, by the Catawba County Health Department. Event organizers are responsible for arranging health inspections for their events.

EVENT SCHEDULE

Provide a detailed schedule of the event including dates and times for entertainment, activities, hours of event, start time, finish time, etc. If the event requires an extended time frame for set-up, include details with a timeline listing the times and locations where streets or public property will be impacted and when dismantling will be completed. (Use additional sheet of paper if necessary)

DATE	TIME	ACTION	ADDITIONAL NOTES
10-6	3:00pm	Set-Up Begins	
10-7	10:30am	Fire Inspection	
10-7	12:00pm	Event begins	
10-9	5:00pm	Event ends	
10-9	5:30pm	Clean-Up begins	
10-9	11:00pm	Clean-Up ends	

SITE PLAN

Please attach a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets or areas that are part of the venue and the surrounding area. The plan should include the following information (if applicable):

- Location of the event/activity on the property with approximate distances from roads, fire hydrants, existing buildings, etc.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, alcohol sales, etc.
- Identify location of all cooking devices and open flames.
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.
- Identify location of any generators and fuel storage.

WALK, RUN, CYCLE EVENTS ON PUBLIC ROADWAYS

Number of participants expected: _____ % of participants expected under 18: _____

*Must be at least 100 participants and no more than 2,000 per route.

Number of volunteers expected: _____ % of volunteers expected under 18: _____

Check the approved City/NCDOT Route on public roadways below

- 5K 1 Downtown 5k** (Not allowed on Saturdays during the Downtown Hickory Farmers Market; Mid April-November)
- 5K 2 Hickory Foundation YMCA** (Can start and finish in Downtown District or other locations on route)
- 5K 3 FRMC 5K** (Can start and finish in Downtown District or other locations on route)
- 5K 4 Neill Clark Park 5k** (Must contact Parks and Recreation Director Mack McLeod mmcleod@hickorync.gov or 828-322-7046 and submit email confirmation with Special Event application.)
- 5K 5 Winkler Park 5k** (Must contact Parks and Recreation and Hickory Crawdads and submit email confirmation with Special Event application. Approval from Mack McLeod 828-322-7046 or mmcleod@hickorync.gov and Hickory Crawdads Mark Seaman 828-322-3000 or mseaman@hickorycrawdads.com.)
- 5K 6 LRU 5K** (Must clear route with LRU before submitting Special Event application. (Can start and finish in various locations, including First Methodist Church)
- 10K 1 Hickory Foundation YMCA** (Can start and finish in Downtown District)
- 10K 2 Do a 5k route twice, which 5k route?** _____
- Half Marathon 1** (13.1 miles)
- Cycle Route 1** (10 mile)
- Cycle Route 2** (32 mile)

APPROVED ROUTES/EVENTS AT THE AIRPORT AND PUBLIC PARKS

AIRPORT ROUTE

___ Hickory Regional Airport 5k ___ Approval from Airport Manager Terry Clark

*The second and fourth Saturdays have existing events in the morning hours. Check with Airport Manager Terry Clark 828-323-7408 or tclark@hickorync.gov on availability.

Name the new date proposed and time: _____

(Please include email confirmation with approval to use airport with application.)

PUBLIC PARKS ROUTES

Approval for park use may be obtained from Parks and Recreation Director Mack McLeod 828-322-7046 or mmcleod@hickorync.gov

Hickory City Park to Geitner-Rotary Park 5k via paved

(Please include email confirmation with approval to use park with application.)

Henry Fork River Regional Recreation Park

(Please include email confirmation with approval to use park with application.)

Neill W. Clark Jr. Recreation Park - **Event within park, could be different activities on fields**

(Please include email confirmation with approval to use park with application.)

Highland Recreation Center at Stanford Park Options

3.2 option 3.1 option 4.5 option – **All options along sidewalks**

(Please include email confirmation with approval to use park with application.)

ADDITIONAL GUIDELINES AND REQUIREMENTS

Please initial all guidelines below and provide the information requested at the time the application is submitted.

Must use a preapproved route from the City/NCDOT and/or preapproved neighborhood route and/or track or one of the options not on roadways that are available at the airport or at a park. _____

Must include a certificate of liability insurance for walk, run, and/or cycle event if the start/finish are on public property. _____

Must include a plan for volunteers for events with an anticipated attendance of 100 participants or more (how many, their duties). _____

Must include a parking plan for participants and volunteers (can be included in site plan). _____

The provision of twenty foot (20') minimum emergency access lanes throughout the event site. _____

Temporary signs may be used to mark a course. No markings of any kind (permanent or temporary) are allowed on roadways, sidewalks, or parking lots. _____

Any unauthorized traffic control device or other sign or message placed on the highway right-of-way by a private organization or individual constitutes a public nuisance and should be removed. Any violations of this policy will result in disapproval of future event(s). _____

Do not assume, advertise, or promote your event until you have a signed permit from the Hickory Police Department, along with permission from city staff and Hickory City Council. Conflicts do arise and changes to the request may be necessary. _____

ATTACHMENTS CHECKLIST

In addition to the Special Event Application form, the following supporting documents are required to complete your application package and begin the review process:

All Events:

- Site Plan Sketch
- Parking Plan for participants and volunteers (May be included in site plan)
- Volunteer Plan for events with an anticipated attendance of 100 participants or more (how many, their duties)

All Public Property Events:

- Certificate of Insurance listing the City of Hickory as certificate holder and additional insured.

-Public Property Event at a Public Park:

- Email from Parks and Recreation Director Mack McLeod indicating approval of the event date

-Public Property Event at the Airport:

- Email from Airport Director Terry Clark indicating approval of the event date

-Waiver Request

- I am requesting a waiver from the Section which prohibits animals from special events on City property. I have included the required safety plan with the application.

**** THIS SECTION IS ONLY TO BE COMPLETED IF REQUESTING TO HOLD AN EVENT ON UNION SQUARE COMMON, STREETS ADJOINING THERETO OR OTHER PUBLIC PLACES, PARKS, AND THE AIRPORT ****

USE OF UNION SQUARE AND OTHER PUBLIC PLACES

RULES REGULATING THE USE OF UNION SQUARE COMMON, STREETS ADJOINING THERETO AND OTHER PUBLIC PLACES, PARKS AND THE AIRPORT FOR SPECIAL EVENTS

- Special events may be held in one or more of the following areas:
 - Union Square Common, north of the Southern Railway tracks, east of Third Street, NW, and west of Second Street, NW.
 - Streets adjoining Union Square, including Third Street, NW, between the Southern Railway tracks and the northern margin of First Avenue, NW; First Avenue, NW between Third Street, NW and Second Street, NW; Second Street, NW from the Southern Railway tracks to the northern margin of First Avenue, NW; and Trade Alley.
 - Any other public building, park or property owned or possessed by the City of Hickory which, by its nature, is suitable for any certain special event that may be applied for, provided that said event remains open to the public at large.
- The City Council reserves the right to reject any application as to the use of any area described above for any special event. If the City Council learns that the event or vendors participating were misrepresented to the City Council or that the event in any way fails to comply with the rules regulating the use of Union Square Common or fails to comply with any applicable local, state, or federal laws, it reserves the right to rescind any approved application up to and during the course of the event. In the case of a special event being held at a City-owned facility for which a rental fee is usually charged, the normal rental fee shall be charged to the applicant unless the City Council waives such rental.
- Application must be filed in the City Manager's Office at least ninety (90) days prior to the time that the applicant desires to first take possession of the area to make preparations for the special event. The applicant for a special event must be a non-profit organization, organized and existing for the purpose of either some charitable or public benefit or for the promotion of business in the Downtown Area of Hickory. In addition, said non-profit organization may at the request of the Council be required to produce evidence of their non-profit corporation status as defined by state and federal laws. In addition, procedures to be used for selecting participants and vendors must be included with the application.
- The applicant shall provide to the City Manager at least two (2) weeks prior to the beginning of the public participation in the special event a list of all of the vendors or others having booths or display tables during the special event. No other persons may sell merchandise or operate any booth or display tables during the special event, unless the applicant, in writing, requests the City Manager to amend such list accordingly and permission is granted.
- No motor vehicles or other large equipment or manufactured items or livestock will be permitted within the area unless they are clearly identified and described and the proposed location is stated in the application and specific approval is given.
- The size, type of construction and location of display tables and booths must be described generally in the application; all construction must be safe and self-sustaining; no spikes or other holding devices may be driven into the ground of any street, sidewalk or tied to any tree.
- When food preparation, painting and/or pottery -making activities or similar activities are held, appropriate protective materials must be placed over any paved or brick areas for protection.

- No tents may be placed in the area without being described and exhibited to the Fire Prevention Inspectors of the Hickory Fire Department and special approval by the City Council.
- Public address systems can be used only if specifically requested in the application and special permission given, including limitations as to use.
- Sufficient portable toilets shall be provided for the expected number of participants.
- If the applicant desires to sell alcoholic beverages, it shall specifically so state in its application and shall provide a sketch of the area where the same will be sold and consumed. The area shall be delineated by barricades, with the entrance to be clearly marked and so constructed as to allow ready control of patrons, including viewing of identification to avoid underage persons being within the barricaded area. Signs shall be posted stating that no one shall leave the barricaded area with alcoholic beverages. Application must be made to proper State authorities for special permit for sale of alcoholic beverages. Special permit shall be available for inspection by the City at any time.
- The applicant shall assume full liability for all accidents or claims of accidents as a result of activities taking place at the special event and during the time the area is being readied for the event and while it is being cleaned up following the event. A copy of the insurance policy must be submitted to the City Manager's office prior to the event. The applicant must add the city as an additional insured on the policy. The policy is to be one of comprehensive general liability in the amount of not less the Three Hundred Thousand Dollars (\$300,000.00) for bodily injury per person and One Million Dollars (\$1,000,000.00) per occurrence and not less than One Hundred Thousand Dollars (100,000.00) for property damage per occurrence.
- The applicant will be responsible for the security or protection of any articles, items, merchandise, display tables, booths or other property owned by the applicant or others participating in the special event.
- Applicants must obtain any special use permits required by the Hickory Fire Inspector, must comply with all applicable provisions of the North Carolina Fire Code and must at all times insure that all fire lanes in the area to be used remain unobstructed.
- Applicants must comply with all Health Department regulations pertaining to the scheduled event.
- Applicants must comply with the requirements of the Hickory Sign Ordinance.
- Applications must comply with any and all local, state, and federal laws pertaining to equal opportunity and should make every effort to make events accessible to the disabled public. In addition, applicants shall not deny access or a vendor's booth to any group based on national origin, race, religion, age, sex, or disability.
- No person shall bring an animal, on a leash or otherwise, into the boundaries of this event. The boundaries and the interior of a special event shall consist of any area part of the event or parade route and shall include any public street, road, highway, sidewalk, alley, parking lot, grassy area, right-of-way or other publicly owned area. Exceptions shall include service dogs or other animals relied upon by persons with disabilities, and animals owned and controlled by public law enforcement agencies, or animals used by a vehicle for hire in accordance with applicable City ordinances. The special event operator and sponsor are responsible for immediately cleaning up and removing any animal waste from animals that are part of an authorized event, exhibit, or parade. All animal waste shall be disposed of properly. The event organizer may request a waiver from this ordinance. The sponsor shall submit plans specifying how the public will be protected from the animals. Requests shall be reviewed as part of the special event permitting process and may be approved or denied as part of that process. To request a waiver from this provision, please complete the appropriate section of the special event application.

Hickory Downtown Development Association

NAME OF NON-PROFIT ORGANIZATION

BRIEFLY DESCRIBE THE PURPOSE OF THE NON-PROFIT ORGANIZATION:

To physically and culturally improve Downtown Hickory as a place of commerce, recreation, and culture for the people of Hickory and the greater Hickory Metro area.

LIST ORGANIZATIONS OFFICERS:

Darrell Rogers, President

828-322-1121

TELEPHONE

Gavin Mitchell, President-Elect

828-322-1121

TELEPHONE

Cheryl Sherrill, Secretary-Treasurer

828-322-1121

TELEPHONE

CHAIRPERSON OF THE SPECIAL EVENT:

Connie Kincaid

828-322-1121

NAME

TELEPHONE

PO Box 9086, Hickory, NC 28603

ADDRESS

The undersigned Applicant is aware of the rules regulating the use of Union Square Common, streets adjoining thereto and other public places and parks for special events, and will abide with the same; and further understands that the City of Hickory will not be responsible for the security or protection of any articles, items, merchandise, display tables, booths or other property owned by the applicant or others participating in the special event. The undersigned Applicant agrees to reimburse the City of Hickory for the additional cost of providing police department and/or fire department personnel to supervise the event, including services rendered both before, during and after the event itself, to ensure the compliance with all laws and ordinance, to direct traffic and to promote the safety and welfare of participants and other citizens.

1-14-2016
Date

Darrell Rogers
President
Hickory Downtown Development Association
Non-Profit Organization

Approved by:

[Signature]
CITY MANAGER - ASSISTANT

2/24/16
DATE

DATE APPROVED BY HICKORY CITY COUNCIL: _____

NORTH CAROLINA

RELEASE AND INDEMNITY AGREEMENT

CATAWBA COUNTY

THIS RELEASE AND INDEMNITY AGREEMENT, entered into by **THE CITY OF HICKORY**, a North Carolina Municipal Corporation, City, and the **Hickory Downtown Development Association**, a non-profit organization with its principal place of operation being Catawba County, North Carolina, Applicant:

WITNESSETH:

WHEREAS, City desires to allow the Applicant to conduct a special event within the City Limits of Hickory, North Carolina, pursuant to the Hickory City Code; and

WHEREAS, the Applicant desires to conduct a special event within the City Limits of Hickory, North Carolina; and

WHEREAS, to this end, said Applicant has previously filed with the City of Hickory an application for approval of said event, and wishes to enter into this Release and Indemnity Agreement pursuant to the Hickory City Code and the administrative rules of the City of Hickory;

NOW, THEREFORE, for and in consideration of the mutual promises and covenants herein contained, and for other good and sufficient consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

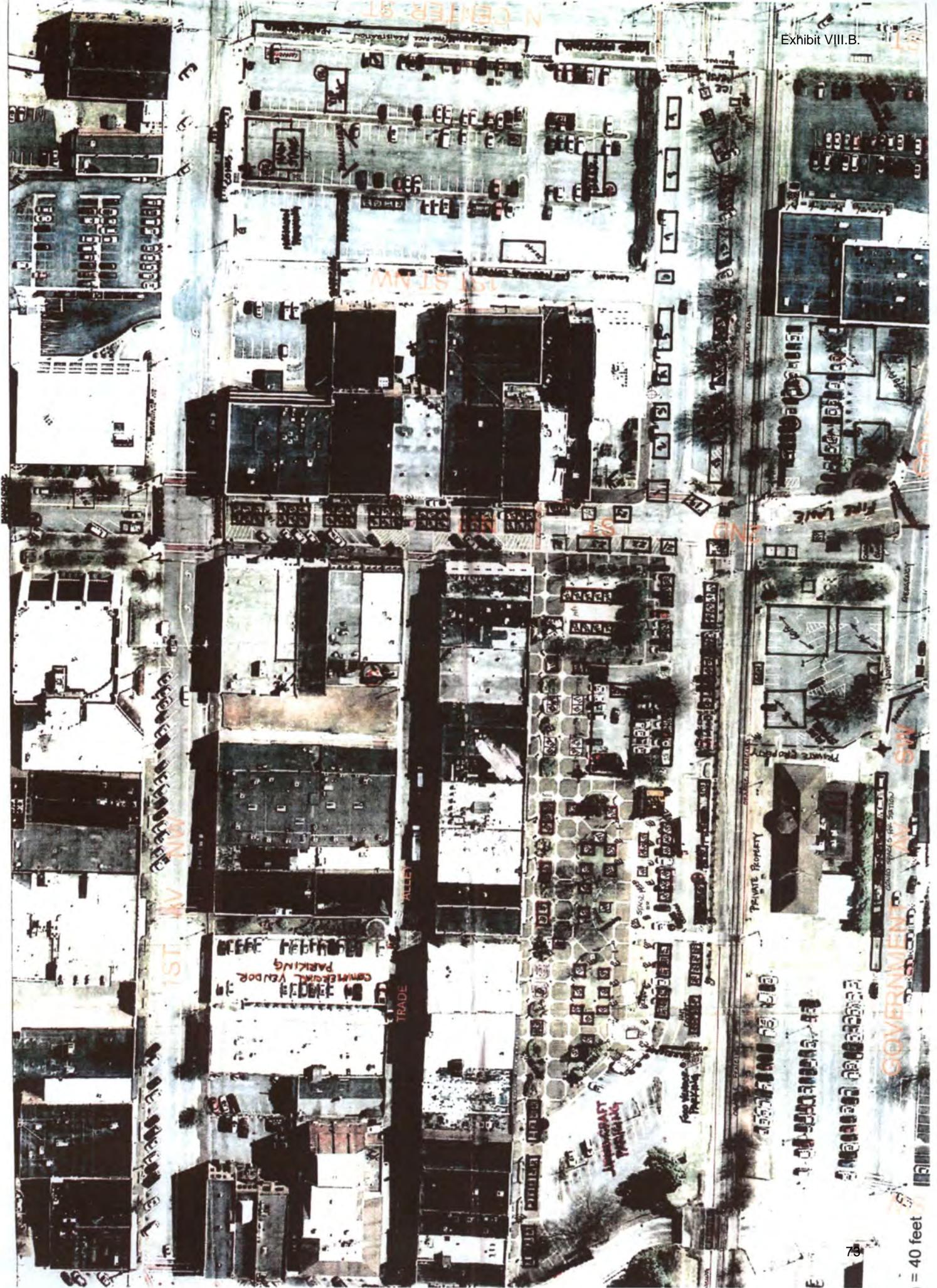
1. That the Applicant hereby completely and unequivocally releases the City, the officials of the City, and all employees of the City, and their families, from any and all claims, damages, injuries or rights of action which the Applicant may incur by reason of the special event being conducted by the Applicant.
2. That the Applicant hereby agrees to indemnify, defend, and hold harmless the City for any liability, injury or claim which may arise to the benefit of the Applicant as a result of the special event being conducted by the Applicant.

3. That the parties to this Release and Indemnity Agreement stipulate and acknowledge that there exists sufficient consideration for the execution of this instrument.

This the 14th day of JANUARY, 2014.

Danell Rago
President

[Signature]





City of Hickory
 PO Box 398
 Hickory, NC 28603
 Telephone
 828-323-7410
 Fax 828-323-7474

City of Hickory
Special Events/Activities Application
 (Must be submitted to Planning & Development)

SPECIAL EVENT APPLICATION

The purpose of this application is to provide information about your event or activity in order for various departments and agencies to determine if they need to be involved in the approval and/or permitting process. Depending on the specific event, a permit application and/or fee(s) from individual departments may be required.

The applicant is responsible for providing complete and accurate information on the application, including an attached detailed site plan. The applicant is also responsible for notifying the Planning Department of any changes. Incomplete applications will not be accepted. **For public property events a complete application should be submitted at least 90 days prior to the planned event to allow sufficient review time. For private property events a complete application should be submitted at least 30 days prior to the planned event. Public officials may contact you with specific questions. Any official may require a pre-planning meeting.

Applications and events are prioritized based on a first come-first served basis and the City may approve or disapprove an event's requested date based on availability of resources. Events that occur on an annual basis will receive priority the following year.

**If the event is to be held on public property, approval to use the property must be obtained from City Council; therefore the application must be submitted 90 days prior to the event.

APPLICANT INFORMATION

Name of Event: Charity Chase Half Marathon
 Applicant Name & Title: Kelly Pulliam - Chair
 Organization: Rotary Club of Catawba County
 Mailing (Billing) Address: PO Box 1034
 City / State / Zip: Conover, NC 28613
 Daytime Phone: _____ Cell: (828) 308-7735 Email: Kellywp@charitychase.com
 Description of the Event: _____

Does the event have a Twitter, Facebook or other social networking page? yes

If yes, please list URL(s): facebook.com/pages/charity-chase-half

Event Address: <u>Shut Hickory Elks Lodge - End of the Sails on the Square</u>	
Date of Event: <u>6/5/16 (Expo 6/4/16)</u>	
Event Start Time: <u>6:30am (2:00pm - Expo)</u>	Event End Time: <u>10:30am (8:00pm Expo)</u>
Road Closure Begins (if applicable): <u>6:00am</u>	Road Closure Ends (if applicable): <u>12:00 noon</u>
Set-Up Begins: <u>5:00 am</u>	Clean-Up Ends: <u>12:00 noon</u>
Preferred Date & Time of Inspection: _____	
Estimated Attendance: <u>700</u>	
The Event is: <input type="checkbox"/> Private (by invitation only) or <input checked="" type="checkbox"/> Open to General Public	
Describe the procedures to be used for selecting participants and vendors for this event: <u>Charity Chase to select vendors</u>	

APPLICANT'S SIGNATURE Kelly Pulliam DATE: 1/7/16

A pre-planning meeting may be required and will be scheduled to include the appropriate staff. The event applicant must attend the meeting. The city reserves the right to require others to attend.

TENTS & MEMBRANE STRUCTURES

**** Tent is a structure, enclosure, or shelter, with or without sidewalls or drops ****

Will tent(s) be used for the event? Yes No (If no, proceed to next section)

of Tent(s) 0 (fabric structure that is ENCLOSED with sidewalls or drops exceeding 400 square feet)

of Tent(s) 0 (fabric structure that is OPEN on all sides exceeding 700 square feet)

Are there multiple tents without sidewalls placed side by side such that the total square footage of all the tents in this group exceeds 700 square feet without 12 feet of clear space between all other permanent and temporary structures? Yes No

**** Membrane structure is an air-inflated or air supported structure ****

Will Membrane(s) be used for the event? Yes No (If no, proceed to next section)

of Membrane Structure(s) _____ exceeding 400 square feet

POWER SOURCES

Will you use electric generators? Yes No

If yes, will Power Distribution boxes be used? Yes No

Provide contact information for contractor supplying generator power:

Name: _____ Phone: _____ Email: _____

Will you use electric power from an existing structure? Yes No

If yes, will direct wiring to breakers be required? Yes No

Provide contact information for person responsible for setup of power:

Name: Kelly Pulliam Phone: (828) 308-9735 Email: Kellyup@charter.net

VOICE/MUSIC AMPLICATION

Are there any musical entertainment features related to your event? Yes No
(If no proceed to next section)

If yes, state the number of bands and type of music: Number of bands: 0

Type(s) of music: one DJ

Will a portable or temporary stage be utilized? Yes No

If yes*, state the number of portable or temporary stages: _____

Provide contact information for contractor providing stage:

Name: _____ Phone: _____ Email: _____

A Temporary Stage Certification Form must be completed for Catawba County Building Services

Will your event use amplified sound? Yes No

If yes, please indicate times: Start time: 6:00 am Finish time: 11:30 am

HAZARDOUS MATERIALS

Will the event have any hazardous materials such as propane, butane, gasoline, diesel tanks, helium cylinders or other upright tanks? Yes No
If yes, all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.

Will there be any portable heaters? Yes No

Will there be any deep fat fryers? Yes No

Will there be any fireworks, lasers, torches, candles or pyrotechnics? Yes No
If yes, contact the City of Hickory Fire Prevention office at 828-323-7522 for more information.

ALCOHOL

Will alcoholic beverages be served? Yes No (If yes, NC ABC permit required)

Will alcoholic beverages be sold? Yes No (If yes, NC ABC permit required)

What type of alcohol will be served?
 Draft Beer Can/Bottle Beer Wine Liquor

Who will be serving the alcohol?

Times for alcohol to be served:

Locations within event site where alcohol will be served:

Have you applied for a North Carolina temporary ABC permit? Yes No

VENDORS

*List all commercial vendors who will be present during the event (serving, selling, sampling, or displaying).
 (Use additional sheet of paper if necessary)*

VENDOR NAME	ADDRESS	PHONE NUMBER(S)
Fleet Feet	3022 N Center St Hickory	(828) 304-4786

Does the event include mechanical rides, or other similar attractions? Yes No
 If yes, please describe attractions:

Applicants contracting with amusement ride companies are required to provide the City of Hickory with a certificate of insurance, naming applicant and the City of Hickory (if applicable) as additional insured on general liability.

VENDORS

Does the event include food vendors? ___ Yes No

If the event will have food vendors, please check the following that apply:
 ___ Served ___ Sold ___ Free ___ Catered ___ Prepared Outdoors
An applicant having any food service must contact the Catawba County Health Department at (828) 465-8270 for approval of any food preparation or service.

Does the event include food concession and/or cooking areas? Yes ___ No

If yes, please list each vendor and specify cooking method (Gas, Electric, Charcoal, Other)
(Use additional sheet if necessary)

VENDOR	COOKING METHOD	FOOD ITEM
Charity chase	No Cooking	fruit, pizza, bread

Fire Code requires a fire extinguisher at each cooking location. Food and beverages shall not be sold at an event unless approved and licensed, if necessary, by the Catawba County Health Department. Event organizers are responsible for arranging health inspections for their events.

EVENT SCHEDULE

Provide a detailed schedule of the event including dates and times for entertainment, activities, hours of event, start time, finish time, etc. If the event requires an extended time frame for set-up, include details with a timeline listing the times and locations where streets or public property will be impacted and when dismantling will be completed. (Use additional sheet of paper if necessary)

DATE	TIME	ACTION	ADDITIONAL NOTES
6/5/16	5:00 AM	Set up tables, chairs	
6/5/16	5:30 AM	Set up start line	
6/5/16	6:00 AM	Begin announcements	
6/5/16	6:30 AM	Begin Run	
6/5/16	10:30 AM	End Run & Begin Clean up	
6/5/16	12:00 Noon	Cleaned up	

CITY SERVICES

The City of Hickory does not provide amenities such as portable washrooms, sound systems, tables, chairs, tents, canopies or other equipment. The applicant is responsible for arranging and providing services such as solid waste, wastewater, event clean up, traffic control, etc.

<p>ROLLOUT CARTS</p> <p>In order to determine what types of containers best suit the needs of the event, please answer the following questions:</p> <p>Will the event be serving/selling/distributing beverages? <input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No.</p> <p>If yes, in what containers will they come packaged in? <input type="checkbox"/> Aluminum cans <input type="checkbox"/> Glass bottles/jars <input checked="" type="checkbox"/> Plastic bottles/jugs/jars</p> <p>How many rollout carts are you requesting for trash? <u>5</u></p> <p>How many recycle carts are you requesting? <u>5</u></p>
<p>Delivery Location? <u>Under the Sails - public Rest Room TBldg</u></p>
<p>Date and Time for rollout carts to be emptied/picked up? <u>6/5/15 12:00 noon</u></p> <p><i>Applicants are responsible for cleaning and restoring the site after the event. Please pick up all trash including paper, plastic, bottles, cans and event marketing signs. The cost of any employee overtime incurred because of an applicant's failure to clean and/or restore the site following the event will be borne by the applicant. If you reasonably believe that no litter will be generated during your event, please state this in your plan.</i></p>
<p>PUBLIC PROPERTY CLEAN-UP</p> <p>Contracted personnel or volunteers may be used if indicated below. What is the clean-up plan for the event? <u>Volunteers perform All clean up</u></p>
<p>Will the event need City personnel to assist with event site clean-up? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Date & Time for clean-up staff arrival:</p>
<p>Will any of the following services be used for the event: <input type="checkbox"/> Water Service <input type="checkbox"/> Wastewater Service <input checked="" type="checkbox"/> Portable Toilet Service</p>
<p>SAFETY AND SECURITY (CHECK TYPES OF SECURITY USED)</p> <p><input type="checkbox"/> Beer/Alcohol Security <input type="checkbox"/> Stage Security <input type="checkbox"/> Event Area Security <input type="checkbox"/> Gate Security <input checked="" type="checkbox"/> Road Closure Security <input type="checkbox"/> Money Handling Security <input type="checkbox"/> Other</p> <p><input type="checkbox"/> Overnight Security From _____: _____ To _____: _____</p> <p>Dates & Times security will be on site: <u>6/5/15 6:00 AM - 10:30 AM</u></p> <p>Security provided by: <u>HPD</u> Number of Security Personnel: _____</p> <p><i>Applicant may be required to hire sworn off-duty City of Hickory police officers to provide security to insure public safety. The Hickory Police Department will determine the number of security personnel required on site.</i></p>

SITE PLAN

Please attach a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets or areas that are part of the venue and the surrounding area. The plan should include the following information (if applicable):

- Location of the event/activity on the property with approximate distances from roads, fire hydrants, existing buildings, etc.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, alcohol sales, etc.
- Identify location of all cooking devices and open flames.
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.
- Identify location of any generators and fuel storage.

WALK, RUN, CYCLE EVENTS ON PUBLIC ROADWAYS

Number of participants expected: _____ % of participants expected under 18: _____

*Must be at least 100 participants and no more than 2,000 per route.

Number of volunteers expected: _____ % of volunteers expected under 18: _____

Check the approved City/NCDOT Route on public roadways below

5K 1 Downtown 5k (Not allowed on Saturdays during the Downtown Hickory Farmers Market: Mid April-November)

5K 2 Hickory Foundation YMCA (Can start and finish in Downtown District or other locations on route)

5K 3 FRMC 5K (Can start and finish in Downtown District or other locations on route)

5K 4 Neill Clark Park 5k (Must contact Parks and Recreation Director Mack McLeod mmcleod@hickorync.gov or 828-322-7046 and submit email confirmation with Special Event application.)

5K 5 Winkler Park 5k (Must contact Parks and Recreation and Hickory Crawdads and submit email confirmation with Special Event application. Approval from Mack McLeod 828-322-7046 or mmcleod@hickorync.gov and Hickory Crawdads Mark Seaman 828-322-3000 or mseaman@hickorycrawdads.com.)

5K 6 LRU 5K (Must clear route with LRU before submitting Special Event application. (Can start and finish in various locations, including First Methodist Church)

10K 1 Hickory Foundation YMCA (Can start and finish in Downtown District)

10K 2 Do a 5k route twice, which 5k route? _____

Half Marathon 1 (13.1 miles)

Cycle Route 1 (10 mile)

Cycle Route 2 (32 mile)

APPROVED ROUTES/EVENTS AT THE AIRPORT AND PUBLIC PARKS

AIRPORT ROUTE

____ Hickory Regional Airport 5k ____ Approval from Airport Manager Terry Clark

*The second and fourth Saturdays have existing events in the morning hours. Check with Airport Manager Terry Clark 828-323-7408 or tclark@hickorync.gov on availability.

Name the new date proposed and time: _____

(Please include email confirmation with approval to use airport with application.)

PUBLIC PARKS ROUTES

Approval for park use may be obtained from Parks and Recreation Director Mack McLeod 828-322-7046 or mmcleod@hickorync.gov

Hickory City Park to Geitner-Rotary Park 5k via paved

(Please include email confirmation with approval to use park with application.)

Henry Fork River Regional Recreation Park

(Please include email confirmation with approval to use park with application.)

Neill W. Clark Jr. Recreation Park - **Event within park, could be different activities on fields**

(Please include email confirmation with approval to use park with application.)

Highland Recreation Center at Stanford Park Options

3.2 option 3.1 option 4.5 option – **All options along sidewalks**

(Please include email confirmation with approval to use park with application.)

ADDITIONAL GUIDELINES AND REQUIREMENTS

Please initial all guidelines below and provide the information requested at the time the application is submitted.

Must use a preapproved route from the City/NCDOT and/or preapproved neighborhood route and/or track or one of the options not on roadways that are available at the airport or at a park. J

Must include a certificate of liability insurance for walk, run, and/or cycle event if the start/finish are on public property. J

Must include a plan for volunteers for events with an anticipated attendance of 100 participants or more (how many, their duties). J

Must include a parking plan for participants and volunteers (can be included in site plan). J

The provision of twenty foot (20') minimum emergency access lanes throughout the event site. J

Temporary signs may be used to mark a course. No markings of any kind (permanent or temporary) are allowed on roadways, sidewalks, or parking lots. J

Any unauthorized traffic control device or other sign or message placed on the highway right-of-way by a private organization or individual constitutes a public nuisance and should be removed. Any violations of this policy will result in disapproval of future event(s). J

Do not assume, advertise, or promote your event until you have a signed permit from the Hickory Police Department, along with permission from city staff and Hickory City Council. Conflicts do arise and changes to the request may be necessary. J

ATTACHMENTS CHECKLIST

In addition to the Special Event Application form, the following supporting documents are required to complete your application package and begin the review process:

All Events:

- Site Plan Sketch
- Parking Plan for participants and volunteers (May be included in site plan)
- Volunteer Plan for events with an anticipated attendance of 100 participants or more (how many, their duties)

All Public Property Events:

- Certificate of Insurance listing the City of Hickory as certificate holder and additional insured.

-Public Property Event at a Public Park:

- Email from Parks and Recreation Director Mack McLeod indicating approval of the event date

-Public Property Event at the Airport:

- Email from Airport Director Terry Clark indicating approval of the event date

-Waiver Request

- I am requesting a waiver from the Section which prohibits animals from special events on City property. I have included the required safety plan with the application.

**** THIS SECTION IS ONLY TO BE COMPLETED IF REQUESTING TO HOLD AN EVENT ON UNION SQUARE COMMON, STREETS ADJOINING THERETO OR OTHER PUBLIC PLACES, PARKS, AND THE AIRPORT ****

USE OF UNION SQUARE AND OTHER PUBLIC PLACES

RULES REGULATING THE USE OF UNION SQUARE COMMON, STREETS ADJOINING THERETO AND OTHER PUBLIC PLACES, PARKS AND THE AIRPORT FOR SPECIAL EVENTS

- Special events may be held in one or more of the following areas:
 - Union Square Common, north of the Southern Railway tracks, east of Third Street, NW, and west of Second Street, NW.
 - Streets adjoining Union Square, including Third Street, NW, between the Southern Railway tracks and the northern margin of First Avenue, NW; First Avenue, NW between Third Street, NW and Second Street, NW; Second Street, NW from the Southern Railway tracks to the northern margin of First Avenue, NW; and Trade Alley.
 - Any other public building, park or property owned or possessed by the City of Hickory which, by its nature, is suitable for any certain special event that may be applied for, provided that said event remains open to the public at large.
- The City Council reserves the right to reject any application as to the use of any area described above for any special event. If the City Council learns that the event or vendors participating were misrepresented to the City Council or that the event in any way fails to comply with the rules regulating the use of Union Square Common or fails to comply with any applicable local, state, or federal laws, it reserves the right to rescind any approved application up to and during the course of the event. In the case of a special event being held at a City-owned facility for which a rental fee is usually charged, the normal rental fee shall be charged to the applicant unless the City Council waives such rental.
- Application must be filed in the City Manager's Office at least ninety (90) days prior to the time that the applicant desires to first take possession of the area to make preparations for the special event. The applicant for a special event must be a non-profit organization, organized and existing for the purpose of either some charitable or public benefit or for the promotion of business in the Downtown Area of Hickory. In addition, said non-profit organization may at the request of the Council be required to produce evidence of their non-profit corporation status as defined by state and federal laws. In addition, procedures to be used for selecting participants and vendors must be included with the application.
- The applicant shall provide to the City Manager at least two (2) weeks prior to the beginning of the public participation in the special event a list of all of the vendors or others having booths or display tables during the special event. No other persons may sell merchandise or operate any booth or display tables during the special event, unless the applicant, in writing, requests the City Manager to amend such list accordingly and permission is granted.
- No motor vehicles or other large equipment or manufactured items or livestock will be permitted within the area unless they are clearly identified and described and the proposed location is stated in the application and specific approval is given.
- The size, type of construction and location of display tables and booths must be described generally in the application; all construction must be safe and self-sustaining; no spikes or other holding devices may be driven into the ground of any street, sidewalk or tied to any tree.
- When food preparation, painting and/or pottery -making activities or similar activities are held, appropriate protective materials must be placed over any paved or brick areas for protection.

- No tents may be placed in the area without being described and exhibited to the Fire Prevention Inspectors of the Hickory Fire Department and special approval by the City Council.
- Public address systems can be used only if specifically requested in the application and special permission given, including limitations as to use.
- Sufficient portable toilets shall be provided for the expected number of participants.
- If the applicant desires to sell alcoholic beverages, it shall specifically so state in its application and shall provide a sketch of the area where the same will be sold and consumed. The area shall be delineated by barricades, with the entrance to be clearly marked and so constructed as to allow ready control of patrons, including viewing of identification to avoid underage persons being within the barricaded area. Signs shall be posted stating that no one shall leave the barricaded area with alcoholic beverages. Application must be made to proper State authorities for special permit for sale of alcoholic beverages. Special permit shall be available for inspection by the City at any time.
- The applicant shall assume full liability for all accidents or claims of accidents as a result of activities taking place at the special event and during the time the area is being readied for the event and while it is being cleaned up following the event. A copy of the insurance policy must be submitted to the City Manager's office prior to the event. The applicant must add the city as an additional insured on the policy. The policy is to be one of comprehensive general liability in the amount of not less than Three Hundred Thousand Dollars (\$300,000.00) for bodily injury per person and One Million Dollars (\$1,000,000.00) per occurrence and not less than One Hundred Thousand Dollars (100,000.00) for property damage per occurrence.
- The applicant will be responsible for the security or protection of any articles, items, merchandise, display tables, booths or other property owned by the applicant or others participating in the special event.
- Applicants must obtain any special use permits required by the Hickory Fire Inspector, must comply with all applicable provisions of the North Carolina Fire Code and must at all times insure that all fire lanes in the area to be used remain unobstructed.
- Applicants must comply with all Health Department regulations pertaining to the scheduled event.
- Applicants must comply with the requirements of the Hickory Sign Ordinance.
- Applications must comply with any and all local, state, and federal laws pertaining to equal opportunity and should make every effort to make events accessible to the disabled public. In addition, applicants shall not deny access or a vendor's booth to any group based on national origin, race, religion, age, sex, or disability.
- No person shall bring an animal, on a leash or otherwise, into the boundaries of this event. The boundaries and the interior of a special event shall consist of any area part of the event or parade route and shall include any public street, road, highway, sidewalk, alley, parking lot, grassy area, right-of-way or other publicly owned area. Exceptions shall include service dogs or other animals relied upon by persons with disabilities, and animals owned and controlled by public law enforcement agencies, or animals used by a vehicle for hire in accordance with applicable City ordinances. The special event operator and sponsor are responsible for immediately cleaning up and removing any animal waste from animals that are part of an authorized event, exhibit, or parade. All animal waste shall be disposed of properly. The event organizer may request a waiver from this ordinance. The sponsor shall submit plans specifying how the public will be protected from the animals. Requests shall be reviewed as part of the special event permitting process and may be approved or denied as part of that process. To request a waiver from this provision, please complete the appropriate section of the special event application.

Charity Chase Half Marathon
NAME OF NON-PROFIT ORGANIZATION

BRIEFLY DESCRIBE THE PURPOSE OF THE NON-PROFIT ORGANIZATION:
Raise proceeds for local non-profit organizations

LIST ORGANIZATIONS OFFICERS:
Kelly Pulliam
Wayne Swafford

825-308-9735
TELEPHONE
704-608-6865
TELEPHONE
TELEPHONE

CHAIRPERSON OF THE SPECIAL EVENT:
Kelly Pulliam
NAME

825-308-9735
TELEPHONE

PO Box 1034 Concord, NC 28613
ADDRESS

The undersigned Applicant is aware of the rules regulating the use of Union Square Common, streets adjoining thereto and other public places and parks for special events, and will abide with the same; and further understands that the City of Hickory will not be responsible for the security or protection of any articles, items, merchandise, display tables, booths or other property owned by the applicant or others participating in the special event. The undersigned Applicant agrees to reimburse the City of Hickory for the additional cost of providing police department and/or fire department personnel to supervise the event, including services rendered both before, during and after the event itself, to ensure the compliance with all laws and ordinance, to direct traffic and to promote the safety and welfare of participants and other citizens.

1/2/15
Date

Kelly Pulliam
President
Charity Chase
Non-Profit Organization

Approved by:
Andrea Swafford
CITY MANAGER - ASSISTANT

3/1/16
DATE

DATE APPROVED BY HICKORY CITY COUNCIL: _____

NORTH CAROLINA

RELEASE AND INDEMNITY AGREEMENT

CATAWBA COUNTY

THIS RELEASE AND INDEMNITY AGREEMENT, entered into by **THE CITY OF HICKORY**, a North Carolina Municipal Corporation, City, and the Charity Chase Half Marathon, a non-profit organization with its principal place of operation being Catawba County, North Carolina, Applicant:

WITNESSETH:

WHEREAS, City desires to allow the Applicant to conduct a special event within the City Limits of Hickory, North Carolina, pursuant to the Hickory City Code; and

WHEREAS, the Applicant desires to conduct a special event within the City Limits of Hickory, North Carolina; and

WHEREAS, to this end, said Applicant has previously filed with the City of Hickory an application for approval of said event, and wishes to enter into this Release and Indemnity Agreement pursuant to the Hickory City Code and the administrative rules of the City of Hickory;

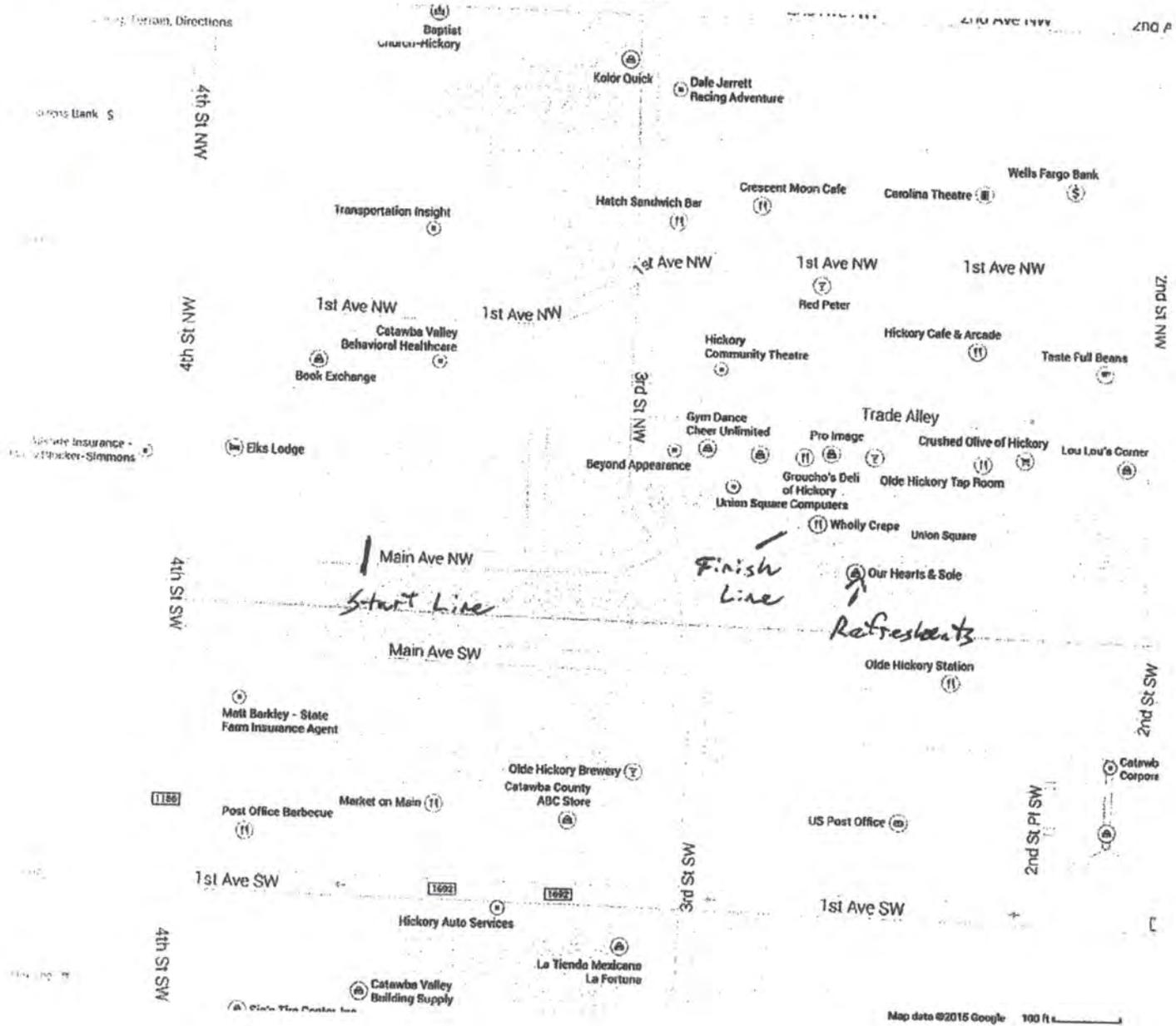
NOW, THEREFORE, for and in consideration of the mutual promises and covenants herein contained, and for other good and sufficient consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. That the Applicant hereby completely and unequivocally releases the City, the officials of the City, and all employees of the City, and their families, from any and all claims, damages, injuries or rights of action which the Applicant may incur by reason of the special event being conducted by the Applicant.
2. That the Applicant hereby agrees to indemnify, defend, and hold harmless the City for any liability, injury or claim which may arise to the benefit of the Applicant as a result of the special event being conducted by the Applicant.

3. That the parties to this Release and Indemnity Agreement stipulate and acknowledge that there exists sufficient consideration for the execution of this instrument.

This the 28th day of January, 2016.

President [Signature]



Charity Chase Route 2016

0.06mi

Head west on Main Ave NW toward 4th St SW

0.13mi

Turn right onto 4th St NW

0.24mi

Head north on 4th St NW toward 3rd Ave NW

0.76mi

Head northeast on 4th St Dr NW toward 7th Ave PI NW

1.28mi

Turn right onto 13th Ave NW

1.42mi

Head northeast on 13th Ave NE toward 2nd St NE

1.61mi

Turn left toward 14th Ave NE

1.86mi

Head east on 14th Ave NE toward 4th St NE

2.31mi

Turn left onto 5th St NE

2.66mi

Turn left onto 21st Ave NE

2.66mi

Head east on 21st Ave NE toward 5th St NE

3.56mi

Turn right onto 8th St Dr NE

Destination will be on the left

3.57mi

Head south on 8th St Dr NE toward 20th Ave Ln NE

3.6mi

Slight right onto 8th St NE

Destination will be on the left

5.1mi

Head southwest on 8th St NE

5.36mi

Turn right onto Main Ave NE

6.24mi

Head west on Main Ave NE toward N Center St

6.37mi

Turn left onto 2nd St SW

6.38mi

Turn right

6.5mi

Head northwest

6.52mi

Turn left onto Main Ave NW

6.65mi

Head west on Main Ave NW toward 4th St SW

6.67mi

Turn right onto 4th St NW

6.77mi

Head north on 4th St NW toward 2nd Ave NW

7.34mi

Head northeast on 4th St Dr NW toward 7th Ave Pl NW

8.01mi

Turn left onto 13th Ave PI NW

8.04mi

Head west on 13th Ave PI NW

8.24mi

Continue onto 4th St NW

8.35mi

Head west on 14th Ave NW toward 4th St NW

8.36mi

Turn right onto 4th St NW

8.47mi

Turn left onto 16th Ave NW

8.52mi

Head west on 16th Ave NW toward 5th St NW

8.62mi

Turn right onto 5th St NW

Destination will be on the left

8.69mi

Head northwest on 5th St NW toward 18th Ave Ln NW

8.91mi

Turn right onto 18th Ave Ln NW

9.05mi

Turn left onto 4th St PI NW

9.06mi

Head northwest on 4th St PI NW toward 19th Ave Cir NW

9.16mi

Continue straight onto 19th Ave Cir NW

9.3mi

Head southwest on 19th Ave Cir NW toward 4th St Ct NW

9.32mi

Turn left onto 19th Ave Cir NW/4th St Ct NW

9.41mi

Turn right onto 19th Ave Cir NW

Destination will be on the left

9.41mi

Head southwest on 19th Ave Cir NW toward 4th St Ln NW

9.42mi

Turn right onto 4th St Ln NW

9.47mi

Head northwest on 4th St Ln NW toward 19th Ave Cir NW

9.5mi

Turn left onto 19th Ave Cir NW

9.56mi

Head south on 19th Ave Cir NW

9.63mi

Turn right to stay on 19th Ave Cir NW

9.73mi

Head southeast on 6th St NW

10.14mi

Turn right to stay on 6th St NW

10.22mi

Head southwest on 6th St NW toward 14th Ave NW

10.86mi

Head southeast on 6th St NW

10.87mi

Sharp right onto 6th St Dr NW

10.89mi

Continue onto 9th Ave NW

Destination will be on the left

11.28mi

Head southwest on 9th Ave NW toward 8th St Dr NW

11.56mi

Head north on 9th St NW toward 7th Ave NW

11.56mi

Turn right onto 7th Ave NW

The screenshot displays the mapmyrun website interface. At the top, there is a search bar with the text "Search" and a "GO" button. Below the search bar, the navigation menu includes "MY HOME", "DISCOVER", "IMPROVE", and "MVP". The main content area shows a running route on a map of a city, with a distance of "13.06 MI" displayed. The route is marked with numbered points from 1 to 13. A sidebar on the left contains various icons, including a "PETSMART" logo and several product images. Below the map, there is a "Route Details" section with a "cc recommendation v2 2016" and a "SAVE ROUTE" button. An advertisement for "mapmyfitness CHALLENGE with GASPARRILLA" is visible at the bottom, featuring a "JOIN NOW" button. The browser's address bar shows the URL "www.mapmyrun.com/routes/copy/793426849/". The bottom status bar indicates the time as "11:22 AM" and the date as "7/1/2016".



City of Hickory
 PO Box 398
 Hickory, NC 28603
 Telephone
 828-323-7410
 Fax 828-323-7474

City of Hickory
Special Events/Activities Application
 (Must be submitted to Planning & Development)

SPECIAL EVENT APPLICATION

The purpose of this application is to provide information about your event or activity in order for various departments and agencies to determine if they need to be involved in the approval and/or permitting process. Depending on the specific event, a permit application and/or fee(s) from individual departments may be required.

The applicant is responsible for providing complete and accurate information on the application, including an attached detailed site plan. The applicant is also responsible for notifying the Planning Department of any changes. Incomplete applications will not be accepted. **For public property events a complete application should be submitted at least 90 days prior to the planned event to allow sufficient review time. For private property events a complete application should be submitted at least 30 days prior to the planned event. Public officials may contact you with specific questions. Any official may require a pre-planning meeting.

Applications and events are prioritized based on a first come-first served basis and the City may approve or disapprove an event's requested date based on availability of resources. Events that occur on an annual basis will receive priority the following year.

****If the event is to be held on public property, approval to use the property must be obtained from City Council; therefore the application must be submitted 90 days prior to the event.**

APPLICANT INFORMATION

Name of Event: Patriots Day
 Applicant Name & Title: Fred Hollar Fire Chief
 Organization: City of Hickory
 Mailing (Billing) Address: 19 2nd St Dr. NE
 City / State / Zip: Hickory NC 28601
 Daytime Phone: (828) 323-7501 Cell: (828) 244-8202 Email: fhollar@hickorync.gov
 Description of the Event: September 11th Ceremony

Does the event have a Twitter, Facebook or other social networking page? no
 If yes, please list URL(s): _____

Event Address: <u>Union Square</u>	
Date of Event: <u>September 11, 2016</u>	
Event Start Time: <u>4pm</u>	Event End Time: <u>5pm</u>
Road Closure Begins (if applicable):	Road Closure Ends (if applicable):
Set-Up Begins: <u>3pm</u>	Clean-Up Ends: <u>5:30pm</u>
Preferred Date & Time of Inspection:	
Estimated Attendance: <u>150</u>	
The Event is: <u>Private (by invitation only)</u> or <u>xxxx</u> Open to General Public	
Describe the procedures to be used for selecting participants and vendors for this event:	

APPLICANT'S SIGNATURE C. Fred Hollar DATE: 1-15-16

A pre-planning meeting may be required and will be scheduled to include the appropriate staff. The event applicant must attend the meeting. The city reserves the right to require others to attend.

TENTS & MEMBRANE STRUCTURES

**** Tent is a structure, enclosure, or shelter, with or without sidewalls or drops ****

Will tent(s) be used for the event? Yes No (If no, proceed to next section)

of Tent(s) _____ (fabric structure that is ENCLOSED with sidewalls or drops exceeding 400 square feet)

of Tent(s) _____ (fabric structure that is OPEN on all sides exceeding 700 square feet)

Are there multiple tents without sidewalls placed side by side such that the total square footage of all the tents in this group exceeds 700 square feet without 12 feet of clear space between all other permanent and temporary structures? Yes No

**** Membrane structure is an air-inflated or air supported structure ****

Will Membrane(s) be used for the event? Yes No (If no, proceed to next section)

of Membrane Structure(s) _____ exceeding 400 square feet

POWER SOURCES

Will you use electric generators? Yes No

If yes, will Power Distribution boxes be used? Yes No

Provide contact information for contractor supplying generator power:

Name: _____ Phone: _____ Email: _____

Will you use electric power from an existing structure? Yes No

If yes, will direct wiring to breakers be required? Yes No

Provide contact information for person responsible for setup of power:

Name: _____ Phone: _____ Email: _____

VOICE/MUSIC AMPLICATION

Are there any musical entertainment features related to your event? Yes No
(If no proceed to next section)

If yes, state the number of bands and type of music: Number of bands: 1

Type(s) of music: Patriotic

Will a portable or temporary stage be utilized? Yes No

If yes*, state the number of portable or temporary stages: _____

Provide contact information for contractor providing stage:

Name: _____ Phone: _____ Email: _____

A Temporary Stage Certification Form must be completed for Catawba County Building Services

Will your event use amplified sound? Yes No

If yes, please indicate times: Start time: 4pm Finish time: 5pm

HAZARDOUS MATERIALS

Will the event have any hazardous materials such as propane, butane, gasoline, diesel tanks, helium cylinders or other upright tanks? Yes No
If yes, all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.

Will there be any portable heaters? Yes No

Will there be any deep fat fryers? Yes No

Will there be any fireworks, lasers, torches, candles or pyrotechnics? Yes No
If yes, contact the City of Hickory Fire Prevention office at 828-323-7522 for more information.

ALCOHOL

Will alcoholic beverages be served? Yes No (If yes, NC ABC permit required)

Will alcoholic beverages be sold? Yes No (If yes, NC ABC permit required)

What type of alcohol will be served?
 Draft Beer Can/Bottle Beer Wine Liquor

Who will be serving the alcohol?

Times for alcohol to be served:

Locations within event site where alcohol will be served:

Have you applied for a North Carolina temporary ABC permit? Yes No

VENDORS

*List all commercial vendors who will be present during the event (serving, selling, sampling, or displaying).
 (Use additional sheet of paper if necessary)*

VENDOR NAME	ADDRESS	PHONE NUMBER(S)
NONE		

Does the event include mechanical rides, or other similar attractions? Yes No
 If yes, please describe attractions:

Applicants contracting with amusement ride companies are required to provide the City of Hickory with a certificate of insurance, naming applicant and the City of Hickory (if applicable) as additional insured on general liability.

VENDORS

Does the event include food vendors? Yes No

If the event will have food vendors, please check the following that apply:
 Served Sold Free Catered Prepared Outdoors
An applicant having any food service must contact the Catawba County Health Department at (828) 465-8270 for approval of any food preparation or service.

Does the event include food concession and/or cooking areas? Yes No

If yes, please list each vendor and specify cooking method (Gas, Electric, Charcoal, Other)
(Use additional sheet if necessary)

VENDOR	COOKING METHOD	FOOD ITEM
NONE		

Fire Code requires a fire extinguisher at each cooking location. Food and beverages shall not be sold at an event unless approved and licensed, if necessary, by the Catawba County Health Department. Event organizers are responsible for arranging health inspections for their events.

EVENT SCHEDULE

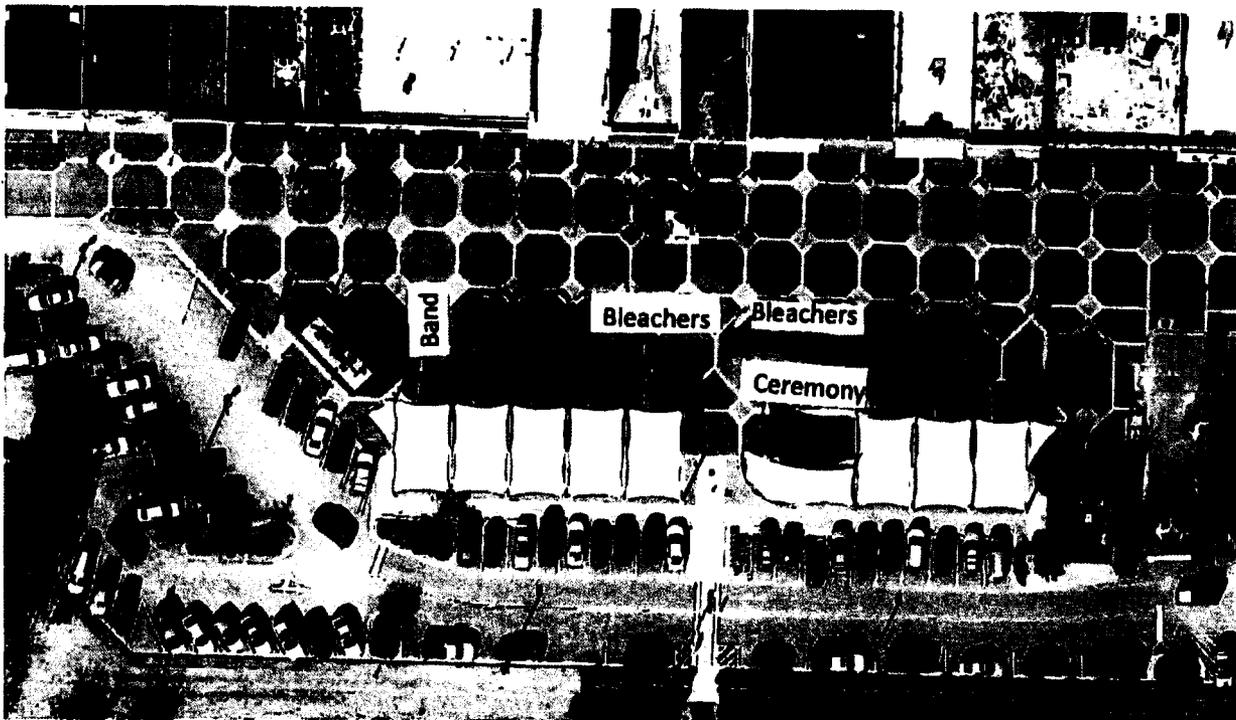
Provide a detailed schedule of the event including dates and times for entertainment, activities, hours of event, start time, finish time, etc. If the event requires an extended time frame for set-up, include details with a timeline listing the times and locations where streets or public property will be impacted and when dismantling will be completed. (Use additional sheet of paper if necessary)

DATE	TIME	ACTION	ADDITIONAL NOTES
9/11/16	3pm	Set Up	
9/11/16	4pm	Event	
9/11/16	5pm	Event Ends	
9/11/16	5:30pm	Clean Up Ends	

SITE PLAN

Please attach a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets or areas that are part of the venue and the surrounding area. The plan should include the following information (if applicable):

- Location of the event/activity on the property with approximate distances from roads, fire hydrants, existing buildings, etc.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, alcohol sales, etc.
- Identify location of all cooking devices and open flames.
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.
- Identify location of any generators and fuel storage.



* ALSO Request three Portable
bleachers. *

WALK, RUN, CYCLE EVENTS ON PUBLIC ROADWAYS

Number of participants expected: _____ % of participants expected under 18: _____
 *Must be at least 100 participants and no more than 2,000 per route.
 Number of volunteers expected: _____ % of volunteers expected under 18: _____

Check the approved City/NCDOT Route on public roadways below

- 5K 1 Downtown 5k** (Not allowed on Saturdays during the Downtown Hickory Farmers Market: Mid April-November)
- 5K 2 Hickory Foundation YMCA** (Can start and finish in Downtown District or other locations on route)
- 5K 3 FRMC 5K** (Can start and finish in Downtown District or other locations on route)
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Must include a plan for volunteers for events with an anticipated attendance of 100 participants or more (how many, their duties). _____

Must include a parking plan for participants and volunteers (can be included in site plan). _____

The provision of twenty foot (20') minimum emergency access lanes throughout the event site. _____

Temporary signs may be used to mark a course. No markings of any kind (permanent or temporary) are allowed on roadways, sidewalks, or parking lots. _____

Any unauthorized traffic control device or other sign or message placed on the highway right-of-way by a private organization or individual constitutes a public nuisance and should be removed. Any violations of this policy will result in disapproval of future event(s). _____

Do not assume, advertise, or promote your event until you have a signed permit from the Hickory Police Department, along with permission from city staff and Hickory City Council. Conflicts do arise and changes to the request may be necessary. _____

ATTACHMENTS CHECKLIST

In addition to the Special Event Application form, the following supporting documents are required to complete your application package and begin the review process:

All Events:

- Site Plan Sketch
- Parking Plan for participants and volunteers (May be included in site plan)
- Volunteer Plan for events with an anticipated attendance of 100 participants or more (how many, their duties)

All Public Property Events:

- Certificate of Insurance listing the City of Hickory as certificate holder and additional insured.

-Public Property Event at a Public Park:

- Email from Parks and Recreation Director Mack McLeod indicating approval of the event date

-Public Property Event at the Airport:

- Email from Airport Director Terry Clark indicating approval of the event date

-Waiver Request

- I am requesting a waiver from the Section which prohibits animals from special events on City property. I have included the required safety plan with the application.

**** THIS SECTION IS ONLY TO BE COMPLETED IF REQUESTING TO HOLD AN EVENT ON UNION SQUARE COMMON, STREETS ADJOINING THERETO OR OTHER PUBLIC PLACES, PARKS, AND THE AIRPORT ****

USE OF UNION SQUARE AND OTHER PUBLIC PLACES

RULES REGULATING THE USE OF UNION SQUARE COMMON, STREETS ADJOINING THERETO AND OTHER PUBLIC PLACES, PARKS AND THE AIRPORT FOR SPECIAL EVENTS

- Special events may be held in one or more of the following areas:
 - Union Square Common, north of the Southern Railway tracks, east of Third Street, NW, and west of Second Street, NW.
 - Streets adjoining Union Square, including Third Street, NW, between the Southern Railway tracks and the northern margin of First Avenue, NW; First Avenue, NW between Third Street, NW and Second Street, NW; Second Street, NW from the Southern Railway tracks to the northern margin of First Avenue, NW; and Trade Alley.
 - Any other public building, park or property owned or possessed by the City of Hickory which, by its nature, is suitable for any certain special event that may be applied for, provided that said event remains open to the public at large.
- The City Council reserves the right to reject any application as to the use of any area described above for any special event. If the City Council learns that the event or vendors participating were misrepresented to the City Council or that the event in any way fails to comply with the rules regulating the use of Union Square Common or fails to comply with any applicable local, state, or federal laws, it reserves the right to rescind any approved application up to and during the course of the event. In the case of a special event being held at a City-owned facility for which a rental fee is usually charged, the normal rental fee shall be charged to the applicant unless the City Council waives such rental.
- Application must be filed in the City Manager's Office at least ninety (90) days prior to the time that the applicant desires to first take possession of the area to make preparations for the special event. The applicant for a special event must be a non-profit organization, organized and existing for the purpose of either some charitable or public benefit or for the promotion of business in the Downtown Area of Hickory. In addition, said non-profit organization may at the request of the Council be required to produce evidence of their non-profit corporation status as defined by state and federal laws. In addition, procedures to be used for selecting participants and vendors must be included with the application.
- The applicant shall provide to the City Manager at least two (2) weeks prior to the beginning of the public participation in the special event a list of all of the vendors or others having booths or display tables during the special event. No other persons may sell merchandise or operate any booth or display tables during the special event, unless the applicant, in writing, requests the City Manager to amend such list accordingly and permission is granted.
- No motor vehicles or other large equipment or manufactured items or livestock will be permitted within the area unless they are clearly identified and described and the proposed location is stated in the application and specific approval is given.
- The size, type of construction and location of display tables and booths must be described generally in the application; all construction must be safe and self-sustaining; no spikes or other holding devices may be driven into the ground of any street, sidewalk or tied to any tree.
- When food preparation, painting and/or pottery -making activities or similar activities are held, appropriate protective materials must be placed over any paved or brick areas for protection.

- No tents may be placed in the area without being described and exhibited to the Fire Prevention Inspectors of the Hickory Fire Department and special approval by the City Council.
- Public address systems can be used only if specifically requested in the application and special permission given, including limitations as to use.
- Sufficient portable toilets shall be provided for the expected number of participants.
- If the applicant desires to sell alcoholic beverages, it shall specifically so state in its application and shall provide a sketch of the area where the same will be sold and consumed. The area shall be delineated by barricades, with the entrance to be clearly marked and so constructed as to allow ready control of patrons, including viewing of identification to avoid underage persons being within the barricaded area. Signs shall be posted stating that no one shall leave the barricaded area with alcoholic beverages. Application must be made to proper State authorities for special permit for sale of alcoholic beverages. Special permit shall be available for inspection by the City at any time.
- The applicant shall assume full liability for all accidents or claims of accidents as a result of activities taking place at the special event and during the time the area is being readied for the event and while it is being cleaned up following the event. A copy of the insurance policy must be submitted to the City Manager's office prior to the event. The applicant must add the city as an additional insured on the policy. The policy is to be one of comprehensive general liability in the amount of not less the Three Hundred Thousand Dollars (\$300,000.00) for bodily injury per person and One Million Dollars (\$1,000,000.00) per occurrence and not less than One Hundred Thousand Dollars (100,000.00) for property damage per occurrence.
- The applicant will be responsible for the security or protection of any articles, items, merchandise, display tables, booths or other property owned by the applicant or others participating in the special event.
- Applicants must obtain any special use permits required by the Hickory Fire Inspector, must comply with all applicable provisions of the North Carolina Fire Code and must at all times insure that all fire lanes in the area to be used remain unobstructed.
- Applicants must comply with all Health Department regulations pertaining to the scheduled event.
- Applicants must comply with the requirements of the Hickory Sign Ordinance.
- Applications must comply with any and all local, state, and federal laws pertaining to equal opportunity and should make every effort to make events accessible to the disabled public. In addition, applicants shall not deny access or a vendor's booth to any group based on national origin, race, religion, age, sex, or disability.
- No person shall bring an animal, on a leash or otherwise, into the boundaries of this event. The boundaries and the interior of a special event shall consist of any area part of the event or parade route and shall include any public street, road, highway, sidewalk, alley, parking lot, grassy area, right-of-way or other publicly owned area. Exceptions shall include service dogs or other animals relied upon by persons with disabilities, and animals owned and controlled by public law enforcement agencies, or animals used by a vehicle for hire in accordance with applicable City ordinances. The special event operator and sponsor are responsible for immediately cleaning up and removing any animal waste from animals that are part of an authorized event, exhibit, or parade. All animal waste shall be disposed of properly. The event organizer may request a waiver from this ordinance. The sponsor shall submit plans specifying how the public will be protected from the animals. Requests shall be reviewed as part of the special event permitting process and may be approved or denied as part of that process. To request a waiver from this provision, please complete the appropriate section of the special event application.

City of Hickory Fire Department

NAME OF NON-PROFIT ORGANIZATION

BRIEFLY DESCRIBE THE PURPOSE OF THE NON-PROFIT ORGANIZATION:

LIST ORGANIZATIONS OFFICERS:

Fred Hollar Fire Chief

(828) 323-7501

TELEPHONE

TELEPHONE

TELEPHONE

CHAIRPERSON OF THE SPECIAL EVENT:

Fred Hollar Fire Chief

(828) 323-7501

NAME

TELEPHONE

19 2nd St Dr. NE

ADDRESS

The undersigned Applicant is aware of the rules regulating the use of Union Square Common, streets adjoining thereto and other public places and parks for special events, and will abide with the same; and further understands that the City of Hickory will not be responsible for the security or protection of any articles, items, merchandise, display tables, booths or other property owned by the applicant or others participating in the special event. The undersigned Applicant agrees to reimburse the City of Hickory for the additional cost of providing police department and/or fire department personnel to supervise the event, including services rendered both before, during and after the event itself, to ensure the compliance with all laws and ordinance, to direct traffic and to promote the safety and welfare of participants and other citizens.

1-15-16
Date

C. Fred Hollar
President
City of Hickory Fire Department
Non-Profit Organization

Approved by:
Andrea Duratt
CITY MANAGER - ASSISTANT

3/7/16
DATE

DATE APPROVED BY HICKORY CITY COUNCIL: _____

NORTH CAROLINA

RELEASE AND INDEMNITY AGREEMENT

CATAWBA COUNTY

THIS RELEASE AND INDEMNITY AGREEMENT, entered into by THE CITY OF HICKORY, a North Carolina Municipal Corporation, City, and the City of Hickory Fire Department _____, a non-profit organization with its principal place of operation being Catawba County, North Carolina, Applicant:

WITNESSETH :

WHEREAS, City desires to allow the Applicant to conduct a special event within the City Limits of Hickory, North Carolina, pursuant to the Hickory City Code; and

WHEREAS, the Applicant desires to conduct a special event within the City Limits of Hickory, North Carolina; and

WHEREAS, to this end, said Applicant has previously filed with the City of Hickory an application for approval of said event, and wishes to enter into this Release and Indemnity Agreement pursuant to the Hickory City Code and the administrative rules of the City of Hickory;

NOW, THEREFORE, for and in consideration of the mutual promises and covenants herein contained, and for other good and sufficient consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. That the Applicant hereby completely and unequivocally releases the City, the officials of the City, and all employees of the City, and their families, from any and all claims, damages, injuries or rights of action which the Applicant may incur by reason of the special event being conducted by the Applicant.
2. That the Applicant hereby agrees to indemnify, defend, and hold harmless the City for any liability, injury or claim which may arise to the benefit of the Applicant as a result of the special event being conducted by the Applicant.

3. That the parties to this Release and Indemnity Agreement stipulate and acknowledge that there exists sufficient consideration for the execution of this instrument.

This the 14th day of January, 2016.

C. Fred Hallor
President

City of Hickory Fire Department



City of Hickory
 PO Box 398
 Hickory, NC 28603
 Telephone
 828-323-7410
 Fax 828-323-7474

City of Hickory
Special Events/Activities Application
 (Must be submitted to Planning & Development)

SPECIAL EVENT APPLICATION

The purpose of this application is to provide information about your event or activity in order for various departments and agencies to determine if they need to be involved in the approval and/or permitting process. Depending on the specific event, a permit application and/or fee(s) from individual departments may be required.

The applicant is responsible for providing complete and accurate information on the application, including an attached detailed site plan. The applicant is also responsible for notifying the Planning Department of any changes. Incomplete applications will not be accepted. **For public property events a complete application should be submitted at least 90 days prior to the planned event to allow sufficient review time. For private property events a complete application should be submitted at least 30 days prior to the planned event. Public officials may contact you with specific questions. Any official may require a pre-planning meeting.

Applications and events are prioritized based on a first come-first served basis and the City may approve or disapprove an event's requested date based on availability of resources. Events that occur on an annual basis will receive priority the following year.

****If the event is to be held on public property, approval to use the property must be obtained from City Council; therefore the application must be submitted 90 days prior to the event.**

APPLICANT INFORMATION

Name of Event: Pinwheels for Prevention/National Child Abuse Prevention Month
 Applicant Name & Title: Kate Landry, Community Education & Outreach Coordinator
 Organization: Children's Advocacy & Protection Center
 Mailing (Billing) Address: 4360 County Home Rd.
 City / State / Zip: Conover/NC/28613
 Daytime Phone: 828-465-8162 Cell: 828-455-1012 Email: klandry@catawbacountync.gov
 Description of the Event: Approximately 3000 blue & silver pinwheels will be planted at Zahra Baker All Children's Playground at Kiwanis Park to recognize April as National Child Abuse Prevention Month
 Does the event have a Twitter, Facebook or other social networking page? NO
 If yes, please list URL(s): _____

Event Address: Zahra Baker All Children's Playground at Kiwanis Park, 805 6th Street SE, Hickory, NC 28602	
Date of Event: Friday, April 1, 2016	
Event Start Time: noon	Event End Time: 1:00 p.m.
Road Closure Begins (if applicable): N/A	Road Closure Ends (if applicable): N/A
Set-Up Begins: 7:30 a.m.	Clean-Up Ends: 2:00 p.m.
Preferred Date & Time of Inspection:	
Estimated Attendance: 100	
The Event is: <input type="checkbox"/> Private (by invitation only) or <input checked="" type="checkbox"/> Open to General Public	
Describe the procedures to be used for selecting participants and vendors for this event: Local Catawba County leaders to proclaim April as Child Abuse Prevention month	

APPLICANT'S SIGNATURE Kate Landry **DATE:** 4/26/18

A pre-planning meeting may be required and will be scheduled to include the appropriate staff. The event applicant must attend the meeting. The city reserves the right to require others to attend.

TENTS & MEMBRANE STRUCTURES

**** Tent** is a structure, enclosure, or shelter, with or without sidewalls or drops ******

Will tent(s) be used for the event? ___ Yes No (If no, proceed to next section)

of Tent(s) _____ (fabric structure that is ENCLOSED with sidewalls or drops exceeding 400 square feet)

of Tent(s) _____ (fabric structure that is OPEN on all sides exceeding 700 square feet)

Are there multiple tents without sidewalls placed side by side such that the total square footage of all the tents in this group exceeds 700 square feet without 12 feet of clear space between all other permanent and temporary structures? ___ Yes ___ No

**** Membrane** structure is an air-inflated or air supported structure ******

Will Membrane(s) be used for the event? ___ Yes No (If no, proceed to next section)

of Membrane Structure(s) _____ exceeding 400 square feet

POWER SOURCES

Will you use electric generators? ___ Yes No

If yes, will Power Distribution boxes be used? ___ Yes ___ No

Provide contact information for contractor supplying generator power:

Name: _____ Phone: _____ Email: _____

Will you use electric power from an existing structure? Yes ___ No

If yes, will direct wiring to breakers be required? ___ Yes No

Provide contact information for person responsible for setup of power:

Name: Mack McLeod Phone: 322-7046 Email: _____

VOICE/MUSIC AMPLIFICATION

Are there any musical entertainment features related to your event? Yes ___ No
(If no proceed to next section)

If yes, state the number of bands and type of music: Number of bands: _____

Type(s) of music: Individual vocalist

Will a portable or temporary stage be utilized? ___ Yes No

If yes*, state the number of portable or temporary stages: _____

Provide contact information for contractor providing stage:

Name: _____ Phone: _____ Email: _____

A Temporary Stage Certification Form must be completed for Catawba County Building Services

Will your event use amplified sound? Yes ___ No

If yes, please indicate times: Start time: noon Finish time: 1:00 p.m.

HAZARDOUS MATERIALS

Will the event have any hazardous materials such as propane, butane, gasoline, diesel tanks, helium cylinders or other upright tanks? Yes No
If yes, all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.

Will there be any portable heaters? Yes No

Will there be any deep fat fryers? Yes No

Will there be any fireworks, lasers, torches, candles or pyrotechnics? Yes No
If yes, contact the City of Hickory Fire Prevention office at 828-323-7522 for more information.

ALCOHOL

Will alcoholic beverages be served? Yes No (If yes, NC ABC permit required)

Will alcoholic beverages be sold? Yes No (If yes, NC ABC permit required)

What type of alcohol will be served?
 Draft Beer Can/Bottle Beer Wine Liquor

Who will be serving the alcohol?

Times for alcohol to be served:

Locations within event site where alcohol will be served:

Have you applied for a North Carolina temporary ABC permit? Yes No

VENDORS

*List all commercial vendors who will be present during the event (serving, selling, sampling, or displaying).
 (Use additional sheet of paper if necessary)*

VENDOR NAME	ADDRESS	PHONE NUMBER(S)
N/A		

Does the event include mechanical rides, or other similar attractions? Yes No
 If yes, please describe attractions:

Applicants contracting with amusement ride companies are required to provide the City of Hickory with a certificate of insurance, naming applicant and the City of Hickory (if applicable) as additional insured on general liability.

VENDORS

Does the event include food vendors? Yes No

If the event will have food vendors, please check the following that apply:
 Served Sold Free Catered Prepared Outdoors
An applicant having any food service must contact the Catawba County Health Department at (828) 465-8270 for approval of any food preparation or service.

Does the event include food concession and/or cooking areas? Yes No

If yes, please list each vendor and specify cooking method (Gas, Electric, Charcoal, Other)
(Use additional sheet if necessary)

VENDOR	COOKING METHOD	FOOD ITEM

Fire Code requires a fire extinguisher at each cooking location. Food and beverages shall not be sold at an event unless approved and licensed, if necessary, by the Catawba County Health Department. Event organizers are responsible for arranging health inspections for their events.

EVENT SCHEDULE

Provide a detailed schedule of the event including dates and times for entertainment, activities, hours of event, start time, finish time, etc. If the event requires an extended time frame for set-up, include details with a timeline listing the times and locations where streets or public property will be impacted and when dismantling will be completed. (Use additional sheet of paper if necessary)

DATE	TIME	ACTION	ADDITIONAL NOTES
4/1/16	7:30 a.m.	Volunteers will plant approx. 3000 pinwheels	
4/1/16	11:45 a.m.	Guests & public arrive	
4/1/16	noon	Welcome	
4/1/16	12:10 p.m.	Proclamation read	
4/1/16	12:25 p.m.	Speaker	
4/1/16	12:45 p.m.	Event concludes	
4/1/16	1:00 p.m.	Begin removing pinwheels	

SITE PLAN

Please attach a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets or areas that are part of the venue and the surrounding area. The plan should include the following information (if applicable):

- Location of the event/activity on the property with approximate distances from roads, fire hydrants, existing buildings, etc.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, alcohol sales, etc.
- Identify location of all cooking devices and open flames.
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.
- Identify location of any generators and fuel storage.

See next page

Catawba County, North Carolina

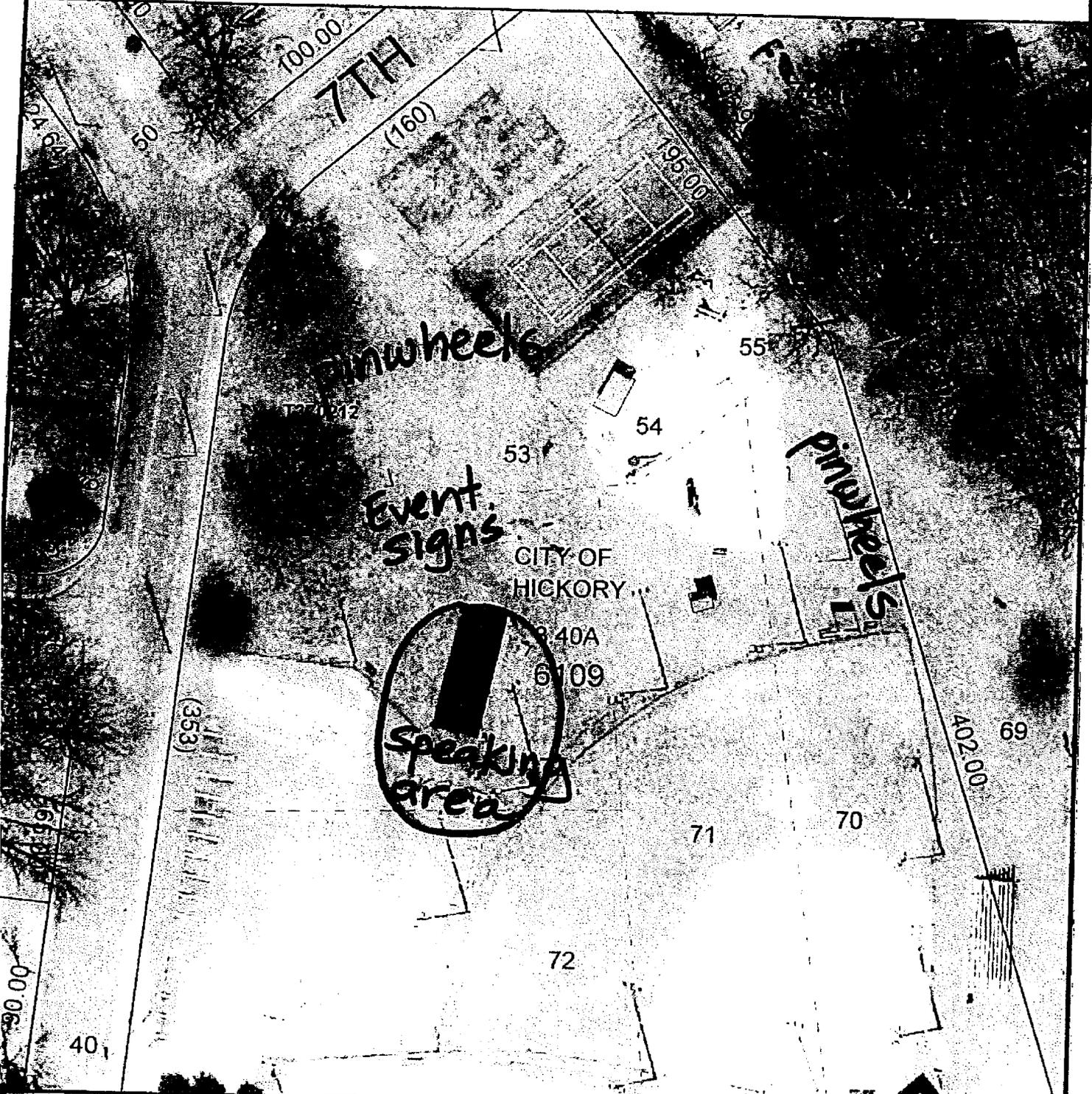
This map product was prepared from the Catawba County, NC. Geospatial Information System. Catawba County has made substantial efforts to ensure the accuracy of location and labeling information contained on this map. Catawba County promotes and recommends the independent verification of any data contained on this map product by the user. The County of Catawba, its employees, agents and personnel disclaim, and shall not be held liable for any and all damages, loss or liability, whether direct, indirect or consequential which arises or may arise from this map product or the use thereof by any person or entity.



1 inch = 60 feet

Selected Parcel Number: T370212

Prepared for:



WALK, RUN, CYCLE EVENTS ON PUBLIC ROADWAYS

Number of participants expected: _____ % of participants expected under 18: _____

*Must be at least 100 participants and no more than 2,000 per route.

Number of volunteers expected: _____ % of volunteers expected under 18: _____

Check the approved City/NCDOT Route on public roadways below

5K 1 Downtown 5k (Not allowed on Saturdays during the Downtown Hickory Farmers Market: Mid April-November)

5K 2 Hickory Foundation YMCA (Can start and finish in Downtown District or other locations on route)

5K 3 FRMC 5K (Can start and finish in Downtown District or other locations on route)

5K 4 Neill Clark Park 5k (Must contact Parks and Recreation Director Mack McLeod mmcleod@hickorync.gov or 828-322-7046 and submit email confirmation with Special Event application.)

5K 5 Winkler Park 5k (Must contact Parks and Recreation and Hickory Crawdads and submit email confirmation with Special Event application. Approval from Mack McLeod 828-322-7046 or mmcleod@hickorync.gov and Hickory Crawdads Mark Seaman 828-322-3000 or mseaman@hickorycrawdads.com.)

5K 6 LRU 5K (Must clear route with LRU before submitting Special Event application. (Can start and finish in various locations, including First Methodist Church)

10K 1 Hickory Foundation YMCA (Can start and finish in Downtown District)

10K 2 Do a 5k route twice, which 5k route? _____

Half Marathon 1 (13.1 miles)

Cycle Route 1 (10 mile)

Cycle Route 2 (32 mile)

APPROVED ROUTES/EVENTS AT THE AIRPORT AND PUBLIC PARKS

AIRPORT ROUTE

____ Hickory Regional Airport 5k ____ Approval from Airport Manager Terry Clark

*The second and fourth Saturdays have existing events in the morning hours. Check with Airport Manager Terry Clark 828-323-7408 or tclark@hickorync.gov on availability.

Name the new date proposed and time: _____

(Please include email confirmation with approval to use airport with application.)

PUBLIC PARKS ROUTES

Approval for park use may be obtained from Parks and Recreation Director Mack McLeod 828-322-7046 or mmcleod@hickorync.gov

Hickory City Park to Geitner-Rotary Park 5k via paved

(Please include email confirmation with approval to use park with application.)

Henry Fork River Regional Recreation Park

(Please include email confirmation with approval to use park with application.)

Neill W. Clark Jr. Recreation Park - **Event within park, could be different activities on fields**

(Please include email confirmation with approval to use park with application.)

Highland Recreation Center at Stanford Park Options

3.2 option 3.1 option 4.5 option – **All options along sidewalks**

(Please include email confirmation with approval to use park with application.)

ADDITIONAL GUIDELINES AND REQUIREMENTS

Please initial all guidelines below and provide the information requested at the time the application is submitted.

Must use a preapproved route from the City/NCDOT and/or preapproved neighborhood route and/or track or one of the options not on roadways that are available at the airport or at a park. _____

Must include a certificate of liability insurance for walk, run, and/or cycle event if the start/finish are on public property. _____

Must include a plan for volunteers for events with an anticipated attendance of 100 participants or more (how many, their duties). _____

Must include a parking plan for participants and volunteers (can be included in site plan). _____

The provision of twenty foot (20') minimum emergency access lanes throughout the event site. _____

Temporary signs may be used to mark a course. No markings of any kind (permanent or temporary) are allowed on roadways, sidewalks, or parking lots. _____

Any unauthorized traffic control device or other sign or message placed on the highway right-of-way by a private organization or individual constitutes a public nuisance and should be removed. Any violations of this policy will result in disapproval of future event(s). _____

Do not assume, advertise, or promote your event until you have a signed permit from the Hickory Police Department, along with permission from city staff and Hickory City Council. Conflicts do arise and changes to the request may be necessary. _____

ATTACHMENTS CHECKLIST

In addition to the Special Event Application form, the following supporting documents are required to complete your application package and begin the review process:

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- Site Plan Sketch
- Parking Plan for participants and volunteers (May be included in site plan) *included on site*
- Volunteer Plan for events with an anticipated attendance of 100 participants or more (how many, their duties)

All Public Property Events:

- Certificate of Insurance listing the City of Hickory as certificate holder and additional insured.

-Public Property Event at a Public Park:

- Email from Parks and Recreation Director Mack McLeod indicating approval of the event date

-Public Property Event at the Airport:

- N/A* Email from Airport Director Terry Clark indicating approval of the event date

-Waiver Request

- N/A* I am requesting a waiver from the Section which prohibits animals from special events on City property. I have included the required safety plan with the application.

**** THIS SECTION IS ONLY TO BE COMPLETED IF REQUESTING TO HOLD AN EVENT ON UNION SQUARE COMMON, STREETS ADJOINING THERETO OR OTHER PUBLIC PLACES, PARKS, AND THE AIRPORT ****

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 - Any other public building, park or property owned or possessed by the City of Hickory which, by its nature, is suitable for any certain special event that may be applied for, provided that said event remains open to the public at large.
- The City Council reserves the right to reject any application as to the use of any area described above for any special event. If the City Council learns that the event or vendors participating were misrepresented to the City Council or that the event in any way fails to comply with the rules regulating the use of Union Square Common or fails to comply with any applicable local, state, or federal laws, it reserves the right to rescind any approved application up to and during the course of the event. In the case of a special event being held at a City-owned facility for which a rental fee is usually charged, the normal rental fee shall be charged to the applicant unless the City Council waives such rental.
- Application must be filed in the City Manager's Office at least ninety (90) days prior to the time that the applicant desires to first take possession of the area to make preparations for the special event. The applicant for a special event must be a non-profit organization, organized and existing for the purpose of either some charitable or public benefit or for the promotion of business in the Downtown Area of Hickory. In addition, said non-profit organization may at the request of the Council be required to produce evidence of their non-profit corporation status as defined by state and federal laws. In addition, procedures to be used for selecting participants and vendors must be included with the application.
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- When food preparation, painting and/or pottery -making activities or similar activities are held, appropriate protective materials must be placed over any paved or brick areas for protection.

City of Hickory
P.O. Box 398
Hickory, NC 28603

tel. # 828 323-7440
Exhibit VII/E

- No tents may be placed in the area without being described and exhibited to the Fire Prevention Inspectors of the Hickory Fire Department and special approval by the City Council.
- Public address systems can be used only if specifically requested in the application and special permission given, including limitations as to use.
- Sufficient portable toilets shall be provided for the expected number of participants.
- If the applicant desires to sell alcoholic beverages, it shall specifically so state in its application and shall provide a sketch of the area where the same will be sold and consumed. The area shall be delineated by barricades, with the entrance to be clearly marked and so constructed as to allow ready control of patrons, including viewing of identification to avoid underage persons being within the barricaded area. Signs shall be posted stating that no one shall leave the barricaded area with alcoholic beverages. Application must be made to proper State authorities for special permit for sale of alcoholic beverages. Special permit shall be available for inspection by the City at any time.
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- Applicants must comply with the requirements of the Hickory Sign Ordinance.
- Applications must comply with any and all local, state, and federal laws pertaining to equal opportunity and should make every effort to make events accessible to the disabled public. In addition, applicants shall not deny access or a vendor's booth to any group based on national origin, race, religion, age, sex, or disability.
- No person shall bring an animal, on a leash or otherwise, into the boundaries of this event. The boundaries and the interior of a special event shall consist of any area part of the event or parade route and shall include any public street, road, highway, sidewalk, alley, parking lot, grassy area, right-of-way or other publicly owned area. Exceptions shall include service dogs or other animals relied upon by persons with disabilities, and animals owned and controlled by public law enforcement agencies, or animals used by a vehicle for hire in accordance with applicable City ordinances. The special event operator and sponsor are responsible for immediately cleaning up and removing any animal waste from animals that are part of an authorized event, exhibit, or parade. All animal waste shall be disposed of properly. The event organizer may request a waiver from this ordinance. The sponsor shall submit plans specifying how the public will be protected from the animals. Requests shall be reviewed as part of the special event permitting process and may be approved or denied as part of that process. To request a waiver from this provision, please complete the appropriate section of the special event application.

Children's Advocacy & protection Center

NAME OF NON-PROFIT ORGANIZATION

BRIEFLY DESCRIBE THE PURPOSE OF THE NON-PROFIT ORGANIZATION:

CAPC provides services to children who have been sexually and/or physically abused in Catawba County.

LIST ORGANIZATIONS OFFICERS:

Adrienne Opdyke, Executive Director

828-465-7665

TELEPHONE

TELEPHONE

TELEPHONE

CHAIRPERSON OF THE SPECIAL EVENT:

Kate Landry

828-465-8162

NAME

TELEPHONE

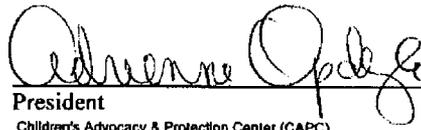
4360 County Home Rd., COnover, NC 28613

ADDRESS

The undersigned Applicant is aware of the rules regulating the use of Union Square Common, streets adjoining thereto and other public places and parks for special events, and will abide with the same; and further understands that the City of Hickory will not be responsible for the security or protection of any articles, items, merchandise, display tables, booths or other property owned by the applicant or others participating in the special event. The undersigned Applicant agrees to reimburse the City of Hickory for the additional cost of providing police department and/or fire department personnel to supervise the event, including services rendered both before, during and after the event itself, to ensure the compliance with all laws and ordinance, to direct traffic and to promote the safety and welfare of participants and other citizens.

1/26/16

Date



President

Children's Advocacy & Protection Center (CAPC)

Non-Profit Organization

Approved by:


CITY MANAGER - ASSISTANT

3/7/16
DATE

DATE APPROVED BY HICKORY CITY COUNCIL: _____

NORTH CAROLINA

RELEASE AND INDEMNITY AGREEMENT

CATAWBA COUNTY

THIS RELEASE AND INDEMNITY AGREEMENT, entered into by **THE CITY OF HICKORY**, a North Carolina Municipal Corporation, City, and the **Children's Advocacy & Protection Center**, a non-profit organization with its principal place of operation being Catawba County, North Carolina, Applicant:

WITNESSETH:

WHEREAS, City desires to allow the Applicant to conduct a special event within the City Limits of Hickory, North Carolina, pursuant to the Hickory City Code; and

WHEREAS, the Applicant desires to conduct a special event within the City Limits of Hickory, North Carolina; and

WHEREAS, to this end, said Applicant has previously filed with the City of Hickory an application for approval of said event, and wishes to enter into this Release and Indemnity Agreement pursuant to the Hickory City Code and the administrative rules of the City of Hickory;

NOW, THEREFORE, for and in consideration of the mutual promises and covenants herein contained, and for other good and sufficient consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. That the Applicant hereby completely and unequivocally releases the City, the officials of the City, and all employees of the City, and their families, from any and all claims, damages, injuries or rights of action which the Applicant may incur by reason of the special event being conducted by the Applicant.
2. That the Applicant hereby agrees to indemnify, defend, and hold harmless the City for any liability, injury or claim which may arise to the benefit of the Applicant as a result of the special event being conducted by the Applicant.

3. That the parties to this Release and Indemnity Agreement stipulate and acknowledge that there exists sufficient consideration for the execution of this instrument.

This the 26 day of January, 2016.

Adrienne Opdyke

President

Adrienne Opdyke



City of Hickory
 PO Box 398
 Hickory, NC 28603
 Telephone
 828-323-7410
 Fax 828-323-7474

City of Hickory
Special Events/Activities Application
 (Must be submitted to Planning & Development)

SPECIAL EVENT APPLICATION

The purpose of this application is to provide information about your event or activity in order for various departments and agencies to determine if they need to be involved in the approval and/or permitting process. Depending on the specific event, a permit application and/or fee(s) from individual departments may be required.

The applicant is responsible for providing complete and accurate information on the application, including an attached detailed site plan. The applicant is also responsible for notifying the Planning Department of any changes. Incomplete applications will not be accepted. **For public property events a complete application should be submitted at least 90 days prior to the planned event to allow sufficient review time. For private property events a complete application should be submitted at least 30 days prior to the planned event. Public officials may contact you with specific questions. Any official may require a pre-planning meeting.

Applications and events are prioritized based on a first come-first served basis and the City may approve or disapprove an event's requested date based on availability of resources. Events that occur on an annual basis will receive priority the following year.

**If the event is to be held on public property, approval to use the property must be obtained from City Council; therefore the application must be submitted 90 days prior to the event.

APPLICANT INFORMATION

Name of Event: Good Friday Gathering
 Applicant Name & Title: Caleb Hayworth, Operations Pastor
 Organization: Vintage City Church
 Mailing (Billing) Address: 216 2nd st NW
 City / State / Zip: Hickory NC 28601
 Daytime Phone: 828-640-5282 Cell: _____ Email: caleb@vintagecitync.com
 Description of the Event: Worship service

Does the event have a Twitter, Facebook or other social networking page? not yet
 If yes, please list URL(s): facebook.com/vintagecitync

Event Address: <u>downtown Hickory under the awls</u>	
Date of Event: <u>Friday March 25 2016</u>	
Event Start Time: <u>7:30 pm</u>	Event End Time: <u>8:30 pm</u>
Road Closure Begins (if applicable):	Road Closure Ends (if applicable):
Set-Up Begins: <u>5:00 pm</u>	Clean-Up Ends: <u>9:00 pm</u>
Preferred Date & Time of Inspection:	
Estimated Attendance: <u>100-150</u>	
The Event is: <input type="checkbox"/> Private (by invitation only) or <input checked="" type="checkbox"/> Open to General Public	
Describe the procedures to be used for selecting participants and vendors for this event:	

APPLICANT'S SIGNATURE [Signature] **DATE:** 02/23/16

A pre-planning meeting may be required and will be scheduled to include the appropriate staff. The event applicant must attend the meeting. The city reserves the right to require others to attend.

TENTS & MEMBRANE STRUCTURES

**** Tent** is a structure, enclosure, or shelter, with or without sidewalls or drops **

Will tent(s) be used for the event? ___ Yes No (If no, proceed to next section)

of Tent(s) ___ (fabric structure that is ENCLOSED with sidewalls or drops exceeding 400 square feet)

of Tent(s) ___ (fabric structure that is OPEN on all sides exceeding 700 square feet)

Are there multiple tents without sidewalls placed side by side such that the total square footage of all the tents in this group exceeds 700 square feet without 12 feet of clear space between all other permanent and temporary structures? ___ Yes No

**** Membrane** structure is an air-inflated or air supported structure **

Will Membrane(s) be used for the event? ___ Yes No (If no, proceed to next section)

of Membrane Structure(s) ___ exceeding 400 square feet

POWER SOURCES

Will you use electric generators? ___ Yes No

If yes, will Power Distribution boxes be used? ___ Yes ___ No

Provide contact information for contractor supplying generator power:

Name: _____ Phone: _____ Email: _____

Will you use electric power from an existing structure? Yes ___ No

If yes, will direct wiring to breakers be required? ___ Yes No

Provide contact information for person responsible for setup of power:

Name: Caleb Hayworth Phone: 828-640-5282 Email: caleb@vintagecityinc.com

VOICE/MUSIC AMPLICATION

Are there any musical entertainment features related to your event? Yes ___ No
(If no proceed to next section)

If yes, state the number of bands and type of music: Number of bands: 1

Type(s) of music: worship

Will a portable or temporary stage be utilized? Yes No

If yes*, state the number of portable or temporary stages: _____

Provide contact information for contractor providing stage:

Name: _____ Phone: _____ Email: _____

A Temporary Stage Certification Form must be completed for Catawba County Building Services

Will your event use amplified sound? Yes ___ No

If yes, please indicate times: Start time: 7:30pm Finish time: 8:30pm

VENDORS

Does the event include food vendors? Yes No

If the event will have food vendors, please check the following that apply:
 Served Sold Free Catered Prepared Outdoors
An applicant having any food service must contact the Catawba County Health Department at (828) 465-8270 for approval of any food preparation or service.

Does the event include food concession and/or cooking areas? Yes No

If yes, please list each vendor and specify cooking method (Gas, Electric, Charcoal, Other)
(Use additional sheet if necessary)

VENDOR	COOKING METHOD	FOOD ITEM

Fire Code requires a fire extinguisher at each cooking location. Food and beverages shall not be sold at an event unless approved and licensed, if necessary, by the Catawba County Health Department. Event organizers are responsible for arranging health inspections for their events.

EVENT SCHEDULE

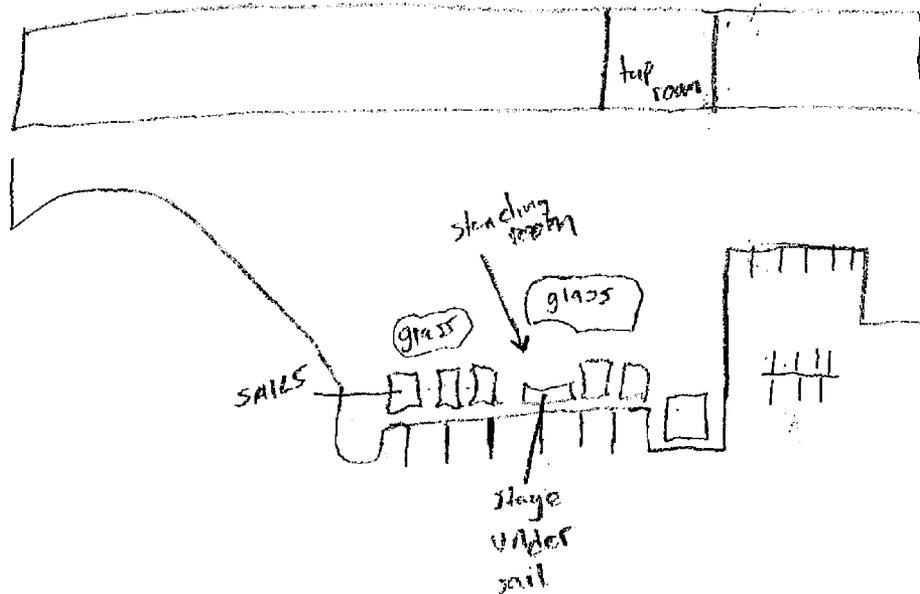
Provide a detailed schedule of the event including dates and times for entertainment, activities, hours of event, start time, finish time, etc. If the event requires an extended time frame for set-up, include details with a timeline listing the times and locations where streets or public property will be impacted and when dismantling will be completed. (Use additional sheet of paper if necessary)

DATE	TIME	ACTION	ADDITIONAL NOTES
2/23	5:00	set up begins	
	7:30	event begins	worship + speaking
	8:30	event ends	
	9:00	tear down ends	

SITE PLAN

Please attach a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets or areas that are part of the venue and the surrounding area. The plan should include the following information (if applicable):

- Location of the event/activity on the property with approximate distances from roads, fire hydrants, existing buildings, etc.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, alcohol sales, etc.
- Identify location of all cooking devices and open flames.
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.
- Identify location of any generators and fuel storage.



WALK, RUN, CYCLE EVENTS ON PUBLIC ROADWAYS

Number of participants expected: _____ % of participants expected under 18: _____

***Must be at least 100 participants and no more than 2,000 per route.**

Number of volunteers expected: _____ % of volunteers expected under 18: _____

Check the approved City/NCDOT Route on public roadways below

- 5K 1 Downtown 5k** (Not allowed on Saturdays during the Downtown Hickory Farmers Market: Mid April-November)
- 5K 2 Hickory Foundation YMCA** (Can start and finish in Downtown District or other locations on route)
- 5K 3 FRMC 5K** (Can start and finish in Downtown District or other locations on route)
- 5K 4 Neill Clark Park 5k** (Must contact Parks and Recreation Director Mack McLeod mmcleod@hickorync.gov or 828-322-7046 and submit email confirmation with Special Event application.)
- 5K 5 Winkler Park 5k** (Must contact Parks and Recreation and Hickory Crawdads and submit email confirmation with Special Event application. Approval from Mack McLeod 828-322-7046 or mmcleod@hickorync.gov and Hickory Crawdads Mark Seaman 828-322-3000 or mseaman@hickorycrawdads.com.)
- 5K 6 LRU 5K** (Must clear route with LRU before submitting Special Event application. (Can start and finish in various locations, including First Methodist Church)
- 10K 1 Hickory Foundation YMCA** (Can start and finish in Downtown District)
- 10K 2 Do a 5k route twice, which 5k route?** _____
- Half Marathon 1** (13.1 miles)
- Cycle Route 1** (10 mile)
- Cycle Route 2** (32 mile)

APPROVED ROUTES/EVENTS AT THE AIRPORT AND PUBLIC PARKS

AIRPORT ROUTE

____ Hickory Regional Airport 5k ____ Approval from Airport Manager Terry Clark

*The second and fourth Saturdays have existing events in the morning hours. Check with Airport Manager Terry Clark 828-323-7408 or tclark@hickorync.gov on availability.

Name the new date proposed and time: _____

(Please include email confirmation with approval to use airport with application.)

PUBLIC PARKS ROUTES

Approval for park use may be obtained from Parks and Recreation Director Mack McLeod 828-322-7046 or mmcleod@hickorync.gov

Hickory City Park to Geitner-Rotary Park 5k via paved

(Please include email confirmation with approval to use park with application.)

Henry Fork River Regional Recreation Park

(Please include email confirmation with approval to use park with application.)

Neill W. Clark Jr. Recreation Park - **Event within park, could be different activities on fields**

(Please include email confirmation with approval to use park with application.)

Highland Recreation Center at Stanford Park Options

3.2 option 3.1 option 4.5 option – **All options along sidewalks**

(Please include email confirmation with approval to use park with application.)

ADDITIONAL GUIDELINES AND REQUIREMENTS

Please initial all guidelines below and provide the information requested at the time the application is submitted.

Must use a preapproved route from the City/NCDOT and/or preapproved neighborhood route and/or track or one of the options not on roadways that are available at the airport or at a park. _____

Must include a certificate of liability insurance for walk, run, and/or cycle event if the start/finish are on public property. _____

Must include a plan for volunteers for events with an anticipated attendance of 100 participants or more (how many, their duties). _____

Must include a parking plan for participants and volunteers (can be included in site plan). _____

The provision of twenty foot (20') minimum emergency access lanes throughout the event site. _____

Temporary signs may be used to mark a course. No markings of any kind (permanent or temporary) are allowed on roadways, sidewalks, or parking lots. _____

Any unauthorized traffic control device or other sign or message placed on the highway right-of-way by a private organization or individual constitutes a public nuisance and should be removed. Any violations of this policy will result in disapproval of future event(s). _____

Do not assume, advertise, or promote your event until you have a signed permit from the Hickory Police Department, along with permission from city staff and Hickory City Council. Conflicts do arise and changes to the request may be necessary. _____

ATTACHMENTS CHECKLIST

In addition to the Special Event Application form, the following supporting documents are required to complete your application package and begin the review process:

All Events:

- Site Plan Sketch
- Parking Plan for participants and volunteers (May be included in site plan)
- Volunteer Plan for events with an anticipated attendance of 100 participants or more (how many, their duties)

All Public Property Events:

- Certificate of Insurance listing the City of Hickory as certificate holder and additional insured.

-Public Property Event at a Public Park:

- Email from Parks and Recreation Director Mack McLeod indicating approval of the event date

-Public Property Event at the Airport:

- Email from Airport Director Terry Clark indicating approval of the event date

-Waiver Request

- I am requesting a waiver from the Section which prohibits animals from special events on City property. I have included the required safety plan with the application.

**** THIS SECTION IS ONLY TO BE COMPLETED IF REQUESTING TO HOLD AN EVENT ON UNION SQUARE COMMON, STREETS ADJOINING THERETO OR OTHER PUBLIC PLACES, PARKS, AND THE AIRPORT ****

USE OF UNION SQUARE AND OTHER PUBLIC PLACES

RULES REGULATING THE USE OF UNION SQUARE COMMON, STREETS ADJOINING THERETO AND OTHER PUBLIC PLACES, PARKS AND THE AIRPORT FOR SPECIAL EVENTS

- Special events may be held in one or more of the following areas:
 - Union Square Common, north of the Southern Railway tracks, east of Third Street, NW, and west of Second Street, NW.
 - Streets adjoining Union Square, including Third Street, NW, between the Southern Railway tracks and the northern margin of First Avenue, NW; First Avenue, NW between Third Street, NW and Second Street, NW; Second Street, NW from the Southern Railway tracks to the northern margin of First Avenue, NW; and Trade Alley.
 - Any other public building, park or property owned or possessed by the City of Hickory which, by its nature, is suitable for any certain special event that may be applied for, provided that said event remains open to the public at large.
- The City Council reserves the right to reject any application as to the use of any area described above for any special event. If the City Council learns that the event or vendors participating were misrepresented to the City Council or that the event in any way fails to comply with the rules regulating the use of Union Square Common or fails to comply with any applicable local, state, or federal laws, it reserves the right to rescind any approved application up to and during the course of the event. In the case of a special event being held at a City-owned facility for which a rental fee is usually charged, the normal rental fee shall be charged to the applicant unless the City Council waives such rental.
- Application must be filed in the City Manager's Office at least ninety (90) days prior to the time that the applicant desires to first take possession of the area to make preparations for the special event. The applicant for a special event must be a non-profit organization, organized and existing for the purpose of either some charitable or public benefit or for the promotion of business in the Downtown Area of Hickory. In addition, said non-profit organization may at the request of the Council be required to produce evidence of their non-profit corporation status as defined by state and federal laws. In addition, procedures to be used for selecting participants and vendors must be included with the application.
- The applicant shall provide to the City Manager at least two (2) weeks prior to the beginning of the public participation in the special event a list of all of the vendors or others having booths or display tables during the special event. No other persons may sell merchandise or operate any booth or display tables during the special event, unless the applicant, in writing, requests the City Manager to amend such list accordingly and permission is granted.
- No motor vehicles or other large equipment or manufactured items or livestock will be permitted within the area unless they are clearly identified and described and the proposed location is stated in the application and specific approval is given.
- The size, type of construction and location of display tables and booths must be described generally in the application; all construction must be safe and self-sustaining; no spikes or other holding devices may be driven into the ground of any street, sidewalk or tied to any tree.
- When food preparation, painting and/or pottery -making activities or similar activities are held, appropriate protective materials must be placed over any paved or brick areas for protection.

- No tents may be placed in the area without being described and exhibited to the Fire Prevention Inspectors of the Hickory Fire Department and special approval by the City Council.
- Public address systems can be used only if specifically requested in the application and special permission given, including limitations as to use.
- Sufficient portable toilets shall be provided for the expected number of participants.
- If the applicant desires to sell alcoholic beverages, it shall specifically so state in its application and shall provide a sketch of the area where the same will be sold and consumed. The area shall be delineated by barricades, with the entrance to be clearly marked and so constructed as to allow ready control of patrons, including viewing of identification to avoid underage persons being within the barricaded area. Signs shall be posted stating that no one shall leave the barricaded area with alcoholic beverages. Application must be made to proper State authorities for special permit for sale of alcoholic beverages. Special permit shall be available for inspection by the City at any time.
- The applicant shall assume full liability for all accidents or claims of accidents as a result of activities taking place at the special event and during the time the area is being readied for the event and while it is being cleaned up following the event. A copy of the insurance policy must be submitted to the City Manager's office prior to the event. The applicant must add the city as an additional insured on the policy. The policy is to be one of comprehensive general liability in the amount of not less than Three Hundred Thousand Dollars (\$300,000.00) for bodily injury per person and One Million Dollars (\$1,000,000.00) per occurrence and not less than One Hundred Thousand Dollars (100,000.00) for property damage per occurrence.
- The applicant will be responsible for the security or protection of any articles, items, merchandise, display tables, booths or other property owned by the applicant or others participating in the special event.
- Applicants must obtain any special use permits required by the Hickory Fire Inspector, must comply with all applicable provisions of the North Carolina Fire Code and must at all times insure that all fire lanes in the area to be used remain unobstructed.
- Applicants must comply with all Health Department regulations pertaining to the scheduled event.
- Applicants must comply with the requirements of the Hickory Sign Ordinance.
- Applications must comply with any and all local, state, and federal laws pertaining to equal opportunity and should make every effort to make events accessible to the disabled public. In addition, applicants shall not deny access or a vendor's booth to any group based on national origin, race, religion, age, sex, or disability.
- No person shall bring an animal, on a leash or otherwise, into the boundaries of this event. The boundaries and the interior of a special event shall consist of any area part of the event or parade route and shall include any public street, road, highway, sidewalk, alley, parking lot, grassy area, right-of-way or other publicly owned area. Exceptions shall include service dogs or other animals relied upon by persons with disabilities, and animals owned and controlled by public law enforcement agencies, or animals used by a vehicle for hire in accordance with applicable City ordinances. The special event operator and sponsor are responsible for immediately cleaning up and removing any animal waste from animals that are part of an authorized event, exhibit, or parade. All animal waste shall be disposed of properly. The event organizer may request a waiver from this ordinance. The sponsor shall submit plans specifying how the public will be protected from the animals. Requests shall be reviewed as part of the special event permitting process and may be approved or denied as part of that process. To request a waiver from this provision, please complete the appropriate section of the special event application.

Vintage City Church
NAME OF NON-PROFIT ORGANIZATION

BRIEFLY DESCRIBE THE PURPOSE OF THE NON-PROFIT ORGANIZATION:
To lead the city to become passionate followers
of Jesus.

LIST ORGANIZATIONS OFFICERS:
Caleb Hayworth 828-640-5282
TELEPHONE
Crockett Davidson 770-875-0667
TELEPHONE
TELEPHONE

CHAIRPERSON OF THE SPECIAL EVENT:
Caleb Hayworth 828-640-5282
NAME TELEPHONE
216 2nd St NW Hickory NC 28601
ADDRESS

The undersigned Applicant is aware of the rules regulating the use of Union Square Common, streets adjoining thereto and other public places and parks for special events, and will abide with the same; and further understands that the City of Hickory will not be responsible for the security or protection of any articles, items, merchandise, display tables, booths or other property owned by the applicant or others participating in the special event. The undersigned Applicant agrees to reimburse the City of Hickory for the additional cost of providing police department and/or fire department personnel to supervise the event, including services rendered both before, during and after the event itself, to ensure the compliance with all laws and ordinance, to direct traffic and to promote the safety and welfare of participants and other citizens.

02/23/16
Date

Caleb Hayworth
President
[Signature]
Non-Profit Organization

Approved by:
[Signature]
CITY MANAGER - ASSISTANT

3/9/16
DATE

DATE APPROVED BY HICKORY CITY COUNCIL: _____

NORTH CAROLINA

RELEASE AND INDEMNITY AGREEMENT

CATAWBA COUNTY

THIS RELEASE AND INDEMNITY AGREEMENT, entered into by **THE CITY OF HICKORY**, a North Carolina Municipal Corporation, City, and the Vintage City Church, a non-profit organization with its principal place of operation being Catawba County, North Carolina, Applicant:

WITNESSETH:

WHEREAS, City desires to allow the Applicant to conduct a special event within the City Limits of Hickory, North Carolina, pursuant to the Hickory City Code; and

WHEREAS, the Applicant desires to conduct a special event within the City Limits of Hickory, North Carolina; and

WHEREAS, to this end, said Applicant has previously filed with the City of Hickory an application for approval of said event, and wishes to enter into this Release and Indemnity Agreement pursuant to the Hickory City Code and the administrative rules of the City of Hickory;

NOW, THEREFORE, for and in consideration of the mutual promises and covenants herein contained, and for other good and sufficient consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. That the Applicant hereby completely and unequivocally releases the City, the officials of the City, and all employees of the City, and their families, from any and all claims, damages, injuries or rights of action which the Applicant may incur by reason of the special event being conducted by the Applicant.
2. That the Applicant hereby agrees to indemnify, defend, and hold harmless the City for any liability, injury or claim which may arise to the benefit of the Applicant as a result of the special event being conducted by the Applicant.

3. That the parties to this Release and Indemnity Agreement stipulate and acknowledge that there exists sufficient consideration for the execution of this instrument.

This the 23rd day of February, 2016.
Calob Hayworth
President

COMMON POLICY DECLARATIONS

NAMED INSURED		POLICY NO. 1293-672	RENEWAL
VINTAGE CITY CHURCH		PRODUCER NAME AND ADDRESS	
		GUIDEONE INS SERVICE CENTER	
137 8TH AVE NW		1111 ASHWORTH RD	
		WEST DES MOINES	IA 50265
HICKORY	NC	28601	32-002 (00S) (800)688-3714
			WWW.Welcome.GuideOne.com

POLICY PERIOD: FROM 12/12/2014 TO 12/12/2015
 AT 12:01 A.M. STANDARD TIME AT YOUR MAILING ADDRESS SHOWN ABOVE.

IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL TERMS OF THIS POLICY, WE AGREE WITH YOU TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.

 THIS POLICY CONSISTS OF THE FOLLOWING COVERAGE PARTS FOR WHICH A PREMIUM IS INDICATED. THIS PREMIUM MAY BE SUBJECT TO ADJUSTMENT.

COMMERCIAL PROPERTY COVERAGE PART	\$	106.00
FORMS APPLICABLE: CP0118/1006 CP0140/0706		
GCP0444/0409 PCP2311/0409 PCP4310/0396		
PCP4314/0409 PCP7357/0409		

COMMERCIAL GENERAL LIABILITY COVERAGE PART	\$	725.00
FORMS APPLICABLE:		
SEE COMMON POLICY DECLARATIONS SUPPLEMENT		

COMMERCIAL CRIME COVERAGE PART	\$	90.00
FORMS APPLICABLE: CR0101/0497 PCR2611/0396		
PCR4610/0396 PCR7601/0885		

COMMERCIAL INLAND MARINE COVERAGE PART	\$.00
FORMS APPLICABLE:		

MECHANICAL, ELECTRICAL AND PRESSURE EQUIPMENT COVERAGE PART	\$.00
COVERAGE INCLUDED IN PROPERTY - SEE FORM PCP7357		

 FORMS APPLICABLE TO MORE THAN ONE COVERAGE PART:
 GIL4201/0409 GIL4220/0409 GN70029/0108
 IL0021/0702 IL0269/0908 IL0952/0308
 PIL7209/0790

TOTAL PREMIUM OF \$921.00.

COUNTERSIGNED 10/21/2014 BY _____
 (DATE) (AUTHORIZED REPRESENTATIVE)

GuideOne Insurance
 1111 ASHWORTH ROAD
 WEST DES MOINES, IOWA 50265-3538
 (515)267-5000

GuideOne Mutual
 Insurance Company

COUNCIL AGENDA MEMOS

To: City Manager's Office

From: Planning & Development Services Department – Ross Zelenske, Planner

Contact Person: Ross Zelenske, Planner

Date: March 3, 2016

Re: Call for Public Hearing for the Consideration of Rezoning Petition 16-01

REQUEST

Call for public hearing for the consideration of Rezoning Petition 16-01. The public hearing would be held on April 5, 2016.

BACKGROUND

Dr. Grace Auten has petitioned for the rezoning of approximately 0.48 acres of property located at 225 S NC Highway 127. The petition is to rezone the properties from High Density Residential (R-4) to Office & Institutional (OI).

ANALYSIS

The Hickory by Choice 2030 Comprehensive Plan classifies the vicinity as High Density Residential. The rezoning of the subject properties to Office & Institutional (OI) is consistent with the goals and policies contained within the Hickory by Choice 2030 Comprehensive Plan. Please refer to the accompanying staff report for a more in-depth analysis of the petition.

RECOMMENDATION

The Hickory Regional Planning Commission conducted a public hearing on February 24, 2016 to consider the petition. During the public hearing the applicant spoke in favor of the petition, while no one spoke in opposition. Upon closing the public hearing, the Hickory Regional Planning Commission voted unanimously (7-0) to affirm the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan, and recommended City Council approval of the petition. Staff concurs with the Commission's findings and recommendations.

BUDGET ANALYSIS:

Budgetary Action

Is a Budget Amendment required?

Yes

No

LIST THE EXPENDITURE CODE:

Reviewed by:

Brian M. Frazier *BMF* 3/3/2016
Initiating Department Head Date

[Signature] 3-4-16
Deputy City Attorney, A. Dula Date

[Signature] 3-4-16
Asst. City Manager, R. Miller Date

[Signature] 3/4/16
Asst. City Manager, A. Surratt Date

[Signature] 3-7-16
Finance Officer, M. Miller Date

[Signature] 3-7-16
Purchasing Manager, B. Weichel Date

Date

Recommended for approval and placement on _____ Council agenda (as
Consent, Public Hearing, Informational, Department Report, etc).

[Signature]
City Manager, M. Berry

Date

REZONING ANALYSIS

PETITION: Rezoning 16-01

APPLICANT: Grace Auten

OWNER: Dorus E. Faires and Kenneth B. Faires

PROPERTY LOCATION: 225 South North Carolina Highway 127

PIN: 3702-07-78-4384

WARD: The subject property is located in Ward 4 (Councilman Guess).

ACREAGE: 0.48 acres (20,909 ft²) (Note: This information was taken from the most recent Catawba County tax map data.)

REQUESTED ACTION: The applicant has submitted a petition requesting the subject property be rezoned from High Density Residential (R-4) to Office & Institutional (OI).

DEVELOPMENT POTENTIAL: The High Density Residential (R-4) district is primarily composed of multi-family residential development, as well as, small lot single-family development. In the R-4 district multi-family development is allowed at a maximum density of twenty (20) dwelling units per acre and a maximum density of twelve (12) dwelling units per acre for single-family development. The R-4 district also permits for properties to be used for religious institutions and public facilities.

Should the property be rezoned to Official & Institutional (OI), the property could be used for many of the residential purposes provided in the R-4 zoning district, but also for commercial uses, such as offices, clinics, and personal service businesses. Properties zoned OI are permitted to develop at a maximum floor area ratio of 0.85, which means 0.85 square feet of floor area could be provided for every one (1) square foot of land area contained within the parcel. In this particular instance the property could yield a maximum of 17,772 ft² of floor area $[(0.48 * 0.85) * 43,560]$. It should be understood this number is a theoretical maximum, and other regulatory requirements for building setbacks, parking, buffering, and similar items could substantially decrease this maximum intensity.

BACKGROUND: The applicant has submitted a petition requesting the property be rezoned to Office & Institutional (OI). The applicant has indicated that the subject property may be used as part of a medical office expansion for a future building addition and/or parking area.

REVIEW CRITERIA: In reviewing and making recommendations on proposed zoning map amendments, review bodies shall consider the following factors:

1. Consistency of the proposed zoning with the *Hickory Comprehensive Land Use and Transportation Plan* and the stated Purpose and Intent of this Land Development Code **(Please refer to Map 1 for more detail);**

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 build 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. (HBC 2030, Pages 3.6 and 3.8). Hickory by Choice 2030 goes on to list the OI district as being an implementing zone for this specific future land use classification (HBC 2030, Page 3.6).

Section 1.7 of the Hickory Land Development Code contains its Stated Purpose and Intent. This section contains five (5) specific items which the Land Development Code is intended to uphold. These are as follows:

- Implement the Hickory by Choice 2030 Comprehensive Plan;

The owner / applicant has indicated the property will likely be used for expansion purposes of the neighboring medical office. This expansion could be for a building addition or a parking lot addition. It should be properly noted that the disclosure or non-disclosure of a specific use cannot be used as grounds for denial of a non-conditional zoning map amendment. The subject property is shown by Hickory by Choice 2030 to be within an area that is intended to provide high density housing through a variety of housing options to city residents. The area may provide office uses along thoroughfares and transition points. The future use of the property as an office type land use would be consistent with the HBC 2030 plan.

- Preserve and protect land, air, water and environmental resources and property values;

Any and all improvements that are to take place on the property will be required to follow all applicable development regulations.

- Promote land use patterns that ensure efficiency in service provision as well as wise use of fiscal resource and governmental expenditures;

The subject property is located directly off of Highway 127, which is a major north-south thoroughfare through the City of Hickory that contains a mixture of commercial and residential uses. Public utilities (water and sewer) are also located within close proximity to the subject property. Any future development that occurs on the property will be evaluated as to what impacts, if any, will be placed upon nearby public infrastructure. The owner / developer of the property will be required to cover any financial costs needed for any required infrastructure improvements identified through the evaluation process.

- Regulate the type and intensity of development; and

This Hickory Land Development Code regulates the type and intensity of development that is located on the subject properties. Development plans for the property, once received, will be reviewed in light of the regulations contained within the Hickory Land Development Code.

- Ensure protection from fire, flood and other dangers.

Any future development occurring on the subject property will be required to adhere to all state and local building, fire, and flood zone related development regulations. Such

regulations will ensure proper protections are provided for the patrons of the subject properties, as well as the residents of the surrounding area.

2. Existing land uses within the general vicinity of the subject property (**Please refer to Map 2 for more detail**):

North: *The properties to the north are occupied by a medical office (Rudisill Family Practice) and a vacant lot;*

South: *The properties to the south are occupied by a vacant lot and a single-family residence;*

East: *The property to the east is occupied by a single-family residence; and*

West: *The property to the west, across Highway 127, is occupied by a small apartment complex.*

3. The zoning classification of property within the general vicinity of the subject property (**Please refer to Map 3 for more detail**):

North: *The properties to the north are zoned Office & Institutional (OI) and are located within the Neighborhood Preservation Overlay (NP-O);*

South: *The properties to the south are zoned High Density Residential (R-4) and are located within the Neighborhood Preservation Overlay (NP-O);*

East: *The property to the east is zoned High Density Residential (R-4) and is located within the Neighborhood Preservation Overlay (NP-O); and*

West: *The property to the west, across Highway 127, is zoned High Density Residential (R-4).*

4. The suitability of the subject property for the uses permitted under the existing and proposed zoning classification:

The subject property is currently zoned High Density Residential (R-4). The request is to rezone the property to Office & Institutional (OI). With regards to suitability of uses permitted under the existing zoning classification, the subject property can only be accessed using the adjacent right-of-way of Highway 127, which is a four lane, major north-south thoroughfare through the City of Hickory. This thoroughfare handles a significant amount of traffic on a daily basis and is likely more attractive to new commercial development than new residential development. Additionally, given that the lot size is less than a half-acre, multi-family residential development would be limited in size. Considering this, the office and institutional use is a reasonable use for the property.

The proposed Office & Institutional (OI) zoning classification is a district that is intended to function as a transition point between residential and commercial development. Under this zoning district, the property could be developed into a variety of uses including offices, clinics, and personal service businesses. The OI zoning district also permits many of the residential uses allowed in the existing High Density Residential (R-4) zoning district. The

future development of the property for uses of this nature are suitable for the subject property due to its proximity to a major commercial intersection that is within 400 feet to the north and immediate and only access point to Highway 127.

5. The extent to which zoning will detrimentally affect properties within the general vicinity of the subject property:

The rezoning certainly has the potential to detrimentally impact properties in the general vicinity. However; through proper site planning, buffering, and screening as required by the City's Land Development Code, any real or perceived detrimental impacts will be mitigated to maximum extent practical. Additionally, the property will remain within the Neighborhood Preservation Overlay district. This district is intended to preserve Hickory's oldest neighborhoods through additional character defining regulations on new development and redevelopment projects within these neighborhoods.

6. The extent to which the proposed amendment (zoning map) will cause public services including roadways, storm water management, water and sewer, fire and police protection to fall below acceptable levels.

If rezoned, the subject property is not expected to diminish public services provided in the area. Additionally, during the development review process any identified developments impacts upon the items listed above will be evaluated, and the owner / developer will be required to mitigate any deficiencies to the maximum extent practical, or required by law.

7. The proposed amendment (zoning map) will protect the public health, safety, and general welfare.

The property in question is located within an area where the City's comprehensive plan, Hickory by Choice 2030, anticipated providing high density residential development. Any future development that occurs of the subject property as the result of the zoning map amendment, will be required to be adhere to regulations related to zoning, building and fire code, traffic, stormwater, etc.; which will work in conjunction with one another to ensure the health and safety of residents and visitors are properly protected.

RECOMMENDED ACTION:

The Hickory Regional Planning Commission conducted a public hearing on February 24, 2016 to consider the petition. During the public hearing the agent spoke in favor of the petition, while no one spoke in opposition. Upon closing the public hearing, the Hickory Regional Planning Commission voted unanimously (7-0) to affirm the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan, and recommended City Council approval of the petition. Staff concurs with the Commission's findings and recommendations.

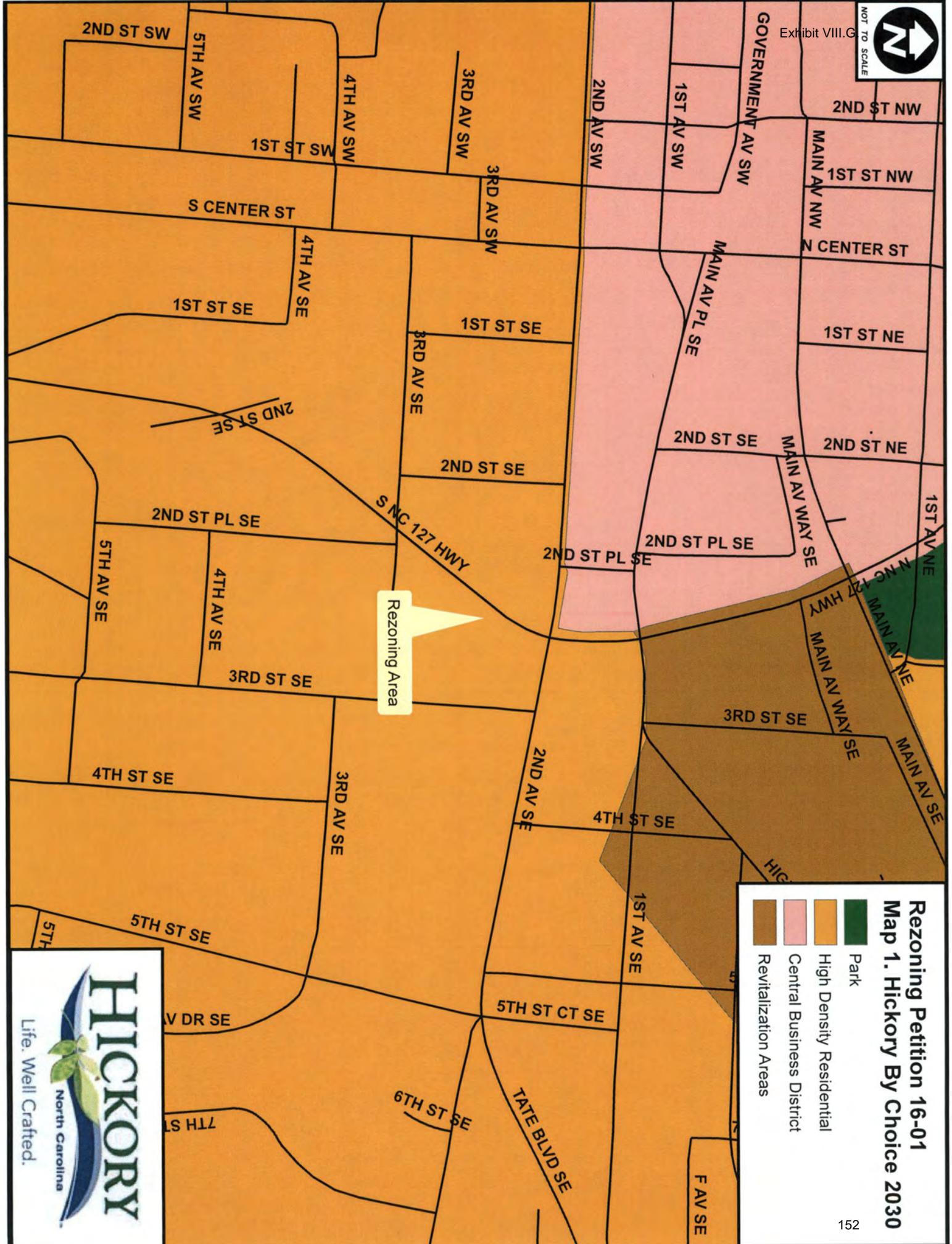
CITIZEN INPUT:

As of March 3rd, staff has only received one phone call regarding this rezoning petition. The caller sought more information on the rezoning. They stated they did not have an opinion on the matter.



NOT TO SCALE

Exhibit VIII.G



Rezoning Petition 16-01
Map 1. Hickory By Choice 2030

	Park
	High Density Residential
	Central Business District
	Revitalization Areas





NOT TO SCALE

Exhibit VIII.G

2ND AV SE

2ND ST PL SE

2ND ST PL SE

S NC 127 HWY

3RD AV SE

3RD ST SE



Rezoning Petition 16-01
Map 2. Aerial Photo (2014)



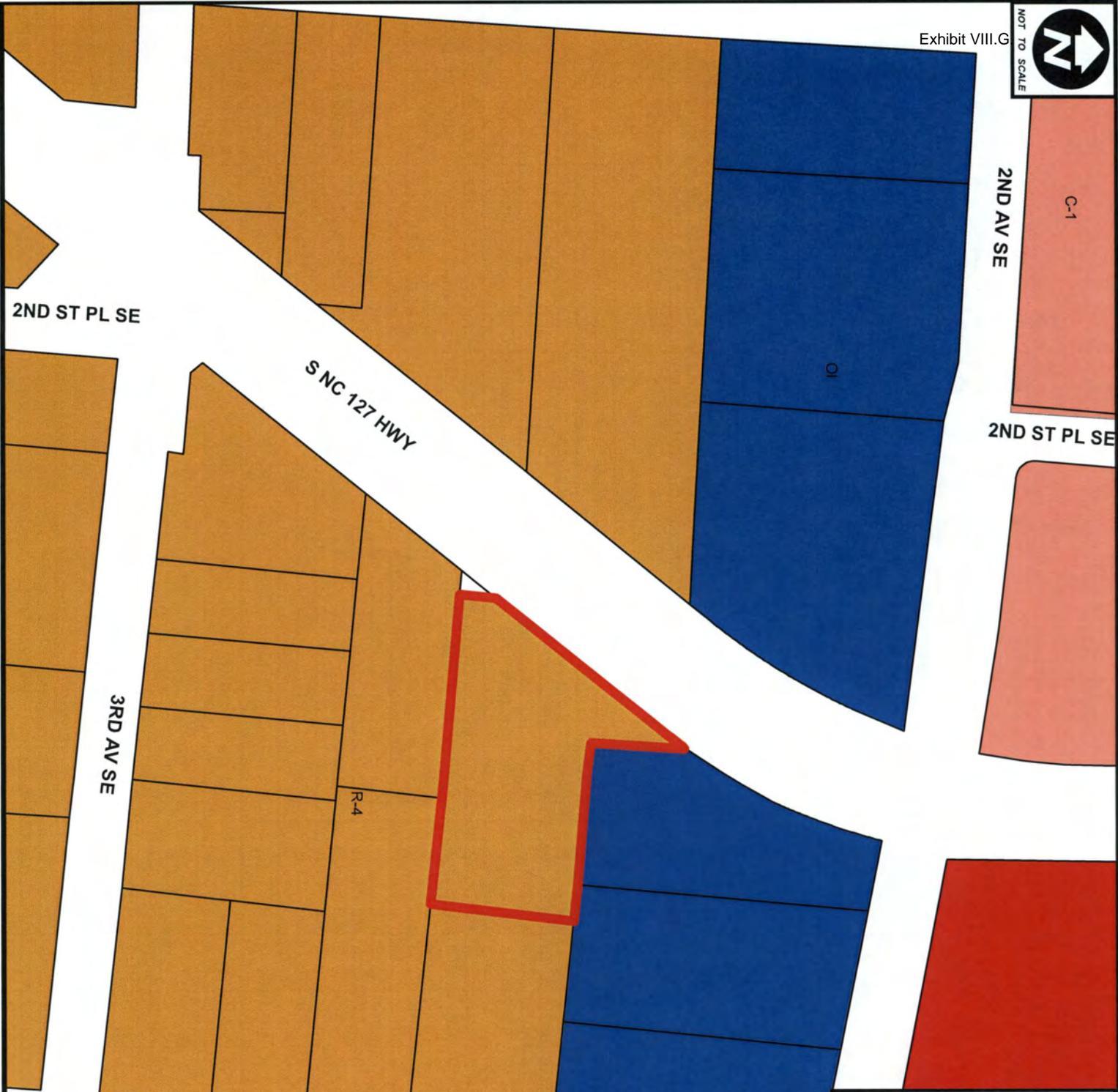
Rezoning Area





NOT TO SCALE

Exhibit VIII.G



Rezoning Petition 16-01 Map 3. Current Zoning

-  Rezoning Area
-  High Density Residential -4 (R-4)
-  Office and Institutional (OI)
-  Central Business (C-1)
-  General Business (C-2)



Life. Well Crafted.



NOT TO SCALE

Exhibit VIII.G

1ST AV SE

2ND AV SE

2ND ST SE

2ND ST PL SE

S NC 127 HWY

2ND ST PL SE

3RD AV SE

3RD ST SE

3RD AV SE

4TH ST

Rezoning Petition 16-01
Map 4. Neighborhood Preservation Overlay

 Rezoning Area
 Neighborhood Preservation Overlay



2

COUNCIL AGENDA MEMOS

To: City Manager's Office

From: Planning & Development Services Department – Cal Overby, Principal Planner

Contact Person: Cal Overby, Principal Planner

Date: March 3, 2016

Re: Call for Public Hearing for the Consideration of Rezoning Petition 16-02

REQUEST

Call for public hearing for the consideration of Rezoning Petition 16-02. The public hearing would be held on April 5, 2016.

BACKGROUND

US Conec, LTD has petitioned for the rezoning of approximately 2.44 acres of property located at 826 21st Street Drive SE, 828 21st Street Drive SE, 857 23rd Street Court SE, 863 23rd Street Court SE, 903 23rd Street Court SE, and a portion of 830 21st Street Drive SE. The petition is to rezone the properties from High Density Residential – 4 (R-4) to Industrial (IND).

ANALYSIS

The Hickory by Choice 2030 Comprehensive Plan classifies the vicinity as Industrial. The rezoning of the subject properties to Industrial (IND) is consistent with the goals and policies contained within the Hickory by Choice 2030 Comprehensive Plan. Please refer to the accompanying staff report for a more in-depth analysis of the petition.

RECOMMENDATION

The Hickory Regional Planning Commission conducted a public hearing on February 24, 2016 to consider the petition. During the public hearing the agent spoke in favor of the petition, while no one spoke in opposition. Upon closing the public hearing, the Hickory Regional Planning Commission voted unanimously (7-0) to affirm the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan, and recommended City Council approval of the petition. Staff concurs with the Commission's findings and recommendations.

BUDGET ANALYSIS:

Budgetary Action

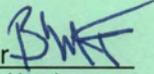
Is a Budget Amendment required?

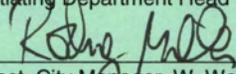
Yes

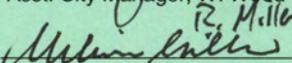
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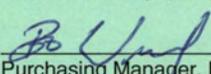
LIST THE EXPENDITURE CODE:

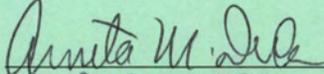
Reviewed by:

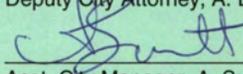
Brian M. Frazier  3/3/2016
 Initiating Department Head Date

Robert Miller  3-4-16
 Asst. City Manager, W. Wood Date

Melissa Miller  3-7-16
 Finance Officer, Melissa Miller Date

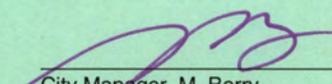
Bo Weichel  3-7-16
 Purchasing Manager, Bo Weichel Date

Amrita M. Dula  3-4-16
 Deputy City Attorney, A. Dula Date

A. Surratt  3/4/16
 Asst. City Manager, A. Surratt Date

 Administrative Services Director Date
 M. Bennett

Recommended for approval and placement on _____ Council agenda (as Consent, Public Hearing, Informational, Department Report, etc).



 City Manager, M. Berry

 Date

REZONING ANALYSIS

PETITION: Rezoning 16-02

APPLICANT: Russ Granger, VP of Operations, US Conec Ltd.

OWNER: John Precup, Mee Thao, Ker Thao, and US Conec, Ltd.

PROPERTY LOCATION: 826 21st Street Drive SE, 828 21st Street Drive SE, 857 23rd Street Court SE, 863 23rd Street Court SE, 903 23rd Street Court SE, and a portion of 830 21st Street Drive SE.

PINs: 3722-13-04-3590, 3722-13-04-4475, 3722-13-04-3327, 3722-13-04-2269, 3722-13-04-1168, and a portion of 3722-13-04-6230.

WARD: The property located at 830 21st Street Drive NE is currently located in Ward 3 (Councilman Seaver). The remainder of the properties are located within the City's extra-territorial jurisdictional area (ETJ). The applicant intends, upon acquiring the properties not currently under its ownership, to petition for voluntary annexation.

ACREAGE: 2.44 acres (106,286.4 ft²) in the rezoning area. All parcels have a total area of 7.53 acres. The property located at 830 21st Street Drive SE is split zoned between Industrial (IND) and High Density Residential – 4 (R-4). The area of this parcel zoned High Density Residential – 4 (R-4) is approximately 0.17 acres.

REQUESTED ACTION: The applicant has submitted a petition requesting the subject properties be rezoned from High Density Residential – 4 (R-4) to Industrial (IND).

BACKGROUND: US Conec, Ltd. is currently in the process of up-fitting the existing 80,000 ft² building located at 830 21st Street Drive SE, with the intentions of having this facility operational for its manufacturing and R&D functions by the end of 2016. The company has negotiated with the owners of the remaining properties listed above to purchase the properties to provide for additional land area for a future expansion of its business operations.

The remaining properties being acquired by US Conec, Ltd. are to be initially graded and prepped to provide for an area for future expansion. The grading will be done in advance of any future expansions, which is due to the sensitivity of their manufacturing process. The manufacturing processes of US Conec, Ltd. require for very strict tolerances with regards to vibrations. The proposed grading would create vibrations in excess of these tolerances, so this activity would be completed ahead of time, so disruptions in the manufacturing process can be avoided.

DEVELOPMENT POTENTIAL: The current High Density Residential – 4 (R-4) is characterized by the City's Land Development Code as being a residential district intended for the location of larger scale multi-family residential development and smaller lot single-family residential development, with a maximum prescribed density of twenty (20) dwelling units per acre. The subject properties are currently occupied by single family residences, with the exception of one parcel, which is occupied by a commercial garage that was properly permitted when it was constructed. This development represents the maximum development permitted for these properties in their current state.

As noted above, the property located at 830 21st Street Dive SE is split zoned between High Density Residential – 4 (R-4) and Industrial (IND). The majority of this parcel is zoned Industrial (5.09 acres), and is occupied by an 80,000 ft² industrial building that was constructed in 1994.

Due to its size and configuration, the area of this parcel zoned High-Density Residential – 4 (R-4) has little to no development potential.

Should the property be rezoned to Industrial (IND), the property could be used for a variety of office and industrial uses as outlined in Article 6, Section 6.1 of the Hickory Land Development Code. Additionally, property zoned Industrial (IND) is not limited to a maximum floor area ratio (FAR) as is the case with other types of non-residential development. However, it should be duly noted that while a maximum FAR is not prescribed for Industrial zoning, development is required to provide adequate stormwater control, landscaping and buffering, and similar items as required by the Hickory Land Development Code.

REVIEW CRITERIA: In reviewing and making recommendations on proposed zoning map amendments, review bodies shall consider the following factors:

1. Consistency of the proposed zoning with the *Hickory Comprehensive Land Use and Transportation Plan* and the stated Purpose and Intent of this Land Development Code **(Please refer to Map 1 for more detail);**

The general area is located in an area classified as Industrial by the Hickory By Choice 2030 Comprehensive Plan. (Note: The Hickory By Choice 2030 Comprehensive Plan's Future Land Use map does not contain parcel line data, as the general boundaries of the land use categories are not concrete.)

The Hickory by Choice 2030 contains the following narrative regarding industrial development in the vicinity of 21st Street Drive SE (Sweetwater Road):

The existing concentrations of industrial businesses provide a basis for industrial districts. The industrial districts along U.S. 321 and Highland Avenue east of Springs Road will focus on redevelopment opportunities. Land in the vicinity of the airport is appropriate for industrial development, which is designed to be compatible with safety requirements for aircraft operations and reflects the long-term needs of airport operations. Industrial development in the vicinity of the airport will also be required to adhere to watershed protection regulations to protect the water quality of the Catawba River, which is the primary source of drinking water for the city. The combination of these safety and environmental constraints will result in the construction of lower density, environmentally oriented businesses. Although these two areas offer some potential for industrial growth, the greatest potential for larger scale industrial development exists along Tate Boulevard, Sweetwater Road (21st Street SE), and the southern portion of Fairgrove Church Road. This area has significant expansion opportunities for larger-scale industrial development. The proximity to I-40, U.S. 70 and U.S. 321 provide excellent access to regional and interstate transportation systems. (HBC 2030, Pg 3.11).

The narrative above, taken directly from Hickory by Choice 2030, clearly indicates the area in question is consistent with industrial land-uses and the requested Industrial (IND) zoning district.

It should also be noted Hickory By Choice 2030 also recognizes instances similar to what is currently present in the area, where industrial and residential land uses are located within close proximity to one another, and offers the following direction in such situations:

Residential neighborhoods and industrial land uses are usually not compatible and generally should not be located adjacent to each other; however, there are instances where industrial land and single-family neighborhoods can and will be in close proximity. Adequate distance buffering and landscape techniques provide an example of the tools employed to soften potential incompatibilities. (HBC 2030, Pg 3.5).

This verbiage indicates existing conditions in Hickory do present challenges when two incompatible land uses are located in close proximity to one another. The narrative above indicates proper site design and buffering can be used to minimize the negative impacts created by such situations. This is most often addressed during the design review process, and the standards necessary to properly address these instances are currently contained within the Hickory Land Development Code.

Section 1.7 of the Hickory Land Development Code contains its Stated Purpose and Intent. This section contains five (5) specific items which the Land Development Code is intended to uphold. These are as follows:

- Implement the Hickory by Choice 2030 Comprehensive Plan;

As outlined above, the subject properties are located in an area classified as Industrial, and the HBC 2030 narrative regarding future industrial development clearly indicates the 21st Street Drive SE (Sweetwater Rd) corridor as being an area appropriate for this type of development.

- Preserve and protect land, air, water and environmental resources and property values;

Any and all improvements that are to take place on the property will be required to follow all applicable development regulations.

- Promote land use patterns that ensure efficiency in service provision as well as wise use of fiscal resource and governmental expenditures;

The subject property is located on 21st Street Drive SE, which is a thoroughfare connecting Tate Boulevard and US Hwy 70. Transportation infrastructure currently in place in the area is sufficient to handle the type of development possible on the subject properties.

Public utilities (water and sewer) are present in the vicinity, and service to the industrial building located at 830 21st Street Drive SE has already been established.

Fire protection is currently available, with a station being located approximately 1.4 miles to the southeast (Station 5 – Fairbrook).

- Regulate the type and intensity of development; and

The development currently located on the subject properties, as well as any future development that is to take place, has been and will be regulated by current and future development standards duly adopted by the City of Hickory and the State of North Carolina.

- Ensure protection from fire, flood and other dangers.

Any future development occurring on the subject properties will be required to adhere to all state and local building, fire, and flood zone related development regulations. Such regulations will ensure proper protections are provided to ensure surrounding residents, and employees are properly protect as prescribed by law. area.

2. Existing land uses within the general vicinity of the subject property **(Please refer to Map 2 for more detail):**

North: *The properties to the north across 21st Street Drive SE are either occupied by single-family residences or are vacant;*

South: *The properties to the south are occupied by industrial facilities;*

East: *The properties to the east are occupied by industrial facilities; and*

West: *The properties to the west across 23rd Street Court SE are occupied by single-family residences.*

3. The zoning classification of property within the general vicinity of the subject property **(Please refer to Map 3 for more detail):**

North: *The properties to the north across 21st Street Drive SE are zoned Industrial (IND);*

South: *The properties to the south are zoned Industrial (IND);*

East: *The properties to the east are zoned Industrial (IND); and*

West: *The properties to the west across 23rd Street Court SE are zoned High Density Residential – 4 (R-4).*

4. The suitability of the subject property for the uses permitted under the existing and proposed zoning classification:

The subject property is currently zoned High Density Residential – 4 (R-4). The request is to rezone the property to Industrial (IND). With regards to suitability of uses permitted under the existing zoning classification, the subject properties share property lines with existing industrial zoning and industrial land uses. The residential neighborhood where the rezoning area is located is surrounded by industrial zoning and non-residential land-uses. At the point in time when the residential development was constructed 21st Street Drive SE had a much different, residential character. However, since this time much of the area along 21st Street Drive SE between McDonald Pkwy and 25th Street SE has transitioned into an industrial employment center for the City of Hickory. While the current residences could remain in perpetuity, the property which they occupy lends itself more to non-residential land-uses than residential land-uses.

5. The extent to which zoning will detrimentally affect properties within the general vicinity of the subject property:

Most, if not all, zoning map amendments (rezonings) possess the potential to detrimentally impact properties in their general vicinity. However; many of these potential impacts can be properly mitigated through site design and attention to detail during the permitting process. During the site design and permitting process attention is given to ensuring different types of land use can co-exist with one another to the maximum extent practical. This can be accomplished utilizing proper buffering, landscaping, stormwater control, and building setback standards; which are already in place.

6. The extent to which the proposed amendment (zoning map) will cause public services including roadways, storm water management, water and sewer, fire and police protection to fall below acceptable levels.

The subject property is located on 21st Street Drive SE, which is a thoroughfare connecting Tate Boulevard and US Hwy 70. Transportation infrastructure currently in place in the area is sufficient to handle the type of development possible on the subject properties.

Public utilities (water and sewer) are present in the vicinity, and service to the industrial building located at 830 21st Street Drive SE has already been established.

Fire protection is currently available, with a station being located approximately 1.4 miles to the southeast (Station 5 – Fairbrook).

7. The proposed amendment (zoning map) will protect the public health, safety, and general welfare.

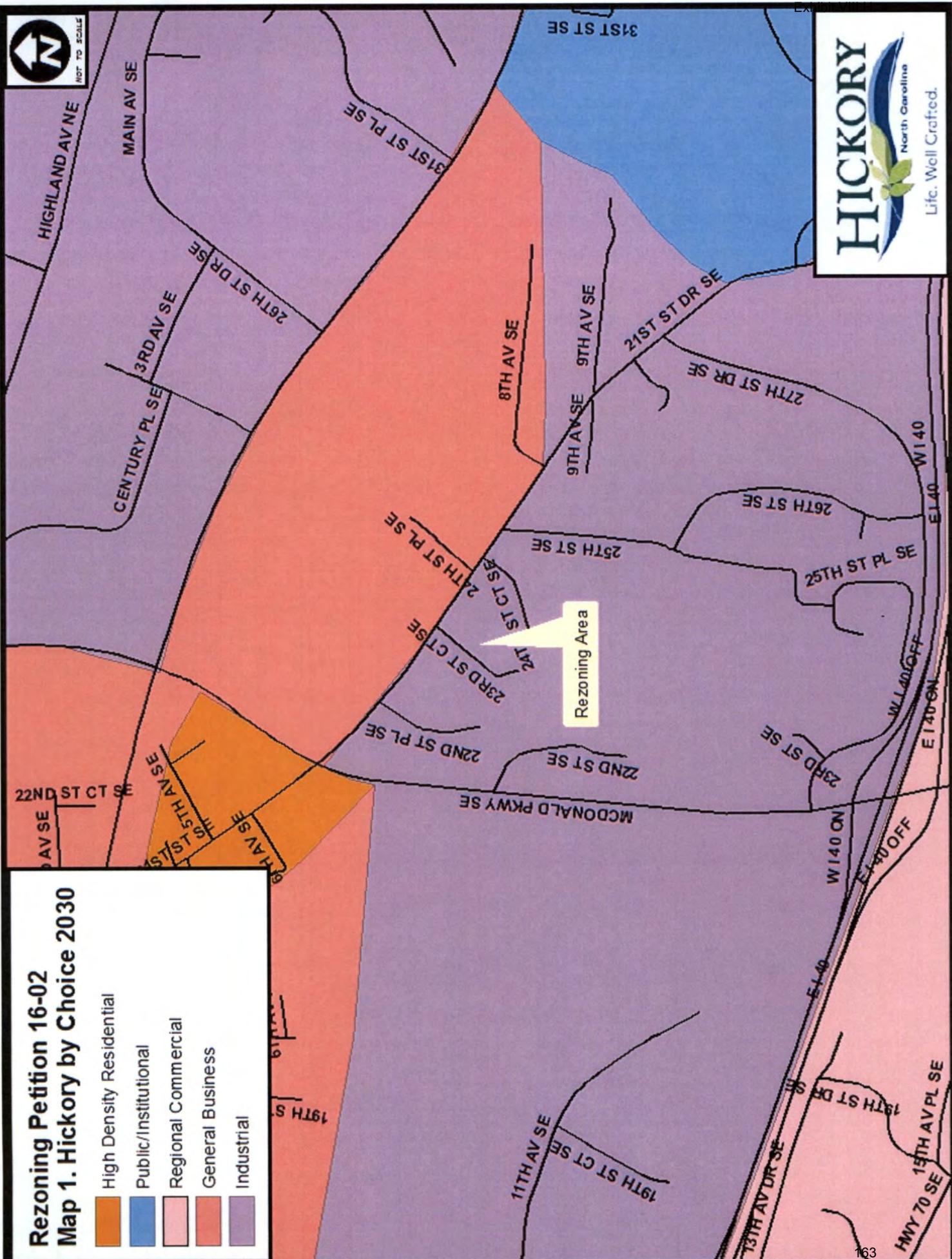
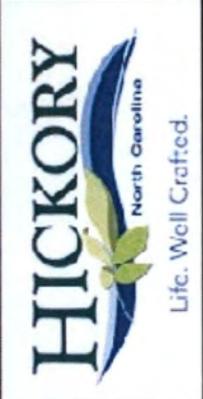
The property in question is located within an area where the City's comprehensive plan, Hickory by Choice 2030, anticipated providing additional properties for industrial development. Any future development that occurs of the subject properties as the result of the zoning map amendment, will be required to be adhere to regulations related to zoning, building and fire code, traffic, stormwater, etc.; which will work in conjunction with one another to ensure the health and safety of residents and visitors are properly protected.

RECOMMENDED ACTION:

The Hickory Regional Planning Commission conducted a public hearing on February 24, 2016 to consider the petition. During the public hearing the agent spoke in favor of the petition, while no one spoke in opposition. Upon closing the public hearing, the Hickory Regional Planning Commission voted unanimously (7-0) to affirm the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan, and recommended City Council approval of the petition. Staff concurs with the Commission's findings and recommendations.

CITIZEN INPUT:

As of the date of this report (3/3/2016), staff has received three (3) public inquiries regarding this rezoning petition. None of these inquiries indicated opposition to the petition. The inquiries were general questions about the public notices that were mailed, the location of the subject properties, and the intent of the petition.



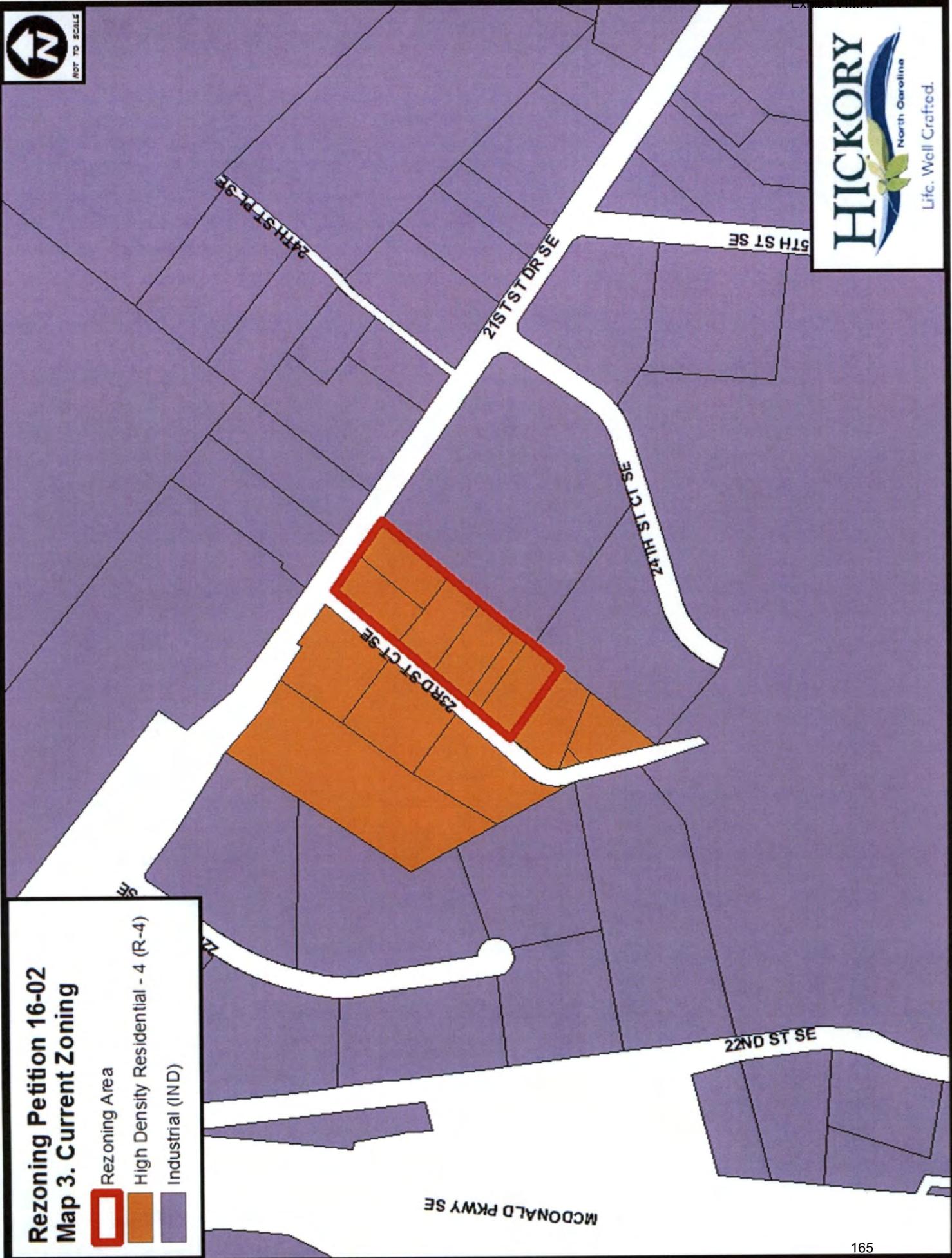
**Rezoning Petition 16-02
Map 1. Hickory by Choice 2030**

- High Density Residential
- Public/Institutional
- Regional Commercial
- General Business
- Industrial



Rezoning Petition 16-02
Map 2. Aerial Photo (2014)

 Rezoning Area



**Rezoning Petition 16-02
Map 3. Current Zoning**

-  Rezoning Area
-  High Density Residential - 4 (R-4)
-  Industrial (IND)



**CONTRACT CHANGE AUTHORIZATION FORM
Amend #2**

Client: City of Hickory PO Box 398 Hickory, NC 28603-0398 Attn: Andrea Surratt	FNI Project No.: HRY15262 Date: March 11, 2016	
Project Description: City of Hickory Bond Program - Program Management Services		
Description of Services/Deliverables Added/Deleted: Assist with RFQ's & Consultant Selection: City Walk; Riverwalk (trail); and US 321 Gateways (\$9,000 each) - \$27,000 <ul style="list-style-type: none"> i. Assist City with determining evaluation criteria ii. Draft RFQ scope and qualifications iii. Assist City in evaluating and selecting design consultants iv. Assist City with scope and fee negotiations <p>Please note the following:</p> <ul style="list-style-type: none"> 1. An amendment will need to be authorized to put program controls in place. Program controls will be needed for many activities including, but not limited to: <ul style="list-style-type: none"> i. Design Consultant Management – central location for documents, templates for agendas, meetings minutes, reports, etc., milestone review processes, etc. ii. Program Oversight – schedule and budget management, reporting and updates to staff and council, program management processes, etc. 2. An amendment will need to be authorized for the designer kickoff meeting and all activities to follow, including any bond commission, staff and/or regulatory agency meetings. 		
Compensation shall be adjusted as follows: A LS amount of \$27,000 (twenty-seven thousand dollars) shall be applied to the original contract.		
	Original Contract	\$498,400
	Amendment #1	<\$20,000>
	Amendment #2 (Current)	\$27,000
	Revised Total Contract	\$505,400
Schedule shall be adjusted as follows: No adjustment necessary		

The above described services shall proceed upon return of this Contract Change Authorization. Services will be billed as they are done. All other provisions, terms, and conditions of the agreement for services which are not expressly amended shall remain in full force and effect.

- A contract modification will be submitted.
- This Contract Change Authorization will serve as contract modification.

FREESE AND NICHOLS, INC.:

CLIENT:

BY: _____

BY: _____

Print or Type Name

Print or Type Name

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

BUDGET ORDINANCE AMENDMENT # 19

BE IT ORDAINED by the Governing Board of the City of Hickory, that pursuant to Section 15 of Chapter 159 of the General Statutes of North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2016.

SECTION 1. To amend the General Fund the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Uses	27,000	
TOTAL	27,000	-

SECTION 2. To provide the revenue for the above, Contingency funds will be used as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Contingency		27,000
TOTAL	-	27,000

SECTION 3. To amend the General Capital Projects Fund the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	27,000	
TOTAL	27,000	-

SECTION 4. To provide the revenue for the above, the revenues are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	27,000	
TOTAL	27,000	-

SECTION 5. Copies of the budget ordinance amendment shall be furnished to the Clerk of the Governing Board, and to the City Manager (Budget Officer) and the Finance Officer for their direction.

Adopted this ____ day of _____, 2016

Mayor

Clerk