



Life. Well Crafted.

A = Approved, A1 = Approved First Reading, A2 = Approved Second Reading, D = Deferred, NA = No Action, PH = Authorized Public Hearing, AD = Approval Denied

ACTION AGENDA

Hickory City Council
76 North Center Street

March 1, 2016
7:00 p.m.

- I. Call to Order
- 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 presented the Legacy Award to Byron Logan, Carolina Office Equipment
 - NA B.** Presentation of FY 2016-2017 Board and Commission Work Plans. Presenters will be allotted five (5) minutes to make their presentations to Council. (Exhibit IV.B.)

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

Fiscal year 2016-2017 Boards and Commissions Work Plans were presented to City Council.

- V. Persons Requesting to Be Heard
 - A. Mr. Larry Pope addressed City Council and requested information on the process of impeachment of the Mayor and City Council members.
- VI. Approval of Minutes
 - A A.** Regular Meeting of February 16, 2016. **(Exhibit VI.A.)**

VII. Reaffirmation and Ratification of Second Readings. Votes recorded on first reading will be reaffirmed and ratified on second reading unless Council Members change their votes and so indicate on second reading.

- A2 A. Approval of a 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)**
- A2 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)**
- A2 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)**
- A2 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)**
- A2 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)**
- A2 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)**
- A2 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)**
- A2 H. Budget Ordinance Amendment Number 17. **(First Reading Vote: Unanimous)**
- A2 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.

- A A. 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. **(Exhibit VIII.A.)**
- A B. 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. **(Exhibit VIII.B.)**
- A1 C. Approval of Temporary and Permanent Easements with Piedmont Natural Gas on City-Owned Property Located Off of Dietz Road. **(Exhibit VIII.C.)**

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.

A D. Approval of Revisions to the Vacant Building Revitalization Grant Program. (Exhibit VIII.D.)

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.

A1 E. Acceptance of the Offer to Purchase City-Owned Property Located at 159 12th Street Court SE in the Amount of \$81,000. (Exhibit VIII.E.)

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.

A1 F. Budget Ordinance Amendment Number 18. (Exhibit VIII.F.)

- 1. To accept as revenue a \$293 insurance claim payment from GB-Downers Grove/National LIA and appropriate the same into Maintenance & Repair of Vehicles for the Hickory Police Department. Payment was received due to vehicle damage sustained on January 18, 2016.*
- 2. To appropriate \$16,793 of Federal Department of Justice funds to purchase, train, and deploy a K9 into service for the Hickory Police Department. Former K9 Bachak retired in 2015, and the Hickory Police Department will use the funds to purchase the new canine and train the officer who will be the canine handler. This will include a six week school where the handler will be working directly with the canine.*

3. *To appropriate \$3,971 of NC Unauthorized Substances tax funds for the purchase of supplies for the DARE program conducted in the Hickory School System. Funds will be used to purchase DARE shirts, DARE workbooks, and items used in training and for graduation of students from the DARE program.*

IX. Items Removed from Consent Agenda

X. Informational Item

- NA** 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). **(Exhibit X.A.)**

XI. New Business:

A. Public Hearings

- A1** 1. Consideration of an Ordinance to Restrict Un-Muffled Engine Noise within the City of Hickory Limits. **(Exhibit XI.A.1.)**

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.

A 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

- 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

**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**