

A Regular Meeting of the City Council of the City of Hickory was held in the Council Chamber of the Municipal Building on Tuesday, August 2, 2016 at 7:00 p.m., with the following members present:

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

A quorum was present.

Also present were: Interim City Manager Andrea Surratt, Assistant City Manager Rodney Miller, Deputy City Attorney Arnita Dula, City Attorney John W. Crone, III, Deputy City Clerk Cari Burns and City Clerk Debbie D. Miller

- I. Mayor Wright called the meeting to order. All Council members were present except for Alderwoman Patton
- II. Invocation by Alderman Seaver
- III. Pledge of Allegiance
- IV. Special Presentations
- V. Persons Requesting to Be Heard
- VI. Approval of Minutes

A. Regular Meeting of July 19, 2016

Alderman Seaver moved, seconded by Alderman Zagaroli that the Minutes of July 19, 2016 be approved. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderman Seaver seconded by Alderman Zagaroli 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.

Alderman Lail moved, seconded by Alderman Tarlton that the following be reaffirmed and ratified on second reading. 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. Acceptance of an Offer to Purchase Property, PIN 3724-18-31-3226, in the Amount of \$6,000, Located East of 25th Street NE, Hickory. (First Reading Vote: Unanimous)
- B. Approval of the Community Development Block Grant Funding Agreement between the City of Hickory and Greater Hickory Cooperative Christian Ministry. (First Reading Vote: Unanimous)
- C. Approval of the Community Development Block Grant Funding Agreement between the City of Hickory and Habitat for Humanity of the Catawba Valley, Inc. (First Reading Vote: Unanimous)
- D. Approval of the Application Development Contract in the Amount of \$87,996 with Western Piedmont Council of Governments to Provide Continued Services and Support for Fiscal Year 2016/2017. (First Reading Vote: Unanimous)
- E. Approval of the Technical Assistance Services Contract in the Amount of \$74,340 with Western Piedmont Council of Governments to Provide Continued Services and Support for Fiscal Year 2016/2017. (First Reading Vote: Unanimous)
- F. Approval of the Renewal of the Agreement with Western Piedmont Council of Governments to Support the Western Piedmont Stormwater Partnership for Phase II Public Education. (First Reading Vote: Unanimous)
- G. Approval to Retire Police Canine Gino and an Agreement to Allow Police Canine Gino to be adopted by Handler MPO Marcus Chapman. (First Reading Vote: Unanimous)
- H. Budget Revision Number 1. (First Reading Vote: Unanimous)
- I. Approval of a Memorandum of Understanding with Habitat for Humanity of the Catawba Valley, Inc. for the Housing Rehabilitation Programs. (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 Seaver moved, seconded by Alderman Zagaroli approval of the Consent Agenda. The motion carried unanimously.

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

- A. Called for a Public Hearing – Voluntary Contiguous Annexation of Property owned by Michael and Louise Maguth, 1730 30th Avenue Court NE. (Authorize Public Hearing for August 16, 2016, at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).

RESOLUTION NO. 16-15
RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED
UNDER G.S. 160A-31 AND/OR 160A-58.1, AS AMENDED

WHEREAS, a petition from Michael Maguth and wife, Louise Maguth requesting annexation of an area described in a petition was received on June 28, 2016 by the City Council of the City of Hickory; and

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

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

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

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

CERTIFICATE OF SUFFICIENCY

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

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

1730 30th Avenue Court NE, Hickory, NC, containing one acre more or less

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Hickory this 12th July, 2016.

/s/ Debbie D. Miller, City Clerk

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

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

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

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

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

Section 1: That a public hearing on the question of annexation of the area described herein will be held at 7:00 p.m. on August 16, 2016 in the Council Chambers of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina.

Section 2: The area proposed for annexation is described as follows:

Property of Michael Maguth and wife, Louise Maguth, located at 1730 30th Avenue Court NE, Hickory, North Carolina, containing one acre more or less.

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

RESOLUTION NO. 16-16

A RESOLUTION DETERMINING THE INTENT TO ANNEX INTO THE CORPORATE LIMITS OF THE CITY OF HICKORY CERTAIN PROPERTY OWNED BY MICHAEL MAGUTH AND WIFE, LOUISE MAGUTH AND CALLING FOR A PUBLIC HEARING ON THE SAME

WHEREAS, Michael Maguth and wife, Louise Maguth are the owners of certain real property as described herein, which property is located at 1730 30th Avenue Court NE, Hickory containing 1 acre more or less; and

WHEREAS, such property is immediately adjacent to the existing corporate limits of the City of Hickory; and

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

NOW, THEREFORE BE IT RESOLVED by the Hickory City Council, sitting in open session this 2nd day of August 2016, at a regularly scheduled meeting of the governing body of said Council, duly called and posted in accordance with the statutes of the State of North Carolina, as follows:

Section 1: That the Hickory City Council does determine that it is in the best interest of the health, safety and well-being of the residents of the City of Hickory to annex the property described hereinafter into the corporate limits of the City of Hickory.

Section 2: That a public hearing on the question of annexation of the area described herein will be held at 7:00 p.m. on August 16, 2016, in the Council Chamber of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina.

Section 3: The same being that property reflected on a maps entitled Maguth – Voluntary Annexation Map 1, Existing City Boundary, outlined in red; Maguth – Voluntary Annexation Map 2, Surrounding Land Uses, subject property outline in red; Maguth – Voluntary Annexation, Map 3, Current Zoning, subject property outlined in red; and Maguth – Voluntary Annexation, Map 4, Hickory by Choice 2030, annexation area shown on map.

Section 4: Notice of said public hearing shall be published in The Hickory News, a newspaper having general circulation in the City of Hickory, at least ten (10) days prior to the date of said public hearing.

B. Accepted on First Reading a Temporary Construction Easement for the Property of Jacomine Investments, LLC, PIN 3703-19-50-1115 for Installation of Utilities Infrastructure.

Staff requests acceptance of a temporary construction easement located on either side of the existing infrastructure easements for the property of Jacomine Investments, LLC described as PIN 3703-19-50-1115 for installation of utilities infrastructure. The temporary easement is necessary for completion of the Central Business District infrastructure replacement and rehabilitation project. This project is partially funded by Public Utilities Department Fund Balance and all sanitary sewer improvements are to be funded through a loan to the City as a State Revolving Loan by NCDEQ-IFS in 2016 in the amount of \$1.3641 million dollars. This easement is necessary for the construction of the infrastructure required to serve this area and will not increase the cost of this construction project. The easement was negotiated for a total sum of recording fees in exchange for the easement. Staff recommends acceptance of a temporary construction easement for the property of Jacomine Investments, LLC described as PIN 3703-19-50-1115 for installation of utilities infrastructure.

C. Accepted on First Reading a Temporary Construction Easement and Permanent Storm Drainage Easement for the Property of Jacomine Investments, LLC, PIN 3702-07-59-1955 for Installation of Utilities Infrastructure.

Staff requests acceptance of a temporary construction easement and a permanent storm drainage easement located on either side of the existing infrastructure easements for the property of Jacomine Investments, LLC described as PIN 3702-07-59-1955 for installation of utilities infrastructure. The temporary and permanent easements are necessary for completion of the Central Business District infrastructure replacement and rehabilitation project. This project is partially funded by Public Utilities Department Fund Balance and all sanitary sewer improvements are to be funded through a loan to the City as a State Revolving Loan by NCDEQ-IFS in 2016 in the amount of \$1.3641 million dollars. These easements are necessary for the construction of the infrastructure required to serve this area and will not increase the cost of this construction project. These easements were negotiated for a total sum of recording fees in exchange for the easements. Staff recommends acceptance of a temporary construction easement and a permanent storm drainage easement for the property of Jacomine Investments, LLC described as PIN 3702-07-59-1955 for installation of utilities infrastructure.

- D. Accepted on First Reading a 7.5 foot Temporary Construction Easement for the Property of Arthur Plaster and wife, Nancy Plaster Described as PIN 3703-19-50-1165 for Installation of Utilities.

Staff requests acceptance of a 7.5 foot temporary construction easement for the property of Arthur Plaster and wife, Nancy Plaster described as PIN 3703-19-50-1165 for installation of utilities infrastructure. This temporary easement is necessary for completion of the Central Business District infrastructure replacement and rehabilitation project. This project is partially funded by Public Utilities Department Fund Balance and all sanitary sewer improvements are to be funded through a loan to the City as a State Revolving Loan by NCDEQ-IFS in 2016 in the amount of \$1.3641 million dollars. This easement is necessary for the construction of the infrastructure required to serve this area and will not increase the cost of this construction project. The easement was negotiated for a total sum of recording fees in exchange for the easement. Staff recommends acceptance of a 7.5 foot temporary construction easement for the property of Arthur Plaster, and wife Nancy Plaster described as PIN 3703-19-50-1165 for installation of utilities infrastructure.

- E. Accepted on First Reading a 25 foot Temporary Construction Easement and a 25 foot Permanent Sanitary Sewer Line Easement for the Property of Sharon Ann Hahn Described as PIN 3724-18-31-6461 for Installation of a Sanitary Sewer Line.

Staff requests acceptance of a 25 foot temporary construction easement and a 25 foot permanent sanitary sewer line easement for the property of Sharon Ann Hahn described as PIN 3724-18-31-6461 for installation of a sanitary sewer line. This temporary and permanent easements are necessary for completion of the Random Woods Subdivision sanitary sewer project. This project was awarded to the City as a State Revolving Grant by NCDENR-DWQ in 2012 in the amount of \$2.946 million dollars. These easements are necessary for the construction of the infrastructure required to serve this area with sanitary sewer and will not increase the cost of this construction project. These easements were negotiated for one 4-inch sewer service connection in exchange for the easements. Staff recommends acceptance of a 25 foot temporary construction easement and a 25 foot permanent sanitary sewer line easement for the property of Sharon Ann Hahn described as PIN 3724-18-31-6461 for installation of a sanitary sewer line.

- F. Approved the Renewal of Taxicab and Other Passenger Vehicles for Hire Franchises.

Company	Taxicabs	Passenger Vehicle for Hire
Platinum Limousine LLC	0	3
Total	0	3

Annually, companies apply for a renewal of their Certificate of Convenience and Necessity for the operation of taxicabs and other vehicles for hire.

- G. Approved the Special Event Activities Application Car Show for Special Olympics North Carolina, Lieutenant Cam Anderson, Hickory Police Department/Cosmo Motors – benefit Special Olympics North Carolina, September 10, 2016, 2:00 p.m. to 10:00 p.m., L.P. Frans Stadium, 2500 Clement Boulevard NW, Hickory.
- H. Approved the Special Event Activities Application NBC Olympic Pep Rally, Hannah Welker, Reporter, WCNC/NBC Charlotte, August 12, 2016, 4:15 p.m. to 6:30 p.m., Sails on the Square.
- I. Approved on First Reading the Purchase of Two 2017 F150 Extended Cab Trucks for the Fire Department’s Fire and Life Safety Division from Asheville Ford in the Amount of \$22,191.45 each.

The Fire Department will be replacing two passenger vehicles from its fleet with two 2017 Ford F150 extended cab trucks in the amount of \$22,191.45 each. These trucks were bid

out under the existing North Carolina Sheriffs' Association bid award #16-02-0929, in which Asheville Ford was awarded the contract. The new trucks will be utilized daily by the Fire and Life Safety Division of the Fire Department for transporting personnel in their duties of fire inspections of local businesses, fire investigations, and fire education programs. Staff recommends authorization to purchase the two trucks through Asheville Ford within the guidelines of the bid award and the City of Hickory's procurement laws. Funds are budgeted in fiscal year 2016/2017 Capital Outlay to purchase these vehicles.

- J. Approved on First Reading a Lease Agreement for Property Located at 304 3rd Street SW, Hickory to Jamie Janine Reed and Christopher Martin Stevey.

Hickory Police Department purchased and renovated the property at 304 3rd Street SW Hickory. The property is adjacent to the current 6.18 acres of City owned property and would provide necessary land for any future expansion of the Police Department. The property has three bedrooms, two baths, stove, refrigerator, and microwave. Hickory Police Department requests leasing the property to Jamie Janine Reed and Christopher Martin Stevey in the amount of \$600 per month, beginning November 1, 2016. The tenant will be responsible for all utilities.

- K. Approved on First Reading Budget Revision Number 2.

ORDINANCE NO. 16-32
BUDGET REVISION NO. 2

BE IT ORDAINED by the Governing Board of the City of Hickory that, pursuant to N.C. General Statute 159.15, the following revision be made to the annual budget ordinance for the fiscal year ending June 30, 2017.

SECTION 1. To amend the General Fund within the FY 2016-2017 Budget Ordinance, the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Public Safety	45,284	-
Economic & Community Development	7,510	-
Transportation	163,440	-
TOTAL	216,234	-

To provide funding for the above, the General Fund revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Sales & Services	13,500	-
Other Financing Sources	202,734	-
TOTAL	216,234	-

SECTION 2. Copies of the budget revision shall be furnished to the Clerk of the Governing Board, and to City Manager (Budget Officer) and the Finance Officer for their direction.

- IX. Items Removed from Consent Agenda – None

- X. Informational Item

- A. Budget Transfer Report - August 2, 2016

Under Section 22 (b) of the Fiscal Year 2016-2017 Budget Ordinance, the City Manager is authorized to transfer appropriations with a report to City Council as follows:

Section 22 (b): "He may transfer amounts up to \$50,000 between functional areas including contingency appropriations, within the same fund. He must make an official report on such transfers at the next regular meeting of the Governing Board."

The following transfers under this provision occurred during July 2016:

1. To expedite the availability of insurance-claims revenue to the appropriate department, in lieu of a Budget Amendment the City has budgeted specific funds within the Risk Management division which, upon the case-by-case receipt of said revenues, may be transferred as necessary for making repairs and/or replacements in a timely manner.
 - a. July 20, 2016 (BT #2): \$5,193.00 transferred to Fire Department for damages sustained to Ladder Truck #2 when a county EMS unit struck its front bumper on 5-31-16.
 - b. July 25, 2016 (BT #3): \$3,183.00 transferred to Police Department for damages sustained to computer network equipment due to a lightning strike on 5-12-16.

Interim City Manager Andrea Surratt advised City Council that under the change in the Budget Ordinance for fiscal year 2016/2017, the City Manager was authorized to transfer appropriations with a report to City Council. In the budget hearing and in the discussions it was decided that amounts up to \$50,000 between functional areas including contingency appropriations within the same fund could be transferred. That information is shared immediately with City Council at the next regular meeting. She advised there were two items in that category. These items were stemming from insurance claims, emergency situations where equipment/materials, need to be replaced so the services can be delivered seamlessly. The two cases were to have transferred funds from Risk Management. There was funding in Risk Management to cover these types of case by case issues. That would be transferred from Risk Management to the appropriate department. She discussed Item "A", July 20, 2016, in which \$5,193 was transferred to deal with a fire truck that was damaged. Ladder truck two was damaged when a County EMS unit struck the front bumper. Improvements were made to the truck and it was back in service. The City was waiting for the insurance to be paid on that. Similarly, there was a transfer of \$3,183 to the police department for damages to computer network equipment due to a lightning strike. She advised that if the City waited for the receipt of the funds from the insurance, and then go and make those improvements, it often times keeps the City's equipment and vehicles out of service.

Mayor Wright commented that Council needed to consider making the budget ordinance gender neutral.

XI. New Business:

A. Public Hearings

1. Approved on First Reading Consideration of Designating Lyerly Full Fashioned Mill as a Local Historic Landmark.

OHM Holdings recently completed a major rehabilitation of the former Lyerly Full Fashioned Mill building and has petitioned the City of Hickory to designate the parcel as a local historic landmark. The Lyerly Mill was constructed circa the early 1930's. In 2007, the building was listed on the National Register of Historic Places. Using historic tax credits, the property was rehabilitated to become the flagship building for the new Transportation Insight corporate campus. As part of the historic tax credit requirements, the building retained significant architectural features. If designated by Council, any changes to the site or exterior of the building would require a Certificate of Appropriateness (issued by the Historic Preservation Commission). Additionally, the property would be eligible for a 50 percent property tax deferment as long as it retains its historic integrity. This property was most recently assessed at \$2,840,100 by the Catawba County Tax Office. The Historic Preservation Commission conducted a public hearing on the petition on June 28, 2016. The Commission voted unanimously to recommend approval. Staff recommends Council approve the local landmark designation ordinance for the Lyerly Mill property.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on July 22, 2016.

Interim City Manager Andrea Surratt advised the public hearing was for Council's consideration of the designation to the Lyerly Building, also known as the Lyerly Full Fashioned Mill, as a local historic landmark. She advised that Planner Ross Zelenske, and also liaison of the Historic Preservation Commission, would present this item to Council.

Planner Ross Zelenske presented Council with a PowerPoint presentation. He discussed the Lyerly Full Fashioned Mill located at 310 Main Avenue Way SE. The applicant was Toby Tate, agent for Old Hickory Mill Holdings, LLC. The request was to designate the former mill as a local historic landmark. He pointed out on a map the intersection of South 127 and 1st Avenue SW heading towards downtown, and to the north the railroad tracks and the location of where the future City walk would be. He pointed out the location of the parcel in which the proposal for a historic landmark was, which included the building and the parcel itself. He showed a photo from 2014 pointing out a metal building. He showed another photo from 2015 after significant renovations had occurred to the structure. He advised that the metal building had been removed and a parking lot had been added which surround the building, and 3rd Street had been closed off.

Mr. Zelenske discussed the impacts of the local historic designation. This property was already listed on the National Register of Historic Places, but it would now be recognized as a local historic property. For local historic properties they require a Certificate of Appropriateness (COA) anytime there is any changes to the building or the site itself, such as a major building addition. The Certificate of Appropriateness would go through the Historic Preservation Commission for approval. The designation would allow for deferment of 50 percent of the property's taxes as long as it maintains its historic integrity. In the event that it was to lose its historic integrity or be demolished, the property would be forced to payback three years' worth of property taxes plus interest.

Mr. Zelenske discussed the history of the Lyerly Mill. It was constructed in two phases between 1930 and 1934. It was known as a Full Fashioned Mill, which meant that it was hosiery that was knitted on a special machine to provide a more formed and fit product. It was one of the largest and most successful mills within the City during its time. The hosiery production ceased in 1957 and it moved onto a wholesaling operation. Its last significance was between 1930 and 1957. The property had went through a recent rehabilitation. It was purchased in part to be Transportation Insight's Corporate Headquarters. A full rehabilitation occurred in accordance to the Secretary of Interior's standards. As part of this rehabilitation tax credits from the State were used to help fund it.

Mr. Zelenske discussed the significance of Lyerly Mill. It functions as a reminder of the City's industrial history, particularly hosiery as well as overall developmental growth of the City. The building is the only remaining structure associated with the Elliott Lyerly Morgan Mills, which was one of the most successful mills during its time in history. Architecturally speaking the building exhibits distinctive characteristics that industrial buildings had during that era; large metal windows, a brick exterior, and an art moderne brick tower. In the June meeting of the Historic Preservation Commission they voted recommendation to City Council to adopt an ordinance that designates the Lyerly Full Fashioned Mill as a local historic landmark. Staff concurred with this recommendation.

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 Zagaroli moved, seconded by Alderman Seaver approval of the local landmark designation ordinance for the Lyerly Mill property. The motion carried unanimously.

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

ORDINANCE NO. 16-33

AN ORDINANCE OF THE HICKORY CITY COUNCIL DESIGNATING THE LYERLY FULL FASHIONED MILL LOCATED AT 310 MAIN AVENUE WAY SE AS A LOCAL HISTORIC LANDMARK.

WHEREAS, North Carolina General Statutes § 160A-400.5 states that the City of Hickory may adopt an ordinance designating a property as a local landmark; and

WHEREAS, the City has complied with the required landmark designation procedures of § 160A-400.6 of the North Carolina General Statutes; and

WHEREAS, the Hickory Historic Preservation Commission conducted a public hearing on June 28, 2016 to consider the proposed designation; and

WHEREAS, the Hickory City Council conducted a public hearing on August 2, 2016 to consider the proposed designation; and

WHEREAS, Lyerly Full Fashioned Mill was constructed circa 1930 and remains one of the most lasting reminders of the role that the hosiery industry played in the development of Hickory;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Hickory, North Carolina:

1. That the exterior of the property known as the Lyerly Full Fashioned Mill is hereby designated a local historic landmark pursuant to Part 3B, Article 19, Chapter 160A of the North Carolina General Statutes.

2. The property subject to this designation is located at 310 Main Avenue Way SE. This property is more specifically described GIS PIN 3702-08-79-6291 on the Catawba County Tax Maps.
3. That said designated property may be materially altered, restored, moved, or demolished only following the issuance of a Certificate of Appropriateness by the Hickory Historic Preservation Commission. An application for a Certificate of Appropriateness authorizing the demolition of said property may not be denied. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3B and amendments, thereto and hereinafter adopted. The regulations relating to Certificates of Appropriateness are found in the City of Hickory Land Development Code.
4. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the making of emergency repairs, nor to prevent or delay the construction, reconstruction, alteration, restoration; demolition, or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is, required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.
5. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign shall be placed on said property. If the owner objects, the sign shall be placed on a nearby public right-of-way.
6. That the owners of the property known as the Lyerly Full Fashioned Mill be given the notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Catawba County Building Services Division, Catawba County Register of Deeds, and the Tax Supervisor as required by law.
7. This ordinance shall become effective upon adoption.

Mayor Wright commented that he was in Scranton, Pennsylvania on vacation and he saw a lot of buildings that looked like the old building. He didn't see a one that looked as good as the new building.

B. Departmental Reports:

1. Appointments to Boards and Commissions

BOND IMPLEMENTATION COMMISSION

(Terms Expiring 2-1; 3 Year Terms) (Appointed by City Council)

Mayor's Appointment Unexpired Term of Charlie Dixon (2-1-19)

BUSINESS DEVELOPMENT COMMITTEE

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

At-Large (Council Appoints) VACANT

CITIZENS ADVISORY COMMITTEE

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

At-Large (Council Appoints) VACANT

COMMUNITY APPEARANCE COMMISSION

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

Ward 3 (Seaver Appoints) VACANT

Ward 4 (Guess Appoints) VACANT

At-Large (Outside City but within Hickory Regional Planning Area) (Council Appoints) VACANT

At Large (Council Appoints) VACANT

COMMUNITY RELATIONS COUNCIL

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

Caucasian (Council Appoints) VACANT

Other Minority (Council Appoints) VACANT

Other Minority (Council Appoints) VACANT

HICKORY REGIONAL PLANNING COMMISSION

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

(Appointed by City Council)

Ward 2 (Tarlton Appoints)	VACANT
Burke County (Mayor to Nominate)	VACANT
Brookford (Mayor to Nominate)	VACANT

Mayor Wright nominated Doug Minton as the Brookford Representative on the Hickory Regional Planning Commission.

HISTORIC PRESERVATION COMMISSION

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

Historic Properties (Council Appoints)	VACANT
Building Trades Profession (Council Appoints)	VACANT
At-Large (1) (Council Appoints)	VACANT

INTERNATIONAL COUNCIL

(Appointed by Mayor with the Concurrence of City Council)

(6) Positions	VACANT
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LIBRARY ADVISORY BOARD

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

Ward 4 (Guess Appoints)	VACANT
At-Large (Mayor Appoints)	VACANT

PARKS AND RECREATION COMMISSION

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

Ward 2 (Tarlton Appoints)	Susan Sigler (Eligible for Reappointment/Willing to Serve)
At-Large (2) (Council Appoints)	VACANT
At-Large (3) (Council Appoints)	VACANT

Alderman Tarlton nominated Susan Sigler as the Ward 2 Representative for Parks and Recreation Commission.

PUBLIC ART COMMISSION

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

At-Large (Mayor Appoints)	VACANT At-Large
At-Large (Mayor Appoints)	Harold Humphrey (Eligible for Reappointment/Willing to Serve)

Mayor Wright nominated Harold Humphrey as an At-Large Representative for Public Art Commission.

PUBLIC HOUSING AUTHORITY

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

Position 9	VACANT
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RECYCLING ADVISORY BOARD

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

Ward 2 (Tarlton Appoints)	VACANT
Ward 3 (Seaver Appoints)	VACANT
Ward 4 (Guess Appoints)	VACANT
At-Large (Council Appoints)	VACANT
At-Large (Council Appoints)	VACANT

Mayor Wright requested a listing from the City Clerk of applicants on file for the Bond Implementation Commission who had exceeded the number that Council could appoint. He would review the list and then choose someone to fill the unexpired term of Charlie Dixon. He commented that he wouldn't ask anybody to fill his shoes, but to do the best they could and that would be good enough.

Mayor Wright moved seconded by Alderman Seaver approval of the above nominations. The motion carried unanimously.

Mayor Wright announced that he moved seconded by Alderman Seaver and the motion carried unanimously.

2. Presentation of Petitions and Requests

XII. Matters Not on Agenda (requires majority vote of Council to consider)

- XIII. General Comments by Members of Council, City Manager or City Attorney of a Non-Business Nature
- XIV. Closed Session Per NC General Statutes 143-318.11(a)(1)(3)(4) to consult with the attorneys regarding the following: (Action on these items, if any, will occur in Open Session)

Mayor Wright requested the addition of discussion of a potential litigation item (NC General Statutes 143-318.11(a)(3)) to closed session.

Mayor Wright moved that Council go into closed session to consult with the attorneys to discuss the items below and the additional item of discussion of potential litigation, seconded by Alderman Seaver. The motion carried unanimously.

Mayor Wright announced that he moved seconded by Alderman Seaver and the motion carried unanimously.

1. Approval of Closed Session Minutes of June 21, 2016, and June 28, 2016 - NCGS §143-318.11(a)(1)
2. Discussion of Economic Development – NCGS §143-318.11(a)(4)

City Council convened into closed session at approximately 7:16 p.m.

City Council reconvened to open session at approximately 8:31 p.m.

Mayor Wright moved that Council and Staff commence the process for taking the property commonly known as the “sinkhole property” tomorrow, (August 3, 2016), and authorize them to finalize the draft agreement with the Department of Transportation to share the cost of repairs, with the City’s share being \$2,200,000 to be paid in four installments. He also moved to appropriate from the General Fund Balance up to \$550,000 now for the first installment. The motion was seconded by Alderman Lail. The motion carried unanimously.

ORDINANCE NO. 16-34
BUDGET REVISION NO. 3

BE IT ORDAINED by the Governing Board of the City of Hickory that, pursuant to N.C. General Statute 159.15, the following revisions be made to the annual budget ordinance for the fiscal year ending June 30, 2017.

SECTION 1. To amend the General Fund within the FY 2016-17 Budget Ordinance, the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Uses	550,000	-
TOTAL	550,000	-

To provide funding for the above, the General Fund revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	550,000	-
TOTAL	550,000	-

SECTION 2. To amend the Stormwater Fund within the FY 2016-17 Budget Ordinance, the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Environmental Protection	550,000	-
TOTAL	550,000	-

To provide funding for the above, the General Fund revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	550,000	-
TOTAL	550,000	-

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

- XV. There being no further business, the meeting adjourned at 8:32 p.m.

Mayor

City Clerk