

A Regular Meeting of the City Council of the City of Hickory was held in the Council Chamber of the Municipal Building on Tuesday, December 1, 2015 at 7:00 p.m., with the following members present:

Brad Lail
Bruce Meisner
Danny Seaver

Aldermen

Hank Guess
David P. Zagaroli
Jill Patton

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, Deputy City Clerk Sarah Prencipe and City Clerk Debbie D. Miller

I. Mayor Pro Tempore Zagaroli called the meeting to order. All Council members were present except for Mayor Wright.

II. Invocation by Senior Pastor Bill Miller-Zurell, Holy Trinity Lutheran Church

III. Pledge of Allegiance

Alderman Meisner's granddaughters Megan and Allison Sweeney led the Pledge of Allegiance.

IV. Oaths of Office Ceremony

City Clerk Debbie Miller administered the oath of office to Alderman Lail and Alderman Tarlton.

Notary Public, Ms. Helen Devlin administered the oath of office to Alderman Seaver.

V. Recognition of Retiring Ward 2 Alderman Meisner

Alderman Meisner was presented with a desk chair which was inscribed with the City Seal, his name, and dates of service.

City Attorney John Crone briefly discussed Alderman Meisner's 32 year tenure with the City of Hickory. He commented that he had known Alderman Meisner for a little over 40 years. It had been an honor to know Alderman Meisner over the years and to have worked with him as the City Attorney for 23-24 years. He commented that Alderman Meisner reminded him of what he thought about his father, Alderman Meisner is a gentleman and a gentle man. That didn't mean that he didn't get fired up about issues from time to time, but he has a knack for keeping his senses about him when he is in the midst of the "heat of battle" so to speak. Everyone has seen that in Council meetings from time to time, and Alderman Meisner has always been a gentleman and a gentle man in those situations. He commented that Alderman Meisner was a man of honesty, integrity, humility and humor. Mr. Crone commented that he was going to miss Alderman Meisner's cackling laugh that you could hear throughout the building. Mr. Crone presented a PowerPoint presentation which highlighted Alderman Meisner's 32 years on Council. He showed a list of all of the Boards and Commissions that Alderman Meisner had served on and been active on in the community. Mr. Crone commented that he didn't see on the list, all of the pot holes that had been fixed for residents, and the other calls that he received, and the thousands of hours spent at meetings representing the City of Hickory, and what was in the City of Hickory's best interest. Mostly with a smile on his face, but always with integrity and class. He showed a slide of the monies in the General Fund now compared to 1983. The General Fund had grown substantially as had the population. He showed a photo of Alderman Meisner from 1983 from a newspaper article. He showed a timeline of some of the accomplishments during Alderman Meisner's tenure. Mr. Crone joked that he always wanted a wastewater treatment facility to be named after him. He showed a slide and City Manager Mick Berry advised as of today, the City was able to get additional funding in the Governor's program for widening McDonald Parkway.

Alderman Meisner commented that he and Alderman Lail had been working on that for approximately ten years.

City Manager Mick Berry commented that is now fully funded at 37 million dollars, and 9.6 million dollars for what is referred to as the city walk, which is the Main Avenue greenway. That had been one of Alderman Meisner's focus on the Metropolitan Planning Organization as the Board Chair and representing the City of Hickory.

Mr. Crone commented that everyone in the public eye has to put on a face and make sure that we act like we know what we are doing and are responsive. Alderman Meisner is the same behind the scenes, and he treats everyone, black, white, rich, poor, with dignity and respect. Mr. Crone couldn't have been more proud than to have served while Alderman Meisner while he was a Councilmember. This City has grown so much, and we are so enriched by his individual efforts. Alderman Meisner was not one to want the limelight. Mr. Crone thanked Alderman Meisner for 32 years.

Alderman Meisner joked about the three minute rule. Nobody pays any attention; he asked if that could be one of the first things that Council could take care of when he is gone. He was very happy when he received the news on Friday that the City got funding for 29th. That made him feel like his years at the City meant something. He commented that there had been some bantering about

over the past few meetings about his age and length of service. He commented that you might be as old as Bruce if you remember Mack when his voice was changing. You might be as old as Bruce when Kevin and Chuck had hair. You might be as old as Bruce when you remember the day they took that mural. He joked that he was standing right there. He gave tips to Alderman Tarlton; early on there were several times that he didn't feel his concerns for some of his constituents were met with as much haste as he wanted. He commented that he would call and say he was Glenn Hilton or Phil Yount, and it worked too. He commented that people always say how about speeding tickets. Do you get out of speeding tickets? Out of 32 years, he was one for one. He got pulled once and ticketed once. He commented that his poor daughter didn't bode as well. In family circles she is called speedy. She has used his name twice, and cried twice, to no avail. He told a story about his wife driving on Lenoir-Rhyne Boulevard and she was rear ended, and she didn't know what to do. At that time she had Captain Bill Post's number and she called him and went to voicemail. She called Chief Lucas and went to voicemail. At that point she called Hickory Police Department. They dispatched two cars. Everybody got their voicemail at the same time. Bill Post, called Merle Hamilton, and Chief Lucas called John Vickers, just in case they didn't get there in time. By the time he arrived there were seven patrol cars. The poor kid thought he had hit the Queen of England. Some things work, some things don't work. He commented that he wished his father was present. His father and mother taught him the values that he had used in the City. His father told him he had two ears and one month and that is the ratio that those ought to be used. He wished his late wife Libby could have been there as well. She challenged him on a lot of his decisions, but once decided backed him to the fullest. Even to the point that she and Kristen, one Election Day at a poll, almost came to blows with another poll worker, because they said something derogatorily about him. He discussed some of his memorable moments. He commented that the City was rezoning a piece of property on Springs Road where Fresh Air Galaxy is located now. Steve Ikard was there and was part owner in the property. A citizen told them they couldn't rezone the property because he had put his son's swing set on that property, and he swings there every day. He said he thought about the citizen's comment and thought you put your swing set on Steve Ikard's property and we can't rezone the property because your son swings on his property on a swing set. Luckily it was approved and everything was good. He shared the funniest thing that ever happened to him. During his first few years Council picked Mayor Pro Tempore randomly. He had only been on Council for two years and was serving as Mayor Pro Tempore. Mayor Bill McDonald was absent and he was conducting the meeting. He introduced the minister and did the invocation, and then he commented that we will now turn and pay tribute to our country. He turned and started the pledge, "Our Father". He said that woke everybody up. He commented that he did like a little levity in Council. He had enjoyed it. He loves the citizens of Hickory and he loves this town. He thanked everyone for 32 wonderful years, and commented God bless Hickory.

A standing ovation was given to Alderman Meisner.

Alderman Lail commented that when he was elected Alderman Meisner was the guy that he watched. He watched him when he didn't know that he was watching him. Rock steady, honorable, always with a great sense of humor, a great chair mate. He hopes Alderman Tarlton can live up to that. He commented that Alderman Meisner set the bar for the time that he had spent on Council. He deeply appreciated all of his service to the City.

Alderwoman Patton enjoyed working with Alderman Meisner and his commitment. When he had a project, he would zero in on it and go for it, and always with the best interest of the citizens.

Alderman Guess confessed he was the one that had said Alderman Meisner was the oldest Councilmember. Alderman Meisner had corrected him saying that he was the Councilmember serving with the longest tenure. He apologized for that. Alderman Guess met Alderman Meisner while he was at the Police Department. He remembered distinctly how he was introduced to him as one of the most honest, upright citizens of our community. At the time he didn't know Alderman Meisner, but the person who had introduced him was 100% correct. It has been his honor, and privilege, not only to work with Alderman Meisner from a Staff position on the Police Department, but also as a co-person on City Council. He commented that he loved him, appreciated all of his service to the community. He also commented that he loved Libby and appreciated her as well. He commented without her Alderman Meisner probably wouldn't be where he is at today. He thanked Alderman Meisner.

Alderman Seaver commented that he had probably served the City longer than anyone, he started when he was still in grade school. He appreciated all the help and calls. He would go by and see Alderman Meisner for advice. He thought he would never be able to return those favors, but when Council got their iPad's he would get a call from Alderman Meisner ever now and then. That made him feel important. He appreciated all that Alderman Meisner had done to help him out, and he hopes that he helped Alderman Meisner out a little bit. He hopes he stays on call for about ten more years because that advice is still going to be valuable. He talked about a trip to Philadelphia when they couldn't get a flight back. They rode some puddle jumpers, and he had went up and talked them into a rebate. The check came to Mr. and Mrs. Libby. There was a name change there by somebody in the TSA. It was a fun trip when you look back on it. It was a great experience serving with Alderman Meisner. He thanked Alderman Meisner.

Alderman Zagaroli commented that he had only worked with Alderman Meisner for two years on Council, but he had known him for 40 years, and worked with him in the appraisal business building different projects around town. He hoped that because he was on City Council that Alderman Meisner was not leaving because he got on the Council. He was delighted that Alderman Meisner had 32 great years with the City and he thanked him for his service.

VI. Election of Mayor Pro Tempore for Calendar Year 2016 Pursuant to NC General Statute §160A-70 and Section 2-54 of the Hickory City Code.

Alderman Guess nominated, seconded by Alderman Seaver, Alderman Lail as Mayor Pro Tempore for Calendar Year 2016. The motion carried unanimously.

City Clerk Debbie Miller administered the oath of office to Alderman Lail.

Mayor Pro Tempore Lail asked Council for discussion on honoring Alderman Meisner's service to the City in some way. He advised that they wouldn't take action tonight because there were certain policies and regulations as it relates to naming facilities and buildings.

Alderman Seaver commented that he thought there had been a sign made for the one parcel.

Alderman Guess commented the wastewater treatment plant.

Alderman Zagaroli commented it was the Cloninger Mill Park.

Mayor Pro Tempore Lail advised City Manager Mick Berry that there was some consensus from Council on renaming Cloninger Mill Park. He asked for that to come back to City Council for action after it goes through the process.

City Manager Mick Berry advised that the Parks and Recreation Commission would hold a public hearing, and come back to Council for a recommendation. He advised that Staff would start that process.

VII. Special Presentations

A. Proclamation for Human Rights Day, December 10, 2015 and Bill of Rights Day, December 15, 2015.

Mayor Pro Tempore Lail read and presented the Proclamation for Human Rights Day, and Bill of Rights Day to Rev. Susan Smith Walker and others in attendance.

Rev. Susan Smith Walker, on behalf of Catawba Valley Interfaith Council, thanked the City of Hickory for honoring their request for naming December 10, 2015 as Human Rights Day, and December 15, 2015 as Bill of Rights Day. She commented that they are people of many faith traditions who are coming together and are doing the greatest good for the greatest number. She thanked Council for the honor.

VIII. Appointment of a City Attorney for Calendar Year 2016 Pursuant to the Hickory City Code, Section 4.151 of the Charter.

Alderman Zagaroli nominated, seconded by Alderman Seaver, Attorney John Crone to serve as the City Attorney for Calendar Year 2016. The motion carried unanimously.

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

City Clerk Debbie Miller administered the oath of office to City Attorney John Crone.

City Attorney John Crone stated that it continues to be his honor to serve Council. He loves this City and he can't tell them how much he enjoys representing Council as a client and getting to know all of them. They do a good job. He joked that they were way overpaid.

Alderman Guess joked that they felt the same way about him too.

Alderman Seaver thanked City Attorney John Crone for his service.

IX. Persons Requesting to Be Heard

X. Approval of Minutes

A. Regular Meeting of November 17, 2015

Alderwoman Patton moved, seconded by Alderman Seaver that the Minutes of November 17, 2015 be approved. The motion carried unanimously.

Mayor Pro Tempore Lail announced that the motion was made by Alderwoman Patton seconded by Alderman Seaver and the motion carried unanimously.

- XI. 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 Pro Tempore Lail announced that the motion was made by Alderwoman Patton seconded by Alderman Zagaroli and the motion carried unanimously.

- A. Approval of a Landscape Grant for Non-residential Property Owned by Lakeview Development Holdings, LLC Located at 716 4th Street SW in the Amount of \$2,500. (First Reading Vote: Unanimous)
 - B. Approval of a Community Appearance Grant for Non-residential Property Owned by the Hickory Elks Lodge Located at 356 Main Avenue NW in the Amount of \$5,000. (First Reading Vote: Unanimous)
 - C. Approval of a Community Appearance Grant for Non-residential Property Owned by the ADEMNC, LLC Located at 509 11th Street NW, in the Amount of \$5,000. (First Reading Vote: Unanimous)
 - D. Acceptance of the Bid and Award to Asheville Ford Lincoln in the Amount of \$71,455.44 for the Purchase of Replacement Service Vehicles for Public Utilities. (First Reading Vote: Unanimous)
 - E. Grant Project Ordinance Amendment Number 3. (First Reading Vote: Unanimous)
 - F. Budget Ordinance Amendment Number 10. (First Reading Vote: Unanimous)
 - G. Budget Ordinance Amendment Number 11. (First Reading Vote: Unanimous)
- XII. 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 Guess moved, seconded by Alderwoman Patton approval of the Consent Agenda. The motion carried unanimously.

Mayor Pro Tempore Lail announced that the motion was made by Alderman Guess seconded by Alderwoman Patton and the motion carried unanimously.

- A. Approved on First Reading Approval to Award Bid to Asheville Ford Lincoln in the Amount of \$174,809.52 for the Purchase of Five Vehicles.

Staff requests the award of bid number 16-008 for vehicle fleet replacement to the lowest bid per vehicle meeting or exceeding minimum specifications. Competitive bids were solicited with a total of two dealerships submitting bids. The lowest bidder, Asheville Ford Lincoln, met the specifications for all five vehicles. Four of the vehicles will be used in the Water and Sewer Department and one for the Traffic Department. Staff requests awarding the bid for the purchase of five vehicles to Asheville Ford Lincoln in the amount of \$174,809.52.

- B. Approved Jeffery Scott Gouge to the Hickory Fire Department Local and Supplemental Retirement Board of Trustees.

The Firefighters' Relief Fund (FRF) benefit (General Statute NCGS §§58-84-1 through 58-84-60) was passed by Legislation in 1907. The FRF's purpose was to financially assist firefighters that may have been injured while volunteering their service to their community. The RFR is funded by a percentage of the tax paid on property coverage pursuant to General Statute §105-228-5. The State Insurance Commissioner disburses funds collected for the FRF. For each county, town or city complying with and deriving benefits from the provisions of FRF, General Statute §58-84-30 requires appointment of a local board of trustees, known as the Trustees of the Local Firefighters' Relief Fund. Each local Fire Department Board of Trustees of the Local and Supplemental Retirement Board consists of five (5) members. The five members consist of one member appointed by the North Carolina Insurance Commissioner, two members appointed by Mayor and Council, and two members elected by the fire department membership. The purpose of the board is to administer the disbursement of funds received from the State of North Carolina Department of Insurance for local firefighter relief and supplemental retirement programs.

As of January 1, 2016, per Department of Insurance requirements, we must appoint a representative to the Board for a term of two years. Fire Chief Fred Hollar recommends Jeffery Scott Gouge be reappointed to the Board of Trustees effective January 1, 2016. Battalion Chief Gouge, who is retiring from the Hickory Fire Department at the end of the year, currently serves on the board. If reappointed by Council, he will continue to serve on this board for a period of two years as a citizen appointee within the Hickory fire district, at which time he will either be reappointed or resign from this position. Staff recommends approval of Jeffery Scott Gouge to be reappointed to the Hickory Fire Department Board of Trustees Local Relief and Supplemental Retirement Board.

- C. Approved on First Reading a Contract with AMEC Foster Wheeler in the Amount Not to exceed \$188,000 for Planning Services in Conjunction with the City's Brownfield Area-wide Planning Grant.

The Brownfields Area-wide Planning Grant provides grants of up to \$200,000 to develop a plan for a small area that contains multiple known or suspect Brownfield sites. Hickory was recently awarded one of twenty grants to develop an area-wide plan. These plans typically focus on a neighborhood or district. Hickory's plan will focus on the revitalization of the area in the vicinity of US 70 between US 321 and South Center Street. Staff reviewed five consultant qualification statements, and selected AMEC Foster Wheeler as the recommended planning and environmental consultant for the project. The project will include extensive revitalization planning, market analysis, and community engagement necessary to complete the area-wide plan. Grant funding will result in the completion of a comprehensive small area plan for the redevelopment and eventual cleanup of the project area. Funds will be used to conduct market analyses to determine re-use options for properties in the area. The plan will also discuss needed land use changes and infrastructure improvements necessary to spur redevelopment and cleanup of brownfield sites. AMEC Foster Wheeler will provide the professional contractual services for an amount not to exceed \$188,000, which is fully covered under the USEPA Brownfield Area-wide Planning Grant. No City monies will be expended pursuant to this contractual service. Staff recommends City Council's approval of the contract with AMEC Foster Wheeler for planning services in conjunction with the City's Brownfield Area-wide Planning Grant.

- D. Approved on First Reading Budget Ordinance Amendment Number 12.

ORDINANCE NO. 15-56
BUDGET ORDINANCE AMENDMENT NUMBER 12

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	7,232	15,190
Other Financing Uses	15,190	-
Economic and Community Development	77	-
TOTAL	22,499	15,190

To provide the additional revenue for the above, the revenues will be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	7,232	-
Miscellaneous Revenues	77	-
TOTAL	7,309	-

SECTION 2. 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.

- E. Approved on First Reading Grant Project Ordinance Amendment Number 4.

ORDINANCE NO. 15-57
GRANT PROJECT ORDINANCE AMENDMENT NUMBER 4

BE IT ORDAINED by the Governing Board of the City of Hickory that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, that the following amendment be made to the grant project ordinance for the duration of the project.

SECTION 1. To amend the Grant Project Fund expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Public Safety	15,190	-
TOTAL	15,190	-

To provide the additional revenue for the above, the revenues will be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	15,190	-
TOTAL	15,190	-

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

XIII. Items Removed from Consent Agenda – None

XIV. Informational Item

- A. Mick Berry's Travel to the Metro Mayors Annual Meeting, Raleigh, NC, November 12-13, 2015, (Meals and Lodging – \$230.57; Registration Fee - \$150; Mileage Reimbursement - \$170.20)

City Manager Mick Berry reiterated his travel to the Metro Mayors Annual Meeting in Raleigh, North Carolina, November 12-13, 2015 for expenses for meals, lodging, registration, and mileage reimbursement.

XV. New Business:

- A. Public Hearings

- 1. Approved on First Reading Consideration of Text Amendment (TA) 15-01.

On an annual basis, the Planning and Development Services Department, in conjunction with the Hickory Regional Planning Commission, conducts a review of the City's Land Development Code to determine if amendments are needed. During the current review, Staff has recommended amendments to Article 2 as it relates to NC Session Law 2015-160, which eliminates local government's ability to utilize protest petitions; Article 4 as it relates to NC Session Law 2015-86, which eliminates local government's ability to regulate aesthetical designs for one and two family homes; and Article 9 as it relates to the correction of a typographical error. The text amendments outlined were considered by the Hickory Regional Planning Commission during an advertised public hearing on October 28, 2015 and voted unanimously (7-0) to recommend City Council's approval. Staff concurs with the recommendation.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on November 20, and November 27, 2015.

City Manager Mick Berry asked the City's Planning Manager Cal Overby to the podium to present Council with Text Amendments that were required to the City's Land Development Code relative to recent changes by State law.

Planning Manager Cal Overby presented Council with a PowerPoint presentation. He advised that Text Amendment 15-01 was for amendments to Articles 2, 4, and 9 of the City's Land Development Code. Two of the proposed amendments were directly related to changes in the North Carolina General Statutes and the third one was a general housekeeping item that addressed a typographical error that was discovered in the code in the day to day administration of the code. Article 2 dealt with protest petitions, Article 4, dealt with neighborhood preservation overlay district, which is a zoning overlay district, and Article 9 dealt with permanent landscaping for parking areas. He discussed Article 2, Section 2.2.9 dealing with protest petitions. It was a recent change in the General Statutes passed by the State Legislators that did away with the use of protest petitions. A protest petition basically altered the voting requirements for Council. If a certain amount of property owners within a specific area were property is up for rezoning protest, and signs a valid protest petition, which was then submitted to the City Clerk's office, and then transmitted to City Council, it changes the vote of Council from a simple majority to a super majority. That was always obligated to municipalities within the State of North Carolina to allow those protest petitions to go on. That was not something in the county's statute. During the previous session that just closed, the General Assembly passed a Bill that did away with protest petitions all together. They are no longer a tool. If someone wants to do a protest petition it is not eligible anymore because they no longer exist under the State Statutes. However, within the Bill there is some language with how to submit comments to Council and those are basically geared toward the City Clerk's office and delivered to Council.

It does not have the effect of altering a vote. That tool for citizens to protest a zoning map change is no longer available at this point in time.

Mr. Overby discussed Article 4, Section 4.3 which dealt with the neighborhood preservation overlay district. This particular district exist around some of the older core neighborhoods within the City of Hickory, Oakwood, Hillcrest, Claremont, and Green Park. Those types of neighborhoods that are seen right around our core areas. The neighborhood overlay district puts in some additional regulations and standards for development within those areas regarding lot sizes, orientations of structures, and differences with regards to how commercial and non-residential uses are located. In that section there are also some specific perimeters that deal with the appearances of single family structures. During the previous session North Carolina Legislators passed a Bill and it became Session Law which prohibits the regulation of the appearance of one and two family structures. This is outside of the historic district. Anything within the historic district is still governed by whatever standards exist in historic districts. That does not do away with that. However, in these two particular sections of the Land Development, specifically in our neighborhood preservation overlay district, we do have requirements regarding pitches on roofs, and also about stoops and porches and how they are situated on the front of a home. Those are no longer applicable. The district still exist, just those two subsections have to be wiped from that district.

Mr. Overby discussed Article 9, Section 9.14.7 which was a correction to a typographical error. He advised that the Land Development Code contradicted the typographical error in two other places. In a re-adoption of the code, at some point over the past three or four years, a part of a sentence was omitted from the document. When it was omitted from that document it no longer made any sense in the context of which it was described. However, in a section just above the section to be amended it did state that and in a section following it stated it also. If someone just read that one section they would think that it said one thing without understanding that it pertained to it in other sections of the code. Staff felt that it was a good idea to go ahead and put this forward to Council so there would not be any confusion to the citizens of the City or any real estate developer that would be looking at the code and would have the confusion that section was not there. Staff found that the requested amendments for the Land Development Code were consistent with the Land Development Plan. The Planning Commission reviewed these at their previous meeting and unanimously recommended approval by City Council.

Mayor Pro Tempore Lail 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 Pro Tempore Lail closed the public hearing.

Alderman Seaver questioned if the amendments needed to be approved separately.

City Manager Mick Berry advised that there was an Ordinance that covered all of the changes.

Alderman Seaver moved, seconded by Alderman Guess approval of Text Amendment 15-01 to the Land Development Code.

Mayor Pro Tempore Lail announced that the motion was made by Alderman Seaver seconded by Alderman Guess.

Mayor Pro Tempore Lail commented that this is to become consistent with State Statute. He advised that the City is an entity regulated by the State and we have to be consistent with State law.

Mayor Pro Tempore Lail took the vote and the motion carried unanimously.

ORDINANCE 15-58
ORDINANCE OF THE HICKORY CITY COUNCIL AMENDING ARTICLES 2, 4,
AND 9 OF THE CITY'S LAND DEVELOPMENT CODE

(ORDINANCE 15-58 on file in the City Clerk's Office which is hereby incorporated
by reference and made a part of the minutes.)

2. Approved on First Reading Amending Chapter 18, Article VI, Sections 18-119 and 18-136 of the Hickory City Code.

Chapter 18, Article VI, Section 18-119 states all city parking is two hour parking. However, actual time limits for city parking spaces and lots varies. Currently

Section 18-136 prohibits people from parking in privately leased spaces in city parking lots. The section further states that these parking lots and the individual leased spaces will be identified with specific signage. The current identifying signage for some lots and individual spaces is inconsistent with the ordinance. This inconsistency has led to confusion at times for users and staff. The proposed amendments would clarify any confusing language and also resolve any inconsistencies between the ordinance and actual parking.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on November 20, 2015.

City Manager Mick Berry advised that the item was an amendment to the City Code related to adjustment to parking hours at the various parking lots that the City owns and operates in the downtown area. He asked the City's Chief of Police Tom Adkins to the podium to present the amendments to Council.

Police Chief Tom Adkins presented a PowerPoint presentation to Council. He advised that this was to clean up the City Codes which we have changed over the years of our practice and changed the Ordinances dealing with parking. He discussed Chapter 18, Section 18-119 where it says two hour parking zones. That needed to be changed and replaced with hourly parking zones. The second section dealt with parking in designated two hour zones. Overtime the City had changed two hour parking zones to two, three and four. To be consistent with what the Ordinance had been changed to for the hourly parking the section that applies to that needed to be changed as well. Striking that section and adding erecting or installing indicating such hourly parking. He showed photos of two hour parking from 9:00 a.m. to 5:30 p.m., three hour and also four hour in the downtown areas. He advised that text needed to be changed to the City Code. He discussed Section 18.119 subsection (b) which related to the two hour parking limit, which would not apply on Saturdays or holidays, and defined what the holidays were. They recommended that the change be that hourly parking limits shall apply only between the hours of 9:00 a.m. and 5:30 p.m. and shall not apply on Sundays and holidays. Those holidays would be those that were federally recognized by the Nation. He discussed Section 18.136 which was about leased spaces in the downtown area. Staff wanted to remove the portion that says provided, further that leased parking spaces within the lot are clearly marked by signs setting forth the last name of the individual and or by appropriate number. He added that they wanted to remove the last sentence and change it to calling attention to the fact that spaces are leased. Those are the signs that indicate the downtown parking areas that are leased parking, and removing that last name or the number in the spot. He pointed out on a map of the two hour parking, three hour parking, four hour parking, and unrestricted parking. He also pointed out the on-street parking, the 15 minute, two hour, three hour and unrestricted parking in the downtown area. He asked Council to also consider a request from the Hickory Downtown Development Association to not enforce parking ordinances during the month of December up until January 15th. He advised that was not part of Council's agenda but that request had been made.

Mayor Pro Tempore Lail advised Chief Adkins that Council would consider that item under "Matters Not on the Agenda".

Mayor Pro Tempore Lail 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 Pro Tempore Lail closed the public hearing.

Alderman Patton moved, seconded by Alderman Zagaroli approval of the amending Chapter 18, Article VI, Sections 18-119 and 18-136 of the Hickory City Code. The motion carried unanimously.

Mayor Pro Tempore Lail announced that the motion was made by Alderman Patton seconded by Alderman Zagaroli and the motion carried unanimously.

ORDINANCE 15-59

ORDINANCE AMENDING SECTIONS 18-119 SAME-TWO HOUR PARKING ZONES AND 18-136 PARKING IN LEASED SPACES; PARKING BEYOND TIME ALLOWED OF CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF HICKORY.

WHEREAS, Section 18-119 of Chapter 18 stipulates that parking in all city owned parking lots has a two hour time limit; and

WHEREAS, the city's parking lots actually have varying time limits for parking; and

WHEREAS, Section 18-136 prohibits persons from parking in privately leased spaces in city parking lots; and

WHEREAS, Section 18-136 states that parking lots with leased parking will be identified by certain entranceway signage plus the individual leased spaces within the lot must be marked with the lessee's last name or a specific identifying number; and

WHEREAS, the current identification of individual leased spaces is inconsistent with the ordinance's requirement and such inconsistency creates potential confusion for the public desiring to use the city owned lots; and

WHEREAS, the City Staff and City Council desire to amend Sections 18-119 and 18-136 to achieve consistency and clarity.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HICKORY THAT SECTIONS 18-119 and 18-136 OF CHAPTER 18 OF THE HICKORY, NORTH CAROLINA, CODE OF ORDINANCES ARE HEREBY AMENDED TO READ AS FOLLOWS:

Section 1: Amended

1. SECTION 18-119's heading is deleted in its entirety and is replaced as following:

SECTION 18-119. – Same – Hourly parking zones.

2. The first sentence of Section 18-119 (a) is deleted in its entirety and is replaced as following:

(a) No person shall park or permit to be parked any vehicle in excess of designated hours as denoted by signage in any area designated as provided in section 18-81, in which area authorized signs or markings are placed, erected or installed indicating such hourly parking.

3. The first sentence of Section 18-119 (b) is deleted in its entirety and is replaced as following:

(b) The hourly parking limit shall apply only between the hours of 9:00 a.m. and 5:30 p.m. and shall not apply on Sundays and holidays.

4. The last clause of Section 18-136 (1) - “;provided, further, that the leased parking spaces within the lot are clearly marked by signs setting forth the last name of the individual or by an appropriate number” - is deleted in its entirety and the subsection will now end as following:

“...calling attention to the fact that such spaces are leased.”

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.

The amendments to this Ordinance shall become effective immediately upon adoption.

B. Departmental Reports:

1. Approved on First Reading a Vacant Building Revitalization and Demolition Grant for AKSS Real Estate, LLC.

City Council established the Vacant Building Revitalization and Demolition Grant program on September 16, 2008. The program provides grant funding up to \$20,000 for projects to renovate and rehabilitate vacant buildings within the Urban

Revitalization Area and targeted industrial buildings in other areas of the city. AKSS Real Estate LLC has applied for a Vacant Building Revitalization Grant in the amount of \$20,000 to assist in the renovation of the vacant former furniture store building located at 930 Highway 70 SW. The applicant plans to renovate the facility for use as a bridal boutique and other retail space. The applicant plans to invest approximately \$1.13 million in real property improvements to rehabilitate the building. This makes the project eligible for a \$20,000 grant. The applicant plans to demolish a portion of the building and extensively renovate the remainder of the building into a retail strip center. The Business Development Committee reviewed the application and recommends approval. Staff recommends City Council's approval of the Vacant Building Grant Agreement with AKSS Real Estate, LLC.

City Manager Mick Berry asked the City's Community Development Manager Dave Leonetti to the podium to present Council with a Vacant Building Revitalization and Demolition Grant for AKSS Real Estate, LLC.

Community Development Manager Dave Leonetti presented a PowerPoint presentation to Council. He advised that for Council consideration was an application for a Vacant Building Revitalization and Demolition Grant for property located at 930 Highway 70 SW. The programs allows for grants up to \$20,000 or 15 percent of the project cost for the rehabilitation of vacant buildings. Eligible improvements include interior and exterior renovations. He advised the big things that are not eligible for funding were signage and business property. Most everything else is part of that. The building complex located at 930 Highway 70 SW contained approximately 25,000 square feet. After demolition of a portion of the property by the property owner, approximately 15,000 square feet will remain. The property is owned by AKSS Real Estate, LLC. He advised that the property was formerly a furniture store and it was located west bound on Highway 70 at the corner right before Highway 321 on the right hand side. The applicant plans to spend approximately 1.13 million dollars to renovate the building into a retail strip center with the anchor tenant being a bridal boutique. The remainder will be general retail and office uses. The project would be eligible for a grant of up to \$20,000. He pointed out on a map Highway 70 and the intersection of Highway 321. He showed a photo of the exterior of the building which was an older metal building. It had been built in pieces. There were four or five different additions. He pointed out 9th Street and Highway 70, and the on ramp on to Highway 321. He pointed out the portions of the building that would be demolished. He showed a rendering of a preliminary layout of how the site would look upon the demolition and the construction of the parking lot. He showed a rendering of a common strip center which would be constructed with stucco, and glass walls. He advised that there would be approximately three spaces on the left hand side of the building and two spaces on the right hand side. The Business Development Committee reviewed the application at their November meeting and recommended Council's approval.

Alderwoman Patton moved, seconded by Alderman Seaver approval of the Vacant Building Revitalization and Demolition Grant for AKSS Real Estate, LLC. The motion carried unanimously.

Mayor Pro Tempore Lail announced that the motion was made by Alderwoman Patton seconded by Alderman Seaver and the motion carried unanimously.

2. Approved on First Reading Consideration of a Funding Agreement with Habitat for Humanity of the Catawba Valley, Inc.

The City has been approached by Habitat for Humanity regarding the expansion of their housing rehabilitation program in the hopes of benefiting more families in the City of Hickory. The funding agreement describes the requirements for the City and Habitat for Humanity of the Catawba Valley to ensure that all applicable federal regulations are met. Funds will be used to provide grants to low and moderate income families for rehabilitation of owner occupied housing. The City has received additional income into its previous rental rehabilitation program from a loan payoff. This program income is used to provide funding for affordable housing efforts. Using a portion of this funding to assist Habitat in expanding their rehabilitation program will complement the City's existing housing rehabilitation programs through the leveraging of donated materials and volunteer labor. This will permit the City and Habitat to assist additional families in the coming year. Habitat for Humanity has requested \$30,000 in additional funding. The Citizen's Advisory Committee reviewed this request at their October meeting and recommended approval. Staff recommends approval of the funding agreement between the City of Hickory and Habitat for Humanity of the Catawba Valley, Inc. which will allow them to enhance their housing rehabilitation services to benefit low to moderate income households.

City Manager Mick Berry asked the City's Community Development Manager Dave Leonetti back to the podium. He advised that Mr. Leonetti in conjunction with Ms. Mitzi Gellman would present Council with an agreement which would extend the City's longtime partnership to facilitate affordable housing in the City with Habitat for Humanity. That partnership would initiate renovations and improvements to owner occupied housing.

Mr. Leonetti presented Council with a PowerPoint presentation. He discussed an opportunity to enhance the City's housing rehabilitation program through a partnership with Habitat for Humanity. He advised the Mitzi Gellman from Habitat for Humanity would discuss the specifics of the Habitat Repairs Program. He discussed the background, the 2015-2019 Consolidated Plan for Housing and Community Development was adopted in May of 2015. Assistance for rehabilitation of owner occupied housing and generally preservation of housing stock was listed as one of highest priority needs in that plan. One of the other issues that Staff sees is that many low income families lack the funds to perform the required maintenance on their houses. He commented that Code Enforcement estimated that there were more than 500 houses within the City limits that were most likely in violation of the City's minimum housing code. The minimum housing code is not the highest bar to clear. If there are at least 500 houses in violation of that, there are many more that require significant renovations, minor repairs, or HVAC system upgrade. The current program currently receives funding from the North Carolina Housing Finance Agency through its Urgent Repair Grant Program. This past year the City received \$50,000 that was used for forgivable deferred loans to low income homeowners with special needs. For example disabled homeowners, single parent households, elderly homeowners, and large family households. The Community Development Block Grant (CDBG) housing rehabilitation loan program offers differed loans with a portion of forgiveness for persons earning less than 50 percent of the area median income and also more traditional amortized loans for citizens earning between 50 and 80 percent of the area median income. The City has partnered with Habitat on new home construction for 30 years through the reimbursement of water and sewer taps. As the economy has changed, and fundraising has been a little more difficult, they have been building fewer newer homes so the amount of that subsidy has gone down in recent years. In the last five to six years it has ranged in the \$2,000 - \$3,000 per year range according to data received from public utilities. The City also has helped through funding some housing rehabilitation through the CDBG program, approximately \$20,000 per year. There is \$20,000 in the current year's CDBG budget. This is generally focused on Habitat's clients because some of their housing stock is now 29 years old. Some of their older houses are starting to have some age on them and that money is generally used to assist between four and five families of Habitat's clients. With the new program they are trying to open up their housing rehabilitation to other places in the community. The goal through this partnership is to serve more families. Funding overall has been down through reductions in Federal and State funding. He commented that in actual dollars in the mid 80's the City was receiving over \$150,000 more in 1985 than we are receiving now. We were receiving \$450,000 in the 1980's and we receive approximately \$300,000 today. The needs and the population have done nothing but increase since then. We also have fewer household meeting loan criteria. The economy has been tough for the last few years and that is one of the reasons that the City has applied for some additional urgent repair funding. We have had an increase in that, we have gotten approximately \$12,500 more the last two years. The City has also started the differed loan program that helps citizens that might not be able to make an additional monthly payment but still have a significant need for repairs on their house. This will help open up the program to more homeowners. The other issues is that Habitat can leverage some resources and make those dollars go further that the City can. The City does not perform any repairs if there is a need for painting, roofs, or heat systems that work is contracted out. Habitat has the ability to leverage volunteer labor and they also receive a number of in-kind donations such as shingles, and siding. They have actually agreed to help the City on our projects in the future when there is a roof or a heat system that we are going to do on a housing rehabilitation loan. The City's contractors would be able to use those shingles as well which can be \$2,000 - \$3,000 of additional funding that could be saved on those. As a non-profit Habitat has the ability to get some different grants from foundations, most notably Piedmont Natural Gas. They have been working with them to receive some weatherization funding that is for Piedmont Natural Gas customers. That is not necessarily to replace a heat system but to help insulate the house and to help weatherize it so that the house would be more comfortable and lower their monthly bills for their gas. The proposal would be to use \$30,000 worth of previously received rental rehabilitation program income. The City received some additional money from a rental rehabilitation loan that was paid off when the Kenworth Hall apartment complex was sold. They had some sizeable loans through both the CDBG and the previous

rental rehabilitation program. That property sold in September so there is some money in that line item that is has to be used for affordable housing purposes. The request was for \$30,000 of additional funding for Habitat to kick-off their program. Using volunteer labor and in-kind donations the hope is that they will be able to serve more families than the City would be able to with that \$30,000. Also helping the City with the use of donated and in-kind materials for the urgent repair programs. Staff recommended approval of the funding agreement. Mr. Leonetti asked Mitzi Gellman to the podium to present more specifics about the program to Council.

Ms. Mitzi Gellman introduced Habitat's current Board President, Cliff Moone, Construction General Manager, Rob Howard, and Richard Greathouse who was on staff to run their repairs program. She thanked Dave Leonetti and Andrea Surratt for their time in working on this program. She advised that Andrea Surratt had served on the strategic planning process that was kicked off last year. Ms. Gellman presented a PowerPoint presentation. Habitat has been in partnership with the City of Hickory for 30 years. This is Habitat's 30th anniversary and they will be having a celebration at the end of the year. To date, the City of Hickory and Habitat have built 140 new homes in the City of Hickory. Each house on average is \$110,000 per house which would be 15.4 million dollars, approximately \$100,000 per year in property tax that the Habitat homeowners would pay. Habitat's request was to partner with the City again. In working on the repair program this past fiscal year, with the \$20,000, they were able to serve four and half families. She asked that the City also think of Habitat as a mechanism to help solve some of the urgent repair needs that are needed in the City of Hickory. As Mr. Leonetti had indicated there are 500 homes in the City of Hickory that have been estimated that need to have repairs. Roughly 1,000 in the County. She advised that average repairs is \$7,500 per house. She commented that they would focus serving homeowners' only, elderly, disabled and low income. She showed a photo of Ms. Emma Johnson, the first homeowner that Habitat ever had. She had been in her home for 27 years. She stated that when the houses were built years ago they were not built nearly as nicely as they are built now. Her 20 year shingles wore out a long time ago and her heat pump unit had been replaced twice. She commented that there was a draft in the home. As with a lot of families it is not just the original homeowner but also their children, and their great grandchildren as well that live there. It is a generational assistance that they are looking for. There is a need for the City as well as the County. She advised that it is part of Habitat's 2014 strategic plan in honor of their 30th anniversary. New homes need to be complimented with another area of service as well. Through approval of the Board of Directors for Habitat they created a new department and allowed them to hire staff, so they aren't trying to do it piecemeal like they have been doing for years; which was to have the new construction staff move from new construction to repairs and back and forth. As a result they were never getting anything accomplished and they felt like they weren't giving either area due service for the type of work that needed to be done. This program has been very successful with other Habitat affiliates as well. In 2008 there was a housing crisis, and in 2010 the Federal government created a program called NSP which was Neighborhood Stabilization Program. She advised that while in a meeting with the North Carolina Housing Finance Agency she found out that Catawba County was number 13 on the list and they funded up to 12 counties. Catawba County's need was great. A lot of Habitat affiliates in larger cities Wake County affiliates in Raleigh, Durham, Greensboro, Winston-Salem and Charlotte as well benefited from the NSP funding. They have been working on repairs for approximately four years now. They have been able to follow a lot of their models and adopt a lot of their policies as well.

Ms. Gellman discussed the "facts of life". She had attended a seminar in Atlanta sponsored by AARP and Habitat International. We are all getting older and more people are alive now, that are now 65 years or older, than have lived in the history of the world. Many of them are low income. Also stressed was the idea that through these homeowner repairs they could provide holistic care. Habitat takes care of the house and then are plugged in as a referral system for other agencies that deal with health issues, hunger issues and transportation issues for the homeowners. She commented that through this repair program it helps them to maintain the dwindling source of workforce housing. Typically what they find with low income families is that it is not just the original homeowner but also the children and the grandchildren that live in the homes. When the original owner passes the house stays within the family and the heirs move into the house as well. She commented that is demonstrated with a lot of the homes in the Ridgeview community where a lot of the properties are held by heirs. It is a long term residual effect where you keep homes in decent shape for people. Habitat has different ways to leverage funding. She discussed the power of layering. They would combine available funding to fully repair a home. They want to do solutions and not Band-Aids on homes. Habitat would take some of the money from the City of

Hickory, for example the \$20,000 that they have now. They would use approximately \$4,000 to do roof repairs, they can match that up with funding from foundations. Thrivent Financial has been one of their great supporters with grants of \$2,500 that they do exterior repairs only. There is also private donations that have come in. They also match up with their volunteers and gift in-kind (GIK). Right now they have received donations of 30 year architectural shingles from Dow Corning, or Saint-Gobain in Oxford. They also get blue board from Dow Corning as insulation materials as well. She gave an example of one of the homes that had recently been assisted with funding from the City of Hickory. There was a handicap ramp that went in for Ms. Rippy. Ms. Rippy was a long time furniture worker, she is disabled, and blind. She has one of her daughters and a couple of grandchildren that live with her. She needed a handicapped ramp, and some repairs on her home as well. They repaired the front porch and power washed the front of the home so that it looks better and has a better streetscape to it as well. They also trimmed some bushes as well. That was done with the Thrivent Financial NASCAR Driver and his pit crew team. They matched it with City of Hickory funds. The total cost for that project was approximately \$5,800. The value of the gift in-kind and volunteers was \$2,200, so they have leveraged the \$5,800 up to \$8,000 worth of repairs for the home. She showed photos of some of the groups that they are working with; the Baptist Men's Group, First Baptist and Highland Baptist as well.

Ms. Gellman discussed next steps for Habitat. She advised that they had received a check from Piedmont Natural Gas (PNG) for \$40,000 for the PNG Grant. They would be able to use that for existing Piedmont Natural Gas customers even if their service has been disconnected. If they have had service within an 18 month period of time then they can go in and do some weatherization on their house to keep their energy bills down. If they can cut the gas bills, their heating bills by \$100, it is a big deal for them. They will use the money for food and other things. They have received funding as well through a three year grant from the Underdown Foundation. They will be going back again to Thrivent Financial this year for another 10 - 12 repairs up to \$30,000. And additional private funding as well. She advised that Habitat Staff member Scott Lowdermilk was doing a lot of grant writing and public appeals for funding. Ms. Gellman commented that Charlie Dixon had been a great assistance to Habitat as well.

Ms. Gellman asked Council for an additional \$30,000 to go for the repairs. They also recognize the fact that the City of Hickory sets the standard for the cities around us in terms of the cities in Catawba County. Mr. Dixon had spoken on Habitat's behalf to some of the municipalities and they have asked specifically what the City of Hickory is doing. Once they know what the City of Hickory is doing then they will follow suit. They feel that it is important not only to have the funding, but also the support. The support through either a partnership agreement or a Memorandum of Understanding or something that makes this a strong viable program that sets the standard for other municipalities. It would be worthy of cities and other Habitat affiliates looking to as a gold standard for repairs and the recognition that the City and Habitat for Humanity can form a strong partnership to do that. They are looking beyond initial funding that they have now by starting a feasibility study that they hope will lead to a capital campaign. The goal for that is yet to be established. They will find that out after they conduct the study. Beginning next week they will meet with John Hewitt, a consultant from Charlotte, who has worked on some other local campaigns as well. He knows the area well, and they feel he will be a good resource for them in helping to locate additional funds.

Alderwoman Patton asked if Ms. Gellman had been to Catawba County requesting what she was requesting from the City.

Ms. Gellman advised that they had not. They had spoken with different representatives from the cities like Newton, Conover and Claremont in a preliminary manner. She also had spoken with the Council of Governments with the representatives that deal with the single family rehabilitation. She stated that she knows that they receive funding from the URP program that Mr. Leonetti referred to from the North Carolina Housing Finance Agency, up to \$100,000. She knows that those funds are allocated already for the year. There is no additional funding available. What Mr. Dixon has ran into, is that the other municipalities are asking what the City of Hickory is doing first. They will speak to the County, it is part of their overall goal. She advised that the initial work that they have done has been with Habitat families only. They have not stepped out among their immediate circle of families. It is better to test your legs, and stretch a little bit with people who know you rather than stepping out with strangers. They have been working out some of the kinks within their program with their policies with their own families before they went out to the community at large. The greater need is outside of the City limits as well.

Mayor Pro Tempore Lail questioned the agreement that the City was entering into. He did not see where it was specifically or explicit that the urgent repair program homes be located within the municipal limits. He asked her to address that.

Ms. Gellman asked if he meant in terms of not being in the ETJ's.

Mayor Pro Tempore Lail commented that currently the urgent repair program, CDBG funds, are only used within the City or the ETJ.

Mr. Leonetti advised that all of the City's funding and all of the homes would need to be located within the City limits.

Ms. Gellman confirmed that was correct.

Mayor Pro Tempore Lail confirmed that was a Federal requirement.

Ms. Gellman advised that it will be separate funding that they seek from private foundations and through other sources that have yet to be identified for funding outside the city limits of Hickory.

Alderwoman Patton questioned if that would be kept separate.

Ms. Gellman responded yes. The way that the funding is handled that Habitat receives from the City of Hickory is the projects are approved through Mr. Leonetti through a series of steps that include an environmental review and other review processes. Habitat provides an estimate of the work that needs to be done. They do the work and then they pay the bills and submit the invoices back to the Planning Department, then they are reimbursed. They are not receiving a large amount of money that has to be monitored, they are actually being reimbursed within 30 - 40 days after they actually expense the funds.

Alderwoman Patton asked in that process how much money is owed to, at this point, to Habitat, or how much does Habitat owe to the City.

Ms. Gellman advised that they are square right now. They have done approximately four and a half projects. She was not sure exactly of the details, but she knew that whatever had been spent at this point they had been reimbursed off of the first \$20,000 which was actually established through fiscal year 2014-2015. They are waiting to work on the funding for 2015-2016.

Mr. Leonetti commented that Habitat had just started those houses.

Ms. Gellman commented that the families had been identified but they had not started the work yet. They are waiting for Mr. Greathouse to get on the ground and get some volunteers going. They also had been under a deadline with Thrivent Financial. They had to finish up the 12 repairs with them by the end of the calendar year. It had taken a little bit longer than they thought it was going to take with some of those houses.

Alderwoman Patton questioned how many homes in Green Park had been completed.

Ms. Gellman advised there was seven homes completed, which leaves three lots. That is part of their new construction process. With Green Park the original plan was for ten homes. The family that they have a home under construction with right now will close the end of January. They were the only family that they had on their waiting list that was approved, inline, and had gone through classes. They had met all of the financial considerations that have to be met with Habitat, which meant their credit was good and they could pay the bills, they could pay the loan back. They had a family that had additional family that lived on Falling Creek road so they specifically requested to be in the neighborhood off Falling Creek Road that was purchased about four years ago out of foreclosure. They moved their operation over there for now, but their intent is to come back to Green Park once they finish out that neighborhood. They have three homes under construction in Northstone, in the Falling Creek neighborhood.

Alderman Seaver asked if working with the other municipalities if Habitat acted like a "shepherd" to show them how it is done in Hickory and what grants to go after. He asked if that was what they were interested in, doing their own thing.

Ms. Gellman commented that she did not know. It is always easier for Habitat to work in the City of Hickory. They have their base here, their office is here, their supplies are here, and they have great support from the City staff. They don't necessarily have those great connections in other municipalities. That is there

fault for being a small staff. Once they are able to identify homes within the City of Hickory, their plan is to start here and actually be able to come back to Mr. Leonetti, or the Planning Department Staff, and ask which areas that they would like them to target. Can they target areas that have perhaps a higher concentration of gas customers, so they can fully go into a home and do the example of layering the funds? So they actually use some of the City funds, but they use some private funds, the Piedmont Natural Gas funds, and they use Thrivent repair funds. She advised that one of the comments that she has heard from Mr. Leonetti is that a lot of times the urgent repair funds can do up to a certain point but it never really fully repairs the homes. There is always something like an electrical item that needs to be fixed but the plumbing got fixed, or the HVAC was fixed but other things were left undone. With this they can strategically go through and identify. That is what they are doing now. As people are calling into Habitat, they are trying to figure out which pot of funding do they fit into best and how can they stack them on top of each other to make sure that they give the family a decent home to live in again.

Alderman Seaver commented that at least 500 homes had been identified that needs repair in Hickory. He asked if of those where they pretty solid. He asked if they were on a list to be done in a certain order.

Ms. Gellman advised that number came from Bobby Baker with Code Enforcement. She advised that they are not at that point yet with how to move through that list. In terms of reviewing the types of work that they think will be best suited for, they want to really be able to focus on an area so they are not moving from 7th Avenue SW to somewhere out in Vale. They want to work in a concentrated area. Like they did in Ridgeview. Certain blocks that they worked on in Ridgeview. They worked on a couple of streets as identified by Habitat staff and Planning Department as well.

Alderman Seaver commented that they would call them if they need repairs and Habitat would put the jobs together.

Ms. Gellman replied yes, but strategically. They need to be strategic about it or they will be chasing their tails.

Mayor Pro Tempore Lail advised that before Council was the consideration of a Funding Agreement with Habitat for Humanity. He asked if there was a motion.

Alderman Guess moved, seconded by Alderman Zagaroli.

Mayor Pro Tempore Lail announced the motion was made by Alderman Guess seconded by Alderman Zagaroli. He asked for further discussion.

Alderwoman Patton stated that she would like Habitat to come back to Council and inform them on what other municipalities or Catawba County had kicked in so that the City of Hickory is not the only one doing it and other people are benefiting.

City Manager Mick Berry advised that there isn't anybody else benefiting because the only projects they are doing are in the City of Hickory. Their mission is broader than the City of Hickory, but for us this is our program.

Alderwoman Patton commented that it would be nice to see that broadened to the whole County and other municipalities kick in.

Mayor Pro Tempore Lail commented that as we work through the CDBG program of work process Council could look at some of that. If Habitat has 140 homes, and there are 500 in the City, certainly not all of them would be in need of urgent repair. It sounds like they are going outside their universe of home. It would be interesting to see how many homes we can actually leverage that money to help.

Mayor Pro Tempore Lail reiterated that there was a motion and a second. The motion carried unanimously.

3. Appointments to Boards and Commissions

BOND IMPLEMENTATION COMMISSION

Ward 1 (Alderman Lail Appoints) Vernon Tarlton Resigned
(2 year term expires 2-2-2017)

Mayor Pro Tempore Lail nominated Suzanne Trollan to Ward 1 Representative on the Bond Implementation Commission.

COMMUNITY RELATIONS COUNCIL

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Other Minority VACANT
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)
(8) 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 2 VACANT
Ward 3 VACANT
At-Large (Mayor Nominates) VACANT

RECYCLING ADVISORY BOARD

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

YOUTH COUNCIL

(Terms Expiring 6-30; 1-Year Terms) (Appointed by City Council)

Hickory Career Arts Magnet VACANT

Mayor Pro Tempore Lail moved seconded by Alderman Seaver approval of the above nomination. The motion carried unanimously.

Mayor Pro Tempore Lail announced that he moved seconded by Alderman Seaver and the motion carried unanimously.

C. Presentation of Petitions and Requests

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

Mayor Pro Tempore Lail moved, seconded by Alderwoman Patton for Council to consider a matter not on the agenda pertaining to Chief Tom Adkins request.

Mayor Pro Tempore Lail announced he moved, seconded by Alderwoman Patton and the motion carried unanimously.

Mayor Pro Tempore Lail asked Chief Tom Adkins to come back to the podium and present Council with his suggestion and a recommendation for action by City Council.

Chief Tom Adkins advised that it had been a normal procedure or process that the City goes through, that the Hickory Downtown Development Association requested that the enforcement of hourly parking is not enforced in the Union Square area during the month of December up until January 15th. They had made that request again this year for that exemption for their customers for the downtown merchants to have. Chief Adkins recommended that Council consider that.

Mayor Pro Tempore Lail commented that it is tough public policy to say that we have these rules, but they don't apply during this time. He felt that was a struggle for him to go over, particularly after taking an oath to support the rules. He asked if this could be dealt with, with discussions with merchants and police officers as opposed to action by Council with regards to the Ordinance.

City Manager Mick Berry advised that is exactly the issue because it is the City's Ordinance the police officers can't say that they are just not going to enforce it.

Mayor Pro Tempore Lail stated that Council did not have the power to exclude the Ordinance from being enforced. He posed that question to City Attorney Crone.

Mr. Berry advised that Council approved that for several years. He advised that it was an oversight from Hickory Downtown Development Association, or it would have been on the agenda tonight. For a number of years the Hickory Downtown Development Association had requested this exact action by City Council so there isn't law enforcement, enforcement of parking in the Union Square

area during that six weeks of the holidays. Whether Council feels differently, that has been the action that City Council had taken for a number of years.

Alderman Zagaroli confirmed that Council had taken action last year and the year before.

Mr. Berry asked Chief Adkins how many years it had been done.

Chief Adkins commented it probably was a matter on the consent agenda and not a formal presentation.

Mayor Pro Tempore Lail asked for discussion.

Alderman Guess asked City Attorney Crone for advice.

City Attorney John Crone commented that he hadn't read the Ordinance lately, but he knew that Council had approved it every year. He felt that Council had the power to enact legislation to do that. He suggested that in the future Council address that issue with a formal amendment to the parking ordinance.

Alderman Seaver asked if there was any statistics collected to see what the effect was on the downtown shopping.

Mr. Berry commented that there was no way to know.

Alderman Seaver commented that he was looking at the City budget too.

Alderman Guess stated to avoid doing this every year, if there was a consensus to do it, could Council just not adopt it as a general "happens every year".

Mr. Crone advised that Council would have to amend the parking ordinance to delineate that during that time of year that parking fines or rules and regulations are not in effect.

Alderman Guess commented that Council was approving that every year anyway so he didn't see the point in not making it official.

Alderman Seaver asked if that was all of the parking downtown or just on Union Square.

Chief Adkins advised that it was just the hourly parking restriction.

Mayor Pro Tempore Lail commented that Council could not legislate on the fly. It has to be advertised and have a public hearing. Council can't make amendments to the parking ordinance tonight.

Alderman Zagaroli asked what was done before.

Mayor Pro Tempore Lail did not know. He was not suggesting that he was in favor of or against it. He felt that Council had an obligation to be consistent with the administration of the ordinances.

Alderman Guess asked if it would go on the next agenda.

Mr. Berry advised that it could, the issue that was brought to Staff tonight was that is two weeks from now so you are already into the middle of December and ten days from Christmas. He commented that was totally up to Council to handle it ever how they would like to.

Alderman Seaver asked if the downtown merchants wanted that. He asked if that who was asking for it each year.

Mr. Berry advised that it always comes through the Hickory Downtown Development Association.

Alderman Zagaroli felt that it was a good idea.

Alderman Seaver commented that someone could conceivably come in and park their car at the beginning of this period and leave it there the entire time.

Mr. Crone commented that Staff could look into. An Ordinance could be approved at one meeting and not have to go on second reading, or there could be a second reading at the same meeting.

Mayor Pro Tempore Lail asked if there would be time to advertise and hold the public hearing before the next public meeting.

Deputy City Attorney Arnita Dula commented that she was not sure. She commented that Staff would need to look at how it needed to be amended. You don't want to inadvertently create a problem.

Alderman Zagaroli moved that Council adopt the proposal for this year.

Mayor Pro Tempore Lail announced that there was a motion that Council adopt it this year, being the non-enforcement of hourly parking at Union Square.

Alderman Zagaroli confirmed that was correct.

Alderman Guess commented the same as in the past.

Mayor Pro Tempore Lail stated as consistent with past action.

Alderwoman Patton seconded the motion.

Mayor Pro Tempore Lail announced that the motion was made by Alderman Zagaroli and seconded by Alderwoman Patton. Ayes: Alderman Tarlton, Alderman Seaver, Alderman Guess, Alderman Zagaroli, and Alderwoman Patton. Nay: Mayor Pro Tempore Lail. The motion carried 5 to 1.

Alderwoman Patton commented that she would like that to come to Council as an amendment to the Ordinance so they don't address it every year and it be done before December 1st next year.

Alderman Seaver asked would it be better to do that or just say that the Ordinance is suspended from this date to this date.

Mayor Pro Tempore Lail commented that Alderwoman Patton was suggesting that it be codified. That it be written into the Ordinance.

Alderwoman Patton commented that if Council is going to do it on a yearly basis that it should be codified, and make sure it is right.

XVII. General Comments by Members of Council, City Manager or City Attorney of a Non-Business Nature

Mayor Pro Tempore Lail asked about the Christmas Parade.

Alderman Guess commented that it was well attended, and the weather was perfect. The two emcees, Deputy City Attorney Arnita Dula and City Manager Mick Berry did a very good job. That was the second year they had done that, and he felt that it added to the parade and made it more professional. People seemed to enjoy that. He commented that we need to make it bigger and better for next year, and he was sure that was already on the agenda.

City Manager Mick Berry commented that staff did a great job. They provide the emcees with a cheat sheet, and they know who is coming, and it makes it very easy for them.

Alderman Seaver commented that he wasn't here this year, but last year it was one of the best attended, and most liked of previous ones.

Mr. Berry commented that it was bigger than last year.

Alderman Guess commented that there is a lot of behind the scenes and a lot of hard work, and a lot of people that hadn't been recognized that put a lot into that. He thanked them for their efforts, it is always a fun time.

Mayor Pro Tempore Lail commented that the bond process had picked up some speed and is beginning to accelerate some. An email had been sent out to the Bond Commission regarding an upcoming meeting. They will be reviewing some of the priorities that had been selected through some exercises by Freese Nichols. It is good to see that process cranking along. He thinks that we are on schedule to wrap up and have some ideas by February.

Mr. Berry advised that in both of the January meetings it would be on the agenda for Council to get down to the priorities and the budgets of the projects.

Alderman Seaver commented there would be some dirt stirring shortly.

Mayor Pro Tempore Lail commented that Staff had done a great job and the Bond Commission had done a fabulous job, and have been very much involved. Exciting stuff for 2016.

XVIII. There being no further business, the meeting adjourned at 8:40 p.m.

Mayor Pro Tempore Lail

City Clerk