

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 18, 2018 at 7:00 p.m., with the following members present:

	Hank Guess	
Charlotte C. Williams	Aldermen	David L. Williams
Danny Seaver		David P. Zagaroli
		Jill Patton

A quorum was present.

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

- I. Mayor Guess called the meeting to order. All Council members were present except for Alderman Lail.
- II. Invocation by Reverend Sandi Hood, Peace United Church of Christ Carolina Caring
- III. Pledge of Allegiance
- IV. Special Presentations
- V. Persons Requesting to Be Heard

- A. Ms. Beverly Snowden, 332 9th Street NW, Hickory, advised she was the Director of Communications for Hickory Public Schools as well as a volunteer with Hartman's Haven Dog Rescue. She introduced some other dedicated volunteers who rescue poor animals from kill shelters. They foster and transport them with the Underground Railroad to help animals survive horrific situations. She introduced retired teacher Judy Lentz, Karen Hardy, who was a full-time volunteer and rescues hundreds and hundreds of cats. She introduced Kelly Tramble, a new volunteer with Hartman's Haven, Britney Scruggs, Assistant Director of Hartman's Haven Dog Rescue, and Myra Griffin, who was a full-time volunteer. She mentioned that Hartman's Haven Dog Rescue was founded by Physician's Assistant Crystal Hobson in 2010 and the organization totally depended on donations. They have rescued more than 10,000 dogs since 2010, which was just in eight years. She referred to a PowerPoint with a photo of a puppy. She commented 'Twas the night before Christmas when all through the town there was a whimper stirring with a painful sound. The snow was still falling upon layers of ice and this young pup was praying for a human to be nice. As the children were nestled all snug in their beds, a dry warm house with food and water danced in this pup's head. And as the days passed on with no changes in sight, the snow turned to rain and a deep mud chilled through the night. When out on social media there arose such a clatter, she read Mayor Hank Guess was tagged on this matter. Away to the postings she typed like a flash, and soon she heard back from the Mayor and Sergeant Garrett Clark who was sadly covering a crash. By midnight she was told that Officer Bea Davis had checked on the pup, as Mayor Hank Guess was still messaging her to be sure she knew "what's up". By Saturday morning, the officer had called. She needed to write a translated letter Hartman's Haven offered support and was on the ball. With a one year pup still lively and quick, Officer Davis was able to secure the situation with plenty of licks. She referred to the PowerPoint and showed a photo of Officer Bea Davis and the puppy. Officer Davis was getting her licks, glares, stares and love. The family did not care for this dog, but it was painful to see, but now the eyes of this pup sparkled as she looked at Officer Bea. Now Mayor Guess, now Officer Davis, now Sergeant Heath and Sergeant Clark you have joined forces to save us. On Chief Whisnant, on City Manager Warren Wood, on City Council, the police department and all that could. To the inside of the police car to the loving arms of Officer Davis, now drive away, drive away, dash away with the safest. They met in the parking lot at the police station and this pup just knew she was on vacation. Then in a twinkling, she heard her bark with hope. They knew this pup needed much love and some soap. As she opened her arms with tears running down, this little girl was now safe for she had been found. A new life with a foster where she feels welcomed and feed, from sleeping shamed on ice, to cozy snuggled on a fosters bed. She thanked the City of Hickory for caring about what matters. They pray their furry friends stay high upon a ladder. To the Mayor and Hickory Police who never let this go; may your Christmas and holidays be filled with a beautiful glow. She thanked them for their work in saving lives, from protection of children and seniors, to furry friends, our community thrives. She referred to the photo on the PowerPoint, and commented a beautiful story. She distributed tumblers to City Council members from Hartman's Haven Dog Rescue. She also left tumblers for the police officers that were not present.

Mayor Guess and Council thanked Ms. Snowden.

Mayor Guess asked if anyone else wished to speak. No one else appeared. Mayor Guess recognized a Scout in attendance. His name was Grayson "last name inaudible" and he was from Troop 726 Church of the Ascension.

- VI. Approval of Minutes

A. Regular Meeting of December 4, 2018

Alderman Seaver moved, seconded by Alderman Zagaroli that the Minutes of December 4, 2018 be approved. The motion carried unanimously.

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

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

A. Budget Revision Number 8. (First Reading Vote: Unanimous)

VIII. Consent Agenda: All items below are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests. In which event, the item will be removed from the Consent Agenda and considered under Item IX.

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

A. Approved the Special Events Activities Application End AIDS Walk & Community Fun Day, Christina Kliesch, ALFA-AIDS Leadership Foothills-area Alliance, April 6, 2019, 8:00 a.m. to 1:00 p.m., at Taft Broome Park

B. Awarded the Service Weapon & Badge to Sergeant Mike Crisp.

Hickory Police Department requests City Council's approval to award retiring Sergeant Mike Crisp his service weapon (Glock Model 17 -Serial # UHF238) and badge upon his retirement December 31, 2018. Sergeant Mike Crisp will retire from the City of Hickory Police Department December 31, 2018, after completing approximately 26 years of qualifying service to the citizens of Hickory. By authority of NC General Statutes, City Council may award the service weapon and police badge to Sergeant Mike Crisp upon his retirement from Hickory Police Department. Upon approval from City Council, the police badge and service weapon will be declared surplus and removed from the City's fixed asset inventory. Staff recommends approval of awarding the service weapon and police badge to Sergeant Mike Crisp upon his retirement from Hickory Police Department.

C. Approved Donating Surplus Police Vehicle Emergency Equipment to the Town of Longview Police Department in Longview, North Carolina.

Hickory Police Department requests approval to donate surplus police vehicle emergency equipment to the Town of Longview Police Department in Longview, NC. Hickory Police Department has removed five police vehicles from the vehicle fleet that have reached the end of useful life. The emergency equipment to include light bars and sirens have been removed from these vehicles and are no longer of use to the department. North Carolina General Statute 160A-280 grants cities the authority to donate surplus, obsolete or unused equipment to a nonprofit organization after posting a five-day public notice, followed by City Council's approval in the form of a Resolution. The five-day public notice by the City Clerk was published on December 3, 2018 in Hickory Daily Record. Hickory Police Department recommends that five light bars, five light bar control units, five siren box control units and five siren speaker units be donated to the Town of Longview Police Department which is a nonprofit organization.

RESOLUTION NO. 18-53

A RESOLUTION OF THE HICKORY CITY COUNCIL
DECLARING SURPLUS POLICE VEHICLE EMERGENCY EQUIPMENT AND
AUTHORIZING DONATION TO THE TOWN OF LONGVIEW POLICE DEPARTMENT IN
LONGVIEW, NC

WHEREAS, the Hickory Police Department declares surplus five light bars, five light bar control units, five siren box controls units and five siren speaker units; and

WHEREAS, the Hickory Police Department wishes to dispose of said property to the Town of Longview Police Department, in Longview, North Carolina.

WHEREAS, G.S. 160A-280 allows the city to donate to another governmental unit within the United States, or a nonprofit organization incorporated after advertising and Council approval.

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

SECTION 1. That authorization is given to the Hickory Police Department to dispose of the declared surplus in a manner serving the best interest of the City.

SECTION 2. This Resolution shall become effective upon adoption.

- D. Called for a Public Hearing for Consideration of a Proposed Ordinance to Regulate the Public's Use of Drones on City Property. (Authorize Public Hearing for January 8, 2019, at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).
- E. Called for a Public Hearing for Consideration of the Expansion of the Oakwood National Register Historic District. (Authorize Public Hearing for January 15, 2019, at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).
- F. Called for a Public Hearing for Consideration of a Proposed Small Cell Wireless Ordinance (Authorize Public Hearing for January 8, 2019, at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).
- G. Accepted the Joint Declaration of Easements, Covenants, and Restrictions by OHM Holdings, L.L.C. and Olde Hickory Mill Park.

OHM is the owner of several tracts of the former Lyerly Mill property. OHM developed these tracts into a corporate campus. In accordance with N.C.G.S. 160A-458.3, the City of Hickory and OHM Holdings L.L.C. (Transportation Insight) entered into a joint parking lot construction agreement for the construction of a public parking lot and improvements to attendant roadways on Tract 3 also described as Lot 3 at the former Lyerly Mill property which OHM purchased and developed into a corporate campus. OHM designed and constructed the parking lot to meet parking needs for OHM's employees and guests as well as the need for public parking. Olde Hickory Mill Park, a North Carolina non-profit is the owner of additional tracts that make up the corporate campus. OHM is now conveying Tract 3 containing the parking lot to the City. OHM and Olde Hickory Mill Park desire to establish certain easements, covenants and restrictions that will govern the above referenced tracts they respectively own as well as Tract 3, through the Joint Declaration of Easements, Covenants, and Restrictions. The various easements include vehicular and pedestrian access easements as well as utility and storm water easements. The Declaration also sets out the maintenance and repair obligations of the respective owners. The easements, covenants and restrictions set forth in the Declaration will run with the property and will be binding on all owners. Staff recommends Council approve the Joint Declaration of Easements, Covenants, and Restrictions by OHM Holdings, L.L.C. and Olde Hickory Mill Park.

- H. Accepted a Deed of Conveyance from OHM Holdings, L.L.C. to the City of Hickory.

Staff requests Council's acceptance of the General Warranty Deed conveying a parking lot from OHM Holdings, L.L.C. to the City of Hickory. In 2014, in accordance with N.C.G.S. 160A-458.3, the City of Hickory and OHM Holdings L.L.C. (Transportation Insight) entered into a joint parking lot construction agreement for the construction of a public parking lot and improvements to attendant roadways at the former Lyerly Mill property which OHM purchased and developed into a corporate campus. The parking lot was constructed to meet parking needs for OHM's employees and guests as well as for public parking. OHM developed and constructed the parking lot. The City of Hickory reimbursed OHM for the development and construction costs. Upon completion of the parking lot, OHM was to convey the parking lot to the City of Hickory. OHM is now conveying the tract containing the parking lot to the City. Specifically, the General Warranty Deed conveys Tract 3 (the public parking lot) to the City. OHM retains an easement for ingress, egress, and regress across Tract 2 of the corporate campus for access to Tract 3. The City of Hickory and OHM, L.L.C. Parking Lot Construction Agreement executed by the parties in 2014 governed the construction and joint use of the parking lot by the City and OHM until the present time. The Parking and Easement Agreement will replace the 2014 agreement and govern the joint use of the parking lot going forward. Staff recommends Council accept the General Warranty Deed conveying a parking lot from OHM Holdings, L.L.C. to the City of Hickory.

- I. Approved a Parking and Easement Agreement between the City of Hickory and OHM Holdings, L.L.C.

On October 14, 2014, in accordance with N.C.G.S. 160A-458.3, the City of Hickory and OHM Holdings L.L.C. (Transportation Insight) entered into a Joint Parking Lot Construction Agreement for the construction of a public parking lot and improvements to attendant roadways at the former Lyerly Mill property which OHM purchased and developed into a corporate campus. OHM was designing and constructing the parking lot to meet parking needs for OHM's employees and guests as well as to meet the need for additional public parking. Upon completion of the parking lot, OHM was to convey the lot to the City in exchange for a permanent easement and other consideration from the City. OHM is

conveying the lot to the City in accordance with the 2018 agreement. The City and OHM now desire to amend and restate the Joint Parking Lot Construction Agreement ("Construction Agreement") and to replace it in its entirety with the Parking and Easement Agreement ("Parking Agreement"). The Parking Agreement sets forth a permanent easement the City is granting to OHM to use the parking lot for employee and guest parking on designated days and times of the week. It also sets forth a limited easement OHM is granting the City for emergency vehicle access across OHM's property to the public parking lot. The obligations and responsibilities for OHM and the City regarding the maintenance and repair of the parking lot and the cost of utilities serving the parking lot are also set out in the Parking Agreement. Staff recommends Council approve the Parking and Easement Agreement between the City of Hickory and OHM Holdings L.L.C.

- J. Approved a Microenterprise Grant Agreement with A W Designs in the Amount of \$3,240.

In its 2015-2019 Consolidated Plan for Housing and Community Development, the City of Hickory identified increasing entrepreneurship opportunities as a high priority need. This led to the creation of a program to provide microenterprise grants to businesses looking for funding necessary to take their business to the next level. The 2016-2017 Community Development Block Grant (CDBG) Annual Action Plan has \$10,000 allocated towards assistance for entrepreneurial activities. According to the US Department of Housing and Urban Development, a microenterprise is a business that has fewer than five employees, one of whom is the owner of the business. The program offers grants of up to \$4,000 for low to moderate income business owners for business property, inventory, necessary fixed assets, marketing and business promotion, or other improvements approved by the Business Development Committee. Applicants are required to submit a business plan and have a counseling session with a local business support organization. Anita Winship Norris has applied for a Microenterprise Grant to support and enhance her business, A W Designs. The business develops and manufactures StuffSacks, which are fabric bags primarily intended to be strapped onto Durable Medical Equipment (walkers, wheelchairs, hospital beds, bedside commodes and crutches). The Business Development Committee reviewed the application and recommends approval of the grant in the amount of \$3,240. The grant funds will be used to purchase a heat press, serger and an inventory of fabrics and bindings (bias tapes, parachute cords, cord locks and thread). Staff recommends City Council approve the Microenterprise Grant agreement with A W Designs.

- K. Approved Contract Amendment Number 2 with Design Workshop, Inc. in the Amount of \$231,108.

The City has been working with Design Workshop, Inc. on the Riverwalk project since being awarded the original contract on February 7, 2017 in the amount of \$798,654. In the summer of 2018, the City explored with the design team an on-land trail for part of the Riverwalk project. This scope was outlined in amendment number one for additional geotechnical analysis of the site in the amount of \$15,720. Following the results of the Geotech findings, the Bond Implementation Commission and Hickory City Council approved the recommendation to design the Riverwalk as both on-land and over the water. During the fall of 2018, the City received a North Carolina Department of Transportation (NCDOT) grant in the amount of \$2 million dollars for funding part of package one of the Riverwalk project which extends from City owned property starting at Old Lenoir Road to the end of the Rosales' designed iconic bridge. Amendment number two in the amount of \$231,108 provides services for the on-land design work (package 2), coordination with NCDOT with grant funded project components (package 1), as well as construction observation, and reimbursable expenses: 30 percent design for "on-land" portion of Riverwalk - \$174,226; additional 60 percent design for "on-land" portion of Riverwalk - \$(21,988); additional 90 percent design - \$33,500; additional 100 percent design - \$21,740; additional construction observation - \$ 19,680; additional reimbursable expenses - \$3,950; Total - \$231,108. To complete the new scope as directed by the Bond Implementation Commission and the Hickory City Council, staff began working with Design Workshop, Inc. to discuss the new services needed. The additional services and scope of work include: design plans for the on-land portion of the Riverwalk as well as the "tie-ins" from the iconic bridge to the on-land portion and the tie in to Lackey Park; NCDOT coordination for the grant funded components of the project; construction observation, and additional reimbursable expenses totaling \$231,108. The change of design to include both overwater and on-land will save approximately \$5 million dollars towards the total cost of the Riverwalk project. Staff recommends that City Council approve the contract amendment with Design Workshop, Inc. for the scope of work and additional services for the Hickory Riverwalk project in the amount of \$231,108.

- L. Approved an Agreement for Professional Services with Hulsey, McCormick and Wallace in the Amount of \$65,000.

The Public Utilities Department annually identifies infrastructure that is in need of replacement or rehabilitation, as appropriate, as a component of the Departments sustainability programs. Infrastructure to be upgraded is identified by reviewing records of maintenance calls to the area, reviewing annual inspection records from staff, age of

infrastructure and overall size of project that needs to be performed. This project is intended to replace and upsize the original steel line that is hung on the Highway 127 Bridge supplying water to Alexander County. In recent years the pipe has shown signs of rusting and evaluations of the line were performed. With the current contract and projected demands of Alexander County the line will be upsized to a 12" diameter pipe. The project consists of the design of approximately 1,100 linear feet of 12' ductile iron pipe, bridge attachments and all necessary appurtenances along NC Highway 127 and across Lake Hickory for the project. Additionally all permitting and North Carolina Department of Transportation (NCDOT) coordination has been included. This contract will cover design, bidding and construction phase of the project. RFQ's were evaluated for water line design and Hulse, McCormick, and Wallace was selected by staff for this project. Firms evaluated were: Willis Engineers, Inc., McGill Associates, Asheville, NC, Freese and Nichols, Clayton Engineering, McKim & Creed Engineering, Wooten Engineering and Hulse McCormick & Wallace of North Carolina, LLC, Hickory, NC. The negotiated fee for services is within the acceptable range of engineering services used as a guide for placing a value on normal engineering projects. The funds for this project are budgeted in the Public Utilities Capital Budget. Staff recommends Council approve the agreement with Hulse, McCormick, and Wallace for the design and construction administration of NC Highway 127 waterline bridge replacement in the amount of \$65,000.

- M. Approved the Modification to the Contract with Two Brothers Utilities, Inc. in the Amount of \$293,206.20 for the Geitner Basin Sewer System Rehabilitation Project.

The Public Utilities Department identifies areas within the City of Hickory Collection System annually for inspections and conditions assessment. This practice has been established so that Staff for the Public Utilities Department may evaluate portions of the System annually to determine necessary repairs and improvements in manageable portions. The Geitner basin is one of the older sections of the City of Hickory collection system and serves a densely developed portion of the City of Hickory from Main Avenue SW to 4th Street Drive SW to approximately the Hwy 321/I-40 interchange area. The evaluation of the Geitner basin was completed in late 2014 and has identified several areas of concern that require attention in order to avoid failures. This was a continuation of the Public Utilities Departments emphasis in maintaining and/or replacing infrastructure to maximize the useful life and efficiency of the collection and distribution systems for the enjoyment and benefit of our customers. The Geitner basin evaluation included smoke testing, acoustical testing, visual inspections and CCTV inspections of identified portions of the system within the basin. McGill Associates completed this condition assessment and provided Staff with a comprehensive listing of all defects detected as well as designing the replacement of approximately 3,000-lft of 15-inch concrete sanitary sewer line at risk of failure with PVC or ductile iron as an 18-inch and installation of approximately 2,500-lft of 8-inch PVC and all associated man holes and appurtenances that will enable the demolition of an existing lift station. This change order is necessary due to unforeseen conditions that were discovered as we constructed the project. The single largest contributor to this change order was the presence of rock in the trench line that had to be removed for the installation of the replacement sanitary sewer line. The next largest item was the discovery of a grease trap that had to be replaced due to the new alignment of the sanitary sewer line disturbing it. The NCDEQ-IFS State Revolving Fund Loan amount for this project was approved at \$3,519,475, therefore, the project total is within the approved budgeted loan amount. Staff requests Council's approval of the modification to contract with Two Brothers Utilities, Inc., for the Geitner Basin Sewer System Rehabilitation project in the amount of \$293,206.20, increasing the total contract from \$2,809,722 to \$3,102,928.20.

- N. Approved the Agreement for Professional Services with Hulse, McCormick and Wallace, Inc. in the Amount of \$68,000 for the Design of the Sanitary Sewer to Serve the Short Road Area.

The City of Hickory identifies areas with high potential for development and strives to plan for the necessary improvements to assist with timely and efficient development. The Short Road area has been identified with a high potential for development as property owners continue to combine property with the anticipation of development of a large multi-family development with a component of commercial as well. This advanced planning allows the Public Utilities Division to plan for and provide services ahead of the demand to support timely and efficient development. Public Utilities staff compiled and distributed a Request for Qualifications for the Short Road sanitary sewer extension project. Respondents included: Clayton Engineering, Inc., Hulse, McCormick, and Wallace, Inc. Hulse, McCormick, and Wallace, Inc. was selected as the best qualified respondent to the solicitation. Staff negotiated with Hulse, McCormick, and Wallace, Inc. for a design services agreement to include design, plat preparation, permitting, bidding and limited construction inspection/ administration. This project will be funded from Public Utilities fund balance. Staff requests Council's approval and acceptance of an Agreement for Professional Services with Hulse, McCormick, and Wallace, Inc. for design of sanitary sewer to serve the Short Road area in the amount of \$68,000.

- O. Approved on First Reading Budget Revision Number 9.

ORDINANCE NO. 18-36
Budget Revision Number 9

BE IT ORDAINED by the Governing Board of the City of Hickory that, pursuant to N.C. General Statutes 159.15 and 159.13.2, the following revision be made to the annual budget ordinance for the fiscal year ending June 30, 2019 and for the duration of the Project Ordinance noted herein.

SECTION 1. To amend the General Fund within the FY 2018-19 Budget Ordinance, the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Culture and Recreation	2,000	-
TOTAL	2,000	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous Revenues	2,000	-
TOTAL	2,000	-

SECTION 2. To amend the Water and Sewer Fund within the FY2018-19 Budget Ordinance, the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Uses	68,000	-
TOTAL	68,000	-

To provide funding for the above, the Water and Sewer revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	68,000	-
TOTAL	68,000	-

SECTION 3. To establish the Short Road Sewer Capital Project Ordinance (#803304), the expenditures are to be established as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Water and Sewer Capital Projects	68,000	-
TOTAL	68,000	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	68,000	-
TOTAL	68,000	-

SECTION 4. 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.

- IX. Items Removed from Consent Agenda – None
- X. Informational Item
- XI. New Business:
 - A. Public Hearings
 - 1. Approved the Voluntary Contiguous Annexation of Property Owned by the City of Hickory Located at 9th Avenue NW South of Goat Farm Road, in Burke County, Containing Approximately 39.97 Acres – Presented By Planning Manager Cal Overby.

The City Of Hickory's Office of Business Development has submitted a petition for the voluntary contiguous annexation of 39.97 acres of property located on 9th Avenue NW south of Goat Farm Road. The subject properties are currently vacant / wooded. The current tax value of the properties is \$140,572. If annexed with their present value, the properties would not generate additional tax revenues, as they are owned by a governmental entity. The future tax revenues generated from the possible sale or development of the properties cannot be readily calculated at this time. Upon analysis, staff has determined the petition meets the

statutory requirements for voluntary contiguous annexation, and adequate public services are available. Staff finds the petition to be in conformity with applicable statutes, and recommends approval of the annexation petition.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on December 7, 2018.

City Manager Warren Wood asked the City's Planning Manager Cal Overby to the podium to present Council with a voluntary contiguous annexation of property owned by the City of Hickory located at 9th Avenue NW south of Goat Farm Road, in Burke County, containing approximately 39.97 acres.

Planning Manager Cal Overby presented Council with a PowerPoint. He advised this was actually two parcels of property which the City currently owns. It is just shy of 40 acres of property. The properties were located on 9th Avenue NW just south of Goat Farm Road. The reason it was being annexed was the City was doing some housekeeping items around the airport in Burke County as far as City owned property. It was immediately adjacent to the airport and that would bring those parcels into the City limits. He referred to the PowerPoint and pointed out the two parcels for the annexation, a portion of the map which was the City's (ETJ) extra territorial jurisdiction, the City limits, and the boundary between Catawba and Burke County in the area here. He also pointed out a large piece of property which was Hickory's airport. He referred to another photo and showed where the airport was located, L.P. Frans Stadium, Lake Hickory, some scattered housing and a west Hickory neighborhood. He also pointed out the two subject properties which were vacant. The zoning for the properties was all industrial. Most of the area around the airport was industrially zoned. It had been that way for a number of years and the properties will also retain that zoning moving forward to the future. Staff evaluated this regarding provision of public services and the legality of the annexation. Staff found that it was legal and the City could also provide adequate public services to serve the properties at this point and into the future. Staff recommended approval. He asked Council if they had any questions.

Mayor Guess asked Council if they had any questions. He 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 Guess closed the public hearing.

Alderman Patton moved, seconded by Alderman Seaver approval of the voluntary contiguous annexation of City-owned property located at 9th Avenue NW south of Goat Farm Road. The motion carried unanimously.

ANNEXATION ORDINANCE NO. 449
VOLUNTARY ANNEXATION ORDINANCE (CONTIGUOUS)
City of Hickory

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF HICKORY, NORTH CAROLINA, PURSUANT TO GENERAL STATUTES 160A-31, AS AMENDED (CONTIGUOUS)

WHEREAS, the City Council of the City of Hickory has been petitioned under G.S. 160A-31, as amended, to annex the area herein described; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of said petitions; and

WHEREAS, the City Clerk has certified the sufficiency of said petitions and a public hearing on the question of this annexation was held in the Council Chambers of the Julian G. Whitener Municipal Building at 7:00 p.m. on the 18th day of December, 2018, after due notice by publication on December 7, 2018; and

WHEREAS, the City Council does find as a fact that said petitions meets the requirements of G.S. 160A-31, as amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HICKORY, NORTH CAROLINA:

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended, the following-described territory is hereby annexed and made a part of the City of Hickory as of December 31, 2018.

CONTIGUOUS ANNEXATION
DESCRIPTION FOR

the City of Hickory property at the northeast corner of runway 19
at the Hickory Regional Airport Shown in
Plat Book 13 at Page 241 Burke County Registry
And Plat Book 13 at Page 261 Burke County Registry

Those certain parcels or tracts of land lying and being about 2.9 miles west northwest of the center of the City of Hickory. Bounded on the north by the lands of Raymond Cardus and wife Diane L. Cardus as described in Deed Book 2246 at Page 520; on the east by other City of Hickory city limits as shown in Plat Book 55 at Page 132, Catawba County registry and the lands of Edward W. Teague as described in Deed Book 759 at Page 1099; on the south by the lands of Winkler Properties, LLC as described in Deed Book 1725 at Page 146; on the west by other City of Hickory city limits as shown in Plat Book 13 at Page 47 Catawba County registry and the lands of Annie Anderson and husband Christopher S. Anderson as described in Deed Book 891 at Page 1663 and more particularly described as follows, to/wit.

Beginning at a 2" angle iron, said iron having N.C. grid coordinates (NAD 83) of N 736,106.25 E 1,292,423.20 and being the southwest corner of the existing City of Hickory city limits as shown in Plat Book 13 at Page 47, Catawba County registry, the southeast corner of the lands shown in Plat Book 13 at page 261, Burke County registry and located a grid bearing and distance of North 15 degrees 49 minutes 17 seconds East 2,637.92 feet (NAD 83) from NCGS Monument "Hickory Port" having N.C. grid coordinates (NAD 83) of N 733,568.26 E 1,291,704.00 and running thence, as new City of Hickory city limits, South 18 degrees 48 minutes 27 seconds West 680.12 feet to a ¾" pipe, the northeast corner of the Winkler Properties, LLC as described in Deed Book 1725 at Page 146 and the southeast corner of the City of Hickory lands shown in Plat Book 13 at Page 241, Burke County registry; thence with the north line of Winkler Properties, LLC, North 86 degrees 08 minutes 56 seconds West 969.02 feet to a ½" pipe on the east side of Airport-Rhodhiss Road; thence, crossing Airport-Rhodhiss Road, the same bearing a distance of 31.05 feet to a 5/8" rebar in the existing City of Hickory city limits as shown in Plat Book 13 at Page 47, Catawba County registry and the southwest corner of the City of Hickory lands as shown in Plat Book 13 at Page 241, Burke County registry; thence, as existing City of Hickory city limits, the following calls: North 01 degrees 36 minutes 37 seconds West 56.88 feet to a 5/8" rebar; thence North 09 degrees 27 minutes 37 seconds West 91.67 feet to a 5/8" rebar; thence North 12 degrees 18 minutes 37 seconds West 120.56 feet to a 5/8" rebar; thence North 06 degrees 54 minutes 53 seconds East 444.25 feet to a concrete monument; thence North 26 degrees 22 minutes 02 seconds West 109.67 feet to a concrete monument, the southeast corner of the Anderson lands as described in Deed Book 891 at Page 1663 and a northeast corner of the existing City of Hickory city limits as shown in Plat 13 at Page 47, Catawba County registry; thence, with the east line of the Anderson lands and as new City of Hickory city limits, North 21 degrees 17 minutes 11 seconds East 24.19 feet to a lead plug and tack in a stone in the east line of Anderson and the southwest corner of Plat Book 13 at Page 261; thence, continuing with the east line of Anderson, North 06 degrees 25 minutes 48 seconds East 675.93 feet to a 1 ½" pipe inside a 3" pipe, the southwest corner of the Cardus lands as described in Deed Book 2246 at Page 520 and the northwest corner of the City of Hickory lands as shown in Plat Book 13 at Page 261, Burke County registry; thence, with the south line of Cardus, South 78 degrees 17 minutes 08 seconds East 1417.99 feet to a nail in a 2" pipe in the west line of the City of Hickory city limits as shown in Plat Book 55 at Page 132, Catawba County registry and the northeast corner of the City of Hickory lands as shown in Plat Book 13 at Page 261, Burke County registry; thence, with the existing City of Hickory city limits, South 18 degrees 59 minutes 46 seconds West 670.55 feet to the point of beginning. Containing 39.97 acres more or less.

Section 2. Upon and after the 31st day of December, 2018, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the City of Hickory. Said territory shall be subject to municipal taxes according to G.S. 160A-31 (e), as amended.

Section 3. That the newly annexed territory described hereinabove shall become a part of Ward No. 5 of the City of Hickory.

Section 4. The Mayor of the City of Hickory shall cause to be recorded in the Office of the Register of Deeds of Burke County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this Ordinance.

Section 5. That all ordinances and clauses of ordinances in conflict with this Ordinance are hereby repealed.

Section 6. This Ordinance shall be in full force and effect from and after the 31st day of December, 2018.

2. Approved Amending the Bond Implementation Commission Ordinance – Presented by Deputy City Attorney Arnita Dula.

In February 2015, City Council created the Bond Implementation Commission by adding Article IX to Chapter 2 of the Hickory Code of Ordinances. The Bond Implementation Commission has provided an avenue for community engagement and participation in the bond project implementation process. A review of the article revealed certain terms that are proposed for amending. The Bond Implementation Commission's continued participation in community engagement and the bond implementation process can be carried out by amending certain provisions of the ordinance. To reach this objective, amendment of the terms of service for the members appointed by council, the Commission's chair and vice-chair, and the board, commission and Chamber of Commerce representatives is proposed. Staff recommends Council hold a public hearing on December 18, 2018 to consider and adopt a proposed ordinance to amend Article IX Bond Implementation of Chapter 2 of the Hickory Code of Ordinances.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on December 7, 2018.

City Manager Warren Wood asked Deputy City Attorney Arnita Dula to the podium to present Council with an amendment to the Bond Implementation Commission Ordinance.

Deputy City Attorney Arnita Dula presented a PowerPoint presentation. She discussed amendment of Chapter Two, Article IX, which was the Bond Implementation Commission Ordinance. The proposed amendment related to three different sections. Section 2.248 which deals with terms of members. Section 2.249 filling of vacancies and Section 2.251(a) officers and duties. The purpose of the proposed amendment was for continuity of the current membership. It preserves the member's historical knowledge of the bond projects and also provides continued effective and efficient community input. The change to the appointment schedule will now align with the fiscal year. When it was created their year went from February to the end of January, which doesn't coincide and makes it a little bit easier for the City Clerk to keep up with the appointments. Under Section 2.248, that section was being deleted in its entirety and was being replaced with language that will extend the terms of the current members to June 30, 2022. Those members are eligible for reappointment to an additional three year term. Under the current ordinance terms of members are actually limited to two three year terms. This extends the membership and allows for the members who are presently on the commission and who have worked extensively on the bond projects to remain and to provide that continuity of knowledge in history. She reiterated they are eligible for reappointment to one additional three year term, which, hopefully by then the bond projects will be completed. Under Section 2.248 which related to the appointment of the liaison members of the current boards, commissions, and Chamber's representatives, their terms will now be extended to June 20, 2019. They will be eligible for reappointment to successive one year terms as long as they are serving on their respective boards or commissions or the chamber. This simplifies the appointment process because on some of our boards and commissions you have members who were very willing to serve in that capacity, but then their term on their present board or commission would expire, and they were left trying to find a representative.

Ms. Dula discussed Section 2.249 which related to filling vacancies. The purpose was to simplify. Appointees were eligible to serve the remaining term, render the current term of the member who vacated the position. This section was actually a little complicated when they first started out. A member could fill a position and then be reappointed for another term. This actually just simplifies it with an appointee that you would make to fill a vacancy. An appointee may be eligible for reappointment to another three year term. If this proposed amendment passes or is adopted, for example, say the person had to move away or resigned for whatever purpose, then you would appoint someone who would fill the remainder of that term and also be eligible for an additional three year term.

Ms. Dula discussed the amendment related to officers, Section 2.251(a). Currently the board chair was eligible to serve two two year terms, and the vice chair was eligible to serve two one year terms. This connects or directly relates to the extension of the terms for the regular members who serve on the board. The proposed amendment makes the terms of both the chair, and vice chair extended to June 30, 2022. Each of them would be eligible for reappointment for an

additional three year term. An elected member filling a vacancy was eligible to serve the remainder of the vacating officer's term. Those two sections are aligned. The membership term and now the term of the officers, the chair and the vice chair. She asked Council if they had any questions about the proposed amendments.

Mayor Guess asked Council if they had any questions. He 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 Guess closed the public hearing.

Alderwoman Patton thought it was excellent changes for the continuity. They had served so well on the Bond Commission. She appreciated all the work that they had done and they would like to see it all the way through.

Mayor Guess commented one of the things this does, they have worked so hard and now they are going to get to see some results of their work. It allows them the opportunity to be a part of that. All of the hard work that they have done. He thought that was admirable.

Alderwoman Patton moved, seconded by Alderwoman Williams approval of the amendment to the Bond Implementation Commission Ordinance. The motion carried unanimously.

ORDINANCE NO. 18-37

AN ORDINANCE OF THE HICKORY CITY COUNCIL AMENDING CHAPTER 2, ARTICLE IX THE HICKORY BOND IMPLEMENTATION COMMISSION

WHEREAS, in 2015 Council created the Bond Implementation Commission to foster continued community engagement and participation in the bond project implementation process; and

WHEREAS, the Bond Implementation Commission has provided valuable insight and input into the bond projects; and

WHEREAS, Council desires to continue the community's engagement and participation throughout the bond project implementation process through a representative group; and

WHEREAS, Council has determined the Bond Implementation Commission's continued participation in the bond implementation process can be carried out by amending certain provisions of the ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HICKORY, THAT CHAPTER 2, ARTICLE IX OF THE HICKORY CITY CODE BE AMENDED AS FOLLOWS:

Section 1. Amend Sections 2-248 Terms of Members, 2-249 Filling of Vacancies, and 2-251 Officers and Duties.

Section 2-248 is deleted in its entirety and is replaced as follows:

(a) Members appointed by the council shall be eligible to serve a term of three years.

(b) The terms of all current members are extended to June 30, 2022. Members then may be eligible for reappointment to an additional three-year term.

(c) The terms of all current representatives appointed by boards, commissions and the Chamber are extended to June 30, 2019. Thereafter, these representatives shall serve for a term of one year and may be reappointed for successive one-year terms as long as the representative is a member of the board, commission or the Chamber.

Section 2-249 is deleted in its entirety and is replaced as follows:

(a) To aid the City Council in selecting members for appointment, the initial list of applicants interested in serving shall be maintained and updated. Solicitation of additional interested individuals may be directed by council as council deems necessary.

(b) Appointees filling vacancies will be appointed by Council in accordance with Section 2-247.

(c) An appointee is eligible to serve the remainder of current term of the member who vacated the position. An appointee may be eligible for reappointment to another three-year term.

Section 2-251(a) is deleted in its entirety and is replaced as follows:

The terms of the current chairperson and vice-chairperson are extended to June 30, 2022. Thereafter, the chair and vice-chair are eligible to serve an additional three-year term. Vacancies in an office shall be filled at the next regular meeting of the commission. A member elected to fill a vacant office is eligible to serve the remainder of the term of the officer who vacated the position.

Section 2. Repeal

All ordinances or provisions of the Hickory City Code of Ordinances that are not in conformance with the provisions of the amendment occurring herein are repealed as of the effective date of this article.

Section 3. This ordinance shall become effective immediately upon adoption.

3. Approved Amending the Personnel Ordinance – Presented by Human Resources Director Claudia Main.

The City of Hickory Personnel Ordinance serves as the “umbrella policy” for all City employees. The Ordinance establishes the personnel system, defines and explains benefits for employees, and standardizes recruitment, selection and retention systems. Per the City Charter, the City Manager is appointed by City Council and responsible for the administration of City offices, positions and departments. Even though the City Manager is responsible for the administration of all personnel matters, he cannot revise the Personnel Ordinance when necessary. City Council must approve any proposed amendments to the Personnel Ordinance through the public hearing process. Repeal of the Personnel Ordinance will permit transition to a Personnel Policy. Having a Personnel Policy instead of a Personnel Ordinance will allow the City Manager to modify and amend the policy as needed. The Personnel Policy will continue to adhere to all applicable State and Federal laws. It addresses and clarifies certain employment matters and continues to address employee benefits, employee responsibilities/obligations of employment and general employee rules currently enforced by the City Manager, department heads, and human resources. Some of the items addressed and clarified are: adherence to City culture and organizational values, anti-nepotism policy language added, clarification regarding holiday pay, vacation leave, and civil leave, and requirement of a resignation notice to receive payment for accrued vacation leave. Staff recommends Council repeal the Personnel Ordinance in order to allow the City Manager to transition to a Personnel Policy.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on December 7, 2018.

City Manager Warren Wood asked the City's Human Resources Director Claudia Main to the podium to present Council with information to amend the Personnel Ordinance. The recommendation was to rescind the Personnel Ordinance and replace it with a Personnel Policy.

Human Resources Director Claudia Main presented a PowerPoint. She gave an overview of what the City was currently operating under, which was the City of Hickory Personnel Ordinance. This was the first document that Human Resources (HR) consults if there are any personnel questions as they work with the departments. It really served as the umbrella policy for the personnel system, for discipline, for conduct, and any benefits that are afforded to full-time employees. It discussed recruitment, retention, and selection methods. They can have additional City policies but HR was charged with making sure that no City policy ever contradicts the Personnel Ordinance. Within the ordinance also they adhere to all applicable State and Federal laws, the Fair Labor Standards Act, Americans with Disabilities Act, (FMLA) Family Medical Leave Act, and they City is an Equal Opportunity Employer. Per the City Charter the City Manager was already appointed by City Council and made responsible for the administration of all City offices, personnel, and departments. At this time, he has the authority to manage and direct personnel matters, but any change to the Personnel Ordinance has to come before Council and have a public hearing. They were proposing transitioning from the City of Hickory Personnel Ordinance to the City of Hickory

Personnel Policy. This would allow the City Manager to use the authority that he was already given per the City Charter and he may modify and amend the policy as needed. However, she pointed out, any substantive changes that they would make to personnel would still be discussed with the manager's office and City Council. The policy that would go into effect tonight, with Council's approval and recension of the Personnel Ordinance, had a few changes already written into it that needed updating over the years. They added adherence to City culture and organizational values as a requirement for all City employees. Employees have the customer focus, practice innovation, and work in teams. They also added some new wording to the anti-nepotism policy. They clarified and defined holidays. For example, the ordinance says that you must be present at work the day before and after a holiday. The assumption was always that that means a full shift. However, that wasn't written in so they just clarified that language to make it simpler to understand for all employees. They also added a requirement of a resignation notice because employees do get a vacation payout at the end of their tenure, but they require that they give them a notice; two weeks for employees and three weeks for department heads. They want to make sure that they adhere to all applicable State and Federal laws. They will continue to do so in this policy. Staff recommended the recension of the ordinance, and then City Manager Warren Wood would put into effect the Personnel Policy. She asked Council for any questions.

Mayor Guess asked if there were any questions.

Alderman Williams asked Ms. Main to explain City culture a little more in detail.

Ms. Main explained they focused on organizational culture this year. Over the years they had total quality management approach, and then they focused on core vision and values. Now when they say culture, it is a training that all our employees go through and our catchphrase is "Be City". Be customer focused, be innovative, be team oriented, and be the best you. So in everything that they do internally and externally, that was the culture and the approach that they want all City employees to have, and they're making a big effort to get back out throughout the organization. They are reinvigorating their team focus. They have a City app team. They are about to form an intranet team. The thought that there is more synergy when more of us are working together, interspersed from different departments. That was a little bit of what they were doing currently.

City Manager Warren Wood commented they are focused on that when they hire folks. They are folks that exhibit those qualities. When they consider promotions these are the ones that are exhibiting these qualities and are fit to lead others. When they consider retaining or not retaining someone, all that goes into reinforcing the organization's culture with customer focus on being innovative and working as a team.

Mayor Guess commented core values.

Alderman Williams thanked Ms. Main and commented he thought she did an excellent job.

Ms. Main thanked Council.

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

Alderwoman Patton moved, seconded by Alderman Williams approval of repealing the Personnel Ordinance. The motion carried unanimously.

ORDINANCE NO. 18-38

AN ORDINANCE OF THE HICKORY CITY COUNCIL REPEALING THE PERSONNEL ORDINANCE OF THE CITY OF HICKORY

WHEREAS, the Hickory City Council established the Personnel Ordinance by prior action of said Council; and

WHEREAS, the Personnel Ordinance serves to guide and regulate all city personnel; and

WHEREAS, the City Manager has the authority to appoint all city employees and direct the administration of all departments pursuant to NCGS 160A-148 Section 4.22 of the City Charter; and

WHEREAS, the City Manager has authority to manage and direct personnel matters but does not have the authority to amend the existing Personnel Ordinance absent Council's consent; and

WHEREAS, staff recommends repealing the current Personnel Ordinance and replacing it with a Personnel Policy which would permit the City Manager to use his existing authority to execute, implement, and amend said policy as necessary thus making the management of personnel matters more efficient.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HICKORY, THAT THE HICKORY CITY CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1: Amended.

The City of Hickory Personnel Ordinance is repealed in its entirety and will be replaced with a Personnel Policy executed and implemented by the City Manager.

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.

4. Approved on First Reading Rezoning Petition 17-03(A) for Property Located at 2019 Startown Road – Presented by Planning Manager Cal Overby.

REC Group, LLC and Patsy Smith have petitioned for the rezoning of 0.63 acres of property located at 2019 Startown Road from Catawba County R-20 Residential to Planned Development. The petition also requests approval of amendments to the approved planned development master plan for the larger 23.4 acres planned development, which the Smith property is being added to. The properties in question are located at 3061 Short Road, 1995 Startown Road, 2007 Startown Road, 2019 Startown Road, and an unaddressed parcel south of Startown Road. The vicinity in which the subject properties are located is classified as Regional Commercial by the Hickory by Choice 2030 Comprehensive Plan. This classification consists of areas along and adjacent to the I-40 / U.S. 70 corridor, that provide shopping and destination amenities for Hickory's residents and visitors, as well are areas for higher intensity multi-family residential development. The requested rezoning and planned development master plan amendments, have been reviewed in light of the recommendations of the Hickory by Choice 2030 Comprehensive Plan, and staff has determined the requested actions to be consistent with the plan's recommendations. The Hickory Regional Planning Commission conducted a public hearing on December 5, 2018 to consider the petition. During the public hearing, the applicant spoke in favor of the petition, while no one spoke against the request. Upon closing the public hearing, the Hickory Regional Planning Commission voted unanimously (9-0) to affirm the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan, and recommended City Council's approval of the petition. Staff concurs with the recommendation of the Hickory Regional Planning Commission.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on December 7 and 14, 2018.

City Manager Warren Wood asked the City's Planning Manager Cal Overby to the podium to present Council with rezoning petition 17-03(A) for property located at 2019 Startown Road.

Planning Manager Cal Overby presented a PowerPoint presentation. He explained the property under consideration for rezoning under petition 17-03(A), the (A) suffix meant they were actually amending a previously approved plan development which was approved in 2017. The request was to add one parcel which was annexed by Council at a previous meeting to the planned development and it was also to amend the first phase of the planned development Master Plan previously approved. He referred to the PowerPoint and showed the property in question. He noted the areas of existing planned development and the small parcel which was being added to the planned development as part of this petition. He pointed out the location of the Catawba Valley Community College (CVCC), Startown Road, Catawba Valley Boulevard, Lowe's Home Improvement, and Walmart. They were looking at the existing zoning of the area. He showed the existing planned development area which was approved in 2017 and the small parcel which was being added to it. This area was all basically CVCC and the commercial area coming off of Catawba Valley Boulevard. Most of the area to the south of it was an unincorporated area, which was all zoned residential by Catawba County. In terms of the City's future land use classifications of this area, from basically Highway 321 almost to Conover was considered regional commercial. That was basically the corridor which surrounds Highway 70, 140 to the north, and you are basically moving east/west in that fashion. Currently approved for the entire Master Plan for the property, 318 residential units, and 40,500 square foot of mixed use area. The proposal was to keep the dwelling units the same. They are still looking at 318 units, but to increase the commercial floor area by 9,900 square feet. This means the first phase of the development would include the two commercial buildings which would be a little over 50,000 square feet and 166 dwelling units. Phase two would then be 152 dwelling units additionally at some point in time. If by chance, the plans changed, they would be having this conversation again as far as phase two was concerned. He referred to the PowerPoint and showed a schematic layout that was provided by the developer regarding phase one of the development, which was the initial portion which they were desiring to build at this time. He referred to the PowerPoint and pointed out the parcel which was added to the project, two commercial buildings and the area which was residential uses. He showed an existing building which was formerly Fairbrook Family Practice and now called Catawba Valley Startown. He showed the remainder of the project which would be a future phase. He showed the elevation of the proposed multifamily buildings that will be located on the property. He mentioned they are very similar to a lot of the multifamily buildings which had been built in Hickory over the last few months to a year or so. He showed an elevation drawing of the commercial buildings, he commented they were actually built on two hillsides. They will be a multistory, front/back, kind of scenario there. Staff reviewed the petition and found that the Hickory by Choice Plan basically classifies most of this area as regional commercial. Regional commercial was an area provided for commercial retail services as well as higher density residential. That was what they were looking at in totality. Given those factors, staff found that this petition was consistent with the Hickory by Choice 2030 long range plan. On December 5, 2018, the Planning Commission considered the petition and voted unanimously to recommend City Council's approval of the petition. Staff concurred with the Planning Commission's recommendation. He asked Council for any questions.

Mayor Guess asked Council for questions.

Alderman Seaver asked if each level was one unit. No units are more than level.

Mr. Overby confirmed he meant on the apartment units.

Alderman Seaver responded yes.

Mr. Overby replied that was correct. They are all one level, it is not a townhome type setup where you have split levels.

Alderman Seaver asked if they had to have elevators.

Mr. Overby advised that would be dictated by the building code. He thought if it went above three stories you are required to have an elevator. Anything three stories and below, if his memory serves him, would not require an elevator.

Mayor Guess asked for any other questions. He 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 Guess closed the public hearing.

Alderwoman Williams moved, seconded by Alderwoman Patton approval of rezoning petition 17-03(A). The motion carried unanimously.

ORDINANCE NO. 18-39

AN ORDINANCE OF THE HICKORY CITY COUNCIL AMENDING THE HICKORY OFFICIAL ZONING ATLAS TO REZONE APPROXIMATELY 0.63 ACRES OF PROPERTY LOCATED AT 3061 SHORT ROAD, 2019 STARTOWN ROAD FROM OFFICE AND INSTITUTIONAL (OI), AND R-20 RESIDENTIAL TO PLANNED DEVELOPMENT (PD). AND TO AMMEND THE PLANNED DEVELOPMENT MASTER PLAN FOR THE LARGER 23.4 ACRE PROJECT SITE.

WHEREAS, Article 2, Section 2.2 of the Hickory Land Development Code provides for amendments to the Official Zoning Atlas; and

WHEREAS, the City has been petitioned to rezone approximately 0.63 acres of property located at 2019 Startown Road more particularly described on Exhibit A attached hereto, to allow a Planned Development District; and

WHEREAS, the City has been petitioned to amend the approved Planned Development Master Plan for properties located at 3061 Short Road, 1995 Startown Rd, 2007 Startown Rd, 2019 Startown Road and an unaddressed parcel south of Startown Rd, more particularly described on Exhibit A attached hereto, to allow a Planned Development District; and

WHEREAS, the Hickory Regional Planning Commission considered the proposed rezoning during a public hearing on December 5, 2018 and forwarded a recommendation of approval to the City Council; and

WHEREAS, Article 2 of the Hickory Land Development Code requires a finding that proposed rezoning is in response to changing conditions and is reasonably necessary to promote the public health, safety and general welfare; and

WHEREAS, the City Council has found Petition 17-03(A) to be in conformance with the City's Land Development Plan and Zoning Ordinance,

NOW, THEREFORE, BE IT ORDAINED by the City Council of Hickory, North Carolina, THAT THE REZONING OF THE PROPERTY DESCRIBED IN EXHIBIT A is approved.

SECTION 1. Findings of fact.

1. The subject properties are located at the 3061 Short Road, 1995 Startown Road, 2007 Startown Rd, 2019 Startown Road and an unaddressed parcel south of Startown Rd, and further identified as PINs 3711-12-95-4256, 3711-12-95-9875, 3711-12-95-9560, 3721-09-05-3559 and 3721-09-05-3407.
2. The rezoning request is intended to further implement the findings and recommendations of the Hickory by Choice 2030 Comprehensive Plan.
3. The rezoning of the property is consistent with the Hickory by Choice 2030 Comprehensive Plan.

SECTION 2. All ordinances or provisions of the Hickory City Code which are not in conformance with the provisions of the Amendment occurring herein are repealed as of the effective date of this Ordinance.

SECTION 3. Consistency Statement

Upon considering the matter, the Hickory City Council found:

The vicinity in which the subject properties are located is classified as Regional Commercial by the Hickory by Choice 2030 Comprehensive Plan. This classification consists of areas along and adjacent to the I-40 / U.S. 70 corridor, that provide shopping and destination amenities for Hickory's residents and visitors.

Within the Goals and Policies section of Chapter 3 of the comprehensive plan a number of goals and policies are provided that address development. A brief explanation of the goals, and how the development proposal fits in with the goals is provided below.

- Goal 1 discusses the expectation new development will “fit in”. The subject properties are located within an area that is transitioning from a historically rural environment to a more urban environment. When Catawba Valley Boulevard was completed in the 1990s, the development pattern in the area changed dramatically. Its completion brought about a number of commercial and residential developments to the area. Catawba Valley Community College (CVCC), and its recent growth has also played into the urbanization of the area. CVCC has recently expanded by adding new buildings to its campus. Yet another project of significance to mention is the new Trivium Corporate Center, which is located less than a mile to the southeast on Startown Rd. This business park is a joint venture between the City of Hickory, Catawba County, and the Catawba County Economic Development Corporation.
- Goal 2 indicates neighborhoods should be designed to provide pedestrian access to daily services. The development proposal provides for internal amenities (retail / service areas) that work towards achieving this goal. In addition, the proposed development is within a short distance of larger shopping areas along Catawba Valley Boulevard and U.S. 70. While walking to these areas may not be ideal, their close proximity would reduce cross-town commutes for goods and services. An additional consideration would be the availability of housing for faculty and staff of Catawba Valley Community College, which is directly across Startown Rd from the subject properties.
- Goal 3 references the need to provide balance between development and open spaces. The development proposal shows 20%, or approximately 4.7 acres, of the development's total area as being set aside as open space. Much of this open space is located in the center of the project site, and could be utilized by residents as areas for passive recreation, as well as a habitat area for plants and animals.
- Goal 4 discusses the locations of industrial uses. Being the development is absent of industrial uses, this goal would not pertain to the development proposal.
- Goal 5 is very similar to Goal 2, but goes further in outlining the need to promote mixed use areas that provide convenient access to amenities and employment areas. As previously outlined the location of the subject properties provide access to amenities (retail and services), as well as close proximity to employment areas.
- Goal 6 relates to citizen participation in planning. With the project falling under the Planned Development process, which requires notices and hearings; the public will be afforded the opportunity to provide input regarding the proposal.

Based upon these findings, the Hickory City Council has found Rezoning Petition 17-03(A) to be consistent with the findings and recommendations of the Hickory by Choice 2030 Comprehensive Plan.

SECTION 4. Planned Development Conditions of Approval.

1. The development of the properties shall be guided by the provided Planned Development Master Plan, as shown in Exhibit B, and any other applicable standards that may relate to the development of the properties;
2. The owner / developer shall be required to provide for any infrastructure improvements necessary to serve the proposed development; and
3. The owner / developer shall be permitted to develop the property to a maximum floor area ratio of 0.60.

SECTION 5. This Ordinance shall become effective upon adoption.

5. Approved on First Reading Rezoning Petition 18-05 for Property Located in the 2300 Block of Kool Park Road – Presented by Planning Manager Cal Overby.

David Earl Yount and Susan Wells Yount, of the Yount Family Trust, have petitioned for the rezoning of 15 acres of property located in the 2300 block of Kool Park Road. The request is to rezone the property from R-1 (Low Density Residential) to R-2 (Medium Density Residential). The Hickory by Choice 2030 plan indicates the area as being classified as Medium Density Residential. This classification is intended to provide transition areas between urban residential

areas and rural areas. The Hickory by Choice 2030 Plan characterizes these areas as being the location of single-family residential uses, with pedestrian friendly roadways, sidewalks, and open space areas. The requested R-2 zoning district permits single family development at a maximum density of four dwelling units per acre, and is indicated by the Hickory by Choice 2030 Plan as being the implementing district for the Medium Density Residential land use classification. The Hickory Regional Planning Commission conducted a public hearing on December 5, 2018 to consider the petition. During the public hearing, the applicant spoke in favor of the petition, while no one spoke against the request. Upon closing the public hearing, the Hickory Regional Planning Commission voted unanimously (9-0) to affirm the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan, and recommended City Council's approval of the petition. Staff concurs with the recommendation of the Hickory Regional Planning Commission.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on December 7 and 14, 2018.

City Manager Warren Wood asked the City's Planning Manager Cal Overby to the podium to present Council with rezoning petition 18-05 for property located in the 2300 block of Kool Park Road.

Planning Manager Cal Overby presented a PowerPoint presentation. He advised the rezoning petition was 18-05 which was put forward by the Yount Family Trust with Mr. David Yount being the applicant. The property was located at 2300 Kool Park Road. The property was currently zoned R1 or low density residential. It contained approximately 15 acres of property and the request was to rezone the property to R2 residential. He referred to the PowerPoint and showed a future land use map of Hickory by Choice. He had imposed the parcel data on it to give some geography of where it was at. He showed the property in question and noted the entire area basically south of Kool Park Road was classified as medium density residential. He showed the lower density area to the north and pointed out St. Stephen's High School, the intersection at Springs Road and Kool Park and some commercial areas. He showed the area where Lowes Food shopping center was located at Sandy Ridge Road and 29th Avenue. The general area was classified as medium density residential by the Hickory by Choice Plan. The plan specifically states that the R2 district was the implementing zoning district for this future land use classification. Land uses in the area were predominantly, in one form or fashion, residential. There were some institutional uses and commercial uses along some of the corridors. They are dealing with single family residential or either a duplex or two, or some apartments with Argyle Place in the area. He referred to the PowerPoint and explained the zoning. He pointed out the R1 zoning, R2 zoning, County residential zoning, some commercial zoning, high density residential, as well as some higher density residential in another area. The difference between the R1 and R2 districts was the R2 district was much more restrictive than R1; R1 was the rural residential district, like what you would see in the City's R20 district. You could have single family homes, two family homes, manufactured homes and the like there. The difference there, R2 was basically restricted. It was strictly single family homes, which something would be built to the State building code. Manufactured homes would be prohibited as well as duplexes. The difference that you would see with them in terms of intensity was the minimum lot sizes for R2 are actually a quarter acre versus a half of an acre for R1. The issue with it was that you would have to have utilities in order to achieve those lot sizes, so that would have to be a consideration going into the future there. Staff found this to be consistent with the recommendations of the City's comprehensive plan. The property was surrounded to the south and east by the existing R2 district, which makes it organic growth to the zoning district in that area. They are looking at a district which promotes single family housing. The owners intend to rezone the property to single family houses so they could possibly develop the property for that purpose in the future. He advised the Planning Commission considered the petition on December 5, 2018 and voted unanimously to recommend Council's approval. He asked Council for any questions.

Mayor Guess asked for any questions. He 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 Guess closed the public hearing.

Alderman Seaver moved, seconded by Alderman Zagaroli approval of rezoning petition 18-05. The motion carried unanimously.

ORDINANCE NO. 18-40

AN ORDINANCE OF THE HICKORY CITY COUNCIL AMENDING THE OFFICIAL HICKORY ZONING ATLAS TO REZONE APPROXIMATELY 15 ACRES OF PROPERTY LOCATED IN THE 2300 BLOCK OF KOOL PARK ROAD FROM LOW DENSITY RESIDENTIAL (R-1) TO MEDIUM DENSITY RESIDENTIAL (R-2).

WHEREAS, Article 2, Section 2.2 of the Hickory Land Development Code provides for amendments to the Official Zoning Atlas; and

WHEREAS, the City has petitioned to rezone approximately 15 acres of property located in the 2300 block of Kool Park Road, more particularly described on Exhibit A attached hereto, to allow a Medium Density Residential – 2 (R-2) district; and

WHEREAS, the Hickory Regional Planning Commission considered the proposed rezoning during a public hearing on December 5, 2018 and forwarded a recommendation of approval to the City Council; and

WHEREAS, Article 2 of the Hickory Land Development Code requires findings the proposed rezoning is in response to changing conditions and is reasonably necessary to promote the public health, safety and general welfare; and

WHEREAS, the City Council has found Petition 18-05 to be in conformance with the City's Land Development Plan and Zoning Ordinance,

NOW, THEREFORE, BE IT ORDAINED by the City Council of Hickory, North Carolina, THAT THE REZONING OF THE PROPERTIES LOCATED IN THE 2300 BLOCK OF KOOL PARK ROAD, AND DESCRIBED IN EXHIBIT A is approved.

SECTION 1. Findings of fact.

1. The subject properties are located in the 2300 block of Kool Park Road, and further identified as PINs 3724-17-22-2019 and 3724-13-13-9028.
2. The rezoning request is intended to further implement the findings and recommendations of the Hickory by Choice 2030 Comprehensive Plan.
3. The rezoning of the property is consistent with the Hickory by Choice 2030 Comprehensive Plan.

SECTION 2. All ordinances or provisions of the Hickory City Code which are not in conformance with the provisions of the Amendment occurring herein are repealed as of the effective date of this Ordinance.

SECTION 3. Consistency Statement

Upon considering the matter, the Hickory City Council found:

1. The general area is classified as Medium Density Residential by the Hickory By Choice 2030 Comprehensive Plan
2. This classification is intended to provide transition areas between urban residential areas and rural areas. The HBC 2030 plan characterizes these areas as being the location of single-family residential use, with pedestrian friendly roadways, sidewalks, and open spaces areas.
3. The R-2 zoning district is listed as the implementing zoning district for the Medium Density Residential land use classification, and as such, should be considered to be consistent with the plan's recommendations.
4. Any and all improvements that are to take place on the property will be required to follow all applicable development regulations;
5. The subject properties are located along Kool Park Road, which is comprised, almost entirely of single-family residential uses;
6. Public infrastructure currently in place in the area is sufficient to handle the type of development possible on the subject property;
7. Any future development that takes place on the subject property will be regulated by current and future development standards duly adopted by the City of Hickory and the State of North Carolina; and

8. Any future development occurring on the subject property will be required to adhere to all state and local building, fire, and flood zone related development regulations. Such regulations will ensure proper protections are provided to ensure surrounding residents, and property owners are properly protect as prescribed by law.

Based upon these findings, the Hickory City Council has found Rezoning Petition 18-05 to be consistent with the findings and recommendations of the Hickory by Choice 2030 Comprehensive Plan.

SECTION 4. This Ordinance shall become effective upon adoption.

6. Approved on First Reading Rezoning Petition 18-06 for Property Located at 1990 Startown Road – Presented by Planning Manager Cal Overby.

J. Clayton Neil has petitioned for the rezoning of 1.46 acres of property located at 1990 Startown Road. The request is to rezone the property from R-1 (Low Density Residential) to C-3 (Regional Commercial). The Hickory by Choice 2030 plan indicates the area as being classified as Public/Institutional and Regional Commercial. The Public/Institutional classification is characterized as areas where public works facilities, hospitals, and schools exist and can expand. This specific location on the Future Land Use map is for the Catawba Valley Community College (CVCC) campus and its expected expansion area. The Regional Commercial classification is characterized as an area located along the Interstate 40 and Highway 70 corridors that provide access for local and regional shopping opportunities. This designation includes regional retail and big box stores, as well as, multi-family residential uses. Startown Road is the dividing line between the two Future Land Use classifications. While the subject properties fall under the Public/Institutional classification because of their proximity to the CVCC campus, the Regional Commercial classification can be reasonably interpreted to apply to these properties. The Hickory by Choice 2030 Plan lists the proposed C-3 zoning district as the implementing zoning district for the Regional Commercial classification. In evaluating the proposal with the Future Land Use plan and long range goals outlined within the Hickory by Choice 2030 Plan, staff feels the request is consistent with the comprehensive plan. The Hickory Regional Planning Commission conducted a public hearing on December 5, 2018 to consider the petition. During the public hearing, the applicant spoke in favor of the petition. No one spoke against the request. Upon closing the public hearing, the Hickory Regional Planning Commission voted unanimously (9-0) to affirm the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan, and recommended City Council's approval of the petition. Staff concurs with the recommendation of the Hickory Regional Planning Commission.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on December 7 and 14, 2018.

City Manager Warren Wood asked the City's Planning Manager Cal Overby to the podium to present Council with rezoning petition 18-06 for property located at 1990 Startown Road.

Planning Manager Cal Overby presented a PowerPoint presentation. He discussed rezoning petition 18-06. The petition was by Mr. Clay Neil for the rezoning of these properties. He reminded Council that these two properties were recently annexed at the prior Council meeting. Currently the properties were zoned low density residential and were actually located in the City's (ETJ) extra territorial jurisdiction. The property contained approximately an acre and a half of property. The request was to rezone the property from the residential district to regional commercial or C3. He referred to the PowerPoint and pointed out the location of the subject property and the campus of Catawba Valley Community College (CVCC). He advised the parcels were on the southern periphery of it. He mentioned the property they had just discussed just a few months ago with the planned development was immediately across the street from these two parcels. He referred to the PowerPoint and pointed out Catawba Valley Boulevard, and Highway US 70. He noted the area located just outside of the City's planning district. He referred to the PowerPoint and pointed out CVCC, New Jerusalem Church, the medical office and the two subject parcels. This property was classified as mixed use, it was at the borderline of the institutional zoning. Institutional was the classification of Catawba Valley Community College, as well as a regional commercial classification for the remainder of the property. They considered how to properly zone this property because obviously, residential was not the appropriate zoning district of the property being where it was located at on Startown; which was a major thoroughfare. The community college is in your back door, and a mixed use plan development was going on across the street. They looked at those in light of what was going on in the area and made the decision

that regional commercial zoning was the appropriate zoning to apply to the property. In evaluating the property by the Hickory by Choice Plan they found it to be consistent with the findings and recommendations of the plan and they moved forward with that. He mentioned some other things which were going on in the area. The project which was previously discussed regarding the planned development at Startown and Short Road as well as this one, there was some roadway improvements which were coming on. They were looking at some widening of Startown Road which would probably be coming in the next four years or so. As well as the Sweetwater Road extension. Some of the site work was already being conducted on that. All that added in with the realignment to the intersection to the entrance of Catawba Valley Community College with Catawba Valley Boulevard, which really improved traffic flow in the area there. He referred to the PowerPoint and pointed out where the Sweetwater Road extension would come through and connect down near Robinwood Road. He mentioned the traffic counts in the area, which were approximately 18,000 trips per day and 12,000 trips per day. You will get a natural split effect on some of these roadways when improved. You get better traffic distribution. Staff found this to be consistent with the plan and recommended Council's approval. The Planning Commission reviewed this on December 5, 2018 and also agreed with staff and recommended City Council's approval of this particular petition. He asked Council for any questions.

Mayor Guess asked for any questions. He 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 Guess closed the public hearing.

Alderwoman Patton moved, seconded by Alderwoman Williams approval of rezoning petition 18-06. (Note: the vote was actually taken after the Downtown Parking Study presentation began.) The motion carried unanimously.

ORDINANCE NO. 18-41

AN ORDINANCE OF THE HICKORY CITY COUNCIL AMENDING THE OFFICIAL HICKORY ZONING ATLAS TO REZONE APPROXIMATELY 1.46 ACRES OF PROPERTY LOCATED AT 1990 STARTOWN ROAD AND ADJACENT UNADDRESSED PARCEL FROM LOW DENSITY RESIDENTIAL (R-1) TO REGIONAL COMMERCIAL (C-3).

WHEREAS, Article 2, Section 2.2 of the Hickory Land Development Code provides for amendments to the Official Zoning Atlas; and

WHEREAS, the City has petitioned to rezone approximately 1.46 acres of property located at 1990 Startown Road, more particularly described on Exhibit A attached hereto, to allow Regional Commercial (C-3) district; and

WHEREAS, the Hickory Regional Planning Commission considered the proposed rezoning during a public hearing on December 5, 2018 and forwarded a recommendation of approval to the City Council; and

WHEREAS, Article 2 of the Hickory Land Development Code requires findings the proposed rezoning is in response to changing conditions and is reasonably necessary to promote the public health, safety and general welfare; and

WHEREAS, the City Council has found Petition 18-06 to be in conformance with the City's Land Development Plan and Zoning Ordinance,

NOW, THEREFORE, BE IT ORDAINED by the City Council of Hickory, North Carolina, THAT THE REZONING OF THE PROPERTIES LOCATED AT 1990 STARTOWN ROAD, AND DESCRIBED IN EXHIBIT A is approved.

SECTION 1. Findings of fact.

1. The subject properties are located at 1990 Startown Road, and further identified as PINs 3721-09-06-1111 and 3721-09-05-2948.
2. The rezoning request is intended to further implement the findings and recommendations of the Hickory by Choice 2030 Comprehensive Plan.
3. The rezoning of the property is consistent with the Hickory by Choice 2030 Comprehensive Plan.

SECTION 2. All ordinances or provisions of the Hickory City Code which are not in conformance with the provisions of the Amendment occurring herein are repealed as of the effective date of this Ordinance.

SECTION 3. Consistency Statement

Upon considering the matter, the Hickory City Council found:

1. The Hickory by Choice 2030 plan indicates the area as being classified as Public/Institutional and Regional Commercial. The Public/Institutional classification is characterized as areas where public works facilities, hospitals, and schools exist and can expand. This specific location on the Future Land Use map is for the Catawba Valley Community College (CVCC) campus and its expected expansion area. The Regional Commercial classification is characterized as an area located along the Interstate 40 and Highway 70 corridors that provide access for local and regional shopping opportunities. This designation includes regional retail and big box stores, as well as, multi-family residential uses.
2. Startown Road is the dividing line between the two Future Land Use classifications. While the subject properties fall under the Public/Institutional classification because of their proximity to the CVCC campus, the Regional Commercial classification can be reasonably interpreted to apply to these properties. The Hickory by Choice 2030 Plan lists the proposed C-3 zoning district as the implementing zoning district for the Regional Commercial classification.
3. Any and all improvements that are to take place on the property will be required to follow all applicable development regulations;
4. The general area has and is continuing to change from agricultural and single-family residential to a mixture of commercial and office uses, as well as, planned high density residential given its proximity to CVCC, Highway 70, and Interstate 40.
5. Public infrastructure currently in place and planned for the area is sufficient to handle the type of development possible on the subject property.
6. Any future development that takes place on the subject property will be regulated by current and future development standards duly adopted by the City of Hickory and the State of North Carolina; and
7. Any future development occurring on the subject property will be required to adhere to all state and local building, fire, and flood zone related development regulations. Such regulations will ensure proper protections are provided to ensure surrounding residents, and employees are properly protect as prescribed by law.

Based upon these findings, the Hickory City Council has found Rezoning Petition 18-06 to be consistent with the findings and recommendations of the Hickory by Choice 2030 Comprehensive Plan.

SECTION 4. This Ordinance shall become effective upon adoption.

B. Departmental Reports:

1. Accepted the Downtown Parking Study – Presentation by Business Services Manager, Dave Leonetti

The City of Hickory commissioned Freese and Nichols to study current and future parking needs in the downtown area. The consultant measured accumulation counts for parking lots in the public and private downtown parking areas. The consultant also measured turnover of vehicles in the lots within the core retail area. The study analyzes the current needs and provides short and long term recommendations for parking supply and management of City-owned and on-street parking in the downtown area. The short term recommendations focus on the reallocation of existing surface lots to maximize their utility for downtown businesses and shoppers. If demand increases due to the City Walk and increased economic activity in the downtown, the plan includes recommendations for parking structure locations and enhanced parking management strategies. Staff recommends City Council accept the Downtown Parking Study.

City Manager Warren Wood asked the City's Business Services Manager, Dave Leonetti to the podium to present Council with the Downtown Parking Study. He requested Council, after the presentation, take action to accept the study.

Business Services Manager Dave Leonetti presented a PowerPoint presentation. He advised City Council had the entire study in their agenda packets if they had more specific questions. He would discuss the short term recommendations contained in the study. He advised in late 2017 staff engaged Freese and Nichols to estimate current and future parking needs, supply, and management for the downtown area. There were two parts mainly which dealt with accumulation counts of all of the areas in downtown. Meaning the number of people who park in a given lot over the course of a day and how full.

City Manager Warren Wood interrupted Mr. Leonetti and advised Council that on the previous item there was a motion and a second, but they failed to take a vote.

Mayor Guess took the vote for the previous item, rezoning petition 18-06. The motion carried unanimously.

Mr. Leonetti continued with his presentation. The study was looking at accumulation counts and turnover counts. Accumulation counts are just generally how many cars park in a given parking lot over the course of a day. Does it fill up to 100 percent? How long does it stay full? That kind of thing. The second, in the more core retail area of downtown, which was essentially the parking lots and the parking spaces between 2nd Street NW and 3rd Street NW and Union Square and 1st Avenue, really that core area right there. They looked at actually, not only how full the parking lots got, but how often those spaces turnover. Were they turning over every hour? Were cars parking for two or three hours? That type of thing. Then they were charged with providing recommendations. Of the short term recommendations he would discuss two. Reallocating existing parking spaces to take advantage of our resources. Ensuring that the existing asphalt that was out there was user friendly and easy to manage as well as we can and also recommending providing enhanced signage. When people are driving along the road they can figure out which parking lots are our legal parking spaces for visitors and then also additional presence on the website working with Hickory Downtown Development Association (HDDA) and things like that to ensure people know where they can park and how long, and those types of things. He referred to the PowerPoint and showed a map which showed the main short term changes which the study recommended. It was focused on three general locations. He advised he would go from west to east. In the west the parking lot adjacent to Lowes Food City Park. There was some existing three hour parking and the remainder was all leased. The majority of the leased parking was actually Catawba Valley Behavioral Health. There were approximately 13 to 15 spaces that were leased to private entities. And then the remainder of that was leased parking that was currently not leased. The study recommended adding some additional three hour parking. He advised this was less than 500 feet from Union Square and you have visual connectivity with Union Square from that parking lot. There was 59 additional three hour spaces and then an additional 13 unrestricted spaces that could be used for employees of downtown businesses. He referred to the parking lot across the street which was currently unrestricted, and that was slated to remain so. The parking lot directly to the west of Old Hickory Station was currently an unrestricted parking lot, and the study recommended doing some restriping. There was currently three rows of 90 degree parking and the idea being that if you turn it into angle parking, you can make the drive aisles narrower and one way so that you can add about nine additional spaces. They were working through that with public services and traffic staff to see if that was actually going to work. Their recommendation would be to turn that into three hour parking and leased parking. There was currently 59 or 60 spaces in there and this would get it to about 69 spaces. That would be converted from an unrestricted lot, to a have some leased parking and then mainly three hour generally given its proximity to Union Square. Turn this into an area that was more for shoppers and less for employees. The parking spaces along Main Avenue are less than a block away and there was an additional parking lot that was unrestricted and mainly underutilized a block to the south, next to the transit center. The third parking area was directly to the west of City Hall. That was currently a mix of permit parking for both City employees and people who want to lease the spaces. Then there was a small unrestricted area close to the corner of 1st Avenue. He referred to the PowerPoint and pointed out the location of the three hour parking in this lot. This parking lot was the most underutilized of the parking lots in the study. It never got above 28 percent of its capacity in the days which they were observing. The idea would be is that you shift the permit parking and leased parking up towards the front of the lot and make the entire rear of the lot unrestricted parking. It would reallocate the spaces, about 229 spaces in that lot. It would have approximately 170 of those being unrestricted

parking for employees, shoppers, anybody who wants to park there, and then allow some in the front half of the lot to be leased by business owners in the area.

Alderman Seaver asked if there was a time limit on unrestricted.

Mr. Leonetti advised that unrestricted did not have a time limit.

Mayor Guess commented realistically you can't just park your car and leave it for the year. Can you?

Mr. Leonetti responded no, he was not one hundred percent sure, but he thought that it was covered in the traffic ordinance in terms of abandoning vehicles and those types of things.

Alderman Seaver asked if he lived downtown could he lease a parking space for himself.

Mr. Leonetti replied he could lease a parking space. Anybody in the City could lease a parking space.

Alderman Seaver commented then you could park year round.

Alderman Zagaroli commented if it is unrestricted and you lived downtown why couldn't you park in it?

Mr. Leonetti responded in that instance, if you lived close by there and there is unrestricted parking you could park in the unrestricted parking and not worry about paying that extra \$30 to \$50 per month. Mr. Leonetti advised when they did all the accumulation counts and the turnover counts the recommendations were basically that there was not a need for a parking deck at this time, but they did mention three potential locations in case there was additional parking demand because of the City Walk construction, or additional development downtown, whether that be residential or commercial. One of them was on a privately owned site adjacent to Hickory Springs and there were a couple of sites on City owned lots as well that they thought could potentially house a parking deck if the demand increases to that point. They also discussed a lot of technology related things as it was potential for more automated parking and things like that on the Union Square area, if need be. These things are years down the road.

Mayor Guess asked about the newest parking lot that Mr. Cline just opened up. He asked if it was leased and restricted.

Mr. Leonetti advised it was privately owned by Mr. Cline. He had not heard exactly what Mr. Cline had decided about how that would be distributed.

Mayor Guess commented there was no signage restricting it or anything.

Alderman Zagaroli commented there was now.

Mr. Leonetti responded that was Mr. Cline's private lot and that would be up to him to decide how he wants to use that.

Mayor Guess commented it does create some additional parking.

Mr. Leonetti replied it may free-up parking for a potential user of the First National Bank building next door or he may be able to lease that to his lessees in either the Glass Works building or the Harris Arcade. It helps him make his properties leasable.

Mayor Guess interjected ultimately it frees-up some spaces.

Mr. Leonetti commented correct. He asked Council for any questions. He advised this was a third party engineering firm, which produced a study for the City and he asked Council to accept those findings. More specific policy changes related to the parking ordinance would come back as amendments to the parking ordinance itself.

Alderman Patton asked Mr. Leonetti to discuss the Downtown Hickory Farmers' Market relocation which was suggested.

Mr. Leonetti responded that was one of the items which the consultants suggested in the plan. They had talked with the Farmers' Market. There was not any immediate plan to do that. With all of the design issues with Union Square, and making sure that process came to fruition, there was not a plan to do a relocation.

That would be a process in and of itself in engaging with downtown business owners and the Farmers' Market if they decide to move forward and actually look at those things. That currently is not being considered at this time by staff.

Alderman Zagaroli asked about the lot next to the station. He asked if it was presently occupied by the employees of the Post Office.

Mr. Leonetti advised generally speaking, yes.

Alderman Zagaroli asked if it was the City's lot.

Mr. Leonetti confirmed it was owned by the City.

Alderman Zagaroli asked if it was the City's intention to do the 59 angle spaces.

Mr. Leonetti advised there was 69 angled spaces.

Alderman Zagaroli interjected to the public for three hour parking.

Mr. Leonetti advised the study recommended that approximately 19 of those be leased spaces as well. That would give employees or business owners the opportunity to lease those spaces. All of Main Avenue directly to the west there was parking on both sides of the street. He thought there were about 25 spaces that were rarely ever more than about six or eight of them currently parked. There was a 54 space parking lot a block to the south of the Post Office that is generally only about 20 to 25 percent full. That was the reason for the recommendations there.

Alderwoman Patton commented changing that then the employees of the Post Office would not be able to park there at all virtually, unless they leased it. Unless they do three hour. Run and move which she didn't think they would do.

Mr. Leonetti commented that was correct.

Mayor Guess asked for any questions.

Mayor Guess moved seconded by Alderman Williams acceptance of the Downtown Parking Study for future reference. The motion carried unanimously.

2. Appointments to Boards and Commissions

COMMUNITY APPEARANCE COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)	
Ward 2 (C. Williams Appoints)	VACANT
At-Large (Outside City but within HRP) (Council Appoints)	
(Meg Manderson resigns effective January 1, 2019)	

Alderwoman Williams nominated Cliff Moone as Ward 2 Representative on the Community Appearance Commission.

Alderwoman Williams moved, seconded by Alderwoman Patton approval of the Cliff Moone as Ward 2 Representative on the Community Appearance Commission. The motion carried unanimously.

COMMUNITY RELATIONS COUNCIL

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)	
African-American (Council Appoints)	VACANT
Other Minority (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)	
Burke County (Mayor Appoints with Recommendation from County)	VACANT
Caldwell County (Mayor Appoints with Recommendation from County)	VACANT

INTERNATIONAL COUNCIL

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

PARKS AND RECREATION COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)	
At-Large Minority (1) (Council Appoints)	VACANT

PUBLIC ART COMMISSION

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

VACANT

RECYCLING ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 2 (C. Williams Appoints) (Mahesh Patel Resigned 10-1-18)
Ward 4 (D. Williams Appoints)
At-Large (Council Appoints)

VACANT
VACANT
VACANT

YOUTH COUNCIL

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

VACANT
VACANT

**WESTERN PIEDMONT COUNCIL OF GOVERNMENTS POLICY BOARD
DELEGATE**

Nominate Delegate and Alternate

Alderwoman Patton is current Delegate
Alderman Williams is current Alternate

Mayor Guess nominated Alderwoman Patton as Delegate and Alderman Williams as Alternate on the Western Piedmont Council of Governments Policy Board.

Mayor Guess moved, seconded by Alderwoman Williams approval of the appointment of Alderwoman Patton as Delegate and Alderman Williams as Alternate on the Western Piedmont Council of Governments Policy Board. The motion carried unanimously.

C. Presentation of Petitions and Requests

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

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

Mayor Guess commented obviously this is our last meeting for 2018 and it had went by quickly for him. He commended staff, citizens, all those who serve on the boards and commission, volunteers and everyone for such a tremendous job. Everybody working together as a team. He thought if there was any one thing from 2018 that he could say, especially from the staff, was that the City really has a real good team, from Mr. Wood all the way down. They appreciate all the effort and everything that had been accomplished. We've got a lot going on in 2019 and are looking forward to implementing all the projects and everything that you've been hearing about for the last few years. Hopefully, 2019 will be the year that you will see a lot of construction going on and obviously with construction comes a lot of traffic issues and things like that, so just be patient with us. In order to make an omelet, you have got to break a few eggs. They are going to make a bunch of omelets in 2019. He wished everyone a Merry Christmas and appreciated everyone.

Alderman Williams wished Mr. Wood, Mr. Crone, City staff, Mayor Guess, members of Council, and the citizens a Merry Christmas and he hoped they all enjoyed their holidays. He loved all of them. He commented it had been a pleasure to be here in this position. Stay safe.

Alderwoman Williams thanked everybody for welcoming her to Council, and orienting her. She commented there was a learning curve and it had been very interesting and great getting to know them. She dittoed what everyone had said. She also was very impressed. The staff was excellent and she felt like that she was working with great community colleagues that were serving and she was looking forward to 2019. She thanked everyone and wished them a Merry Christmas.

Alderwoman Patton wished everyone Happy Holidays.

Alderman Seaver commented in the spirit of Christmas, (he had his Santa hat on), he had attended his 35th or 36th Key Club Christmas party. He commented it gets bigger and better every year. The way it worked when it started years ago, they got all of the counselors in the school system to get them so many kids that were in need of gifts and things that may not get them for Christmas this year. The kids had worked hard in school. The number one comment which he heard today, as he had in the past; he said "How did it go today? What did you think about the party?" The response "It's the greatest day in my life"! It was said like that. It was great. It gives you a great feeling. Then he went to the Kiwanis Christmas party, a bunch of older guys, but they still had some fun, not like that. It was a great time. The real Mr. and Mrs. Claus, the one that came to the parade, they were there too and he got his picture made with Santa. He was all excited about it and he hoped everyone was. He wished everyone a Merry Christmas and a Happy New Year. Happy Hanukah, Kwanza and all of the other things that go along with the month of December. He

reminded everyone the next council meeting would be January 8th since the next one was New Year's Day so they decided to postpone it. There will be two Council meetings the 8th and the 15th next month. He wanted to let the citizens know if they came up and the door was locked that was why. He thanked everyone for coming, especially those who attend every single meeting. He appreciated their attendance and told them to bring a friend the next time.

City Manager Warren Wood commented the City received the Federal BUILD Grant from the US DOT (United States Department of Transportation) in the amount of \$17 million dollars. The voters approved \$40 million dollars in bond projects. Since that time, Mr. John Marshall, Ms. Yaidee Fox, Mr. Rick Beasley, Mr. Kevin Greer, Mr. Rodney Miller and others have acquired a total of \$43 million dollars in grant funds to go along with it. So our total bond project program is \$83 million dollars, so that is tremendous, and we're not done. We are still going after some more. They are really excited about how we've been able to take that \$40 million dollars and leverage it against the additional \$43 million dollars. And the work that Council had done with contacting the Federal Legislative delegation and others was a tremendous help and he appreciated that. That's a good way to end in the year with the BUILD Grant and what that is going to allow us to do.

Alderwoman Patton commented former Mayor Wright always said that \$40 million dollars would always turn into a \$100 million dollars. That was his goal.

Alderman Seaver commented even without the extra money that is coming in, it is just the press that we're getting all over. Not just this country, the world now. It's pretty good.

City Manager Warren Wood replied we've got some exciting announcements coming up. The Hickory Trail system that we will be building was going from basically five miles to nine miles with the Book Walk and the BUILD Grant and other pieces that we have added. That was going to be a great amenity for the public.

Alderman Seaver commented exciting times coming.

Mayor Guess commented stay tuned, more exciting news coming, hopefully maybe this week. He thanked everyone for being there.

XIV. There being no further business, the meeting adjourned at 8:06 p.m.

Mayor

City Clerk