

A Regular Meeting of the City Council of the City of Hickory was held in the Council Chambers of the Municipal Building on Tuesday, March 6, 2018 at 7:00 p.m., with the following members present:

Brad Lail	Hank Guess	David L. Williams
Vacant	Aldermen	David P. Zagaroli
Danny Seaver		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, Executive Assistant to the City Manager Deisy Zavala Vazquez and City Clerk Debbie D. Miller

- I. Mayor Guess called the meeting to order. All Council members were present.
- II. Invocation by Pastor Jay Robison, Viewmont Baptist Church
- III. Pledge of Allegiance
- IV. Special Presentations

- A. Proclamation for the 40th Anniversary of Hickory Choral Society.

Mayor Guess asked for members of the Choral Society to come to the podium. Mayor Guess read the Proclamation and presented it to Mr. Thomas Griffis and the members of the Hickory Choral Society honoring their 40th Anniversary.

Mr. Thomas Griffis accepted the Proclamation on behalf of their founding Conductor Don Coleman, their Board of Directors, and 110 singers. He expressed appreciation to City Council for the grand Proclamation. Through it Council expresses their appreciation for the service they render to this community and communities beyond. Council expresses their appreciation for the quality of music that they extend to residents of this community and beyond. They like to think of themselves as ambassadors of a community that is filled with the arts. Ambassadors of a community that really takes seriously the importance of craftsmanship. They think of themselves at the Hickory Choral Society as an "Organization. Well Crafted". He advised this was a very important year for them which Council had noted and he thanked Council for acknowledging their 40th Anniversary and the new rehearsal hall that had been constructed and was under good use.

- B. Recognition of Elaine Seaver for her Service to the Public as a Bus Driver.

Mayor Guess asked Mrs. Elaine Seaver to the podium. Mayor Guess commented it had also been a very special week and month for Mrs. Elaine Seaver. A lot of people may know Mrs. Seaver, but they may not know that she spent the last 48 years driving a school bus for the students in our community. A tremendous responsibility that she had taken on for the last 48 years. It involved the safety of probably everyone present at some time or another. He advised she had probably transported either you or your children to schools and activities somewhere. On behalf of Hickory City Council he presented Mrs. Seaver with a key to the City of Hickory for her service to the students and our children for the past 48 years.

City Attorney John Crone asked Mrs. Seaver how many years that she had been stuck with Alderman Seaver.

Mrs. Elaine Seaver replied married 42 years this May and they dated 6 ½ years before that, and they met on a blind date on top of that. She wasn't sure which one of them was blind.

- C. Alex Cordora, Hickory Day School, Presentation of a Littering Project.

Mayor Guess asked Alex Cordora to the podium to present Council with his Littering Project.

Mr. Alex Cordora advised he was a 6th grade student at Hickory Day School. His school is an International Baccalaureate School and focuses on teaching attitudes and values to everyone to make them better learners. These are determined by the International Baccalaureate Organization (IB). At the end of the primary year's program, which is elementary school, each student has to make a project called Exhibition. This is about a problem in the community and they are charged with trying to fix it. They do this because a big purpose of IB is to try and make a big difference in the world. The topic he chose to focus on was littering. His overall goal was try to reduce the amount of littering and increase the amount of proper waste disposal. He got in touch with City Manager Warren Wood and Mr. Wood recommended Mr. Greer and Mr. Ballentine to him. Mr. Greer answered Mr. Cordora's three questions. His three questions were: which kind of littering are we trying to reduce; what can we do as humans to reduce the amount of littering; and how littering effects wildlife and the way they act. A few of the main facts which he had learned from doing the research in this project was that the plastic rings from the six packs of soda can choke small animals and cause them to die. He also learned that sea

creatures often mistake litter for food and they eat them and could get fatal stomach or bowel obstructions. As another part of this project they have to take action in the community. He chose to do two actions. In his first action he and his mother created a flyer and they posted it on community boards around the area and on Facebook. Last week, Mr. Pruitt, the head of the EPA, signed it. Mr. Berry also saw the flyer and asked if Keep Catawba County Beautiful could use it in their booth on Earth Day or Arbor Day and on their Facebook page. One of the facts that he thought was most interesting on the flyer was it takes a million years for a glass bottle to decompose. His second action was he challenged all the middle schoolers in his school to pick up litter for an entire week. This started last Wednesday (February 28) and ended March 7th. He will total up all of the scores and see how much litter they had picked up. He and his mom also created a spreadsheet and they could keep track of how much litter and what kinds they picked up on these days. He asked Council if they could help him spread the word about the importance of how littering is such a major problem. He thanked City Council for allowing him to speak.

Mayor Guess thanked Alex Cordora and commended him on a very good job. He thanked his mother as well. Littering was dear to Mayor Guess' heart and a problem in the City of Hickory that he would like to see them tackle. He asked everyone in the audience to join Alex in his efforts to help pick up the litter in our City and make our City a better looking place and a more attractive place. He told Alex that City Council is on his side, if they can help him to let them know and they would do what they could do to help him. He thanked him.

Mr. Codora distributed flyers to City Council.

City Manager Warren Wood advised them to make sure they got one to the newspaper.

- D. Presentation of the Distinguished Budget Award for the Fiscal Year Beginning July 1, 2017. This is the twenty-third consecutive year the City has received this recognition.

Mayor Guess asked Cameron McHargue, Senior Budget Analyst to the podium. Mayor Guess read and presented Mr. McHargue with a Resolution for the Distinguished Budget Award for the Fiscal Year Beginning July 1, 2017.

RESOLUTION NO. 18-06
 RESOLUTION OF THE HICKORY CITY COUNCIL
 HONORING THE HICKORY BUDGET OFFICE STAFF
 UPON RECEIPT OF THE DISTINGUISHED BUDGET PRESENTATION AWARD
 FOR THE FISCAL YEAR BEGINNING JULY 1, 2017

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

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

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

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

Mayor Guess commented if the Federal government ran as efficiently as our City government did we would be in much better shape. He thanked Mr. McHargue and the entire staff.

- E. Presentation of FY 2018-2019 Board and Commission Work Plans. Presenters will be allotted five (5) minutes to make their presentations to Council.

Board/Commission	Presenter
Business Development Committee	Ed Henson
Citizens' Advisory Committee	Cliff Moone
Community Appearance Commission	Charlie Hayes or Cal Overby

Community Relations Council	Clise Plant
Hickory International Council	Aaron Kohrs
Hickory Regional Planning Commission	Brian Frazier or Cal Overby
Hickory Youth Council	Chase del Charco
Historic Preservation Commission	Jody Blake
Library Advisory Board	Rick Martin
Parks and Recreation Commission	Lloyd Coley
Public Art Commission	Todd Hefner
Recycling Advisory Board	Jeff Enders
University City Commission	Mary Margaret Baker

Mayor Guess advised presenters they would be allotted no more than five (5) minutes to make their presentations to Council. He asked Mr. Ed Henson to the podium to present the work plan for the Business Development Committee.

Business Development Committee (BDC), Mr. Ed Henson commended Alex on his presentation. He stated the future is bright with young students like Alex around. He presented a PowerPoint presentation. He advised (BDC) supports the microenterprise and the vacant building programs and demolition. He mentioned if you have driven by Hickory High School in the last year or year and a half you see the results. The old Regal building was torn down and they provided some financing for that. If you drive out Highway 70, a different scale, but there is a new auto mechanic shop out there. They supported Kelly Riley. He gave a big thanks to Lenoir-Rhyne University for their mentoring of a new small business. They were excited about the future of the old Alex Lee plant located on Main Avenue that is going to front the City Walk, which will be renovated into a class "A" office space. He advised that is what they do in the microenterprise program. They continue to partner with Lenoir-Rhyne University and that relationship grows stronger. He mentioned that Mayor Guess had attended a couple of the meetings and he knew that they do a lot for the local businesses. They partnered with the Economic Development Commission and the Chamber on a veterans recruitment program last April. They brought veterans from the State of North Carolina into Hickory to try and recruit them to come to Hickory. He advised in their small business there were 18 to 20 people on a good day. They interviewed five veterans and hired one and there is a pending job offer for another one. They are planning another one this April. He asked for Council to attend that and give their support. They are proud of what their group does with the SWAG program. There is a lot of mentoring that goes on. You see the results of what we can do if we mentor our young students to stay in school, stay out of trouble, get an education and this is the results. They get to see some of the entrepreneurship that goes on in this community and it is fantastic. It has been a great program. Their 2018-2019 work plan looked very much like their 2016-2017 work plan. They commit that they are going to bring even more energy and excitement in this coming year. He asked Council for any questions.

Mayor Guess asked for questions or comments from Council. He called Mr. Cliff Moone from the Citizens' Advisory Committee to the podium.

Citizens' Advisory Committee, Mr. Cliff Moone, presented a PowerPoint presentation. He advised it was his privilege to be the Chair of the Citizens' Advisory Committee for the last two years. He recognized the names of the people on the committee, because they are great citizens who do great work: Vice Chair Ms. Mary Young, Yvonne Setzer, Ola Maye Williams, David Myers, Rodney Garren and Shannon Auer. He knew how hard Council's job was to get people to serve on committees and be there. They are very proud in the Citizens' Advisory Committee to have been able to maintain a full committee, even with some people that had to leave, on a regular basis. Those people attend every meeting that he had been to. He thought they had very, very low lack of attendance by any member of the committee. He was very proud of that, so they are always able to get the work done. He also thanked Mr. Dave Leonetti and Ms. Heidi Hedrick for the work they do because without them this committee could not function. The committee meets the first Thursday of each month at noon at City Hall. They also include in their agenda a monthly report on the Bond Implementation Commission. He was very proud of that work so the members could spread that around the community. He advised in 2016-2017 fiscal year they recommended to City Council improvements for the Ridgeview Library, West Hickory Park, the Optimist Park community building and street resurfacing across various parts of Hickory totaling \$210,753.19. Housing rehab helps to keep low and moderate income families in their homes. After attending an event on March 5th, Mr. Moone thought it was very important because it keeps people from going into homelessness in many occasions around our City. It helps keep their homes up to code and maintains the City's tax base and helps avoid homelessness for some of these folks. In fiscal year 2016-2017 they recommended and saw completed 17 urgent repairs totaling \$74,070 and seven housing rehabs totaling \$81,229. The committee also recommended Community Development Block Grants (CDBG) for funding in 2016-2017 to five applying nonprofits: ALFA, Cooperative Christian Ministry, Exodus Homes, Hickory Soup Kitchen and Safe Harbor Rescue Mission. Additionally they recommended funding to Habitat for Humanity for

several demolition projects last year. Each of the CDBG grants through the City were for specific projects which fall within the guidelines for such grants to be awarded. He summarized their current year highlights were: construction of improvements to Cliff Teague Park; infrastructure improvements in low and moderate income neighborhoods; continuation of the City's housing rehabilitation program; support for Habitat's repairs program; and support for six local nonprofit organizations. Their 2018-2019 work plan was 1) to represent the citizens in planning, accessing and reviewing the City's community development programs. The goal for that was toward community impact. Each of these goals has a community impact segment to that. To provide services and programs to stimulate the development of affordable housing for low and moderate income families living in distressed neighborhoods in the City. 2) To recommend loan applications to City Council for various housing related programs offered to low and moderate income families within the City of Hickory including the renovation of existing homes through the City's housing and rehabilitation program. The goal there is to provide affordable low interest housing loans to renovate existing substandard housing for low and moderate income homeowners using available funding. 3) Continue to investigate options for redevelopment of City owned property as affordable housing. The goal there being to stimulate development of new affordable housing for low and moderate income families. 4) To provide funding for infrastructure and public facility improvements in low to moderate income neighborhoods with the goal being to help achieve the CDBG goal of creating better living environments in our City's low and moderate income neighborhoods. He asked Council for any questions.

Mayor Guess asked if Council had any questions. He thanked Mr. Moone and called Cal Overby to the podium to present for the Community Appearance Commission.

Community Appearance Commission, Mr. Cal Overby presented a PowerPoint presentation. He advised the Community Appearance Commission consisted of 11 members: a member from each of the six City wards, three at-large members, two ex officio members', one from the Youth Council and the other from the Planning Commission. The Appearance Commission is tasked with the responsibility of promoting and development programs that beautify our community. In 2017-2018 some of the accomplishments of the Community Appearance Commission were: continued to promote the Beautification Awards Program. This year there were six award recipients and one of the recipients was Governors Harbour Property Owners Association, which they had a nice community park in a neighborhood that they did. They also did three matching grants: two were landscaping improvements and the third was a building façade grant. One of the grants was for Green Park Dentistry which was located on 4th Street SW, it used to be the dental practice of Delores Hammer. They redid their landscaping and a lot of stuff on the exterior of the building which was a nice job to the area there. The Hickory Museum of Art redid part of the garden adjacent there. They installed new walkways and benches. The other grant that was approved was for Chloe's Salon. He did not have a picture of it, but he advised it looked great if Council happened to go by it. Moving forward in fiscal year 2018-2019 the Commission will continue the existing programs that were developed and have been practiced for the last ten years or more. Landscaping Community Appearance grant administration was a big item which consumed most of the time for the Commission. Roadside litter pickup programs was under their budget but it was actually administered by the public services department. The weekend litter sweeps that you see along the roadsides, the orange bags that people pick up trash. That budget item actually comes from the Appearance Commission to public services. Promotion of Tree City USA Program, they do that in several different ways, Proclamation for Arbor Day, having a tree board preserving trees on City property and things of that nature. Continue the administration of the Beautification Awards Program. That would be opening up for nominations in the next six to eight weeks. The Appearance Commission had discussed that at their previous meeting. Public education of litter reduction, they have a partnership with Keep Catawba County Beautiful to help get the word out regarding litter reduction and general beautification that can be done throughout the City. The Earth Day/ Arbor Day event, the Appearance Commission participates in this program by giving away tree seedlings as part of Arbor Day and Tree City USA involvement. This event will actually take place on April 21st and will be held at the SALT Block. The budget from last year to this year was flat, it was the same request as last year. There was no increases and the funds were all the same going to each particular program. He asked Council for any questions.

Mayor Guess asked for any questions.

City Manager Warren Wood commented these are Council's advisory boards. North Carolina Department of Transportation (NCDOT) did a lot of right of way mowing recently. One of the things they didn't do was pick up the trash before they mowed. So oftentimes they will take one piece of litter turn it into a hundred pieces of litter. In terms of Community Appearance it might be good for them to contact NCDOT to determine if there is a way to rectify that in terms of them being proactive in picking the trash up as opposed to mowing over it and leaving it on the roadside. That really bothered him.

Mayor Guess commented that Alex would agree with that as well. They would put Alex on that. Mayor Guess called Clise Plant with the Community Relations Council to the podium.

Community Relations Council, Ms. Clise Plant, presented a PowerPoint presentation. She had the privilege of serving as Chair for the past three years for the City of Hickory Community Relation Council (CRC). Their mission is about promoting positive relations within our community through dialogue, education, programs and resources. The CRC was established in 1963. Although our community has changed since the 60s their primary focus is still on diversity and tolerance which is still needed today. She referenced her PowerPoint and explained some of the awesome responsibilities of the CRC can be explained through their objectives. They have two grant cycles one in the fall and the other being in the spring. They also sponsor a multi-cultural event where they recognize individuals and groups for their outstanding human relations. There is also a training session for CRC members. They also sponsor a community outreach event that promotes positive community relations. She advised they were asking for \$17,000. She showed some pictures of their past grant recipients and how their grants have made a huge impact in the community. She showed a photo of the Catawba County Special Olympics Games, the EC Grandview Middle School program and the Quilts of Valor program as well. She had the privilege of speaking to the Quilt of Valor Program. It was a very humbling experience speaking to our veterans that have had some form of PTSD or mental illness. It makes you get teary eyed once you have talked to these men that have served our Country. She encourage people if they see a veteran to make sure that they thank them for their service and also attend one of these programs. We are very fortunate to have a VA program/medical center here. To talk with these veterans really makes their day. These quilts aren't just any quilts, they are made with love, support, and gratitude. She reiterated please thank a veteran if you see them. She showed pictures of the undefeated and unscored upon 1964 Ridgeview Panthers. They were one of the grant recipients and actually the CVCC multi-cultural affairs. They applied for one of their grants in a way to honor these men going undefeated. It is a great story with these men back in the 60s fighting through adversity. Just having that determination that they would win. This is the same spirit that she sees in Hickory, whether it is the bond project, jobs, our economy here, we have that fighting spirit and determination. If you haven't heard about the Ridgeview Panthers, she recommended everyone read about that and the great things that have happened in Hickory since then. They host their annual Human Relations Award in the spring. She showed a photo of the past award winners which were recognized at the Highland Recreation Center. Their keynote speaker this past year was Steve Hunt Jr. and he was phenomenal. The place was packed. They had a great time, food, music, everything was great. This typically happens in the spring and she hopes Council could come. It is free and open to the public. She advised Council could stay tuned for a date and time to come. She concluded the CRC will continue to be an integral part of this community while continuing the work of bringing people together no matter the color of your skin, disability or your background. She reiterated they are asking for \$17,000 because they use every single bit of that money and are gracious that Council helps them reach their goals with the \$17,000. That money has also helped local organizations make a bigger impact in their community, whether it is the Quilt of Valor, or helping our homeless people get out of poverty. She thanked Council for allowing her the opportunity to share with them the many great successes and responsibilities of the CRC and the continued success that they are doing in the community. She thanked Council and asked for any questions.

Mayor Guess thanked Ms. Plant. He asked Aaron Kohrs with the Hickory International Council to the podium.

Hickory International Council (HIC), Mr. Aaron Kohrs, presented City Council with a PowerPoint presentation. In the past twelve months they had several new community members join the International Council Commission. He advised many of them were present as they are active in the civics here. He thanked Council for making their commission stronger. The work plan for the next year would cover eight main things. 1) Model UN which is currently ongoing at Lenoir-Rhyne University. It is a great educational program that is part of what they see as part of their mission now because it helps over 100 middle and high school students from around the area learn what it is the United Nations does, pass a resolution, and learn about human rights. It is a partnership with the University, HIC, and Boy Scouts. 2) The Children's International Festival, they have an international database online where they chose different films from different companies which they display to children in the community, which also includes a poster contest. Last year they received over 400 posters. 3) Folkmoot USA, they have four groups come to Hickory. This is a North Carolina international organization which gets different cultures like Hawaii, South America, dances and entertainment groups to come to North Carolina. They had four come to Hickory with two performances last year. 4) International Films with Footcandle Film Society. This is a partnership in the community where they have three to four films shown per year. 5) International seminars, which he was honored to help organize and facilitate three to four times a year. He advised he got the inspiration to do

this when he was in Ireland and he worked for a community organizer. She put on seminars about Syrian refugees to educate the public about what is going on. He advised that it had benefited the community. One of the proudest moments that he had with the seminars was when he recruits speakers from around Western North Carolina to come to Hickory to speak about an issue. He had a speaker on global trade who came from Charlotte and he had no idea that Hickory was even here. This speaker thought that Hickory was very clean, neat, there is lots to do, and very friendly people, but the roads are kind of confusing, which was why he was late, but it is a great place. He advised it really had educated and brought awareness to Hickory. 6) Great Decisions which was a PAN/US which comes from the Foreign Policy Association. Eight great topics are selected every year to discuss around the Country and they help facilitate that around the community. 7) Community grants. He referenced the PowerPoint noting the last three winners. They will be awarded up to \$1,500 every year. Last year they awarded one to Centro Latino for fitting in with the mission of the HIC. 8) The International Christmas Concert and Romanian Baptist Church choir and special guests that come every year. He advised the total budget for 2018-2019 was \$15,000. The additional budget request over last year's \$13,000 was to cover expenses for the seminars which often require guest fees, travel expenses, refreshments, and security coverage on the SALT Block. He thanked Mr. Hani Nassar, who is a great community leader, for delegating this to him. He asked City Council for questions.

Mayor Guess asked if Council had any questions. He called Mr. Cal Overby to the podium to present for Hickory Regional Planning Commission.

Hickory Regional Planning Commission, Mr. Cal Overby presented a PowerPoint presentation. He advised unlike a lot of the City's commissions the Planning Commission is actually a statutorily required commission. They oversee Staff and the City's development plans and review grievances in terms of annexing, special use permits and things of that nature. The Planning Commission's work plan is the same as it has been for probably the last 30 years or more. They do five year reviews of the City's codes. They oversee the Staff's process on those as well as citizen input. They review property requests for property zoning changes, special use permits, variances and the like. This year they are adding in Brownfield grant monitoring. The City applies for Brownfield grant funds. If we receive those funds, which we should know within the next couple of months, they will help provide oversight for Staff as well as the advisory committee to oversee how those funds are allocated and spent throughout the City. Keeping current on training is always a thing with the Planning Commission because laws change, court cases come in and out, and that is one big thing they have to do with them. He reiterated general oversight to Staff. In terms of the budget, Planning Commission has no budget. They do provide training. A lot of time the training is in-house which Deputy City Attorney Arnita Dula, Mr. Brian Frazier, and Mr. Overby. If they have to send the Planning Commissioners to training a lot of times it is taken out of the departmental budget and it is usually conducted by the School of Government or some other governmental entity there. As in previous years there is no budgetary allowance for the Planning Commission. He asked for questions from Council.

Mayor Guess asked Council if they had any questions. He called Mr. Chase del Charco from the Hickory Youth Council to the podium.

Hickory Youth Council, Mr. Chase del Charco, Senior at Hickory Christian Academy and the Chairman of the Hickory City Youth Council. He advised this was his last year with the Youth Council and for that it made him very sad. He advised they were requesting the same budget \$3,600 for this coming year. He broke down the work plan for Council so they could get an idea of what they do with the City's money and time. They plan to learn about City departments, policies and initiatives. At least three of their meetings each year are held at some City or municipal building. This month they will be having their meeting at the police department to learn about what the police department does. They have \$300 budgeted for dinner and supplies for those meetings. They seek to actively participate in North Carolina State Youth Council conferences and other programs to increase the knowledge and effectiveness of their members. They have a \$2,000 budget for travel for their members and chaperones for those conferences. They gain exposure for their own members so they can see what other youth councils are doing around the State, but also to get the name of Hickory out there across the State. They seek to encourage and promote the use of Hickory parks. Each year as a council they go out to some City park and hold a cleanup meeting. There was no budget for that. They seek to provide team building and leadership training for their members. That is their first meeting of each year where they do team building exercises and figure out how they can best spend the year on the Youth Council. They have a \$300 budget for that meeting for food and the training exercises. They seek to continue to have Youth Council representatives serve on City Boards and Commissions. They do that free of charge. He thanked everyone for allowing their members to join the Boards and Commissions. It is a great learning opportunity for all of them and hopefully helpful to have a youth's opinion on issues. They also seek to hold events that involve the fellow youth of our City. They have a \$400 budget for those events,

things like what they plan to do this year with the Science Center and what they do every year in the elected official's forum in conjunction with the Catawba Youth Council. Also their own youth fundraiser for the Rudy Project in conjunction with Habitat for Humanity. They seek to remain aware of the fact that their Council represents a diverse group of young people in Hickory each with important and different perspectives on the issues that affect our youth. They have a \$250 budget for things like Cops for Tots, the Christmas Bureau and even bringing holiday parties to the patients at the Frye Inpatient Rehab Center. They also seek to promote the Youth Council by participating in citywide events like the annual Christmas Parade and Easter egg hunt. There was a \$350 budget for their mobile boards and their t-shirts. They also seek to serve as role models for Hickory's Youth. They do that for free and happily. The people of the Youth Council are great people and he loves to serve along with them. The total budget was \$3,600, same as last year and years past. He thanked Council for their consideration and for their support. They love the City Council.

Mayor Guess asked if Council had any questions.

Alderman Seaver had spoken to a group of cub scouts and they had talked about Boards and Commissions. He advised he had a couple that were interested on being on the Youth Council when they get to High School. The youngest level was 9th grade. He thanked them for what they do.

Mayor Guess commented Council would miss Mr. del Charco as well and he congratulated him on his pending graduation. He asked Ms. Jody Blake with the Historic Preservation Commission to the podium.

Historic Preservation Commission, Ms. Jody Blake, presented a PowerPoint presentation. As the Chair of the Historic Preservation Commission she would present the Commission's fiscal year 2018-2019 work plan. The purpose of the Historic Preservation Commission is to safeguard the heritage of the City by preserving properties which embody elements of its cultural, social, economic, political, or architectural history. One of the main responsibility of the Commission is to review and approve Certificate of Appropriateness (COA) requests made by property owners within the City's local historic districts and landmarks. This year the Commission and Staff reviewed six major and ten minor COAs, the most in recent memory. The Commission has continued to partner with local preservation nonprofits to achieve mutual goals. The Commission allocated funds to the Hickory Landmark Society for a new addition of their Tavern to Town book which was released late last year. The new addition highlights changes to historic properties in Hickory that have occurred over the past decade and included findings uncovered during the 2015 historic properties survey which was commissioned by the City. In coordination with the City's Planning Department a new Historic Preservation chapter was added to Hickory by Choice 2030 Comprehensive Plan. The chapter provides strategies and goals that will help guide future actions made by the Commission in the City. The Commission was able to secure a State grant to complete work to expand the Oakwood National Historic Register District. A consultant had been selected and would begin work immediately. Approximately 183 properties will be evaluated for addition. She advised this year's work plan was seeking \$8,800 in total funding from the City. This was a lower amount from the previous fiscal year which reflects plan reductions and certain expenses and better aligns the budget with actual cost. These funds will be spent across three different fields. More than a third of the funds will be used to cover costs related to program administration, general operations, and for training and educational opportunities. The Commission is proud to be designated as a Certified Local Government (CLG) and has maintained this designation since 1986. As a CLG they are required to attend various training workshops annually. She advised that \$3,000 will be allocated toward the historic plaque program. With the Oakwood National Register Historic District expansion in the works new properties will be listed and eligible for bronze plaques once the district expansion is approved. Funds will also be dedicated toward outreach efforts, developing paper brochures of the existing web based historic downtown walking tour is already in the works, thanks to a partnership with the City's Office of Communications. Conversations are occurring with the Hickory Landmark Society to develop additional tours of the City's historic districts. She thanked Council for their continued support of historic preservation in Hickory. They look forward to working with Council to continue improving the quality of life in Hickory and its citizens by preserving its rich traditions and its history. She asked Council for questions.

Mayor Guess asked if Council had any questions or comments. He asked Mr. Rick Martin from the Library Advisory Board to the podium.

Library Advisory Board, Mr. Rick Martin, advised the Library Advisory Board has five major objectives they will try to achieve in 2018-2019 fiscal year. The Board will contribute one article to the Hickory Daily Record. They will have book reviews with the Friends of the Library, quarterly newsletters, and speak to Neighborhood College and Leadership Catawba groups during library visits and make at least one appearance at WHKY First Talk Program to promote the library. The Board will advocate for public library issues with State

Legislators, State Library, Catawba County Commissioners and local funders and assist with legislative events at the library. The Board will assist library staff and Friends of the Library as needed to plan and conduct author visits and other programs throughout the year including the Lenoir-Rhyne visiting writers' collaboration and community read events. The Board will assist in an effort to solicit donations to the Library Endowment during the National Library Week in April. The Board will review the library's new strategic plan quarterly to insure the goals and objectives are being met. They are concentrating right now on the fourth. He advised that Council had a copy of the solicitation for the endowment fund. He also solicited those to citizens in attendance. They are starting their drive for the endowment fund for the library. Their objective this year was to build the future with hands on learning at the library. They are trying to achieve a \$20,000 threshold so they can supply a 3D printer in the library, digital creation workshops, workstations for both MAC and PC platforms, software packages to create, edit, and produce projects, digital cameras, photograph, backdrops, silhouette cutting tools, provide conservatory kit, sewing stations, and cassette tape and VHS digital conversion equipment. This will allow anybody in the community to come in that wants to create something right there in the library. They have a community event scheduled for March 15th at 6:00 p.m. All the Councilmembers and the public were invited. They will have the space in the library set aside to show you where this station is going to go. The theme for the Library Advisory Board this year is "Building a Future with Hands on Learning". That is what they are planning to do right now. He hoped to see everyone at the Library on the 15th for the kickoff meeting. He asked Council for any questions.

Mayor Guess asked if Council had any questions. He asked Mr. Lloyd Coley to the podium to present for the Parks and Recreation Commission.

Parks and Recreation Commission, Mr. Lloyd Coley was accompanied by Parks and Recreation Director Mack McLeod. He presented a PowerPoint presentation. He presented the 2018/2019 work plan for the Parks and Recreation Commission. One of the objectives was to strongly emphasize the Parks and Recreation Department's plans and efforts to renovate and upgrade existing parks, recreation facilities and buildings. He referenced the PowerPoint presentation and advised these photos were completed projects from the 2017-2018 work plan. He showed the Hickory Optimist Park Phase 2 improvements; the restroom facility replacement at Fairbrook Optimist Dog Park; tennis court resurfacing at Westmont Recreation Center; the parking lot repaving at Fairbrook Optimist Dog Park; the paved trail resurfacing at Henry Fork River Regional Park; and the restroom facility and picnic shelter at West Hickory Park which was a Community Development Block Grant project. He advised the next three projects were currently underway in the 2018-2019 work plan. Those projects were: the Hickory City Park improvements; Kiwanis Park field number one concession and restroom facility replacement; and the Cliff Teague Park improvements which was also a Community Development Block Grant project. He advised there were other projects that were not shown but were identified in their 2018-2019 work plan that were included in their capital improvement program budget request. The second objective was to support the development of the future Bruce Meisner Park as recommended by the approved Park Master Site Plan. He mentioned that Alfred Benesch and Company was currently underway with a design development plan for phase one of this project. The third objective was continue support of the City of Hickory's partnership with Hickory Foundation YMCA to provide opportunity for all residents to participate in swim lessons. He advised this partnership which began in 2009 through 2017 has had 3,164 participants. The fourth objective was to research and determine City of Hickory resources, personnel, equipment, and materials necessary to maintain and operate new and expanded parks while at the same time maintaining and operating existing parks. He mentioned that this objective was brought to the attention of the Commission by the Staff. Thinking in the future with the coming online of the Lackey project, the Bruce Meisner Park, City Walk, and Sandy Pines it is necessary to begin assessing additional needs within the Parks and Recreation Department itself. The fifth objective was to continue to pursue collaborative public/private partnerships to upgrade and improve Hickory's Park and Recreation services. They want to place special emphasis and focus on the following four initiatives: 1) the proposed improvement to Rotary Geitner Park by the Robert Lackey Family; 2) the proposed tennis complex improvement at Hickory City Park by the Greater Hickory Tennis Association, and that is under construction currently; 3) the mountain bike trail improvements at Hickory City Park and Rotary Geitner by the Northwest North Carolina Mountain Bike Alliance. He referenced the PowerPoint and showed the pump track, which was under construction. The second photo showed the beginner track or loop of the main bike trail. 4) The LP Frans stadium improvements by the Texas Rangers and Hickory Baseball Inc. He showed a photo of the replacement of the scoreboard and of the fence which was underway, and a photo of the entire replacement of the field at the stadium. He asked for questions and thanked City Council on behalf of the Parks and Recreation Commission.

Mayor Guess asked Mr. Todd Hefner with the Public Art Commission to the podium.

Public Art Commission, Mr. Todd Hefner, presented a PowerPoint presentation. He thanked Sarah Greene as the staff representative. One of the Public Art Commissions' accomplishments was their Art Walk Brochure. This took many years to accomplish and it showed artwork on the Art Walk and it was available for distribution. He referenced the PowerPoint and advised the photo depicted the Art Walk. New artwork added in 2017/2018 was "Otter out of Water" located at Sally Fox Park. They have five sculptures by Mr. John Ross that will be located at the SALT Block. They are looking forward to the installation. "Revolution Rise" is a new one which will be located downtown Hickory in the CenturyLink parking lot park. He discussed maintenance needs. They did a survey of the benches and they have approximately 66 benches, 12 are in dire need of repair. It cost approximately \$400 to sandblast and get them ready to paint. They have 12 of these that they need to replace and update. He showed a sculpture of "Love Makes the World Go Round" located at Sally Fox Park. It was damaged during the storm of October 2017. He showed a picture of the future vision of Sally Fox Park. Their work plan was to continue public art programs, \$16,000; provide outreach and educational efforts and the Art Walk development brochures, \$500; training and subscriptions, \$500; web page revisions and improvements, provide for maintenance of existing artwork, \$5,000; and enhance future projects. The total request was \$22,000. He mentioned they just purchased a new piece of art by Mr. Mike Roark. It was approved at their last meeting and there would be future announcements about where it would be located soon. He asked for any questions.

Mayor Guess asked if there was any questions. He asked Mr. Jeff Enders with the Recycling Advisory Board to the podium.

Recycling Advisory Board, Mr. Jeff Enders, advised he had only been the Chairman for a few months, but had been a member for a couple of years. He mentioned that Mrs. Seaver has also been a member of that board for a few months now, so she is all over the City. He invited Alex Cordora to their meetings. He appreciated Mr. Andrew Ballentine's time, leadership and effort in this. He gives them good guidance and the group has an opportunity for everyone to speak freely and issue their ideas. He does a great job in leadership there. He also thanked Ms. Anne Starnes for recording the minutes for them. They had great success with the single stream recycling plan, the blue rollouts, at least in his household, and many of the neighbors and the people that they have talked with have found out that blue rollout is filling up and the green rollout is kind of going down. That is good, that is the point. It is easy for people to do, talking to people in the community it is not a hard thing to follow through on. The board also supports the Earth Day and Oktoberfest every year. It gives them an opportunity to meet with people and explain, because some people are still a little bit confused on the single stream plan even though it's been here a little while. Once they see how easy it is it helps a whole lot. He shared a couple of items on their work plan. He referenced item number three to concentrate on the low usage areas of ways to improve their recycling efforts. They also feel that education is the key and obviously working with the youth in the community. They are going to grow up soon and then it want be such a challenge to have people participate. They continue to work with Lenoir-Rhyne University and the public and private schools in an effort to get them to have more of an awareness. They hope the City will continue to support and fund the educational play which is done by a theatre group for all of the 4th grade classes here in the area and the City. It cost approximately \$3,000 and that is usually paid for by the solid waste funds. That has been the practice in the past, and he asked for that practice to be continued. They see that as being very effective. Also their numbers for recycling are very encouraging, residential recycling was up over 19.5 percent over last year. Single stream had really been a help for our community. It had been great for him. He was teaching his grandchildren and they are getting the hang of it. It is really a fine thing and a good thing to see less going to the landfill in order to be reused in different capacities. He asked for questions.

Alderman Seaver thought that Catawba County as a whole had been number one in recycling for many years. He didn't know what the number was.

Solid Waste Manager Andrew Ballentine advised we are usually in number one or two position in the State for the past several years.

Alderman Seaver thought that was fantastic, residential went up 19 percent.

Mr. Enders confirmed up 19.5 percent on the residential side. Mr. Ballentine was working tirelessly on the commercial side, added success.

Alderman Zagaroli asked if there was any consideration for once a week recycling versus every two weeks.

Mr. Enders advised they had talked about that and there were some pros and cons. He referenced Naples, Florida, they pick up trash three times a week. Of course it is really hot down there. The normal trash is getting less, but they were not sure they would have to think that through. It sounds good in February and March, but he was not so good about

August. That would be something that they would have to consider, but it is a good idea. He reiterated that they have talked about that. He commented if they have any ideas that they haven't thought about to send them through Mr. Ballentine or himself, they would like to consider them.

Mayor Guess asked for any other questions. He called Ms. Mary Margaret Baker from the University City Commission to the podium.

University City Commission, Ms. Mary Margaret Baker, advised she was the Chair of the University City Commission (UCC). She was also a small business owner in the area and a proud Lenoir-Rhyne University Alumna. The goal of the University City Commission is to deepen and broaden the relationship between Lenoir-Rhyne University, the City of Hickory, its students and residents. Their focus is on growing the student bodies' precedence and interaction in the community and increasing the young adult population in Hickory while enhancing the atmosphere and promoting school pride through the community. They had been very successful in promoting and encouraging the purpose of this commission, and this past year had been no exception. She highlighted what they have been doing: created Friends of LR, a hashtag that you can find online. It is a student, faculty, and staff discount program with local businesses. It has grown monthly and currently has 55 active business partners participating. UCC welcomes all new members to this business program with a letter, a pennant and a LR flag so they can display it throughout the community. She hoped that Council had seen them flying at Chick-fil-A, Dominoes, and places like that. Their next goal was an internship portal, which would connect business and community members to the correct department at Lenoir-Rhyne which was underway alongside the team at the Alex Lee Career and Professional Development Center and in partnership with the Chamber of Commerce. UCC aims to connect Lenoir-Rhyne students to a job or a position that they can grow in with the hopes of deciding to make a home here in Hickory. They also continue to offer promotional items to all entering Lenoir-Rhyne freshman when they come to Hickory each fall. A UCC representative is one of the first welcomes that they will receive at their official opening ceremony. Typically they have received t-shirts with the Friends of LR and the University City Commission logo, as well as something relating to Hickory and Lenoir-Rhyne together. They have a representative on the Bond Commission that had made a very unique connection as they are working with the City to encourage the connection between the university and downtown, which they feel is a very important aspect of the bond. Their work plan continues to consist of event partnerships, business partnerships, intern and public awareness programs, and promotional products through the support of Lenoir-Rhyne and the City of Hickory they believe the UCC has a lot to offer this area and its residents. She requested \$12,000 again with the approval of their work plan for the upcoming year. She thanked Council for their consideration and asked them for questions.

Mayor Guess asked if there were any questions. He thanked all of the volunteers. Everyone that serves on a Board or Commission volunteers their time and efforts and their talents. He commented as you can see from the presenters tonight the City benefits greatly from their efforts and from them being willing to volunteer. He stated the City always has vacancies on various Boards and Commissions. If anyone is interested in serving on any of those Boards and Commissions, please let their Ward representative or Mayor Guess know and the application process is on the website. He thanked those that serve, those that have served, and those that will be willing to serve in the future. That helps Council a lot.

Alderman Seaver thanked the Staff and all that are liaisons for these groups. That is a lot of overtime for them.

V. Persons Requesting to Be Heard

- A. Ms. Michelle Mathis, 1223 1st Avenue NW, Hickory addressed City Council. Ms. Mathis advised she was the Executive Director of Olive Branch Ministry, which has operated legal syringe exchange and public Narcan distribution in the City of Hickory since July 11, 2016 when syringe exchange became legal in the State of North Carolina. For those who may not know, Narcan is the medication that reverses opioid overdose. At Olive Branch Ministry they volunteer their time every day of the week to insure that our local citizens have the supplies they need to make healthier choices with the activities they are involved in due to the disease of addiction. These supplies have historically been paid for by donations of private citizens. Many of whom live in the City of Hickory. But the demand for their services is growing greater every day. They receive new referrals every day. They can no longer sustain by donations alone. They reach out to those they serve in nonjudgmental ways and they build a rapport with the person that many people do not really want to talk to. Mostly importantly they become a person that they trust. They can discuss their issues and if they want treatment to get off the drugs they are taking they can refer them to the right place. If they happen to be Hepatitis C or HIV positive, which they test for in the field, in the car, in a parking lot, in a driveway, maybe in their living room, they refer them for treatment for that. They collect and dispose of properly the used needles from these

individuals. Collection of these dirty needles reduces accidental stick rate to first responders such as our law enforcement by 66 percent. It also reduces the number of contaminated needles that are found in the beautiful parks that we saw pictures of previously. It reduces the number of potential sticks to our children who play in those parks. It has been proven that individuals that participate in syringe exchange programs, like the one that they run, are five times more likely to enter into rehabilitation. This program also cuts down on the spread of disease by limiting the number of needles that are reused and shared by multiple people. National research shows that for every dollar that the taxpayer spends on needle exchange programs, we actually save \$7 dollars in healthcare costs. Syringes and needles are very cheap, but the treatment of HIV and Hepatitis C is now possible and there is a cure for Hepatitis C but it cost somewhere around \$85,000. HIV cost anywhere from \$380,000 to \$600,000 for a lifetime plus complications, and there is no cure. People ask if we are going to have more crime because we have syringe exchange. This has not been proven to be true. The recent passing of the North Carolina Stop Act allows for, among other things, addressing the opioid crisis, the release of public funds for home reduction efforts. She knew Council would discuss possible next steps in addressing the local crisis. She applauded Council's efforts for that. She urged City Council to not wait until a lawsuit is filed and settled. Do not wait for the potential outcome of a win and settlement. Our community need is immediate. It is imperative that Council consider releasing public funds for syringe exchange in the City of Hickory. She would be happy to work with Council, in whole or in part, to work on a very small, much smaller than some of the budgets that were presented, a workable budget for the project. In Hickory we invest money in projects that will draw our citizens and new citizens to our City. She asked Council to please consider this request, an investment in recovery capital and an investment in the citizens who need it most, and who are most often overlooked. She thanked Council

VI. Approval of Minutes

A. Regular Meeting of February 20, 2018.

Alderman Seaver moved, seconded by Alderwoman Patton that the Minutes of February 20, 2018 be approved. The motion carried unanimously.

B. Special Meeting of February 20, 2018.

Alderman Lail advised of a correction to the minutes, on page 6, the 7th paragraph, which referenced the other communities that have Main Street Programs. He advised that the minutes said Rockingham, he said Rocky Mount. He offered that correction and moved approval.

Mayor Guess confirmed it should be Rocky Mount instead of Rockingham.

Alderman Lail replied it wasn't terribly substantive but he felt necessary for the clarity of the public record.

Alderman Lail moved, seconded by Alderman Seaver that the Minutes of the Special Meeting of February 20, 2018 be approved with the above noted correction. The motion carried unanimously.

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

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

A. Approval of a Five Year Master Contract with Talbert, Bright & Ellington for Professional Engineering and Planning Services. (First Reading Vote: Unanimous)

B. Approval of the Work Authorization with Talbert, Bright & Ellington, Inc. Regarding Grant 36244.33.12.1 in the Amount of \$79,843.89. (First Reading Vote: Unanimous)

C. Budget Revision Number 15. (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 Alderman Lail approval of the Consent Agenda. The motion carried unanimously.

- A. Approved the Special Events Activities Application for Young Life Glow Run 5K, Jason Workman, Staff Associate, Catawba Valley Young Life, April 21, 2018, 6:00 p.m. to 11:00 p.m. at Hickory Regional Airport.
- B. Approved on First Reading the North Carolina Department of Transportation Utility Construction Agreement in the Amount \$544,741.25 for the Construction and Relocation of Water and Sanitary Sewer Infrastructure Related to the Sweetwater Road Extension.

Staff requests Council's approval and acceptance of the NCDOT Utility Construction Agreement for the construction/relocation of water and sanitary sewer infrastructure related to NCDOT project U-5510, Sweetwater Road Extension in the amount of \$544,741.25. Sweetwater Road Extension project is for the construction of a road extending across Catawba Valley Community College property on the east side from Highway 70, at the intersection of Sweetwater Road, to Startown Road, at the intersection of Robinwood Road. This project will provide an integral option for relief of some congestion at the Startown Road, Hwy 70 intersection for vehicles traveling north and south along Startown Road. During design of the road project, Public Utilities Division staff worked with NCDOT engineers to design a waterline for the length of this new road segment to ensure water and sewer service could be provided to all properties that would develop along this road immediately or in the future. The waterline will also provide another level of redundancy for water provision to other parts of the system as necessary during emergencies. This agreement is a standard Utility Construction Agreement that allows for infrastructure to be owned by the City to be constructed as a component of the NCDOT project. The estimated cost of construction is \$544,741.25, however the actual cost will be determined by installed quantities. The Public Utilities Division has included this construction as a component of the FY 18-19 Capital Budget. Staff recommends Council's approval and acceptance of the NCDOT Utility Construction Agreement for the construction/relocation of water and sanitary sewer infrastructure related to NCDOT project U-5510, Sweetwater Road Extension in the amount of \$544,741.25.

- C. Approved on First Reading Renewing the Annual Auditing Contract with Martin Starnes & Associates for Fiscal Year Ending June 30, 2018.

Staff requests approval to accept the renewal of the annual contract for auditing services with Martin Starnes & Associates for fiscal year ending June 30, 2018. Martin Starnes & Associates was established in 1987 and has continued to grow with offices in Hickory and Taylorsville. Their Hickory office offers a convenient location for City of Hickory staff to work with MSA accounting personnel. Martin Starnes & Associates sponsors a variety of North Carolina Government Finance Officer Events throughout the State and has become a leader in their work with local governments. The City of Hickory has utilized the services of Martin Starnes & Associates for the past several years with excellent results. Since fiscal year 2012, Martin Starnes & Associates has also been contracted to produce the City's Comprehensive Annual Financial Report. The North Carolina Local Government Commission (LGC) does not enforce formal bid requirements for auditing services due to the professional relationship formed between auditors and clients over an extended work history. The Secretary of the Local Government Commission approves all local government contracts and invoices for audit or audit-related work. The LGC requires approval of the auditing contract on an annual basis. In 2016, the City of Hickory approved a three-year renewal contract with Martin Starnes & Associates. The annual renewal ending June 30, 2018 will be the final year of this contract with audit fees of \$57,675. Staff recommends approval to renew the annual auditing contract with Martin Starnes & Associates for fiscal year ending June 30, 2018.

- D. Approved on First Reading to Amend the Parking Ordinance for the Farmer's Market.

Staff requests Council's approval to change the Farmer's Market "No Parking" hours to Wednesdays 8:00 a.m. to 4:00 p.m. and Saturdays 6:00 a.m. to 2:00 p.m. from April 21, 2018 through November 24, 2018 (excluding Saturday, October 13, 2018) for the spaces south of Union Square on the north side of the parking lot road connecting the east and west parking lots and the first three angled parking spaces in the west parking lot. The Farmer's Market at the Sails on Union Square is an annual event from April to November with Wednesday and Saturday times scheduled. The Farmer's Market hours have changed this year and necessitate a change in dates and hours related to a No Parking Ordinance. Traffic Division staff reviewed the request and feel it is appropriate. Sign modification requested is manageable with internal forces and will not create a problem with implementation. Towing will be enforced during these times. Staff recommends Council's approval to change the Farmer's Market "No Parking" hours to Wednesdays 8:00 a.m. to 4:00 p.m. and Saturdays 6:00 a.m. to 2:00 p.m. from April 21, 2018 through November 24, 2018 (excluding Saturday, October 13, 2018) for the spaces south of Union Square on the north side of the parking lot road connecting the east and west parking lots and the first three angled parking spaces in the west parking lot.

ORDINANCE NO. 18-07
AN ORDINANCE OF THE HICKORY CITY COUNCIL
AMENDING THE TRAFFIC ORDINANCE AUTHORIZED IN THE
HICKORY CODE OF ORDINANCES – ARTICLE III, SECTION 18-81

WHEREAS, Article III of the City of Hickory Code of Ordinances be and is hereby amended through the modification of the official maps authorized therein as follows, to wit:

Amend the Traffic Ordinance by prohibiting parking in the Union Square lot to facilitate The Farmers Market. Parking will be prohibited in the spaces south of Union Square along the north side of the parking lot road connecting the east and west parking lots as well as along the west parking lot to incorporate the first three angled parking spaces. Parking will be prohibited on Wednesdays from 8:00 AM until 4:00 PM and on Saturdays from 6:00 AM until 2:00 PM during the Farmers Market season from April 21, 2018 through November 28, 2018. Towing will be enforced. Parking Ordinance #17-06 will become null and void.

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.

This Ordinance shall become effective immediately upon adoption.

- E. Approved Closing the Patrick Beaver Memorial Library and the Ridgeview Branch Library on Friday, May 11, 2018 from 9:00 a.m. to 5:00 p.m. to Allow Time for All Library Employees to Participate in Staff Training.

All Public library staff, both full-time and part-time, regularly interact with the public and, to provide the best possible customer service, it is necessary to periodically provide training opportunities in which all staff participate at the same time. This year they will receive training to allow staff to provide excellent service to our diverse community, better use new technology resources and to prepare for summer learning programs for all ages. Customer service training specific to each library department will be included. This training gives staff the opportunity to participate in staff development training to re-energize, acquire new skills, and improve their ability to work together as a team. To allow all coworkers to participate, it is necessary to schedule the training during a workday. Staff determined that Friday, May 11 is a date that would create as little disruption as possible in service to the public. Staff recommends the Patrick Beaver Memorial Library and the Ridgeview Branch Library be closed on Friday, May 11, 2018 from 9:00 a.m. to 5:00 p.m. to allow time for all library employees to participate in staff training.

- F. Approved Issuance of a Pyrotechnic Display Permit to Hickory Crawdads.

Mark Seaman, General Manager of the Hickory Crawdads has submitted a request to obtain permission to have a public fireworks display on April 13, April 27, May 11, May 25, June 8, June 22, July 3, July 13, July 20, August 10, August 24, and August 31, 2018; Rain Dates: April 14, April 28, May 12, May 26, June 9, June 23, July 4, July 21, August 11, August 25, and September 1, 2018.

The North Carolina Fire Code requires an operational permit for the use and handling of pyrotechnic special effects material. The Division of Fire & Life Safety Bureau shall review all required documentation for the events. The Fire Prevention Bureau will also inspect the pyrotechnics display area prior to the events to ensure compliance with all guidelines and codes. Staff recommends approval of the pyrotechnics displays.

- G. Approved the Recommendation of the Citizens' Advisory Committee for Restructuring of a Housing Rehabilitation Loan for Margarite Surratt.

The mission of the City of Hickory's Community Development Division is to preserve the existing housing base, enhance ownership opportunities for all of its citizens to obtain decent housing and provide a quality environment conducive to the safe and healthy growth of its citizenry. The seven member Citizens' Advisory Committee was formed to provide for citizen input in the facilitation of the City's CDBG program, as well as any other similar community enhancement funding the City may receive. The following request was considered by the Citizens' Advisory Committee at their regular meeting on March 1, 2018: Margarite Surratt, in conjunction with the Western Piedmont Council of Governments, has requested a restructuring of her loan with the City of Hickory. Due to a loss of income, Ms. Surratt has fallen behind on her payments to the City of Hickory on her housing rehabilitation loan. She is also behind on her first mortgage payments. The Western Piedmont Council of Governments is working with her on foreclosure prevention assistance. In order for her to qualify for the assistance on her first mortgage, the second mortgage must be restructured. The program requires that the loan be refinanced into a new five year loan. The payments on the refinanced loan would remain within

approximately five dollars per month of her current payments. However, her first mortgage payments would drop by more than \$500 per month. The Citizens' Advisory Committee recommends approval of the restructuring of Margarite Surratt's housing rehabilitation loan.

- H. Approved the Certificate of Sufficiency and Preliminary Resolution Relative to Street Improvements for Curb and Gutter along a Portion of the Property Located at Hathaway Drive NE, Hickory, Petition No. 18-01. (Authorize Public Hearing for April 3, 2018 at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).

Certificate of Sufficiency
(No. 18-01)

I, Debbie D. Miller, City Clerk of the City of Hickory, North Carolina, do hereby certify that the annexed petition of property owners for the improvement of a portion of Hathaway Drive NE, Hickory was lodged with me on the 22nd day of February, 2018, and that I have investigated the sufficiency of said petition; and that the results of my investigation are as follows:

The total number of owners of land abutting on the parts of said street proposed by said petition to be improved is one (1). The number of said owners who signed said petition is one (1), a majority.

The total number of lineal feet of said lands upon the parts of the street proposed by said petition to be improved is 127 feet. The number of said lineal feet represented by said owners who signed said petition is 127 feet, a majority.

For the purposes of said petition a majority in interest of owners of undivided interest in any piece of property have been deemed and treated by me as one person.

I find that the said petition is in all respects sufficient and in conformity with all requirements of Chapter 160 A, Article 10 of the General Statutes of North Carolina, as amended. I find also the parts of said street proposed by said petition to be improved have been definitely laid out, and that the boundaries of same have been definitely fixed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Hickory, this the 23rd day of February, 2018.

/s/ Debbie D. Miller

RESOLUTION NO. 18-07
PRELIMINARY RESOLUTION
OF THE CITY COUNCIL OF THE CITY OF HICKORY
(NO. 18-01)

WHEREAS, on the 8th day of February, 2018, property owner of 4858 Elmhurst Drive NE Hickory, filed with the City Engineer of the City of Hickory a petition for improving said street by placing and constructing thereon curb and gutter according to plans and specifications on file in the Office of the City Engineer; and

WHEREAS, the City Clerk has certified to this Board that said petition is sufficient in all respects.

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

1. That the above-mentioned petition is found to be sufficient in all respects.
2. That, that portion of Hathaway Drive NE be improved by placing and constructing thereon curb and gutter in accordance with plans and specifications on file in the Office of the City Engineer under and by virtue of Chapter 160A, Article 10 of the General Statutes of North Carolina, and that said improvements be done by the City of Hickory or by contract after due notice and advertisement for bids, as outlined by Chapter 143, Section 129 of the General Statutes of North Carolina.
3. That 50 percent of the total cost of the said improvements may be assessed against the property receiving the improvement for constructing curb and gutter - \$24.75 per linear foot plus \$3.94 per linear foot for storm drain piping for a total of \$28.69 per linear foot excluding driveway cuts and \$49.75 per linear foot of driveway apron measured at its narrowest point plus \$3.94 per linear foot for storm drain piping for a total of \$53.69 per linear foot of driveway apron.
4. That the assessment herein provided for shall be payable in cash, or if the

property owners shall so elect, in accordance with Chapter 160A, Sections 232 and 233 of the General Statutes of North Carolina, they shall have the option and privilege of paying the assessment in five (5) equal annual installments, to bear interest at the rate of 8 percent per annum.

5. That a public hearing on all matters covered by this resolution shall be held on April 3, 2018, at 7:00 p.m. in the Council Chamber of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina.

- I. Approved on First Reading Budget Revision Number 16.

ORDINANCE NO. 18-08
Budget Revision Number 16

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, 2018 and for the duration of the Project Ordinances noted herein.

SECTION 1. To amend the General Fund within the FY 2017-18 Budget Ordinance, the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Government	311	-
Culture and Recreation	8,950	-
TOTAL	9,261	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous Revenues	9,261	-
TOTAL	9,261	-

SECTION 2. To amend the Runway 6-24 Obstruction Removal Grant Project (project #650027) within Fund 68 Transportation Capital Projects, the expenditures are to be established as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	79,844	-
TOTAL	79,844	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Restricted Intergovernmental Revenues	71,859	-
Other Financing Sources	7,985	-
TOTAL	79,844	-

SECTION 3. To amend the Transportation Fund within the FY 2017-2018 Budget Ordinance, the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Uses	7,985	-
TOTAL	7,985	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	7,985	-
TOTAL	7,985	-

SECTION 4. To amend the Falling Creek Road Bridge Replacement Project (project #490001) within Fund 61 General Capital Projects, the expenditures are to be established as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	46,800	9,360
TOTAL	46,800	9,360

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

FUNCTIONAL AREA	INCREASE	DECREASE
Restricted Intergovernmental Revenues	37,440	-
TOTAL	37,440	-

SECTION 5. 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

B. Departmental Reports:

1. Presentation of the City Walk Recommendations from the Bond Implementation Commission, Presented by Freese and Nichols, Inc., Morgan McIlwain, Program Management.

City Manager Warren Wood advised the first departmental report was presentation of the City Walk recommendations from the Bond Implementation Commission which would be presented by Freese and Nichols, Inc., Ms. Morgan McIlwain, who is the Program Manager. He mentioned that Council had heard from all of the Boards and Commissions previously and obviously the Bond Commission is another, a 42 member Bond Commission. Everyone appreciates the work that they had done in bringing the bond program along. Ms. McIlwain would report on where we are on City Walk. He really appreciated the work they had done in keeping us on track. There is life at the end of the tunnel and getting a shovel in the ground. Ms. McIlwain would discuss that side of it as well.

Ms. Morgan McIlwain thanked Council for having her. She advised she was present on behalf of the Bond Commission to present their recommendations. She provided Council with a brief update on City Walk and also went through the bid packages. The first update from 60 percent to now had to do with the railroad. She presented a PowerPoint. For the majority of City Walk the railroad right of way is 42 foot wide and there was 950 foot starting at 3rd Ave NE where the right of way goes out to 200 feet. She showed on the PowerPoint where the right of way came out. It encompassed the road and both sides of the roadway. In discussions with the railroad they requested that they move City Walk from the south side of the road to the north side of the road. She referenced the top graphic on the PowerPoint which was from 60 percent and the bottom graphic was the current design. The top graphic showed City Walk on the south side of the road and the bottom graphic had it moved to the north side of the road. She showed a slide of the continuation of City Walk through the railroad right of way as it moves down towards 5th Avenue NE, the railroad right of way continues straight. She noted where City Walk turns and heads north towards Lenoir-Rhyne University. The next update from 60 percent to now was the addition of 4th to 9th. This was a great addition and it was due to the Department of Transportation (DOT) funding that they were able to extend City Walk from 4th to 9th. City Walk stayed on the south side of the road for this extension. The last update was for the bid packages. Around 60 percent they started hearing that the stakeholders, including the shop owners at Union Square, wanted to have more input of the design of Union Square. They actually took Union Square out and put it into a separate bid package. Referencing the PowerPoint the only thing that they pulled out into that separate bid package was what was indicated in dark red. Bid package one still included the parking lot at Union Square as well as City Walk along Union Square. Bid package two contained this as well as the restrooms, the arbors and the art. Bid package one still included what they are calling the spine, and that is City Walk running from 9th all the way up to Lenoir-Rhyne University. This is where the DOT funding is applied and the DOT funding covers the majority of this project. What the DOT funding does not cover was either broken out into the previous bid package she just discussed or was broken out as an alternate. She showed the alternates for bid package one. They brought those to the City Walk subcommittee and had them prioritize them. Referencing the PowerPoint she advised this was the compilation of their priorities. Having these as alternates helps them track the non-DOT costs. If bids do come back higher than expected, then they have the flexibility to proactively manage this budget. On February 20th they took all of this to the City Walk subcommittee and their recommendation was to proceed with the two separate bid packages and also to proceed with bidding the spine. On February 28th they took those recommendations to the Bond Commission and the Bond Commission unanimously approved bringing those

recommendations to City Council. From this point, for the months of March and April, they will be working through approval processes with the City, DOT and Federal Highway Administration. From there they will proceed to bid the project and then they will review the bids. They will be back to City Council to approve awarding a bid to a contractor. In late June or early July is when they anticipate issuing a notice to proceed. She asked Council for any questions.

Alderman Lail asked what the bid date was. What date can bidders expect to review the documents to place their bids?

Ms. McIlwain advised they are anticipating bidding in May, but again that is contingent on the approval process with DOT, Federal Highway Administration and railroad.

Alderman Lail asked if they had any sense, beyond May, of when they could get through DOT and Federal Highway. He guessed they were approving Federal Highway for the basis of grant compliance, because we are not impacting any Federal Highways with City Walk.

Ms. McIlwain responded correct.

Alderman Lail commented it is a grant thing. He thought that could be done relatively quickly. We don't have to go to the Federal Government to say are we complying with the purposes of the grant we just have to make sure that we comply with their requirements. He asked if that was not correct.

Ms. McIlwain replied Federal Highway Administration does have to have a review of all the documents. Yes.

Alderman Lail commented that worries him. If you send something off to the Federal government who knows when it comes back.

Ms. McIlwain advised they had been proactive in discussions with DOT, she meant their entire team, had been proactive in discussion with DOT and the railroad and talking do them and alerting them when things are coming and working with them to quicken the review processes.

Alderman Lail asked if it was possible that they could put this out to bid without final review from DOT and the Federal Transportation Administration.

Ms. McIlwain stated you have to have final approval from DOT because it is grant funding.

Alderwoman Patton asked if they had a sense of how long that review would actually take.

Ms. McIlwain reiterated that they had been proactively working with them. They have told them that they would work with them on shortening their review times. They told them they think about a three week review process.

Alderman Lail asked when the documents would go in, are they to DOT.

Ms. McIlwain advised those should be sent to DOT next week.

Alderman Lail commented the second week of March. He asked if she thought three weeks, maybe. He was just trying to get a sense, because he is hearing we have got to get this thing rolling.

Ms. McIlwain agreed, we do have to get this going. They will be pushing.

Alderman Lail interjected we have got to be saying this is our bid date and telling DOT this is the date we are sending this out to bid, you guys have got to push this thing through.

Ms. McIlwain advised they had been pushing and they had been proactively having those discussions. They will push this out to DOT and then after that it has to go to the Federal Highway Administration.

Alderman Lail commented it can't even go at the same time.

Ms. McIlwain no, she didn't think so. She thought DOT had to review it first.

Alderman Zagaroli asked if we were clear with the railroad. He asked if they had signed off for the whole route now.

Ms. McIlwain advised they had gotten a lot further in their negotiations with the railroad.

Alderman Zagaroli responded so we don't have a clear yet. We have been working this for three years.

City Manager Warren Wood interjected they had gotten information today which had gone to their real estate folks and they would be setting a meeting up to discuss that. Anybody that has ever worked with the railroad, this is what you get. The City was made some promises by their design company on contacts with the railroad that have not panned out. That work has fallen on Staff and they are working on that trying to move that as quickly as they can.

Alderman Zagaroli replied good, because we did change the route.

City Manager Warren Wood replied yes and they were very pleased with that.

Alderman Lail commented to the extent possible, they hear the eagerness and the positive spin on the pressure, they would continue to get this started. He thought having dates was just really good practice. That project date of May 15th for it to go out to bid, at that point we can say it is stuck with the Federal government. He didn't want to come back in May and say it is stuck in Washington, D.C., or wherever it has got to go.

Ms. McIlwain reiterated they have been pushing.

City Manager Warren Wood advised with the grant money we were able to obviously expand the project, which is a good thing, but then you get the bureaucracy that comes along with that. There is light at the end of the tunnel and they would love to be able to put specific dates down, but having the months up there is a huge step compared to where we were.

Alderman Lail commented getting them out the door for review next week would be a milestone.

Ms. McIlwain responded yes, absolutely.

Mayor Guess asked for any further questions. He advised Council could have more discussion if they like. They would need a motion to proceed forward. Mayor Guess asked for discussion or a motion to proceed with the recommendations.

Alderman Lail asked what the specific action was. Are they authorizing Freese Nichols to release the construction documents?

City Manager Warren Wood advised to accept the recommendation from the Bond Commission.

Alderman Lail moved, seconded by Alderwoman Patton approval of the recommendation from the Bond Commission. The motion carried unanimously.

2. Opioid Litigation Presentation by City Attorney John Crone

City Attorney John Crone advised Council had been seeking ways to attempt to combat and abate the opioid epidemic in the City. If they have listened to anything on the news in the last week or two they are really hitting this issue. Council had been on top of this for quite some time. In Council's seeking of ideas to combat and attempt to eradicate the opioid epidemic we have here, Council had considered and discussed the possibility of hiring a coalition of lawyers and law firms to represent the City of Hickory in a lawsuit against the manufacturers and distributors of opioids in an attempt to seek money damages for the damages incurred by residents of the City of Hickory as a result of the opioid epidemic. As such, he had spoken with Council a couple of times in closed session and they had meet with a number of lawyers from all over the Country in their last closed session to discuss their interest in representing the City of Hickory. They also had the opportunity to discuss a local law firm that would also be involved in this coalition. That was the law firm that had retired Judge Forrest Ferrell. Mr. Ferrell is a retired Judge and an esteemed lawyer in Hickory. He advised he was present to answer any questions that Council may have. Mr. Ferrell's partner Mr. Jason White was also present as well to answer any questions that they may have. He

advised that Council had two documents before them that they had seen before. One of the documents was a Resolution to declare the opioid crisis in Hickory a public nuisance which must be abated for the benefit of Hickory and its residents and citizens. That is another tool that the lawyers will have in their arsenal of claims against these manufacturers and distributors in addition to other claims that may or may not include punitive damages, negligence, and any other claims that the lawyers feel warranted on behalf of the City of Hickory. Council had an opportunity to talk about the facts of the litigation with these lawyers. Mr. Crone felt that this was a very good coalition of lawyers. He thought Council would agree with that. He felt very comfortable because we have local lawyers that will help keep them abreast of the litigation. The other document was a retainer agreement or representation agreement to hire this coalition. Council had asked some very pointed questions in closed session about the nature and extent of that document. He advised it basically allows this law firm to represent the City in any litigation endeavors against these distributors and manufacturers. This is not a lawsuit where everybody is filing against somebody else, one of these as seen on TV type things. This firm and this coalition will represent the City of Hickory and will hire experts to come and work with us to access the damages that have occurred and will continue to occur, the City will incur, as a result of this opioid epidemic. The agreement calls for the coalition of the attorneys to collect 25 percent of any funds that are received in litigation or settlement in favor of the City of Hickory. It is called a retainer, it is a contingency fee agreement. There is absolutely no cost to the City of Hickory. The agreement that Council had looked at before clearly states that there is no fee if there is no recovery and there is no reimbursement of litigation expenses if there is no recovery. If there is a recovery of that amount, this coalition of lawyers and law firms would receive 25 percent of any settlement or any judgment that is obtained and the expenses would come out of that as well. Any funds that the City of Hickory win or obtain would be used for anything that Council deems necessary as far as the public health and education of the City especially as it relates to the opioid epidemic which includes treatment, prevention and extra law enforcement, whatever Council sees fit to help address that particular issue. He thought the agreement was fair. A lot of law firms ask for a lot more than 25 percent of the gross value of the settlement or judgement, if a judgment is obtained and money is collected. They had been over this before. He recommended that Council first approve the Resolution that declares the opioid crisis a public nuisance that must be abated for the benefit of Hickory and its residents and citizens. And then entertain a motion to approve the document that was entitled "Authority to Represent". That "Authority to Represent" was regarding the Hickory, North Carolina civil suit against those legally responsible for the wrongful distribution of prescription opiates and damages caused thereby. He advised if Council had any questions Judge Ferrell, and his partner Jason White, were both present. They would be glad to come to the podium and answer those questions.

Alderwoman Patton commented they were very informative when they were here and the literature that they gave Council to read was very informative of how these distributors were absolutely the gatekeepers for these drugs and they generate over a hundred billion dollars in revenue annually. Three companies have just flooded the markets all over. They were uniquely in place so that they were to spot the red flags and did nothing. All of our cities and the whole Country is suffering because of their neglect. She was very impressed with the law firm, the information and the templates they talked about to recoup these cost that they had put together.

City Attorney John Crone thought it might have been Alderwoman Patton that had mentioned the fact that it is not just the prescription drugs, but it goes beyond that. If the prescription drugs weren't there they wouldn't go out and find other things like heroin, which you can buy for five bucks.

Mayor Guess asked for any other discussion, comments or questions for Council.

Alderman Lail thought it might be helpful to let folks know that we are one of several communities, municipalities, counties, that have joined.

City Attorney John Crone advised that was correct. He asked Judge Ferrell to elaborate on that and to answer any other questions that Council might have.

Judge Forrest Ferrell advised there were numerous other plaintiffs', he didn't know exactly how many, but once they get done with this then he could tell Council. There were numerous other ones in North Carolina that they knew about.

City Attorney John Crone confirmed cities and counties.

Judge Ferrell stated both cities and counties.

Mayor Guess asked if this was the same entity that was representing Catawba County.

Judge Ferrell advised this was a little different situation. Catawba County decided they didn't need a local lawyer involved in it. Other than that it is the same entity, yes, in his understanding but he had had no direct communication with them.

Mayor Guess asked for further discussion or questions for Judge Ferrell.

Alderman Lail moved seconded by Alderwoman Patton approval of the Resolution to declare the opioid crisis a public nuisance. The motion carried unanimously.

RESOLUTION 18-08
RESOLUTION OF THE CITY COUNCIL OF HICKORY, NORTH CAROLINA

WHEREAS, Hickory City Council has the authority to adopt resolutions with respect to city affairs of Hickory, North Carolina, pursuant to N.C. Gen. Stat. Ann. §160A-174(a) and/or §160A-193;

WHEREAS, the Hickory City Council has the authority to take action to protect the public health, safety, and welfare of the residents and citizens of Hickory;

WHEREAS, there exists a serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality in Hickory;

WHEREAS, the diversion of legally produced controlled substances into the illicit market causes or contributes to the serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality in Hickory;

WHEREAS, the opioid crisis unreasonably interferes with rights common to the general public of Hickory; involves a significant interference with the public health, safety, peace, comfort, and convenience of citizens and residents of Hickory; includes the delivery of controlled substances in violation of State and Federal law and regulations; and therefore constitutes a public nuisance;

WHEREAS, the opioid crisis is having an extended and far reaching impact of the general public, health, and safety, of residents and citizens of Hickory and must be abated;

WHEREAS, the violation of any laws of the State of North Carolina, or of the United States of America controlling the distribution of a controlled substance is inimical, harmful, and adverse to the public welfare of the residents and citizens of Hickory constitutes a public nuisance;

WHEREAS, the Hickory City Council has the authority to abate, or cause to be abated, any public nuisance including those acts that unreasonably interfere with rights common to the general public of Hickory and/or involve a significant interference with the public health, safety, peace, comfort, and convenience of citizens and residents of Hickory;

WHEREAS, Hickory has expended, is expending, and will continue to expend in the future city funds to respond to the serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality within Hickory; and

WHEREAS, the Hickory City Council has received information that indicates that the manufacturers and wholesale distributors of controlled substances have distributed in areas surrounding Hickory, North Carolina, may have violated Federal and/or State laws and regulations that were enacted to prevent the diversion of legally produced controlled substances into the illicit market.

NOW, THEREFORE, BE IT RESOLVED by the Hickory City Council, assembled on this day at which a quorum is present, that based upon the above the Hickory City Council are declaring the opioid crisis a public nuisance which must be abated for the benefit of Hickory and its residents and citizens.

BE IT FINALLY RESOLVED that all resolutions that are inconsistent with this resolution are rescinded.

Alderwoman Patton moved seconded by Alderman Zagaroli approval of the document giving the Authority to Represent to the law firm for this suit. The motion carried unanimously.

Judge Ferrell advised they would do the best job that they could.

Alderman Lail requested that they come back and keep Council updated.

3. Consideration of Alderman for Ward 2.

Mayor Guess recognized the eight applicants from Ward 2 who applied for the unexpired term/seat for the untimely death of Vernon Tarlton. It becomes Council's responsibility, as the sitting Council, to appoint someone to fulfill that unexpired term. At such time as there is a regular election the person who fills the seat will have to make a decision as to whether or not he or she wishes or desires to file for election and anyone else that fulfills the requirements and the qualifications would be able to do the same. He commented Council was extremely fortunate to have eight qualified applicants that had applied for the seat. He recognized the applicants: Bonita Ferretti, Ralph Griffith, Allen Finley, Lou Wetmore, Charlotte Williams, Ryan Edwards, Cliff Moone and Nancy Meek. Each of these folks live in Ward 2 and had made application. He wanted to let each of them know that Council had had numerous people advocate for each and every one of them. He thought he spoke for the entire Council that ever since the application process started they had had nothing but good comments about each of the eight candidates and people praising each of the eight candidates and telling Council how lucky they are to have such qualified candidates and how proud they are. He advised he was proud to have those people who are willing to volunteer their services to fulfill the unexpired term. If Council was able to make a selection tonight, the person selected, by the City's Ordinance it requires Council to swear in that person at their next scheduled meeting. Council's next scheduled meeting was actually a Council retreat scheduled for March 15th. On March 15th Council would be at CVCC and on March 16th at Lenoir-Rhyne University. If someone is selected tonight that person would be invited and welcomed to attend the Council retreat. At the beginning of the Council retreat that person would be sworn in as the Ward 2 Councilperson. They also felt the need, in addition to that, that person would have time to invite their family, friends, and relatives to a formal swearing in which Council would also conduct on March 20th at their regular Council meeting in Council Chambers. He advised that was how Council intended to move forward. The entire process had been completely open to the public and the public had all the information that Council had. All that information had been shared with the citizens and anyone else who wished to have that information it had been made available. He asked if any member of Council would like to comment.

Alderman Patton thanked everyone for applying. She thought that it had been a great process. Anyone that doesn't get this seat, she hopes they will stay involved.

Alderman Lail commented that Mayor Guess said it very well.

Mayor Guess commented this has been a very difficult decision. There is no slam dunk here. He truly believed that all eight of the applicants were extremely qualified and Council would be happy to work with any of the eight applicants that had been presented. He asked City Attorney John Crone to explain the procedure.

City Attorney John Crone advised that Council should have several ballots in front of them that had their name on them. He mentioned there was no such thing as secret ballot when it comes to voting. He asked Council to write down the person they were voting for and sign their ballot. Council would keep voting until a majority of that, four or more, vote for one particular candidate. He would give Council the opportunity to vote and he would pick up the ballots and read them into the record who voted for whom and that would become part of the records and part of the minutes that are kept at the City.

Mayor Guess asked if there were any questions on the procedure that City Attorney Crone had described.

City Attorney John Crone advised Council would vote to confirm once they get four. They would do another formal open vote.

Mayor Guess asked for any questions. He asked if everyone understood the procedure. Council understood. Councilmembers filled out their ballots.

City Attorney John Crone collected the ballots. He announced that Alderman Lail voted for S. Ryan Edwards; Mayor Guess voted for Charlotte C. Williams; Alderman Seaver voted for S. Ryan Edwards; Alderman Williams voted for Charlotte C. Williams; Alderman Zagaroli voted for Nancy R. Meek and

Alderwoman Patton voted for Charlotte C. Williams. He advised the individual that got one vote would be excluded from the next vote. That was Nancy Meek. He advised that Ms. Meek and the folks that did not get any votes would be excluded from this vote. He asked Council to vote again. Mr. Crone collected the ballots for a second time. He announced that Mayor Guess voted for Charlotte Williams; Alderman Seaver voted for Ryan Edwards, Alderman Williams voted for Charlotte Williams, Alderman Zagaroli voted for Ryan Edwards; Alderwoman Patton voted for Charlotte Williams; and Alderman Lail voted for Ryan Edwards. He confirmed with each Councilmember that what he announced was correct. He advised there was a 3 to 3 vote. He asked if Council wished to discuss and vote again. He asked if there was any discussion. He advised Council needed to find a way to break the tie. Council could do that at the next meeting, if they so desired. If they wanted to come up with a point system they could do that at this meeting. Now that it is narrowed down to two it may be a good idea to postpone the final vote until the next meeting to give Council an opportunity to prepare themselves and for him to prepare to tell them what to do.

Mayor Guess asked if they could have a vote and move to see what they would like to do to proceed.

City Attorney John Crone replied sure.

Mayor Guess asked if there was any discussion about how Council wanted to proceed.

Alderwoman Patton referenced the point system or ranking. She confirmed that was what City Attorney Crone was talking about.

City Attorney John Crone responded that would be his suggestion.

Mayor Guess asked if anyone was in favor of trying to resolve this at this meeting or if they were in favor of continuing to Council's next meeting of March 20th. He advised he would entertain a motion or discussion.

Alderman Lail thought Council should discuss.

Alderman Williams wanted to wait until March 20th.

Alderman Lail was okay with that, but he felt that Council would need to discuss for the benefit of the folks present and the candidates on how Council was going to resolve and the method with which they would resolve on March 20th.

Mayor Guess commented at this point we don't know the answer to that.

City Attorney John Crone thought he had discussed, from time to time, the possibility of doing some type of point system and ranking. That could result in the same results.

Alderman Lail responded Council has an obligation to fill this seat, which is clear. Everybody also has an obligation to vote and to vote their conscience in the way they feel. That was not intended to suggest that anyone needed to switch a vote.

Mayor Guess stated there was a motion to continue until the next meeting of March 20th from Alderman Williams. He asked for a second. Mayor Guess seconded the motion. He advised there was a motion and a second to continue until the next meeting of March 20th. He asked for all those in favor.

Alderman Lail wanted to discuss before they called the question. The discussion was how Council would resolve on March 20th? Council could not have that discussion outside of the public forum. He wanted to discuss it right now so the candidates and the public can understand how they are going to do it. They had been very deliberate about it. He didn't want to go into March 20th and everybody doesn't know.

Alderwoman Patton thought that Council needed to plan so they understand it and the public understands it. And Council understands what they are being asked, whether it is a point system, some scaling that Council understands it, and then they make the right decision at the next meeting.

Mayor Guess asked if there was any suggestions on what that might be.

Alderman Lail wasn't sure if this would be an amended motion, there was one motion on the floor, but a substitute motion was that Council take a five minute

recess and let City Attorney Crone consult with Deputy City Attorney Arnita Dula who is also in the legal department, maybe they could come back with some ideas for Council.

Mayor Guess advised there was a motion to recess for five or ten minutes in order to confer with the attorneys on how to move forward. Alderwoman Patton seconded. The motion carried unanimously.

The meeting recessed at approximately 8:58 p.m.

The meeting reconvened at approximately 9:06 p.m.

Mayor Guess asked City Attorney John Crone for the solution if he had come up with one.

City Attorney John Crone advised their recommendation was the Council have another meeting, whether that be a scheduled special meeting or at the next regular City Council meeting and interview the two remaining candidates again. They would come up with a recommended scoring system that Council could use during the interview process. They would do it basically the same way that they did it before, Staff will send out some sample questions and Council could add to that. He suggested dispense with the opening and closing and just get right down to the nitty, gritty. He didn't know if 10 minutes or 15 minutes was enough, no more than that, in the not necessarily scoring system but in the proposed questions he was going to work with Staff on that and that would go to Council and would eventually go to the two remaining candidates. They may come up with a what if; or a problem or something, how would they solve it. They would give Council some direction prior to that meeting.

City Manager Warren Wood advised it wouldn't be a scoring system that they could use it would be a scoring system they would use. And the scores will be tallied.

Alderman Lail confirmed that the one who has the highest cumulative score across six scores would then be moved into nomination in front of the whole board.

City Attorney John Crone responded correct.

Alderman Lail asked if the scoring system would be of such scale that they could mitigate. He was sure there was the theoretical possibility of the tie, but it would be large enough so that hopefully they could break a tie. There would be a spread.

City Manager Warren Wood advised they do this with HR in hiring.

Alderman Lail commented there is some protocol associated with that.

Alderman Seaver joked as backup somebody needs to bring a coin.

Alderman Lail mentioned that is how sometimes it is decided.

City Attorney John Crone commented it is a tough but good problem to have.

Alderman Lail commented they had eight great ones, and these are two of the eight great ones.

City Attorney John Crone advised that was his recommendation and if Council approved that he would like a motion and a proposed date along with the motion as to when Council addresses the interview process.

Mayor Guess asked if that would be a special meeting.

City Attorney John Crone commented it could be or it could be at the next regular meeting which is March 20th.

City Manager Warren Wood recommended a special meeting.

City Attorney John Crone advised a good date for staff was Wednesday, March 14th.

Alderman Lail mentioned that was the day before Council's retreat. He mentioned that would give the Clerk time to notice the meeting obviously.

City Manager Warren Wood commented or they could do it the next week. He asked what Council's pleasure was. What is Council's availability and the candidate's availability?

Alderman Lail advised his inclination was to move expeditiously as possible, understanding, particularly out of respect for the candidates and the need to fill the seat too.

Alderman Patton moved to call a special meeting for March 14th at 5:00 p.m. and consider going through the ranking interview process and at that time try to settle on a candidate.

Alderman Lail seconded with some discussion.

Mayor Guess suggested they check the availability of Council, he wanted to have everyone present.

Alderman Patton and Alderman Lail agreed.

Council discussed their availability.

City Manager Warren Wood asked if there was a time later in the evening.

Alderman Williams confirmed that 6:00 p.m. would be better.

City Manager Warren Wood advised both of the candidates indicated they would be available after 5:00 p.m. He asked if they wanted to meet at 7:00 p.m.

Alderman Williams advised 6:00 p.m. would be fine.

Mayor Guess confirmed 6:00 p.m. on March 14th.

Alderman Lail advised that meeting would be noticed, of course, and Council would go through the scoring process, the scores would be read. At that point the one with the higher score would be placed in the nomination and then Council would vote. He asked if they would then take the oath at the retreat.

Mayor Guess and Alderman Patton commented that is Council's next scheduled meeting.

Alderman Lail commented that would be the next morning.

Mayor Guess advised they would do the same protocol. They would do the formal swearing in at the next regular meeting, but they would take the oath at the retreat assuming that Council could make a decision.

City Manager Warren Wood commented if they are available as well.

Mayor Guess asked if that was in the form of a motion.

Alderman Lail advised that Alderman Patton had moved, and he had seconded her motion.

Mayor Guess reiterated the special meeting will be March 14th at 6:00 p.m. He took the vote and the motion carried unanimously.

Alderman Lail clarified the motion included the interview with scoring.

Mayor Guess replied the entire process.

City Manager Warren Wood advised Staff would get started on that and get it out as soon as possible.

City Attorney John Crone asked if the time of the interview was in the motion.

Alderman Patton and Mayor Guess advised it starts at 6:00 p.m.

City Attorney John Crone clarified the time limit of each.

City Manager Warren Wood advised no, they would come up with the rules.

Alderwoman Patton commented Council had said no opening and closing there was no point in that, they had already done that. Just do strictly questions and answers and whatever ranking.

Alderman Lail commented to be provided to the candidates before.

Mayor Guess advised they would have something by then he felt sure. He asked for any other discussion.

4. Appointments to Boards and Commissions

Mayor Guess asked if there were any appointments to the Boards and Commissions. There were none.

BOND IMPLEMENTATION COMMISSION

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

Alderman Ward 2 Appoints

Jennifer Beane expires 2-1-18 eligible for reappointment
 Kay Schmucker expires 2-1-18 eligible for reappointment

(Note: The representatives for Ward 2 will continue serving until such time as the Ward 2 Alderman appoints or reappoints these positions.)

***Ex-Officio Members to Bond Implementation Commission
 (Appointed by Boards and Commissions)***

Business Development Committee

Dana Chambers Not Eligible

Catawba County Chamber of Commerce

Will Locke Not Eligible

Community Appearance Commission Appointed Meg Nealon

COMMUNITY APPEARANCE COMMISSION

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

Ward 2 (Alderman Ward 2 Appoints)

VACANT

COMMUNITY RELATIONS COUNCIL

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

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)

VACANT

HISTORIC PRESERVATION COMMISSION

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

Building Trades Profession (Council Appoints)

VACANT

INTERNATIONAL COUNCIL

(Appointed by Mayor with the Concurrence of City Council)

(1) Positions

VACANT

PARKS AND RECREATION COMMISSION

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

At-Large Minority (1) (Council Appoints)

VACANT

(David Williams no longer eligible)

PUBLIC ART COMMISSION

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

Ward 4 (Williams Appoints)

VACANT

PUBLIC HOUSING AUTHORITY

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

Position 9

VACANT

RECYCLING ADVISORY BOARD

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

Ward 4 (Williams Appoints)

VACANT

YOUTH COUNCIL

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

Challenger High School Representative

Homeschool Representative

St. Stephens High School Representative

VACANT

VACANT

VACANT

C. Presentation of Petitions and Requests

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

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

Alderwoman Patton mentioned the forum on homelessness that was held on March 5th was excellent with all of the participants in it. It was a good crowd and lots of good questions. She appreciated Chief Whisnant and commended everyone for a great job. She hopes people will come back together for further discussions.

Alderman Seaver advised he was there as well and appreciated all of the people who showed up. There were a couple hundred at least, just about every seat was taken.

Alderman Lail commented that he wasn't able to be there. He asked if the opioid crisis was intermingled into part of that discussion.

Alderwoman Patton advised very little because it was more in general urban camping.

Mayor Guess mentioned there was a second meeting after that at Mt. Olive Lutheran Church that specifically dealt with opioids. The discussion there lasted about two hours. There was a separate community public forum concerning that.

Alderman Seaver commented he would like another forum. He had gotten some replies as he had posted it on a Facebook page that some of the younger folks that were working couldn't attend and they would like to have some input on it too. Something like that in the future. He thought that it was a very good step trying to get people all on the same team.

XIV. There being no further business, the meeting adjourned at 9:16 p.m.

Mayor

City Clerk