

A Regular Meeting of the City Council of the City of Hickory was held in the Council Chamber of the Municipal Building on Tuesday, November 20, 2018 at 7:00 p.m., with the following members present:

Brad Lail	Hank Guess	David L. Williams
Charlotte C. Williams	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, Assistant to the City Manager Yaidee Fox and City Clerk Debbie D. Miller

- I. Mayor Guess called the meeting to order. All Council members were present.
- II. Invocation by Rev. Joe Westfall, St. Luke's United Methodist Church
- III. Pledge of Allegiance
- IV. Special Presentations
- V. Persons Requesting to Be Heard
  - A. Chaplain Roger Cornett, of Open Door Homeless Ministry, 1201 Adams Circle, P.O. Box 51, Conover, advised he was a member of the clergy and a man of God. He had addressed City Council a few times in the past. He had spoken with two Mayors and two Police Chiefs in the last nine years that he had been doing his ministry. He was the guy that is on the ground when it comes to homelessness in the Hickory area. He spoke at the homeless forum in March and proposed something that would probably work. He had not heard from any officials about this. He advised this was his ninth year with the homeless ministry. He stated 30 percent are addicted. As you well know, they see a lot of these people on the streets. The ones who are addicted, alcohol and drug addictions. He advised that 30 percent don't want to be seen. These are some of the hidden people that he deals with a lot. They are ashamed that they have lost their homes, their jobs and everything that they have owned. Many of them lived in their cars before they came to him to obtain a tent. When the cars breakdown they scrap them over at the scrap yard and that is it, the last of the money. The last 30 percent are the ones which are really trying for clergy especially, that is the mental health issues. He commented they should see what they see every day out there. It is almost impossible to deal with some of those issues. He had called the Congressman and had tremendous help through the Congressman. He really appreciated what they had done and Raleigh had helped them out a lot too. He advised that was how it breaks down and that was 90 percent of the people, the other 10 percent are criminals who hide in the homeless community to take advantage of them. He helped the FBI solve one of the Ten Most Wanted in the United States. He did it quietly in the background. Mr. Cornett called an FBI agent, and when the agent came to Hickory he called Mr. Cornett. They found the criminal at the Soup Kitchen and they turned him in. The criminal was arrested and he is off the streets. The criminal was responsible for two murders of women and potentially more. The criminal moved from Texas to Hickory a lot in the last seven to eight years, and he is off the streets now. He advised that all he had asked for in the past was a spigot with water on condemned City property. He had looked at a list of these condemned properties. He was an ex-broker and his sister owns a division of Coldwell Banker. He knew the issues involved with condemnation and houses and things of that nature. He asked for the City to give them a condemned property to use temporarily. He wanted to get a camp setup and get everyone located in that camp. He would be glad to escort the people that don't want to be addicted out of town. A one way ticket out of town. If they want to be addicted constantly, drinking, drugs, whatever, then so be it, we can give them a ticket out of town. He had done this before to try and get those people that don't want to try off the streets and everybody else that is trying can be put in one central location. He referenced a book, Faces of Poverty in North Carolina, and advised he would get an issue to Council. He advised that Gene Nichol wrote this and the publishing date was November 19<sup>th</sup>, it just hit the presses yesterday. It speaks a lot about what is going on in the Hickory area. Charts, graphs, everything. He wanted Council to read this. They would be very impressed. A novel comes out called The Woods of Hickory. It had been approved already for publishing. Mr. Nichol had published numerous books, and is the Director of Poverty for the State of North Carolina and one of the founders of the Southern Poverty Law Center. Well known in North Carolina and a good friend. He had been here six times in the last four years. He mentioned an associate of ACLU had contacted him about representing them in a case against Hickory to try and get something like this campground set up. A spigot, two port-a-potties and a dumpster for trash so they could get this thing under control. Please consider that. He would be glad to speak to someone later about this.
  - B. Mr. Art Leaming, 339 Howard Norton Drive, Hiddenite, NC advised he worked on Lenoir-Rhyne Boulevard with the homeless veterans. He supplies them with about everything that they need including toiletries, sleeping bags, tarps, and tents. A lot of the churches, factories, and individuals keep doing so until things differ and the City notices these homeless vets. He advised there is one guy out there who has eight years as a Navy Seal

because he is having trouble with the VA he is living in the woods. It is shameful. Something has got to change. With the money spent cleaning up the woods, all of the areas and everything, probably thousands of dollars, if the City would have put dumpsters out there to begin with and had them patrol the areas, the City wouldn't have the garbage and the cops could of came in and looked at all of the troubles that are happening. He commented something has got to be done. These boys need help. They put all of their time in for their Country just like he did. They need help, not sit on them. He thanked Council.

- C. Mr. Timothy McCracken, advised he was homeless. He advised he had been here since February of 2010. He had received help through Mr. Roger Cornett and Mr. Art Leaming. He advised that his record is what is hurting him. Nobody wants to hire him because he is a convicted felon, and has body piercings and tattoos. He doesn't want to be homeless, it is because nobody wants to hire him because "he is a convicted felon"; "he doesn't want to do nothing". He had seen people killed out here and it is crazy. They don't have nothing. If it wasn't for them (Mr. Cornett and Mr. Leaming) he didn't know what the homeless would do.
- D. Ms. Julie Rhodes, 210 38<sup>th</sup> Avenue NW, Hickory, addressed City Council. She has volunteered with Mr. Cornett for the last couple years and had been involved with Safe Harbor for many years. She is a member of Antioch Baptist Church in Taylorsville. They started way back with Safe Harbor. She knew the City was familiar with them and the new building that was coming along. They were so excited about that and she was just at the "Celebrate the Harvest" event. She would like to see a facility, mainly like that, one day for the men. She shared a story from over two years ago when her church had extra food and they knew she was a volunteer with Safe Harbor. They asked her to get the food to someone who needed it. She went to Safe Harbor and they had plenty and didn't need it. She knew she needed to get rid of the food and not waste it. She knew where she could find some people hanging out to give the food to. That is how she got involved. On that particular day a young homeless man had on an Antioch Baptist Church Vacation Bible School t-shirt that was discarded at a Goodwill. She is a Christian person and clearly looked at that as God telling her she needed to be involved in this. She met Mr. Cornett who is an incredible individual. She did not know the solution to homelessness. She had met some that yes, they want to take advantage of everything that you can put their way. She had helped one who is not living on the street anymore and she is now living in Virginia in an apartment. She was proud of that, but they went through several steps, from taking her to job interviews, to getting her clothing for her new job. She had learned a little more firsthand. She didn't know the solution, but she wanted to support Mr. Cornett. She agreed that there was properties around. She felt that they could get churches. Her church is in Taylorsville in Alexander County, and she knew they would come along side and help and support. In the last couple years that she has been involved she had seen nothing but it grow. It breaks her heart. She knew that part of Council may have had someone in their family that had fallen on hard times, whether it was illness, sickness, loss of a job, or separation with someone, and a family member took them in. If you didn't have someone to go to for that you could be on the street quickly. She asked that Council consider the request. She would be willing to come along with Mr. Cornett to help spread the word and get some churches involved and fundraise and try to get more of these people off the street. They all don't want to be there.

Mayor Guess asked if there was anyone else who wished to speak. No one else appeared.

VI. Approval of Minutes

- A. Regular Meeting of November 6, 2018

Alderwoman Patton moved, seconded by Alderwoman Williams that the Minutes of November 6, 2018 be approved. The motion carried unanimously.

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

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

- A. Budget Revision Number 6. (First Reading Vote: Unanimous)

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

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

- A. Approved the Annual "Food for Fines" Amnesty Weeks at the Patrick Beaver Memorial Library or Ridgeview Branch Library.

Approval of the waiver of overdue fines for library customers who donate canned, boxed, or bagged food items at either Patrick Beaver Memorial Library or Ridgeview Branch Library during the two-week period of January 7-19, 2019. One item of food will cancel \$1.00 in overdue fines, and donated items will be given to Greater Hickory Cooperative Christian Ministry. The program was successfully carried out in past years, resulting in thousands of items collected to help feed the hungry in our community during the holidays. For the two week event in November 2017, Hickory Public Library collected a total of 2,092 items that were donated to the Greater Hickory Cooperative Christian Ministry. This is the sixth year in a row that Hickory Public Library and Catawba County Library System will partner to sponsor a "Food for Fines" event during the same period. The annual event receives strong support from library users, and many donate items whether or not they have fines. The Great Hickory Cooperative Christian Ministry indicated that the food collected at the library helped fill their shelves at a critical time of the year. The amnesty week event creates a sense of goodwill among our customers, helps many of the less fortunate in our community, encourages customers to return long-overdue items making them available for others, and has resulted in positive media coverage of the both library systems in prior years. Library staff recommends Council's approval of the annual "Food for Fines" Amnesty Weeks.

- B. Approved the Proclamation for Small Business Saturday, November 24, 2018, Requested by the Small Business Saturday Coalition.
- C. Approved a Resolution Accepting the Offer of Dedication for 17<sup>th</sup> Avenue NE, as Described in Deed Book 628, at Page 335, Catawba County Registry.

Consideration of the acceptance of the offer of public dedication of street right-of-way, known as 17th Avenue NE, which is described in Deed Book 628, Page 335 of the Catawba County Registry. In 2018, construction began on the Highland Park apartment complex located on 17th Avenue NE. This development consisted of a number of apartment buildings, as well as improvements to 17th Avenue NE, which so far has been a privately maintained street. During the course of the development of the Highland Park apartments, 17th Avenue was widened, and extended westward to connect with 21st Street NE. The improvements also included the installation of curb and gutter, and sidewalks. When the construction was completed the property developer, Southern Properties, requested the City to assume maintenance of the improved, and extended street. The City has been presented with an offer of dedication for a portion of 17th Avenue NE. The section of roadway was constructed and inspected by the City's Public Services Department to ensure the roadway was constructed to proper specifications. The developer's private engineer has also certified the construction of the street. With the completion of the street improvements, the City of Hickory now has the opportunity to consider acceptance of the offer of public dedication. Public use and maintenance of streets cannot occur unless City Council formally accepts the offer of public dedication by means of a duly executed Resolution. This requirement is outlined in the North Carolina General Statutes, as well as the City's Land Development Code. Staff recommends City Council approve the Resolution accepting the offer of dedication for 17th Avenue NE, as described in Deed Book 628, Page 335 of the Catawba County Registry.

RESOLUTION NO. 18-42

A RESOLUTION OF THE HICKORY CITY COUNCIL ACCEPTING THE OFFER OF PUBLIC DEDICATION OF LANDS AND IMPROVEMENTS KNOWN AS 17TH AVENUE, WHICH IS SHOWN ON "EXHIBIT A" AS A 40 FOOT RIGHT-OF-WAY, AND IS DESCRIBED IN A DEED OF STREET DEDICATION SHOWN IN DEED BOOK 0628, PAGE 0335 OF THE CATAWBA COUNTY REGISTRY.

WHEREAS, NCGS §160A-374 and Article 2, Section 2.3.4(D) of the Land Development Code provide that City Council may, by resolution, accept offers of public dedication made to the public of lands and facilities for streets, sidewalks, open spaces and public utilities after verification from the City Engineer such properties and improvements are in a manner acceptable for acceptance; and

WHEREAS, the City of Hickory has been provided with an offer of public dedication of lands and improvements known as a segment of 17th Avenue NE, which is described as "EXHIBIT A" as a 40 foot right-of-way, and is described in a deed of street dedication shown in Deed Book 0628, Page 0335 of the Catawba County Registry; and

WHEREAS, the City of Hickory has reviewed the land and improvements placed upon them provided as part of the offer of public dedication, and such land and

improvements have been found to be in compliance with standards in place for such land and improvements; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Hickory, North Carolina, the offer of public dedication for 17th Avenue NE, which is shown on Exhibit A as a 40 foot right-of-way, as recorded in Deed Book 0628, Page 0335 of the Catawba County Registry, is accepted, subject to the following terms and conditions:

SECTION 1. Terms and Conditions of Acceptance:

1. The developer shall guarantee all materials and workmanship for a period of 18 months from the date of official acceptance by the City Council;
2. The acceptance by the City Council shall not be interpreted in any way to relieve any developer, contractor, subcontractor, insurance company, owner, or other person of his individual or several obligations under any ordinance, policy, or contract or to otherwise reduce or eliminate the rights of the city, its agents and employees against any other party connected with or in any way related to the development of the subdivision and facilities. The acceptance shall not be interpreted as a waiver of any defense or immunities that the city, its agencies or employees may assert or be entitled to;
3. All rights, privileges and warranties of whatsoever nature and kind, for equipment, supplies, materials, goods, and services shall be assigned to the city and any and all benefits derived there from shall inure to the city, its agents, and employees. The acceptance of the lands and facilities shall be conditioned upon the owners covenanting and warranting that they are lawfully seized and possessed of all the lands and facilities dedicated to the public; that they have good and lawful authority to dedicate the same to the public for the stated purpose; that the lands and facilities are free and clear of any deed of trust, mortgage, lien or assessments and that the dedicators for their heirs, successors, executors, administrators, and assigns, covenant that they will warrant and defend the dedication of such land and facilities against any and all claims and demands whatsoever; and
4. Acceptance of dedication of lands and facilities shall not obligate the city to construct, install, maintain, repair, replace, extend, improve, build or operate any public facilities or utilities which are not in existence as of the date of the acceptance of the lands and facilities. Such acceptance shall not obligate the city to construct any main, line, pipe, lateral, or other extension or permit connection to the city's water, sanitary sewer, storm sewer, drainage or other public utilities systems.

SECTION 2. This Resolution shall become effective immediately upon adoption.

- D. Approved the Offer to Purchase a Lot Located on 3<sup>rd</sup> Street Place SW from Jerry and Rosie Thompson in the Amount of \$4,750.

The City of Hickory owns a number of lots in the vicinity of 3<sup>rd</sup> Street Place SW and 3<sup>rd</sup> Street Court SW near 8<sup>th</sup> Avenue Drive SW. When purchased, these lots were to be used to build affordable housing. The proposed lot is 0.15 acres in size and located between two properties that are already owned by the City. The purchase of this lot will make the already owned lots more attractive as potential building sites. The City would then own four contiguous lots that could be divided into approximately five building sites on that side of the street. The plan remains to use these lots to promote affordable housing. The property owners have agreed to sell the property for \$4,750. This is higher than the current tax value of \$3,500. However, the fact that the property is located between two lots already owned by the City makes the purchase of the lot important to accomplishing its goals of increasing affordable housing and promoting revitalization in the neighborhood. Staff plans to continue investigating strategic property purchases to promote affordable housing. Program income from the former Rental Rehabilitation Program is available to purchase the property. Staff recommends that City Council approve the offer to purchase of a lot on 3<sup>rd</sup> Street Place SW in the amount of \$4,750.

- E. Called for a Public Hearing for Consideration of a Voluntary Contiguous Annexation of Property Owned by Dennis Knecht, Located at the Northwest Corner of 6<sup>th</sup> Street Drive NW and 32<sup>nd</sup> Avenue Drive NW Containing Approximately 6.485 Acres. (Authorize Public Hearing for December 4, 2018, at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).

RESOLUTION NO. 18-43  
RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED  
UNDER G.S. 160A-31 AND/OR 160A-58.1, AS AMENDED

WHEREAS, a petition from Dennis Knecht, and wife Joellen Knecht requesting annexation of an area described in a petition was received on November 9, 2018 by the City Council of the City of Hickory; and

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

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

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

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

CERTIFICATE OF SUFFICIENCY

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

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

Located in at the Northwest Corner of 6th Street Drive NW and 32nd Avenue Drive NW, also Identified as PIN 3704-11-56-2612, containing 6.485 acres more or less

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Hickory this 12th day of November, 2018.

/s/ Debbie D. Miller, City Clerk

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

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

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

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

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

Section 1: That a public hearing on the question of annexation of the area described herein will be held at 7:00 p.m. on December 4, 2018, in the Council Chambers of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina.

Section 2: The area proposed for annexation is described as follows:  
  
Property of Dennis Knecht and wife, Joellen Knecht, located in at the Northwest Corner of 6th Street Drive NW and 32nd Avenue Drive NW, also Identified as PIN 3704-11-56-2612, containing 6.485 acres more or less

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

RESOLUTION NO. 18-44

A RESOLUTION DETERMINING THE INTENT TO ANNEX INTO THE CORPORATE LIMITS OF THE CITY OF HICKORY CERTAIN PROPERTY OWNED BY DENNIS KNECHT AND WIFE JOELLEN KNECHT CALLING FOR A PUBLIC HEARING ON THE SAME

WHEREAS, Dennis Knecht and wife, Joellen Knecht are the owners of certain real property as described herein, which property is located at the Northwest corner of 6<sup>th</sup> Street Drive NW and 32<sup>nd</sup> Avenue Drive NW, identified as PIN 3704-11-56-2612 containing 6.485 acres more or less; and

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

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

NOW, THEREFORE BE IT RESOLVED by the Hickory City Council, sitting in open session this 20<sup>th</sup> day of November, 2018, at a regularly scheduled meeting of the governing body of said Council, duly called and posted in accordance with the statutes of the State of North Carolina, as follows:

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

Section 2: That a public hearing on the question of annexation of the area described herein will be held at 7:00 p.m. on December 4, 2018, in the Council Chamber of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina.

Section 3: The same being that property reflected on maps entitled Dennis Knecht Voluntary Contiguous Annexation, property outlined in red;

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

- F. Called for a Public Hearing for Consideration of a Voluntary Contiguous Annexation of Property Owned by REC Group, LLC, Elizabeth Campbell, Norma Jean S. Tsumas, Connie S. Kirby, and Patsy Smith, Located at 1900, 1995, and 2019 Startown Road, Containing Approximately 4.3 Acres. (Authorize Public Hearing for December 4, 2018, at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).

RESOLUTION NO. 18-45  
RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED  
UNDER G.S. 160A-31 AND/OR 160A-58.1, AS AMENDED

WHEREAS, petitions from Elizabeth S. Campbell; Connie S. Kirby and husband Wayne Clarence Kirby; Norma Jean S. Tsumas, and husband John Peter Tsumas; REC Group, LLC; and Patsy R. Smith requesting annexation of areas described in petitions were received on November 9, 2018 by the City Council of the City of Hickory; and

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

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

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

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

CERTIFICATE OF SUFFICIENCY

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

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

Located at 1900, 1995, and 2019 Startown Road, also Identified as PIN 3721-09-06-1111, PIN 3721-09-05-2948, PIN 3711-12-95-9875 and PIN 3721-09-05-3559, and containing 4.3 acres more or less.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Hickory this 12th day of November, 2018.

/s/ Debbie D. Miller, City Clerk

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

WHEREAS, petitions requesting annexation of the areas described herein has been received; and

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

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

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

Section 1: That a public hearing on the question of annexation of the areas described herein will be held at 7:00 p.m. on December 4, 2018, in the Council Chambers of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina.

Section 2: The areas proposed for annexation are described as follows:  
  
Property of Elizabeth S. Campbell; Connie S. Kirby and husband Wayne Clarence Kirby; Norma Jean S. Tsumas, and husband John Peter Tsumas; REC Group, LLC; and Patsy R. Smith located at 1900, 1995, and 2019 Startown Road, also Identified as PIN 3721-09-06-1111, PIN 3721-09-05-2948, PIN 3711-12-95-9875 and PIN 3721-09-05-3559, and containing 4.3 acres more or less

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

RESOLUTION NO. 18-46

A RESOLUTION DETERMINING THE INTENT TO ANNEX INTO THE CORPORATE LIMITS OF THE CITY OF HICKORY CERTAIN PROPERTY OWNED BY ELIZABETH S. CAMPBELL; CONNIE S. KIRBY AND HUSBAND WAYNE CLARENCE KIRBY; NORMA JEAN S. TSUMAS, AND HUSBAND JOHN PETER TSUMAS; REC GROUP, LLC; AND PATSY R. SMITH CALLING FOR A PUBLIC HEARING ON THE SAME

WHEREAS, Elizabeth S. Campbell; Connie S. Kirby and husband Wayne Clarence Kirby; Norma Jean S. Tsumas, and husband John Peter Tsumas; REC Group, LLC; and Patsy R. Smith are the owners of certain real property as described herein, which property is located at 1900, 1995, and 2019 Startown Road, also Identified as PIN 3721-09-06-1111, PIN 3721-09-05-2948, PIN 3711-12-95-9875 and PIN 3721-09-05-3559, and containing 4.3 acres more or less; and

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

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

NOW, THEREFORE BE IT RESOLVED by the Hickory City Council, sitting in open session this 20th day of November, 2018, at a regularly scheduled meeting of the governing body of said Council, duly called and posted in accordance with the statutes of the State of North Carolina, as follows:

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

Section 2: That a public hearing on the question of annexation of the area described herein will be held at 7:00 p.m. on December 4, 2018, in the Council Chamber of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina.

Section 3: The same being that property reflected on maps entitled REC Group, Smith, Campbell, Voluntary Contiguous Annexation, property outlined in red;

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

- G. Approved Change Order Number Two with Neill Grading and Construction, Inc. in the Amount of \$412,262.50 for Extension of the Entrance Road and 12-inch Waterline Related to the Corning Site at Trivium Corporate Center.

Staff requests Council's approval of change order number two with Neill Grading and Construction, Inc. in the amount of \$412,262.50 for extension of the entrance road and 12-inch waterline related to the Corning site at Trivium Corporate Center. The City of Hickory identified an area in southeast Hickory that is large enough and conducive to development of a business park, convenient to major roadways and adjacent to significant utility infrastructure. The City of Hickory, Catawba County and Economic Development Corporation (EDC) have worked on development of this area as a business park for several years and the City and County have agreed to split the cost of development. Trivium Corporate Center is the business park identified for Bond proceeds for the Bond Referendum that was passed by the City of Hickory. The site has successfully been chosen by Corning for the location of a manufacturing facility to be constructed. Change order number two is necessary for extension of the main road and waterline into the site to serve the Corning site and provide services for future site extensions. This will include extension of the roadway named Trivium Parkway approximately 700-ft to the western side of the Corning site. The price for this work was calculated as an extension of the unit prices we received from the contractor for the original entrance road, landscaping and berm project. This project will be funded with bond proceeds and half of all City expense will be reimbursed by the County through a joint funding arrangement. Staff recommends Council's approval of change order number two with Neill Grading and Construction, Inc. in the amount of \$412,262.50 for extension of the entrance road and 12-inch waterline related to the Corning site at Trivium Corporate Center.

- H. Approved Change Order Number One with Hickory Sand Company, Inc. in the Amount of \$153,880 for Additional Sanitary Sewer for Trivium Corporate Center.

Staff requests Council's approval of change order number one with Hickory Sand Company, Inc. in the amount of \$153,880 for additional sanitary sewer for Trivium Corporate Center. The City of Hickory identified an area in southeast Hickory that is large enough and conducive to development of a business park, convenient to major roadways and adjacent to significant utility infrastructure. The City of Hickory, Catawba County and Economic Development Corporation (EDC) have worked on development of this area as a business park for several years and the City and County have agreed to split the cost of development. Trivium Corporate Center is the business park identified for Bond proceeds for the Bond Referendum that was passed by the City of Hickory. The City, County and EDC have worked on development of the project to a condition that is receptive to marketing. This project is to address the need for extension of sanitary sewer to serve the Corning project site that is locating in the park. Change order Number one is necessary to extend 1,400-ft of 8-inch sanitary sewer from the outfall line that was installed originally to the Corning project site. This sewer is being installed as a component of the economic development agreement with the business. This project will be funded jointly by the City and County per the joint funding arrangement. The City portion will be funded by Public Utilities fund balance. Staff recommends Council's approval of change order number one with Hickory Sand Company, Inc. in the amount of \$153,880 for additional sanitary sewer for Trivium Corporate Center.

- I. Approved a Resolution Cancelling the Regularly Scheduled City Council Meeting of January 1, 2019, and Calling for a Special Meeting to be Held on January 8, 2019 to conduct the Business of the Regularly Scheduled City Council Meeting of January 1, 2019.

RESOLUTION NO. 18-47

Be it resolved by the City Council of the City of Hickory that the regularly scheduled City Council Meeting for January 1, 2019 be cancelled.

City Council hereby calls for a Special Meeting to be held on January 8, 2019 to conduct the business of the regularly scheduled City Council Meeting of January 1, 2019.

- J. Approved on First Reading Budget Revision Number 7.

ORDINANCE NO. 18-34  
BUDGET REVISION NUMBER 7

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

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

FUNCTIONAL AREA	INCREASE	DECREASE
Transportation	8,707	-
General Government	3,467	-
Other Financing Uses	16,176,118	-
Economic and Community Development	100,000	-
TOTAL	16,288,292	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous Revenues	12,174	-
Investment Earnings	1,176,118	-
Other Financing Sources	15,100,000	-
TOTAL	16,288,292	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Environmental Protection	22,845	-
TOTAL	22,845	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	22,845	-
TOTAL	22,845	-

SECTION 3. To amend the Transportation Fund within the FY2018-19 Budget Ordinance, the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Transportation	30,540	-
TOTAL	30,540	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous Revenues	30,540	-
TOTAL	30,540	-

SECTION 4. To amend the City Walk Capital Project Ordinance (#B1C001), the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	10,076,118	-
TOTAL	10,076,118	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	10,076,118	-
TOTAL	10,076,118	-

SECTION 5. To amend the Riverwalk Capital Project Ordinance (#B1R001), the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	1,000,000	-
TOTAL	1,000,000	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	1,000,000	-

TOTAL	1,000,000	-
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SECTION 6. To amend the Bond Projects Administration Capital Project Ordinance (#B1A001), the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	1,100,000	-
TOTAL	1,100,000	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	1,100,000	-
TOTAL	1,100,000	-

SECTION 7. To amend the Trivium Corporate Center Capital Project Ordinance (#B1B001), the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	2,500,000	-
TOTAL	2,500,000	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	2,500,000	-
TOTAL	2,500,000	-

SECTION 8. To amend the Gateways Capital Project Ordinance (#B1G001), the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	350,000	-
TOTAL	350,000	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	350,000	-
TOTAL	350,000	-

SECTION 9. To amend the Bond Projects Management Capital Project Ordinance (#B1M001), the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	1,250,000	100,000
TOTAL	1,250,000	100,000

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

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	1,150,000	-
TOTAL	1,150,000	-

SECTION 10. Copies of the budget revision shall be furnished to the Clerk of the Governing Board, and to the City Manager (Budget Officer) and the Finance Officer for their direction.

- IX. Items Removed from Consent Agenda – None
- X. Informational Item
- XI. New Business:
  - A. Public Hearings
    - 1. Approved on First Reading Closing a Portion of “E” Avenue SE as petitioned by Catawba County – Presentation by Assistant Public Services Director Steve Miller.

Staff requests Council's consideration of a Resolution and Order closing a portion of "E" Avenue SE as petitioned by Catawba County. The City Clerk received a petition from Attorney Eloise D. Bradshaw, on behalf of Catawba County, an owner of the property abutting a portion of "E" Avenue SE. The petition requests the City to close said portion of "E" Avenue SE right-of-way, as per NCGS § 160A-299. This portion of "E" Ave SE is adjacent to properties on the North by property of the County (PINs 3702-08-99-9878 and 3712-05-09-0950), and on the South by property of the County (PIN 3712-05-09-0654) and by the property of AMMCO LLC (PIN 3712-05-09-2657); on the East by "E" Avenue SE; and on the West by property of CWS Properties (PIN 3713-17-00-3138). The signature on the petition represents the owner of three of the five tracts of property abutting this portion of the right-of-way. The petition fee of \$575 has been paid. Staff recommends Council's approval of a Resolution and Order closing a portion of "E" Avenue SE as petitioned by Catawba County.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on October 19, October 26, November 2, and November 9, 2018.

City Manager Warren Wood asked the City's Assistant Public Services Director Steve Miller to the podium to present Council with a request to close a portion of "E" Avenue SE, as petitioned by Catawba County.

Assistant Public Services Director Steve Miller presented a PowerPoint presentation. He advised the request was a street closing petition from Catawba County for "E" Avenue. It was a single party petition. The street was a dead end portion off of Lenoir-Rhyne Boulevard and it runs east to the dead end. It was a short piece of street. He requested Council approve a Resolution and Order closing this portion of "E" Avenue SE serving as access to three properties owned by Catawba County. Other properties adjacent to this road right of way are served from other roads. He referred to the PowerPoint and showed an aerial photograph and pointed out the properties which Catawba County owned. The other properties which were affected were located in the back of the street and actually do not have access to the street from this side. He pointed out Moretz Mill and Hollar Mill. He advised there were two homes previously on the lots but they had been demolished. There was water and sewer located on the property and would remain in place. The City maintains an easement for continued operation, maintenance, and management of public infrastructure, which is the water and sewer. Should this have to be moved in the future it would be at the property owner's direct expense to relocate the infrastructure in accordance with City standards. Staff requested Council's approval of a Resolution and Order to close this portion of "E" Avenue. The petition represented three of the five property owners and the remaining properties do not currently have access to this road right of way. He asked for any questions.

Mayor Guess asked if he knew what the plans were for the area.

Mr. Miller knew that Catawba County owns those three parcels, and he thought they wanted to put it together for economic development. He didn't know exactly what they wanted to go there. It was combining those three parcels and doing away with that short piece of road.

Alderman Lail asked if the City was required to provide notice to all the property owners.

Mr. Miller replied yes.

Alderman Lail confirmed that notice had been given.

Mr. Miller responded yes, sir.

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

Attorney Ellie Bradshaw addressed City Council. She represented Catawba Valley Medical Center. Catawba Valley Medical Center was the entity that purchased the property on either side of the "unopened" street. She called it the "unopened" street because there is actually not a street in that location, it is more of a driveway that existed for the two houses which were previously there and now have been demolished. By law what the hospital purchased must be in the name of the County and that is why it is titled in the name of the County. She referred to the PowerPoint and pointed out the intersection that was put in by Department of Transportation (DOT) when the street was widened. The street actually ends at

the end of the entrance paved by DOT. It was a steep slope up to Lenoir-Rhyne Boulevard. She showed a photo of a view looking down from the Lenoir-Rhyne Boulevard intersection. She noted that it was a gravel street/ a gravel driveway, and pointed out a couple of utility poles, a fire hydrant and a sewer line. She showed a photo from the bottom part of the property looking up and pointed out the sanitary sewer and the steep slope. She showed a photo looking along the driveway. That was really all that was there. The street was created in the 1920's and never really was opened. The right of way was only 40 feet, but it is really never been used as a public right of way or publicly maintained. She showed another view of the rear portion of the property. She advised she would be glad to answer any questions. One question that was asked was what the plans were for this property. She advised the hospital purchased it with a medical office building in mind. They do not have any immediate plans to build but that is their intention with this property.

Mayor Guess asked if there were any further question. He asked if there was anyone else present to speak in favor of the closing. No one else appeared. He closed the public hearing and asked for discussion or a motion from Council.

Alderwoman Patton moved, seconded by Alderman Zagaroli approval of closing a portion of "E" Avenue SE. The motion carried unanimously.

RESOLUTION NO. 18-48  
RESOLUTION AND ORDER

WHEREAS, Catawba County, AMMCO, LLC and CWS Properties owns properties adjoining the following described area, in the City of Hickory, County of Catawba, which is further described as follows:

A Portion of "E" Avenue SE, Hickory

Lying and being situate in the City of Hickory, Hickory Township, Catawba County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing right-of-way disk in the eastern margin of the NCDOT right-of-way described in a Right-of-Way Deed recorded in Book 2293, Page 1420, next with the right-of-way of NCDOT North 02° 01' 46" East 35.17 feet to a point within the right-of-way of NCDOT; thence continuing with the line and right-of-way of NCDOT North 75° 43' 03" East 32.98 feet to a right-of-way disk, a corner to the property of Catawba County, acquired by deed recorded in Book 3436, Page 111, Catawba County Registry; thence with the line of Catawba County North 75° 43' 03" East 74.79 feet to an existing ¾" pipe, the southeast corner of the property of Catawba County acquired by deed recorded in Book 3436, Page 108, and the southwest corner of Tract 2 of the property of Catawba County acquired by deed recorded in Book 3436, Page 105, Catawba County Registry; thence with the line of Catawba County (Book 3436, Page 105) for two (2) calls: North 76° 07' 10" East 71.29 feet to a ½" solid iron rod; thence North 75° 23' 44" East 53.39 feet to a 60" white oak in the line of the property of CWS Properties, LLC acquired by deed recorded in Book 2646, Page 1128, Catawba County Registry; thence with the line of CWS Properties, LLC South 22° 54' 09" West 45.19 feet to an existing ¾" solid iron pin, a corner to the property AMMCO, LLC acquired by deed recorded in Book 2168, Page 495, Catawba County Registry; thence with the line of AMMCO South 74° 29' 27" West 29.07 feet to an existing ¾" pipe at a fence corner, a corner to the property of AMMCO, LLC and the northeastern corner of Tract 1 of the property of Catawba County acquired by deed recorded in Book 3436, Page 105; thence with the northern line of Catawba County (Tract 1, Book 3436, Page 105) South 76° 39' 49" West 185.97 feet to a right-of-way disc, the POINT OF BEGINNING, and containing 6,433 square feet, more or less, according to a survey prepared by Darren L. Reid, PLS, dated August 31, 2017 to which survey reference is hereby made for greater certainty of description.

WHEREAS, following the filing of said petition with the City Council, a notice of public hearing upon the question of closing and abandoning said area for public roadway purposes was advertised in The Hickory Daily Record in the issues of October 19, October 26, November 2, and November 9, 2018.

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

THAT, the above-described area be and the same is hereby ordered to be closed and abandoned for roadway or street purposes, in accordance with the provisions of Chapter 160A, Section 299, of the General Statutes of North Carolina, and the Charter of the City of Hickory;

BE IT FURTHER RESOLVED, that the City of Hickory reserves the right, title and interest in any utility improvement or easement within the above-described street or roadway to be closed, pursuant to the provisions of 160A, Section 299, of the General Statutes of North Carolina; and

RESOLVED, FURTHER, that all rights, title and interest of the City of Hickory in and to the area covered by said street shall vest in the respective owners of the land adjoining said area, all in accordance with the provision of the abovementioned section of the General Statutes of North Carolina.

2. Approved a Resolution Directing that Street Improvement Project be Undertaken for Curb and Gutter Petition 18-02 for a Portion of 4<sup>th</sup> Street NW – Presentation by Assistant Public Services Director Steve Miller.

The City Clerk received petition number 18-02 from the owners of property along a portion of 4<sup>th</sup> Street NW to install curb and gutter along a portion of their street as per section 29-2 of the Hickory Code of Ordinances. The petition was a single-party petition. The petitioners represent a majority, greater than 50 percent, of the property owners as well as a majority, greater than 50 percent, of the property footage of the property frontage requested in the petition and therefore qualifies as a valid petition. The signatures on the petition represent 100 percent of the property owners affected, who in turn represent 100 percent of the property footage affected. The City Clerk has validated these numbers as shown on the Certificate of Sufficiency. Staff recommends Council's approval of a "Resolution Directing That Street Improvement Project Be Undertaken" for curb and gutter petition 18-02 to install curb and gutter along a portion of the property located at 4<sup>th</sup> Street NW in response to a petition from the property owners.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on October 19, 2018.

City Manager Warren Wood asked the City's Assistant Public Services Director Steve Miller to the podium to present Council with curb and gutter petition 18-02 for a portion of 4<sup>th</sup> Street NW.

Assistant Public Services Director Steve Miller presented a PowerPoint presentation. He advised this was a curb and gutter petition, a single party petition. It was the Hartley property located at 1344 4<sup>th</sup> Street NW. The property was midblock along 4<sup>th</sup> Street NW. They are able to do a single party petition because there is existing curb and gutter and they are just adding to the end of the curb and gutter section. Normally that is the way a single party petition is, a corner lot. They are the end of an existing section. The approximate construction cost to the homeowner was \$5,015. The request was for Council to approve the construction of the street improvement project for curb and gutter as requested. He showed an aerial and pointed out the subject property. He advised this was one of the streets in Hickory that starts out as an Avenue and then changes to a Street and then back to an Avenue. He pointed out the location of the Brian Center, just down from 4<sup>th</sup> Street Drive and Fourk. As you come down to the bottom of the hill there was a little creek crossing there. This was all curb and gutter, so this property owner is just extending the existing curb and gutter. He showed another photo to give Council an idea of what they were doing. They were doing the actual frontage which fronts to the road. Staff requested Council's approval of the Resolution to install curb and gutter along a portion of the east side of 4<sup>th</sup> Street NW. He reiterated it was a single party petition. He asked Council for any questions.

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

Alderwoman Patton moved, seconded by Alderman Seaver approval of the Resolution Directing that Street Improvement Project be undertaken for Curb and Gutter Petition 18-02 for a Portion of 4<sup>th</sup> Street NW. The motion carried unanimously.

RESOLUTION NO. 18-49  
Resolution Directing That Street Improvement Project Be Undertaken  
(No. 18-02)

WHEREAS, on August 10, 2018, the property owner of 1344 4<sup>th</sup> Street NW, 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 the City Council of the City of Hickory that said petition is sufficient in all respects, the same having been duly signed by a majority in number of the owners, whose property represents a majority of all the lineal feet of frontage of the lands abutting upon the streets or portion of streets hereinabove described; and

WHEREAS, a Preliminary Assessment Resolution was adopted by this City Council and a public hearing thereon duly held.

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

1. That a portion of 4th Street NW, Hickory be improved by placing and constructing thereon curb and gutter under and by virtue of Chapter 160A, Article 10 of the General Statutes of North Carolina and the procedure therein established, 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.
2. That 50 percent of the total cost of said improvement, exclusive of so much of the total costs as is incurred in improving the street intersections, be hereafter assessed upon the property receiving the improvements.
3. That the assessment herein provided for shall be payable in cash, or if any property owner shall so elect, in accordance with Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina, he shall have the option and privilege of paying the assessment in five (5) annual installments, said installments to bear interest at the rate of 8 percent per annum.

B. Departmental Reports:

1. Trivium Corporate Center Update – Presentation by Public Services Director Kevin Greer.
  - a. Accepted an Agreement for Professional Services with Civil & Environmental Consultants, Inc. for Master Planning Services Related to the Trivium Corporate Center Property in the amount of \$21,941.

Staff requests Council's acceptance of an Agreement for Professional Services with Civil & Environmental Consultants, Inc. (CEC) for Master Planning services related to the total Trivium Corporate Center property in the amount of \$21,941. The City of Hickory identified an area in southeast Hickory that is large enough and conducive to development of a business park, convenient to major roadways and adjacent to significant utility infrastructure. The City of Hickory, Catawba County and Economic Development Corporation have worked on development of this area as a business park for several years and the City and County have agreed to split the cost of development. Trivium Business Park is the business park identified for Bond proceeds for the Bond Referendum that was passed by the City of Hickory. This agreement will establish master planning standards and cross-sections for all future park infrastructure. The City, County and EDC have worked on development of the project to a condition that is receptive to marketing. The Trivium Corporate Board has directed staff to complete master planning efforts to develop standards and cross-sections for development of the entire property in an organized and harmonious manner to ensure the property develops as a Class "A" Business Park with the appearance desired. These standards will be used for all development that occurs on the property and establish where improvements should be made to maximize developable property. This agreement will be funded from Bond proceeds and will be split equally between the City and County per a joint funding agreement. Staff requests Council's acceptance of an Agreement for Professional Services with Civil & Environmental Consultants, Inc. (CEC) for Master Planning services related to the total Trivium Corporate Center property in the amount of \$21,941.

City Manager Warren Wood asked the City's Public Services Director Kevin Greer to the podium to present Council with an update on the Trivium Corporate Center.

Public Services Director Kevin Greer presented a PowerPoint presentation. He discussed the Trivium Corporate Center. He advised it was approximately 270 acres of property which they had assembled just off of Startown Road, to actually try to develop a class "A" business park for the area. That was the whole purpose for this development. The first announcement earlier this summer was Corning announced a \$60 million dollar investment for a new facility to go out there and there had been a couple other businesses who had expressed interest in the area as well. He advised staff was requesting Council's approval of an agreement with Civil & Environmental Consultants, Inc., (CEC). This company was currently doing some work for the City out there. This agreement would be to provide master planning services. The goal in this is to get a common "thread" when it comes to the look and the feel of the business park. One of the things that really detracts from it is if you have a different look of a fence, landscaping, or street lights. They are going to try and get a common look among the whole business park, which is the purpose in this master plan. He showed a photo of the Trivium Corporate Center signs located on Startown Road. They do not have power to those yet, so they are not lit up yet. They are waiting on Duke Energy to make the connection to the pole. The sign itself is in we are just waiting on the power. He pointed out the entrance which was landscaped and had curb and gutter. He showed a photo of the Corning site. He advised there was quite a bit of grading that was happening there. It was approximately 27 acres that Corning has in the park itself and it was a big area which they had graded there. He showed a drawing and pointed out Startown Road, the existing berms which were installed as part of the project, the road extension which was previously approved on the consent agenda, the Corning site which was under construction, and a proposed pad for the future. They were looking at what kinds of pads they have and what it is going to look like. He also pointed out a potential road extension to get you through the park. They are trying to plan out what the whole thing will look like. He showed a photo of the area for the proposed building and the creek at the bottom. It looked different on the backside. He pointed out Robinwood Road. On the backside of Robinwood on the property there are actually four building pads that are planned potentially for that area as well. He showed a road which was somewhat part of a master plan that already had been done to get to this area, but it was schematic in nature. They did not have any real plans for it yet. Over the course of the construction project they worked with the Brand Office and Communications and Marketing Director Dana Kaminske. They used her drone footage and the Videographer which she works with to do some before shots, and under construction shots. What it really looks like for us to get it from a start to finish kind of feel, so you are getting a quick view of what that looks like for them. He showed a drone video. It started at the initial part of the project where it was just the farm that was there. He advised one of the photos was where the Corning site was now. It was all pasture land before. He pointed out the entrance which was under construction that had been completed to this point now, and the berm. He showed the silos and then they were demolished. The silos were determined to be structurally deficient, so they could not try and save the silos, just for the feel of it. He advised they were going to try to do the drone with other projects just to give them that archive of what it was like before and what it looks like now. He asked Council's approval of a contract with (CEC) Civil & Environmental Consultants, Inc., which is an engineering firm that the City already has a relationship with, to complete the master planning for the City as a part of the project also. That master plan is not to produce a set of road drawings, the master plan is to let them know what that cross section of a road looks like with trees, streetlights, bushes, and sidewalks. As we build the park what do want that common look to be versus each one building their own and getting a hodgepodge of looks. They want to make sure that we get a good common look. It also included walking trails, as part of that was negotiated and they are seeing more with corporate. They like the fact that they are looking at some walking trails and some recreation use out there also. The City would get a benefit from it, the neighbors would, the park itself would, so they are going to try and incorporate that. And for the landscaping and the signage to be common throughout the park again. When you pull into the park it doesn't feel like you are going to different places you are going into one common place with a good theme that tells a nice story. He asked Council for any questions.

Alderman Seaver asked on the Robinwood Road slide, there was some land down below the creek on the left. He asked if that was usable for building in there.

Mr. Greer pointed out the area located at the creek and advised the areas which had some good property. You have to be protective of the creeks themselves. He showed an area which was a wetland area. They can't do anything there, but they can work where it is a good common theme around it.

Alderman Seaver asked if they were considering a spec building there now. Or if Corning would be the spec.

Mr. Greer advised that Corning was definitely not spec. Corning was going in there, they are buying property. They had talked about spec potential in different places. That was something that Council, the Trivium Board, and the County Commissioners will work through.

Alderman Seaver confirmed that no decisions had been made by anybody.

Mr. Greer replied correct.

Alderman Zagaroli asked if the City was splitting the costs of this with the County.

Mr. Greer responded we do, everything is 50/50. We have a joint funding agreement with the County on this project.

Alderman Lail commented the Trivium Board will look at the plans and make a recommendation from the master plan back to the City or the County.

Mr. Greer advised that is correct.

Alderman Lail commented it want come back in raw form to Council.

Mr. Greer replied yes. Hickory is led agent as the project moves forward. The Trivium Board looks at the stuff, which Council has a couple of representatives on the board, Mr. Wood is on that Board. The County Commissioners and Mr. Berry are on the Board and then Scott Millar of the Catawba County Economic Development Corporation is on that Board as well. The City is represented from both sides on the Board. That was a good point. The City, as led agent, are actually the ones that are doing all the contracting for stuff, but the Trivium Board is who we are actually working through for a lot of the decisions. Council gets final say in all of those decisions when it comes to City money.

Mayor Guess asked for any further questions. He asked for a motion or discussion.

Alderman Seaver moved, seconded by Alderwoman Patton approval of the Professional Services Agreement with Civil & Environmental Consultants, Inc. The motion carried unanimously.

2. Appointments to Boards and Commissions

**COMMUNITY APPEARANCE COMMISSION**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
Ward 2 (C. Williams Appoints)

VACANT

**COMMUNITY RELATIONS COUNCIL**

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

VACANT

Other Minority (Council Appoints)

VACANT

Other Minority (Council Appoints)

VACANT

Other Minority (Council Appoints)

VACANT

**HICKORY REGIONAL PLANNING COMMISSION**

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

Burke County (Mayor Appoints with Recommendation from County)

VACANT

Caldwell County (Mayor Appoints with Recommendation from County)

VACANT

**INTERNATIONAL COUNCIL**

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

VACANT

**PARKS AND RECREATION COMMISSION**

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

**PUBLIC ART COMMISSION**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
At-Large (Mayor Appoints) (Lisë Swensson Resigned 9-13-18) VACANT

**RECYCLING ADVISORY BOARD**

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

**YOUTH COUNCIL**

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

Mayor Guess encouraged anyone in the audience who wished to serve on a Board or Commission, especially those that were listed with vacancies, to apply online, or see one of the Council members and they would assist them in any way they could to fill those vacancies.

- 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

Alderman Seaver referenced the Catawbans which was on UNC TV last night. It was a very interesting program. They did the whole thing from the beginning of the Catawba County area up to today. He advised that Scott Millar, City Manager Warren Wood, and Alderman Williams were all in the program. Former City Manager Mick Berry was in there as well. It was very interesting. He encouraged citizens to watch it if they hadn't seen it.

City Manager Warren Wood advised they could send Council a link for it tomorrow.

Mayor Guess commented they were going to do a follow-up.

City Manager Warren Wood advised a series of follow-ups.

Alderman Seaver commented that it sounded like more than just one more show.

City Manager Warren Wood advised a series of 30 minute shows.

Alderman Seaver thought it was very interesting. He even passed up Monday night football, and that was an exciting game to watch.

Alderwoman Williams enjoyed the Staff appreciation luncheon and the retirement luncheon. It was really enjoyable and she enjoyed meeting all of the wonderful committed Hickory staff.

City Manager Warren Wood advised they give them service awards for their years of service.

Alderman Seaver advised in talking about homelessness and veterans, they had discussions about that at the Sister's City meeting. They also had spoken about it at the Stand Down and the Hospice for the new Carolina Caring spoke a lot about it. They had that presentation at Kiwanis and then at Council's meeting too, so he had three meetings in a row today where they talked some about that and what had been done for the veterans in Catawba County. Still a slope to climb on it. A lot of discussion going on.

City Manager Warren Wood commented they didn't have to debate solutions to homelessness. He advised every year the Police Department does a point in time count of the homeless population. Those that you see living on the streets was estimated at about 70 at any one time. About half of those are not from Hickory and a minority of those are veterans. Chief Whisnant and his staff, with the tools that they have, are on the frontlines with this issue on a daily basis. They had put together a community resources brochure for those people in need. It list dozens of services available in our community, meals, food, transportation, clothing, medical care, employment services, etc. He advised anyone that was interested in the audience that the brochures were available at the Clerk's desk. In addition to that, to the gentleman who spoke that was homeless, Chief Whisnant has Mr. Charles Mackie in his office that can help folks. We are not typically in that business, but they do help folks in need to that degree even if they have felonies. There are 3,500 jobs right now in

Catawba County that we don't have the workforce for. There are opportunities to work for those that are willing. They would be more than happy to help anybody that needs that.

Mayor Guess reminded everyone that Small Business Saturday was this Saturday, November 24<sup>th</sup> in downtown Hickory. He encouraged everyone to shop downtown particularly. We have got a lot of new people that have opened up businesses in the Arcade and in the downtown area. He encouraged people to get out and see what they have to offer.

City Manager Warren Wood commented the Christmas Parade was Friday, and it was a big crowd. Mr. Kyle Mishler with Parks and Recreation was the ringleader of that. There were 80 plus floats and he and Deputy City Attorney Arnita Dula emceed it this year. It went really well. They also had the Christmas tree lighting. The lights came on the first try this year and Santa Claus and Mrs. Claus were happy and the kids were happy. It was a really good event and there were a lot of good comments about it.

Alderman Seaver referred to the Catawbans show and commented an interesting statistic that he hadn't heard before was Catawba County has the lowest poverty rate in the State of North Carolina.

City Manager Warren Wood commented they might need to fact check that.

Alderman Seaver commented that was the first time he had ever heard that.

Mayor Guess wished everyone a Happy Thanksgiving.

- XIV. Closed Session Per NC General Statutes 143-318.11(a)(1)(4)(6) to consult with the attorneys regarding the following: (Action on these items, if any, will occur in Open Session)

Mayor Guess moved that Council go into closed session to consult with the attorneys to discuss the items below, seconded by Alderman Lail. The motion carried unanimously.

1. Approval of Closed Session Minutes of October 16, 2018 - NCGS §143-318.11(a)(1)
2. Discussion of Potential Economic Development - NCGS §143-318.11(a)(4)
3. Discussion of a Personnel Matter - NCGS §143-318.11(a)(6)

Council convened to closed session at approximately 7:40 p.m.

Council reconvened to open session at approximately 8:30 p.m.

No action was taken upon return to open session.

- XV. There being no further business, the meeting adjourned at 8:30 p.m.

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Mayor

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City Clerk