

A Regular Meeting of the City Council of the City of Hickory was held in the Council Chamber of the Municipal Building on Tuesday, September 5, 2017 at 7:00 p.m., with the following members present:

Brad Lail	Jeff M. Cline	Hank Guess
Vernon Tarlton	Aldermen	David P. Zagaroli
Danny Seaver		Jill Patton

A quorum was present.

Also present were: City Manager Warren Wood, Assistant City Manager Andrea Surratt, 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 Cline called the meeting to order. All Council members were present.

II. Invocation by Jay Robison, Pastor, Viewmont Baptist Church

III. Pledge of Allegiance

IV. Special Presentations

A. Introduction of New Hickory Police Department's Officers

Mayor Cline asked Chief of Police Thurman Whisnant to the podium for the special presentation.

Chief of Police Thurman Whisnant advised he had the pleasure of introducing the newest members who had just recently joined the Hickory Police Department family. He mentioned as Council was aware over the last few year's recruitment and retention in the policing business has been somewhat of a challenge. He credited Sergeant Justin Levey. Earlier in the spring the police department was in a situation where they were 14 police officers short. When they are fully staffed they are at 116. He referenced the pact system, the City is in five pacts. That is almost the size of a pact. They have a very high standard at Hickory Police Department. They didn't want to lower their standard. They also realized that they needed to do something different. Early in the spring, Sergeant Levey was put into a position of recruitment. They did some kind of "outside of the box" thinking to try and do some recruitment. He was pleased to say that all of the men and women (referencing a row in the audience) were Hickory Police Department's newest editions. He noted that some of them were dressed differently. The red/burgundy shirts are still in the police academy which is one of the things that was "outside of the box" which they did over the last year or so, which was finding qualified applicants and hiring them prior to them getting their police certification. They are enrolled and currently attending the session at Western Piedmont Community College. It is approximately four months long and they are slated to graduate in December. The other men and women present who were in uniform are actually in field training and working with their field training officers. He explained how the system works. When someone leaves the police department, it is a rather rigorous process background and it sometimes takes a month to six weeks. From there, if you are not certified you have a four month class. If you are certified it is about that much longer again that you are riding with a field training officer. It can take sometimes ten months from the time someone leaves until they have an officer that is out and been through field training. He introduced Sergeant Levey, Colton Castell, Willing Hutchins, Rene Martinez, Daniel Nash, Tyler Thompson, and Officers Daniel Blake, Rhonda Bunt was not present; she was under the weather, Ralph Enoch, Jamon Griffin who was unable to attend, Janson Orellana, and Ashley Swim. He advised these are the newest members of Hickory Police Department. They come to the police department from various backgrounds, highly qualified, and they are extremely excited for them at the beginning of their careers. They were real proud of Sergeant Levey for his work in finding the best of the best for them.

Mayor Cline thanked Chief Whisnant and welcomed the new officer's service to the City. He thanked them for being in attendance.

V. Persons Requesting to Be Heard

VI. Approval of Minutes

A. Regular Meeting of August 15, 2017

Alderman Lail moved, seconded by Alderman Tarlton that the Minutes of August 15, 2017 be approved. The motion carried unanimously.

Alderman Lail advised Mayor Cline he had inadvertently skipped "Person Requesting to Be Heard".

Mayor Cline advised there was not one signed up to speak. He asked if anyone wished to be heard by Council. No one appeared.

- 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 Zagaroli that the following be reaffirmed and ratified on second reading. The motion carried unanimously.

- A. Approval of a Resolution Authorizing the Execution of a Lease Agreement of Property Located at 304 3rd Street SW, Hickory. (First Reading Vote: Unanimous)
- B. Acceptance of the Bid and Award the Contract to Amick Equipment in the Amount of \$280,761.55 for a 2018 Crane Carrier Cab/Chassis Model #LET2-46. (First Reading Vote: Unanimous)
- C. Acceptance of the Bid and Award the Contract to Carolina Environmental Systems Inc. for in the Amount of \$242,026.38 for a 2018 Crane Carrier Cab/Chassis model #LET2-44. (First Reading Vote: Unanimous)
- D. Acceptance of the Bid and Award of the Contract to James River Equipment for the Purchase of a John Deere 670G Motor Grader in the Amount of \$187,931.94. (First Reading Vote: Unanimous)
- E. Budget Revision Number 3. (First Reading Vote: Unanimous)
- F. Consideration of Amendments to Chapter 4 Animals and Fowl of the Hickory City Code of Ordinance. (First Reading Vote: Unanimous)
- G. Consideration of Amending the City's Code of Ordinance Chapter 21 Section 21 – 11 Hours of Sell of Beer and Wine, with Regards to Senate Bill 155. (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 Patton approval of the Consent Agenda. The motion carried unanimously.

- A. Approved on First Reading the Landscape Incentive Grant to Hickory Museum of Art for Property Located at 243 3rd Avenue NE in the Amount of \$2,500.

City Council created the Landscape Incentive Grant program in 1999 to provide economic incentives for property owners to improve the general appearance of properties located within the City. The Community Appearance Commission reviews applications for the grant program and forwards a recommendation of approval or denial to City Council. The grants are designed as a reimbursement grant in which the City of Hickory will match the applicant on a 50/50 basis. The maximum grant amount from the City of Hickory is \$2,500. The grant proposal put forth involves the installation of three stone tables and two stone benches in the Founders' Garden located on the eastern side of the property. The applicant has provided two bids for the items listed above, which total \$6,292 and \$7,900. If approved, the request would qualify for a \$2,500 grant. The application was reviewed by the Community Appearance Commission at its August 7, 2017 special called meeting. Upon review the Community Appearance Commission scored the application, utilizing its grant scoring criteria, the application scored 25 points out of a possible 36 points, which placed the application into the high category of scoring. Upon completion of the scoring exercise, the Community Appearance Commission voted unanimously (7-0) to recommend funding of the grant application in the amount of \$2,500.

- B. Approved the Special Events Activities Application National Day of Play, Lance Riddile, Recreation Programmer, City of Hickory Parks and Recreation Department, Kiwanis Park, September 16, 2017, 10:00 a.m. to 3:00 p.m.
- C. Approved the Special Events Activities Application Patriots Day Evening of Remembrance, Chief Fred Hollar, Hickory Fire Department, Union Square, September 11, 2017, 5:30 p.m. to 7:30 p.m.
- D. Approved the Special Events Activities Application Lowes Foods Christmas Parade and City of Hickory Christmas Tree Lighting, Kyle Mishler, Senior Recreation Programmer, Hickory Parks and Recreation, City Hall and Union Square, November 17, 2017, 3:00 p.m. to 8:30 p.m.
- E. Approved the Special Events Activities Application Mel's Jingle Run 5K, (Benefiting Operation 300 and Women's Resource Center) Sarah Prencipe, Op300 Volunteer and

Leslie Knapp, Mellow Mushroom Owner, Women's Resource Center Volunteer, Sails on the Square Stage, December 9, 2017 5:30 a.m. to 11:30 a.m.

- F. Approved on First Reading the Community Development Block Grant Agreement with Exodus Outreach Foundation, Inc. in the Amount of \$6,600 for Funding through the City's Community Development Block Grant Program.

In February 2017, the City of Hickory Department of Planning and Development Services requested applications from local nonprofit organizations for funding under the Community Development Block Grant Program. The Citizen's Advisory Committee reviewed and recommended funding for these applications as part of the City's Annual Action Plan. The Annual Action Plan was approved following a public hearing on July 18, 2017. The CDBG funding agreement describes the requirements for the City and Exodus Outreach Foundation to ensure that all applicable federal regulations are met. Funds will be used to provide support to provide transportation and employment services at Exodus Homes, which provides support to homeless and previously incarcerated persons with substance abuse issues. Exodus Outreach Foundation has requested and been approved for funding in the amount of \$6,600 through the City of Hickory's Community Development Block Grant program. Approval of the Agreement will allow them to continue to provide services to homeless and previously incarcerated individuals with substance abuse issues. Staff recommends approval of the CDBG funding agreement between the City of Hickory and Exodus Outreach Foundation, Inc.

- G. Approved on First Reading the Community Development Block Grant Agreement with AIDS Leadership Foothills-Area Alliance, Inc. in the Amount of \$9,900 for Funding through the City's Community Development Block Grant Program.

In February 2017, the City of Hickory Department of Planning and Development Services requested applications from local nonprofit organizations for funding under the Community Development Block Grant Program. The Citizen's Advisory Committee reviewed and recommended funding for these applications as part of the City's Annual Action Plan. The Annual Action Plan was approved following a public hearing on July 18, 2017. The CDBG funding agreement describes the requirements for the City and AIDS Leadership Foothills-Area Alliance to ensure that all applicable federal regulations are met. Funds will be used to provide support for a medical case manager position, which will assist persons living with HIV and AIDS to ensure that they remain in medical care and also receive other services as they are available. AIDS Leadership Foothills-Area Alliance has requested and been approved for funding in the amount of \$9,900 through the City of Hickory's Community Development Block Grant program. Approval of the Agreement will allow them to continue to provide much needed medical case management services to persons living with HIV and AIDS. Staff recommends approval of the CDBG funding agreement between the City of Hickory and AIDS Leadership Foothills-Area Alliance, Inc.

- H. Approved on First Reading the Community Development Block Grant Agreement with Greater Hickory Cooperative Christian Ministry in the Amount of \$11,900 for Funding through the City's Community Development Block Grant Program.

In February 2017, the City of Hickory Department of Planning and Development Services requested applications from local nonprofit organizations for funding under the Community Development Block Grant Program. The Citizen's Advisory Committee reviewed and recommended funding for these applications as part of the City's Annual Action Plan. The Annual Action Plan was approved following a public hearing on July 18, 2017. The CDBG funding agreement describes the requirements for the City and Greater Hickory Cooperative Christian Ministry to ensure that all applicable federal regulations are met. Funds will be used to provide support to assist the NETworX Catawba Program which is a 15 week program that provides training to individuals looking to break the cycle of generational poverty. Greater Hickory Cooperative Christian Ministry has requested and been approved for funding in the amount of \$11,900 through the City of Hickory's Community Development Block Grant program. Approval of the Agreement will allow them to continue to provide services to break the cycle of poverty. Staff recommends approval of the CDBG funding agreement between the City of Hickory and Greater Hickory Cooperative Christian Ministry.

- I. Approved on First Reading the Community Development Block Grant Agreement with Habitat for Humanity of the Catawba Valley in the Amount of \$35,000 for Funding through the City's Community Development Block Grant Program.

In February 2017, the City of Hickory Department of Planning and Development Services requested applications from local nonprofit organizations for funding under the Community Development Block Grant Program. The Citizen's Advisory Committee reviewed and recommended funding for these applications as part of the City's Annual Action Plan. The Annual Action Plan was approved following a public hearing on July 18, 2017. The CDBG funding agreement describes the requirements for the City and Habitat for Humanity of the Catawba Valley to ensure that all applicable federal regulations are met. Funds will be

used for rehabilitation of owner occupied single family residences with households earning less than eighty percent (80%) of the area median income. Habitat for Humanity of the Catawba Valley has requested and been approved for funding in the amount of \$35,000 through the City of Hickory's Community Development Block Grant program. Approval of the Agreement will allow them to continue to provide much needed housing rehabilitation services to benefit low to moderate income households. Staff recommends approval of the CDBG funding agreement between the City of Hickory and Habitat for Humanity of the Catawba Valley, Inc.

- J. Approved on First Reading the Community Development Block Grant Agreement with Hickory Soup Kitchen, Inc. in the Amount of \$6,600 for Funding through the City's Community Development Block Grant Program.

In February 2017, the City of Hickory Department of Planning and Development Services requested applications from local nonprofit organizations for funding under the Community Development Block Grant Program. The Citizen's Advisory Committee reviewed and recommended funding for these applications as part of the City's Annual Action Plan. The Annual Action Plan was approved following a public hearing on July 18, 2017. The CDBG funding agreement describes the requirements for the City and the Hickory Soup Kitchen to ensure that all applicable federal regulations are met. Funds will be used to provide support to staff at the Soup Kitchen to ensure that they are able to provide hot meals and food pantry services to those in need. The Hickory Soup Kitchen has requested and been approved for funding in the amount of \$6,600 through the City of Hickory's Community Development Block Grant program. Approval of the Agreement will allow them to continue to provide much needed nutritional services to the City of Hickory's homeless and/or low-income community. Staff recommends approval of the CDBG funding agreement between the City of Hickory, North Carolina and Hickory Soup Kitchen, Inc.

- K. Approved on First Reading the Community Development Block Grant Agreement with Safe Harbor Rescue Mission in the Amount of \$6,600 for Funding through the City's Community Development Block Grant Program.

In February 2017, the City of Hickory Department of Planning and Development Services requested applications from local nonprofit organizations for funding under the Community Development Block Grant Program. The Citizen's Advisory Committee reviewed and recommended funding for these applications as part of the City's Annual Action Plan. The Annual Action Plan was approved following a public hearing on July 18, 2017. The CDBG funding agreement describes the requirements for the City and Safe Harbor Rescue Mission to ensure that all applicable federal regulations are met. Funds will be used to provide support to provide a day shelter at Safe Harbor, which provides support to homeless women and children in addition to meeting physical needs, such as food, shelter, showers, etc. Safe Harbor Rescue Mission has requested and been approved for funding in the amount of \$6,600 through the City of Hickory's Community Development Block Grant program. Approval of the Agreement will allow them to continue to provide services to homeless women and children. Staff recommends approval of the CDBG funding agreement between the City of Hickory and Safe Harbor Rescue Mission.

- L. Approved on First Reading a Microenterprise Grant Agreement with A+ Auto Diagnostics in the Amount of \$4,000.

In its 2015-2019 Consolidated Plan for Housing and Community Development, the City of Hickory identified increasing entrepreneurship opportunities as a high priority need. This led to the creation of a program to provide microenterprise grants to businesses looking for funding necessary to take their business to the next level. The 2015-2016 Community Development Block Grant (CDBG) Annual Action Plan had \$10,000 allocated towards assistance for entrepreneurial activities, of which \$3,000 was remaining. Therefore, \$3,000 will be used from this allocation and the remaining \$1,000 will be used from the 2016-2017 allocation. According to the US Department of Housing and Urban Development, a microenterprise is a business that has fewer than five employees, one of whom is the owner of the business. The program offers grants of up to \$4,000 for low to moderate income business owners for business property, inventory, necessary fixed assets, marketing and business promotion, or other improvements approved by the Business Development Committee. Applicants are required to submit a business plan and have a counseling session with a local business support organization. Kelley Riley has applied for a Microenterprise Grant to support and enhance his business, A+ Auto Diagnostics. The business provides vehicle maintenance and repair services. The Business Development Committee reviewed the application and recommends approval of the grant in the amount of \$4,000. The grant funds will be used for business promotion and inventory. Staff recommends City Council's approval of the Microenterprise Grant Agreement with A+ Auto Diagnostics.

- M. Approved Vacation Days to be given as Prizes for the 2017 United Way Campaign and the 2017 Coworker Appreciation Event.

Human Resources requests vacation days to give as prizes for the 2017 United Way Campaign and the 2017 Coworker Appreciation Event to be held on November 2, 2017. For both of the events we have historically been granted vacation days to use as prizes. It increases participation for the United Way Campaign and also for our Coworker Event. Staff requests, for the United Way Campaign, two vacation days for a drawing for all fair share givers (one winner). Also requesting two vacation days for a drawing for all coworkers who pledged at least \$8 per month (two winners); and for the Annual Coworker Appreciation Event, Staff requests eight vacation days in total to use for door prizes. Three one-day vacation winners will be drawn and our grand prize will be a five-day vacation package. Staff recommends City Council's approval of this annual request.

- N. Approved Acceptance of the Offer of Public Dedication of Street Right-of-Way Shown on Plat Book 77, Pages 90 and 91 of the Catawba County Registry.

In 2017 construction was completed on a new forty-one (41) lot residential development off of Timberland Hills Drive in southeast Hickory. As part of this development, four new streets were constructed to provide access to the lots. The City has been presented with an offer of dedication for street right-of-way as shown on a plat recorded in Plat Book 77, Pages 90 and 91 of the Catawba County Registry. The area consists of the right-of-way areas for the extension of Timberland Hills Drive, Raymond Loop, Franklin Court, and Dorothy Court. The streets were constructed by the developer as part of the Shrum Acres residential development. The streets have been properly inspected by the City of Hickory, and been found to meet the minimum design requirements necessary for public maintenance. Public use and maintenance of street right-of-way 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 the right-of-way, as shown on Plat Book 77, Pages 90 and 91 of the Catawba County Registry.

RESOLUTION NO. 17-30

A RESOLUTION OF THE HICKORY CITY COUNCIL ACCEPTING THE OFFER OF PUBLIC DEDICATION OF LANDS AND IMPROVEMENTS KNOWN AS TIMBERLAND HILLS DRIVE (EXTENSION), RAYMOND LOOP, FRANKLIN COURT, AND DOROTHY COURT, WHICH ARE SHOWN ON EXHIBIT A, AND RECORDED IN PLAT BOOK 77, PAGES 90 AND 91 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 Timberland Hills Drive (extension only), Raymond Loop, Franklin Court, and Dorothy Court, which are shown on Exhibit A, and recorded in Plat Book 77, Pages 90 and 91 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 Timberland Hills Drive (extension only), Raymond Loop, Franklin Court, and Dorothy Court, which are shown on Exhibit A, and recorded in Plat Book 77, Pages 90 and 91 of the Catawba County Registry, is accepted, subject to the following terms and conditions:

SECTION 1. Terms and Conditions of Acceptance:

1. The sub-divider 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.

- O. Called for a Public Hearing for Consideration of Rezoning Petition 17-03 for Approximately 23.418 Acres of Property Located at 3061 Short Road, 1995 Startown Road, 2007 Startown Road, and an Unaddressed Parcel South of Startown Road. (Authorize Public Hearing for September 19, 2017, at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).
- P. Approved the Issuance of a Pyrotechnic Display Permit to Lenoir-Rhyne University.

Justin Pruit, owner of Pyrotecnico, has submitted a request on behalf of Lenoir-Rhyne University to obtain permission to conduct a public fireworks display on September 9, 2017. The North Carolina Fire Code requires a mandatory operational permit for the use and handling of pyrotechnic special effects material. The Division of Fire & Life Safety Division shall review all required documentation such as but not limited to the following: Alcohol Tobacco and Firearm's License, Operation and Assistant Operators Permits from the North Carolina Office of State Fire Marshal (NCOSFM), Site Plan, and the one million dollar liability insurance policy. The Fire & Life Safety Division will also inspect the pyrotechnics display area prior to the event to ensure compliance with NCOSM Guidelines, National Fire Protection Association (NFPA) NFPA 1123 Code for Fireworks Display, and NFPA 1126 Use of Pyrotechnics Before a Proximate Audience (if applicable) are met. Staff recommends approval of the request for the pyrotechnics display.

- Q. Approved on First Reading the Contract with Wilkie Construction Co. SE, LLC in the Amount of \$285,302.

Staff requests approval of the contract with Wilkie Construction Co. SE, LLC for construction of a new picnic shelter, meeting room, and restrooms at Hickory City Park. The existing picnic shelter and restrooms at Hickory City Park are in poor condition and are not located for convenient use by tennis players at the park. The City of Hickory and the Greater Hickory Tennis Association are working to upgrade the park to allow greater use of the tennis courts there. Through a Priority Use Agreement, the Greater Hickory Tennis Association has committed to contribute \$125,000 towards the total project cost. In addition to the picnic shelter and restrooms, the parking lot is to be replaced and significantly enlarged. The design of the proposed structure utilizes a pre-engineered steel frame structure to which the walls will be added to provide the picnic shelter, restrooms, and a conference room. The pre-engineered structure is similar to the recently-installed restroom facility at Hickory Optimist Park; it has been ordered and will be purchased with a National Joint Powers Alliance (NJPA) discount. Construction of the structure and the parking lots will occur simultaneously. An existing water line across the park property is to be replaced and that work will occur prior to the parking lot construction. Several local, reputable, licensed contractors were individually contacted and the request for bids was placed on the City's website. Staff advertised for competitive bids on the construction project. The low bidder on the project was Wilkie Construction Co. SE, LLC with a lump-sum bid of \$285,302 for a complete project. The other two bids received were from Moss-Marlow Building Co., Inc. and Neill Grading and Construction Co., Inc. with bids in the amount of \$305,000 and \$ 320,000, respectively. Staff recommends approval of the construction of the picnic shelter and restrooms at Hickory City Park by Wilkie Construction Co. SE, LLC in the amount of \$285,302.

- R. Approved on First Reading the Purchase of the Pre-Engineered Picnic Shelter Structure from Porter Corporation through a National Joint Powers Alliance (NJPA) Cooperative Purchasing Agreement.

The existing picnic shelter and restrooms at Hickory City Park are in poor condition and are not located for convenient use by tennis players at the park. The City of Hickory and the Greater Hickory Tennis Association are working to upgrade the park to allow greater use of the tennis courts that are located at the park. Through a priority use agreement, the Greater Hickory Tennis Association has committed to contribute \$125,000 towards the total project cost. In addition to the picnic shelter and restrooms, the parking lot is to be replaced and significantly enlarged. The design of the proposed structure utilizes a pre-engineered steel frame structure to which the walls and fixtures will be added, by an outside contractor, to provide the picnic shelter, restrooms and meeting room. The pre-engineered picnic shelter structure is similar to the recently installed restroom/community room facility at Hickory Optimist Park and will be purchased through a National Joint Powers Alliance (NJPA) Cooperative Purchasing Agreement at a cost of \$83,173.80. Construction of the picnic shelter/restroom structure and the expanded parking lot will occur simultaneously. An existing water line across the park property is to also be replaced and that work will occur prior to any other construction beginning. Staff recommends approval of the purchase of the pre-engineered picnic shelter structure, from Porter Corporation, through a National Joint Powers Alliance (NJPA) Cooperative Purchasing Agreement at a cost of \$83,173.80.

- S. Approved on First Reading the Contract with Neill Grading and Construction Co. Inc. in the Amount of \$592,896.

Staff requests approval of the contract with Neill Grading and Construction Co. Inc. for construction of a new parking lot at Hickory City Park. The existing parking lot and picnic shelter and restrooms building at Hickory City Park are inadequate for the park's use. The City of Hickory and the Greater Hickory Tennis Association are working to upgrade the park to allow greater use of the tennis courts there. Through a Priority Use Agreement, the Greater Hickory Tennis Association has committed to contribute \$125,000 towards the total project cost. In addition to an enlarged picnic shelter and restrooms, the parking lot is to be replaced and significantly enlarged. Complete design of the parking lots was performed by the City of Hickory Engineering Department. The design of the proposed parking lot provides approximately 122 parking spaces and 5 handicap-accessible spaces. Concrete curb and gutter is used along both sides of the asphalt-paved parking areas. The contract includes earthwork, drainage, and erosion control. An existing water line across the park property is to be replaced and that work will occur prior to the parking lot construction. Several local, reputable, licensed contractors were individually contacted and the request for bids was placed on the City's website. Staff advertised for competitive bids on the construction project. Bids were opened and read publicly on August 22nd in the Engineering Department's conference room. The low bidder on the project was Neill Grading and Construction Co. Inc. with a lump-sum bid of \$ 592,896 for a complete project. The other two bids received were from M & M Construction of Banner Elk, Inc. and J. T. Russell and Sons, Inc. with bids in the amount of \$ 692,000 and \$ 755,000, respectively. The Engineer's estimated cost on the project was \$ 579,000. Staff recommends approval of the construction of the parking lot at Hickory City Park by Neill Grading and Construction Co. Inc. in the amount of \$592,896.

- T. Approved on First Reading Budget Revision Number 4.

ORDINANCE NO. 17-25
BUDGET REVISION NO. 4

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
Public Safety	900	-
Contingency	-	6,400
Other Financing Uses	6,400	-
TOTAL	7,300	6,400

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

FUNCTIONAL AREA	INCREASE	DECREASE
Sales and Services	900	-
TOTAL	900	-

SECTION 2. To amend the Water and Sewer Fund within the FY 2017-18 Budget Ordinance, the expenditures shall be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Environmental Protection	2,304	-
TOTAL	2,304	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous Revenue	2,304	-
TOTAL	2,304	-

SECTION 3. To amend the Transportation Fund within the FY 2017-18 Budget Ordinance, the expenditures shall be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Transportation	467	-
TOTAL	467	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous Revenue	467	-
TOTAL	467	-

SECTION 4. To adopt Grant Project Ordinance #G5010F (Oakwood National Register Historic District Expansion), the expenditures shall be established as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Economic and Community Development	12,000	-
TOTAL	12,000	-

To establish funding for the above Grant Project, the revenues will be budgeted as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Restricted Intergovernmental Revenue	5,600	-
Other Financing Sources	6,400	-
TOTAL	12,000	-

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.

U. Approved on First Reading Budget Revision Number 5.

ORDINANCE NO. 17-26
BUDGET REVISION NO. 5

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.

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
Culture and Recreation	368,476	-
TOTAL	368,476	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous Revenues	125,000	-
Other Financing Sources	243,476	-
TOTAL	368,476	-

SECTION 2. 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.

V. Approved on First Reading Budget Revision Number 6.

ORDINANCE NO. 17-27
BUDGET REVISION NO. 6

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 fiscal year ending June 30, 2018.

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
Culture and Recreation	592,896	-
TOTAL	592,896	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	592,896	-
TOTAL	592,896	-

SECTION 2. 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.

- W. Proclamation Welcoming and Expressing Support for Dr. Frederick K. Whitt, 12th President of Lenoir-Rhyne University.

- IX. Items Removed from Consent Agenda – None

- X. Informational Item

Mayor Cline asked City Manager Warren Wood if there were any information items.

City Manager Warren Wood responded no sir.

- XI. New Business:
 - A. Public Hearings
 - 1. Approved FY 2016-2017 Consolidated Annual Performance and Evaluation Report (CAPER) – Presentation by Community Development Manager Dave Leonetti.

The U.S. Department of Housing and Urban Development requires the City of Hickory, as a Community Development Block Grant (CDBG) entitlement funding recipient, to report on CDBG monies spent within the previous fiscal year. The CAPER evaluates the effectiveness of the use of resources in addressing identified goals and objectives cited in the Annual Action Plan which is prepared before the fiscal year begins. CDBG resources were used for the following activities:

Housing Rehabilitation	\$72,276.23
Housing Rehab Administration	2,920.16
Habitat for Humanity	30,000
City of Refuge	3,195.50
Exodus Homes	8,000
ALFA	8,000
Hickory Soup Kitchen	8,000
Safe Harbor	8,000
Cooperative Christian Ministry	8,000
Microenterprise Assistance	4,750
Public Infrastructure Improvements	87,570.38
Ridgeview Library	13,658.61
Optimist Park Improvements	70,050.87

West Hickory Park	39,473.33
Fair Housing	805
Program Administration	45,249.14
TOTAL	409,949.22

The City of Hickory, in complying with the U.S. Department of Housing and Urban Development's requirements, is preparing the Consolidated Annual Performance and Evaluation Report (CAPER), for submission to HUD. The CAPER outlines the City's CDBG expenditures from July 1, 2016 thru June 30, 2017. Staff recommends that City Council approve the FY 2016-2017 Consolidated Annual Performance and Evaluation Report.

Notice of the availability of this document for public review was advertised in a newspaper having general circulation in the Hickory area on August 21, 2017 and September 5, 2017.

City Manager Warren Wood advised City Council there were three public hearings on the agenda. The first public hearing was the consideration of the Fiscal Year 2016-2017 Consolidated Annual Performance and Evaluation Report also known as the CAPER. He asked the City's Community Development Manager Dave Leonetti to the podium to present the item to Council.

Community Development Manager Dave Leonetti presented a PowerPoint presentation. He discussed the Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant, also referred to as the CAPER. He advised Council they had the entire report in their agenda packet. He gave an overview of where the City spent the Community Development Block Grant dollars and the people that benefited from those dollars. The City's fiscal year and the program years are the same for these, which runs from July 1st to June 30th. Each year within three months of the program they are required to submit a report which outlines how the City spent the money. The current year was from July 1, 2016 to June 30, 2017. They did a lot of public infrastructure, and facility improvements, approximately \$87,000 in neighborhood streets resurfacing; and finished renovations at the Ridgeview Library in the past fiscal year. That actually occurred in the summer time, the interior work was completed and the ribbon cutting was August 25th. This year also included the completion of Hickory Optimist Park and the beginning of the work being done at West Hickory Park as well. They began the Microenterprise Grant Program and paid out \$4,750 in Microenterprise Grant assistance to two businesses owned by low to moderate income individuals. He displayed photos of the West Hickory Park improvements which are currently underway. He showed the new prefabricated shelter building which is all concrete including the roof. It has men's and women's restrooms, and a water fountain. They also constructed a small picnic shelter on the site as well. He noted a lot of walkways and concrete as well. The only thing left for the contractors to do is to fill in and fix some of the fence which they had to take down to place the building and sew some grass. He discussed street resurfacing which included two main projects this past year, both of them in the northeast section. He noted one at 13th Avenue NE, behind the Springs Road Lutheran Home, 13th Avenue from Sandy Ridge Road east towards 22nd Street NE and then 22nd Street down towards Springs Road. Then 3rd Street Drive NE and 11th Avenue NE off of 10th Avenue Drive. He pointed out Lenoir-Rhyne University and Hickory High School to indicate the vicinity of where that project took place. They also did a number of housing activities. They spent a little over \$100,000 in the program year. Seven homes were done with the City's approximately \$72,000. Also, Habitat for Humanity spent an additional \$30,000 which assisted five homeowners that hadn't been accounted for in the previous year. For a good number of their homeowners the assistance stretched over both fiscal years but they had counted that number for the previous year.

Alderman Lail commented moving forward, because Council just did the appropriation for the budget year, it is \$35,000 for housing rehabilitation.

Mr. Leonetti responded, yes, it is \$35,000.

Alderman Lail commented even though it shows seventy some thousand spent.

Mr. Leonetti explained that is the money the City of Hickory spent through our housing rehabilitation program, \$72,000. We spent \$30,000 on Habitat for Humanity last year. That is where we get to the \$102,000 amount. They also spent some funding on administrative support for the housing rehabilitation

program, promotion of fair housing practices and program administration as well. We supported six public services agencies in the 16-17 program year: City of Refuge, where we funded support for the afterschool program; Exodus Homes; ALFA, the Aids Leadership Foothills Area Alliance; Hickory Soup Kitchen; Safe Harbor Rescue Mission, we helped their day shelter program; Greater Hickory Cooperative Christian Ministry, we assisted their NETworX Catawba Program which is a program that aims to give folks the skills to become more economically self-sufficient and get out of poverty essentially. He previewed this year's projects: Cliff Teague Park, they are moving through a lot of our parks, it started in the Ridgeview area and then they moved on to Kiwanis, and Green Park. This year they are in West Hickory and this current fiscal year they will be in Cliff Teague Park in the southeastern part of the City doing some trail improvements, picnic areas and parking lot improvements. They will also be doing some street resurfacing in low to moderate income neighborhoods. He mentioned they were still continuing the housing rehabilitation program and support for a number of nonprofit organizations. He asked for any questions from Council.

Alderman Lail clarified the City is in partnership with Habitat on the housing rehabilitation so we are not doing, for this next fiscal year, we won't be doing any City of Hickory rehabs.

Mr. Leonetti explained we still have some City of Hickory funding in Habitat as well. They are sort of targeting a slightly different market. They do a lot of smaller projects that we are not able to do, it is not efficient for the City to bid them out, but as a nonprofit they are able to do those kinds of projects. If it is a \$1,500 project on a house they can do that a lot easier than we can with that loan program.

Alderman Seaver asked if Mr. Leonetti had received any requests from Scouts to help out with some of these projects, trail work and such like that is right up their alley.

Mr. Leonetti advised that they hadn't but he felt sure that Mr. Mack McLeod in the Parks and Recreation Department had received a number of requests from them.

Alderman Seaver commented that is why he was asking if they got any help for the trails in the parks. He thought they built baseball shelters or dugouts.

Mr. Leonetti commented that is definitely something that if there is a project and if it fits in with the Community Development Block Grant (CDBG) they would be able to use the grant funds to pay for the materials if the Scouts were willing to construct everything.

Alderwoman Patton asked if they were going to continue to use the model for the bathrooms. It seems like it is very efficient. They just come in and set it down and it is done.

Mr. Leonetti thought they were going to continue doing that.

Alderwoman Patton commented it is very nice looking.

Mr. Leonetti advised Hickory City Park, which was previously approved on the agenda, was a little bit bigger facility so it didn't work for that one, but the one in Southside Heights, Fairbrook Optimist, and West Hickory are pretty much the exact same building and it has been significantly less than the previous projects where, we added the bathrooms as part of the shelters. There is a lot more construction involved in that and this was a lot quicker and simpler.

Mayor Cline 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 Cline closed the public hearing. He asked if there was any discussion from Council. There was none. He asked for a motion to approve the CAPER.

Alderwoman Patton moved, seconded by Alderman Lail approval of the FY 2016-2017 Consolidated Annual Performance and Evaluation Report (CAPER). The motion carried unanimously.

2. Approved the Voluntary Non-Contiguous Annexation of Property Owned by Carolyn Lee Voelbel, Trustee under the Voelbel Living Trust, Located at 4100 54th Avenue NE, PIN# 3735-11-66-1272, Containing 1.3147 Acres – Presentation by Planning Director Brian Frazier.

Karolyn Voelbel, Trustee under the Voelbel Living Trust submitted a petition for the voluntary non-contiguous annexation of 1.3147 acres of property located at 4100 54th Avenue NE. The annexation area is the location of a future single-family residence. The annexation is being requested in order to gain sewer service from the City of Hickory. The subject property is currently located within Catawba County's jurisdictional area, and zoned R-40 Residential. The property, if annexed, would eventually be rezoned to Medium Density Residential (R-2). The current tax value of the vacant land is \$149,600. If annexed with its present value, the property would generate approximately \$874.64 in additional tax revenues. Upon analysis, staff has determined the petition meets the statutory requirements for voluntary non-contiguous annexation, and adequate public services are available. Staff finds the petition to be in conformity with applicable statutes, and recommends approval of the annexation petition.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on August 25, 2017.

City Manager Warren Wood advised the next item for Council's consideration was a voluntary non-contiguous annexation for property owned by Karolyn Lee Voelbel, Trustee under the Voelbel Living Trust located at 4100 54th Avenue NE. He asked the City's Planning Director Brian Frazier to the podium to present Council with the item.

Planning Director Brian Frazier presented Council with a PowerPoint presentation. He explained this was the first of two annexations for Council's consideration this evening. He advised the applicant was Karolyn Voelbel. The property was located in Ward 2, single-family residence currently under construction. The annexation was being requested to obtain connection to the City's utility system. He pointed out on a map on the PowerPoint slide the lake, the subject parcel which was being discussed, the County's zoning, the City Hickory's zoning and the City of Hickory's municipal limits. He showed an aerial photo of the subject property pointing out the annexation area; the medium density residential area; properties located in the City of Hickory areas; County areas, rural commercial R-40 and R-20. The voluntary annexation petition complied with all applicable annexation statutes for the State of North Carolina, adequate public services are available and the annexation of the property will not cause available services to fall below acceptable levels. Based upon the findings Staff recommended approval of the requested annexation. He asked Council for any questions.

Mayor Cline asked if Council had any questions. There were none. 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 annexation. No one appeared. He asked if there was anyone present to speak in favor of the annexation. No one appeared. Mayor Cline closed the public hearing. He asked if there was a motion from Council.

Alderman Patton moved, seconded by Alderman Tarlton approval of the Voluntary Non-Contiguous Annexation of property located at 4100 54th Avenue NE. The motion carried unanimously.

ANNEXATION ORDINANCE NO. 440
VOLUNTARY ANNEXATION ORDINANCE (NON-CONTIGUOUS)
Karolyn Lee Voelbel, Trustee, under the Voelbel Living Trust

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE
CITY OF HICKORY, NORTH CAROLINA, PURSUANT TO
GENERAL STATUTES 160A-58.1, AS AMENDED (NON-CONTIGUOUS)

WHEREAS, the City Council of the City of Hickory desires to annex the area described herein, under G.S. 160A-58.1, as amended; and

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

WHEREAS, the City Clerk has certified to the sufficiency of said request, and a public hearing on the question of this annexation was held in the Council Chamber of the Julian G. Whitener Municipal Building, locate at 76 North Center Street, Hickory, North Carolina, at 7:00 p.m. on the 5th day of September, 2017; and

WHEREAS, the City Council of the City of Hickory further finds that the area described therein meets the standards of G.S. 160A-58.1(b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three miles from the corporate limits of the City of Hickory.

- b. No point on the proposed satellite corporate limits is closer to another city than to the City of Hickory.
- c. The areas described are so situated that the City will be able to provide services on the same basis within the proposed satellite corporate limits that it provides within the primary corporate limits.
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation.

WHEREAS, the City Council of the City of Hickory does hereby find as a fact that said petition has been signed by all the owners of real property in the area who are required by law to sign and all other requirements of G.S. 160A-58.1, as amended have been complied with; and

WHEREAS, the City Council further finds that the annexation is otherwise valid, and that the public health, safety and welfare of the City of Hickory and of the areas proposed for annexation will be best served by annexing the area herein described.

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

Section 1. By virtue of the authority granted by G.S. 160A-58.2, as amended, the following-described non-contiguous territory is hereby annexed and made a part of the City of Hickory as of the 30th day of September, 2017:

SATELLITE ANNEXATION
BY THE CITY OF HICKORY
KNOWN AS THE PROPERTY OF
Karolyn Lee Voelbel, Trustee
Under the Voelbel Living Trust,
Dated June 13, 2017

That certain parcel or tract of land lying and being about 7.71 miles northeast of the center of the City of Hickory. Bounded on the north by the 60 foot right-of-way of 54th Avenue NE, on the east by the lands of Rebecca W. Matthews as described in Deed Book 2577 at Page 1630 and the lands of Gary W. Witherspoon LFI as described in Deed Book 3247 at Page 1866, on the south by Lake Hickory and on the west by the lands of Brent N. and Donna P. Townsend as described in Deed Book 3339 at Page 142 and more particularly described as follows, to/wit:

Beginning at a 0.04' rebar, the northeast corner of the Townsend lands as described in Deed Book 3339 at Page 142, on the right-of-way of 54th Avenue NE, said rebar being located North 81 degrees 27 minutes 58 seconds East 147.72 feet from a 0.04' rebar, the northwest corner of the aforementioned Townsend lands and running thence, as new City of Hickory city limit lines, the following calls: with the right-of-way of 54th Avenue NE, North 81 degrees 27 minutes 58 seconds East 147.72 feet to a 0.04' rebar, the northwest corner of the Matthews lands as described in Deed Book 2577 at Page 1630; thence, with the west line of Matthews and Witherspoon, South 27 degrees 16 minutes 14 seconds East 319.54 feet to a 0.08 pipe in the west line of the Witherspoon lands as described in Deed Book 3247 at Page 1866; thence South 27 degrees 35 minutes 59 seconds East 197.53 feet to a 0.08' pinched top in said Witherspoon line; thence the same bearing a distance of 29.55 feet to a 0.06' pipe in said Witherspoon line; thence the same bearing a distance of 44.19' to a point on Lake Hickory, the southwest corner of the Witherspoon lands; thence, along Lake Hickory, South 82 degrees 49 minutes 00 seconds West 67.99 feet to a point on Lake Hickory; thence, along Lake Hickory South 85 degrees 15 minutes 28 seconds West 37.40 feet to 0.04' rebar on Lake Hickory, the southeast corner of the aforementioned Townsend lands, said rebar being located North 79 degrees 10 minutes 59 seconds East 154.43 feet from a corner of the existing City of Hickory city limits as shown in Plat Book 45 at Page 81; thence North 21 degrees 58 minutes 28 seconds West 398.92 feet to a 0.04' rebar, a corner of the Townsend lands; thence North 71 degrees 09 minutes 46 seconds West 157.61 feet to a 0.04' rebar, a corner of the Townsend lands; thence North 08 degrees 32 minutes 00 seconds West 94.29 feet to the point of beginning. Containing 1.3147 acres, more or less.

Section 2. Upon and after the 30th day of September, 2017, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Hickory and shall be entitled to the same privileges and benefits as other parts of the City of Hickory. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10, as amended.

Section 3. The newly-annexed territory described herein shall become part of Ward No. 2 of the City of Hickory.

Section 4. The Mayor of the City of Hickory shall cause to be recorded in the Office of the Register of Deeds of Catawba County, and in the Office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with duly certified copy of this Ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

3. Approved the Voluntary Non-Contiguous Annexation of Property Owned by Warren M. Wood, and Amy B. Wood, Located at 1034 25th Avenue Drive NW, PIN# 3704-14-34-4673, Containing 2.037 Acres – Presentation by Planning Director Brian Frazier.

Warren and Amy Wood have submitted a petition for the voluntary non-contiguous annexation of 2.037 acres of property located at 1034 25th Avenue Drive NW. The annexation area is the location of an existing single-family residence. The owners of the property are seeking voluntary non-contiguous annexation. The subject property is currently located in Hickory's extra-territorial jurisdictional (ETJ) area, and zoned Medium Density Residential (R-2). Properties located within R-2 districts can be developed primarily for single-family residential uses at a maximum density of four (4) dwelling units per acre. However, the property is located within the Watershed Protection Overlay (WP-O), where the density is reduced to two (2) dwelling units per acre. Given the existing residence located on the lot, no additional lots would be able to be created, unless the existing residence is removed. The petitioners have indicated their desire to continue the existing use of the property, which is one single-family residence. The current tax value of the property is \$489,700. If annexed with its present value, the property would generate approximately \$2,774 in additional tax revenues. Upon analysis, staff has determined the petition meets the statutory requirements for voluntary non-contiguous annexation, and adequate public services are available. Staff finds the petition to be in conformity with applicable statutes, and recommends approval of the annexation petition.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on August 25, 2017.

City Manager Warren Wood advised Council the third public hearing was for consideration of a voluntary non-contiguous annexation of property owned by Warren Wood, and Amy Wood, located at 1034 25th Avenue Drive NW.

Planning Director Brian Frazier presented Council with a PowerPoint presentation. He explained this is a voluntary non-contiguous annexation, 2.037 acres, Ward 6, single-family residence which is existing. He pointed out on the map on the PowerPoint presentation the subject property, the City's extra-territorial jurisdiction, (ETJ), the City limits, and Caldwell County located across the river. He showed an aerial photo and pointed out the property which was located in one of the coves, the annexation area, medium density residential area, and the properties located in City of Hickory. The petition complied with all applicable State statutes. Public services are available in sufficient quantities. The annexation of the property will not cause available public services to fall below current acceptable levels. Based upon the findings Staff recommended approval of the requested annexation. He asked Council for any questions.

Mayor Cline joked he would imagine Mr. Frazier would have a lot of questions from Council on this one.

Alderman Seaver jokingly asked if Council could make that retro-active.

Mayor Cline 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 annexation. No one appeared. Mayor Cline closed the public hearing. He asked for a motion from Council.

Alderman Tarlton moved, seconded by Alderwoman Patton approval of the Voluntary Non-Contiguous Annexation of property located at 1034 25th Avenue Drive NW. The motion carried unanimously.

ANNEXATION ORDINANCE NO. 441
VOLUNTARY ANNEXATION ORDINANCE (NON-CONTIGUOUS)
Warren M. Wood and wife, Amy B. Wood

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE
CITY OF HICKORY, NORTH CAROLINA, PURSUANT TO
GENERAL STATUTES 160A-58.1, AS AMENDED (NON-CONTIGUOUS)

WHEREAS, the City Council of the City of Hickory desires to annex the area described herein, under G.S. 160A-58.1, as amended; and

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

WHEREAS, the City Clerk has certified to the sufficiency of said request, and a public hearing on the question of this annexation was held in the Council Chamber of the Julian G. Whitener Municipal Building, locate at 76 North Center Street, Hickory, North Carolina, at 7:00 p.m. on the 5th day of September, 2017; and

WHEREAS, the City Council of the City of Hickory further finds that the area described therein meets the standards of G.S. 160A-58.1(b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three miles from the corporate limits of the City of Hickory.
- b. No point on the proposed satellite corporate limits is closer to another city than to the City of Hickory.
- c. The areas described are so situated that the City will be able to provide services on the same basis within the proposed satellite corporate limits that it provides within the primary corporate limits.
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation.

WHEREAS, the City Council of the City of Hickory does hereby find as a fact that said petition has been signed by all the owners of real property in the area who are required by law to sign and all other requirements of G.S. 160A-58.1, as amended have been complied with; and

WHEREAS, the City Council further finds that the annexation is otherwise valid, and that the public health, safety and welfare of the City of Hickory and of the areas proposed for annexation will be best served by annexing the area herein described.

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

Section 1. By virtue of the authority granted by G.S. 160A-58.2, as amended, the following-described non-contiguous territory is hereby annexed and made a part of the City of Hickory as of the 30th day of September, 2017:

SATELLITE ANNEXATION
BY THE CITY OF HICKORY
OF THE PROPERTY OF
WARREN M. WOOD AND AMY B. WOOD

That certain parcel or tract of land lying and being about 2.86 miles north northwest of the center of the City of Hickory. Bounded on the north by Lake Hickory, on the east by the lands of Charlene Clontz Williams as described in Deed Book 869 at Page 299, on the south by 25th Avenue Drive NW and on the west by the lands of Donald Keith Moe as described in Deed Book 1855 at Page 95 and more particularly described as follows, to/wit:

Beginning at a point in 25th Avenue Drive NW, said point being located South 82 degrees 59 minutes 16 minutes West 435.44 feet from an existing mag nail in the intersection of 25th Avenue Drive NW with 30th Avenue Drive NW and South 85 degrees 52 minutes 26 seconds West 315.31 feet from a 1/2" square tube, a corner of the existing City of Hickory city limits a shown in P.B. 43 at Pg. 18 and running thence, as new City of Hickory city limit lines, the following calls: South 77 degrees 48 minutes 28 seconds West 150.00 feet to a point in 25th Avenue Drive NW; thence North 50 degrees 43 minutes 32 seconds West 33.49 feet to a point, on the north side of 25th Avenue Drive NW; thence, along the north side of 25th Avenue Drive NW, South 64 degrees 45 minutes 49 seconds West 82.76 feet to a 1/2" pipe; thence North 48 degrees 54 minutes 45 seconds West 297.34 feet to a 1/2" rebar; thence the same bearing a distance of 22.30 feet to a point at Lake Hickory; thence, along Lake Hickory, North 48 degrees 50 minutes 45 seconds East 65.04

feet to a point; thence North 66 degrees 41 minutes 13 seconds East 94.68 feet to a point; thence North 75 degrees 54 minutes 28 seconds East 131.00 feet to a point; thence North 83 degrees 50 minutes 28 seconds East 33.80 feet to a point; thence, leaving Lake Hickory, South 34 degrees 23 minutes 32 seconds East 16.21 feet to a 1/2" pipe; thence the same bearing a distance of 290.83 feet to a 3/4" pipe; thence the same bearing a distance of 32.40 feet to the beginning. Containing 2.037 acres more or less.

Section 2. Upon and after the 30th day of September, 2017, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Hickory and shall be entitled to the same privileges and benefits as other parts of the City of Hickory. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10, as amended.

Section 3. The newly-annexed territory described herein shall become part of Ward No. 6 of the City of Hickory.

Section 4. The Mayor of the City of Hickory shall cause to be recorded in the Office of the Register of Deeds of Catawba County, and in the Office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with duly certified copy of this Ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

B. Departmental Reports:

Mayor Cline asked if there were any departmental reports.

City Manager Warren Wood responded no sir.

Mayor Cline asked if Council members wished to make any appointments. There were none.

1. Appointments to Boards and Commissions

COMMUNITY APPEARANCE COMMISSION
 (Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
 Ward 2 (Tarlton Appoints) VACANT
 Ward 4 (Guess Appoints) VACANT
 Ward 6 (Patton Appoints) Lisa Morphis Resigned 8-29-17 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

HICKORY REGIONAL PLANNING COMMISSION
 (Terms Expiring 6-30; 3-Year Terms With Unlimited Appointments)
 (Appointed by City Council)
 Burke County (Mayor Appoints) VACANT
 Catawba County (Mayor Appoints) VACANT

HISTORIC PRESERVATION COMMISSION
 (Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
 Historic Properties (Council Appoints) VACANT
 Historic Properties (Council Appoints) VACANT
 Building Trades Profession (Council Appoints) VACANT

INTERNATIONAL COUNCIL
 (Appointed by Mayor with the Concurrence of City Council)
 (4) Positions VACANT

LIBRARY ADVISORY BOARD
 (Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
 At-Large (2) (Mayor Appoints) VACANT

PUBLIC ART COMMISSION
 (Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
 Ward 3 (Seaver Appoints) VACANT
 Ward 4 (Guess Appoints) VACANT

PUBLIC HOUSING AUTHORITY
 (Terms Expiring 6-30; 5-Year Terms) (Appointed by the Mayor)
 Position 1 Grover Lineberger

Position 9	(Eligible for Reappointment) VACANT
<u>RECYCLING ADVISORY BOARD</u>	
(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)	
Ward 4 (Guess Appoints)	VACANT
<u>UNIVERSITY CITY COMMISSION</u>	
(Terms Expiring 6-30; 2-Year Terms) (Appointed by City Council)	
At-Large (not including ETJ) (Council Appoints)	VACANT
<u>YOUTH COUNCIL</u>	
(Terms Expiring 6-30; 1-Year Terms) (Appointed by City Council)	
At-Large Representative	VACANT
Challenger High School Representative	VACANT
Homeschool Representative	VACANT
St. Stephens High School Representative	VACANT
St. Stephens High School Representative	VACANT

C. Presentation of Petitions and Requests

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

Mayor Cline asked if there were any matters not on the agenda which Council wished to discuss. There were no additional items to discuss.

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

City Manager Warren Wood commented this weekend citizens may have noticed a tractor-trailer, 18 wheeler, out in front of the old Hobby Lobby on 127. It was a truck from a company called Mississippi Furniture Express, which is owned by Greg Skoog, who is local resident here. He was collecting diapers, paper towels, toilet paper, bottled water, and all of the essentials for the folks in Houston. His company does a lot of business down in Houston. Mr. Wood dropped items off and Chief Fred Hollar had the guys from the Fire Department go by. The City of Hickory was well represented and they had a full truckload going to Houston.

Alderman Tarlton asked if they left last night.

Mr. Wood commented they were leaving as soon as it was filled up. They didn't want to take a half empty load. They were getting close to leaving.

Alderman Tarlton advised he had dropped some things off as well.

Alderwoman Patton commented they were not there this afternoon so they were gone.

Mr. Wood advised Greg Skoog and his wife, Rosemary Skoog should be commended for that. They may have a chance to do it again with what is coming.

Alderman Lail mentioned, not from Hickory but certainly from the area, from Conover, Brock Long who is the Director of FEMA, a local fellow, is leading the efforts. He has done a great job.

Mr. Wood advised he was talking with Chief Fred Hollar this afternoon and about what the process would be when Irma comes in, depending upon where it hits, the City in the past has sent resources, manpower, equipment, etc. to help in those sort of disaster recovery efforts. Depending on how close it hits to home, we may have an opportunity to participate at that level with the next one.

Alderman Seaver mentioned the Kiwanis golf tournament was scheduled for this Friday, at Ole Still. If you like to play, or sponsor a hole, or anything like that please see him after the meeting they could still get you in there.

XIV. There being no further business, the meeting adjourned at 7:24 p.m.

Mayor

City Clerk