

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, 2023 at 6:00 p.m., with the following members present:

Tony Wood	Hank Guess	Anthony Freeman
Charlotte C. Williams	Aldermen	David P. Zagaroli
Danny Seaver		Jill Patton

A quorum was present.

Also present were City Manager Warren Wood, Deputy City Manager Rodney Miller, Assistant City Manager Rick Beasley, Deputy City Attorney Arnita Dula, City Attorney Timothy Swanson, Deputy City Clerk Crystal B. Mundy, and City Clerk Debbie D. Miller

- I. Mayor Guess called the meeting to order. All Council members were present.
- II. Invocation by Mayor Hank Guess
- III. Pledge of Allegiance
- IV. Special Presentations
 - A. Recognition of Lieutenant Andrew Robison regarding his Application to Consider the Hickory Police Department for the US Secretary of Defense Freedom Award.

Mayor Guess advised this was a very special presentation and award to have presented tonight. The Hickory Police Department was recently a recipient of a National Award recognizing the City's efforts to support employees who also serve in the US military. He advised Chief Reed Baer would discuss the award and introduce some other folks from the Police Department. He asked Police Chief Reed Baer to the podium.

Chief Reed Baer thanked Council for having them tonight. He advised he would explain what the Secretary of Defense Employer Support Freedom Award was, why they won this award, and he was going to introduce Council to someone to tell them why they were nominated. The Secretary of Defense Employer Support Freedom Award was the highest recognition given by the US government to employers for their support of their employees who serve in the National Guard and Reserve. Nominations for this award must come from a guard or reserve member who was employed by the organization that they were nominating or one of their family members. This award was created to publicly recognize employers who provide exceptional support to their guard and reserve employees. It was the highest in a series of employer recognition awards given by the Department of Defense. Last week they went to Washington DC, they were notified about a month before that, they had actually won this award. Last week they traveled to the Pentagon and were actually presented the Freedom Award by the Under Secretary of Defense Gil Cisneros. He discussed the history of this award. The award was instituted in 1996 under the auspices of employer support of the Guard and Reserves. There were 1,862 nominees this year and out of the 1,862 nominees, they selected 15 winners. They were actually selected out of that based upon the nomination that they received from their Lieutenant Andrew Robison who was also Staff Sergeant, Army Reserve Sergeant Robison. The first award was in 1996. During the course of that entire timeframe, there had only been 340 winners. They now actually share that honor with the 340 other winners of the Defense Employer Support Freedom Award. He introduced Lieutenant Robison and asked him to briefly talk about why he nominated them and their trip up to DC.

Lieutenant Andrew Robison introduced himself and advised he was also a Staff Sergeant in the Army Reserves and last summer he was deployed to East Africa. He explained as he sat in a tent in Somalia checking his emails one day, he saw the opportunity to nominate your employer for this award come across his computer. He commented when you were sitting in a tent in Somalia, it makes you appreciate things back home a little more. Definitely feeling that, he nominated the Police Department and the City of Hickory for this freedom award. Some of the reasons why he did that was they have a very friendly military policy at the City of Hickory for those military service members and they all greatly appreciated it. They receive a lot of benefits and things that other military service members that he encountered on this deployment did not receive. It was a great benefit to them; it helps with the burden of those deployments as well as the willingness of the police department to help support them coming on and off of active-duty orders with those transitions and time off and the things that they need. While he was there, he received many care packages, emails, cards, phone calls, text messages from his command staff and other officers at the department. That kind of stuff goes a long way. It was very encouraging. Those care packages that they got; they shared amongst all the service members that were there. It was not only a boost of morale for the service members but all those around them. That stuff really helps out a lot and makes those days go by a little easier. He nominated the department and the City of Hickory and several months later back home and here we are. He was honored to go to the Pentagon last week with their little entourage from the City and from the police department to receive the award. He was really proud that the City and the police department were counted among a select few. He was really proud of that and proud to work for the City and for the police department. He thanked Council.

Mayor Guess thanked Lieutenant Robison.

Chief Reed Baer emphasized the point that although the police department were the lucky ones to get to go and receive this award because they were nominated by Lieutenant Robison, this was a City policy. This was a policy that all City employees benefit from if they serve in the National Guard Reserve. This was really a tip of the hat to the City and the policy and the support of military members that serve and work here at the City. They would proudly display it at the police department, and everyone was welcome to come see it whenever they want. A standing ovation was given.

Mayor Guess thanked Chief Baer. He commented they were certainly proud of all of the military personnel and for those who had served and continued to serve in the military. They appreciated their service and were glad to have those folks as a part of the team here at the City of Hickory, and they appreciated that also.

V. Persons Requesting to Be Heard

- A. Ms. Daria Jackson, 133 17th Street SE, Apartment B, Hickory advised she lived off Springs Road. She commented Springs Road had grown in the last 10 years and then there was the affordable housing behind Walmart. There was a bunch of people that came from the apartments, walking down the side of the road. They need more lighting, and they need more sidewalks that way because when the buses quit running, they walk up to the gas station and other places. You could not see them and there was no sidewalk, and it was dangerous for them, and it was dangerous for us. Springs Road was dangerous enough by itself, so they do not even need to add to that. She thanked Council for their time.

Mayor Guess asked if anyone else wished to speak, no one appeared.

VI. Approval of Minutes

- A. Regular Meeting of August 15, 2023

Alderman Patton moved, seconded by Alderman Seaver that the Regular Meeting Minutes of August 15, 2023 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 Williams that the following be reaffirmed and ratified on second reading. The motion carried unanimously.

- A. Budget Revision Number 3. (First Reading Vote: Unanimous)
- B. Consideration of Rezoning Petition 23-03 for Property Located at 1120 22nd Street NE, Rezoning from R-4 Residential to Commercial Corridor (CC-2). (First Reading Vote: Unanimous)

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

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

- A. Approved a Cemetery Deed Transfer from Larry Joe Powell, a widower, to Tamara Adams, a married woman, Fairview Cemetery, Plot No. 13, Block "A", containing 165 square feet more or less, and being 4 gravesites. (Prepared by Vanderbloemen, Fleischer & White, PLLC)
- B. Approved a Proclamation for Constitution Week 2023.
- C. Approved the Purchase of a 2023 John Deere 200 G-Tier Excavator in the Amount of \$243,551 from James River Equipment.

Staff requests Council's approval of the purchase of a John Deere 200 G-Tier excavator in the amount of \$243,551 from James River Equipment. Public Services Streets Division currently uses a 2003 model trackhoe excavator to handle construction materials, debris management, ditch maintenance and repair, and roadway construction. The equipment on that unit is outdated, no longer working, and parts are difficult to find. The equipment is being replaced as a component of the Public Services Street Division's normal Capital Budget. The 2023 John Deere 220 G-Tier Trackhoe Excavator is

budgeted in this Fiscal Year in Street Division (5460) Capital Budget. Specifications were prepared by the Street and Fleet Divisions to ensure the purchase of the type of equipment that would best serve the Division. Staff recommends Council's approval of the purchase of a John Deere 200 G-Tier excavator in the amount of \$243,551 from James River Equipment.

- D. Approved the Issuance of Pyrotechnic Display Permits to Pyro Shows Inc. and PyroStar Entertainment for Fireworks Displays.

Staff requests approval to issue pyrotechnic display permits to Pyro Shows Inc. for fireworks display at the Hickory Crawdads stadium and to PyroStar Entertainment for fireworks displays at the Hickory Motor Speedway. Douglas Locascio, General Manager of the Hickory Crawdads, has submitted a request to obtain permission to conduct public fireworks display on September 12, 2023 (rain date September 13, 2023). Kevin Piercy, General Manager of Hickory Motor Speedway, has submitted a request to obtain permission to conduct public fireworks displays on September 30, 2023, and October 6, 2023. The North Carolina Fire Code requires an operational permit for the use and handling of pyrotechnic special effects material. The Hickory Fire Department Fire & Life Safety Division shall review all required documentation for the events, including Alcohol Tobacco and Firearm's (ATF) License, Operator and Assistant Operators Permits from 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 areas before the events to ensure compliance with NCOSFM Guidelines, National Fire Protection Association (NFPA) NFPA 1123 Code for Fireworks Display, and NFPA 1126 Use of Pyrotechnics Before a Proximate Audience (if applicable). Staff recommends approval of the pyrotechnics displays.

- E. Called for a Public Hearing to Consider the Voluntary Non-Contiguous Annexation of Property Owned by Barbara Vellan Revocable Living Trust, Barbara Vellan Trustee; and Larry J. Guthrie Grantor Trust, Trustees, Larry J. Guthrie and/or Kimberly K. Montgomery, Located at 1448 Zion Church Road, PIN 3701-18-31-5906, Containing Approximately 30.36-Acres. (Authorized Public Hearing for September 19, 2023, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).

RESOLUTION NO. 23-42
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 Barbara Vellan Revocable Living Trust, and Larry J. Guthrie Grantor Trust requesting annexation of an area described in a petition was received on August 21, 2023 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:

Property of Barbara Vellan Revocable Living Trust and Larry J. Guthrie Grantor Trust, located at 1448 Zion Church Road, containing 30.36 acres more or less, and identified as PIN 3701-18-31-5906.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Hickory this 21st day of August 2023.

/s/ Debbie D. Miller, City Clerk

RESOLUTION 23-43
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 6:00 p.m. on September 19, 2023 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 Barbara Vellan Revocable Living Trust and Larry J. Guthrie Grantor Trust, located at 1448 Zion Church Road, containing 30.36 acres more or less, and identified as PIN 3701-18-31-5906.
- 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. 23-44
A RESOLUTION DETERMINING THE INTENT TO ANNEX INTO THE CORPORATE LIMITS OF THE CITY OF HICKORY CERTAIN PROPERTY OF BARBARA VELLAN REVOCABLE LIVING TRUST AND LARRY J. GUTHRIE GRANTOR TRUST AND CALLING FOR A PUBLIC HEARING ON THE SAME

WHEREAS, Barbara Vellan Revocable Living Trust and Larry J. Guthrie Grantor Trust are the owners of certain real property as described herein, which property is located at 1448 Zion Church Road, containing 30.36 acres more or less, and identified as PIN 3701-18-31-5906.

WHEREAS, such property is currently located in the City’s extra-territorial jurisdictional (ETJ); 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 5th day of September 2023, 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 6:00 p.m. on September 19, 2023 in the Council Chambers 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 Barbara Vellan/Larry J. Guthrie Living Trust Voluntary Satellite Annexation Map 1, City Limits, subject property outlined in red; Barbara Vellan/Larry J. Guthrie Living Trust Voluntary Satellite Annexation Map 2, Current Zoning, subject property outlined in red; and Barbara Vellan/Larry J. Guthrie Living Trust, Voluntary Satellite Annexation Map 3, Aerial Photography.

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 to Consider the Voluntary Non-Contiguous Annexation of Property Owned by Legacy Home Builders, LLC, Located at 34th Street Place NE, Hickory, PIN 3724-19-70-3169, Containing Approximately 1.85-Acres. (Authorized Public Hearing for September 19, 2023, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).

RESOLUTION NO. 23-45
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 Legacy Home Builders, LLC requesting annexation of an area described in a petition was received on August 21, 2023 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:

Property of Legacy Home Builders, LLC, located at 34th Street Place NE, containing 1.85 acres more or less, and identified as PIN 3724-19-70-3169.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Hickory this 21st day of August 2023.

/s/ Debbie D. Miller, City Clerk

RESOLUTION 23-46
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 6:00 p.m. on September 19, 2023 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 Legacy Home Builders, LLC, located at 34th Street Place NE, containing 1.85 acres more or less, and identified as PIN 3724-19-70-3169.

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. 23-47
A RESOLUTION DETERMINING THE INTENT TO ANNEX INTO THE CORPORATE
LIMITS OF THE CITY OF HICKORY CERTAIN PROPERTY OF LEGACY HOME
BUILDERS, LLC AND CALLING FOR A PUBLIC HEARING ON THE SAME

WHEREAS, Legacy Home Builders, LLC is the owner of certain real property as described herein, which property is located at 34th Street Place NE, Hickory, containing 1.85 acres more or less, and identified as PIN 3724-19-70-3169.

WHEREAS, such property is currently located in the City's extra-territorial jurisdictional (ETJ); 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 5th day of September 2023, 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 6:00 p.m. on September 19, 2023 in the Council Chambers 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 Legacy Home Builders, LLC Voluntary Satellite Annexation Map 1, City Limits, subject property outlined in red; Legacy Home Builders, LLC Voluntary Satellite Annexation Map 2, Current Zoning, subject property outlined in red; Legacy Home Builders, LLC Voluntary Satellite Annexation Map 3, Aerial Photography subject property outlined in red; and Legacy Home Builders, LLC Voluntary Satellite Annexation Map 4, HBC 2030 Future Lane Use subject 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. Called for a Public Hearing to Consider the FY2022-2023 Consolidated Annual Performance and Evaluation Report (CAPER). (Authorized Public Hearing for September 19, 2023, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).

H Accepted Golden Leaf Funding in the Amount of \$200,000 for the Construction of an Access Road to Fairgrove Business Park and Approved a Grant Administrative Agreement with the Western Piedmont Council of Governments in the Amount of \$10,000.

Staff requests acceptance of the Golden Leaf Funding for the construction of an access road in Fairgrove Business Park and the approval of a Grant Administration Agreement with the Western Piedmont Council of Governments. City Council approved an economic development agreement in October of 2022, for the construction of two buildings on City-owned property in Fairgrove Business Park. As part of the agreement the City agreed to construct an access road to provide access to the second parcel. The total construction cost for the project is estimated at \$2,000,000. The City has been awarded \$1,000,000 from the Appalachian Regional Commission, \$350,000 from the NC Department of Transportation, and \$200,000 from the Golden Leaf Foundation. The remaining \$450,000 will be provided by the City of Hickory as matching funds. The grant funds will allow the City to participate in the industrial access road construction supporting the economic agreement and providing two additional sites for future development. The City was approved for a \$200,000 grant from the Golden Leaf Foundation on August 3, 2023. Staff requests approval of the acknowledgement and agreement to access the funding. Staff also requests the approval of the Grant Administration Agreement with the Western

Piedmont Council of Governments, in the amount of \$10,000, to administer the grant funding and submit all required reporting for the project.

- I. Accepted the Bid and Approved a Contract with Midstate Contractors, Inc. for Asphalt Resurfacing.

Staff request Council's approval of a contract with Midstate Contractors, Inc. for asphalt resurfacing in the amount of \$59.75 per ton for S9.5B asphalt surface, \$53.35 per ton for S9.5C asphalt surface, \$57.00 per ton for asphalt parking lots for S9.5B, \$640 per ton for binder, \$62 per ton for levelling course, \$131 per ton for patching, \$4 per square yard for edge milling, \$14 per square yard for asphalt milling (100-1,000 square yards), \$13 per square yard for asphalt milling (1,001-3,000 square yards) and \$11 per square yard (3,001-6,000 square yards). Public Services Department -Street Division Staff prepared a detailed scope of work including a complete set of specifications and an invitation to bid package (Bid No. 24-005). Midstate Contractors, Inc. was the lowest qualified bidder for this project. Unit prices remain the same with a provision for adjustment of the liquid asphalt prices if adopted by North Carolina Department of Transportation (NCDOT). This project is awarded based on unit prices to allow for a variation of quantities that the City will pay for to complete the project. Staff will work with contractors to provide quantity control. This work is budgeted in the Street Division's FY 23-24 budget. Staff requests Council's acceptance of the bid and approval of a contract with Midstate Contractors, Inc. for asphalt resurfacing in the amounts referenced above.

- J. Approved a Vacant Building Revitalization Performance Agreement, Including a Fire Suppression Forgivable Loan with YN & MJ Properties, LLC in the Total Amount of \$28,000 for Property Located at 1020 South Center Street.

Staff requests Council's approval of a Vacant Building Revitalization Performance Agreement and Fire Suppression Forgivable Loan with YN & MJ Properties, LLC. YN & MJ Properties, LLC has applied for funding in the amount of \$28,000 to assist in the renovation of the vacant building at 1020 South Center Street. The applicant plans to renovate the 15,000 square foot building for food and retail space use. The applicant plans to invest at least \$1,372,000 in real property improvements to rehabilitate the building and to install a sprinkler system. This makes the project eligible for a \$20,000 forgivable loan and an \$8,000 fire suppression forgivable loan. The applicant plans to install HVAC equipment, complete interior renovations, install a sprinkler system, and make numerous other improvements to bring the building up to code for food and retail space use. No funds will be paid until the improvements are complete and the building is occupied. No payment will be required on the loan provided that the building remains occupied for at least three years. The Business Development Committee reviewed the application and recommended approval. Staff recommends City Council's approval of the Vacant Building Performance Agreement and Fire Suppression Forgivable Loan with YN & MJ Properties, LLC.

- K. Approved Amendment No. 2 to the Professional Services Agreement with WK Dickson & Co., Inc. in the Amount of \$10,990 for Trivium East Road Widening and Traffic Signal Design Project.

Staff requests Council's approval of Amendment No. 2 to the Professional Services Agreement with WK Dickson & Co., Inc. in the amount of \$10,990 for Trivium East road widening and traffic signal design project. This phase of the project will consist of the main entrance and access for the business park. This will include road widening on Startown Road and traffic signal design along with all associated work. North Carolina Department of Transportation (NCDOT) standards will be followed for the widening of Startown Road. Included in this project is the design of a 12" water main into the park to serve the future business. This agreement will be from design thru bidding, construction, and closeout with an expected duration of 150 days for design and permitting. On May 17, 2022, Hickory City Council approved a Professional Services Agreement with WK Dickson for the Trivium Corporate Center East road widening and traffic signal design in the amount of \$232,000. Additional surveying was required and approved as amendment number 1. Amendment number 2 is required for revisions to completed plans for erosion control and construction impacts for NCDEQ permitting due to neighboring property impacts. Staff recommends Council's approval of amendment number 2 to the Professional Services Agreement with WK Dickson & Co., Inc., in the amount of \$10,990 for Trivium East road widening and traffic signal design project.

- L. Approved a TIPS Contract with GeoSurfaces Southeast in the Amount of \$604,557 for Construction and Installation of a Third Artificial Turf Field at the Henry Fork Soccer Complex.

Staff requests Council's approval of a contract with GeoSurfaces Southeast for construction and installation of a third artificial turf field at Henry Fork Soccer Complex in the amount of \$604,557. The City of Hickory purchased and graded twenty-one acres adjacent to Henry Fork River Park in 2021 to add additional parking for visitors and to

allow the expansion of three additional artificial turf fields (total of 4). In the summer of 2021, GeoSurfaces was selected as the best vendor to install a second artificial turf field based on their success with the first project and the desire to have the new field match the other turf field. The contract was awarded as a TIPS (The Interlocal Purchasing System) contract which is a purchasing cooperative offered to local governments under a competitively procured purchasing contract for its membership. The City has engaged GeoSurfaces to install a third turf field at Henry Fork under the TIPS program at a cost of \$604,557. This includes the exact same field dimensions as the other two fields, along with fencing around the perimeter and netting behind the goals. Funding is available in the Fiscal Year 23/24 budget. Staff recommends Council's approval of a TIPS contract with GeoSurfaces Southeast for construction and installation of a third artificial turf field at the Henry Fork Soccer Complex in the amount of \$604,557.

M. Approved on First Reading Budget Revision Number 4.

ORDINANCE NO. 23-24
BUDGET REVISION NUMBER 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, 2024, and for the duration of the Project Ordinance noted herein.

SECTION 1. To amend the General Fund within the FY 2023-24 Budget Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Economic & Community Development	200,000	-
Culture & Recreation	110	-
Public Safety	51,019	-
TOTAL	251,129	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous	51,129	-
Restricted Intergovernmental	200,000	-
TOTAL	251,129	-

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.

IX. Items Removed from Consent Agenda – None

X. Informational Item

XI. New Business:

A. Public Hearings

B. Departmental Reports:

1. Appointments to Boards and Commissions

BUSINESS DEVELOPMENT COMMITTEE
(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
At-Large (Council Appoints) VACANT
At-Large (Council Appoints) VACANT

COMMUNITY APPEARANCE COMMISSION
(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 1 (Wood Appoints) VACANT
At-Large (Outside City but within HRP A) (Council 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

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

Burke County Representative (Mayor Appoints with Recommendation from Burke County) VACANT

HISTORIC PRESERVATION COMMISSION

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

Historic Properties Owner VACANT

LIBRARY ADVISORY BOARD

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

Ward 3 (Seaver Appoints) VACANT

At-Large (1) (Mayor Appoints) VACANT

Mayor Guess nominated Rebecca Alt as an At-Large Representative on the Library Advisory Board.

PUBLIC ART COMMISSION

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

Ward 3 (Seaver Appoints) VACANT

Ward 5 (Zagaroli Appoints) Brittany Marinelli Moved Out of Ward 5 VACANT

RECYCLING ADVISORY BOARD

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

Ward 6 (Patton Appoints) VACANT

At-Large (Council Appoints) VACANT

Mayor Guess moved seconded by Alderman Seaver approval of Rebecca Alt to the Library Advisory Board. The motion carried unanimously.

C. Presentation of Petitions and Requests

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

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

Alderwoman Williams commented she felt really privileged and honored to be part of the small City group that went to get the award. It was really an honor, and she honestly did not know how prestigious the award was until they got there. They were treated, they got a Pentagon tour, and to be one of 15 was really an honor that was due to the City, staff, and the wonderful police department and to Lieutenant Robison.

City Manager Warren Wood referred to the updates in Council Chambers.

Mayor Guess asked if he could tell them what was left?

City Manager Warren Wood advised a few lights, phone chargers.

Mayor Guess commented that it was a tremendous improvement, and they really appreciated all the efforts and all the work that had gone into it. A couple of other little things that they would not discuss right now.

XIV. Closed Session Per NC General Statutes 143-318.11(a)(1)(3)(4) 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 Alderwoman Patton. The motion carried unanimously.

1. Approval of Closed Session Minutes of July 18, 2023 - NCGS §143-318.11(a)(1)
2. Discussion of Potential Economic Development - NCGS §143-318.11(a)(4)
3. Discussion of Pending Litigation – NCGS §143-318.11(a)(3)

Council convened to closed session at approximately 6:14 p.m.

Council reconvened to open session at approximately 6:39 p.m.

No action was taken upon return to open session.

XV. There being no further business, the meeting adjourned at 6:39 p.m.

September 5, 2023

Mayor

City Clerk