



Life. Well Crafted.

**A = Approved, A1 = Approved First Reading, A2 = Approved Second Reading, D = Deferred,  
NA = No Action, PH = Authorized Public Hearing, AD = Approval Denied**

## **ACTION AGENDA**

Hickory City Council  
76 North Center Street

December 15, 2020  
7:00 p.m.

- I. Call to Order
- II. Invocation by Reverend Mike Faircloth, Northside Campus, Christ United Methodist Church
- III. Pledge of Allegiance
- IV. Special Presentations
- V. Persons Requesting to Be Heard
  - A. Mr. Jason Crain addressed Council regarding drainage and erosion issues near a mobile home park located on "D" Avenue.
- VI. Approval of Minutes
  - A** A. Regular Meeting of December 1, 2020. **(Exhibit VI.A.)**
- 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.
  - A2** A. Budget Revision Number 10. **(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.
  - A** A. Approval of Community Appearance Grant in the Amount of \$7,500 to Jacomine Investments, LLC for Non-Residential Property Located at 205 Main Avenue NE. **(Exhibit VIII.A.)**

*The Community Appearance Commission recommends City Council's approval of a Community Appearance Grant for non-residential property owned by Jacomine Investments, LLC located at 205 Main Avenue NE in the amount of \$7,500. City Council created the Community Appearance Grant program to provide economic incentives for property owners to improve the general appearance of properties located within the City's designated Urban Revitalization Area. 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 \$7,500. The grant proposal involves the replacement of the building's current windows and garage doors. The property is located within the City's defined Urban Revitalization Area and is eligible for the consideration of a Community Appearance Grant. The applicant provided two estimates for the work listed above, the low estimate for the work totals \$29,077, which qualifies the request for a \$7,500 grant. The subject property's current tax value is assessed at \$225,200. The requested grant amounts to 3.3 percent of*

*the property's tax value. The application was reviewed by the Community Appearance Commission and the Commission voted to recommend approval of the grant application in the amount of \$7,500.*

**PH/A B.** Call for a Public Hearing for Consideration of a Voluntary Non-Contiguous Annexation of Property Owned by Roy and Barbara Barnette, Containing Approximately 1.115 acres of Property Located at 4815 1<sup>st</sup> Street NW, Identified as PIN 3715-15-53-7912. **(Authorize Public Hearing for January 5, 2021, at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building). (Exhibit VIII.B.)**

**A1 C.** Budget Revision Number 11. **(Exhibit VIII.C.)**

1. *To recognize and appropriate \$166 received in donations to the Hickory Youth Council for their Christmas project.*
2. *To adjust the 2020 Community Development Block Grant budget per notification from HUD that, due to a miscalculation in their determination of the amount that each grantee receives, the City of Hickory's CDBG allotment for 2020 will be \$51 less than the original amount.*
3. *To transfer a total of \$177,210 from General Fund Balance and Water and Sewer Fund Balance (50/50 basis) into the Bruce Meisner Park Capital Project Ordinance (#620008) to cover the balance needed within the project for construction of the restroom and shelter area under contract with Moss-Marlow Building Company.*

IX. Items Removed from Consent Agenda

X. Informational Item

XI. New Business:

A. Public Hearings

**A** 1. Consideration of the Community Development Block Grant 2019 Annual Action Plan Amendment for CARES Act Funding – Presentation by Community Development Manager Karen Dickerson. **(Exhibit XI.A.1.)**

*In program year 2019, the City of Hickory received \$316,023 through the U.S. Department of Housing and Urban Development Community Development Block Grant Fund. Funds were used to develop stronger communities by providing decent housing, creating suitable living environments, and expanding economic opportunities, principally for people of low and moderate incomes. The Coronavirus Aid, Relief and Economic Securities Act (CARES Act) has made available \$2 billion in supplemental Community Development Block Grant (CDBG) funding for grants to prevent, prepare for, and respond to coronavirus. Per the US Department of Housing and Urban Development (HUD), grantees of the Community Development Block Grant may use funds for a range of eligible activities that plan for, prevent, and respond to the spread of infectious diseases such as the coronavirus. The City of Hickory has been informed that the jurisdiction will be receiving a second allocation of \$274,226 in Community Development Block Grant COVID-19 (CDBG-CV) funds to be used specifically to deal with the coronavirus (COVID-19) outbreak. The proposed budget line items are as follows: Public Service Activities to respond to COVID-19 \$246,803 and Program Administration \$27,423; Total CDBG-CV \$274,226. Staff recommends City Council's approval of the amended 2019 Annual Action Plan to include \$274,226 in CDBG-CV funding specifically for response to the coronavirus.*

*This public hearing was advertised in a newspaper having general circulation in the Hickory area on November 23, December 10, and December 15, 2020.*

**A** 2. Consideration of a Voluntary Non-Contiguous Annexation of Property Owned by Reginald Sweat, Containing Approximately 1.199 acres of Property Located at

3597 Wandering Lane NE, Identified as PIN 3735-17-11-2352 – Presentation by Planning Director Brian Frazier. **(Exhibit XI.A.2.)**

*Mr. Reginald Sweat has petitioned for the voluntary non-contiguous annexation of 1.199 acres of property located at 3597 Wandering Lane NE. The subject property is currently located within Catawba County's zoning jurisdiction, and zoned R-20 Residential. The annexation is being requested in order to connect to the City's sewer system. Under Catawba County's current zoning, the property may be developed for one- and two-family residential uses at an intensity of two dwelling units per acre, which could potentially yield two new single-family dwelling units, or four two-family dwelling units (duplexes). Should the property be annexed, and rezoned to R-2 Residential, the property could be developed for single-family residential, at a density of four dwelling units per acre, which theoretically could yield four single-family dwelling units. The property owner has indicated they intend to divide property into two lots and build two single-family residences. The current tax value of the property is \$21,800. If annexed with its present value, the property would immediately generate additional tax revenues of \$128.75. The future tax revenues generated by the development of the property is currently unknown. Upon analysis, staff has determined the petition meets the statutory requirements for voluntary contiguous annexation, and adequate public services are available. Staff finds the petition to be in conformity with applicable statutes and recommends approval of the petition.*

*This public hearing was advertised in a newspaper having general circulation in the Hickory area on December 4, 2020.*

- A1**            3.        Consideration of Rezoning Petition 20-05 for Reginald Sweat for Property Located at 3597 Wandering Lane NE, Containing 1.119 Acres – Presentation by Planning Director Brian Frazier. **(Exhibit XI.A.3.)**

*Reginald Sweat filed a petition to annex 1.119 acres of property located at 3597 Wandering Lane NE into the City of Hickory in order to gain access to City utilities. Upon annexation, the zoning of the property must change from Catawba County to City of Hickory. The request is to rezone the property from R-20 Residential to Medium Density Residential (R-2). The general area is classified as Low Density Residential by the Hickory by Choice 2030 Comprehensive Plan. This classification is intended to provide an area of transition between higher density housing and the surrounding area by offering development at two to four units per acre. The R-2 zoning district's permissible density is four units per acre, which adheres to the recommendations for areas classified as Low Density Residential by the Hickory by Choice 2030 Comprehensive Plan. The Hickory Regional Planning Commission conducted a public hearing on December 2, 2020 to consider the petition. Upon closing the public hearing, the Hickory Regional Planning Commission voted unanimously (7-0) to affirm the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan, and recommended City Council's approval of the petition. Staff concurs with the recommendation of the Hickory Regional Planning Commission.*

*This public hearing was advertised in a newspaper having general circulation in the Hickory area on December 4 and December 11, 2020.*

- A1**            4.        Consideration of Rezoning Petition 20-04 for YN & MJ Properties LLC for Property Located at 1058 South Center Street, Containing 3.72 Acres – Presentation by Planning Director Brian Frazier. **(Exhibit XI.A.4.)**

*YN & MJ Properties, LLC has petitioned for the rezoning of 3.72 acres of property located at 1058 South Center Street from Industrial (IND) to Neighborhood Center Commercial (NC). The subject property is currently zoned Industrial (IND), and was previously occupied by Carolina Millwork, which has vacated the property. The new owners are seeking a zoning district that is more conducive for*

establishing commercial and services type uses. The general area is predominately classified Neighborhood Mixed-Use by the Hickory by Choice 2030 Comprehensive Plan. This classification is intended to provide areas for neighborhood scaled commercial and service areas, which are walkable to area residents. The permissible intensity for non-residential use is governed by a floor area ratio of 0.85, and a residential density of thirty (30) units per acre. Should the subject property be redeveloped for solely non-residential purposes, the property could theoretically yield approximately 137,000 square feet of floor area, or seventy-five residential dwelling unit. The property could also be redeveloped for mixed use purposes. The Hickory Regional Planning Commission conducted a public hearing on December 2, 2020 to consider the petition. Upon closing the public hearing, the Hickory Regional Planning Commission voted unanimously (7-0) to affirm the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan, and recommended City Council's approval of the petition. Staff concurs with the recommendation of the Hickory Regional Planning Commission.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on December 4 and December 11, 2020.

B. Departmental Reports

NA

1. Appointments to Boards and Commissions

**COMMUNITY APPEARANCE COMMISSION**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
At-Large (Outside City but within HRP) (Council Appoints) VACANT

**COMMUNITY RELATIONS COUNCIL**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
Other Minority (Council Appoints) VACANT  
Other Minority (Council Appoints) VACANT  
Other Minority (Council Appoints) VACANT  
Differently-Abled and is African-American or Other Minority (Council Appoints) VACANT

**HICKORY REGIONAL PLANNING COMMISSION**

(Terms Expiring 6-30; 3-Year Terms With Unlimited Appointments)  
(Appointed by City Council)  
Brookford (Mayor Appoints with Recommendation from Brookford) VACANT

**LIBRARY ADVISORY BOARD**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
At-Large (Mayor Appoints) VACANT  
(Unexpired Term of Helen Devlin)

**PUBLIC ART COMMISSION**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
Ward 4 (D. Williams Appoints) VACANT

**PUBLIC HOUSING AUTHORITY**

(Terms Expiring 6-30; 5-Year Terms) (Appointed by the Mayor)  
Position 3 (Mayor Appoints) VACANT  
Position 9 (Mayor Appoints) (Unexpired Term of Rebecca Clements) VACANT

**YOUTH COUNCIL**

(Terms Expiring 6-30; 1-Year Terms) (Appointed by City Council)  
Youth Council Applicant Review Committee Recommends the Following Appointments:

FTF  
HCAM  
HHS  
Homeschool

VACANT  
VACANT  
VACANT  
VACANT

C. Presentation of Petitions and Requests

- XII. Matters Not on Agenda (requires majority vote of Council to consider)
- XIII. General Comments by Members of Council, City Manager or City Attorney of a Non-Business Nature
- XIV. Adjournment

**\*Hickory City Code Section 2-56. Public Address to Council:**

**“When conducting public hearings, considering ordinances and otherwise considering matters wherein the public has a right to be heard, when it appears that there are persons present desiring to be heard, the Mayor shall require those opposing and favoring the proposed action to identify themselves. Each side of the matter shall be given equal time. Those opposing the proposed action shall be allowed 15 minutes for presentation, followed by 15 minutes for those favoring the action, with the opponents then to have five minutes for rebuttal and the proponents to then have five minutes for surrebuttal. Those persons on either side shall have the right to divide their allotted time among them as they may choose. The Council, by majority vote, may extend the time for each side equally. On matters in which the person desiring to address the Council does not have a legal right to speak, the Council shall determine whether it will hear the person. The refusal to hear a person desiring to speak may be based upon grounds that the subject matter is confidential, that its public discussion would be illegal, that it is a matter not within the jurisdiction of the Council or for any other cause deemed sufficient by the Council. Any person allowed to speak who shall depart from the subject under discussion or who shall make personal, impertinent or slanderous remarks, or who shall become boisterous while addressing the Council shall be declared out of order by the Mayor, or by vote of the Council, and barred from speaking further before the Council unless permission to continue shall be granted by a majority vote of the Council, under such restrictions as the Council may provide.”**

**The City of Hickory holds all public meetings in accessible rooms.  
Special requests for accommodation should be submitted by individuals  
with disabilities at least 48 hours before the scheduled meeting.  
Phone Services (hearing impaired) – Call 711 or 1-800-735-2962**