



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

March 21, 2023  
7:00 p.m.

- I. Call to Order
- II. Invocation by Reverend Cassandra Rawls, Hartzell Memorial and McQueen's Chapel United Methodist Churches
- III. Pledge of Allegiance
- IV. Special Presentations
- V. Persons Requesting to Be Heard
- VI. Approval of Minutes
- A** A. Regular Meeting of March 7, 2023. **(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 17. **(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 Change Order Number 2 with Fuller & Co. Construction, LLC in the Amount of \$59,556.70 for the Murray Basin Sewer Project. **(Exhibit VIII.A.)**

*Staff requests Council's approval of change order number 2 with Fuller & Co. Construction, LLC for \$59,556.70 and the addition of 30-days to the contract time, for the Murray Basin Sewer Project (SRF CS370389-22). The Murray Basin Project includes the addition of multiple pumping stations, force main, and the upgrade of existing gravity sanitary sewer lines. Flows from the existing system relayed back to existing City of Hickory Wastewater Treatment Facility will result in a net savings of approximately \$400,000 annually. Additionally, the additional flows of the Murray Basin into the Henry Fork Wastewater Treatment Facility will be a welcome addition as the facility currently is running at approximately 27% capacity. Council approved the original contract with Fuller & Co. Construction, LLC on May 18, 2021 in the amount of \$5,624,051.11 and change order number 1 in the amount of \$93,247.01 on October 18, 2022. Clean Water State Revolving Funds have been approved for the funding of this project at a low interest loan of 1.04% for 20-years. Additional electrical work will be required at both the Maybrook and Section House Pump Station sites related to the coordination of service with Duke Energy. Due to the limited work area, Duke Energy is requiring that the City of Hickory install conduits for use by Duke to run the electrical services to the pump stations. A 30-day time extension has been included to account for the additional work. Staff recommends Council's approval of change order number 2 with Fuller & Co. Construction, LLC for \$59,556.70 and the*

addition of 30-days to the contract time, for the Murray Basin Sewer Project (SRF CS370389-22).

- A B. Approval of the Contract with Bob Sinclair as Coordinator of the Friday Night Sails Original Music Series in May, June, and September, 2023. **(Exhibit VIII.B.)**

*Staff request approval of the Contract with Bob Sinclair as Coordinator for the Friday night Sails Original Music Series in May, June, and September 2023. The event is hosted Friday nights in May, June, and September at The Sails on the Square from 7:00 – 8:30 p.m. The dates are May 5, 12, 19, 26, June 2, 9, 16, and every Friday in September. There is the potential to add dates for the last two Fridays in June, based on additional sponsorships. The events are hosted on Union Square at The Sails on the Square except for September 15, which will be held at the Samuel Davis Field. The goal is to provide entertainment downtown for the local community, which will also bring tourism and visitors to Hickory. Bob Sinclair has successfully coordinated the Sails Original Music Series since the origination of the event. Local establishments on Union Square have seen an increase in business during these events. This has become a community event that people look forward to each year. The City has been able to gain sponsors for this series now that the series has been around for years and has grown in popularity. Additionally, Mr. Sinclair assists the City with bringing potential sponsorships to the City for consideration and promotion of each event night, as well as assisting with social media promotions on the Sails Original Music Series event page. The series is also known internationally from bringing in international bands. Mr. Sinclair handles securing and paying for all the bands, due to his wide contacts in the industry, as well as the logistics for the events, including sound, lighting, and food. The total for his services is \$38,300, which includes three sponsorships at \$3,500 each for a total of \$10,500 which is paid to the City and then paid to Bob Sinclair to cover expenses. Payment installments are April 1, May 1, and August 16, 2023. Staff recommends approval of the contract with Bob Sinclair to coordinate the Sails Original Music Series in May, June, and September 2023.*

- A C. Approval of the Citizens' Advisory Committee's Recommendation for Assistance through the City of Hickory's Housing Programs. **(Exhibit VIII.C.)**

*The following applicant was considered by the Citizens' Advisory Committee at their regular meeting on March 2, 2023:*

- *Janice Harold located at 251 10<sup>th</sup> Avenue SE, Hickory, was recommended for approval of up to \$12,000 under the City of Hickory's 2022 Urgent Repair Program.*

*Funds are budgeted for this item through the City of Hickory's former Housing Rehabilitation Program income received in FY 2022 and/or program income received through the City of Hickory's Community Development Block Grant Program. The Citizens' Advisory Committee recommends approval of the aforementioned request for assistance through the City of Hickory's housing assistance programs.*

- A/PH D. Call for a Public Hearing – Consideration of Closing 8<sup>th</sup> Street Place SE. **(Authorize Public Hearing for April 18, 2023, at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building). (Exhibit VIII.D.)**

- A E. Approval of Two Resolutions Authorizing Participation in North Carolina Cooperative Liquid Assets Securities System (NC CLASS) and North Carolina Investment Pool (NCIP), and Approval of the Amendment to Interlocal Agreement. **(Exhibit VIII.E.)**

*Staff requests approval of two resolutions authorizing participation in North Carolina Cooperative Liquid Assets Securities System (NC CLASS) and North Carolina Investment Pool (NCIP). North Carolina General Statute NCGS 159-30 states "a local government or public authority may deposit at interest or invest all or part of the cash balance of any fund. The finance officer shall manage investments subject to whatever restrictions and directions the governing board may impose. The finance officer shall have the power to purchase, sell, and exchange securities on behalf of the governing board. The investment*

program shall be so managed that investments and deposits can be converted into cash when needed.” The City of Hickory Finance Department is responsible for investment of the City’s idle funds by selecting investment options that are high yield but are still considered safe and liquid. NC CLASS and NCIP are new commingled investment pools which qualify as an additional investment option offered to local NC counties and municipalities. Staff recommends approval of two resolutions authorizing participation in North Carolina Cooperative Liquid Assets Securities System (NC CLASS) and North Carolina Investment Pool (NCIP) and approval of the Amendment to Interlocal Agreement.

**A F.** Approval of the Atriax PLLC Sponsorship Agreement for the 2023 Sails Original Music Series. **(Exhibit VIII.F.)**

Staff requests approval of the Atriax PLLC Sponsorship Agreement for the 2023 Sails Original Music Series. The Sails Original Music Series is a music event that is held every Friday in May and September, three Fridays in June (2<sup>nd</sup>, 9<sup>th</sup>, & 16<sup>th</sup>) in downtown Hickory. The event has been running since 2012. The event brings musicians from all over the United States and some international musicians. The event attracts people from the local community, as well as regionally. The Office of Communications has been able to secure sponsorships from local business partners that want to be branded with the event and are willing to provide support to offset some of the costs of producing the event. As in 2022, Atriax PLLC is sponsoring the series for \$3,500. Staff recommends the approval of the sponsorship agreement with Atriax PLLC.

**A G.** Approval of Amendment One to the Professional Services Agreement with WK Dickson & Co., Inc., in the Amount of \$11,935 for Trivium East Road Widening and Traffic Signal Design Project. **(Exhibit VIII.G.)**

Staff requests Council's approval of the Professional Services Agreement amendment number one with WK Dickson & Co., Inc., in the amount of \$11,935, for Trivium East road widening and traffic signal design project. Trivium Corporate Center is the business park recognized in the Bond projects to receive money from bond proceeds for development. The City, County and EDC have worked on development of the project to a condition that is receptive to marketing. As the original Trivium site has been successful and only three lots remain, the partnership has purchased additional properties to expand the success of the business park. 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. 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 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 has been required to be performed for a recordable right of way/subdivision map for this project. The additional work will be a lump sum fee of \$11,935. This fee will be split 50/50 between Hickory and Catawba County. Staff recommends Council's approval of the Professional Services Agreement amendment number one with WK Dickson & Co., Inc., in the amount of \$11,935, for Trivium East road widening and traffic signal design project.

**A1 H.** Budget Revision Number18. **(Exhibit VIII.H.)**

1. To appropriate \$2,600 from recreation revenues to cover the cost of materials for field prep and CVCC usage.
2. To appropriate \$389 from Miscellaneous Revenues.
3. To appropriate \$11,547 from Recreation Revenues received from jerseys individuals bought for youth sports uniforms.
4. To appropriate \$120,000 from Water & Sewer Fund Balance to cover the treatment and processing of sanitary sewer.
5. To appropriate \$11,850 from the sale of a vehicle towards the Landscape division.

6. To appropriate \$1,000 of donations from Walmart towards Community Navigator Fund.
7. To appropriate \$59,557 from Water & Sewer Fund Balance to cover the cost of construction services with Fuller & Co. Construction, LLC for the Murray Basin Sewer Project.
8. To appropriate \$11,936 to cover the cost of Professional Services with WK Dickson & Co., Inc for Trivium East Road Widening & Traffic Signal Design Project. Half of the cost will come from General Fund, while the other half will come from Catawba County Revenues.

IX. Items Removed from Consent Agenda

X. Informational Item

XI. New Business:

A. Public Hearings

B. Departmental Reports

**NA** 1. Update on Bond Projects – Presented by Executive Assistant Manager Yaidee Fox

**NA** 2. Economic Impact of Hickory Trail to Date - Presented by Business Services Manager Dave Leonetti

**A** 3. Appointments to Boards and Commissions

**CITIZENS ADVISORY COMMITTEE**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
At-Large (Council Appoints) (Clise Plant Resigned 2-27-2023) VACANT

**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)  
African American (Council Appoints) (Nathaniel Holmes Resigned) VACANT  
Other Minority (Council Appoints) VACANT  
Other Minority (Council Appoints) VACANT  
Other Minority (Council Appoints) VACANT  
Differently Abled (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

**PUBLIC ART COMMISSION**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
Ward 1 (Wood Appoints) (Laurie Childres Resigned 3-2-23) VACANT  
Ward 4 (Freeman Appoints) VACANT

Alderman Wood nominated William “Bill” Richter as Ward 1 Representative and Alderman Freeman nominated Wesley Christopher as Ward 4 Representative for the Public Art Commission.

**RECYCLING ADVISORY BOARD**

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

- 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**