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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

August 1, 2023
7:00 p.m.

- I. Call to Order
- II. Invocation by Reverend David Roberts, Morning Star First Baptist Church
- III. Pledge of Allegiance
- IV. Special Presentations
- V. Persons Requesting to Be Heard
- VI. Approval of Minutes
- A** A. Regular Meeting of July 18, 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. Consideration of Ordinance Amending Chapter 2, Article II, Division 2, Section 2-52 Regular Meetings of the City of Hickory Code of Ordinances. **(First Reading Vote: Unanimous)**
 - A2** B. Budget Revision Number 23EC. **(First Reading Vote: Unanimous)**
 - A2** C. Budget Revision Number 1. **(First Reading Vote: Unanimous)**
 - A2** D. Consideration of Rezoning Text Amendment 23-01 to the Hickory Land Development Code, Article 4, Section 4.6 Airport Overlay. **(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. Acceptance of the Bid and Approval of the Contract with Kemp Sigmon Construction Company, Inc. in the Amount of \$6,462,202.23, Contingent Upon North Carolina Department of Transportation Concurrence. **(Exhibit VIII.A.)**

Staff requests Council acceptance of the bid and award of the contract for construction of the Projects TIP # EB-5937/EB-5938 - Historic Ridgeview Walk to Kemp Sigmon Construction Company, Inc. in the amount of \$6,462,202.23, contingent upon North Carolina Department of Transportation (NCDOT) concurrence. The Historic Ridgeview Walk (formerly referred to as Book Walk/Book Walk South) will be part of the larger Hickory Trail multi-use system and bond program that seeks to increase quality of life for residents and spur economic revitalization by providing pedestrian and bicycle connectivity throughout the City. Historic Ridgeview Walk will specifically provide this connectivity within the Ridgeview community and connect the Ridgeview community to Downtown

Hickory and U.S. 70. The Historic Ridgeview Walk path will travel from the City Walk down South Center Street, west across City-owned property at the Historic Ridgeview Public Library, and south on 1st Street SW to the current Ridgeview Branch Library. The path will then go west on 7th Avenue SW past Ridgeview Recreation Center, before turning south and following 4th Street SW to U.S. 70. Historic Ridgeview Walk proposes to construct a 1.2-mile, 10-foot-wide multi-use path for pedestrians and bicyclists of all ages and abilities, connecting residents to community amenities. Design plans for the Historic Ridgeview Walk will be consistent with City Walk aesthetics. Bids were advertised for the project and received on July 13, 2023. Three bids were received and opened. Staff recommends Council's acceptance of the bid and award of the contract for construction of Project TIP # EB-5937/EB-5938 - Historic Ridgeview Walk to Kemp Sigmon Construction Company, Inc. in the amount of \$6,462,202.23, contingent upon NCDOT concurrence.

- A B. Approval of Amendment Number 1 to the Professional Services Agreement with KCI Associates of North Carolina, PA for the Henry River Sewer Pump Station Upgrades Project in the Amount of \$40,900. **(Exhibit VIII.B.)**

Staff requests Council's approval of Amendment number 1 to the Professional Services Agreement with KCI Associates of North Carolina, PA, for the Henry River Sewer Pump Station upgrades project in the amount of \$40,900. An evaluation of the Henry River sewer pump station was completed in October 2021. KCI Associates, PA was tasked with the design of upgrades to the pump stations in July 2022. During the design phase, and based on discussions with City staff, it has been determined that additional components of the pump stations should be evaluated and included in the upgrade design. These components include the bar screens, which are original to the pump stations, and the cranes, which will be undersized following the upgrades. Including these components in the upgrade will ensure the ongoing reliability of the pump stations as well as avoid duplication of efforts in the future. Staff recommends Council's approval of Amendment number 1 to the Professional Services Agreement with KCI Associates of North Carolina, PA, for the Henry River Sewer Pump Station upgrades project in the amount of \$40,900.

- A C. Approval of the Post Approval Documentation, the 2023 Urgent Repair Program Assistance Policy, and Procurement and Disbursement Policy. **(Exhibit VIII.C.)**

Staff requests approval of the Urgent Repair Program Assistance Policy and Procurement and Disbursement Policies that accompany the applications for the Urgent Repair Program from North Carolina Housing Finance Agency in the amount of \$70,000. In January of 2023, the City of Hickory Community Development Division applied for funding through the North Carolina Housing Finance Agency's Urgent Repair Program. The City of Hickory has been awarded \$70,000 through this program in order to assist approximately 6 very low-income homeowners with urgently needed repairs in an amount not to exceed \$12,000 per housing unit. The City of Hickory will provide an additional \$5,000 in matching funds, which are available from Rental Rehabilitation program income. The total program budget will be \$75,000. The NC Housing Finance Agency requires the City of Hickory to prepare Assistance and Procurement Policies. These policies must be made available to the public and explain the guidelines of the URP23 program. These policies incorporate program requirements, applicant eligibility standards, and program capabilities. Upon approval, these policies will be submitted to the NC Housing Finance Agency in order to finalize the City's grant agreement. Upon receipt and final acceptance by NCHFA, funds will be dispersed to the City of Hickory in order to begin repairs to eligible homes. Staff recommends approval of the post approval documentation and the URP Assistance Policy and Procurement and Disbursement Policy.

- A D. Approval of Supplemental Agreement Number 2 for the Professional Services Agreement with Gannett Fleming, Inc. for CEI Services Related to the Riverwalk Project (EB-5939) in the Amount of \$69,187.91. **(Exhibit VIII.D.)**

Staff requests Council's approval of supplemental agreement number 2 for Professional Services with Gannett Fleming, Inc. for CEI Services related to the Riverwalk Project (EB-5939) in the amount of \$69,187.91. The funding for this project is apportioned 80/20, North

Carolina Department of Transportation (NCDOT) and City respectively. NCDOT requires that recipients hire an engineering firm separate from the design firm to perform construction engineering and inspection services for oversight, materials testing and record keeping. Gannett Fleming, Inc. was selected based on qualifications-based proposals with NCDOT concurrence. In November 2020, City Council approved the original agreement with Gannett Fleming for the project. Due to time, unforeseen conditions in the construction of the bridge, staff is requesting that the agreement be extended another two months to carry the City thru the inspections and documentation with NCDOT. Staff recommends Council's approval of supplemental agreement number 2 for Professional Services with Gannett Fleming, Inc. for CEI Services related to the Riverwalk Project (EB-5939) in the amount of \$69,187.91.

- A E. Approval of a Memorandum of Understanding with NC Department of Commerce for the Creating Outdoor Recreation Economies Strategic Planning Program. **(Exhibit VIII.E.)**

Staff requests Council's approval of a Memorandum of Understanding with the NC Department of Commerce for the Creating Outdoor Recreation Economies Strategic Planning Program. The Creating Outdoor Recreation Economies (CORE) program is being offered by the NC Department of Commerce and funded by the American Rescue Plan. The goal of the program is to assist communities in North Carolina to leverage outdoor recreation to spur economic investment in their communities. Last fall, the City submitted a letter of interest in the program and was selected to receive technical assistance in the development of a strategic plan. There is no local cost associated with the program. Staff has had preliminary discussions with NC Department of Commerce staff regarding the content of the plan. Given the Hickory region's strong manufacturing base and presence of companies working in the outdoor gear manufacturing space along with resources such as the Manufacturing Solutions Center and Carolina Textile District, both parties recommend that the strategic plan focus on positioning the region to leverage growth of the outdoor gear manufacturing and promote Hickory as a location for manufacturing growth in the industry. The plan will provide a roadmap and action items for the City to leverage its manufacturing position and location in proximity to the mountain region where many outdoor gear manufacturer startups are located. NC Department of Commerce staff estimates that the project will take three to four months to complete and involve stakeholder meetings and focus groups to develop the plan. Staff recommends Council's approval of the Memorandum of Understanding with the NC Department of Commerce for the Creating Outdoor Recreation Economies Strategic Planning Program.

- A1 F. Budget Revision Number 2. **(Exhibit VIII.F.)**

1. To appropriate \$300 in Library donations towards Library programming expenses.
2. To appropriate \$1,000 in Metronet sponsorship funds towards recreation programming expenses.
3. To appropriate \$40,900 towards the Henry River Pump Station Project for Amendment #1 for a Professional Services Agreement with KCI Associated for design services. \$20,450 will come from Catawba County while the other \$20,450 will come from leftover funds from a completed Water Sewer Project.
4. To transfer \$70,000 within the Riverwalk project for Professional Services Agreement with Gannett Fleming, Inc for construction, engineering, and inspection services.
5. To recognize and appropriate \$75,000 in 2023-2024 Urgent Repair Program funds.
6. To transfer \$600,000 from the CityWalk Project and appropriate \$1,600,000 from Federal Grant funds towards the Historic Ridgeview Walk Project for a construction contract with Kemp Sigmon Construction Company, Inc.

IX. Items Removed from Consent Agenda

X. Informational Item

XI. New Business:

- A. Public Hearings
 - B. Departmental Reports
- NA** 1. Hickory Metro Convention Center Update – Presentation by Hickory Metro Convention Center’s Chief Executive Officer Mandy Hildebrand
- A** 2. 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

CITIZENS ADVISORY COMMITTEE

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
 At-Large (Council Appoints) Steven Kiger
 Eligible for Reappointment/Willing to Serve Again
 Small Cities Project Area (Council Appoints) Mark Huggins
 Eligible for Reappointment/Willing to Serve Again

Mayor Guess nominated Steven Kiger for reappointment as an At-Large Representative and Mark Huggins for reappointment as the Small Cities Project Area Representative on the Citizens Advisory Committee.

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) (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) Leslie Mancilla
 Eligible for Reappointment/Willing to Serve Again
 Other Minority (Council Appoints) VACANT
 Other Minority (Council Appoints) VACANT
 Other Minority (Council Appoints) VACANT

Mayor Guess nominated Leslie Mancilla for reappointment as an Other Minority Representative on the Community Relations Council.

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
 Building Trades Profession Simon Lucas
 Eligible for Reappointment/Willing to Serve Again

Mayor Guess nominated Simon Lucas for reappointment as the Building Trades Profession Representative on the Historic Preservation Commission.

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

PUBLIC ART COMMISSION

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

VACANT

PUBLIC HOUSING AUTHORITY BOARD

(Terms Expiring 6-30; 5-Year Terms) (Appointed by Mayor)
Tenant Representative Velevia Wynette Hackett Eligible for Reappointment

Mayor Guess nominated Velevia Wynette Hackett for reappointment as the Tenant Representative on the Public Housing Authority Board.

RECYCLING ADVISORY BOARD

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

VACANT

At-Large (Council Appoints)

William Bost Eligible for Reappointment

At-Large (Council Appoints)

Tawanna Thomas Eligible for Reappointment

At-Large (Council Appoints)

VACANT

Mayor Guess nominated William Bost and Tawanna Thomas for reappointment as At-Large Representatives on the Recycling Advisory Board.

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.”

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with disabilities at least 48 hours before the scheduled meeting.
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