



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

November 21, 2023
6:00 p.m.

- I. Call to Order
- II. Invocation by Reverend Christy Lohr-Sapp, St. Andrews Lutheran Church
- III. Pledge of Allegiance
- IV. Special Presentations
- NA** A. Special Recognition of Airport Director, Terry Clark

Airport Director Terry Clark was recognized for his 42 years of service at the Hickory Regional Airport. He will be retiring on December 31, 2023.
- NA** A. Western Piedmont Symphony Highlights, Presented by Kelly Swindell, Executive Director

Executive Director Kelly Swindell and Music Director Matthew Troy shared highlights about the Western Piedmont Symphony.
- V. Persons Requesting to Be Heard
 - A. Mr. Ben Fite, 845 2nd Street NW, Hickory addressed Council regarding his need for a gravel surface rather than an asphalt surface at a site he was considering for a car dealership.
- VI. Approval of Minutes
 - A** A. Regular Meeting of November 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 8. **(First Reading Vote: Unanimous)**
 - A2** B. Consideration of Rezoning Text Amendment 23-02 to the Hickory Land Development Code. **(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 the Citizens' Advisory Committee's Recommendations for Assistance through the City of Hickory's Housing Programs. **(Exhibit VIII.A.)**

The mission of the City of Hickory's Community Development Division is to preserve the existing housing base, enhance ownership opportunities for all of its citizens to obtain decent housing, and provide a quality environment conducive to the safe and healthy

growth of its citizenry. The seven-member Citizens' Advisory Committee was formed to provide for citizen input in the facilitation of the City's CDBG program, as well as any other similar community enhancement funding the City may receive. The following requests were considered by the Citizens' Advisory Committee at their regular meeting on November 2, 2023:

- Anthony & Fonda Foust located at 886 F Avenue SE, Hickory was recommended for approval of up to \$12,000 under the City of Hickory's 2023 Urgent Repair Program.
- Sebrina Wilfong, 140 7th Avenue SW Hickory, was recommended for approval of a Housing Rehabilitation Loan. The Citizens' Advisory Committee recommends approval for assistance not to exceed \$25,000 for repairs to her house. Assistance would be in the form of a 0% interest deferred loan.
- Priscilla Hoyle, 1174 2nd Street PI SE, Hickory, was recommended for approval of a Housing Rehabilitation Loan. The Citizens' Advisory Committee recommends approval for assistance not to exceed \$25,000 for repairs to her house. Assistance would be in the form of a 0% interest deferred loan.
- Patricia Sullivan, 1014 16th Street SE, Hickory, was recommended for approval of a Housing Rehabilitation Loan. The Citizens' Advisory Committee recommends approval for assistance not to exceed \$20,000 for repairs to her house. Assistance would be in the form of a 0% interest deferred loan.

The Citizens' Advisory Committee recommends approval of the aforementioned request for assistance through the City of Hickory's housing assistance programs.

- A B. Acceptance of the 2023 Bulletproof Vest Grant in the Amount of \$24,210 to Assist in Funding the Purchase of Bulletproof Vests for Police Officers. **(Exhibit VIII.B.)**

Hickory Police Department requests permission to accept the grant to assist in funding the purchase of bulletproof vests for police officers. The City of Hickory will receive up to 50% reimbursement for each vest purchased. Since 1999, the Bulletproof Vest Grant program has provided an opportunity for law enforcement agencies to apply for a grant to receive up to 50% funding on the purchase of ballistic vests. In order to be eligible, the agency must have a policy in effect making it mandatory for uniformed officers to wear the vests while on duty. Hickory Police Department has the mandatory wear policy in effect and has been a recipient of this grant for numerous years. Monies are placed in the police department budget uniform line item annually to purchase vests for police officers. Life expectancy of each vest is approximately five years. The Police Department recommends the acceptance of this grant to receive up to 50% funding to purchase bulletproof vests for police officers.

- A C. Approval of Change Order 2 with TranSystems for Additional Professional Services related to the City Walk Project in the Total Amount of \$80,022.30. **(Exhibit VIII.C.)**

Staff requests Council's approval of Change Order 2 with TranSystems Corporation (successor by merger to SEPI Construction Engineering and Construction Inc.) for additional professional services related to the City Walk Project in the amount of \$80,022.30. In September 2022, TranSystems Corporation purchased SEPI Engineering & Construction, Inc. The City Walk project is partially funded by United States Department of Transportation (USDOT) funding that is passed down through North Carolina Department of Transportation (NCDOT). The funding for this project is appointed to predominately 80% NCDOT and 20% City of Hickory respectively. The change order is due to unforeseen design issues that resulted in project time being extended and extended workload. Fees are eligible for reimbursement with NCDOT funds at the same ratio of 80% NCDOT and 20% City of Hickory. Staff recommends Council's approval of Change Order 2 with TranSystems Corporation in the amount not to exceed \$80,022.30.

- A** **D.** Approval to Apply for the T-Mobile Hometown Grant in the Amount of \$50,000 for Improvements to Samuel William Davis Field. **(Exhibit VIII.D.)**

Staff requests Council's approval to apply for a T-Mobile Hometown Grant to renovate Samuel Davis Field. The City-owned Samuel William Davis Field, located at 730 3rd Street SW, is part of the larger Ridgeview Recreation Area and Taft Broome Park. This field is the historic ground where the undefeated and unscored-upon 1964 Ridgeview Panthers, also known as the Untouchables, played football. This field is currently in need of renovations to make it more useable to the Ridgeview Community and the City as a whole. Several years ago, a new arched entrance and murals were added to Samuel William Davis Field to honor the story of the Untouchables and their record 1964 shut-out season. Staff would like to continue updating this location by renovating Samuel William Davis Field to increase its functionality for the citizens of Ridgeview and Hickory. To fund this renovation, staff wish to apply for the T-Mobile Hometown Grant for \$50,000. This grant will fund the renovations, including a new clay infield, netting and fencing, updated lighting systems, and an updated PA system. With the recent updates to Taft Broome Park and the future Historic Ridgeview Walk, renovations to Samuel Davis Field will be an essential element of improvements to the Ridgeview Recreation Center and Taft Broome Park. Staff recommends Council's approval of the City's application for the T-Mobile Hometown Grant for \$50,000 for improvements to Samuel William Davis Field.

- A/PH** **E.** Call for a Public Hearing to Consider the Voluntary Contiguous Annexation of 62.873-Acres Located at 2239 Robinson Road, PINs 3711-10-45-2075; 3711-14-34-4769, 3711-14-34-8055; 3711-14-44-2597. **(Authorize Public Hearing for December 5, 2023, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building). (Exhibit VIII.E.)**

- A** **F.** Approval of a Vacant Building Revitalization Performance Agreement for Bumbarger Investments of Forest City, LLC in the Amount of \$20,000 for Renovations of the Vacant Building Located at 1421 2nd Street NE. **(Exhibit VIII.F.)**

Staff requests approval of the Vacant Building Revitalization Performance Agreement for Bumbarger Investments of Forest City, LLC. City Council established the Vacant Building Revitalization and Demolition Grant program on September 16, 2008. The program provides forgivable loan funding up to \$20,000 for projects to renovate and rehabilitate vacant buildings within the Urban Revitalization Area and targeted industrial buildings in other areas of the City. Bumbarger Investments of Forest City, LLC has applied for a Vacant Building Revitalization Grant in the amount of \$20,000 to assist in the renovation of the vacant building at 1421 2nd Street NE. The applicant plans to renovate the facility for multi-tenant neighborhood commercial use. The applicant plans to invest at least \$245,747 in real property improvements to rehabilitate the building. This makes the project eligible for a \$20,000 grant. The applicant plans to improve the parking lot and make interior improvements. No payments 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 approve the Vacant Building Performance Agreement with Bumbarger Investments of Forest City, LLC.

- A1** **G.** Budget Revision Number 9. **(Exhibit VIII.G.)**

1. *To appropriate \$4,308 from General Fund Balance to roll forward remaining funds in the Bill McDonald Scholarship fund from FY22-23.*
2. *To appropriate \$500 in donations received from the Friends of the Library to assist with programming at the Ridgeview Branch Library.*
3. *To appropriate \$5,234 in revenue received from Catawba Valley Community College to assist with a Hickory Police Department Apprenticeship program.*
4. *To appropriate \$6,424 in revenues received from the Downtown Development Association to pay for police coverage at Hickory's Oktoberfest festival.*
5. *To appropriate \$10,000 in grant revenues from The United Arts Council of Catawba County to be used for the Miracle of Hickory Park basketball court mural.*

- 6. *To recognize receipt of the 2023 Bulletproof Vest Partnership Grant (\$24,210) and establish a Grant Project Ordinance in the amount of \$48,420. This is a 50/50 Federal matching grant with the local portion to be taken from the Police Department's Uniforms account.*

IX. Items Removed from Consent Agenda

X. Informational Item

XI. New Business:

A. Public Hearings

- A** 1. Consideration of the Voluntary Contiguous Annexation of .543 Acres Located at 908 30th Avenue Drive NW, PIN 3704-11-55-2101 - Presentation by Planning Director Brian Frazier. **(Exhibit XI.A.1.)**

Consideration of the voluntary contiguous annexation of 0.543 acres property located at 908 30th Avenue Drive NW. This property is identified as PIN 3704-11-55-2101. The property is currently vacant and located within the City's Extra Territorial Jurisdiction (ETJ). The property is zoned R-2, which permits residential development at 4 dwelling units per acre. Given its size, a property division could create two building lots; however, the owner intends to build a single home on the property. The property owner desires to connect the new home to City sewer service, which requires annexation. Surrounding properties are zoned R-2 Residential and occupied by single family homes or are vacant. The current tax value of the property is \$29,700. If annexed, the vacant property would generate \$135.14 in additional tax revenues. 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.

The public hearing was advertised in a newspaper having general circulation in the Hickory area on November 11, 2023.

B. Departmental Reports

- A** 1. Presentation of the Parks, Recreation & Sports Tourism Comprehensive Master Plan – Presented by Parks Recreation and Sports Tourism Director Mark Seaman and Special Projects Manager for the City Manager Natalie Jackson. **(Exhibit XI.B.1.)**

The City of Hickory has completed the development of the Recreation Well Crafted 2023-2033 Comprehensive Park & Recreation Master Plan. This plan replaces the 1997 Park and Recreation Master Plan and its subsequent 2010 Recreation Needs Assessment. Informed by extensive public input and analysis, the master plan will assist the City of Hickory with meeting the current and projected park, recreation, and sports tourism needs of its citizens for the next ten years. Adoption of this plan will also significantly increase the City's competitiveness for alternate sources of funding such as North Carolina Trust Fund PARTF Grants. Staff recommends Council's approval and adoption of the Recreation Well Crafted 2023-2033 Comprehensive Park & Recreation Master Plan.

- NA** 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

COMMUNITY APPEARANCE COMMISSION

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

VACANT
VACANT

COMMUNITY RELATIONS COUNCIL

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

VACANT
VACANT
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 (Council Appoints)
At-Large (2) (Council Appoints) William Gardner Jr. Resigned 10-23-23

VACANT
VACANT

LIBRARY ADVISORY BOARD

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

VACANT

PUBLIC ART COMMISSION

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

VACANT

RECYCLING ADVISORY BOARD

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

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**