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

April 21, 2026
6:00 p.m.

I. Call to Order

II. Invocation by Reverend Bill Garrard, Retired United Methodist Clergy

III. Pledge of Allegiance

IV. Special Presentations

NA A. Presentation of a Proclamation Honoring the Catawba Valley Community College Esports Team – Presented to Sports Information Director and Esports Head Coach, Catawba Valley Community College, Cody S. Dalton and the Esports Team. **(Exhibit IV.A.)**

NA B. Presentation of a Proclamation Honoring Fallen Fire and Emergency Services Personnel – Presented to the Family of Fallen Firefighter Jake Bridges. **(Exhibit IV.B.)**

NA C. Presentation of a Proclamation for Amyotrophic Lateral Sclerosis (ALS) Awareness Month - Presented to Cathy Lawson. **(Exhibit IV.C.)**

V. Persons Requesting to Be Heard

A. Mr. Jeffrey Katz, 735 4th Street NE, Hickory discussed concerns with discolored water at his home.

VI. Approval of Minutes

A A. Regular Meeting of April 7, 2026. **(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 16. **(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 a Proclamation for Arbor Day, April 24, 2026. **(Exhibit VIII.A)**

PH/A B. Call for a Public Hearing to Consider the Voluntary Contiguous Annexation of Property Located at 350 and 356 14th Avenue SW, Containing Approximately 1.24 Aces, Identified at PINs 3702-14-33-0149 and 3702-14-33-0299, Owned by Blue Collar Properties, LLC. (Authorize the Public Hearing for May 5, 2026, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building. **(Exhibit VIII.B.)**

A C. Approval to Advertise All Real and Personal Current Fiscal Year Tax Amounts for Burke and Caldwell Counties in an Attempt to Collect the Outstanding Taxes. **(Exhibit VIII.C.)**

North Carolina General Statute §105-369(a) mandates that the tax collector must first inform the governing body of and then advertise the "total amount of unpaid taxes for the current fiscal year that are liens on real property". The unpaid tax amounts for 2025: Burke County - Public Services - $33.52; Personal Property Tax - $7,299.05; Business Property Tax - $215.05; Total $7,547.62. Caldwell County – Public Services - $168.56; Real Property $4,944.52; Total $5,113.08. A taxing unit has the option of advertising personal property taxes that are not a lien on real property, but the cost of that advertisement may not be passed along to taxpayers as is the cost of the real property tax lien advertisement. The amount advertised should be only the principal amount of taxes owed, not including any interest, costs, or fees. G.S. §105-369(c) requires that real property tax liens for the current year be advertised at any time from March 1 through June 30. Three actions must occur before the advertisement may be published and posted. (1) The governing body is informed of the "total amount of unpaid taxes for the current fiscal year that are liens on real property". (2) The governing body must issue an order to the tax collector to advertise the tax liens; the order will be issued, presumably, immediately upon receipt of the tax collector's report. (3) At least thirty days before the advertisement is published and posted, the tax collector must provide written notice to the affected taxpayers of the intent to publish outstanding current tax liens. When a taxpayer files a bankruptcy petition, an "automatic stay" immediately becomes effective. Essentially this stay bars any effort by a creditor to collect a debt from the debtor in bankruptcy. The advertisement of a tax lien arguably qualifies as an act to enforce a tax lien and is therefore barred by the automatic stay. The Tax Collector has informed City Council of the unpaid tax amounts for the current fiscal year. It is recommended that City Council issue an order to advertise all real and personal current fiscal year tax amounts in the Hickory Daily Record in an attempt to collect the outstanding taxes.

A D. Approval to Accept the 2025 Justice Assistance Grant in Collaboration with the Catawba County Sheriff's Office. **(Exhibit VIII.D.)**

Hickory Police Department requests approval to accept the 2025 Justice Assistance Grant in collaboration with Catawba County Sheriff's Office. The City of Hickory has applied to receive the total JAG award of $30,698. The JAG Program is a formula-based grant through the Office of Justice Programs/Bureau of Justice Assistance (BJA) that utilizes Uniform Crime Reporting statistics of all law enforcement agencies to determine eligibility for direct federal grant awards. There is no match required. Hickory Police Department will use the grant funds for annual licensing fee for two Grayshift forensic devices in collaboration with Catawba County Sheriff's Office. The JAG legislation requires counties to remain a partner with the local jurisdictions receiving funds and must be a signatory on a required Memorandum of Understanding (MOU). Hickory Police Department submitted the initial JAG 2025 application to request purchasing Grayshift software for a total cost of $61,395. Hickory Police and Catawba County Sheriff's Office will be responsible for paying the remaining cost of the software. Hickory Police Department recommends acceptance of the grant and partnership with Catawba County Sheriff's Office for the 2025 Justice Assistance Grant in the amount of $30,698 (Catawba County Sheriff's Office $12,279.20, Hickory Police Department $18,418.80). The Hickory Police Department and Catawba County Sheriff's Office will share the remaining expense of the annual licensing fee to use two GrayKey forensic devices from Magnet Forensics for the FY2026-2027 fiscal year.

A E. Approval of a Resolution Authorizing the Submission of Applications to the Greater Hickory Metropolitan Planning Organization in the Amount of $5,840,000 and Provide a Match of $1,460,000 for Surface Transportation Block Grant Funds. **(Exhibit VIII.E.)**

Staff requests for approval of two LAPP Applications Submittals that include Surface Transportation Block Grant (STBG) Funding from the Greater Hickory Metropolitan Planning Organization (MPO). The City plans to submit two grant applications to the Greater Hickory Metropolitan Planning Organization for 13th Avenue Drive SE - funding for the design, utility relocation, right of way acquisition, and construction of a new roadway

segment connecting two existing sections of 13th Avenue Drive SE. The project will also include sidewalk along the new roadway. The estimated total cost $5,000,000, 80% Federal Funding - $4,000,000, and 20% Local Match - $1,000,000. And 5th Street NE and 10th Avenue Drive NE intersection improvements with sidewalk along 10th Avenue Drive NE – funding for the design, utility relocation, right of way acquisition, and construction for pedestrian signal heads at 5th Street NE and 10th Avenue Drive NE and sidewalk along 10th Avenue Drive SE. The estimated total cost $2,300,000, 80% Federal Funding - $1,840,000, and 20% Local Match - $460,000. Staff requests Council's approval of the Resolution supporting the two grant applications and committing the combined 20% match of $1,460,000.

A F. Approval of the Issuance of a Pyrotechnic Display Permit to Contracted Pyrotechnics for a Fireworks Display at Moretz Stadium. **(Exhibit VIII.F.)**

Staff requests approval to issue a pyrotechnic display permit to Contracted Pyrotechnics for a fireworks display at Moretz Stadium for May 8, 2026. William Cunningham, Director of Athletic Facilities and Operations of Lenoir-Rhyne University submitted a request to obtain permission to conduct a public fireworks display for the commencement ceremony. 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 event, 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 area before the event 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 recommend approval of the above pyrotechnics display, subject to the burning ban, drought conditions and the Fire Marshal's final approval.

A G. Approval of a Resolution Declaring Surplus Fire Department Equipment and the Sale of the Equipment to Bandys Crossroads Volunteer Fire Department. **(Exhibit VIII.G.)**

The City of Hickory Fire Department staff requests approval to declare as surplus a twenty (20) piece Vetter Rescue Air Bag Kit. In 2025, following a replacement schedule, the fire department completed a comprehensive replacement of its rescue air bags. This transition was necessary to eliminate the operational risks and training complexities associated with maintaining a mixed fleet of equipment. The intent of the Fire Department is to sell the rescue air bag kit to the Bandys Crossroads Volunteer Fire Department, a 501(c)(3) non-profit organization located in Catawba County. The agreement was negotiated by staff for $2,000. The air bag kit will be sold as is. The revenue from the sale of this rescue air bag kit will be used towards the associated costs for new technical rescue equipment for the fire department. The sale of this equipment will be in accordance with General Statute 160A-267. Hickory Fire Department staff recommend declaring the equipment as surplus and selling the equipment to Bandys Crossroads Volunteer Fire Department.

A H. Approval of a Resolution Declaring Surplus Fire Department Equipment and the Sale of the Equipment to Alleghany County Rescue Squad. **(Exhibit VIII.H.)**

The City of Hickory Fire Department staff requests approval to declare as surplus ten (10) EF Johnson VP900, Model III, Phase I Portable Radios, ten (10) batteries, seven (7) remote speaker mics, and ten (10) chargers. The department previously operated on a VHF radio system that is owned by the City and located at the "F" Avenue SE Water Tower. In 2014, these dual-band radios were purchased to facilitate the department's transition to the NC Voice Interoperability Plan for Emergency Responders (NC VIPER) 800 Mhz Radio System. These dual-band portable radios are no longer serviceable by EF Johnson and do not have the Phase II requirement needed to operate on the NC VIPER System. The intent of the Fire Department is to sell these portable radios and accessories to the Alleghany County Rescue Squad, a 501(c)(3) non-profit organization located in Alleghany County. The agreement was negotiated by staff for $400 per radio set, which includes one (1) EF

Johnson VP900, Model III, Phase I Portable Radio, one (1) battery, and one (1) charger. There are also seven (7) remote speaker mics that will be sold. In total there are ten (10) Radio Sets that will be sold as is. The revenue from the sale of these portable radios will be used towards the associated costs for new technical rescue equipment for the fire department. This purchase will be in accordance with General Statute 160A-267. Hickory Fire Department staff recommend declaring the equipment as surplus and selling the equipment to the Alleghany County Rescue Squad.

A I. Approval of a Resolution and a Joint Certification Memorandum Transferring Ownership of a Wastewater Flow Meter from the City of Claremont to the City of Hickory Pursuant to the 2019 Contract for Sale of Wastewater Treatment Services. **(Exhibit VIII.I.)**

Staff requests Council's approval of a Resolution and a Joint Certification Memorandum transferring ownership of a wastewater flow meter to the City of Hickory pursuant to the 2019 Contract for Sale of Wastewater Treatment Services. Section 3.5 of the contract provides that wastewater flows conveyed from Claremont to Hickory shall be measured at a mutually agreed-upon metering location. Section 3.9 provides that Hickory shall own and maintain the meter after acceptance of the project. Staff recommend Council's approval of the Resolution and the Joint Certification Memorandum transferring ownership of the wastewater meter to the City of Hickory pursuant to the 2019 Contract for Sale of Wastewater Treatment Services.

A1 J. Budget Revision Number 17. **(Exhibit VIII.J.)**

1. *To appropriate $500,000 in additional revenues for station improvements and vehicles for the Fire Department, and equipment and property improvements for Parks and Public Properties; $250,000 will come from additional sales tax revenue, and the other $250,000 from investment earnings.*
2. *To transfer $44,900 in insurance reimbursements to the fleet fund for the purchase of a vehicle.*
3. *To transfer $100,000 from General Fund contingency for bathroom upgrades at Ridgeview Recreation.*
4. *To properly account for grant revenues for the airport tower project in the airport capital projects fund.*
5. *To appropriate $24,000 in revenues from the sale of equipment towards software upgrades at the Fire Department.*
6. *To accept and appropriate $61,396 in 2026 JAG Grant Funds towards the purchase of forensic software for the Hickory Police Department. $30,698 will come from the JAG Grant while $12,280 will come from Catawba County and $18,418 will come from the Hickory Police Department.*
7. *To appropriate an additional $4,000 in 2025 JAG Grant revenues towards the purchase of forensic software at the Hickory Police Department.*
8. *To appropriate $500 in donation revenues for Library department programming.*
9. *To appropriate $53,094 in SRF Helene Funding to be used for a professional services agreement with Freese and Nichols Inc. for an engineering report for the Springs Road waterline extension.*

X. Items Removed from Consent Agenda

X. Informational Items

XI. New Business

A. Public Hearings

A 1. Consideration of the Voluntary Contiguous Annexation of Property Located at 2633 Springs Road NE, Containing Approximately 1.135 Aces, Identified at PIN 3723-10-37-5117, Owned by RO Hickory Property, LLC – Presented by Planner Wilson Elliott. **(Exhibit XI.A.1.)**

Staff requests consideration of the voluntary contiguous annexation of 1.135 acres of property located at 2633 Springs Road NE, identified as PIN 3723-10-37-5117. The property is currently located within the planning jurisdiction of the City of Hickory's extraterritorial jurisdiction and zoned CC-2 Commercial Corridor. If annexed, the property owners will continue with the CC-2 zoning classification, with the main annexation desire being tied into City's utility services. Upon reviewing the Hickory by Choice 2030 Comprehensive Plan, staff would recommend CC-2 Commercial Corridor, as it would be consistent with the comprehensive plan. Surrounding properties are zoned CC-2 Commercial Corridor and R-2 Medium Density Residential and are occupied by Dollar General and a vacant lot respectively. The current tax value of the property is $248,300. The potential tax revenue generated by this annexation would be $1,104.93, being that the land is currently vacant. It should be noted that this does not consider the tax revenue once property is developed. Upon analysis, Staff has determined the petition meets the statutory requirements for voluntary contiguous annexation, and adequate public services are available. Staff find the petition to be in conformity with applicable statutes and recommend approval of the petition.

Notice of the public hearing was advertised in a newspaper having general circulation in the Hickory area on April 11, 2026.

A1 2. Consideration of Rezoning Petition 26-02 for Property Located at 112 2nd Street SE from Office-Institutional (OI) to Planned Development (PD) – Presentation by Planning Manager Cal Overby. **(Exhibit XI.A.2.)**

Staff requests Council's consideration of Rezoning Petition 26-02. Safe Harbor Rescue Mission currently operates a facility at 112 2nd Street SE. The organization has submitted a petition to rezone the property from Office – Institutional (OI) to Planned Development. The intention is to gain approval to construct eleven detached residences on the campus. The residences would be utilized as part of Safe Harbor's support to women, by providing housing for its clients. The current Office and Institutional (OI) district permit specific non-residential residential uses at a floor area ratio of 2:1, and residential at a density of 30 dwelling units per acre. Under the current zoning the property could yield in excess of 300,000 square feet of office and professional space or up to ninety residences, or a combination thereof. Planned Development (PD) districts are conditional zoning districts where approval is granted upon a property being developed in a specific manner, with regards to uses, building and site design. The Hickory Regional Planning Commission held a hearing on March 25, 2026 to consider the petition and acknowledged the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan. Based upon its findings, the Hickory Regional Planning Commission voted 7-0 to recommend approval of the petition.

Notice of the public hearing was advertised in a newspaper having general circulation in the Hickory area on April 11, and April 18, 2026.

A1 3. Consideration of Rezoning Petition 26-03 for Property Located on 10th Street NE Containing Approximately 1.07-Acres from Industrial (IND) to High-Density Residential (R-4) – Presented by Planner Wilson Elliott. **(Exhibit XI.A.3.)**

Staff requests Council's consideration of rezoning petition 26-03, identified as PIN 3713-13-22-4809, located on 10th Street NE. The property is currently zoned industrial (IND) and is vacant. The property owners have petitioned to rezone the property to High-Density Residential (R-4) with the intention of building 20 townhomes. The current IND district allows no residential uses. The requested High-Density Residential (R-4) is the highest density residential zoning district. It is primarily composed of multi-family residential development, as well as small lot single-family development. It allows a maximum density of 20 dwelling units per acre. These areas are located directly adjacent or within commercial service areas but not further than a quarter mile from these areas. Public infrastructure is

required to serve this type of development. The Hickory Regional Planning Commission held a hearing on March 25, 2026 to consider the petition and acknowledged the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan. Based upon its findings, the Hickory Regional Planning Commission voted 6-0 to recommend approval of the petition. Staff concur with the recommendation of the Hickory Regional Planning Commission.

Notice of the public hearing was advertised in a newspaper having general circulation in the Hickory area on April 11, and April 18, 2026.

B. Departmental Reports

NA 1. Appointments to Boards and Commissions

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

Caucasian (Council Appoints)	VACANT
Caucasian (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

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

At-Large (2) (Mayor Appoints) (Michael McLamb Resigned 4-6-2026)	VACANT

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

Ward 3 (Seaver Appoints) (Michael McLamb Resigned 4-6-2026)	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

YOUTH COUNCIL
(Terms Expiring 6-30; 1-Year Terms) (Appointed by City Council)

Homeschool Representative	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."

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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