

A G E N D A
HICKORY CITY COUNCIL

May 4, 2021



7:00 p.m.



AGENDA
www.hickorync.gov

If you have any questions about any item on this agenda or if you need more information about any item in addition to the information contained in the agenda package, please call the City Manager at 323-7412. For more information about the City of Hickory go to: www.hickorync.gov.

Hickory City Council
76 North Center Street

May 4, 2021
7:00 p.m.

- I. Call to Order
- II. Invocation by Reverend Cassandra Rawls, Hartzell Memorial United Methodist Church and McQueen's Chapel United Methodist Church
- III. Pledge of Allegiance
- IV. Special Presentations
 - A. Proclamation for National American Public Works Week – Presented to Public Works Director Steve Miller. **(Exhibit IV.A.)**
 - B. Proclamation for the 100th Anniversary of the Kiwanis Club of Hickory – Presented to Members of the Kiwanis Club. **(Exhibit IV.B.)**
 - C. Proclamation for National Police Week 2021 – Presented to Hickory Police Department. **(Exhibit IV.C.)**
- V. Persons Requesting to Be Heard
- VI. Approval of Minutes
 - A. Regular Meeting of April 20, 2021. **(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.
 - A. Budget Revision Number 19. **(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. Approval of the Resolution Accepting the Offer of Dedication for a Portion of Amity Street as Shown on Plat Book 82, Page 67 of the Catawba County Registry. **(Exhibit VIII.A.)**

Staff requests consideration of the acceptance of the offer of public dedication of street right-of-way, being a portion of Amity Street. This street is shown as a right-of-way on a plat recorded in Plat Book 82, Page 67 of the Catawba County Registry. Recently it was discovered the cul-de-sac where Amity Street end was not properly located within what was then the dedicated street right-of-way. The purpose of the dedication and acceptance is to rectify this error. The City has been presented with an offer of dedication of street right-of-way as shown on a plat recorded at Plat Book 82, Page 67 of the Catawba County Registry. The area consists of a portion of Amity Street. The street

was improved to facilitate economic development within the City owned Fairgrove Business Park. The street has been inspected by the City of Hickory and been found to meet the construction requirements necessary for public maintenance. Public use and maintenance of street right-of-way cannot occur unless City Council formally accepts the offer of public dedication by means of a duly executed resolution. This requirement is outlined in the North Carolina General Statutes, as well as the City's Land Development Code. Staff recommends City Council approve the resolution accepting the offer of dedication for the portion of Amity Street as shown on Plat Book 82, Page 67 of the Catawba County Registry.

- B. Approval of the Issuance of a Pyrotechnic Display Permit to Pyro Shows Inc. for Fireworks Displays at the Hickory Crawdads Stadium. **(Exhibit VIII.B.)**

Doug Locascio, General Manager of the Hickory Crawdads, has submitted a request to obtain permission to conduct public fireworks displays on the following dates: May 14, May 21; June 11; June 25; July 2; July 4; July 16; July 30; August 13; August 20; and September 10, 2021. The following would be a rain date: May 15; May 22; June 12; June 26; July 3; July 17; July 31; August 14; August 21; and September 11, 2021. 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 recommends approval of the above pyrotechnics displays.

- C. Approval of the Issuance of a Pyrotechnic Display Permit to Pyro Shows Inc. for a Firework Display at the Hickory Crawdads Stadium for the City of Hickory's 150th Anniversary. **(Exhibit VIII.C.)**

Doug Locascio, General Manager of the Hickory Crawdads, has submitted a request to obtain permission to conduct a public firework display on June 5, 2021. 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 recommends approval of the above pyrotechnics display.

- D. Budget Revision Number 20. **(Exhibit VIII.D.)**

1. *To transfer \$67,977 of available maintenance and repair funds from the Street Department into the Stormwater Fund for storm drainage improvements in the downtown area on North Center Street.*
2. *To appropriate \$70,000 in revenue received from the sale of two garbage trucks in the Solid Waste Fund. The funds will be used towards the purchase of new Solid Waste service vehicles.*
3. *To recognize and appropriate \$75,000 in 2020-21 Urgent Repair Program funds received from the NC Housing Finance Agency, along with a \$5,000 transfer from the Rental Rehab program as a local match requirement.*
4. *To appropriate \$2,027,000 in funds received from NCDOT for the reimbursement of City Walk expenditures incurred during FY19-20.*

IX. Items Removed from Consent Agenda

X. Informational Item

XI. New Business:

A. Public Hearings

1. Consideration of Closing an Unopened Portion of Lutetium Circle as Petitioned by Trivium Corporate Center, Inc. – Presentation by Public Utilities Director Shawn Pennell. **(Exhibit XI.A.1.)**

Staff request Council's consideration of closing an unopened portion of Lutetium Circle as petitioned by Trivium Corporate Center, Inc. The City Clerk received a petition from Attorney Terry M. Taylor, on behalf of Trivium Corporate Center, Inc. owner of the properties abutting an unopened portion of Lutetium Circle. The petition requests the City to close said unopened portion of Lutetium Circle, as per NCGS § 160A-299. This unopened portion of Lutetium Circle is bounded on the south, east, and west sides by those tracts owned by the Petitioner Trivium Corporate Center, Inc. The signature on the petition represents the owner of all tracts of property abutting this portion of the right-of-way. A memo was sent to various departments for their input on the street closing and response(s) were as follows: The closing of this portion of road does not affect the Public Utilities Department. Utility right of ways will be established when property is sold. Staff recommends approval of closing the unopened portion of Lutetium Circle as requested by Trivium Corporate Center, Inc.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on April 9, 16, 23, and 30, 2021.

2. Consideration of Closing a Portion of Amity Street as Petitioned by the City of Hickory – Presentation by Business Services Manager Dave Leonetti. **(Exhibit XI.A.2.)**

Staff requests Council's consideration of closing a portion of Amity Street as petitioned by the City of Hickory. The City Clerk received a petition from the City of Hickory, an owner of the property abutting a portion of Amity Street. The petition requests the City to close said portion of Amity Street right-of-way, as per NCGS §160A-299. This portion of Amity Street is bounded on the South, East and West sides by tracts owned by the City of Hickory. The signature on the petition represents the owner of all the tracts of property abutting this portion of the right-of-way. A memo was sent to various departments for their input on the street closing. The Public Utilities Department has advised there are existing water and sewer lines that are in this right of way and an access easement for a sewer easement to the south of the right of way that must be maintained. Staff recommends Council's approval to close a portion of Amity Street as petitioned by the City of Hickory.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on April 9, 16, 23, and 30, 2021.

3. Consideration of the Community Development Block Grant 2021 Annual Action Plan – Presentation by Community Development Manager Karen Dickerson. **(Exhibit XI.A.3.)**

In program year 2021, the City of Hickory will receive \$324,535 through the U.S. Department of Housing and Urban Development, and approximately \$85,000 in program income for a total of \$409,535. Funds will be 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 City of Hickory's 2020-2024 Consolidated Plan is updated on an annual basis through the development of an Annual Action Plan. This plan sets priorities among these needs and sets out the action plan for use of available funds on a yearly basis. This provides for flexibility in determining priorities as the needs of the community change from year to year. The 2021 Annual Action Plan will be submitted to the U.S. Department of Housing and Urban Development upon approval by City Council. The plan will serve as the City's strategy for administering 2021 federal funds for community development and housing. The Citizen's Advisory Committee reviewed the draft action plan at their meeting on April 1, 2021 and recommended approval of the proposed budget. Staff recommends Council's approval of the 2021 Annual Action Plan.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on April 2, April 26, and May 4, 2021.

B. Departmental Reports

1. Quarterly Financial Report and Refinancing of Existing Water & Sewer Debt – Presentation by Deputy City Manager Rodney Miller. **(Exhibit XI.B.1.)**
2. 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)
 Ward 6 (Patton Appoints) Meg Jenkins-Locke Resigned VACANT
 Brookford (Mayor Appoints with Recommendation from Brookford) VACANT

Alderwoman Patton to Nominate Anne Williams as Ward 6 Representative on the Hickory Regional Planning Commission.

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 VACANT
 HCAM VACANT
 HHS 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. Closed Session Per NC General Statutes 143-318.11(a)(1)(4) to consult with the attorneys regarding the following: (Action on these items, if any, will occur in Open Session)
1. *Approval of Closed Session Minutes of April 20, 2021 - NCGS §143-318.11(a)(1)*
 2. *Discussion of Potential Economic Development - NCGS §143-318.11(a)(4)*
- XV. 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

PROCLAMATION

NATIONAL AMERICAN PUBLIC WORKS WEEK

WHEREAS, Public Works provides services in our community and are an integral part of our citizens' everyday lives; and

WHEREAS, Public Works staff are essential workers to ensure the smooth and continued operation of any municipality; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of the public works systems and programs such as water, sewer, streets, highways, public buildings, and solid waste collection; and

WHEREAS, the health, safety and comfort of this community greatly depends on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skills of public works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff the Public Works Departments is materially influenced by the people's attitude and understanding of the importance of the work they perform.

NOW, THEREFORE, I, HANK GUESS, MAYOR OF THE CITY OF HICKORY, on behalf of Hickory City Council, do hereby proclaim the Week of May 16-22, 2021 as

NATIONAL AMERICAN PUBLIC WORKS WEEK

in the City of Hickory and call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works services and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

This the 4th day of May 2021.

Hank Guess, Mayor

Office of the Mayor

PROCLAMATION

Kiwanis Club 1921-2021

WHEREAS, The Kiwanis Club of Hickory, NC was chartered by the Salisbury club May 12, 1921 with 63 members with LeRoy Franklin Abernethy elected the first president. From the beginning Hickory Kiwanis were inspired by the Kiwanis motto, "We build," and joined other civic leaders and built a wooden fence around the Lenoir-Rhyne College athletic field in the summer of 1921. Spreading the good work of Kiwanis, the Hickory club sponsored the Newton Kiwanis Club in 1921, the Lenoir Kiwanis Club in 1923, and the Kiwanis Club of Western Catawba County in 1968; and

WHEREAS, Hickory Kiwanis also chartered Key Clubs at Hickory, St. Stephens, Fred T. Foard, and Hildebran High Schools. Key Club is a Kiwanis sponsored youth organization which is today the world's largest and oldest high school service club. The Hickory High Key Club has been one of the most awarded clubs in the past 20 years, earning the top Diamond Level Distinguished Club for 16 of those years. Hickory Kiwanis has also built Circle K Clubs at Lenoir-Rhyne University and Catawba Valley Community College who have been very active in Carolinas District. The sponsored youth core values inspire service, leadership, caring, and inclusiveness; and

WHEREAS, With the creation of the Western Catawba Kiwanis Club in early 1968, the two clubs jointly created the Hickory Kiwanis Foundation, Inc. to handle scholarship and other funding. The foundation charter was drafted by long time member Charles D. Dixon and approved by the IRS in 1969. Since then, the Hickory Kiwanis Foundation has awarded over one million dollars in scholarships. The Hickory Kiwanis Foundation Scholars Program now awards four new four-year scholarships worth \$12,000 each, two merit scholarships for \$1,000, and two \$1,000 Zahra Baker scholarships for students with disabilities each year. All scholarships are based on merit, academics, service and need with around 20 students under scholarship each year; and

WHEREAS, In the late 1960s, after a visit by Hickory Parks and Recreation Director Tom Howard stressing the need for more parks, the Hickory Kiwanis contributed funding for Kiwanis Park in the Kenworth Neighborhood. Then, in 2012, upon the death of 10-year-old Zahra Baker in late 2010 and the urging of Mayor Rudy Wright, the Kiwanis Clubs and the Foundation went into building mode once again to create the Zahra Baker All Childrens' Playground at Kiwanis Park by raising \$250,000 and organizing hundreds of man hours to build. Two years later, in 2014, Hickory Kiwanis partnered with the City of Hickory to build the Charles D. Dixon Splash Pad addition to Kiwanis Park. Kiwanis Park has become a regional destination and a big favorite of Hickory citizens; and

WHEREAS, The Kiwanis motto changed in 2005 to "Serving the Children of the World" to focus more on building youth. The Hickory club sponsors and supports Kiwanis Programs Terrific Kids and Bring Up Grades, provides all third graders in Hickory with their very own dictionary every year and are major partners of many other local organizations geared toward youth; and

WHEREAS, Several structures around Hickory are named for past Hickory Kiwanis members such as: L.P. Frans, Elbert Ivey, P.E. Monroe, and Julian Whitener. Seven Hickory Mayors, five Hickory City Council members, five Hickory city attorneys, twelve Catawba Chamber of Commerce Presidents, thirteen Catawba County Red Cross Chairs, ten United Way Presidents, two Hickory Public Schools superintendents, Two Hickory city managers, and many other community leaders and citizens have been members of the Kiwanis Club of Hickory, North Carolina.

NOW, THEREFORE, I, Hank Guess Mayor of the City of Hickory, on behalf of Hickory City Council in recognition of the 100th Anniversary of the Kiwanis Club of Hickory do hereby proclaim May as

Hickory Kiwanis Month

This the 4th day of May 2021

Hank Guess, Mayor



Life. Well Crafted.

PROCLAMATION National Police Week 2021

To recognize National Police Week 2021 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

Whereas there are more than 800,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Hickory Police Department; and

Whereas there were 56,034 assaults against law enforcement officers in 2019, resulting in 17,188 injuries; and

Whereas a total of 1,763 law enforcement officers died in the line of duty during the past 10 years, an average of 176 per year. There were 306 law enforcement officers killed in the line of duty in 2020; and

Whereas since the first recorded death in 1786, more than 22,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty, including Jerald Wayne Maynor of the Hickory Police Department on August 9, 1977; and

Whereas the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and

Whereas the Congress and President of the United States have designated May 15th, 2021 as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff.

NOW, THEREFORE, I Hank Guess, Mayor of the City of Hickory, on behalf of Hickory City Council, do hereby proclaim May 9-15, 2021, as Police Week in the city of Hickory, and publicly call upon all citizens to honor those peace officers who, through their courageous deeds, have lost their lives or have become disabled in the performance of duty.

Proclaimed this, the 4th day of May 2021.

Hank Guess, Mayor

A Regular Meeting of the City Council of the City of Hickory was held in the Council Chamber of the Municipal Building on Tuesday, April 20, 2021 at 7:00 p.m., with the following members present:

Tony Wood	Hank Guess	David L. Williams
Charlotte C. Williams	Aldermen	David P. Zagaroli
Danny Seaver		Jill Patton

A quorum was present.

Also present were: City Manager Warren Wood, Assistant City Manager Rick Beasley, Deputy City Manager Rodney Miller, Deputy City Attorney Arnita Dula, City Attorney John W. Crone, III, Deputy City Clerk Crystal B. Mundy and City Clerk Debbie D. Miller

- I. Mayor Guess called the meeting to order. All Council members were present.
- II. Invocation by Reverend Antonio Logan, Friendship Missionary Baptist Church
- III. Pledge of Allegiance
- IV. Special Presentations
 - A. Recognition of Library Assistant Deana Jones, Ridgeview Branch Library, Regarding her Selection to Join the Association for Rural and Small Libraries (ARSL) Outstanding in Their Field Leadership Institute as Part of the 2021-2022 Cohort.

Mayor Guess asked Library Director Sarah Greene to the podium to recognize Library Assistant Deana Jones.

Library Director Sarah Greene announced that a member of their staff at the Ridgeview Branch Library Deana Jones had been selected as part of the Association of Rural and Small Libraries Outstanding in Their Field Leadership Institute. This was a National group of library staff who were going to participate over the next 18-months in classes of projects to help develop their management and leadership skills. She was chosen as part of a competitive application process. Nationally, only 30 library staff members were chosen, and Deana was the only participant from North Carolina in this group. They were extremely proud and excited about what she would learn and bring back to the library.

Mayor Guess commented to Ms. Deana Jones that was quite the honor. He confirmed 18-months that she would have to participate.

Ms. Greene advised it was 18-months and would be a lot of work, but she thought she was dedicated to it and excited about it.

Mayor Guess asked if it was every day.

Ms. Greene advised no.

Mayor Guess congratulated Ms. Jones and thanked her. Council would look forward to hearing back from her about her adventure after she had completed the 18-months.

Ms. Deana Jones thanked Council.

- B. Presentation of a Proclamation for National Public Safety Telecommunications Week.

Mayor Guess asked Hickory Police Departments Telecommunicators to the podium as well as the staff from the Hickory Police Department. Mayor Guess commented telecommunicators work behind the scenes and were confined to a space to where not only people do not see them, but you really cannot get to them because their job was so intense and so important that they have to make sure that they were isolated and that they could focus and concentrate on the job at hand, which was keeping the police officers safe and making sure that they know where they were at, at all times. Not only that of course but taking those phone calls from the public and they have to make sure that they have all the correct and accurate information. They know that they do this each and every day, 24-hours a day, seven-days a week, and they never get off. He wanted to take the opportunity during National Public Safety Telecommunications Week to not only recognize them and honor them, but to thank them for the job that they do each and every day. They appreciated them and he thanked them for that job. Mayor Guess read the Proclamation and presented it to the telecommunicators present.

Hickory Police Department Captain Bryan Adams recognized Telecommunicators Amber Severt and Summer Andrews. Ms. Andrews was currently a supervisor in the communications staff. He commented what an amazing, dedicated, passionate team of people that they had put together. He noted that not too long ago they were short staffed somewhat. They were not in that position anymore. They did not just fill positions they filled them with an amazing staff. They work together every day and provide all the items that the Mayor described in the Proclamation. They were the first line of first responders

when people call in. They were passionate and caring about all the citizens, visitors, and staff. He thanked them for all they do.

C. Proclamation Designating April as Litter Quitter Month – Presented to Community Appearance Commission Chairman Charlie Hayes

Mayor Guess asked Community Appearance Commission Chairman Charlie Hayes and Communications and Marketing Manager Dana Kaminske to the podium. Mayor Guess mentioned that not too long ago, Council asked the Community Appearance Commission to take a look at ways that the City could reduce the litter in the City of Hickory. Everyone knew that the City was growing, and there were all kinds of projects and all kinds of things going on in the City. They could not help but notice, as with any city, that they needed to do a little bit of work and probably still do need to do a little bit of work related to litter in the community. They tasked the Community Appearance Commission with looking at some ways that they could reduce this letter. They had certainly done that. He read the Proclamation and presented it to Community Appearance Commission Chairman Charlie Hayes.

D. Litter Reduction Program (Litter Quitter) – Presentation by Community Appearance Commission Chairman Charlie Hayes, and Staff Liaison Cal Overby.

In the Fall of 2019, Mayor Guess and City Council requested the Community Appearance Commission look into ways to reduce and prevent litter within the City. The Community Appearance Commission began discussing this matter in September of 2019. In considering the topic, the Commission heard from representatives from the City's Sanitation Division and Police Departments, as well as Keep Catawba County Beautiful. The Community Appearance Commission requests City Council review its recommendations, provide needed input, and give permission to move ahead with the Litter Quitter program.

Community Appearance Commission Chairman Charlie Hayes advised that Mayor Guess had said everything that he was going to say in the Proclamation. They were challenged by City Council in the Fall of 2019 and were delayed because of the COVID-19 pandemic. They had been working since with Communications, and they had the Police Chief come in and talked to them on some of the legalities. They had sanitation and other entities talk to them about what they could do to not only reduce but prevent litter within the City of Hickory. They were now starting to roll out the information and all of the items associated with the Litter Quitter Program. You could go online and decide to become a Litter Quitter. They would love to have everybody do that. He asked Ms. Kaminske to continue with the presentation.

Communications and Marketing Manager Dana Kaminske thanked Council for the Proclamation. This had been a work in progress for a while and they were super excited to present this tonight because they had been holding it for a little while for them to be able to rollout. Council was the first to see the Hickory Litter Quitter campaign. She presented a PowerPoint presentation and referred to a slide which was their logo for the campaign. She advised Council had all received a Litter Quitter sticker, and they had more of those to give to the community. She referred to the PowerPoint and advised this was their campaign. You could say not only am I a "Mayor" for example, but I am also a litter quitter. I am a litter quitter because and you could say the reason why you are a litter quitter, for example, because you are proud of our community and want to keep it clean or I am just proud to be a litter quitter. If you have no other reasons, you were just proud to be a litter quitter. She advised they were kicking this off tonight and hopefully Saturday, they would not get rained out at the Farmer's Market. They were going to present this with the Community Appearance Commission while they handout their tree seedlings. Community Appearance Commission liaison Mr. Cal Overby and Ms. Shalee Sparks from the Communication Department would be there to present their litter quitter campaign with the Growing a Green Future event at the Farmer's Market. On Monday they were going to be presenting their video competition to the community called the Hickory Litter Quitter Competition. It would be open to the public to submit their videos. Their collection would be from Monday, April 26 through Friday, May 21. They were asking them just to say why they were a little quitter. All those statements she just discussed, they were going to ask them to submit those to them and they would announce that at a future event on Monday, June 1 to the community on their social media channels. She thought that it was a great way to first get the community involved, tell people about it, and get them excited about being a litter quitter, showing them picking up litter and the things that they can do to be active. They were going to continue to put educational posts out about litter and why litter was harmful to the community, and the effects it has on the environment. They have a website that they created on their website, a page, she referred to the PowerPoint and displayed the website litter quitter page. She advised that it fell under the Community Appearance Commission, as well as other locations on the site. It had lots of reasons why litter was harmful, she pointed it out on the PowerPoint. They had lots of reasons why they should become a litter quitter, how they could become a litter quitter and to report a litterbug, which they had worked with the Hickory Police Department because they also have a way to enforce this. She

referred to the PowerPoint and displayed where the pledge could be signed. She asked everybody present to go out to this page on the website and fill out the pledge. She advised they could click on accept the litter quitter pledge and could vote and submit. They had other partners: the Hickory Metro Convention and Visitors Bureau was working with them; The Catawba Riverkeeper; Leave No Trace with North Carolina; as well as Keep Catawba County Beautiful.

Ms. Kaminske discussed marketing collateral. This was the fun part for her. Council members received a mask for the campaign. She told them to feel free to wear those around town. She noted they had a few that they were going to handout again at the Farmer's Market. She had rack card information, that way they could put this out at City Hall, the libraries, etc. She advised Council was welcome to take any of them if they wanted to give them out to people. She displayed a vest they would wear when they do litter sweeps. The vest had the litter quitter logo on it, and they could wear their mask and their vest when they were out doing litter sweeps as well. She advised they also had their Instagram frame so when people want to take their pictures. They would take this to their events and people loved this because they take pictures and then they share it on social media. Those were a few of the pieces that they had created. They thought about in the future potentially they could do T-shirts, or they could do other things. They could keep developing this year after year. She advised they were going to celebrate Earth Day and Arbor Day this Saturday at the Farmer's Market. They have a booth there, hopefully it will not rain, and they could be out there doing this. They were partnering with Leave No Trace which was with North Carolina and this was where the Convention and Visitors Bureau was coming in to help them. April 10th - 24th was NC Litter Sweep which was this week. That was why they wanted to do the Proclamation for April because April ties in really well with litter collection. Visit NC with the North Carolina Outdoor Recreation Industry had created this program called Leave No Trace. It was for outdoors, mainly for parks and places outdoors. They were actually going to be working in conjunction with them, not just alone, only at the parks and outdoor, but that would be one of the places where they could work with them to do a litter sweep. They were already in the works of putting that together.

Ms. Kaminske referred to the PowerPoint and displayed the pledge. Again, they could read this online. It was an oath promising that they would refrain from contributing even the smallest piece of litter to our well-crafted community. It was a promise to take responsibility for your trash even if it flies out of your hand on a windy day or there was no trashcan nearby. Take the extra step to protect the places that we love. This was born from a desire to protect our beautiful community and they want to continue to keep it clean.

Ms. Kaminske advised they would have phase two that would come after this. She referred to the PowerPoint and advised they thought this was a funny little way to say, in 1970 leisure suits. At some point they had to quit them, walk away from the leisure suit. In 1980, the mullet and wind suits. In 1990, parachute pants. In 2000, the boy band bowl cuts that everybody had. In 2021, it was litter. They were claiming that they have to walk away from litter and stop doing litter in 2021. They want to have a little fun with this campaign because they want people to embrace it. As a litter quitter they would be at the Farmer's Market and celebrate Earth Day/Arbor Day with the Community Appearance Commission. They would have special presentations after COVID was gone at the Elks, Rotary, Kiwanis, wherever, and invite the Community Appearance Commission. She knew they would be happy to give a presentation. They would coordinate with any of the neighborhood liaisons to present at their meetings, again after COVID. They would be working with NC Leave No Trace and Hickory Young Professionals. They already have that in the works for Spring 2021 which was right now, as well as another sweep in Fall of 2021. Every Spring and Fall going forward, they were going to work on pulling together some type of litter sweep in the community. They would like everyone's participation. If anyone had an interest to do one, they would welcome them to let the Community Appearance Commission know. The next phase was to call or visit local businesses to emphasize the importance of partnerships and to get them thinking about what they could do to further the initiative as well. Then coordinate again April and September litter sweeps for each of the following years. That would be something the Community Appearance Commission would put into their work plans and continue to do year after year.

Ms. Kaminske mentioned the enforcement piece, the anti-litter enforcement, there was a zero-tolerance policy in the City of Hickory and citizens could report littering to the Hickory Police Department in several ways. They could submit a tip through their mobile app. They could click submit a tip and select other as the category. They could call Hickory Police Department at 828-328-5551 to report it. They could submit a litterbug card to report an offense and cards may be picked up at Hickory Police Department or City Hall. They did not want to leave it at just litter, they want to be able to enforce this as well. They were thankful that the Hickory Police Department was partnering with them in this, and they had been doing this long before their campaign.

Ms. Kaminske commented they were crafting for the first time ever a community of quitters. She thanked Council.

Mayor Guess commented good job. He commented from time-to-time people always ask them what they could do. This was something that everybody could do. He thought this was something, it may be one of the few things that when you bring it up or discuss it, that there will not be anybody opposed to it, or at least he hoped there would not be anybody opposed to it. The next time somebody asks you what they can do, tell them that they can help them to be a litter quitter. That was certainly something that would make the City look better and it would make everything more attractive. They appreciated all the effort that the Community Appearance Commission had made towards this and they looked forward to the continued partnership with them to reduce and eliminate litter in the City of Hickory.

Mayor Guess advised when they have an elected official that comes to the Council meeting, he always like to recognize that person. Tonight, present from the Conover City Council Mr. Bruce Eckard was present in another capacity. He was not present in that capacity, obviously, but he wanted to take the opportunity to welcome him to the Hickory City Council meeting. As everyone in this room knew, not just with Conover, but the City's relationships with other municipalities were extremely valuable. He appreciated the relationship that the City has with the City of Conover. He thanked him for being present. Mayor Guess reminded everybody, if they had not already, to please silence their phones or mobile devices.

V. Persons Requesting to Be Heard

- A. Ms. Janice Setzler, 1089 19th Avenue Place NW, Hickory, thanked Council for allowing her to express her concerns before them. She loves Hickory and enjoys driving and walking around the beautiful City, especially in the Spring when the abundant azalea, camelia and dogwood blooms make our City a showplace. She commented she used to enjoy viewing the scenery. She could not seem to do that anymore because her eyes were continuously darting here and there dodging and squeezing between parked cars on their neighborhood streets. Yard maintenance crews were also parking their wide trucks and trailers on the streets. Some of them were a little more courteous and pulled them onto the sidewalks, completely blocking pedestrians and forcing them to walk and take wheelchairs and/or scooters onto the street. A lot of this parking was done on both sides of the street, which turns it into one lane. She thought that it was time that the City studied this problem and looked for ways to improve this increasing problem. It distracts from the beauty of the City and it was dangerous for citizens and drivers. She thanked Council.

Mayor Guess asked if anyone else wished to address the Council. No one else appeared.

VI. Approval of Minutes

- A. Regular Meeting of April 6, 2021.

Alderwoman Patton moved, seconded by Alderwoman Williams that the Minutes of the Regular Meeting of April 6, 2021 be approved. The motion carried unanimously.

- B. Special Meeting of April 13, 2021.

Alderwoman Patton moved, seconded by Alderman Seaver that the Minutes of the Special Meeting of April 13, 2021 be approved. The motion carried unanimously.

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.

Alderwoman Patton moved, seconded by Alderwoman Williams that the following be reaffirmed and ratified on second reading. The motion carried unanimously.

- A. Budget Revision Number 18. (First Reading Vote: Unanimous)

- B. Consideration of Rezoning Petition 21-01 for Property Located at 2565 Section House Road NE, Rezoning Area Containing Approximately .48 Acres (+ or -) of a .99 Acres (+ or -) Tract from Low Density Residential (R-1) to Neighborhood Center Commercial (NC). (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.

Alderwoman Williams requested that Item "B" of the Consent Agenda be removed.

Alderwoman Patton moved, seconded by Alderman Seaver approval of the Consent Agenda with the exception of Item "B". The motion carried unanimously.

- A. Acknowledged the Publication of a Notice of a Conflict of Interest Stemming from a Nonprofit's Application for Funding from the City's Community Development Block Grant Program.

Staff requests Council to acknowledge publication of notice of a conflict of interest stemming from a nonprofit's application for funding from the City's Community Development Block Grant Program (CDBG). The City of Hickory is a participating jurisdiction in the United States Department of Housing and Urban Development's Community CDBG program that allows funding to nonprofit organizations to undertake eligible activities. The City has received an application for funding from a nonprofit who has a current City employee who sits on its board of directors. Federal regulations governing the CDBG program require that in order for the applicant to be eligible for any benefit for Public Service Activities funding, the City, as the participating jurisdiction, must provide disclosure of the potential conflicts associated with this application. Pursuant to the CDBG Program's Conflict of Interest Regulations (24 C.F.R. §570.611), the City, as a participating jurisdiction in the CDBG Program, hereby is providing public notice of the potential conflicts of interest raised by the nonprofit's application to the City's CDBG Program. The notice is posted on the City's website, City Hall, Patrick Beaver Memorial Library and the Ridgeview Library. Staff requests Council acknowledge publication of notice of a conflict of interest stemming from a nonprofit's application for funding from the City's Community Development Block Grant Program.

- B. Removed from the Consent Agenda and Considered Under Item IX. Items Removed from Consent Agenda. Council Acknowledged the Publication of a Notice of a Conflict of Interest Stemming from a Nonprofit's Application for Funding from the City's Community Development Block Grant Program.

Staff requests Council to acknowledge publication of notice of a conflict of interest stemming from a nonprofit's application for funding from the City's Community Development Block Grant Program (CDBG). The City of Hickory is a participating jurisdiction in the United States Department of Housing and Urban Development's Community CDBG program that allows funding to nonprofit organizations to undertake eligible activities. The City has received an application for funding from a nonprofit who has a current a City Councilmember who sits on its board of directors. Federal regulations governing the CDBG program require that in order for the applicant to be eligible for any benefit for Public Service Activities funding, the City, as the participating jurisdiction, must provide disclosure of the potential conflicts associated with this application. Pursuant to the CDBG Program's Conflict of Interest Regulations (24 C.F.R. §570.611), the City, as a participating jurisdiction in the CDBG Program, hereby is providing public notice of the potential conflicts of interest raised by the nonprofit's application to the City's CDBG Program. The notice is posted on the City's website, City Hall, Patrick Beaver Memorial Library and the Ridgeview Library. Staff requests that Council acknowledge publication of notice of a conflict of interest stemming from a nonprofit's application for funding from the City's Community Development Block Grant Program.

- C. Approved a Resolution Authorizing the Sale of City-Owned property Located at 932 3rd Street Place SW and 335 8th Avenue Drive SW.

Staff requests Council's approval of a resolution authorizing the sale of City-owned property at 932 3rd Street Place SW and 335 8th Avenue Drive SW. In 2019 the City of Hickory received funding from the Unifour HOME Consortium to construct two houses for low- and moderate-income homeowners on City-owned property in the Ridgeview Neighborhood. The two homes were completed in the Fall of 2020. The City of Hickory has partnered with the Family Guidance Center to use funding from the NC Housing Finance Agency's Community Partners Loan Pool to help make the sale of the property more affordable. The proceeds of the sale will be used to repay the loan received from the consortium for a portion of the funds necessary to construct the home. Upon completion, the property at 932 3rd Street SW (Catawba County GIS PIN: 370210457430) was appraised for \$154,725. The property at 335 8th Avenue Drive SW (Catawba County GIS PIN: 370210457411) was appraised for \$150,100. The City has received offers on both properties for the appraised value(s). Down payment assistance funds from nonprofit housing agencies will subsidize the purchase and make the first mortgage affordable to the homebuyer. Since this home is being sold to an income eligible buyer as affordable housing, NCGS 157-9 authorizes the City to sell the property without using a competitive sale or upset bid process. The competitive sale requirement would be incompatible with the income and ownership restrictions that are necessary due to the use of US Department of Housing and Urban Development HOME funds to build the home on the property. Staff recommends City Council adopt the resolution authorizing the City Manager to execute all documents necessary to complete the sale of the properties at 932 3rd Street Place SW and 335 8th Avenue Drive SW.

RESOLUTION NO. 21-18

Resolution of Hickory City Council Authorizing the Sale of Properties Located at 932 3rd Street Place SW and 335 8th Avenue Drive SW at the Appraised Value(s).

WHEREAS, the City of Hickory received funding from the Unifour HOME Consortium to construct two houses for low- and moderate-income homeowners on City-owned property in the Ridgeview Neighborhood; and

WHEREAS, the City of Hickory has partnered with the Family Guidance Center to use funding from the NC Housing Finance Agency's Community Partners Loan Pool to help make the sale of the properties more affordable; and

WHEREAS, the proceeds of the sale will be used to repay the loan(s) received from the consortium for a portion of the funds necessary to construct the home(s); and

WHEREAS, the property located at 335 8th Avenue Drive SW was appraised for \$150,100 and the property located at 932 3rd Street SW was appraised for \$154,725. Down-payment assistance funds from nonprofit housing agencies will subsidize the purchase and make the first mortgage affordable to the homebuyer. Since these homes are being sold to an income eligible buyer as affordable housing, NCGS 157-9 authorizes the City to sell the property without using a competitive sale or upset bid process. The competitive sale requirement would be incompatible with the income and ownership restrictions that are necessary due to the use of US Department of Housing and Urban Development HOME funds to the build the home(s) on the property.

WHEREAS, the City has received an offer for the appraised value of \$150,100 for the property located at 335 8th Avenue Drive SW and an offer for the appraised value of \$154,725 for the property located at 932 3rd Street SW.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hickory, North Carolina, as follows:

- 1) City Council accepts the offer(s) of \$150,100 for the property located at 335 8th Avenue Drive SW and \$154,725 for the property located at 932 3rd Street SW.
- 2) City Council authorizes the City Manager to execute all contract(s) and any necessary documents, between the buyer(s) and the City for the sale of 335 8th Avenue Drive SW at the appraised value of \$154,725 and for the property located at 932 3rd Street SW for the appraised value of \$154,725.

The resolution shall become effective upon adoption.

- D. Approved the Issuance of a Pyrotechnic Display Permit to Starfire Pyrotechnics for a Fireworks Display at Hickory Motor Speedway on May 15, 2021 (rain date May 16, 2021).

Staff requests Council's approval to issue a pyrotechnic display permit to Starfire Pyrotechnics for a firework display at the Hickory Motor Speedway. Kevin Piercy, General Manager of the Hickory Motor Speedway, has submitted a request to obtain permission to conduct a public firework display on the following dates: Saturday, May 15, 2021, (rain date Sunday, May 16, 2021). 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 recommends approval of the above pyrotechnics displays.

- E. Approved the Issuance of a Pyrotechnic Display Permit to Starfire Pyrotechnics for a Fireworks Display at 409 8th Avenue NE, Hickory Career & Arts Magnet on April 28, 2021 (alternate rain date April 27, 2021).

Staff requests Council's approval to issue a pyrotechnic display permit to Starfire Pyrotechnics for a firework display at 409 8th Avenue NE, Hickory Career & Arts Magnet. Leah Clayton, Assistant AD for Marketing & Fan Engagement, Lenoir-Rhyne University has submitted a request to obtain permission to conduct a public firework display on the following dates: April 28, 2021, (alternate/rain date, April 27, 2021). 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 recommends approval of the above pyrotechnics displays.

F. Approved on First Reading Budget Revision Number 19.

ORDINANCE NO. 21-11
BUDGET REVISION NUMBER 19

BE IT ORDAINED by the Governing Board of the City of Hickory that, pursuant to N.C. General Statutes 159.15 and 159.13.2, the following revision be made to the annual budget ordinance for the fiscal year ending June 30, 2021.

SECTION 1. To amend the General Fund within the FY 2020-21 Budget Ordinance, the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Government	14,000	-
TOTAL	14,000	-

To provide funding for the above, the General Fund revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	14,000	-
TOTAL	14,000	-

SECTION 2. To amend the Water and Sewer Fund within the FY 2020-21 Budget Ordinance, the expenditures shall be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Environmental Protection	-	14,000
Other Financing Uses	14,000	-
TOTAL	14,000	14,000

SECTION 3. To amend the Transportation Fund within the FY 2020-21 Budget Ordinance, the expenditures shall be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Transportation	118,620	-
TOTAL	118,620	-

To provide funding for the above, the Project revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Sales and Services	118,620	-
TOTAL	118,620	-

SECTION 4. Copies of the budget revision shall be furnished to the Clerk of the Governing Board, and to the City Manager (Budget Officer) and the Finance Officer for their direction.

IX. Items Removed from Consent Agenda – Item “B”

Alderwoman Williams advised she would need to recuse herself from the vote as she was the Council member that was on the Habitat Board which was requesting Community Development Block Grant (CDBG) funds.

Mayor Guess asked City Attorney John Crone if Alderwoman Williams needed to leave the room.

City Attorney John Crone advised it was appropriate for Council to move to excuse Alderwoman Williams from voting.

Mayor Guess asked City Attorney Crone if she could stay or if she needed to leave the room.

City Attorney John Crone advised she did not need to leave.

Mayor Guess moved, seconded by Alderman Seaver to recuse Alderwoman Williams from voting on Item “B” as she was on the board for the money that was being requested for that. The motion carried unanimously.

Mayor Guess moved, seconded by Alderwoman Patton to approve Item "B". The motion carried unanimously.

X. Informational Item

XI. New Business:

A. Public Hearings

1. Approved a Voluntary Contiguous Annexation of Property Owned by Lifestyle Investment Company, Containing Approximately .344 acres of Property, Located at 1317 Cloninger Mill Road, Hickory, Identified as PIN 3174-08-88-9113.– Presentation by Planning Manager Cal Overby.

Lifestyle Investment Company has petitioned for the voluntary contiguous annexation of 0.344 acres of property located 1317 Cloninger Mill Road. The subject property is currently located within Hickory's extraterritorial jurisdictional area (ETJ), and zoned Low Density Residential (R-1). The annexation is being requested in order to connect to the City's sewer system. Under the current zoning the property can be developed for single-family and two-family residential uses at a density of two dwelling units per acre. The subject property is currently occupied by a single-family home, which represents the maximum development potential for the subject property. The current tax value of the property is \$126,000. If annexed with its present value, the property would generate additional tax revenues of \$740. 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 April 9, 2021.

City Manager Warren Wood asked Planning Manager Cal Overby to the podium to present Council with a voluntary contiguous annexation of property owned by Lifestyle Investment Company, containing approximately .344 acres of property, located at 1317 Cloninger Mill Road.

Planning Manager Cal Overby presented a PowerPoint presentation. He advised this was an application for voluntary annexation of some property located on Cloninger Mill Road. As City Manager Warren Wood had said, they were looking at a property owned by Lifestyle Investment Company. It was a voluntary contiguous annexation and contained approximately 3/10 of an acre of property. If it were annexed into the City of Hickory, it would be in Ward 2, and was currently occupied by a single-family residence and that was the use of the property carrying forward. The annexation was being requested in order to connect to the City sewer services. He referred to the PowerPoint presentation and displayed a map. He pointed out the subject property, the intersection of Kool Park, Cloninger Mill Road and Sandy Ridge Road. He pointed out the Dollar General, Sandy Ridge Baptist Church and a development called The Falls at Cloninger Mill and the subject property. He discussed the zoning and advised it was basically all residential in this area. It was either strictly single-family residential or single-family manufactured home, duplex zoning. He pointed out the area which was shown as neighborhood commercial. He displayed an aerial photograph of the property and pointed out the newly constructed Dollar General Store, a service station, The Falls at Cloninger Mill, an existing residential subdivision which included several lots that were never built out and just to the south Sandy Ridge Baptist Church. Staff evaluated this and found that all public services necessary to serve the property, including sanitation, police, fire, water, and sewer were available in sufficient quantities and it would not fall below acceptable levels. The annexation met all the requirements legally to annex the property. Staff recommended approval. He asked for any questions.

Mayor Guess asked Council for any questions. He explained the rules for conducting the public hearing. He declared the public hearing open and asked if there was anyone present to speak in opposition to the proposal. No one appeared. He asked if there was anyone present to speak in favor of the proposal. No one appeared. Mayor Guess closed the public hearing.

Alderwoman Patton moved, seconded by Alderman Zagaroli approval of the voluntary contiguous annexation of the property located at 1317 Cloninger Mill Road. The motion carried unanimously.

ANNEXATION ORDINANCE NO. 465

VOLUNTARY ANNEXATION ORDINANCE (CONTIGUOUS)

LIFESTYLE INVESTMENT COMPANY

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF HICKORY, NORTH CAROLINA, PURSUANT TO GENERAL STATUTES 160A-58.1, AS AMENDED (CONTIGUOUS)

WHEREAS, the City Council of the City of Hickory desires to annex the area described herein, under G.S. 160A-58.1, as amended; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of said annexation; and

WHEREAS, the City Clerk has certified to the sufficiency of said request, and a public hearing on the question of this annexation was held in the Council Chambers of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina, at 7:00 p.m. on the 20th day of April 2021; and

WHEREAS, the City Council of the City of Hickory further finds that the area described therein meets the standards of G.S. 160A-58.1(b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three miles from the corporate limits of the City of Hickory.
- b. No point on the proposed satellite corporate limits is closer to another city than to the City of Hickory.
- c. The areas described are so situated that the City will be able to provide services on the same basis within the proposed satellite corporate limits that it provides within the primary corporate limits.
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation.

WHEREAS, the City Council of the City of Hickory does hereby find as a fact that said petition has been signed by all the owners of real property in the area who are required by law to sign and all other requirements of G.S. 160A-58.1, as amended have been complied with; and

WHEREAS, the City Council further finds that the annexation is otherwise valid, and that the public health, safety, and welfare of the City of Hickory and of the areas proposed for annexation will be best served by annexing the area herein described.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HICKORY, NORTH CAROLINA:

Section 1. By virtue of the authority granted by G.S. 160A-58.2, as amended, the following-described contiguous territory is hereby annexed and made a part of the City of Hickory as of the 30th day of April 2021:

CONTIGUOUS ANNEXATION
OF THE PROPERTY OF
LIFESTYLE INVESTMENT COMPANY
1317 Cloninger Mill Road NE

BEGINNING at an existing 3/4" pipe in concrete on the north side of Cloninger Mill Road NE on the existing City Limits Line; said pipe also being located North 27 degrees- 37 minutes- 33 seconds West, 134.72 feet from an existing mag nail in the centerline intersection of Cloninger Mill NE and 13th Street Place NE; thence along the existing City Limits Line, North 40 degrees- 29 minutes- 10 seconds West, 100.01 feet to an existing 3/4" pipe in concrete; thence leaving the right of way of Cloninger Mill Road NE and a new City Limit Line, North 49 degrees- 57 minutes- 19 seconds East, 150.01 feet to a 3/4" pipe in concrete; thence with a City Limit Line, South 40 degrees- 28 minutes- 46 seconds East, 58.26 feet to an existing 1" pipe, a new City Limit Line; thence with a new City Limit Line, South 40 degrees- 27 minutes- 50 seconds East, 41.76 feet; thence South 49 degrees- 57 minutes- 32 seconds West, 149.98 to the place and point of BEGINNING, containing 0.344 Acre by coordinate computation as being surveyed by Donald S. Miller Surveying dated February 24, 2121 (Drawing Number H3B-5510) as recorded in Deed Book 3548, Page 535, Catawba County Registry.

Section 2. Upon and after the 30th day of April 2021, the above-described territory and its citizens and property shall be subject to all debts, laws,

ordinances, and regulations in force in the City of Hickory and shall be entitled to the same privileges and benefits as other parts of the City of Hickory. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10, as amended.

Section 3. The newly-annexed territory described herein shall become part of Ward No. 2 of the City of Hickory.

Section 4. The Mayor of the City of Hickory shall cause to be recorded in the Office of the Register of Deeds of Catawba County, and in the Office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with duly certified copy of this Ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

B. Departmental Reports:

1. Trash Talk – Presentation by Communications and Marketing Manager Dana Kaminske.

The Solid Waste Division and Office of Communications have partnered to develop a fun and educational campaign to teach residents about the “do’s and don’ts” of recycling, why it is important to recycle items correctly, and important tips for trash and recycling in the City of Hickory. The Trash Talk campaign includes social media tips twice a week, Trash Talk Tuesday videos posted on social media, a feature story in the May Snippets, and a rack card will be made available in the Fall for yard waste.

Mayor Guess asked Communications and Marketing Manager Dana Kaminske to the podium for a presentation on Trash Talk.

Communications and Marketing Manager Dana Kaminske presented a PowerPoint presentation. She advised she would discuss the Trash Talk Recycling and Waste Campaign for the City of Hickory. She recognized Shalee Sparks, who was present, the Trash Talk Host. This was a new campaign and they had been doing these on Tuesdays, it was called Trash Talk Tuesdays. She presented a video of one of the Trash Talk Tuesdays episodes. She advised that was one of the few episodes that they had done, and they were going to continue to keep doing them. They were fun and they randomly just picked people in downtown and different places, and they volunteered to help them. They gave them something at the end to say thank you. They will have one that will be coming out again next week and then they also have wonderful recycling tips. She referred to the PowerPoint slide and pointed out an individual post that they put out and then they combined them all into an informational post flyer for recycling. She advised Council could go to the social media channels and see them there. They had garbage tips as well, so it was not just about recycling, they wanted to make sure people understood also what solid waste was and how to dispose of it correctly. Also, how far to put your cans apart, and where to put them. All the tips that people need to know in the community to do it correctly and help public services.

Ms. Kaminske shared that they went to the MRF facility and learned a lot. She advised it was an amazing trip and tour. She thanked Andrew Ballentine for taking them out there. They took some pictures, and it was an eye-opening experience to learn about recycling in this capacity. She referred to the PowerPoint and displayed some of the photos. She pointed out the cardboard boxes and how much they have, it was crazy for just Catawba County. She displayed a picture of cans, aluminum cans, and things like that. To watch the people on the lines having to pick through the recycling gives you a whole new experience for why you should and should not put certain things in your recycling. She knew you could not recycle the plastic bags you have to take them to the grocery store. What she did not know was the why behind it. There were machines and those things get stuck in those wheels and every night they have to shut the machine off, go underneath it, and cut those out to unwind them from those wheels. When you learn things like that, when the community starts to learn the reasons behind it, she thought they were more appreciative for understanding why they should recycle correctly and why they should do solid waste correctly. The City has a great department, and great leaf collection. Coming out in the Fall they will have recycling your yard waste rack card information with tips on how to do it correctly. Where to put your leaves, where not to put your leaves. Everyone probably rides around the community and sees the do’s and don’ts. They take pictures and make sure that people get this information. They will be doing a whole campaign in the Fall to also make sure people understand this even more. She advised that was a quick overview and all of this was on the website. Everyone could feel free to share this information,

share the tips that they put out on Tuesdays and Thursdays. They were going to keep doing that. She asked Council for any questions.

Mayor Guess asked for any questions.

Alderwoman Williams asked if cardboard boxes were a no, no, in terms of recycling.

Ms. Kaminske advised the cardboard boxes could be packed down. If it was a pizza box, with junk in it you cannot. You could rip the lid off and recycle the lid, just not the junk part. Instead of just tossing the whole thing, you could rip the lid off and recycle the lid.

Alderwoman Williams asked about paper.

Solid Waste Manager Andrew Ballentine advised they could recycle paper, not shredded paper because again it was like a tangler and it would actually contaminate other recyclables. Unfortunately, that has to be disposed of. There were other uses for that.

Alderwoman Williams confirmed that newspapers were fine.

Ms. Kaminske advised newspapers you could. And there were places where you can do the shred documents and then they take that and deal with that. She asked for any other questions.

Mayor Guess had read somewhere recently where there was another location for people that wanted to drop-off anything kind of like they do at the Crawdad's Stadium.

Ms. Kaminske commented the household hazardous waste collection was set for May 1st.

Solid Waste Manager Andrew Ballentine advised it was May 1st at the Fairgrounds.

Ms. Kaminske noted especially this past year with COVID a lot of people were cleaning out their house, so be prepared it takes a little time to go through that line. It was a great way to get rid of your electronics, paint, and aerosol type things.

Mayor Guess commented last time he took about 10 or 15 gallons of paint. He did not know why they collected so much paint. He thought they thought they were going to use it again.

Ms. Kaminske thought that a lot of people did not realize that there were other ways, even with your oils, you cannot recycle the plastic container that the oil was in because of the contaminant. Typically, you would be able to recycle a plastic container like that. The City's transfer station takes oil and also places like Advanced AutoZone, and places like that. You could take car oils, and things like that, and they would take them as well. There were all kinds of recycling information that they were going to keep sharing, keep testing people on and they have more fun ideas coming in the future, more than just the Trash Talk Tuesdays. She asked for any other questions.

City Council members thanked Ms. Kaminske.

2. Second Amendment with Scott Mitchell Design Architect for the Hickory Metro Convention Center – Presentation by City Manager Warren Wood.

Mayor Guess asked City Manager Warren Wood to the podium to present Council with the second departmental report.

City Manager Warren Wood presented a Power Point presentation. He advised Council they have proposed before them the second amendment to the contract with Scott Mitchell Design Services for an amendment to the contract to expand the Convention Center. He shared a little bit of history regarding what COVID had done in terms of changing the trajectory of where they were going. He mentioned that Ms. Mandy Hildebrand gave them a brand new two-minute video promoting the Convention Center to watch. He presented the video to Council. He commented that they were the first to see the video it was fresh off the press. He mentioned Mr. Bruce Eckard, was the Chair of the Board, Ms. Mandy Hildebrand, Executive Director of the Convention Center and Mr. Scott Mitchell, was the design Architect that they were using for this project.

City Manager Warren Wood discussed how the Convention Center operated and was funded. The Convention Center was actually owned by the City of Hickory. It was managed and operated by the Hickory Conover Tourism Development Board and staffed by the board, Mandy Hildebrand, and her staff. Their operations and capital needs were funded by a six percent hotel/motel occupancy tax applied both in Hickory and Conover. There were no general tax revenues from the City of Hickory or Conover, that go into operating the Convention Center. That was really unique as a lot of cities have to put money into those facilities to operate it, but the way they have their funding structured through the law, that allowed them to operate without having to put City tax dollars into it.

City Manager Warren Wood commented Council may recall that Hickory City Council originally entered into a contract for design services with Scott Mitchell on February 18, 2020 just before COVID. That was important. The hotel/motel occupancy tax would also pay for these design services. That contract was for a fixed fee of \$677,000 and the anticipated construction costs at that time was \$10 million dollars. At that point, they were focused on renovations mainly and a little bit of expansion. Again, this was pre-COVID. Late in the Summer of 2020 the Tourism Development Authority (TDA) Board stopped work on design due to concerns that COVID was going to have a long-term negative impact on the conventions around the country and here in Hickory and the board's original focus on renovations were not going to be the proper investment. They felt like they were getting ready to head down the road of a renovation versus an expansion that they felt like they needed now. They asked Scott Mitchell to produce an outline of a plan that would focus on expanding the Convention Center, with space that had ceiling heights that could be more multipurpose use in nature. With the ceiling heights out there now, you could do some travel sports for little kids, but they were really not as high as they needed to be to do what they need to do in terms of attracting a different type of new, non-business-related travel. That was what they started focusing on. Mr. Mitchell came up with a concept. The price tag went up. They felt like they were getting ready to spend \$10 million dollars on something that really was not going to be useful for them in post COVID world in terms of conventions. They came up with a plan to add 42,000 square feet to the facilities, 35,000 square feet of that was a large open span convention area with tall ceilings. The new construction estimate was \$13 million dollars. That was \$3 million dollars more, but they felt like this was going to be something that was really going to allow them to produce more revenue and drive more heads in beds. The goal of the Convention Center was to get overnight stays. That was what funded it. The expanded facility, with higher ceiling heights, would allow for travel sports such as basketball. They could get four basketball courts, eight volleyball courts, cheer, and gymnastics events there as well. Today they were limited. They could not do that. They felt like the travel sports and the future was going to be a big part of bringing people to Hickory and putting heads in beds. In addition to that, currently they really could not do boat shows or large truck shows and that would also give them a facility to allow for those sorts of things. It was going to be more multipurpose. You could also use it for just traditional convention space as well. With this 42,000 square foot expansion, the overall size of the Convention Center would now be larger than the Winston-Salem Convention Center. It puts them in a whole new larger bracket as well.

City Manager Warren Wood discussed the timetable on this. If approved, the design would be done by late Fall and construction would be an 18-to-24-month process. The need to continue to monitor the revenues. The revenues for the hotel/motel tax had come back, not to pre-COVID levels, but a lot better than where they were a year ago. Another advantage of this approach was that the Convention Center could stay open and operate while under construction. Under the other scenario they were going to have to close the whole thing down. Under this scenario they could keep events coming and continue to operate while construction takes place.

City Manager Warren Wood referred to the PowerPoint and displayed a drawing of the concept. He pointed out the new sections; the western side of the Convention Center; the entry, a roundabout out front. He pointed out where it currently ended and the location of Ms. Hildebrand's offices. The expansion would take place into the parking lot. They were going to lose 88 parking spaces, but they were developing a plan to account for that. They felt like the plus side of this was a lot better than losing 88 parking spaces. He referred to the PowerPoint slide and pointed out the space that was the main open clear span area of about 35,000 square feet where you could get all the basketball and volleyball and all that in there. He showed another rendering and pointed out the location of the entrances. He advised there would be some work done to it. There would be a few meeting rooms and some ancillary space and some storage. He showed a conceptual drawing and pointed out where the building

ended currently. He pointed out the new space expanded to the western side of the facility. He advised that was the recommendation and the TDA Board voted to move forward, and to recommend to City Council that this plan be approved. He advised if they did the math, the \$13 million versus the \$877,000, just less than the seven percent design fee related to construction, typically you would want to be below eight. They felt pretty good about that. Some of the work that had already been done on the original plan could still be used. As an example, on the video that they saw, the bathrooms had been renovated. That was actually the first amendment to this contract. This was the second. Some of that work could survive, but a lot of it was going to be new because it was going to be an expansion versus renovation. He referred to the PowerPoint and displayed a drawing of the building. He pointed out where the expansion would go. He asked for any questions or comments.

Mayor Guess referred to the loss of the parking spaces being somewhat of a concern. He asked if there was an immediate plan to add parking spaces or if that was something in the future.

City Manager Warren Wood advised there was parking that was not utilized the way it could be up top behind the Convention Center. You could also utilize shuttles. He thought that eventually, what the Convention Center was going to have to consider was another parking deck. They had an idea of where that might go, but again, all that would be funded. If this plan were successful the revenues should increase and as some debt drops off, they could consider another parking deck.

Mayor Guess asked how much additional land was there.

City Manager Warren Wood commented for expansion, unless you close the road, this was going to be it. He advised they could close the road on the east side or reroute it and potentially do some more on that side.

Mayor Guess commented for a parking deck they would have to go up probably.

City Manager Warren Wood advised they had identified a spot for it on the back side.

Alderman Zagaroli asked if they could add to the existing parking deck.

City Manager Warren Wood advised no it was not built that way.

Alderman Wood referred to the activities that Mr. Wood had discussed, basketball, cheer, those type of things. It was going to require equipment, facilities, and seating. He asked if there was ample storage in close proximity where you were going to be able to put all of this stuff.

City Manager Warren Wood advised they would lease all of that, the floors, and all the stuff that goes along with volleyball, and depending on what sport it was, they would lease it and they would come in and set it up so they would not have to have storage.

Alderman Williams asked if they were planning on having the removable doors and partitions to be able to adjust.

City Manager Warren Wood advised not in the new space.

Alderman Williams replied it will be just one large open space.

City Manager Warren Wood responded that he guessed they could put some sort of partition up, but it is not going to be a permanent sort of structure that they could open and close.

Alderman Williams asked about the air conditioning system.

City Manager Warren Wood advised they were aware of that. He did not think that was technically part of this, but they were going to have to fix that. That was a maintenance issue.

Mr. Scott Mitchell advised the new section's air conditioning would be a lot quieter.

City Manager Warren Wood advised this would require action from Council as it was the second amendment to the original contract.

Mayor Guess asked if there were any other questions from Council. Mayor Guess moved, seconded by Alderwoman Patton approval of the second amendment to the design architect that City Manager Warren Wood described to them at Hickory Metro Convention Center. The motion carried unanimously.

3. 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

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 VACANT
HCAM VACANT
HHS VACANT
Homeschool VACANT

C. Presentation of Petitions and Requests

XII. Matters Not on Agenda (requires majority vote of Council to consider)

City Manager Warren Wood advised that Alderwoman Patton had requested an update on House Bill 401.

Mayor Guess moved, seconded by Alderwoman Patton to add an update on House Bill 401 to the agenda. The motion carried unanimously.

City Manager Warren Wood advised this was related to House Bill 401 and Senate Bill 349, the Sister Bill to that, titled "Increasing Housing Opportunities". He explained what this Bill does. The State would mandate to all local governments that have single-family zoning, that they would have to allow duplexes, triplexes, and quadruplexes. No language related to the design standards you would have to allow those through the State mandate in your single-family zoning districts. He met with the members of the City's legislative delegation last week and they were opposed to it. One of those members had talked to one of the Bill sponsors and that individual said that this Bill was not going anywhere. He asked him again yesterday, and he said again, this Bill was not going anywhere. Sarah Prencipe in the City Manager's Office keeps track of all these Bills that are hostile to local governments and she says that at the pace that it was moving it was not going anywhere before the session ends. Some cities are doing resolutions opposing. He advised Council if they wanted to consider one of those, they could come up with some language that was already out there opposing this, assuming that they do want to oppose it. They had not had a conversation about that. The League of Municipalities was opposing it. That was Council's pleasure on what they would like in terms of that. It did not look like anything was going to happen within its current form this session.

Mayor Guess reiterated that he had conversations with folks from the League of Municipalities and also the City's State Representatives and they have told him the same thing privately that they do not see that this was going anywhere. At this time, he did not know that it would do them much good to come up with a resolution. His recommendation would be that they continue to

allow staff to monitor this. Of course, they each have contacts with the representatives, and he thought they would hear if this thing moved forward. He thought they would know about it way in advance. At this time, he recommended they wait and see where it goes, if it goes anywhere. He asked Council for any further comments on that or any discussion. He thanked City Manager Wood for the update.

XIII. General Comments by Members of Council, City Manager or City Attorney of a Non-Business Nature

Alderman Wood mentioned along with the theme of a cleaner community and litter, several months ago the City reached out to the YMCA about litter in their parking lot and things like that. He recognized them for an incredible job that they had done of cleaning up that campus and keeping the litter picked up. It had really made a difference. He thanked the YMCA and their leadership.

XIV. Closed Session Per NC General Statutes 143-318.11(a)(1)(6) to consult with the attorneys regarding the following: (Action on these items, if any, will occur in Open Session)

Mayor Guess moved that Council go into closed session to consult with the attorneys to discuss the items below, seconded by Alderwoman Williams. The motion carried unanimously.

1. Approval of Closed Session Minutes of January 19, 2021 - NCGS §143-318.11(a)(1)
2. Personnel Matter - NCGS §143-318.11(a)(6)

Council convened to closed session at approximately 7:57 p.m.

Council reconvened to open session at approximately 8:59 p.m.

No action was taken upon return to open session.

XV. There being no further business, the meeting adjourned at 8:59 p.m.

Mayor

City Clerk

To: City Manager's Office

From: Office of Business Development – Planning and Development

Contact Person: Brian Frazier, Planning Director

Date: April 16, 2021

Re: Offer of Dedication of Public Street Right-of-Way (Amity Street)

REQUEST

Consideration of the acceptance of the offer of public dedication of street right-of-way, being a portion of Amity Street. This street is shown as a right-of-way on a plat recorded in Plat Book 82, Page 67 of the Catawba County Registry.

BACKGROUND

Recently it was discovered the cul-de-sac where Amity Street ends was not properly located within what was then the dedicated street right-of-way. The purpose of the dedication and acceptance is to rectify this error.

ANALYSIS

The City has been presented with an offer of dedication of street right-of-way as shown on a plat recorded at Plat Book 82, Page 67 of the Catawba County Registry. The area consists of a portion of Amity Street. The street was improved to facilitate economic development within the City owned Fairgrove Business Park. The street has been inspected by the City of Hickory and been found to meet the construction requirements necessary for public maintenance.

Public use and maintenance of street right-of-way cannot occur unless City Council formally accepts the offer of public dedication by means of a duly executed resolution. This requirement is outlined in the North Carolina General Statutes, as well as the City's Land Development Code.

RECOMMENDATION

Staff recommends City Council approve the resolution accepting the offer of dedication for the portion of Amity Street as shown on Plat Book 82, Page 67 of the Catawba County Registry.

BUDGET ANALYSIS:

Budgetary Action

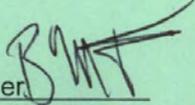
Is a Budget Amendment required?

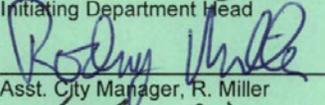
Yes

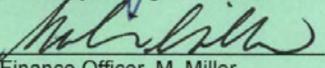
No

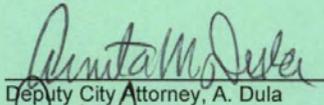
LIST THE EXPENDITURE CODE:

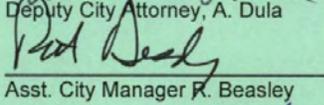
Reviewed by:

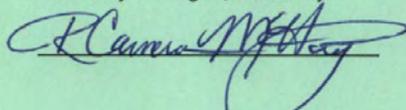
Brian M. Frazier  04/17/2021
Initiating Department Head Date

Rodney Miller  4/27/21
Asst. City Manager, R. Miller Date

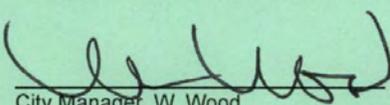
M. Miller  4/28/21
Finance Officer, M. Miller Date

Auntal M. Dula  4-27-21
Deputy City Attorney, A. Dula Date

Rod Beasley  4/27/21
Asst. City Manager R. Beasley Date

R. Cannon  4-28-21
Date

Recommended for approval and placement on _____ Council agenda (as
Consent, Public Hearing, Informational, Department Report, etc.).

W. Wood 
City Manager, W. Wood

4-30-21
Date

RESOLUTION NO. _____**A RESOLUTION OF THE HICKORY CITY COUNCIL ACCEPTING THE OFFER OF PUBLIC DEDICATION OF LANDS AND IMPROVEMENTS KNOWN AS A SEGMENT OF AMITY STREET, WHICH IS DESCRIBED IN EXHIBIT A, AND RECORDED IN PLAT BOOK 82, PAGE 67 OF THE CATAWBA COUNTY REGISTRY.**

WHEREAS, NCGS §160A-374 and Article 2, Section 2.3.4(D) of the Land Development Code provides that City Council may, by resolution, accept offers of public dedication made to the public of lands and facilities for streets, sidewalks, open spaces and public utilities after verification from the City Engineer such properties and improvements are in a manner acceptable for acceptance; and

WHEREAS, the City of Hickory has been provided with an offer of public dedication of lands and improvements known as a segment of Amity Street, which are described Exhibit A, and recorded in Plat Book 82, Page 67 of the Catawba County Registry; and

WHEREAS, the City of Hickory has reviewed the land and improvements placed upon them provided as part of the offer of public dedication, and such land and improvements have been found in compliance with standards in place for such land and improvements; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Hickory, North Carolina, the offer of public dedication for a segment of Amity Street, which is described in Exhibit A, and recorded in Plat Book 82, Page 67 of the Catawba county Registry, is accepted, subject to the following terms and conditions:

SECTION 1. Terms and Conditions of Acceptance:

1. The property owners shall guarantee all materials and workmanship for a period of 18 months from the date of official acceptance by the City Council.
2. The acceptance by the City Council shall not be interpreted in any way to relieve any developer, contractor, subcontractor, insurance company, owner, or other person of his individual or several obligations under any ordinance, policy, or contract or to otherwise reduce or eliminate the rights of the city, its agents and employees against any other party connected with or in any way related to the development of the subdivision and facilities. The acceptance shall not be interpreted as a waiver of any defense or immunities that the city, its agencies or employees may assert or be entitled to.
3. All rights, privileges and warranties of whatsoever nature and kind, for equipment, supplies, materials, goods, and services shall be assigned to the city and any and all benefits derived there from shall inure to the city, its agents, and employees. The acceptance of the lands and facilities shall be conditioned upon the owners covenanting and warranting that they are lawfully seized and possessed of all the lands and facilities dedicated to the public; that they have good and lawful authority to dedicate the same to the public for the stated purpose; that the lands and facilities are free and clear of any deed of trust, mortgage, lien or assessments and that the dedicators for their heirs, successors, executors, administrators, and assigns, covenant that they will warrant and defend the dedication of such land and facilities against any and all claims and demands whatsoever.

4. Acceptance of dedication of lands and facilities shall not obligate the city to construct, install, maintain, repair, replace, extend, improve, build or operate any public facilities or utilities which are not in existence as of the date of the acceptance of the lands and facilities. Such acceptance shall not obligate the city to construct any main, line, pipe, lateral, or other extension or permit connection to the city's water, sanitary sewer, storm sewer, drainage or other public utilities systems.

SECTION 2. This Resolution shall become effective immediately upon adoption.

RESOLVED by the City Council of Hickory, North Carolina, this, the ____ day of _____, 2021.

(SEAL) **THE CITY OF HICKORY**, a
North Carolina Municipal Corporation

Attest:

By: _____
Hank Guess, Mayor

Debbie D. Miller, City Clerk

Approved as to form this 2nd day of April, 2021.

Annita M. Duke
Attorney for the City of Hickory

EXHIBIT A

Right-of-Way Dedication 1800 Block of Amity Street

That certain parcel or tract of land lying and being about 5.5 miles southeast of the center of the City of Hickory. Bounded on the northeast by the 60' right-of-way of Amity Street, as shown in Plat Book 56 at Page 157 and on all other sides by the City of Hickory lands shown as Lots 11 and 12 Plat Book 56 at Page 157 and more particularly described as follows, to wit.

Beginning at a ½" rebar set in the existing northwest right-of-way line of Amity Street, said rebar having N.C. grid coordinates (NAD 83) of N 711,957.67, E 1,328,507.03 and being located a grid bearing and distance (NAD 83) of South 11 degrees 14 minutes 38 seconds West 4,244.59 feet from NCGS Monument "Rowe" having N.C. grid coordinates (NAD 83) of N 716,120.785, E 1,329,334.660 and running thence, crossing the 60' right-of-way of Amity Street, South 63 degrees 22 minutes 51 seconds West 60.00 feet to ½" rebar set in the southeast right-of-way line of Amity Street; thence, as a new right-of-way line, the following calls: as a concave curve to the left, said curve having a delta angle of 36 degrees 52 minutes 12 seconds, a radius of 50.00 feet and a chord bearing and distance of South 08 degrees 11 minutes 03 seconds West 31.62 feet to a ½" rebar set; thence, as a convex curve to the right, said curve having a delta angle of 126 degrees 52 minutes 12 seconds, a radius of 50.00 feet and a chord bearing and distance of South 53 degrees 11 minutes 03 seconds West 89.44 feet to an "x" mark in concrete; thence, as a convex curve to the right, said curve having a delta angle of 126 degrees 52 minutes 12 seconds, a radius of 50.00 feet and a chord bearing and distance of North 00 degrees 03 minutes 15 seconds East 89.44 feet to a ½" rebar set; thence as a concave curve to the left, said curve having a delta angle of 36 degrees 52 minutes 12 seconds, a radius of 50.00 feet and a chord bearing and distance of North 45 degrees 03 minutes 15 seconds East 31.62 feet to the point of beginning. Containing 8727 square feet +/-.

82-67

RIGHT-OF-WAY DEDICATION
 1800 BLOCK OF AMITY STREET
 AS SHOWN IN
 PLAT BOOK 56 AT PAGE 167
 CITY OF HICKORY
 HICKORY TOWNSHIP, CATAWBA COUNTY
 SCALE: 1" = 20' DATE: MARCH 6, 2021



NORTH CAROLINA, CATAWBA COUNTY
 I, JAMES E. CARSWELL, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT THE INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I AM A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID. CERTIFY THAT THE INSTRUMENT WITNESSED BY ME AND OFFICIAL STAMP OR SEAL OF THE COUNTY AND STATE AFORESAID WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS THE 03RD DAY OF APRIL A.D., 2021.



JAMES E. CARSWELL, P.L.S. L-4494
 76 N. CENTER ST.
 HICKORY, N.C.
 (808) 323-7416

NORTH CAROLINA, CATAWBA COUNTY

I, A. NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT THE INSTRUMENT WITNESSED BY ME AND OFFICIAL STAMP OR SEAL OF THE COUNTY AND STATE AFORESAID WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS THE 14TH DAY OF APRIL A.D., 2021.



OFFICIAL SEAL
 STATE OF NORTH CAROLINA
 NOTARY PUBLIC
 MY COMMISSION EXPIRES March 14, 2023

OWNERSHIP AND DEDICATION CERTIFICATE FOR CORPORATIONS

I, HANK GLESS, MAYOR, CITY OF HICKORY, CERTIFY THAT THE CITY OF HICKORY IS THE OWNER OF THE PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS LOCATED WITHIN THE SUBDIVISION JURISDICTION OF HICKORY, NORTH CAROLINA AND THAT THE CITY OF HICKORY OFFERS TO DEDICATE THAT AREA DESCRIBED HEREON AS RIGHT-OF-WAY TO PUBLIC USE.



NAME OF CORPORATION _____
 BY: HANK GLESS, MAYOR, CITY OF HICKORY _____
 ATTEST: DEBBIE D. MILLER, CITY CLERK _____

STATE OF NORTH CAROLINA
 COUNTY OF CATAWBA

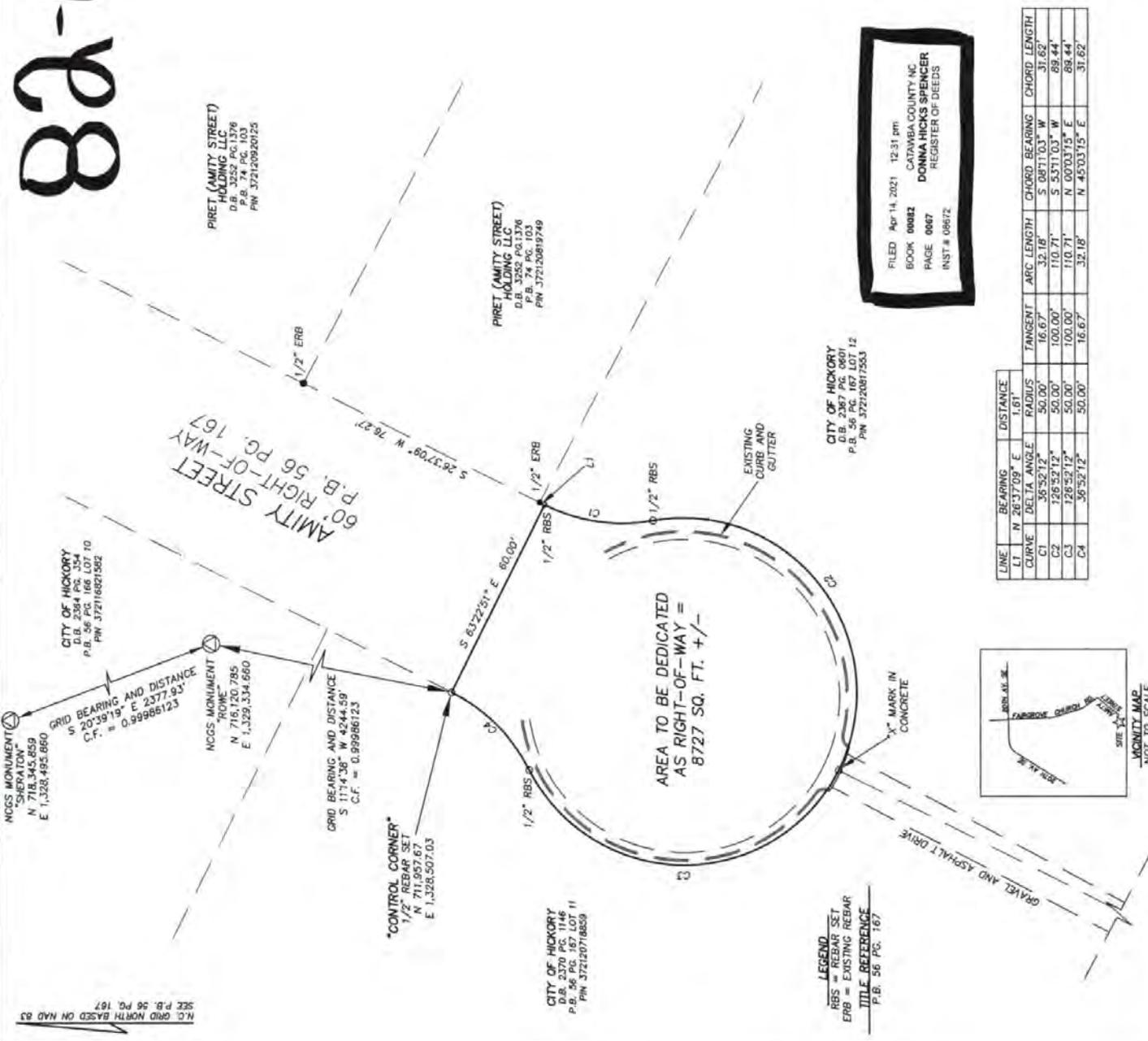
I, A. NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT DEBBIE D. MILLER, PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THAT SHE IS CITY CLERK OF THE CITY OF HICKORY, A NORTH CAROLINA MUNICIPAL CORPORATION, AND THAT BY AUTHORITY OF THE BOARD OF CITY MANAGERS AND THE CITY COUNCIL OF THE CITY OF HICKORY, THE FOREGOING INSTRUMENT WAS SIGNED IN ITS NAME AND BY ITS MAYOR, SEALED WITH ITS CORPORATE SEAL, AND ATTESTED BY HER AS ITS CLERK.

WITNESS MY HAND AND OFFICIAL STAMP OR SEAL THIS 13TH DAY OF APRIL, 2021.
 NOTARY PUBLIC Crystal Mendenhall
 MY COMMISSION EXPIRES 11/03/2022

STATE OF NORTH CAROLINA
 COUNTY OF CATAWBA

I, Cal Dwyer, A REVIEW OFFICER OF CATAWBA COUNTY CERTIFY ON THIS 8TH DAY OF April, 2021, THAT THE MAP TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER



FILED Apr 14, 2021 12:31 pm
 BOOK 00882
 PAGE 0067
 INST # 08672
 CATAWBA COUNTY, NC
 DONNA HICKS SPENCER
 REGISTER OF DEEDS



SCALE
 NOT TO SCALE

N.C. GRID NORTH BASED ON NAD 83
 SEE P.B. 56 PG. 167

COUNCIL AGENDA MEMOS

To: City Manager's Office
From: Stephen Craig, Fire Marshal
Contact Person: Stepehn Craig
Date: April 20, 2021
Re: Public Fireworks Display

REQUEST

To obtain approval to issue a pyrotechnic display permit to Pyro Shows Inc. for fireworks displays at the Hickory Crawdads stadium for the below listed dates.

BACKGROUND

Doug Locascio, General Manager of the Hickory Crawdads, has submitted a request to obtain permission to conduct public fireworks displays on the following dates:

- Friday, May 14, 2021
- Friday, May 21, 2021
- Friday, June 11, 2021
- Friday, June 25, 2021
- Friday, July 2, 2021
- Sunday, July 4, 2021
- Friday, July 16, 2021
- Friday, July 30, 2021
- Friday, August 13, 2021
- Friday, August 20, 2021
- Friday, September 10, 2021

The following would be a rain date:

- Saturday, May 15, 2021
- Saturday, May 22, 2021
- Saturday, June 12, 2021
- Saturday, June 26, 2021
- Saturday, July 3, 2021
- Saturday, July 17, 2021
- Saturday, July 31, 2021
- Saturday, August 14, 2021
- Saturday, August 21, 2021
- Saturday, September 11, 2021

ANALYSIS

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).

RECOMMENDATION

Staff recommends approval of the above pyrotechnics displays.

BUDGET ANALYSIS:

Budgetary Action

Is a Budget Amendment required?

Yes

No

LIST THE EXPENDITURE CODE:

Reviewed by:

[Signature]
Initiating Department Head

4-20-21
Date

[Signature]
Deputy City Attorney, A. Dula

4-27-21
Date

[Signature]
Asst. City Manager Rodney Miller

4-27-21
Date

[Signature]
Asst. City Manager, R. Beasley

4/27/21
Date

[Signature]
Finance Officer, Melissa Miller

4/28/21
Date

[Signature]
Asst. Finance Officer, C. McHargue

4-28-21
Date

Date

Recommended for approval and placement on _____ Council agenda (as Consent, Public Hearing, Informational, Department Report, etc).

[Signature]
City Manager, W. Wood

4.30.21
Date



HICKORY CRAWDADS BASEBALL CLUB

2500 Clement Blvd NW, Hickory, NC 28601

Phone: 828-322-3000 Fax: 828-322-6137

www.hickorycrawdads.com crawdad@hickorycrawdads.com

March 3, 2021

To Whom It May Concern:

The Hickory Crawdads ask the City of Hickory to grant us permission to have a public fireworks display on the following dates:

May 14, 21
June 11, 25
July 2, 4, 16, 30
August 13, 20
September 10

The following dates would be rain dates:

May 15, 22
June 12, 26
July 3, 17, 31
August 14, 21
September 11

This show will be similar in nature to the shows we have had at L.P. Frans Stadium for the last 28 years. We understand, if permission is granted from the City of Hickory, it does not alleviate us from the responsibility of applying for and obtaining the proper permits from the various city departments.

Thank you for your consideration of this request.

Thanks,

Douglas

Douglas Locascio
General Manager
Hickory Crawdads

Class "A" Affiliate of the Texas Rangers
Members of the South Atlantic League



To: City Manager's Office
From: Stephen Craig, Fire Marshal
Contact Person: Stepehn Craig
Date: April 20, 2021
Re: Public Fireworks Display

REQUEST

To obtain approval to issue a pyrotechnic display permit to Pyro Shows Inc. for a firework display at the Hickory Crawdads stadium for the City of Hickory's 150th Anniversary on the below listed date.

BACKGROUND

Doug Locascio, General Manager of the Hickory Crawdads, has submitted a request to obtain permission to conduct a public firework display on the following date:

Saturday, June 5, 2021

ANALYSIS

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).

RECOMMENDATION

Staff recommends approval of the above pyrotechnics display.

BUDGET ANALYSIS:

Budgetary Action

Is a Budget Amendment required?

Yes

No

LIST THE EXPENDITURE CODE:

Reviewed by:

[Signature] 4-20-21
Initiating Department Head Date

Asst. City Manager Rodney Miller Date

[Signature] 4/28/21
Finance Officer, Melissa Miller Date

Date

[Signature] 4-21-21
Deputy City Attorney, A. Dula Date

[Signature] 4/27/21
Asst. City Manager, R. Beasley Date

[Signature] 4-28-21
Asst. Finance Officer, C. McHargue Date

Recommended for approval and placement on _____ Council agenda (as Consent, Public Hearing, Informational, Department Report, etc).

[Signature]
City Manager, W. Wood

4-30-21
Date



HICKORY CRAWDADS BASEBALL CLUB

2500 Clement Blvd NW, Hickory, NC 28601

Phone: 828-322-3000 Fax: 828-322-6137

www.hickorycrawdads.com crawdad@hickorycrawdads.com

March 3, 2021

To Whom It May Concern:

The Hickory Crawdads ask the City of Hickory to grant us permission to have a public fireworks display on the following date for the City of Hickory's 150th anniversary celebration:

Saturday, June 5, 2021

This show will be similar in nature to the shows we have had at L.P. Frans Stadium for the last 27 years. We understand, if permission is granted from the City of Hickory, it does not alleviate us from the responsibility of applying for and obtaining the proper permits from the various city departments.

Thank you for your consideration of this request.

Thanks,

Douglas

Douglas Locascio
General Manager
Hickory Crawdads

Class "A" Affiliate of the Texas Rangers
Members of the South Atlantic League



BUDGET REVISION # 20

BE IT ORDAINED by the Governing Board of the City of Hickory that, pursuant to N.C. General Statutes 159.15 and 159.13.2, the following revision be made to the annual budget ordinance for the fiscal year ending June 30, 2021.

SECTION 1. To amend the General Fund within the FY 2020-21 Budget Ordinance, the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Public Safety	317,000	
Culture and Recreation	555,000	
General Government	1,055,000	
Transportation	100,000	67,977
Other Financing Uses	67,977	
TOTAL	2,094,977	67,977

To provide funding for the above, the General Fund revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	2,027,000	
TOTAL	2,027,000	-

SECTION 2. To amend the Stormwater Fund within the FY2020-21 Budget Ordinance, the expenditures shall be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Environmental Protection	67,977	
TOTAL	67,977	-

To provide funding for the above, the Stormwater revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	67,977	
TOTAL	67,977	-

SECTION 3. To amend the Solid Waste Fund within the FY2020-21 Budget Ordinance, the expenditures shall be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Environmental Protection	70,000	
TOTAL	70,000	-

To provide funding for the above, the Solid Waste revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous Revenues	70,000	
TOTAL	70,000	-

SECTION 4. To amend the Urgent Repair Program Fund within the FY 2020-21 Budget Ordinance, the expenditures shall be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Economic and Community Development	80,000	5,000
TOTAL	80,000	5,000

To provide funding for the above, the Urgent Repair Program revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Restricted Intergovernmental Revenues	75,000	
TOTAL	75,000	-

SECTION 5. Copies of the budget revision shall be furnished to the Clerk of the Governing Board, and to the City Manager (Budget Officer) and the Finance Officer for their direction.

Adopted this _____ day of _____, 2021

Mayor

Clerk

2

COUNCIL AGENDA MEMOS

Exhibit XI.A.1.

To: City Manager's Office
From: Shawn Pennell, Public Utilities Director
Contact Person: Shawn Pennell, Public Utilities Director
Date: May 4, 2021
Re: Conduct a Public Hearing for Street Closing Petition – Petitioner Trivium Corporate Center Inc.

REQUEST

Staff request Council conduct a Public Hearing to consider closing an unopened portion of Lutetium Circle as petitioned by Trivium Corporate Center, Inc.

BACKGROUND

The City Clerk received a petition from Attorney Terry M. Taylor, on behalf of Trivium Corporate Center, Inc. owner of the properties abutting an unopened portion of Lutetium Circle. The petition requests the City to close said unopened portion of Lutetium Circle, as per NCGS § 160A-299.

ANALYSIS

The City Clerk received a petition from Attorney Terry M. Taylor, on behalf of Trivium Corporate Center, Inc. to close a portion of Lutetium Circle, Hickory. This unopened portion of Lutetium Circle is bounded on the south, east, and west sides by those tracts owned by the Petitioner Trivium Corporate Center, Inc. The signature on the petition represents the owner of all tracts of property abutting this portion of the right-of-way.

A memo was sent to various departments for their input on the street closing and response(s) were as follows:

- The closing of this portion of road does not affect the Public Utilities Department. Utility ROW's will be established when property is sold.

RECOMMENDATION

Staff recommends Council conduct the public hearing to consider closing an unopened portion of Lutetium Circle as petitioned by Trivium Corporate Center, Inc.

BUDGET ANALYSIS:

Budgetary Action

Is a Budget Amendment required?

Yes

No

LIST THE EXPENDITURE CODE:

Reviewed by:

msf

 Shawn Pennell
 Initiating Department Head

 Asst. City Manager, R. Miller

 Finance Officer, Melissa Miller

 Purchasing Manager,

 Date

3/24/2021
 Date
 4/27/21
 Date
 4/28/21
 Date

 Date

Aminda M. Dula

 Deputy City Attorney, A. Dula

 Asst. City Manager, R. Beasley

 Asst. Finance Officer, C. McHargue

 Date
 4-27-21
 Date
 4/27/21
 Date
 4-28-21
 Date

Recommended for approval and placement on _____ Council agenda (as Consent, Public Hearing, Informational, Department Report, etc).

Warren Wood

 City Manager, Warren Wood

 Date
 4-30-21

Prepared by: Terry M. Taylor, P.O. Drawer 2428, Hickory, NC 28603

STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

PETITION TO CLOSE AN UNOPEN PORTION OF
LUTETIUM CIRCLE

TO: The Honorable Mayor and City Council
of the City of Hickory

The undersigned, **Trivium Corporate Center, Inc.** respectfully petitions the City Council of the City of Hickory as follows:

1. Petitioner is the owner of all tracts of property abutting the unopen portion of Lutetium Circle, Hickory, North Carolina and said portion of roadway currently abuts two sides of the Petitioner's property.

2. That said portion of roadway is no longer necessary for public use or for access to any tract of property not owned by the Petitioner herein and that the Petitioner herein requests to close said unopened portion of Lutetium Circle as described on Plat Book 79, Page 175 and Book 80, Page 25, Catawba County Registry and the Legal Description shown on Exhibit A attached hereto and on the Survey Map attached hereto as Exhibit B, both of which are incorporated herein by reference.

3. That the property located and abutting said portion of the roadway to be closed is identified as Catawba County Tax Parcels 3721-17-01-7293, 3721-17-10-5489 and 3721-17-11-9870, being owned by the Petitioner herein and is the only owner entitled to have a

263567.1
RECEIVED
BY: *D. Miller*
DATE: *3-22-2021*

copy of the proposed resolution sent to them by registered or certified mail set forth in North Carolina General Statute §160A-299.

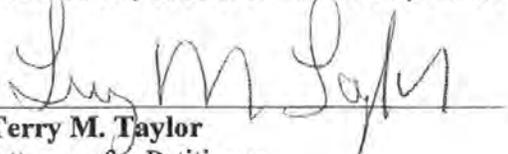
4. That the closing of said portion of this street is not contrary to the public interest will not cause hardships or inconvenience to any property owner and there is no individual or corporation owning property in the vicinity of said street that will be deprived of reasonable means of ingress and egress to their property by the closing of the same and that this Petitioner hereto desires that the same be closed.

5. That the City of Hickory acting through its Mayor and City Council is authorized by the North Carolina General Statute §160A-296 et seq. to close said unopened portion of Lutetium Circle as hereinabove described.

WHEREFORE, the undersigned Petition requests the Mayor and the City Council of the City of Hickory to declare their intent to close the section of Lutetium Circle as described above, and to give Notice of Hearing to be held to consider such closing in accordance with the provisions of North Carolina General Statute §160A-299 by publishing Notice of said hearing once a week for four (4) consecutive weeks in the Hickory Daily Record, a newspaper published in Hickory, Catawba County, North Carolina, and by posting, in at least two locations, a Notice of Closing and Public Hearing prominently along the section of Lutetium Circle to be closed.

Respectfully submitted this 17 day of March, 2021.

YOUNG, MORPHIS, BACH & TAYLOR, L.L.P.

By: 

Terry M. Taylor
Attorney for Petitioner
P. O. Drawer 2428
Hickory, NC 28603-2428
Telephone: 828-322-4663

PETITIONER:

TRIVIUM CORPORATE CENTER, INC.

By: Mick Berry
Mick Berry, President

STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

I, Amanda R. Bentley, a Notary Public for Catawba County, North Carolina, do hereby certify that **Mick Berry**, President of Trivium Corporate Center, Inc., a North Carolina corporation, personally came before me this day and acknowledged the due execution on the foregoing instrument in the capacity indicated on behalf of the corporation.

WITNESS my hand and Notarial Seal, this 22nd day of March, 2021.



Amanda R. Bentley
Notary Public: Amanda R. Bentley
My Commission expires: 9/28/2024

Exhibit A

Beginning at an existing iron pin located in Newton Township, Catawba County, North Carolina at the southeast corner of lot 8 now or formerly owned by Trivium Corporate Center Inc. as shown on plat book 79 page 173, said pin and being further described as lying **North 63 degrees, 55 minutes, 10 Seconds East, 785.59' feet** from NCGS Monument "Cochran" having coordinates of North: 709,957.80 and East: 1,320,259.86.

Thence from said point of beginning and along the northerly line of lands now or formerly owned by Trivium Corporate Center Inc. as shown in deed book 3548 page 1301 and on plat book 80 page 24, **North 80 degrees, 55 minutes, 09 seconds east, for a distance of 66.35' feet** to a point at the Southwest corner of Lot 9A now or formerly owned by Trivium Corporate Center Inc. as shown in deed book 3453 page 613 and on plat book 79 page 173.

Thence along the Westerly line of Lot 9A now or formerly owned by Trivium Corporate Center Inc. as shown in deed book 3453 page 613 and on plat book 79 page 173, along a curve concave to the West having a chord bearing and distance of **North 09 degrees, 14 minutes, 20 seconds East, 74.92' Feet and having a radius of 430.00' feet** to a point.

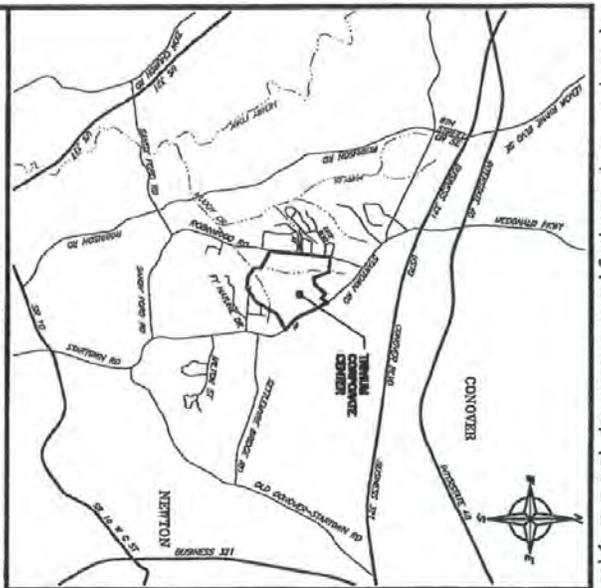
Thence continuing along the Westerly line of Lot 9A now or formerly owned by Trivium Corporate Center Inc. as shown in deed book 3453 page 613 and on plat book 79 page 173, **North 04 degrees, 14 minutes, 27 seconds East, 97.17' Feet** to a point in the Southerly right-of-way of Lutetium Circle.

Thence along the Southerly right-of-way line of Lutetium Circle, **North 70 degrees, 39 minutes, 45 seconds West, 62.14' feet** to a point at the common corner of Lot 7 and Lot 8, now or formerly owned by Trivium Corporate Center Inc. as shown on plat book 79 page 173.

Thence along lot 8 now or formerly owned by Trivium Corporate Center Inc. as shown on plat book 79 page 173, **South 04 degrees, 14 minutes, 27 seconds west 113.35' feet**, to a point.

Thence continuing along the easterly line of Lot 8 now or formerly owned by Trivium Corporate Center Inc. as shown on plat book 79 page 173 and along a curve concave to the West having a chord bearing and distance of **South 11 degrees, 16 minutes, and 27 seconds west, 90.61' feet and a radius of 370.00' feet** to the point of beginning, containing 11,286 square feet more or less, according to an exhibit Entitled "Portion of Lutetium Circle Closing Map" as prepared by Civil & Environmental Consultants, Inc., Dated March 2021.

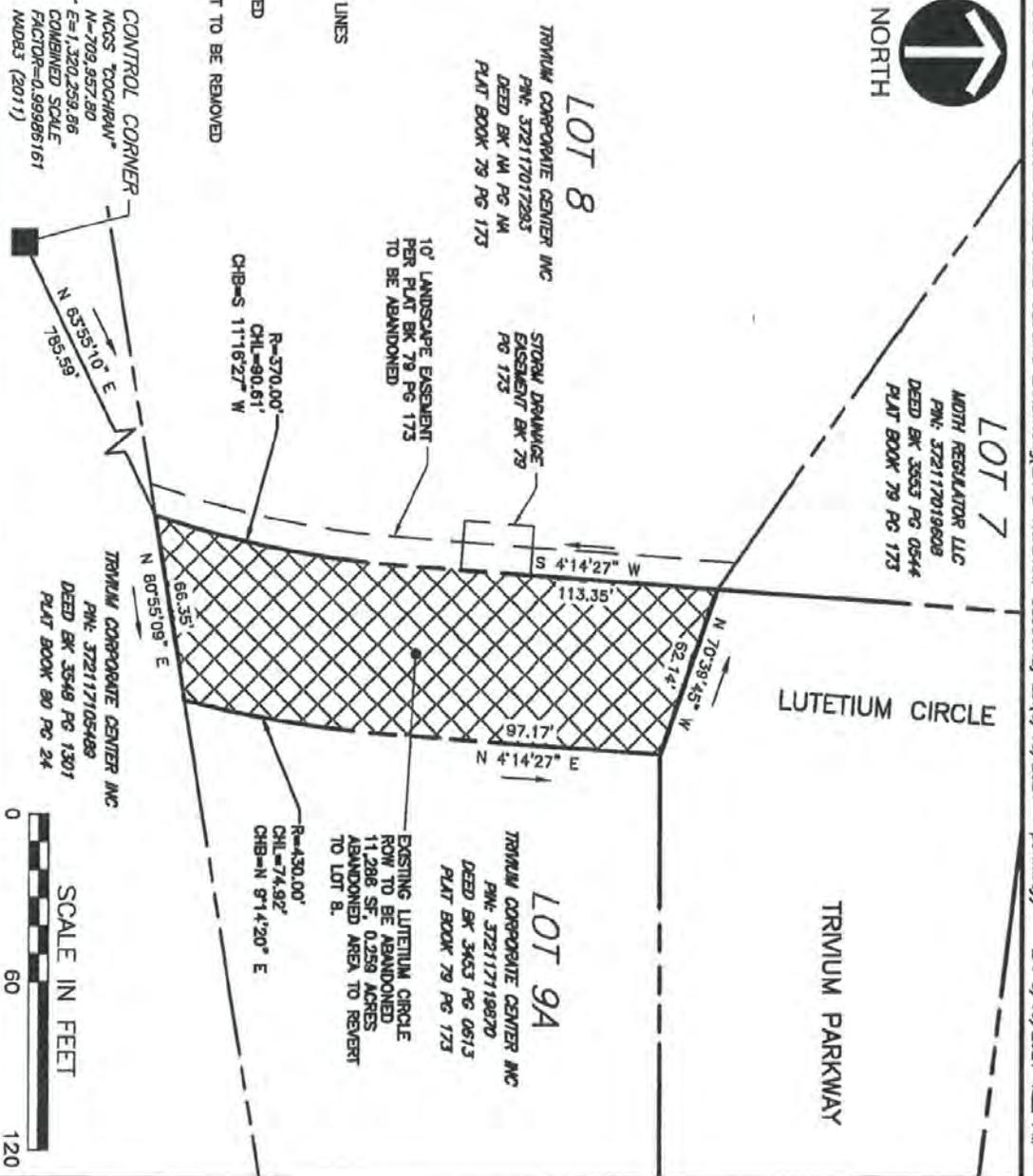
P:\2019\196-6631-CAUD\DWG\Recombination Map (Lot 8 & 9)\196663-SV01-EX B-LUTETIUM CIRCLE ROAD CLOSING EXHIBIT.dwg | L:\3\19\2021 - phnkey - Lr- 3/19/2021 4:32 PM



- LEGEND**
- EXISTING ADJOINER PROPERTY LINES
 - EXISTING R.O.W.
 - EXISTING R.O.W. TO BE REMOVED
 - EXISTING LANDSCAPE EASEMENT TO BE REMOVED

REFERENCE

1. EXISTING PROPERTY INFORMATION PER FINAL PLAT ENTITLED TRIVIUM CORPORATE CENTER PHASE II, PLAT BOOK 79 PG 175 DATED JULY 26, 2019.



Civil & Environmental Consultants, Inc.
3701 Atco Corporate Drive - Suite 400 - Charlotte, NC 28273
Ph: 980.237.0373 - Fax: 980.237.0372
www.cecinco.com

TRIVIUM CORPORATE CENTER
STREET CLOSING EXHIBIT
HICKORY, NORTH CAROLINA
PORTION OF LUTETIUM CIRCLE CLOSING MAP

DRAWN BY: MRJ	CHECKED BY: SWW	APPROVED BY: SWW	EXHIBIT: B
DATE: MARCH 2021	DWG SCALE: 1"=60'	PROJECT NO: 196-663	

Prepared by/Return to: City of Hickory, Legal Department
Deputy City Attorney Arnita Dula
P.O. Box 398
Hickory, NC 28603

RESOLUTION NO. 21-
RESOLUTION AND ORDER

WHEREAS, Trivium Corporate Center, Inc. owns properties adjoining the following described area, in the City of Hickory, County of Catawba, which is further described as follows:

An Unopened Portion of Lutetium Circle, Hickory, North Carolina

Lying and being situate in the City of Hickory, Newton Township, Catawba County, North Carolina, and being more particularly described as follows:

Being located in Newton Township, Catawba County, North Carolina and more particularly described as:

Beginning at an existing iron pin located in Newton Township, Catawba County, North Carolina at the southeast corner of lot 8 now or formerly owned by Trivium Corporate Center Inc. as shown on Plat Book 79 Page 173, said pin, and being further described as lying North 63 degrees, 55 minutes, 10 Seconds East, 785.59' feet from NCGS Monument "Cochran" having coordinates of North: 709,957.80 and East: 1,320,259 .86.

Thence from said point of beginning and along the northerly line of lands now or formerly owned by Trivium Corporate Center Inc. as shown in Deed Book 3548 Page 1301 and on Plat Book 80 Page 24, North 80 degrees, 55 minutes, 09 seconds East, for

RESOLUTION AND ORDER
CLOSING AN UNOPEN PORTION OF LUTETIUM CIRCLE
PAGE 1 OF 4

a distance of 66.35' feet to a point at the Southwest corner of Lot 9A now or formerly owned by Trivium Corporate Center Inc. as shown in Deed Book 3453 Page 613 and on Plat Book 79 Page 173.

Thence along the Westerly line of Lot 9A now or formerly owned by Trivium Corporate Center Inc. as shown in Deed Book 3453 Page 613 and on Plat Book 79 Page 173, along a curve concave to the West having a chord bearing and distance of North 09 degrees, 14 minutes, 20 seconds East, 74.92' Feet and having a radius of 430.00' feet to a point.

Thence continuing along the Westerly line of Lot 9A now or formerly owned by Trivium Corporate Center Inc. as shown in Deed Book 3453 Page 613 and on Plat Book 79 Page 173, North 04 degrees, 14 minutes, 27 seconds East, 97.17' Feet to a point in the Southerly right-of-way of Lutetium Circle.

Thence along the Southerly right-of-way line of Lutetium Circle, North 70 degrees, 39 minutes, 45 seconds West, 62.14' feet to a point at the common corner of Lot 7 and Lot 8, now or formerly owned by Trivium Corporate Center Inc. as shown on Plat Book 79 Page 173.

Thence along Lot 8 now or formerly owned by Trivium Corporate Center Inc. as shown on Plat Book 79 Page 173, South 04 degrees, 14 minutes, 27 seconds West 113.35' feet, to a point.

Thence continuing along the easterly line of Lot 8 now or formerly owned by Trivium Corporate Center Inc. as shown on Plat Book 79 Page 173 and along a curve concave to the West having a chord bearing and distance of South 11 degrees, 16 minutes, and 27 seconds West, 90.61' feet and a radius of 370.00' feet to the point of beginning, containing 11,286 square feet more or less, according to an exhibit Entitled "Portion of Lutetium Circle Closing Map" as prepared by Civil & Environmental Consultants, Inc., Dated March 2021.

WHEREAS, following the filing of said petition with the City Council, a notice of public hearing upon the question of closing and abandoning said area for public roadway purposes was advertised in *The Hickory Daily Record* in the issues of April 9, April 16, April 23, and April 30, 2021 .

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HICKORY, NORTH CAROLINA:

THAT, the above-described area be and the same is hereby ordered to be closed and abandoned for roadway or street purposes, in accordance with the provisions of Chapter 160A, Section 299, of the General Statutes of North Carolina, and the Charter of the City of Hickory;

BE IT FURTHER RESOLVED, that the City of Hickory reserves the right, title and interest in any utility improvement or easement within the above-described street or roadway to be closed, pursuant to the provisions of 160A, Section 299, of the General

Statutes of North Carolina; and

RESOLVED, FURTHER, that all rights, title, and interest of the City of Hickory in and to the area covered by said street shall vest in the respective owners of the land adjoining said area, all in accordance with the provision of the abovementioned section of the General Statutes of North Carolina.

BY ORDER OF THE HICKORY CITY COUNCIL.

ADOPTED THIS 4TH DAY OF MAY 2021

THE CITY OF HICKORY,
A North Carolina Municipal Corporation

By: _____
Hank Guess, Mayor

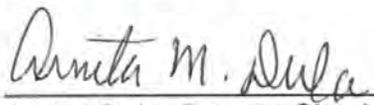
Attest:

(SEAL)

Date: _____

Debbie D. Miller, City Clerk

Approved as to form:



Arnita Dula, Deputy City Attorney

CERTIFICATION OF RESOLUTION AND ORDER CLOSING STREET

NORTH CAROLINA
CATAWBA COUNTY
CITY OF HICKORY

I, Debbie D. Miller, City Clerk of the City of Hickory, North Carolina, do hereby certify that the attached Resolution and Street Closing Order was adopted at a regular meeting of the City Council held on May 4, 2021, and that said Resolution and Street Closing Order is in full force and effect.

City Clerk

NORTH CAROLINA
CATAWBA COUNTY

I, _____, a Notary Public in and for said County and State, do hereby certify that Debbie D. Miller, City Clerk for the City of Hickory, personally appeared before me this date and acknowledged the due execution of the foregoing certificate for the purposes therein expressed.

Witness my hand and notarial seal, this ____ day of _____, 2021.

Notary Public

My Commission Expires: _____

COUNCIL AGENDA MEMOS

To: City Manager's Office
From: Dave Leonetti, Business Services and Redevelopment Manager
Contact Person: Dave Leonetti, Business Services and Redevelopment Manager
Date: April 19, 2021
Re: Conduct Public Hearing for Street Closing Petition – Petitioner City of Hickory for a Portion of Amity Street.

REQUEST

Conduct a Public Hearing on May 4, 2021 to close a portion of Amity Street as petitioned by the City of Hickory.

BACKGROUND

The City Clerk received a petition from the City of Hickory, an owner of the property abutting a portion of Amity Street. The petition requests the City to close said portion of Amity Street right-of-way, as per NCGS § 160A-299.

ANALYSIS

The City Clerk received a petition from the City of Hickory to close a portion of Amity Street. This portion of Amity Street is bounded on the South, East and West sides by tracts owned by the City of Hickory. The signature on the petition represents the owner of all the tracts of property abutting this portion of the right-of-way. The petition fee of \$800 has been paid.

A memo was sent to various departments for their input on the street closing. The Public Utilities Department has advised there are existing water and sewer lines that are in this right of way and an access easement for a sewer easement to the south of the right of way that must be maintained. The public hearing was properly advertised in the Hickory Daily Record.

RECOMMENDATION

Staff recommends Council conduct a public hearing and approve the closure of a portion of Amity Street as petitioned by the City of Hickory.

BUDGET ANALYSIS:

Budgetary Action

Is a Budget Amendment required?

Yes

No

LIST THE EXPENDITURE CODE:

Reviewed by:

David Leonetti
Initiating Department Head

4/19/21
Date

A. Dula
Deputy City Attorney, A. Dula

4-27-21
Date

R. Miller
Asst. City Manager, R. Miller

4/27/21
Date

R. Beasley
Asst. City Manager, R. Beasley

4/27/21
Date

M. Miller
Finance Officer, Melissa Miller

4/28/21
Date

C. Ramirez

4-28-21
Date

Purchasing Manager,

Date

Recommended for approval and placement on _____ Council agenda (as Consent, Public Hearing, Informational, Department Report, etc).

W. Wood
City Manager, Warren Wood

4.30.21
Date

NORTH CAROLINA)

PETITION TO CLOSE STREET

CATAWBA COUNTY)

TO: THE HONORABLE MAYOR AND HICKORY CITY COUNCIL

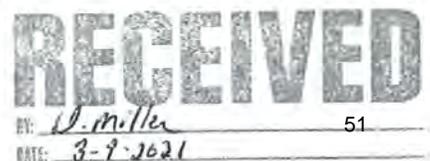
The undersigned, City of Hickory, a Corporation of Hickory, North Carolina, respectfully shows unto the Honorable Mayor and Hickory City Council, the following:

1. That Petitioner, City of Hickory, is the sole owner of properties having street addresses of 1860 Amity Street, Newton, North Carolina, described in Deed Book 2367, Page 167, Parcel Identification Number 3721-20-81-7553 and Amity Street, Newton, North Carolina, described in Deed Book 2370, Page 1146, Parcel Identification Number 3721-20-71-8859. Said properties are bounded to the North by portions of a Sixty (60) foot right of way and cul-de-sac and known as Amity Street, more particularly described.
2. That said portion of Amity Street is not a necessary means of ingress and egress to the property of the Petitioner, or to the property of any other property owner adjoining said roads.
3. That your Petitioner desires to close those portions of the streets known as Amity Street, more particularly described as follows:

That certain parcel or tract of land lying and being about 5.5 miles southeast of the center of the City of Hickory. Bounded on the northeast by other right-of-way of Amity Street as shown in Plat Book 56 at Page 167; on the southeast by the lands of the City of Hickory, shown as Lot 12 in Plat Book 56 at Page 167; on the southwest by other lands of the City of Hickory, shown as Lot 11 in Plat Book 56 at Page 167 and more particularly described as follows, to wit.

Beginning at a point in the western right-of-way and the northeast line of Lot 11, near the southwest terminus, of Amity Street, said point having N.C. grid coordinates of N 711,884.75, E 1,328,457.78 (NAD 83) and being located a grid bearing and distance of South 11 degrees 41 minutes 14 seconds West 4,328.78 feet from NCGS Monument "Rowe" having N.C. grid coordinates of N 716,120.785, E 1,329,334.660 (NAD 83) and running thence, as a concave curve to the left, said curve having a delta angle of 106 degrees 21 minutes 18 seconds, a radius of 50.00 feet and a chord bearing and distance of South 63 degrees 20 minutes 37 seconds East 80.05 feet to a point in the eastern right-of-way of Amity Street; thence, with the right-of-way of Amity Street and the northwest line of Lot 12, as a convex curve to the right, said curve having a delta angle of 126 degrees 50 minutes 10 seconds, a radius of 50.00 feet and a chord bearing and distance of South 53 degrees 15 minutes 07 seconds West 89.43 feet to a point in the right-of-way of Amity Street and in the northwest line of Lot 12; thence, with the right-of-way of Amity Street and the northeast line of Lot 11, as a convex curve to the right, said curve having a

Petition to Close Right of Way-Amity Street
City of Hickory, Petitioner
March 2021
Page 1 of 4



delta angle of 126 degrees 48 minutes 32 seconds, a radius of 50.00 feet and a chord bearing and distance of North 00 degrees 04 minutes 28 seconds East 89.42 feet to the point of beginning. Containing 0.13 acres more or less.

4. That portions of Amity Street, which the Petitioner desires to close, are depicted as Exhibit "A" attached hereto and incorporated by reference as if more fully set forth herein, and are bounded as follows:
 - a. Amity Street is bounded on the South and East by City of Hickory, pursuant to a Deed recorded at Book 2367, Page 167 at the Catawba County Register of Deeds, with a Catawba County PIN of 3721-20-81-7553.
 - b. Amity Street is bounded on the South and West by City of Hickory, pursuant to a Deed recorded at Book 2370, Page 1146 at the Catawba County Register of Deeds, with a Catawba County PIN of 3721-20-71-8859.
5. That the following persons have the right to have a copy of the proposed resolution closing Amity Street, sent to them by way of registered or certified mail pursuant to North Carolina General Statutes Section 160A-299:

City of Hickory, P.O. Box 398, Hickory, NC 28603

6. That the Petitioner in good faith believes that closing the above-described portions of Amity Street will not cause hardship or inconvenience to any property owner in that no person or entity owning property adjoining the above-described portions of Amity Street, will be deprived of reasonable means of ingress and egress to its property by said closing.
7. That the City of Hickory, acting through its Mayor and City Council, is authorized by North Carolina Statutes Section 160A-296 et. seq. to close portions of Amity Street, as herein described.

WHEREFORE, the undersigned Petitioner prays the Mayor and Hickory City Council declare their intent to close portions of Amity Street, herein described, and they give notice in accordance with the provisions of N.C. General Statutes Section 160A-299 by publishing notice of said hearing once a week for four (4) consecutive weeks in the Hickory Daily Record, a newspaper published in Hickory, Catawba County, North Carolina, by posting notices of closing and public hearing prominently along the portions of Amity Street, in at least two (2) locations, and by mailing via registered or certified mail to all of the individuals or entities who have an interest in the property located adjacent to the target right of way.

This the 9th day of March, 2021


Warren Wood
City Manager, City of Hickory

VERIFICATION

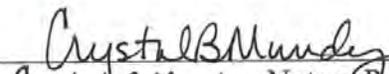
NORTH CAROLINA
CATAWBA COUNTY

City of Hickory, PETITIONER, being first duly sworn, deposes and says:

That he is the Petitioner herein, and that he has read the Petition, and believes the contents thereof to be true.


Warren Wood
City Manager, City of Hickory
Petitioner

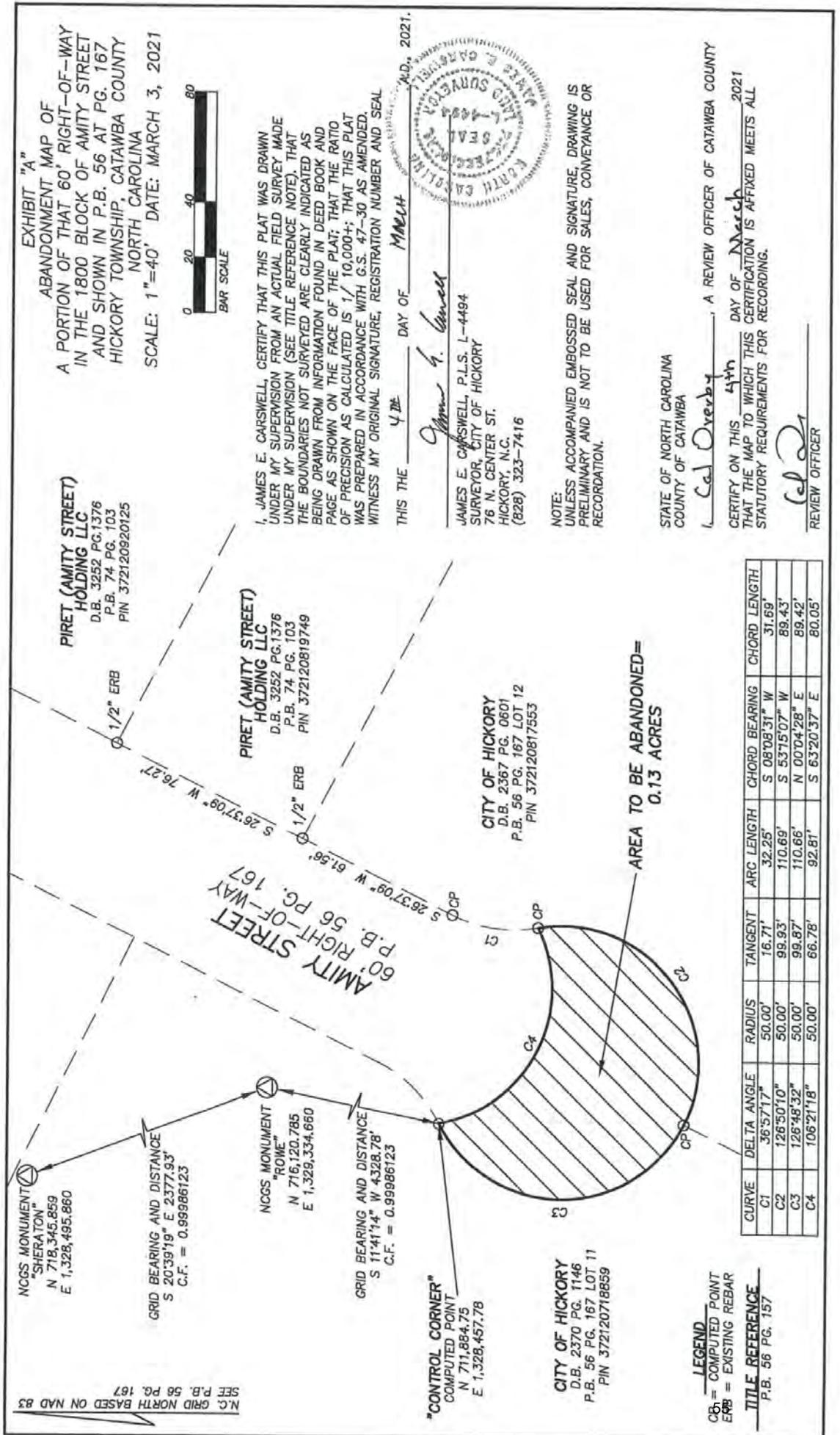
Sworn and subscribed before me
This 9th day of March, 2021


Crystal B Mundy, Notary Public

My Commission Expires: 11/02/2022



Exhibit A
Description of that portion of Amity Street to be closed by the City of Hickory
Map is Attached.



Prepared by/Return to: City of Hickory, Legal Department
Deputy City Attorney Arnita Dula
P.O. Box 398
Hickory, NC 28603

RESOLUTION NO. 21-
RESOLUTION AND ORDER

WHEREAS, City of Hickory owns properties adjoining the following described area, in the City of Hickory, County of Catawba, which is further described as follows:

A Portion of Amity Street, Newton, North Carolina

Lying and being situate in the City of Hickory, Newton Township, Catawba County, North Carolina, and being more particularly described as follows:

Being located in Newton Township, Catawba County, North Carolina and more particularly described as:

That certain parcel or tract of land lying and being about 5.5 miles southeast of the center of the City of Hickory. Bounded on the northeast by other right-of-way of Amity Street as shown in Plat Book 56 at Page 167; on the southeast by the lands of the City of Hickory, shown as Lot 12 in Plat Book 56 at Page 167; on the southwest by other lands of the City of Hickory, shown as Lot 11 in Plat Book 56 at Page 167 and more particularly described as follows, to wit.

Beginning at a point in the western right-of-way and the northeast line of Lot 11, near the southwest terminus, of Amity Street, said point having N.C. grid coordinates of N 711,884.75, E 1,328,457.78 (NAD 83) and being located a grid bearing and distance of

South 11 degrees 41 minutes 14 seconds West 4,328.78 feet from NCGS Monument "Rowe" having N.C. grid coordinates of N 716,120.785, E 1,329,334.660 (NAD 83) and running thence, as a concave curve to the left, said curve having a delta angle of 106 degrees 21 minutes 18 seconds, a radius of 50.00 feet and a chord bearing and distance of South 63 degrees 20 minutes 37 seconds East 80.05 feet to a point in the eastern right-of-way of Amity Street; thence, with the right-of-way of Amity Street and the northwest line of Lot 12, as a convex curve to the right, said curve having a delta angle of 126 degrees 50 minutes 10 seconds, a radius of 50.00 feet and a chord bearing and distance of South 53 degrees 15 minutes 07 seconds West 89.43 feet to a point in the right-of-way of Amity Street and in the northwest line of Lot 12; thence, with the right-of-way of Amity Street and the northeast line of Lot 11, as a convex curve to the right, said curve having a delta angle of 126 degrees 48 minutes 32 seconds, a radius of 50.00 feet and a chord bearing and distance of North 00 degrees 04 minutes 28 seconds East 89.42 feet to the point of beginning. Containing 0.13 acres more or less.

WHEREAS, following the filing of said petition with the City Council, a notice of public hearing upon the question of closing and abandoning said area for public roadway purposes was advertised in *The Hickory Daily Record* in the issues of April 9, April 16, April 23, and April 30, 2021 .

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HICKORY, NORTH CAROLINA:

THAT, the above-described area be and the same is hereby ordered to be closed and abandoned for roadway or street purposes, in accordance with the provisions of Chapter 160A, Section 299, of the General Statutes of North Carolina, and the Charter of the City of Hickory;

BE IT FURTHER RESOLVED, that the City of Hickory reserves the right, title and interest in any utility improvement or easement within the above-described street or roadway to be closed, pursuant to the provisions of 160A, Section 299, of the General Statutes of North Carolina; and

RESOLVED, FURTHER, that all rights, title and interest of the City of Hickory in and to the area covered by said street shall vest in the respective owners of the land adjoining said area, all in accordance with the provision of the abovementioned section of the General Statutes of North Carolina.

BY ORDER OF THE HICKORY CITY COUNCIL.

ADOPTED THIS 4TH DAY OF MAY 2021.

THE CITY OF HICKORY,
A North Carolina Municipal Corporation

By: _____
Hank Guess, Mayor

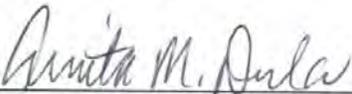
Date: _____

Attest:

(SEAL)

Debbie D. Miller, City Clerk

Approved as to form:



Arnita Dula, Deputy City Attorney

CERTIFICATION OF RESOLUTION AND ORDER CLOSING STREET

NORTH CAROLINA
CATAWBA COUNTY
CITY OF HICKORY

I, Debbie D. Miller, City Clerk of the City of Hickory, North Carolina, do hereby certify that the attached Resolution and Street Closing Order was adopted at a regular meeting of the City Council held on May 4, 2021, and that said Resolution and Street Closing Order is in full force and effect.

City Clerk

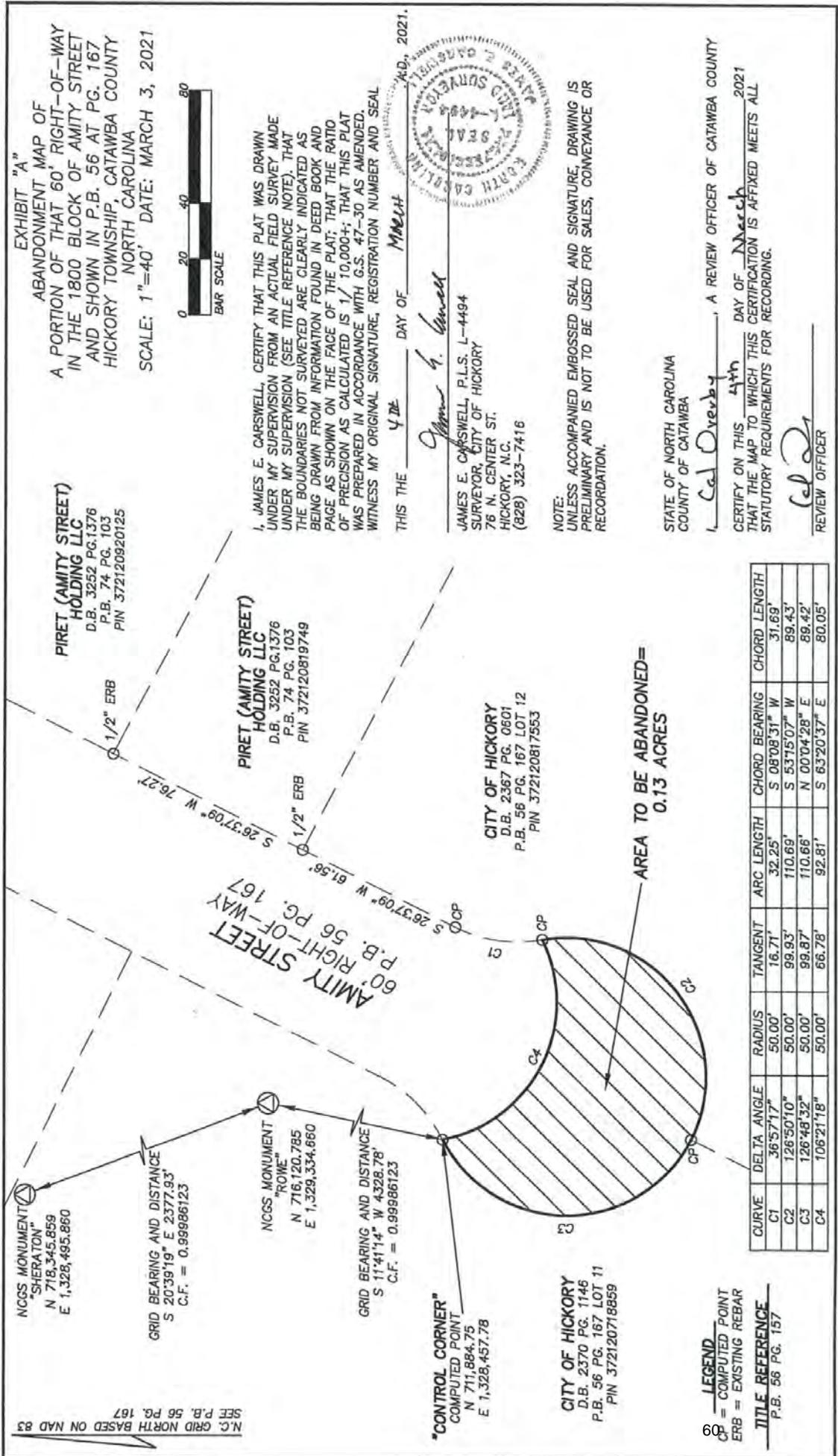
NORTH CAROLINA
CATAWBA COUNTY

I, _____, a Notary Public in and for said County and State, do hereby certify that Debbie D. Miller, City Clerk for the City of Hickory, personally appeared before me this date and acknowledged the due execution of the foregoing certificate for the purposes therein expressed.

Witness my hand and notarial seal, this ____ day of _____, 2021.

Notary Public

My Commission Expires: _____



6

COUNCIL AGENDA MEMOS

To: City Manager's Office
From: Karen Dickerson, Community Development Manager
Contact Person: Karen Dickerson, Community Development Manager
Date: April 20, 2021
Re: Conduct Public Hearing to Consider Community Development Block Grant 2021 Annual Action Plan

REQUEST

Conduct public hearing to consider the Community Development Block Grant 2021 Annual Action Plan.

BACKGROUND

In program year 2021, the City of Hickory will receive \$324,535 through the U.S. Department of Housing and Urban Development, and approximately \$85,000 in program income for a total of \$409,535. Funds will be 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 City of Hickory's 2020-2024 Consolidated Plan is updated on an annual basis through the development of an Annual Action Plan. This plan sets priorities among these needs and sets out the action plan for use of available funds on a yearly basis. This provides for flexibility in determining priorities as the needs of the community change from year to year. The 2021 Annual Action Plan will be submitted to the U.S. Department of Housing and Urban Development upon approval by the Hickory Council. The plan will serve as the City's strategy for administering 2021 federal funds for community development and housing. The proposed budget line items are as follows:

Housing Rehab/Purchase Rehab Program	\$146,000
Public Infrastructure and Facility Improvements	140,000
Small Business Assistance Program	5,000
Public Service Activities	48,500
Fair Housing Activities	1,000
Contingency	4,035
Program Administration	<u>65,000</u>
Total CDBG	\$409,535

ANALYSIS

The Citizen's Advisory Committee reviewed the draft action plan at their meeting on April 1, 2021 and recommended approval of the proposed budget. This public hearing was advertised on April 2, 2021 and will be advertised again on April 26, 2021 and May 4, 2021.

RECOMMENDATION

Staff recommends that City Council conduct a public hearing on May 4, 2021 to consider the Community Development Block Grant 2021 Annual Action Plan.

BUDGET ANALYSIS:

Budgetary Action

Is a Budget Amendment required?

Yes

No

LIST THE EXPENDITURE CODE:

Once approved after the public hearing, the new budget accounts will be created for the FY 2021-2022 CDBG Budget in account 059-1535

Reviewed by:

<u>Dave Leonetti</u> Initiating Department Head	<u>4/20/2021</u> Date	<u>Aurita M. Dula</u> Deputy City Attorney, A. Dula	<u>4-27-21</u> Date
<u>Rodney Miller</u> Asst. City Manager Rodney Miller	<u>4/27/21</u> Date	<u>Rick Beasley</u> Asst. City Manager, Rick Beasley	<u>4/27/21</u> Date
<u>Melissa Miller</u> Finance Officer, Melissa Miller	<u>4/28/21</u> Date	<u>Cameron McHargue</u> Purchasing Manager, Cameron McHargue	<u>4-28-21</u> Date
_____	_____		
	Date		

Recommended for approval and placement on _____ Council agenda (as Consent, Public Hearing, Informational, Department Report, etc).

W. Wood
City Manager, W. Wood

4-30-21
Date

City of Hickory

2021-2022

Community Development
Block Grant Program

ANNUAL ACTION PLAN



Life. Well Crafted.

DRAFT

Executive Summary

AP-05 Executive Summary - 91.200(c), 91.220(b)

1. Introduction

The U.S. Department of Housing and Urban Development (HUD) defines the City of Hickory as an entitlement community due to status as a principal city within the Hickory Lenoir-Morganton Metropolitan Statistical Area. As an entitlement community, the City of Hickory receives an annual allocation of Community Development Block Grant (CDBG) funding. The City is required to submit a five-year Consolidated Plan identifying community needs and funding priorities in order to receive annual funding. The Consolidated Plan was most recently adopted in May 2020. Each subsequent year, it is required to submit an Annual Action Plan to HUD. The City of Hickory values the importance of strategic planning to ensure good stewardship of public funds. This year the City anticipates receiving \$324,535 as its annual allocation. The City also anticipates receiving approximately \$85,000 in program income from repayments of loans made with CDBG funds. This Annual Action Plan covers program year 2021 which runs from July 1, 2021 to June 30, 2022. While the funding amount of the 2021 program year is a bit lower than the 2020 allocation, it remains extremely important that the City identify and prioritize the most critical needs to be addressed with CDBG funds.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

The one year Annual Action Plan provides funding to support the following projects. Specific details can be found in the projects section of this plan.

1. Housing Rehabilitation/Purchase (\$146,000) - Provide funds to purchase and rehabilitate existing housing units.

2. Public Infrastructure and Facility Improvements (\$140,000) - Provide funds to construct curbs, gutters and sidewalks. In addition, funds may be used for street resurfacing, installing street lights, planting street trees or building or rehabilitating facilities including City parks for public use in low to moderate income areas.

3. Small Business Assistance Program (\$5,000) – Provide assistance for small business owners through a micro-enterprise grant to low/mod income business owners or small business loan program to incentivize business owners to create jobs for low/mod income individuals.

4. Public Service Activities (\$48,500) - Provide funds to support local non-profits including but not limited to those that assist with homelessness, food scarcity, HIV/Aids assistance and youth programs.

5. Program Administration and Planning (\$65,000) - Provide funding to administer the CDBG program.

6. Fair Housing Activities (\$1,000) - Provide support to raise awareness of fair housing rights and affirmatively further fair housing.

7. Contingency (\$4,035) - Provide funding for cost overruns related to CDBG projects.

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The City's past Community Development programs have focused on similar projects and funding categories. The City is maintaining many of these programs and is also adjusting its funding priorities to match new priority needs identified by the public, such as additional funding for programs focused on youth. Estimated costs are also associated with each goal to ensure that goals are realistic and achievable. While the funded amount of the 2021 program year is slightly less than the funding received in most recent years, it remains extremely important that the City identify and prioritize the most critical needs to be addressed with CDBG funds.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

The City of Hickory undertook an extensive citizen participation and consultation process in the development of the 2020-2024 Consolidated plan and subsequently this plan. Two public hearings were held on January 27, 2021 at the Ridgeview Recreation Center and on February 3, 2021 at Hickory City Hall. The final public hearing was held on May 4, 2021 in the City Council Chambers at Hickory City Hall. These meetings were advertised in the Hickory Daily Record, as well as on the City of Hickory website

and posted at both meeting locations. In addition, Community Development staff continuously have conversations throughout the year with local non-profit and community organizations. Staff also provides program updates at monthly Continuum of Care meetings, which are attended by nearly all organizations in the community that work with homeless and low income individuals and families. The comments provided during the public meetings and consultation sessions inform the goals and strategies contained in the plan. The citizen participation process will continue throughout the implementation of the 2020-2024 Consolidated Plan and this Annual Action Plan.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

The issues discussed at the public meetings and discussions with local nonprofit organizations included increased opportunities for homeless programs and programs focused on workforce development for low to moderate income individuals. Organizations also identified affordable owner occupied and rental housing and more comprehensive services to the homeless as high priority needs.

6. Summary of comments or views not accepted and the reasons for not accepting them

There were no comments or views not accepted.

7. Summary

Significant efforts were made to obtain public input through public meetings, meetings with nonprofit organizations, and individual conversations. The public input process was used to identify priority needs to be addressed with CDBG funds. All of the objectives and goals contained in the plan address a specific priority identified by the public. The City of Hickory will continue to obtain public input annually to ensure the plan is up to date and activities undertaken with grant funds address current community needs.

PR-05 Lead & Responsible Agencies - 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	Hickory	Office of Business Development

Table 1 – Responsible Agencies

Narrative

The City of Hickory's Office of Business Development, Business Services Division, manages the City's Community Development Block Grant allocation.

Consolidated Plan Public Contact Information

Comments can be submitted to the Office of Business Development between 8:30AM and 5:00PM at Hickory City Hall (Julian G. Whitener Municipal Building)

Written comments can be submitted to:

Karen Dickerson
 Community Development Manager
 City of Hickory
 PO Box 398
 Hickory, NC 28603

Annual Action Plan
 2021

RETRY

AP-10 Consultation - 91.100, 91.200(b), 91.215(l)

1. Introduction

During the 2020 Consolidated Plan Development Process, City of Hickory Staff spoke with numerous housing and human service agencies to determine the greatest needs in the community. The City has continued to consult with these organizations on an ongoing basis to ensure that their needs are addressed to the greatest extent feasible as the City develops the 2021-2022 Annual Action Plan.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).

The Community Development Division of the Office of Business Development is responsible for administering the CDBG program and developing the Consolidated Plan and subsequent Annual Action Plans. Community Development staff consulted with numerous public service agencies and the Hickory Public Housing Authority during development of the Consolidated Plan. Consultation took place at both public meetings and through individual meetings and phone conversations. This Annual Action Planning Process continued that effort.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

The Catawba County Housing Visions Continuum of Care meets monthly at the Catawba County United Way offices. The City's Community Development Manager serves on the committee, which includes representatives from organizations that serve the homeless in Catawba County. This group makes decisions on the allocation of Emergency Solutions Grant funding and also provides a forum for member organizations to discuss their needs. The Salvation Army Shelter of Hope and the Family Care Center have each received ESG funding in recent years. Both of these organizations are located within Hickory. In the past, the City has funded homeless serving activities at the Family Care Center, Exodus Homes, and the Hickory Soup Kitchen using CDBG funds.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The Catawba County Housing Visions Continuum of Care participates in the North Carolina Balance of State Continuum of Care, which applies for ESG funds (Emergency Solutions Grants) for non-entitlement communities throughout the state. The Salvation Army Shelter of Hope and the Family Care Center have each received funding in recent years. Both of these organizations are located within Hickory. These applications are made through the Continuum of Care, which makes recommendations on which organizations to support annually. City staff serves on this committee.

2. Agencies, groups, organizations and others who participated in the process and consultations

DRAFT

Table 2 – Agencies, groups, organizations who participated

1	<p>Agency/Group/Organization</p> <p>Agency/Group/Organization Type</p> <p>What section of the Plan was addressed by Consultation?</p> <p>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</p>	<p>HABITAT FOR HUMANITY OF CATAWBA VALLEY 1</p> <p>Housing Services - Housing</p> <p>Housing Need Assessment</p> <p>Community Development Staff meet frequently with the executive director to discuss the organization's specific needs and housing needs in the community in general. Staff talks with organization staff regularly to determine ways to improve partnership and coordination between the organizations. Habitat has indicated a need for additional affordable rental housing in the community. The City and Habitat are exploring ways that their partnership could increase affordable rental housing options and home ownership including possible land conveyance of city owned property for construction of affordable housing. The City and Habitat are continuing to partner to provide enhanced housing rehabilitation services for owner occupied properties in the city.</p>
2	<p>Agency/Group/Organization</p> <p>Agency/Group/Organization Type</p> <p>What section of the Plan was addressed by Consultation?</p>	<p>Hickory Soup Kitchen</p> <p>Services-homeless</p> <p>Homeless Needs - Chronically homeless</p> <p>Homeless Needs - Families with children</p> <p>Homelessness Needs - Veterans</p> <p>Homelessness Needs - Unaccompanied youth</p> <p>Homelessness Strategy</p>

	<p>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</p>	<p>Community Development Staff has regular meetings with Hickory Soup Kitchen staff to review the organization's specific needs and other service gaps related to the City's homeless and hungry population. Community Development Staff also participates as a steering committee member for the HOPE Project which is a transportation program organized by the Hickory Soup Kitchen to help those in need secure steady employment.</p>
3	<p>Agency/Group/Organization</p> <p>Agency/Group/Organization Type</p>	<p>Western Piedmont Council of Governments</p> <p>Housing PHA Services - Housing Services-Employment Regional organization Planning organization</p>
	<p>What section of the Plan was addressed by Consultation?</p>	<p>Housing Need Assessment Public Housing Needs Economic Development</p>
	<p>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</p>	<p>Community Development staff consulted with staff for the Western Piedmont Workforce Development Board to determine gaps in workforce skills and development programs within the area. Community Development Staff are working in conjunction with NC Works to develop a Workforce Development Initiative in a predominantly minority low-mod census tract. The WPCOG also administers HOME funds for the area's consortium. Community Development and WPCOG staff speak regularly to coordinate program activities.</p>
4	<p>Agency/Group/Organization</p> <p>Agency/Group/Organization Type</p>	<p>Exodus Homes Services-homeless</p>

<p>What section of the Plan was addressed by Consultation?</p>	<p>Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Strategy</p>
<p>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</p>	<p>Community Development Staff has regular phone and in person meetings with the executive director to discuss the organization's specific needs related to providing supportive housing to homeless, recovering people returning to the city from treatment centers, hospitals, jails, and prison. The organization currently works with residents to obtain employment and has expanded its services to include a new work location and thrift store. Staff talks with organization staff regularly to determine ways to improve partnership and coordination between the organizations and to determine any service gaps related to the homeless population in the City.</p>
<p>Agency/Group/Organization</p>	<p>Family Guidance Center</p>
<p>Agency/Group/Organization Type</p>	<p>Housing Services - Housing</p>
<p>What section of the Plan was addressed by Consultation?</p>	<p>Housing Need Assessment</p>

	<p>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</p>	<p>Community Development staff continue to consult with the staff of the Family Guidance Center to discuss the organization's specific needs and its ability to serve potential home buyers/homeowners with financial, credit and housing counseling. Community development staff has recently increased collaboration with this organization to assist with housing, credit and financial counseling for potential homebuyers of the affordable housing constructed by the City. The Family Guidance Center also manages the North Carolina Housing Finance Agency Community Partners Loan Pool funds for down payment assistance for this area. These funds will be used as down payment assistance for City constructed affordable housing.</p>
6	<p>Agency/Group/Organization</p>	<p>Family Care Center</p>
	<p>Agency/Group/Organization Type</p>	<p>Housing Services-homeless</p>
	<p>What section of the Plan was addressed by Consultation?</p>	<p>Homeless Needs - Chronically homeless Homeless Needs - Families with children</p>
	<p>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</p>	<p>Community Development staff continue to meet with the organization's Executive Director about the services offered by the organization and the needs of homeless families with children. Areas of improved coordination exist between the City and the agency through the opportunities surrounding permanent housing and the housing counseling offered by the agency. Opportunities also exist to continue to review the other service gaps related to the homeless population in the City. It is hoped that this consultation leads to improved communication and services for homeless families with children. The Family Care Center was the agency selected to disperse the HOPE Program funds from the CARES act. They assisted more than 550 households.</p>
7	<p>Agency/Group/Organization</p>	<p>ALFA</p>
	<p>Agency/Group/Organization Type</p>	<p>Services-Persons with HIV/AIDS</p>

<p>What section of the Plan was addressed by Consultation?</p>	<p>Non-Homeless Special Needs HOPWA Strategy</p>
<p>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</p>	<p>Community Development staff continues to meet with ALFA's Executive Director to discuss the organization's needs. Regular communications with the City maintain awareness about the needs of persons living with HIV and AIDS in the region. This effort between City and Agency will continue to assist those living in need in the area with the expansion of their PRoP Program and their continued success with their needle exchange program to reduce the occurrence of HIV/Aids.</p>
<p>Agency/Group/Organization</p>	<p>NAACP</p>
<p>Agency/Group/Organization Type</p>	<p>Services-Education Civic Leaders Neighborhood Organization</p>
<p>What section of the Plan was addressed by Consultation?</p>	<p>Housing Need Assessment Economic Development Anti-poverty Strategy</p>
<p>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</p>	<p>Community Development Staff met with staff of the organization to review the organization's needs and other service gaps related to issues within the City's African-American population. This agency focuses on serving this population with education, anti-poverty and civil rights issues. This consultation should continue to improve coordination and relationships with the African American population. Community Development staff also participate in the local Racial Justice and Reconciliation Group that meets twice monthly.</p>
<p>Agency/Group/Organization</p>	<p>City of Hickory Public Housing Authority</p>
<p>Agency/Group/Organization Type</p>	<p>PHA</p>
<p>What section of the Plan was addressed by Consultation?</p>	<p>Public Housing Needs</p>

	<p>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</p>	<p>Community Development Staff discussed with the Executive Director of the Hickory Housing Authority the organization's status and future needs. It is anticipated that through increased coordination and communication, the City and the Housing Authority will be able to work together to increase the supply of affordable housing in the community. Staff anticipates there will be coordination of assistance with infrastructure between the Hickory Housing Authority and the City related to possible projects.</p>
10	<p>Agency/Group/Organization</p>	<p>Catawba Science Center</p>
	<p>Agency/Group/Organization Type</p>	<p>Services-Education Foundation</p>
	<p>What section of the Plan was addressed by Consultation?</p>	<p>Science-Education</p>
	<p>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</p>	<p>This organization is offering the Portal to Science program specifically to children that are considered low to moderate income to increase overall educational outcomes. Their program offers free access to children and their families to explore technology, life sciences, astronomy, live animals and planetarium experiences to increase interest and knowledge in science.</p>

Identify any Agency Types not consulted and provide rationale for not consulting

The City conducted an extensive outreach process in 2020 during its Consolidated Plan development process. It is not anticipated that the needs have changed significantly since the Consolidated Plan was adopted.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	North Carolina Coalition to End Homelessness Balance of State	The Continuum of Care oversees application for ESG and Continuum of Care funds. The City of Hickory works with the Continuum of Care by providing funds to many public service agencies that work with the homeless.

Table 3 - Other local / regional / federal planning efforts

Narrative

Community Development staff meet regularly with the staff from local housing and human service agencies to ensure an understanding of needs within the community. Community Development staff also attend the monthly Continuum of Care meetings to learn what is happening among the local agencies that provide support services to the homeless and those in need and to give updates on the planning process at monthly Continuum of Care meetings. Nearly all nonprofit public service providers that work with the homeless or within anti-poverty programs attend these meetings. In addition, the City of Hickory's Community Navigator works specifically with the homeless population in the area. His role as an experienced leader of a local homeless shelter gives him the unique opportunity to assist those that are homeless in getting services they need and to attempt to find them supportive housing.

AP-12 Participation - 91.401, 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

During the annual planning process, the City of Hickory encouraged citizen participation, especially among residents of low to moderate income communities. Comments were solicited from citizens, nonprofit organizations, and government agencies during neighborhood meetings, public hearings, and other commission meetings. Three public hearings were conducted to obtain input on the plan. Additional discussions were held individually with nonprofit organizations. These were discussed in the previous section.

The comments received at public meetings are summarized below. Complete notes from the public meetings are included as an appendix.

The City's Citizen Participation Plan is also attached to this plan as an appendix. This provides a more comprehensive description of the activities the City will undertake during plan implementation to encourage citizen participation.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
1	Newspaper Ad	Non-targeted/broad community	People did attend public meetings/hearings based upon advertisements in local newspapers describing the CDBG program.	See Citizen Participation Outreach Appendix 2 for full details.	All comments were accepted.	
2	Public Meeting	Minorities Non-targeted/broad community	No citizens were in attendance at this meeting at the Ridgeview Library on January 27, 2021. This meeting was attended by one individual on February 3, 2021 at City Hall.	See Citizen Participation Outreach Appendix 2 for full details.	No comments rejected nor accepted.	
3	Public Meeting	Non-targeted/broad community	A public hearing was held on May 4, 2021. There were ___ citizens who spoke	See Citizen Participation Outreach Appendix 2 for full details.	All comments were accepted.	
4	Public Hearing	Non-targeted/broad community		See Citizen Participation Outreach Appendix 2 for full details.	Waiting for final update from this meeting on May 4 2021	

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

Introduction

The City of Hickory intends to apply to the US Department of Housing and Urban Development for CDBG funds for each of the five years covered by this plan.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1			Expected Amount Available Remainder of ConPlan	Narrative Description	
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$			Total: \$
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	324,535	85,000	0	409,535	1,170,000	The City anticipates receiving approximately \$300,000 per year as its entitlement grant and roughly \$90,000 per year in program income from the repayment of loans made with CDBG funds and proceeds from the sale of property.

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The City of Hickory continuously works to identify matching funds that will help leverage additional resources to spur redevelopment in its economically distressed neighborhoods. The City plans to supplement its housing rehabilitation efforts by continuing to apply for Urgent Repair funding from the North Carolina Housing Finance Agency. These funds are disbursed as forgivable loans to pay for urgently needed home repairs for low income homeowners with special needs. In addition, the City has hopes to continue its partnership with the Unifour Consortium's HOME Funds to consistently develop affordable housing while also encouraging future homeowners to use the Unifour Consortium's Downpayment Assistance Program and potential funding from the North Carolina Housing Finance Agency to assist with mortgage costs.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The City of Hickory owns lots located within residential neighborhoods in the SE and SW sections of the City. The City will continue to investigate potential uses for these properties. The first two of these lots are being developed into affordable single-family homes with the use of the Unifour Consortium's HOME Funds. If this program is successful, the City hopes to replicate it in other areas on city owned property to assist with affordable housing and infill development.

Discussion

The anticipated resources discussed in this section will be used to address the goals outlined within this strategic plan. While the amount of funding anticipated will not be enough to address all of the City's housing and community development needs, the City plans to work continuously to identify additional resources in order to stretch these dollars further.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Preserve the City's Housing Stock	2020	2024	Affordable Housing	CDBG ELIGIBLE AREA City-Wide	Preservation of the City's Housing Stock	CDBG: \$146,000	Homeowner Housing Added: 1 Household Housing Unit Homeowner Housing Rehabilitated: 4 Household Housing Unit
2	Public Infrastructure and Facility Improvements	2020	2024	Non-Housing Community Development	CDBG ELIGIBLE AREA	Public Infrastructure and Facility Improvements	CDBG: \$140,000	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 4000 Persons Assisted
3	Support Homeownership	2020	2024	Affordable Housing	CDBG ELIGIBLE AREA City-Wide	Support Homeownership	CDBG: \$10,000	Public service activities other than Low/Moderate Income Housing Benefit: 50 Persons Assisted
4	Homeless Services and Prevention	2020	2024	Homeless	CDBG ELIGIBLE AREA City-Wide	Homelessness Services	CDBG: \$21,500	Public service activities other than Low/Moderate Income Housing Benefit: 400 Persons Assisted
5	Provide Services to Persons Living with HIV/AIDS	2020	2024	Non-Homeless Special Needs	CDBG ELIGIBLE AREA City-Wide	Services for Persons with HIV/AIDS	CDBG: \$10,000	Public service activities other than Low/Moderate Income Housing Benefit: 75 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
7	Increase Entrepreneurship Opportunities	2020	2024	Non-Housing Community Development	CDBG ELIGIBLE AREA City-Wide	Small Business and Entrepreneurship	CDBG: \$5,000	Jobs created/retained: 1 Jobs Businesses assisted: 2 Businesses Assisted
9	Increase Fair Housing Outreach and Awareness	2020	2024	Affordable Housing	CDBG ELIGIBLE AREA City-Wide	Fair Housing Outreach and Education	CDBG: \$1,000	Public service activities other than Low/Moderate Income Housing Benefit: 150 Persons Assisted
10	Youth Services	2020	2024	Non-Housing Community Development	City-Wide	Youth Services	CDBG: \$7,000	Other: 50 Other

Table 6 – Goals Summary

Goal Descriptions

1	<p>Goal Name</p> <p>Preserve the City's Housing Stock</p> <p>Goal Description</p> <p>The City aims to help preserve the City's housing stock by acquiring and rehabilitating housing units. The units rehabilitated may be owner occupied units or vacant units that are purchased for resale to low and moderate income homeowners or rental housing purchased for rehabilitation by nonprofit affordable housing providers. The City also constructed affordable housing on City owned lots with Unifour Consortium HOME Funds and these homes are currently for sale to income eligible homebuyers.</p>
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<p>2</p>	<p>Goal Name Public Infrastructure and Facility Improvements</p> <p>Goal Description It is anticipated that at least 4000 persons living in low to moderate income neighborhoods will benefit from improvements to public infrastructure through funding provided by this Annual Action Plan. These public infrastructure improvements may include but are not limited to facility improvements, park improvements, and street and sidewalk improvements.</p>
<p>3</p>	<p>Goal Name Support Homeownership</p> <p>Goal Description Increased homeownership through homebuyer education, counseling and preparatory programs (target of 50 homeowners assisted) and construction or rehabilitation of affordable housing units.</p>
<p>4</p>	<p>Goal Name Homeless Services and Prevention</p> <p>Goal Description This plan will provide funding to Exodus Homes for a Transportation and Employment Coordinator and to the Hickory Soup Kitchen to support their staff operating expenses. This funding will also assist the Family Care Center with funding to support their case manager position.</p>
<p>5</p>	<p>Goal Name Provide Services to Persons Living with HIV/AIDS</p> <p>Goal Description This annual action plan will provide funding to ALFA in order to provide support for a case manager position that will assist persons living with HIV and AIDS to ensure that they receive necessary health care and other needed services.</p>
<p>7</p>	<p>Goal Name Increase Entrepreneurship Opportunities</p> <p>Goal Description The city will provide grants to low/mod income business owners. Funds can be used to purchase business equipment, inventory, marketing or other similar expense. The City also operates a small business loan program that provides funds to businesses that create jobs for low/moderate income persons. Funds can be used to purchase business equipment and for working capital.</p>
<p>9</p>	<p>Goal Name Increase Fair Housing Outreach and Awareness</p> <p>Goal Description Conduct fair housing outreach and education activities for citizens and housing professionals.</p>

10	Goal Name	Youth Services
	Goal Description	The City plans to provide funding to support education initiatives for at-risk school age students.

REDACTED

AP-35 Projects - 91.420, 91.220(d)

Introduction

This section details the projects that will be undertaken with CDBG funding in the 2021-2022 program year.

#	Project Name
1	Housing Rehabilitation and Purchase
2	Public Infrastructure and Facility Improvements
3	Small Business Assistance Programs
4	Grants to Non Profit Public Service Agencies
5	Program Administration and Fair Housing Activities
6	Contingency

Table 7 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The Small Business Assistance projects are funded at a lower amount than in previous years due to the fact that the City anticipates carrying over unspent funds from a prior year.

DRAFT

AP-38 Project Summary
Project Summary Information

RETRY

1	Project Name	Housing Rehabilitation and Purchase
	Target Area	CDBG ELIGIBLE AREA City-Wide
	Goals Supported	Preserve the City's Housing Stock
	Needs Addressed	Preservation of the City's Housing Stock
	Funding	CDBG: \$146,000
	Description	The City aims to help preserve the City's housing stock by acquiring and rehabilitating housing units. The units rehabilitated may be owner occupied units or vacant units that are purchased for resale to low and moderate income homeowners or rental housing purchased for rehabilitation by nonprofit affordable housing providers. The City also plans to assist low and moderate income homeowners with home repairs through its Housing Rehabilitation Program
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	It is estimated that four low and moderate income homeowners will benefit from the proposed activities.
	Location Description	These funds will be available city-wide to eligible homeowners and projects.
	Planned Activities	These funds will be used for the purchase and rehabilitation of housing to income eligible owner or rental households. Funding may also be used to provide loans for the rehabilitation of housing occupied by low and moderate income homeowners.
2	Project Name	Public Infrastructure and Facility Improvements
	Target Area	CDBG ELIGIBLE AREA
	Goals Supported	Public Infrastructure and Facility Improvements
	Needs Addressed	Public Infrastructure and Facility Improvements
	Funding	CDBG: \$140,000
	Description	This project involves improvements to public infrastructure and facilities in low and moderate income neighborhoods.
	Target Date	6/30/2022

	Estimate the number and type of families that will benefit from the proposed activities	It is estimated that all families living within the neighborhood will benefit from the public infrastructure and facility improvements.
	Location Description	This project will include public infrastructure and facility improvements in low and moderate income neighborhoods.
	Planned Activities	This project will include public infrastructure and facility improvements in low and moderate income neighborhoods. Improvements may include resurfacing of existing streets, installation of sidewalks, street trees, or other necessary public infrastructure or facilities including the rehabilitation of city parks.
3	Project Name	Small Business Assistance Programs
	Target Area	CDBG ELIGIBLE AREA City-Wide
	Goals Supported	Increase Entrepreneurship Opportunities
	Needs Addressed	Small Business and Entrepreneurship
	Funding	CDBG: \$5,000
	Description	This project will provide continued funding to micro-enterprise businesses through the city's micro-enterprise grant program. The project also provides funding in the form of a forgivable loans to small businesses.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	It is estimated that three families could benefit from these microenterprise grants and small business forgivable loans.
	Location Description	This funding will be available city wide to qualified business owners.
	Planned Activities	The city will provide grants to low/mod income business owners. Funds can be used to purchase business equipment, inventory, marketing or other similiar expense. Since 2018 , the City has also had a small business loan program that provides funds to businesses that create jobs for low/moderate income persons. Funds can be used to purchase business equipment.
4	Project Name	Grants to Non Profit Public Service Agencies
	Target Area	CDBG ELIGIBLE AREA City-Wide

Goals Supported	Support Homeownership Homeless Services and Prevention Provide Services to Persons Living with HIV/AIDS Youth Services
Needs Addressed	Support Homeownership Homelessness Services Services for Persons with HIV/AIDS Youth Services
Funding	CDBG: \$48,500
Description	This project will involve the provision of funding to nonprofit public service agencies that serve low and moderate individuals.
Target Date	6/30/2022
Estimate the number and type of families that will benefit from the proposed activities	It is anticipated that at least 500 individuals will benefit from the public services grant program.
Location Description	These activities will take place throughout the city at six local non-profit agencies that serve low and moderate income individuals.
Planned Activities	This project will involve the provisions of grants to six public service agencies
5 Project Name	Program Administration and Fair Housing Activities
Target Area	CDBG ELIGIBLE AREA City-Wide
Goals Supported	Public Infrastructure and Facility Improvements Support Homeownership Homeless Services and Prevention Provide Services to Persons Living with HIV/AIDS Youth Services Increase Entrepreneurship Opportunities Increase Fair Housing Outreach and Awareness

Needs Addressed	Preservation of the City's Housing Stock Public Infrastructure and Facility Improvements Support Homeownership Homelessness Services Services for Persons with HIV/AIDS Youth Services Small Business and Entrepreneurship Removal of Dilapidated Structures Fair Housing Outreach and Education
Funding	CDBG: \$66,000
Description	Provide funding to support administration of the CDBG program along with funding for Fair Housing outreach activities.
Target Date	6/30/2022
Estimate the number and type of families that will benefit from the proposed activities	These general administrative activities should benefit all of the citizens of Hickory.
Location Description	These activities will take place city wide wherever CDBG funds are allocated.
Planned Activities	This project will include funding for the administration of the CDBG program along with funding for fair housing outreach activities and additional community planning funds as necessary.
6 Project Name	Contingency
Target Area	CDBG ELIGIBLE AREA City-Wide
Goals Supported	Public Infrastructure and Facility Improvements Support Homeownership Homeless Services and Prevention Provide Services to Persons Living with HIV/AIDS Youth Services Increase Entrepreneurship Opportunities Increase Fair Housing Outreach and Awareness

Needs Addressed	<p>Preservation of the City's Housing Stock Public Infrastructure and Facility Improvements Support Homeownership Homelessness Services Services for Persons with HIV/AIDS Youth Services Small Business and Entrepreneurship Removal of Dilapidated Structures Fair Housing Outreach and Education</p>
Funding	CDBG: \$4,035
Description	This project will be used to set up a small contingency fund to assist with cost overruns on other projects in this Annual Action Plan.
Target Date	6/30/2022
Estimate the number and type of families that will benefit from the proposed activities	These funds will be used for cost overruns on other eligible community development projects.
Location Description	These funds will be used to supplement the budgets of the projects described earlier in this action plan.
Planned Activities	These funds will be used to supplement the budgets of the projects described earlier in this action plan.

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AP-50 Geographic Distribution - 91.420, 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The City of Hickory's CDBG funds for owner occupied housing rehabilitation will be allocated city-wide to income eligible homeowners. The majority of funds will be allocated for area benefit activities, which include areas where a majority of the households are low and moderate income.

Geographic Distribution

Target Area	Percentage of Funds
CDBG ELIGIBLE AREA	70
City-Wide	30

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

Area benefit activities are required to take place in areas where a majority of the households have incomes below 80 percent of the area median income. The City targets its public infrastructure activities to low and moderate income areas. Specific projects are chosen based on community input and existing city plans.

Discussion

The City of Hickory does not have a specific target area for CDBG funds. Allocating housing rehabilitation funding city wide is one of the City's methods for affirmatively furthering fair housing. Public infrastructure improvements are generally targeted towards low and moderate income neighborhoods in order to ensure that these activities meet a HUD national objective.

RETRY

AP-75 Barriers to affordable housing -91.420, 91.220(j)

Introduction

In recent years, the City has greatly reduced many of the barriers to multi-family and affordable housing development. The City's current Land Development Code now permits multi-family housing in all commercial districts by right and increased the allowable density of residential units in medium and high density residential zoning districts. This significantly reduces the regulatory burden for potential affordable housing developers by increasing the amount of land on which they can build affordable housing. The City has further increased the allowable density in its central business district so as to assist affordable housing developers looking to build in the downtown area.

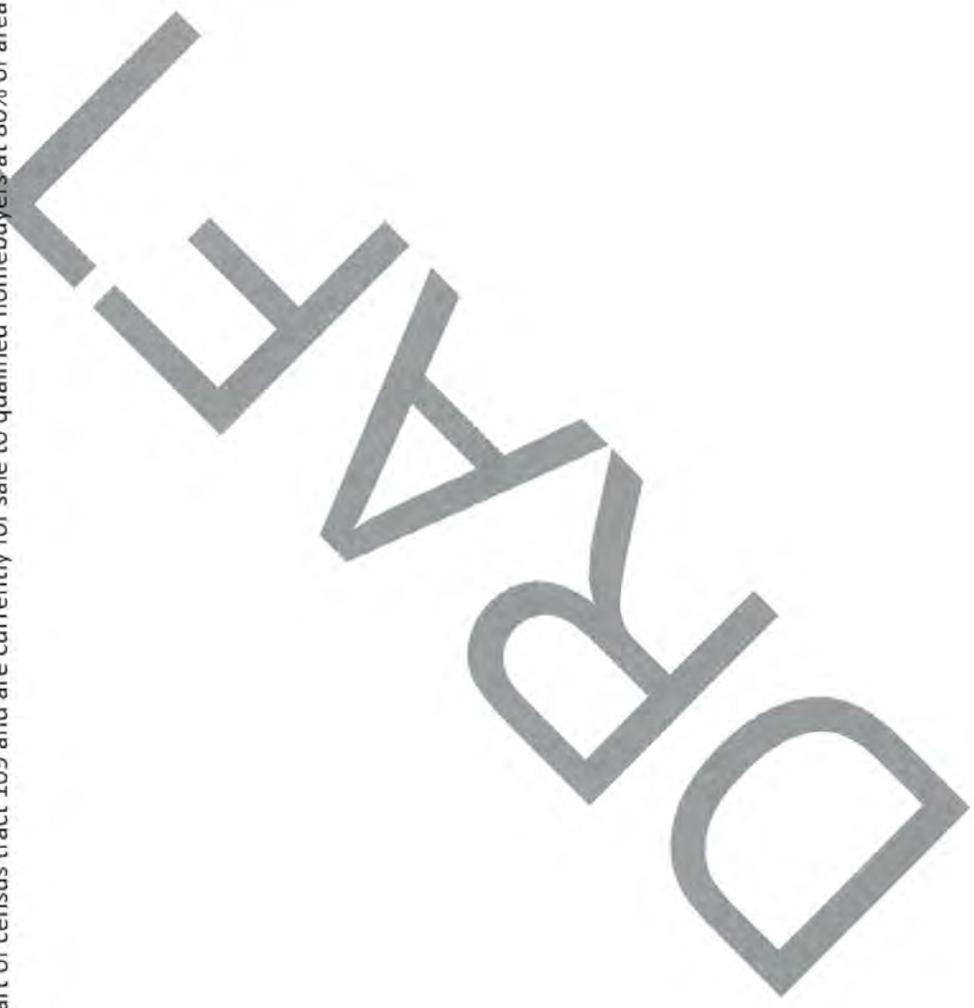
Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The City's Land Development Code has greatly reduced many of the barriers to affordable housing development. Multi-family housing development is now permitted by right in all four quadrants of the city. There do not appear to be additional structural barriers to the construction of affordable housing. Until recently, the slowdown in the housing market in general and the tightening of the credit market have probably had the largest effect on affordable housing construction.

Discussion

One of the largest barriers to affordable housing development is the fact that demand for affordable housing tax credits continues to vastly outstrip supply. The fierce competition for these tax credits makes it difficult for more than one project in the county to be funded each year. Fortunately, the City has had three multi-family tax credit projects approved, with one recently completed, one under construction with a targeted completion date of late summer/early fall 2021, and the third multi-family project yet to begin construction. The City plans to continue working with Habitat for Humanity to identify locations where the two organizations can partner in the development of new affordable housing

units. The city will plan to invest in affordable housing city-wide as a means to affirmatively further fair housing. Investing city-wide should help reduce poverty concentration. As part of the city's investment in affordable housing, the city partnered with the HOME Consortium through the Western Piedmont Council of Governments to construct two homes on city-owned property. These homes were recently completed in the Ridgeview area which is part of census tract 109 and are currently for sale to qualified homebuyers at 80% of area median income.



AP-85 Other Actions - 91.420, 91.220(k)

Introduction

This sections identifies additional actions that the City will take as part of its annual action plan.

Actions planned to address obstacles to meeting underserved needs

The City plans to continue working with local organizations that serve the homeless population to determine ways that services to homeless individuals and families can be improved. The city plans to work with these agencies to improve transportation coordination for the homeless. Additional actions will include working with agencies to provide more extensive day shelter programs that will assist homeless individuals to find transitional housing and employment opportunities.

Actions planned to foster and maintain affordable housing

The City plans to continue working with Habitat for Humanity to identify locations where the two organizations can partner in the development of new affordable housing units. The City has begun a development process to construct affordable housing on city owned property. With the success of this first initiative, the City hopes to continue this effort on other lots to assist in the development of affordable housing and to promote infill development. The City is also discussing these options with outside developers who can more houses at an increase pace while still keeping the affordability model. The goal is to build more affordable housing as quickly as possible.

Actions planned to reduce lead-based paint hazards

The City will use portions of available CDBG funds to remedy lead-based paint hazards through its housing rehabilitation program. Homes will be rehabilitated in accordance with HUD's Lead Safe Housing Rule. The level of rehabilitation will determine the specific lead hazard reduction activities in accordance with program requirements.

Actions planned to reduce the number of poverty-level families

The City will continue to participate with local agencies, faith-based or church groups, and nonprofit organizations that provide shelter and transitional housing opportunities that benefit homeless and transient families and individuals. Funding is provided in this annual action plan to organizations that provide health and case management services, transitional housing, educational programming and food support for poverty level families. The City will continue to investigate additional partnerships to provide additional services aimed at decreasing the number of poverty-level families. The City will also continue to participate in the Continuum of Care to stay informed of issues that relate to families in poverty.

Actions planned to develop institutional structure

The City will continue to work with local nonprofit organizations to provide technical assistance to local nonprofits to ensure that they are aware of federal requirements and to increase their organizational capacity. In addition to annual monitoring, Community Development staff plans to work with agencies to determine priority needs in the community and develop partnerships to address those needs.

Actions planned to enhance coordination between public and private housing and social service agencies

The City plans to continue working with the Catawba County Housing Visions Continuum of Care to foster effective communication amongst agencies. City staff will continue to attend monthly Continuum of Care Meetings to provide updates on the City's Community Development activities and provide opportunities to discuss new initiatives.

Discussion

CDBG funds will not be sufficient to address all of the needs identified in this Consolidated Plan. However, it is the City's hope that through increased coordination and partnerships, it will be able to stretch these dollars as far as possible to have the greatest impact on the community possible.

Program Specific Requirements

AP-90 Program Specific Requirements - 91.420, 91.220(l)(1,2,4)

Introduction

This section details program income that has been received but not yet reprogrammed. It also details the estimated percentage of CDBG funds that will be used to benefit low to moderate income individuals. It is anticipated that all funds will be used to benefit low to moderate income individuals.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

Discussion

All the program income that has been received to date has been reprogrammed as part of this Annual Action Plan.

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Independence Center
101 N. Tryon Street
Suite 1220
Charlotte, NC 28246

To City of Hickory, North Carolina
From Davenport & Company LLC
Date May 4, 2021
Subject Enterprise Systems Revenue Bond or Installment Financing Agreement, Series 2021

Background

Davenport & Company LLC ("Davenport"), on behalf of the City of Hickory, NC (the "City"), distributed a Request for Proposals ("RFP") to secure a commitment for a direct bank loan evidenced by either an Enterprise Systems Revenue Bond ("Revenue Bond") or Installment Financing Agreement ("IFA") to refund the City's outstanding North Carolina Water Pollution Control Revolving Fund Promissory Note, Series 2012.

The RFP was distributed to over 50 National, Regional, and Local lending institutions. After the initial distribution, Davenport reached out to the potential bidders to assess their interest in the financing and address any questions they had.

As part of the RFP process, responding institutions were asked to provide Tax-Exempt interest rates for the Series 2021 Revenue Bond or IFA.

RFP Responses

Through this process, the City was able to secure five responses to the RFP, including:

1. Capital One Public Funding, LLC ("Capital One")
2. Key Government Finance, Inc. ("Key")
3. Pinnacle Public Finance, Inc. ("Pinnacle")
4. Signature Public Funding Corp. ("Signature")
5. Truist Bank ("Truist")

The following pages contain a summary of the key terms and conditions for the responses received.

May 4, 2021

Discussion Points

1. Interest Rate

A summary of the interest rates proposed by the five bidders is outlined in Table 1 below. Once locked-in with the lenders, all interest rates are fixed through final maturity.

Table 1: Summary of Interest Rates

A Lender	B Credit	D Tax-Exempt Rate
1 Capital One Public Funding, LLC	Installment or Revenue Bond	1.75%
2 Key Government Finance, Inc.	Revenue Bond	1.768%
3 Pinnacle Public Finance	Revenue Bond	2.17%
4 Signature Public Funding Corp.	Revenue Bond	2.215%
5 Truist Bank	Installment or Revenue Bond	1.93%

The remainder of this memo will focus on the Capital One and Key Proposals, which provide the lowest interest rates.

May 4, 2021

2. Prepayment Provisions

Prepayment provisions offered by the lending institutions are shown in Table 2 below.

Table 2: Summary of Prepayment Provisions

Lender	Prepayment Provisions
Capital One	No call until 5/1/2027, then callable in whole at par on any interest payment date.
Key	Prepayable in whole or in part at any time with no penalty.

3. Lender Closing Fees

Lender closing fees required by the lending institutions are shown in Table 3 below.

Table 3: Summary of Bank Closing Fees

Lender	Bank Closing Fees
Capital One	\$0
Key	\$0

May 4, 2021

4. Estimated Savings

A summary comparison of the estimated savings for the Capital One Installment Financing Agreement and Key Revenue Bond proposals is shown below in Table 4. The preliminary estimated savings shown anticipates funding the related cost of issuance.

Table 4: Summary of Estimated Savings (\$)

	A	B	C
	Lender	Capital One Public Funding	Key Government Finance
Structure		Installment Financing Agreement	Revenue Bond
1 Sources			
2 Par Amount*		\$ 10,635,000	\$ 10,655,000
3 Total		\$ 10,635,000	\$ 10,655,000
4			
5 Uses			
6 Refunding Escrow Deposits - Cash Deposit*		\$ 10,533,997	\$ 10,533,997
7 Cost of Issuance*		100,000	120,000
8 Additional Proceeds*		1,003	1,003
9 Total		\$ 10,635,000	\$ 10,655,000
10			
11 Interest Rate		1.7500%	1.7680%
12 All-In TIC*		1.9126%	1.9805%
13			
14 Closing Date*		6/18/2021	6/18/2021
15 First Interest Payment		11/1/2021	11/1/2021
16 First Principal Payment		5/1/2022	5/1/2022
17 Final Maturity		5/1/2031	5/1/2031
18			
19 Debt Service*			
20 Fiscal Year		Debt Service	Debt Service
21 2022		\$ 33,586	\$ 30,614
22 2023		34,038	25,939
23 2024		33,263	30,416
24 2025		32,400	29,716
25 2026		31,450	28,928
26 2027		30,413	28,052
27 2028		34,288	27,087
28 2029		32,988	26,034
29 2030		31,600	29,892
30 2031		30,125	28,574
31 2032		33,563	27,167
32 2033		31,825	30,672
33 Total		\$ 389,536	\$ 343,092

* Preliminary and subject to change.



May 4, 2021

Recommendation

Based upon our review of the proposals, related analyses, and discussions with City Staff, Davenport recommends that the City select the Capital One Installment Financing proposal. Capital One provided the lowest interest rate and generates the highest estimated savings while providing the flexibility to prepay the loan with no penalty during the second half of its term.

Next Steps

May 4 th	City Council Meeting – Council considers selecting winning bidder, adopting a Preliminary Findings Resolution and calling for a Public Hearing.
May 18 th	City Council Meeting – Council considers holding a Public Hearing and adopting a Final Approving Resolution.
June 1 st	LGC considers approving the financing.
By June 18 th	Deadline to Close on the 2021 Installment Financing Agreement.



May 4, 2021

Appendix

Bid Summary Presentation

2021 Revenue Bond or Installment Purchase Contract – Bid Summary

City of Hickory, North Carolina



April 21, 2021

Exhibit XI.B.1



Member NYSE | FINRA | SIPC

Summary of Interest Rates



A Lender	B Credit	C Call Provisions	D Tax-Exempt Rate
1 Capital One Public Funding, LLC	Installment or Revenue Bond	-No call until 5/1/2027, then callable in whole at par on any interest payment date.	1.75%
2 Key Government Finance, Inc.	Revenue Bond	-Prepayable in whole at any time without penalty.	1.768%
3 Pinnacle Public Finance	Revenue Bond	-Option 1: Prepayable in whole at any time beginning May 1, 2027 at 102%. -Option 2: Beginning May 1, 2027, subject to optional prepayment one-time per year on a payment date in a minimum amount of \$500,000 at 102%. Prior to closing, the Lender and Borrower will agree to applying the partial prepayment pro rate or by inverse order of maturity.	2.17%
4 Signature Public Funding Corp.	Revenue Bond	-Callable at par on any payment date on or after June 1, 2026.	2.215%
5 Truist Bank	Installment or Revenue Bond	-Option 1: Prepayable in whole at any time with a 1% prepayment penalty. -Option 2: Non-callable for the first half of the term and callable at par thereafter.	1.93%

Summary of Bids

Bank Proposals



A Lender	B Capital One Public Funding 	C Key Government Finance 
1 Assumed Credit	Installment Purchase Contract	Revenue Bond
2 Tax-Exempt Interest Rate	1.750%	1.768%
3 Prepayment Language	-No call until 5/1/2027, then callable in whole at par on any interest payment date.	-Prepayable in whole at any time without penalty.
4 Acceptance / Rate Expiration	April 27th / June 18th	April 26th / June 18th
5 Bank Fees	\$0	\$0
6 Credit Approval	Subject to final approval	The Facility has been credit-approved.
7 Lender's Counsel	Not specified	Kutak Rock LLP (Andrew Romshek)
8 Other Considerations	<p>-Upon request, as soon as available, the City shall send COPF a copy of its audited financial statements as of the end of the fiscal year.</p> <p>-The Lender will require a tax opinion from the City.</p> <p>Real Estate Requirements: COPF shall require: -Standard representations from the Borrower regarding the absence of any adverse environmental conditions; and -A title search indicating that free and clear title to the ground-leased property rests with the Borrower. COPF shall not require an appraisal, Phase I, or survey. Title insurance (including a survey) shall only be required in the event of a title deficiency.</p>	<p>-The Borrower shall provide to the Lender or post on EMMA annual audited financial statements including operating statistics within 270 days of fiscal year end.</p>

Debt Service Comparison

Capital One, Key Government Finance



A		B		C	
		Capital One Public Funding		Key Government Finance	
Structure	Tax Status	Installment Purchase Contract	Revenue Bond		
	Refunding Type	Tax-Exempt Current	Tax-Exempt Current		
1	Sources:				
2	Par Amount*	\$ 10,635,000	\$ 10,655,000		
3	Total Sources	\$ 10,635,000	\$ 10,655,000		
4					
5	Uses:				
6	Refunding Escrow Deposits - Cash Deposit*	\$ 10,533,996.67	\$ 10,533,996.67		
7	Cost of Issuance*	100,000	120,000		
8	Additional Proceeds*	1,003	1,003		
9	Total Uses	\$ 10,635,000	\$ 10,655,000		
10					
11	Bond Statistics:				
12	All-In True Interest Cost*	1.913%	1.981%		
13	True Interest Cost*	1.750%	1.768%		
14	Closing Date*	6/18/2021	6/18/2021		
15	First Interest Payment	11/1/2021	11/1/2021		
16	First Principal Payment	5/1/2022	5/1/2022		
17	Final Maturity	5/1/2033	5/1/2033		
18					
19	Refunding Statistics:				
20	Gross Savings*	\$ 389,536	\$ 343,092		
21	NPV Savings (\$)*	\$ 352,807	\$ 310,555		
22	NPV Savings (% of Refunded Par)*	3.360%	2.958%		
23	Average Annual Savings (\$)*	\$ 32,461	\$ 28,591		
24					
25	FY Cash Flow Savings*:				
26	6/30/2022	\$ 33,586	\$ 30,614		
27	6/30/2023	34,036	25,939		
28	6/30/2024	33,263	30,416		
29	6/30/2025	32,400	29,716		
30	6/30/2026	31,450	28,928		
31	6/30/2027	30,413	28,052		
32	6/30/2028	34,288	27,087		
33	6/30/2029	32,988	26,034		
34	6/30/2030	31,600	29,892		
35	6/30/2031	30,125	28,574		
36	6/30/2032	33,563	27,167		
37	6/30/2033	31,825	30,672		
38	Total Cash Flow Savings:	\$ 389,536	\$ 343,092		

*Preliminary and subject to change.

Financing Schedule



Date	Task
TBD	<ul style="list-style-type: none"> ▪ Conference call to discuss bids and determine a recommended winning bidder.
April 29 th	Agenda deadline for May 4 th City Council Meeting
By April 30 th	Submit LGC Refunding Letter Application
May 4 th	City Council Meeting <ul style="list-style-type: none"> ▪ City Council considers adopting a Findings Resolution ▪ City Council considers selecting winning bidder ▪ For IPC: <ul style="list-style-type: none"> ▪ City Council considers calling for a Public Hearing
May 13 th	Agenda deadline for May 18 th City Council Meeting
May 18 th	City Council Meeting <ul style="list-style-type: none"> ▪ For Revenue Bond: <ul style="list-style-type: none"> ▪ City Council considers adopting a Bond Order ▪ City Council considers adopting a Bond Issuance and Sale Resolution ▪ For IPC: <ul style="list-style-type: none"> ▪ City Council holds Public Hearing ▪ City Council considers adopting a Final Approving Resolution
June 1 st	LGC considers approving the financing
By June 18 th	Close on Bond/IPC



May 4, 2021

The U.S. Securities and Exchange Commission (the "SEC") has clarified that a broker, dealer or municipal securities dealer engaging in municipal advisory activities outside the scope of underwriting a particular issuance of municipal securities should be subject to municipal advisor registration. Davenport & Company LLC ("Davenport") has registered as a municipal advisor with the SEC. As a registered municipal advisor Davenport may provide advice to a municipal entity or obligated person. An obligated person is an entity other than a municipal entity, such as a not for profit corporation, that has commenced an application or negotiation with an entity to issue municipal securities on its behalf and for which it will provide support. If and when an issuer engages Davenport to provide financial advisory or consultant services with respect to the issuance of municipal securities, Davenport is obligated to evidence such a financial advisory relationship with a written agreement.

When acting as a registered municipal advisor Davenport is a fiduciary required by federal law to act in the best interest of a municipal entity without regard to its own financial or other interests. Davenport is not a fiduciary when it acts as a registered investment advisor, when advising an obligated person, or when acting as an underwriter, though it is required to deal fairly with such persons.

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**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HICKORY, NORTH CAROLINA,
AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING CONTRACT AND
PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO**

WHEREAS, the City of Hickory, North Carolina (the "*City*") is a municipal corporation validly existing as such under and by virtue of the constitution, statutes and laws of the State of North Carolina (the "*State*");

WHEREAS, the City has the power, pursuant to the General Statutes of North Carolina to (1) enter into installment contracts in order to purchase, or finance or refinance the purchase of, real or personal property and to finance or refinance the construction or repair of fixtures or improvements on real property and (2) create a security interest in some or all of the property financed or refinanced to secure repayment of the purchase price;

WHEREAS, the City staff has reported to the City Council that the City can achieve debt service savings by refinancing a loan with the State of North Carolina (the "*State Loan*") that the City entered into in 2010, the proceeds of which were used to finance construction of the Northeast Wastewater Treatment Plant (the "*Project*");

WHEREAS, the City Council hereby determines that it is in the best interest of the City to proceed with the process to (1) enter into an installment financing contract (the "*Contract*") with Capital One Public Funding, LLC (the "*Lender*"), selected through the request for proposal process, in order to provide funds to refinance the State Loan described above related to the Project, and (2) in order to provide security for the City's obligations under the Contract, grant to the Lender a security interest under a deed of trust, security agreement and fixture filing (the "*Deed of Trust*") in the City's fee simple interest in the sites where the Project is located, together with all improvements and fixtures located thereon, as the Lender may require;

WHEREAS, the City staff has retained (A) Parker Poe Adams & Bernstein LLP, as special counsel ("*Special Counsel*") and (B) Davenport & Company LLC, as financial advisor (collectively, the "*Financing Team*"), in connection with the proposed installment financing;

WHEREAS, the City Council hereby determines that the Project continues to be essential to the City's proper, efficient and economic operation and to the general health and welfare of its inhabitants; that the Project provides an essential use and permit the City to carry out public functions that it is authorized by law to perform; and that entering into the Contract and Deed of Trust is necessary and expedient for the City by virtue of the findings presented herein;

WHEREAS, the City Council hereby determines that such cost of refinancing the Project exceeds the amount that can be prudently raised from currently available appropriations, unappropriated fund balances and non-voted bonds that could be issued by the City in the current fiscal year pursuant to Article V, Section 4 of the Constitution of the State;

WHEREAS, the City hereby determines that the cost of refinancing the Projects pursuant to the Contract and Deed of Trust and the obligations of the City thereunder are preferable to a bond financing because the City has determined it can achieve greater debt service savings;

WHEREAS, the City Council hereby determines that the estimated cost of refinancing the Project pursuant to the Contract and the Deed of Trust allows the City to refinance the Projects at a favorable interest rate currently available in the financial marketplace and on terms advantageous to the City and

reasonably compares with an estimate of similar costs under a bond financing for the same undertaking as a result of the findings delineated in the above preambles;

WHEREAS, the City does not anticipate a future property tax increase to pay installment payments falling due under the Contract; however, any increase in taxes that may be necessary will not be excessive;

WHEREAS, no deficiency judgment may be rendered against the City in any action for its breach of the Contract, and the taxing power of the City is not and may not be pledged in any way directly or indirectly or contingently to secure any money due under the Contract;

WHEREAS, the City is not in default under any of its debt service obligations;

WHEREAS, the City's budget process and Annual Budget Ordinance are in compliance with the Local Government Budget and Fiscal Control Act, and external auditors have determined that the City has conformed with generally accepted accounting principles as applied to governmental units in preparing its Annual Budget Ordinance;

WHEREAS, past audit reports of the City indicate that its debt management and contract obligation payment policies have been carried out in strict compliance with the law, and the City has not been censured by the Local Government Commission of North Carolina (the "LGC"), external auditors or any other regulatory agencies in connection with such debt management and contract obligation payment policies;

WHEREAS, a public hearing on the Contract, after publication of a notice with respect to such public hearing, must be held and approval of the LGC with respect to entering the Contract must be received; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HICKORY, NORTH CAROLINA, AS FOLLOWS:

Section 1. ***Authorization to Negotiate the Contract and the Deed of Trust.*** The City Manager, the Assistant City Manager and the Finance Director, with advice from the City's financial advisor, City Attorney and Special Counsel, are hereby authorized and directed to negotiate on behalf of the City the refinancing of the State Loan and the Project for a principal amount not to exceed \$11,000,000 under the Contract to be entered into with the Lender, subject to the City Council's final approval, in accordance with the provisions of Section 160A-20 of the General Statutes of North Carolina, as amended, and (2) the provision of a security interest under the Deed of Trust in the City's fee simple interest in the site where the Project is located, together with all improvements and fixtures located thereon, as may be required by the Lender providing the funds to the City under the Contract to secure the City's obligations thereunder.

Section 2. ***Application to LGC.*** The City Manager, the Assistant City Manager and the Finance Director, with advice from the City's financial advisor, City Attorney and Special Counsel, are hereby directed to file with the LGC an application for its approval of the Contract and all relevant transactions contemplated thereby on a form prescribed by the LGC and to state in such application such facts and to attach thereto such exhibits regarding the City and its financial condition as may be required by the LGC.

Section 3. **Approval of the Financing Team.** The Financing Team is hereby approved in connection with the refinancing of the Project. City staff is hereby authorized to retain other persons or organizations as may be necessary and appropriate to carry out the intention of this Resolution.

Section 4. **Public Hearing.** A public hearing shall be conducted by the City Council on May 18, 2021 (the "Public Hearing") concerning the approval of the execution and delivery of the Contract for the refinancing of the Project. The City Clerk is hereby directed to cause a notice of the Public Hearing to be published at least once in a qualified newspaper of general circulation within the City no fewer than 10 days prior to the Public Hearing.

Section 5. **Ratification.** All actions of the City and its officials, whether previously or hereafter taken in effectuating the proposed financing as described herein, are hereby ratified, authorized and approved.

Section 6. **Repealer.** All motions, orders, resolutions and parts thereof in conflict herewith are hereby repealed.

Section 7. **Effective Date.** This Resolution is effective on the date of its adoption.

STATE OF NORTH CAROLINA)
)
COUNTY OF CATAWBA) SS:

I, *Debbie Miller*, City Clerk of the City of Hickory, North Carolina *DO HEREBY CERTIFY* the attached to be a true and accurate copy of a Resolution entitled, **“RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HICKORY, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO”** adopted by the City Council at a meeting held on the 4th day of May, 2021.

This the ____ day of May, 2021.

[Seal]

City Clerk
City of Hickory, North Carolina