

A Regular Meeting of the City Council of the City of Hickory was held in the Council Chamber of the Municipal Building on Tuesday, December 6, 2022, at 7:00 p.m., with the following members present:

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

A quorum was present.

Also present were City Manager Warren Wood, Deputy City Manager Rodney Miller, Assistant City Manager Rick Beasley, 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 Rabbi Dennis Jones, Temple Beth Shalom
- III. Pledge of Allegiance
- IV. Election of Mayor Pro Tempore for Calendar Year 2023 Pursuant to NC General Statute §160A-70 and Section 2-54 of the Hickory City Code

Alderman Wood moved, seconded by Alderwoman Patton approval of Alderwoman Williams as Mayor Pro Tempore for Calendar Year 2022/2023. The motion carried unanimously.

Mayor Guess administered the Oath of Office to Alderwoman Williams as Mayor Pro Tempore for Calendar Year 2022/2023.

- V. Appointment of City Attorney for Calendar Year 2023 Pursuant to the Hickory City Code, Section 4.151 of the Charter

Mayor Guess moved, seconded by Alderman Seaver reappointment of Attorney John Crone III as the City Attorney for Calendar Year 2022/2023. The motion carried unanimously.

Mayor Guess administered the Oath of Office to Attorney John Crone as City Attorney for Calendar Year 2022/2023.

City Attorney John Crone advised it was his 29<sup>th</sup> year. This would be his last year as he was going to stepdown and have some younger blood come in. He was still going to be a lawyer, but there would be a transition sometime in the next year Council was going to select a new City Attorney. It had been his honor to represent everybody here and especially the Mayor and Council and he looked forward to a smooth transition and he knew they would find somebody that enjoyed the job as much as he did. He was always humbled. He was born and raised here. He commented what a great City we live in, we had a Rabbi doing the prayer, and then we got a State Champion team here. Life is not any better than living in Hickory, North Carolina.

Mayor Guess asked for a big round of applause for City Attorney John Crone. He advised he was the only City Attorney he had known since he had been on Council. They greatly appreciated him. He advised tonight was not the end for him obviously, he had agreed to stay on. He just swore him in as their current City Attorney. He explained what would happen, they would have a process and they would go through that and when the time was right, when they were able to appoint a new attorney, he had agreed to stay on until such time as that. They were not in any big hurry or anything like that, and he had agreed to stay until that process was finished and someone was hired. They greatly appreciated him and there would be a time of recognition, and a time to say their condolences to him and everything. They would get to that when the time was appropriate.

- VI. Special Presentations

- A. Proclamation in Recognition of the Hickory High School Boys Soccer Team 2022 State Champions.

Mayor Guess commented if they had not noticed the room was full of young people and their proud parents and coaches. He could not have been more delighted, to stand before them today to honor these young people. He asked the coaches and all of the players from the Hickory High School North Carolina High School Athletic Association 2022 3A Boys Soccer State Champions to come forward so he could read and present the Proclamation to their coach. They would have an opportunity to get pictures and for them to say anything they would like to say. He asked all of them to come forward to the podium. He read the Proclamation and presented it to the head Coach. A standing ovation was given.

Coach Brian Jillings thanked Mayor Guess for the honor. He hoped at some point they would get to meet this great group of boys. They were just a fantastic group of guys, not only on the bench but in the classroom and everywhere else. This was something that they had worked extremely hard for, through a little bit of heartache over the years, but they were just determined. They had a goal in mind, in sight. He advised Coach Ramos had been with him since 2009. They both suffered a little heartache over the years. He introduced Edgar, not only one of their assistants, but a former player. He had come back

and been a tremendous service to their program, it meant a lot to him as well. There were a few tears on that Saturday. He introduced two rookie coaches. He had the best coaching staff, no question in the State of North Carolina.

Comments were made by the other coaches and team members. These guys were fantastic on the field but in the classroom as well and they were so well spoken. They were super grateful for the community and the coaching staff that they had, the big support throughout this whole journey. They were proud of what they had done as players, they could be proud and grateful. They were super thankful for the City for all they had done for them. They were extremely grateful for the City of Hickory's support ever since they started their program. They were thankful for their parents. One player commented during these four years of his life had had made so many friends and so many memories. Last year they came up a little bit short, and lost the State finals, he remembered the sadness they had that day. All they wanted to do was come back the next year and get it. He was so proud to be here today and celebrating with all of them. He thanked his parents, staff, and team members. He also thanked the Police for the escort after they came back. One of the coaches thanked his wife, and Coach Jilling's wife. They were the only married ones. They were the unsung heroes. He wanted to give his wife credit and Coach Jilling's wife Kendall.

Mayor Guess advised they were welcomed to stay, they would continue with their business and with the Council meeting. They were welcomed to stay, but they were not obligated to stay. He expressed how proud they were of each and every one of them. It was a great day for them, and they appreciated all that they had done to help recognize the City of Hickory.

Mayor Guess requested a few minutes recess at 7:24 p.m. The meeting resumed at 7:26 p.m.

Mayor Guess recognized former Councilmember Brad Lail from Ward 1, and his wife Meg who were in attendance. He spent 16-years as a Council member. He also recognized Ava BeHeler and asked her to stand up. Ava was in the fourth grade. She came to him at the beginning of the Council meeting. She was from St. Stephen's Lutheran Elementary School. Her teacher gave the class an assignment. He did not know if everybody got the same assignment, or if everybody got different assignments, but her assignment was to come to the Council meeting and to meet the Mayor, the Police Chief, and the Fire Chief. He met her, he did not know if the Police Chief, or the Fire Chief had met her yet, but that was her goal before she leaves the meeting tonight. If they could make that happen, that would help her to get a good grade. They want to make sure she gets a good grade. She was the granddaughter of a friend of theirs, that was no stranger to the Council meetings either, Mr. Cliff Moone, that was Ava's grandfather. He thanked Ava for being here this evening and he thought she was going to get a good grade.

B. Business Well-Crafted Awards.

Mayor Guess asked the City's Business Services Manager Dave Leonetti to the podium to present the Business Well-Crafted Awards.

Business Services Manager Dave Leonetti advised members of the Business Development Committee were present to present their annual Business Well-Crafted Awards. He thought it was the fifth year that they had done these awards to honor a lot of the local businesses in the community. He asked Brandon Hedrick, the Chair of the Business Development Committee, to kick things off. They would have members from the committee announce each of the awards. They had nine that they were giving out to local businesses this year.

Mr. Brandon Hedrick apologized, he was no soccer team, Ava, or Dave Leonetti, but he would try to do his best today. He joked that he had just came for Mr. Crone's swearing in and they tasked him with this. He welcomed everyone in attendance. He advised he was currently the Chair of the Business Development Committee. The Business Development Committee was made up of seven members who worked to support the development and growth in the City of Hickory. In December 2017, City Manager Warren Wood, presented an Economic Development Strategy and Growth Plan for Hickory City Council. That vision adopted was as follows. The City of Hickory's vision for economic vitality was to establish a diversified and sustainable economy through the growth of business opportunities, jobs, tax base, population, and to improve the quality of life for its citizens. He commented since 2017 the City of Hickory had grown tremendously, and they had been gratefully blessed with the work that they had put in. In support of this vision the Business Development Committee set out to recognize businesses that support that same vision. On behalf of the committee, he thanked everyone who so proudly nominated Well-Crafted businesses from all over the City. He also thanked the businesses and entrepreneurs for their fantastic submissions of what makes them a Well-Crafted business. The Business Development Committee received some outstanding nominations. Unfortunately, they could not recognize everyone, but they encouraged those who were not able to be recognized today to apply for the nomination in future years as they continue to honor their great work for the City of Hickory. The committee had chosen nine businesses and individuals for their commitment and support to the City's vision of economic development. Nine businesses

that the committee considered truly Well-Crafted. He introduced Mr. Jeff Neuville to present the first award.

Mr. Jeff Neuville advised he was an ex-officio member of the Business Development Committee previously having served as Director of CVCC's Small Business Center, currently serving as Director of CVCC's Manufacturing Solution Center. He had the opportunity to present two awards this evening. The first one was the Youth category. It went to Hickory's Helper LLC and Chase Collins. Several years ago, Chase Collins had a dream of owning his own business. With help from the Small Business Center and other community supporters Chase was able to make his dream a reality and create Hickory's Helper LLC. Hickory's Helper LLC was an exterior cleaning and maintenance business committed to providing affordable value-added services to the community. Chase and Hickory's Helper strive to ease the burdens of home and business owners by improving both the aesthetic and functionality of their property. The company prioritized adding value to the community, creating lasting relationships, and providing quality work that promotes the integrity of Hickory's properties. Hickory's Helper had seen 100% growth over the past two years, receiving assistance from grant funding and mentorship from local resources such as the Small Business Center. Hickory's Helper was part of the Chamber of Commerce, Catawba Valley Leadership Foundation, and Appalachian State University's entrepreneurship club. On a personal level, Mr. Neuville advised Chase had been a pleasure to work with from the Small Business Center. He was also a customer and could attest to the good work that he does. He was very pleased. He asked everyone to join him in recognizing Chase Collins in the Youth category Business Well-Crafted Award. An award was presented to Mr. Collins and photos were taken.

Business Services Manager Dave Leonetti advised that Chase was also a Youth Council alumni.

Mr. Neuville advised the next award was in the category of a business with 10 or fewer employees and it went to Sabrina P. Cook, CPA PLLC. Sabrina P. Cook CPA PLLC was a professional services firm serving primarily small businesses in the areas of tax, bookkeeping, and fractional CFO controller services. Sabrina was an outstanding resource for small businesses, helping them to decide when to hire, manage cash flow, and how to comply with all the various tax laws. During the pandemic, Sabrina taught free classes through the Small Business Center at CVCC and assisted small business owners with accessing all the various incentive funds offered through the Small Business administration. When PPP loans were announced, Sabrina assisted new and existing clients with the paperwork at no charge depending on her existing business volume. All of Sabrina's nonprofit clients from 2019 survived the Covid shutdowns and were still operational and thriving in 2022. Sabrina was the current Treasurer for the Hickory Downtown Development Association, the NCACPA Hickory Women's initiative founder and Chair since 2016. Her business offers financial literacy to local elementary schools and continues to work with local nonprofits to coordinate fundraisers. He could attest to Sabrina's work through his work at the Small Business Center. When they work with clients that were struggling during Covid shutdowns she stood up and was there to provide assistance to make sure that people could stay in business during that period of time. It was his pleasure to recognize Sabrina Cook and Sabrina P. Cook, CPA PLLC as a Business Well-Crafted Award winner. An award was presented to Ms. Cook and photos were taken.

Business Development Committee member Joan Long thought these committees were awesome. She knew that they go through a lot of information, screen information for Council, and she thought that made the City stronger because you see it from different viewpoints than just the Councilmen. She was really proud to be a part of the committee. She was going to honor the employee with 10 or fewer employees. That honor went to Premier Screen Printing, Inc., and Steve Shuford as owner. Screen printing and embroidery and promotion products and distribution was their specialty. Premier Screen Printing had operated and thrived in Hickory for over 30-years. The company prides themselves on the business that can be counted on, ensuring the customers products rolled out on time, and meeting demands of their industry on a day-to-day basis. Premier had continued to grow over the last couple of years, even through Covid. Maintaining 8-10% annual growth, adding automatic screen printers, and several new staff members to their business. On October 30<sup>th</sup> of every year, the owner Steven Shuford holds a Halloween event in which the proceeds go to Open Door Christian Ministries for the homeless. Steve has a real heart for the homeless. She thought that was a wonderful thing. Steve was also involved with Cops for Tots program and had given back to the community in various ways. She honored Steve Shuford. An award was presented, and photos were taken.

Ms. Joan Long discussed the second award, the employer with 11 to 50 employees. If you live in Hickory, you know this name Broome Associated Insurance Company. Mr. Broome was present. A dedicated team of insurance professionals focusing on advising clients, Broome Associated Insurance was Hickory's trusted local insurance advisors operating under the slogan "Better Together". Broome combined the strength of Broome Insurance and Faw Insurance to bring experienced agents, a vast network of coverage options, and foundational community ties. Built on four generations of integral family work ethic Broome Associated Insurance continued to grow organically with a focus on hiring local young

professionals and local mergers of other agencies. Since January 2020, the company had doubled in employees and revenue. The team at Broome Associated Insurance had assembled a good vibes committee, in which members of the committee select local events to allow staff to volunteer time and work alongside local organizations to donate needed items. In the past, they had been involved with the Humane Society, the Soup Kitchen, Safe Harbor, the Salvation Army, and Special Olympics of Catawba County. She presented the award to Mr. Robert Broome. Photos were taken.

Mr. Brandon Hedrick discussed the next category of 11 to 50 employees. He recognized the Hickory Furniture Mart, Tracey Trimble, and Bradley Lail. The Furniture Mart had been a staple in the community for so long. He could not tell them how many places he had visited around the country, been talking to someone and he would tell them he was from Hickory, and they say, hey, "I've been to Hickory, I've been to shop at Hickory Furniture Mart". It was so impressive to him to be anywhere around the country and to be able to say I'm from Hickory and people know Hickory because of the Hickory Furniture Mart. He thanked Brad Lail, and his family's contribution to that. A staple of Hickory craftsmanship, the Hickory Furniture Mart had been a well-known furniture and home furnishings destination for over 60-years. It continued to thrive as a furniture and design destination for retail customers, industry, trade partners, builders, developers, architects, and designers. Hickory Furniture Mart actively reaches out and works with customers in every U.S. State as well as several international companies. The Mart strives to give customers a high-quality shopping experience while evaluating the areas local furniture manufacturers and vendors. The business continued to grow as they increase their tenant base, bring in new furniture showrooms, retailers, and manufacturers into the building. The executive team continues to be valuable parts of the Hickory community participating in Western Piedmont Sister Cities Association, Greater Hickory International Council, and collaborating with Hickory Landmark Society. He thanked and congratulated Hickory Furniture Mart, Tracey Trimble, and Brad Lail. An award was presented, and photos were taken.

Mr. Brandon Hedrick commented this not only warms the soul but warms the stomach in the category from 11 to 50 employees. He recognized The Peanut House and Kyle Vang, a family-owned Thai and Hmong restaurant that strived to cultivate diversity and friendship through the modality of traditional Hmong hospitality and delicious eats. The Peanut House was a place for everyone to feel at home. Formerly J-Thai Sushi, new owners came in to help The Peanut House double its sales in the first month and hiring four full-time staff members in the last two years. Trudging through a tough year in 2020 the restaurant was able to come out on top and to continue to grow to 19 employees and counting. The owners of The Peanut Thai House, focus their business on inclusivity of food and bringing people together. The Peanut House had a strong focus on the Hickory community and bringing people together through food. Their mission had been to take food from inside their own home and share it with the area. The Peanut House was also a valuable member of the community, thanking first responders with catered dishes and sponsoring food at local events. He congratulated The Peanut House and presented them with an award. Photos were taken.

Mr. Doug Auer, a member of the Business Development Committee discussed the category of 51 or more employees. US Conec, Ltd. was a leader in providing passive components for high density optical interconnects. US Conec leading components that enable high bandwidth systems such as cloud computing, core routing, and distribution networks like fiber to the home. The company was founded to expand the use of MT style multifiber technology through the design, manufacturing, and sales of high precision fiber optic components. A longtime member of the community after 30-years of being in the City of Hickory, US Conec continued to grow tripling its manufacturing footprint to help spur growth in the area. US Conec had been involved in community through the Catawba County Chamber Board, and the Catawba County Science Center. The company sponsored at least one exhibit for the Science Center and was also the founding and sustaining sponsor for the Hickory Bot Battles an annual Catawba Science Center event that brings combat robot teams and spectators from across the country. This event was considered the largest small weight combat robot competition in the US, and they were happy to have them sponsor.

Business Services Manager Dave Leonetti asked representatives from US Conec, Ltd. To the podium. They were presented with an award and photos were taken.

Mr. Doug Auer discussed the category 51 or more employees. They were pleased to award to David E. Looper and Company, represented by Roger Young. David E. Looper and Company was a full-service general contractor. DELCO was a regional leader in commercial design building projects and had built a reputation for honesty, integrity, and efficiency. The company described themselves as a collective culmination of the hard work, determination, and dedication of each of their employees. David E. Looper and Company had been heavily involved in projects within the City of Hickory, including the Trivium Corporate Center, One North Center, and the Riverwalk. DELCO was focused on constructing buildings that make the City of Hickory more livable, workable, and enjoyable, as part of their ideology and development vision. Many David E. Looper and Company employees serve or have served on a myriad of local board and committees within the City

of Hickory. Accepting the award was Roger Young and David Looper. The award was presented, and photos were taken.

Mr. Brandon Hedrick recognized the last award of the night for the individual Entrepreneur of the Year. There was some really tough competition in this class. He thought the winner of this award really stood out from the rest. The winner of that was Jay Brown Realtors, and Mr. Jay Brown. A few years ago, he had never even heard of Jay Brown. He advised there were some videos of Jay Brown walking around downtown on YouTube. It may have been Oktoberfest or some other downtown event with an "I heart" Hickory hat on. That brought goose bumps to him when he saw those videos of the passion of the people that he interviewed in those videos and how well they spoke about the City of Hickory. From then on, he said he was going to like this guy and after meeting Jay, after spending some time with him, and after serving with him on some boards, he lived up to that marketing expectation. He was a super great guy. Jay Brown Realtors was an independent and locally owned boutique, real estate firm specializing in guiding clients through the home buying and selling process. This firm works to give back to the community through yearly fundraisers and each agent serves on committees focusing on bettering their local community. The Jay Brown Realtors location was purposely placed in downtown Hickory so that Jay and his team could recommend, advocate, and promote the Hickory area to their clients. Jay strived to foster community involvement, whether it was through encouraging entrepreneurial connections through the Catawba Valley area or participating in local events. Jay's philosophy for his business was who can they help? They believed that Jay exemplified this as a Business Well-Crafted. In the past three years Jay's team had added two team members and helped over 325 individuals buy and sell their homes in Catawba County. Jay and his team were part of the HDDA, Hickory Young Professionals, and sponsors a plethora of local events. He congratulated Jay and an award was presented. Photos were taken.

Business Services Manager Dave Leonetti advised that concluded their presentation. He requested all of the recipients do a quick photo together.

Mayor Guess commented on behalf of Hickory City Council, he thanked the recipients and how each and every one of them represented the City. There were 39 nominees, and these were the nine winners. They certainly appreciated them. He welcomed everyone to stay, or they could leave if they wanted to leave.

## VII. Persons Requesting to Be Heard

- A. Mr. Cliff Moone, 4340 North Center Street, Hickory, advised this was somewhat of a tradition for him to stand here on two evenings, one in September when they have the Constitution Day proclamation, and the other for the December 10<sup>th</sup> Human Rights Day and December 15<sup>th</sup> Bill of Rights Day. He thought that tonight that it was probably even more important. Not that he says something, but that things be said, and they would be remembered, and so the teacher in him comes out, but he thought due to certain unfortunate, sad, regrettable comments that had been circulating on the internet and other places today, they were at an unparalleled moment in American history in a moment, which calls all of them again to reflect on the importance of the constitution. Several of them just swore allegiance to it again tonight, which including the first 10 amendments, which they all knew was the Bill of Rights and their commitment to it, whether they were an elected official or simply a patriotic citizen. December 15<sup>th</sup> marked 231 years that those first 10 amendments had defined a set of specific rights which at the time of the ratification of the constitution were not delineated as a part of that constitution. Although James Madison known as the father of the constitution, he certainly was not the only one, but had not been among those who believed such a delineation of rights necessary, he thought they should have been self-evident, nonetheless because many of the States and many of the delegates to the constitutional convention thought such a statement of basic rights needed to be in the constitution. Madison, true to his word, introduced 13 such amendments in the first Congress for consideration. As they all know, 10 of these ultimately were ratified by 3/4 of the States to become a part of the Constitution and to become known as the Bill of Rights. Each year on December 15<sup>th</sup>, they commemorate and celebrate these rights, which our country enshrined in 1791 and which stand as among the earliest and long-lasting written compilations of the basic rights of a free people that were ever enacted. For many years now this City Council, including this year, and other civic bodies have reminded them of the importance of the Bill of Rights by passing Resolutions to commemorate them. His fervent hope was that all of them might take the opportunity between tonight and December 15<sup>th</sup> to reread and reflect on their importance to each of them in the ongoing effort to establish liberty and justice for all in the United States of America. He closed with a quote from Chris Matthews that he found useful sometimes. It said that in time, people who advance liberties tend to win the argument in America. In the end, America takes the side of people looking for rights, that was one of the wonders of this country. Eventually they live up to their ideals. He thanked them for the opportunity and the time.
- B. Mr. James Gantt, 827 6<sup>th</sup> Avenue SW, Hickory advised he had a problem with the code rule. When people that rent his property do not keep the yard clean, they want to fine him for it, and he did not see where it was his right to tell somebody else how to live. They should fine the people that do not keep the yard clean, maybe they would keep it clean.

December 6, 2022

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

VIII. Approval of Minutes

A. Regular Meeting of November 15, 2022

Alderwoman Patton moved seconded by Alderman Seaver that the Minutes of November 15, 2022, be approved. The motion carried unanimously.

IX. 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. Approval to Amend the Traffic Ordinance by Reducing the Speed Limit Along 4<sup>th</sup> Street SW/NW (SR1358) from 35 mph to 25 mph. (First Reading Vote: Unanimous)

B. Budget Revision Number 10. (First Reading Vote: Unanimous)

X. 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 XI.

Alderwoman Patton moved seconded by Alderman Seaver approval of the Consent Agenda. The motion carried unanimously.

A. Approved a Cemetery Deed Transfer from the City of Hickory to Dwayne Martin, Southside Cemetery, Containing 80 square feet, Plot O, Lot Nos. 9 and 10, Section 5. (Prepared by Deputy City Attorney Arnita M. Dula).

B. Approved a Proclamation for Human Rights Day and Bill of Rights Day.

C. Approved a Resolution to Declare Surplus 8,492 Discarded Library Items to be Given to the Friends of the Library to be Sold at the Friends "Corner Book Store" at Patrick Beaver Memorial Library and/or Special Book Sales.

The Friends of the Library collect donated books and other materials on an ongoing basis to be sold at seasonal book sales and/or the Corner Book Store, the proceeds from which provide funds for library programming and other special activities. For many years, the library has given the Friends materials that have been removed from the collection because they are out of date, in poor condition, or no longer needed to meet the collection development goals of the library. The sale of donated and discarded books is the primary fundraising activity of the Friends of the Library, and discarded library materials comprise a significant portion of their inventory. The sale of these items ultimately benefits the library and is an appropriate means of disposing of unneeded materials. The library requests that discarded library materials be declared surplus and given to the Friends of the Library for their use at the "Corner Book Store" and/or seasonal book sales.

Notice was advertised in a newspaper having general circulation in the Hickory area on November 18, 2022.

RESOLUTION NO. 22-75

A RESOLUTION OF THE HICKORY CITY COUNCIL  
DECLARING SURPLUS LIBRARY MATERIALS AND  
AUTHORIZING DONATION TO THE FRIENDS OF THE LIBRARY

WHEREAS, the Hickory Public Library declares a list of 8,492 discarded library materials which are out of date, in poor condition, or no longer needed to meet the collection development goals of the library; and

WHEREAS, the Library wishes to dispose of said property to The Friends of the Library. Books will be sold at the Friends "Corner Book Store" at Patrick Beaver Memorial Library and/or at special book sales.

WHEREAS, G.S. 160A-280 allows the city to donate to another governmental unit within the United States, or a nonprofit organization incorporated after advertising and Council approval.

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

SECTION 1. That authorization is given to the Hickory Public Library to dispose of the declared surplus in a manner serving the best interest of the City.

SECTION 2. This Resolution shall become effective upon adoption.

- D. Accepted the Bid and Approved a Contract with Chad Sigmon Construction, LLC in the Amount of \$511,960 for the Short Road and Eller Drive Waterline Extension.

Staff requests Council's acceptance of the bids and approval of a contract with Chad Sigmon Construction, LLC, for the Short Road and Eller Drive Waterline Extension Project in the amount of \$511,960. This project is the result of the Startown Road area and current development needs coupled with the ability to serve future land areas in the basin to spur economic development for the City of Hickory. This waterline extension will connect infrastructure from Robinson Road to Startown Road opening the corridor for development and creating a more robust distribution system. The Short Road and Eller Drive Waterline Extension Project was advertised, and bids were opened November 10, 2022. Five contractors submitted competitive bids on the project: Chad Sigmon Construction, LLC - \$511,960; Buckeye Bridge, LLC - \$571,690; M&M Construction of Banner Elk, Inc. - \$600,456.50; Kemp Sigmon Construction Co., Inc. - \$678,343; and Fuller & Co. Construction LLC - \$726,362. Staff recommends Council's acceptance of the bid and approval of a contract with Chad Sigmon Construction, LLC for the Short Road, and Eller Drive Waterline Extension in the amount of \$511,960.

- E. Approved Change Order Number 4 to the Agreement for Professional Services with Kimley-Horn and Associates, Inc. for Additional Services Related to EB-5937 (Historic Ridgeview Walk) in the Amount of \$39,564.77, Contingent Upon North Carolina Department of Transportation Concurrence.

Staff requests Council's approval of change order number 4 to the Agreement for Professional Services with Kimley-Horn and Associates, Inc. for additional services related to EB-5937 in the amount of \$39,564.77, contingent upon North Carolina Department of Transportation (NCDOT) concurrence. The Historic Ridgeview Walk Multi-Use Trail project is an element of the Bond Referendum that was to be added in the future as a continued development of the multi-use path around the City that connected all parts of the City for citizens and visitor's enjoyment. This project has received federal funding at 80/20 ratio, Federal and City respectively. Change order number 4 for Book Walk (Historic Ridgeview Walk) identifies additional project management and coordination services needed for the project. Staff recommends Council's approval of change order number 4 to the Agreement for Professional Services with Kimley-Horn and Associates, Inc. for additional project management and coordination services related to EB-5937 in the amount of \$39,564.77, contingent upon NCDOT concurrence.

- F. Approved Change Order Number 3 to the Agreement for Professional Services with Kimley-Horn Associates, Inc. for Additional Services Related to EB-5938 (Historic Ridgeview Walk) in the Amount of \$39,564.77, Contingent Upon North Carolina Department of Transportation Concurrence.

Staff requests Council's approval of change order number 3 to the Agreement for Professional Services with Kimley-Horn and Associates, Inc. for additional services related to EB-5938 in the amount of \$39,564.77, contingent upon North Carolina Department of Transportation (NCDOT) concurrence. The Historic Ridgeview Walk Multi-Use Trail Project is one of the projects envisioned in the Bond Referendum and is intended to provide improved connectivity from City Walk through the Ridgeview Community to US 70. The Historic Ridgeview Walk Multi-Use Trail project is an element of the Bond Referendum that was to be added in the future as a continued development of the multi-use path around the City that connected all parts of the City for citizens and visitor's enjoyment. This project has received federal funding at 80/20 ratio, Federal and City respectively. Change order number 3 for Book Walk South (Historic Ridgeview Walk) identifies additional project management and coordination services needed for the project. Staff recommends Council's approval of change order number 3 to the Agreement for Professional Services with Kimley-Horn and Associates, Inc. for additional project management and coordination services related to EB-5938 in the amount of \$39,564.77, contingent upon NCDOT concurrence.

- G. Approved Work Authorization Amendment Number 1 in the Amount of \$86,554.79 with Talbert, Bright & Ellington for Project 36237.66.8.1 Taxiway Intersection Reconfiguration.

Staff requests City Council's approval of the Talbert, Bright & Ellington, Inc. (TBE) Work Authorization Amendment for the Taxiway Intersection Reconfiguration (Design) project in the amount of \$86,554.79. Hickory Regional Airport currently has a mass intersection where four taxiways (Taxiway A, A3, B, and W) intersect at the same point. Due to the proximity of the intersection to Runway 1-19 and Runway 6-24, the intersection can be difficult to navigate and can cause confusion with pilots. During the most recent Part 139 Inspection, the FAA Inspector notified the Airport that this intersection needs modifications to improve safety. With the anticipated closure of Runway 1-19, this project will include the design phase to reconfigure the intersection. This reconfiguration will include the conversion of Runway 1-19 to a taxiway, demolition of a portion of Taxiway B, and the relocation of direct runway access taxiways at Taxiway S, Taxiway A2 and Taxiway A3 so the airport configuration meets the current FAA regulations. This Work Authorization Amendment will add the completion of the required National Environmental Policy Act

(NEPA) documentation, topographic survey, and the preliminary geotechnical investigation services required for the project. The North Carolina Division of Aviation completed the required Independent Fee Analysis (IFA) and approved TBE's proposed fee. This project is being funded by Non-Primary Entitlement (NPE) funding, which will be added to the existing grant (WBS: 36237.66.8.1), 90 percent FAA and 10 percent City of Hickory. Staff recommends approval of the Amended Work Authorization for the design of the Taxiway Intersection Reconfiguration project in the amount of \$86,554.79.

- H. Approved a Non-Federal Reimbursable Agreement in the Amount of \$160,663.16 with the Department of Transportation Federal Aviation Administration.

Staff requests City Council's approval of the Non-Federal Reimbursable Agreement between the Federal Aviation Administration and the Hickory Regional Airport for "Modifications to Runway 24 Medium Intensity Approach Light System with Runway Alignment Indicator Lights (MALSR)" as part of the upcoming Runway 24 Engineered Material Arresting System (EMAS) project in the amount of \$160,663.16. Due to deficiencies in the dimensions existing in Hickory Regional Airport's Extended Runway Safety Area (ERSA) for Runway 24, an EMAS is schedule to be installed which will bring the Airport back into compliance with FAA standards. This EMAS will require four of the FAA owned approach light towers to be removed and replaced within the Runway 24 ERSA. This Non-Federal Reimbursable Agreement with the FAA will fund the design services, construction and resident engineer services, technical representative services, inspection services, and commissioning flight checks required by the FAA to remove and replace these approach light towers being impacted by the Runway 24 EMAS project. A portion of this reimbursable agreement (\$146,165.16) will be funded by a 100% Non-Primary Entitlement (NPE) grant. The City will then pay the remainder of the reimbursable agreement (\$14,498) and be reimbursed with an upcoming federally funded construction grant. Staff recommends approval of the Non-Federal Reimbursable Agreement with the Depart of Transportation Federal Aviation Administration in the amount of \$160,663.16.

- I. Approved Southeastern Industrial Solutions LLC's Assignment of Purchase Contract and Assignment of Joint Economic Development Agreement to SEIS FPB LLC.

Staff requests Council's consideration of the Southeastern Industrial Solutions, LLC's ("SEIS, LLC") Assignment of Purchase Contract and Assignment of Joint Economic Development Agreement. On October 4, 2022, Council approved a Joint Economic Development Agreement (EDA) with SEIS, LLC. The primary term of the EDA, the sale of 16.61 acres located at 2084 Fairgrove Church Road SE and 20<sup>th</sup> Avenue SE to SEIS, LLC to SEIS, LLC to develop two industrial buildings on the site. After Council approved the EDA, SEIS, LLC created a new corporation, SEIS FPB, LLC. SEIS, LLC intends for the new corporation to hold title to the 16.61 acres per the Purchase Agreement and also the EDA and any rights and privileges it creates for SEIS, LLC. The Purchase Agreement permits SEIS, LLC to assign the agreement to another entity without Council's consent. However, Section III, Paragraph 21r of the EDA states that SEIS, LLC may transfer or assign the EDA with the prior written approval of the City. The EDA states the City will not unreasonably withhold its approval of the requested assignment. Staff recommends City Council approve the Assignment of Purchase Contract and Assignment of Joint Economic Development Agreement.

- J. Approved on First Reading Budget Revision Number 11.

ORDINANCE NO. 22-45  
BUDGET REVISION NUMBER 11

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, 2023, and for the duration of the Project Ordinance noted herein.

SECTION 1. To amend the General Fund within the FY 2022-23 Budget Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Public Safety	99,939	12,789
General Government	3,563	-
Transportation	5,232	-
Culture & Recreation	12,331	-
TOTAL	121,065	12,789

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

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	99,939	12,789
Miscellaneous	8,895	-
Sales and Services	12,231	-
TOTAL	121,065	12,789



SECTION 2. To amend the Solid Waste Fund within the FY 2022-23 Budget Ordinance the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Environmental Protection	45,225	-
TOTAL	45,225	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous	45,225	-
TOTAL	45,225	-

SECTION 3. To amend the Water/Sewer Fund within the FY 2022-23 Budget Ordinance the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Environmental Protection	555,000	-
Other Financing Uses	511,960	-
TOTAL	1,066,960	-

To provide funding for the above, the Water/Sewer Fund revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	1,066,960	-
TOTAL	1,066,960	-

SECTION 4. To amend the Airport Fund within the FY 2022-23 Budget Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Uses	23,153	-
TOTAL	23,153	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	23,153	-
TOTAL	23,153	-

SECTION 5. To amend the Short Road Water Project (#803307) Capital Project Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Water & Sewer Capital Projects	511,960	-
TOTAL	511,960	-

To provide funding for the above, the Short Road Water Project (#803307) revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	511,960	-
TOTAL	511,960	-

SECTION 6. To amend the Hickory Metro Convention Center (#700012) Capital Project Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	14,040,000	-
TOTAL	14,040,000	-

To provide funding for the above, the Hickory Metro Convention Center (#700012) revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	14,040,000	-
TOTAL	14,040,000	-

SECTION 7. To amend the Hickory Motor Speedway (#G50181) Capital Project Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
-----------------	----------	----------

Economic and Community Development	568,254	-
TOTAL	568,254	-

To provide funding for the above, the Hickory Motor Speedway (#G50181) revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Restricted Intergovernmental	568,254	-
TOTAL	568,254	-

SECTION 8. To amend the Taxiway Intersection Reconfiguration (#650032) Grant Project Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	86,556	-
TOTAL	86,556	-

To provide funding for the above, the Taxiway Intersection Reconfiguration (#650032) revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Restricted Intergovernmental	77,900	-
Other Financing Sources	8,656	-
TOTAL	86,556	-

SECTION 9. To establish the Airport E-Mass Project (#650033) Capital Project, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	160,664	-
TOTAL	160,664	-

To provide funding for the above, the Airport E-Mass Project (#650033) revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Restricted Intergovernmental	146,166	-
Other Financing Sources	14,498	-
TOTAL	160,664	-

SECTION 10. 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.

XI. Items Removed from Consent Agenda – None

XII. Informational Item

XIII. New Business:

A. Public Hearings

1. Approved the Voluntary Non-Contiguous Annexation of Property Owned by the City of Hickory, Containing 172.10-acres, Located at 1777, 1795, 1875, 2015, 2057 Deitz Road, and two unaddressed parcels, Catawba County PINs 3701-19-51-3290; 3701-19-51-7487; 3701-19-61-4849; 3701-15-73-4171; 3701-15-63-6164; 3701-15-73-1634; and 3701-16-84-4836 - Presentation by Planning Manager Cal Overby.

Consideration of the voluntary non-contiguous annexation of 172.10 acres of property located on Deitz Road. This property is identified as PINs 3701-19-51-3290, 3701-19-51-7487, 3701-19-61-4849, 3701-15-73-4171, 3701-15-63-6164, 3701-15-73-1634, 3701-16-84-4836. The property is unincorporated and within both the City of Hickory’s and Catawba County’s jurisdiction. The property is currently zoned R-1 Residential, R-20 Residential, and 321 ED-MX. The subject properties are currently vacant. Future development plans are not currently known. The current tax value of the entire annexation area is \$1,147,600. The properties are currently under public ownership, with the City of Hickory being the owner, as such the property does not currently generate any tax revenues. If the properties were to be sold into private ownership in their current state, they would generate \$6,501 in tax revenues. If the properties to be developed once they were in private ownership, the tax revenues would subsequently increase, with the increase being predicated upon the type of development. Upon analysis, staff has determined the petition meets the statutory requirements for voluntary non-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 November 18, 2022.

City Manager Warren Wood asked the City's Planning Manager Cal Overby to the podium to present Council with a voluntary non-contiguous annexation of property owned by the City of Hickory, containing 172.10-acres, located off of Deitz Road, which was off of River Road.

Planning Manager Cal Overby presented a PowerPoint presentation. He advised the property was actually owned by the City of Hickory and had been owned by the City of Hickory for probably more than 20-years. The subject property was located on Deitz Road which was near the intersection of River Road and US 321 at that intersection there. Currently the property was vacant. The closest adjacent ward was Ward 4. They were looking at about 172-acres of property. It was busted up into about three different tracks of property. The way the annexation was crafted, those areas would be contiguous to one another, so it would be one large swath of property. That was what they were looking at there. Future development at this point in time was undetermined. The City was seeking to annex the property as it was City-owned property. If the City ever decides to do something with the property by annexing it, it would be under the City's complete authority, which would make everything easier for the City as far as real estate transactions or development or anything to that nature. He referred to the PowerPoint and displayed a map showing the current City boundary. He pointed out the City's (ETJ) extra territorial jurisdiction where the City exercises zoning and different types of authority in that area. He pointed out the area which was the actual City limits. He pointed out a small subdivision off of Robinson Road, and the subject property. He reiterated that it was several pieces of property. He pointed out the largest piece labeled as area three, area two was the smaller parcel, and area one was the parcel near the intersection with River Road. He displayed an ortho photograph of the property. He pointed out the property was bisected by the Henry Fork River. He pointed out where the property was accessed by 6<sup>th</sup> Street which was coming down off the top of Catawba Valley Boulevard. He pointed out the parcels which were accessed by River Road and Deitz Road. He displayed a map showing the zoning for the property there. He pointed out property which was actually in Hickory's ETJ and was zoned R-1 which was a residential district. The remainder of the property was in Catawba County's jurisdiction at this time and was zoned R-20 residential and 321 mixed use here. He advised there would be a Planning Commission meeting on December 7, 2022 to consider rezoning some of the properties. The general idea was this property be rezoned to R-1. He pointed out the industrial zone which was compatible with what was already there. They did a standard evaluation for these types of things and circulated it around to City staff to make sure that they could provide services as necessary to annex the property into the City. They determined that it was possible, and they could provide services without the services being diminished. Given those findings, staff recommended approval. He asked for any questions.

Mayor Guess asked 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. Mayor Guess asked if there was anyone present to speak in favor of the proposal. Mayor Guess closed the public hearing.

Alderman Patton moved seconded by Alderman Seaver approval of the Voluntary Non-Contiguous Annexation of City-owned property, containing 172.10-acres. The motion carried unanimously.

ANNEXATION ORDINANCE NO. 483

VOLUNTARY ANNEXATION ORDINANCE (NON-CONTIGUOUS)  
City of Hickory

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

of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina, at 7:00 p.m. on the 6th day of December 2022; 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 non-contiguous territory is hereby annexed and made a part of the City of Hickory as of the 31st day of December 2022:

Satellite Annexation  
Of the City of Hickory property known as the  
River Road Business Park and the  
Henry River Leaf Dump

Those certain parcels or tracts of land lying and being about 3.4 miles south southeast of the center of the City of Hickory. Bonded on the south by the right-of-way of US Hwy 321 and the lands of Janet Frye Abee as described in Deed Book 3297 at Page 1289; on the west by the lands of Wayne Louis Sharpe and Larry William Sharpe as described in Deed Book 1681 at Page 738 and Deed Book 1960 at Page, the Larry W. Sharpe Heirs as shown in 2001E/417, Donna Lee Wood and Hal Nelson Wood as described in Deed Book 1987 at Page 217, Blueberry Farms, LLC as described in Deed Book 3497 at Page 1092; on the north by the lands of Blueberry Farms, LLC as described in Deed Book 3497 at Page 1092, John Lee Barger and Gilda Mae B. Barger as described in Deed Book 1036 at Page 473, Thomas Clifton Fisher and Billie Jean B. Fisher as described in Deed Book 3466 at Page 427, David Burton Canipe Jr. as described in Deed Book 3559 at Page 1701, Billy M. Roberts as described in Deed Book 3319 at Page 1253, Walter Lowell Stiehm and Cathy Ann Stiehm as described in Deed Book 3703 at Page 1429, Carrie Holder as described in Deed Book 3601 at Page 1281, the southern terminus of the 60' right-of-way of 6th Street Court SE, the lands of the Kathleen Stinson Heirs as described in Deed Book 2627 at Page 1334, Chasity Brook Dobbins as described in Deed Book 2991 at Page 423, Justin C. Teague and wife Shellie L. Teague as described in Deed Book 2041 at Page 1067, BB&L Associates, LLC as described in Deed Book 2718 at Page 930, Kyle N. Burns and Santana E. Moretz as described in Deed Book 3392 at Page 1678, the southern terminus of the 60' right-of-way of 6th Street SE and the lands of Ronald Scot Shuford as described in Deed Book 1945 at Page 1293; on the east by the lands of the State of North Carolina as described in Deed Book 3612 at Page 931, Dale Calloway and Joelle Moose as described in Deed Book 1995 at Page 775, Curtis Calloway as described in Deed Book 1435 at Page 787, Scottie Dale Townsend and Michelle Clay Townsend as described in Deed Book 3757 at Page 275, Norman H. Fox as described in Deed Book 439 at Page 245 and the Larry W. Sharpe Heirs as shown in 2001E/471 and more particularly described as follows to wit.

Beginning at a 7/8" iron pipe in the northeast line of the Janet Frye Abee lands as described in Deed Book 3297 at Page 1289, said iron pipe being on the northwest side of Deitz Road and running thence, with the northeast line of Abee, North 57 degrees 53 minutes 51 seconds West 387.28 feet to a 1 1/4" iron pipe, the northernmost corner of Abee; thence, with the northwest line of Abee, South 36

degrees 48 minutes 06 seconds West 175.35 feet to a point in the right-of way of US Hwy 321; thence with the right-of-way of US Hwy 321 the following calls: North 46 degrees 50 minutes 53 seconds West 391.01 feet to a point; thence North 23 degrees 05 minutes 16 seconds West 267.87 feet to a right-of-way monument; thence North 52 degrees 58 minutes 14 seconds West, passing a right-of-way monument at 338.57 feet, a total distance of 348.84 feet to a 5/8" rebar; thence North 26 degrees 58 minutes 47 seconds West 125.71 feet to a 3/8" iron rod in said right-of-way and in the west line of Wayne Louis Sharpe and Larry William Sharpe as described in Deed Book 1681 at Page 738; thence, with the south line of Sharpe, South 73 degrees 17 minutes 14 seconds East 694.10 feet to a 2" iron pipe, the southeast corner of Sharpe; thence, with the east line of Sharpe, North 13 degrees 49 minutes 07 seconds East 285.12 feet to a 1" iron pipe by a 3/4" iron pipe in the east line of Sharpe and being the southwest corner of Wayne Louis Sharpe and Larry William Sharpe as described in Deed Book 1960 at Page 578; thence, with the south line of Sharpe, South 79 degrees 53 minutes 28 seconds West 994.10 feet to a 5/8" rebar on the west right-of-way line of Deitz Road; thence, with said right-of-way, North 07 degrees 23 minutes 14 seconds East 100.15 feet to a rebar; thence, leaving said right-of-way, North 79 degrees 53 minutes 28 seconds West 183.97 feet to an iron rod; thence North 10 degrees 03 minutes 41 seconds East 100.00 feet to an iron rod; thence South 79 degrees 53 minutes 28 seconds East 179.29 feet to a rebar on the west right-of-way line of Deitz Road; thence, with said right-of-way line the following three calls: North 07 degrees 23 minutes 14 seconds East 84.27 feet to an iron rod, the south east corner of the Larry W. Sharpe Heirs 2001E/417; thence North 07 degrees 23 minutes 14 seconds East 60.37 feet to an iron rod; thence, as a convex curve to the left, said curve having a delta angle of 29 degrees 02 minutes 17 seconds, a radius of 348.00 feet and a chord bearing and distance of North 07 degrees 07 minutes 55 seconds West 174.48 feet to a point on the west right-of way line of Deitz Road; thence, leaving said right-of-way, North 68 degrees 20 minutes 57 seconds East 26.95 feet to a mag nail in Deitz Road; thence, with Deitz Road the following calls: North 29 degrees 02 minutes 10 seconds West 118.93 feet to a mag nail; thence North 35 degrees 25 minutes 10 seconds West 235.71 feet to a mag nail; thence North 41 degrees 57 minutes 10 seconds West 113.39 feet to a mag nail; thence North 39 degrees 48 minutes 10 seconds West 201.00 feet to a 5/8" rebar; thence North 27 degrees 38 minutes 10 seconds West 139.95 feet to a 5/8" rebar; thence North 17 degrees 56 minutes 10 seconds West 173.59 feet to a 5/8" rebar; thence North 84 degrees 02 minutes 18 seconds West, passing a 5/8" rebar at 28.77 feet located on the west right-of-way line of Deitz Road, for a total distance of 462.31 feet to a stone in the east line of Donna Lee Wood and Hal Nelson Wood as described in Deed Book 1987 at Page 217; thence with the east and south lines of Wood the following calls: North 16 degrees 43 minutes 50 seconds East 182.68 feet to a 5/8" rebar; thence North 27 degrees 05 minutes 31 seconds East 208.83 feet to a 5/8" rebar; thence North 24 degrees 27 minutes 42 seconds East 429.00 feet to a 5/8" rebar; thence North 70 degrees 27 minutes 42 seconds East 185.62 feet to a 5/8" rebar; thence North 88 degrees 57 minutes 42 seconds East, passing a 5/8" rebar at 564.20 feet, a total distance of 1,062.68 to a 5/8" rebar; thence North 12 degrees 28 minutes 11 seconds East, passing a 5/8" rebar at 132.64 feet, a total distance of 190.91 feet to a point in the center of Henry Fork River; thence, with the center of the river, North 44 degrees 23 minutes 06 seconds West 61.66 feet to a point in the center of the Henry Fork River; thence, with the center of the river, North 33 degrees 48 minutes 24 seconds West 88.23 feet to a point in the center of the Henry Fork River, the southeast corner of Blueberry Farms, LLC as described in Deed Book 3497 at Page 1092; thence, leaving the river and with the east line of Blueberry Farms, LLC, North 58 degrees 38 minutes 34 seconds East, passing a T-post at 53.76 feet, a rebar at 290.85 feet, a total distance of 310.85 feet to a point in a creek; thence, with the run of the creek, the following calls: North 08 degrees 43 minutes 31 seconds East 98.86 feet to a point; thence North 07 degrees 42 minutes 06 seconds West 24.00 feet to a point; thence North 11 57 minutes 55 seconds East 20.31 feet to a point; thence North 39 degrees 35 minutes 14 seconds West 25.09 feet to a point; thence North 00 degrees 18 minutes 58 seconds East 32.63 feet to a point; North 28 degrees 14 minutes 28 seconds West 20.85 feet to a point; North 58 degrees 08 minutes 26 seconds East 10.60 feet to a point; North 40 degrees 34 minutes 56 seconds East 19.20 feet to a point; thence North 13 degrees 59 minutes 50 seconds West 72.28 feet to a point; thence North 08 degrees 54 minutes 03 seconds East 26.96 feet to a point; thence North 34 degrees 09 minutes 03 seconds East 23.41 feet to a 1" iron pipe; thence North 34 degrees 09 minutes 26 seconds East 1411.34 feet to a 1 1/2" iron in the south line of Blueberry Farms, LLC as described in Deed Book 407 at Page 1092; thence, with the south line of Blueberry Farms, LLC, South 65 degrees 07 minutes 38 seconds East 248.45 feet to a 1 1/2" iron, the southwest corner of John Lee Barger and Gilda Mae B. Barger as described in Deed Book 1036 at Page 473; thence, with the south line of Barger, South 63 degrees 41 minutes 17 seconds East 168.41 feet to a 1 1/2" iron, the southwest corner of Thomas Clifton Fisher and Billie Jean B. Fisher as described in Deed Book 3466 at Page 427; thence, with the south line of Fisher, South 63 degrees 15 minutes 01 seconds East 211.89 feet to a 3/4" iron pipe in the western right-of-way of 24th Avenue SE, shown as Parkway Drive in Plat Book 9 at Page 24; thence, with said right-of-way,

South 24 degrees 42 minutes 08 seconds West 234.13 feet to a  $\frac{3}{4}$ " pinched iron at the southern terminus of aforementioned right-of-way; thence, crossing said terminus, South 65 degrees 21 minutes 15 seconds East 59.76 feet to a  $\frac{1}{2}$ " iron pipe, the southwest corner of the lands of David Burton Canipe Jr. as described in Deed Book 3559 at Page 1701; thence, with the south line of Canipe, South 65 degrees 21 minutes 15 seconds East 200.12 feet to a  $\frac{1}{2}$ " iron pipe, another corner of Canipe; thence, with the northwest line of Canipe and Billy M. Roberts as described in Deed Book 3319 at Page 1253, South 65 degrees 57 minutes 27 seconds West 113.92 feet to a  $\frac{1}{2}$ " iron pipe in the northwest line of Walter Lowell Stiehm and Cathy Ann Stiehm as described in Deed Book 3703 at Page 1429; thence, with the west line of Stiehm and Carrie Holder as described in Deed Book 3601 at Page 1281, South 57 degrees 27 minutes 27 seconds West 299.65 feet to a  $\frac{1}{2}$ " iron pipe, the westernmost corner of Holder; thence, with the southwest line of Holder and the Kathleen Stinson Heirs as described in Deed Book 2627 at Page 1334 and crossing the southwest terminus of 6t Street Court SE, shown as Lakeview Drive in Plat Book 9 at Page 24, South 32 degrees 28 minutes 46 seconds East 459.70 feet to a 1" iron pipe, the southernmost corner of Stinson; thence, with the southeast line of Stinson and Chasity Brooke Dobbins as described in Deed Book 2991 at Page 423 and Justin C. Teague and Shellie L. Teague as described in Deed Book 2041 at Page 1067, North 57 degrees 40 minutes 07 seconds East 389.11 feet to a  $\frac{1}{2}$ " iron pipe in the line of Teague; thence, continuing with the east line of Teague and BB&L Associates, LLC as described in Deed Book 2718 at Page 930, North 24 degrees 31 minutes 49 seconds East 257.28 feet to a  $\frac{1}{2}$ " iron pipe in the east line of BB&L Associates, LLC and the southwest corner of the lands of Kyle N. Burns and Santana E. Moretz as described in Deed Book 3392 at Page 1678; thence, leaving the east line of BB&L Associates, LLC and with the south line of Burns, South 65 degrees 22 minutes 37 seconds East 149.63 feet to a  $\frac{3}{4}$ " iron pipe, the southeast corner of Burns in the west right-of-way line at the south terminus of 6th Street SE, shown as Hollywood Drive in Plat Book 9 at Page 24; thence, crossing the south terminus of 6th Street SE, South 65 degrees 21 minutes 40 seconds East 59.72 feet to a  $\frac{3}{4}$ " iron pipe in the east right-of-way line at the south terminus of 6th Street SE; thence, with the east right-of-way of 6th Street SE, North 24 degrees 49 minutes 10 seconds East 44.89 feet to a  $\frac{3}{4}$ " iron pipe in the west line of Ronald Scot Shuford as described in Deed Book 1945 at Page 1293; thence, with the south line of Shuford, South 65 degrees 17 minutes 43 seconds East 358.85 feet to a  $\frac{3}{4}$ " iron pipe, the southeast corner of Shuford and in the west line of the lands of the State of North Carolina as described in Deed Book 3612 at Page 931; thence, with the west and northwest line of the State of North Carolina the following calls: South 06 degrees 29 minutes 32 seconds West 35.72 feet to a  $\frac{3}{4}$ " iron pipe; thence South 03 degrees 43 minutes 32 seconds West 589.02 feet to a  $\frac{3}{4}$ " iron pipe; thence South 55 degrees 27 minutes 15 seconds West passing a  $\frac{5}{8}$ " rebar at 1547.00 feet, a total distance of 1730.70 feet to a point in the center of the Henry Fork River; thence with the center of the river, North 32 degrees 41 minutes 30 East 239.23 feet to a point in the center of the river; thence, leaving the river with the northwest line of the State of North Carolina and Dale Calloway and Joelle Moose as described in Deed Book 1995 at Page 775, South 53 degrees 06 minutes 01 seconds West, passing a dead Sycamore tree, the northernmost corner of Calloway and Moose, at 88.27 feet, a  $\frac{5}{8}$ " rebar at 108.27 feet, a total distance of 1281.82 feet to  $\frac{5}{8}$ " rebar, the westernmost corner of Calloway and Moose; thence, with the southwest line of Calloway and Moose, South 49 degrees 34 minutes 45 seconds East 364.38 feet to a  $\frac{5}{8}$ " rebar, a corner of Calloway and Moose; thence, continuing with the line of Calloway and Moose, South 06 degrees 55 minutes 36 seconds West 285.32 feet to a  $\frac{5}{8}$ " rebar, the southernmost corner of Calloway and Moose in the northwest corner of the lands of Curtis Calloway as described in Deed Book 1435 at Page 787; thence, with the northwest line of Calloway, South 33 degrees 57 minutes 17 seconds West 648.38 feet to  $\frac{3}{4}$ " iron pipe; thence, continuing with the line of Calloway, South 85 degrees 26 minutes 40 seconds West 678.75 feet to  $\frac{5}{8}$ " rebar in the east right-of-way line of Deitz Road, a corner of Dale Calloway and Joelle Moose, see Plat Book 81 at Page 131; thence, with the east right-of-way line of Deitz Road, North 08 degrees 00 minutes 53 seconds East 156.67 feet to a  $\frac{5}{8}$ " rebar in said right-of-way, a corner of Dale Calloway and Joelle Moose, see Plat Book 81 at Page 131 and the southernmost corner of Scottie Dale Townsend and Michelle Clay Townsend as described in Deed Book 3757 at Page 275; thence, with the southeast line of Townsend the following three calls: North 77 degrees 24 minutes 34 seconds East 430.00 feet to a  $\frac{1}{2}$ " iron pipe; thence, North 37 degrees 11 minutes 32 seconds East 460.80 feet to a  $\frac{1}{2}$ " iron pipe; thence North 49 degrees 57 minutes 45 seconds West 370.21 feet to a  $\frac{3}{4}$ " iron pipe, the northernmost corner of Townsend and Norman H. Fox as described in Deed Book 439 at Page 245, see Plat Book 81 at Page 131; thence, with the southeast line of Fox, South 44 degrees 50 minutes 35 seconds West, passing a  $\frac{5}{8}$ " rebar on the east right-of-way line Deitz Road at 547.73 feet, a total distance of 587.85 feet to a mag nail in Deitz Road; thence, running with Deitz Road, the following calls: South 08 degrees 10 minutes 23 seconds West 103.77 feet to a mag nail; thence South 06 degrees 07 minutes 10 seconds West 62.28 feet to a mag nail; thence South 06 degrees 03 minutes 50 seconds West 60.15 feet to a mag nail; thence South 06 degrees 03 minutes 52 seconds West 100.25 feet to a

mag nail; thence South 06 degrees 20 minutes 52 seconds West 100.41 feet to a mag nail; thence South 08 degrees 27 minutes 32 seconds West 15.89 feet to a 5/8" rebar; thence South 08 degrees 27 minutes 32 seconds West 134.92 feet to a 5/8" rebar; thence South 40.47 minutes 15 seconds West 776.49 feet to a 3/4' iron rod on the west side of Deitz Road, the northernmost corner of the Larry W. Sharpe Heirs 2001E/417; thence South 37 degrees 29 minutes 24 seconds West 78.93 feet to the point of beginning. Containing 172.10 acres more or less.

This description was drawn from information found in Plat Book 48 at Page 67, Plat Book 81 at Page 131 and an unrecorded plat by the Survey Company, Inc. entitled "Boundary and Topographic Survey of: 168.050 Acres Situated on Deitz Road and on U.S. Highway 312 City of Hickory, Catawba County, North Carolina" dated 7/10/2000; signed and sealed by C. Brian Duckett, P.L.S. L-3931. Some bearings have been rotated to conform to a common north.

Section 2. Upon and after the 31st day of December 2022 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. 4 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.

2. Approved the Voluntary Contiguous Annexation of Property Owned by McDonald Road Properties LLC, Containing 2.316-acres, Located at the Southwest Corner of McDonald Parkway, and 13th Avenue Drive SE, Identified as PIN 3711-08-89-8554 - Presentation by Planning Manager Cal Overby.

Consideration of the voluntary contiguous annexation of 2.316 acres of property located at the southwest corner of McDonald Parkway and 13<sup>th</sup> Avenue Drive SE. This property is identified as PIN 3711-08-89-8554. The applicant has petitioned for the voluntary contiguous annexation of 2.316 acres of property located on McDonald Parkway. The property is unincorporated and within the City of Hickory's ETJ and is currently zoned Regional Commercial (C-3). The subject property is currently vacant but is the site of a planned quick service restaurant. Surrounding properties are zoned commercial. These properties are either vacant or occupied by businesses. The current tax value of the property is \$811,900. In its current state, annexation of the property would generate \$5,094 in additional tax revenues. Upon analysis, staff has determined the petition meets the statutory requirements for voluntary contiguous annexation, and adequate public services are available. Staff finds the petition to be in conformity with applicable statutes and recommends approval of the petition.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on November 18, 2022.

City Manager Warren Wood asked the City's Planning Manager Cal Overby to the podium to present Council with the voluntary contiguous annexation of property owned by McDonald Road Properties, LLC, containing 2.316-acres, located at the southwest corner of McDonald Parkway and 13<sup>th</sup> Avenue Drive SE.

Planning Manager Cal Overby presented a PowerPoint presentation. He discussed the consideration of the annexation for property owned by McDonald Road Properties, LLC. It was a voluntary contiguous annexation. The property was located at the southwest corner of McDonald Parkway and 13<sup>th</sup> Avenue Drive SE. He referred to the PowerPoint and advised it was located near where Bob Evans and Sheetz was at, behind what used to be Kmart shopping center. They were looking at approximately 2.3 acres of property, the closest ward would be Ward three. The property was currently vacant, and the future development would be a business. Currently, they were looking at medium service, medium speed type restaurant was what was being discussed at this point in time. Annexation in this particular instance was being requested in order to gain access to City sewer because without sewer you really do not have a restaurant use there. He referred to the PowerPoint and displayed a map. He pointed out the City limits and noted that this was basically a donut hole. All the property around it was inside the City with a few parcels that were going in near where 13<sup>th</sup> Avenue Drive actually would connect with the street there by Iron Thunder Saloon. He noted the area which was all in the City limits. He displayed an ortho photograph and pointed out I-40, Sheetz, there was actually a Sheetz Service Station located there now. He pointed

out the area of the subject property. He advised they were looking at commercial zoning all up and down US 70 and I-40, the area to the north would be industrial. That was where Corning and some other industries were located. Staff evaluated this annexation to make sure services were available and they were in quantity so they would not fall below acceptable levels. Staff determined that was the case and as such recommended approval of the annexation. He asked for any questions.

Mayor Guess asked 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. Mayor Guess asked if there was anyone present to speak in favor of the proposal. Mayor Guess closed the public hearing.

Alderman Seaver moved seconded by Alderwoman Williams approval of the Voluntary Contiguous Annexation of property owned by McDonald Road Properties LLC, containing 2.316-acres. The motion carried unanimously.

ANNEXATION ORDINANCE NO. 484  
VOLUNTARY ANNEXATION ORDINANCE (CONTIGUOUS)  
McDonald Road Properties LLC

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 6th day of December, 2022; 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 31st day of December, 2022;

CONTIGUOUS ANNEXATION  
McDonald Road Properties LLC

BEGINNING in a ½-inch rod, said rod being set in the edge of the right-of-way of McDonald Parkway, SE (State Road 1500), said rod also being common corner with RAF Hickory LLC (Deed Book 3150, Page 1988, Catawba County Registry);



running thence with the existing City limits and the RAF Hickory LLC line North 66° 50' 06" West 379.36 feet to a point; continuing thence North 23° 08' 59" East 320.15 feet to a point set in the right-of-way margin of 13th Avenue Drive, SE; running thence with the right-of-way margin of 13th Avenue Drive, SE South 66° 42' 16" East 155.06 feet to a point; continuing thence South 44° 15' 28" East 114.41 feet to a point set in the right-of-way margin of McDonald Parkway, SE; running thence with the right-of-way margin of McDonald Parkway, SE South 5° 52' 21" East 229.72 feet to a point; continuing thence with the right-of-way margin of McDonald Parkway, SE South 17° 38' 40" West 75.38 feet to the point and place of Beginning and being according to a Survey entitled "Contiguous Annexation Plat For: City of Hickory" and prepared by Christopher F. Jordan, Registered Land Surveyor and Survey being dated October 20, 2022.

Section 2. Upon and after the 31st day of December, 2022, 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. 3 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. Approved Phase II Development and Purchase Agreement with JRN Development to Construct Affordable Housing on City-Owned Property – Presentation by Community Development Manager Karen Dickerson.

Staff requests City Council's approval of Phase II Development and purchase agreements with JRN Development to construct affordable housing on City-owned property. In late 2021, the City partnered with JRN Development to construct six homes on City-owned property. These lots were purchased with Community Development Block Grant funding, so the land had to be used to benefit low- and moderate-income residents. These homes were completed and sold to income eligible homebuyers in October, 2022. There are an additional ten City-owned lots along 8th Avenue Drive SW, 3rd Street Place SW, and 3rd Street Court SW that meet the same criteria for affordable housing development. JRN Development has approached the City with a development proposal to build ten affordable housing units for owner occupants on these ten additional lots. The development agreement requires that a deed restriction be placed on the ten parcels to ensure that the parcels are only sold to households earning less than 80 percent of the area median income. The developer has agreed to pay \$3,000 per lot (\$30,000 total) to purchase the property. Staff believes the sales price to be reasonable based on the restriction placed on the lots and current tax value. The proceeds from the lot sales will be Community Development Block Grant program income and will be used to meet program objectives. NCGS 160D-1316 permits municipalities to sell property for affordable housing by private sale without having to go through the upset bid process. The development agreement requires completion of the homes within 12-months of the property sale. Based on the timeline in the agreement, construction will begin approximately 90-days after the sale of the property. Staff recommends approval of the development and purchase agreements with JRN Development.

City Manager Warren Wood commented Council was aware that over two years ago City Council approved the program to take vacant lots that the City owned and create affordable housing opportunities. Specifically single-family affordable housing. It had been very successful. He advised they had a request for approval of Phase Two development and Purchase Agreement with JRN Development to construct affordable housing on City-owned property. He asked the City's Community Development Manager Karen Dickerson to the podium to present.

Community Development Manager Karen Dickerson presented a PowerPoint presentation. She commented as City Manager Warren Wood mentioned, affordable housing had been a hot topic. A few years ago, they decided to do an affordable housing initiative. They started this process on their own and built two houses during 2020, and then sold them in 2021. Last October, they came before Council and presented a Development Agreement with JRN, a company based out of the Charlotte/Lake Norman area that specialized in construction of affordable housing. They did a deal with them to build six houses. Those houses were built and sold in September of 2022, and they did a ribbon cutting this past September

21<sup>st</sup>. Many Council members were there in attendance for that. She referred to the PowerPoint and displayed photos of the homes that the City built located along 8<sup>th</sup> Avenue Drive. She displayed photos of the JRN built homes that they recently constructed with their help. Based upon the success of those two phases, they would like to continue that partnership with JRN Development to bring more affordable housing to the City of Hickory. They started talking to them late this summer, trying to figure out where and what that process would look like. The process was going to be that JRN would pay the City \$3,000 for 10-lots, again within that same Ridgeview area along 8<sup>th</sup> Avenue Drive. They would construct 10 three bedroom, two bath homes, using their special steel framing technology. The house plans would be consistent with what she previously showed Council. She wanted to show them that consistency. They would bring that project of 10-homes to completion within a 12-month period and the homes would sell for a price range of \$170,000 without garages, up to \$180,000 with garages. She referred to the PowerPoint and displayed a map pointing out the location of the six houses that they built recently. The City's two were in that area as well. They were looking above that area. She noted the very large parcel highlighted, which was where the old Barclay Apartments were years and years ago. She advised it was almost a two-acre parcel, then three adjacent lots, they were smaller individual lots there in that same area. They were going to take that almost two-acre lot and they were going to subdivide it into eight lots. She displayed a map showing the lot locations. She showed what it would look like when it was subdivided. The piece at the very end where the turnaround had been created was not a buildable lot. They would stay away from that one and would build on the other seven that were remaining. In addition to these other pieces, she reiterated there was the large parcel, there was two parcels right beside it contiguous to that and then there was one parcel that faced 8<sup>th</sup> Avenue Drive. That would be the 10 lots that they were looking at. She advised the last time JRN, and the City partnered with the Western Piedmont Council of Governments to complete the income verification process to ensure that all homebuyers were at or below that 80% of the area median income, which currently was \$53,900 for a family of four and those usually update around April or May. That would probably go up in the next go around, in the next year. They would work with the Western Piedmont Council of Governments and the North Carolina Housing Finance Agency Community Partners Loan Pool to help fund those homebuyers with down payment assistance. She noted the consistent home designs and displayed images that JRN gave them previously. She was sure that they were going to build something very similar to what had been done previously. She highlighted the closeness of the Historic Ridgeview Walk to this neighborhood. She sees this as a way to develop on City-owned property and really try to bolster what was going on in that strong neighborhood that already exists. She asked for any questions.

Alderwoman Patton commented that was an excellent turn of buying property that was in disuse years and years ago and now selling it for affordable housing was a wonderful step. She thanked Ms. Dickerson.

Alderman Zagaroli asked when she thought they would start.

Community Development Manager Karen Dickerson believed as the contract read, it was about a 90-day window. She advised that Chris Younger from JRN was present. She thought they actually started construction within 30-45 days from the from the last contract signing. She suspected the turnaround would probably be just as quick. Again, 12-months to complete those homes for all 10 of them.

Alderman Wood asked if the income threshold was a moving scale, 80 percent of \$53,900 for a family of four. He asked if it was a couple if that \$53,900 moved.

Community Development Manager Karen Dickerson advised the \$53,900 was 80 percent of the City's area median income. It was not median income, so it was 80 percent of that. It was based upon household size and also what year it was because it usually increased year to year. Last go around she thought it was \$48,250, when they did this process last year in October it was \$48,250 for a family of four and it had increased to \$53,900 for a family of four. It would be different based upon a single person household or a two-person household. They just always used that as a point of reference just to give them an idea.

Mayor Guess pointed out, Karen had already mentioned it, Chris with JRN was present tonight and they appreciated him. He did a fantastic job out there with those existing houses and the wanted to thank him for that. Also, Anthony Starr, was present from the Western Piedmont Council of Governments. He wanted to recognize him and thank him for all that he does, not just related to this, but he was with Council on a lot of different other projects, and they appreciated him and his staff also.

City Manager Warren Wood asked Council for formal approval of the Phase Two Development and Purchase Agreement with JRN.

Mayor Guess moved seconded by Alderwoman Patton approval of the development and purchase agreements with JRN Development. The motion carried unanimously.

RESOLUTION NO. 22-76

A RESOLUTION AUTHORIZING THE PRIVATE SALE OF CITY OWNED PROPERTY

WHEREAS, the City of Hickory is the owner of ten parcels located at 8<sup>th</sup> Ave Dr SW, 3<sup>rd</sup> Street Place SW and 3<sup>rd</sup> Street Court SW, Hickory, NC 28602. These properties are further described as parcels recorded in Deed Book 2830 at Page 0688 (PIN 370210454418); at Deed Book 2863 at Page 0611 (PINs 370210453695 and 370210453689); and as lots 1,2,3,4,5,6, and 7 of the Ridgeview Subdivision map recorded in Plat Book 83 at Page 130 at the Catawba County Register of Deeds.

WHEREAS, North Carolina General Statute §160D-1316 provides that a city may contract with public or private entity that provides affordable housing to persons of low or moderate income by the private sale procedures outlined in North Carolina General Statute §160A-267; and

WHEREAS, JRN Development (“JRN”), a North Carolina limited liability company has agreed to provide affordable housing opportunities to low- and moderate-income homeowners; and

WHEREAS, JRN desires to construct additional affordable housing units in the City of Hickory; and

WHEREAS, the City and JRN acknowledge that affordable housing in the City is an issue impacting individuals, communities, and the general public; and

WHEREAS, City desires to assist JRN in providing affordable housing by conveying the City’s aforementioned property 8<sup>th</sup> Ave Dr SW, 3<sup>rd</sup> Street Place SW and 3<sup>rd</sup> Street CT SW to the company.

THEREFORE, THE CITY COUNCIL OF THE CITY OF HICKORY RESOLVES THAT:

1. The City Council authorizes the City Manager to execute the sale of the described property using the private sale procedure of North Carolina General Statute §160A-267. This property is more particularly described as parcels recorded in Deed Book 2830 at Page 0688 (PIN 370210454418); at Deed Book 2863 at Page 611 (PINs 370210453695 and 370210453689) and as lots 1, 2, 3, 4, 5, 6, and 7 of the Ridgeview Subdivision recorded in Plat Book 83 at Page 130 at the Catawba County Register of Deeds.
  2. The City’s sale of the 8<sup>th</sup> Ave Dr SW, 3<sup>rd</sup> Street PI SW, 3<sup>rd</sup> St Court SW property to JRN is subject to the terms of the Development Agreement approved by the Hickory City Council on December 6, 2022.
  3. As additional consideration, the sale is contingent upon JRN covenanting to construct a home on each of the ten properties for the public purpose of creating affordable housing for low- and moderate-income individuals.
  4. Said covenants and restrictions will be specifically defined in the City’s deed of sale of the property to JRN.
  5. The City Clerk shall publish a notice summarizing the contents of this resolution, and the property may be conveyed at any time after 10 days after the publication of this notice.
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

**HICKORY REGIONAL PLANNING COMMISSION**  
 (Term Expiring 6-30; 3-Year Terms With Unlimited Appointments) (Appointed by City Council)  
 Burke County Representative (Mayor Appoints with Recommendation from Burke County) Robert Weaver Resigned 9-26-2022 VACANT

**HISTORIC PRESERVATION COMMISSION**

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

VACANT

**LIBRARY ADVISORY BOARD**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
At-Large (Mayor Appoints) (Mark Thomas Resigned 11-3-2022)

VACANT

**PUBLIC ART COMMISSION**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
Ward 4 (D. Williams Appoints)

VACANT

**RECYCLING ADVISORY BOARD**

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

VACANT

**UNIVERSITY CITY COMMISSION**

(Terms Expiring 6-30; 2-Year Terms) (Appointed by City Council)  
At-Large Not Including ETJ (Council Appoints)

VACANT

C. Presentation of Petitions and Requests

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

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

Alderman Patton commended staff that did the planning of the parade. She thought that was one of the best ones with the number of entries and stuff it really went very, very well. They were to be commended.

Mayor Guess knew that she meant this, also for those that cleaned up after that. He was always amazed at how quickly that area gets cleaned up and put back to where it looks like nothing happened. So again, they did a great job.

City Manager Warren Wood advised the City had a new IT Director Eric Rucker, who comes to the City from Garner. Mike Woods was not leaving the City, he was going to transfer over into implementing a new organization wide software, that was a monster of a project to implement. They appreciated him staying. He welcomed Eric Rucker. At any time, you could steal somebody from the Raleigh region that was a good thing.

Mayor Guess commented it was his second day and he moved his entire family to Hickory. He welcomed Mr. Rucker and told him he could be at the City for the next 30-years at least. He asked if he had his speech prepared or was he going to wait.

IT Director Eric Rucker replied he would be in touch with them via email.

Mayor Guess joked that he hoped that did not go to his spam folder.

City Manager Warren Wood congratulated Chief Whisnant on his almost 30-years of service. It seemed like more than that maybe some days. They appreciated his years of service to the City. He would be retiring. He had told his wife he was all hers now so he may be looking for some employment out there somewhere. He did not know, but they were happy for him. Today they announced that Reed Baer with 25-years of service with the City would be succeeding Chief Whisnant on February 1<sup>st</sup>, and they were excited about that. He shared a neat little fact; he believed the promotion of Major Baer to Chief would make 14 Chiefs that had come out of the Hickory Police Department in about 30-years. Merl Hamilton was in Concord; Wayne Sumpter was in Huntersville; Jay Jackson was in Forest City; Robbie Williams was in Morganton. And of course, Thurman Whisnant was promoted from within, as well as Tom Adkins. There had been a long history.

Alderman Seaver interjected Bill Post in Boone.

Mayor Guess interjected Andy Le Beau in Boone. He commented to Reed Baer this starts your 30-years today.

City Manager Warren Wood commented they were proud of the work that the Police Department had done and the culture that they have in producing all those Chiefs. They like to try to keep them here, but they were excited for Reed Baer in the future.

XVI. 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 Alderman Zagaroli. The motion carried unanimously.

1. Approval of Closed Session Minutes of November 1, 2022 - NC General Statutes 143-318.11(a)(1)

December 6, 2022

2. Discussion of a Personnel Matter - NC General Statutes 143-318.11(a)(6)

Council convened to closed session at approximately 8:21 p.m.

Council reconvened to open session at approximately 9:00 p.m.

No action was taken upon return to open session.

XVII. There being no further business, the meeting adjourned at 9:00 p.m.

---

Mayor

---

City Clerk