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**A = Approved, A1 = Approved First Reading, A2 = Approved Second Reading, D = Deferred,
NA = No Action, PH = Authorized Public Hearing, AD = Approval Denied**

ACTION AGENDA

Hickory City Council
76 North Center Street

May 21, 2024
6:00 p.m.

- I. Call to Order
- II. Invocation by Reverend Tamika Garrison, Director of Faith Community Relations Carolina Caring
- III. Pledge of Allegiance
- IV. Special Presentations
- NA** A. Presentation of a Proclamation for National American Public Works Week. **(Exhibit IV.A.)**
- NA** B. Recognition of Retiring Public Utilities Director Shawn Pennell.
- V. Persons Requesting to Be Heard
 - A. Ms. Jo-Ellen Raver, 98 3rd Avenue SE, Apt. 19, Hickory, discussed concerns with Hickory Public Housing Authority.
- VI. Approval of Minutes
 - A** A. Regular Meeting of May 7, 2024. **(Exhibit VI.A.)**
- VII. Reaffirmation and Ratification of Second Readings. Votes recorded on first reading will be reaffirmed and ratified on second reading unless Council Members change their votes and so indicate on second reading.
 - A2** A. Budget Revision Number 20. **(First Reading Vote: Unanimous)**
 - A2** B. Consideration of Rezoning Petition 24-05 for Property Owned by Bowman Rentals, LLC, Located at 2063 Startown Road, PIN 3721-13-04-3211. **(First Reading Vote: Unanimous)**
 - A2** C. Consideration of Rezoning Petition 24-07 for Property Owned by Jonathan and Mary Bonelli, Located on 5th Avenue NW, PIN 3703-17-02-8192. **(First Reading Vote: Unanimous)**
 - A2** D. Consideration of Rezoning Petition 24-08 for Property Owned by Donald C. Scronce, Located at 2010 Startown Road, PIN 3721-09-05-4815. **(First Reading Vote: Unanimous)**
- VIII. Consent Agenda: All items below will be enacted by vote of City Council. There will be no separate discussion of these items unless a Council Member so requests. In which event, the item will be removed from the Consent Agenda and considered under Item IX.
 - A** A. Approval of the Resolution of Support for Active Transportation Infrastructure Investment Program Planning Grant Application and Matching Funds. **(Exhibit VIII.A.)**

Staff requests Council's approval to apply for Active Transportation Infrastructure Investment Program Planning Grant and matching funds of \$3,575. The Federal Highway Administration has developed the Active Transportation Infrastructure Investment Program Planning & Design Grant program. Trails and greenways have a significant impact on the economic viability of the community through increased levels of tourism as well as the ability to attract and retain businesses such as restaurants, outfitters, lodging, and entertainment. Hickory is home to several parks with trails, walking tracks and greenways. Staff would like to continue building on existing trails to increase connectivity throughout Hickory and other municipalities. This grant will fund a study on the feasibility of creating a trail along the Caldwell Railroad that would provide connections to other municipalities in Caldwell County and to the City of Hickory's trail system and agrees to provide matching funds in the amount of \$3,575. Staff recommend approval of the Active Transportation Infrastructure Investment Program Planning Grant application.

- A** **B.** Approval of the Resolution and Agreement for the Administration of Minimal and Overpayment of Ad Valorem Taxes and Approval of the Tax Collection Agreement. **(Exhibit VIII.B.)**

Staff requests Council's approval of the Resolution for the administration of minimal and overpayment of Ad Valorem Taxes with Catawba County. In 1981 the City of Hickory requested the County take complete responsibility for billing and collection of all municipality ad valorem property taxes, both current and delinquent, and subsequently motor vehicle taxes, such actions permissible by interlocal cooperation and joint exercise of powers pursuant to Chapters 105, 153A and 160A of the North Carolina General Statutes ("NCGS"); The County is requesting the execution of an updated Agreement. The agreement replaces and supersedes any prior Agreements between Catawba County and the City of Hickory related to tax collection. This agreement is made to be entered into July 1st, 2024, by and between Catawba County and the City of Hickory and shall remain in effect until amended or repealed. Staff recommends Council's approval of the Resolution for the Administration of Minimal and Overpayment of Ad Valorem Taxes with Catawba County and associated agreement.

- A** **C.** Approval to Apply for a Grant to Assist in Funding the Purchase of Bulletproof Vests for Hickory Police Department. **(Exhibit VIII.C.)**

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

- PH/A** **D.** Call for a Public Hearing to Consider the Voluntary Contiguous Annexation of 12.45-Acres Located at 2301 21st Avenue NE, Hickory, PIN 3713-08-97-7949, Owned by the City of Hickory. **(Authorize Public Hearing for June 4, 2024, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).** **(Exhibit VIII.D.)**

- PH** **E.** Call for a Public Hearing for Consideration of the City Manager's FY2024-2025 Recommended Budget. **(Authorize Public Hearing for June 4, 2024, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).**

- A** **F.** Approval of a Cemetery Deed Transfer from the City of Hickory to Jerry Wayne Isenhour, and wife, Kathryn Marie Huffman Isenhour, Oakwood Cemetery, J9, Section 58, Plots 1 and 2. (Prepared by Deputy City Attorney Arnita M. Dula). **(Exhibit VIII.F.)**

A G. Approval of a Cemetery Deed Transfer from Pamela Abernethy Parlier, and husband, Judson Timothy Parlier to Frances S. Fincer, married, Oakwood Cemetery, Section 56, Lot 5, Being Plot G. (Prepared by Attorney John G. Fuller). **(Exhibit VIII.G.)**

A H. Approval of Two Locally Administered Projects Program (LAPP) Grant Applications – Surface Transportation Block Grant – Direct Attributable (STBG-DA) to the Hickory Metropolitan Planning Organization. **(Exhibit VIII.H.)**

Staff requests Council's approval of two Locally Administered Projects Program (LAPP) Applications submittals that include Surface transportation Block Grant – Direct Attributable (STBG-DA) funding to the Greater Hickory Metropolitan Planning Organization (MPO). The City plans to submit two supplemental grant applications to the Greater Hickory Metropolitan Planning Organization: (1) Historic Ridgeview Walk Multi-Use Trail - STBG-DA Supplemental – Additional construction funding to supplement EB-5937 to create a connection between City Walk and the Ridgeview Community and to US 70. Estimated Total STBG-DA Supplemental Cost \$1,612,500, 80% Federal Funding - \$1,290,000, 20% Local Match - \$322,500. (2) US 70 and 4th Street Drive SW Intersection Improvements - STGB-DA Supplemental – Additional construction funding to supplement HL-0002 to create a pedestrian crossing at US 70 and 4th Street Drive SW. Estimated Cost \$500,000, 80% Federal Funding - \$400,000, 20% Local Match - \$100,000. Staff requests the Council's approval of the resolution supporting the grant applications and committing the 20% match of \$422,500.

A I. Approval of the Citizens Advisory Committee Recommendations for Assistance through the City of Hickory's Housing Programs. **(Exhibit VIII.I.)**

The mission of the City of Hickory's Community Development Division is to preserve the existing housing base, enhance ownership opportunities for all its citizens to obtain decent housing, and provide a quality environment conducive to the safe and healthy growth of its citizenry. The seven-member Citizens' Advisory Committee was formed to provide for citizen input in the facilitation of the City's CDBG program, as well as any other similar community enhancement funding the City may receive. The following requests were considered by the Citizens' Advisory Committee at a special called meeting on May 9, 2024.

- Polly Neese, 318 31st Avenue NE Hickory, was recommended for approval of a Housing Rehabilitation Loan. The Citizens' Advisory Committee recommends approval for assistance not to exceed \$25,000 for repairs to her house. Assistance would be in the form of a 0% interest deferred loan.
- Thomas & Mary Johnson, 1341 32nd Street SE, Conover, was recommended for approval of a Housing Rehabilitation Loan. The Citizens' Advisory Committee recommends approval for assistance not to exceed \$25,000 for repairs to their house. Assistance would be in the form of a 0% interest deferred loan.
- Mildred Mauney, 520 2nd Street SW, Hickory, was recommended for approval of a Housing Rehabilitation Loan. The Citizens' Advisory Committee recommends approval for assistance not to exceed \$25,000 for repairs to her house. Assistance would be in the form of a 0% interest deferred loan.

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

A J. Approval of the Grant Agreement with the Federal Highway Administration for the Safe Streets for All Comprehensive Safety Action Plan in the amount of \$200,000. **(Exhibit VIII.J.)**

Staff requests Council's approval of the Federal Highway Administration Safe Streets for All Grant Agreement. The Bipartisan Infrastructure Law (BIL) established the new Safe

Streets and Roads for All (SS4A) discretionary program, with \$5 billion in appropriated funds over 5 years, 2022-2026. The SS4A program funds regional, local, and Tribal initiatives through grants to prevent roadway deaths and serious injuries. The SS4A program supports the U.S. Department of Transportation's National Roadway Safety Strategy and the goal of zero roadway deaths. The City of Hickory has received a grant from the Federal Highway Administration to create a Safe Streets For All Comprehensive Safety Action Plan in the amount of \$200,000 with an 80/20 local match. Planning and Demonstration Grants provide Federal funds to develop, complete, or supplement a comprehensive safety action plan. A Safety Action Plan aims to develop a holistic, well-defined strategy to prevent roadway fatalities and serious injuries in a locality. The City of Hickory will use the Safe Streets for All Planning Grant to develop a comprehensive Safe Streets and Roads Action Plan that includes key components such as goal setting, safety analysis, equity, and engagement and collaboration. Once the City of Hickory has a comprehensive safety action plan, it may then apply for the Safe Streets for All funding for implementation activities to improve safety on roadways and at intersections. Staff recommends that City Council approve the City's grant agreement with the Federal Highway Administration for the Safe Streets for All Comprehensive Safety Action Plan in the amount of \$200,000 with an 80/20 match (\$160,000 federal/\$40,000 local match).

- A K.** Approval of the Purchase of Scott Safety Self-Contained Breathing Apparatus (SCBA), Cylinders, and Facemasks from Rhinehart Fire Services in the amount of \$690,000. **(Exhibit VIII.K.)**

Staff requests approval of the purchase and replacement of Self-Contained Breathing Apparatus (SCBA) for the fire department. The new SCBA will be purchased using the North Carolina Sheriff's Association Contract # Bid 24-01-0524. The Self-Contained Breathing Apparatus is used daily for firefighting and rescue operations by the department. This equipment is standardized by the National Institute for Occupational Safety & Health (NIOSH) and the National Fire Protection Association (NFPA) and periodically receives Edition Updates. The current SCBA being used in the department is meeting the 2013 Edition of NFPA 1981: Standard on Open-Circuit Self Contained Breathing Apparatus. A program was established to replace all SCBA used within the department at the same time to assist with firefighter training and familiarity. An equipment committee was formed and selected the Scott Safety Air Pak based on advancements in technology, improved performance capabilities, and improved safety features. The purchase will replace Seventy (70) Scott Safety Self-Contained Breathing Apparatus (SCBA), forty-two (42) Cylinders, and one-hundred thirty (130) Facemasks. Staff recommends approval of the purchase of the aforementioned equipment from Rhinehart Fire Services in the amount of \$690,000.

- A1 L.** Budget Revision Number 21. **(Exhibit VIII.L.)**

1. *To appropriate a total of \$12,487 in sponsorship revenues for programming and event costs within the Parks, Recreation, and Sports Tourism Department.*
2. *To appropriate \$390,000 from General Fund Balance to cover a portion of the cost of SCBA breathing equipment for the Hickory Fire Department.*
3. *To appropriate \$2,500 awarded to the City of Hickory for the S.A.F.E.R. Camp Grant towards safety clothing and supplies within the Hickory Fire Department.*

IX. Items Removed from Consent Agenda

X. Informational Item

XI. New Business

- A. Public Hearings

- A 1.** Consideration of the Voluntary Contiguous Annexation of 1.821-Acres Located at 2326 12th Avenue Drive NE, Hickory, PIN 3723-13-03-2690, Owned by Terry Dean Hollar – Presented by Planning Director Brian Frazier. **(Exhibit XI.A.1.)**

Consideration of the voluntary contiguous annexation of 1.821 acres of property located at 2326 12th Avenue Drive NE. identified as PIN 372313032690. The property is currently occupied by a single-family residence and located within the City's extraterritorial jurisdiction. The property owner is requesting annexation in order to gain access to City utilities. The current tax value of the property is \$158,800. If annexed, the property would generate \$722.54 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 find the petition to be in conformity with applicable statutes and recommend approval of the petition.

The public hearing was advertised in a newspaper having general circulation in the Hickory area on May 11, 2024.

- A** 2. Consideration of an Economic Development Agreement with Steel Warehouse of North Carolina, LLC as well as Approval of the Associated Agreements with the North Carolina Department of Commerce, and the Western Piedmont Council of Governments – Presentation by Business and Community Development Manager Dave Leonetti. **(Exhibit XI.A.2.)**

Staff requests Council's consideration of the Economic Development Agreement with Steel Warehouse of North Carolina, LLC, and approval of agreements with NC Department of Commerce, Steel Warehouse of North Carolina, LLC, and the Western Piedmont Council of Governments to accept and administer a Building Reuse Grant for 2441 and 2511 Highland Avenue NE. Steel Warehouse plans to redevelop a complex of buildings located at 2441 Highland Avenue NE. They plan to invest at least \$27,000,000 and create a minimum of 58 new jobs by the end of 2027. The company plans to use the property as a steel processing facility. Steel Warehouse proposes to create 58 jobs that pay above the median wage for Catawba County. The Building Reuse Grant is offered by the North Carolina Department of Commerce to provide funding to businesses looking to occupy existing buildings. They are eligible for and have been awarded \$240,000 in building reuse grant funding from the NC Department of Commerce. The grant requires a five percent match from the City of Hickory and Catawba County, which amounts to \$12,000 (\$6,000 each). Staff requests City Council's approval of an Economic Development Agreement with Steel Warehouse of North Carolina, LLC and agreements with NC Department of Commerce, Steel Warehouse of North Carolina, LLC, and the Western Piedmont Council of Governments to accept and administer a Building Reuse Grant for 2441 and 2511 Highland Avenue NE.

The public hearing was advertised in a newspaper having general circulation in the Hickory area on May 9, 2024.

B. Departmental Reports

- A** 1. Approval of the Resolution to Oppose the City of Charlotte Inter-basin Transfer Request – Discussion by City Manager Warren Wood. **(Exhibit XI.B.1.)**

The North Carolina Environmental Management officials are currently reviewing a request from the City of Charlotte to modify their certificate to increase their current transfer of 33 million gallons per day to 63 million gallons of water per day from the Catawba River Basin to the Rocky River Basin. The 2015 Water Supply Master Plan for the Catawba River projected Charlotte's current IBT would be sufficient through 2065 and that Charlotte should not increase its IBT for its growth needs over the next 30 years. Staff recommends the Council's approval of the Resolution to oppose the City of City of Charlotte inter-basin transfer request.

- A** 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)
Caucasian (Council Appoints) Cliff Moone Resigned VACANT
Caucasian (Council Appoints) Macgregor Vanbeurden Resigned VACANT
Other Minority (Council Appoints) VACANT
Other Minority (Council Appoints) VACANT

Alderman Zagaroli Nominated Jacob Beaver as a Caucasian Representative on the Community Relations Council.

HICKORY REGIONAL PLANNING COMMISSION

(Term Expiring 6-30; 3-Year Terms with Unlimited Appointments) (Appointed by City Council)
Burke County Representative (Mayor Appoints with Recommendation from Burke County) VACANT

HISTORIC PRESERVATION COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Historic Properties Owner (Council Appoints) VACANT
Building Trades Profession (Council Appoints) VACANT

PUBLIC ART COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 1 (Wood Appoints) VACANT

RECYCLING ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 4 (Freeman Appoints) VACANT
Ward 6 (Patton Appoints) VACANT
At-Large (Council Appoints) VACANT
At-Large (Council Appoints) VACANT

- C. Presentation of Petitions and Requests
- XII. Matters Not on Agenda (requires majority vote of Council to consider)
- XIII. General Comments by Members of Council, City Manager or City Attorney of a Non-Business Nature
- XIV. Adjournment

***Hickory City Code Section 2-56. Public Address to Council:**

“When conducting public hearings, considering ordinances, and otherwise considering matters wherein the public has a right to be heard, when it appears that there are persons present desiring to be heard, the Mayor shall require those opposing and favoring the proposed action to identify themselves. Each side of the matter shall be given equal time. Those opposing the proposed action shall be allowed 15 minutes for presentation, followed by 15 minutes for those favoring the action, with the opponents then to have five minutes for rebuttal and the proponents to then have five minutes for surrebuttal. Those persons on either side shall have the right to divide their allotted time among them as they may choose. The Council, by majority vote, may extend the time for each side equally. On matters in which the person desiring to address the Council does not have a legal right to speak, the Council shall determine whether it will hear the person. The refusal to hear a person desiring to speak may be based upon grounds that the subject matter is confidential, that its public discussion would be illegal, that it is a matter not within the jurisdiction of the Council or for any other cause deemed sufficient by the Council. Any person allowed to speak who shall depart from the subject under discussion or who shall make personal, impertinent, or slanderous remarks, or who shall become boisterous while addressing the Council shall be declared out of order by the Mayor, or by vote of the Council, and barred from speaking further before the Council unless permission to continue shall be granted by a majority vote of the Council, under such restrictions as the Council may provide.”

**The City of Hickory holds all public meetings in accessible rooms.
Special requests for accommodation should be submitted by individuals
with disabilities at least 48 hours before the scheduled meeting.
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