

A Regular Meeting of the City Council of the City of Hickory was held in the Council Chamber of the Municipal Building on Tuesday, May 7, 2024 at 6:00 p.m., with the following members present:

Tony Wood	Hank Guess	Anthony Freeman
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, Assistant City Manager Yaidee Fox, Deputy City Attorney Arnita Dula, City Attorney Timothy Swanson, Administrative Assistant Iris Childers, and City Clerk Debbie D. Miller

- I. Mayor Guess called the meeting to order. All Council members were present with the arrival of Alderman Zagaroli at 6:02 p.m.
- II. Invocation by Reverend, Doctor, Alderman Freeman
- III. Pledge of Allegiance
- IV. Special Presentations
 - A. Presentation of a Proclamation for National Police Week 2024.

Mayor Guess asked Hickory Police Department personnel, both those that were sworn and those that may be civilian, to the podium. He noted this was not all of them. He did not need to tell anybody that was present how much they appreciated all of their coworkers, not just police employees. They appreciated all of the many coworkers that they have throughout the City. But this was a special week because it was National Police Week. He wanted to take the opportunity to recognize all law enforcement officers. They had all been reminded this week what a dangerous profession their law enforcement community faced. They wanted to do everything they could to support their men and women. He hoped that they would continue with the safety record that they had in the City of Hickory. They appreciated the job that they do each and every day. He read and presented the Proclamation for National Police Week 2024. Photos were taken.

Chief Reed Baer thanked Mayor Guess. He mentioned that it was a sad day, for not the first time, as they approached National Police Week. He remembered those who had fallen before them and next Wednesday, they would celebrate those in service, and would remember those and their families that followed. In this community, they were still extremely fortunate to have these men and women step-up into the profession.

- B. Presentation of a Proclamation for Building Safety Month – May 2024.

Mayor Guess asked the officers to stay at the podium. He asked Fire and Code Enforcement personnel to the podium. He noted in addition to being Police Week, May was also Building Safety Month, and each of these departments contributed greatly to the building safety within the City limits. Mayor Guess read and presented the Proclamation for Building Safety Month 2024. Photos were taken.

Fire Marshal Battalion Chief Stephen Craig thanked Code Enforcement and the Police Department as well as his staff that were present for all of their hard work. He thanked the City for their support. Sometimes it was difficult enforcing codes and keeping people safe, because sometimes codes do not make people happy. But with their support and understanding, they could educate the public and help make everyone safe. He thanked everyone present for their support of what they did, because what they did was to help keep everybody safe.

- C. Presentation of a Proclamation to Lenoir-Rhyne University Track and Field Athlete Alexis Brown.

Mayor Guess asked Lenoir-Rhyne University Track and Field Athlete Alexis Brown to the podium. They have a lot of athletes in the community, but he was pretty certain that they do not have any athletes that he was aware of that could outrun Ms. Alexis Brown. He thought that it was indicated very well on the proclamation that she was probably the fastest lady in Hickory. Maybe the fastest lady in Catawba County. They wanted to recognize her on her accomplishments and achievements, most recently in conjunction with Lenoir-Rhyne University. He commented that Lenoir-Rhyne University was a tremendous partner and they had great relationships with all of the staff at Lenoir-Rhyne University. They appreciated not only their students and their athletes, but all of the staff at Lenoir-Rhyne University for all that they do together with them. Mayor Guess read and presented the Proclamation to Alexis Brown. Photos were taken. He acknowledged her coaches that were in attendance. He welcomed them and appreciated all that Lenoir-Rhyne University does. He commended them for their great achievements in sports, track, and field.

- V. Persons Requesting to Be Heard

- A. Ms. Daria Jackson, 133 17th Street SE, Apartment B, Hickory, NC, commented that the multicultural festival was phenomenal. If they missed it, it was the best of Hickory. She had a great time. She was sorry a lot of them missed it. However, in the beginning, before people even got there, the bathrooms were horrible. She took pictures. She thought that when there was an event like that downtown, they should have somebody in there steadily checking on the bathroom, not just waiting till the end of the program to clean them. She reiterated that she had pictures, and there were not that many people there before then. She noted it had a horrible odor and that was in the beginning, 4:00 – 4:30-ish. It really did not get started until 6:00.

Mayor Guess asked if anyone else wished to address the Council. No one else appeared. He advised they did not have to wait until the meeting to address the Council, they all make themselves available by several different means. If they wanted to speak to them individually, they were certainly welcome to do that at any time.

VI. Approval of Minutes

- A. Regular Meeting of April 16, 2024.

Alderman Patton moved, seconded by Alderman Zagaroli that the Minutes of April 16, 2024 be approved. The motion carried unanimously.

- B. Special Meeting of April 18, 2024.

Alderman Seaver moved, seconded by Alderman Patton that the Minutes of April 18, 2024 be approved. The motion carried unanimously.

VII. Reaffirmation and Ratification of Second Readings. Votes recorded on first reading will be reaffirmed and ratified on second reading unless Council Members change their votes and so indicate on second reading.

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

- A. Budget Revision Number 19. (First Reading Vote: Unanimous)

VIII. Consent Agenda: All items below will be enacted by vote of City Council. There will be no separate discussion of these items unless a Council Member so requests. In which event, the item will be removed from the Consent Agenda and considered under Item IX.

Alderman Patton moved, seconded by Alderman Williams approval of the Consent Agenda. The motion carried unanimously.

- A. Approved the Certificate of Sufficiency and Preliminary Resolution Relative to Street Improvements for Curb and Gutter along 525 9th Avenue NW, Petition Number 24-01. (Authorized Public Hearing for June 4, 2024, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).

Certificate of Sufficiency
(No. 24-01)

I, Debbie D. Miller, City Clerk of the City of Hickory, North Carolina, do hereby certify that the annexed petition of property owners for the improvement of a portion of 525 9th Avenue NW, Hickory was lodged with me on the 16th day of April, 2024, and that I have investigated the sufficiency of said petition; and that the results of my investigation are as follows:

The total number of owners of land abutting on the parts of said street proposed by said petition to be improved is two (2). The number of said owners who signed said petition is two (2), a majority.

The total number of lineal feet of said lands upon the parts of the street proposed by said petition to be improved is 100 feet. The number of said lineal feet represented by said owners who signed said petition is 100 feet, a majority.

For the purposes of said petition a majority in interest of owners of undivided interest in any piece of property have been deemed and treated by me as one person.

I find that the said petition is in all respects sufficient and in conformity with all requirements of Chapter 160 A, Article 10 of the General Statutes of North Carolina, as amended. I also find the parts of said street proposed by said petition to be improved have been definitely laid out, and that the boundaries of same have been definitely fixed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Hickory, this the 16th day of April, 2024.

/s/ Debbie D. Miller, City Clerk

RESOLUTION NO. 24-24
PRELIMINARY RESOLUTION
OF THE CITY COUNCIL OF THE CITY OF HICKORY
(NO. 24-01)

WHEREAS, on the 12th day of April, 2024, property owners of 525 9th Avenue NW, Hickory, filed with the City Engineer of the City of Hickory a petition for improving said street by placing and constructing thereon curb and gutter according to plans and specifications on file in the Office of the City Engineer; and

WHEREAS, the City Clerk has certified to this Board that said petition is sufficient in all respects.

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

1. That the above-mentioned petition is found to be sufficient in all respects.
 2. That, that portion of 525 9th Avenue NW, Hickory be improved by placing and constructing thereon curb and gutter in accordance with plans and specifications on file in the Office of the City Engineer under and by virtue of Chapter 160A, Article 10 of the General Statutes of North Carolina, and that said improvements be done by the City of Hickory or by contract after due notice and advertisement for bids, as outlined by Chapter 143, Section 129 of the General Statutes of North Carolina.
 3. That 50 percent of the total cost of the said improvements may be assessed against the property receiving the improvement for constructing curb and gutter at \$32.50 per linear foot for a total of 70 linear feet excluding driveway cuts, and \$65.25 per linear foot for driveway apron for a total of 30 linear feet, combined being 100 linear feet.
 4. That the assessment herein provided for shall be payable in cash, or if the property owners shall so elect, in accordance with Chapter 160A, Sections 232 and 233 of the General Statutes of North Carolina, they shall have the option and privilege of paying the assessment in five (5) equal annual installments, to bear interest at the rate of 8 percent per annum.
 5. That a public hearing on all matters covered by this resolution shall be held on June 4, 2024, at 6:00 p.m. in the Council Chamber of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina.
- B. Called for a Public Hearing to Consider 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. (Authorized Public Hearing for May 21, 2024, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).

RESOLUTION NO. 24-25
RESOLUTION DIRECTING THE CLERK TO
INVESTIGATE A PETITION RECEIVED
UNDER G.S. 160A-31 AND/OR 160A-58.1, AS AMENDED

WHEREAS, a petition from Terry Dean Hollar requesting annexation of an area described in a petition was received on April 24, 2024, by the City Council of the City of Hickory; and

WHEREAS, G.S. 160A-31 and G.S. 160A-58.1 provide that the sufficiency of the petition shall be investigated by the Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Hickory deems it advisable to proceed in response to this request for annexation.

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

THAT, the Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the City Council the result of her investigation.

CERTIFICATE OF SUFFICIENCY

TO THE CITY COUNCIL OF THE CITY OF HICKORY, NORTH CAROLINA:

I, Debbie D. Miller, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31 and/or G.S. 160A-58.1, as amended:

Property of Terry Dean Hollar containing 1.821-acres more or less, located at 2326 12th Avenue Drive NE, Hickory NC, and identified as PIN 3723-13-03-2690.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Hickory this 24th day of April, 2024.

/s/ Debbie D. Miller, City Clerk

RESOLUTION 24-26

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION, PURSUANT TO G.S. 160A-31 OR G.S. 160A-58.1, AS AMENDED

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council of the City of Hickory has, by Resolution, directed the clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the Clerk as to the sufficiency of said petition has been made.

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

Section 1: That a public hearing on the question of annexation of the area described herein will be held at 6:00 p.m. on May 21, 2024, in the Council Chambers of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina.

Section 2: The area proposed for annexation is described as follows:

Property of Terry Dean Hollar containing 1.821-acres more or less, located at 2326 12th Avenue Drive NE, Hickory NC, and identified as PIN 3723-13-03-2690.

Section 3: Notice of said public hearing shall be published in the Hickory Daily Record, a newspaper having general circulation in the City of Hickory, at least ten (10) days prior to the date of said public hearing.

RESOLUTION NO. 24-27

A RESOLUTION DETERMINING THE INTENT TO ANNEX INTO THE CORPORATE LIMITS OF THE CITY OF HICKORY CERTAIN PROPERTY OWNED BY TERRY DEAN HOLLAR AND CALLING FOR A PUBLIC HEARING ON THE SAME

WHEREAS, Terry Dean Hollar is the owner of certain real property as described herein, which property is located at 2326 12th Avenue Drive NE, Hickory, NC and identified as PIN 3723-13-03-2690, containing 1.821-acres more or less; and

WHEREAS, such property is currently located in the City's extra-territorial jurisdictional (ETJ); and

WHEREAS, it is in the best interest of the health, safety, and well-being of the residents of the City of Hickory to annex such property into the corporate limits of the City of Hickory as authorized by N.C.G.S. Section 160A-31; and

NOW, THEREFORE BE IT RESOLVED by the Hickory City Council, sitting in open session this 7th day of May, 2024, at a regularly scheduled meeting of the governing body of said Council, duly called and posted in accordance with the statutes of the State of North Carolina, as follows:

Section 1: That the Hickory City Council does determine that it is in the best interest of the health, safety, and well-being of the residents of the City of Hickory to annex the property described hereinafter into the corporate limits of the City of Hickory.

Section 2: That a public hearing on the question of annexation of the area described herein will be held at 6:00 p.m. on May 21, 2024, in the Council Chambers of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina.

Section 3: The same being that property reflected on map entitled Hollar Voluntary Annexation Map 1 Existing City Boundary, subject property outlined in red; Hollar Voluntary Annexation Map 2, Existing Zoning, subject property outlined in red; Hollar Voluntary Annexation, Map 3, Aerial Photography subject property outlined in red.

Section 4: Notice of said public hearing shall be published in The Hickory Daily Record, a newspaper having general circulation in the City of Hickory, at least ten (10) days prior to the date of said public hearing.

- C. Approved the Letter of Agreement for Airport Safety Maintenance Projects, and Resolution with the North Carolina Department of Transportation.

Staff requests City Council's approval of a 5-year Letter of Agreement for Airport Safety Maintenance Projects with the North Carolina Department of Transportation (NCDOT). The NCDOT Division of Aviation (NCDOT-DOA) created the Airport Safety/Maintenance Program several years ago to apply available State funds to assist publicly owned and operated airports with airfield safety projects. Agreeing to this program by signing the Letter of Commitment allows the NCDOT-DOA to provide safety/maintenance services to the Hickory Regional Airport at no cost to the City. This Letter of Agreement is for a 5-year period and can be cancelled by either party at any time via written notice. Such maintenance/safety improvements that can be performed under this agreement may include, but not limited to joint and crack sealing, pavement repairs and patching, surface treatments, maintenance overlays, electrical, grading, drainage improvements, pavement markings and/or other infrastructure maintenance. The City would be responsible in allowing the NCDOT to use State and/or private contractors; provide an authorized representative to be present while work is in progress; provide qualified monitoring of airport's UNICOM radio transceiver; to temporarily close any runways, taxiways or ramps as needed; to issue any necessary NOTAMS (Notices to Airmen); allow the NCDOT to determine the design, scope of work, materials to be used and methods for project; hold harmless NCDOT from all suits, actions or claims resulting from performed work and to be in good standing on all State and Federal grant requirements and assurances. Entering into this agreement aligns with the goals for the airport's future expansion and economic development. The safety/maintenance services this agreement provides could assist in improvements to the airport's infrastructure for expansion so as to entice and resume commercial air service and add additional corporate aviation use. Airport staff recommends the City Council's approval of the Letter of Agreement for Airport Safety/Maintenance Projects and Resolution with the North Carolina Department of Transportation.

RESOLUTION NO. 24-28
Resolution of the Sponsor

THAT WHEREAS the City of Hickory, (hereinafter referred to as "Sponsor") and the North Carolina Department of Transportation (hereinafter referred to as "Department") requires a Commitment and Release of Liability statement to be on file, in order to provide and oversee maintenance and safety improvements on the operational surfaces of the Hickory Regional Airport; in accordance with the provisions of North Carolina General Statute 63.

NOW THEREFORE, BE IT AND IS HEREBY RESOLVED, that Mayor Hank Guess of the Sponsor be and is hereby authorized and empowered to enter into a Commitment and Release of Liability with the Department, thereby binding the Sponsor to fulfillment of its obligation as incurred under this resolution and its commitment to the Department.

- D. Approved the Acceptance of the Summer Fire Camp Grant in the Amount of \$2,500 from the Office of State Fire Marshal.

Staff requests approval of acceptance of the grant in the amount of \$2,500 from the Office of State Fire Marshal (OSFM) for their yearly summer fire camp, S.A.F.E.R (Student Academy of Fire, EMS, and Rescue) Camp, led by the Fire and Life Safety Division. OSFM awarded the City of Hickory Fire Department the OSFM/BCBS grant to be used towards the expenditures of the S.A.F.E.R Academy. The S.A.F.E.R. Camp is dedicated to educating, exposing, and recruiting high school students to careers in the fields of fire, EMS, and rescue. The curriculum covers a range of topics including the use of industry-standard personal protective equipment (PPE), CPR Training, agility tests, station tours, investigations, 911 communications, and a special graduation luncheon. The positive outcomes from the past three years of S.A.F.E.R Camp have been a driving force for a continued partnership with Catawba County Schools and to enhance the experience for future campers. Campers, throughout the years, have joined their local departments as Junior Firefighters and some completed the CVCC Fire Academy while being hired on to surrounding departments, one being Hickory Fire Department. S.A.F.E.R Camp has proven to be a great resource for high school students in Catawba County. Staff recommends the approval of accepting the Summer Fire Camp grant award in the amount of \$2,500 from the Office of State Fire Marshal.

- E. Approved the Correction of Resolution Number 24-16 Accepting the Offer of Public Dedication of Lands and Improvements Known as 14th Avenue Drive SE, a 45-Foot Right of Way Recorded in Plat Book 84 at Page 75 of the Catawba County Registry.

City Council approved Resolution Number 24-16 on April 2, 2024 accepting the offer of public dedication of lands and improvements known as 14th Avenue Drive SE, which is a 45-foot right of way recorded in Plat Book 84, at Page 75 of the Catawba County Registry. The Resolution inadvertently stated, "14th Avenue Drive NE", but should have read "14th Avenue Drive SE". Staff requests approval of the correction of Resolution Number 24-16 to "14th Avenue Drive SE".

RESOLUTION NO. 24-16

A RESOLUTION OF THE HICKORY CITY COUNCIL ACCEPTING THE OFFER OF PUBLIC DEDICATION OF LANDS AND IMPROVEMENTS KNOWN AS 14th AVENUE DRIVE SE, WHICH IS DESCRIBED IN EXHIBIT A AS A 45 FOOT RIGHT-OF-WAY, AS RECORDED IN PLAT BOOK 84, PAGE 75 OF THE CATAWBA COUNTY REGISTRY.

WHEREAS, NCGS §160D-806 and Article 2, Section 2.3.6 of the Hickory Land Development Code provide that City Council may, by resolution, accept offers of public dedication made to the public of lands and facilities for streets, sidewalks, open spaces, and public utilities after verification from the City Engineer such properties and improvements are in a manner acceptable for acceptance; and

WHEREAS, the City of Hickory has been provided with an offer of public dedication of lands and improvements known as 14th Avenue Drive SE, which are described Exhibit A as a 45-foot right-of-way, as recorded in Plat Book 85, Page 74 of the Catawba County Registry; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of Hickory, North Carolina, the offer of public dedication for 14th Avenue Drive SE, which is described in Exhibit A as a 45-foot right-of-way, as recorded in Plat Book 85, Page 74 of the Catawba county Registry, is accepted, subject to the following terms and conditions:

SECTION 1. Terms and Conditions of Acceptance:

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

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

- F. Accepted the Bid and Awarded the Contract to Neill Construction Company in the Amount of \$1,208,714 for Construction of 12 T-Hangars at Hickory Regional Airport on the North Ramp.

Staff requests City Council's approval to award a construction bid with Neill Construction Company and authorize the City Manager to approve a construction contract in the amount of \$1,208,714 to construct twelve new T-hangars on the North Ramp of Hickory Regional Airport. The City purchased its first set of 12 individual T-hangars in 2023 from Fulfab, Inc. and construction was completed last month. A new set of 12 individual T-hangars has been ordered from Fulfab Inc. and will arrive onsite in mid-May. Construction will occur adjacent to the first set of hangars on the north ramp of the airport and take approximately 180-days to complete. The T-hangars are designed to accommodate small to midsize aircraft that are currently leasing space in the larger group hangars. Once they are moved from the group hangars, additional aircraft are able to move to the airport off of a waiting list. The City requested construction bids in April and received a total of 7 bids. The lowest responsive bidder was Neill Construction Company with a low bid amount of \$1,208,714. The new hangar development aligns with the recommendations of the Hickory Regional Airport Task Force Report to promote and expand the assets at the airport to increase revenues through expansion of the number of base aircraft. The project will be funded with NC Department of Transportation Reserve Funds that were allocated in the fiscal year 23-24 budget. Staff recommends the City Council award a construction bid and authorize the City Manager to approve a construction contract with Neill Construction Company in the amount of \$1,208,714 for the construction of 12 new T-hangars at the Hickory Regional Airport.

- A. Approved on First Reading Budget Revision Number 20.

**ORDINANCE NO. 24-16
BUDGET REVISION NUMBER 20**

BE IT ORDAINED by the Governing Board of the City of Hickory that, pursuant to N.C. General Statutes 159.15 and 159.13.2, the following revision be made to the annual budget ordinance for the fiscal year ending June 30, 2024, and for the duration of the Project Ordinance noted herein.

SECTION 1. To amend the General Fund within the FY 2023-24 Budget Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Government	54,557	5,824
Other Financing Uses	5,823	-
Culture & Recreation	13,559	-
Public Safety	664,111	70,000
Contingency	-	255,838
Transportation	-	298,322
TOTAL	738,051	635,984

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

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous	61,790	-
Other Financing Sources	51,858	24,840
Sales and Services	13,259	-
TOTAL	126,907	24,840

SECTION 2. To amend the Insurance Fund within the FY 2023-24 Budget Ordinance the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Government	27,145	-
TOTAL	27,145	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Sales and Services	27,145	-
TOTAL	27,145	-

SECTION 3. To amend the Bruce Meisner Park (#620008) Capital Project Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	28,840	24,578

TOTAL	28,840	24,578
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To provide funding for the above, the Bruce Meisner Park (#620008) revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Investment Earnings	262	-
TOTAL	262	-

SECTION 4. To establish the State & Local Cybersecurity Grant (#450002) Grant Project, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	100,824	-
TOTAL	100,824	-

To provide funding for the above, the State & Local Cybersecurity Grant (#450002) revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	5,824	-
Restricted Intergovernmental	95,000	-
TOTAL	100,824	-

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

IX. Items Removed from Consent Agenda – None

X. Informational Item

XI. New Business:

A. Public Hearings

1. Approved the Voluntary Contiguous Annexation of 31.388-Acres Located at 2063 Startown Road, PIN 3721-13-04-3211, Owned by Bowman Rentals, LLC – Presented by Planning Director Brian Frazier.

Consideration of the voluntary contiguous annexation of 31.388 acres property located at 2063 Startown Road, identified as PIN 3721-13-04-3211. The property is currently vacant and located within the planning jurisdiction of Catawba County and zoned R-20 Residential. Properties zoned R-20 can be utilized primarily for residential purposes, at a maximum density of 2 dwelling units per acre. If annexed, the property owners have requested the property be zoned Planned Development, with their future intentions being the construction of 75 single-family townhomes and 12 apartment buildings consisting of 300 units. This would equate to a density of approximately 11.9 dwelling units per acre. The surrounding properties are zoned R-20 Residential, R-2 Residential, and Planned Development and are occupied by detached single-family residences, and apartments. 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 April 20, 2024.

Mayor Guess explained the rules for conducting the public hearing and advised these rules pertained to each of the public hearings. He would not go over the rules each and every time. He asked City Manager Warren Wood to introduce the public hearing.

City Manager Warren Wood asked Planning Director Brian Frazier to the podium to present a request for voluntary contiguous annexation of 31.388 acres of property located at 2063 Startown Road, owned by Bowman Rentals, LLC.

Planning Director Brian Frazier gave a PowerPoint presentation. As City Manager Warren Wood indicated, this was Bowman Rentals, LLC for an annexation, just under 32 acres in total. The current development was vacant, and the developer was proposing potential single and multifamily planned development. Annexation was being sought to gain access to public utilities, in this case sanitary sewer. He referred to the PowerPoint and displayed a map. He pointed out the property in

question, Highway 70 SE, Catawba Valley Boulevard, and Startown Road. He pointed out the City limits, the Hickory ETJ, (extra-territorial jurisdiction), and everything in the County. He displayed a zoning map and pointed out the areas currently zoned County R-20, City C-3, Regional Commercial R-2, and various other City and County zoning designations. He displayed an aerial ortho of the property, and he pointed out Catawba Valley Boulevard, Highway 70, Startown Road, CVCC campus, Preston Ridge, they were completing the second phase of their apartments, and Trivium Corporate Park further to the south. The voluntary annexation petition complied with all applicable statutes. There were adequate public services to serve the site. They believed that the annexation of the property would not cause available public services to fall below any acceptable levels. based on these findings, staff respectfully recommended approval of the requested annexation. He asked for questions.

Mayor Guess asked if the Council had any questions. He thanked Mr. Frazier. He added in addition to the rules he previously explained regarding the public hearing, he asked that everyone be respectful of those who may be speaking differently than how they felt about a particular matter. He asked that everyone maintained a level of respect regardless of whether or not they agreed with what the person was saying or not. They hopefully would not have any issues related to that this evening. He declared the public hearing open and asked if anyone present would like to speak in opposition of the proposed annexation. No one appeared. He asked if anyone present would like to speak in favor. No one appeared. He declared the public hearing closed. He asked for a motion or any further discussion from the Council.

Alderwoman Patton moved, seconded by Alderman Zagaroli approval of the voluntary contiguous annexation of the property located at 2063 Startown Road. The motion carried unanimously.

ANNEXATION ORDINANCE NO. 500
VOLUNTARY ANNEXATION ORDINANCE (CONTIGUOUS)
Bowman Rentals, 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 6:00 p.m. on the 7th day of May, 2024; 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 May, 2024:

Contiguous Annexation
by the City of Hickory
of the property known as
Bowman Rentals LLC

That certain parcel or tract of land lying and being about 4.09 miles south southeast of the center of the City of Hickory. Bounded on the north by the right-of-way of Startown Rd. (S.R. 1005); on the east by the right-of-way of Robinwood Rd. (S.R. 1148); on the south by the lands of Ming Yang as described in Deed Book 3287 at Page 441, Matt D. Campbell as described in Deed Book 2209 at Page 1065, Heather H. King as described in Deed Book 3335 at Page 149, Clarence J. Jones, Jr. as described in Deed Book 3639 at Page 1909, Dennis Shay Bollinger as described in Deed Book 3545 at Page 684, Amelia C. Huffman as described in Deed Book 2277 at Page 1317 and Luke Phillip Setzer as described in Deed Book 3671 at Page 1024; on the west by the existing City of Hickory city limits as shown in Plat Book 82 at Page 179 and Plat Book 84 at Page 9, the lands of Hickory Housing, LLC as described in Deed Book 3848 at Page 1529, Startown MF Phase 11, LLC as described in Deed Book 3760 at Page 1963, Dennis Eugene Bollinger as described in Deed Book 898 at Page 127 and Kieng Lee as described in Deed Book 3036 at Page 470 and more particularly described as follows, to wit.

Beginning at a 2" pipe, the northeast corner of the lands of Kieng Lee as described in Deed Book 3036 at Page 470 on the south side of Startown Rd., said pipe being located South 51 degrees 48 minutes 39 seconds East 99.84 feet from a 7/8" pipe, the northwest corner of Lee and running thence, on the south side of Startown Rd. as new City of Hickory city limits the following calls: South 51 degrees 50 minutes 01 seconds East 95.83 feet to a right-of-way disk; thence, as curve to the right, said curve having a radius of 3440.00', a length of 5.70', a chord bearing and distance of South 52 degrees 49 minutes 52 seconds East 5.70 feet to a 1/2" rebar; thence South 52 degrees 52 minutes 43 seconds East 263.27 feet to a 1/2" rebar; thence, continuing the same bearing, a distance of 154.37 to a point; thence, leaving Startown Rd. and running with the west side of Robinwood Rd. as new City of Hickory city limits, the following calls: South 22 degrees 26 minutes 54 seconds West 154.68 feet to a point; thence South 22 degrees 28 minutes 34 seconds West 226.89 feet to a right-of-way disk; thence South 22 degrees 17 minutes 15 seconds West 178.28 feet to a 1/2" rebar; thence, as curve to the left, said curve having a radius of 2,317.47 feet, a length of 225.21' and a chord bearing and distance of South 20 degrees 21 minutes 49 seconds West 225.12 feet to a 1/2" rebar; thence, with a curve to the left, said curve having a radius of 5,594.56, a length of 186.53' and a chord bearing and distance of South 16 degrees 37 minutes 28 seconds West 186.52 feet to a 1/2" rebar; thence South 15 degrees 40 minutes 09 seconds West 655.56 feet to a point, the northeast corner of the Ming Yang lands as described in Deed Book 3287 at Page 441 said point being located South 25 degrees 53 minutes 24 seconds West 243.81 feet from a fire hydrant on the east side of Robinwood Rd.; thence, leaving Robinwood Rd. and running with the north line of Yang, North 85 degrees 11 minutes 40 seconds West, passing a right-of-way monument at 14.95 feet, a total distance of 201.05 feet to a PK nail, the northeast corner of the Matt D. Campbell lands as described in Deed Book 2209 at Page 1065; thence, with the north line of Campbell, North 85 degrees 50 minutes 23 seconds West 208.02 feet to a 5/8" rebar, the northeast corner of the Heather H. King lands as described in Deed Book 3335 at Page 149; thence, with the north line of King North 78 degrees 41 minutes 14 seconds West 100.18 feet to a 1/2" rebar, the northeast corner of the Clarence J. Jones, Jr. lands as described in Deed Book 3639 at Page 1909; thence, with the north line of Jones, North 78 degrees 39 minutes 49 seconds West 99.93 feet to a geared shaft, the northeast corner of Dennis Shay Bollinger lands as described in Deed Book 3545 at Page 684; thence, with the north line-of Bollinger, North 79 degrees 00 minutes 36 seconds West 100.01 feet to a 1/2" rebar, the northeast corner of the Amelia C. Huffman lands as described in Deed Book 2277 at Page 1317; thence, with the north line of Huffman, North 79 degrees 12 minutes 58 seconds West 62.49 feet to a 1/2" rebar; thence, continuing with the north line of Huffman, North 84 degrees 51 minutes 34 seconds West 61.15 feet to a "T" fence post, the northeast corner of the Luke Phillip- Setzer as described in Deed Book 3671 at Page 1024; thence, with the north line of Setzer, North 87 degrees 06 minutes 04 seconds West 173.16 feet to a 1" pipe, the northwest corner of Setzer in the east line of the Hickory Housing, LLC lands as described in Deed Book 3848 at Page 1529 and in the existing City of Hickory city limits line as shown in Plat Book 82 at Page 179; thence with the east line of

Hickory Housing, LLC and the existing city limits, North 08 degrees 33 minutes 39 seconds East, passing a ½" rebar at 685.86 feet, a total distance of 735.86 feet to a point in a branch in the east line of the Startown MF Phase II, LLC lands as described in Deed Book 3760 at Page 1963 and the existing City of Hickory city limits line as shown in Plat Book 84 at Page 9; thence, with the east line of Startown MF Phase 11, the existing city limits and the center of the branch, the following calls: North 61 degrees 30 minutes 00 seconds East 21.66 feet to a point; thence South 71 degrees 05 minutes 43 seconds East 12.87 feet to a point; thence North 66 degrees 36 minutes 32 seconds East 13.71 feet to a point; thence North 69 degrees 14 minutes 27 seconds East 32.98 feet to a point; North 07 degrees 10 minutes 32 seconds East 17.04 feet to a point; thence South 87 degrees 01 minutes 14 seconds East 25.99 feet to a point; thence North 44 degrees 42 minutes 35 seconds East 10.85 feet to a point; thence North 73 degrees 43 minutes 11 seconds East 25.68 feet to a point; thence North 44 degrees 45 minutes 46 seconds East 16.68 feet to a point; thence North 85 degrees 10 minutes 23 seconds East 25.05 feet to a point; thence North 17 degrees 58 minutes 45 seconds East 14.47 feet to a point; thence North 68 degrees 29 minutes 29 seconds East 24.32 feet to a point; thence North 38 degrees 38 minutes 22 seconds East 16.36 feet to a point; thence North 70 degrees 16 minutes 16 seconds East 14.81 feet to a point; thence South 84 degrees 58 minutes 08 seconds East 19.39 feet to a point; thence North 73 degrees 36 minutes 10 seconds East 33.99 feet to a point; thence North 88 degrees 41 minutes 36 seconds East 17.25 feet to a point; thence North 62 degrees 06 minutes 35 seconds East 22.67 feet to a point; thence North 03 degrees 11 minutes 33 seconds East 12.64 feet to a point; thence North 26 degrees 36 minutes 30 seconds East 25.76 feet to a point; thence North 58 degrees 42 minutes 30 seconds East 22.56 feet to a point; thence North 20 degrees 05 minutes 24 seconds East 22.70 feet to a point; thence North 16 degrees 00 minutes 08 seconds East 42.09 feet to a point; thence North 18 degrees 51 minutes 10 seconds East 30.10 feet to a point; thence North 39 degrees 57 minutes 38 seconds East 37.38 feet to a point; thence North 56 degrees 01 minutes 40 seconds East 50.42 feet to a point; thence North 39 degrees 18 minutes 45 seconds East 76.69 feet to a ½" rebar in the south line of the Dennis Eugene Bollinger lands as described in Deed Book 898 at Page 127, said rebar being located South 82 degrees 30 minutes 23 seconds East 74.99 feet from a 1" pipe in the south line of Bollinger; thence, with the south line of Bollinger and as new City of Hickory city limits, South 81 degrees 54 minutes 40 seconds East 544.98 feet to a ½" rebar, the southeast corner of Bollinger; thence, with the east line of Bollinger, North 26 degrees 05 minutes 44 seconds East 177.67 feet to a ½" pipe, the northeast corner of Bollinger; thence, with the north line of Bollinger, North 49 degrees 59 minutes 14 seconds West 424.56 feet to a bolt, the southeast corner of the Kieng Lee lands as described in Deed Book 3036 at Page 470, said bolt being located South 49 degrees 55 minutes 28 seconds East 109.60 feet from a 5/8" rebar, the southwest corner of Lee; thence, with the east line of Lee North 38 degrees 34 minutes 04 seconds East 348.72 feet to the point of beginning. Containing 31.388 acres more or less.

This description was drawn from a plat by Derek R. Bunton, PLS L-4808, entitled "Contiguous Annexation by the City of Hickory known as Bowman Rentals, LLC" dated February 20, 2024.

Section 2. Upon and after the 31st day of May 2024, 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.

2. Approved on First Reading Rezoning Petition 24-05 for Property Owned by Bowman Rentals, LLC, Located at 2063 Startown Road, PIN 3721-13-04-3211 - Presented by Planning Director Brian Frazier.

The applicant has submitted a petition requesting to rezone the subject properties from Catawba County's R-20 designation to City Planned Development (PD). The current residential (R-20) zoning assigned to the property allows for primarily

residential uses. As currently zoned, the subject properties could theoretically yield up to 62 dwelling units. These numbers are a theoretical maximum, and other regulatory requirements for building setbacks, parking, buffering, natural features, and similar items could substantially decrease this maximum intensity. It should also be noted that the R-20 zoning district has a maximum height limitation of 45 feet, therefore any new structures could not exceed three (3) stories. The requested Planned Development is proposed to be residential in nature. The plans depict the properties as consisting of twelve (12) residential apartment buildings, which contain 300 dwelling units with 75 townhome units. Calculations would put density at roughly 12.17 units per acre when considered with the entire project density. The Hickory Regional Planning Commission conducted a public hearing on April 24, 2024, to consider the petition and acknowledged the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan. Based upon its findings, the Hickory Regional Planning Commission voted unanimously to recommend approval of the petition. Staff concurs with the recommendation of the Hickory Regional Planning Commission.

The public hearing was advertised in a newspaper having general circulation in the Hickory area on April 27, 2024, and May 4, 2024.

Mayor Guess asked City Manager Warren Wood to introduce the public hearing.

City Manager Warren Wood asked Planning Director Brian Frazier to the podium to present rezoning petition number 24-05 for property located at 2063 Startown Road.

Planning Director Brian Frazier gave a PowerPoint presentation. He advised the property was currently zoned Catawba County R-20, and the request was an indication that the owners desired to develop the property for residential purposes and were looking to rezone the property to PD, Planned Development. He referred to the PowerPoint and displayed the future land use map. He pointed out that it cut into a few different sections in terms of public institutional, with CVCC, the core area, and high density residential. There was an overlap in the future land use map. He displayed the current zoning map and pointed out the County R-20 area, the O&I area, the Commercial 3 area, the City limits area, the R-2 area in the City, the Planned Development area located in the City, the R-4, and the IND conditional zoning. He pointed out the location of the property that would go from County R-20 to City of Hickory PD, Planned Development. He displayed another map and pointed out the property in question, the CVCC campus, and Trivium Corporate Park. He mentioned it was somewhat of an old aerial photo and pointed out the Preston Ridge mixed use project. He displayed a preliminary drawing of the site that showed both multifamily as well as single family properties on the site. If the rezoning was approved tonight, it would still have to go back through the plan review process that the City, County, and NCDOT (North Carolina Department of Transportation) were involved in. The rezoning petition 24-05 was classified by Hickory by Choice as high density residential, neighborhood mixed use and regional commercial. The plan called for a mix of residential, retail, and office space uses, and then the key elements for this district neighbor scaled commercial developments, civic institutional functions, residential, schools, etcetera. The vicinity in which the property was located was outlined on the previous map that he had displayed. It possessed most of these elements and the proposed zoning, PD, would include single and multifamily residential units, which were components of the neighborhood mixed use area plan. The stated goal of the comprehensive plan Hickory by Choice 2030 was to support a network of mixed-use centers. Mixed use centers were intended to be neighborhood scaled, convenient access to goods and services, and the proposed development was within a short distance of larger shopping areas along Catawba Valley Boulevard SE, and US Highway 70 SE. The petition was consistent with Hickory by Choice. The Planning Commission previously conducted a public hearing to consider the petition, during the public hearing two people spoke in favor while no one spoke in opposition of the proposed rezoning. Upon closing the public hearing, the Planning Commission acknowledged the petition's consistency with Hickory by Choice 2030, and based upon such findings, the Planning Commission voted unanimously to recommend approval of this petition. Staff concurred with the recommendation of the Hickory Regional Planning Commission. He asked for questions.

Mayor Guess asked for any questions from the Council.

Alderman Wood asked if there had been any suggestion of a commercial element on this property.

Mr. Frazier commented yes sir. There had been some discussion of maybe acquiring some additional contiguous parcels, possibly. That was not anything definitely. If there was to be something commercial in terms of mixed use, it would

probably be in one of those contiguous parcels. One of the issues now was it was tough to get commercial in there, as most commercial businesses, especially the larger ones, some of the big boxes or even a smaller grocery store were looking for rooftops. They were going to be getting a lot of rooftops, but it was still a little bit too early. If the developer/property owner did come back for a further, more diversified mixed use with commercial, they would have to evaluate it and probably would have to go back through the planning process, through the Commission, and to the Council.

Alderman Wood thought that it seemed like a good location for that type. He thanked Mr. Frazier.

Mayor Guess asked for any other questions for Mr. Frazier. He thanked Mr. Frazier. Mayor Guess declared the public hearing open and asked if there was anyone present to speak in opposition to the proposal. No one appeared. Mayor Guess asked if anyone wished to speak in favor of the proposal.

Mr. Will Clayton, 2080 Singer Drive, Hickory, NC, advised he was the designer, or would be the design engineer on this project. He always liked to come up and if there were any questions, he could hopefully answer them. They were early on in the process, so he did not have a lot of detail. He asked for any questions, and he would be happy to answer them.

Mayor Guess asked for any questions. He declared the public hearing closed.

Alderwoman Patton moved, seconded by Alderwoman Williams approval of Rezoning Petition 24-05 for the property located at 2063 Startown Road. The motion carried unanimously.

ORDINANCE NO. 24-17

AN ORDINANCE OF THE HICKORY CITY COUNCIL AMENDING THE OFFICIAL HICKORY ZONING ATLAS TO REZONE +/- 30.80 ACRES OF PROPERTY LOCATED AT 2063 STARTOWN ROAD, FROM CATAWBA COUNTY R-20 RESIDENTIAL TO CITY OF HICKORY PLANNED DEVELOPMENT (PD)

WHEREAS, Article 2, Section 2.2 of the Hickory Land Development Code provides for amendments to the Official Zoning Atlas; and

WHEREAS, the property owner has been petitioned to rezone +/- 30.80 acres of property located at 2063 Startown Road, more particularly described on Exhibit A attached hereto, to allow a Planned Development District; and

WHEREAS, the Hickory Regional Planning Commission considered the proposed rezoning during a public hearing on April 24, 2024, and forwarded a recommendation of approval to the City Council; and

WHEREAS, Article 2 of the Hickory Land Development Code requires findings the proposed rezoning is in response to changing conditions and is reasonably necessary to promote the public health, safety, and general welfare; and

WHEREAS, the City Council has found Petition 24-05 to be in conformance with the Hickory by Choice 2030 Comprehensive Plan and Zoning Ordinance,

NOW, THEREFORE, BE IT ORDAINED by the City Council of Hickory, North Carolina, THAT THE REZONING OF PROPERTY DESCRIBED IN EXHIBIT A is approved.

SECTION 1. Findings of fact.

- The subject properties are located at 2063 Startown Road and identified as PINs 3721-13-04-3211.
- The rezoning request is intended to further implement the recommendations of the Hickory by Choice 2030 Comprehensive Plan.
- The rezoning of the property is consistent with the Hickory by Choice 2030 Comprehensive Plan.

SECTION 2. All ordinances or provisions of the Hickory City Code which are not in conformance with the provisions of the Amendment occurring herein are repealed as of the effective date of this Ordinance.

SECTION 3. Statement of Consistency and Reasonableness

Upon considering the matter, the Hickory City Council found:

2030 Comprehensive Plan states the following about High Density Residential areas: "High density residential development in Hickory is located in or near mixed-use areas or higher-intensity commercial districts." (HBC 2030, Pg. 24). The comprehensive plan also indicates a density of 12 to 20 dwelling units per acre is appropriate for the High-Density Residential classification.

Given these factors, the rezoning of the properties to Planned Development (PD) is consistent with the findings and recommendations of the Hickory by Choice (2030) Comprehensive Plan.

Section 1.7 of the Hickory Land Development Code contains its Stated Purpose and Intent. This section contains five (5) specific items which the Land Development Code is intended to uphold. These are as follows:

- Implement the Hickory by Choice 2030 Comprehensive Plan.

The applicant has provided a planned development master plan for the subject properties. The plan and its consistency with the comprehensive plan were discussed on this report's prior pages and was found to be consistent with the comprehensive plan.

- Preserve and protect land, air, water and environmental resources and property values.

All improvements that are to take place on the properties will be required to follow all applicable development regulations.

- Promote land use patterns that ensure efficiency in service provision as well as wise use of fiscal resources and governmental expenditures.

The subject properties are located directly off Startown, which is a major thoroughfare in the southeastern part of Hickory. The portion of the corridor that lies within Hickory is largely urbanized and commercial in nature. Public utilities (water and sewer) are also located along Startown Road but will need to be extended to serve the proposed development. Any future development that occurs on the properties will be evaluated as to what impacts, if any, will be placed upon nearby public infrastructure. The owner and/or developer of the properties will be required to cover any financial costs needed for any required infrastructure improvements identified through the evaluation process.

- Regulate the type and intensity of development; and

This Hickory Land Development Code regulates the type and intensity of development that is located on the subject properties. If the request is approved, the planned development master plan submitted as part of the petition will serve as the document that guides development on the properties. Additionally, construction plans for the properties, once received, will be reviewed in light of the regulations contained within the Hickory Land Development Code.

- Ensure protection from fire, flood, and other dangers.

The subject properties will be required to adhere to all state and local building, fire, and flood zone related development regulations. Such regulations will ensure proper protections are provided to ensure surrounding residents, and property are properly protected as prescribed by law.

- The suitability of the subject property for the uses permitted under the existing and proposed zoning classification:

The current residential (R-20) zoning assigned to the property allows for primarily residential uses. The proposed PD development would utilize residential uses.

- The extent to which zoning will detrimentally affect properties within the general vicinity of the subject property:

Any rezoning has the potential to detrimentally impact properties in the general vicinity. Through proper site planning, buffering, and screening, as required by the City's Land Development Code, any real or perceived detrimental impacts could be mitigated to maximum extent practical.

- The extent to which the proposed amendment (zoning map) will cause public services including roadways, storm water management, water and sewer, fire, and police protection to fall below acceptable levels.

Public resources to provide critical public services are in place to service the area. These include public utilities transportation infrastructure, as well as police and fire protection.

- The proposed amendment (zoning map) will protect public health, safety, and general welfare.

The properties in question are located within an area where the City's comprehensive plan anticipates as being more urbanized and mixed use in nature. Any future development that occurs of the subject properties will be guided by the planned development master plan. Additionally, all development activities on the subject properties will be required to adhere to regulations related to zoning, building and fire code, traffic, stormwater, etc., which will work in conjunction with one another to ensure the health and safety of residents and visitors are properly protected.

Based upon these findings, the Hickory City Council has found Rezoning Petition 24-03 to be reasonable, and consistent with the findings and recommendations of the Hickory by Choice 2030 Comprehensive Plan.

SECTION 4. This Ordinance shall become effective upon adoption.

3. Denied the Voluntary Non-Contiguous Annexation of 49.21-Acres Located at 3940 River Road, PIN 3710-09-17-5434, Owned by Boureau and Creech Properties, LLC – Presented by Planning Director Brian Frazier.

Consideration of the voluntary non-contiguous annexation of 49.21 acres property located at the 3940 River Road, identified as PIN 3710-09-17-5434. The property is currently vacant and located within the planning jurisdiction of Catawba County and zoned R-20 Residential. Properties zoned R-20 can be utilized primarily for residential purposes, at a maximum density of 2 dwelling units per acre. If annexed, the property owners have requested the property be zoned Medium Density Residential Conservation (R-2), with their future intentions being the construction of a 99-lot single-family residential subdivision. This would equate to a density of 2.07 dwelling units per acre. Surrounding properties are zoned R-20 Residential and R-1 Residential and are occupied by detached single-family residences, and a wastewater treatment plant. Staff determined the petition meets the statutory requirements for voluntary non-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 April 20, 2024.

Mayor Guess asked City Manager Warren Wood to introduce the public hearing.

City Manager Warren Wood asked Planning Director Brian Frazier to the podium to present a request for voluntary non-contiguous annexation of 49.21-acres property located at 3940 River Road, owned by Boureau and Creech Properties, LLC.

Planning Director Brian Frazier gave a PowerPoint presentation. They were looking at just under 50 total acres. The current development was vacant. The future development was potential single-family conservation or cluster subdivision. Annexation was once again being sought to gain access to public utilities. This time City maintained sanitary sewer. He referred to the PowerPoint and displayed a map. He pointed out the subject property, the approximate closest City boundary, the Hickory City limits, and the extra-territorial jurisdiction (ETJ), River Road, and Highway 321. He displayed a zoning map and pointed out the proposed area to be annexed tonight, County R-20, and City R-1 zoning. He displayed another map and pointed out the area in question, River Road, to the north was the City-owned Henry Fork Wastewater Treatment Plant. He displayed the proposal and pointed out the plant, and the development. It was proposed to be a 99 single-family conservation cluster development. He noted the stormwater control measures on the drawing and the area which included some topo and floodplain. This would all be permanent open space. When they had a conservation or cluster subdivision there was a higher density in the lots, they were smaller and closer together. But going to the R-2 they have to maintain a minimum of 30% open space in perpetuity. This plan to consider would go beyond that. He discussed staff findings and recommendations. The voluntary annexation petition

complied with the applicable statutes. Adequate public services were available in sufficient quantities and the annexation of the property would not cause available public services to fall below acceptable levels. Based on these findings, staff recommended approval of the requested annexation. He asked for questions.

Mayor Guess asked for any questions. He thanked Mr. Frazier. He mentioned there were folks who had signed up on both sides to speak in opposition and in favor. He reminded them that the total time was 15 minutes for each side whether it was in opposition or in favor. He declared the public hearing open and asked if there was anyone present to speak in opposition to the proposal.

OPPOSITION

Mr. Patrick Daily, 3864 Serenity Drive, which was in the Melrose Place Subdivision. He wanted to thank the Council for the opportunity to speak again regarding the development of this 49-acre tract next to the Henry Fork Wastewater Treatment Plant and the Henry Fork River. He thanked them for hearing their concerns last November regarding the impact of building all of these homes would have for them as a quality-of-life issue. He could speak again about traffic congestion and safety, the strain on Catawba County's education system, meeting the cost of public service, and so forth, but in the time allotted, he expected others this evening to make those remarks. For him as a representative of the River Road residents, however, he limited his remarks to two particular matters of concern. Those were the proximity of this land development project to the Henry Fork Industrial site and its proximity to the Henry Fork River. For different reasons these manmade and natural features were important to the well-being of everyone who lived and worked in the Hickory region and beyond. According to the Hickory by Choice 2030 plan "the City of Hickory had aging facilities and infrastructure that was in need of continued maintenance and repair and must continue to plan for growth in the system due to population industrial increases. The City has identified the need for additional water storage in the distribution system, continued replacement of aging infrastructure" and other needs. Since that document was completed, the City of Hickory had been making significant progress, particularly with the Henry Fork plant and the Long View plant. He could not say enough about how good this was going to be for all of them here. The \$35 million upgrade to the solid waste handling process at the Henry Fork facility was impressive to say the least. He had seen it. The key word was "continue" and he thought this development put limits on the ability for continuation at the plant in the future. He also thought a larger concern with this proposed project was the impact it would have on the surrounding tree canopies in the area. Acres and acres of trees would be removed. There was also the resulting impact it would have on anyone buying a lot and moving so close. He could not imagine the adjustment new homeowners would need to the sights, sounds, and smells that they would experience living so close. Those who lived in the area had already experienced the effect from a distance but have adapted and have worked with Mr. Shaver and plant operators to live together in peace. They know that the plant was built there long before three subdivisions were built along River Road. Before the plant was built in the 1960s there were several houses along what was then called Henry River Road among a massive farm owned by Colin Yoder and his family. Before all of that there were native American Indians of the Mississippian culture who lived along the River Road area and likely had a settlement on this location. All of Hickory's water treatment and wastewater treatment plants, including the one in Catawba and the future Long View, were surrounded by trees and in some cases non-residential activities such as a ball field and even the River Walk. But they were limited use, not 24/7 use like housing, and all were surrounded by low density zoning, and that was on purpose. This annexation proposal for building up to 99 homes changed things for the City of Hickory. It set a precedent that would have to be selectively dealt with the next time a builder wanted to hook up water and sewage lines to a plant. For this one reason alone, the time to say decline was now. The second precious commodity they had was a water source. They were fortunate to live in an area where the Catawba, Jacobs Fork, and the Henry Fork rivers flowed. He again quoted Hickory by Choice land use section "residents appreciate harmony as the City manages development and should keep in mind that balancing compatibility are important characteristics. New uses must fit in respecting the context in which they are set". Here was where the Henry River Conservation District, also described in the Hickory by Choice plan, and the three-year-old Henry Fork and Jacobs Fork Rivers Conservation Plan became important. Both were designated for protection and controlled public access. The Henry and Jacobs Fork plan offered recommendations to conservation groups, landowners, State agencies, and local governments, such as us, to insure high quality drinking water, reduced water pollution from erosion, and explained how these rivers were a key to economic growth. Catawba County helped to fund it and the City of Hickory had been among their partners and stakeholders. His point here was that this particular development project should be a concern to all those interested in conservation of

their water resources because it affects the future of these rivers for the various needs that they have, and they want. It risked pollution down the road, should pipes wear out or become damaged by tree roots or soil erosion. Please do not annex and please retain the low-density designation this land already has. He thanked Council.

Mayor Guess asked Mr. Tom Kenney to the podium.

Mr. Tom Kenney asked how much time remained.

Administrative Assistant Iris Childers advised 8 minutes 36 seconds.

Mayor Guess advised there was another person who had signed up.

Mr. Tom Kenney advised he was with Foothills Conservancy of North Carolina, and it was actually an honor and privilege.

Mayor Guess asked for Mr. Kenney's address.

Mr. Tom Kenney, 204 Avery Avenue, Morganton, advised he was a citizen of Morganton, but the land trust in which he was a staff member and a servant for the regional good was Foothills Conservancy of North Carolina. It was a pleasure to be back in front of the Hickory City Council, and he wanted to simply share information and refresh the Council on the progress made, that Mr. Daily mentioned, a plan that was prepared and published probably five or six years ago, and that was with the support of Catawba County's General Assembly members with Hickory as a stake holding partner. The Henry and Jacob Fork Rivers, and a total of 800 acres of North Carolina State Park land on the Henry and Jacob Fork Rivers, investments to date, green infrastructure, it was an incomplete story of the benefits that the plan seeks to deliver to Catawba County residents, all of the municipalities, including Hickory and visitors and tourist that visit the areas. Whether it was new companies looking to invest in the City of Hickory in Catawba County, or new residents, or visitors to outstanding green infrastructure assets like conservation lands publicly owned along important and enjoyable scenic rivers like the Henry and Jacob Fork. There was certainly a history of use and needs that had been provided by the Henry Fork River in particular but there had been great progress today. He wanted to remind the Council of those investments in green infrastructure made five to six years ago, and that this story and this vision of outdoor recreation assets, and economic benefits for Hickory and Catawba County was still a work in progress. He was present to share information about that and to encourage that. It would be wonderful if there was an opportunity for concerned property owners and neighbors to meet with the current landowner, that wants to bring certainly needed housing to the area, to find and explore solutions that respect the investment of gray infrastructure, the wastewater treatment plant that Hickory has made, and also the green assets and infrastructure, which included 303 acres, the Harris property on the Henry Fork River close by upstream. He thanked the Council for the opportunity to comment and he left some materials for the Clerk to share for those interested.

Mayor Guess asked Maria Araya to the podium.

Ms. Maria Araya, 3694 Serenity Drive, Hickory, North Carolina 28602, advised the only comment she had was Hickory's City moto, Life. Well Crafted. It would not benefit the neighbors and the City as a whole. It was too close to the wastewater treatment facility. It would be taking away the quality of life and not adding any value at all to the community and the surrounding area. She thanked Council.

Mayor Guess asked how much time was left on their 15 minutes.

Administrative Assistant Iris Childers advised 4 minutes and 38 seconds.

Mayor Guess noted there was time left. He asked if there was anyone that did not have an opportunity to sign up that would like to speak in opposition. If they would like to take any or all of the remaining time. No one else appeared. Mayor Guess asked for people in favor of the proposal to speak.

PROPONENTS

Mr. Jared Carpenter worked with Century Communities and was the builder on the River Road project. His address was 7401 Carmel Executive Park Drive, Charlotte, North Carolina. He thanked Council for the opportunity to come speak with them about the River Road project. He gave a PowerPoint presentation. He explained why they chose the River Road location. It was a great site. It was in the natural path of growth on the south side of town. It had great access, access to all over

via Highway 321, and Highway 40. The residential land use was consistent with the area, and it was also consistent with the Hickory by Choice 2030 plan. Site conditions were also very favorable for a residential development, and they were excited about this opportunity. He advised them they were proposing 99, 50-foot lots. They were intending on clustering them up at the road. This was a departure from what they previously saw late last year, and he would get into the differences later in the presentation. This density per acres would be two units per acre. This was consistent with what the County zoning was now. They were not asking for any additional homes on the property versus what they could do in the County right now, today. Under this plan, they would be keeping more than 50% of the property as open space. He knew that they had to get over 30%, but they came last year, and heard the feedback from the City Council. They heard the feedback from the neighbors and had committed to keeping over 50% of the property as open space and tree safe. In addition, this community was going to be really nice being built in the City. They were going to have sidewalks, curb and gutter, stormwater control measures, and an amenity area with a playground in a field for the children in the neighborhood to play. When they came to City Council last year, they heard concerns from the Council members and the residents. They largely laid out into these six categories, density, environmental impact, potential odor, traffic, schools, and public safety. They had reconfirmed with NCDOT that River Road was under capacity. They do not have traffic concerns. They had subsequently reached back out to the Catawba County school board and had verified that the schools were under capacity, and they had no concerns about handling this property. He referred to the PowerPoint and advised it was the site plan they showed last year. They had an entrance coming out onto the access road for the wastewater treatment site sort of on the northwest portion of the property. This was to get around, not being able to get two entrances off of River Road. They sort of loosely had come to terms with the City that that would be acceptable. But subsequently, with the reduction in 99 lots, they could just have that one entrance off River Road. They could eliminate that entrance off the access road there. Fire and Life Safety did not have concerns with it originally after their TRC meeting and sitting down with them. They believed that this plan made the community safer. They were happy to make that concession. Once they dropped below 99, they did not need it anyway. It should help if there was a situation in the community. With regards to the other concerns, density, as he mentioned previously, they came to Council last year with substantially more lots on their site plan. They previously showed 179 home sites. They had reduced that by 79 to get under the 100-lot threshold which was the essential by right density for the County zoning. In addition to this, environmental impact, and potential odor, were also concerns. They believed that leaving more than 50% of the property as open space and tree buffer was going to help mitigate some of the potential odor, and it was also going to leave a natural habitat for any wildlife living out there right now. They did perform cultural resource studies as well as wildlife studies. They found no protected or endangered species on this site, and they found no cultural resources either. Furthermore, their development was not going to impact any wetlands or tributaries. And some of the concerns about the Henry Fork and how precious and valuable to the community it was, they agreed. They had always agreed, they felt they were leaving a very substantial natural buffer here between any of their homes and the river. In addition to that, they were going to install stormwater control measures to help mitigate any sort of other impact from runoff on their site. With regards to the wastewater treatment plant, as they sell through the community, they would be disclosing the wastewater treatment plant to any of their buyers. That was part of their natural process. They would give them a list of disclosures about anything in the area that might be a concern. They would be going into the community in the buying process with their eyes wide open, as other residents in the area have done over the years. They believed they were going to enjoy it. It was a nice quiet part of town and he believed that was why a lot of the local residents continued to live there today. Century Communities was very excited about this project. They believed that the River Road site was a thoughtfully designed community that was going to preserve more than 50% of the open space for the neighbors, for the residents, and for the City. They were going to preserve it at no cost to anybody but themselves. They thought it was the right thing to do. He asked Council if they had any questions for Century Communities and or Shabeldeen Engineering.

Mayor Guess thanked Mr. Carpenter. He asked Dan Shabeldeen to the podium.

Mr. Dan Shabeldeen, 3145 Tate Boulevard SE, Shabeldeen Engineering advised they were the design engineers on the project.

Mayor Guess requested Mr. Shabeldeen to give his residential address, please.

Mr. Dan Shabeldeen advised 2905 9th Street Place NE, Hickory, North Carolina. Mr. Carpenter hit pretty much the main points. They had talked about this project before. There was one thing that that he wanted to take a moment and let this sink

in. Mr. Daily mentioned the significance of Henry Fork and the significance of potential environmental impacts to Henry Fork and the river. They were proposing to keep undisturbed 24 acres of woodland, which would be a buffer for the Henry Fork. He did not know any other development that was going to just preserve 24 acres, particularly of buildable land. That essentially would be a preserve for the Henry Fork. The development that they were looking at was concentrated up by River Road. It was on a bluff and sat 50 feet or so above the Henry Fork. It was as far from Henry Fork as you could possibly get with any type of impervious areas or any other developments. Of course, they were going to have a stormwater control measure that was going to treat and detain any stormwater coming off the site. One of the comments that they had previously was traffic noise and trucks running up and down the access road. He advised from the layout they had eliminated all the lots that backed up to that access road to the wastewater treatment plant. He thought now that it was probably at least a 100-foot buffer, maybe even more, particularly in some areas between the back lot line and the access road to the wastewater treatment plant. He mentioned before, their proposal was also to deed that access road to the City. It was a perpetual easement, the City does not own that road, they have a perpetual easement as long as they maintain it in good shape, good condition, they could continue using it. Part of their proposal was to deed that to the City as long as that little triangular piece up in the corner there, he referred to the map, they talked to the utility department and was going to locate a pump station in that corner. Those were the main objects. The density, when they talk about the development, the County allowed 2 units per acre, they were at about 2.07 units per acre. It really complied at the same density as the County zoning would allow. It was a much smaller footprint obviously than what they had before. Total open spaces, about 27 acres, as Mr. Carpenter said, that was probably about 58% of the property would remain undeveloped. Those were the main points that he wanted to bring forward.

Mayor Guess asked how much time was left for those in favor.

Administrative Assistant Iris Childers advised 3 minutes and 44 seconds. He asked if anyone else wished to speak in favor. No one else appeared. He declared the public hearing closed. He asked for a motion or further discussion.

Alderman Freeman commented that last November they came before the City Council and the City Council rejected this project. If his memory served him correctly, it was mentioned that they were not going to build through the City, that they were going to go through the County. He was trying to figure out if there was a process, did they go to the County or did they just come back to the City? Or him being a Pastor, and a City Councilman, his memory could serve him wrong.

City Manager Warren Wood advised they had missed the rebuttal and surrebuttal. Mayor Guess had already closed the public hearing.

Mayor Guess apologized.

Mr. Jared Carpenter commented they had not gone before the County to look at doing this project within the County limits. After the denial last year, they sat down and had further conversations with the Planning Department, the Town Manager, Assistant Town Manager, to try to find a solution. They thought it made sense and that it was the right thing to do to develop this site and to tie it into public utilities. By right development in the County was going to mean more land disturbance. The project was very close to public utilities, so they thought that it just made sense. They had not pursued it through the County. They had just been working on massaging their plan to something that was a little more conducive to the Council and to the local residents.

Alderman Wood addressed Mr. Carpenter he had mentioned selection criteria that they used when they selected this property. He asked what weight did they give its proximity to a wastewater treatment plant? And to follow up on that was the property currently under a contingency contract that if this was not approved that the sale does not go through?

Mr. Carpenter advised obviously they were aware of the wastewater treatment plant going into the process. He had been a part of a project immediately adjacent to a wastewater treatment facility in a different part of North Carolina. It was east of Charlotte, out in Albemarle. There were some buyer objections for negative adjacent uses, but it was not one that prohibited them from being successful out in that community. He had also been a part of projects that backed up to interstates and things like that as well. They would obviously love for it not to be there. But it was, and they were in the business of providing housing for individuals and they thought despite that, it was a great location. With regards to contingency contract.

It was not really, if it was denied in the City of Hickory, they do have the ability to take it to the County. It was just not their preferred option.

Alderman Wood commented that Mr. Carpenter was saying by right, they could put 98 homes if they develop it under County zoning, correct?

Mr. Carpenter responded hypothetically.

Alderman Wood thought that was right. He asked how much of this, what percentage of this lot was unbuildable because it was in a floodplain or other topographical issues?

Mr. Carpenter deferred to Mr. Dan Shabeldeen. He believed it was eight acres.

Mr. Dan Shabeldeen approached the podium and advised it was roughly eight acres through the floodplain.

Alderman Wood commented that takes it to 82 homes under County zoning.

Mr. Carpenter commented they may be able to utilize some of the floodplain as open space in people's backyards. There might be the potential to plus that up a little bit.

Alderman Freeman commented since he said that building through or in the City limits was the preferred option, he asked could he explain why?

Mr. Carpenter explained they have less issues when they tap into public utilities. Septic systems fail and it becomes a little bit of a warranty issue. They were a national home builder, so they had product that they liked to deploy in different municipalities, and it was really more of a smaller lot product. They do have larger products in their portfolio that they could deploy on half-acre lots if they needed to. It was not their bread and butter. Furthermore, by doing the smaller lot cluster, they would need to be on public utilities. But that allowed them to preserve more open space than they would otherwise if they went in the County and did a septic project.

Alderwoman Patton asked if they had done any kind of testing to see if the soil perks so that they could actually develop, as Mr. Shabeldeen said, maybe eight acres, maybe it was more than that would not be developable, which would be a reduction even further in what the County would allow.

Mr. Carpenter advised that they had not done perc tests. They had done their standard geotechnical tests, which showed that the soil out there was extremely suitable for development. They were going to be largely consistent with what was in the adjacent Melrose Place community. He would expect that a large portion, if not all of the site would perc, based on the information that they had today.

Mayor Guess asked for any other questions or discussion.

Alderman Freeman thanked the residents in the River Road area, and those who were adjacent to this property, and to Mr. Shabeldeen. He had been reached out to by both sides, and to be honest, this would basically be within his ward. He would not mind having new residents, but at the same time, he was learning whether it was annexations, or rezonings, some were easy, some a little bit more difficult than others. He was hearing the story that it was either traffic congestion, loss of habitation of wildlife, school capacity, and he thought they would probably always hear those that may oppose property being developed. However, his stance because he always presented himself, and they would know where he stood, his number one problem was building in close proximity to a water waste treatment facility. He wanted to say thank you to Mr. Shabeldeen, and to the citizens for coming out.

Alderwoman Patton mentioned that the City Council had part of their retreat out that way. Currently, she believed it was operating at a third of the capacity. It was a breezy day, and it still was not pleasant. She could not imagine what it would be, as Hickory grows, to have that plant go up to 100% capacity and have to live close by it.

Alderman Wood commented kind of along the same lines, he could not speak for everybody else here, but he personally has a responsibility to consider quality of life for not only existing residents, but future residents. They had been told that if it did not go through the City, that it would go through the County. They could only control what they control and make the decisions that they felt were right here in front of them. He was with Alderman Freeman. It looked like a great project. It was just the wrong spot. The wrong location for it.

Mayor Guess went on record as saying he concurred with what had already been said by the Council members that had already spoken. He agreed that if this was in any other location, that they probably would not be having the same discussion. But unfortunately, it was where it was, and he felt in the same way as the Council members who had already spoken

Alderwoman Patton moved, seconded by Alderman Wood to deny the annexation.

Mayor Guess asked for any further discussion. He advised there was a motion to deny the consideration of the voluntary non-contiguous annexation of the 49.21 acres located at 3940 River Road. The vote was taken. Ayes: Alderman Wood, Alderwoman Williams, Alderman Seaver, Mayor Guess, Alderman Freeman, and Alderwoman Patton. Nay: Alderman Zagaroli. The motion to deny the voluntary non-contiguous annexation carried 6-1.

4. The Annexation Request was Denied; therefore, City Council did not have the Authority to Consider Rezoning Petition 24-06 for Property Owned by Boureau and Creek Properties, LLC, Located at 3940 River Road, PIN 3710-09-17-5434 – Presented by Planning Director Brian Frazier.

Boureanu and Creech Properties, LLC has submitted a petition requesting the consideration of rezoning property located at 3940 River Road from R-20 Residential to Medium Density Residential (R-2). The property is vacant and zoned R-20 Residential by Catawba County. The property is in the process of being annexed, and the owners have requested the property be rezoned to Medium Density Residential Conservation (R-2) upon completion. The 47.53-acre property is zoned R-20 Residential by Catawba County. This district permits residential uses (single and two family) at maximum density of 2 dwelling units per acre, which could potentially produce up to 98 new dwelling units. The requested Medium Density Residential would consist of up to 99 single-family detached dwellings, which calculates to be 2.07 units per acre. The Hickory Regional Planning Commission conducted a public hearing on April 24, 2024, to consider the petition and acknowledged the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan. Based upon its findings, the Hickory Regional Planning Commission voted 6-1 to recommend approval of the petition. Staff concurs with the recommendation of the Hickory Regional Planning Commission.

The public hearing was advertised in a newspaper having general circulation in the Hickory area on April 27, 2024, and May 4, 2024.

Mayor Guess advised since the annexation failed the public hearing for Rezoning Petition 24-06 would not be considered as the City Council did not have authority or jurisdiction over the rezoning. He recessed the meeting briefly at 7:09 p.m. for citizens in attendance to exit.

5. Approved on First Reading Rezoning Petition 24-07 for Property Owned by Jonathan and Mary Bonelli, Located on 5th Avenue NW, PIN 3703-17-02-8192 – Presented by Planning Director Brian Frazier.

Jonathan and Mary Bonelli have submitted a petition requesting the consideration of rezoning property located at 5th Avenue NW, PIN 3703-17-02-8192 from General Business (C-2) to Medium Density Residential (R-2). The property is currently unoccupied, unimproved vacant land totaling 0.35 acres. The property is C-2, which does permit some residential uses such as single family detached residences, accessory dwellings, duplexes, multi-family structures, and upper story residential, but does not permit single family detached residences. The owners have requested the property be rezoned to R-2 Residential. This residential district permits a maximum density of 4 dwelling units per acre and would allow for a single family detached residence to be built, keeping with the medium density future land use. The Hickory Regional Planning Commission conducted a public hearing on April 24, 2024, to consider the petition and acknowledged the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan. Based upon its findings, the Hickory Regional Planning Commission voted unanimously to recommend approval of the petition. Staff concurs with the recommendation of the Hickory Regional Planning Commission.

The public hearing was advertised in a newspaper having general circulation in the Hickory area on April 27, 2024, and May 4, 2024.

Mayor Guess resumed the meeting at 7:10 p.m. He asked City Manager Warren Wood to introduce the public hearing.

City Manager Warren Wood asked Planning Director Brian Frazier to the podium to present rezoning petition number 24-07 for property located at 5th Avenue NW, owned by Jonathan and Mary Bonelli.

Planning Director Brian Frazier gave a PowerPoint presentation. He mentioned the property was 0.35 acres in size, and was currently vacant, zoned General Business C-2. It was just about a block off of Old Lenoir Road and the request of the property owner was that the property be rezoned from General Business C-2 to Residential R-2 to accommodate one single family residential use. He referred to the PowerPoint and pointed out the triangular shaped parcel, 3rd Avenue or Old Lenoir Road. The future land use was showing part of the properties in an urban revitalization area. The rest of it was in the medium density residential area, confirmed by Hickory by Choice. He referred to another map on the PowerPoint and pointed out the property in question, it bordered the C-2, it was currently in the C-2. It would go to the R-2, which he pointed out on the PowerPoint map. He also pointed out the location of the O and I area, the Industrial area, and the C-2 area. He displayed an aerial map and pointed out the subject property, Old Lenoir Road, Century Furniture to the south and west, and to the north Keever's store. He advised the plan identified the site as medium density residential and the revitalization area, almost but not quite equally split. The Hickory by Choice Plan recommended low residential areas be developed for housing at a density of 6 to 8 dwelling units per acre. The medium density was characterized as a transitional area between higher density areas and more rural areas. The current land use pattern of larger areas consisted mainly of those medium density residential uses. The rezoning of the property, as discussed, maintained this current pattern. The R-2 zoning was listed in the comprehensive plan as the identified implementing district for a medium density residential area. The petition was consistent with the Hickory by Choice Plan. The Hickory Planning Commission considered the request on April 24. During the hearing, one person spoke in favor of the rezoning, and no one spoke in opposition to the proposed rezoning. Upon closing the public hearing in April, the Planning Commission acknowledged the position's consistency with the comprehensive plan. Based upon the findings, the Planning Commission voted unanimously 7 - 0 to recommend approval of this rezoning petition. Staff concurred with the recommendation of the Planning Commission in full. He asked for questions.

Mayor Guess asked for any questions for Mr. Frazier.

Alderman Wood asked if this would be one dwelling on the property.

Mr. Frazier confirmed one dwelling.

Mayor Guess asked for any further questions for Mr. Frazier. He declared the public hearing open and asked if there was anyone present to speak in opposition to the proposal. No one appeared. Mayor Guess asked if anyone wished to speak in favor of the proposal. No one appeared. Mayor Guess declared the public hearing closed.

Alderwoman Patton moved, seconded by Alderman Zagaroli approval of Rezoning Petition 24-07 for the property located on 5th Avenue NW, owned by Jonathan and Mary Bonelli. The motion carried unanimously.

ORDINANCE NO. 24-19

AN ORDINANCE OF THE HICKORY CITY COUNCIL AMENDING THE OFFICIAL HICKORY ZONING ATLAS TO REZONE +/- .35 ACRES OF PROPERTY LOCATED AT 5TH AVE NW BETWEEN 10TH STREET PLACE NW AND 3RD AVE DRIVE NW, FROM GENERAL BUSINESS C-2 TO MEDIUM DENSITY (R-2).

WHEREAS, Article 2, Section 2.2 of the Hickory Land Development Code provides for amendments to the Official Zoning Atlas; and

WHEREAS, the property owner has been petitioned to rezone +/- .35 acres of property located at 5th Ave NW between 10th Street Place NW and 3rd Ave Drive NW, more particularly described on Exhibit A attached hereto, to allow a Medium Density Residential district; and

WHEREAS, the Hickory Regional Planning Commission considered the proposed rezoning during a public hearing on April 24, 2024, and forwarded a recommendation of approval to the City Council; and

WHEREAS, Article 2 of the Hickory Land Development Code requires findings the proposed rezoning is in response to changing conditions and is reasonably necessary to promote the public health, safety, and general welfare; and

WHEREAS, the City Council has found Petition 24-07 to be in conformance with the Hickory by Choice 2030 Comprehensive Plan and Zoning Ordinance,

NOW, THEREFORE, BE IT ORDAINED by the City Council of Hickory, North Carolina, THAT THE REZONING OF PROPERTY DESCRIBED IN EXHIBIT A is approved.

SECTION 1. Upon considering the matter, the Hickory City Council found:

- The subject property is located at 5th Ave NW and identified as PIN 3703-17-02-8192.
- The rezoning request is intended to further implement the findings and recommendations of the Hickory by Choice 2030 Comprehensive Plan.
- The general area is classified as Medium Density Residential by the Hickory by Choice 2030 Comprehensive Plan
- The Hickory by Choice 2030 Comprehensive Plan indicates Medium density residential areas make up a large portion of the City north of I-40, as well as smaller areas in the southeastern part of town. These residential areas are associated with each neighborhood mixed use area as well as adjacent high density residential districts and/or higher intensity commercial districts throughout the City. Medium density residential areas will expand the existing housing character in the City, and they will provide a medium density housing option where the gross density would be approximately two to four units per acre in established single-family detached areas, and eight to ten units per acre in historically mixed residential areas with higher density.

Given this, the rezoning of the property to Medium Density Residential (R-2) is consistent with the findings and recommendations of the Hickory by Choice (2030) Comprehensive Plan.

FURTHERMORE, the rezoning of the property is reasonable as the development type and intensity is similar to that of the surrounding area and furthers the development pattern while adhering to the recommendations of the Hickory by Choice 2030 Comprehensive Plan.

Section 1.7 of the Hickory Land Development Code contains its Stated Purpose and Intent. This section contains five (5) specific items which the Land Development Code is intended to uphold. These are as follows:

- Implement the Hickory by Choice 2030 Comprehensive Plan.

The property is located in an area identified by the Hickory by Choice 2030 Comprehensive Plan as a medium density residential area that provides opportunities for residential development. Furthermore, a portion of the property is shown to be within the revitalization area set out in the Hickory by Choice 2030 Comprehensive Plan. Additionally, R-2 Residential zoning is listed by the comprehensive plan as an implementing district for medium density residential areas.

- Preserve and protect land, air, water and environmental resources and property values.

All improvements that are to take place on the property will be mandated to follow all applicable development regulations.

- Promote land use patterns that ensure efficiency in service provision as well as wise use of fiscal resources and governmental expenditures.

The subject property has access to City maintained roads on 5th Avenue NW, and 10th St PI NW, as well as a NCDOT maintained roadway, 3rd Avenue Dr NW (Old Lenoir Rd). Public utilities are also available. The property owner will be responsible for any necessary extensions needed for services, as well as any required transportation improvements. The land-use pattern of the area, with the inclusion of the subject property, represents an efficient use of public services, and the wise use of public funding.

- Regulate the type and intensity of development; and

The current land use pattern of the larger area is predominately residential in nature. The exception to this is the commercial buildings that follow 3rd Avenue Dr

NW (Old Lenoir Rd) to its south. Any future residential use of the property is best suited to further the existing development pattern of the area. Public resources to provide critical public services are in place or will be provided by the property owner / developer to service any future development. These include public utilities and transportation infrastructure.

- Ensure protection from fire, flood, and other dangers.

The subject property will be required to adhere to all state and local building, fire, and flood zone related development regulations. Such regulations will ensure proper protections are provided to ensure surrounding residents, and property are properly protected as prescribed by law.

- The suitability of the subject properties for the uses permitted under the existing and proposed zoning classification.

The current zoning and use of the larger area is predominantly residential, with the exception of businesses along 3rd Avenue Dr NW (Old Lenoir Rd). The current district permits residential but does not fully permit all types of residential uses, which is promoted by the city's comprehensive plan. The requested district would allow for a single-family development that matches the medium density residential guidelines set forth in the comprehensive plan.

- The extent to which zoning will detrimentally affect properties within the general vicinity of the subject property.

Given the similarity of the current and requested districts, conflicts in use types would not be anticipated, nor expected to cause detrimental impacts on the surrounding area.

- The extent to which the proposed amendment (zoning map) will cause public services including roadways, storm water management, water and sewer, fire, and police protection to fall below acceptable levels.

Public resources to provide critical public services are in place or will be put in place by the property owner / developer to serve the development. These include public utilities transportation infrastructure, as well as police and fire protection.

- The proposed amendment (zoning map) will protect public health, safety, and general welfare.

Any future development that occurs of the subject property as the result of the zoning map amendment, will be required to be adhere to regulations related to zoning, building and fire code, traffic, stormwater, etc., which will work in conjunction with one another to ensure the health and safety of residents and visitors are properly protected.

SECTION 2. All ordinances or provisions of the Hickory City Code which are not in conformance with the provisions of the Amendment occurring herein are repealed as of the effective date of this Ordinance.

SECTION 3. Conditions of Approval

1. The development of the subject property shall be undertaken as outlined on the approved master plan.
2. All necessary infrastructure extensions and improvements to serve and complete the project shall be the responsibility of the property owner / developer.
3. All infrastructure shall be constructed and maintained to the standards of the City of Hickory.

SECTION 4. This Ordinance shall become effective upon adoption.

6. Approved on First Reading Rezoning Petition 24-08 for Property Owned by Donald C. Scronce, Located at 2010 Startown Road, PIN 3721-09-05-4815 – Presented by Planning Director Brian Frazier.

A petition has been submitted requesting the consideration of rezoning property located at 2010 Startown Road from Low Density Residential (R-1) to Regional Commercial (C-3). The subject property is currently zoned R-1 Residential and totals +/- .54 acres in total size. The current R-1 zoning district is primarily residential and permits one and two-family residential uses at a density of two

dwelling units per acre. The subject property is currently occupied by a commercial building. The owners' intention is to continue utilizing the property as an office. The Hickory Regional Planning Commission conducted a public hearing on April 24, 2024, to consider the petition. Upon closing the public hearing, the Hickory Regional Planning Commission acknowledged the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan and voted unanimously to recommend approval of the petition. Staff concurs with the recommendation of the Hickory Regional Planning Commission.

The public hearing was advertised in a newspaper having general circulation in the Hickory area on April 27, 2024, and May 4, 2024.

Mayor Guess asked City Manager Warren Wood to introduce the public hearing.

City Manager Warren Wood asked Planning Director Brian Frazier to the podium to present rezoning petition number 24-08 for property located at 2010 Startown Road, owned by Donald C. Scronce.

Planning Director Brian Frazer gave a PowerPoint presentation. He mentioned the applicant was Sean Drum who was present. The property size was just a little bit over half an acre. It was currently zoned low density Residential R-1. The rezoning request was an indication that the owner desired to use the property for office use. The request was to rezone the property from low density Residential R-1 to Regional Commercial, C-3. Regional Commercial, C-3, was pretty much a catch-all for just about all types of commercial development, significantly big box, which on a little over half an acre would not be. He referred to the PowerPoint and displayed a map. He pointed out the subject property in question, the regional commercial area, public use for schools, in this case, Catawba Valley Community College (CVCC). He advised it was located almost across from Short Road, and the future subdivision, as well as Preston Ridge apartments. It was just on the other side of the road. He displayed a map and pointed out the parcel and the rezoning that was currently R-1, the Planned Development (PD) area, the O and I area, the college (CVCC), the County zoning area, the R-20, and the current PD area which had some O and I as well. He noted there was contiguous commercial 3 zoning with this R-1 tract. He referred to a somewhat older aerial map and pointed out the parcel in question, Preston Ridge Development, Phase Two was almost done, the area of the Short Road development, Bowman Rentals, the CVCC campus, Catawba Valley Boulevard, and Highway 70. According to the Hickory by Choice Plan, again, the area converges on three future land use categories, public institutional, neighborhood mixed use, and regional commercial, much like Bowman Rentals that Council heard the presentation earlier. The C-3 zoning district implemented the regional commercial policies of the comp plan, and the C-3 district was intended to provide a full range of retail and business services. He advised the C-3 district permits a wide variety of uses, including professional services. Given these factors the rezoning of the property to C-3 they believed should be considered consistent with the findings and recommendations of the 2030 plan. Staff believed that rezoning petition 24-08 was consistent with Hickory by Choice. The Planning Commission conducted a public hearing on April 24, to consider the petition. During the public hearing, one person spoke in favor of the rezoning, which was, he believed, was the applicant, and no one spoke in opposition. Staff have not received contact or calls since then. Upon closing the hearing, the Planning Commission acknowledged the petition's consistency with the Hickory by Choice 2030 Comp Plan, and based on the findings, the Planning Commission voted 7 to 0 to recommend approval of such petition. Staff respectfully concurred with the recommendation of the Planning Commission. He asked for questions.

Mayor Guess asked if he knew what the intended use was.

Mr. Frazier advised all he knew was that it was going to be a professional office. The applicant was present.

Alderman Wood wanted to make sure that that was the case, it was near a school, number one, and it was going to be across the street from a residential area. The comment that Mr. Frazier made that it was a catch-all for most commercial businesses, he asked was there any businesses of a delicate nature that were excluded from that zoning category. Purveyors of adult type goods?

Mr. Frazier responded no. It could depend on how far of a distance you were looking at from a public institution. As the Planning Director he would look at that as the zoning, which would be contiguous and not necessarily the nearest business to the community college. He would say yes, it would be quite restricted for such types of unnamed.

Mayor Guess asked for any further questions for Mr. Frazier. Mayor Guess declared the public hearing open and asked if there was anyone present to speak in opposition to the proposal. No one appeared. He asked if anyone present would like to speak in favor of the proposal.

Ms. Jennifer Dowell, 3262 Sigmon Dairy Road, Newton, advised that she and her other half, Sean Drum, owned Carolina Heritage Realty. They currently had the property under contract. Their plan was to put their office there. They were a residential property management company that had been in business for over 30 years. She understood that Scronce Well Service had his office there for the past 50, so it would be going from one family business to another family business.

Mayor Guess asked if she was at liberty to say what that business might be.

Ms. Dowell advised property management, real estate. Nothing fun.

Alderman Zagaroli commented no dancing girls.

Ms. Dowell advised no dancing girls. None on staff. How about that? She asked for questions.

Mayor Guess declared the public hearing closed and asked for a motion or further discussion.

Alderwoman Patton moved, seconded by Alderman Freeman approval of Rezoning Petition 24-08 for the property located at 2010 Startown Road, owned by Donald C. Scronce. The motion carried unanimously.

ORDINANCE NO. 24-20

AN ORDINANCE OF THE HICKORY CITY COUNCIL AMENDING THE OFFICIAL HICKORY ZONING ATLAS TO REZONE +/- .54 ACRES OF PROPERTY LOCATED AT 2010 STARTOWN ROAD BETWEEN SHORT ROAD AND ROBINWOOD ROAD, FROM LOW DENSITY RESIDENTIAL (R-1) to REGIONAL COMMERCIAL (C-3).

WHEREAS, Article 2, Section 2.2 of the Hickory Land Development Code provides for amendments to the Official Zoning Atlas; and

WHEREAS, the property owner has been petitioned to rezone +/- .54 acres of property located at 2010 Startown Road between Short Road and Robinwood Road, more particularly described on Exhibit A attached hereto, to allow Regional Commercial (C-3) districts; and

WHEREAS, the Hickory Regional Planning Commission considered the proposed rezoning during a public hearing on April 24, 2024, and forwarded a recommendation of approval to the City Council; and

WHEREAS, Article 2 of the Hickory Land Development Code requires findings the proposed rezoning is in response to changing conditions and is reasonably necessary to promote the public health, safety, and general welfare; and

WHEREAS, the City Council has found Petition 24-08 to be in conformance with the Hickory by Choice 2030 Comprehensive Plan and Zoning Ordinance,

NOW, THEREFORE, BE IT ORDAINED by the City Council of Hickory, North Carolina, THAT THE REZONING OF PROPERTY DESCRIBED IN EXHIBIT A is approved.

SECTION 1. Findings of fact.

- The subject property is located at 2010 Startown Road between Short Road and Robinwood Road and identified as PIN 3721-09-05-4815.
- The rezoning request is intended to further implement the findings and recommendations of the Hickory by Choice 2030 Comprehensive Plan.
- The rezoning of the property is consistent with the Hickory by Choice 2030 Comprehensive Plan.

SECTION 2. All ordinances or provisions of the Hickory City Code which are not in conformance with the provisions of the Amendment occurring herein are repealed as of the effective date of this Ordinance.

SECTION 3. Statement of Consistency and Reasonableness

Upon considering the matter, the Hickory City Council found:

1. The area in question converges at three future land use categories listed in the Hickory by Choice 2030 Comprehensive Plan. These uses are Public/Institutional, Neighborhood Mixed Use, and Regional Commercial.

The C-3 zoning district implements the "Regional Commercial" policies of the Hickory by Choice 2030 Comprehensive Plan. The C-3 district is intended to provide a full range of retail and service business that serves both local and regional markets. The C-3 district permits a wide variety of uses including professional offices and personal services, retail sales and service, amusement, and institutional facilities.

Given these factors, the rezoning of the property to Regional Commercial (C-3) should be considered consistent with the findings and recommendations of the Hickory by Choice (2030) Comprehensive Plan.

Section 1.7 of the Hickory Land Development Code contains its Stated Purpose and Intent. This section contains five (5) specific items which the Land Development Code is intended to uphold. These are as follows:

- Implement the Hickory by Choice 2030 Comprehensive Plan.

The area converges at three future land use categories listed in the Hickory by Choice 2030 Comprehensive Plan. These uses are Public/Institutional, Neighborhood Mixed Use, and Regional Commercial. The Regional Commercial (C-3) district is intended to provide a full range of retail and service business that serves both local and regional markets. The C-3 district permits a wide variety of uses including professional offices and personal services, retail sales and service, amusement, and institutional facilities.

- Preserve and protect land, air, water and environmental resources and property values.

All improvements that are to take place on the properties will be required to follow all applicable development regulations.

- Promote land use patterns that ensure efficiency in service provision as well as wise use of fiscal resources and governmental expenditures.

The subject property has access to a state-maintained roadway (Startown Road / SR 1005), as well as water infrastructure. The property does not have access to city sewer infrastructure. The land-use pattern of the area, with the inclusion of the subject property, represents an efficient use of public services, and the wise use of public funding.

- Regulate the type and intensity of development; and

The current land use pattern of the larger area consists largely of commercial and institutional uses. This development pattern will continue under Regional Commercial (C-3) as offices are permitted under this zoning classification. The future use of the property is best suited to further the existing development pattern of the area. Public resources to provide critical public services are in place to service the area. These include public water utilities and transportation infrastructure.

- Ensure protection from fire, flood, and other dangers.

Any future development occurring on the subject property shall adhere to all state and local building, fire, and flood zone related development regulations. Such regulations will ensure proper protections are provided to ensure surrounding residents, and property are properly protected as prescribed by law.

- The suitability of the subject property for the uses permitted under the existing and proposed zoning classification:

The current land use pattern of the larger area consists of commercial, institutional, and multi-family residential. uses along Startown Road. The rezoning of the property to C-3 would continue this development pattern and will be similar to existing City zoning already in place, within the larger area.

- The extent to which zoning will detrimentally affect properties within the general vicinity of the subject property:

The requested Regional Commercial (C-3) zoning is similar to the existing zoning. The permissible uses of C-3 zoning will aid in enhancing the existing uses of the neighborhood.

- The extent to which the proposed amendment (zoning map) will cause public services including roadways, storm water management, water and sewer, fire, and police protection to fall below acceptable levels.

Public resources to provide critical public services are in place to service the area. These include public water utilities and transportation infrastructure, as well as police and fire protection. Septic is currently located on the property and will need to be approved by Catawba County Environmental Health for the use.

- The proposed amendment (zoning map) will protect the public health, safety, and general welfare.

Any future development that occurs on the subject property as the result of the zoning map amendment, will be required to be adhere to regulations related to zoning, building and fire code, traffic, stormwater, etc., which will work in conjunction with one another to ensure the health and safety of residents and visitors are properly protected.

Based upon these findings, the Hickory City Council has found Rezoning Petition 24-08 to be reasonable, and consistent with the findings and recommendations of the Hickory by Choice 2030 Comprehensive Plan.

SECTION 4. This Ordinance shall become effective upon adoption.

B. Departmental Reports:

1. 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
Other Minority (Council Appoints) VACANT
Other Minority (Council Appoints) VACANT

HICKORY REGIONAL PLANNING COMMISSION

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

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

TOURISM DEVELOPMENT AUTHORITY

Hickory Representative Owner/Operator VACANT

TDA Board Recommends the Nomination of Brad Lail as a Hickory Representative Owner/Operator.

Mayor Guess nominated Brad Lail as a Hickory Representative Owner/Operator on the Tourism Development Authority.

Mayor Guess moved, seconded by Alderman Seaver approval of Brad Lail on the TDA Board as a Hickory Representative. The motion carried unanimously.

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

Mayor Guess advised that they recognized others at the beginning of the meeting, some different folks, but they did not recognize some very important folks, also, this was Municipal Clerk's Week, and it just so happens that the municipal clerks were the ones that do the proclamations. He did not burden them with a proclamation for Municipal Clerk's Week. He recognized their longtime Clerk, Ms. Debbie Miller, and the newest Deputy Clerk, Ms. Iris Childers, for the great work that they do. A round of applause was given.

City Manager Warren Wood commented just so they knew how good a Clerk Debbie was, she said, let's just not put the Clerk's week thing on there because we have got enough stuff. He joked that she must have left off the rebuttal and surrebuttal off the notes that she gave the Mayor.

Mayor Guess responded, no, she did not. In her defense, that was what he had them for, to remind him of stuff like that, he could not do everything. He mentioned some folks in the community known as the Hickory Citizens Litter Project. They had scheduled this Saturday for a project called "Hickory Cleans Up". That was going to be eight sites, he believed, on Saturday, starting at 8:30 a.m. and going to noon. They were going to dispatch folks to eight different sites to pick up litter. If you have not already joined that group, he would encourage them to do so. They appreciated the Hickory Citizens Litter Group. This was not their first time, and they do a lot to help clean up the community, so he wanted to mention that as well.

Alderman Seaver asked if they were called Litter Quitters.

Alderwoman Patton encouraged the newspaper, she knew they had an article coming out about it, but she wanted to encourage everyone to attend the inter-basin transfer meeting tomorrow night at Ridgeview and let Charlotte recognize that this was something that would not benefit our community or our surrounding communities, and it would only benefit them for their growth.

City Manager Warren Wood advised it was at 5:30, and to come early, at the Ridgeview Library in the Ridgeview Community room. The Z. Ann Hoyle Community room.

Alderwoman Patton encouraged everyone to attend.

Alderman Wood advised he had sent a note to City Manager Warren Wood last week telling him what a great job that the fleet maintenance crew did on the vehicles for the City of Hickory. He was in another local municipality a couple weeks ago, and it really hit home because one of their garbage trucks pulled up beside him, and it was so dirty that you could barely read the logo of the town on it. He was embarrassed for them. It really made him realize what a great job they did and what a positive reflection it was on Hickory, the job that they do. He wanted to recognize them publicly for the great work that they do.

Mayor Guess commented that they had the cleanest garbage trucks of any municipality that he had seen.

Alderman Wood interjected vehicles across the board. He saw multiple vehicles every week.

City Manager Warren Wood advised after 30 plus years of work with the City of Hickory, Finance Officer Melissa Miller was going to be retiring. He thanked Melissa for all her work all those years. She was just one more that started with him in the early 90s, or that he started with, they were not going to be with them. He thanked her for all that she had done. A round of applause was given. However, he pointed out the person sitting to her left was Kari Dunlap, previously with Martin Starnes, who came and did their audit presentations. They were very fortunate to have landed Kari from Martin Starnes. Of course, having done their audit for all those years, she knew everything. She actually started Monday, and came back today, which was a good sign. He welcomed Kari. She and her family lived in Hickory, and they were thrilled to have Kari Dunlap on board.

Mayor Guess and Council members welcomed Ms. Kari Dunlap.

Alderman Wood commented that the audit would go smoothly this year without a hitch, right?

City Manager Warren Wood advised it would be those Martin Starnes people if it does not.

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Mayor Guess commented that under Melissa's 30 years, it went pretty smoothly as well. They got recognized many times for the work that her crew did, and it was all for her leadership, and they greatly appreciated her, and were going to miss her tremendously here at City Hall.

City Manager Warren Wood mentioned as a side note related to the audit, they would probably have one more kind of rough year because they were going to transition to the new software and moving forward for the next year's audit should be a lot smoother.

Mayor Guess commented no pressure here.

XIV. There being no further business, the meeting adjourned at 7:30 p.m.

Mayor

City Clerk