

A Regular Meeting of the City Council of the City of Hickory was held in the Council Chamber of the Municipal Building on Tuesday, September 3, 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, City Attorney Timothy Swanson, Deputy City Clerk Crystal B. Mundy and City Clerk Debbie D. Miller

- I. Mayor Guess called the meeting to order. All Council members were present.
- II. Invocation by Reverend Bill Garrard, Retired United Methodist Clergy
- III. Pledge of Allegiance
- IV. Special Presentations
- V. Persons Requesting to Be Heard
  - A. Ms. Lucy Lail, 3131 12<sup>th</sup> Avenue SE, Hickory NC 28602, addressed City Council regarding a water issue. She advised they had a water leak in May. They had it fixed. The bill they got that month was \$103. Then the next month it was \$173. Then another month it was \$173. Then the past one they just paid was \$187. They said that they have a water leak in their home. Right now, there was no water going to the home and the meter was still running. She wanted to know if they could grandfather the well and the septic tank that was on the property, so they would not have City water.

Mayor Guess asked Public Utilities Director Will Hamblin to speak with Ms. Lail privately and see if they could help her with her concerns. They could meet in the lobby, and he would keep Council abreast of anything that they need to intervene with.
  - B. Dr. Kimberly Turk, 2436 29<sup>th</sup> Avenue Court NE, Hickory, advised she had been teaching science both at the college and high school level for over 25-years now. One of the things that she taught her students was that City water was better regulated and cleaner than bottled water. That was very hard for her to defend when on a regular basis, when her students fill their water bottles up at school, it comes out brown. Last week it was unusually brown with sediment coming out of it, settling in the bottles, but it happens on a regular basis, a couple of times a semester. She knew they were told the water was safe. Two of her three degrees were in science, and she understood the basis behind that. It was very hard to convince anyone that it was safe to drink water that had visible sediment in it, and you certainly do not feel clean when you bathe or shower in it. It was also disconcerting that they noticed it and had not been given any indication about it happening or why it was happening. And it was happening on a regular basis two to three times a semester and had been for the last couple of years. She thanked Council.
  - C. Mr. Michael McLamb, 1135 13<sup>th</sup> Avenue NE, Hickory, provided comments and his perspective about the water in Hickory. Over the past six years, the water in their home had sporadically turned brown. Sometimes it was faint, other times it was dark. Sometimes there was sediment, sometimes not. And sometimes there were explanations, other times not. Over the past couple months, the frequency of these episodes had increased. Last week it became terrible. Monday to Friday morning it was bad, and he was not pleased to say it turned brown again yesterday, but only for a very short while. He extended his appreciation for the outreach from Mayor Guess, Alderwoman Williams, and all of the City employees working to fix the issue. He understood several unexpected events caused the severity of the issue last week. He believed the City was doing everything they could to resolve this, but they all knew brown water does nothing to reassure the public's trust in government. Taking a step back, he could not help but conclude something was just not quite right or where it should be. He had never worked in government and had not had the pleasure of taking as many trips around the sun as some. But he had lived in and visited a lot of places. He had rented and owned homes in big cities and small towns. He had traveled to rich countries and poor ones. He had stayed in luxury hotels and hostels. This discolored water he had experienced coming out of faucets was unique to Hickory. He offered the following respectfully and with candor. 1) Improve communication with their customers about the water issues. Publish water quality tests where they were easy to find. Let the public know what they were doing to clear the lines. 2) He thought the brown water offered local governments here an opportunity to do some good infrastructure work. He was certain there were old pipes in use that were well past their expected useful life. He encouraged them to explore all options to upgrade and renovate the system. People do not like fees and taxes, but he bet they liked clear water more. 3) Theft was provided as a contributing factor to the issue last week. He could not in his own head come up with reasons to steal water in such quantities. So please give them more information about the theft and what was being done to hold these thieves and water pirates accountable. He thanked Council

Mayor Guess asked if anyone else wished to be heard. No one else appeared.

VI. Approval of Minutes

A. Regular Meeting of August 20, 2024

Alderman Patton moved, seconded by Alderman Williams that the Minutes of August 20, 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 3. (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 Seaver moved, seconded by Alderman Williams approval of the Consent Agenda. The motion carried unanimously.

A. Approved a Proclamation for Constitution Week 2024.

B. Approved the Purchase of a 2024 Freightliner M2106 Cab/Chassis with a Mounted Automated Leaf Collection Unit in the Amount of \$272,982 from Carolina Environmental Systems, Inc.

Staff requests Council's approval of the purchase of a 2024 Freightliner M2106 Cab/Chassis with a Pac Mac 25-yard chassis mounted automated leaf collection unit per the N.C. Sheriffs Association reference Bid #24-08-0421 in the amount of \$272,982 from Carolina Environmental Systems, Inc. The City uses automated leaf trucks for efficient collection of loose leaves within the Recycling Division's Yard Waste Service. This unit allows for loose leaves to be collected by a single operator and collects approximately 6,000 pounds per load on average. This truck will replace a similar piece of equipment purchased in 2009. The Solid Waste Recycling Division capital equipment improvement plan includes the replacement of an Automated Leaf Truck in FY 24-25. The specified truck applies to the NC Sheriffs Association Bid #24-08-0421. Staff recommends Council's approval of the purchase of a 2024 Freightliner M2106 Cab/Chassis with a Pac Mac 25-yard chassis mounted automated leaf collection unit per the NC Sheriffs Association reference Bid #24-08-0421 in the amount of \$272,982 from Carolina Environmental Systems, Inc.

C. Approved on First Reading an Ordinance Amendment Adding Section 23-9 to the Hickory Code of Ordinances for Nonresidential Fees.

The City recognizes that residents contribute to the costs of programs and services provided by the City through payment of local taxes. As a method of equalizing the burden of supporting programs and services provided by the City, unless otherwise specified in the fee schedule, participants residing outside of the City will be required to pay additional fees for parks and recreation programs and services provided by the City in accordance with the fee schedule as is set from time to time by the City Council. On July 1, 2024, the City began charging a yearly fee for nonresidents to use City indoor recreation facilities. The code of ordinances should reflect this change. This nominal fee was put in place for nonresidents since programs and facilities are paid for through resident's taxes. The fee provides an avenue for nonresidents to share in upkeep and maintenance of City facilities. Parks, Recreation & Sports Tourism recommends City Council's approval to amend the code of ordinances to add Section 23-9 for nonresidential fees.

ORDINANCE NO. 24-32

AN ORDINANCE OF THE CITY OF HICKORY ADDING NONRESIDENT FEES  
PROVISION TO THE CITY OF HICKORY CODE OF ORDINANCES

WHEREAS, City Council has determined that it is necessary and will serve the public interest to add the following provision to the City of Hickory Code of Ordinances.

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

1. Section 23-9 shall be added to the Hickory Code of Ordinances to read as follows:

Sec. 23-9. – Nonresident Fees.

The City recognizes that residents contribute to the costs of programs and services provided by the City through payment of local taxes. As a method of equalizing the burden of supporting programs and services provided by the City, unless otherwise specified in the fee schedule, participants residing outside of the City will be required to pay additional fees for parks and recreation programs and services provided by the City in accordance with the fee schedule as is set from time to time by the city council.

2. This Ordinance shall become effective upon adoption.

- D. Approved the Issuance of Pyrotechnic Display Permit to PyroStar Entertainment for a Fireworks Display at the Hickory Motor Speedway.

Staff requests approval of the issuance of a pyrotechnic display permit to PyroStar Entertainment for fireworks display at Hickory Motor Speedway. Kevin Piercy, General Manager of Hickory Motor Speedway, has submitted requests to obtain permission to conduct public fireworks display on the following date September 14, 2024 (rain date November 16, 2024). The North Carolina Fire Code requires an operational permit for the use and handling of pyrotechnic special effects material. The Hickory Fire Department Fire & Life Safety Division shall review all required documentation for the event, including Alcohol Tobacco and Firearm’s (ATF) License, Operator and Assistant Operators Permits from North Carolina Office of State Fire Marshal (NCOSFM), Site Plan, and the one-million- dollar liability insurance policy. The Fire & Life Safety Division will also inspect the pyrotechnics display area before the event to ensure compliance with NCOSFM Guidelines, National Fire Protection Association (NFPA) NFPA 1123 Code for Fireworks Display, and NFPA 1126 Use of Pyrotechnics Before a Proximate Audience (if applicable). Staff recommend approval of the above pyrotechnics display.

- E. Called for a Public Hearing to Consider the FY2023-2024 Consolidated Annual Performance and Evaluation Report (CAPER) for Submission as Required by the US Department of Housing and Urban Development. (Authorized Public Hearing for September 17, 2024, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).

- F. Called for a Public Hearing to Consider Closing an Unnamed Alley Located Between 1<sup>st</sup> Street and 2<sup>nd</sup> Street SW, as Requested by RGS Property LLC. (Authorized Public Hearing for October 1, 2024, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).

RESOLUTION NO. 24-53  
RESOLUTION OF INTENT

A Resolution Declaring the Intention of the City Council of the City of Hickory to Consider the Closing of an Unnamed Alley Located between 1<sup>st</sup> Street SW and 2<sup>nd</sup> Street SW

WHEREAS, G.S. 160A-299 authorizes the City Council of the City of Hickory to close public streets and alleys; and

WHEREAS, the City Council of the City of Hickory considers it advisable to conduct a public hearing for the purpose of considering the closing of an unnamed alley located between 1<sup>st</sup> Street SW and 2<sup>nd</sup> Street SW, Hickory.

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

- 1. A Public Hearing will be held at 6:00 p.m. on the 1<sup>st</sup> day of October, 2024, in the Council Chambers of the Julian G. Whitener Municipal Building at 76 North Center Street, Hickory, North Carolina to consider a resolution closing an unnamed Alley located between 1<sup>st</sup> Street SW and 2<sup>nd</sup> Street SW.
- 2. The City Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks in the Hickory Daily Record.
- 3. The City Clerk is further directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street a copy of this Resolution of Intent.
- 4. The City Clerk is further directed to cause adequate notices of this Resolution of Intent and the scheduled public hearing to be posted as required by G.S. 160A-299.

- G. Approved Change Order 1 with Thomas, Gordan, and Shook (TGS) Consulting Engineers, Inc. in the Amount of \$20,000, Contingent on North Carolina Department of Transportation Approval, for Right of Way Services Related to the Aviation Walk Connector Multi-Use Trail (17<sup>th</sup> Street NW Extension).

Staff requests Council's approval of change order number 1 to the Agreement for Professional Services with Thomas, Gordan and Shook (TGS) Consulting Engineers, Inc. for right of way services related to the Aviation Walk Connector Multi-Use Trail Project – BL-0067 in the amount of \$20,000, contingent on North Carolina Department of Transportation (NCDOT) approval. The City applied for and received State Transportation Block Grant - Directly Attributable (STBG-DA) funding approval from the Greater Hickory MPO and North Carolina Department of Transportation (NCDOT) for Aviation Walk Connector Multi-Use Trail. The multi-use trail will connect 17<sup>th</sup> Street NW Extension (HL-0004) with the Aviation Walk (EB-6038). The connector is needed to join the future 17<sup>th</sup> Street NW Extension Multi-Use Trail with the Aviation Walk Multi-Use Trail. The trail will connect Appalachian State's new campus and with Aviation Walk and provide a safe crossing for students over US 321 to join with the City's trail system. The extension is also along the established Hickory Urban Bike Loop (HUB) which is identified in the "Walk-Bike-Hickory Plan". Cyclists use 17<sup>th</sup> Street NW on a regular basis and this project would fill in a gap to provide a continuous route from US 70 to Clement Boulevard NW to Aviation Walk. Right of Way Acquisition is needed to connect the future 17<sup>th</sup> Street NW Extension Multi-Use Trail and the existing Aviation Walk Multi-Use Trail along Clement Boulevard and 19<sup>th</sup> Street Lane NE. Staff recommends Council's approval of change order number 1 to the Agreement for Professional Services with Thomas, Gordan and Shook (TGS) Consulting Engineers, Inc. for right of way services related to the Aviation Walk Connector Multi-Use Trail Project – BL-0067 in the amount of \$20,000, contingent on NCDOT approval.

- H. Approved an Agreement for Professional Services with VHB Engineering NC, P.C. in the Amount of \$200,000, to Develop the Safe Streets for All Comprehensive Safety Action Plan.

Staff requests Council's approval of the \$200,000 agreement for professional services with VHB Engineering NC, P.C. to complete the City's Safe Streets for All Comprehensive Safety Action Plan. The Bipartisan Infrastructure Law (BIL) established the new Safe Streets and Roads for All (SS4A) discretionary program, with \$5 billion in appropriated funds over five years, 2022-2026. The SS4A program funds regional, local, and Tribal initiatives through grants to prevent roadway deaths and serious injuries. It supports the U.S. Department of Transportation's National Roadway Safety Strategy and the goal of zero roadway deaths. The City of Hickory has received a \$200,000 grant from the Federal Highway Administration to create a Safe Streets For All Comprehensive Safety Action Plan. The Safe Streets for All Planning and Demonstration Grants provide Federal funds to develop, complete, or supplement a comprehensive safety action plan. The City of Hickory will use the Safe Streets for All Planning Grant to work with VHB Engineering to develop a comprehensive Safe Streets and Roads Action Plan. Once the City of Hickory has a plan, it may then apply for the Safe Streets for All funding for implementation activities to improve safety on roadways and at intersections. VHB Engineering was selected to develop the plan based on qualification-based proposals. Fees are eligible for reimbursement with Federal Highway Administration funds at a ratio of 80% FHWA (\$160,000) and 20% City of Hickory (\$40,000). Staff recommends Council's approval of the \$200,000 agreement for professional services with VHB Engineering NC, P.C. to develop the Safe Streets for All Comprehensive Safety Action Plan, with an 80/20 match (\$160,000 federal/\$40,000 local match).

- I. Approved the Pursuit of the GameTime Community Champions Grant in the Amount of \$49,750 for Play Equipment Replacement at Cliff Teague Park.

Staff requests approval to pursue the GameTime Community Grant in the amount of \$49,750 for play equipment replacement at Cliff Teague Park. The grant offers 100% matching funds for play systems that exceed \$75,000 in cost. Staff will be pursuing a system priced at \$99,500. The City match will be \$49,750 and will be taken from the 24/25 5-Year CIP funds earmarked for the replacement of play equipment at Cliff Teague Park. Funds will be used to create an upgraded and inclusive playground at Cliff Teague Park. This meets the recommendation of park revitalization found in the park, recreation and sports tourism comprehensive master plan. Pursuit of the GameTime Community Champions grant for an inclusive system was unanimously supported by the Parks, Recreation & Sports Tourism Commission at their August 13, 2024 meeting. Staff requests approval to pursue the GameTime Community Champions Grant in the amount of \$49,750.

- J. Accepted the Bid and Awarded the Contract to Wilkie Construction Company SE, LLC to Construct a Group Hangar, Office Complex, and a Concrete Pad at the Hickory Regional Airport.

Staff requests City Council's acceptance of the bid and award the construction contract to Wilkie Construction Company SE, LLC and authorize the City Manager to approve the construction contract in the amount of \$2,767,000 for a new group hangar at Hickory Regional Airport and an alternate bid for a concrete pad in the amount of \$33,700. The City requested construction bids in June and received a total of five bids. The lowest responsive bidder was Wilkie Construction Company with a low bid amount of \$2,767,000, plus an alternate bid in the amount of \$33,700. The project consists of a new 12,000 square foot group hangar and the addition of a 2,700 square foot office complex. The new building will be constructed on the west ramp adjacent to an existing hangar. The concrete pad is planned to accommodate air traffic from the NC Forest Service and Atrium Health, who are leasing space at the airport. The new hangar development aligns with the recommendations of a 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 additional office space will be attractive to corporate partners seeking a location for their aviation operations, which will, in turn, create additional airport revenue. The project will be funded with NC Department of Transportation Reserve Funds that were originally allocated in the fiscal year 23-24 budget. Staff recommends Council accept the bid and award the construction contract to Wilkie Construction Company SE, LLC, and authorize the City Manager to approve the construction contract in the amount of \$2,767,000 for the construction of a new group hangar at Hickory Regional Airport and an alternate bid for a concrete pad in the amount of \$33,700.

- K. Approved on First Reading the Implementation of a Speed Limit Reduction to 25mph along 11<sup>th</sup> Avenue NE from 5<sup>th</sup> Street NE to 3<sup>rd</sup> Street Drive NE, and along 4<sup>th</sup> Street NE from 11<sup>th</sup> Avenue NE to 10<sup>th</sup> Avenue Drive NE.

Staff request Council's approval to implement a speed limit reduction to 25mph along 11<sup>th</sup> Avenue NE from 5<sup>th</sup> Street NE to 3<sup>rd</sup> Street Drive NE, and along 4<sup>th</sup> Street NE from 11<sup>th</sup> Avenue NE to 10<sup>th</sup> Avenue Drive NE. City Council implemented a Neighborhood Traffic Calming Program that enables citizens to request measures to improve traffic safety in the area where they own property. Citizens requesting traffic calming measures are required to complete and submit a petition with a certain percentage of properties in favor of implementation for a request to move forward. The City performs analysis to determine what, if any, measures are warranted. Traffic Division staff received the completed petition from property owners along 11<sup>th</sup> Avenue NE with regards to the Neighborhood Traffic Calming Program and have found the property owners to be compliant with the guidelines. The petition qualifies for a speed limit reduction to 25mph. twenty-two (22) properties were included in the petition and sixteen (16) properties signed in favor of implementation. This represents at least 60% approval, which meets the requirement. The necessary sign modifications along the roadway can be performed as a normal part of the Traffic Division's signs/markings shop operations. Staff recommends Council's approval to the speed limit reduction to 25mph along 11<sup>th</sup> Avenue NE from 5<sup>th</sup> Street NE to 3<sup>rd</sup> Street Drive NE, and along 4<sup>th</sup> Street NE from 11<sup>th</sup> Avenue NE to 10<sup>th</sup> Avenue Drive NE.

ORDINANCE NO. 24-33

AN ORDINANCE OF THE HICKORY CITY COUNCIL  
AMENDING THE TRAFFIC ORDINANCE AUTHORIZED IN THE  
HICKORY CODE OF ORDINANCES – ARTICLE III, SECTION 18-81

WHEREAS, Article III of the City of Hickory Code of Ordinances be and is hereby amended through the modification of the official maps authorized therein as follows, to wit:

Amend the Traffic Ordinance by reducing the speed limit along 11<sup>th</sup> Avenue NE from 5<sup>th</sup> Street NE to 3<sup>rd</sup> Street Drive NE, and along 4<sup>th</sup> Street NE from 11<sup>th</sup> Avenue NE to 10<sup>th</sup> Avenue Drive NE to 25 mph.

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

This Ordinance shall become effective immediately upon adoption.

- L. Approved on First Reading Budget Revision Number 4.

ORDINANCE NO. 24-34  
BUDGET REVISION NUMBER 4

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, 2025, and for the duration of the Project Ordinance noted herein.

SECTION 1. To amend the General Fund within the FY 2024-25 Budget Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Contingency	-	6,000
Economic & Community Development	12,000	-
Public Safety	26,000	-
Transportation	200,000	-
Culture & Recreation	4,850	-
TOTAL	242,850	6,000

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

FUNCTIONAL AREA	INCREASE	DECREASE
Restricted Intergovernmental	192,000	-
Other Financing Sources	40,000	-
Sales and Services	4,850	-
TOTAL	236,850	-

SECTION 2. To amend the Water/Sewer Fund within the FY 2024-25 Budget Ordinance the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Uses	41,250	-
TOTAL	41,250	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	41,250	-
TOTAL	41,250	-

SECTION 3. To amend the NW Sewer Extension/ARC (#83308) Capital Project Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Water & Sewer Capital Projects	41,250	-
TOTAL	41,250	-

To provide funding for the above, the NW Sewer Extension/ARC (#83308) revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	41,250	-
TOTAL	41,250	-

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

- IX. Items Removed from Consent Agenda – None
- X. Informational Item
- XI. New Business
  - A. Public Hearings
    - 1. Approved the Resolution Directing that the Street Improvement Project be Undertaken for Curb and Gutter Petition 24-02 for a Portion of 290 16<sup>th</sup> Street Place SE – Presentation by Public Works Director Steve Miller.

The City Clerk received a petition from the owner of the property along 16<sup>th</sup> Street Place SE to install curb and gutter along a portion of their street as per Section 29-2 of the Hickory Code of Ordinances. The petitioner(s) represent a majority, greater than 50% of the property owner(s) as well as a majority, greater than 50% of the property footage of the property frontage requested in the petition and therefore qualifies as a valid petition. Staff recommends Council's approval of the resolution directing that the street improvement project be undertaken for Petition No. 24-02 to construct curb and gutter in front of the business at 290 16<sup>th</sup> Street Place SE (PIN 3712-06-48-0633).

The public hearing was advertised in a newspaper having general circulation in the Hickory area on August 10, 2024.

City Manager Warren Wood advised the public hearing was for consideration of a Resolution directing that the street improvement project be undertaken for curb and gutter petition 24-02 for a portion of 290 16<sup>th</sup> Street Place SE, presented by Public Works Director Steve Miller.

Public Works Director Steve Miller gave a PowerPoint presentation. He discussed the curb and gutter petition at 290 16<sup>th</sup> Street Place SE. He referred to the PowerPoint presentation and displayed an aerial map. He pointed out Tate Boulevard, and Custom Body Works, which as a body shop on Tate Boulevard. The applicant was going to do some upgrades in the back area. There was a piece of curb and gutter that he would attach to. Because it was a single party petition on that street, he could make that improvement. The consideration was the Resolution directing that the street improvement project be undertaken for curb and gutter petition 24-02 for a portion of 290 16<sup>th</sup> Street Place SE. This petition was a single party petition extending an existing curb and gutter section to improve drainage and the appearance of his property. He referred to the PowerPoint and displayed a photo of the back piece of the street. It showed the right of way to Tate Boulevard, but it did not actually punch through. It was a substantial hill. The curb and gutter would extend down and to a driveway there, that would help with some drainage that was going on to his property. That would get it to a box that was below that piece of driveway. He was also doing some improvements to the back area to improve the appearance. He was doing an expansion. He referred to the PowerPoint and pointed out the location of a medical building that was located off of Tate Boulevard. There were several medical complexes, and it also abutted another medical complex. This would be an improvement for the area for his business to look the way he would like it to. Staff recommended Council's acceptance and approval of a Resolution directing the street improvement project be undertaken for petition number 24-02 that was requesting the City construct a curb and gutter along a portion of 290 16<sup>th</sup> Street Place SE. Once the project was done it would come back to Council for the assessment for the costs of the construction.

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

Alderman Patton moved, seconded by Alderman Zagaroli approval of the Resolution directing that the street improvement project be undertaken for curb and gutter petition 24-02. The motion carried unanimously.

Resolution No. 24-54

Resolution Directing That Street Improvement Project Be Undertaken  
(Petition No. 24-02)

WHEREAS, on 15<sup>th</sup> day of July, 2024, the property owners of 290 16<sup>th</sup> Street Place SE, 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 the City Council of the City of Hickory that said petition is sufficient in all respects, the same having been duly signed by a majority in number of the owners, whose property represents a majority of all the lineal feet of frontage of the lands abutting upon the streets or portion of streets hereinabove described; and

WHEREAS, a Preliminary Assessment Resolution was adopted by this City Council and a public hearing thereon duly held.

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

1. That a portion of 290 16<sup>th</sup> Street Place SE, Hickory be improved by placing and constructing thereon curb and gutter under and by virtue of Chapter 160A, Article 10 of the General Statutes of North Carolina and the procedure therein established, 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.

2. That 50 percent of the total cost of said improvement, exclusive of so much of the total costs as is incurred in improving the street intersections, be hereafter assessed upon the property receiving the improvements.
3. That the assessment herein provided for shall be payable in cash, or if any property owner shall so elect, in accordance with Chapter 160A, Sections 232 and 233 of the General Statutes of North Carolina, he shall have the option and privilege of paying the assessment in five (5) annual installments, said installments to bear interest at the rate of 8 percent per annum.

B. Departmental Reports:

1. Appointments to Boards and Commissions

**CITIZENS ADVISORY COMMITTEE**

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

**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)  
 African American (Council Appoints) VACANT  
 Caucasian (Council Appoints) VACANT  
 Caucasian (Council Appoints) VACANT  
 Other Minority (Council Appoints) VACANT  
 Other Minority (Council Appoints) VACANT

**HICKORY REGIONAL PLANNING COMMISSION**

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

**HISTORIC PRESERVATION COMMISSION**

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

**PUBLIC ART COMMISSION**

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

**RECYCLING ADVISORY BOARD**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
 Ward 4 (Freeman Appoints) VACANT  
 Ward 5 (Zagaroli Appoints) VACANT  
 Ward 6 (Patton Appoints) VACANT  
 At-Large (Council Appoints) VACANT  
 At-Large (Council Appoints) VACANT

**YOUTH COUNCIL**

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

Youth Council Applicant Review Committee Recommends the Following Appointments:

Homeschool VACANT

C. Presentation of Petitions and Requests

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

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

Mayor Guess advised he had attended a Hmong Day celebration recently and they called him and said they had some little gifts they would like to give to the Council. The men got a shirt, and the ladies got a scarf and that was the directions they told him. He mentioned if they wanted to swap



with somebody, that was fine, but that was what they told him, that was the directions he received. Those items before them were gifts from their Hmong celebration.

- XIV. Closed Session Per NC General Statutes 143-318.11(a)(1)(3) to consult with the attorneys regarding the following: (Action on these items, if any, will occur in Open Session)

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

1. Approval of Closed Session Minutes of July 16, 2024 - NCGS §143-318.11(a)(1)
2. Consultation with Attorney - NCGS §143-318.11(a)(3)

Council convened to closed session at approximately 6:16 p.m.

Council reconvened to open session at approximately 6:56 p.m.

No action was taken upon return to open session.

- XV. There being no further business, the meeting adjourned at 6:56 p.m.

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Mayor

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City Clerk