

A Regular Meeting of the City Council of the City of Hickory was held in the Council Chamber of the Municipal Building on Tuesday, October 1, 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 with the arrival of Alderman Zagaroli at 6:02 p.m.
- II. Invocation by Alderman Anthony Freeman
- III. Pledge of Allegiance
- IV. Special Presentations
  - A. Presentation of a Proclamation to Hickory Fire Department Staff for Fire Prevention Week October 6-12, 2024.

Mayor Guess asked Hickory Fire Department Staff to the podium. Mayor Guess, on behalf of the Council as well, commended and thanked all of the fire personnel. As everyone knows, the police and fire departments were probably some of their most visible coworkers. They have many coworkers in the City, and he took the opportunity not only to thank the fire department, but all of the coworkers. Obviously, during this storm, everyone had to step it up and had to do things that probably were out of the ordinary. Staff, all of the coworkers had certainly stepped up and done a terrific job, and they appreciated each and every one of them. But this was Fire Prevention Week, it actually started October 6<sup>th</sup>, but they did not meet again until after the 6<sup>th</sup>, so they proclaimed Fire Prevention Week in the City of Hickory this afternoon. Mayor Guess read and presented the Proclamation. Photos were taken. He thanked the Fire Department again for all that they do.

- B. Presentation of a Proclamation to Centro Latino for Hispanic Heritage Month, September 15 – October 15, 2024.

Mayor Guess asked representatives from Centro Latino to the podium. Mayor Guess advised he had two proclamations, one in Spanish and one in English. He recognized Assistant City Manager Yaidee Fox for the Latino of the Year Award which she had been recognized for this past weekend by Centro Latino. He apologized to Ms. Fox as he was not able to be there due to obvious things, they had a lot going on. He wanted to apologize publicly to her, but he wanted to also recognize Ms. Fox for her accomplishment and for that award. He asked Ms. Fox to join them at the podium. Hispanic Heritage was an entire month. The Fire Department, they got a week, so they get a month. Mayor Guess read and presented the Proclamation for Hispanic Heritage Month to those in attendance. Photos were taken.

- V. Persons Requesting to Be Heard

- VI. Approval of Minutes

- A. Regular Meeting of September 17, 2024

Alderman Zagaroli moved, seconded by Alderwoman Patton that the Minutes of September 17, 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.

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

- A. Budget Revision Number 5. (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 Freeman moved, seconded by Alderwoman Patton approval of the Consent Agenda. The motion carried unanimously.

- A. Approved the Citizens Advisory Committee Recommendations for Assistance through the City of Hickory's Housing Programs.

The mission of the City of Hickory's Community Development Division is to preserve the existing housing base, enhance ownership opportunities for all its citizens to obtain decent housing, and provide a quality environment conducive to the safe and healthy growth of its citizenry. The seven-member Citizens' Advisory Committee was formed to provide for citizen input in the facilitation of the City's CDBG program, as well as any other similar community enhancement funding the City may receive. The following requests were considered by the Citizens' Advisory Committee at a regular meeting on September 5, 2024.

- Donna Vaughn, 918 8<sup>th</sup> Street NE, Hickory, was recommended for approval of up to \$12,000 under the City of Hickory's 2024 Urgent Repair Program.
- Peggy Duke, 811 3<sup>rd</sup> Street SE, Hickory was recommended for approval of up to \$12,000 under the City of Hickory's 2024 Urgent Repair Program.

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

- B. Called for a Public Hearing to Consider the Voluntary Contiguous Annexation of 151.218-Acres, Located at 432 Catawba Valley Boulevard, SE, 2115 3<sup>rd</sup> Street Place SE, and Five Adjoining Parcels, Identified as PINs 3701-08-78-9470, 3701-08-77-5545, 3701-08-87-5621, 3701-12-87-7400, 3701-12-87-5316, 3701-11-66-6796, 3701-11-66-6796, Owned by Blueberry Farm Hickory, LLC. (Authorized Public Hearing for October 15, 2024, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).

RESOLUTION NO. 24-56

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 Blueberry Farm Hickory LLC requesting annexation of an area described in a petition was received on September 16, 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 Blueberry Farm Hickory LLC, containing 151.218-acres more or less, located on Catawba Valley Boulevard SE between 3rd Street Place SE and 18th Avenue SE, and identified as PINs 3701-08-77-5545; 3701-08-78-9470; 3701-12-75-5345; 3701-11-66-6796; 3701-12-87-5316; 3701-12-87-7400; and 3701-08-87-5621.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Hickory this 16<sup>th</sup> day of September, 2024.

/s/ Debbie D. Miller, City Clerk

RESOLUTION 24-57

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 October 15, 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 Blueberry Farm Hickory LLC, containing 151.218-acres more or less, located on Catawba Valley Boulevard SE between 3rd Street Place SE and 18th Avenue SE, and identified as PINs 3701-08-77-5545; 3701-08-78-9470; 3701-12-75-5345; 3701-11-66-6796; 3701-12-87-5316; 3701-12-87-7400; and 3701-08-87-5621.

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. 24-58

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

WHEREAS, Blueberry Farm Hickory LLC is the owner of certain real property as described herein, which property is located on Catawba Valley Boulevard SE between 3<sup>rd</sup> Street Place SE and 18<sup>th</sup> Avenue SE, and identified as PINs 3701-08-77-5545; 3701-08-78-9470; 3701-12-75-5345; 3701-11-66-6796; 3701-12-87-5316; 3701-12-87-7400; and 3701-08-87-5621, containing 151.218-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 1<sup>st</sup> day of October, 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 October 15, 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 Blueberry Farm Hickory, LLC, Voluntary Contiguous Annexation Map 1 City Boundary, subject property outlined in red; Blueberry Farm Hickory LLC Voluntary Contiguous Annexation Map 2, Current Zoning, subject property outlined in red; Blueberry Farm Hickory LLC Voluntary Contiguous Annexation, Map 3, Aerial Imagery 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. Called for a Public Hearing to Consider the Voluntary Non-Contiguous Annexation of 3.799-Acres, Located at the Eastern Corner of the Intersection of 21<sup>st</sup> Street Drive SE, and 27<sup>th</sup> Street Drive SE, Identified at PIN 3722-14-32-1763, Owned by RFW Properties, LLC. (Authorized Public Hearing for October 15, 2024, at 6:00 p.m. in Council Chambers

of the Julian G. Whitener Municipal Building).

RESOLUTION NO. 24-59  
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 RFW Properties, LLC requesting annexation of an area described in a petition was received on September 16, 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 RFW Properties, LLC, located at the eastern corner of the intersection of 21st Street Drive SE and 27th Street Drive SE, Hickory, containing 3.799-acres more or less, and identified as PIN 3722-14-32-1763.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Hickory this 16<sup>th</sup> day of September 2024.

/s/ Debbie D. Miller, City Clerk

RESOLUTION 24-60  
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 October 15, 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 RFW Properties, LLC, located at the eastern corner of the intersection of 21st Street Drive SE and 27th Street Drive SE, Hickory, containing 3.799-acres more or less, and identified as PIN 3722-14-32-1763.

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. 24-61

A RESOLUTION DETERMINING THE INTENT TO ANNEX INTO THE CORPORATE LIMITS OF THE CITY OF HICKORY CERTAIN PROPERTY OF RFW PROPERTIES, LLC AND CALLING FOR A PUBLIC HEARING ON THE SAME

WHEREAS, RFW Properties, LLC is the owner of certain real property as described herein, which property is located at the eastern corner of the intersection of 21st Street Drive SE and 27th Street Drive SE, Hickory, containing 3.799-acres more or less, and identified as PIN 3722-14-32-1763.

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 1st day of October 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 October 15, 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 maps entitled RFW Properties, LLC, Voluntary Annexation Map 1, City Boundary, subject property outlined in red; RFW Properties, LLC, Voluntary Annexation Map 2, Zoning, subject property outlined in red; RFW Properties, LLC, 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.

- D. Approved the First Amendment to the Hickory-Catawba Wastewater Treatment Facility Expansion (ARPA) Agreement with Catawba County.

Staff requests Council's approval of the First Amendment to the Hickory-Catawba Wastewater Treatment Facility Expansion (ARPA) Agreement between Catawba County and City of Hickory. The City of Hickory previously entered into an agreement with Catawba County on March 1, 2023, to expand the Hickory-Catawba Wastewater Treatment Facility from 1.5 million gallons per day to 3 million gallons per day to better manage the continued growth. The City of Hickory and Catawba County agree to amend Section 3.1 of the Hickory-Catawba Wastewater Treatment Facility Expansion (ARPA) Agreement. The modified agreement allows Catawba County to reimburse the City of Hickory for costs incurred for the approved activities under this agreement in the amount of \$1,400,000. Staff recommends Council's approval of the First Amendment to the Hickory-Catawba Wastewater Treatment Facility Expansion (ARPA) Agreement between Catawba County and City of Hickory.

- E. Approved a Resolution Approving the Construction Management at Risk Construction Delivery Method for the Catawba River Environmental and Education Center Pursuant to the Provisions in NCGS 143-128.1.

Staff requests Council's approval of the Resolution approving the construction management at risk construction delivery method for the Catawba River Environmental and Education Center. The Catawba River Environmental and Education Center Project will consist of an environmental and education center to be constructed on three parcels of land owned by the City of Hickory consisting of 24.51-acres located in Burke County. Staff has compared the advantages and disadvantages of using the construction management at risk construction delivery method for the project in lieu of the delivery methods identified in G.S. 143-128(a1)(1) through G. S. 143-128(a1)(3). The construction management at risk construction delivery method allows for selection of the most qualified contractor for the project and provides an opportunity for involvement of the contractor during the design process for the purpose of providing the architect with feedback on constructability and

other design issues. The method also requires the Construction Manager to use prequalified subcontractors and allows for transparency of the overall bidding and construction process, including the costs incurred by the Construction Manager. Staff requests Council's approval of the Resolution approving the construction management at risk construction delivery method in accordance with G.S. 143-128.1.

RESOLUTION NO. 24-62

A RESOLUTION OF THE CITY OF HICKORY APPROVING CONSTRUCTION MANAGEMENT AT RISK CONSTRUCTION DELIVERY METHOD FOR THE CATAWBA RIVER ENVIRONMENTAL AND EDUCATION CENTER PURSUANT TO THE PROVISIONS OF N.C.G.S. § 143-128.1

WHEREAS, the City of Hickory is engaged in what is commonly known as the Catawba River Environmental and Education Center Project, which will consist of an environmental and education center to be constructed on three tracts or parcels of land owned by the City of Hickory consisting of 24.51 +/- acres (the "Project"), said tracts or parcels of land being situated in Burke County, North Carolina and being identified as PIN: 2783788894, 2783886713, and 2783785060; and

WHEREAS, the Project will consist of the construction of a space for public and private events, indoor and outdoor classroom space, exhibit areas, gift shop, kitchen, area for café seating, parking lot, garden pavilion, water access and creek pavilion, and other amenities; and

WHEREAS, City Council has compared the advantages and disadvantages of using the Construction Management at Risk Construction Delivery method for the Project in lieu of the delivery methods identified in G.S. 143-128(a1)(1) through G. S. 143-128(a1)(3); and

WHEREAS, City Council finds that the Construction Management at Risk Construction Delivery method allows for selection of the most qualified contractor for the Project; and

WHEREAS, the Construction Management at Risk Construction Delivery method provides an opportunity for involvement of the contractor during the design process for the purpose of providing the architect with feedback on constructability and other design issues; and

WHEREAS, the Construction Management at Risk Construction Delivery method requires the Construction Manager to use prequalified subcontractors; and

WHEREAS, the Construction Management at Risk Construction Delivery method allows for transparency of the overall bidding and construction process, including the costs incurred by the Construction Manager; and

WHEREAS, City Council has concluded the Construction Management at Risk Construction Delivery method is in the overall best interest of the Project compared to the use of one of the delivery methods in G.S. 143-128(a1)(1) through G.S. 143-128(a1)(3).

NOW, THEREFORE, BE IT HEREBY RESOLVED, that City Council for the City of Hickory selects the Project for the Construction Management at Risk Construction Delivery method in accordance with G.S. 143-128.1.

- F. Approved the Conveyance of 128.95 +/- Acres of City-Owned Property to the State of North Carolina as Additions to the North Carolina State Parks System for Public Access and Recreational Purposes.

Staff requests Council's approval of the warranty deed to convey the properties located along Deitz Road and River Road, more particularly identified as a portion of 3701-16-84-4836 and all of 3701-15-73-4171, 3701-15-63-6164, and 3701-15-73-1634 to the State of North Carolina for the purposes of future development as additions to the North Carolina State Parks system. On January 15, 2019, Hickory City Council adopted Resolution Number 19-01, authorizing the City Manager to execute a letter of intent and any other necessary real estate documents for a future conveyance of the City's properties to the State of North Carolina, working through the Foothills Conservancy. The State of North Carolina is interested in the future development of these 128.95 +/- acres of properties located along Deitz Road and River Road into recreational and other opportunities for the public. The City of Hickory conveys the property in fee simple to the State of North Carolina as long as the State of North Carolina keeps the property predominately in its natural, scenic, or open condition and uses the entire property solely as an addition to the North Carolina State Parks system for public access and recreational purposes, and completes the construction of the amenities as defined in the Warranty Deed, as defined within ten years of the transfer of the property to the State of North Carolina. North Carolina General Statute 160A-279 permits the City to convey property to nonprofit entities. Staff recommends Council's approval of the warranty deed from the City of Hickory to the State of North Carolina for the purposes of a State Park for the conveyance of 128.95 +/- acres of City-owned property.

- G. Approved Applying for the 2024 Justice Assistance Grant and Partner with Catawba County Sheriff's Office in the Amount of \$29,590 (Catawba County \$11,664, and Hickory Police Department \$17,926) and Approved the Interlocal Agreement with Catawba County.

Hickory Police Department requests approval to apply for the 2024 Justice Assistance Grant in collaboration with Catawba County Sheriff's Office. City of Hickory has received notification of approval to receive \$17,926 based grant through the Office of Justice Programs/Bureau of Justice Assistance (BJA) that utilizes Uniform Crime Reporting statistics of all law enforcement agencies to determine eligibility for direct federal grant awards. There is no match required. Catawba County Sheriff's Office has received notification of approval to receive \$11,664 based grant through the Office of Justice Programs/Bureau of Justice Assistance (BJA) that utilizes Uniform Crime Reporting statistics of all law enforcement agencies to determine eligibility for direct federal grant awards. Hickory Police Department will use the grant funds for annual licensing fee for two GrayKey forensic devices from Magnet Forensics in collaboration with Catawba County Sheriff's Office. The JAG legislation requires counties to remain a partner with the local jurisdictions receiving funds and must be a signatory on a required Memorandum of Understanding (MOU). Hickory Police Department recommends approval to apply and partner with Catawba County Sheriff's Office for the 2024 Justice Assistance Grant in the amount of \$29,590 (Catawba County Sheriff's Office – \$11,664 and Hickory Police - \$17,926). Hickory Police and Catawba County Sheriff's Office will share the remaining expense of the annual licensing fee to use two GrayKey forensic devices from Magnet Forensics for the FY2025-2026 fiscal year.

- H. Approved on First Reading Budget Revision Number 6.

**ORDINANCE NO. 6  
BUDGET REVISION NUMBER 24-36**

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 Urgent Repair Program Fund within the FY 2024-25 Budget Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Economic & Community Development	132,000	-
TOTAL	132,000	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Restricted Intergovernmental	132,000	-
TOTAL	132,000	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Public Safety	95,833	-
TOTAL	95,833	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	95,833	-
TOTAL	95,833	-

SECTION 3. 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 Preliminary Assessment Roll for Curb and Gutter Petition 24-01, for Property Located at 525 9<sup>th</sup> Avenue NW, Hickory – Presented by Public Works Director Steve Miller.

The City Clerk received petition number 24-01 from the owners of property along 525 9<sup>th</sup> Avenue NW to install curb and gutter along a portion of their street as per Section 29-2 of the Hickory Code of Ordinances. The petition was a single-party petition. The City Council adopted a Resolution Directing that Street Improvement Project Be Undertaken. Construction of the curb and gutter was completed on August 2, 2024. The preliminary assessment roll number 24-01 has been prepared based on the curb and gutter constructed along a portion of 525 9<sup>th</sup> Avenue NW in response to a petition by property owners. The City Clerk mailed a copy of the adopted Preliminary Resolution, which called for a public hearing, to all affected property owners. The Resolution confirms the assessment roll. Staff recommends approval of Assessment Roll 24-01 for curb and gutter constructed along a portion of 525 9<sup>th</sup> Avenue NW.

Notice of the public hearing was advertised in a newspaper having general circulation in the Hickory area on September 21, 2024.

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

City Manager Warren Wood asked Public Works Director Steve Miller to the podium to present Council with the preliminary assessment roll for curb and gutter petition 24-01, for property located at 525 9<sup>th</sup> Avenue NW.

Public Works Director Steve Miller gave a PowerPoint presentation. He discussed curb and gutter petition 24-01 for property located at 525 9<sup>th</sup> Avenue NW. They had completed the work. It was time to assess the owner for the cost of that. The work was done at 525 9<sup>th</sup> Avenue NW for the improvements. The date of construction was July 19, 2024. The date of completion was August 2, 2024. The total length was around 109 linear feet. The driveway was 24 feet, and the total that would be billed to the property owner would be \$5,108.50. He referred to the PowerPoint and displayed photos of the property. He noted that they attached to the curb and gutter that was at the house, that was downhill, and then came up to the front. They were having some water issues going in their driveway. They had kind of a circular drive. So that helped to alleviate that water issue. He thought that this particular resident owned the lot that was there beside of them. He tried to talk them into doing that lot, too, but at this time, they were just doing the lot that they actually have a residence on. He displayed more pictures of the project and pointed out the quality of work that the street department did. They did a really good job, and it matched into their driveway really well. Their concrete driveway was existing, and it had a big hump in it where they were trying to keep the water out of it. It turned out to be a real good project. The request was for Council's approval of a Resolution authorizing the preparation of assessment rolls for street improvement petition 24-01 for curb and gutter, located at 525 9<sup>th</sup> Avenue NW, in the amount of \$5,108.50.

Mayor Guess asked for any questions. He explained the rules for conducting the public hearing. He declared the public hearing open and asked if there was anyone present to speak in opposition to the proposal. 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.

Alderwoman Patton moved, seconded by Alderwoman Williams approval of the assessment roll for curb and gutter petition 24-01 for 525 9<sup>th</sup> Avenue NW. The motion carried unanimously.

RESOLUTION NO. 24-63  
RESOLUTION CONFIRMING AND LEVYING ASSESSMENT  
STREET IMPROVEMENTS ON A  
PORTION OF 525 9<sup>TH</sup> AVENUE NW, HICKORY  
NO. 24-01

WHEREAS, the City Council of the City of Hickory has on this day held a public hearing, after due notice as required by law, on the Assessment Roll for the street improvements on a portion of 525 9<sup>th</sup> Avenue NW, Hickory; and

WHEREAS, the City Council has heard all those persons present who requested to be heard and has found the Assessment Roll to be proper and correct.



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

1. The Assessment Roll for the improvement of a portion of 525 9<sup>th</sup> Avenue NW, Hickory is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
  2. The City Council of the City of Hickory, pursuant to authority conferred by Chapter 160A, Section 216, of the General Statutes of North Carolina, and following sections, does hereby levy assessments as contained in the said Assessment Roll.
  3. The City Clerk is hereby directed to deliver to the Collector of Revenue the said Assessment Roll.
  4. Assessments may be paid without interest at any time before expiration of 30 days from the date this notice is published.
  5. The Collector of Revenue is hereby charged with the collection of the said assessments that are not paid within this time, in accordance with the procedure established by Chapter 160A, Sections 232 and 233 of the General Statutes of North Carolina.
  6. The City Clerk is hereby further directed to publish once on the 22<sup>nd</sup> day of October, 2024.
2. Approved Closing an Unnamed Alley Located Between 1<sup>st</sup> Street SW and 2<sup>nd</sup> Street SW as requested by RGS Property LLC – Presentation by Public Works Director Steve Miller.

The City Clerk received a petition from RGS Property, LLC owner of the properties abutting an unnamed alley located between 1<sup>st</sup> Street SW and 2<sup>nd</sup> Street SW. The petition requests the City to close the unnamed alley per NCGS § 160A-299. The unnamed alley is bound on the north, south, east and west by the property owned by the Petitioner RGS Property LLC. The signature on the petition represents all the owner(s) of the property abutting this portion of the right-of-way. The petition fee of \$930 has been paid. A memo was sent to various departments for their input on the street closing. No public water or sewer is located in the street to be closed. Staff recommends Council's consideration of closing an unnamed alley located between 1<sup>st</sup> Street SW and 2<sup>nd</sup> Street SW, as petitioned by RGS Property LLC.

Notice of the public hearing was advertised in a newspaper having general circulation in the Hickory area on September 7, 14, 21, and 28, 2024.

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

City Manager Warren Wood asked Public Works Director Steve Miller to the podium to present Council with the request to close an unnamed alley located between 1<sup>st</sup> Street SW and 2<sup>nd</sup> Street SW as requested by RGS Property LLC.

Public Works Director Steve Miller gave a PowerPoint presentation. He discussed the unused alley off 2<sup>nd</sup> Street SW and 2<sup>nd</sup> Avenue SW, and coincidentally between 1<sup>st</sup> Avenue and 2<sup>nd</sup> Avenue SW. It was a single party petition by RGS Property LLC. The unopened street was bound on the north and south sides by property owned by the LLC. The request for Council's approval was a Resolution and Order closing this portion of the unopened street adjoining 1<sup>st</sup> Street and 2<sup>nd</sup> Street SW. He referred to the PowerPoint and displayed a photo of the area. They owned all four corners of this parcel. He advised this was an old alleyway. It was not wide enough to do anything with if someone wanted to. He noted a piece that may have been 1<sup>st</sup> Street at one time, but it looked like it could have been in the 30s or 40s whenever this was all developing. There used to be a cab stand or something there, that some folks would remember. The property to the north was the new apartment complex EveryAge. He noted the location of the Bella Rose, a consignment store, and the old Clark Tire building. There were no City utilities in here. There was nothing that they would ever need to have that property for. Staff requested approval of a Resolution and Order to close this portion of the unopened street adjoining 1<sup>st</sup> Street SW and 2<sup>nd</sup> Street SW.

Mayor Guess asked for any questions. 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.

Alderwoman Patton moved, seconded by Alderwoman Williams approval of closing of an unnamed alley located between 1<sup>st</sup> Street SW and 2<sup>nd</sup> Street SW. The motion carried unanimously.

RESOLUTION NO. 24-64  
RESOLUTION AND ORDER

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

An unnamed alley located between 1<sup>st</sup> Street SW and 2<sup>nd</sup> Street SW

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

Beginning at a Mag Nail set found in the southwestern corner of the Property of RGS Property, LLC (PIN: 370207587873) and being described in Deed Book 3775, Page 1967 and following alongside a 40' Right of Way (being commonly known as 2<sup>nd</sup> Street SW) N 02°50'09" E 123.00 feet to a ¾" rebar found and being the POINT OF BEGINNING, thence S 86°26' 19" E 104.20' to a calculated point, thence S 02°58'57" W 121.50' to a mag nail set found, thence with 2<sup>nd</sup> Avenue SW to the south, S 87°20'43" W 12.11' to a calculated point, thence with the property of RGS Property, LLC to the east (PIN: 370207588874) and being described in Deed Book 3708, Page 182, N 02°55'04" E 105.41' to a ¾" pipe found, thence N 24°51'35" E 21.51' to a ½" pipe found, thence with the property of RGS property to the south (PIN: 370207588874) and being described in Deed Book 3708, Page 182, S 86°54'35" E 59.49' to a 1" flat bar found, thence with a 60 foot right of way (commonly known as 1<sup>st</sup> Street SW) N 03°04'14" E 17.15' to a calculated point, thence with the property of RGS Property, LLC to the north (PIN: 370207588976) and being described in Deed Book 3770, Page 1386, N 86°54'35" W 83.20' to a calculated point, thence continuing on with the property of RGS Property, LLC to the north (PIN: 370207587987) and being described in Deed Book 3770, Page 1386, N 86°26'19" W 100.57' to a calculated point, thence with a 40' right of way (commonly known as 2<sup>nd</sup> Street SW) to the west, S 02°50'09" W 20.00' to the POINT OF BEGINNING, and being a unopened alley as shown on Plat Book 88, Page 114, Catawba County Registry of Deeds.

WHEREAS, following the filing of said petition with the City Council, a notice of public hearing upon the question of closing and abandoning said area for public roadway purposes was advertised in The Hickory Daily Record in the issues of September 7, September 14, September 21, and September 28, 2024.

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

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

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

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

3. Deferred Approval of a Resolution to Abolish the City of Hickory Public Housing Authority and Transfer to the Western Piedmont Council of Governments – Presentation by City Manager Warren Wood.

The United States Department of Housing and Urban Development (HUD) provides funds for the provision of affordable housing through its public housing programs. The City of Hickory Public Housing Authority (PHA) was created to administer said funds and manage all associated assets with the public housing program. HUD issued reports in 2012 and 2015 detailing a lack of adequate housing authority board oversight and administration and the City continues to receive complaints about the PHA. HUD encourages the consolidation of public housing authorities to provide better administration of HUD programs and funds. A regional public housing authority provides greater economic and housing

mobility for program clients. The Western Piedmont Council of Governments (WPCOG) has been designated as a regional public housing authority since January 1, 1978 pursuant to Chapter 157 of the North Carolina General Statutes. North Carolina General Statutes §§ 160A-475 and 157-4.1A authorizes the City of Hickory to delegate by Resolution any powers to the WPCOG, including the transfer of its public housing authority. Staff recommends City Council's consideration of the Resolution to abolish the City of Hickory Public Housing Authority and approve the transfer to the Western Piedmont Council of Governments.

Notice of the public hearing was advertised in a newspaper having general circulation in the Hickory area on September 21, 2024.

Mayor Guess introduced the public hearing, which was consideration of a Resolution to abolish the City of Hickory Public Housing Authority and transfer that to the Western Piedmont Council of Governments which would be presented by City Manager Warren Wood.

City Manager Warren Wood presented a PowerPoint presentation. He commented the first thing about this presentation and public hearing was that a public hearing was not required to do this, if they chose to do this. It could have been done by a Resolution. He knew that City Council said they wanted to have an opportunity for the public to weigh-in and have a period of comment for them to consider other items related to this before they made any decisions. They were going one step beyond what was actually required. The other thing, sometimes there was confusion when people talk about the Hickory Public Housing Authority, they think of what used to be Ridgecrest, Blue Ridge Heights, Terrace Hills, and Sunny Valley. That part of public housing was not owned by Public Housing anymore. They do not have bricks and mortar units. They administer section 8 housing vouchers. Those units that used to be public housing were now owned by a nonprofit called Nu-Dimensions. He knew people still thought that they owned and operated units. He thought there was a management contract with the ownership of what used to be public housing, bricks and mortar, it was now with Nu-Dimensions and had been since 2017. A lot of what he would discuss was related to the section 8 vouchers, which was the main mission of the Hickory Public Housing Authority today. Section 8 was a housing voucher program, it was for low-income households, to help them to be able to afford safe and decent housing in the private rental market. The program issues an income-to-income qualified households, a voucher in the Public Housing Authority (PHA), pays the landlord the difference between what the tenant can pay and what the tenant cannot pay. For example, if it was \$1,000 rent, the tenant can pay \$200, the voucher covers the other \$800. It goes to the private sector landlord, where that certificate holder was living. These vouchers were not just for individuals, they were for families.

City Manager Warren Wood commented that a lot of times people hear Hickory Public Schools, people thought that City Council operates and owns the Hickory Public Schools. There was a lot of the same thought that people think about the Hickory Public Housing, but that was not the case. Their relationship, and this was true across the State, this was North Carolina General Statutes, they were very limited in their role related to public housing. Cities could create Public Housing Authorities, and City Council did back in the 60s, they created what today exists as the Hickory Public Housing Authority. They could abolish the Hickory Public Housing Authority. Authorities were considered local governments, a local unit, so they fall under the same financial reporting requirements and everything else, just like a city would. That part of their operation was overseen by the State Treasurers Office. Across the State, in situations like they have, where the City had created an Authority, the Mayor makes the board appointments. Mayor Guess, and prior to him, Mayor Wright, and Mayor McDonald, made the appointments to the board. The Mayor may remove a Housing Authority Board member for cause. There was a process that was outlined in the statutes. When this Housing Authority was set up, there was a minimum of five board members on the Housing Authority Board, now there were nine. City Council has the authority to expand it to eleven. There were a couple other more minor things, but that was really the essence of the City's involvement with the Hickory Public Housing Authority. They do not administer. The Hickory Public Housing Authority operates as an independent governmental unit. They had established it, but they operate independently of the City. It was not a department of the City. It was its own governmental unit. The City does not appoint its Executive Director, its personnel were not City employees. This was true across the State. The City does not manage their funds and do not fund the Housing Authority. Their funding comes from HUD, the Federal government. They do not direct Housing Authority operations, and they were subject to an annual audit, just like the City of Hickory was at the end of their fiscal year. Outside of the relationship with board appointments, the City and the Hickory Public Housing

Authority operate as independent governmental units with their own independent missions. That was the structure here.

City Manager Warren Wood mentioned their mission. It changed in 2017 when what used to be known as the bricks and mortar of public housing the ownership of that changed to Nu-Dimensions. The Hickory Public Housing Authority does not own any bricks and mortar units in their portfolio. All they do is administer the section 8. However, Nu-Dimensions does contract with the Hickory Public Housing Authority for management and maintenance services. Nu-Dimensions owns, and then they have a contract for Public Housing to manage and maintain. Hickory Public Housing Authority, as far as the core part of their mission, was just limited to the housing vouchers through HUD.

City Manager Warren Wood discussed performance. The City has another Housing Authority in Catawba County, that was the Western Piedmont Council of Governments. He shared some comparative data. The Hickory Public Housing Authority, with those section 8 vouchers that they have, they have 556 vouchers through HUD. They were utilizing, or were able to place families within that 556 number, 340. They were leaving about 216 on the table, so to speak. That was not 216 individuals that was 216 potential families. That was a utilization rate of what they had been allocated by HUD of 61.15%.

Alderman Freeman requested that City Manager Warren Wood state that again.

City Manager Warren Wood reiterated that it was a utilization rate of the 556 vouchers that they have from HUD, 61.15%, which leaves 216 potential families unserved by section 8 vouchers that they have. The Western Piedmont Council of Governments were a Regional Housing Authority. They have the four County region, which includes Hickory. They have a section 8 program, too. They have 1,386 vouchers. The number they utilized in that number was 1,356. That was almost a 98% utilization rate. They had 30 unutilized, and they say that was typically the churn between people moving out of section 8 and others moving in. He noted they could see the difference in performance within the section 8 housing voucher program just between those two entities. And of the 65 Public Housing Authorities in the State of North Carolina that administered the housing vouchers, the section 8, the Hickory Public Housing Authorities' percentage of 61.15% utilization of their vouchers ranked 60<sup>th</sup> lowest out of 65.

City Manager Warren Wood shared some trend data. He referred to the PowerPoint and displayed a chart. He pointed out on the graph when Nu-Dimensions took what used to be the bricks and mortar of Public Housing, and then Public Housing switched just to purely the section 8 vouchers. He noted there had been a consistent trend of the percentage of leasing that he previously showed them, down to where they were today. That was probably a six-year timetable there. He pointed out the Nation's among the section 8 vouchers, they could see it had been pretty consistent at just a little less than 90% across the Nation. There had been a decline through the last six-years.

City Manager Warren Wood explained why this had come to head, so to speak. Over the past year, they had people stand at the podium, they had gotten emails, phone calls, and text messages about complaints related to the Housing Authority. Sometimes it related more to their management and maintenance of the bricks and mortar units that Nu-Dimensions owned. The message was their relationship with the Housing Authority was the Mayor appoints the Board, and that was it. But it reached the point where they asked what some other options were. They asked the City Attorney and himself to look into all this. They did a number of public records requests to get a lot of this information. They wanted to know what their options were, so that was why they were here tonight. It was not his decision; it was their decision. They could do with it as they pleased. Since the Housing Authority manages those units for Nu-Dimensions, independent, Council kept saying there was not much they could do. It was their own independent group and whatnot. They started looking into some of it. What was their performance like? He just showed them some of it. HUD had an online voucher reporting system that required Housing Authorities to report their leasing and housing voucher data monthly. That report, it was not his report, it was HUD's report, showed that the Housing Authority had not submitted any data forms that were required monthly in the last six months.

Alderman Freeman asked City Manager Warren Wood to state that again.

City Manager Warren Wood reiterated they were required to submit monthly through a HUD portal, their data on leasing, and they had not done that in the last six months. And that was current as of this afternoon. The Housing Authority was the only Housing Authority in the State of North Carolina that had gone six months

without reporting their data. They had recently received written complaints from landlords about not getting paid. That had been a new wrinkle. They had not had that before, now they had heard some of those he understood, and maybe some of those had been resolved. That was the core of what they do. Those section 8 vouchers. People could get evicted if these landlords were not getting their section 8 vouchers. He had seen emails where people were begging not to get evicted.

Alderman Wood asked for clarification, the tenants do not have any control or authority over that because of the lack of responsiveness or lack of getting paid from the Public Housing Authority.

City Manager Warren Wood commented that the private landlords were for profit. That voucher was part of the rent. The tenant could pay their \$200 or whatever it was, but if the landlord was not getting the other \$800 through the section 8 voucher or the family section 8 voucher, then they could be evicted.

Alderman Wood commented they were helpless, basically.

Alderwoman Patton commented if they are not reporting their data, then they were not getting money from HUD to turn around and pay the landlords.

City Manager Warren Wood commented that was where all the bureaucracy of all this was, His understanding there was a reporting structure that they had to fulfill reporting on in order to get the money for the section 8 vouchers. He did not know the answer to why that had not been happening, but that was catching up. Council asked the City Attorney, and himself what the options were given the complaints that had risen the last year or so. There may be a couple, but the two core options were. The Mayor, as he said earlier, could remove Housing Authority board members for cause, it was a process, he could not just remove them. There was a process involved to replace them, that might get to the oversight. The North Carolina General Statutes outlined what that process was. The second thing was City Council could abolish the Hickory Public Housing Authority. They could do that via Resolution, which was in their agenda packet, and transfer their responsibilities to the Western Piedmont Council of Governments, who already operated a Regional Housing Authority for the Hickory Metro. That required final HUD approval, but if they eventually approved the Resolution it would be effective July 1, 2025, because there would need to be a transition period. Somebody asked him earlier if that meant that everybody that was on the Hickory Housing Authority section 8 vouchers had to start over again? No, that was not what that meant. Just the administrator of the whole program would change, but they would not be impacted negatively. HUD actually recommends regionalization. They could imagine they had all this. Back in the day before technology and what-not a lot of towns had Housing Authorities, and there was a lot to maintain. These were the organizations administering their grant programs. Through the years, where possible, some folks were not in a position to do it, but to consolidate Public Housing Authorities through Regional Housing Authorities, which was what they have. If Council were to approve this, Hickory was already part of the COG's (Council of Governments) section 8 program. They were already placing people in Hickory. He actually called it some duplication. That was what would be happening here. The COG did not come to the City asking to do this, they were asked to look into the options. They said they were willing to do it, but they did not come to the City begging for this. The regionalization would address housing challenges and improve delivery of service to low-income families. The Western Piedmont Council of Governments had demonstrated an ability to effectively manage HUD's housing voucher program as they saw by their almost 98% utilization rate of the vouchers that HUD allocated to them. They had also demonstrated their ability to consolidate, as they recently did with the Valdese Public Housing Authority. They have done this before. Something that was unique to the COG was they could also provide additional services to their voucher recipients through their Agency on Aging Division. If they had elderly folks that were on section 8, they had additional services there. Folks that were still working age, they had a Workforce Development Division that could also work with their section 8 recipients to get them up and out of the section 8 program and independent for themselves.

Alderman Wood was assuming that a lot of this was economies of scale like any other business. Correct? Their benefit. Some of the performance was due to economies of scale and those types of things.

City Manager Warren Wood commented that was absolutely true. He knew that the Housing Authority was a small authority. It had some turnover. As to his point, the COG has more resources. They were involved in more activities, and they had more resources, not just because of HUD, but they provide services to other organizations. They have some resources that the Housing Authority was not able to have, in fairness, the Housing Authority does not have the funding to do.

Alderwoman Patton commented Western Piedmont had oversight by four different County Managers, the City Managers and they meet housing authority and get monthly reports all the time.

City Manager Warren Wood advised that the Housing Authority board for the Western Piedmont Council of Governments Regional Housing Authority was the COG general board who were elected officials from around the four County region. It was a cross section of folks from City Councils around the region. They could approve this Resolution, and HUD could still disapprove it, although they were encouraging regionalization. He did not know that they would disapprove it, but it would again be effective July 1, 2025.

City Manager Warren Wood referred to the PowerPoint and displayed the Monthly Impact Report from the Western Piedmont Council of Governments. He advised every month the Western Piedmont Council of Governments puts out from of all their divisions the numbers and statistics of what they saw that month. They were transparent about putting that out. To her point on the level of resources that they have to be able to do this. In each one of the half a dozen divisions that they have, what was going on every month, because they were putting this out. They could go on their website and look at it. They put that out every month.

City Manager Warren Wood advised over the past two months, the City Attorney made several public records requests to the Hickory Public Housing Authority so they could fulfill Council's request to really understand more, how were they functioning? How were they structured? What were the ins and outs? There had been a number of records that they had requested that they would have thought they would have received by now, that they had not received. Some of these go back weeks. Either they do not have what they were asking for or some other reason. With that in mind, they would like to at least give two more weeks to get a fuller more complete picture. He thought that they were at about 95% of what they requested. There were a couple of pieces of information they would like to have to close some knowledge gaps between what they think they know and what they might not know. He asked that they give two more weeks for an opportunity to get those last documents that they asked for, or just "we do not have them". That would be good, too. They could quit waiting on them. Hold the public hearing tonight for the proposed Resolution. Hear from the public. That would give them more information to make their decision, it gives them two more weeks to think about what they hear tonight. Close the public hearing, and then consider a motion, and a second, to delay the final vote until October 15. After the motion they could have more discussion if they want more information. And then the ultimate, voting to delay the final vote until October 15, which was their next meeting. He asked if that made sense.

Alderman Freeman asked a question of the City Attorney. They made several attempts for the public records from HPHA. They received some documents. Correct? And there were some documents that they had not yet received, such as minutes that they had been asking to receive from Hickory Public Housing Authority. He asked with those minutes, how far did they ask back for the minutes?

City Attorney Timothy Swanson advised he was correct. They had made, he thought, it was three total public records requests. The first batch was rather large, and they did get some of that, but there was still some substance missing from the responses. A lot of the minute's requests were not related to time it was like a five-year grab back. It was more related to events. Give us the minutes where you approved X, Y or Z action. He was working with the PHA's Attorney, Charles Francis, who was out of Raleigh, and he was certainly working diligently trying to get these records to them, but they had a few gaps that they need to close.

Alderman Freeman replied, yes, because that was interesting to know that either they do not have them or either they do not want Council to have them. That was interesting to note. He thanked City Attorney Swanson.

Alderman Wood asked City Attorney Timothy Swanson as a local government unit recognized by North Carolina Statutes, were they held to the same standard as, say, the City was in terms of documentation of meetings, minutes, those types of things, were they held to the same standard as a local government unit?

City Attorney Timothy Swanson replied yes.

Alderwoman Patton commented that part of the bylaws of the Hickory Housing Authority was that they were to notice the City. They have found they had not done that up until, she believed, July was the first actual notice that they gave. Just like the City had to notice every public meeting.

City Attorney Timothy Swanson advised that was right. They did find in the public records requests that they were deficient in that regard.

Alderwoman Patton commented if they follow this process, then on October 15, they will reopen.

City Attorney Timothy Swanson explained how that would work. Actually, they would not have to republish or anything, readvertise for the public hearing. They would not reopen the public hearing. They would reconvene, and then would act on the 15<sup>th</sup> as to whatever they decided to do. It could be to abolish, it could be to increase the membership, it could be whatever they decided.

City Manager Warren Wood advised that it would probably be under a special report, just so he could advise they got this information, or did not. Now the question was before them for an up or down vote.

Alderwoman Patton asked when the last request was that they had requested for the records of the minutes.

City Attorney Timothy Swanson advised it was probably about nine to ten days ago would have been the last request.

Alderwoman Patton asked if that was their third request.

City Attorney Timothy Swanson confirmed it was.

Mayor Guess asked if there were any other questions for the City Manager from Council. He thanked City Manager Warren Wood. He reiterated the rules for conducting the public hearing. He declared the public hearing open for the matter in consideration of the Resolution to abolish the City of Hickory Public Housing Authority and to transfer it to the Western Piedmont Council of Governments, as they had heard presented by City Manager Warren Wood. He asked if there was anyone that would like to speak in opposition of this consideration. They would come to the podium and state their name and address.

#### OPPONENT

Ms. Trish Johnson advised that she serves as a member, a Commissioner with the Hickory Public Housing Authority board. She thanked them for the opportunity to address. She could not say that she was speaking in favor of, or in opposition of, because she was just hearing all the information from their perspective. But what she was speaking in favor of was to please, let's take the opportunity to get the information. Let's make sure that we do not mix apples with oranges, that we call it what it is. She could say that as a member of the board, and she had been on that board appointed since 2016, they do diligently have minutes. They were approved and they were fulfilling their role as in their responsibility as being a governing body of that organization. She knew that there were some concerns that had been expressed by tenants. They had those same concerns, because one of their main concerns, of course, was making sure that their residents had fair, affordable, safe housing. That was their main concern. And everything sometimes does not come off the way it should be. Having spent 39 years in education, she knew that sometimes people would complain about things that were not just the way they should be. But it was their responsibility to oversee the working of what was happening. She knew there were some effective solutions. Maybe the solution may be to turn it over to the Western Piedmont Council of Governments. But she did not want their board to be viewed as one that was not doing its due diligence, because that was what she heard. When she heard them say that they were not keeping their minutes, they were not doing this. That was unfounded and untrue. She was not sure why they had not received the information that they had requested, but on her end, from where she sits, she had seen email, after email, after email, with attachment after attachment that had been forwarded to Mr. Swanson in response to the request for information that had come directly from the Hickory Public Housing Authority. She found out last night that there was probably some information that was being requested from their Attorney. She was not aware of what he had sent or what he had not sent. They were going to be meeting with him on the third to get some further clarification for what he had not responded to. She could say that every time they pull an employee to send five, six, seven emails each day in response to requested information, somebody was not doing the work on the other end. They do not have a staff that was full, she was sure, as Western Piedmont Council of Governments, but they do have a staff that was committed and concerned. They were a group that has established accountability. She knew how important it was. When she raised her hand to serve in a capacity she takes the responsibility, and she was accountable for what

she was there to do. She found it to be somewhat disheartening when she hears that it was felt that the board does not have the ability to oversee and to provide the oversight that was needed for the operations. The fair and safe operations of the Public Housing Authority. She thought their dialogue needs to be transparent. They need to call it what it is. If they thought that they had exceeded their ability to manage in a capacity as a governing board, then that was what they need to call it. It was not because they were not doing what they need to do when they do not have the finances, when they do not have the funding to complete and to repair things as they should be. They were working in making sure, it was not their responsibility to do the work. It was their responsibility to oversee, to hire the CEO, to make sure staff was hired, and to set policies. They meet regularly. She invited any of them to attend their meetings. She invited them to be there to hear up close and personal what their discussions include. She invited them to pay attention to the policies that they were enforcing. She knew that it started about mid spring, and they began to have more and more reports of just dissatisfaction for things that were happening as far as the maintenance of their buildings and facilities. Those things were trying to be addressed as quickly as they could. It was not because the board was not paying attention or was not capable of paying attention. It was because they have to make sure that they have the infrastructure to do what they need to do. To make sure that they have the resources to do what they need to do. They received a report, which astonished most of them back in the summer, that there was a report of over 6,000 police reports made, addressed at Hickory Public Housing establishments or their facilities. But when they sat with the police, and they did what they should do as citizens and collaborated and communicated together they found out that a lot of it was some pre opportunities to do some things to prevent. They do ground, they do foot patrol. They were there just doing regular checking. All of those go in as a report. And when you see it, yeah, they were going to see 6,000 reports, but they had to look and see how much was requiring the safety of their citizens. She was not saying that there were not problems. She was not saying that. She was not a Pollyanna, and she was not trying to deny anything, that there were not opportunities there for them to address. She was just saying that collaboratively, as a citizen concerned group, who had been appointed by the Mayor as a group to serve the citizens and the tenants of the Hickory Public Housing Authority, that they would give them an opportunity to answer those questions, to work together because even if the decision was made, they do not want to go out, she does not want to go out, saying that they were incapable, they were not qualified, they could not manage. That does not look good or bode well for them, especially for their community. She knew that things had escalated over the past few months, and they were working as best as they could. But she would say she knew, as Commissioners who were appointed to this board, they had their hearts in the right places, and they were doing the right thing by their citizens, and they were taking their responsibility very, very seriously. She would say that even though the vouchers were causing them concern right now. She knew the question was not no questions, but her statement was, how could Western Piedmont Council do any different? When they had to make sure that the vouchers that were issued for the Hickory Public Housing Authority were within a certain radius. How were they going to do any different? When the housing was not available or when that housing was substandard for what their citizens need? They were just asking that if a decision was made, that there was a come to the table conversation so that they were all on the same page. And if it was apples, let's call it apples. If they just want to move it, just move it. If it was oranges, then call it oranges. But let's not mix the two by making it appear to their citizens and to the citizens of Hickory that the board was not capable or competent to do their jobs. She thanked Council.

Mayor Guess thanked Ms. Johnson and thanked her for her volunteer service on the board. He asked if anyone else wished to speak in opposition. No one else appeared. He asked if anyone wished to speak in favor. Mr. Anthony Starr had signed up to speak in favor. He was the Executive Director of Western Piedmont Council of Governments.

#### PROPONENT

Mr. Anthony Starr, Executive Director Western Piedmont Council of Governments thanked Council for allowing him to join them this evening. He wanted to take a couple of moments and talk a little about the Western Piedmont Council of Governments, for those that were not familiar with their organization. They were created in 1968 by the local governments in Alexander, Burke, Caldwell and Catawba Counties to provide services to local governments and to the public on behalf of the local governments. They consisted of a team of 75 outstanding professionals, and they served, as mentioned before, the 24 municipalities and four Counties with a board that consisted of elected officials from each local government and seven appointed persons. They also had an executive committee to handle specific areas for the board. They provide a range of housing services, including the Regional Housing Authority that was mentioned. They also provide



housing rehabilitation and repairs, and down payment assistance for first time homebuyers. They fund affordable housing projects with short term loans for tax credit projects that had been constructed here in the City. They also fund nonprofits to help build affordable housing projects. They also provide a number of other services, including Senior Adult Services through their area agency on aging. Workforce development, including oversight of the NC Works Career Centers to assist folks in finding jobs and obtaining training. Community economic development included grant writing for projects exceeding several billion dollars in value. They also provided a range of community and regional planning services, including town planning, emergency management planning, transportation planning, research and data analytics, and a few other things. They were the largest Public Housing Authority in the region, and they served up to 1,537 families each month with 1,416 section 8 vouchers, or housing choice vouchers as they were also called, and 121 apartments that were publicly owned in Valdese. They leased, as mentioned, about 98% of their vouchers and that voucher distribution varies, but about 44% of those vouchers were in Catawba County, about 20% in Burke, 30% in Caldwell, and 5% in Alexander. The availability of affordable, multifamily housing units affects the distribution of the vouchers because it was up to each tenant which community they wanted to live in. They recently absorbed the Valdese Housing Authority at their request, and that transition had gone very smoothly with no problems for the tenants. They have a stable and experienced housing authority staff consisting of 14 great professionals, including Stephanie Hamby, who had served as the Director since 2013. Ms. Stephanie Hamby was present with him. Oversight was provided by their elected officials, as mentioned through the COG Policy Board. They provided monthly data and reports to the board and executive committee to be transparent and accountable to the public. As also mentioned, they followed the same financial and legal requirements for accountability that local governments must follow. They would say that merging housing authorities had been a suggested goal for a number of years as a strategy to maximize efficiencies, improve services and provide housing mobility for tenants. Mobility increases opportunities for tenants to become self-sufficient. Of course, this was up to each community, such as the City of Hickory, and they defer to them because the Council of Governments worked for the local governments.

Mr. Starr advised in this case; the City was requesting that the COG consider the transfer of the Hickory Housing Authority to their agency. Their board was poised to accept the transfer if approved by the City Council. If the transfer occurred in July of 2025, the current Hickory Housing Authority staff could apply for new positions at the COG, and they would say that they would look at each on a case-by-case basis. He commented that generally, they were looking for people with integrity, a commitment to public service and a strong work ethic. Their team would work hard to ensure that the transition goes very smooth if they approve it. And tenants should only expect positive changes and no interruptions in their services. He thought the transition with the Valdese Housing Authority proved that out. Landlords should also expect timely payments and good customer service from the COG. They have a staff person who works on recruiting new landlords. That was partly how they were successful in their higher lease rate that they have. That was above average. They worked to recruit new landlords. They have an annual landlord information meeting where they have dozens of prospective landlords come in and they give them briefings and tell them how the program works and the benefits of the program and let them know there were a lot of advantages for being a landlord with their program. That had helped make them successful. It was not easy to find landlords, but it takes work, and they had been successful in that, and they were confident that they could do that in this case as well. He was glad to answer any questions as they go along in this process. They appreciated the support that they always give the Council of Governments, and they deferred to their judgment on what they do ultimately, but they were there to assist if they felt like that was the best course of action. He thanked Council.

Mayor Guess thanked Mr. Starr. He asked if anyone else wished to speak in favor. If so, please come to the podium and state their name and address.

Ms. Revonda Lynch thanked the City Council and Mayor Guess for this opportunity. She had lived in Ridgeview all her life. Born and raised. Her entire family, her mom, her brothers, everyone went to Ridgeview with pride. She was the last one of the 6<sup>th</sup> graders that came out of Ridgeview before they closed it. Her community was built on residential homes before there was even a project considered. They placed those projects down in between homes, residential homes that were bought, built by their parents, their grandparents. They all pretty much still remained there, she and her mom, next door Janice Johnson and her husband. Her parents built and owned that home. They were beautiful homes. They were older homes, but they maintained them. They keep their grass cut; their flowers planted. They took pride. Up the street was Taft Broome. He was a Principal of Ridgeview. Across the street was Ms. Thompson's home. She was

also an educator. You come on around the street, Ms. Crutchfield, her son Harlan, he maintained a beautiful brick home. All through their community up and down the street were residential homes. Nobody was asked if they wanted projects put into their community. These projects had been there for over 50 years. She remembered as a little girl, there were only houses there. Some of them were old. And in the beginning, it served, those projects did serve their purpose. She knew plenty of people who lived there, grew, went on, got educated and got their own homes. But what was going on there now, it was entirely different. It should not be. It was like people were speaking for them. Their community had been trashed. They have drugs, drug traffic coming from a blue hotel, what they call a hotel, off of 70 every day. That was why she filed a complaint. She and her mom's home next door to the left was only like three or five feet, if that much away from a housing project. They could not even get up in peace to look out the window because of housing projects. Drug addicts, drunks. And she did not mean that to put anybody down. But it was the honest to Gods truth. They had grown men on the side of their homes urinating. She had pictures to prove it if anybody wanted to see it, because she was sick of it. They should not be enduring this. The walkway, the Historic Walkway that was built, if they look at where it stops right there at Ridgeview and on over to that blue hotel that was harboring prostitutes. Oh, yes, it was obvious. It was in plain sight. Drug addicts. Because these people were coming across Highway 70 into their neighborhoods, leaving grocery buggies. They could not even keep their community clean. These projects were not even being maintained. It was serving no purpose for anyone. She had witnessed drug overdoses two or three times a week. There were ambulances being called. She had no idea, but she found out why, because people were overdosing. Just about three weeks ago next door, her mom got up, made her morning coffee, looked out the window and was startled by a body being carried out on a gurney. They had never experienced anything like this. They did not grow up like this. They did not grow up like this. These people had been put into their community. And she did not mean that again in disregard to any human being, because they all deserve a right to have housing. But this was not the right way. Right? She travels as a healthcare professional and a few of her patients were within group homes. She compared, right now what was going on in these projects, and the Ridgeview community, they were unsupervised group homes. That was how she saw them. Some of these people were unstable. They could see it. It was obvious and probably self-medicating with drugs and alcohol. But they could not make that their responsibility any longer. Let them have their homes. She had asked them to be removed. She had asked them to be removed. They want homes just like everybody else in their community. They want plants, and trees. She wants to be able to get up in the morning with her mom and feel good about what she looks at when she looks on the outside of their window in the morning. This should not be. It should not be a question over if they were handling their affairs right, because it was obvious they were not. As she continued to do her research and further her complaint, she found out about Nu-Dimensions. And what she found out, she had no words for it, because the same person that she had no knowledge of was the Director of the Public Housing. There were documents investigative news reporting articles dated back to 2011 for the mishandling of funds, approximately \$600,000. They should not even be questioning this anymore. Here they were a decade, 13-years later. Same old issues, and it had gotten worse. Their community had been trashed. These apartments were being used for drug use and the sale of drug use. People could come through the community and tell you who was selling and where they live. It needs to stop. She had called the police, and they had responded. And their response was, there was nothing they could do. And it was obvious, but something needs to be done. The done was get rid of this. Unfortunately, people may be misplaced, but you could not keep continuing them to be responsible. This was not their responsibility. They pay taxes just like everybody else. And again, their homes were beautiful, but their community was being trashed. It was being trashed. Thank you.

Mayor Guess asked if anyone else wished to speak in favor.

Ms. Ida Clough, 1215 10<sup>th</sup> Street Boulevard NW, Hickory, she was also President of the Hickory NAACP. She was present because the NAACP had received, over a period of several years, complaints about the housing. Some of the complaints had to do with maintenance. Some of them had to do with how tenants or their guests may be behaving or misbehaving on the properties. And she, too, had heard that the police cannot do much. She also heard that the Council was limited because of the relationship between the City and the Authority, the Housing Authority, and the Nu-Dimensions. She thought the bottom line as far as the NAACP was concerned, and they had heard many of the issues, many of the things that had already been expressed, so she did not need to go through those, but because of all of those things that they had heard, they thought that it was important to try to resolve this issue to the benefit of tenants. They do not live there. She does not live there, and nobody in the NAACP had expressed to her

their direct concerns. They get information from other people coming to them, so they want to see. She commended them for the fact that there was going to be a two-week period, that there was not going to be a snap decision made tonight. But she thought they had heard from tenants, and she hoped if there were any here who had not expressed their concerns, that they do so. They need to know from the tenants. They need to know. They need more transparency. There was a lot that they do not know. Someone spoke to her earlier and said something about the situation being murky. She thought that was how it was, that was the right word to express how things were. She appealed to all of them attempting to make decisions that were going to be for the benefit of the tenants, not for hired staff, not for Directors or Managers or overseers, not even for the City. Because if everything was done to benefit the tenants, possibly they would not have some of the concerns that had been expressed about neighboring communities. She thanked them for having this hearing. Please consider the concerns and needs of the citizens, not only of Hickory, but of the tenants who live in the housing. Thank you.

Mayor Guess moved, seconded by Alderman Wood, to allow a 5-minute continuance for those who were remaining who would like to speak. The motion carried unanimously.

Ms. Daria Jackson, 133 17<sup>th</sup> Street SE, Apartment D., Hickory, NC. Section 8 was not something that you were supposed to live off of. It was a temporary thing. Section 8 was supposed to be something that just helps someone. You got people living in those same apartments, that had been there for generations. They were talking about trying to get them off of it. As long as the people that have it now were still getting their checks, they were not going to try to get them out as long as they were getting the money. She knew people that went to high school with her, and they still lived there, and their parents lived there before them. There needs to be more of a structure for it to be temporary. It was not something they were supposed to live off of.

Mayor Guess asked if anyone else wished to speak in reference to something that had not already been spoken to.

Ms. Margaret Pope, 3<sup>rd</sup> Avenue SW, advised that Revonda Lynch spoke, and she lived on 2<sup>nd</sup> Street near 8<sup>th</sup> Avenue Drive and 9<sup>th</sup> Avenue. She was 3<sup>rd</sup> Avenue right at 1<sup>st</sup> Street, two blocks over from Sunny Valley. Her concern was not so much the financing, as management. There were problems that need to be addressed. She wanted the people at Sunny Valley to be able to live there in peace, but she also wanted the rest of the community to be able to live in peace. They have those nice Habitat Homes, new families to the community who cannot live comfortably and without fear because of some of the things that were happening at Sunny Valley. She knew that there were people at Sunny Valley who were fine people, but there were other people coming in causing problems. She had heard, for example, that there was an apartment there, the person that the apartment was rented to, does not live there. Somebody else was there. She was just very concerned about management, who was going to manage the apartments to make sure that there were not problems in the community. That was what she would like to see. Her question was, if Western Piedmont Council of Governments manages the funds what was Nu-Dimension's going to do? They own the properties. She was not really sure. She did not understand the relationship between Nu-Dimensions and the Housing Authority. She did not know whether there was a conflict of interest there. Maintenance, management, that was her concern, management. She thanked Council.

Mayor Guess thanked Ms. Pope. He asked if there was anyone else that would like to speak in favor. No one else appeared. He asked if there was anyone that spoke or would like to speak in opposition that would like to rebuttal. There was five minutes available for rebuttal if necessary. He opened the floor up for anyone who would like to speak in rebuttal to what they had heard.

#### REBUTTAL

Reverend David E. Roberts II, Pastor of Morning Star First Baptist Church in Hickory, member of the Housing Board, executive member of the NAACP, and he would not go into the other 34 things that he was involved in within the City. He greeted Mayor Guess, Council men and women, and the City Manager. He was not going to say anything, but listening to everybody talk, he had to say something. His church was right near everything that they were talking about. They were right in the center of what was going on. A lot of the tenants come to his church every day for money, for rent, light, water, whatever. They come to his church for that. He does not care; it would just be one less board he had to be on. It would not bother him a bit. His concern was the citizens. He heard his sister. Friendship

and Morning Star were the only two churches on Interfaith Housing. They provided \$10,000 upfront money for people to get houses. That was Interfaith, that was what they do with Morning Star and Friendship. He believed in the American dream. He was also retired Navy, did 20 years in the United States Navy, and fought for this great Nation. He did not fight just for this side or that side, white or black. He fought for all the American citizens. In that, what he found was that it would be nice to build all these houses, but a lot of their tenants that were in the projects cannot afford them. He was born and raised in the projects too, in Asheville, North Carolina. He came out of the projects. The projects were not a bad thing. He got a funny feeling when people talked about the projects because he was a product of the projects. They had just as many good people, fine people that came out of the projects. There were some issues over there. His church was right there. Matter of fact, Ms. Pope was right behind his church. His church was right there in the middle of it. He sees it every day, all day. He commented that what he was trying to say was that he also was seeing outside people who had money buying dilapidated houses that some of these families they had talked about had left vacant, barren. They were buying them for \$8,000-\$9,000, and then they were selling them for \$100,000, and the people that she talked about that was born and raised there now cannot afford to live in their own community. He was a veteran, so he dealt with the veterans, helping veterans. They have the largest homeless veteran community in the State of North Carolina. They have a lot of people that need housing, but they cannot pay \$1,000, \$2,300 a month. The people that stay in housing really only pay about \$400-\$600 per month based on their salary. That was the only place that they were going to be able to live. He did not know about anybody else, but people come by his church every day to get a bag of groceries because they do not have money for food, and they do not have anywhere else to go. They have some vouchers, and they had some houses around here that they cannot afford. Matter of fact, he rents a couple houses himself. His church had a couple of houses, and they had to lower the rent instead of raising the rent so the tenants that were in there could stay in there. He did not really care whether they go with us or whether they go with them, as long as they remember every citizen in this State, in this City, every citizen in this City deserved the right to have a home. Every citizen in this City deserved the right, as Sister Pope said, to live in peace. He was on the Habitat board, too, and they were building some houses all around with Habitat to try to help the people live peacefully and in harmony, one with another. Some of this crime, the Mayor was there, they had a meeting in his church, and the police came and gave a thorough report of what was going on and how they managed that. Some of the crime was not really in housing, it was in that community, but it was not really in housing. Some of it was around the street from his church and all of those were houses. Those were not projects. Those were houses. And some of the crime was right there. He asked that they receive a thorough report, that they get a complete report, that they get an honest report before they make their decision, because he could care less again, and he was not racial. He was not about black or white, he was about humanity. And those people that live in housing, the majority of them cannot go anywhere else. They do have that one little element. It was about like him being a black man in America. According to the media he was a rapist, a murderer, a gang member, and they could shoot him in the back, and nobody would say anything. But if he went in the refrigerator and took that dog food out, they were going to have a fit. They were talking to somebody who understood the plight of what was happening in the projects, as they called them. He did not know this new lawyer. He did not know what his motive was. He did not know who done got in his head and said some stuff, but he said fine, do your research for yourself and find out what was really going on with the people who lived there who deserved the right to live as an American citizen. He did not care what Trump said. He was not going back. He was going to be in jail. He was telling them that right now. He was standing there on behalf of the people who lived over there who came to his office every day. Reverend Roberts this, Reverend Roberts that. To his fellow citizens, get all this talking up here, he had also found out that most of them in Hickory were related. They were all related. They knew their cousin, they knew their nephew, they knew whoever was doing all the crime, turn them in. Stop blaming it on housing. Do not let Pookie and Baby get away with it. Cause they were scared of snitches getting stitches. They were going to come up here and talk. They ought to be honest about everything and be real. That was the type of person that he was. They do not know him, but the rest of them did.

Mayor Guess thanked Reverend Roberts. He closed the public hearing.

Mayor Guess moved, seconded by Alderwoman Patton that Council delay the final vote related to the consideration of a Resolution to Abolish the Hickory City Public Housing Authority and transfer it to the Western Piedmont Council of Governments for a vote until October 15, 2024.

Alderman Freeman discussed the reason they were here today. Back in June, he made a public statement here at City Council, and none of these City Council members knew exactly at that moment that he was going to say what he said. What brought him here and what brought all of them here was all of the complaints, all of the things that were not being done on behalf of Hickory Public Housing. Then they started looking into it. He personally was on the phone with HUD. After speaking with HUD, he got off the phone and he told the Mayor, the City Manager, and other City staff that this structure with the Hickory Public Housing Authority and Nu-Dimension was absolutely not acceptable. And if they continued in the same rate that they were going, he called that insanity. Now, he enjoyed this process because it kind of brought him back. His undergrad degree was criminal justice on the path he wanted to be a lawyer. He wanted to do his own kind of research on a couple of things. First of all, he said to the board, to the Hickory Public Housing Authority board, he said thank you. Because they do not get paid for what they do, it was volunteer work and showed their passion. He appreciated that, and he thought those of them in the community appreciated that. But it also showed that there was a part of the board that knew stuff, and the other part may not know stuff, because it was stated that now this new information was coming up, which the pony he would ride now, which was on the high note, but believe him, he would get down to the dirt. The high note was, how was it that the sole purpose of the Hickory Public Housing Authority was to provide adequate, low-income housing and yet instill at 60%? That should be a part of the agenda of the board meeting every month, because that was their sole purpose. Does the whole board know what was going on? Absolutely not. And when they go another two weeks and come back, you know what, they keep on digging. You know what? They keep on finding dirt. So, it was an orange. Who was HUD? The United States Department of Housing and Urban Development. What was HUD's purpose? Provides funds for the provision of affordable housing through its public housing programs. Talk about HUD. In other words, he put it in its simplest form, HUD was basically who they answer to. HUD was basically the overseer. HUD was basically, in its simplest form, who they were supposed to answer to. That was HUD. Right, but let him continue. The City of Hickory Public Housing Authority was created to administer the said funds and manage all associated assets with the public housing program. HUD gives Hickory Public Housing the money. Hickory Public Housing was supposed to efficiently administer the funds so that people could have a place to stay. But still, 60%. He did not know what planet he was on, and this was not about black or white. This was about principle and moral. He was trying to figure out what planet he lived on, that if he owned a business and he gave somebody an assignment and they do not fulfill the assignment, he had to be cuckoo to allow them to continue on in the same assignment if the work was not being done. When he said this, yes, the City had grown exponentially beyond leaps and bounds, and housing was certainly what he called growing pains. So would he say, absolutely the Hickory Public Housing Authority, listen, the growth here in Hickory had outgrown. He wanted to stay on that note, but let him continue, HUD, once again, they answer to, oversight of what they were supposed to be doing. HUD encouraged the consolidation of Public Housing Authorities to provide better economic and housing mobility for program clients. The Western Piedmont Council of Governments has been designated as a Regional Public Housing Authority since January 1, 1978, he was two years old. Pursuant to 157-4, 1a authorized the City of Hickory to delegate by Resolution any powers to the Western Piedmont Council of Governments, including the transfer of its Public Housing Authority. If it was their supervisor saying you need to transfer the vouchers, and these were the people they answer to. If they recommended and they encouraged. And if it was his commentary, they were just basically saying, "we would like for you to do this". Okay. None of these City Council members knew what he was doing, because he said in June, he was his own person, and he did not like when he had these types of convictions. He was like a turtle. Everybody knows him. He was like, calm, collective, but when God gave him a conviction, his own family does not like him, so it was okay. They had been requesting for minutes. Then a board member just comes up and says, "well, I didn't know that we were requesting for all the minutes and why you don't have them". Want to know why? Because some of the board knew, and some of the board does not. But it was stated that back in June, that when the Hickory Public Housing Authority met back in June, they approved the minutes for September. Let me see if my brain could put this together, October, November, December, January, February, March, April, May, 8-months. He was thinking the way that he ran his church. If he had a meeting, his minutes were supposed to be approved the consecutive month. If he had a meeting in September, then it should have been approved in October. That meant was the board engaging on anything for those eight months. If they had records saying otherwise. Next meeting, he would apologize. Could he continue? He would, do not worry. He knew some of them might be nervous, but trust him, he would go back in his shell.

Alderwoman Patton commented they were for it, go ahead.

Mayor Guess commented that he did not have a time limit, sir.

Alderman Freeman commented that this was not a black and white issue. This was about what was right. He would not be here today if things were operating in the way that it was supposed to be operating. It was mentioned that back in 2012. Let him give the exact roundabout, \$522,000 that was already, HUD found out that Hickory Public Housing misappropriated those funds. He was not bringing up the past, but he was just going to show them something which lets them know that he was wary for his community. But he was also going to encourage his community to walk in excellence. They were not going to play the race card for them to continue on the way that they were continuing. All he was saying was as a leader and he was the only black person up here, was for them to understand that they could do better. So back in 2012, \$522,000. Let him just make a magnifying glass on it. That was over a half a million dollars misappropriated by Hickory Public Housing. However, that structure continued on, he did not even know why. But do you know? Let's deal with today. He was not going to call any names. He was not even going to tell them the name of the position. He would just give them the description of the position. This work involved responsibility for planning, developing, implementing, maintaining, evaluating, and overseeing programs designed to increase the economic self-sufficiency of low-income families and thereby reduce their need for subsidized programs and services. Operative word. Economics. Even right now, one of their staff members, which he did not know about until he started investigating and then he found out after he had been getting all the complaints, even now, a person on their staff had been brought up with felony charges, indicted. There was a difference. Indictment was not the same as conviction. Indictment meant where there was smoke, there was fire. He was telling them, when he had convictions, he was not to be messed with. Charge of felony obtaining property now. He was talking about it now. Property by false pretense for over \$22,000. And the next court date was October 21, right back where they started from. And they think that he should say they need to continue because of color. No, what he was saying, they could rise up above this and the purpose of Hickory Public Housing was to give housing to people and there was 200 plus families who could not find housing because they were not really providing for it. They talked about veterans. There were veterans out there that needs housing. But what was he going to do, put the board back in place so that another 200 people who could not get vouchers. He was sorry. He was done.

Alderman Wood commented he did not need to apologize at all.

Alderwoman Patton thanked Alderman Freeman. Everything he had said was correct. And to follow up, she went to the board meeting yesterday and it was stated that the vouchers for HOPWA which was related to AIDS was no longer going to be available. It was referenced that it was due to COVID. She found out today that that was not true, that it was in fact, they canceled their contract with the Hickory Housing and had moved it to the Western Piedmont because of lack of taking care of the vouchers. That was six of them. They were also losing a \$73,000 grant for the family's self-sufficiency because they only served three people last year. The Western Piedmont served 53. And in the three years of 2020, 2021, and 2022, Western Piedmont served over 61. There was a huge disparity in what the Western Piedmont Council of Governments had the staff and the commitment and professionalism to administer housing for the 200 families that had been left without. And it was not fair. But she did want to address Ms. Lynch, because this was only to do with vouchers, the property owner Nu-Dimensions would have to be dealt with in a separate manner. That would be Code Enforcement. In collection with all of them, ask that Code Enforcement bear down and take care of the issues and also the Police to address that. But it would be the Nu-Dimensions Board that would have to take care of the bricks and mortar units. They do not own it. It would be just like an apartment complex that was next to them. All they could do was complain to the administrator and then turn them into Code Enforcement and get the Police involved. She was committed to taking care of this voucher system and what had been going on. They could not take care of Nu-Dimensions. That would be for everyone collectively to hold them accountable. If they need the board members they were more than happy to give them all of their email addresses, every member, so that they could contact them until they take care of it. That was her say.

Alderwoman Williams thought this was a good opportunity for everybody to come together. There were things they did not hear from the community that they were unaware of in terms of not so much what was happening, but the sentiment, feeling, fears. Just really their commitment to wanting to better what was out there for everybody. She guessed she supported what had been said. They talked about apples and oranges. The apples. The part that they do have jurisdiction over seemed to be almost, well it was a no brainer. If they were really all on the same

page, to serve as many families as possible and people to provide housing, they need to utilize all of those vouchers and get people in safe homes. There was a track record to do that. They have jurisdiction over that. That seemed to be the best way to serve the most people. The second part, she thought was important to hear about what was actually happening in the bricks and mortar housing. They do not have, as Alderwoman Patton said, jurisdiction over that, but they knew who owned it and a process where whatever they have jurisdiction over, they could intervene. She thought this had been very helpful for them to discern what they could do and what the concerns were and really open it up to where they could make the most impact, to really serve everybody and provide that housing.

Alderman Wood mentioned there were several comments, be concerned about the tenants, the humanity of it. And that had been everybody's focus throughout this process. He had learned more about public housing than he ever thought he would know digging into this. He thought it was convoluted, sometimes unnecessarily so. He thought, which gave him concern between the relationship between Nu-Dimensions and Hickory Public Housing. There was concern there because he thought it was unduly, unnecessarily convoluted. The one common thing that seemed to be was management between these two organizations. He was a businessperson and poor management had consequences. And unfortunately, the tenants and the landlords were suffering from poor management here. When landlords cannot get paid, they have to pay their mortgages, and when they cannot get paid, the quality of landlords goes down, the quality of service goes down, and the tenants were the ones that were suffering. First and foremost, they had to make sure that the landlords were getting paid so that they were in a position to provide the service for the tenants and attract other tenants to fill the 200 empty ones, the vouchers that were not being used. What was happening was inexcusable. He addressed Alderman Freeman, he would admit it, when this first came before them, he was concerned about overreach of the board. He did not want to overreach on a board that was in place. But the more they dug into this, the more it became obvious that they had to do something. He was initially wrong. He judged it wrong; he would admit that. He might not share his passion or express it like he did, but he was passionate about this, and he had conviction for making this right. It was inexcusable. It was unconscionable, what was going on here. That was all he had to say.

Alderman Seaver commented that everyone deserved a safe, nice place to live. They should not be afraid to live in their home. And nowadays, with things the way they were it was almost getting to where they all were worried about that. But when you concentrate it all, put it all in one neighborhood, it was not a recipe for success. He just wanted everyone to live as safely as possible, and he wanted to make sure that what they do would help the most people live safely in their home, wherever that might be. They had to decide, and the only thing they had to look at were the numbers of what had been going on from all this information that had been forwarded to them to help them make this decision.

Alderman Wood commented following up on that Alderman Seaver, he thought the information that was not coming to them that had been requested was also an important element of all of this too. Like Attorney Swanson said, they were held to the same standards in terms of reporting and record keeping as they were. And he did not understand the delays. He had not had it explained to him, but his phone was on, and he was ready. They were ready for an explanation why they could not get what they requested.

Alderwoman Patton followed up on that. If minutes were available, they would like them and if board members had them, go ahead and send them. They would love it because they could not seem to get it from the attorney.

Alderman Freeman let the board members know, listen, it was a few, he was not saying all, but he knew one thing, bad company corrupts good character. Want to go against that, that was scripture. Keep on hanging out with bad company it could corrupt their character as well.

Alderman Zagaroli thought they need to take care of the 216 families that were out there that had not gotten housing. He thought it was a shame. He thought they need a change.

City Manager Warren Wood advised that he had seen City Council, after City Council, after City Council not address anything related to public housing. There had been some issues there with other City Councils, and that was not a criticism, they either had other priorities or just did not have the willpower to do what they needed to do. They had. There would be an opportunity in the next two weeks. If something they put up there was wrong, they would like to know about it. But they pulled the curtain back on what they had seen. Public housing was a challenging

part of local government because it was just by nature it was one of the hardest parts of government they could deal with. So, they have that, and then there was a system in place that had not been efficient. They had been making board appointments. It has almost been like mission impossible. It was not necessarily all the board members. They had been put in a tough situation with limited resources and expecting to perform at a certain level. The board members were volunteer. They do not get paid. They were doing it out of the goodness of their heart. It was the system and some of what had been going on and what they had been seeing in the results.

Mayor Guess wanted to be careful to follow his own rules and not repeat what had been said. As an elected Mayor and elected Council, he commented that everyone on the Council and everyone on staff was deeply concerned and passionate about serving all of their citizens. As they all know, housing across the board, not just public housing, but housing, was a high priority and a terrific concern, not just in the City of Hickory, but in all of their cities and municipalities. He commented that he appreciated and commended each and every one of them. He believed that everyone there had a passion for what was being discussed and that they were the active and engaged citizens because they were present, and they cared about the community. They appreciated that tremendously. He knew that he had already been said, but he wanted them to hear it from him, because he appointed the board members. He greatly appreciated the service of the board members who volunteered their time and did the best job that they possibly could with the limited resources that they have had. None of them got paid, and he had appointed each and every one of them, and he appreciated their service to this community. He thought that it had already been said that it was time for them to look at other options. And they were certainly doing that. They wanted to hear from the public. They could have very easily decided this matter on their own. They were all in agreement that although they had the authority and the power to do that, that it would not be the right thing to do. He knew all of Council, just because they had the power and authority to do something did not mean that was the direction they ought to take, and they wanted to do what the right thing was. He commended his fellow Council members and their staff for that effort. They had heard them tonight. They do not have all the information that they need, although they have a lot of information, and they had heard a lot of it tonight, they still need to gather some more information, and this two-week period should give them an opportunity to be able to do that.

Mayor Guess advised there was a motion, and a second on the table to continue this meeting until October 15 for a vote. Council members voted. The motion carried unanimously.

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)  
Caucasian (Council Appoints)  
Other Minority (Council Appoints)  
Other Minority (Council Appoints)

VACANT  
VACANT  
VACANT  
VACANT

Alderman Freeman nominated Angela Hairston as an African-American Representative on the Community Relations Council.

HICKORY REGIONAL PLANNING COMMISSION

(Term Expiring 6-30; 3-Year Terms with Unlimited Appointments) (Appointed by City Council)

Burke County Representative (Mayor Appoints with Recommendation from Burke County)

VACANT

HISTORIC PRESERVATION COMMISSION

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

VACANT



PUBLIC ART COMMISSION

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

Ward 1 (Wood Appoints)	VACANT
At-Large (Mayor Appoints)	VACANT
At-Large (Mayor Appoints) (Dana Andreasson Resigned 9-5-2024)	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

Alderman Freeman nominated Lauren Jordan as Ward 4 Representative on the Recycling Advisory Board.

YOUTH COUNCIL

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

Youth Council Applicant Review Committee Recommends the Following Appointments:

Homeschool	VACANT
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Alderman Seaver moved seconded by Alderwoman Patton approval of the above nominations. 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 congratulated Assistant City Manager Yaidee Fox again for receiving the award from Centro Latino for Outstanding Latino of the Year for Catawba County. She does a wealth of things in the community. He commented that Council depends on her greatly. There was probably not a day that goes by that someone from this Council, or many of them from the Council did not lean on her for various things. They understood how it was that not only that she was nominated for this award, but how it was that she ultimately received this award because they see all that she does each and every day, and it was certainly to be commended. Once again, they wanted to recognize her and thank her for that.

Mayor Guess commented that the City Manager's birthday was yesterday, and bless his heart, he had been absolutely bombarded. He did not have to tell the audience all that was going on in the community. And in addition to that, of course, the storm and dealing with all the effects of that not just in the City of Hickory but working with other municipalities had probably been a greater chore than dealing with the Hickory stuff because we were so fortunate and blessed that we did not have a lot of the destruction that other municipalities had. But on his birthday, he doubts that he celebrated much if any at all. Obviously, they wanted to recognize that and thank him for all that he does. He did not know if he had a Happy Birthday or not.

City Manager Warren Wood commented that he asked his mom if she was sure he was born on the 30<sup>th</sup>, because he would like a do-over.

Alderman Zagaroli asked how many years this was.

City Manager Warren Wood replied 58. He looked great for 75, though.

Alderman Zagaroli commented that was the new 48.

Mayor Guess was not going to suggest that they sing Happy Birthday, but they wanted to thank him and wish him a belated Happy Birthday, and they appreciated him very much.

Alderwoman Patton commended fire, police, and public services. They had an electrical fire right around the corner. Fireman Graham Triplett, Engine 13, they literally were there waiting all night for Duke Power. They saw them that evening, she got up the next morning, had her coffee and they were still up there waiting for them. The police had done an outstanding job. Public services, it was amazing the very next day, they were out there cutting trees at the City parks and taking care of things, and they do a phenomenal job, and they appreciated it.

Alderman Wood noted that he had been contacted by people wanting to know how they could help the people in the Western North Carolina counties with food, money, whatever. Back to the topic

of efficiencies. There were charitable organizations that were in place that could leverage donations money, whether it was food, clothing, money, whatever. They could leverage that and get it to these people quicker, better, and more efficiently. He encouraged everybody that wanted to help to contact Samaritan's purse as a good example. He was not advocating any one of them but contact an established charity that has the efficiencies to do that well. It helps them, it helps the people in Western North Carolina because they were not on the roads interfering with emergency services, those types of things. He politely asked the media, the HDR, if they could put something in the paper along those lines, maybe talking about some established charities that could be contacted for the citizens who wanted to donate.

Alderwoman Williams thought locally, they had been asked to funnel all of this through the United Way, the Catawba County United Way.

Alderman Seaver advised and the Red Cross.

Alderwoman Williams advised they were working in conjunction with the Red Cross, so that way it was easier to disperse. They have the resources to get it out.

City Manager Warren Wood thanked all the folks that worked during the storm. He sent an email out to staff telling everybody that they ought to be proud. Just coming to work those couple of days was something they all should be proud of, let alone the work that was done out in the field during the worst of it. Public Works Director Steve Miller said there were 88 trees down in roadways. They had 68 cleared so far. The 20 that were left had Duke power lines wrapped up in them. They could not touch them until Duke took care of their lines, so they were getting there. He still did not have power. Steve Miller, his guys, the rest of the police, fire, airport, everybody else, water and sewer folks, great job.

XIV. There being no further business, the meeting adjourned at 7:56 p.m.

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Mayor

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City Clerk