

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 6, 2026 at 6:00 p.m., with the following members present:

Tony Wood	Hank Guess	Anthony Freeman
Charlotte C. Williams	Aldermen	Arnita Dula
Danny Seaver		Jill Patton

A quorum was present.

Also, present were City Manager Warren Wood, Deputy City Manager Rodney Miller, Assistant City Manager Steve Miller, Assistant City Manager Yaidee Fox, City Attorney Timothy Swanson, Deputy City Clerk Crystal B. Mundy and City Clerk Debbie D. Miller

- I. Mayor Guess called the meeting to order. All Council members were present.
- II. Invocation by Reverend Amanda Sowards, Chief Executive Officer of Greater Hickory Cooperative Christian Ministry
- III. Pledge of Allegiance
- IV. Special Presentations

Mayor Guess commented that the 5th Class of Hickory 101 classmates had joined them this evening for the Council meeting. He asked the Class of Hickory 101 to raise their hands so they could recognize all of them and thank them for being present. He knew that they had their introduction to City government last week and they visited the Fire Department, and he thought their next visit was going to be out at the water and wastewater treatment plant. Most of them had been there, and that was another really exciting trip to make. He wanted to welcome them and thank them for their investment in the community, and they looked forward to them volunteering in the future, maybe. He welcomed them to the Council meeting this evening.

- A. Presentation of a Proclamation for Fire Prevention Week October 4 – 10, 2026.

Mayor Guess asked Hickory Fire Chief Matthew Hutchinson and Hickory Fire Department Staff to the podium. He mentioned that they may or may not know that October, this week, starting the 4th through the 10th was Fire Prevention Week, and they wanted to make people aware of that and recognize the folks in the Fire Department. They may not know that several of the Fire Department members had received a lot of different awards in the last couple of weeks, and promotions, and he knew that they had a lot of training and different rescues. Perhaps after the presentation the Chief might allude to a couple of those real quick. He always wanted to recognize and thank their firefighters and all of their emergency services personnel for what they do each and every day. He knew that it was sometimes taken for granted, but they certainly did not want to be a part of that. Mayor Guess read and presented the proclamation. Photos were taken.

Hickory Fire Chief Matthew Hutchinson commented that he was sure the waste or waste sanitation would prefer no throwaway batteries in their systems because that was really bad, especially in the landfill.

- V. Persons Requesting to Be Heard

- VI. Approval of Minutes

- A. Regular Meeting of September 15, 2026.

Alderman Freeman moved, seconded by Alderwoman Patton that the Minutes of September 15, 2026 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 Dula moved, seconded by Alderwoman Patton 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.

Alderwoman Dula requested Item "F" be removed from the consent agenda.

Alderman Seaver moved, seconded by Alderwoman Patton approval of the Consent Agenda with the exception of Item "F". The motion carried unanimously.

- A. Approved a Cemetery Deed from the City of Hickory to Carolyn Thompson, Located in Southside Cemetery, Lot No. A, Section 3, Spaces 23 and 24. (Prepared by the City of Hickory).
- B. Approved the Issuance of Pyrotechnic Display Permits to PyroStar Entertainment for Fireworks Displays at Hickory Motor Speedway.

Staff request approval to issue pyrotechnic display permits to PyroStar Entertainment for fireworks displays at Hickory Motor Speedway on October 17, 2026, (no rain date) and October 24, 2026, (rain date - October 25, 2026). Kevin Piercy, General Manager of Hickory Motor Speedway submitted requests to obtain permission to conduct public fireworks displays. The North Carolina Fire Code requires an operational permit for the use and handling of pyrotechnic special effects material. The Hickory Fire Department Fire & Life Safety Division shall review all required documentation for the event(s), including Alcohol Tobacco and Firearm’s (ATF) License, Operator and Assistant Operators Permits from North Carolina Office of State Fire Marshal (NCOSFM), Site Plan, and the one-million dollar liability insurance policy. The Fire & Life Safety Division will also inspect the pyrotechnics display area before the event(s) to ensure compliance with NCOSFM Guidelines, National Fire Protection Association (NFPA) NFPA 1123 Code for Fireworks Display, and NFPA 1126 Use of Pyrotechnics Before a Proximate Audience (if applicable). Staff recommend approval of the above pyrotechnics displays, subject to drought conditions and the Fire Marshal’s final approval.

- C. Approved Amendment Number 2 to the Professional Services Agreement with Thomas, Gordon and Shook Consulting Engineers in the Amount of \$34,885.21, Contingent on North Carolina Department of Transportation Concurrence.

Staff requests Council's approval of amendment number 2 to the professional services agreement with Thomas, Gordon and Shook (TGS) Consulting Engineers for construction phase services including design modifications and consulting services as directed by the City of Hickory during the construction phase of BL-0115, the Aviation Museum Connector Multi-Use Trail, in the amount of \$34,885.21, contingent upon North Carolina Department of Transportation concurrence (NCDOT). Amendment number 2 will be an extension to TGS’s existing contract, adding construction phase services including design modifications and consulting services. Staff recommends Council's approval of amendment number 2 in the amount of \$34,885.21, (\$27,884.17 – Federal / \$6,977.04 Local), contingent upon NCDOT concurrence.

- D. Approved a Resolution for the Tentative Award to State Utility Contractors Inc. for the NW Sewer Extension Project in the Amount of \$3,591,146.

Staff requests approval of a Resolution for the tentative award to State Utility Contractors Inc. for the NW Sewer Extension Project in the amount of \$3,591,146. The project was advertised on August 4, 2026 and 6 bids were received on September 15, 2026. The lowest bid was from State Utility Contractors, Inc. The award is contingent on NCDEQ issuing an authorization to award. Staff recommends Council's approval of a Resolution of tentative award to State Utility Contractors Inc. for the NW Sewer Extension Project in the amount of \$3,591,146.

RESOLUTION NO. 26-50
RESOLUTION OF TENTATIVE AWARD

WHEREAS, the City of Hickory, North Carolina has received bids, pursuant to duly advertisement notice therefore, for construction of the NW Sewer Extension, and

WHEREAS, Freese and Nichols, Inc. Consulting Engineers have reviewed the bids; and

WHEREAS, State Utility Contractors Inc. was the lowest bidder for the NW Sewer Extension, in the total bid amount of \$3,591,146.00, and

WHEREAS, the consulting Engineers recommend TENTATIVE AWARD to the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED that TENTATIVE AWARD is made to the lowest bidder in the Total Bid Amount of \$3,591,146.00.

Name of Contractor	Amount
1. State Utility Contractors, Inc.	\$3,591,146.00
2. T.P. Howard’s Plumbing Co. Inc.	\$3,980,000.00
3. Neill Grading and Construction Company, Inc.	\$3,993,185.00
4. ELITE Infrastructure Group LLC	\$3,998,830.00
5. Morgan Contracting, Inc.	\$4,155,500.00
6. Piedmont Utility Group	\$4,170,595.35

BE IT FURTHER RESOLVED that such TENTATIVE AWARD be contingent upon the approval of the North Carolina Department of Environmental Quality.

- E. Accepted the Bid and Awarded the Contract to Eagle-Wood, Inc. in the Amount of \$1,226,702 for Sandy Pines Park Phase One.

Staff requests acceptance of the bid and award the contract to Eagle-Wood, Inc. in the amount of \$1,226,702 for Sandy Pines Park Phase One. The selected consulting firm Benesch has completed parcel surveying, design plans, and required permitting for the project. Planned improvements include a parking lot, sidewalks/trails, an accessible restroom, play structures and cornhole amenities, and associated site development. Four valid bids were received, and the lowest responsive bidder was determined to be Eagle-Wood, Inc. Staff recommend Council's acceptance of the bid and award the contract to Eagle-Wood, Inc. in the amount of \$1,226,702.

- F. Removed from the Consent Agenda and Discussed under "IX. Items Removed from Consent Agenda." Approved a Resolution Accepting the Donation of Equipment for the Hickory Public Library.

Staff requests Council's approval of a Resolution authorizing the Hickory Public Library to accept donations of equipment to benefit library services. The library does not currently have procedures in place that provide guidance in accepting equipment from individuals or businesses. The ability to accept appropriate donations of equipment for use at the Hickory Public Library will further the library's mission, reduce public expenditures, and enhance the Library's facilities and services. Staff recommend approval of the Resolution accepting the donation of equipment to benefit library services.

RESOLUTION NO. 26-51
RESOLUTION ACCEPTING DONATION OF EQUIPMENT
FOR THE HICKORY PUBLIC LIBRARY

WHEREAS, the City of Hickory is a municipal corporation existing and operating pursuant to the laws of the State of North Carolina, including N.C. Gen. Stat. § 160A-11, et seq.; and

WHEREAS, pursuant to N.C. Gen. Stat. § 160A-11, the City of Hickory has the authority to acquire and hold personal property conveyed, dedicated to, or otherwise acquired by the municipality; and

WHEREAS, the City Council recognizes that members of the public, businesses, civic organizations, and other entities may desire to donate equipment for use in the Hickory Public Library facilities; and

WHEREAS, the City Council finds that accepting appropriate donations of equipment for use at the Hickory Public Library will enhance the Library's facilities, promote the comfort and convenience of users, reduce public expenditures, and further the public purposes for which the Library is operated.

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

1. The Hickory Public Library is authorized to solicit and accept donations of equipment for use in the library facilities, provided that all donated equipment is suitable for its intended use and consistent with the operational needs and aesthetic standards of the Library.
2. The City Manager, or the City Manager's designee, including the Library Director, is authorized to accept donations of equipment on behalf of the City of Hickory without further action by the City Council, provided the donation imposes no material financial obligation or legal condition upon the City.
3. The City reserves the right to decline any proposed donation that is determined to be unsuitable, impractical, incompatible with Library operations, or otherwise not in the best interests of the City. Acceptance of donated equipment shall not obligate the City to retain, display, or use the equipment for any specific period of time.
4. Upon acceptance, donated equipment shall become the property of the City of Hickory and may be used, relocated, stored, repaired, replaced, or disposed of in accordance with applicable law and City policies.
5. The City Manager and Library Director are authorized to establish reasonable procedures governing the solicitation, evaluation, acceptance, inventory, use, maintenance, and disposition of donated equipment consistent with this Resolution.
6. The Library Director is authorized to establish a donor recognition program for donations accepted pursuant to this Resolution, including the use of plaques or other appropriate acknowledgments. Any donor recognition shall be tasteful,

consistent with the character of the Library, and subject to the approval of the City Manager.

G. Approved on First Reading Budget Revision Number 6.

ORDINANCE NO. 26-32
BUDGET REVISION NUMBER 6

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, 2027, and for the duration of the Project Ordinance noted herein.

SECTION 1. To amend the General Fund within the FY 2026-27 Budget Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Culture & Recreation	197,861	-
Public Safety	67,645	-
Other Financing Uses	213,789	-
TOTAL	479,295	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Sales and Services	39,378	
Miscellaneous	81,050	
Other Financing Sources	358,867	
TOTAL	479,295	

SECTION 2. To amend the Insurance Fund within the FY 2026-27 Budget Ordinance, the expenditures shall be amended as follows

FUNCTIONAL AREA	INCREASE	DECREASE
General Government	-	28,011
Other Financing Uses	28,011	-
TOTAL	28,011	28,011

SECTION 3. To amend the Sandy Pines Park (#62010) Grant Project Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	213,789	-
TOTAL	213,789	-

To provide funding for the above, the Sandy Pines Park (#62010) revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	213,789	-
TOTAL	213,789	-

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

IX. Items Removed from Consent Agenda – Item “F”

City Manager Warren Wood explained this was a resolution, if adopted, accepting a donation of equipment for the Hickory Public Library, and it gives them the authority to accept donations moving forward. They had a situation where a citizen wanted to donate a mobility scooter to the library that they had, and that was how this came up.

Mayor Guess asked for any questions or discussion from Council.

Alderman Dula commented as the manager, he would have the final approval of any equipment that was donated?

City Manager Warren Wood responded yes.

Alderman Dula thought with a mobility scooter that somebody checked it, right?

City Manager Warren Wood advised it would have to go through the protocols to make sure it was safe and functional.

Alderwoman Dula commented that it could be any kind of equipment, not necessarily related to the function of the library?

City Manager Warren Wood commented just for simplicity's sake, City Council does not have to adopt the resolution, but it would be specific to the library. They get offers for donations from time to time.

Mayor Guess shared a little bit of background; he had received a call on that. It was a person who lived in the City and had been an educator, and it was a practically new device, and her spouse could not use it. She wanted to make good use of it. She had some connections and had worked in the library volunteering. She thought, from her experience, that would be a good use for it for people that needed it in that situation. She contacted Mayor Guess and wanted to donate that to the library.

Alderwoman Patton asked if there would be any liability issues?

Mayor Guess could not answer that question.

City Attorney Timothy Swanson responded no more than with anything else. Certainly, they would want to assess it and make sure it was in good operating condition. It was going to have the same liability that was attached to anything else that they own or operate.

Alderwoman Dula commented that the responsibility for operating would be on the operator. What if they have someone who gets on who does not really know how to operate it?

City Attorney Timothy Swanson thought they would want a separate contract or almost like a license agreement if it was going to be used. That would fall outside of the resolution scope. They would want indemnities, waivers within that for any user of that vehicle.

Mayor Guess asked if it was similar to when you go to Lowe's or somewhere like that and use a scooter?

City Attorney Timothy Swanson advised there was an assumption of risk component to it as well, but he thought they would want an express contract disclaimer.

Mayor Guess commented that did not have anything to do with what they were approving.

City Attorney Timothy Swanson commented this was purely a resolution to accept donations. That falls on the opposite side of it.

City Manager Warren Wood advised that the mobility scooter was how all this came up originally.

Alderwoman Williams asked if it was designated specifically for the library? Because she was almost wondering if that could be better used in a different facility where there was more walking. But she wanted it to go there.

Mayor Guess advised that she specifically asked that it be donated to the library. He did not know that that would be a deal breaker, but that was what she preferred.

City Manager Warren Wood advised the Mayor brought this to them.

Mayor Guess advised they had called him. He asked for any other questions or concerns.

Alderman Seaver moved, seconded by Alderwoman Williams approval of Item "F". The motion carried unanimously.

X. Informational Items

XI. New Business

A. Public Hearings

1. Approved on First Reading Rezoning Petition Number 26-08 for City-Owned Property located in Burke County at 964 and 970 Airport Rhodhiss Road and an Unaddressed parcel to the East, total 24.39 Acres, from Burke County R-3 Residential to City of Hickory Planned Development – Presented by Planning Manager Cal Overby.

The City of Hickory has petitioned for the rezoning of City-owned properties located at 964 and 970 Airport Rhodhiss Road and an unaddressed parcel to the east, which total 24.39 area in total size. The request is to rezone the properties from Burke County R-3 Residential to City of Hickory Planned Development (PD). The petition originates as part of the recent annexation of the subject properties. The City's intention is to use the properties for the location of the future Catawba River

Environmental Education Center (CREEC). This facility will be open to the public for educational and recreational purposes. The Hickory Regional Planning Commission held a hearing on September 23, 2026 to consider the petition. There were no speakers during the hearing. Upon closing the public hearing, the Hickory Regional Planning Commission found the petition to be reasonable, and unanimously recommended City Council's approval.

Notice of the public hearing was advertised in a newspaper having general circulation in the Hickory area on September 26, and October 3, 2026.

City Manager Warren Wood asked Planning Manager Cal Overby to the podium to present Council with rezoning petition number 26-08 for City-owned property located in Burke County at 964 and 970 Airport Rhodhiss Road and an unaddressed parcel to the east, totaling 24.39 acres, from Burke County R-3 residential to City of Hickory planned development.

Planning Manager Cal Overby gave a PowerPoint presentation. As City Manager Warren Wood said, this was City-owned property located on Airport Rhodhiss Road. It was currently zoned R-3 residential by Burke County. It was just shy of 24.39 acres, and the request was to rezone the property to planned development. He advised this property was annexed at Council's prior meeting with an effective date of September 30th. He referred to the PowerPoint and displayed a map pointing out the subject property. The property was R-1. He pointed out the location of the Hickory Regional Airport. All the zoning in this area was basically Burke County zoning. There was some R-2 residential zoning from Burke County, some R-3, and some general business. He displayed an aerial photo of the general vicinity. He pointed out Lake Hickory, some neighborhoods, and currently, there was a prior residence occupying part of the property. He pointed out the Caldwell Railroad running along the lakeshore, and part of the runway of Hickory Regional Airport. One map that he did not have was one for their Hickory by Choice plan map. The reason he did not provide this was because this property was not within the planning study area at that point in time. Since the plan was initially adopted in 2011, Hickory had grown into the northeastern portion of Burke County. There was not really a recommendation from the plan. However, he reviewed Burke County's ordinances prior to preparation of these reports, and Burke County's existing zoning of the property would permit parks and recreation centers very much like what was being considered by Council tonight. In terms of consistency, that was the best example that he could provide for Council. This was the overall proposed development plan for the property for the Catawba River Environmental Education Center (CREEC). He referred to the PowerPoint and pointed out the existing house that he mentioned earlier. This would be converted into an education center. At the top of the property near the Airport Rhodhiss Road, there would be a parking area and some ancillary buildings, some walking trails, and preservation of some wetlands in this area. There was a boat access on Drowning Creek, which was inward from the Caldwell rail line as well as the lakeshore there. He asked for any questions about the overall development plan?

Alderman Wood commented that he had talked about Burke County and their zoning and how there would not be any issues with that. What about watershed issues with any development that was made on this property?

Planning Manager Cal Overby advised this property was actually located in the critical area of the Lake Hickory WS4 watershed. Watershed requirements through the State of North Carolina defined development in two different ways for watersheds. One was percent development for low density and high density. For low density, which meant they do not use engineered stormwater control measures, they were allowed to cover 24% of the maximum property. If they use engineered stormwater control devices, they could cover 50% of the property, basically treating stormwater before it leaches back into the lake. However, if they take a look at the map and the plan, they were not getting anywhere close to the 24%. He hoped that he adequately answered his question.

Alderman Wood did not know all the constraints and restrictions that came with watershed under that. He did not know if that was going to be applicable when they started to do things.

Planning Manager Cal Overby commented no, sir. One interesting thing about this property watershed was typically they would have a riverine buffer, but their riverine buffer was a rail line. That was the one difference they would see here.

Planning Manager Cal Overby advised they analyzed the plan based upon Burke County's ordinance. This property would be allowed for that permitted purpose had it not been annexed into Hickory and remained in Burke County zoning. What was being proposed there could happen there anyway had the Council not acted to

annex and purchase the property. He did not see any foreseen issues with the property. The City has the necessary services in the area to serve the property once it was constructed and it was open to the public. Additionally, the Planning Commission reviewed this petition on September 26th and found it to be neither consistent nor non-consistent with the comprehensive plan but found it a reasonable action due to the permissible uses under the current County zoning for Burke County. The Planning Commission unanimously recommended approval. He asked for any other questions.

Mayor Guess asked for any other questions for Mr. Overby. 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.

OPPONENT

Mr. Gwyn Wilson, 2205 Creek View Drive, Hickory, NC, which was in Burke County directly across from this location. He did not oppose this. He had a question. The boat dock at the end, would the dock come into Drowning Creek?

City Manager Warren Wood advised he could answer that question.

Mayor Guess advised they would answer that after the public hearing. He asked if anyone else present would like to speak in opposition. No one else appeared. He asked if anyone present wanted to speak in favor of the proposal. No one appeared.

City Manager Warren Wood answered Mr. Wilson's question. Yes, there used to be a boat dock there. There would be some sort of structure, boat dock. It would not block that cove/creek, but it would be on the City side of the railroad tracks, and it would have to be approved by Duke Energy based on their standards. He realized there were other folks that have boat docks in that area there, so they were sensitive to that.

Mayor Guess closed the public hearing.

Aldерwoman Patton moved, seconded by Alderman Seaver approval of rezoning petition 26-08. The motion carried unanimously.

ORDINANCE NO. 26-33

AN ORDINANCE OF THE HICKORY CITY COUNCIL AMENDING THE OFFICIAL HICKORY ZONING ATLAS TO REZONE +/- 24.39 ACRES OF PROPERTY LOCATED AT 964 AND 970 AIRPORT RHODHISS ROAD AND INCLUDING AN UNADDRESSED PARCEL TO THE EAST. FROM BURKE COUNTY R-3 RESIDENTIAL TO PLANNED DEVELOPMENT.

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

WHEREAS, the property owner has petitioned to rezone +/- 24.39 acres of property located at 964 and 970 Airport Rhodhiss Road and including an unaddressed parcel to the east, more particularly described on Exhibit A attached hereto, to Planned Development, a concept plan for which is shown as Exhibit B, and

WHEREAS, the Hickory Regional Planning Commission considered the proposed rezoning during a hearing on September 23, 2026, and forwarded a recommendation of approval to the City Council; and

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

WHEREAS, the City Council has found Petition 26-08 to be neither consistent nor inconsistent with the Hickory by Choice 2030 Comprehensive Plan; and

WHEREAS, the City Council has found the rezoning of the properties as proposed is a reasonable action, as the proposed use of the properties would be permissible by the current Burke County zoning.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF HICKORY, NORTH CAROLINA, THAT THE REZONING OF PROPERTY DESCRIBED IN EXHIBIT A IS APPROVED.

SECTION 1. FINDINGS

1. Implement the Hickory by Choice 2030 Comprehensive Plan. The properties are not located within an area strategized as a growth area by the comprehensive plan when it was finalized in 2011. Since this time the city has grown into northeastern Burke County. Burke County's ordinances for the area were examined, and parks and similar facilities would be permitted as the properties are currently zone. While this isn't a recommendation from the City's comprehensive plan, it is an indication the properties, prior to annexation, were foreseen as possibly containing the same or similar use being proposed.
2. Preserve and protect land, air, water and environmental resources and property values. The requests is to rezone the properties to Planned Development (PD) with the intention of being used for the location of an environmental education center. The center itself, as depicted on the overall development plan, has a small footprint, and preserves much of the property as open space.
3. Promote land use patterns that ensure efficiency in service provision as well as wise use of fiscal resources and governmental expenditures. The area is predominately residential in nature. The requested rezoning is to allow for a Planned Development consisting of a public park and educational center. Facilities of this type provide a direct quality of life benefit for citizens and nearby residents. The expenditures put toward the facility will further this public benefit. When the properties were evaluated for annexation, it was determined public resources were not expected to be negatively impacted.
4. Regulate the type and intensity of development; and the current land use pattern of the immediate area is residential in nature. Public resources to provide critical services have been determined to be in place to serve the properties, now and into the future.
5. Ensure protection from fire, flood and other dangers. Development on the subject properties will be required to adhere to all state and local building, fire, and flood zone related development regulations. Such regulations will ensure proper protection is provided to ensure surrounding residents, and property is adequately protected as prescribed by law.

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

SECTION 3. This Ordinance shall become effective upon adoption.

(Exhibit "A" and Exhibit "B" are on file in the City Clerk's Office and is hereby incorporated by reference and made a part of the minutes)

B. Departmental Reports

1. Approved a Resolution in Support of the Catawba-Wateree River Basin Integrated Water Resources Plan as Developed by the Catawba-Wateree Water Management Group – Presented by Public Utilities Director, Will Hamblin.

City Manager Warren Wood advised the first departmental report was approval of a resolution in support of the Catawba-Wateree River Basin Integrated Water Resources Plan as developed by the Catawba-Wateree Management Group to be presented by Public Utilities Director Will Hamblin. These were done every 10 years, and out of the settlement agreement with Concord and Kannapolis when they went through an IBT 25 years ago, this was required once every 10 years. That was the origins of this report.

Public Utilities Director Will Hamblin gave a PowerPoint presentation. As City Manager Warren Wood said they were doing their 10-year update of the Integrated Water Resources Plan. He gave a quick acknowledgment and disclaimer as this was based on the best available data and projections put together in the last 5 years while they were creating this plan. All of the 21 member organizations had input. It was trying to be neutral and analytical. Also, it just does not preclude Hickory or any other member from any future regulatory proceedings, whether that was an increased withdrawal from Lake Hickory or any lake. It was not binding that would prevent them from future regulatory proceedings.

Public Utilities Director Will Hamblin shared a brief mission and vision statement of the Water Management Group. The mission was to collectively identify, fund, and implement projects that would extend the capacity of the Catawba-Wateree River to effectively serve the community while protecting and enhancing the ecological health of the basin. The vision statement was the Catawba-Wateree Water Management Group envisions a future with a sustainable water source achieved through proactive planning, cutting-edge research, and water shortage preparedness. It was made up of 21 members, and of the mainstem members, that was Duke Energy, and then the 20 utilities that have an intake on a reservoir in the Catawba Water Basin. Then there were utility members, which were the customers that those municipalities could serve, and there were also the associate members, which would be the commercial entities that also have withdrawals from the basin. He referred to the PowerPoint and displayed a graphic of the eleven lake systems managed as one by Duke Energy controlling the dams. It showed the surface and groundwater inflow, 3,752 million gallons per day, and then the discharge at Lake Wateree through the dam of 3,347 million gallons per day. He thought what was useful as far as what they were dealing with was that a lot of this was controlled by rainfall and evaporation, which they have no control over. The amount of withdrawals from public water supply, industries, power, and irrigation equaled 201 million gallons a day, and the evaporation from the basins was 204 million gallons a day. Essentially, the same amount that they were withdrawing was the same amount that was evaporating every day. It was a challenge and unpredictable as far as the available water in the basin. Another challenge was that droughts were more frequent. If they had average rainfall spaced evenly throughout the year, this would be a much easier system to manage, but that was not the luxury they have. As City Manager Warren Wood said, it was done every 10 years, but it was a 5-year process. It began back in December 2021. It was a \$1.6 million investment; \$500,000 came from North Carolina DEQ, and \$500,000 came from South Carolina DES, and then the remainder came from the Water Management Group. That was part of the settlement agreement that both states would jointly fund this every 10-year update. The Water Management Group spurred out of the relicensing agreement in 2006 when Duke was asking for a renewal of their license to operate the lake system and for them to manage it as a group instead of just Duke being the sole person to provide input on how it was operated.

Public Utilities Director Will Hamblin discussed a few takeaways from the Integrated Water Resources Plan as far as meeting water demands for the next, 75 to 100 years. The two main key challenges were reliable access, which was water was not always available when and where it was needed, especially during drought conditions. Some of the limitations being the raw water intake depths, because there was usable storage below those intakes, but how do you access it for withdrawing for your water system? How they operate during low inflow protocols, which they were currently in and that coincides with the drought management strategies? The other key takeaway was the water quality aspect, which was sedimentation not only was affecting water quality, but it also affects water quantity as the storage was being reduced by the amount of sedimentation that runoff was generated and runs into the lake system through the tributaries. They have some recommended strategies to combat those. One interesting statistic was the amount of sediment deposited into the 11-lake system about 742,000 tons per year. That was a 231-mile-long train of tandem axle dump trucks essentially from here to Myrtle Beach full of 15 cubic yards each. That was just a visual of how much water storage was being reduced each year by sedimentation in the lake system. He referred to the PowerPoint and displayed another interesting graphic which modeled the drought of record from the 2006 to 2009 period. If that occurred again in these different timeframes as population growth and withdrawal projections show which lakes have some days below their critical water elevation. The critical water elevation was the elevation of the shallowest intake on the lake. There were several lakes that have 3 or 4 intakes on them. It was the elevation of the shallowest one, Lake Wylie, for instance, has a shallow commercial intake. That was why they have a more constrained future as far as whenever that intake was exposed and that becomes a critical portion of Lake Wylie. On Lake Hickory in 2035, if the drought of record occurred again, they could have some days below critical elevation. He referred to the graphic and pointed out the tannish color which was if they have three consecutive days below their critical elevation.

Public Utilities Director Will Hamblin discussed a few more of the recommendations from the Integrated Water Resources Plan, policy, and legislative regulatory. They were trying to advocate aligning laws, regulatory frameworks, and leadership accountability so basin-level water management was supported, not constrained. One example of that was to define the major river basins like South Carolina does instead of having sub-basins like North Carolina does to try to reduce the effects of the sub-basin IBTs, which there were multiple,

Hickory has one where they discharge in the Henry Fork River. Hickory was located on a ridgeline, so when they discharge water on the other side of the train tracks that goes into the Henry Fork River but comes back into the mainstream of Catawba down at Lake Wylie. That was an example of a subbasin, but it was treated like an IBT, but it was trying to have policies to reduce some of those constraints. Also, planning regional coordination so land use conservation and water supply planning work together instead of silos. That could be through zoning and repairing buffer requirements along tributaries to reduce sedimentation. They have technical and program actions, and then drought planning and response. They were currently in low inflow protocol stage two and had been since May. It had been years since they had been in. It was trying to update that as each drought was a little bit different. Trying to be proactive on making updates to that low inflow protocol. He asked for any questions.

Alderwoman Patton mentioned that she sat in on the webinar and it was encouraging that they at least mentioned they would look at the return of the water back to the original source, even though the caveat already was the expense. She would encourage them very much to spend the money like they have to put in the systems that would mitigate the IBT on the original source.

Alderman Wood asked if basin was defined as the area where if rainfall falls, it enters into the water source that they were talking about? Was that the definition of a basin?

Public Utilities Director Will Hamblin responded yes, the catchment area for the rainfall.

Alderman Wood asked if it was true, based upon what he had seen, that the water quality in the Catawba River was better now than it was when wet industry was more prevalent in the area? Did he know the answer to that?

Public Utilities Director Will Hamblin did not know the answer to that question; it was before his time.

City Manager Warren Wood advised at least a few years ago, they had water treatment plant operators who were there for decades, and they could not speak to the rest of the river system, but as far as Lake Hickory, it had gotten cleaner every year. He was not saying it was perfect, back in the '70s compared to today it was a lot cleaner. A lot of that had to do with a lot of the controls with agricultural uses and that sort of thing that sometimes discharged things into the lake that were unpleasant.

Alderman Wood asked about weather events like Helene, when they have this massive flooding, massive rush of water through the Catawba River, does it add more sediment to the river than it takes away? Because you would think that the sediment has to go somewhere with that kind of rushing water, correct? Are we better or worse after an event?

Public Utilities Director Will Hamblin advised they were definitely worse. He thought the amount of landslides and mudslides; they were definitely having more sedimentation in their streams and rivers. Probably some did leave over the top of the dam, but anything that had already settled out probably was still at the bottom.

Mayor Guess asked for any other questions for Mr. Hamblin?

City Manager Warren Wood gave a couple of interesting tidbits from this report; Lake Hickory has one of the lowest inflows, the streams and creeks that feed Lake Hickory, of all the 11 lakes on the system, particularly during droughts. Fortunately, Lake Rhodhiss has one of the highest inflows, so they benefit from that. But that becomes important. Mr. Hamblin mentioned that critical water elevation level over their intake, and theirs was 9 feet deep. If they look at the original intake, which was when they come into the backside of the Riverwalk, that brick building there was the original intake. It was 15 feet deep. And they built that right before the dam got filled up and they were able to blast rock and get down to the riverbed. Their intake that was 50 years old was designed a little bit differently and was not quite as deep. That was why they had talked about extensively at their retreats about this second raw water intake. That was why that was so important. Because every foot they go deeper in terms of their intake, they pick up billions of gallons of water.

Public Utilities Director Will Hamblin advised a billion gallons per foot. As you get shallower or deeper, it gets less.

City Manager Warren Wood commented there was untapped capacity to some degree. Lake Hickory at its deepest point was 100 feet deep down at the dam. They do not need to be that deep. Being 15 feet deep versus 9 feet deep would make a huge amount of difference, particularly during droughts. As folks get IBTs and that takes water out of the system for everybody. That was just a couple of observations there that they had talked about previously.

Mayor Guess asked for any other questions or comments? He thanked Mr. Hamblin.

Alderman Seaver moved seconded by Alderwoman Patton approval of the Resolution to Support the Catawba-Wateree River Basin Integrated Water Resources Plan . The motion carried unanimously.

RESOLUTION NO. 26-52

RESOLUTION TO SUPPORT THE CATAWBA-WATEREE RIVER BASIN INTEGRATED WATER RESOURCES PLAN (DATED OCTOBER 6, 2026) AS DEVELOPED BY THE CATAWBA-WATEREE WATER MANAGEMENT GROUP

WHEREAS, the City of Hickory participates in the Catawba-Wateree Water Management Group (CWWMG), a collaborative organization representing member entities committed to sustainable water resource management; and

WHEREAS, recent science and engineering studies indicate that several reservoirs within the Catawba-Wateree Basin could experience significant water supply limitations under certain drought conditions during the 21st century, underscoring the need for proactive planning and collaborative work; and

WHEREAS, the CWWMG has developed the Integrated Water Resources Plan (IWRP) using the best available data and projections to identify water quantity and quality issues, evaluate potential strategies to address these challenges, and implement practical, basin-wide solutions; and

WHEREAS, the IWRP reflects historical and current conditions along with reasonable forecasts to support informed planning, and is intended to be a neutral, analytical document presenting facts and possible scenarios without advocating for any particular outcome; and

WHEREAS, supporting the IWRP reflects consensus with the findings and intent of the document and does not preclude or restrict member organizations or any other organization that signs this resolution of support from initiating, participating in, or responding to any future regulatory proceedings (including but not limited to interbasin transfer certificate processes) in any way it chooses; and

WHEREAS, implementing actions called for in the IWRP will require long-term, coordinated efforts across the Basin and could take decades to successfully complete; and

WHEREAS, our representatives have actively participated in the development of the IWRP by providing input into the scope of work, science and engineering analysis, future modeling scenarios and results, and the recommendations presented; and

WHEREAS, we believe the IWRP findings and recommendations are consistent with protecting, preserving, and extending the available water supply for all those who depend, or will depend, on the Catawba-Wateree River Basin for a safe, sustainable water supply; and

WHEREAS, basin-wide implementation of the recommendations presented in the IWRP offers the opportunity to extend available water yields well into the future.

NOW, THEREFORE, BE IT RESOLVED that the City of Hickory hereby supports the 2025 Catawba-Wateree River Basin Integrated Water Resources Plan and the recommendations presented therein as a framework for collaborative action to support a sustainable water future for generations to come.

2. Planning Director Brian Frazier to Introduce Kimley-Horn regarding Hickory by Choice 2050 and the Land Development Code Update, with the Opportunity for Questions from City Council.

City Manager Warren Wood advised on the second departmental report Planning Director Brian Frazier to introduce Kimley-Horn regarding Hickory by Choice 2050 and the Land Development Code update that needs to be done, with the opportunity for questions by City Council at the end.

Planning Director Brian Frazier as they were well aware, the City issued an RFQ for contractual planning services to both revise and update Hickory by Choice, 2030, the Land Development Code and associated mapping. They also expect a large community outreach process and legal review. Now, while City staff has revised both documents on an annual basis since they were first adopted in 2011, increasing population and growth in the residential, commercial, institutional, and manufacturing sectors had clearly indicated to them that major updates and revisions were needed to be made to both documents, the Comprehensive Plan and the Land Development Code. They were definitely necessary. When the RFQ was released, they did not expect the number of applications that they received. They expected maybe a handful, half a dozen. They received 16, and at least 3 or maybe 4 of staff read all of them. They looked at some great applications. Upon consensus of the review committee consisting of City Council, the City Manager's office, the Hickory Regional Planning Commission, and his staff, Kimley-Horn was chosen to present to Council tonight. He introduced from Kimley-Horn, Emily Thomas and Jonathan Whitehurst.

Kimley-Horn Representative Jonathan Whitehurst advised he would provide a quick introduction to Council and their team and talk to them a little bit about the process that they outlined in their response to that request for qualifications and their intent to engage the community in this process. He was sure they were very familiar with Hickory by Choice, but he just wanted to start in the sense of level setting exactly what this comprehensive plan was. The keyword there was community-driven. They would talk a lot about the different ways that they want to pull the community into this process, whether they were a stakeholder or a resident. They wanted to communicate through this plan a preferred approach to growth and protection. They also wanted to identify action steps. This was not a process that they wanted to create that sits on the shelf. They wanted to create an implementable plan for Council and Staff to use, and for the many folks that would be stakeholders out in the community to use as well. That last point was critically important. This was intended to be a living document. By State statute, this plan had to be reasonably maintained. This was a loose interpretation of exactly what reasonably maintained meant, but he thought in a community like Hickory that would continue to experience change, there was an understanding that this type of document should be reviewed regularly and updated often. It was great to hear that staff had already taken it upon themselves to keep the current plan up to date. As he mentioned, just provide a quick introduction to their team and talk to them a little bit about how they would approach this process.

Kimley-Horn Representative Jonathan Whitehurst advised that Kimley-Horn was a consultant firm, very much a multidisciplinary firm. He was a planner; Emily was a planner. They would be leading this effort, but they were certainly backed by a lot of subject matter experts. He referred to the PowerPoint and noted that they could see that on the project leadership team there were folks that were well skilled and versed in housing and economic development. They have folks that day-to-day focus their time on transportation and mobility. The last two things were really important, infrastructure and public utilities. He thought when they were talking about a plan for land use development and preservation, understanding the cost to serve future development was critically important. At the end of the day, making sure that they have a policy and implementable plan in place was important. That was why as they presented their team, they wanted to make sure that it was clear what the project leadership would be. All the other folks that they saw there were in support of the various tasks and disciplines that would be a part of this plan. One thing to note was that everybody that they saw on there was working out of their Charlotte office, which was where Emily and he sat, and their Lake Norman office, which was in Mooresville, and a few folks down in their South Carolina office as well. The team really was balanced as it focused on not just engagement and communication but making sure that they give a plan that satisfied the analytical tastebuds that some of them might have to make sure that this plan was grounded in data and analytics. They had done this type of work all over the State. They were featuring some of that experience. Just a few years ago, they wrapped up the plan in Morganton. They were working in Troutman right now, and there were other places that they could see on the list. That said, they do not take it for granted, they make no assumptions about Hickory itself. Every one of these places that they saw featured, they recognized that they were unique, and therefore the process and the ultimate plan required a customized set of solutions as well. He was happy to talk about any of these experiences. They try to keep the process simple and accessible, and the process that they would take from where they stand now to be in front of Council for adoption down the road was 4 steps, and they would talk about those in a little bit more detail as they go along.

Kimley-Horn Representative Jonathan Whitehurst advised them that they start with phase 1. That was getting the project off on the right foot and making sure that they have a clear understanding of the community context. The key piece of that was a community characteristics report. That was a summary of the existing and projected conditions that Hickory faces today and likely would face in the future. That was where they could see that multidisciplinary approach coming out, where they touch on everything from demographics, and housing, and economic development to land use, infrastructure, facilities, natural and cultural resources. It was a summary of all these different variables that were coming into play at once. It was important for them to get that out early in the process so that even as they were starting to collect community input, that input was as informed as it possibly could be.

Kimley-Horn Representative Jonathan Whitehurst advised phase 2 was the strategic vision, and that was where they developed a land use strategy. They would see in a draft schedule that there was a lot of community input that happens at this point in the process. That would lead to the guiding statements. There would be a vision statement and supporting guiding statements. They would do some land use analysis so they could test different ways the study area could grow and change and how that affects everything from cost to serve, to land consumption. They would create a conceptual growth strategy. That was a very high-level look of taking in the understanding of the guiding statements and that those community characteristics, that was their 40,000-foot level of where land use changes should go in the future. Then they start to drill down. The capstone piece of this particular phase was that future land use map, which would lay out on a map and describe where different types of uses should and should not go in the future. If they just stopped right there, they would be doing them a huge disservice, because the land use map itself was not enough for them to make informed decisions. That was why they include the policy framework. Whether it was plans, policies, projects, or programs, they want to wrap that future land use strategy with specific actions. Then with the implementation strategy, talk about who was tasked with leading those efforts, where was support needed, what was the relative cost both in terms of money and time, and talking about the priorities themselves in terms of which of these actions should be implemented. At that point, they were ready to create the document and come back before Council for adoption. The document itself, they try to create that as they go. They would find that the community characteristics were a big part of the overall document. But once they have presented that to staff, to boards, commissions, and Council it reduced the end-of-process review time. He thought it was also important, he referred to the PowerPoint slide, this was going to be one comprehensive plan, but they were intending for there to be multiple ways for the City to use it. There will be a report, and an executive summary. They knew that more often people were trying to consume this type of information digitally and making sure that they could create an interactive and immersive story map process. They also knew that the time would come when they step away from this process, but staff and Council would need access to all the great data and information that was created and it was their duty to provide that to them at the project end. Again, this was a living document, so having that data at their fingertips was going to be really important in the years to come.

Kimley-Horn Representative Jonathan Whitehurst advised from an engagement perspective, they approach this more as a strategy and not just throwing various engagement activities and hoping that they collect the input that ultimately would prove meaningful. He thought at the very beginning of the engagement process, they need to build awareness. They need to let people know why they were doing this process, why it was important for them to engage. He thought they also need to make them aware of where this particular effort sits and all the different things that the City has done previously. There was an important note that they were not starting from scratch in this process so that people who have invested their time and energy in previous planning efforts could recognize that participation and show them how that has influenced where they were today. They were not here to claim that they were going to build consensus in a plan like this. It was a very diverse community. There were a lot of very diverse opinions. They would not talk as much about consensus, instead they talk more about informed consent. While not everyone would agree with 100% of this particular plan, it was their hope through the transparent process that people could understand why particular decisions were made. That was what they meant by cultivating that understanding. He commented they have a great staff. They wanted to make sure that they extend that capacity within this process and beyond. Then at the end of the day, people's time is limited. He thought folks were just more distracted now than they ever have been. He thought from an engagement perspective, they really need to create genuine participation. Making sure that folks have a clear understanding of why they were asking them to participate in this process. And then as they move through the plan and then ultimately into implementation, make sure that people see their fingerprints on this planning process from day one.

Kimley-Horn Representative Jonathan Whitehurst discussed the overall schedule. He referred to the PowerPoint and characterized it as draft. They would certainly want to talk about this in more detail through the scoping process and through conversations with staff. They do not want this to be a long, drawn-out planning process, so they were looking at that 14 to 16-month timeframe. Being back in front of Council in February of 2028. He advised they could see those 4 phases that he introduced and they certainly overlapped at the edges. He called their attention to the engagement, again, in a draft format. The one line that he wanted them to pay particular attention to was the Planning Commission and City Council meetings. Like the map that he showed where they talked about all the different places that they had done this type of work; the most successful processes were those where Council was involved from the start and throughout. He had a lot of apprehension of doing this type of plan and seeing Councilmembers for the very first time when he was asking them to adopt. They had several touchpoints planned along the way. Some of those might be joint work sessions with their Planning Commission. But they want them to be very comfortable throughout this process. And again, they do not want to drop a 100-page report on their desks and ask them to decide without feeling like they had been informed in the process. From an engagement perspective with the public, they want to engage them in ways that were comfortable and familiar to them. They have a combination of online engagement, more traditional workshops, and then going out into the neighborhoods. Council had done a great job as a community of pulling the youth into the day-to-day workings of their government, and they certainly wanted to engage that next generation through different activities. He referred to the PowerPoint and advised the special events that they see were their staff popping up at planned events so that they could engage people where they already were, and they were not constantly asking people to come to them.

Kimley-Horn Representative Jonathan Whitehurst thought as they start into this process, as Council/Staff need to really think about how the City itself intends to use this plan. As consultants it was really helpful for them to have a good understanding of that as they design the process and refine it and then get into asking the questions. He just mentioned engaging the community in ways that were comfortable to them, but also effective to the process. They would stand in front of Council throughout the planning process and talk about how many people have engaged in the process, how many individual data points that generated, how many individual comments that generated, and how many community hours have been invested in this process. At the end of the day when they talk about this being a community-driven plan, the numbers back that up. These plans also exist somewhere on the spectrum between being a vision plan and not tied to implementation strategies or, not being visionary at all. Somewhere there was a balance in there that as a community would discover throughout this process. The last point was making sure that as they thought about implementation, as a community they were able to align the resources that they had, whether that was time or money, with the desired outcomes that come through this process. He asked for questions.

Alderwoman Patton asked in his experience with other communities, what was the most effective outreach to the community? What form does that take?

Kimley-Horn Representative Jonathan Whitehurst did not think the answer was just one. He thought it was a multifaceted approach. He said the number one way to get somebody to spend their time in a process like this was with a personal invitation. Right. Whether that was a personal invitation to come to a stakeholder meeting or to join them at a workshop, or to click on a link and take a survey, that goes a long way. He hoped Council would be a conduit to the community. They knew staff would be that. One of the things that they would like to do was to lead with stakeholders and boards and commissions to draw them into the process to help them understand what they were trying to achieve. And then to take full advantage of their contacts and their networks so that they were pulling as many people as possible into this process.

Alderman Freeman commented that Mr. Whitehurst mentioned that part of this comprehensive plan was to certainly develop a context of their demographics and that was through community engagement. Through Mr. Whitehurst's experience, because he liked the thematic theme that he had, which was expect more and experience better, but from his experience, how was it that they made sure that the low-income families, those that were less fortunate, were involved with the growth? Because the truth of the reality was oftentimes that was the portion that was overlooked.

Kimley-Horn Representative Jonathan Whitehurst commented that was a great question, and one he thought they could not take for granted, the fact that they

could not assume that people were able to come to them. He thought the lower-income folks, they were probably more stressed or more challenged for their time than any other cohort. He thought tapping into the community leaders and pulling them into the process, making sure that the faces of this plan have the respect of those folks were important. He offered one example. He mentioned that they did this type of work in Morganton. They were near the end of their first phase of the process, wrapping up their engagement, and they realized that they had not fully engaged the Guatemalan community in Morganton, which was a big part of that. They actually extended that phase of engagement by a month or so. They made up that time later in the process, but that extension was so that they could go to GuatFest and meet those people where they were and make sure that they could go to this Morganton festival. He thought that was just an example of making sure that they were flexible even within this process and that they have honest conversations with Council and Staff so that they could recognize when they have fallen short of the expectations that they have for that level of engagement.

Alderwoman Dula advised her question was more so about the land development code update. She asked if he could briefly describe their plan to update that?

Kimley-Horn Representative Jonathan Whitehurst commented that what he had talked about to this point had been focused on the comprehensive plan. He thought the communities that do the comprehensive plan first and then the land development code after that were taking the right approach because that future land use map needs to be the basis for any kind of update that they were making to their zoning ordinance. The person that they featured on their project leadership team, Cindy Schwarzkopf, would be leading the update to the City's land development code. Sometimes in the context of a comprehensive plan, they were kicking the can down the road a little bit because the comprehensive plan was non-regulatory. It was helpful to follow that planning process up as closely as possible with the land development code. That was much more of a stakeholder-driven process. The intent would be to get their comprehensive plan in a good spot and then turn the attention to the land development code. He asked if she had specific questions about the process?

Alderwoman Dula responded during the period of time where they were working on the comprehensive plan, if changes come about due to legislation that directly impact the land development code, that would be incumbent upon staff to bring recommended amendments to the code during that period of time. Because they were talking about how many months, 14? If something comes through, then it would be incumbent upon staff, and she guessed their attorney to make those necessary changes if there was legislation that impacts.

City Attorney Timothy Swanson advised he went through a similar process with another municipality, not with Kimley-Horn but a different firm, and he assumed the firm was probably keeping up pretty well with the changes in legislation. And if anything happens within that window, they were probably already incorporating those or making recommendations on those changes.

Kimley-Horn Representative Jonathan Whitehurst commented that was exactly right, and Cindy, who he mentioned, actually sits on the legislative committee for the North Carolina Planning Association. She was very well versed in that. He commented that if those changes occur, it was probably when. He thought the communities that were at the end of the process to update their land development codes right now were in a tough spot. Those 12 to 14 months would hopefully let things settle down at the State level and give them a little bit more direction. They have to be careful about creating planning fatigue. He thought that there were questions that were relevant to their land development code that they could ask as part of the overall process while they have captured people's attention and they have them in the room. It would be a blended process, but they want to get the land use strategy in place first.

Alderman Wood thanked Mr. Whitehurst for being present. This was exciting, and he was looking forward to hearing more and seeing more over the coming months about this. They spend a lot of time thinking about water. The availability of water, the availability of quality water, and the resolution that they just adopted a moment ago on this water management plan, to him was inextricably related to what he was talking about. As a member of Council, he would love at the end of this process for him to have the policy framework presented to Council that gives him a level of confidence that the plan that they were following was in the best interest and had really considered water use, water availability. In his mind, and he might be off track here, but land development and what he was talking about with sedimentation collecting in the river and the availability, these were inextricably related. Was that going to be considered through this? Would they present that to Council when they present this final plan?

Kimley-Horn Representative Jonathan Whitehurst responded absolutely.

Alderman Wood could not speak for everybody else, but for him he could not emphasize that enough of how important that was. He thought it was going to be more important as time went on. This was not a Hickory issue; this was a national issue.

Kimley-Horn Representative Jonathan Whitehurst agreed. They would talk about water from a surface water standpoint, but water was a utility and wastewater was a utility. He thought it was hard to make this plan without considering both of those things. He pointed out the leadership team; Shelby Hughes was on that leadership team. She was a water/wastewater engineer that would help them make sure that the plan that they have put forth on a map was truthed against the City's ability to serve that. They have the surface water folks too that they could tap into. He always said they do not want him to put in their water/wastewater system, that was not in their best interest. It was nice that he has access to folks that have that expertise. By extension Council would have access to that.

Alderman Wood commented that was the important part, right? Because he was certainly not an expert on that, but you hire the experts and you listen carefully. He would listen carefully when he speaks to that because it was just so important.

Kimley-Horn Representative Jonathan Whitehurst thought that was also a good example as why they do not want to see him disappear for the next 12 or 14 months and then pop up and go, here you go, let's see if we can't get this adopted so he could get out of town. He thought the accountability that Council has to hold them to needs to happen throughout this process. That was why that work sessions were in place.

Alderman Wood replied, absolutely, they do not want to get to the end of this process, and something be left out that could have been brought up earlier in the process. He thanked Mr. Whitehurst; he was looking forward to working with him.

Alderwoman Williams asked if they were going to have some sort of an advisory committee or a group that they could tap into, both maybe public/private citizens?

Kimley-Horn Representative Jonathan Whitehurst advised the way that they structure it, and again, none of this was set in stone, they have what they call a steering committee. He thought that was probably less like citizen-heavy and more hopefully representatives from Council, the Planning Commission, department heads, more of a technical group, again, that they could work with throughout this process. Those touchpoints with the steering committee were structured so that they were hitting right around the key milestones. That first one was when they were wrapping up the community characteristics and they were ready to really go out into the public. The second one was when they were getting close to having their draft future land use map. Then it goes from there. What was not shown on here though was the coordination that they would have with their Planning Department and staff. That would happen biweekly at the longest in terms of intervals. That coordination would occur throughout.

Mayor Guess asked for other questions. He commented they were certainly looking forward to this process, and the fact that they were one of 16 speaks highly. They have some high expectations, and he was convinced that they were going to meet those expectations, and they looked forward to the next 14 to 16 months, whichever. He hesitated to put dates on stuff because they knew what happened when they did that, but for at least the year to come. He was sure there would be many more questions and a lot of opportunities. He certainly wanted to have that happen and he looked forward to talking to him again.

Kimley-Horn Representative Jonathan Whitehurst appreciated it, and they certainly do not take for granted the trust that they were placing in them. They looked forward to delivering on that.

3. Appointments to Boards and Commissions

<u>CITIZENS ADVISORY COMMITTEE</u> (Terms Expiring 6-30; 3-Year Terms) Appointed by City Council Small Cities Project Area (Council Appoints)		VACANT
<u>COMMUNITY APPEARANCE COMMISSION</u> (Terms Expiring 6-30; 3-Year Terms) Appointed by City Council Ward 2 (Williams Appoints)		VACANT

<u>COMMUNITY RELATIONS COUNCIL</u>	
(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)	
Caucasian (Council Appoints)	VACANT
Caucasian (Council Appoints)	VACANT
Caucasian (Council Appoints)	VACANT
Other Minority (Council Appoints)	VACANT
 <u>HICKORY REGIONAL PLANNING COMMISSION</u>	
(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
 <u>LIBRARY ADVISORY BOARD</u>	
(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)	
Ward 4 (Freeman Appoints)	VACANT
At-Large (1) (Mayor Appoints)	VACANT
At-Large (2) (Mayor Appoints)	VACANT
 <u>PUBLIC ART COMMISSION</u>	
(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)	
Ward 3 (Seaver Appoints)	VACANT
 <u>RECYCLING ADVISORY BOARD</u>	
(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)	
Ward 4 (Freeman Appoints)	VACANT
Ward 6 (Patton Appoints)	VACANT
At-Large (Council Appoints)	VACANT
At-Large (Council Appoints)	VACANT
 <u>YOUTH COUNCIL</u>	
(Terms Expiring 6-30; 1-Year Terms) (Appointed by City Council)	
Homeschool	VACANT
St. Stephens High School	VACANT

Mayor Guess noted there were still some vacancies. Citizens could peruse through those, and if they were interested in any of those, particularly since they have a large contingency of their Hickory 101 soon-to-be graduates, even though they just started, certainly let Council know if they were interested in any of those boards or commissions, and they would do their best to inform them about those.

- 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 reminded everyone of the annual Oktoberfest starting this Friday, Saturday, and Sunday.
- City Manager Warren Wood advised it began in 1985.
- Mayor Guess commented that they look forward to that every year. He thought the weather was supposed to be okay. They should have good weather and wanted to invite everyone to come out and enjoy Oktoberfest.
- XIV. Closed Session Per NC General Statutes 143-318.11(a)(1)(3)(4) to consult with the attorneys regarding the following: (Action on these items, if any, will occur in Open Session)

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

1. Approval of Closed Session Minutes of July 21, 2026 - NCGS §143-318.11(a)(1)

2. Discussion of Potential Economic Development - NCGS §143-318.11(a)(4)

3. Consult with Attorney in order to preserve the attorney-client privilege - NC General Statutes 143-318.11(a)(3)

Council convened to closed session at approximately 7:07 p.m.

Council reconvened to open session at approximately 7:44 p.m.

No action was taken upon return to open session.

October 6, 2026

XV. There being no further business, the meeting adjourned at 7:44 p.m.

Mayor

City Clerk