



Life. Well Crafted.

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

ACTION AGENDA

Hickory City Council
76 North Center Street

December 5, 2023
6:00 p.m.

- I. Call to Order
- II. Invocation by Dr. Reverend Anthony Freeman, Clinton Tabernacle AME Zion Church
- III. Pledge of Allegiance
- IV. Oath of Office for Ward 1 Alderman Tony Wood, Ward 2 Alderwoman Charlotte Williams, Ward 3 Alderman Danny Seaver, and Ward 4 Alderman Anthony Freeman

Oath of office was administered by Mayor Guess to Alderman Wood, Alderwoman Williams, Alderman Seaver and Alderman Freeman.
- V. Election of Mayor Pro Tempore for Calendar Year 2024 Pursuant to NC General Statute §160A-70 and Section 2-54 of the Hickory City Code

A Alderman Seaver was nominated and approved by the Council as Mayor Pro Tempore for 2024. Oath of office was administered by Mayor Guess to Mayor Pro Tempore Seaver.
- VI. Appointment of City Attorney for Calendar Year 2024 Pursuant to the Hickory City Code, Section 4.151 of the Charter

A Attorney Timothy Swanson was nominated and approved by the Council as City Attorney for 2024. Oath of office was administered by Mayor Guess to City Attorney Timothy Swanson.
- VII. Special Presentations

NA A. Business Well Crafted Awards – Presented by Business and Community Development Manager Dave Leonetti

Business Well Crafted Awards were presented to JS Auto Detailing, Thistle Dew Nicely Florals and Gifts - Leroy Kennedy, Master Tech Auto Mechanics, Wildskeins Yarn Company – Owner Camantha Corsi, Hickory Mechanical, Alex Lee, Inc., Home Instead, Martin Starnes & Associates, CPAs, P.A., and Exodus Homes and Exodus Works
- VIII. Persons Requesting to Be Heard

NA A. Ms. Keshia Collins, 925 8th Street NE, Hickory addressed Council regarding her son who was shot here in the City of Hickory last Thursday. She expressed her concerns about the accountability of people that were apart of these crimes.
- IX. Approval of Minutes

A A. Regular Meeting of November 21, 2023. **(Exhibit IX.A.)**

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

A2 A. Budget Revision Number 9. **(First Reading Vote: Unanimous)**

XI. Consent Agenda: All items below are considered to be routine by the City Council and will be enacted by one motion. 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 XII.

A/PH A. Call for a Public Hearing to Consider the Voluntary Contiguous Annexation of .553 Acres Located at 920 30th Avenue Drive NW, PIN 3704-11-55-0162. **(Authorize Public Hearing for December 19, 2023, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building). (Exhibit XI.A.)**

A B. Approval to Apply for the 2024 Urgent Repair Program (URP24) through the North Carolina Housing Finance Agency (NCHFA). **(Exhibit XI.B.)**

Staff request approval to apply for the 2024 Urgent Repair Program (URP24) through the North Carolina Housing Finance Agency (NCHFA). The Urgent Repair Program provides funding in the form of a forgivable loan to low and extremely low-income homeowners with special needs at a maximum of \$12,000 per dwelling unit. The City has applied for these funds numerous times in recent years. During the 2022-2023 fiscal year eight (8) homeowners received home repairs through the program. Staff plans to apply for \$100,000 of funding through the program. This funding will assist at least 8 eligible homeowners with repairs. The City of Hickory will provide \$5,000 in matching funds. This is available from program income that was received through the former Rental Rehabilitation Program. The Urgent Repair Program funds will be used to supplement the City's Community Development Block Grant Housing Rehabilitation Loan Program, which generally works on larger projects with families that have slightly higher income. Staff will prepare an application that incorporates program requirements, applicant eligibility standards, and program capabilities. Upon approval by City Council, the application will be submitted with the required \$75 application fee to the NCHFA. Staff recommends City Council authorize staff to apply for the 2024 Urgent Repair Program through the North Carolina Housing Finance Agency.

A1 C. Budget Revision Number 10. **(Exhibit XI.C.)**

1. *To appropriate \$7,611 from an insurance claim reimbursement for a damaged police vehicle.*
2. *To appropriate \$144,610 from an insurance claim reimbursement for a Solid Waste truck deemed to be a total loss.*
3. *To appropriate a total of \$4,875 in sponsorship revenues to assist with programming costs for the Parks, Recreation, and Sports Tourism department.*
4. *To appropriate a \$330 contribution received from the Hickory Youth Council to assist with programming costs.*
5. *To appropriate \$500 in donations received to assist with programming costs for the Parks, Recreation, and Sports Tourism department.*
6. *To appropriate \$316 from an insurance reimbursement for a worker's compensation claim.*

XII. Items Removed from Consent Agenda – None

XIII. Informational Item

XIV. New Business:

A. Public Hearings

- A** 1. Consideration of the Voluntary Non-Contiguous Annexation of 62.873-Acres Located at 2239 Robinson Road, PINs 3711-10-45-2075; 3711-14-34-4769, 3711-14-34-8055; 3711-14-44-2597 – Presented by Planning Director Brian Frazier. **(Exhibit XIV.A.1.)**

Consideration of the voluntary non-contiguous annexation of 62.873 acres property located at 2239 Robinson Road. These properties are identified as PINs 371110452075, 371114344769, 371114348055, 371114442597. The majority of the properties are vacant, but one does contain a single-family residence. The properties are located within the City's Extra Territorial Jurisdiction (ETJ), and is zoned R-1, which permits residential development at 2 dwelling units per acre. In addition to annexation, the owners have also requested the properties be rezoned to R-2 Residential. These actions are being requested in advance of a proposed 245 lot single-family residential subdivision. The subdivision is proposed to be constructed as a conservation subdivision with an overall density of 3.8 units per acre. Surrounding properties are zoned R-1 Residential and occupied by single family homes or are vacant. The current tax value of the properties is \$554,000, but agricultural tax deferral reduces the assessed value to \$417,700. As the properties are currently taxed, would generate \$1,900 in additional tax revenues. Upon analysis, staff has determined the petition meets the statutory requirements for voluntary non-contiguous annexation, and adequate public services are available. Staff finds the petition to be in conformity with applicable statutes and recommends approval of the petition.

The public hearing was advertised in a newspaper having general circulation in the Hickory area on November 25, 2023.

- A** 2. Consideration of Closing a Portion of 31st Street Place SE, Hickory, as Petitioned by Neill Properties, LLC – Presented by Public Works Director Steve Miller. **(Exhibit XIV.A.2.)**

Staff requests Council's consideration of closing a portion of 31st Street Place SE, Hickory as petitioned by Neill Properties, LLC. The City Clerk received a petition from Neill Properties, LLC, owner of the property abutting 31st Street Place SE, Hickory. The petition requests the City to close a portion of 31st Street Place SE, Hickory, as per NCGS § 160A-299. This portion of 31st Street Place SE is bound by the tract owned by the Petitioner Neill Properties, LLC. The signature on the petition represents the owner of the property abutting this portion of the right-of-way. The petition fee of \$830 has been paid. A memo was sent to various departments for their input on the street closing. Closing the requested portion of 31st Street Place SE does not affect any of the City departments. Staff recommends Council conduct the public hearing to consider closing a portion of 31st Street Place SE, Hickory as petitioned by Neill Properties, LLC.

The public hearing was advertised in a newspaper having general circulation in the Hickory area on November 11, November 18, November 25, and December 2, 2023.

B. Departmental Reports

- A** 1. Appointments to Boards and Commissions

BUSINESS DEVELOPMENT COMMITTEE

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

VACANT

Alderman Wood nominated Jeff Gniadek as an At-Large Representative on the Business Development Committee.

COMMUNITY APPEARANCE COMMISSION

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

COMMUNITY RELATIONS COUNCIL

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

HICKORY REGIONAL PLANNING COMMISSION

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

HISTORIC PRESERVATION COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)	
Historic Properties Owner (Council Appoints)	VACANT
At-Large (2) (Council Appoints) William Gardner Jr. Resigned 10-23-23	VACANT

Alderman Zagaroli nominated Adam Oakley as an At-Large Representative on the Historic Preservation Commission.

LIBRARY ADVISORY BOARD

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

PUBLIC ART COMMISSION

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

RECYCLING ADVISORY BOARD

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

Alderwoman Patton nominated Andrew Moose as an At-Large Represented on the Recycling Advisory Committee.

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

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

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

**The City of Hickory holds all public meetings in accessible rooms.
Special requests for accommodation should be submitted by individuals
with disabilities at least 48 hours before the scheduled meeting.
Phone Services (hearing impaired) – Call 711 or 1-800-735-2962**