

A Regular Meeting of the City Council of the City of Hickory was held in the Council Chamber of the Municipal Building on Tuesday, December 5, 2023, 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, Deputy City Attorney Arnita Dula, 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 Dr. 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

Mayor Guess asked Alderman Tony Wood, Ward 1, to the podium.

Alderman Wood's wife, Lanie Wood held the Bible for the oath of office.

Mayor Guess administered the oath of office to Alderman Wood.

Mayor Guess asked Alderwoman Charlotte Williams, Ward 2, to the podium.

Alderwoman Williams' husband Michael Willis held the Bible for the oath of office.

Mayor Guess administered the oath of office to Alderwoman Williams.

Mayor Guess asked Alderman Danny Seaver, Ward 3, to the podium.

Alderman Seaver's wife, Elaine Seaver, and Malachi joined Alderman Seaver. Alderman Seaver's wife held the Bible for the oath of office.

Mayor Guess mentioned that Alderman Seaver was the longest current Council member serving. He administered the oath of office to Alderman Seaver.

Mayor Guess asked Alderman Anthony Freeman, Ward 4, to the podium.

Alderman Freeman's wife, Rhonda Denise Freeman held the Bible for the oath of office.

Mayor Guess administered the oath of office to 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

Mayor Guess thanked Alderwoman Williams for serving as Mayor Pro Tempore for 2023. He commented she had done an excellent job and had been present when he could not attend. He greatly appreciated her service in that capacity.

Mayor Guess moved, seconded by Alderwoman Patton approval of Alderman Danny Seaver as Mayor Pro Tempore for 2024. The motion carried unanimously.

Alderman Seaver's wife, Elaine and Malachi joined him at the podium. Alderman Seaver's wife held the Bible for the oath of office as Mayor Pro Tempore.

Mayor Guess administered the oath of office 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

Mayor Guess moved, seconded by Alderwoman Patton approval of Attorney Timothy Swanson as City Attorney for 2024. The motion carried unanimously.

Mayor Guess administered the oath of office to City Attorney Timothy Swanson.
- VII. Special Presentations
 - A. Business Well Crafted Awards – Presented by Business and Community Development Manager Dave Leonetti

Mayor Guess asked City Manager Warren Wood to introduce the special presentations.

City Manager Warren Wood asked Business and Community Development Manager Dave Leonetti to the podium to present the Business Well Crafted Awards recommended by the Business Development Committee.

Business and Community Development Manager Dave Leonetti asked Doug Auer, the Vice Chair of the Business Development Committee to the podium. He mentioned that Mr. Auer, himself, and a number of members and partners on the committee would be helping with the presentation of the awards.

Vice Chair of the Business Development Committee Doug Auer mentioned the Business Development Committee was made up of seven members who supported business development and growth in the City of Hickory. In December of 2017, City Manager Warren Wood presented a new economic development strategic growth plan for Hickory and presented it to the City Council. The vision adopted as part of that plan was as follows: the City of Hickory's vision for economic vitality was to establish a diversified and sustainable economy through the growth of business opportunities, jobs, tax base and population, and to improve the quality of life for its citizens.

Business and Community Development Manager Dave Leonetti advised in support of this vision; the Business Development Committee set out to recognize businesses that support that same vision. On behalf of the committee, he thanked everyone who so proudly nominated well-crafted businesses from all over the City. He also thanked the businesses and entrepreneurs for their fantastic submissions of what makes them a well-crafted business. The Business Development Committee received some outstanding nominations. Unfortunately, they were not able to recognize and honor everyone. He encouraged all of those that submitted their responses, who were not chosen this year, to pursue nomination in the future and continue to honor their great work in the City of Hickory. The committee had chosen to recognize nine businesses and individuals for their commitment and support of the City's vision for economic development and these nine businesses were truly well crafted.

Ms. Jaycie Beam, CVCC Small Business Center, recognized the Business Well-Crafted Award in the youth category. Jose Saucedo was a young entrepreneur who established JS Auto Detailing LLC to offer high quality automotive detailing services in Hickory and surrounding areas. Despite early startup challenges, Jose remained dedicated and hard-working leveraging community resources for success. Through the support from the CVCC Small Business Center, Jose was accepted into the Everyday Entrepreneur Venture Fund Program. This initiative provided funding that propelled JS Auto Detailing into becoming a leading competitor within two years. By August of 2023, the business had doubled its revenue and increased profitability, a testament to its innovative and adaptable business model. JS Auto Detailing cultivated a robust presence on social media which had significantly contributed to the company's effective marketing strategy. In addition, Jose actively participated in business networking groups, including Business Networking International and the Chamber of Catawba County, demonstrating his commitment to expanding and strengthening his business connections. Given Jose's determination and unwavering commitment to the business he was honored as this year's recipient of the Business Well-Crafted Award in the youth category. The award was presented to Jose Saucedo and photos were taken.

Ms. Jaycie Beam presented the next award in the category of 10 or fewer employees. Master Tech Auto Mechanics specialized in servicing BMW, Mercedes, Porsche, and Mini Cooper vehicles, emphasizing excellence, experience, and integrity. Established in 2012, after a local dealership serving these brands closed, the company provides dealership quality services without the associated markup. Starting with two employees and \$90,000 in sales, Master Tech expanded to eight employees with annual sales reaching \$1 million. In addition to serving local car owners, Master Tech was dedicated to fostering the automotive technician industry through apprenticeship programs. The company collaborates with three local high schools for internship programs and actively participates in the NC Works NEXTGEN paid apprenticeship initiative, assisting over a dozen young adults. She presented the award to Master Tech Auto Mechanics, Christy and Todd Massagee accepted the award on its behalf. Photos were taken.

Vice Chair of the Business Development Committee Doug Auer also presented an award in the category of 10 or fewer employees to Wildskeins Yarn Company, established in 2007 by Camantha Corsi. Wildskeins was Hickory's leading yarn shop. As a female veteran owned business, Wildskeins catered to local and global fiber enthusiasts, contributing to the Hickory economy by promoting local shopping for creative fiber art needs. The shop fostered a welcoming environment for fiber artists and communicated with 700 plus subscribers through a weekly newsletter and social media. In June of 2022, Wildskeins received the City of Hickory's Microenterprise Grant, enabling the purchase of a Shopify point of sale system to enhance the customer sales and facilitating online sales of house dyed yarn. The system resulted in a 7% growth in the past year. Wildskeins actively engaged in community support programs including the Need A Hat Take A Hat initiative, donating more than 900 handmade hats in three years. The shop provided knitting

lessons, participated in local events, and donated yarn to schools, retirement centers, and charitable programs. He presented the award to Camantha Corsi. Photos were taken.

President/CEO of The Chamber of Catawba County Lindsay Keisler presented the award for the 11-50 employees' category. Hickory Mechanical was founded in 1985 by David Moore, a third-generation mechanical contractor. Hickory Mechanical Incorporated offered piping, plumbing, and HVAC services to industrial and institutional clients in Hickory. Specializing in full-service solutions, the company had grown substantially in the past few years, expanding from 15 to 36 employees, and purchasing and upgrading a building along the Hickory Trail. With numerous certified mechanical gas technicians, the company completed significant projects in medical facilities and played a key role in building renovations for new companies entering the area. Hickory Mechanical values repeat business, emphasizing customers over jobs, and expects its revenue to nearly triple the average of the previous five years. The company diversified into recession resistant industries and was actively investing in Hickory's economic growth. Committed to community engagement Hickory Mechanical was a gold investor in the Chamber of Catawba County, a sustaining member of the Catawba County's Economic Development Corporation's Committee of 100 and participated in various organizations and nonprofits. It was her honor to present the award to the founder himself and President of Hickory Mechanical, Mr. David Moore. Photos were taken.

Vice Chair of the Business Development Committee Doug Auer presented the 51 or more employees' award. Alex Lee was founded in 1931 and based in Hickory. Alex Lee was a family-owned company employing around 15,000 people. Serving as the parent company for various entities including Merchants Distributors, Souto Foods, Import Mex, Lowes Foods, and W. Lee Flowers & Company. Alex Lee was a major player in the grocery distribution sector. The company was expanding its Hickory distribution center, adding 200,000 square feet of automated ambient warehouse space, and converting more space to perishable warehouse facilities. In 2023, Alex Lee acquired Import Mex in Florida, broadening its distribution reach and product variety. Actively engaged in the Hickory community, Alex Lee and its subsidiaries supported numerous local nonprofits including the SALT Block Foundation, United Arts Council, Catawba Science Center, and more. Lowes Foods, a subsidiary, sponsored the City of Hickory's annual Christmas parade; a great success this year. The company was dedicated to education, contributing to initiatives like the K-64 program and supporting local educational institutions such as Catawba Valley Community College, Lenoir-Rhyne University, and Appalachian State University in Hickory. He presented the award to John Orgain who was representing the company. Photos were taken.

Ms. Bianca Carter with Corporate Management Services presented the 51 or more employees' category to Home Instead. John and Joan Coffey owned two Home Instead franchises in North Carolina, headquartered in Hickory, providing home care services to older adults, allowing them to age safely at home. After purchasing the Hickory franchise in 2019, with 38 employees, the Coffeys had organically grown the team by 268% with a 65 to 85% increase in wages. Acquiring the Asheville franchise further expanded the company which now employs 196 individuals, with 103 based in the Hickory Metro area. Home Instead was situated in downtown Hickory's Fidelity Professional Building, invested in community development by modernizing office spaces, contributing to the area's revitalization. Actively involved in charitable programs, volunteering, and workforce development, the company initiated the Be a Santa to a Senior Program, delivering gifts to 150 to 250 older adults in retirement or nursing homes during the holiday season. Present to accept the award was John and Joan Coffey. Photos were taken.

Ms. Bianca Carter presented another award in the 51 or more employees' category. Martin Starnes and Associates was established in 1987. Martin Starnes and Associates was a renowned accounting and consulting firm known for its excellence in tax auditing and consulting services. The company prioritized building lasting client relationships, serving as trusted advisors in financial decision making with a commitment to integrity and professionalism. Playing a vital role in economic development Martin Starnes and Associates offered financial management and business consulting to local clients, empowering them to thrive, create jobs, and contribute to the City's tax base. With 25% growth over the past two years and plans for 10% growth in 2023, the company had expanded its workforce, bringing high paying professional jobs to the area. Martin Starnes and Associates actively gave back through Chamber membership, local board participation, volunteering, and supporting various initiatives. The company was a founding sponsor and strong supporter of the Hickory Young Professionals Association. The firm's commitment to community assistance and engagement. Victoria Martin was present to accept the award. Photos were taken.

Business and Community Development Manager Dave Leonetti presented the nonprofit category award to Exodus Homes and Exodus Works. Exodus Homes provided 73 faith-based supportive housing beds, aiding individuals returning from treatment centers and prisons in community reintegration. With an average of 160 people served annually, the organization operated Exodus Works, a vocational program generating revenue through

volunteer work in diverse sectors. This initiative aimed to financially support Exodus Homes and facilitate residents' full-time employment with a living wage. Exodus Works' net profit was the main funding source for Exodus Homes, contributing to reduced recidivism, lower crime rates, and improved community stability. Recent growth in sales and net profit along with foundation support, allowed for equipment acquisition, expanding job opportunities. The organization planned to increase bed capacity, addressing the pressing need for supportive housing in the community. To accept the award was Reverend Reggie Longcrier and Susan Smith. Others were in attendance as well.

Ms. Susan Smith, on behalf of the board members and staff, was honored to receive this award and thanked them for their support. They appreciated the award. She asked the Exodus Works staff to stand. She recognized Mr. George Reep, the face of Exodus Works in the community, Mr. George. While they received the award for the nonprofit Small Business of the Year, they wanted to give Mr. George Most Valuable Player of Exodus Homes. She advised the people at the podium were the people that give their lives for the ministry and board members. She recognized Wes Christopher, and Mary Lawford. Photos were taken.

Mayor Guess paused the meeting to allow time for those in attendance to exit the meeting.

Business and Community Development Manager Dave Leonetti presented the final award, the Individual Entrepreneur of the Year award. Leroy Kennedy established Thistle Dew Nicely Florals and Gifts in November of 2015; he experienced initial slow growth but had thrived the last two years. The business now has four employees and has benefited greatly from downtown improvements and increased local establishments. Thistle Dew Nicely offered diverse gifts and was renowned for personalized floral arrangements for various occasions. Kennedy, the owner, and designer, infuses his passion for flowers and family history in the floral business into his work. The shop prioritized customer satisfaction and strived for a welcome atmosphere for all visitors including adults, kids, and especially dogs. Kennedy actively supported downtown development, a member of the Downtown Development Association and participated in various events. Thistle Dew Nicely also won the downtown Christmas storefront decoration competition for the past two years, and if you have seen his storefront this year, it may be a threepeat. He presented the award for Individual Entrepreneur of the Year to Mr. Leroy Kennedy. Photos were taken.

Business and Community Development Manager Dave Leonetti concluded the presentation. He thanked City Council members and for bearing with them. He hoped to celebrate these businesses at a networking event. He mentioned they created videos that they would share on their social media channels honoring these businesses and how they contributed to the City's vision and for economic vitality. Stay tuned on some future events later next year.

Mayor Guess thanked Dave Leonetti, Doug Auer, and the entire team. He knew it was not an easy process when they had to eliminate folks, and folks that were deserving, but there were only so many awards that could be given out. That was not an easy task. He thanked all those individuals that had a part in this process and those folks that won, who were awarded. The goals here at Council, and at the City of Hickory, has always been to grow jobs, grow their population, and to grow their tax base. It was all related to economic development. And of course, these businesses that were recognized here tonight, and many others throughout the community, contributed greatly to that success that they had been able to see over the past few years.

Mayor Guess mentioned something about Leroy Kennedy, because recently, the communications staff did a little video to promote Christmas and their Christmas parade. They were downtown for this filming and needed a wreath. They did not have the wreath that they needed. The Mayor said, wait a minute, that won't be a problem, I don't think; I'll be right back. It was very early in the morning, around eight o'clock. He went over to Leroy's door and knocked on the door and sure enough, he was in there, but the door was locked. Mr. Kennedy immediately opened his door and Mayor Guess told him he needed a wreath. Mr. Kennedy said sir, that's no problem, give me 10 minutes. Seriously, within 10 minutes, Mr. Kennedy had the nicest looking wreath you could ever ask for. They used that in the video, and he just wanted to thank Mr. Kennedy. That was just the kind of man that he is. That was the kind of business owner he was, he certainly did not hesitate to help them out at their time of need. He knew he did not just do that for the City, that he does that for many folks. He thanked Mr. Kennedy. They appreciated that.

Mayor Guess allowed another small window of opportunity for anyone in attendance who wanted to exit the meeting to do so.

VIII. Persons Requesting to Be Heard

- 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 wanted them to make it where when the police do all they can do to make arrests, then it should be up to the City to do

their part to hold everybody accountable that was a part. Part of her concern was these houses and these dwellings that these activities are held at, the people are never evicted, they were never held accountable. When the police made an arrest, they were just keeping the dwelling open for more illegal activity to continue, She held her child responsible. She held him accountable. But at the same time, other people need to be held accountable and all people that were involved when they maintain a dwelling. It was even more frustrating for her because she was a single parent of six kids. She had four minors. The more she tries to better herself and her kids, she gets knocked down. The more that those who are not trying to help themselves, they have an open door of opportunity for illegal activity and things like that. She has a son who is on probation, he could not live at her residence because she has firearms. She has to protect her kids. She had to protect her home due to the things that was going on in the City of Hickory. It keeps them in violence. It was just like a ripple effect. She was present for help, for somebody to step up and do something. She continuously calls the Hickory Police Department, she gets that, but they cannot do but so much. Somebody in the City had to step up and hold the tenant accountable and the head of households who continuously keep these dwellings open, open doors 24/7. That was all she was here for tonight. It was frustrating.

Mayor Guess asked if anyone else wished to address the Council. No one else appeared.

IX. Approval of Minutes

A. Regular Meeting of November 21, 2023

Alderwoman Patton moved, seconded by Alderman Zagaroli that the Minutes of November 21, 2023 be approved. The motion carried unanimously.

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.

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 9. (First Reading Vote: Unanimous)

XI. 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 XII.

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

A. Called 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. (Authorized Public Hearing for December 19, 2023, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).

RESOLUTION NO. 23-71
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 Pride Design Construction, Inc. requesting annexation of an area described in a petition was received on November 20, 2023, 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 Pride Design Construction, Inc., containing .553-acres more or less, located at 920 30th Avenue Drive NW, Hickory, and identified as PIN 3704-11-55-0162.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Hickory this 20th day of November, 2023.

/s/ Debbie D. Miller, City Clerk

RESOLUTION 23-72
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 December 19, 2023, 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 Pride Design Construction, Inc., containing .553-acres more or less, located at 920 30th Avenue Drive NW, Hickory, and identified as PIN 3704-11-55-0162.

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. 23-73
A RESOLUTION DETERMINING THE INTENT TO ANNEX INTO THE CORPORATE LIMITS OF THE CITY OF HICKORY CERTAIN PROPERTY OWNED BY PRIDE DESIGN CONSTRUCTION, INC. AND CALLING FOR A PUBLIC HEARING ON THE SAME

WHEREAS, Pride Design Construction, Inc. is the owner of certain real property as described herein, which property is located at 920 30th Avenue Drive NW, Hickory, and identified as PIN 3704-11-55-0162, containing .553-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 5th day of December, 2023, 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 December 19, 2023, 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 Pride Design Construction, Voluntary Contiguous Annexation Map 1 City Boundary,

subject property outlined in red; Pride Design Construction, Voluntary Contiguous Annexation Map 2, Zoning, subject property outlined in red; Pride Design Construction, Map 3, Voluntary Contiguous Annexation, 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.

- B. Approved Applying for the 2024 Urgent Repair Program (URP24) through the North Carolina Housing Finance Agency (NCHFA).

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.

- C. Approved on First Reading Budget Revision Number 10.

**ORDINANCE NO. 23-35
BUDGET REVISION NUMBER 10**

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

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

FUNCTIONAL AREA	INCREASE	DECREASE
Public Safety	7,611	-
Culture & Recreation	5,375	-
Economic & Community Development	330	-
TOTAL	13,316	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous	7,941	-
Sales and Services	5,375	-
TOTAL	13,316	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
General Government	316	-
TOTAL	316	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous	316	-
TOTAL	316	-

SECTION 3. To amend the Solid Waste Fund within the FY 2023-24 Budget Ordinance the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Environmental Protection	144,610	-
TOTAL	144,610	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous	144,610	-
TOTAL	144,610	-

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.

XII. Items Removed from Consent Agenda – None

XIII. Informational Item

XIV. New Business:

A. Public Hearings

1. Approved 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.

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 deferment 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.

City Manager Warren Wood asked Planning Director Brian Frazier to the podium to present Council with the voluntary non-contiguous annexation of 62.873-acres located at 2239 Robinson Road.

Planning Director Brian Frazier gave a PowerPoint presentation. He discussed the voluntary contiguous annexation in Alderman Freeman’s ward 4. The current development was both residential and agricultural use. The future development was simply for a single-family development and annexation was being sought to gain access to public services, in this case, sanitary sewer. This was a rather large parcel on Robinson Road and there was definitely room for some growth there, it was just a matter of getting access to public utilities for this to come online. He referred to the PowerPoint presentation and displayed a map. He pointed out Robinson Road north to south, the Mosteller Estate apartment complex, and the properties in question under the name Pollard. He believed the property was under contract for a residential subdivision. He displayed another map and pointed out the subject property which was zoned R-1, he pointed out the R-2 and medium density residential areas and the planned development area over by Mosteller, hence north toward Highway 70, and the shopping centers. He displayed an aerial ortho and pointed out Robinson Road, noting the property was on the west side of the road. He discussed staff findings and recommendations. Staff believed that the voluntary annexation complied with all applicable statutes, that there were public services in sufficient quantities to serve the site. Should it be developed for residential use, the annexation of the property would not cause public services to fall below current acceptable levels. Based on these findings, staff respectfully recommended approval of this annexation this evening.

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.

Alderman Patton moved, seconded by Alderman Zagaroli approval of the voluntary non-contiguous annexation of 62.873-acres, located at 2239 Robinson Road. The motion carried unanimously.

ANNEXATION ORDINANCE NO. 496
VOLUNTARY ANNEXATION ORDINANCE (NON-CONTIGUOUS)
Michael Pollard and wife, Kem Pollard

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE
CITY OF HICKORY, NORTH CAROLINA, PURSUANT TO
GENERAL STATUTES 160A-58.1, AS AMENDED (NON-CONTIGUOUS)

WHEREAS, the City Council of the City of Hickory desires to annex the area described herein, under G.S. 160A-58.1, as amended; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of said annexation; and

WHEREAS, the City Clerk has certified to the sufficiency of said request, and a public hearing on the question of this annexation was held in the Council Chamber of the Julian G. Whitener Municipal Building, located at 76 North Center Street, Hickory, North Carolina, at 6:00 p.m. on the 5th day of December 2023; and

WHEREAS, the City Council of the City of Hickory further finds that the area described therein meets the standards of G.S. 160A-58.1(b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three miles from the corporate limits of the City of Hickory.
- b. No point on the proposed satellite corporate limits is closer to another city than to the City of Hickory.
- c. The areas described are so situated that the City will be able to provide services on the same basis within the proposed satellite corporate limits that it provides within the primary corporate limits.
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation.

WHEREAS, the City Council of the City of Hickory does hereby find as a fact that said petition has been signed by all the owners of real property in the area who are required by law to sign and all other requirements of G.S. 160A-58.1, as amended have been complied with; and

WHEREAS, the City Council further finds that the annexation is otherwise valid, and that the public health, safety, and welfare of the City of Hickory and of the areas proposed for annexation will be best served by annexing the area herein described.

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

Section 1. By virtue of the authority granted by G.S. 160A-58.2, as amended, the following-described non-contiguous territory is hereby annexed and made a part of the City of Hickory as of the 31st day of December 2023:

Satellite Annexation
by the City of Hickory
known as the Pollard Property

That certain parcel of tract of land lying and being about 3.28 miles south southeast of the center of the City of Hickory. Bounded on the east by the right-of-way of Robinson Rd., on the south by the lands of the following: Kelli L. Shride as described in Deed Book 3797 at Page 1132, Tina Marie Combs as described in Deed Book 3504 at Page 1521, Marsha Jo Ann Barrs as described in Deed Book 3360 at Page 150, Whitener Family Trust as described in Deed Book 3043 at Page 1134 and Deed Book 3043 at Page 1116, David Thomas Penland as described in Deed Book 3401 at Page 1259; on the west by the lands of Samuel Ross Penland

as described in Deed Book 3403 at Page 828; on the north by an unnamed 60' right-of-way as shown in Plat Book 81 at Page 131 and more particularly described as follows, to wit.

Beginning at a $\frac{3}{4}$ " pipe, the southwest corner of the lands of Kelli L. Shride as described in Deed Book 3797 at Page 1132 and in the north line of the lands of Tina Marie Combs as described in Deed Book 3504 at Page 1521, said pipe having N.C. grid coordinates (NAD 83/2011) of N 713,752.56, E 1,314,289.16 and being located North 23 degrees 01 minutes 26 seconds West 3376.21 feet from NCGS Monument "Hue", said monument having N.C. grid coordinates (NAD 83/2011) of N 710,645.23, E 1,315,609.46 and running thence, as new City of Hickory city limits lines and with the north line of Combs and the north line of Marsha Jo Ann Barrs as described in Deed Book 3360 at Page 150, North 86 degrees 00 minutes 21 seconds West 350.86 feet to an iron pipe in a driveway, the northeast corner of the Whitener Family Trust as described in Deed Book 3043 at Page 1134; thence, with north line of Whitener, North 85 degrees 49 minutes 46 seconds West 333.08 feet to a 1.25" angle iron, the northeast corner of David Thomas Penland as described in Deed Book 3401 at Page 1259; thence, with the north line of Penland, South 71 degrees 47 minutes 51 seconds West 506.58 feet to a $\frac{3}{4}$ " pinched pipe in the north line of Penland and a southeast corner of Samuel Ross Penland as described in Deed Book 3403 at Page 828; thence, with the eastern lines of Penland, the following calls: North 06 degrees 40 minutes 36 seconds East 263.36 feet to a $\frac{3}{4}$ " pinched pipe; thence North 59 degrees 12 minutes 35 seconds West 540.09 feet to a 1" pipe; thence North 81 degrees 45 minutes 34 seconds West 388.62 feet to a point in a pond; thence North 08 degrees 30 minutes 57 seconds West 723.77 feet to a 1" angle iron in the south right-of-way line of an unnamed 60' right-of-way as shown in Plat Book 81 at Page 131, said angle iron having N.C. grid coordinates (NAD 83/2011) of N 714,952.51, E 1, 312,200.59; thence, with the south right-of-way of the unnamed street, the following calls: North 77 degrees 42 minutes 21 seconds East 342.77 feet to a $\frac{1}{2}$ " pipe; thence North 76 degrees 36 minutes 23 seconds East 600.09 feet to a $\frac{3}{4}$ " pipe (pinched); thence North 89 degrees 36 minutes 09 seconds East 216.49 feet to a $\frac{1}{2}$ " pipe; thence North 86 degrees 31 minutes 08 seconds East 169.31 feet to a $\frac{1}{2}$ " pipe; thence North 86 degrees 33 minutes 07 seconds East 169.40 feet to a 1" pipe; thence South 82 degrees 03 minutes 09 seconds East 705.37 feet to a mag nail in a cut power pole; thence, the same bearing, a distance of 21.05 feet to a point in the center of Robinson Rd.; thence, with the center of Robinson Rd., the following calls: as a convex curve to the right, said curve having a radius of 4191.02', a delta of 4.64 degrees and a chord bearing and distance of South 15 degrees 22 minutes 03 seconds East 339.30 feet to a point; thence, as a convex curve to the right, said curve having a radius of 3327.74 feet, a delta of 3.65 degrees and a chord bearing and distance of South 11 degrees 34 minutes 13 seconds East 212.12 feet to a point; thence, as a convex curve to the right, said curve having a radius of 2511.71 feet, a delta of 2.59 degrees and a chord bearing and distance of South 08 degrees 30 minutes 32 seconds East 113.43 feet to a point; thence South 07 degrees 04 minutes 23 seconds East 100.00 feet to a point; thence South 06 degrees 37 minutes 18 seconds East 100.00 feet to a point; thence South 06 degrees 35 minutes 33 seconds East 100.00 feet to a point; thence South 06 degrees 45 minutes 45 seconds East 327.48 feet to a point; thence, leaving Robinson Rd., North 85 degrees 43 minutes 08 seconds West 19.20 feet to a #4 rebar; thence North 85 degrees 43 minutes 08 seconds West 10.71 feet to a $\frac{3}{4}$ " pipe, the northeast corner of the Shride lands; thence, with the north line of Shride and continuing the same bearing, a distance of 305.42 feet to a $\frac{3}{4}$ " pipe, the northwest corner of Shride; thence, with the west line of Shride, South 04 degrees 56 minutes 09 seconds East 88.60 feet to the point of beginning. Containing 62.873 acres more or less.

This description was drawn from a plat by Miles A. Wright PLS L-5256 entitled "Satellite Annexation by the City of Hickory known as the Pollard Property" dated October 12, 2023.

Section 2. Upon and after the 31st day of December 2023, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the City of Hickory and shall be entitled to the same privileges and benefits as other parts of the City of Hickory. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10, as amended.

Section 3. The newly-annexed territory described herein shall become part of Ward No. 4 of the City of Hickory.

Section 4. The Mayor of the City of Hickory shall cause to be recorded in the Office of the Register of Deeds of Catawba County, and in the Office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with duly certified copy of this Ordinance.

Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

2. Approved Closing a Portion of 31st Street Place SE, Hickory, as Petitioned by Neill Properties, LLC – Presented by Public Works Director Steve Miller.

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.

City Manager Warren Wood asked Public Works Director Steve Miller to the podium to present Council with a request to close a portion of 31st Street Place SE, Hickory, as petitioned by Neill Properties, LLC.

Public Works Director Steve Miller gave a PowerPoint presentation. He discussed a simple street closure. It was a single party petition with Neill Properties, LLC. The unused portion was bound by a track owned by Neill Properties, LLC. He was before Council for their consideration of a Resolution for closing this portion. He referred to the PowerPoint and displayed a map. He pointed out the area which was requested to be closed. He believed at one time the street ended there before the development happened. He pointed out 31st Street Place SE and probably a quarter of a mile was Tate Boulevard to give them a reference point. He displayed another picture of the property in question. He pointed out there used to be a cul-de-sac turn around there. As this property was developed over the years, the owner just wanted to clean up this portion here. Staff requested Council's approval of a Resolution and Order closing this unused portion of 31st Street Place SE. He asked for questions.

Mayor Guess advised the rules for conducting the public hearing applied as he previously explained. 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 to close a portion of 31st Street Place SE. The motion carried unanimously.

RESOLUTION NO. 23-74
RESOLUTION AND ORDER

WHEREAS, Neill Properties, LLC owns properties adjoining the following described area, in the City of Hickory, County of Catawba, which is further described as follows:

A Portion of 31st Street Place SE, Hickory

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

Being located in Hickory Township, Catawba County, North Carolina and more particularly described as:

BEGINNING at a point, said beginning point being located North 37° 59' 35" East 5.42 feet from the southeastern corner of Lot 5 and being set in the edge of the right-of-way of 31st Street Place, SE as shown on the Plat recorded in Plat Book 67, Page 9, Catawba County Registry; running thence from said point of beginning with the western margin of 31st Street Place, SE North 37° 10' 25" East 117.07 feet to a point set in the western right-of-way margin of 31st Street Place, SE; running thence a new line, the following calls and distances: a curve to the right, a chord bearing South 74° 41' 32" West, a chord distance of 23.90 feet along the radius of 20 feet; beginning at a point a curve to the left, a chord bearing South 70° 54' 39"

West along the chord distance of 64.92 and a radius of 50 feet; continuing thence a curve to the left along the chord bearing South 10° 34' 42" East, a chord distance of 65.61 along the radius of 50 feet to the point and place of Beginning and being all that entire portion designated as "Right-of-Way to be Closed" as was identified and more particularly described on the Plat recorded in Plat Book 67, Page 9, Catawba County Registry to which reference is hereby made for greater certainty in description.

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 November 11, November 18, November 25, and December 2, 2023.

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.

B. Departmental Reports:

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)

At-Large (Council Appoints) (Joseph Straley Resigned)

VACANT

VACANT

Alderman Patton nominated Andrew Moose as an At-Large Representative on the Recycling Advisory Board.

Mayor Guess moved seconded by Alderman Seaver approval of the above nominations. The motion carried unanimously.

Mayor Guess reminded those in the audience that may be interested in serving on a board or commission, that they could certainly contact any Council member at any time, and they would be glad to help them navigate through that process and help them to understand what each board and commission represents, when they meet, and different things like that. They appreciated those who volunteered and served on their boards or commissions and helped them to make decisions on behalf of the City of Hickory.

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

Alderman Zagaroli commented go Hickory High.

Council members echoed "go Hickory High".

Alderman Zagaroli commented that was going to be fabulous.

City Manager Warren Wood mentioned they were a great group of kids. They were like brothers to one another. They had been playing together for a long time. It was going to be exciting. He mentioned he had them over to his house every Wednesday night before a game for the last three years. This would be the last one of those tomorrow night. He mentioned that Reverend Longcrier's grandson played on that team. His grandson was about 6'3" and 285 pounds. He did not know what happened. There was a lot of Hickory folk connection with the kids on that team and they were really a tight knit bunch of kids that come from all kinds of different backgrounds and walks of life.

Alderman Zagaroli commented go tornadoes.

Mayor Guess could not imagine that there was anyone in the audience that did not know, but they were 15 and 0. And they were advancing to the 3A High School State Championship in Chapel Hill. There will be a public send-off at nine o'clock on Friday morning at Hickory High School.

City Manager Warren Wood advised in the gymnasium at Hickory High, send off at nine o'clock for the team. They were going straight from there to Chapel Hill.

Mayor Guess commented that they were going to bring back the State Championship and when they do that, they would certainly invite that team and all of their coaches. This room would not be able to hold everybody, he would not imagine. They were looking forward to being able to do that. He mentioned Lenoir-Rhyne were 12 and 1, and they were advancing to the NCAA Division II, qualifying finals in Arkansas. They will be traveling this weekend to Arkansas. They had two, their High School football team and of course, Lenoir-Rhyne, two great football teams, two great staff and they hoped that both of them would come back with the title. He congratulated the re-elected and newly elected officials on their four-year terms. They appreciated everyone's service on their Council. He mentioned to Daria Jackson, and others who had shown an interest in their community and who had participated also in the election process and done it very professionally and represented in the City very well, thank you as well, they appreciated them also.

Alderman Williams thanked the City staff and for those of came out for the reception, it was very nice, and she looks forward to the next four years of service.

Alderman Freeman commented ditto.

XVII. There being no further business, the meeting adjourned at 6:54 p.m.

Mayor

City Clerk