

A G E N D A

HICKORY CITY COUNCIL

January 21, 2020



7:00 p.m.



AGENDA
www.hickorync.gov

If you have any questions about any item on this agenda or if you need more information about any item in addition to the information contained in the agenda package, please call the City Manager at 323-7412. A "Citizen Comment Sheet", which explains the procedure to address the City Council, is located on the table outside Council Chambers. We also encourage you to complete the Comment Sheet and offer any suggestions or questions you have. For more information about the City of Hickory go to: www.hickorync.gov.

Hickory City Council
76 North Center Street

January 21, 2020
7:00 p.m.

- I. Call to Order
- II. Invocation by Reverend Christy Lohr Sapp, St. Andrews Lutheran Church
- III. Pledge of Allegiance
- IV. Special Presentations
- V. Persons Requesting to Be Heard
- VI. Approval of Minutes
 - A. Regular Meeting of January 7, 2020. **(Exhibit VI.A.)**
- 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.
 - A. Budget Revision Number 13. **(First Reading Vote: Unanimous)**
- VIII. 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 IX.
 - A. Approval to Amend the Traffic Ordinance by Adjusting the Speed Limit Along NC Highway 127 between South NC Highway 127 (SR 2959) and Leslie Avenue (SR2576) in Mountain View, between Interstate 40 and 14th Avenue SW (SR 1184) and between US Highway 70 and South Center Street (SR 2959) to 45 MPH. **(Exhibit VIII.A.)**

Staff requests Council's acceptance and approval to amend the Traffic Ordinance by adjusting the speed limit along NC Highway 127 between South NC Highway 127 (SR 2959) and Leslie Avenue (SR 2576) in Mountain View, between Interstate-40 and 14th Avenue SW (SR 1184), and between US Highway 70 and South Center Street (SR 2959) to 45 MPH. In an effort to make the speed limit consistent along NC Highway 127, North Carolina Department of Transportation (NCDOT) is requesting the speed limit ordinance be amended to post a speed limit of 45 MPH within the City limits. NCDOT has evaluated speeds along NC Highway 127 in the areas affected by this request and has determined that 45 MPH is appropriate. Public Services Traffic Division has worked with NCDOT regarding the new ordinances and agrees to the speed limits adjustments along NC Highway 127 (45 MPH). Staff is prepared to change speed limit signage along these roadways reflecting new speed limits, as needed. Reimbursement per the Municipal

Maintenance Agreement will apply from NCDOT for the sign installation. Staff recommends Council's acceptance and approval to amend the Traffic Ordinance by adjusting the speed limit along NC Highway 127 between South NC Highway 127 (SR 2959) and Leslie Avenue (SR 2576) in Mountain View, between Interstate-40 and 14th Avenue SW (SR 1184), and between US Highway 70 and South Center Street (SR 2959) to 45 MPH.

- B. Approval of a Resolution Authorizing the Notice of Upset Bid(s) for a Lease Agreement for Antenna and Equipment Space with the Federal Aviation Administration for Space Located at the Hickory Regional Airport. **(Exhibit VIII.B.)**

Hickory Regional Airport received an Antenna and Equipment Space Lease with the Federal Aviation Administration (FAA) under which the FAA will occupy certain space located in the commercial terminal building at the Hickory Regional Airport for their support of Air Traffic Operations for an annual amount of \$10,368.24 for a term of twenty years expiring September 30, 2037. Pursuant to NCGS 160A-272 leases for more than 10 years requires the procedural process outlined in NCGS 160A-269. Staff requests Council's approval of a Resolution authorizing the notice of upset bid(s) for the lease agreement and execution of said lease agreement to be considered by City Council at their February 4, 2020 City Council meeting.

- C. Approval to Apply for the 2020 Urgent Repair Program through the North Carolina Housing Finance Agency. **(Exhibit VIII.C.)**

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 \$10,000 per dwelling unit. The City has applied for these funds numerous times in recent years. So far during the 2019-2020 fiscal year six homeowners received home repairs through the program. Staff plans to apply for \$75,000 of funding through the program. This funding will assist at least eight 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 North Carolina Housing Finance Agency (NCHFA). Staff recommends that City Council authorize staff to apply for the 2020 Urgent Repair Program through the North Carolina Housing Finance Agency.

- D. Approval of the Annual Auditing Contract with Martin Starnes & Associates. **(Exhibit VIII.D.)**

Staff requests approval to accept the renewal of the annual contract for auditing services with Martin Starnes & Associates for fiscal year ending June 30, 2020. Martin Starnes & Associates was established in 1987 and has continued to grow with offices in Hickory and Taylorsville. Their Hickory office offers a convenient location for City of Hickory staff to work with Martin Starnes & Associates accounting personnel. Martin Starnes & Associates sponsors a variety of North Carolina Government Finance Officer Events throughout the State and has become a leader in their work with local governments. The City of Hickory has utilized the services of Martin Starnes & Associates for the past eleven years with excellent results. Since fiscal year 2012, Martin Starnes & Associates has also been contracted to produce the City's Comprehensive Annual Financial Report. The North Carolina Local Government Commission (LGC) does not enforce formal bid requirements for auditing services due to the professional relationship formed between auditors and clients over an extended work history. The Secretary of the Local Government Commission approves all local government contracts and invoices for audit or audit-related work. The LGC requires approval of the auditing contract on an annual basis. In 2019, the City of Hickory approved a three-year renewal contract with Martin

Starnes & Associates. The annual renewal ending June 30, 2020 will be the second year of this contract with audit fees of \$59,400. Staff recommends approval to renew the annual auditing contract with Martin Starnes & Associates for fiscal year ending June 30, 2020.

- E. Acceptance of a Storm Water Facility Easement and Storm Water Operation and Maintenance Agreement for the Property Located at 2555 Tate Boulevard SE, Hickory owned by Klingspor Abrasives, Inc. **(Exhibit VIII.E.)**

Staff requests Council's acceptance of an easement for required storm water devices and access to the area on the property of Klingspor Abrasives, Inc., located at 2555 Tate Boulevard SE, Hickory. The City of Hickory first received a MS4 permit in 2003 due to the size of our community. The permit program is intended to establish, implement and enforce storm water controls in communities with the goal of improving water quality related to pollution from construction activities, point sources and surface runoff. This program establishes the control measures that construction activities are required to implement for development of areas in accordance with Phase 2 requirements for both quantity and quality of water control. This element of any project has become a significant cost component and the City tries to balance the benefit and cost ratio through this permit. This easement is necessary for access to and including the required storm water devices for inspection and maintenance if needed in the future. This easement and the storm water devices are required by the City of Hickory's NPDES MS4 Phase 2 Storm Water permit. The easement does not require any financial obligation from the City of Hickory. Staff recommends Council's acceptance of an easement for required storm water devices and access to the area on the property of Klingspor Abrasives, Inc., located at 2555 Tate Boulevard SE, Hickory.

- F. Resolution Authorizing Preparation of Assessment Rolls and Public Hearing on Preliminary Assessment Roll for Street Improvements Petition Number 19-03 for Curb, Gutter and Driveway for a Portion of 836 17th Avenue Drive SE. A petition was submitted on April 5, 2019, approved by City Council on April 16, 2019, and the project was completed on November 22, 2019. (Authorize Public Hearing for February 4, 2020.) **(Exhibit VIII.F.)**

- G. Approval of a Cemetery Deed Transfer from David Floyd Underdown, as Executor of the Estate of Joanne F. Underdown, and as Co-Trustee of the Joanne F. Underdown Revocable Trust under Agreement dated August 22, 1989 and restated August 6, 2010 and Wells Fargo Bank, N.A., as Administrator CTA of the Estate of Joanne F. Underdown and as Co-Trustee of the Joanne F. Underdown Revocable Trust under Agreement dated August 22, 1989 and restated August 6, 2010 to Susan Underdown Geck and husband, Joseph Jude Geck, Being the Eastern one-half of that certain lot of land containing three hundred and twenty square feet, more or less, situate in Oakwood Cemetery in said City, and designated on the plot of said Cemetery as Plot I, Lot No. 3, Section 37. (Prepared by Kimberly H. Whitley, Patrick, Harper & Dixon, LLP). **(Exhibit VIII.G.)**

- H. Budget Revision Number 21 (FY18-19). **(Exhibit VIII.H.)**

1. *Per auditor recommendation by Martin, Starnes and Associates, to make necessary adjustments to the accounting records within the Capital Projects Fund (Fund 061) and the General Fund (Fund 010) pertaining to the Bond Projects and receipt of the initial \$15 million of Bond revenues issued during fall 2018.*

- I. Budget Revision Number 14. **(Exhibit VIII.I.)**

1. *To recognize \$1,647 in donations by Ridgeview Friends of the Library to support Library programming and the purchase of tablet computers.*

2. *To recognize receipt of the 2019 Urgent Repair Program funds in the amount of \$75,000. This amount requires a local match of \$5,000 which will be budgeted from within the URP fund balance.*
3. *Per auditor recommendations from Martin, Starnes & Associates, to make necessary adjustments to the accounting records within the Capital Projects Fund (Fund 061) pertaining to the Bond Projects and receipt of the initial \$15 million of Bond revenues issued during fall 2018 and the General Fund (Fund 010).*

IX. Items Removed from Consent Agenda

X. Informational Item

XI. New Business:

A. Public Hearings

1. Resolution Confirming and Levying Assessment for Street Improvements on a Portion of 200 40th Avenue Drive NE, Petition Number 19-05 – Presentation by Public Services Director Kevin Greer. **(Exhibit XI.A.1.)**

The City Clerk received petition number 19-05 from the owners of property along 200 40th Avenue Drive NE to install curb and gutter along a portion of their street as per section 29-2 of the Hickory Code of Ordinances. The petition was a single-party petition. The City Council adopted a Resolution Directing that Street Improvement Project Be Undertaken. Construction of the curb and gutter was completed on November 26, 2019. The preliminary assessment roll number 19-05 has been prepared based on the curb and gutter constructed along a portion of 200 40th Avenue Drive NE in response to a petition by property owners. The City Clerk has mailed a copy of the adopted Preliminary Resolution, which called for a public hearing, to all affected property owners. Staff recommends discussion of all matters concerning Preliminary Assessment Roll Number 19-05 for curb and gutter constructed along a portion of 200 40th Avenue Drive NE and to approval of the Resolution confirming the assessment roll.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on January 10, 2020.

B. Departmental Reports

1. Bond Project Update – Presentation by Executive Assistant Manager Yaidee Fox.
2. Approval of an Agreement with Western Piedmont Council of Governments to use \$300,000 of HOME Funds to Construct Two Affordable Houses at 3rd Street Place SW and Approval of the Proposed Plan to Subdivide the Property at 932 3rd Street Place SW – Presentation by Community Development Manager Karen Dickerson. **(Exhibit XI.B.2.)**

According to the US Department of Housing and Urban Development, the HOME Investment Partnership Program provides formula grants to States and localities (participating jurisdictions) that communities use - often in partnership with local nonprofit groups - to fund a wide range of activities including building, buying, and/or rehabilitating affordable housing for rent or homeownership or providing direct rental assistance to low-income people. HOME is the largest Federal block grant to State and local governments designed exclusively to create affordable housing for low-income households. The Western Piedmont Council of Governments is the participating jurisdiction for our Metropolitan Statistical Area of Hickory-Lenoir-Morganton and therefore manages the HOME Funds available

to the City. The City of Hickory has been awarded \$300,000 in funding for the construction of two affordable homes at the current address of 932 3rd Street Place SW. This agreement includes a period of affordability of 15 years to meet the requirements of the HOME Investment Partnership Program. The homes will be made available to households earning less than 80 percent of the area median income. In addition, the City of Hickory is requesting the approval to subdivide City owned property at the current address of 932 3rd Street Place SW. This property will be divided into four lots (Lot 1, Lot 2, Lot 6 and Lot 7). The two affordable homes will be built on Lot 6 and Lot 7 in Phase 1 of the new Ridgeview Subdivision. The Community Development Manager recommends approval to enter into a contractual agreement with the Western Piedmont Council of Governments to use \$300,000 of HOME funds to build two affordable homes on 3rd Street Place SW. In addition, the Community Development Manager recommends approval of the proposed plan to subdivide the property at 932 3rd Street Place SW into four lots in order to construct two affordable homes.

3. Approval of Amending the Traffic Ordinance Revising Time Restricted Downtown On-Street Parking from Three Hour Unrestricted to Specified Areas and Adjustments to Parking in Lot Number 6 on Government Avenue SW – Presentation by Business Services Manager Dave Leonetti. **(Exhibit XI.B.3.)**

Staff requests approval to change the ordinance for time restricted downtown on-street parking from three hour to unrestricted in specified areas along with adjustments to parking in Lot Number 6 on Government Avenue SW. Staff has been working with the Hickory Downtown Development Association (HDDA) to identify underutilized parking areas where employees could park to ease the stress on the three hour parking spaces closest to Union Square and 1st Avenue NW where the majority of retail establishments are located. The parking study that was recently completed by Freese Nichols also recommended changing parking requirements in Lot Number 6 on Government Avenue SW immediately to the west of the Olde Hickory Station Restaurant from unrestricted to three hour and leased parking as a way to increase the amount of parking available to customers of shops on Union Square. Staff recommends changing the current three hour spaces on 3rd Avenue NW/NE between 4th Street NW and NC 127 to unrestricted parking. Staff also recommends changing the 200 block of 3rd Street NW and the 300 block of 2nd Avenue NW to unrestricted parking. The remainder of 2nd Avenue downtown already has unrestricted parking between 3rd Street NW and North Center Street with the exception of one bus parking space that has a three hour time limit. The 200 block of 2nd Street NW also has unrestricted parking. Parking lot 6 is currently unrestricted and used mainly by US Postal Service (USPS) employees. The USPS currently leases a parking lot adjacent to the Greenway Transit Transfer Center that can house a significant percentage of their employees. There is also unrestricted parking along Main Avenue SW that could be utilized by USPS employees. Staff recommends Council's approval of the ordinance with the requested changes to the on street parking restrictions on select streets downtown and parking lot 6.

4. Appointments to Boards and Commissions

COMMUNITY APPEARANCE COMMISSION

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

VACANT

COMMUNITY RELATIONS COUNCIL

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

Other Minority (Council Appoints)

VACANT

Other Minority (Council Appoints)

VACANT

Other Minority (Council Appoints)

VACANT

Other Minority (Council Appoints)

VACANT

Differently-Abled and is African-American or Other Minority (Council Appoints)

VACANT

HICKORY REGIONAL PLANNING COMMISSION

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

Brookford (Mayor Appoints with Recommendation from Brookford) VACANT

LIBRARY ADVISORY BOARD

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

VACANT

PARKS AND RECREATION COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 4 (Alderman Williams Appoints)

VACANT

(Randall Williams No Longer Eligible to Serve)

At-Large Minority (1) (Council Appoints) VACANT

PUBLIC ART COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 4 (Alderman Williams Appoints)

VACANT

(Randall Williams No Longer Eligible to Serve)

PUBLIC HOUSING AUTHORITY

(Terms Expiring 6-30; 5-Year Terms) (Appointed by the Mayor)
Position 3 (Mayor Appoints) (Matthew Fallaw Resigned 11-6-19)

VACANT

RECYCLING ADVISORY BOARD

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

Ward 6 (Alderman Patton Appoints) Norm Meres Resigned 10-8-19 VACANT

At-Large (Council Appoints) VACANT

At-Large (Council Appoints) VACANT

Alderman Patton to appoint Lona Hedrick as Ward 6 Representative on the
Recycling Advisory Board

UNIVERSITY CITY COMMISSION

(Terms Expiring 6-30; 2-Year Terms) (Appointed by City Council)

At-Large (not including ETJ) (Council Appoints)

(Matthew Maulding Resigned 11-9-2019) VACANT

At-Large (not including ETJ) (Council Appoints)

(Rob Taylor Resigned 11-18-2019) VACANT

YOUTH COUNCIL

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

Hickory Career Arts Magnet VACANT

Hickory High VACANT

At-Large VACANT

Youth Council Applicant Review Committee Recommends the Following
Appointment: Annie Luong as a Hickory High School Representative

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

XIV. Adjournment