

**A G E N D A**  
**HICKORY CITY COUNCIL**

**January 16, 2024**



**6:00 p.m.**



**AGENDA**  
[www.hickorync.gov](http://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. For more information about the City of Hickory go to: [www.hickorync.gov](http://www.hickorync.gov).**

Hickory City Council  
76 North Center Street

January 16, 2024  
6:00 p.m.

- I. Call to Order
- II. Invocation by Reverend Christy Lohr-Sapp, St. Andrew's Lutheran Church
- III. Pledge of Allegiance
- IV. Special Presentations
  - A. Annual Audit - Presentation by Kari Dunlap, Martin Starnes & Associates.
  - B. Ingrid Keller, Executive Director of the United Arts Council of Catawba County Introduction of the Presentation of an Economic Impact Study to be Presented by Board Immediate Past President Alan Jackson.
- V. Persons Requesting to Be Heard
- VI. Approval of Minutes
  - A. Regular Meeting of January 2, 2024. **(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. Approval to Implement a Speed Limit Reduction to 25mph along 9<sup>th</sup> Avenue NE between 16<sup>th</sup> Street NE and 20<sup>th</sup> Street NE. **(First Reading Vote: Unanimous)**
  - B. Approval to Implement a Speed Limit Reduction to 25mph along 7<sup>th</sup> Avenue NW between 4<sup>th</sup> Street Drive NW and 6<sup>th</sup> Street NW. **(First Reading Vote: Unanimous)**
  - C. Budget Revision Number 12. **(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.
  - A. Approval to Apply for a Governor's Highway Safety Program Grant in the Amount of \$25,000. **(Exhibit VIII.A.)**  
  
Hickory Police Department requests approval to apply for a Governor's Highway Safety Program Grant for officer overtime traffic enforcement. Hickory Police is requesting \$25,000. The Hickory Police Department is committed to reducing motor vehicle crashes, especially those involving injury and death. If awarded, the overtime grant will fund extra duty efforts by the Hickory Police Department to conduct operations that will involve highly

visible traffic enforcement for speeding, occupant protection devices, and other traffic violations. Conducting these traffic enforcement operations will allow Hickory Police Department to address the rising trend in motor vehicle crashes involving injury or death. The Hickory Police Department will use these funds to pay officers to work on these highly visible traffic enforcement operations. Increasing traffic enforcement efforts will allow Hickory Police to address the rising trend in motor vehicle crash fatalities, serious injuries, crashes caused by speeding and intersection traffic violations. Hickory Police Department recommends approval to apply for a Governor's Highway Safety Program Grant for officer overtime traffic enforcement in the amount of \$25,000. There are no matching funds required for this grant if awarded.

B. Budget Revision Number 13. **(Exhibit VIII.B.)**

1. *To appropriate \$20,000,000 in Transportation Emergency Reserve Fund revenues from NCDOT. \$5,000,000 will go towards the construction of T-Hangars and Group Hangars at Hickory Regional Airport, while the remaining \$15,000,000 will go towards the design of an EMAS system and runway extension on the West side of runway 6-24 at Hickory Regional Airport.*

IX. Items Removed from Consent Agenda

X. Informational Item

XI. New Business:

A. Public Hearings

B. Departmental Reports

1. 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

**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  
 Building Trades Profession (Council Appoints) VACANT

**LIBRARY ADVISORY BOARD**

(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

- 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

**\*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**

A Regular Meeting of the City Council of the City of Hickory was held in the Council Chamber of the Municipal Building on Tuesday, January 2, 2024 at 6:00 p.m., with the following members present:

Tony Wood Charlotte C. Williams Danny Seaver	Hank Guess  Aldermen	Anthony Freeman David P. Zagaroli Jill Patton
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A quorum was present.

Also, present were City Manager Warren Wood, Deputy City Manager Rodney Miller, Assistant City Manager Rick Beasley, Assistant City Manager Yaidee Fox, 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 Major David Repass, Co-Officer in Charge The Salvation Army of Greater Hickory and the High Country
- III. Pledge of Allegiance
- IV. Special Presentations
- V. Persons Requesting to Be Heard
  - A. Mr. Charles Price, 41 35<sup>th</sup> Avenue NW Hickory, located in Viewmont, advised for the past three years, maybe four, he had been walking the highways and picking up trash. It was a never-ending job, and it was a disgusting situation. He had adopted McDonald Freeway as his main course, because a lot of people drive that it was really discouraging how fast trash piles up on the highways, not only just on McDonald Freeway, but all over the City. It did not matter which neighborhood you lived in. Trash gets on the highway. Years ago, they used to have a program, and he did not know if it still existed, but he did not see the signs anymore, this highway was adopted by certain people, families, and things like that. That seemed to work out pretty well. But years ago, people had enough pride in themselves and in their City to not throw all kinds of litter from their cars. He called it McDonald Speedway, not Freeway. It was really disgusting to pick up trash for a half a mile, walk back to his car, and by the time he gets back to his car there was litter on the highway. Now, a lot of this trash comes from individual cars and individual people. He knew that a tremendous amount of this garbage came from construction vehicles. They just throw trash in the back of their truck after a day's work, head off down McDonald Speedway and everything just blows out. He would just love to see some policies, some kind of cure for this problem. He was born in Hickory in 1942, and he retired from the military after 27 years. If they had ever been on a military post, if they saw a cigarette butt, they picked it up, but they would not find very many cigarette butts on a military post because of the discipline of the military.

Deputy City Clerk Crystal Mundy called the time of 3 minutes.

Mr. Price would love to see some policies, some changes. Crews out picking up. There was a Saturday crew that picked up and he was not real familiar with them because he picks up 5-6 days a week and they just pick up on Saturday, but his hat was off to them. They have a mission, and they accomplish that mission very well. That was the extent of his comments. He was very proud of Hickory and would like to see the civil pride come back into Hickory through all. About five or six years ago, a letter to the editor, came in the Hickory Daily Record.

Mayor Guess interrupted Mr. Price, he moved, seconded by Alderwoman Patton to allow Mr. Price to continue with his comments past three minutes. The motion carried unanimously.

Mr. Price advised there was a letter to the editor from an out of townner, and a lot of them probably saw this letter in the Hickory Daily Record, and they made the comment that their visit to Hickory was a very pleasant visit. It was a beautiful town except for the trash. This was not a new issue. This had been going on for a pretty good long time. He concluded his comments there, and hopefully something, somebody, somewhere could pick up the ball and get it right rolling. He thanked Council.

Mayor Guess thanked Mr. Price for his comments and for helping. He advised they do have a citizen litter pickup for Hickory, they call themselves the Hickory Citizens Litter project. They picked up on Saturdays. They also continue to have the adopt a highways program that some businesses and individuals have done. Obviously, the police department, there were ordinances and laws against littering and, when they have reports of that and when they have evidence sufficient enough to charge people, they do charge based on the evidence that they were able to do. Like Mr. Price, he did not think anybody in this room, on this Council, would disagree with him. That was a priority, in fact, it was one of Council's priorities. They started the Litter Quitter Program. He could not imagine that anybody would disagree with him. They look at that as a priority here in the City and it was something that they want to see get better as well as he does. He thanked Mr. Price.

Mayor Guess asked if anyone else wished to speak. No one else appeared.

VI. Approval of Minutes

- A. Regular Meeting of December 19, 2023.

Alderman Seaver moved, seconded by Alderwoman Patton that the Minutes of December 19, 2023 be approved. The motion carried unanimously.

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

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

- A. Budget Revision Number 11. (First Reading Vote: Unanimous)
- B. Rezoning Petition 23-07 for Property Owned by Michael and Kem Pollard Located at 2239 Robinson Road and Three Additional Parcels. (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 Patton moved, seconded by Alderwoman Williams approval of the Consent Agenda. The motion carried unanimously.

- A. Approved on First Reading to Implement a Speed Limit Reduction to 25mph along 9<sup>th</sup> Avenue NE between 16<sup>th</sup> Street NE and 20<sup>th</sup> Street NE.

Staff request Council’s approval to implement a speed limit reduction to 25mph along 9<sup>th</sup> Avenue NE between 16<sup>th</sup> Street NE and 20<sup>th</sup> Street NE. City Council implemented a Neighborhood Traffic Calming Program that enables citizens to request measures to improve traffic safety in the area where they own property. Citizens are required to submit an application to request measures and provide a reason for the request. Then, the City performs analysis to determine what, if any, measures are warranted. Citizens requesting traffic calming measures are required to complete and submit a petition with 75% of properties in favor of implementation for the request to move forward. Traffic Division staff received the completed petition from property owners along 9<sup>th</sup> Avenue NE with regards to the Neighborhood Traffic Calming Program and have found the property owners to be in compliance with the guidelines. The petition qualifies for a speed limit reduction to 25mph. Nineteen properties were included in the petition and fourteen properties signed in favor of implementation. This represents at least 75% approval, which meets the requirement. The necessary sign modifications along the roadway can be performed as a normal part of the Traffic Division’s signs/markings shop operations. Staff recommends Council’s approval to implement a speed limit reduction to 25mph along 9<sup>th</sup> Avenue NE between 16<sup>th</sup> Street NE and 20<sup>th</sup> Street NE.

ORDINANCE NO. 24-01

AN ORDINANCE OF THE HICKORY CITY COUNCIL  
AMENDING THE TRAFFIC ORDINANCE AUTHORIZED IN THE  
HICKORY CODE OF ORDINANCES – ARTICLE III, SECTION 18-81

WHEREAS, Article III of the City of Hickory Code of Ordinances be and is hereby amended through the modification of the official maps authorized therein as follows, to wit:

Amend the Traffic Ordinance by reducing the speed limit along 9<sup>th</sup> Avenue NE between 16<sup>th</sup> Street NE and 20<sup>th</sup> Street NE to 25 mph.

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

This Ordinance shall become effective immediately upon adoption.

- B. Approved on First Reading to Implement a Speed Limit Reduction to 25mph along 7<sup>th</sup> Avenue NW between 4<sup>th</sup> Street Drive NW and 6<sup>th</sup> Street NW.

Staff request Council’s approval to implement a speed limit reduction to 25mph along 7<sup>th</sup> Avenue NW between 4<sup>th</sup> Street Drive NW and 6<sup>th</sup> Street NW. City Council implemented a Neighborhood Traffic Calming Program that enables citizens to request measures to improve traffic safety in the area where they own property. Citizens are required to submit

an application to request measures and provide a reason for the request. Then, the City performs analysis to determine what, if any, measures are warranted. Citizens requesting traffic calming measures are required to complete and submit a petition with 75% of properties in favor of implementation for the request to move forward. Traffic Division staff received the completed petition from property owners along 9<sup>th</sup> Avenue NE with regards to the Neighborhood Traffic Calming Program and have found the property owners to be in compliance with the guidelines. The petition qualifies for a speed limit reduction to 25mph. Eight properties were included in the petition and seven properties signed in favor of implementation. This represents at least 75% approval, which meets the requirement. The necessary sign modifications along the roadway can be performed as a normal part of the Traffic Division’s signs/markings shop operations. Staff recommends Council’s approval to implement a speed limit reduction to 25mph along 9<sup>th</sup> Avenue NE between 16<sup>th</sup> Street NE and 20<sup>th</sup> Street NE.

ORDINANCE NO. 24-02

AN ORDINANCE OF THE HICKORY CITY COUNCIL  
AMENDING THE TRAFFIC ORDINANCE AUTHORIZED IN THE  
HICKORY CODE OF ORDINANCES – ARTICLE III, SECTION 18-81

WHEREAS, Article III of the City of Hickory Code of Ordinances be and is hereby amended through the modification of the official maps authorized therein as follows, to wit:

Amend the Traffic Ordinance by reducing the speed limit along 7th Ave NW between 4<sup>th</sup> Street Drive NW and 6<sup>th</sup> Street NW to 25 mph.

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

This Ordinance shall become effective immediately upon adoption.

- C. Approved Closing Both Locations of Hickory Public Library from 9:00 a.m. to 5:00 p.m. on Friday, May 3, 2024 for Staff Training.

Staff requests Council’s approval to close both locations of Hickory Public Library from 9:00 a.m. to 5:00 p.m. on Friday, May 3, 2024 for staff training. Public library staff regularly interact with the public, and to provide the best possible customer service, it is necessary to periodically provide training opportunities in which all staff participate at the same time. This year staff will receive training that will focus on community resources; preparing for summer library programs; and customer service. Customer service training specific to each library department will be included. All library staff, both full-time and part-time, interact on a daily basis with the public and, therefore, need periodic opportunities to participate in staff development training to re-energize, acquire new skills, and improve their ability to work together as a team. To allow all coworkers to participate, it is necessary to schedule the training during a workday. Staff determined that Friday, May 3<sup>rd</sup> is a date that would create as little disruption as possible in service to the public. Staff recommends the Patrick Beaver Memorial Library and the Ridgeview Branch Library be closed on Friday, May 3, 2024 to allow time for all library employees to participate in staff training.

- D. Called for a Public Hearing to Consider Closing a portion of 1<sup>st</sup> Avenue SE, a portion of 8<sup>th</sup> Street Court SE, a portion of 2<sup>nd</sup> Avenue Drive SE, and an unnamed alley located off of 2<sup>nd</sup> Avenue Drive SE, as Petitioned by Jojida, LLC and Linda H. Huffman. (Authorized Public Hearing for February 6, 2024, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building).

RESOLUTION NO. 24-01  
RESOLUTION OF INTENT

A Resolution Declaring the Intention of the City Council of the City of Hickory to Consider the Closing of a portion of 1<sup>st</sup> Avenue SE, a portion of 8<sup>th</sup> Street Court SE, a portion of 2<sup>nd</sup> Avenue Drive SE, and an unnamed alley located off of 2<sup>nd</sup> Avenue Drive SE

WHEREAS, G.S. 160A-299 authorizes the City Council of the City of Hickory to close public streets and alleys; and

WHEREAS, the City Council of the City of Hickory considers it advisable to conduct a public hearing for the purpose of giving consideration to the closing of a portion of 1<sup>st</sup> Avenue SE, a portion of 8<sup>th</sup> Street Court SE, a portion of 2<sup>nd</sup> Avenue Drive SE, and an unnamed alley located off of 2<sup>nd</sup> Avenue Drive SE.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hickory that:

January 2, 2024

1. A Public Hearing will be held at 6:00 p.m. on the 6<sup>th</sup> day of February, 2024, in the Council Chambers of the Julian G. Whitener Municipal Building at 76 North Center Street, Hickory, North Carolina to consider a resolution closing a portion of 1<sup>st</sup> Avenue SE, a portion of 8<sup>th</sup> Street Court SE, a portion of 2<sup>nd</sup> Avenue Drive SE, and an unnamed alley located off of 2<sup>nd</sup> Avenue Drive SE.
  2. The City Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks in the *Hickory Daily Record*.
  3. The City Clerk is further directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street a copy of this Resolution of Intent.
  4. The City Clerk is further directed to cause adequate notices of this Resolution of Intent and the scheduled public hearing to be posted as required by G.S. 160A-299.
- E. Approved a Resolution and Retainer Agreement with Cranfill Sumner, LLP, Smouse & Mason, LLC, and Napoli Shkolnik, PLLC as Special Counsel.

Staff requests Council's approval of the Resolution and retainer agreement between the City of Hickory and Cranfill Sumner, LLP, Smouse & Mason, LLC, and Napoli Shkolnik, PLLC for Special Counsel for per- and polyfluoroalkyl and related substances (PFAS/PFOA), etc., and associated Resolution. The City of Hickory has no findings of PFAS/PFOA contaminants. However, due to pending lawsuits, the City has engaged with Cranfill Sumner, LLP, Smouse & Mason, LLC, and Napoli Shkolnik, PLLC (Special Counsel) who will provide legal representation in identifying and pursuing the City of Hickory's potential claims for injuries and/or property damages arising out of the contamination of water supplies, wastewater treatment facilities, solid waste facilities, fire training facilities, and/or airports by emerging hazardous contaminants including, but not limited to, per- and polyfluoroalkyl and related substances (PFAS/PFOA), 1,4 Dioxane, and micro-plastics, including representation in connection any claim made in the Aqueous Film-Forming Foams (AFFF) Products Liability Litigation MDL No. 2873 pending in the United States District Court, District of South Carolina. The Retainer Agreement is a contingent fee contract. Fees are only owed if there is a recovery from the lawsuit. Special Counsel will be entitled to a contingency fee of 33% (thirty-three percent) of the claim recovery should there be a claim recovery. Staff recommends City Council's approval of the Resolution and retainer agreement between the City of Hickory and Cranfill Sumner, LLP, Smouse & Mason, LLC, and Napoli Shkolnik, PLLC as Special Counsel for PFAS/PFOA.

#### RESOLUTION NO. 24-02

#### RESOLUTION OF THE CITY OF HICKORY CITY COUNCIL TO RETAIN CRANFILL SUMNER LLP; SMOUSE AND MASON, LLC; AND NAPOLI SHKOLNK, PLLC AS SPECIAL COUNSEL

WHEREAS, the City desires to appoint and employ the attorneys at the law firms of Cranfill Sumner LLP; Smouse & Mason, LLC; and Napoli Shkolk, PLLC as special counsel for the City for the purpose of investigating and litigating the City's potential claims for injuries and/or property damages arising out of emerging hazardous contaminants including, but not limited to, per- and polyfluoroalkyl and related substances (PFAS/PFOA), 1,4 Dioxane, and micro-plastics (the "Claims"), including representation in connection with the Aqueous Film-Forming Foams (AFFF) Products Liability Litigation MDL No. 2873 pending in the United States District Court, District of South Carolina, now, therefore be it:

RESOLVED, that the City Council hereby appoint and employ the law firms of Cranfill Sumner LLP; Smouse & Mason, LLC, and Napoli Shkolk, PLLC as special counsel to investigate and litigate the Claims on the terms and conditions of the Retainer Agreement attached hereto as "Exhibit A," and that the City Manager is fully authorized to execute the Retainer Agreement on behalf of the City.

- F. Approved a Resolution for Construction Management at Risk Construction Delivery Method for the City Park Project.

Staff requests Council's approval of the Resolution for Construction Management at Risk Construction Delivery Method for the City Park Project. The City of Hickory is engaged in a City Park Project that will be situated on approximately 12 acres adjacent to Lake Hickory in the current Rotary Geitner Park owned by the City. The City Park Project will consist of the construction of a family shelter with restrooms, site improvements, including vehicular access, and a parking lot, pedestrian access to the lake, shoreline restoration, the addition of a fishing pier, boat slips and a kayak/canoe launch, along with other recreational amenities in the park. Staff reviewed the advantages and disadvantages of using the Construction Management at Risk method for the Project in lieu of the delivery methods identified in G.S. 143-128(a1)(1) through G.S. 143-128(a1)(3) and recommends using the



Construction Management at Risk Construction Delivery Method for the City Park Project. Construction Management at Risk provides an opportunity for the contractor's involvement during the design process to provide the architect with feedback on constructability and other design issues, using prequalified subcontractors, and transparency of the overall bidding and construction process, including costs incurred by the Construction Manager. Staff recommends City Council's approval of the Resolution for Construction Management at Risk Delivery Method for the City Park Project.

RESOLUTION NO. 24-03

A RESOLUTION OF THE CITY OF HICKORY APPROVING CONSTRUCTION MANAGEMENT AT RISK CONSTRUCTION DELIVERY METHOD FOR THE CITY PARK PROJECT PURSUANT TO THE PROVISIONS OF N.C.G.S. § 143-128.1

WHEREAS, the City of Hickory is engaged in a City Park Project that will be situated on approximately 12 acres adjacent to Lake Hickory in the current Rotary Geitner Park owned by the City (the "Project"); and

WHEREAS, the Project will consist of the construction of a family shelter with restrooms, site improvements, including vehicular access and a parking lot, pedestrian access to the lake, shoreline restoration, the addition of a fishing pier, boat slips and a kayak/canoe launch, along with other recreational amenities in the park; and

WHEREAS, City Council has compared the advantages and disadvantages of using the Construction Management at Risk method for the Project in lieu of the delivery methods identified in G.S. 143-128(a1)(1) through G. S. 143128(a1)(3); and

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

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

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

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

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

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

- G. Approved Amending the Annual Contract for Auditing Services with Martin Starnes & Associates for Fiscal Year Ending June 30, 2023.

Staff requests approval to amend the annual contract for auditing services with Martin Starnes & Associates for fiscal year ending June 30, 2023. The City of Hickory has utilized the services of Martin Starnes & Associates for the past twelve years with excellent results. Since fiscal year 2012, Martin Starnes & Associates has also been contracted to produce the City's Annual Comprehensive Financial Report. The annual audit is due to the North Carolina Local Government Commission (LGC) as of October 31<sup>st</sup> of each year. An extension may be granted by the LGC but requires an amended auditing contract with approval from City Council and the Chair of the Audit Committee. An extension of the City's auditing contract is necessary for this fiscal year due to the new GASB 96 standard causing delays in both City and auditor schedules. The City contracted with DebtBook to assist with the standard but still incurred many new processes to properly document the standard into the City's financial statements. In addition, Finance Department staff continued to participate in training sessions to implement new Tyler Technologies financial software while still preparing for the annual audit resulting in delays with finalizing audit work. Staff recommends approval to amend the annual auditing contract with Martin Starnes & Associates for fiscal year ending June 30, 2023.

- H. Approved on First Reading Budget Revision Number 12.

ORDINANCE NO. 24-03  
BUDGET REVISION NUMBER 12

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 shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Public Safety	12,960	-
Contingency	-	117,473
Other Financing Uses	117,473	-
TOTAL	130,433	117,473

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

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous	12,960	-
TOTAL	12,960	-

SECTION 2. To amend the MUNIS/Typer Technologies (#450001) Capital Project Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	117,473	-
TOTAL	117,473	-

To provide funding for the above, the MUNIS/Tyler Technologies (#450001) revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	117,473	-
TOTAL	117,473	-

SECTION 3. Copies of the budget revision shall be furnished to the Clerk of the Governing Board, and to the City Manager (Budget Officer) and the Finance Officer for their direction.

IX. Items Removed from Consent Agenda – None

X. Informational Item

XI. New Business

A. Public Hearings

B. Departmental Reports:

1. 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)  
Other Minority (Council Appoints)  
Other Minority (Council Appoints)

VACANT  
VACANT  
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)  
Building Trade Profession (Council Appoints)

VACANT  
VACANT

LIBRARY ADVISORY BOARD

(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

- 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 wished everyone a Happy New Year. They have a lot of exciting things going on in the City and were looking forward to more.

City Manager Warren Wood welcomed Mr. Chad Hunsucker, the new Airport Manager for the City of Hickory. Mr. Hunsucker was a Catawba County native. He graduated from Fred T. Foard High School, along with Steve Miller. Right out of high school, he joined the Navy where he spent a career in the aviation field. He completed his college degree while in the military and went on to become a commissioned officer. After 26 years of service in the Navy, he retired as a Lieutenant Commander. He had a lot of experience working with airports around the country. He has spent the last six years, since his retirement from the Navy, working at the City of Concord's Airport. They were thrilled to have Mr. Hunsucker on board. He lives in Catawba County and was a Catawba County native. It was good to have him back home working here.

Mayor Guess welcomed Mr. Hunsucker. He advised him most of the Airport Managers stay at least 20 years, that was what the expectation was there. He appreciated him and noted it was good to have him on board.

- XIV. There being no further business, the meeting adjourned at 6:12 p.m.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**To: City Manager's Office**

**From: Police/Chief Reed Baer III, Captain Phillip Demas**

**Contact Person: Lisa Drum**

**Date: January 9, 2024**

**Re: Governor's Highway Safety Program Grant**

**REQUEST:** Hickory Police Department requests approval to apply for a Governor's Highway Safety Program Grant for officer overtime traffic enforcement. Hickory Police is requesting 25,000.00.

**BACKGROUND:**

The Hickory Police Department is committed to reducing motor vehicle crashes, especially those involving injury and death. If awarded, the overtime grant will fund extra duty efforts by the Hickory Police Department to conduct operations that will involve highly visible traffic enforcement for speeding, occupant protection devices, and other traffic violations. Conducting these traffic enforcement operations will allow Hickory Police Department to address the rising trend in motor vehicle crashes involving injury or death. The Hickory Police Department will use these funds to pay officers to work these highly visible traffic enforcement operations and focus on speeding, occupant protection devices, and intersection traffic violations.

**ANALYSIS:**

In comparing statistics from 2018-2022, an average of 44% of all the reportable crashes in Catawba County occurred in the city limits of Hickory. During the above stated period, 19% of all speed related crashes, 31% of all alcohol related crashes, and 34% of all crashes involving occupants not using occupant protection devices occurred within the city limits of Hickory. In 2022, there were six fatal crashes that occurred in Hickory city limits. Of these crashes, one crash had a contributing circumstance of speed and three had the contributing circumstance of intersection traffic violations. Increasing traffic enforcement efforts will allow Hickory Police to address the rising trend in motor vehicle crash fatalities, serious injuries, crashes caused by speeding and intersection traffic violations. If awarded, Hickory Police Department will use these funds for its officers to conduct high visibility and/or saturation type traffic enforcement focused on speeding, intersection traffic violations, and occupant protection devices.

**RECOMMENDATION:** Hickory Police Department recommends approval to apply for a Governor's Highway Safety Program Grant for officer overtime traffic enforcement in the amount of 25,000.00. There are no matching funds required for this grant if awarded.

**BUDGET ANALYSIS:**

**Budgetary Action**

Is a Budget Amendment required?

Yes

No

**LIST THE EXPENDITURE CODE:**

**Reviewed by:**

D. Reed Baer, III 1/9/2024  
Initiating Department Head Date

Rodney Miller 1/10/24  
Asst. City Manager Rodney Miller Date

Melissa Miller 1/11/24  
Finance Officer, Melissa Miller Date

Yaidee Fox 1/11/24  
Asst City Manager Yaidee Fox Date

A. Dula 1/11/24  
Deputy City Attorney, A. Dula Date

R. Beasley 1/11/24  
Asst. City Manager, R. Beasley Date

Cameron McHargue 1-11-24  
Deputy Finance Officer, Cameron McHargue Date

Recommended for approval and placement on \_\_\_\_\_ Council agenda (as Consent, Public Hearing, Informational, Department Report, etc).

W. Wood  
City Manager, W. Wood

\_\_\_\_\_  
Date



# ATTENTION MEMBERS



**NC GHSP Grant  
Applications Open  
January 01, 2024**

## News Release

### For Immediate Release

Contact: Lindsay Poe

[lcpoel@ncdot.gov](mailto:lcpoel@ncdot.gov)

(919) 815-2865

**Governor's Highway Safety Program Grant Applications Open  
Jan. 1**

Grants fund traffic safety initiatives in North Carolina

RALEIGH – During the month of January, the North Carolina Governor's Highway Safety Program will accept grant applications for projects that address highway safety.

Grant applications are for projects that would happen during the 2025 federal fiscal year, which is from Oct. 1, 2024-Sept. 30, 2025.

Successful grant applicants develop proposals for outreach initiatives that focus on North Carolina's highway safety priorities: impaired, distracted and aggressive driving

prevention, occupant protection, speeding prevention, and traffic safety for pedestrians, bicyclists, motorcyclists, and young and older drivers.

“Applicants are evaluated based on crash rates, demographic data, community need and the performance of previous grant recipients,” said Stacy Deans, the N.C. Governor’s Highway Safety Program’s assistant director. “Regardless of the type of agency or organization, all applicants share the common goal of reducing traffic fatalities.”

Past applicants include law enforcement agencies, local and state governments, hospitals, public health agencies, educational organizations, emergency medical services and nonprofits.

“These grants fund projects that save lives,” said NCGHSP Director Mark Ezzell. “Everyone has a right to travel safely on North Carolina roads.”

Those interested in applying for a grant should first register for the ‘N.C. Department of Transportation Enterprise Business Services Portal.’

Completed portal registration forms should be emailed to [GHSPSecurity@ncdot.gov](mailto:GHSPSecurity@ncdot.gov).

The Governor’s Highway Safety Program will alert those communities that are awarded grants.

For additional questions, see the GHSP Grant Information page or contact Mr. Deans at [smdeans@ncdot.gov](mailto:smdeans@ncdot.gov)





**GOVERNOR'S HIGHWAY SAFETY PROGRAM AWARDS GRANTS  
TO IMPROVE TRAFFIC SAFETY IN NORTH CAROLINA**



[www.ncacp.org](http://www.ncacp.org)

Bill Hollingsed, Executive Director, NCACP  
PO Box 18719 Raleigh, NC 27619  
Phone 828-734-6847



NCACP | PO Box 18729, Raleigh, NC 27619 Phone 919-999-6738

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**BUDGET REVISION # 13**

**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 Ordinances noted herein.

<b>SECTION 1.</b> To amend the Airport Fund within the FY 2023-24 Budget Ordinance, the expenditures shall be amended as follows:			
<b>FUNCTIONAL AREA</b>		<b>INCREASE</b>	<b>DECREASE</b>
Transportation		5,000,000	
<b>TOTAL</b>		5,000,000	-
To provide funding for the above, the Airport Fund revenues will be amended as follows:			
<b>FUNCTIONAL AREA</b>		<b>INCREASE</b>	<b>DECREASE</b>
Restricted Intergovernmental		5,000,000	
<b>TOTAL</b>		5,000,000	-

<b>SECTION 2.</b> To establish the TRF Runway Extension (#650034) Capital Project, the expenditures shall be amended as follows:			
<b>FUNCTIONAL AREA</b>		<b>INCREASE</b>	<b>DECREASE</b>
General Capital Projects		15,000,000	
<b>TOTAL</b>		15,000,000	-
To provide funding for the above, the TRF Runway Extension (#650034) revenues will be amended as follows:			
<b>FUNCTIONAL AREA</b>		<b>INCREASE</b>	<b>DECREASE</b>
Restricted Intergovernmental		15,000,000	
<b>TOTAL</b>		15,000,000	-

**SECTION 3.** Copies of the budget revision shall be furnished to the Clerk of the Governing Board, and to the City Manager (Budget Officer) and the Finance Officer for their direction.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**CITY OF HICKORY  
CAPITAL PROJECT ORDINANCE  
TRF RUNWAY EXTENSION**

**BE IT ORDAINED** by the Governing Board of the City of Hickory that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Transportation Capital Project Ordinance is hereby adopted for the duration of the project.

**SECTION 1.** The project authorization is the TRF Runway Extension.

**SECTION 2.** The officers of this unit are hereby directed to proceed with the grant project within the terms of the budget contained herein.

**SECTION 3.** The following revenues are anticipated to be available to complete the project:

**Restricted Governmental:**

Airport Capital Projects/TRF Runway Extension	\$ 15,000,000
<b>Total</b>	<b>\$ 15,000,000</b>

**SECTION 4.** The following amounts are appropriated for the project:

**General Capital Projects:**

TRF Runway Extension/Design	\$ 15,000,000
<b>Total</b>	<b>\$ 15,000,000</b>

**SECTION 5.** The Finance Officer is hereby directed to maintain within the Multi-Year Transportation Capital Project Fund sufficient specific detailed accounting records to provide the accounting required by any financing agreement associated with this project and/or State and Federal regulations.

**SECTION 6.** The Finance Officer is hereby directed to report quarterly on the financial status of each project element and on the total revenues received or claimed.

**SECTION 7.** The City Manager (Budget Officer) is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this board.

**SECTION 8.** Copies of this grant project ordinance shall be furnished to the Clerk of the Governing Board, the City Manager (Budget Officer) and the Finance Officer for direction in carrying out this project.

Adopted this the \_\_\_\_ day \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk