



Life. Well Crafted.

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

ACTION AGENDA

Hickory City Council
76 North Center Street

April 16, 2024
6:00 p.m.

- I. Call to Order
- II. Invocation by Reverend Christy Lohr Sapp, St. Andrews Lutheran Church
- III. Pledge of Allegiance
- IV. Special Presentations
- NA** A. Presentation of a Proclamation for National Public Safety Telecommunications Week to Hickory Police Department Telecommunicators.
- NA** B. Recognition of Hickory Fire Department Awarded International Accredited Agency Status
- V. Persons Requesting to Be Heard
- VI. Approval of Minutes
- A** A. Regular Meeting of April 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.
- A2** A. Approval of an Ordinance Amending Section 1-2 and Adopting Sections 3-30, 3-31, and 3-32 of the City of Hickory Code of Ordinance. **(First Reading Vote: Unanimous)**
- A2** B. Budget Revision Number 18. **(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.
- PH/A** A. Call for a Public Hearing to Consider the Voluntary Contiguous Annexation of 31.388-Acres Located at 2063 Startown Road, PIN 3721-13-04-3211, Owned by Bowman Rentals, LLC. **(Authorize Public Hearing for May 7, 2024, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building). (Exhibit VIII.A.)**
- PH/A** B. Call for a Public Hearing to Consider the Voluntary Non-Contiguous Annexation of 49.21-Acres Located at 3940 River Road, PIN 3710-09-17-5434, Owned by Boueanu and Creech Properties, LLC. **(Authorize Public Hearing for May 7, 2024, at 6:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building). (Exhibit VIII.B.)**
- A** C. Approval of the Issuance of Pyrotechnic Display Permits to PyroStar Entertainment for Fireworks Displays at the Hickory Motor Speedway. **(Exhibit VIII.C.)**

Staff requests approval of the issuance of pyrotechnic display permits to PyroStar Entertainment for fireworks displays at Hickory Motor Speedway. Kevin Piercy, General Manager of Hickory Motor Speedway, has submitted requests to obtain permission to conduct public fireworks displays on the following dates: May 17, 2024 (rain date September 14, 2024) and May 18, 2024 (rain date October 14, 2024). The North Carolina Fire Code requires an operational permit for the use and handling of pyrotechnic special effects material. The Hickory Fire Department Fire & Life Safety Division shall review all required documentation for the event, including Alcohol Tobacco and Firearm's (ATF) License, Operator and Assistant Operators Permits from North Carolina Office of State Fire Marshal (NCOSFM), Site Plan, and the one million dollar liability insurance policy. The Fire & Life Safety Division will also inspect the pyrotechnics display area before the event to ensure compliance with NCOSFM Guidelines, National Fire Protection Association (NFPA) NFPA 1123 Code for Fireworks Display, and NFPA 1126 Use of Pyrotechnics Before a Proximate Audience (if applicable). Staff recommend approval of the above pyrotechnics displays.

A D. Approval of a Cemetery Deed Transfer from J. Patrick Pearce and wife, Lessie S. Pearce to William Brockman Long, and wife, Amanda Grimes Long, Oakwood Cemetery, Section 54, Lot 17, Spaces 001 and 002, and Lot 18, Spaces 001, and 002, Plot D. (Prepared by Attorney Julia J. Eurey. **(Exhibit VIII.D.)**)

A1 E. Budget Revision Number 19. **(Exhibit VIII.E.)**

1. To appropriate \$10,000 in grant revenues awarded to the Public Arts Commission to commission a mural at the Miracle of Hickory Park.
2. To appropriate a total of \$10,143 in sponsorship revenues for programming and event costs within the Parks, Recreation, and Sports Tourism Department.
3. To appropriate \$1,730 in refund revenues towards operational costs at Hickory Regional Airport.
4. To appropriate \$566 in donation revenues to go towards summer event programming at the Ridgeview Branch Library.
5. To appropriate \$17,500 in sponsorship revenues to cover summer event programming for the Office of Communications.
6. To transfer \$127,000 from Water & Sewer Contingency to cover additional material and construction costs within the McLin & Lyle Creek Wastewater Outfall Project.
7. To appropriate \$24,677 in revenues from the sale of a vehicle within the Solid Waste Fund towards building equipment costs.
8. To appropriate a payment of \$3,898 from Hickory City Schools to cover training costs for School Resource Officers.
9. To appropriate a total of \$41,500 in concessions revenue to cover capital improvement costs at Hickory City Park and Brown Penn Recreation Center.

IX. Items Removed from Consent Agenda – None

X. Informational Item

XI. New Business

A. Public Hearings

B. Departmental Reports

A 1. Presentation of the North Carolina Division of Parks & Recreation Accessible Parks Grant for an Inclusive Playground at Miracle of Hickory Park – Presented by Special Projects Manager for the City Manager Natalie Jackson. **(Exhibit XI.B.1.)**

The City of Hickory is eligible to apply for a reimbursable grant known as the Accessible Parks (AP) Grant in order to transform Miracle of Hickory Park into a highly accessible park that meets the needs of individuals with disabilities. The AP Grant package is based upon public input, support, and the main site plan

components of a previous submission for the NC Division of Parks & Recreation's Accessibility for Parks (AFP) Grant. The grant submission seeks funding for the creation of accessible routes, accessible restrooms, a shaded pavilion for photo-sensitivities, an accessible stage with ramp, accessible park furnishings and accessible parking improvements. Staff recommend approval of the request to apply for the Accessible Parks Grant.

- A** 2. Presentation of the Sandy Pines Master Plan Update and the 2023-2024 PARTF Grant Submission – Presented by Special Projects Manager for the City Manager Natalie Jackson. **(Exhibit XI.B.2.)**

The City of Hickory is eligible to apply for a reimbursable grant, known as the North Carolina Parks and Recreation Trust Fund (PARTF) Grant, to launch an initial phase of Sandy Pines Park in the northeast quadrant of the City. A master plan for Sandy Pines Park was accepted by City Council in 2018 and included ample citizen engagement. The Sandy Pines Park Project is supported via an existing park master plan informed by citizen input. Through extensive analysis performed via the City's recent Parks Recreation and Sports Tourism Comprehensive Plan, development of the park is seen as a strategic goal backed by a statistically valid survey that calls for key amenities that it provides. There is citizen excitement, support, and constructive feedback to guide development. Staff have identified efficiencies for the site that necessitate a small master plan update to reflect them along with current project costs, citizen input and minor adjustments to street names. Staff recommend approval of the Sandy Pines Master Plan Update, grant submission and associated Resolution.

- NA** 3. Quarterly Financial Report – Presented by Deputy City Manager Rodney Miller

- NA** 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)
Caucasian (Council Appoints) Cliff Moone Resigned 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

PUBLIC ART COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 1 (Wood Appoints) VACANT

RECYCLING ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 4 (Freeman Appoints) VACANT
Ward 6 (Patton Appoints) VACANT
At-Large (Council Appoints) VACANT

- 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**