

**TOWN OF HILDEBRAN
COUNCIL'S CHAMBER
ALBERT PARKHURST
MUNICIPAL COMPLEX**

**MARCH 27, 2023
7:00 PM**

**REGULAR MEETING
MINUTES**

CALL TO ORDER	Mayor Hildebrand called the regular meeting of the Town Council to order at 7:00 p.m. The meeting was streamed live via the Town's YouTube channel.
INVOCATION	A moment of silence was observed.
PLEDGE OF ALLEGIANCE	Council Member Smith led the Pledge of Allegiance to the United States Flag.
COUNCIL PRESENT	The following members of the Board were present: Mayor Wendell Hildebrand and Council Members Ben Honeycutt, Mike Smith, Mike Stroupe and Jody York. Council Member Terry Weaver was absent.
STAFF PRESENT	The following staff members were present: Town Manager Logan Shook, Town Clerk Alice Sanders, Finance Officer Fredrick Rankins, Attorney Jared Amos, Town Planner Rachel Wooster and Town Code Enforcement Officer Chad Powell.
CITIZENS & MEDIA	See attached sheet.
APPROVAL OF AGENDA	Staff requested to amend the agenda to add under New Business: 1. Consider Approval of Budget Amendment to Replenish Maintenance Line Item 2. Consider Approval of Budget Amendment for Mowing Expenses at the Community Park and 3. Consider Approval of Letter to the LGC Regarding FY 21-22 Audit Findings. There being no objections, Council Member York made a motion to approve the agenda as amended. All voted in favor.
APPROVAL OF MINUTES	Council Member Honeycutt made a motion to approve the February 27, 2023 regular meeting minutes as presented. All voted in favor.
PUBLIC COMMENTS	None.
PUBLIC HEARING ZTA 2023-1	Mayor Hildebrand opened the public hearing to consider ZTA 2023-1 at 7:03 p.m. Planner Wooster stated that staff requested amendments to the Planned Unit Development section 10.4 of the Zoning Ordinance. There are concerns that some of the language

is not compatible with other parts of the Zoning Ordinance. She reviewed the proposed amendments in Sections 10.4.E, 10.4.G, 10.4.M and 10.4.O.

Planner Wooster stated that the proposed amendments will make the ordinance more concise and more cohesive with other residential requirements within the Ordinance allowing for more innovative development methods. Another advantage to approving the amendments is to encourage housing such as apartments which will allow for higher density housing and a diversified tax base. She stated that encouraging quality, high density housing does fit with the intended language of the Planned Unit Development as it is facilitating additional various types of housing within the Town of Hildebran. The amendments will not affect the approval process or districts that permit Planned Unit Developments.

There being no public comments, Mayor Hildebrand closed the public hearing at 7:08 p.m.

OLD BUSINESS:
CONSIDER APPROVAL OF
ZTA 2023-1 SECTION 10.4
PLANNED UNIT
DEVELOPMENTS

Mayor Hildebrand asked if Council had any concerns about the proposed ZTA 2023-1. There being no discussion, Council Member York made a motion to approve the Ordinance with the updated language in Section 10.4 of the Town of Hildebran Zoning Ordinance. She found that the proposed text amendment is consistent with the Town of Hildebran Comprehensive Plan, due to the desire to provide a selection of housing in the Town of Hildebran, specifically high density housing in activity areas. The request to update Planned Unit Development language is reasonable and in the public interest, due to its ability to allow more flexible, efficient, and quality housing for residents. All voted in favor. A copy of the ordinance and ZTA are hereby incorporated by reference and made a part of these minutes (Attachment A).

CONTINUED DISCUSSION
OF AUDITORIUM
RENOVATION PROJECT
AND GRANT
OPPORTUNITY

Town Manager Shook stated that the Town has earmarked its awarded State Capital Infrastructure Grant (SCIF) of \$150,000 to auditorium upgrades. Bakh Alam has prepared a detailed renovation plan to include new seats, addressing ADA deficiencies, reworking the lobby entrance, and expanding the rear of the auditorium to include a green room, storage space and an ADA restroom. However, the proposed renovations far exceed the amount of the SCIF grant. Staff contacted the

WPCOG and the Department of Commerce to discuss additional grant funding opportunities.

Town Manager Shook stated that he attended and graduated from the Rural Community Capacity (RC2) Pilot Program. The RC2 pilot program was created by the Department of Commerce and Appalachian State University. He stated that graduates from this program had \$49,500 in non-matching funds set aside for their community for planning or project implementation costs via the state's Rural Transformation Grant Fund.

Town Manager Shook stated that during the meeting with the WPCOG and the Department of Commerce, they addressed the auditorium project along with the desire to upgrade the gym and municipal complex. As a result of these discussions, the participants agreed to propose the following to Council: 1. Apply for a Facilities Master Plan/10-year CIP for the municipal complex, gym and auditorium to include landscaping using the \$49,500 awarded grant funds 2. Apply for a Rural Transportation Grant that would be applied to the auditorium renovations proposed by Mr. Alam. Mr. Shook stated that this grant cycle opens March 22nd and closes in May. Awards will be announced in June 2023 and funds must be spent within 36 months. The Town would need cost estimates of the auditorium renovations from Mr. Alam to apply for the grant.

There being no objections, Council Member Smith made a motion for staff to apply for a Facilities Master Plan/10-year CIP for the municipal complex, gym and auditorium, including landscaping, using the \$49,500 RC2 grant funds to pay for the plan. All voted in favor.

Council Member Honeycutt made a motion for staff to apply for a Rural Transportation Grant and to use any awarded funds for auditorium renovations proposed by Mr. Alam. All voted in favor.

**CONSIDER APPROVAL OF
CONTRACT AND BUDGET
AMENDMENT FOR
PATROL SERVICES AT
THE COMMUNITY PARK**

Town Manager Shook stated that a proposed contract with Delta Protection Agency, LLC is presented for approval. The contract is for patrol services of the Hildebran Community Park to include opening and closing the park daily and patrolling twice a week at random times. He stated that the contract amounts to roughly \$9,300 a year while the current patrol service expense is \$2,800 a year.

If approved, a budget amendment is also presented to cover the remainder of the budget year.

There being no discussion, Council Member York made a motion to approve the contract with Delta Protection Agency, LLC/ Delta Company Police, LLC as presented for opening and closing of the park each day and twice a week patrols at random times effective May 1, 2023. All voted in favor.

Council Member Smith made a motion to approve the budget amendment of \$2,100 to appropriate additional funds for patrol services at the Hildebran Community Park. All voted in favor. A copy of the budget amendment is hereby incorporated by reference and made a part of these minutes (Attachment B).

DISCUSSION OF ROYAL PARK

Town Manager Shook stated that the initial drawing of Royal Park by West Consultants is available for review. He stated that the proposed location of the stage, attached to the back of the breezeway, might not be the best location for participants during Cruise Ins and suggested moving the stage to the area beside the gym. He stated that Council might also review the location of the pavilion and suggested moving it to the area left of the playground, which might block viewers from seeing the stage, or below the tower facing the stage. He reminded Council that West Consultants only includes 3 redesigns in the contract. He suggested that Council choose a final layout in order to keep the agreed upon timeline for bid documents.

After a brief discussion, Council was in agreement to move the stage beside the gym at an angle that will be best for citizens to view the stage from the park and upper parking lot. Council was also in agreement to move the pavilion near the new tower that will be built. A copy of the original drawing is hereby incorporated by reference and made a part of these minutes (Attachment C).

NEW BUSINESS:
CODE ENFORCEMENT
QUARTERLY REVIEW-
CHAD POWELL

Chad Powell, Town Code Enforcement Officer, gave a quarterly report of code violations in Town.

CONSIDER APPROVAL OF
CONTRACT FOR COPIER
LEASE

A new copier lease with SHARPE Business Systems is presented for approval. The new lease will provide a new

printer with more functions and is \$60.00 a month cheaper than the existing lease.

There being no discussion, Council Member York made a motion to approve the contract as presented with SHARPE Business Systems effective April 1, 2023. All voted in favor.

CONSIDER APPROVAL OF
CONTRACT FOR FY 22-23
AUDIT

Town Manager Shook stated that a contract from Lowdermilk Church & Co is presented for audit services of FY 22-23. He stated that the contract amount is \$14,900 which is \$400 higher than last year. He also stated that if the Town spends more than \$500,000 in state funds, a state single audit will be required.

Council Member York made a motion to approve the Contract to Audit Accounts for FY 22-23 with Lowdermilk Church & Co., LLC as presented. All voted in favor.

CONSIDER APPROVAL OF
CONTRACT FOR
SUBSURFACE
EXPLORATION AND
GEOTECHNICAL
ENGINEERING
EVALUATION AT ROYAL
PARK

Town Manager Shook stated that a contract with Catawba Valley Engineering & Testing (CVET) is presented for consideration. CVET will perform a subsurface exploration and geotechnical engineering evaluation for the proposed improvements at the Royal Park site. CVET will drill a total of fifteen (15) soil test borings and send for laboratory testing. The results of the testing will be evaluated by a geotechnical engineer and recommendations for design and construction of the project will be developed. The lump sum fee to perform mobilization, field exploration, laboratory testing, and preparation of the geotechnical engineering report is \$7,000. If additional drilling is necessary, the additional footage will be invoiced at a unit rate of \$13.00 per foot.

There being no discussion, Council Member Honeycutt made a motion to approve the contract with Catawba Valley Engineering & Testing as presented to perform a subsurface exploration and geotechnical engineering evaluation at the Royal Park site. All voted in favor.

DISCUSSION OF
COMMUNITY CENTER
LONG-TERM LEASE

Town Manager Shook stated that staff received a request from Sharon Barlow Elliott, Director of Walkin' Roll Activities League (WRAL), to change her yearly lease. Currently, WRAL rents office space in the municipal complex as well as the game room and storage room in the community center for \$300 a month. She is requesting to vacate the office space in the municipal complex and

lease the entire community center at a rate of \$500 a month. Mrs. Elliott stated that her reasoning is that she would not need to use the elevator for her cliental to enter the community center. Mrs. Elliott also stated that she will maintain the community center while under the lease.

Mr. Shook stated that due to staffing issues, the Town is currently not renting out the community center except to WRAL for two Fridays a month totaling \$160 a month.

Council Member Honeycutt asked about the other potential long-term renter. Town Manager Shook stated that he still had not received the required paperwork and he has been asking for it for over a year.

Council Member Smith made a motion to approve the request from Mrs. Elliott with WRAL to vacate the office space at the municipal complex and to begin a new lease beginning July 1, 2023 for the entire community center at a monthly rate of \$500.00. All voted in favor.

CONSIDER APPROVAL OF REQUEST FROM CAST FOR AUDITORIUM RENT REDUCTION

CAST is currently renting the auditorium for a performance in March and April. Cathy Stallings, CAST, has asked to rent the auditorium for \$75 a day, the same rate that Council approved last year for a performance. CAST will be renting it for 14 days. Council Member Honeycutt stated that he thought the rate approved in the past was agreed upon for future rentals. Town Manager Shook stated that staff reviewed the recordings and the motion was just for that particular performance but Council could vote to make one rate for all performances if it wishes. Council Member Stroupe asked if Council should consider a nonprofit rate across the Board in order to be fair. Town Manager Shook stated he agreed that Council should not set a precedent but the decision is up to Council.

Council Member Honeycutt made a motion to set a nonprofit rate of \$75 a day to rent the auditorium through June 30, 2023 and to refund any current nonprofit organization any amount that was paid over \$75 a day. All voted in favor.

CALL A PUBLIC HEARING FOR PROPOSED COMPREHENSIVE PLAN

Town Planner Wooster stated that the proposed Town Comprehensive Plan has been reviewed by the Planning Board and the next step is to hold a public hearing. Council will need to call the hearing to be held at the next regular meeting.

Council Member Smith made a motion to call a public hearing on Monday, April 24, 2023 at 7:00 p.m. in the Council's Chamber to hear comments regarding the proposed Town of Hildebran Comprehensive Plan. All voted in favor.

CALL A SPECIAL MEETING FOR A BUDGET WORKSHOP

Town Manager Shook stated that Council needs to schedule a budget workshop meeting. After discussion, Council Member Stroupe made a motion to call a special meeting on Wednesday, April 12, 2023 at 6:00 p.m. in the Community Center located at the Albert Parkhurst Municipal Complex basement for the purpose of a budget workshop. All voted in favor.

CONSIDER APPROVAL OF BUDGET AMENDMENT TO REPLENISH MAINTENANCE LINE ITEM

Finance Officer Rankins stated that the presented budget amendment is to replenish the maintenance line item due to unexpected repairs to the park restrooms, elevator lift and gym plumbing issues. There was a brief discussion about the reliability of the lift and the ongoing issues that there does not seem to be a fix. Council was in agreement for Mr. Alam to add a ramp to the front of the auditorium in his auditorium renovation proposal. Council Member Honeycutt made a motion to approve the budget amendment in the amount of \$16,000 to replenish the maintenance line item. All voted in favor. A copy of the budget amendment is hereby incorporated by reference and made a part of these minutes (Attachment D).

CONSIDER APPROVAL OF BUDGET AMENDMENT FOR MOWING AT THE PARK

Finance Officer Rankins stated that due to staffing issues, additional funds are needed to mow at the Community Park and a budget amendment was presented. Council Member Stroupe made a motion to approve the budget amendment in the amount of \$5,000 to appropriate funds for mowing at the Hildebran Community Park. All voted in favor. A copy of the budget amendment is hereby incorporated by reference and made a part of these minutes (Attachment E).

CONSIDER APPROVAL OF LETTER TO THE LGC REGARDING FY 21-22 AUDIT FINDINGS

Town Manager Shook stated that a letter to the LGC regarding the FY 21-22 audit findings, recommendations, and fiscal matters is presented for approval. The letter addresses that the Town is aware of the audit findings and will provide the audit to the LGC by the deadline in the future. Council Member York made a motion to approve the letter to the LGC to respond to the independent audit findings, recommendations, and fiscal matters in the Town of Hildebran FY 21-22 audit as presented. All

voted in favor. A copy of the letter is hereby incorporated by reference and made a part of these minutes (Attachment F).

MARCH FACILITIES REPORT

The March Facilities Report was provided for review. Town Manager Shook reported that there have been issues with the gym restrooms overflowing. After having a plumber come out in the past to push the clog through the pipes, Town Manager Shook asked that a camera be run through the pipes. The plumber found a portion of the line had a belly in it where the pipes have sunk and was allowing a backup in that area. The area will need to be replaced and work will be scheduled after EBYAO's indoor soccer season ends the first weekend of April.

FEBRUARY DELINQUENT TAX REPORT

Tax Collector Sanders provided the February tax report. A copy of the report is hereby incorporated by reference and made a part of these minutes (Attachment G).

FEBRUARY DEPUTY REPORT

The February report was provided for review.

COMMITTEE REPORTS

Transportation Advisory Committee (TAC) and Technical Coordinating Committee (TCC) – Town Manager Shook stated that the Hickory-Lenoir-Morganton MSA has an Urbanized Area and Traffic Management Area (TMA) designation. This designation is what allots the MSA \$3.4 million of LAPP funds that are distributed to the COG each year. He stated that only Urbanized Areas that have at least 200,000 in populations are qualified to receive the TMA status. The Hickory-Lenoir-Morganton MSA population has dropped from 212,000 to 201,500 since 2010 and the MSA risks losing those funds. He has asked Taylor Dellinger from the COG to speak about this issue at the next Council meeting.

WPCOG Policy Board – No report.

Burke Economic Development – Town Manager Shook stated that the board discussed the BBP, Burke Retention and Expansion, and disassociated youth. BDI received \$500,000 from the state to build an additional road at the Burke Business Park and is looking to add another road for truck traffic. The additional road would open up a 1,000 ft pad for additional development. They also assigned 53 student interns with 18 different employers (up from 25 students last year) as part of their internship program they started last year.

Recreation and Tourism Committee – No report.

Water Resource Committee – No report.

VEDIC – Karen Robinson reported that the representatives from VEDIC will attend the regular meeting in July.

Library Board – No report.

Events Committee – Town Manager Shook stated that the committee met with Eddie Marlow, the festival coordinator. A contract for Mr. Marlow’s services will need to be drafted. He stated that Council should prepare to budget \$20,000-\$25,000 a year for the festival.

OTHER BUSINESS:
EXIT 118

Council asked about an update regarding the new traffic pattern at Exit 118. Town Manager Shook stated that the DOT had completed the feasibility study and he will follow up with Trever at Representative Hugh Blackwell’s office.

Council asked about the Parks and Grounds Maintenance Worker return to work status. Town Manager Shook stated that he would provide an update soon.

Council asked about the status of the gater. Town Manager Shook stated that after an extended wait time, the gater was delivered to the Town.

ANNOUNCEMENTS

Karen Robinson shared that the Burke County Public Library program is having a book sale April 21-22. Prices are \$2.00 and under.

Deputy Towery stated that the Hildebran Library needed more cameras outside the building.

ADJOURN

All business being concluded, Council Member Honeycutt made a motion at 8:12 p.m. to adjourn. All voted in favor.

I attest these are the approved minutes of the Board.

Alice Sanders, Town Clerk

Wendell Hildebrand, Mayor