

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

**MARCH 28, 2022
7:00 PM**

**REGULAR MEETING
MINUTES**

CALL TO ORDER

In the absence of Mayor Hildebrand, Mayor Pro Tem Honeycutt 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 York led the Pledge of Allegiance to the United States Flag.

COUNCIL PRESENT

The following members of the Board were present: Council Members Ben Honeycutt, Mike Smith, Mike Stroupe, Jody York and Terry Weaver. Mayor Hildebrand was absent.

STAFF PRESENT

The following staff members were present: Attorney Redmond Dill, Town Manager Logan Shook, Town Clerk Alice Sanders, and Finance Officer Fredrick Rankins.

CITIZENS & MEDIA

See attached sheet.

APPROVAL OF AGENDA

Staff requested to add "Consider Approval of Contract with NC Office of State Budget and Management" to Old Business. Council Member Honeycutt requested to add "Discussion of Security at Lower Parking Lot at the Community Park" under Other Business. 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 York made a motion to approve the February 28, 2022 regular meeting minutes and the March 16, 2022 special meeting minutes as presented. All voted in favor.

PUBLIC COMMENTS

None.

**OLD BUSINESS:
CONSIDER APPROVAL OF
ORDINANCE TO RESCIND
THE APPROVAL OF ZTA
2022-1**

Clerk Sanders stated that at the last meeting, Council had voted to rescind the approval of ZTA 2022-1 which removed misdemeanor penalties for violations of the Nuisance Codes. She stated that in order to amend an ordinance, the action was must be approved by an ordinance. She stated that an ordinance to rescind the approval of ZTA 2022-1 was presented for approval.

Council Member York made a motion to approve the Ordinance to Amend a Provision of the Code Of Ordinances, Section 3. Nuisance Codes and Violations, Article 1 Nuisance, Section 3-1.11 – Penalties to rescind ZTA 2022-1 and to keep the wording in the Ordinance as originally stated. All voted in favor. A copy of the ordinance is hereby incorporated by reference and made a part of these minutes (Attachment A).

CONSIDER APPROVAL OF CAPITAL PROJECT ORDINANCE FOR PARTF FUND FOR ROYAL PARK AND RELATED BUDGET AMENDMENT

Town Manager Shook stated that a Capital Project Ordinance was presented for approval. The Ordinance establishes a budget in the amount of \$750,000 for Royal Park. Of that amount, up to \$289,700 will be reimbursed by the Parks and Recreation Trust Fund (PARTF). The Ordinance includes the expenditures that were included in the Town’s PARTF grant request. Council Member Smith made a motion to approve the PARTF Fund Grant Capital Project Ordinance for Royal Park in the amount of \$750,000 and the related budget amendment in the amount of \$173,000 as presented. All voted in favor. Copies of the ordinance and budget amendment are hereby incorporated by reference and made a part of these minutes (Attachment B and C).

CONSIDER APPROVAL OF CAPITAL PROJECT ORDINANCE FOR SCIF FUND FOR AUDITORIUM RENOVATION AND/OR ROYAL PARK

Town Manager Shook stated that a Capital Project Ordinance was presented for approval for the Town’s State Capital Infrastructure Fund (SCIF) grant. The ordinance establishes a budget in the amount of \$150,000 for renovations to the auditorium and/or Royal Park. He stated that Council has already earmarked these funds to the auditorium, but stated that Council can choose to reallocate those funds to Royal Park in the future if auditorium renovations fall through. Council Member Stroupe made a motion to approve the SCIF Fund Grant Capital Project Ordinance for renovations to the auditorium and/or Royal Park as presented. All voted in favor. A copy of the ordinance is hereby incorporated by reference and made a part of these minutes (Attachment D).

CONSIDER APPROVAL OF CAPITAL PROJECT ORDINANCE FUND FOR LAPP FOR MAIN AVE E SIDEWALK PROJECT

Town Manager Shook stated that a Capital Project Ordinance was presented for approval for the Town’s Locally Administered Projects Program (LAPP). The Ordinance establishes a budget in the amount of \$520,000 for the Main Ave E sidewalk project and will be between the Town and NC Department of Transportation. He stated that the estimated costs of the project was provided

two years ago and he expects the cost to increase significantly due to current inflation. Council Member Stroupe made a motion to approve the LAPP Fund Grant Capital Project Ordinance for the Main Ave E Sidewalk Project in the amount of \$520,000 and the related budget amendment in the amount of \$440,000 as presented. All voted in favor. Copies of the ordinance and budget amendment are hereby incorporated by reference and made a part of these minutes (Attachment E and F).

NEW BUSINESS:
CONSIDER APPROVAL OF
160D REVISION TO THE
CODE OF ORDINANCES
MINIMUM HOUSING
SECTION

Town Manager Shook stated that Planner Justice was not in attendance and he recommended to postpone the consideration of 160D Revisions to the Code of Ordinances Minimum Housing Section until the April regular meeting. Council was in agreement. No action was taken.

CONSIDER APPROVAL OF
CONTRACT WITH NC
DEPARTMENT OF
TRANSPORTATION FOR
FEDERAL FUNDING FOR
THE MAIN AVE E
SIDEWALK PROJECT

Town Manager Shook stated that the contract presented for approval is with the NC Department of Transportation (DOT) for the Main Ave E sidewalk project. He stated that the estimated cost of the project was \$520,000. NCDOT will partner with the Town and the Town will be reimbursed for 80% of allowed expenses up to \$416,000. Eligible project costs include design work, environmental documentation, ROW acquisition and construction. Council Member Smith made a motion to approve the contract with the NC Department of Transportation, Locally Administered Project-Federal, Agreement ID # 11108, for the Main Ave E sidewalk project as presented. All voted in favor. A copy of the executive summary is hereby incorporated by reference and made a part of these minutes (Attachment G).

CONSIDER APPROVAL OF
CONTRACT WITH THE NC
DEPARTMENT OF
NATURAL AND
CULTURAL RESOURCES
FOR THE NC PARTF
AGREEMENT

Town Manager Shook stated that a contract with the NC Department of Natural Cultural Resources for the award of the PARTF grant is presented for approval. He stated that the grant represents a 50/50 match of expenses with the Town receiving up to \$289,700 in grant funds. Council Member York made a motion to approve the contract with the NC Department of Natural and Cultural Resources for the NC Parks and Recreation Trust Fund Project Agreement, as presented. All voted in favor. A copy of the contract is hereby incorporated by reference and made a part of these minutes (Attachment H).

CONSIDER APPROVAL OF
RESOLUTION
AUTHORIZING

Town Manager Shook stated that a resolution was presented to surplus and sale the mobile home at 210 S. Center St. Staff was unable to provide an estimated value

DISPOSITION OF
PERSONAL PROPERTY BY
PRIVATE SALE – MOBILE
HOME AT 210 S CENTER
ST

due to the age and local restrictions in the County but a sale price of \$5,000 was suggested. Council Member Stroupe made a motion to approve the Resolution Authorizing the Disposition of Certain Personal Property by Private Sale to surplus and sale the 1991 Clay mobile home located at 210 S. Center St. as presented. All voted in favor. A copy of the resolution is hereby incorporated by reference and made a part of these minutes (Attachment I).

CONSIDER APPROVAL OF
REQUEST FROM
AUDITORIUM RENTER

Clerk Sanders stated that she was contacted by a Pastor who wanted to rent the auditorium in April. He requested to be able to use one bottle of wine to pour into 6-8 glasses that will be passed to each member. The Pastor stated that it is not for consumption, but a member may take a sip. The Pastor stated that the unused wine will be poured back into the bottle and removed from the premises. Clerk Sanders stated that since the Town's current policy does not allow alcohol, she is presenting the Pastor's request for Council approval. Council Member Honeycutt made a motion to approve the request from the Pastor to use one bottle of wine for the purpose to pass around to the congregation without the intent to consume as requested. Council Members Honeycutt, Stroupe, Weaver and York voted in favor. Council Member Smith was opposed. The motion carried.

CONSIDER REFUND OF
RENTER FEES – IN WITH
THE OLD (HENRY RIVER
MILL VILLAGE)

Council Member Honeycutt stated that he wanted to request a full refund of rental fees for the use of the auditorium for the March 18, 2022 showing of the In With The Old (Henry River Mill Village) episode. Council Member Stroupe made a motion to refund all auditorium fees for the March 18, 2022 rental as mentioned above. Before voting, Attorney Dill stated that Council Member Honeycutt could not vote since the refund would be a direct benefit to him. Council Members Smith, Stroupe, Weaver and York voted in favor. Council Member Honeycutt recused himself and did not vote. The motion carried.

CALL A SPECIAL
MEETING FOR BUDGET
WORKSHOP

After discussion, Council Member Stroupe made a motion to call a special meeting for the purpose of a budget workshop on Wednesday, April 20, 2022 at 6:00 p.m. in the community center. All voted in favor.

MARCH FACILITIES

The March Facilities Report was provided for review. Town Manager Shook stated that motion lights have been added to all four corners of the depot.

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 J).

CONSIDER APPROVAL OF
BURKE COUNTY TAX
SETTLEMENT

Clerk Sanders stated that due to the recent retirement of Danny Isenhour, Tax Administrator at Burke County, NCGS 105-373 requires him to provide a tax settlement to Council for approval. Council Member York made a motion to approve the July 1, 2021 - March 14, 2022 Tax Settlement Due to Tax Collector Vacancy as presented. All voted in favor. A copy of the tax settlement is hereby incorporated by reference and made a part of these minutes (Attachment K).

CONSIDER APPROVAL OF
APPOINTMENT OF TAX
COLLECTOR

Clerk Sanders stated that a new Burke County Tax Collector for Hildebran taxes is needed due to the retirement of Danny Isenhour. She stated that the interim Tax Collector is Dawn Hutchins and the permanent Tax Administrator will be John Bridges effective April 4, 2022. Council Member Smith made a motion to appoint Dawn Hutchins as the Hildebran Tax Collector for tax year 2021 (and delinquent taxes for tax years 2018-2020) effective immediately and John Bridges as the Hildebran Tax Collector for tax year 2021 (and delinquent taxes for tax years 2018-2020) effective April 4, 2022 as presented. All voted in favor. Copies of the appointments are hereby incorporated by reference and made a part of these minutes (Attachment L and M).

FEBRUARY DEPUTY
REPORT

The February Deputy report was provided for review.

COMMITTEE REPORTS

Transportation Advisory Committee (TAC) and Technical Coordinating Committee (TCC) – Town Manager Shook stated that the Board approved the Transportation Improvement Program revisions and released it to the State Board of Transportation; endorsed the City of Hickory application for supplement Congestion Mitigation Air Quality funding for Sandy Ridge Rd project; approved FY 23 Unified Planning Work Program; certified metropolitan planning process; presented regional profile on population, workforce, education and housing; and announced a new call for LAPP projects.

Council Member York stated that a division 13 project development update and construction update were presented; Exit 112 is expected to be completed by June

2022; and Bruce Eckard was appointed as TAC Chair and Barbara Beatty was appointed as TAC Vice Chair for terms of two years each.

WPCOG Policy Board – Council Member Honeycutt stated that the Board reviewed the ADA transition plan, conducted Board appointments, and reviewed the first reading of the FY 22-23 budget. He announced that the WPCOG Annual Meeting is Thursday, March 30, 2022 at 6:00 p.m.

Burke Economic Development – Town Manager Shook stated that the Board will request a 10% increase in allocations from local governments, including Hildebran. He stated the capital campaign was postponed.

Recreation and Tourism Committee – No report.

Water Resource Committee – No report.

VEDIC – Karen Robinson reported that the Board reviewed the annual audit and financial report, reviewed the delinquent report which accounts for less than 1% of total loans, approved one new loan and modified one loan. VEDIC is now on the Secretary of State website. Ms. Robinson also announced that members of the Long View Police Department are sponsoring a National Night Out community night on May 3, 2022 from 5:00 – 7:00 p.m. at the Long View Rec Center.

Library Board – No report.

CONSIDER APPROVAL OF CONTRACT WITH NC OFFICE OF STATE BUDGET AND MANAGEMENT

Town Manager Shook stated that the contract with the NC Office of State and Budget Management was presented for approval. The contract is for the award of \$150,000 to be used for the auditorium renovations and/or Royal Park. Council Member Stroupe made a motion to approve the contract with the NC Office of State Budget and Management, Contract # 11031, in the amount of \$150,000 for auditorium renovations and/or Royal Park. All voted in favor. A copy of the contract is hereby incorporated by reference and made a part of these minutes (Attachment N).

**OTHER BUSINESS:
SECURITY AT THE COMMUNITY PARK LOWER PARKING LOT**

Council Member Weaver stated that he has been seeing people drive into the lower parking lot of the Community Park and sit for extended periods of time or walk into the

park during late nights and early mornings and requested some type of security. Council discussed setting two poles and connecting chains to each pole to block off the parking spaces at night.

Council Member Honeycutt asked to have the Code Enforcement Officer, Chad Powell, at the next meeting to provide updates. It was requested to have him present to provide quarterly reports.

ANNOUNCEMENTS

Clerk Sanders stated the Town is holding a free Easter basket raffle and free goody bags giveaways at Town Hall and encouraged people with children to bring them by.

ADJOURN

All business being concluded, Council Member Honeycutt made a motion at 7:42 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