



CONOVER

North Carolina

Conover City Council

Regular Meeting Minutes

Monday, June 3, 2024 at 6:00 PM

Conover City Hall Council Chambers

101 1st Street E, Conover

A Regular Meeting of the Conover City Council was held on Monday, June 3, 2024 at 6:00 PM in the Council Chambers of Conover City Hall.

I. CALL TO ORDER

Kyle J. Hayman, Mayor

Council Members Present:

Mayor Kyle Hayman
Mayor Pro Tem / Council Member Bruce Eckard
Council Member Mark Canrobert
Council Member Joie Fulbright
Council Member Jim Green
Council Member Brenda Powell

Council Members Absent:

None

Staff Present:

City Manager Tom Hart, City Clerk Stephanie Watson, City Attorney Susan Matthews, Human Resources Madeleine Epley, Finance Director Kurt L. Beal, Planning Director Erik Schlichting, Public Works Director Terry R. Jones, Public Utilities Director Brian Bradshaw, Fire Chief Mark Stafford, Interim Police Chief Robert Houston, Deputy Fire Chief Jackie Lail, Assistant Public Works Director Ken Colf, Police Lieutenant Jeffery Barkley, Sergeant Jerry Lapage, Officer Derek Trivett, Code Enforcement Officer Danny Duggan, and Intern Melanie Jordan.

II. INVOCATION

Rev. Bernard Coulter, Alyve Church

III. PLEDGE OF ALLEGIANCE

Kyle J. Hayman, Mayor

IV. APPROVAL OF AGENDA

Motion was duly made by Council Member Fulbright, seconded by Council Member Green, to approve the Monday, June 3, 2024 Agenda.

MINUTES FROM THE JUNE 3, 2024 CONOVER CITY COUNCIL REGULAR MEETING

AYES:	Mayor Hayman, Mayor Pro Tem / Council Member Eckard, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

V. **APPROVAL OF 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 the Business Agenda section.

Item 1: Approval of Minutes

- a. **May 6, 2024 Regular Meeting Minutes**
- b. **May 8, 2024 Special Meeting Minutes**

Mayor Kyle J. Hayman presented the May 6, 2024 Regular Meeting Minutes and the May 8, 2024 Special Meeting Minutes.

(May 6, 2024 Regular Meeting Minutes and May 8, 2024 Special Meeting Minutes contained Minute Book 20.)

Item 2: Resolution 17-24: Appointment to Western Piedmont Regional Transit Authority

Mayor Kyle J. Hayman presented Resolution 17-24: Appointment to Western Piedmont Regional Transit Authority.

(Resolution 17-24: Appointment to Western Piedmont Regional Transit Authority contained in the exhibit file called 2024 Resolutions.)

CITY OF CONOVER RESOLUTION 17-24

WESTERN PIEDMONT REGIONAL TRANSIT AUTHORITY APPOINTMENT

WHEREAS, the Western Piedmont Regional Transit Authority has been established; and

WHEREAS, the Conover City Council makes the following appointment:

NOW, THEREFORE BE IT RESOLVED that the Conover City Council appoints:

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Tom Hart as Conover's representative to this authority to fill a three (3) year term that expires on July 1, 2027.

Adopted this the 3rd day of June, 2024.

Item 3: Resolution 18-24: Conover Planning Board / Board of Adjustment Appointments

Mayor Kyle J. Hayman presented Resolution 18-24: Conover Planning Board / Board of Adjustment Appointments.

(Resolution 18-24: Conover Planning Board / Board of Adjustment Appointments contained in the exhibit file called 2024 Resolutions.)

CITY OF CONOVER RESOLUTION 18-24

Conover Planning Board / Board of Adjustment Appointments

WHEREAS, the following appointments to the Conover Planning Board expired on June 1, 2024:

- ***Mary Reynolds*** as an inside member for a three-year term
- ***Corey Keisler*** as an inside member for a three-year term
- ***Ken Hilderbran*** as an outside member (ETJ) for a three-year term

WHEREAS, the City of Conover Council recognizes the following appointment made by the Catawba County Board of Commissioners on May 20, 2024:

- ***Ken Hilderbran*** as an outside member (ETJ) for a three-year term to expire on June 1, 2027

NOW, THEREFORE, BE IT RESOLVED that the City of Conover Council makes the following appointments:

- ***Mary Reynolds*** as an inside member for a three-year term to expire on June 1, 2027
- ***Corey Keisler*** as an inside member for a three-year term to expire on June 1, 2027

Adopted, this the 3rd day of June, 2024

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Item 4: Resolution 19-24: Planning Board / Board of Adjustment - Appointment of Chairman

Mayor Kyle J. Hayman presented Resolution 19-24: Planning Board / Board of Adjustment - Appointment of Chairman.

(Resolution 19-24: Planning Board / Board of Adjustment - Appointment of Chairman contained in the exhibit file called 2024 Resolutions.)

CITY OF CONOVER RESOLUTION 19-24

Conover Planning Board / Board of Adjustment Appointment of Chairman

WHEREAS, the following appointment to the Conover Planning Board / Board of Adjustment expired on June 1, 2024:

- ***David C. Brown*** as Chairman of the Planning Board / Board of Adjustment for a one-year term

WHEREAS, the City of Conover Planning Board nominated David C. Brown for Chairman of the Planning Board / Board of Adjustment for a period of one year.

NOW, THEREFORE, BE IT RESOLVED that the City of Conover Council makes the following appointment:

- ***David C. Brown*** as Chairman of the Planning Board / Board of Adjustment for a one-year term to expire on June 1, 2025

Adopted, this the 3rd day of June, 2024

Item 5: Resolution 20-24: Resolution to Oppose the City of Charlotte Interbasin Transfer Request

Mayor Kyle J. Hayman presented Resolution 20-24: Resolution to Oppose the City of Charlotte Interbasin Transfer Request.

(Resolution 20-24: Resolution to Oppose the City of Charlotte Interbasin Transfer Request contained in the exhibit file called 2024 Resolutions.)

CITY OF CONOVER

RESOLUTION 20-24

RESOLUTION TO OPPOSE THE CITY OF CHARLOTTE INTERBASIN TRANSFER REQUEST

WHEREAS, North Carolina Environmental Management officials are currently reviewing a request from the City of Charlotte to modify their certificate increase their current transfer of 33 million gallons per day to 63 million gallons of water per day from the Catawba River Basin to the Rocky River Basin; and

WHEREAS, this latest request is a trend of additional interbasin transfer water usage from the Catawba River as evidenced by the following:

Charlotte/Mecklenburg's previously approved certificate of 33 million gallons per day interbasin transfer to the Rocky River in 2002; and

Concord and Kannapolis's previously approved certificate of 10 million gallons per day interbasin transfer to the Rocky River in 2007; and

WHEREAS, the net effect of the aforementioned actions will result in a total increased usage of 73 million gallons per day from the Catawba River Basin to the Rocky River Basin; and

WHEREAS, the Catawba River and its tributaries are not an unlimited supply of water as evidenced by previous years of drought conditions experienced most notably by the Upper Catawba Basin and the entire State of North Carolina; and

WHEREAS, the City of Conover and the Western Piedmont Region is considered a growth area for the North Carolina with additional water needs in the future; and that there's a valid concern that interbasin transfers of this magnitude may effectively subsidize growth in receiving areas using the limited water resources of the Catawba River Basin; and

WHEREAS, issues of equity and sustainability are in question, as it involves one region bearing the environmental and infrastructural costs of supporting growth in another region, and it is essential to consider the long-term implications and fairness of such resource allocations; and

WHEREAS, reducing the flow of the Catawba River by transferring water could lead to greater concentrations of pollutants in the river, a reduced flow rate diminishing the river's natural ability to dilute and transport pollutants, and have detrimental effects on aquatic ecosystems, recreational activities, and public health within the Catawba River Basin; and

WHEREAS, the City of Conover Council is concerned that the proposed interbasin transfer will limit the amount of water available for withdraw to support growth in our area due to regulation limits under state and federal laws; and

WHEREAS, the City of Conover Council does hereby express its concern about the long-term

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availability of water within the Catawba River Basin and believes transferring water from the Catawba River Basin to the Rocky River Basin could indeed limit future growth opportunities for local communities in the Catawba River Basin; and

***WHEREAS**, the Catawba Wateree Water Resource Management Group is actively working to update its water supply master plan for the entire river basin and Charlotte should wait until that process is complete; and*

***WHEREAS**, previous studies for the Catawba River called for the elimination of interbasin transfers as a strategy to protect the river and water supplies during drought conditions and an IBT should be a temporary measure to accommodate growth and not a permanent solution; and*

***WHEREAS**, the 2015 Water Supply Master Plan for the Catawba River projected Charlotte's current IBT would be sufficient through 2065 and that Charlotte should not increase its IBT for its growth needs over the next 30 years; and*

***WHEREAS**, Charlotte should instead use that time to implement water infrastructure and policies to eliminate its current IBT certificate issued in 2002; and*

***WHEREAS**, water availability is crucial for sustaining economic development, agriculture, and quality of life in growing communities and if water is diverted elsewhere, it may constrain the ability of communities within the Catawba River Basin to support their own development and population growth; and*

***WHEREAS**, our region should not be forced to give up its potential growth opportunities to subsidize Charlotte growth with our water resources; and*

***NOW, THEREFORE, BE IT RESOLVED** that the City of Conover Council requests that the North Carolina Environmental Management Commission deny the City of Charlotte interbasin transfer request to modify their certificate to transfer 63 million gallons of water per day from the Catawba River Basin to the Rocky River Basin.*

Adopted this 3rd day of June, 2024.

Item 6: Resolution 21-24: A Resolution Amending the City of Conover Personnel Policy (Adopted January 5, 1998)

Mayor Kyle J. Hayman presented Resolution 21-24: A Resolution Amending the City of Conover Personnel Policy (Adopted January 5, 1998).

(Resolution 21-24: A Resolution Amending the City of Conover Personnel Policy (Adopted January 5, 1998) contained in the exhibit file called 2024 Resolutions.)

**CITY OF CONOVER
RESOLUTION 21-24**

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A RESOLUTION AMENDING THE CITY OF CONOVER PERSONNEL POLICY ADOPTED JANUARY 5, 1998

WHEREAS, the City of Conover periodically updates this Personnel Policy by Resolution; and

WHEREAS, the Personnel Policy was updated on the 4th day of September, 2007, the 2nd of February, 2009, the 9th of January, 2012, the 2nd of December, 2013, the 1st of July, 2015, the 2nd of January 2018, the 1st of April 2019, the 6th of January, 2020, September 13, 2021, October 4, 2021, and December 4, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Conover City Council that the City of Conover Personnel Policy is hereby amended as follows:

ARTICLE VIII. LEAVES OF ABSENCE

Section 2. Vacation Leave

*(e) The maximum vacation leave that may be accumulated shall be 240 hours as of the end of each calendar year. All unused vacation leave in excess of 240 hours accumulation shall be converted to sick leave as of **June 30th** ~~December 31~~ of each year.*

Adopted this the 3rd of June, 2024

Item 7: Proclamation: National Flag Day - June 14, 2024

Mayor Kyle J. Hayman presented Proclamation: National Flag Day - June 14, 2024.

(Proclamation: National Flag Day - June 14, 2024 contained in the exhibit file called 2024 Proclamations.)

Item 8: Proclamation: Juneteenth Day - June 19, 2024

Mayor Kyle J. Hayman presented Proclamation: Juneteenth Day - June 19, 2024.

(Proclamation: Juneteenth Day - June 19, 2024 contained in the exhibit file called 2024 Proclamations.)

Motion was duly made by Mayor Pro Tem / Council Member Eckard, seconded by Council Member Powell, to adopt the Consent Agenda.

AYES:	Mayor Hayman, Mayor Pro Tem / Council Member Eckard, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

VI. BUSINESS AGENDA

Item 9: Comments from Visitors and Guests

Mayor Hayman opened the public comment period. There were no comments from visitors or guests.

Motion was duly made by Council Member Canrobert, seconded by Council Member Green, to close the public comment period.

AYES:	Mayor Hayman, Mayor Pro Tem / Council Member Eckard, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

Item 10: Presentation of Order of the Long Leaf Pine to Retired Police Chief Eric Loftin

Mayor Hayman and Council presented to retired Police Chief L. Eric Loftin the "Order of the Long Leaf Pine".

Item 11: Public Works Presentation

Public Works Director Terry Jones informed Council of Assistant Public Works Director Ken Colf's completion of the Municipal and County Administration Course. Mayor Hayman and Council presented the certificate of completion to Mr. Colf.

Item 12: 2024-2025 Fiscal Year Budget Discussion

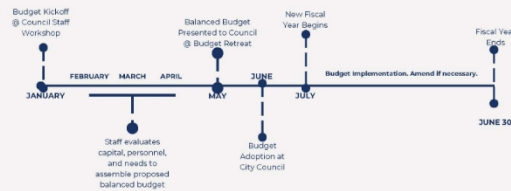
- a. **Public Hearing to Receive Public Comments on the Proposed Fiscal Year 2024-2025 Budget Ordinance for the City of Conover**
- b. **Ordinance 13-24: Adoption of Proposed Fiscal Year 2024-2025 Budget Ordinance to Include the 2024-2025 Fee Schedule and Pay Classification Plan**

City Manager Tom Hart gave a brief presentation of the proposed 2024-2025 Fiscal Year Budget Ordinance.

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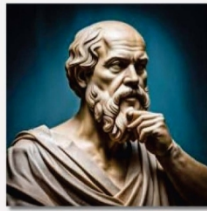


BUDGET PROCESS



BUDGET PHILOSOPHY

- Minimize tax, rate, and fee increases while continuing to provide service levels citizens expect.
- Revenue growth is largely counteracted by cost increases.
- Budget is not reliant volatile revenues like interest income, sales tax growth, or continued housing market boom.
- \$550k fund balance appropriation, as historic norm.
- \$500k capital appropriation for one-time public space enhancements around the community.



TAXES, RATES, & FEES

No Property Tax Increase....some raised fees.



- +\$1 Landfill Fee
- Several Development Fees
- Electric Car Chargers
- +9% water/sewer rates
- Industrial Sewer Surcharges

REVENUE OUTLOOK

- Solid Property Tax Base Growth Continues...
 - 4.5% avg last 5 years (3.4% Without Arhaus)
 - Basing proposed budget on 2% growth
- Sales Tax Revenue Flat After Record Breaking Years...
 - Basing budget on flat collections
- Other revenues flat.



EMPLOYEE PAY

PROPOSED BUDGET FUNDS....

- 2% COLA All Employees
- Up to 5% Merit System All Employees
- Up to 4.5% Market Adjustments to Specific Positions
 - Hiring Police Officer pay to ~\$48,825
 - Hiring Firefighter/EMT pay to ~\$40,000
 - Reclassification of difficult-to-hire positions
 - (e.g., Wastewater Mechanic)



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CAPITAL APPROPRIATION

\$500K ONETIME INVESTMENT



- \$250k to Improve Existing Park Facilities
 - Improvements @ Majestic Park
 - Match PARTF Grant @ Downtown Park
- \$150k to Create Welcoming Facilities
 - Conover Station Furnishing & Signage
 - Public Works Entrance
 - City Hall Signage and Furnishing
 - Police Furnishing & Signage
- \$50k Cemetery Columbarium Section Phase I
- \$50k Enhance Rural Transformation Grant

ADMINISTRATION/FINANCE

- City Hall Phase 2&3
 - Elevator and stairs (ADA)
 - Revamped Planning, IT, and Admin
- Citywide Leadership Dev Line Item

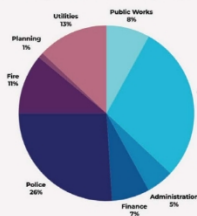


INFORMATION TECHNOLOGY

BREAKDOWN

- 100K Server Hardware Replacement
- 20K Prox Lock Replacement & Installment in City Facilities

I.T. Budget Distribution by Department



PUBLIC SAFETY



- Radio replacements (\$40k)
- Code Enforcement Vehicle (\$40k)
- 4 Patrol Vehicles (\$180k)



- High Rise Kits for Hotels & Apts (\$15k)
- Assistant Chief SUV (\$55k)

PUBLIC WORKS

- Re-work main entrance
- Fund public space enhancements (RTG: \$50k)
- Match PARTF grant for Downtown Park (\$100k)
- Fund Improvements to Majestic Park (\$100k)
- ROW Tractor (\$110k)
- 600 (x2) Garbage Rollout Containers (\$25k)
- Debris Grinding (\$15k)
- Christmas Decorations (\$40k)

NEW IN THIS YEAR'S BUDGET:

- Centralized fleet budget for pool cars
- Moved animal control to police
- Moved animal shelter to non-departmental



NON-DEPARTMENTAL

- Swim lessons funded
- County Library and Animal Shelter contracts
- Capital transfers
 - \$570k to general cap reserve
 - \$200k to solid waste

the CATAWBA VALLEY 2023 165 SWIM LESSONS FUNDED



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PUBLIC UTILITIES		
PROPOSED RATES		
Rate/Fee	Current	Proposed
Water Inside Per 1k	\$2.50	\$2.73
Sewer Inside Per 1k	\$4.32	\$4.71
Water Base Fee 3/4"	\$14.84	\$16.18
Sewer Base Fee	\$14.46	\$15.76

PUBLIC UTILITIES			
SIDE BY SIDE 4,000 GALLON WATER/SEWER BILL			
Conover Proposed	Hickory	Claremont	Newton
\$61.70	\$58.95 (\$61.90)	\$80.32 (\$84.34)	\$80.43 (\$84.45)

*Compares proposed Conover rate to EXISTING rates of other municipalities with assumed 5% increase shown in (_).



- Meter Replacements (\$35k)
- Sewer Plant segregated to its own Dept Budget (Grants & Analysis)
- Buying into HKY's sludge dryer
- New Office Space (\$200k)
- Transfer \$1m to Capital Fund
- Transfer \$450k to Capital Fund (Capital Fee)
- Continue NEWWTP Capital Projects
 - Headworks
 - Aeration Basins



NEXT BUDGET STEPS

ADOPT AND EXECUTE BUDGET

Item 12a. Public Hearing to Receive Public Comments on the Proposed Fiscal Year 2024-2025 Budget Ordinance for the City of Conover

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Motion was duly made by Mayor Hayman, seconded by Council Member Green, to open the public hearing to receive public comments on the Proposed Fiscal Year 2024-2025 Budget Ordinance for the City of Conover.

AYES:	Mayor Hayman, Mayor Pro Tem / Council Member Eckard, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

There were no comments from the public.

Motion was duly made by Council Member Canrobert, seconded by Council Member Powell, to close the public hearing to receive public comments on the Proposed Fiscal Year 2024-2025 Budget Ordinance for the City of Conover.

AYES:	Mayor Hayman, Mayor Pro Tem / Council Member Eckard, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

Item 12b. Ordinance 13-24: Adoption of Proposed Fiscal Year 2024-2025 Budget Ordinance for the City of Conover

City Manager Tom Hart presented Ordinance 13-24: Adoption of Proposed Fiscal Year 2024-2025 Budget Ordinance for the City of Conover.

Motion was duly made by Mayor Pro Tem / Council Member Eckard, seconded by Council Member Fulbright, to adopt Ordinance 13-24: Adoption of Proposed Fiscal Year 2024-2025 Budget Ordinance to Include the 2024-2025 Fee Schedule and Pay Classification Plan.

AYES:	Mayor Hayman, Mayor Pro Tem / Council Member Eckard, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

(Ordinance 13-24: Adoption of Proposed Fiscal Year 2024-2025 Budget Ordinance to Include the 2024-2025 Fee Schedule and Pay Classification Plan contained in the exhibit file called 2024

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Ordinances.)

MINUTES FROM THE JUNE 3, 2024 CONOVER CITY COUNCIL REGULAR MEETING

CITY OF CONOVER, NORTH CAROLINA BUDGET ORDINANCE 13-24 FISCAL YEAR JULY 1, 2024 - JUNE 30, 2025

Be It Ordained by the City Council of Conover, North Carolina:

Section 1. That the following appropriations are hereby made to the General Fund and that the following revenues are anticipated to be available during the fiscal year to meet these appropriations:

<u>Department</u>	<u>Appropriation</u>
Governing Body	\$ 215,746
Administration	792,000
Planning	449,873
Information Technology	592,040
City Hall	82,350
Conover Station	107,800
Police	3,832,698
Fire	2,517,323
Fleet	331,604
Public Works	425,617
Streets	1,244,035
Powell Bill - Streets	300,360
Sanitation	973,435
Recycling	212,642
Grounds	709,084
Non-Departmental	<u>1,646,251</u>
Total Appropriations	\$14,432,858

<u>Revenues</u>	
Property Taxes (Ad Valorem)	\$7,850,000
Sales Tax	3,245,000
Utility Franchise Tax	945,000
Municipal Vehicle Fee	257,000
Powell Bill	304,000
Solid Waste Disposal Fees	650,000
Permits, Fees and Services	43,580
Rental Income	108,700
Interest Earnings	51,540
Other Revenues or Reimbursements	399,540
Fund Balance Appropriation	<u>578,498</u>
Total Revenues	\$14,432,858

MINUTES FROM THE JUNE 3, 2024 CONOVER CITY COUNCIL REGULAR MEETING

FY25 Budget Ordinance

Section 2. That the following appropriations are hereby made to the Water Sewer Fund and that the following revenues are anticipated to be available during the fiscal year to meet these appropriations:

<u>Department</u>	<u>Appropriation</u>
Water	\$2,146,001
Sewer	980,471
Plant	1,113,571
Non-Departmental	<u>2,662,236</u>
Total Appropriations	\$6,902,279
<u>Revenues</u>	
Water Sales	\$3,368,100
Sewer Charges	2,452,500
Interest Earnings	30,000
Other Revenues	257,550
Appropriated Retained Earnings	<u>794,129</u>
Total Revenues	\$6,902,279

Section 3. That the following appropriations are hereby made to the Priority Sidewalk Fund and that the following revenues are anticipated to be available during the fiscal year to meet these appropriations:

<u>Purpose</u>	<u>Appropriation</u>
Reserve for Future Sidewalk Projects	<u>\$150</u>
Total Appropriations	\$150
<u>Revenues</u>	
Interest	\$ 50
Fee in Lieu of Sidewalks	<u>100</u>
Total Revenues	\$150

Section 4. That the City Council does hereby authorize the special revenues listed below to be collected from rents at Conover Station and set aside to provide maintenance to building and grounds or to make debt payments:

<u>Purpose</u>	<u>Appropriation</u>
Reserve for Future Projects	\$ 7,000
Transfer to General Fund	<u>100,000</u>
Total Appropriations	\$ 107,000
<u>Revenues</u>	
Interest Earned	\$ 2,000
Rental Income	<u>105,000</u>
Total Revenues	\$ 107,000

MINUTES FROM THE JUNE 3, 2024 CONOVER CITY COUNCIL REGULAR MEETING

FY25 Budget Ordinance

Section 5. That the City Council does hereby authorize the special revenues listed below to be collected from cemetery plot sales, earnings on investments, and outside donations/contributions and set aside to provide maintenance to cemetery grounds:

<u>Purpose</u>	<u>Appropriation</u>
Reserve for Future Projects	\$ 60,600
Total Appropriations	\$ 60,600
<u>Revenues</u>	
Interest Earned	\$ 500
Contributions	100
Plot Sales	10,000
Rental Income	50,000
Total Revenues	\$ 60,600

Section 6. That the City does hereby authorize the revenues listed below to fund the City's Special Separation Allowance for Law Enforcement Officer's pension and the following appropriated expenditures to fund the Special Separation Allowance as follows:

<u>Purpose</u>	<u>Appropriation</u>
Personal Benefits	\$ 87,000
Reserve	13,500
Total Appropriations	\$ 100,500
<u>Revenues</u>	
Interest Earned	\$ 500
Transfer from General Fund	100,000
Total Revenues	\$ 100,500

Section 7. That the following appropriations are hereby made to the General Capital Projects Fund and that the following revenues are anticipated to be available during the fiscal year to meet these appropriations:

<u>Purpose</u>	<u>Appropriation</u>
Streets/Sidewalks	\$ 40,000
Construction or Improvement Projects	700,000
Capital Equipment Purchases	555,000
Total Appropriations	\$ 1,295,000
<u>Revenue</u>	<u>Amount</u>
Transfer from General Reserve	\$ 1,195,000
Fund Balance Appropriation	100,000
Total Revenues	\$ 1,295,000

MINUTES FROM THE JUNE 3, 2024 CONOVER CITY COUNCIL REGULAR MEETING

FY25 Budget Ordinance

Section 8. That the following appropriations are hereby made to the Water and Sewer Capital Projects Fund and that the following revenues are anticipated to be available during the fiscal year to meet these appropriations:

<u>Purpose</u>	<u>Appropriation</u>
Professional Services	\$ 405,000
Infrastructure Improvement Reimbursement to NCDOT	5,000
ROW Acquisitions	5,000
Construction or Improvement Projects	405,000
Capital Equipment Purchases	<u>265,000</u>
Total Appropriations	\$ 1,085,000

<u>Revenue</u>	<u>Amount</u>
Transfer from Water/Sewer Reserve	\$1,000,000
Appropriated Retained Earnings	<u>85,000</u>
Total Revenues	\$1,085,000

MINUTES FROM THE JUNE 3, 2024 CONOVER CITY COUNCIL REGULAR MEETING

FY25 Budget Ordinance

Section 9. That the City Council does hereby authorize the revenues listed below to be transferred out for Capital Purposes or reserved for future projects as summarized below:

<u>Fund</u>	<u>Revenue</u>	<u>Appropriation/Reserves</u>
General Capital Reserve Fund		
	Sale of Capital Assets	Transfer To G.F. Capital Projects
	\$ 5,000	\$1,195,000
	Interest Earnings	Reserve for Police/Fire Technology
	\$ 3,700	\$ 130,000
	Lease Agreements	Reserve for Police Equipment
	\$ 91,500	\$ 60,000
	Transfer from Gen. Fund	Reserve for Fleet Equipment
	\$ 570,000	\$ 60,000
	Fund Bal. Appropriation	Reserve for Public Works Equipment/Impr
	\$1,784,800	\$ 40,000
		Reserve for Grounds Equipment
		\$ 25,000
		Reserve for Street
		\$ 195,000
		Reserve for Fire Equipment
		\$ 700,000
		Reserve for Technology
		\$ 50,000
TOTALS	<u>\$2,455,000</u>	<u>\$2,455,000</u>

MINUTES FROM THE JUNE 3, 2024 CONOVER CITY COUNCIL REGULAR MEETING

FY25 Budget Ordinance

Section 10. That the City Council does hereby authorize the revenues listed below to be transferred out for Capital Purposes or reserved for future projects as summarized below:

<u>Fund</u>	<u>Revenue</u>	<u>Appropriation/Reserves</u>
Solid Waste Capital Reserve Fund	Interest	Reserve for Sanitation/Recycling
	\$ 4,000	\$300,000
	Transfer from General Fund	Reserve for Electronic Recycling Equipment
	\$200,000	\$ 20,000
	Fund Bal. Appropriation	Transfer to General Capital Projects Fund
	\$116,000	\$ 0
TOTALS	<u>\$320,000</u>	<u>\$320,000</u>

Section 11. That the City Council does hereby authorize the revenues listed below to be transferred out for Capital Purposes or reserved for the projects as summarized below:

<u>Fund</u>	<u>Revenue</u>	<u>Appropriation/Reserves</u>
W/S Capital Reserve Fund	Interest	Transfer to W/S Capital Projects
	\$ 300,000	\$1,000,000
	Trans. From Water/Sewer	Reserve for Equipment
	\$1,450,000	\$ 50,000
	Fund Bal. Appropriation	Reserve for Water/Sewer Infrastructure
	\$3,769,000	\$ 800,000
	Excess Sewer Capacity	Improvement/Upgrades
	\$ 10,000	\$2,950,000
	Sale of Capital Assets	Reserve for Utility Relocations
	\$ 1,000	\$ 730,000
TOTALS	<u>\$5,530,000</u>	<u>\$5,530,000</u>

MINUTES FROM THE JUNE 3, 2024 CONOVER CITY COUNCIL REGULAR MEETING

FY25 Budget Ordinance

Section 12. There is hereby levied a tax rate of \$0.395 per one hundred (\$100) valuation of taxable property as listed for taxes as of January 1, 2024, for the purpose of raising the revenues listed as “Ad Valorem Taxes” in the General Fund of Section 1 of this Ordinance. This rate is based on total estimated valuation of property for the purposes of taxation no higher than \$2,030,465,000 and an estimated collection rate of 98%.

Section 13. That there is hereby levied a Municipal Vehicle Tax of \$30.00 per vehicle registered with the City. This is the same as the current year.

Section 14. That appropriations herein authorized shall have the amount of outstanding purchase orders as of June 30, 2024, added to each appropriation as it appears in order to account for the payment against the fiscal year in which it is paid.

Section 15. The Budget Officer is hereby authorized to transfer amounts between objects of expenditures within a department (Intradepartmental Budget Adjustment) without limitation, and between departments within the same fund (Interdepartmental Budget Adjustment) not exceeding ten thousand dollars (\$10,000). Any authorization for making expenditures from excess revenues, a transfer within the capital project funds, or between any fund shall be made by the City Council.

Section 16. This Ordinance includes the 2024-2025 Annual Budget document, which is on file with the City Clerk and adopted as a part of this Ordinance. The 2024-2025 Fee Schedule and Pay Classification Plan are also included within the Annual Budget document and are thereby adopted under this Ordinance.

Section 17. Copies of this Budget Ordinance shall be furnished to the Finance Director, City Clerk and the City Manager for their direction in the disbursement of funds.

Section 18. All Ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Adopted this the 3rd day of June 2024.

Item 13: Small Area Plan

- a. Public Hearing to Receive Public Comments on the Proposed Small Area Plan**
- b. Ordinance 14-24: Approve Adoption of the Southern Conover Small Area Plan (SAP)**

Erik Schlichting, Planning Director presented to Council the proposed Small Area Plan (SAP). A draft of the SAP was started in 2019 with the objective being to preserve some of the historic nature of the Historic Bolick District that was established in 1990 as a National Register of Historic Places and which contains many buildings of various uses. The City of Conover does not have a historic preservation society. The goal of the SAP was to create an overlay that would function like a small Land Development Plan (LDP) for this area. The Western Piedmont Council of Governments assisted the City of Conover in the development of the draft SAP.

Mr. Schlichting gave a brief explanation of the area that would be included in the proposed SAP, and stated that if the SAP was approved, nothing would be rezoned. The SAP would function like an LDP and guide future development in this area. It would not change any current uses now or in the future but would set up a guiding but not binding vision for future development that focuses on making the area contained within a historic area of Conover. In the future, Planning Board will consider this map when making any decisions on new development. For new multi-family developments, architectural features and design styles would be considered. For single family homes, the city could not enforce those design elements. It would not be used to discourage future development.

Mr. Hart added that any current use would not be non-conforming after approving the SAP and would be free to continue and to expand under its current zoning. The SAP would help protect the historical value of this area.

Item 13a. Public Hearing to Receive Public Comments on the Proposed Small Area Plan

Mayor Hayman opened the public hearing to receive public comments on the proposed Small Area Plan.

Alisa Everson of 312 9th St SW, Conover stated that she was keen to see a historical home near her protected and preserved.

Mr. Schlichting stated that the legislature does not allow the City to dictate the design or materials of a single family home. The City is only trying to keep the historic nature of that area by trying to keep development that doesn't fit from encroaching. If it is a commercial, multifamily development, or something that requires a conditional rezoning, the City can ask how this new development will fit. The City will not be buying any homes.

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Sandra Sigmon of 922 1st Ave S, Conover asked if commercial property would still be allowed in that area.

Mr. Schlichting explained that the SAP would not change the zoning.

Motion was duly made by Mayor Pro Tem / Council Member Eckard, seconded by Council Members Powell and Green, to close the public hearing to receive public comments on the proposed Small Area Plan.

AYES:	Mayor Hayman, Mayor Pro Tem / Council Member Eckard, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

Item 13b. Ordinance 14-24: Approve Adoption of the Southern Conover Small Area Plan (SAP)

Erik Schlichting, Planning Director presented Ordinance 14-24: Approve Adoption of the Southern Conover Small Area Plan (SAP).

Motion was duly made by Council Member Canrobert, seconded by Mayor Hayman, Mayor Pro Tem / Council Member Eckard, Council Member Canrobert, Council Member Fulbright, Council Member Green, and Council Member Powell, to adopt Ordinance 14-24: Approve Adoption of the Southern Conover Small Area Plan (SAP) and to approve the Southern Conover Small Area Plan and amend the updated 2003 Land Development Plan (LDP) Conceptual Development Map as shown, finding that the changes are reasonable and in the general interest because it meets the following goals of the LDP: 1) Provide for a variety of development that includes mixed-used and walkability, 2) Encourage varied lot sizes in all developments so they become vibrant neighborhoods, 3) Examine possible areas for Historic Districts, 4) Identify and create neighborhood or specific area plans throughout the City, and 5) Encourages infill development on vacant and undeveloped land within the City limits.

AYES:	Mayor Hayman, Mayor Pro Tem / Council Member Eckard, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

(Ordinance 14-24: Approve Adoption of the Southern Conover Small Area Plan (SAP) contained in exhibit file called 2024 Ordinances)

CITY OF CONOVER
ORDINANCE 14-24

ZONING ORDINANCE AMENDMENT

AN ORDINANCE TO ADOPT THE SOUTHERN CONOVER SMALL AREA PLAN AND TO CHANGE THE CONCEPTUAL DEVELOPMENT PLAN MAP IN THE LAND DEVELOPMENT PLAN

***WHEREAS**, the City wishes to protect the historic nature of the Bolick Historic District and the area around it while continuing to provide development opportunities; and*

***WHEREAS**, the updated 2003 Land Development Plan for the City of Conover has among its goals: examining historic districts, providing opportunities for more diverse housing in an urban mixed-use environment, promoting infill and reuse, and the establishment of neighborhood or specific area plans; and*

***WHEREAS**, as a condition of adopting and applying zoning regulations, a local government may adopt and reasonably maintain a small area plan as deemed appropriate provided by 160D-501 and such a plan sets forth goals and is intended to guide coordinated, efficient, and orderly development within the planning and development regulation of the described area based on analysis of present and future needs; and*

***WHEREAS**, the City engaged the Western Piedmont Council of Governments to draft the Southern Conover Small Area Plan for the City of Conover; and*

***WHEREAS**, the City held duly noticed public hearings on the question of said adoption of the Southern Conover Small Area Plan; once during the May 14, 2024 Planning Board Regular Meeting and once during the June 3, 2024 City Council Regular Meeting. During both meetings, the Statement of Consistency and City of Conover plans were provided.*

***NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Conover, North Carolina, as follows:*

***Section 1.** The Southern Conover Small Area Plan shall be adopted and be considered while examining new development or redevelopment within the district boundaries.*

***Section 2.** The City Planner is hereby directed to make the included changes to the Land Development Plan - Conceptual Development Plan Map as provided on the included map update, Exhibit A..*

***Section 3.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.*

***Section 4.** That this ordinance shall be effective from its passage.*

MINUTES FROM THE JUNE 3, 2024 CONOVER CITY COUNCIL REGULAR MEETING

Adopted this 3rd day of June, 2024.

Item 14: Proposed Amendment to Appendix A: Zoning of the Conover City Code

- a. Public Hearing to Receive Public Comments on the Proposed Amendment to Appendix A: Zoning of the Conover City Code**
- b. Ordinance 15-24: Amending Appendix A: Zoning of the Conover City Code**

Erik Schlichting, Planning Director presented a proposed Amendment to Appendix A: Zoning of the Conover City Code which would add definitions to the City's allowed uses. Most of these descriptions include: assisted living residence, family care home, medical clinic, nursing home, and urgent care.

Item 14a. Public Hearing to Receive Public Comments on the Proposed Amendment to Appendix A: Zoning of the Conover City Code

Mayor Hayman opened the public hearing to receive public comments on the proposed amendment to Appendix A: Zoning of Conover City Code.

There were no comments from the public.

Motion was duly made by Council Member Green, seconded by Council Member Fulbright, to close the public hearing to receive public comments on the proposed Amendment to Appendix A: Zoning of the Conover City Code.

AYES:	Mayor Hayman, Mayor Pro Tem / Council Member Eckard, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

Item 14b. Ordinance 15-24: Amending Appendix A: Zoning of the Conover City Code

Erik Schlichting, Planning Director presented Ordinance 15-24: Amending Appendix A: Zoning of the Conover City Code.

Motion was duly made by Council Member Powell, seconded by Mayor Pro Tem / Council Member Eckard, to adopt Ordinance 15-24: Amending Appendix A: Zoning of the Conover City Code and to approve the amendment to Appendix A: Zoning, as it is reasonable and in the general interest to update and provide clarifications to city regulations and policies. This change

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is consistent with the Strategic Plan which states that the city should “Update & Streamline City Regulations and Policies.”

AYES:	Mayor Hayman, Mayor Pro Tem / Council Member Eckard, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

(Ordinance 15-24: Amending Appendix A: Zoning of the Conover City Code is contained in exhibit file called 2024 Ordinances.)

***CITY OF CONOVER
ORDINANCE 15-24
AN ORDINANCE AMENDING APPENDIX A: ZONING
OF THE CONOVER CITY CODE***

The City Council of the City of Conover, North Carolina does ordain and enact as follows:

Section 1. *That the Conover Code of Ordinances, Appendix A, Zoning is hereby amended as follows:*

In the following Sections all strikethroughs are to be removed and all red lettering is to be added to the Conover Code of Ordinances under Appendix A - Zoning:

Appendix A, Article II, Section 21.2 - Definitions of specific terms and words.

--(Insert the following between Alley and Auto parts yard)--

Assisted living residence. – Any group housing and services program for two or more unrelated adults, by whatever name it is called, that makes available, at a minimum, one meal a day and housekeeping services and provides personal care services directly or through a formal written agreement with one or more licensed home care or hospice agencies. The Department may allow nursing service exceptions on a case-by-case basis. Settings in which services are delivered may include self-contained apartment units or single or shared room units with private or area baths. (G.S. 131D-2.1(5). Also includes Multiunit assisted housing with services (G.S. 131d-2.1(10).

--(Insert the following between Family and Fence)--

Family care home. – A care home having two to six adult residents in which the housing management provides 24-hour scheduled and unscheduled personal care services, either directly or for scheduled needs, through formal written agreement with licensed home care or hospice agencies. Some licensed adult care homes provide supervision to persons with cognitive impairments whose decisions, if made independently, may jeopardize the safety or well-being of themselves or others and therefore require supervision. (see G.S. 131D-2.1(3), 131D-2.1(9).

--(Insert the following between Manufacturing, light and Mobile home park)--

MINUTES FROM THE JUNE 3, 2024 CONOVER CITY COUNCIL REGULAR MEETING

Medical clinic. An outpatient facility operated for the day-to-day needs of the general public for regular medical care including services such as regular medical checkups, immunizations, diagnosis, and treatment of routine medical issues. Other medical clinics may include specialty medical services such as x-ray & imaging offices, outpatient surgery centers, optometry/ophthalmology offices, chiropractors, dental clinics, dialysis centers, urgent care facilities, physical/occupational rehabilitation therapy offices, etc. Facilities related primarily to the treatment of alcohol and substance abuse patients shall not be considered medical clinics.

--(Insert the following between Nonconforming use and Official maps or plans)--

Nursing home. A facility which provides care for three or more unrelated persons who have remedial ailments or other ailments, for which medical and nursing care are indicated; who, however, are not sick enough to require general hospital care. Nursing care is their primary need, but they will require continuing medical supervision (see G.S. 131E-101(6)).

--(Insert the following between Subdivision, minor and Vested right)--

Urgent care. A facility operated for the diagnosis and treatment of out-patients in an emergency or unanticipated medical situation requiring immediate care. See Medical clinic.

(Ord. No. 9-87, §§ 1, 2, 3-9-87; Ord. No. 2-90, § 2, 1-8-90; Ord. No. 21-95, 12-4-95; Ord. No. 31-01, § 3, 8-6-01; Ord.

Appendix A, Article III, Division I, Section 31.4 – Land use table.

Institutional & office	R-20	R-9	R-9A	NR	NC	P-1	MX	COI	B-1	B-2	B-3	B-4	CC	M-1	EM-1	OS
Family care home	P	P	P	P	P	P										
Hospital/urgent care/clinic						P	P		P	P		P	P	P		
Medical Clinic						P	P		P	P	P	P	P	P		

Section 2. *This ordinance shall be effective upon passage.*

Adopted this, the 3rd day of June, 2024.

Item 15: Proposed Amendment to Appendix C: Stormwater Ordinance (Phase II) of the Conover City Code

MINUTES FROM THE JUNE 3, 2024 CONOVER CITY COUNCIL REGULAR MEETING

- a. **Public Hearing to Receive Public Comments on the Proposed Amendment to Appendix C: Stormwater Ordinance (Phase II) of the Conover City Code**
- b. **Ordinance 16-24: Amending Appendix C: Stormwater Ordinance (Phase II) of the Conover City Code**

Erik Schlichting, Planning Director presented the proposed Amendment to Appendix C: Stormwater Ordinance (Phase II) of the Conover City Code. There was a legislative action last year that managed how cities can require developers to fund maintenance on their private stormwater controls. The city cannot force a developer to provide a maintenance fund to the city for post-construction maintenance. This would be struck from the code. This would be for anybody under the Phase II code that requires a stormwater control measurement as part of their development.

Item 15a. Public Hearing to Receive Public Comments on the Proposed Amendment to Appendix C: Stormwater Ordinance (Phase II) of the Conover City Code

Mayor Hayman opened the public hearing to receive public comments on the Proposed Amendments to Appendix C: Stormwater Ordinance (Phase II) of the Conover City Code.

There were no comments from the public.

Motion was duly made by Mayor Pro Tem / Council Member Eckard, seconded by Council Member Powell, to close the public hearing to receive public comments on the Proposed Amendment to Appendix C: Stormwater Ordinance (Phase II) of the Conover City Code and to approve the amendment to Appendix C: Stormwater Ordinance (Phase II), as it is reasonable and in the general interest because it updates the Code to be compliant with changes to G.S. 160D-925.

AYES:	Council Member Fulbright, Mayor Hayman, Council Member Green, Mayor Pro Tem / Council Member Eckard, Council Member Powell, Council Member Canrobert
NOES:	None
ABSTAIN:	None

Item 15b. Ordinance 16-24: Amending Appendix C: Stormwater Ordinance (Phase II) of the Conover City Code. Amendment to Appendix C: Stormwater Ordinance (Phase II) to comply with G.S. 160D

Erik Schlichting, Planning Director presented Ordinance 16-24: Amending Appendix C: Stormwater Ordinance (Phase II) of the Conover City Code. Amendment to Appendix C:

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Stormwater Ordinance (Phase II) to comply with G.S. 160D.

Motion was duly made by Council Member Powell, seconded by Council Member Green, to adopt Ordinance 16-24: Amending Appendix C: Stormwater Ordinance (Phase II) of the Conover City Code.

AYES:	Mayor Hayman, Mayor Pro Tem / Council Member Eckard, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

(Ordinance 16-24: Amending Appendix C: Stormwater Ordinance (Phase II) of the Conover City Code found in exhibit file called 2024 Ordinances)

***CITY OF CONOVER
ORDINANCE 16-24
AN ORDINANCE AMENDING APPENDIX C: STORMWATER
ORDINANCE (PHASE II) OF THE CONOVER CITY CODE***

The City Council of the City of Conover, North Carolina does ordain and enact as follows:

Section 1. *That the Conover Code of Ordinances, Appendix C, Stormwater Ordinance (Phase II) is hereby amended as follows:*

In the following Sections all strikethroughs are to be removed and all red lettering is to be added to the Conover Code of Ordinances under Appendix A – Stormwater Ordinance (Phase II):

Appendix C, Article V, Section 50.4. – Performance security for installation and maintenance.

- (A) *Required. The City of Conover may require ~~requires~~ the submittal of a performance security or bond with surety, cash escrow, letter of credit or other acceptable legal arrangement prior to issuance of a permit in order to ensure that the structural BMPs are:*
- (1) Installed by the permit holder as required by the approved stormwater management plan, and*
 - (2) Maintained by the owner as required by the operation and maintenance agreement.*
- (B) *Amount.*
- (1) Installation. The amount of an installation performance security shall be the total estimated construction cost of the BMPs approved under the permit, plus twenty-five (25) percent.*
 - (2) Maintenance. The amount of a maintenance performance security shall be the present value of an annuity of perpetual duration based on a reasonable estimate of the annual cost of inspection, operation and maintenance of the BMPs approved under the permit, at a discount rate that reflects*

MINUTES FROM THE JUNE 3, 2024 CONOVER CITY COUNCIL REGULAR MEETING

~~the jurisdiction's cost of borrowing minus a reasonable estimate of long-term inflation. Developer shall establish, collect, and retain in a segregated account funds for maintenance, repair, replacement, and reconstruction costs for the stormwater infrastructure, which shall not exceed ten percent (10%) of the stormwater infrastructure's original cost of construction. The Developer shall have a time period of five (5) years, beginning when the stormwater infrastructure is accepted by the City as constructed per the City's regulations, for the funds to be collected and retained by the Developer, and/or its successor in interest to ownership of the stormwater infrastructure. Developer and/or its successor in interest to ownership of the stormwater infrastructure shall provide proof of said segregated account to the City, if requested.~~

(C) *Uses of performance security.*

- (1) *Forfeiture provisions. The performance security shall contain forfeiture provisions for failure, after proper notice, to complete work within the time specified, or to initiate or maintain any actions which may be required of the applicant or owner in accordance with this article, approvals issued pursuant to this article, or an operation and maintenance agreement established pursuant to this article.*
- (2) *Default. Upon default of the owner to construct, maintain, repair and, if necessary, reconstruct any structural BMP in accordance with the applicable permit or operation and maintenance agreement, the stormwater administrator shall obtain and use all or any portion of the security to make necessary improvements based on an engineering estimate. Such expenditure of funds shall only be made after requesting the owner to comply with the permit or maintenance agreement. In the event of a default triggering the use of installation performance security, the City of Conover shall not return any of the unused deposited cash funds or other security, which shall be retained for maintenance.*
- (3) *Costs in excess of performance security. If City of Conover takes action upon such failure by the applicant or owner, the City of Conover may collect from the applicant or owner the difference between the amount of the reasonable cost of such action and the amount of the security held, in addition to any other penalties or damages due.*
- (4) *Refund. Within sixty (60) days of the final approval, the installation performance security shall be refunded to the applicant or terminated, except any amount attributable to the cost plus twenty-five (25) percent of landscaping installation and ongoing maintenance associated with the BMPs covered by the security. Any such landscaping shall be inspected one (1) year after installation with replacement for compliance with the approved plans and specifications and, if in compliance, the portion of the financial security attributable to landscaping shall be released.*

(Ord. No. 15-07, § 1, 5-7-07)

Section 2. *This ordinance shall be effective upon passage.*

Adopted this, the 3rd day of June, 2024.

Item 16: Contract: Agreement Between the Western Piedmont Council of Governments and the City of Conover - Stormwater Partnership (July 1, 2024 - June 30, 2026)

Tom Hart, City Manager presented the Agreement Between the Western Piedmont Council of Governments and the City of Conover - Stormwater Partnership (July 1, 2024 - June 30, 2026). This is an update to the agreement that the City currently has with the Western Piedmont Council of Governments to help administer the National Pollutant Discharge Elimination System (NPDES) Phase II State Requirements.

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Motion was duly made by Mayor Pro Tem / Council Member Eckard, seconded by Council Member Canrobert, to approve the Agreement Between the Western Piedmont Council of Governments and the City of Conover - Stormwater Partnership (July 1, 2024 - June 30, 2026).

AYES:	Mayor Hayman, Mayor Pro Tem / Council Member Eckard, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

Item 17: Ordinance 17-24: Capital Project Ordinance Amendment - Arhaus Economic Development Project

Kurt L. Beal, Finance Director presented Ordinance 17-24: Capital Project Ordinance Amendment - Arhaus Economic Development Project. This ordinance will close Fund 56. On Sept 30, 2020, Premier Conover LLC and the City of Conover entered into an agreement with North Carolina Department of Transportation (NCDOT) to provide \$268,000 to relocate Punch Loop Road. The City was to serve as a pass through on the deal. Premier would bid and build the road according to NCDOT's requirements and upon completion the City would be awarded \$268,000 to pass on to Premier. Ultimately, Premier chose to walk away from this grant and forego the NCDOT funds for various reasons; therefore, this fund serves no purpose and should be closed.

Motion was duly made by Council Member Canrobert, seconded by Mayor Pro Tem / Council Member Eckard, to adopt Ordinance 17-24: Capital Project Ordinance Amendment - Arhaus Economic Development Project.

AYES:	Mayor Hayman, Mayor Pro Tem / Council Member Eckard, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

(Ordinance 17-24: Capital Project Ordinance Amendment - Arhaus Economic Development Project contained in exhibit file called 2024 Ordinances.)

CITY OF CONOVER ORDINANCE 17-24

CAPITAL PROJECT ORDINANCE AMENDMENT ARHAUS ECONOMIC DEVELOPMENT PROJECT

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The City Council of the City of Conover, North Carolina does ordain and enact as follows:

1. *That pursuant to Section 13.2 Chapter 159 of the General Statutes of North Carolina, Arhaus Economic Development Project Capital Project Ordinance No. 52-20 adopted on November 2, 2020, is hereby amended and closed:*

Arhaus Economic Development Project

REVENUES

Account	Description	Project Budget	Amendment	Amended Budget
560-3490-0000	NCDOT Grant	\$ 268,000	\$ (268,000)	\$ -
	Total Revenues	\$ 268,000	\$ (268,000)	\$ -

EXPENDITURES

Account	Description	Project Budget	Amendment	Amended Budget
560-5600-6000	Economic Dev Industrial Access	\$ 268,000	\$ (268,000)	-
	Total Expenditures	\$ 268,000	\$ (268,000)	-

2. *That all ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance are hereby repealed.*

3. *That the City Council hereby declares that should any section, paragraph, sentence or word of this ordinance be declared for any reason invalid, it is the intent of the City Council that it would have passed all other portions of this ordinance independent of elimination of any such portion that may be declared invalid.*

4. *That this ordinance shall take effect and be in force from and after the date of its adoption.*

Adopted this the 3rd day of June, 2024.

Item 18: Resolution 22-24: Resolution Accepting Infrastructure Improvements from Premier Conover, LLC

Erik Schlichting, Planning Director presented Resolution 22-24: Resolution Accepting Infrastructure Improvements from Premier Conover, LLC which will accept ownership and maintenance for infrastructure improvements constructed by Premier Conover, LLC, in conjunction with the construction of the Arhaus facility on Punch Loop Road SW. The infrastructure has been inspected by the Public Works Department and is acceptable to be incorporated into the City's system.

Motion was duly made by Mayor Pro Tem / Council Member Eckard, seconded by Council Member Powell, to adopt Resolution 22-24: Resolution Accepting Infrastructure Improvements from Premier Conover, LLC.

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AYES:	Mayor Hayman, Mayor Pro Tem / Council Member Eckard, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

(Resolution 22-24: Resolution Accepting Infrastructure Improvements from Premier Conover, LLC contained in the exhibit file called 2024 Resolutions.)

***CITY OF CONOVER
RESOLUTION 22-24***

***RESOLUTION ACCEPTING INFRASTRUCTURE IMPROVEMENTS
FROM PREMIER CONOVER, LLC***

WHEREAS, PREMIER CONOVER, LLC has completed the installation of public infrastructure for the Arhaus project at 485 Punch Loop Rd (Catawba County PIN 373215637067), previously multiple parcels; and

WHEREAS, the City of Conover Public Works Department has inspected said improvements and found them to meet the City's standards; and

WHEREAS, the North Carolina Department of Transportation has abandoned its responsibility for the maintenance of the original Punch Loop Road west of its intersection with the mainline of the Norfolk Southern Railroad; and

WHEREAS, the Final Plat for said subdivision has been filed with the Catawba County Register of Deeds in Plat Book 84, pp. 160-161, showing the dedication of right-of-way and easements for said improvements; and

WHEREAS, said improvements consist of the following:

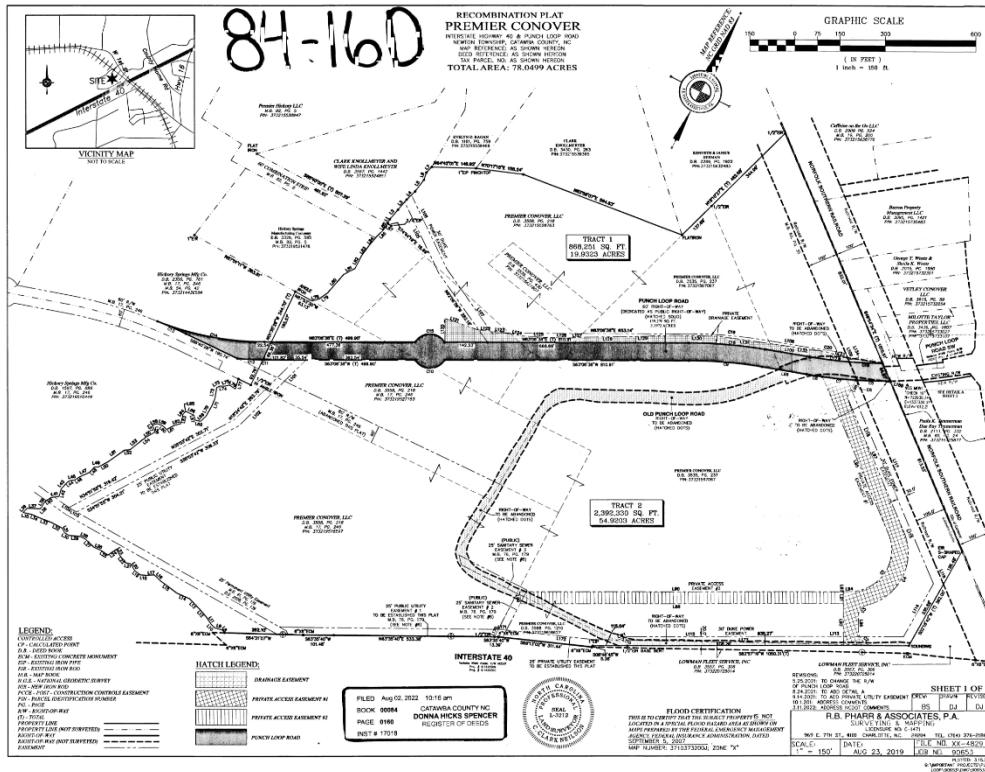
- *Approximately 1,800' of 8" sewer line and fixtures with a value of \$550,000*
- *Approximately 2,000' of 12" water line and fixtures with a value of \$620,000.00*
- *Approximately 1,560' of street, with a value of \$1,091,790.*

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Conover, North Carolina:

That the City of Conover agrees to accept and maintain all of the infrastructure referenced in this resolution.

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Adopted this, the 3rd day of June, 2024.



Item 19: Resolution 23-24: Tourism Development Authority Appointment

Kyle J. Hayman, Mayor presented Resolution 23-24: Tourism Development Authority Appointment. Mayor Pro Tem / Council Member Bruce Eckard's term is expiring at the end of June. This resolution will appoint Mayor Hayman to the position.

Motion was duly made by Council Member Green, seconded by Council Member Fulbright, to adopt Resolution 23-24: Tourism Development Authority Appointment.

AYES:	Mayor Hayman, Mayor Pro Tem / Council Member Eckard, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

(Resolution 23-24: Tourism Development Authority Appointment contained in the exhibit file called 2024 Resolutions.)

**CITY OF CONOVER
RESOLUTION 23-24**

TOURISM DEVELOPMENT AUTHORITY APPOINTMENT

WHEREAS, the Conover City Council makes the following appointments to the Tourism Development Authority:

- *One (1) individual who has demonstrated an interest in Tourism & Conventions and does not own or operate hotels, motels, etc.*

WHEREAS, the current three-year term held by Mayor Pro Tem / Council Member Bruce Eckard will expire on June 30, 2024; and

NOW, THEREFORE BE IT RESOLVED that the Conover City Council appoints:

Mayor Kyle J. Hayman to the authority for a three-year term beginning July 1, 2024 and expiring June 30, 2027.

Adopted this the 3rd day of June, 2024.

Item 20: North Carolina Cooperative Liquid Assets Security Systems

- a. Resolution 24-24: Resolution to Participate in North Carolina Cooperative Liquid Assets Securities Systems**
- b. Joinder Agreement to Interlocal Agreement - NC Cooperative Liquid Assets Securities System**

Kurt L Beal, Finance Director presented Resolution 24-24: Resolution to Participate in North Carolina Cooperative Liquid Assets Security Systems and a Joinder Agreement to Interlocal Agreement - NC Cooperative Liquid Assets Securities System. He requested permission from Council to invest in a new fund. Currently, the City invests most of its capital with the North Carolina Cash Management Trust. In April 2023, a new investment fund called North Carolina Cooperative Liquid Assets Security Systems (NCCLASS) was created that only local governments can invest in.

Item 20a. Resolution 24-24: Resolution to Participate in North Carolina Cooperative Liquid Assets Securities Systems

Motion was duly made by Council Member Canrobert, seconded by Council Member Green, to adopt Resolution 24-24: Resolution to Participate in North Carolina Cooperative Liquid Assets Securities Systems.

MINUTES FROM THE JUNE 3, 2024 CONOVER CITY COUNCIL REGULAR MEETING

AYES:	Mayor Hayman, Mayor Pro Tem / Council Member Eckard, Council Member Canrobert, Council Member Fulbrighst, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

(Resolution 24-24: Resolution to Participate in North Carolina Cooperative Liquid Assets Securities Systems contained in exhibit file called 2024 Resolutions.)

CITY OF CONOVER

Resolution 24-24

Resolution to Participate in North Carolina Cooperative Liquid Assets Securities Systems

A resolution authorizing the City of Conover, North Carolina (the "City") to join with other political subdivisions of the State of North Carolina as a Participant ("Participant") in the North Carolina Cooperative Liquid Assets Securities System (North Carolina CLASS) (the "Trust") to pool funds for investment.

WHEREAS, the provisions of Section 159-30 of the General Statutes of North Carolina, as amended ("N.C. Gen. Stat."), provide the guidelines for any local government or public authority of the State of North Carolina (a "Local Government" or "Local Government Unit") to invest idle funds;

WHEREAS, under N.C. Gen. Stat. § 159-30(c)(10), moneys may be invested in a commingled investment pool established by interlocal agreement pursuant to N.C. Gen. Stat. § 160A-460 through 160A-464 (a "Local Government Investment Pool"), if the investments of the Local Government Investment Pool are limited to those qualifying for investment under N.C. Gen. Stat. § 159-30(c) or other laws of the State of North Carolina governing the investment of monies of a Local Government Unit ("Permitted Investments");

WHEREAS, certain Local Government Units have executed an Interlocal Agreement dated March 1, 2023 (the "Original Interlocal Agreement" and as supplemented and amended the "Interlocal Agreement") for the purpose of creating the Trust or executed a joinder agreement for purposes of joining the Original Interlocal Agreement;

WHEREAS, the Trust is governed by the terms of an Indenture of Trust dated as of March 1, 2023 (the "Indenture"), which provides for the deposit of the pooled idle funds in the Trust and the investment of such funds in only Permitted Investments;

WHEREAS, the City desires to become a party to the Interlocal Agreement and a Participant in the Trust.

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NOW, THEREFORE, it is hereby RESOLVED by the City Council (the "Governing Body") of the City as follows:

- 1. The Governing Body hereby approves the City becoming a party to the Interlocal Agreement and its participation in the Trust, which is governed by the Indenture.*
- 2. The Governing Body authorizes the execution and delivery of a Joinder Agreement to Interlocal Agreement (the "Joinder Agreement") substantially in the form presented at this meeting, together with such changes, modifications and deletions as may be approved by the City's Finance Director a/k/a Finance Officer (the "Finance Officer"). The approval of the Joinder Agreement will be evidenced conclusively by the execution and delivery of the Joinder Agreement by the Finance Officer.*
- 3. The Finance Officer is hereby authorized to take or cause to be taken any and all such other actions as they may determine in their discretion to be necessary or advisable or in the best interest of the City in order to effectuate, complete and carry out the intent and purposes of the foregoing resolutions and the management, supervision, and investment of the City's idle funds, including, but not limited to, the execution of all depository forms or other documents required by the administrator, the custodian or the investment advisor of the Trust and execution of amendments to the Interlocal Agreement entered into for the purpose of (i) adding an additional Participant to the Trust or (ii) which do not have financial implications for the City.*
- 4. The Governing Body hereby approves the Finance Officer to serve as the City's Authorized Representative under the Interlocal Agreement and the Indenture and in such capacity shall remain responsible for the management, supervision and investment of the City's idle funds.*

Adopted this the 3rd day of June, 2024 at Conover, North Carolina.

Item 20b. Joinder Agreement to Interlocal Agreement - NC Cooperative Liquid Assets Securities System

Motion was duly made by Council Member Green, seconded by Council Member Canrobert, to approve the Joinder Agreement to Interlocal Agreement - NC Cooperative Liquid Assets Securities System.

AYES:	Mayor Hayman, Mayor Pro Tem / Council Member Eckard, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

Item 21: Committee Reports

Members of Council gave their committee reports.

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Item 22: City Manager's Report

BUILDING PERMITS: The City issued twenty-nine (29) building permits during the month of May 2024, totaling \$2,204,125. Included were nineteen (19) residential, eight (8) commercial, and two (2) industrial.

HOLIDAY CLOSINGS: City Hall will be closed on July 4th. Items typically collected on July 4th will be collected on July 3rd.

JULY COUNCIL MEETING REMINDER: The Council Meeting in July will be held on Monday, July 8, 2024 at 6:00 PM.

FARMERS MARKET (Continuing): Opening Day: May 4, 2024 from 8AM – 12Noon in the Conover Post Office Parking Lot.

JUNETEENTH EVENT: Friday, June 7, 2024 from 5PM – 10PM at Conover City Park. There will be vendors, a cornhole tournament, and more.

MAYORS/CHAIRS/MANAGERS MEETING: The next meeting will be on June 13th at 6PM at Mimosa Hills.

RACE AROUND THE WORLD 5K: Hosted by Cross Kingdom Ministries. Race begins at 8AM on Saturday, June 15, 2024 at Conover City Park. There will be food trucks and a DJ.

PLANNING BOARD MEMBER REPLACEMENT / APPOINTMENTS TO THE PLANNING BOARD SELECTION COMMITTEE: Under the Planning Board Appointment Policy, the Planning Board Selection Committee shall be comprised of the following members: two members of City Council (to be appointed by Council during a regularly scheduled Council Meeting), two members of the Planning Board (to be appointed by the Planning Board during a regularly scheduled Planning Board meeting), the Planning Director, and the City Manager. Currently, Kyle Hayman and Joie Fulbright are Council's appointees for the Planning Board Selection Committee. They were appointed in November of 2018.

VII. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:25 p.m.

Kyle J. Hayman, Mayor

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Stephanie C. Watson, City Clerk