



CONOVER

North Carolina

Conover City Council

Regular Meeting Minutes

Monday, December 2, 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, December 2, 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
Council Member Mark Canrobert
Council Member Joie Fulbright
Council Member Jim Green
Council Member Brenda Powell

Council Members Absent:

Mayor Pro Tem / Council Member Bruce Eckard

Staff Present:

City Manager Tom Hart, City Clerk Stephanie Watson, City Attorney Susan Matthews, Finance Director Kurt L. Beal, Planning Director Erik Schlichting, Public Works Director Terry R. Jones, Fire Chief Mark Stafford, Police Chief Robert Houston, and Police Major Jeff Barkley.

II. INVOCATION

Rev. Michael Geml, Concordia Lutheran 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 adopt the Monday, December 2, 2024 Agenda.

AYES:	Mayor Hayman, 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. November 4, 2024 Regular Meeting Minutes

Mayor Kyle J. Hayman presented the November 4, 2024 Regular Meeting Minutes.

(November 4, 2024 Regular Meeting Minutes contained in Minute Book 20.)

Item 2: Ordinance 45-24: Capital Project Ordinance Amendment

Mayor Kyle J. Hayman presented Ordinance 45-24: Capital Project Ordinance Amendment.

(Ordinance 45-24: Capital Project Ordinance Amendment contained in the exhibit file called 2024 Ordinances.)

***CITY OF CONOVER
ORDINANCE 45-24***

***CAPITAL PROJECT ORDINANCE AMENDMENT
CITY HALL RENOVATION***

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, City Hall Downstairs Renovation Capital Project Ordinance No. 23-22 adopted on April 4, 2022, amended on July 10, 2023 by Ordinance No. 19-23, is hereby amended:*

City Hall Renovation

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REVENUES

Account	Description	Project Budget	Amendment	Amended Budget
600-3490-0000	State of NC - SCIF Grant	\$ 250,000	-	\$ 250,000
600-3970-9167	Transfer from General Capital Projects	600,000	400,000	1,000,000
600-3970-9130	Transfer from Water Sewer Operating	200,000	-	200,000
600-3290-0000	Interest Income	25,100	-	25,100
	Total Revenues	\$ 1,075,100	400,000	\$ 1,475,100

EXPENDITURES

Account	Description	Project Budget	Amendment	Amended Budget
600-5000-0400	Professional Services	\$ 100,100	25,000	\$ 125,100
600-5000-7200	Contracted Construction	850,000	375,000	1,225,000
600-5000-7400	Capital Outlay - Equipment & Furniture	125,000	-	125,000
	Total Expenditures	\$ 1,075,100	400,000	\$ 1,475,100

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 2nd day of December, 2024.

Motion was duly made by Council Member Green, seconded by Council Member Canrobert, to adopt the Consent Agenda.

AYES:	Mayor Hayman, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

VI. BUSINESS AGENDA

Item 3: Comments from Visitors and Guests

MINUTES FROM THE DECEMBER 2, 2024 CONOVER CITY COUNCIL REGULAR MEETING

Mayor Hayman opened the public comment period for visitors and guests.

Brad Seese of 306 Mooreland Dr, Conover spoke on behalf of Conover Community Partners, expressing gratitude for the participation and support in the Christmas Comes to Conover event. He discussed the planning, activities, and success of the event.

There being no further comments, Mayor Hayman declared the public comment period closed.

Item 4: Consideration of the Connect Conover Comprehensive Pedestrian and Bicycle Plan

- a. Public Hearing to Receive Public Comments on the Connect Conover Comprehensive Pedestrian and Bicycle Plan**
- b. Resolution 47-24: Approval of the Connect Conover Comprehensive Pedestrian and Bicycle Plan**

Erik Schlichting, Planning Director informed Council that in 2022, the city was awarded a Multimodal Planning Grant from the North Carolina Department of Transportation (NCDOT) Intergrated Mobility Division for an update of the City's 2008 Pedestrian Plan. The program, through the NCDOT, assigned Traffic Planning & Design (TPD) as the consultant to help in the creation of the update. After multiple meetings with citizens, the TPD has put together a plan with the help of a Steering Committee and Planning Staff. The update focuses on connectivity, safety, and encouraging walking and biking. The plan includes community input, proposed networks, and an action plan with short, medium, and long-term goals. It aims to leverage additional funding resources and is a non-binding vision for future infrastructure.

Kenny Armstrong of Transportation Planning & Design (TPD) presented the proposed Connect Conover Comprehensive Pedestrian and Bicycle Plan. Projects were ranked based on safety, equity, connectivity, and public support. Public input was requested throughout the process which was obtained through online surveys and participating in existing Conover events. Ten priority projects were identified, with plans for implementation. The plan serves as a guide for starting projects, with flexibility to adapt to changing priorities. Having an adopted plan aids in applying for grants from the NCDOT and also for securing funding from various sources.

Item 4(a): Public Hearing to Receive Public Comments on the Connect Conover Comprehensive Pedestrian and Bicycle Plan

Mayor Hayman opened the public hearing to receive public comments on the proposed Connect Conover Comprehensive Pedestrian and Bicycle Plan.

There were no comments.

Motion was duly made by Council Member Canrobert, seconded by Council Member Fulbright, to close the public hearing.

AYES:	Mayor Hayman, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
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NOES:	None
ABSTAIN:	None

Item 4(b): Resolution 47-24: Approval of the Connect Conover Comprehensive Pedestrian and Bicycle Plan

Erik Schlichting, Planning Director presented Resolution 47-24: Approval of the Connect Conover Comprehensive Pedestrian and Bicycle Plan.

Motion was duly made by Council Member Canrobert, seconded by Council Member Powell, to adopt Resolution 47-24: Approval of the Connect Conover Comprehensive Pedestrian and Bicycle Plan.

AYES:	Mayor Hayman, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

(Resolution 47-24: Approval of the Connect Conover Comprehensive Pedestrian and Bicycle Plan contained in exhibit file called 2024 Resolutions)

***CITY OF CONOVER
RESOLUTION 47-24***

APPROVAL OF THE CONNECT CONOVER COMPREHENSIVE PEDESTRIAN AND BICYCLE PLAN

WHEREAS, the Conover Pedestrian Plan was created in Fall of 2008 and since its adoption, the City has completed many sidewalk projects and recommended connections; and

WHEREAS, due to growth in the City, updates are necessary to the current plan to guide future needed connections and mobility options for intermodal infrastructure to benefit underserved neighborhoods and citizens; and

WHEREAS, in 2022, the City of Conover was awarded a Multimodal Planning Grant from the North Carolina Department of Transportation Integrated Mobility Division to be used toward the update of the City's Pedestrian Plan; and

WHEREAS, Traffic Planning & Design (TPD) was selected as a consultant to assist the City in the creation of the update to the Pedestrian Plan and a Steering Committee was established which consisted of a diverse group of Conover residents, representatives, and business owners; and

***WHEREAS**, the proposed updates to the plan will primarily focus on filling gaps in connections, preparing for future connections, and supporting walking and bicycling throughout the City of Conover.*

***NOW, THEREFORE, BE IT RESOLVED** that the City of Conover Council approves the Connect Conover Comprehensive Pedestrian and Bicycle Plan.*

Approved, this the 2nd day of December 2024.

Item 5: Consideration of the Proposed Rezoning for the Townes at Conover Located at 211 10th St NW and 802 3rd Ave NW, Identified as Catawba County PINs 374213142244 and 374213130784, from B-2-CD (Highway Business-Conditional Development) & B-2 (Highway Business) to B-2-CD (Highway Business-Conditional Development) - Combined 12.7 +/- Acres (Rezoning Application: R24-03)

- a. Public Hearing to Receive Public Comments for the Proposed Rezoning**
- b. Ordinance 46-24: Zoning Ordinance Amendment**

Erik Schlichting, Planning Director presented the proposed rezoning for the Townes at Conover located at 211 10th St NW and 802 3rd Ave NW, identified as Catawba County PINs 374213142244 and 374213130784, from B-2-CD (Highway Business-Conditional Development) & B-2 (Highway Business) to B-2-CD (Highway Business-Conditional Development) - Combined 12.7 +/- Acres (Rezoning Application: R24-03). Water and sewer service is available. The developer plans to develop the property for 139 attached townhome units. There was some discussion to the modification of the plan due to stormwater issues. Due to this, the plan had to be brought back to Council for re-approval. Pickleball courts will be included in the amenities. The developer agreed to remove billboards prior to the first building being complete and ready for occupancy.

Conditional Notes Presented to Council – R24-03

211 10th Street NW, 803 3rd Ave NW – Dependable Development LLC

- 1. APPROVAL OF THIS PLAN SUPERCEDES AND REPLACES ALL APPROVALS FOR REZONING R23-04, ORDINANCE 17-23, ADOPTED BY THE CITY COUNCIL ON JULY 10TH, 2023.*
- 2. THE DEVELOPMENT SHALL CONSIST OF UP TO A MAXIMUM OF 139 UNITS AND A MAXIMUM OF 25 BUILDINGS.*
- 3. BUILDING ARCHITECTURAL TREATMENTS AND ROOFLINES, ELEVATIONS, MATERIALS AND COLORS SHALL BE CONSISTENT WITH DESIGNS APPROVED AS PART OF THIS PRELIMINARY PLAN.*
- 4. ALL UNITS SHALL HAVE TWO DEDICATED OFF-STREET PARKING SPACES. ON STREET PARKING SPACES NOT EXPLICITLY DESIGNATED FOR MAIL KIOSKS AND AMENITIES SHALL COUNT AS FULFILLING SPACE-PER-UNIT PARKING REQUIREMENTS.*

5. *BUILDINGS SHALL NOT EXCEED 35' IN HEIGHT.*
6. *BUILDING SETBACKS ARE APPROVED AS SHOWN ON THIS SITEPLAN.*
7. *ROAD CONSTRUCTION ALONG 10TH STREET NW SHALL BE APPROVED BY NCDOT AND BE BUILT TO NCDOT STANDARDS. CURB AND GUTTER SHALL NOT BE INSTALLED ALONG 10TH STREET NW.*
8. *NEW STREETS SHALL BE APPROVED BY THE CITY OF CONOVER AND BE BUILT TO CITY OF CONOVER STANDARDS. NEW STREETS SHALL BE PUBLIC.*
9. *ALL SIDEWALKS SHALL BE BUILT TO CITY OF CONOVER STANDARDS AND BE ADA COMPLIANT.*
10. *ALL DRAINAGE FEATURES OUTSIDE THE PUBLIC RIGHT OF WAY SHALL BE PRIVATELY MAINTAINED.*
11. *ALL STORMWATER RETENTION FEATURES AND CONVEYANCES SHALL BE CONSTRUCTED TO THE CITY'S STANDARDS AND BE PRIVATELY MAINTAINED.*
12. *ALL WATER AND SEWER UTILITIES CONSTRUCTED AS PART OF THE CITY'S UTILITY SYSTEM SHALL COMPLY WITH CITY'S REQUIREMENTS FOR MATERIALS, SIZES AND LOCATION.*
13. *ANY/ALL CITY UTILITY EASEMENTS SHALL BE 25' WIDE.*
14. *MAIL SERVICE SHALL BE VIA MAIL KIOSK(S).*
15. *A MONUMENT STYLE SIGN MAY BE PLACED AT CORNER OF 3RD AVENUE NW AND 10TH STREET NW ENTRANCES. SIGNS SHALL COMPLY WITH THE ZONING CODE.*
16. *OPEN SPACE, RECREATION SPACE AND OTHER AMENITIES SHALL BE PRIVATELY MAINTAINED AND RESERVED EXCLUSIVELY FOR USE BY THE RESIDENTS OF THE DEVELOPMENT.*
17. *NO MORE THAN 50% OF THE PROPOSED RESIDENTIAL UNITS SHALL BE PERMITTED PRIOR TO THE COMPLETION OF ALL ONSITE AMENITIES (e.g., COMMUNITY BUILDING, PLAYGROUND, TRAILS, etc.).*
18. *BUILDINGS ADJACENT TO 10TH STREEET NW SHALL NOT EXCEED TWO STORIES IN HEIGHT.*
19. *SHOULD THE TREE PRESERVATION AREAS FAIL TO OFFER ADEQUATE SCREENING, THE DEVELOPER SHALL INSTALL NEW EVERGREEN SCREENING AND/OR ENHANCE EXISTING FOLIAGE WITH NEW EVERGREEN PLANTINGS.*
20. *THE PRELIMINARY LANDSCAPE PLAN MAY BE ADJUSTED DURING DESIGN TO ACCOMMODATE THE PLACEMENT OF UTILITIES AND STREETLIGHT AND ENSURE DRIVER AND PEDESTRIAN SAFETY.*
21. *FINAL PLANS WILL BE REVIEWED AND APPROVED BY THE CONOVER SITE PLAN REVIEW COMMITTEE PRIOR TO CONSTRUCTION.*
22. *THE DEVELOPER SHALL ENTER INTO A DEVELOPMENT AGREEMENT WITH THE CITY PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.*
23. *THE DEVELOPER AGREES TO REMOVE THE EXISTING BILLBOARDS PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.*

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Shaun Gasparini of True Homes (Corporate Address: 2649 Brekonridge Centre Drive, Monroe, NC) presented the plan, highlighting the changes made to site plan which included correcting the issues with stormwater, changes to the configuration of the site plan, and the inclusion of additional amenities which included pickleball courts. The plan is in compliance to the Land Use Plan. True Homes LLC is in agreement with the conditions proposed. Estimated time of completion for the total project is two years. There will be a homeowner's association for this location. Ideally this will be a two phased project.

James McGivern of TPR Design, who acted as Civil Engineer on site for the project, was also available to answer any questions.

There was some discussion about adding playground amenities to the plan.

Item 5(a): Public Hearing to Receive Public Comments for the Proposed Rezoning

Mayor Hayman opened the public hearing to receive comments on the proposed rezoning.

Mark Minton of 1297 Keri Place, Conover asked about elevation from I-40 to the twenty-five foot setback. He also asked what was the main purpose in making sure the billboards are taken down.

Brad Seese of 306 Moreland Drive, Conover stated that he was concerned that there was a lack of single-level homes for those with mobility issues. He understood that building vertical is cheaper but the City should consider holding developers accountable and should design some of the units around those that are mobility challenged as even a young person with a broken leg is considered mobility challenged. Most of the proposed townhomes are at minimum two levels. He hoped that homes could come into the area that are better for all age groups.

Motion was duly made by Council Member Canrobert, seconded by Council Members Fulbright and Green, to close the public hearing to receive public comments for the proposed rezoning.

AYES:	Mayor Hayman, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

Mr. Gasparini stated that the billboards were requested to be taken down by the City due billboards not being compatible with residential land uses and they have agreed to take the billboards down but requested the time condition. In reference to accessibility issues, they do have townhomes designs with a master on the first floor, but they do require a larger footprint. They are not included in the proposed plans before Council. On one of the layouts ("the Kirk") there could be, but it is not the bigger unit. He said that he would consider taking

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that back to their architect for study because he felt there was a need for that as well.

There was some discussion about requesting accessibility units in future projects.

Item 5(b): Ordinance 46-24: Zoning Ordinance Map Amendment

Erik Schlichting, Planning Director presented Ordinance 46-24: Zoning Ordinance Map Amendment with the twenty-three (23) proposed conditions agreed to by the Developer.

When asked about the first-floor layout, Mr. Gasparini stated he did not have any product today that would meet that condition, but he would speak with the architect about exploring incorporating first floor layouts into the plan. He stated that he could agree to the "tot lot" that was asked for.

After further discussion, the Mr. Gasparini agreed to add the following additional condition:

"24. Developer to provide a tot lot with at least three (3) playground elements and benches on site."

Motion was duly made by Council Member Canrobert, seconded by Council Member Powell, to adopt Ordinance 46-24: Zoning Ordinance Map Amendment with Conditions 1 through 23 originally presented to Council and with Condition "24. *Developer to provide a tot lot with at least three (3) playground elements and benches on site*" added by Council.

AYES:	Mayor Hayman, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

(Ordinance 46-24: Zoning Ordinance Map Amendment with 24 conditions contained in exhibit file called 2024 Ordinances.)

CITY OF CONOVER

ORDINANCE 46-24

ZONING ORDINANCE MAP AMENDMENT

WHEREAS, Dependable Development, LLC, owner of Tract 1, submitted rezoning request R24-03 to the City of Conover on March 19th, 2024. The request includes a second property, Tract 2, owned by True Homes, LLC who has granted the applicant permission to seek rezoning on their behalf, to rezone the parcels as follows:

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Tract 1, 211 10th Street NW (Catawba County PIN 374213142244):

Being a tract of land lying and situated in Newton Township, City of Conover, Catawba County, North Carolina. Said tract of land lying within Third Avenue Northwest, Tenth Street North West and Interstate 40 and being more particularly described as follows:

BEGINNING at a found iron pipe on the South Eastern corner of the right of way line of the 40' public right of way (Plat Book 3626 Page 148) of Third Avenue North West and Tenth Street North West (Map Book 68 Page 165) . Commencing from said BEGINNING point along and with the right of way of Tenth Avenue Northwest N 62-25-21 E for distance of 76.07 feet to a rebar found on the 60' public right of way (Map Book 68 Page 165) . Thence, along and with said right of way N 64-35-15 E for distance of 80.52 feet to a rebar found on the 60' public right of way feet to a found rebar. Thence, continuing along with said right of way N 69-32-31 E for distance of 63.77 feet to a rebar found . Thence N 76-00-26 E for distance of 63.72 feet to a rebar found on the 60' public right of way to a rebar found on right of way. Thence N 85-01-55 E for distance of 68.13 feet to a rebar found on the 60' public right of way to a rebar found on the 60' public right of way. Thence S 86-21-54 E for distance of 61.68 feet to a rebar. Thence S 79-06-11 E a distance of 76.69 feet to a rebar on the 60' public right of way. Thence S 76-46-01 E for distance of 88.77 feet to a rebar found on the 60' public right of way. Thence S 77-23-06 E for distance of 61.95 feet to a concrete monument found on the 60' public right of way. Thence S 75-14-51 E for distance of 55.77 feet to a rebar found on the 60' public right of way. Thence S 77-49-22 E a distance of 80.03 feet to a rebar on the 60' public right of way. Thence S 84-15-46 E a distance of 71.94 feet to a rebar on the 60' public right of way. Thence S 89-57-00 E a distance of 95.79 feet to a concrete right of way monument found on the 60' public right of way. Thence S 87-09-37 E a distance of 170.44 feet to a concrete right of way monument on the 60' public right of way. Thence S 83-47-40 a distance of 52.97 feet to a concrete right of way monument found on the 60' public right of way and the intersection of the Interstate 40 right of way, being the northeast corner of subject property. Thence S 36-30-51 W a distance of 332.47 feet along interstate 40 right (Hwy Map Book 1 Pages 25-36; Project No. 8.1625202; Hwy Map Book 1 Pages 112-113 Project No. 8.1625211; Hwy Map Book 2 Pages 61-78; Project No. 8.1792402; Hwy Map Book 2 Pages 220-223; Project No. 33708.2.1; and Deed Book 3626 Page 148) to a concrete right of way monument. Thence along Interstate 40 S 38-48-10 W a distance of 86.29 feet to a rebar. Thence S 47-40-01 W a distance of 99.18 along Interstate 40 to a rebar. Thence S 56-34-11 W a distance of 99.68 along Interstate 40 to the common corner of Sinclair Deal property (Deed Book 1995 Page 1287). Thence along the common line between Deal property and subject parcel S 83-56-28 W a distance of 640.66 feet to a found square top iron on the 40' public right of way (Deed Book 3626 page 148). Thence N 12-33-13 W a distance of 313.34 feet along the 40' public right of way of Third Avenue Northwest to a concrete right of way monument. Thence N 06-37-27 W 193.77 feet to the point or place of BEGINNING and containing 11.067 Acres more or less and being the same property shown as 211 10th ST NW on Boundary/Topographic Survey Map of Laura W. Fairman Property by Nicholas J. Barnes, Registered Surveyor, dated April 11, 2022.

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Tract 2, 802 3rd Avenue NW (Catawba County PIN 374213130784):

Beginning at an iron pin in the northern margin of the right of way of Interstate 40, which said point intersects with the southeast corner of the undeveloped portion of 3rd Avenue, NW, and running thence with the right of way of Interstate 40, North 64° 34' 24" East 41.6 feet to a concrete monument; thence North 64° 30' 01" East 498.17 feet to a concrete monument; thence North 63° 16' 24" East 114.3 feet to an iron pin, corner of Hollar, Hollar and Yancey; thence with the line of Hollar, Hollar and Yancey, South 83° 58' 24" West 640.38 feet to an iron pin in the eastern margin of 3rd Avenue, NW; thence with the eastern margin of the 3rd Avenue, NW, South 12° 23' 12" East 221.69 feet to the point of Beginning, containing 1.634 acres, according to a Plat of Jennie Deal Heirs, Conover, N.C., prepared by Sam Rowe, Jr., Registered Surveyor, dated May 25, 1990, and bearing reference to Deed Book 136, Page 249, Catawba County Registry.

WHEREAS, the request is to rezone Tract 1 currently, zoned B-2-CD (Highway Business-Conditional District) and Tract 2, currently zoned B-2 (Highway Business) to B-2 - CD (Highway Business – Conditional District); and

WHEREAS, the parcels are within the Conover City Limits, and

WHEREAS, a public hearing on the question of said rezoning was held by the Conover City Council, after due notice and advertisement thereof, at a Regular Meeting on December 2nd, 2024; and

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

Section 1. That all of the parcels (Tract 1, Catawba County PIN 374213142244, approximately 11.06 acres) addressed as 211 10th Street NW and Tract 2, (Catawba County PIN 374213130784, approximately 1.63 acres) addressed as 802 3rd Ave NW, and more specifically described above, are hereby rezoned from B-2 (Highway Business) and B-2-CD (Highway Business – Conditional District) to B-2 - CD (Highway Business – Conditional District) in accordance with the submitted site plan and conditions provided by the applicant.

Section 2. That the City Planner be directed to make the change on the Official Zoning Map and Land Development Plan Map of the City of Conover to show the rezoning thereon as herein provided for.

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.

Adopted this 2nd day of December, 2024.

Conditional notes – R24-03

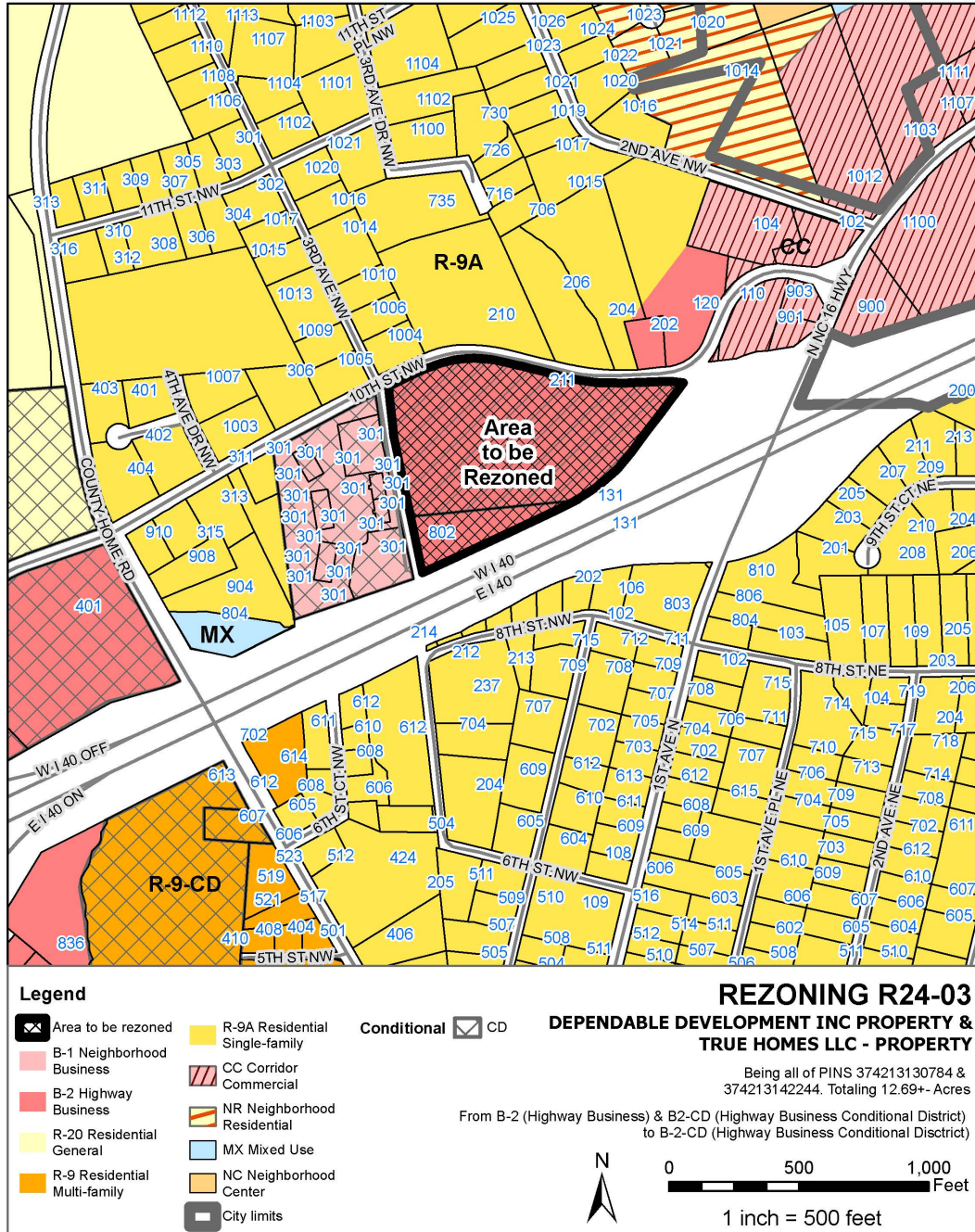
211 10th Street NW, 803 3rd Ave NW – Dependable Development LLC

- 1. APPROVAL OF THIS PLAN SUPERCEDES AND REPLACES ALL APPROVALS FOR REZONING R23-04, ORDINANCE 17-23, ADOPTED BY THE CITY COUNCIL ON JULY 10TH, 2023.*
- 2. THE DEVELOPMENT SHALL CONSIST OF UP TO A MAXIMUM OF 139 UNITS AND A MAXIMUM OF 25 BUILDINGS.*
- 3. BUILDING ARCHITECTURAL TREATMENTS AND ROOFLINES, ELEVATIONS, MATERIALS AND COLORS SHALL BE CONSISTENT WITH DESIGNS APPROVED AS PART OF THIS PRELIMINARY PLAN.*
- 4. ALL UNITS SHALL HAVE TWO DEDICATED OFF-STREET PARKING SPACES. ON STREET PARKING SPACES NOT EXPLICITLY DESIGNATED FOR MAIL KIOSKS AND AMENITIES SHALL COUNT AS FULFILLING SPACE-PER-UNIT PARKING REQUIREMENTS.*
- 5. BUILDINGS SHALL NOT EXCEED 35' IN HEIGHT.*
- 6. BUILDING SETBACKS ARE APPROVED AS SHOWN ON THIS SITEPLAN.*
- 7. ROAD CONSTRUCTION ALONG 10TH STREET NW SHALL BE APPROVED BY NCDOT AND BE BUILT TO NCDOT STANDARDS. CURB AND GUTTER SHALL NOT BE INSTALLED ALONG 10TH STREET NW.*
- 8. NEW STREETS SHALL BE APPROVED BY THE CITY OF CONOVER AND BE BUILT TO CITY OF CONOVER STANDARDS. NEW STREETS SHALL BE PUBLIC.*
- 9. ALL SIDEWALKS SHALL BE BUILT TO CITY OF CONOVER STANDARDS AND BE ADA COMPLIANT.*
- 10. ALL DRAINAGE FEATURES OUTSIDE THE PUBLIC RIGHT OF WAY SHALL BE PRIVATELY MAINTAINED.*
- 11. ALL STORMWATER RETENTION FEATURES AND CONVEYANCES SHALL BE CONSTRUCTED TO THE CITY'S STANDARDS AND BE PRIVATELY MAINTAINED.*
- 12. ALL WATER AND SEWER UTILITIES CONSTRUCTED AS PART OF THE CITY'S UTILITY SYSTEM SHALL COMPLY WITH CITY'S REQUIREMENTS FOR MATERIALS, SIZES AND LOCATION.*
- 13. ANY/ALL CITY UTILITY EASEMENTS SHALL BE 25' WIDE.*
- 14. MAIL SERVICE SHALL BE VIA MAIL KIOSK(S).*
- 15. A MONUMENT STYLE SIGN MAY BE PLACED AT CORNER OF 3RD AVENUE NW AND 10TH STREET NW ENTRANCES. SIGNS SHALL COMPLY WITH THE ZONING CODE.*
- 16. OPEN SPACE, RECREATION SPACE AND OTHER AMENITIES SHALL BE PRIVATELY MAINTAINED AND RESERVED EXCLUSIVELY FOR USE BY THE RESIDENTS OF THE DEVELOPMENT.*
- 17. NO MORE THAN 50% OF THE PROPOSED RESIDENTIAL UNITS SHALL BE PERMITTED PRIOR TO THE COMPLETION OF ALL ONSITE AMENITIES (e.g., COMMUNITY BUILDING, PLAYGROUND, TRAILS, etc.).*
- 18. BUILDINGS ADJACENT TO 10TH STREET NW SHALL NOT EXCEED TWO STORIES IN HEIGHT.*

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19. *SHOULD THE TREE PRESERVATION AREAS FAIL TO OFFER ADEQUATE SCREENING, THE DEVELOPER SHALL INSTALL NEW EVERGREEN SCREENING AND/OR ENHANCE EXISTING FOLIAGE WITH NEW EVERGREEN PLANTINGS.*
20. *THE PRELIMINARY LANDSCAPE PLAN MAY BE ADJUSTED DURING DESIGN TO ACCOMMODATE THE PLACEMENT OF UTILITIES AND STREETLIGHT AND ENSURE DRIVER AND PEDESTRIAN SAFETY.*
21. *FINAL PLANS WILL BE REVIEWED AND APPROVED BY THE CONOVER SITE PLAN REVIEW COMMITTEE PRIOR TO CONSTRUCTION.*
22. *THE DEVELOPER SHALL ENTER INTO A DEVELOPMENT AGREEMENT WITH THE CITY PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.*
23. *THE DEVELOPER AGREES TO REMOVE THE EXISTING BILLBOARDS PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.*
24. *DEVELOPER TO PROVIDE A TOT LOT WITH AT LEAST THREE (3) PLAYGROUND ELEMENTS AND BENCHES ON SITE.*

EXHIBIT A



Item 6: Ordinance 47-24: An Ordinance Amending the 2024-2025 Budget Ordinance

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Robert Houston, Police Chief presented Ordinance 47-24: An Ordinance Amending the 2024-2025 Budget Ordinance. The Police Department was awarded a \$21,562 grant from Firehouse Subs. The grant aims to enhance emergency response capabilities, especially in opioid-related incidents. The department plans to use these funds for the purchase of 14 AED devices to be placed in police vehicles.

Motion was duly made by Council Member Green, seconded by Council Member Fulbright, to adopt Ordinance 47-24: An Ordinance Amending the 2024-2025 Budget Ordinance.

AYES:	None
NOES:	None
ABSTAIN:	None

(Ordinance 47-24: An Ordinance Amending the 2024-2025 Budget Ordinance contained in exhibit file called 2024 Ordinances.)

CITY OF CONOVER ORDINANCE 47-24

AN ORDINANCE AMENDING THE 2024-2025 BUDGET ORDINANCE

BE IT ORDAINED by the City Council of the City of Conover, North Carolina, that the 2024-2025 Budget Ordinance of the City of Conover, adopted pursuant to the provisions of Chapter 159 of the General Statutes of North Carolina, the Local Government Budget and Fiscal Control Act, be amended as noted herein.

Section 1. To amend the General Fund, the expenditures are to be changed as follows:

Account		Description	Increase/ Debit	Decrease/ Credit
100-5100-6400		Non-Capital Outlay - Police	21,562	
Total			\$21,562	

This will result in a net increase of \$0 in the expenditures of the General Fund. To provide funding for the above, the following revenue budgets will be increased as follows:

Account		Description	Decrease/ Debit	Increase/ Credit
100-3490-5100		Grants & Contributions to Police		21,562
Total				\$21,562

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing

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Board, to the Budget Officer and the Finance Officer for their direction.

Adopted this the 2nd day of December, 2024.

Item 7: Resolution 48-24: Resolution Authorizing the City of Conover to Award the Contract to Eagle Wood, Inc for the Downtown Thread Trail Improvement Project and to Authorize the City Manager to Enter into an Agreement with Eagle Wood, Inc to Complete the Project and to Approve Any Necessary Change Orders

Kurt L. Beal, Finance Director presented Resolution 48-24: Resolution Authorizing the City of Conover to Award the Contract to Eagle Wood, Inc for the Downtown Thread Trail Improvement Project and to Authorize the City Manager to Enter into an Agreement with Eagle Wood, Inc to Complete the Project and to Approve Any Necessary Change Orders.

After a review of the bid tab document for the Downtown Thread Trail Pedestrian Improvement Project, Eaglewood was identified as the lowest responsible, responsive bidder.

Motion was duly made by Council Member Green, seconded by Council Member Powell, to adopt Resolution 48-24: Resolution Authorizing the City of Conover to Award the Contract to Eagle Wood, Inc for the Downtown Thread Trail Improvement Project and to Authorize the City Manager to Enter into an Agreement with Eagle Wood, Inc to Complete the Project and to Approve Any Necessary Change Orders.

AYES:	Mayor Hayman, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

(Resolution 48-24: Resolution Authorizing the City of Conover to Award the Contract to Eagle Wood, Inc for the Downtown Thread Trail Improvement Project and to Authorize the City Manager to Enter into an Agreement with Eagle Wood, Inc to Complete the Project and to Approve Any Necessary Change Orders contained in exhibit file called 2024 Resolutions.)

***CITY OF CONOVER
RESOLUTION 48-24***

RESOLUTION AUTHORIZING THE CITY OF CONOVER TO AWARD THE CONTRACT TO EAGLE WOOD, INC FOR THE DOWNTOWN THREAD TRAIL IMPROVEMENT PROJECT AND TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH EAGLE WOOD, INC TO COMPLETE THE PROJECT AND TO APPROVE ANY NECESSARY CHANGE ORDERS

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WHEREAS, on September 17, 2024, the City of Conover requested bids, pursuant to duly advertised notice therefore, for the Downtown Thread Trail Improvement Project; and

WHEREAS, during the bid opening held on October 17, 2024, no bids (0) were received for the project; and

WHEREAS, in accordance with North Carolina General Statutes, on October 22, 2024, a second request for bids for the project was re-advertised and during the second bid opening on November 6, 2024, three (3) bids were received; and

WHEREAS, of the three bids received, Eagle Wood, Inc, of Denver, NC was the lowest responsible, responsive bidder with a lump sum base bid of \$547,000.

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

1. The Certified Bid Tabulation from the November 6th bid opening for the Downtown Thread Trail Improvements Project shall be approved.
2. The bid is awarded to Eagle Wood, Inc. as the lowest responsible, responsive bidder in the total amount of \$547,000.
3. The City Manager, being the Authorized Official, and successors so entitled is hereby authorized to execute the contract and approve any necessary change orders.
4. Certified copies of this Resolution shall be kept with the City Clerk.
5. This Resolution shall take effect immediately upon its adoption.

Adopted this the 2nd day of December, 2024.

Item 8: Tax Releases and Refunds

Kurt L. Beal, Finance Director presented the 2024 Tax Releases and Refunds. North Carolina General Statutes 105-381 (b) gives the governing body responsibility for approving tax refund and release requests. Refunds and waivers are only allowed under two very limited circumstances: clerical errors or the tax imposed is illegal. The total amount refunded/released is \$48,628, an increase of \$12,946 from the same period last year due to a billing error by one taxpayer.

Motion was duly made by Council Member Fulbright, seconded by Council Member Canrobert, to approve the 2024 Tax Releases and Refunds.

AYES:	Mayor Hayman, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell
NOES:	None
ABSTAIN:	None

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Item 9: Presentation of FY24 Audit

Hunter Wiseman with Thompson, Price, Scott, Adams & Co, P.A. presented the city's 2024 audit results, highlighting that it was an unmodified opinion, there were no significant new accounting policies, and no audit findings.

Item 10: Committee Reports

Members of Council gave committee reports.

Item 11: City Manager's Report

BUILDING PERMITS: The City issued twenty-four (24) building permits during the month of November 2024, totaling \$3,633,392. Included were seventeen (17) residential, three (3) commercial, and four (4) industrial.

HOLIDAY CLOSINGS: The City will be closed on December 24-26, 2024 for the Christmas holiday and on January 1, 2025 for New Year's Day.

Updated Collection Schedule for the Holidays:

<u>Normally Collected</u>	<u>New Collection Date:</u>
Tuesday, December 24	Tuesday, December 24
Wednesday, December 25	Thursday, December 26
Thursday, December 26	Friday, December 27
Wednesday, January 1	Thursday, January 2

UPCOMING EVENTS:

THIS MONTH:

- **Christmas In the Park:** Tuesday, December 3rd from 6PM until 7:30PM
- **UDO Academy:** Tuesday, December 10th at 5:15 PM (Online/City Hall)
- **Citywide Employee Christmas Lunch:** Friday, December 13, 2024 at 12:00 Noon at Public Works / Public Utilities Facility (939 4th St SW, Conover)

FUTURE EVENTS:

- **Budget Retreat:** Wednesday, January 22, 2025 at 12 Noon at MSC II

VII. ADJOURNMENT

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There being no further business, the meeting was adjourned at 7:33 p.m.

Kyle J. Hayman, Mayor

Stephanie C. Watson, City Clerk