



CONOVER

North Carolina

Conover City Council

Regular Meeting Minutes

Monday, January 6, 2025 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, January 6, 2025 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, Finance Director Kurt L. Beal, Planning Director Erik Schlichting, Public Works Director Terry R. Jones, Fire Chief Mark Stafford, Police Chief Robert Houston, Information Technology Director Chris Niver, Deputy Fire Chief Jackie Lail, Officer Michael Cross, Officer Shannon Grindstaff

II. INVOCATION

Rev. Helen M. Bledsoe, Covenant Christian 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, January 6, 2025 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
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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. December 2, 2024 Regular Meeting Minutes

Mayor Kyle J. Hayman presented December 2, 2024 Regular Meeting Minutes.

(December 2, 2024 Regular Meeting Minutes contained in Minute Book 20.)

Item 2: Resolution 01-25: Appointment of Planning Board Member

Mayor Kyle J. Hayman presented Resolution 01-25: Appointment of Planning Board Member.

(Resolution 01-25: Appointment of Planning Board Member contained in the exhibit file called 2025 Resolutions.)

***CITY OF CONOVER
RESOLUTION 01-25***

***Conover Planning Board / Board of Adjustment
appointment - Alternate #3 position***

WHEREAS, James “Zan” Thompson has resigned from the Planning Board / Board of Adjustment Alternate #3 position; and

WHEREAS, the term for the Alternate #3 position shall expire on June 1, 2026; and

WHEREAS, the City of Conover Planning Board Appointment Committee has nominated Todd Griffin to the Planning Board / Board of Adjustment Alternate #3 position to fulfill the unexpired term.

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

- ***Todd Griffin*** as Alternate #3 of the Planning Board / Board of Adjustment for a term to expire on June 1, 2026

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Adopted, this the 6th day of January, 2025.

Motion was duly made by Council Member Green, seconded by Council Member Canrobert, 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 3: Comments from Visitors and Guests

Mayor Hayman opened the public comment period.

Barbara Felix of 3968 Village Blvd NW, Conover representing a Cline Village HOA expressed concerns about a need for a secondary access road due to community growth and safety concerns. Members of staff have been invited to attend the HOA meeting in February to further discuss this concern.

Others in attendance that were in support of adding a secondary access into the Cline Village neighborhood:

- Noel Davidson - 4084 Library Ln NW, Conover
- Ron Mathews - 3975 Village Blvd NW, Conover
- Cylinder Mathews - 3975 Village Blvd NW, Conover
- Josh Tomasek - 3973 Library Lane NW, Conover

Motion was duly made by Mayor Pro Tem / Council Member Eckard, seconded by Council Member Powell, to adjourn 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

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ABSTAIN:	None
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Item 4: Presentation: Michael Cross and Shannon Grindstaff Award

Mayor Kyle Hayman, Council, and Police Chief Robert Houston presented Advanced Law Enforcement Certificates to police officers Michael Andrew Cross and Shannon Denise Grindstaff for their achievements and dedication.

Item 5: Resolution 02-25: Acceptance of Property from Catawba County Property Development Corporation

Tom Hart, City Manager presented Resolution 02-25: Acceptance of Property from Catawba County Property Development Corporation. This resolution would authorize the Mayor and City Manager to act on behalf of the City to take possession of thirteen (13) acres of land by the Microsoft Park area.

Motion was duly made by Mayor Pro Tem / Council Member Eckard, seconded by Council Member Powell, to adopt Resolution 02-25: Acceptance of Property from Catawba County Property Development Corporation.

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 02-25: Acceptance of Property from Catawba County Property Development Corporation contained in the exhibit file called 2025 Resolutions.)

CITY OF CONOVER RESOLUTION 02-25

ACCEPTANCE OF PROPERTY FROM CATAWBA COUNTY PROPERTY DEVELOPMENT CORPORATION

WHEREAS, the Board of Directors (the “Board”) of the Catawba County Property Development Corporation, a North Carolina non-profit corporation (the “Corporation”) has determined that it is in the best interest of the Corporation to donate that real property better described in the attached Exhibit A and shown in the attached Exhibit B, which is located in Conover, North Carolina (the “Property”) to the City of Conover (“Conover”) to be used for trails or a similar public purpose since it is predominantly located in a floodplain;

WHEREAS, the Board of the Corporation, adopted the following resolution described in the

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attached Exhibit C without a meeting and by its written consent pursuant to Section 55A-8-21, et. seq. of the North Carolina Non-Profit Corporation Act (as amended) (the “Act”), and as provided in the duly adopted Bylaws of the Corporation (the “Bylaws”); and

WHEREAS, *the Corporation is a party to that Interlocal Agreement for a Business Park for Economic Development dated September 17, 2012, between Catawba County, the City of Hickory, the City of Conover, the Town of Maiden, and the Town of Catawba (collectively, the “Governmental Partners”) pertaining to the development and sale of the Property (or parts thereof) (the “Interlocal Agreement”); and*

WHEREAS, *the Governmental Partners have authorized the donation of the Property to Conover, at no expense to the Governmental Partners, other than Conover, or the Corporation, and have authorized the Corporation to consummate the same as evidenced by that Governmental Partners’ Consent Pursuant to Interlocal Agreement for a Business Park for Economic Development attached hereto as Exhibit D; and*

WHEREAS, *the City Council of Conover hereby agrees to accept said donation by Special Warranty Deed and be responsible for all costs associated with the donation.*

NOW, THEREFORE, BE IT:

RESOLVED, *the City Council of Conover hereby agrees to accept the donation of the real property described on the attached Exhibit A and shown in the attached Exhibit B by Special Warranty Deed from the Catawba County Property Development Corporation to be used as trails or a similar public purpose;*

RESOLVED FURTHER, *that the City of Conover shall be responsible for costs associated with the donation, including but not limited to recording fees;*

RESOLVED FURTHER, *that Kyle J. Hayman, the Mayor of the City of Conover, the City Manager, the City Attorney and any such officers of Conover as any of them shall deem appropriate (each an “Authorized Officer”) are hereby authorized and directed, in the name and on behalf of Conover, to execute any documents deemed necessary in connection with the acceptance of the Property, as may be approved by the Authorized Officer executing the same, such approval to be conclusively evidenced by his or her execution and delivery thereof;*

RESOLVED FURTHER, *that the omission from these resolutions of any agreement or other arrangement contemplated by any of the agreements or instruments described in the foregoing resolution or any lawful action to be taken in accordance with any requirement of any of the agreements or instruments described in the foregoing resolutions shall in no manner derogate from the authority of the Authorized Officers of Conover to take all lawful actions necessary, desirable, advisable or appropriate to consummate, effectuate, carry out or further the transactions contemplated by and the intent and purposes of the foregoing resolution;*

RESOLVED FURTHER, *that all lawful actions previously taken by the Authorized Officers of the City of Conover, or any of them, in connection with any matter referred to any of the*

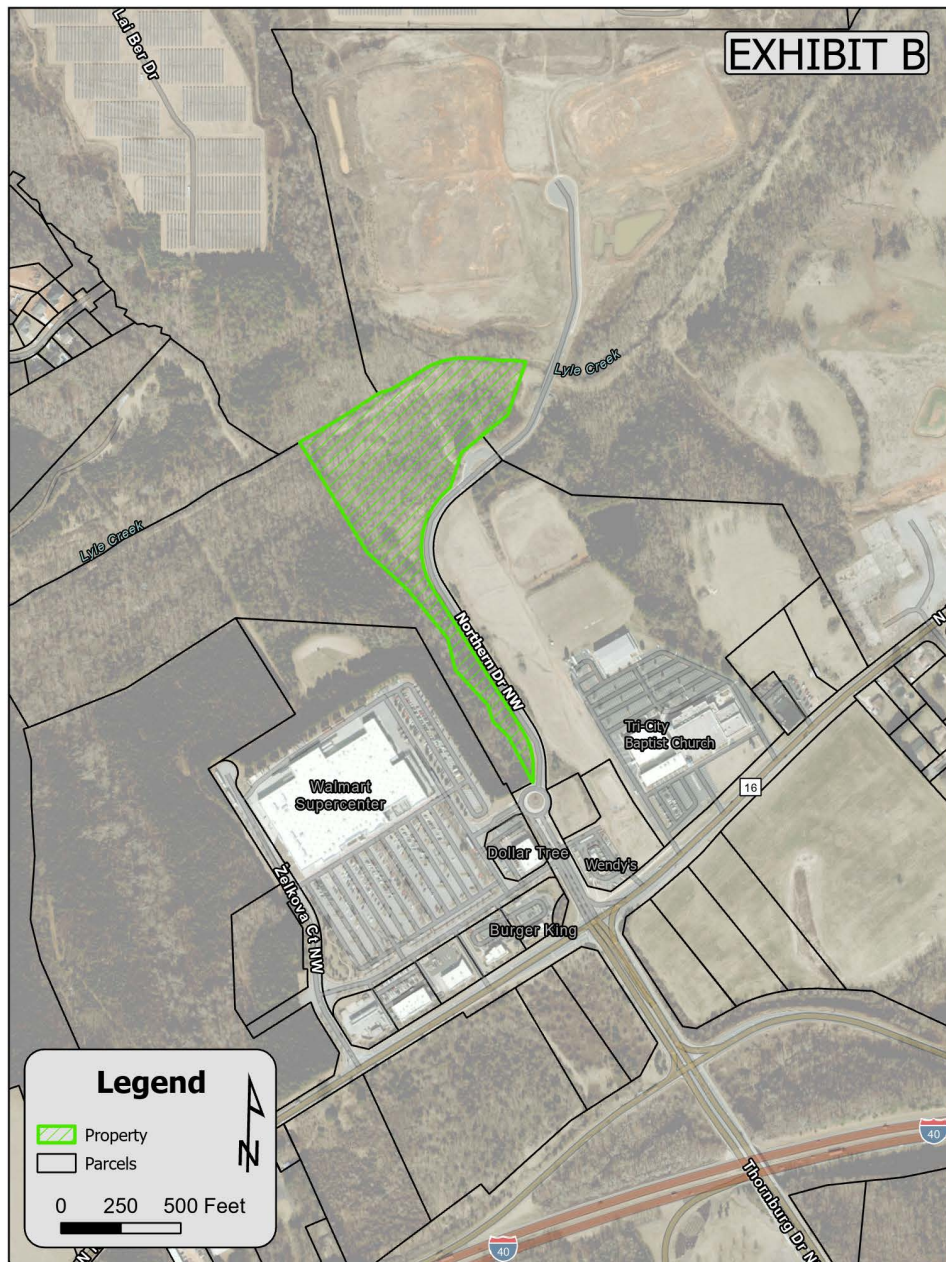
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foregoing resolutions on or before the date hereof are hereby adopted, ratified, confirmed and approved in all respects;

RESOLVED FURTHER, that Authorized Officers of Conover are hereby authorized to certify and deliver copies of these resolutions to any one or more foregoing resolutions to such governmental bodies or agencies or persons or corporations as he or she may deem necessary or desirable, and to furnish evidence of the approval of any officer authorized to give such approval or any agreement, document or instrument or any provision thereof;

RESOLVED FURTHER, that this resolution be properly tendered to the City Clerk of the City of Conover for inclusion in the minutes and records of the City of Conover.

This the 6th day of January, 2025.



Item 6: Resolution 03-25: A Resolution Authorizing Advertisement by Electronic Means for Project and Purchase Bidding

Tom Hart, City Manager presented Resolution 03-25: A Resolution Authorizing Advertisement by Electronic Means for Project and Purchase Bidding. This would allow the city to advertise project and purchase bidding by electronic means in situations where it would

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be more beneficial than advertising in the local newspaper. All other statute requirements would still be met.

Motion was duly made by Council Member Canrobert, seconded by Council Member Fulbright, to adopt Resolution 03-25: A Resolution Authorizing Advertisement by Electronic Means for Project and Purchase Bidding.

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 03-25: A Resolution Authorizing Advertisement by Electronic Means for Project and Purchase Bidding contained in the exhibit file called 2025 Resolutions.)

CITY OF CONOVER RESOLUTION 03-25

A RESOLUTION AUTHORIZING ADVERTISEMENT BY ELECTRONIC MEANS FOR PROJECT AND PURCHASE BIDDING

WHEREAS, contracts for construction or repair work, and for the purchase of apparatus, supplies, materials, and equipment that meet the monetary threshold established in North Carolina General Statute §143-129 must be publicly advertised; and

WHEREAS, North Carolina General Statute §143-129(b) authorizes the governing board to allow the use of electronic advertisement as an alternative to advertisement in a newspaper of general circulation; and

WHEREAS, in some cases, advertisement in the newspaper may be the most efficient method of obtaining competition, but in other cases, advertisement by electronic means may be a more effective and efficient method of reaching prospective bidders; and

WHEREAS, it is in all cases important to provide citizens with an opportunity to obtain information about major contracts to be awarded by the City of Conover.

NOW THEREFORE, BE IT RESOLVED THAT:

- 1. The City Manager, or his or her designee, is authorized to advertise using electronic means as an alternative to placing an advertisement in a newspaper of general*

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circulation whenever he or she determines it to be the most effective and efficient method of obtaining competition for a contract.

- 2. Advertisement by newspaper and electronic means may be used together or in the alternative, and the requirements of G.S. 143-129 (b) shall be met as long as one of the methods used meets the minimum time for advertisement.*
- 3. When electronic advertisement is used, information about the bid solicitation shall be made available to the public either by published notice, posting in a place in which similar notices are placed, or electronically on the official website of the City of Conover.*

Adopted on this the 6th day of January, 2025.

Item 7: Annexation Petition For a Portion of Property Located Along Rock Barn Rd NE and Identified by Catawba County GIS Parcel Identification Number 374107580857 Containing Approximately 11.747 Acres +/-

- a. Resolution 04-25: Resolution Directing the Clerk to Investigate a Petition Received Under GS 160A-31**
- b. Resolution 05-25: Resolution Fixing the Date of Public Hearing on Question of Annexation Pursuant to GS 160A-31**

Stephanie C. Watson, City Clerk / Assistant to the Manager presented an annexation petition for a portion of property located along Rock Barn Rd NE and Identified by Catawba County GIS Parcel Identification Number 374107580857 and containing approximately 11.747 Acres +/-.

Item 7(a). Resolution 04-25: Resolution Directing the Clerk to Investigate a Petition Received Under G.S. 160A-31.

Resolution 04-25 directs the City Clerk to investigate the petition for annexation. The petition was reviewed and found sufficient.

Motion was duly made by Council Member Canrobert, seconded by Mayor Pro Tem / Council Member Eckard, to adopt Resolution 04-25: Resolution Directing the Clerk to Investigate a Petition Received Under GS 160A-31.

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

(Resolution 04-25: Resolution Directing the Clerk to Investigate a Petition Received Under GS 160A-31 contained in exhibit file called 2024 Resolutions.)

CITY OF CONOVER RESOLUTION 04-25

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31

WHEREAS, a petition requesting annexation of an area described in said petition was received on December 30, 2024 by the City Clerk on behalf of the City Council; and

WHEREAS, G.S. 160A-31, provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the Conover City Council of the City of Conover deems it advisable to proceed in response to this request for annexation.

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

That the City Clerk has investigated the sufficiency of the above described petition and certifies to the Conover City Council that petition is in order.

Adopted this 6th day of January, 2025.

Item 7(b). Resolution 05-25: Resolution Fixing the Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-31

Resolution 05-25 calls for a public hearing on the question of the annexation to take place during Council's regular meeting to be held on Monday, February 3, 2025 at 6:00 p.m. in the Council Chambers of Conover City Hall.

Motion was duly made by Council Member Canrobert, seconded by Mayor Pro Tem / Council Member Eckard, to adopt Resolution 05-25: Resolution Fixing the Date of Public Hearing on Question of Annexation Pursuant to GS 160A-31.

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

(Resolution 05-25: Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-31 contained in exhibit file called 2024 Resolutions.)

CITY OF CONOVER RESOLUTION 05-25

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G. S. 160A-31

WHEREAS, the petition by Linda H. Wright and Nancy H. Kelly requesting annexation of the area described herein has been received; and

WHEREAS, the Conover City Council has by resolution directed the City Clerk to investigate the sufficiency of said petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made.

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

Section 1. That a public hearing on the question of the area described herein will be held at Conover City Hall at 6:00 p.m. on the 3rd day of February, 2025.

Section 2. The area proposed for annexation can be identified as a portion of the following property identified by Catawba County GIS Parcel Identification Number 374107580857 (portion) and more particularly described as follows:

Commencing at NCGS Monument "YMCA", said monument having coordinates of N: 717,947.65 E: 1,345,641.89, thence from said monument N 85°40'51" W – 2,039.01' to NCGS Monument "Citgo", said monument having NCGS Coordinates of N: 718,101.19 E: 1,343,608.91, thence from said monument N 69°50'13" E – 1,281.86 to an existing 1" iron pipe, said pipe being a common corner of James Everett Hollar (2940/315), said pipe also being the point of beginning, thence from said pipe and following a common line of Hollar N 02°44'19" W - 47.34' to an existing ¾" iron pipe, said pipe being a common corner of Atriax Building Solutions LLC (3447/1011), thence continuing and following a common line of Atriax Building Solutions N 02°46'26" W - 181.78' to an existing ½" pipe in a 2" pipe, thence continuing and following a line within Nancy H. Kelley & Linda H. Wright's property the following two calls; N 02°46'26" W - 362.42' to a point, thence continuing N 43°51'28" E - 384.66' to a point, said point being a common corner of Brandywine Homeowners Association (2418/864), thence continuing with Brandywine Homeowners S 34°03'18" E - 741.59' to an existing ¾" pinched iron, thence continuing with Brandywine Homeowners N 87°04'07" E -

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534.57' to an existing ¾" pipe, thence continuing with Brandywine Homeowners S 00°43'28" E - 196.01' to an existing ¾" pinched pipe, said pipe being a common corner with Legacy Place of Catawba Valley, Inc. (2688/1572), thence continuing S 85°56'40" W - 268.54' to an existing tall #4 rebar, said rebar being a common corner of YMCA of Catawba Valley Inc. (1426/619), thence continuing with a common line of YMCA S 85°51'08" W - 723.92' to an existing ¾" iron pipe, said pipe being a common corner of Shannon B. McDonald (3614/1455), thence with a common line of McDonald S 86°03'36" W - 100.09' to an existing ¾" iron pipe, said pipe being a common corner of James Everett Hollar (2940/315), thence following a common line of Hollar S 86°01'50" W - 100.05' to the point of beginning, containing 11.747 AC± to be annexed by the City of Conover.

Section 3. Notice of said public hearing shall be published once in the Hickory Daily Record, a newspaper having general circulation in the City of Conover, at least ten (10) days prior to the date of said public hearing.

Adopted this the 6th day of January, 2025.

Item 8: Committee Reports

There were no committee reports from Council.

Item 9: City Manager's Report

BUILDING PERMITS: The City issued twenty-three (23) building permits during the month of December 2024, totaling \$1,963,947. Included were sixteen (16) residential, three (3) commercial, and four (4) industrial permits.

HOLIDAY CLOSINGS: January 20th for Martin Luther King Day

Collection Schedule for the Holiday(s):

<u>Normally Collected</u>	<u>New Collection Date:</u>
January 20th	January 17th

POLICE DEPARTMENT REPORTS: City Manager Hart spoke briefly about the uptick of incidents that the Police Department has responded to in the last quarter.

UPCOMING EVENTS FOR THIS MONTH:

- **WPCOG Expansion Groundbreaking Ceremony:** Will be held on Friday, January 10th at 1:30 p.m.
- **Budget Retreat:** Will be held on Wednesday, January 22, 2025 at 12 Noon at MSC II
- **WPCOG Policy Board Meeting:** Will be held on January 28, 2025

MAYOR'S REPORT

- **Martin Luther King Jr Parade:** Mayor Hayman stated that the parade in Newton will be held on Martin Luther King Jr Day. He requested that Council inform staff if they wanted to participate.
- **2025-2026 Biennium Legislative Goals Voting Process:** Mayor Hayman informed Council about the process. He requested that Council appoint a voting delegate to submit Conover's top ten legislative goals. Council Member Fulbright nominated Mayor Hayman as the delegate.

VII. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:28 p.m.

Kyle J. Hayman, Mayor

Stephanie C. Watson, City Clerk