



CONOVER

North Carolina

Conover City Council

Regular Meeting Minutes

Monday, August 4, 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, August 4, 2025 at 6:00 PM in the Council Chambers of Conover City Hall.

I. CALL TO ORDER

Council Members Present:

Mayor Kyle Hayman

Mayor Pro Tem / 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, Fire Chief Mark Stafford,

Police Chief Robert Houston, Major Jeff Barkely, Code

Enforcement Officer Danny Duggan, Police Records

Clerk Debbie Reid, and Police Corporal R. Backman

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF AGENDA

Motion was duly made by Mayor Hayman, seconded by Council Member Green, to adopt the Monday, August 4, 2025 Agenda with the inclusion of an amendment to the 2025 Council Regular Meeting Schedule.

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

V. APPROVAL OF CONSENT AGENDA

MINUTES FROM THE AUGUST 4, 2025 CONOVER CITY COUNCIL REGULAR MEETING

Item 1: Approval of Minutes

a. July 7, 2025 Regular Meeting Minutes

Kyle J. Hayman, Mayor presented the July 7, 2025 Regular Meeting Minutes.

(July 7, 2025 Minutes contained in Minute Book 20)

Item 2: Ordinance 19-25: Capital Project Ordinance Amendment - City Hall Renovation

Kyle J. Hayman, Mayor presented Ordinance 19-25: Capital Project Ordinance Amendment - City Hall Renovation.

(Ordinance 19-25: Capital Project Ordinance Amendment contained in exhibit file called 2025 Ordinances)

MINUTES FROM THE AUGUST 4, 2025 CONOVER CITY COUNCIL REGULAR MEETING

CITY OF CONOVER ORDINANCE 19-25

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, and on December 2, 2024 by Ordinance No 45-24, is hereby amended:

City Hall Renovation

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	1,000,000	250,000	1,250,000
600-3970-9130	Transfer from Water Sewer Operating	200,000	-	200,000
600-3290-0000	Interest Income	25,100	-	25,100
Total Revenues		\$ 1,475,100	250,000	\$ 1,725,100

EXPENDITURES

Account	Description	Project Budget	Amendment	Amended Budget
600-5000-0400	Professional Services	\$ 125,100	-	\$ 125,100
600-5000-7200	Contracted Construction	1,225,000	-	1,225,000
600-5000-7400	Capital Outlay - Equipment & Furniture	125,000	250,000	375,000
Total Expenditures		\$ 1,475,100	250,000	\$ 1,725,100

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 4th day of August, 2025.

Adoption of Consent Agenda

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

AYES:	Mayor Hayman, Mayor Pro Tem / 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.

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

Item 4: Presentation: Advance Certificate - Robert M. Backman

Mayor Kyle J. Hayman, Mayor, members of Council, and Police Chief Robert Houston presented to Sergeant Robert M. Backman the Advance Certificate Award which is awarded through the State of North Carolina Department of Justice, North Carolina Criminal Justice Education and Training Standards Commission. This award requires substantive professional experience, many hours of additional training, and often a higher level of formal education.

Item 5: Rezoning for a 12.69+/- Acre Tract Located at 211 10th St NW and 802 3rd Av NW, Identified as Catawba County PINs 3742-1314-2244 and 3742-1313-0784 from B-2-CD (Highway Business Conditional District) to NR-CD (Residential Conditional District) - Rezoning Application: R25-04

- a. Public Hearing to Receive Public Comments on the Proposed Rezoning**
- b. Ordinance 20-25: Zoning Ordinance Amendment**

Erik Schlichting, Planning Director presented the proposed Rezoning Application R25-04 for a 12.69+/- acre tract located at 211 10th St NW and 802 3rd Av NW, identified as Catawba County PINs 3742-1314-2244 and 3742-1313-0784 from B-2-CD (Highway Business Conditional District) to NR-CD (Residential Conditional District). The properties were rezoned previously in 2023 for 120 units in 19 buildings with a conditional district, but due to stormwater control placement and adding in the bottom triangle portion of property, the developer rezoned the property again in 2024 for 139 townhomes. Due to the current housing market the property owner has requested to change the zoning to accommodate single family dwellings. The new design calls for a maximum of 72 single-family residential homes with a density of over 5.6 units per acre, which is a reduction from the previous density of 10 acres per unit for the townhome development.

Staff recommends approval of the proposed Conditional District rezoning. The Planning Board recommended approval of the rezoning with an unanimous vote.

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

Mayor Hayman opened the public hearing at 6:25 p.m.

MINUTES FROM THE AUGUST 4, 2025 CONOVER CITY COUNCIL REGULAR MEETING

Erin Terry of 1005 3rd Ave NW expressed concerns about having traffic lights at the gas station and a turning lane at the bottom of the hill. There are also no sidewalk connections. How can this be addressed? He also asked about the exterior facade of the proposed homes.

Motion was duly made by Mayor Pro Tem / Council Member Canrobert, seconded by Council Member Powell, to close the public hearing to receive public comments.

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

The developer noted that internal sidewalks would be present. Council briefly discussed challenges with adding connecting sidewalks due to terrain.

Item 5(b): Ordinance 20-25: Zoning Ordinance Amendment

Erik Schlichting, Planning Director presented Ordinance 20-25: Zoning Ordinance Amendment.

Motion was duly made by Mayor Pro Tem / Council Member Canrobert, seconded by Council Member Powell, to adopt Ordinance 20-25: Zoning Ordinance Amendment and to move to approve rezoning request R 25-04 to rezone the properties located at 211 10TH ST NW (PIN 374213142244) and 802 3RD AVE NW (PIN 374213130784) shown on the Exhibit A map from B-2-CD (Commercial-Conditional District) to NR-CD (Neighborhood Residential-Conditional District), and find that the request is consistent with the Land Development Plan (LDP), and is reasonable and in the public interest because:

1. The proposed use is consistent with the LDP Future Land Use Map.
2. The site will provide an opportunity to add missing infill housing.
3. The site is conveniently located near existing infrastructure and public services;
4. The development will provide affordable housing opportunities and housing choice for a variety of demographics including a younger demographic.

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

(Ordinance 20-25: Zoning Ordinance Map Amendment contained in exhibit file called 2025

Ordinances)

**CITY OF CONOVER
ORDINANCE 20-25**

ZONING ORDINANCE MAP AMENDMENT

***WHEREAS**, Dependable Development, LLC, owner of Tract 1, submitted rezoning request R25-04 to the City of Conover on April 14th, 2025. 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:*

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

MINUTES FROM THE AUGUST 4, 2025 CONOVER CITY COUNCIL REGULAR MEETING

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.

Tract2, 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 lien 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 and Tract 2 currently, zoned B-2-CD (Highway Business-Conditional District) to NR-CD (Neighborhood Residential – 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 August 4th, 2025; 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-CD (Highway Business – Conditional District) to NR-CD (Neighborhood Residential – Conditional District) in accordance with the submitted site plan and conditions provided by the applicant.

MINUTES FROM THE AUGUST 4, 2025 CONOVER CITY COUNCIL REGULAR MEETING

Section 2. That the City Planner be directed to make the change on the Official Zoning 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 4th day of August, 2025.

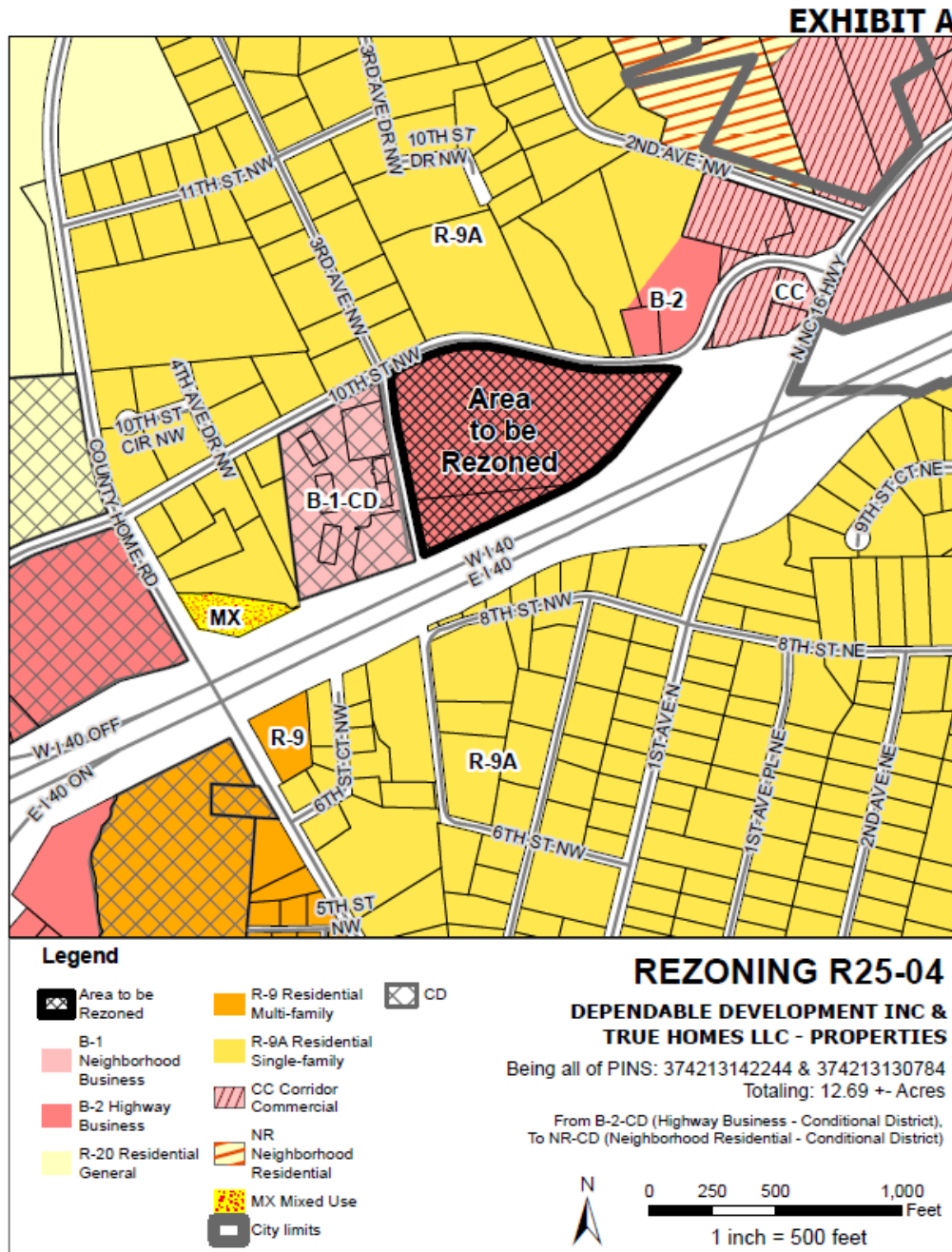


EXHIBIT B
R25-04 Conover Walk

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 AND PRELIMINARY PLAN APPROVAL NOVEMBER 26TH, 2024.
2. THE DEVELOPMENT SHALL CONSIST OF UP TO A MAXIMUM OF 72 SINGLE-FAMILY HOMES.

MINUTES FROM THE AUGUST 4, 2025 CONOVER CITY COUNCIL REGULAR MEETING

3. *BUILDING ARCHITECTURAL TREATMENTS AND ROOFLINES, ELEVATIONS, MATERIALS AND COLORS SHALL BE CONSISTENT WITH DESIGNS APPROVED AS PART OF THIS REZONING.*
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 SITE PLAN.*
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 THE 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. *HOMES ADJACENT TO 10TH STREET 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 TECHNICAL 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.*

Item 6: Consideration of Proposed Amendments to the City of Conover's Code of Ordinances

- a. **Ordinance 21-25: An Ordinance Amending Chapter 16: Offenses of the City of Conover Code of Ordinances (Urban Camping)**
- b. **Ordinance 22-25: An Ordinance Amending Chapter 16: Offenses of the City of Conover Code of Ordinances (Loitering and Disorderly Conduct)**
- c. **Ordinance 23-25: An Ordinance Establishing Chapter 23: Parks of the City of Conover Code of Ordinances (Parks)**

Tom Hart, City Manager and Robert Houston, Police Chief presented proposed amendments to the City of Conover's Code of Ordinances. Ordinance 21-25 would provide the City's Police Department with the tools needed to address urban camping on both public (i.e. parks) and private property. Ordinance 22-25 would address issues with the unauthorized occupation on private land. Ordinance 23-25 would establish hours of operation for all city parks and greenways in Conover. Chief Houston explained that the proposed park hours are lenient in comparison to park hours established by the surrounding cities: Hickory (9 p.m. - 7 a.m. closure), Newton (dark to 6 a.m. closure) and Claremont (dusk to 8 a.m. closure).

Item 6(a): Ordinance 21-25: An Ordinance Amending Chapter 16: Offenses of the City of Conover Code of Ordinances (Urban Camping)

Motion was duly made by Mayor Pro Tem / Council Member Canrobert, seconded by Council Member Powell, to adopt Ordinance 21-25: An Ordinance Amending Chapter 16: Offenses of the City of Conover Code of Ordinances.

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

(Ordinance 21-25: An Ordinance Amending Chapter 16: Offenses of the City of Conover Code of Ordinances contained in exhibit file called 2025 Ordinances.)

MINUTES FROM THE AUGUST 4, 2025 CONOVER CITY COUNCIL REGULAR MEETING

CITY OF CONOVER ORDINANCE 21-25

AN ORDINANCE AMENDING CHAPTER 16: OFFENSES OF THE CITY OF CONOVER CODE OF ORDINANCES

WHEREAS, North Carolina General Statute 160A-77 states that a city shall adopt and issue a code of its ordinances which is generally referred to as the City's "Code of Ordinances"; and

WHEREAS, the City of Conover's Council identifies the need to amend its Code of Ordinances from time to time in order to comply with general laws, regulations, and state statutes.

NOW, THEREFORE, BE IT ORDAINED THAT the City Council of the City of Conover, North Carolina shall hereby amend *Chapter 16: Offenses* of the Conover Code of Ordinances to read as follows:

In the following, all strikethroughs (~~strikethroughs~~) are to be removed and all items in RED and underlined (**RED**) are to be added:

CHAPTER 16: OFFENSES

Sec. 16-21. Urban Camping and Improper Use of Public and Private Places.

- A. *Purpose.* The streets and public areas within the city should be readily accessible and available to residents and the public at large. The use of these areas for camping purposes interferes with the rights of others to use the areas for which they were intended. Such activity can constitute a public health and safety hazard, which adversely affects neighborhoods and commercial spaces. Camping on private property without the owner's consent, without proper sanitary measures, and for other than a minimal duration adversely affects private property rights as well as public health, safety, and welfare of the city. The purpose of this section is to maintain streets, parks, and other public and private areas within the city in a clean, sanitary, and accessible condition and to protect the health, safety, and public welfare of the community while recognizing that subject to reasonable conditions, camping and camp facilities associated with special events can be beneficial to the cultural and educational climate in the city. Nothing in this section is intended to interfere with otherwise lawful and ordinary uses of public or private property.
- B. *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.
- a. *CAMP.* Residing in or using a public street, sidewalk, public park, greenway, trail, or private land for private living accommodations, such as erecting tents or other temporary structures or objects providing shelter; parking of a motor vehicle, motor home or trailer, or mooring of a vessel or any other type of structure for living accommodation purposes; sleeping in a single place for any substantial

MINUTES FROM THE AUGUST 4, 2025 CONOVER CITY COUNCIL REGULAR MEETING

prolonged period of time; regularly cooking or preparing meals; or other similar activities.

- b. OTHER PUBLIC PROPERTY. Includes all public or municipal buildings, facilities, structures, properties upon which the buildings, facilities or structures are located, lots, parcels, and any other public properties.
- c. PRIVATE PROPERTY. All privately-owned property including, but not limited to, streets, sidewalks, alleys, and improved or unimproved land.
- d. PUBLIC PARK. Includes all municipal parks, public playgrounds, public plazas, greenways, trails, attractions and monuments.
- e. PUBLIC STREET. Includes all public streets, highways, rights-of-way, public sidewalks, public benches, public parking lots and medians.
- f. STORING PERSONAL PROPERTY. Leaving one's personal effects, such as, but not limited to, clothing, bedrolls, cookware, sleeping bags, luggage, knapsacks, or backpacks, unattended for any substantial prolonged length of time. The term storing personal property shall not include parking a bicycle or other mode of transportation.
- g. TEMPORARY SHELTER. Tents, tarps, or any type or structure or cover that provides partial shelter for persons, animals or personal property from the elements.

C. Rules.

- a. Unlawful camping on public property.
 - i. It shall be unlawful to camp or stay overnight in or on any city park, greenway, street, or any other city property. Camping shall include, but not be limited to, the use of park land, greenway, street, public right-of way, or under any bridge or viaduct, or any other city property for living accommodations, such as sleeping, storing personal belongings, making fires, digging, or cooking.
 - ii. Removal of campsite. Upon discovery of an unattended campsite, removal of the campsite by the city may occur under the following circumstances:
Before any personal property is removed, the City will make a reasonable effort to identify and locate the owner.
 - 1. All personal property shall be removed by the Police Department, regardless of whether the owner has been successfully notified. The property will be held for a period of seven days. Any individual wishing to claim property may do so by contacting the Conover Police Department during business hours. Any property not claimed within seven days may be disposed of.

MINUTES FROM THE AUGUST 4, 2025 CONOVER CITY COUNCIL REGULAR MEETING

2. For the purposes of this division, *personal property* refers to any item that is reasonably recognizable as belonging to a person and has apparent utility. Perishable items, items with no apparent utility, or items in an insanitary condition may be immediately discarded. Weapons, drug paraphernalia, and items that appear to be stolen or constitute evidence of a crime shall be turned over to the Police Department.
 3. Reasonable notice not required under these circumstances:
 - a. When property is blocking ingress and egress of business or public space.
 - b. Property is interfering with the normal course of operations associated with the designated public property.
 - c. When there are grounds for law enforcement officials to believe that illegal activities other than camping are occurring.
 - d. In the event of an exceptional emergency such as potential site contamination by hazardous materials, the presence of human waste or drug paraphernalia, or any condition posing an immediate danger to human life or safety.
 - e. Application outside the city. This chapter applies to acts committed on property owned by the city that is located outside the city.
 4. The City will not be responsible for damage to personal property resulting from removal.
- b. No tents or temporary shelters on public property.
- i. It shall be unlawful to place tents, temporary shelters or other camping gear on public property owned by the city regardless of whether the tents are occupied and/or contain bedding or camping gear without a permit.
 - ii. Umbrellas or unenclosed tents of a “pop-up” nature may be used in city parks subject to compliance with applicable provisions of the North Carolina State Building Code, or park rules or regulations.
- c. Unlawful camping on private property.
- i. It is unlawful to camp upon private property within the city except as otherwise provided in this section.
 - ii. No person shall camp, or permit to camp, on private property without obtaining written permission from the property owner, provided that such

MINUTES FROM THE AUGUST 4, 2025 CONOVER CITY COUNCIL REGULAR MEETING

written consent is in their possession at the time and is shown upon demand by Code or Law Enforcement.

- iii. Any campsite on private property without obtaining written permission from the property will be immediately removed.
- d. Unlawful storing of personal property.
 - i. It shall be unlawful to leave one's personal effects, such as, but not limited to, clothing, bedrolls, cookware, sleeping bags, luggage, knapsacks, or backpacks, unattended for any substantial prolonged length of time. The term storing personal property shall not include parking a bicycle or other mode of transportation.
- e. Exceptions. This section shall not be construed to prohibit the following behavior:
 - i. Persons sitting or lying down as a result of a medical emergency;
 - ii. Persons in wheelchairs sitting on sidewalks;
 - iii. Persons sitting down while attending parades;
 - iv. Persons sitting down while patronizing sidewalk cafes; or
 - v. Children sleeping while being carried by an accompanying person or while sitting or lying in a stroller or baby carriage.
- f. Enforcement. Any designated Code Enforcement Agent of the City or any sworn law enforcement officer shall have the authority to enforce this section.
- g. Penalty. Any person who violates any of the provisions of this section shall be guilty of a misdemeanor and be subject to a fine pursuant to G.S. § 160A-175 and as provided in G.S. § 14-4.
- h. Any encampment on publicly-owned property within the city that is deemed a high risk to the public's health and safety will be immediately removed and cleaned.
- i. Severability. If any provision of this section is declared invalid or unconstitutional for any reason, the remaining provisions shall be severable and shall continue in full force and effect.

Adopted, this the 4th day of August, 2025.

Item 6(b): Ordinance 22-25: An Ordinance Amending Chapter 16: Offenses of the City of Conover Code of Ordinances (Loitering and Disorderly Conduct)

Motion was duly made by Mayor Pro Tem / Council Member Canrobert, seconded by Council Member Powell, to adopt Ordinance 22-25: An Ordinance Amending Chapter 16: Offenses of the City of Conover Code of Ordinances.

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

MINUTES FROM THE AUGUST 4, 2025 CONOVER CITY COUNCIL REGULAR MEETING

(Ordinance 22-25: An Ordinance Amending Chapter 16: Offenses of the City of Conover Code of Ordinances contained in exhibit file called 2025 Ordinances.)

CITY OF CONOVER ORDINANCE 22-25

AN ORDINANCE AMENDING CHAPTER 16: OFFENSES OF THE CITY OF CONOVER CODE OF ORDINANCES

WHEREAS, North Carolina General Statute 160A-77 states that a city shall adopt and issue a code of its ordinances which is generally referred to as the City's "Code of Ordinances"; and

WHEREAS, the City of Conover's Council identifies the need to amend its Code of Ordinances from time to time in order to comply with general laws, regulations, and state statutes; and

NOW, THEREFORE, BE IT ORDAINED THAT the City Council of the City of Conover, North

Carolina shall hereby amend *Chapter 16: Offenses* of the Conover Code of Ordinances to read as follows:

In the following, all strikethroughs (~~strikethroughs~~) are to be removed and all items in RED and underlined (**RED**) are to be added:

CHAPTER 16: OFFENSES

Sec 16-20. Loitering and disorderly conduct on public property.

- A. **Public places are not intended as a place of business for crime nor does any particular group of citizens have the right to appropriate public areas for their specific purpose and use without necessary permission. Public streets and sidewalks must remain open for public travel and law-abiding citizens must not be discouraged or intimidated from using such streets and sidewalks. There are two identifiable conditions which discourage legitimate public use of public property. Firstly, under some circumstances, unruly groups simply impede the flow of vehicular and pedestrian traffic. Secondly, soliciting for drug related activities will create public areas controlled by the criminal element of the community if allowed to go unchecked. This chapter is intended to restore the use of the streets, sidewalks and other public parks and public areas within the city to lawful use by law-abiding citizens.**
- B. **Definition. For purposes of this section, the term PUBLIC PLACE means any street, sidewalk, bridge, alley or alleyway, plaza, park, greenway, trail, driveway, parking lot, transportation facility, public vehicular area as defined in G.S. § 20-4.01, as amended from time to time, other publicly owned or leased property, school and school grounds or property, common areas of apartments or condominium communities, common areas of public housing projects, any place of business or amusement which is open to the public, or the doorways and entrances to any buildings which front on any of these places or a motor vehicle in or on any of these places, or any other place to which the public has ready access.**

MINUTES FROM THE AUGUST 4, 2025 CONOVER CITY COUNCIL REGULAR MEETING

- C. Impeding traffic. It shall be unlawful for any person to congregate with others, loiter, stand around, lounge, sit upon parked vehicles, stop or leave cars or vehicles parked or standing with the intent or under circumstances evidencing the purpose to interfere with or impede the flow of vehicular or pedestrian traffic, to litter, to consume or use alcoholic beverages, or to otherwise disturb the public peace.
- D. Loitering for purposes of engaging in illegal drug activity.
- a. It shall be unlawful for any person to loiter, remain or wander about in a public place with the intent to or in a manner and under circumstances indicating the purpose to violate any provision of the North Carolina Controlled Substances Act, G.S. Chapter 90, Article 5 (G.S. §§ 90-86 et seq.), or any other law defining or prohibiting illegal drug activity.
- b. No arrest or charge is permitted under this subsection unless the circumstances establish probable cause to believe that the person intended to violate one or more of the provisions of the North Carolina Controlled Substances Act.
- E. Violation. A violation of this section is a misdemeanor as set forth in G.S. § 14-4.

Adopted, this the 4th day of August, 2025.

Item 6(c): Ordinance 23-25: An Ordinance Establishing Chapter 23: Parks of the City of Conover Code of Ordinances (Parks)

Motion was duly made by Mayor Pro Tem / Council Member Canrobert, seconded by Council Member Powell, to adopt Ordinance 23-25: An Ordinance Establishing Chapter 23: Parks of the City of Conover Code of Ordinances.

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

(Ordinance 23-25: An Ordinance Establishing Chapter 23: Parks of the City of Conover Code of Ordinances contained in the exhibit file called 2025 Ordinances.)

MINUTES FROM THE AUGUST 4, 2025 CONOVER CITY COUNCIL REGULAR MEETING

CITY OF CONOVER ORDINANCE 23-25

AN ORDINANCE ESTABLISHING CHAPTER 23: PARKS OF THE CITY OF CONOVER CODE OF ORDINANCES

WHEREAS, North Carolina General Statute 160A-77 states that a city shall adopt and issue a code of its ordinances which is generally referred to as the City's "Code of Ordinances"; and

WHEREAS, the City of Conover's Council identifies the need to amend its Code of Ordinances from time to time in order to comply with general laws, regulations, and state statutes; and

WHEREAS, *North Carolina General Statutes Chapter 160A, Article 18. Parks and Recreation* grants cities within North Carolina the authority to set apart lands and buildings for parks and playgrounds that will be operated and maintained by the city.

NOW, THEREFORE, BE IT ORDAINED THAT the City Council of the City of Conover, North Carolina shall hereby establish *Chapter 23: Parks* of the Conover Code of Ordinances to read as follows:

In the following, all strikethroughs (~~strikethroughs~~) are to be removed and all items in RED and underlined (**RED**) are to be added:

CHAPTER 23: PARKS

ARTICLE I. IN GENERAL

Sec. 23 – 101. Park System Established

The City will maintain a system of parks, greenways, open spaces, and grounds for the public's recreation and leisure and to preserve natural features and wildlife habitat.

Sec. 23-102. Definitions

Park: refers to the city's parks, greenways, trails, open spaces, and grounds maintained for the purpose of public recreation and leisure and or nature preservation.

Sunrise/Sunset: shall be determined by the United States Naval Observatory.

Sec. 23-103. Hours Open to Public

Parks shall be open to the public daily during the times specified in this section. These times may be extended to accommodate events and programming sanctioned by the City. Furthermore, the City may temporarily close one or more areas, amenities, and or recreation facilities to ensure public safety in the event of emergencies including severe weather and to accommodate maintenance and construction activities.

MINUTES FROM THE AUGUST 4, 2025 CONOVER CITY COUNCIL REGULAR MEETING

- a. City Park & Downtown Park: from 5:00 a.m. until 11:00 p.m.
- b. Neighborhood and Pocket Parks: from 5:00 a.m. until 11:00 p.m.
- c. Lyle Creek Greenway and Greenways Generally: Greenways, Trails, and their dedicated appurtenant parking areas are open to the public 30 minutes prior to sunrise until 30 minutes past sunset.

It shall be unlawful to enter or remain on or within any public park or greenway within the hours they are closed to public use.

Sec. 23-104. City Exempt

No part of this Chapter shall apply the personnel and agents of the city acting within the scope of their employment nor to any city sanctioned programming or events.

ARTICLE II. - RESERVED

ARTICLE III. PENALTIES

Sec. 23-301. Penalties.

A violation of this chapter is punishable as a misdemeanor as provided by G.S. 14-4.

Adopted, this the 4th day of August, 2025.

Item 7: Tax Collector's Report

Kurt L. Beal, Finance Director presented Tax Collector's Report. Per NCGS 105-373(a)(3), after July 1st, the Tax Collector shall report to the governing body all tax funds collected and outstanding during the preceding fiscal year. Current year collections were \$8,000,000.00, and the balance of taxes receivable at June 30, 2025 was \$201,000.00. Of this amount, \$109,000.00 is unpaid taxes from the most recent year and \$92,000.00 is from prior years. The current collection rate for FY2024-2025 was 98.65%, compared to 99.21% in FY2023-2024.

Motion was duly made by Council Member Green, seconded by Council Member Fulbright, to accept the Tax Collector's Report.

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

Item 8: Committee Reports

Members of Council gave their committee reports.

MINUTES FROM THE AUGUST 4, 2025 CONOVER CITY COUNCIL REGULAR MEETING

Item 9: City Manager's Report

Building Permits: The City issued fourteen (14) building permits during the month of July 2025, totaling \$1,033,150. Included were eight (8) residential, five (5) commercial, and one (1) institutional.

Upcoming Holidays: City Hall will be closed on Monday, September 1, 2025 for Labor Day Holiday. Collections for September 1, 2025 will be moved to August 29th.

Amendment to the 2025 Conover Council Regular Meeting Schedule

Motion was duly made by Mayor Hayman, seconded by Council Member Green, to adopt the amendment to the 2025 City Council Regular Meeting Schedule and to move the Monday, September 8th Regular Meeting to Monday, September 15th to take place at 6:00 p.m. in the Council Chambers of Conover City Hall.

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

UPCOMING EVENTS FOR THIS MONTH:

- **Hickory-Conover TDA Meeting:** August 11th at 8:30 a.m. at the Hickory Metro Convention Center
- **Soldiers Reunion Parade:** August 21st at 6:30 p.m. in Newton
- **Transportation Advisory Committee:** August 27th at 2:30 p.m. at the WPCOG
- **Mayor/Chairs/Managers Meeting:** August 28th at 6:00 p.m. at Cedar Rock Country Club

UPCOMING EVENTS FOR NEXT MONTH:

- **Employee Appreciation Event:** September 4, 2025 at 7 p.m. at the Hickory Crawdads Stadium
- **Future of Catawba County Summit:** September 24, 2025 from 11:00 a.m. until 4:30 p.m. at the Hickory Metro Convention Center

Item 10: Closed Session: Per General Statutes 143-318(a)(5) to Instruct the Public Body's Staff or Negotiating Agents Concerning the Position to be Taken by or on Behalf of the Public Body in Negotiating the Price and Other Material Terms of a Contract or Proposed Contract for the Acquisition of Real Property by

MINUTES FROM THE AUGUST 4, 2025 CONOVER CITY COUNCIL REGULAR MEETING

Purchase, Option, Exchange, or Lease and per General Statutes 143-318(a)(1) to Prevent Disclosure of Information that is Privileged or Confidential

At 7:17 p.m., motion was duly made by Mayor Hayman, seconded by Mayor Pro Tem / Council Member Canrobert and Council Member Powell, to enter into a Closed Session per General Statutes 143-318(a)(5) to Instruct the Public Body's Staff or Negotiating Agents Concerning the Position to be Taken by or on Behalf of the Public Body in Negotiating the Price and Other Material Terms of a Contract or Proposed Contract for the Acquisition of Real Property by Purchase, Option, Exchange, or Lease and per General Statutes 143-318(a)(1) to Prevent Disclosure of Information that is Privileged or Confidential.

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

Motion was duly made by Council Member Green, seconded by Council Member Fulbright, to adjourn the closed session and return to the regular meeting at 8:43 p.m.

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

VII. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:43 p.m.

Kyle J. Hayman, Mayor

Stephanie C. Watson, City Clerk