



CONOVER

North Carolina

Conover City Council

Regular Meeting Minutes

Monday, November 6, 2023 at 6:00 PM

Council Chambers of Conover City Hall

A Regular Meeting of the Conover City Council was held on Monday, November 6, 2023 at 6:00 PM in the Council Chambers of Conover City Hall.

I. CALL TO ORDER

Mayor Kyle J. Hayman

Council Members Present:

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

Council Members Absent:

None

Staff Present:

City Manager Tom Hart, City Clerk Stephanie Watson, City Attorney Susan Matthews, Human Resources Madeleine Epley, Finance Director Kurt L. Beal, Planning Director Erik Schlichting, Public Works Director Terry R. Jones, Public Utilities Director Brian Bradshaw, Interim Fire Chief Mark Stafford, Police Chief Eric Loftin, Major Robert Houston, Assistant Public Utilities Director Eric Williams, and Police Officer Shannon Grindstaff

II. INVOCATION

Rev. John Woods, 1st Methodist Church

III. PLEDGE OF ALLEGIANCE

Mayor Kyle J. Hayman

IV. APPROVAL OF AGENDA

Upon motion duly made by Council Member Green, seconded by Council Member Canrobert, it was DECLARED:

That the Monday, November 6, 2023 Agenda be - ADOPTED.

AYES:	Mayor Hayman, Mayor Pro Tem / Council Member Eckard, Council Member Fulbright, Council Member Canrobert, 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
October 6, 2023 Regular Meeting Minutes

Presented By: Mayor Kyle J. Hayman

Mayor Kyle J. Hayman presented the October 6, 2023 Regular Meeting Minutes.

Item 2: Proclamation: World Town Planning Day - November 8, 2023

Presented By: Mayor Kyle J. Hayman

Mayor Kyle J. Hayman presented Proclamation: World Town Planning Day - November 8, 2023.

(Proclamation: World Town Planning Day - November 8, 2023 contained in the exhibit file called 2023 Proclamations.)

Item 3: Resolution 28-23: Adoption of the 2024 Conover City Council Meeting Schedule

Presented By: Mayor Kyle J. Hayman

Mayor Kyle J. Hayman presented Resolution 28-23: Adoption of the 2024 Conover City Council Meeting Schedule.

(Resolution 28-23: Adoption of the 2024 Conover City Council Meeting Schedule contained in the exhibit file called 2023 Resolutions.)

CITY OF CONOVER RESOLUTION 28-23

ADOPTION OF THE PROPOSED 2024 CONOVER COUNCIL MEETING SCHEDULE

WHEREAS, General Statute§ 160A-71(a) states the following:

160A-71. Regular and special meetings; recessed and adjourned meetings; procedure.

a) The council shall fix the time and place for its regular meetings. If no action has been taken fixing the time and place for regular meetings, a regular meeting shall be held at least once a month at 10:00 A.M. on the first Monday of the month.

NOW, THEREFORE, BE IT RESOLVED by the Conover City Council of the City of Conover, North Carolina that the 2024 Conover Council Meeting Schedule be as follows:

City of Conover
City Council Regular Meeting Schedule
For January 2024— December 2024

The regularly scheduled meetings of the Conover City Council shall be held on the 1st Monday of each month at 6:00 p.m. in the Council Chambers of Conover City Hall.

For times that Council's regular scheduled meeting date falls on a scheduled City holiday, the meeting date shall be moved to the Tuesday after the scheduled holiday.

Exception: The July 1st Council Meeting will be moved to Monday, July 8, 2023.

<i>Council Meeting Date</i>	<i>Time</i>	<i>Note</i>
<i>Tuesday, January 2, 2024*</i>	<i>6:00 p. m.</i>	<i>January 1, 2024 is a Scheduled City Holiday</i>
<i>Monday, February 5, 2024</i>	<i>6:00 p. m.</i>	
<i>Monday, March 4, 2024</i>	<i>6:00 p. m.</i>	
<i>Monday, April 1, 2024</i>	<i>6:00 p. m.</i>	
<i>Monday, May 6, 2024</i>	<i>6:00 p. m.</i>	
<i>Monday, June 3, 2024</i>	<i>6:00 p. m.</i>	
<i>Monday, July 8, 2024*</i>	<i>6:00 p. m.</i>	<i>July 4, 2024 is a Scheduled City Holiday</i>
<i>Monday, August 5, 2024</i>	<i>6:00 p. m.</i>	
<i>Tuesday, September 3, 2024*</i>	<i>6:00 p. m.</i>	<i>September 2, 2024 is a Scheduled City Holiday</i>
<i>Monday, October 7, 2024</i>	<i>6:00 p. m.</i>	
<i>Monday, November 4, 2024</i>	<i>6:00 p. m.</i>	
<i>Monday, December 2, 2024</i>	<i>6:00 p. m.</i>	

Adopted this the 6th day of November, 2023.

Upon motion duly made by Council Member Canrobert, seconded by Mayor Pro Tem / Council Member Eckard, it was DECLARED:

That the Consent Agenda be - ADOPTED.

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

VI. BUSINESS AGENDA

Item 4: Comments from Visitors and Guests

Presented By: Mayor Kyle J. Hayman

Bradley Seese of 306 Mooreland Drive NE, Conover gave a brief update of recent and future events in Conover which included the past event "Boo Bash" and the upcoming event "Conover Winter Market". He then provided feedback to the City which included the topics of street closures and requesting more officers to handle traffic during city events.

Item 5: Presentation: Recognition of Shuford Elementary School Beacons

Presented By: Mayor Kyle J. Hayman
Jonathan Tharpe, Principal of Shuford Elementary School

The newly appointed Principal of Shuford Elementary School, Jonathan Tharpe, spoke briefly about his wish to create a good partnership with the City of Conover. He then informed Council about a program that Shuford Elementary offers to students that show responsibility, good character, excellence in academics, and overall model "Owl Behavior". Each quarter, eight to nine students are selected by their teacher's recommendation to be Beacons for the school. He then recognized the students that were selected for the 1st and 2nd Quarter.

Principal Tharpe thanked Conover Police Officer Grindstaff for going above and beyond when working with the school as the Resource Officer.

Item 6: Public Hearing: To Receive Public Comments to Proposed Amendments to Portions of Appendix A: Zoning of the Conover City Code of Ordinances

Presented By: Erik Schlichting, Planning Director

Planning Director Erik Schlichting informed Council that two months ago the City received a request to rezone a piece of property on Conover Blvd E that is currently zoned M-1. The requester wishes to use the property for a retail shop. Several years ago, the City changed the M-1 district to remove residential and general retail and service. Mr. Schlichting recommended to not rezone the property but to add general retail and service back as a use in the M-1 district. Residential does not need to be added back in as the separation between residential and industrial use is necessary. Currently, M-1 does allow for certain business type uses. Mr. Schlichting recommended approving the change to the M-1 district. During the Planning Board's last meeting, they voted unanimously to approve the proposed change.

Mayor Kyle J. Hayman opened the public hearing to receive public comments to the proposed amendments to portions of Appendix A: Zoning of the Conover Code of Ordinances.

There were no comments from the public.

Upon motion duly made by Council Member Fulbright, seconded by Council Member Powell, it was DECLARED:

That the Public Hearing: To Receive Public Comments to Proposed Amendments to Portions of Appendix A: Zoning of the Conover City Code of Ordinances be -
CLOSED.

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

Item 7: Ordinance 31-23: An Ordinance Amending Appendix A: Zoning of the Conover City Code of Ordinances

Presented By: Erik Schlichting, Planning Director

Erik Schlichting presented Ordinance 31-23: An Ordinance Amending Appendix A: Zoning of the Conover City Code of Ordinances. This amendment to the code would allow general retail and service as a use in the M-1 zoning district.

Upon motion duly made by Council Member Green, seconded by Mayor Pro Tem / Council Member Eckard, it was DECLARED:

That Ordinance 31-23: An Ordinance Amending Appendix A: Zoning of the Conover City Code of Ordinances be - ADOPTED and move to approve the amendment to Appendix A: Zoning, as it is reasonable and in the general interest to expand commercial opportunities in the City. This change is consistent with the Updated 2003 Land Development Plan, which states that “the City needs to refocus on property and building reuse to keep contributing to the local economy.”

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

(Ordinance 31-23: An Ordinance Amending Appendix A: Zoning of the Conover City Code of Ordinances contained in the exhibit file called 2023 Ordinances.)

***CITY OF CONOVER
ORDINANCE 31-23***

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

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

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

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

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

<i>Commercial</i>	<i>R-20</i>	<i>R-9</i>	<i>R-9A</i>	<i>NR</i>	<i>NC</i>	<i>P-1</i>	<i>MX</i>	<i>COI</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>B-4</i>	<i>CC</i>	<i>M-1</i>	<i>EM-1</i>	<i>OS</i>
<i>General Retail & Service</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>									

Section 2. Consistency Statement.

City Council approves this amendment to Appendix A: Zoning, as it is reasonable and in the general interest to expand commercial opportunities in the City. This change is consistent with the Updated 2003 Land Development Plan, which states that “the City needs to refocus on property and building reuse to keep contributing to the local economy.”

Section 3. *This ordinance shall be effective upon passage.*

Adopted this, the 6th day of November, 2023.

Item 8: Ordinance 32-23: An Ordinance Amending the 2023-2024 Budget Ordinance

This Ordinance amends the 2023-2024 Annual Budget to transfer \$1,360,838 of ARPA funds to Fund 75 – NE WWTP Renovation CPO.

Presented By: Kurt L. Beal, Finance Director

Finance Director Kurt L. Beal presented Ordinance 32-23: An Ordinance Amending the 2023-2024 Budget Ordinance. This Ordinance amends the 2023-2024 Annual Budget to transfer \$1,360,838 of ARPA funds to Fund 75 – NE WWTP Renovation CPO.

Upon motion duly made by Council Member Canrobert, seconded by Council Member Fulbright, it was DECLARED:

That Ordinance 32-23: An Ordinance Amending the 2023-2024 Budget Ordinance be - ADOPTED.

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

ABSTAIN:	None
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(Ordinance 32-23: An Ordinance Amending the 2023-2024 Budget Ordinance contained in the exhibit file called 2023 Ordinances.)

CITY OF CONOVER ORDINANCE 32-23

AN ORDINANCE AMENDING THE 2023-2024 BUDGET ORDINANCE

BE IT ORDAINED by the City Council of the City of Conover, North Carolina, that the 2023-2024 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
100-6600-9175	Transfer to NEWWTP CPO (2/2 ARPA Funds)	1,360,838	
Total		\$1,360,838	

This will result in a net increase of \$1,360,838 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
100-3990-0000	General Fund Balance Appropriation		1,360,838
Total			\$1,360,838

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, to the Budget Officer and the Finance Officer for their direction.

Adopted this the 6th day of November, 2023.

Item 9: Receive Certification of Bid Tab and Adopt Resolution 29-23: Resolution of Tentative Award of Contract to Contractor for Headworks Improvements at Northeast Wastewater Treatment Plant (the “Project”) and Authorize City Manager to Execute a Contract with Brushy Mountain Builders, Inc. to Complete the Project and Approve Any Necessary Change Orders

Presented By: Kurt L. Beal, Finance Director
Brian Bradshaw, Public Utilities Director

Finance Director Kurt L. Beal presented the Bid Tab and Resolution 29-23: Resolution of Tentative Award of Contract to Contractor for Headworks Improvements at Northeast Wastewater Treatment Plant (the “Project”) and Authorize City Manager to Execute a Contract

with Brushy Mountain Builders, Inc. to Complete the Project and Approve Any Necessary Change Orders.

Upon motion duly made by Council Member Canrobert, seconded by Council Member Green, it was DECLARED:

That the Certification of Bid Tab be - RECEIVED and Resolution 29-23: Resolution of Tentative Award of Contract to Contractor for Headworks Improvements at Northeast Wastewater Treatment Plant (the “Project”) and Authorize City Manager to Execute a Contract with Brushy Mountain Builders, Inc. to Complete the Project and Approve Any Necessary Change Orders be - ADOPTED.

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

(Resolution 29-23: Resolution of Tentative Award of Contract to Contractor for Headworks Improvements at Northeast Wastewater Treatment Plant (the “Project”) and Authorize City Manager to Execute a Contract with Brushy Mountain Builders, Inc. to Complete the Project and Approve Any Necessary Change Orders contained in the exhibit file called 2023 Resolutions.)

***CITY OF CONOVER
RESOLUTION 29-23***

***RESOLUTION OF TENTATIVE AWARD OF CONTRACT TO CONTRACTOR FOR
HEADWORKS IMPROVEMENTS AT NORTHEAST WASTEWATER TREATMENT PLANT
(THE “PROJECT”) AND AUTHORIZATION FOR CITY MANAGER TO EXECUTE A
CONTRACT WITH BRUSHY MOUNTAIN BUILDERS, INC. TO COMPLETE THE
PROJECT AND APPROVE ANY NECESSARY CHANGE ORDERS***

WHEREAS, the City of Conover, North Carolina has received bids, pursuant to a duly advertisement notice for headworks improvements to the Northeast Wastewater Treatment Plant (the “Project”); and

WHEREAS, the Project was bid on September 26, 2023, following the formal bidding procedure in North Carolina and four (4) bids were received; and

WHEREAS, KCI Associates of North Carolina, PA. (“Engineer”) has reviewed the bids; and

WHEREAS, Brushy Mountain Builders, Inc. was the lowest responsive, responsible bidder with a total bid amount of \$1,813,000.00 for the Project; and

WHEREAS, the Engineer recommends **TENTATIVE AWARD** of the Project to the lowest responsive, responsible bidder, Brushy Mountain Builders, Inc.

***WHEREAS**, the City intends to pay for the Project using the proceeds of the North Carolina Department of Environmental Quality Revolving Loan as accepted and approved in City of Conover Resolution 35-22 on November 7, 2022 along with City cash on hand.*

***NOW, THEREFORE, BE IT RESOLVED** that **TENTATIVE AWARD** is made to the lowest responsive, responsible bidder, Brushy Mountain Builders, Inc., in the Total Bid Amount of \$1,813,000.00.*

***BE IT FURTHER RESOLVED** that such **TENTATIVE AWARD** be and hereby is contingent upon the approval and receipt of documentation from the North Carolina Department of Environmental Quality authorizing the award to Brushy Mountain Builders, Inc.;*

***BE IT FURTHER RESOLVED** that the City Council of the City of Conover authorizes the City Manager to act on behalf of the City to execute a contract with Brushy Mountain Builders, Inc. to complete the Project and approve any necessary change orders tentative upon the approval and receipt of an authority to award from the North Carolina Department of Environmental Quality.*

***RESOLVED FURTHER** that in the event that the City of Conover does not receive documentation from the North Carolina Department of Environmental Quality authorizing the award, then this Resolution shall be null and void.*

This resolution is effective upon its adoption this 6th day of November, 2023.

Tabulation of all Bids
City of Conover, NC
September 26, 2023 @ 2:00 p.m.

Project:
Northeast WWTF Headworks Improvements
KCI Project # 962004671

BIDDER: Brushy Mountain Builders, Inc. 3390 Gailher Walker Circle Lenoir, NC 28645 (828) 292-7198	BIDDER: Laughlin-Sutton Construction Company 5855 Rudd Station Road Browns Summit, NC 27214 (336) 375-0095	BIDDER: The Harper Corporation 312 E. Coffee Street Greenville, SC 29601 (864) 546-7900	BIDDER: State Utility Contractors, Inc. 4417 Old Charlotte Hwy. Monroe, NC 28110 (704) 289-6400
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ITEM #	UNIT	DESCRIPTION	UNIT PRICE	TOTAL AMT.	UNIT PRICE	TOTAL AMT.	UNIT PRICE	TOTAL AMT.	UNIT PRICE	TOTAL AMT.
1	L.S.	Base Bid Amount	\$1,798,000.00	\$1,798,000.00	\$2,034,000.00	\$2,034,000.00	\$2,104,000.00	\$2,104,000.00	\$2,370,000.00	\$2,370,000.00
2	L.S.	Screen Structure Allowance	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00
BASE PROPOSAL TOTAL AMOUNT:				\$1,813,000.00		\$2,049,000.00		\$2,119,000.00		\$2,385,000.00

CERTIFIED TO BE A TRUE AND ACCURATE TABULATION OF ALL BIDS RECEIVED AND PUBLICALLY
READ ALOUD ON SEPTEMBER 26, 2023, TO THE BEST OF MY KNOWLEDGE AND BELIEF.

KCI Associates of North Carolina, P.A.


Garrett Davis, P. E.



Item 10: Resolution 30-23: In Support of Funding to Re-establish Passenger Rail Service for Western North Carolina

Presented By: Tom Hart, City Manager

City Manager Tom Hart presented Resolution 30-23: In Support of Funding to Re-establish Passenger Rail Service for Western North Carolina.

Upon motion duly made by Mayor Pro Tem / Council Member Eckard, seconded by Council Member Fulbright, it was DECLARED:

That Resolution 30-23: In Support of Funding to Re-establish Passenger Rail Service for Western North Carolina be - ADOPTED.

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

(Resolution 30-23: In Support of Funding to Re-establish Passenger Rail Service for Western North Carolina contained in the exhibit file called 2023 Resolutions.)

***CITY OF CONOVER
RESOLUTION 30-23***

***IN SUPPORT OF FUNDING TO RE-ESTABLISH PASSENGER RAIL SERVICE FOR
WESTERN NORTH CAROLINA***

WHEREAS, rail service is an integral part of a comprehensive transportation system for the State of North Carolina; and,

WHEREAS, the Western North Carolina Rail Committee, Inc. has worked persistently in support of improved rail service and connectivity since 1989. These local communities, Asheville, Old Fort, Marion, Morganton, Valdese, Hickory, Conover, Statesville and Salisbury would thus benefit from AMTRAK operated and NC DOT Rail Division administered passenger rail service with three round trips daily between Salisbury and Asheville; and,

WHEREAS, economic development, tourism and job creation will benefit through the enhancement of a passenger rail system that serves the citizens of North Carolina and visitors to our state with 100,000 local trips that could be generated, with additional 150,000 to 290,000 passengers (connections) by 2045 per the Western North Carolina Passenger Rail Feasibility Study, June 2023, prepared by NC DOT Rail Division; and,

WHEREAS, Congress has passed the Infrastructure Investment and Jobs Act (Bipartisan Infrastructure Law) which allocated 80% of the funding with a state/local match of 20% with an estimated construction cost of \$665 million and annual operating cost of \$7.3 to \$10 million; and

WHEREAS, we applaud the State of North Carolina for development of comprehensive intercity rail and transportation services in urban jurisdictions through the state, and recognize that Asheville and Western North Carolina have been without a passenger rail connection since 1975; and,

WHEREAS, there is a vital need to provide a strong and balanced transportation system that promotes freight and passenger service; and,

WHEREAS, an increase in state funding for passenger rail service in North Carolina is necessary to connect our small urban and rural areas of the state with the urbanized centers of our state; and,

WHEREAS, support by local and state elected officials is essential for the future of alternative transportation in Western North Carolina, as identified as one of the twelve rail corridors by NC DOT for inclusion in the Federal Railroad Administration (FRA) Railroad Identification Program; and,

WHEREAS, support and utilization of transportation improvements which is funded by FRA to speed creation of additional rail passenger routes across the country and is supported by business and commercial interests as essential for the successful deployment of alternative transportation modes in North Carolina, especially in Western North Carolina; and,

WHEREAS, this resolution expresses the thirty plus years of unified support of communities and chambers of commerce throughout Western North Carolina for increased statewide funding for bus- rail service; and,

WHEREAS, rail linkages between communities and regions within North Carolina establish and strengthen social, historical, commercial and cultural bonds; and,

WHEREAS, the average return on investment for the surrounding community for station revitalizations throughout North Carolina is more than one dollar for every dollar invested, as demonstrated in Salisbury, Morganton, Marion, Old Fort and Asheville (with purchase of land); and,

WHEREAS, the associated improvements to rail facilities have increased the efficiency and safety of rail service, helped attract new freight traffic and provided environmental benefits by reducing the impact of traffic congestion on North Carolina's highways, particularly Interstate 40; and,

WHEREAS, a rail system will enhance accessibility and reliability for citizens, tourists and businesses in Western North Carolina, and by extension to the entire State of North Carolina; and,

WHEREAS, North Carolina Department of Transportation's Rail Division has agreed to manage, subject to NC Legislative appropriation, contract development and implementation of Amtrak service between Salisbury and Asheville; and

WHEREAS, the WNC Rail Committee is committed to working with the local communities to effectively market passenger rail service in WNC and provide other local assistance/services as appropriate to help insure the connection service's long term success; and,

NOW, THEREFORE, BE IT RESOLVED, that the City of Conover Council, through the adoption of this resolution, fully supports the creation of an attractive, marketable and cost-effective rail connection service for Western North Carolina, that includes funding by the FRA and the North Carolina General Assembly with financial participation from local governments and economic entities for the proposed Amtrak rail service between Asheville and Salisbury.

Adopted this 6th day of November , 2023.

Item 11: Resolution 31-23: Resolution Directing Clerk to Investigate a Petition

Presented By: Stephanie Watson, City Clerk / Assistant to the Manager

City Clerk Stephanie Watson presented Resolution 31-23: Resolution Directing Clerk to Investigate a Petition.

Upon motion duly made by Council Member Powell, seconded by Council Member Green, it was DECLARED:

That Resolution 31-23: Resolution Directing Clerk to Investigate a Petition be -
ADOPTED.

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

(Resolution 31-23: Resolution Directing Clerk to Investigate a Petition contained in the exhibit file called 2023 Resolutions.)

***CITY OF CONOVER
RESOLUTION 31-23***

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

WHEREAS, a petition dated September 19, 2023 by Jerry W. Isenhour, requesting annexation of an area described in said petition was received on September 19, 2023 for the City of Conover by the Clerk on behalf of the 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 November, 2023.



Item 12: Resolution 32-23: Fixing the Date of the Public Hearing on Question of Annexation

Presented By: Stephanie Watson, City Clerk / Assistant to the Manager

City Clerk Stephanie Watson presented Resolution 32-23: Fixing the Date of the Public Hearing on Question of Annexation.

Upon motion duly made by Mayor Pro Tem / Council Member Eckard, seconded by Council

Member Powell, it was DECLARED:

That Resolution 32-23: Fixing the Date of the Public Hearing on Question of Annexation be - ADOPTED.

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

(Resolution 32-23: Fixing the Date of the Public Hearing on Question of Annexation contained in the exhibit file called 2023 Resolutions.)

**CITY OF CONOVER
RESOLUTION 32-23**

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

WHEREAS, a petition dated September 19, 2023 by Jerry W. Isenhour 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 4th day of December, 2023.

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 375209158934 and more particularly described as follows:

Annexation Area Legal Description

Commencing at NCGS Monument "St John" having NCGS Coordinates of N: 728,247.63, E: 1,351,057.70, thence from said monument N 00°25'38" E – 3,642.40' to NCGS Monument "Rock Barn" having NCGS Coordinates of N: 724,605.69, E:1,351,030.54, thence from said monument N 40°25'02" E – 980.77' to and existing 1" Bent Pipe, said Pipe being the southwestern property corner of Jerry Wayne Isenhour (2002E/716), said pipe also being a common corner of Hunsucker Farms LLC (2793/333), said pipe also being the point of beginning, from said point of beginning and following a common line with Hunsucker Farms LLC N 27°07'37" W – 1,058.45' to a set #4 rebar, thence continuing with Hunsucker Farms LLC N 27°07'37" W - 30.00' to a point in the centerline of a creek, said point in the creek also being a common corner of Alisa P. Whiteside Revocable Trust (3544/1824), thence with a common line of Alisa P. Whiteside Revocable Trust and following the centerline of the creek, N 65°55'17" E - 25.09' to a point, N 66°29'33" E - 40.57' to a point, thence N 44°32'59" E - 32.66' to a point, thence bearing N 82°17'11" E - 11.01' to a point, thence N 25°28'42" E - 23.66' to a point, thence bearing N 69°48'37" E - 24.94' to a point, thence S 66°33'18" E – 26.03' to a point, thence N 52°02'05" E - 45.22' to a point, thence N 33°59'51" W - 34.15' to a point, thence N 32°20'42" E - 12.97' to a point, thence S 76°29'57" E - 26.40' to a point, thence N 61°50'43" E - 39.90' to a point, thence N 66°46'15" E - 43.11' to a point, thence N 49°21'50" E - 75.72' to a point, thence N 59°50'15" E - 74.17' to a point, said point being near a common corner of Dwight J. Gryder (1985/341), thence with the common line of Gryder and continuing to follow the centerline of the creek N 79°26'32" E - 44.27' to a point, thence N 52°28'58" E - 74.25' to a point, thence N 76°03'52" E - 88.10' to a point, thence N 66°13'25" E - 53.27' to a point, thence N 75°21'43" E - 31.79' to a point, thence N 80°54'57" E - 22.12' to a point, thence N 48°59'29" E - 16.63' to a point, said point being a common corner with Fred Allen Hunsucker Revocable Life Insurance Trust (3197/969) thence leaving the centerline of the creek and following a common line of Hunsucker Revocable Trust S 17°25'40" E - 28.4' to an existing #4 rebar, thence continuing with Hunsucker Revocable Trust S 17°25'40" E - 371.04' to an existing #4 rebar, said rebar being a common corner with William Mackie Hunsucker (2940/1666), thence with the common line of Hunsucker S 17°11'23" E - 408.90' to an existing #6 rebar, thence continuing with Hunsucker S 36°00'37" E - 379.68' to an existing #6 rebar, said rebar being located on the western margin of a 60' public right of way of Rock Barn Road, thence continuing within the right of way S 36°00'37" E - 30.32' to a point in the centerline of Rock Barn Road, thence with the centerline of Rock Barn Road S 43°59'23" W - 155.00', thence leaving the centerline of Rock Barn Road N 40°18'00" W - 30.15' to a set #4 rebar, said rebar being located on the Western Margin on the 60' right of way of Rock Barn Road, said rebar also being a common corner of Jerry Wayne Isenhour (2002E/716), thence with a common line of Isenhour the following six calls, N 40°18'00" W - 5.09' to an existing ½" bent pipe, thence N 40°11'00" W - 118.07' to a set #4 rebar, thence S 49°29'34" W - 100.09' to an existing ½" pipe, thence S 66°35'30" W - 49.86' to an existing ¾" bent pipe, thence N 89°03'00" W - 90.10' to an existing #6 bent rebar, thence S 58°53'56" W - 309.99' to the point of beginning, containing 18.615 AC± to be annexed by the City of Conover.

Section 3. Notice of said public hearing shall be published once in the Observer News Enterprise, 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 November, 2023.

Item 13: Committee Reports

Presented By: Mayor Kyle J. Hayman

Members of Council gave their committee reports.

Item 14: City Manager's Report

Presented By: Tom Hart, City Manager

The City of Conover is currently in a Level 1 water restriction stage which requests limiting the use of water. There is a risk of forest fires and currently Catawba County is not one of them but may be soon.

BUILDING PERMITS - The City issued twenty-five (25) building permits during the month of October 2023, totaling \$3,115,420. Included were twenty (20) residential, two (2) commercial, and three (3) industrial permits.

WPCOG POLICY BOARD MEETING - November 28th at 6PM at MSC II

HOLIDAY CLOSINGS

- November 23 & 24
- December 22, 25, & 26

UPCOMING EVENTS:

- **We Karaoke** - Ribbon Cutting on Friday, November 10th at 4:30 PM
- **National League of Cities Event** - Week of November 13th
- **Conover Christmas Market (Hosted by Conover Farmers Market)** - November 18th from 10AM – 2PM
- **Winter Market (Downtown Group)** - November 18th from 10AM – 2PM
- **WPCOG Policy Board Meeting** - November 28th at 6PM at MSC II
- **Council Organizational Meeting** - December 4th at 6PM
- **Christmas in the Park** - December 5th at 6PM
- **Christmas Comes to Conover** - December 5th from 3PM to 6PM
- **Strategic Plan Update Meeting with Council** - December 6th at 5555 Concord Parkway South, Concord

VII. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:47 p.m.

Kyle J. Hayman, Mayor

Stephanie C. Watson, City Clerk

