Conover City Council
Regular Meeting Minutes
Monday, February 3, 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, February 3, 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 Council Member Mark Canrobert Council Member Joie Fulbright Council Member Jim Green Council Member Brenda Powell
Council Members Absent:	Mayor Pro Tem / Council Member Bruce Eckard
Staff Present:	City Manager Tom Hart, City Clerk Stephanie Watson, City Attorney Susan Matthews, Human Resources Madeleine Epley, Finance Director Kurt L. Beal, Planning Director Erik Schlichting, Public Works Director Terry R. Jones, Information Technology Director Chris Niver, Major Jeff Barkley, Deputy Fire Chief Jackie Lail, Police Records Clerk Deborah Reid, Code Enforcement Officer Danny Duggan, Police Lieutenant Brett Williams, Police Sergeant Tyler Bowers, Police Sergeant Mark Hopkins, and Police Officer Cody Vandyke

II. INVOCATION

Rev. Terrill Coulter, The ALYVE Church

III. PLEDGE OF ALLEGIANCE

Kyle J. Hayman, Mayor

IV. APPROVAL OF AGENDA

Motion was duly made by Council Member Fulbright, seconded by Council Member Green, to approve the February 3, 2025 Agenda.

AYES:	Mayor Hayman, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell

NOES:	None
ABSTAIN:	None

V. APPROVAL OF CONSENT AGENDA

All items below are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a council member so requests. In which event, the item will be removed from the Consent Agenda and considered under the Business Agenda section.

Item 1: Approval of Minutes

a. January 6, 2025 Council Regular Meeting Minutes

Mayor Kyle J. Hayman presented the January 6, 2025 Council Regular Meeting Minutes.

(January 6, 2025 Council Regular Meeting Minutes contained in Minute Book 20)

Item 2: Resolution 07-25: Amendment of the City of Conover Policy for Public Comments During Council Meetings

Mayor Kyle Hayman requested that Item 2 be removed from the Consent Agenda to allow for further discussion.

Motion was duly made by Council Member Green, seconded by Council Member Powell, to remove *Resolution 07-25: Amendment of the City of Conover Policy for Public Comments During Council Meetings* from the Consent Agenda and place the item on the Business Agenda for further discussion by Council.

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

Item 3: Resolution 08-25: A Resolution Awarding Retiring Police Sergeant Jerry J. LaPage, Jr. His Badge

Mayor Kyle J. Hayman presented Resolution 08-25: A Resolution Awarding Retiring Police Sergeant Jerry J. LaPage, Jr. His Badge.

(Resolution 08-25: A Resolution Awarding Retiring Police Sergeant Jerry J. LaPage, Jr. His Badge contained in the exhibit file called 2025 Resolutions.)

CITY OF CONOVER
RESOLUTION 08-25

A RESOLUTION AWARDING RETIRING
POLICE SERGEANT JERRY J. LAPAGE, JR HIS BADGE

WHEREAS*, G.S. 20-187.2 provides that retiring members of municipal law enforcement agencies may receive, at the time of their retirement, the badge worn or carried by them during their service with the municipality; and*

WHEREAS*, Jerry J. LaPage, Jr. has served as a member of the City of Conover Police Department since April of 2011, as Sergeant since 2023, and is retiring from the City of Conover Police Department effective January 31, 2025; and*

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

1. *The badge worn by Jerry J. LaPage, Jr. during his service with the City of Conover Police Department is now declared surplus.*

2. *The City Manager or his designee is hereby authorized in accordance with the provisions of G.S. 20-187.2 to transfer said badge to Jerry J. LaPage, Jr.*

Adopted this 3rd day of February, 2025.

Item 4: Resolution 09-25: Ratification of State of Emergency Declaration for Hurricane Helene

City Manager Tom Hart requested that Council remove *Resolution 09-25: Ratification of State of Emergency Declaration for Hurricane Helene* from the Agenda as there may still be some remaining funding opportunities in relation to the State of Emergency Declaration for Hurricane Helene. If the City were to remove this item off of the agenda, the City would still fall under a state of emergency declaration for Hurricane Helene.

Motion was duly made by Council Member Canrobert, seconded by Council Member Fulbright, to remove *Resolution 09-25: Ratification of State of Emergency Declaration for Hurricane Helene* from the Consent Agenda and place the item on the Business Agenda for further discussion by Council.

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

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

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

VI. BUSINESS AGENDA

Item 2: Resolution 07-25: Amendment of the City of Conover Policy for Public Comments During Council Meetings

This item was removed from the Consent Agenda and placed on the Business Agenda to allow for further discussion by Council.

Kyle J. Hayman, Mayor presented Resolution 07-25: Amendment of the City of Conover Policy for Public Comments During Council Meetings. The resolution would amend Council's current policy to allow members of the public to speak for three (3) minutes when addressing Council during public comment periods and public hearings. Currently the time is set at two (2) minutes. He requested that proposed Resolution 07-25 be further amended to allow for a total time of fifteen (15) minutes per public comment period instead of ten (10) minutes.

Motion was duly made by Council Member Canrobert, seconded by Council Member Powell, to adopt Resolution 07-25: Amendment of the City of Conover Policy for Public Comments During Council Meetings with the additional amendment to allow fifteen (15) minutes per public comment period instead of ten (10) minutes.

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

(Resolution 07-25: Amendment of the City of Conover Policy for Public Comments During Council Meetings contained in exhibit file called 2025 Resolutions.)

CITY OF CONOVER
RESOLUTION 07-25

RESOLUTION AMENDING ESTABLISHED PROCEDURES FOR PUBLIC COMMENT PERIODS DURING REGULAR MEETINGS AND DURING PUBLIC HEARINGS OF CONOVER COUNCIL MEETINGS

WHEREAS*, N.C.G.S. 160A-81 and N.C.G.S. 160A-81.1 state:*

§ 160A-81. Conduct of public hearings.
Public hearings may be held at any place within the city or within the county in which the city is located. The council may adopt reasonable rules governing the conduct of public hearings, including but not limited to rules (i) fixing the maximum time allotted to each speaker, (ii) providing for the designation of spokesmen for groups of persons supporting or opposing the same positions, (iii) providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall, and (iv) providing for the maintenance of order and decorum in the conduct of the hearing. The council may continue any public hearing without further advertisement. If a public hearing is set for a given date and a quorum of the council is not then present, the hearing shall be continued until the next regular council meeting without further advertisement. (1971, c. 698, s. 1.)

§ 160A-81.1. Public comment period during regular meetings.
The council shall provide at least one period for public comment per month at a regular meeting of the council. The council may adopt reasonable rules governing the conduct of the public comment period, including, but not limited to, rules (i) fixing the maximum time allotted to each speaker, (ii) providing for the designation of spokesmen for groups of persons supporting or opposing the same positions, (iii) providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall, and (iv) providing for the maintenance of order and decorum in the conduct of the hearing. The council is not required to provide a public comment period under this section if no regular meeting is held during the month. (2005-170, s. 3.)

WHEREAS, *the City of Conover Council set guidelines and procedures for public comment periods within Resolution 29-06: Establishing Procedures for Public Comment Period During Regular Meetings and then amended those guidelines and procedures in Resolution 18-22: Resolution Amending the Established Procedures for Public Comment Periods During Regular Meetings and During Public Hearings of Conover Council Meetings; and*

WHEREAS, *the Conover City Council wishes to amend their current guidelines and procedures for public comment periods.*

NOW, THEREFORE, BE IT RESOLVED *that the City of Conover Policy for Public Comments During Council Meetings shall be amended 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:

CITY OF CONOVER
POLICY FOR PUBLIC COMMENTS
DURING COUNCIL MEETINGS

N.C.G.S. 160A-81 and N.C.G.S. 160A-81.1 authorizes the Conover City Council to establish guidelines and procedures for public comment periods during regular meetings and during public hearings of Council Meetings.

Public Comments During Council Regular Meetings:
Guidelines for Public Comment Periods during Council Regular Meetings shall read as follows:

1. *Public comment is permitted at the regular monthly meeting of the City Council, if one is held.*

2. *Public comment period shall consist of ~~ten (10)~~ fifteen (15) minutes total time.*

3. *~~Two (2)~~ Three (3) minutes are allocated for each speaker. If ~~more than five (5)~~ four (4) or more wish to comment, the time shall be allocated accordingly.*

4. *Groups of persons supporting or opposing the same position shall designate a spokesperson for the group.*

5. *When the number of persons wishing to attend exceeds the capacity of the hall, groups of persons supporting or opposing the same position shall select spokespersons to represent the group.*

6. *Comments must address City issues that City Council has control over. Comments relevant to a public hearing, should be made during the public hearing and not during the public comment period.*

7. *Comments must be directed to the full City Council and not to individual Council Members. The Council will listen and take your comments into consideration; however, ~~they~~ the Council will not engage in two-way dialog during the public comment period.*

8. *When making public comments, all persons shall stand and address the Council from behind the podium. Exceptions shall be granted to those who may have a physical impairment.*

9. *All persons wishing to comment must state their name and address for the record.*

10. *Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the City Clerk.*

Public Comments During Public Hearings:
Guidelines for Public Comments during Public Hearings shall read as follows:

1. *Public comment is permitted during a public hearing, if one is held.*
2. *~~Two (2)~~ Three (3) minutes are allocated for each speaker.*
3. *Groups of persons supporting or opposing the same position shall designate a spokesperson for the group.*
4. *When the number of persons wishing to attend exceeds the capacity of the hall, groups of persons supporting or opposing the same position shall select spokespersons to represent the group.*
5. *Comments must pertain to the topic of the public hearing.*
6. *Comments must be directed to the full City Council and not to individual Council Members. The Council will listen and take your comments into consideration; however, they will not engage in two-way dialog during the public hearing.*
7. *When making comments during a public hearing, all persons shall stand and address the Council from behind the podium. Exceptions shall be granted to those who may have a physical impairment.*
8. *All persons wishing to comment must state their name and address for the record.*
9. *Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the City Clerk.*

Rules of Decorum.

1. ***Speakers.*** *Each person who addresses the City Council shall do so in an orderly manner and shall not make personal, impertinent, slanderous or profane remarks to any member of the City Council, staff or general public. Any person who makes such remarks, or who utters loud, threatening, personal or abusive language, or engages in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of any City Council meeting shall, at the discretion of a majority of the City Council, be barred from further audience before the City Council during that meeting.*
2. ***Audience.*** *No person in the audience at a City Council meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt or otherwise impede the orderly conduct of any City Council meeting. Any person who conducts him or herself in the aforementioned manner shall, at the discretion of a majority of the City Council, be barred from further audience before the City Council during that meeting.*

Enforcement of Decorum.
The rules of decorum set forth above shall be enforced in the following manner:

a. ***Warning****. The presiding officer shall request that a person who is breaching the rules of decorum be orderly and silent. If, after receiving a warning from the presiding officer, a person persists in disturbing the meeting, the presiding officer shall order him or her, to leave the City Council meeting. If such person does not remove himself or herself, the presiding officer may order any law enforcement officer who is on duty at the meeting as sergeant-at-arms of the City Council to remove that person from the City Council chambers.*
b. ***Removal****. Any law enforcement officer who is serving as sergeant-at-arms of the City Council shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the City Council meeting. Upon instruction of the presiding officer, it shall be the duty of the sergeant-at-arms to remove from the City Council meeting any person who is disturbing the proceedings of the City Council.*
c. ***Adjournment****. If a meeting of the City Council is disturbed or disrupted in such a manner as to make infeasible or improbable the restoration of order, the meeting may be adjourned or continued by motion and consent of a majority of the City Council, and any remaining City Council business may be considered at the next meeting.*

Adopted this the 3rd day of February, 2025.

Item 5: Comments from Visitors and Guests

Mayor Hayman opened the public comment period.

There were no comments from the public.

Motion was duly made by Council Member Fulbright, seconded by Council Member Green, to close the public comment period for visitors and guests.

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

Item 6: Resolution 06-25: Certificate of Appreciation Jerry J. LaPage Jr.

Mayor Kyle J. Hayman, Members of Council and Police Major Jeff Barkley presented Resolution 06-25: Certificate of Appreciation Jerry J. LaPage Jr.

Motion was duly made by Council Member Green, seconded by Council Members Powell and Canrobert, to adopt Resolution 06-25: Certificate of Appreciation Jerry J. LaPage Jr..

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

(Resolution 06-25: Certificate of Appreciation Jerry J. LaPage Jr. contained in the exhibit file called 2025 Resolutions.)

CITY OF CONOVER
RESOLUTION 06-25

CERTIFICATE OF APPRECIATION
JERRY J. LAPAGE, JR.

14 YEARS OF SERVICE

WHEREAS, *JERRY J. LAPAGE, JR. HAS SERVED THE CITY OF CONOVER POLICE DEPARTMENT SINCE APRIL 2011; BEING PROMOTED TO SERGEANT IN 2023; AND*

WHEREAS, *SERGEANT LAPAGE SUCCESSFULLY COMPLETED THE NORTH CAROLINA CRIMINAL JUSTICE COMMISSION REQUIREMENTS FOR TRAINING, EDUCATION, AND YEARS OF SERVICE; AND*

WHEREAS*, SERGEANT LAPAGE COMPLETED THE NORTH CAROLINA JUSTICE ACADEMY INSTRUCTOR CERTIFICATION IN 2014, AND COMPLETED THE SPECIALIZED FIREARMS INSTRUCTOR CERTIFICATION IN 2015; AND*

WHEREAS*, SERGEANT LAPAGE SUCCESSFULLY COMPLETED THE NORTH CAROLINA JUSTICE ACADEMY TRAFFIC ENFORCEMENT AND INVESTIGATION CERTIFICATE PROGRAM IN 2016, AND*

WHEREAS, *SERGEANT LAPAGE WAS AWARDED THE ADVANCED LAW ENFORCEMENT CERTIFICATE THE HIGHEST LAW ENFORCEMENT CERTIFICATION IN THE STATE OF NORTH CAROLINA IN THE YEAR 2019; AND*

WHEREAS*, SERGEANT LAPAGE COMPLETED 400 HOURS OF TRAINING WITH A FOCUS IN CRIMINAL INVESTIGATIONS AND WAS AWARDED THE CRIMINAL INVESTIGATION CERTIFICATE THROUGH THE NORTH CAROLINA JUSTICE ACADEMY IN THE YEAR 2021; AND*

WHEREAS, *SERGEANT LAPAGE'S IMPACT ON HIS COMMUNITY EXTENDS FAR*

BEYOND THE WALLS OF THE CONOVER POLICE DEPARTMENT, RECEIVING APPRECIATION FOR HIS SERVICE FROM VARIOUS COMMUNITY MEMBERS; AND

WHEREAS, *THESE 14 YEARS OF DEDICATED SERVICE HAVE BEEN CHARACTERIZED BY HIS UNWAVERING COMMITMENT TO IMPROVE AND PROTECT THE COMMUNITY AND PUBLIC HE SERVED; AND*

NOW, THEREFORE BE IT RESOLVED, *THE CONOVER CITY COUNCIL, ON BEHALF OF THE CITIZENS OF CONOVER, PUBLICLY COMMENDS* ***JERRY J. LAPAGE, JR.*** *FOR HIS OUTSTANDING SERVICE TO THE CITY OF CONOVER.*

ADOPTED THIS THE 3RD DAY OF FEBRUARY, 2025.

Item 7: Rezoning Request R24-08 for the Properties Located at 412 Rock Barn Rd NE from R-9-CD (Residential-Conditional District) to R-9-CD (Residential-Conditional District)

a. **Public Hearing to Receive Public Comments on the Proposed Rezoning of the Property at 412 Rock Barn Rd NE**
b. **Ordinance 01-25: Zoning Ordinance Amendment**

Erik Schlichting, Planning Director informed Council that the petitioner has withdrawn his request for the rezoning for the property located at 412 Rock Barn Rd NE. Any further development on this lot would require a new proposal and new advertisement.

No action was taken.

Item 8: Rezoning Request R24-09 for the Properties Located at 1840 & 1884 Edgewater Dr NW from MX-CD (Mixed Use-Conditional District) to MX-CD (Mixed Use Conditional District)

a. **Public Hearing to Receive Public Comments on the Proposed Rezoning at 1840 & 1884 Edgewater Dr NW**
b. **Ordinance 02-25: Zoning Ordinance Amendment**

Erik Schlichting, Planning Director presented Rezoning Request R24-09 for the Properties Located at 1840 & 1884 Edgewater Dr NW from MX-CD (Mixed Use-Conditional District) to MX-CD (Mixed Use Conditional District). The proposal for townhome development on each side of the road. This is a second attempt to develop this location into mixed use with office/commercial use on the first floor and living areas above. The first attempt was when this proposal was originally brought before Council a little over two years ago and approved. The original developer did not follow through with the project at that time. Mr. Crater worked for the original developer during the original approval and is now requesting re-approval of this proposal with his new partners. The layout is the same with minor changes to the conditional notes which will include a request to increase the height limits for buildings from thirty-five

(35) feet to forty (40) feet. Another change would be use of a different architectural style. Staff recommends approval of this. The Planning Board voted three (3) for and three (3) against the recommendation for approval.

Mr. Crater gave a brief presentation of his product.

There was some discussion about the development of this area and how it will affect traffic flow near the entrance to Cline Village and the school. Due to heavier traffic flow than usual during morning and afternoon pickup/drop-off at the school, residents have been using the wide road as a two lane to get around traffic backups. The City has previously spoken with the school about this issue and the school has changed their drop-off points and traffic patterns multiple times in order to manage this issue.

Item 8(a): Public Hearing to Receive Public Comments on the Proposed Rezoning at 1840 & 1884 Edgewater Dr NW

Mayor Hayman opened the public hearing.

Mike Close of 4097 Montgomery Lane, Conover spoke about the HOA owning the open area that comes into the neighborhood. The HOA also owns a drainage area that goes into a pond that the HOA maintains. If any runoff goes into the area, it has to be maintained. He then spoke of current morning and afternoon traffic issues that he has faced. The added development will affect traffic, particularly adding parking on the entrance and exit streets to make them one lane. This is a concern as there will be a higher car density in the area after the construction is complete.

Barbara Felix of 3968 Village Blvd NW, Conover stated that the land at the entrance of Cline Village is owned by the Master HOA. The way that Andy Wells built the entire area is that all the separate associations would be under a master association and will contribute to it. That didn't happen when Madison Simmons built the nine units. They also didn't add the extra parking and this has caused density. These units are also not contributing to the areas that need to be maintained by the HOA. Then she spoke about the her concerns about adding more traffic to the area. Their main concern is that the entrance and exit will become one lane due to adding parking along them. She has been in touch with the school about traffic and how their buses travel these roads. She stated that she is happy with the project, happy with the way it has been designed, but are not happy with the proposed parking along those roads.

Ron Matthas of 3973 Village Blvd NW, Conover spoke of current traffic flow issues. If the entrance and exit roads are brought down to one lane due to parking, this issue will double and that is his concern. He felt that the product being proposed for development was great though.

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

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

Mayor Hayman requested that staff continue to have an open dialog with the local school in that area about traffic issues.

Item 8(b): Ordinance 02-25: Zoning Ordinance Amendment

Erik Schlichting, Planning Director presented Ordinance 02-25: Zoning Ordinance Amendment.

Motion was duly made by Council Member Canrobert, seconded by Council Member Green, to adopt Ordinance 02-25: Zoning Ordinance Amendment and to move to approve rezoning request R 24-09 for the properties located at 1840 & 1884 Edgewater Dr NW (PINs 374312758009 & 374316840710) shown on the Exhibit A map from Mixed Use-Conditional District (MX-CD) to Mixed Use-Conditional District (MX-CD), and find the request is consistent with the Land Development Plan and it is reasonable and in the public interest because: (1) The development will provide new housing options to the community; (2) The site is conveniently located near existing infrastructure and public services; and (3) The LDP has specified a need to accommodate more "missing middle" housing in the city.

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

(Ordinance 02-25: Zoning Ordinance Amendment contained in exhibit filed called 2025 Ordinances.)

CITY OF CONOVER

ORDINANCE 02-25

ZONING ORDINANCE AMENDMENT

WHEREAS, *LEC Holdings, on behalf of the owner, Woodland Village, LLC, submitted rezoning request R24-09 to the City of Conover on December 2nd, 2024 to rezone two parcels*

in the Cline Village development, Catawba County PIN 374316840710 ("Area #1", Plat Book 66, pg. 197, containing 2.328 acres) and PIN 374312758009, described as follows:

Commencing at NCGS Monument "CB Farm", said monument having NCGS Coordinates of N: 739,133.65 E: 1,345,643.64, from said monument S 46°54'20" E – 1580.46' to NCGS Monument "Harmony", said monument having NCGS Coordinates of N: 738,053.94 E: 1,346,797.69, from NCGS monument S 23°41'07" E – 3079.08' to an existing 1" pipe, said pipe being the Point of Beginning, said pipe also being a common corner with Hoyle Leon Hoover (Deed Book 2162 Page 1423), said pipe also being located along the Western Margin of the 60' Public Right of Way of C&B Farm Road (SR#1487), thence continuing and following the Western Margin of the Right of Way S 07°54'39" E – 74.00' to a set #4 rebar, thence continuing with the Right of Way S 09°30'12" E – 50.67' to and existing #4 rebar, thence continuing with the right of way S 11°46'37" E – 35.82' to an existing #4 rebar, said rebar being at the point of intersection of the Western Margin of the 60' Right of Way of C&B Farm Road and the Northern Margin of the 50' Public Right of Way of Village SQ NW, thence continuing and following the Northern Margin of the Right of Way S 73°00'50" W – 422.16' to a set Mag Nail in the sidewalk, said Mag Nail also being located at the intersection of the Northern Margin of the 50' Public Right of Way of Village SQ NW and the Eastern Margin of the 50' Public Right of Way of Edgewater Drive, thence continuing with the Eastern Margin of the Right of Way to following two calls, following a curve with a radius of 100.00' and a chord of N 47°48'07" W – 43.37' to a set Mag Nail in the sidewalk, thence continuing N 60°55'27" W – 23.87' to a set Mag Nail in the pavement, said Mag Nail also being a common corner with Park at Cline Village LLC (Deed Book 2551 Page 1100), thence leaving the Right of Way and following with the common line of Park Village LLC the following two calls, N 28°02'20" E – 182.60' to an existing #4 rebar, thence N 61°57'40" W – 133.87' to an existing 1" Iron, said iron being a common corner with Hoyle Leon Hoover (Deed Book 2162 Page 1423), thence following with the common line of Hoover N 85°06'31" E – 224.67' to an existing 1" pipe, said pipe being a common corner with Hoyle Leon Hoover (Deed Book 2162 Page 1423), thence following with the common line of Hoover N 85°17'05" E – 253.94' to the point of Beginning containing 2.215 AC±.

***WHEREAS,** the request is to rezone the parcels currently zoned MX-CD (Mixed Use – Conditional District) to MX-CD (Mixed Use – 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 February 3rd, 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 first parcel (Catawba County PIN 374312758009, approximately 2.2 acres) and the second parcel (Catawba County PIN 374316840710, approximately 2.3 acres) located in the Cline Village development, and more specifically described above, the metes and*

bounds description incorporated herein, and the same are hereby rezoned from MX-CD (Mixed Use – Conditional District) to MX-CD (Mixed Use – Conditional District) in accordance with the submitted site plan and conditions provided by the applicant.

Section 2. *That the City Planner be directed to make the change on the Official 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 3rd day of February, 2025.

EXHIBIT A

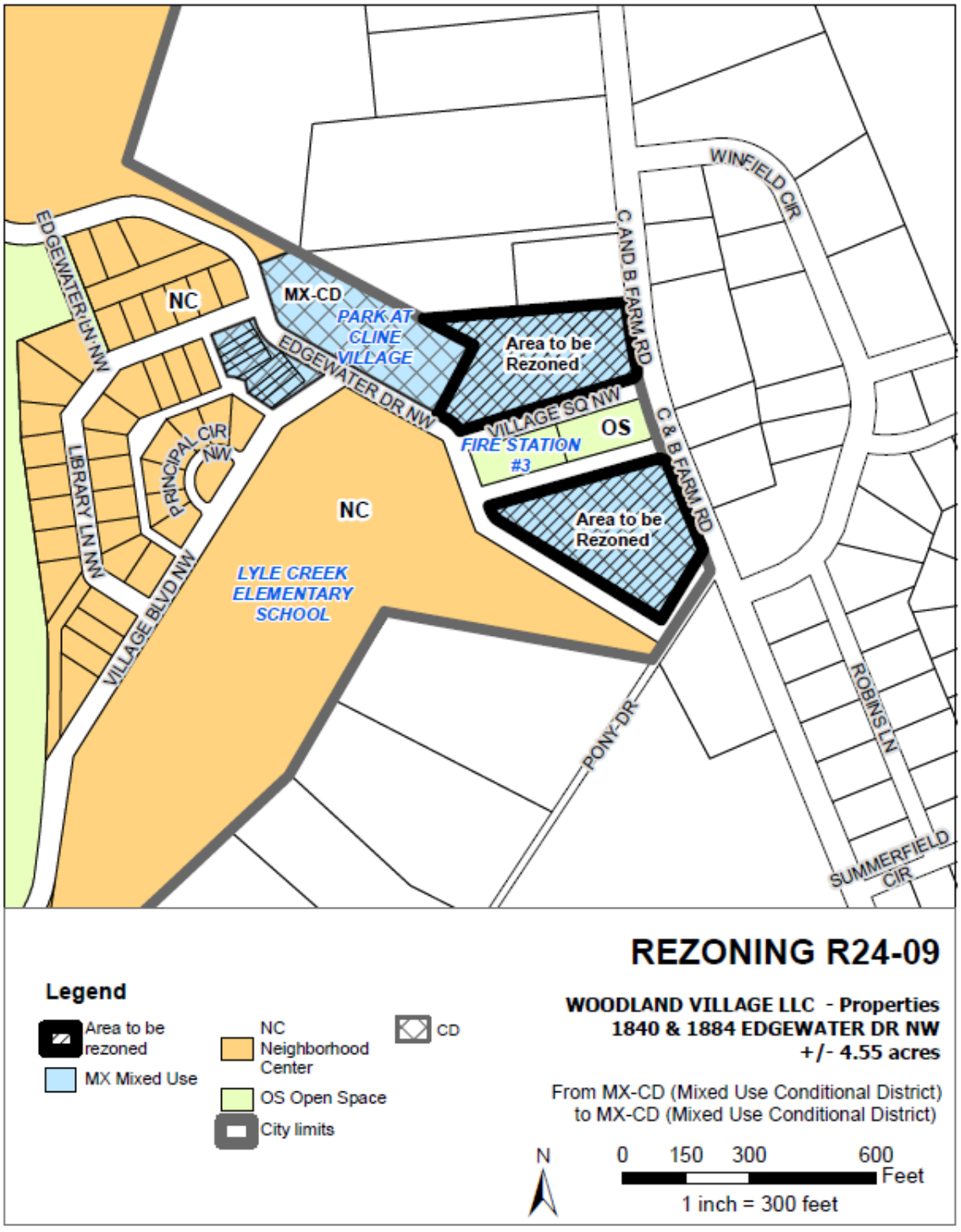


Exhibit B
LEC HOLDINGS, LLC: CLINE VILLAGE TOWNHOMES PH. II - CONDITIONAL DEVELOPMENT NOTES

1. *THE DEVELOPMENT SHALL CONSIST OF A MAXIMUM OF 49 TOWNHOME UNITS.*
2. *BUILDING ELVEVATIONS, MATERIALS AND COLORS SHALL BE APPROVED AS PART OF THIS PRELIMINARY PLAN.*
3. *BUILDING SETBACKS ARE APPROVED AS SHOWN ON THIS SITEPLAN.*
4. *BUILDINGS SHALL NOT EXCEED 40' IN HEIGHT.*
5. *ALL ON-STREET PARKING SHALL BE PUBLIC PARKING.*
6. *ALL STREET CONSTRUCTION SHALL BE APPROVED BY THE CITY OF CONOVER AND BE BUILT TO CITY OF CONOVER STANDARDS AND DEDICATED TO THE CITY UPON COMPLETION.*
7. *ALL SIDEWALKS SHALL BE BUILT TO CITY OF CONOVER STANDARDS AND ADA COMPLIANT.*
8. *ALL DRAINAGE FEATURES OUTSIDE THE PUBLIC RIGHT OF WAY SHALL BE PRIVATELY MAINTAINED.*
9. *ALL STORMWATER DETENTION FEATURES AND CONVEYANCES SHALL BE CONSTRUCTED TO THE CITY'S STANDARDS AND BE PRIVATELY MAINTAINED.*
10. *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.*
11. *ALL CITY UTILITY EASEMENTS SHALL BE 25' WIDE.*
12. *MAIL SERVICE SHALL BE VIA MAIL KIOSK.*
13. *A SITE LANDSCAPING PLAN IS REQUIRED AT FINAL PLAN SUBMITTAL.*
14. *DEVELOPER WILL COORDINATE WITH DUKE POWER TO DEVELOP AND IMPLEMENT A LIGHTING PLAN.*
15. *FINAL PLANS WILL BE REVIEWED AND APPROVED BY THE CONOVER SITE PLAN REVIEW COMMITTEE PRIOR TO CONSTRUCTION.*
16. *MINOR MODIFICATIONS – THE PLANNING DIRECTOR MAY APPROVE MODERATE ADJUSTMENTS TO THE LOCATION OF FEATURES, IMPROVEMENTS, BUILDINGS AND DRIVES AS SHOWN ON THE APPROVED PLAN, ADJUST BUILDING HEIGHTS UP TO 10% AND BUILDING SIZE UP TO 5%. ANY INCREASE IN DENSITY SHALL REQUIRE AN AMENDMENT TO THIS DEVELOPMENT APPROVAL.*
17. *THE DEVELOPER SHALL ENTER INTO A DEVELOPMENT AGREEMENT WITH THE CITY OF CONOVER PRIOR TO STARTING CONSTRUCTION.*

Item 9: 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. **Public Hearing to Receive Public Comments on Question of Annexation**
b. **Ordinance 03-25: An Ordinance to Extend the Corporate Limits of the City of Conover for Property Identified by Catawba County GIS Parcel**

Identification Number 374107580857 Containing Approximately 11.747 Acres +/-

Erik Schlichting, Planning Director presented 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 +/-. This piece of property is within the previously approved Shuford Village townhome area. One of the conditions for approval was that this area would be annexed. Currently, this property falls within the ETJ and this instance, it is not necessary for the property to be annexed prior to rezoning.

There was some discussion about the plans for the property.

Item 9(a): Public Hearing to Receive Public Comments on Question of Annexation

Mayor Hayman opened the public hearing.

There were no comments.

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

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

Item 9(b): Ordinance 03-25: An Ordinance to Extend the Corporate Limits of the City of Conover for Property Identified by Catawba County GIS Parcel Identification Number 374107580857 Containing Approximately 11.747 Acres +/-

Erik Schlichting, Planning Director presented Ordinance 03-25: An Ordinance to Extend the Corporate Limits of the City of Conover for Property Identified by Catawba County GIS Parcel Identification Number 374107580857 Containing Approximately 11.747 Acres +/-

Motion was duly made by Council Member Green, seconded by Council Member Powell, to adopt Ordinance 03-25: An Ordinance to Extend the Corporate Limits of the City of Conover for Property Identified by Catawba County GIS Parcel Identification Number 374107580857 Containing Approximately 11.747 Acres +/-.

AYES:	Mayor Hayman, Council Member Canrobert, Council Member Fulbright, Council Member Green, Council Member Powell

NOES:	None
ABSTAIN:	None

(Ordinance 03-25: An Ordinance to extend the Corporate Limits of the City of Conover, NC contained in exhibit file called 2025 Ordinances)

CITY OF CONOVER
ORDINANCE 03-25

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE CITY OF CONOVER NC

WHEREAS*, the Conover City Council has petitioned under G.S. 160A-31 to annex the area described herein; and*

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

WHEREAS*, the City Clerk has certified the sufficiency of said petition and a public hearing of this annexation was held at the Conover City Council at 6:00 p.m. on the February 3, 2025 after due notice and advertisement thereof; and*

WHEREAS*, the Conover City Council does hereby find as a fact that said petition meets the requirements of G. S. 160A-31, as amended.*

NOW, THEREFORE, BE IT ORDAINED *by the Conover City Council of the City of Conover, NC:*

Section 1*. By virtue of the authority granted by G. S. 160A-31, as amended, the following described territory is hereby annexed and made part of the City of Conover as of the 3rd day of February, 2025:*

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:

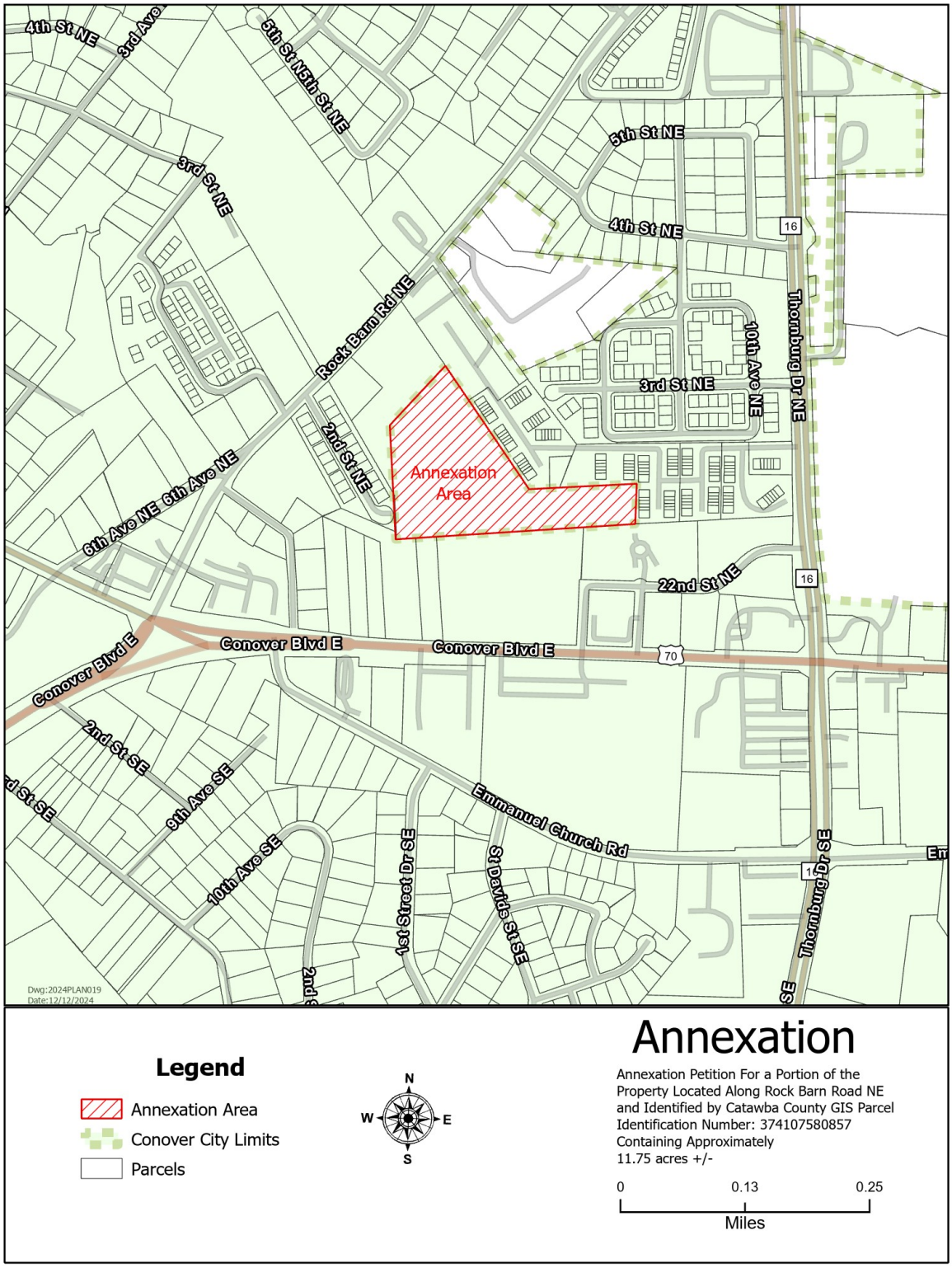
Commencing at NCGS Monument "YMCA", said monument having coordinates of N: 717,947.65 E: 1,345,641.89, thence from said monument N 85°40'51" W – 2,039.01' to NCGS Monument "Citgo", said monument having NCGS Coordinates of N: 718,101.19 E: 1,343,608.91, thence from said monument N 69°50'13" E – 1,281.86 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 - 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 2. Upon and after the 3rd day of February, 2025, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Conover and shall be entitled to the same privileges and benefits as other parts of the City of Conover. Said territory shall be subject to municipal taxes according to G. S. 160A-31.

Section 3. The Mayor of the City of Conover shall cause to be recorded in the office of the Register of Deeds of Catawba County and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this ordinance.

Adopted this 3rd day of February, 2025.


4th St NE
3rd Ave
5th St N
5th St NE
3rd St NE
5th St NE
4th St NE
16
Rock Barn Rd NE
10th Ave NE
Thornburg Dr NE
3rd St NE
2nd St NE
Annexation Area
6th Ave NE
6th Ave NE
22nd St NE
16
Conover Blvd E
Conover Blvd E
Conover Blvd E
70
2nd St SE
9th Ave SE
Emmanuel Church Rd
10th Ave SE
1st Street Dr SE
St Davids St SE
Thornburg Dr SE
Dwg:2024PLAN019
Date:12/12/2024
Legend
Annexation Area
Conover City Limits
Parcels
N
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Annexation
Annexation Petition For a Portion of the Property Located Along Rock Barn Road NE and Identified by Catawba County GIS Parcel Identification Number: 374107580857 Containing Approximately 11.75 acres +/-
0
0.13
0.25
Miles

Item 10: Ordinance 04-25: An Ordinance Amending the 2024-2025 Budget Ordinance

Christopher Niver, IT Director, presented Ordinance 04-25: An Ordinance Amending the 2024-2025 Budget Ordinance. In September 2022, the Department of Homeland Security announced the first of its kind cybersecurity grant program specifically for state, local, and tribal organizations to provide funding to address cybersecurity risks. The City of Conover was awarded a $58,333 grant for cybersecurity enhancements and upgrades and which will initially be used to purchase cybersecurity licenses, software and hardware for $38,600. Remaining grant funds will be drawn down before the deadline on the grant for additional cybersecurity tools, maintenance, and renewals. This grant is completely 100% reimbursable and is for five years. After that time, the city would assume liability.

Motion was duly made by Council Member Canrobert, seconded by Council Member Powell, to adopt Ordinance 04-25: An Ordinance Amending the 2024-2025 Budget Ordinance.

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

(Ordinance 04-25: An Ordinance Amending the 2024-2025 Budget Ordinance contained in the exhibit file called 2025 Ordinances.)

CITY OF CONOVER
ORDINANCE 04-25

AN ORDINANCE AMENDING THE 2024-2025 BUDGET ORDINANCE

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

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

Account	Description	Increase/ Debit	Decrease/ Credit
100-4300-6400	Non-Capital Outlay - IT	38,600	
	Total	$38,600	

This will result in a net increase of $0 in the expenditures of the General Fund. To provide

funding for the above, the following revenue budgets will be increased as follows:

Account	Description	Decrease/ Debit	Increase/ Credit
100-3490-4300	IT Related Grants		38,600
	Total		$38,600

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 3rd day of February, 2025.

Item 11: Resolution 10-25: Resolution Authorizing the City of Conover to Award the Contract to Moss Marlow Building Company for the "City Hall Renovation Project - Phase 2" and to Authorize the City Manager to Enter into an Agreement with Moss Marlow Building Company to Complete the Project and to Approve Any Necessary Change Orders

Tom Hart, City Manager presented Resolution 10-25: Resolution Authorizing the City of Conover to Award the Contract to Moss Marlow Building Company for the "City Hall Renovation Project - Phase 2" and to Authorize the City Manager to Enter into an Agreement with Moss Marlow Building Company to Complete the Project and to Approve Any Necessary Change Orders. The City received four bids for the project with Moss Marlow Building Company coming in as the lowest responsive, responsible bidder at $712,100. The cost of the replacement of the lift is not included with that quote. Estimated time to start of construction would be between thirty (30) to sixty (60) days. Construction will not affect Council meetings as there are no plans to modify the Council Chambers at this time.

Motion was duly made by Council Member Canrobert, seconded by Council Member Green, to adopt Resolution 10-25: Resolution Authorizing the City of Conover to Award the Contract to Moss Marlow Building Company for the "City Hall Renovation Project - Phase 2" and to Authorize the City Manager to Enter into an Agreement with Moss Marlow Building Company to Complete the Project and to Approve Any Necessary Change Orders.

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

(Resolution 10-25: Resolution Authorizing the City of Conover to Award the Contract to Moss Marlow Building Company for the "City Hall Renovation Project - Phase 2" and to Authorize

the City Manager to Enter into an Agreement with Moss Marlow Building Company to Complete the Project and to Approve Any Necessary Change Orders contained in the exhibit file called 2025 Resolutions.)

CITY OF CONOVER
RESOLUTION 10-25

RESOLUTION AUTHORIZING THE CITY OF CONOVER TO AWARD THE CONTRACT TO MOSS MARLOW BUILDING COMPANY FOR THE CITY HALL RENOVATION – PHASE 2 PROJECT (CITY HALL SECOND AND THIRD LEVELS) AND TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MOSS MARLOW BUILDING COMPANY TO COMPLETE THE PROJECT AND TO APPROVE ANY NECESSARY CHANGE ORDERS

WHEREAS*, on December 21, 2024, the City of Conover requested bids, pursuant to duly advertised notice therefore, for the City Hall Renovation – Phase 2 Project; and*

WHEREAS*, during the bid opening held on January 28, 2025, four (4) bids were received for the project; and*

WHEREAS*, of the four bids received, Moss Marlow Building Company was the lowest responsible, responsive bidder with a lump sum base bid of $712,100.*

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

1. *The Certified Bid Tabulation from the January 28, 2025 bid opening for the City Hall Renovation – Phase 2 Project shall be approved.*
2. *The bid is awarded to Moss Marlow Building Company as the lowest responsible, responsive bidder in the total amount of $712,100.*
3. *The City Manager, being the Authorized Official, and successors so entitled is hereby authorized to execute the contract and approve any necessary change orders.*
4. *Certified copies of this Resolution shall be kept with the City Clerk.*
5. *This Resolution shall take effect immediately upon its adoption.*

Adopted this the 3rd day of February, 2025.

Item 12: Tax Collector's Report on Unpaid Real Property Taxes

Kurt L. Beal, Finance Director presented Tax Collector's Report on Unpaid Real Property Taxes on behalf Lori Conner, Tax Collector. The report is for the unpaid real property taxes for the 2024 year that is required by NC General Statutes 105-369A to be presented annually to the governing body. This report covers taxes outstanding as of January 21, 2025. The amount outstanding is $280,000 compared to $239,000 at this time last year.

Motion was duly made by Council Member Green, seconded by Council Member Canrobert, to accept the Tax Collector's Report on Unpaid Real Property Taxes and to instruct staff to advertise for tax liens.

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

Item 13: Committee Reports

Members of Council gave their committee reports.

Item 14: City Manager's Report

BUILDING PERMITS: The City issued nineteen (19) building permits during the month of January 2025, totaling $1,759,557. Included were eight (8) residential, eight (8) commercial, and three (3) industrial permits.

UPCOMING EVENTS FOR THIS MONTH:

- **53rd Annual Meeting & Reception**: This event will be held on February 25th at 3:30 PM at the Hickory Metro Convention Center.
- **Town and State Dinner**: This event will be held on February 26th

Mayor Hayman stated that Council Member Canrobert had a scheduling conflict with the Monday, March 3, 2025 Council Meeting. He requested that the March meeting be rescheduled to Monday, March 10, 2025.

Motion was duly made by Mayor Hayman, seconded by Council Member Canrobert, to reschedule the Monday, March 3, 2025 Council Meeting to Monday, March 10, 2025 at 6:00 p.m. in the Council Chambers of Conover City Hall.

AYES:	Mayor Hayman, 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 7:31 p.m.

_____
Kyle J. Hayman, Mayor

_____
Stephanie C. Watson, City Clerk