

A G E N D A
HICKORY CITY COUNCIL

March 2, 2021



7:00 p.m.



AGENDA
www.hickorync.gov

If you have any questions about any item on this agenda or if you need more information about any item in addition to the information contained in the agenda package, please call the City Manager at 323-7412. For more information about the City of Hickory go to: www.hickorync.gov.

Hickory City Council
76 North Center Street

March 2, 2021
7:00 p.m.

- I. Call to Order
- II. Invocation by Reverend Christy Lohr-Sapp, St. Andrews Lutheran Church
- III. Pledge of Allegiance
- IV. Special Presentations
 - A. Hickory Elks Lodge 1654 Public Service Awards – Presentation by Major Charlie Self, US Air Force (Retired) and Major Jay Tate, US Army (Retired)

2020-2021 Firefighter of the Year – Firefighter Jonathan Fox
2020-2021 Police Officer of the Year – Officer Jaleel D. Smith
2020-2021 NC State Trooper of the Year (Troop F) – Trooper Brett A. Hilton
- V. Persons Requesting to Be Heard
- VI. Approval of Minutes
 - A. Regular Meeting of February 16, 2021. **(Exhibit VI.A.)**
 - B. Special Meeting of February 23, 2021. **(Exhibit VI.B.)**
- VII. Reaffirmation and Ratification of Second Readings. Votes recorded on first reading will be reaffirmed and ratified on second reading unless Council Members change their votes and so indicate on second reading.
 - A. Budget Revision Number 15. **(First Reading Vote: Unanimous)**
 - B. Consideration of Amending Chapter 6, Section 6-3 of the Hickory City Code of Ordinances. **(First Reading Vote: Unanimous)**
- VIII. Consent Agenda: All items below will be enacted by vote of City Council. 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 Item IX.
 - A. Proclamation for Arbor Day, March 19, 2021. **(Exhibit VIII.A.)**
 - B. Approval of the Purchase of a 2022 Mack Granite Tandem Dump Truck with Snowplow and Salt Spreader from TranSource Truck & Trailer Centers in the Amount of \$189,243.29. **(Exhibit VIII.B.)**

Staff requests Council's approval of the purchase of a 2022 Mack Granite tandem dump truck with snowplow and salt spreader in the amount of \$189,243.29 from TranSource Truck & Trailer Centers. This price includes a 60-month/300,000-mile warranty. The

Public Services Street Division currently uses a 1992 Ford tandem dump truck. Equipment on that unit is outdated, no longer working, and parts are difficult to find. This equipment is being replaced as a component of the Public Services Street Division's normal Capital Budget. A tandem truck with snowplow and salt spreader purchase is budgeted for this fiscal year. Specifications were prepared by the Street and Fleet Divisions to ensure the purchase of the equipment would best serve the Division. Selection of equipment was made using the NC State Contract-NC DOT-070E and the North Carolina Sheriff's Association Contract for pricing. Staff recommends Council's approval of the purchase of a 2022 Mack Granite tandem dump truck with snowplow and salt spreader in the amount of \$189,243.29 from TranSource Truck & Trailer Centers.

- C. Approval of a Professional Services Agreement with Clayton Engineering and Design in the Amount of \$94,000 for Assessment and Design of the Henry Fork River Sewer Crossing at Old River Trails. **(Exhibit VIII.C.)**

Staff requests Council's approval of a Professional Services Agreement for the assessment and design of the Henry Fork River sewer crossing at Old River Trails to Clayton Engineering and Design for a lump sum fee of \$94,000. Due to the removal of the old Shuford Mills Dam in 2015, the banks of the Henry River and the riverbed above the previous dam have eroded. The sewer aerial crossing serving the Old River Trails Subdivision has been damaged numerous times and repaired. Continued erosion and higher flows in the river than previous designs have made it a necessity to reevaluate the crossing and design an alternative method of crossing the river. Staff recommends Council's approval of a Professional Services Agreement for the assessment and design of the Henry Fork River sewer crossing at Old River Trails to Clayton Engineering and Design for a lump sum fee of \$94,000.

- D. Budget Revision Number 16. **(Exhibit VIII.D.)**

1. To appropriate \$15,750 in revenues received from the GovDeals sale of three Fire vehicles (2 Ford F-150 trucks and 1 Ford Crown Victoria). Funds will be returned to the Fire Department's Capital Outlay - Vehicles account towards the purchase of replacement vehicles.
2. To recognize and appropriate \$220,000 in lease financing proceeds for laptop computer replacements for the Hickory Police Department. Funds are already included within the FY20-21 budget for the first year's debt service payment.
3. To recognize and appropriate a \$240,000 Golden LEAF Foundation Grant received during 2020 for the Project Enzyme waterline extension component of the Trivium Corporate Center Project (#B1B003).
4. To appropriate \$27,425 from General Fund Balance into the Trivium Corporate Center Capital Project (#B1B004) to cover engineering services on the Trivium East component. The total engineering contract is \$54,850 with the other half coming from Catawba County per the joint funding agreement on Trivium. This phase of the project consists of environmental assessment, surveying, wetlands delineation, and plat preparation for an additional 135 acres to the business park.
5. To recognize and appropriate a total of \$2,950,500 in loan proceeds towards the Lackey Park Capital Project (#620007). Of this amount, \$296,000 will be reimbursed to General Fund Balance for previous funding of project expenditures.
6. To recognize and appropriate a total of \$281,607 in loan proceeds towards the Ridgeview Library Expansion Capital Project (#630001). Of this amount, \$120,507 will be reimbursed to General Fund Balance for previous funding of project expenditures.
7. To recognize and appropriate a total of \$1,300,000 in loan proceeds towards the ARC Grant - 9th Avenue Drive NW Capital Project (#546016). Of this amount, \$1,161,216 will be reimbursed to General Fund Balance for previous funding of project expenditures.
8. To recognize and appropriate a total of \$500,000 in loan proceeds towards a Fire Training Facility.

9. *To recognize and appropriate a total of \$910,624 in loan proceeds towards an artificial turf soccer field at Henry Fork Park that was constructed this past year. This full amount will reimburse General Fund Balance which had previously covered the full cost of the project.*
10. *To recognize and appropriate a total of \$489,376 in loan proceeds towards an additional, artificial turf soccer field at Henry Fork Park. This full amount will reimburse General Fund Balance which had previously covered the full cost of the project.*

IX. Items Removed from Consent Agenda

X. Informational Item

XI. New Business:

A. Public Hearings

B. Departmental Reports

1. Bond Construction Update – Presentation by Executive Assistant Manager Yaidee Fox
 - a. Approval of Change Order Number One to the Professional Right of Way Acquisition Services Agreement with Vaughn & Melton Consulting Engineers, Inc. for Services Related to EB-5977 9th Street NW Multi-Use Trail in the Amount of \$19,878.03. **(Exhibit XI.B.1.a.)**

Staff requests Council's approval of change order number one to the Professional Right of Way Acquisition Services Agreement with Vaughn & Melton Consulting Engineers, Inc. for survey services including right-of-way staking and services related right-of-way acquisition for EB-5977 in the amount of \$19,878.03, contingent upon North Carolina Department of Transportation (NCDOT) concurrence. The 9th Street NW Multi-Use Trail Project is one of the projects envisioned in the Bond Referendum and is intended to provide improved connectivity from City Walk to the Old Lenoir Road Multi-Use Trail. This project has received Federal funding at an 80/20 ratio, Federal and City respectively. Change order number one for the 9th Street NW Multi-Use Trail identifies services that include survey work along the project corridor to stake easements and existing right-of-way, and services that include right-of-way acquisition along the corridor. City of Hickory's portion of the fees will be funded by Bond proceeds. Staff recommends Council's approval of change order number one to the Agreement for Professional Right of Way Acquisition Services with Vaughn & Melton Consulting Engineers, Inc. for survey services and right-of-way acquisition services related to EB-5977 in the amount of \$19,878.03, contingent upon NCDOT concurrence.

- b. Approval of Change Order Number One to the Professional Right of Way Acquisition Services Agreement with Vaughn & Melton Consulting Engineers, Inc. for Services Related to EB-5911 Old Lenoir Road Multi-Use Trail Project in the Amount of \$348,009.79. **(Exhibit XI.B.1.b.)**

Staff requests Council's approval of change order number one to the Professional Right of Way Acquisition Services Agreement with Vaughn & Melton Consulting Engineers, Inc. for survey services including right-of-way staking and services related to right-of-way acquisition for EB-5911 in the amount of \$348,009.79, contingent upon North Carolina Department of Transportation (NCDOT) concurrence. The Old Lenoir Road Multi-Use Trail Project is one of the projects envisioned in the Bond Referendum and is intended to provide improved connectivity from City Walk to Riverwalk and

Aviation Walk. This project has received Federal funding at 80/20 ratio, Federal and City respectively. Change order number one for Old Lenoir Road Multi-Use Trail identifies services that include survey work along the project corridor to stake easements and existing right-of-way, and services that include right-of-way acquisition along the corridor. City of Hickory's portion of fees will be funded by Bond proceeds. Staff recommends Council's approval of change order number one to the Agreement for Professional Right of Way Acquisition Services with Vaughn & Melton Consulting Engineers, Inc. for survey services and right-of-way acquisition services related to EB-5911 in the amount of \$348,009.79, contingent upon NCDOT concurrence.

2. Appointments to Boards and Commissions

COMMUNITY APPEARANCE COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
At-Large (Outside City but within HRP) (Council Appoints) VACANT

COMMUNITY RELATIONS COUNCIL

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Other Minority (Council Appoints) VACANT
Other Minority (Council Appoints) VACANT
Other Minority (Council Appoints) VACANT
Differently-Abled and is African-American or Other Minority (Council Appoints) VACANT

HICKORY REGIONAL PLANNING COMMISSION

(Terms Expiring 6-30; 3-Year Terms With Unlimited Appointments)
(Appointed by City Council)
Brookford (Mayor Appoints with Recommendation from Brookford) VACANT

PUBLIC ART COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 4 (D. Williams Appoints) VACANT

PUBLIC HOUSING AUTHORITY

(Terms Expiring 6-30; 5-Year Terms) (Appointed by the Mayor)
Position 3 (Mayor Appoints) VACANT
Position 9 (Mayor Appoints) (Unexpired Term of Rebecca Clements) VACANT

YOUTH COUNCIL

(Terms Expiring 6-30; 1-Year Terms) (Appointed by City Council)
Youth Council Applicant Review Committee Recommends the Following Appointments:

FTF VACANT
HCAM VACANT
HHS VACANT
Homeschool VACANT

C. Presentation of Petitions and Requests

XII. Matters Not on Agenda (requires majority vote of Council to consider)

XIII. General Comments by Members of Council, City Manager or City Attorney of a Non-Business Nature

XIV. Adjournment

***Hickory City Code Section 2-56. Public Address to Council:**

“When conducting public hearings, considering ordinances and otherwise considering matters wherein the public has a right to be heard, when it appears that there are persons present desiring to be heard, the Mayor shall require those opposing and favoring the proposed action to identify themselves. Each side of the matter shall be given equal time. Those opposing the proposed action shall be allowed 15 minutes for presentation, followed by 15 minutes for those favoring the action, with the opponents then to have five minutes for rebuttal and the proponents to then have five minutes for surrebuttal. Those persons on either side shall have the right to divide their allotted time among them as they may choose. The Council, by majority vote, may extend the time for each side equally. On matters in which the person desiring to address the Council does not have a legal right to speak, the Council shall determine whether it will hear the person. The refusal to hear a person desiring to speak may be based upon grounds that the subject matter is confidential, that its public discussion would be illegal, that it is a matter not within the jurisdiction of the Council or for any other cause deemed sufficient by the Council. Any person allowed to speak who shall depart from the subject under discussion or who shall make personal, impertinent or slanderous remarks, or who shall become boisterous while addressing the Council shall be declared out of order by the Mayor, or by vote of the Council, and barred from speaking further before the Council unless permission to continue shall be granted by a majority vote of the Council, under such restrictions as the Council may provide.”

**The City of Hickory holds all public meetings in accessible rooms.
Special requests for accommodation should be submitted by individuals
with disabilities at least 48 hours before the scheduled meeting.
Phone Services (hearing impaired) – Call 711 or 1-800-735-2962**

A Regular Meeting of the City Council of the City of Hickory was held in the Council Chamber of the Municipal Building on Tuesday, February 16, 2021 at 7:00 p.m., with the following members present:

Tony Wood	Hank Guess	David L. Williams
Charlotte C. Williams	Aldermen	David P. Zagaroli
Danny Seaver		Jill Patton

A quorum was present.

Also present were: City Manager Warren Wood, Assistant City Manager Rick Beasley, Deputy City Manager Rodney Miller, City Attorney John W. Crone, III, Deputy City Attorney Arnita Dula, Deputy City Clerk Crystal B. Mundy and City Clerk Debbie D. Miller

- I. Mayor Guess called the meeting to order. All Council members were present with the arrival of Alderman Williams at 7:04 p.m.
- II. Invocation by Reverend Cassandra R. Rawls, Hartzell Memorial United Methodist Church and McQueen's Chapel United Methodist Church
- III. Pledge of Allegiance
- IV. Special Presentations
 - A. Dolly Parton's Imagination Library Program Update – Presentation by Executive Director Kim Lyke Holden, Catawba County Partnership for Children

Mayor Guess asked Catawba County Partnership for Children, Executive Director Kim Lyke Holden to the podium to present Council with an update regarding Dolly Parton's Imagination Library Program.

Catawba County Partnership for Children, Executive Director Kim Lyke Holden presented a PowerPoint presentation. She advised they were a nonprofit, a 501C-3 organization in Hickory. They were incorporated in 1994. Their mission was to ensure that every child in Catawba County starts kindergarten prepared for lifelong success. She was glad to have a chance to present Council with a little bit of information about what they do as an agency, why they care about early childhood and then some specifics about a program that they worked together on Imagination Library. She discussed their priorities. Their main goal as an agency was to be a convenor for early childhood. They want the child serving agencies to work together to serve children and families. They want the whole community to understand the importance of the first 2,000 days of a child's life, that first five years when all that brain development happens. Ultimately, it was their job to look at the data in Catawba County, identify the needs for young children and families, and then create the programming to address those needs.

Ms. Holden discussed how they do this work. It was really all about collaboration with early childhood. They have a lot of collaborative partners. They work with Catawba County Public Health, Catawba County Social Services, and Catawba County Library. They walk hand in hand with the three school systems on programs like NC Pre-K and Kindergarten Transition. They work with the Children's Resource Center, Hickory Public Library, CVCC Live Well Catawba, and the Workforce Development Group. They also work closely with the childcare community. For Catawba County, the childcare community consisted of private childcare centers, family childcare homes, public school Pre-K programs, and Mother's Morning Out programs that were typically held in churches. All of those made up the childcare community in Catawba County.

Ms. Holden discussed why they do the work. With their programming they were supporting the workforce of today. Those were parents who need childcare to go to work. They want to make sure they have access to high quality services for their children, so they're not worried about their children during the workday. They were also building the workforce of tomorrow. All of their work was really rooted in a lot of significant brain research that confirms the importance of the first five years of life. The brain was actually the only organ not completely developed at birth. It was built in that first five years, and they say that brains were built, not born. It had to do with those connections that were made in the first five years of life that builds the infrastructure for the brain. It was on that infrastructure that all future learning could rest. They have a big responsibility in the first five years of life to make sure that children get what they need. It was really about the pre-academic skills. It was about learning, about how to learn how to read one day, and how to understand math one day. But it was also about building those soft skills or executive functions. Early childhood was when they build those things about self-regulation and self-motivation, how to manage relationships, how to work with others, how to share, all of those skills that they want to see in the whole community. Ultimately, their success in early childhood programming results in overall better life outcomes, including educational attainment, physical health, and mental health.

Ms. Holden discussed how they see the educational continuum. Research drives all of their work and early childhood was research-based connection between early childhood, starting school healthy and prepared for success at kindergarten. That readiness was directly related to third grade reading scores, which were directly related to graduation

February 16, 2021

rates and ultimately to the well-being of the community. Really all community level success was rooted in early childhood.

Ms. Holden discussed how they do the work at the Partnership for Children. They were very lucky to be a part of a Statewide infrastructure. They receive a State grant called Smart Start. Each community across the State of North Carolina receives those dollars, and then each local community can decide how they invest those dollars to address early childhood needs, these were specific to their own children. Another State initiative that they administer at the Partnership of Children was called the North Carolina Pre-K Program. That was a high-quality pre-kindergarten program for at risk four-year-old children. They were very lucky to benefit from many foundations, businesses, organizations, and individuals in the community who contributed to the funding to their work of early childhood.

Ms. Holden shared some information about a couple of their major programs. NC Pre-K was a State funded Pre-K program that was specifically for at risk four-year-old children. Those children receive a free, high-quality classroom experience for that one year prior to kindergarten, and they were currently serving children in about 22 classrooms across Catawba County in both public schools and in private childcare centers. They now serve 411 children with Pre-K services. Smart Start was their other major funder. Every County in North Carolina has a partnership for children like theirs. All of them together serve as an early childhood network across the State of North Carolina. She reiterated that each local community could decide how they invest Smart Start dollars to address the needs for Catawba County's kids. Their local Board of Directors takes a look at the data and works with their stakeholders to decide where the major needs were. For Catawba County their Smart Start investments were in childcare subsidies, which were basically scholarships for income eligible children to attend childcare. They invest in technical assistance for childcare programs and training for early educators. They have a number of parent education programs. They invest in the Children's Resource Center, which was really the County's stop shop for parents to get connected to services. And they invest in Imagination Library.

Ms. Holden advised that approximately 10 years ago they identified that there were many families across Catawba County who did not have children's books in their homes. They were concerned about that need and knew they needed to address this gap. They decided that Dolly Parton's Imagination Library Program was really the most efficient way to address the need. Imagination Library was truly an incredible program that mails each enrolled child one free book every month until that child turns five years of age. When the child first was enrolled, they send that child, "The Little Engine That Could" as a welcome book. And then each month following, they get an age appropriate book every month until they turn five, at which point they receive "Lookout Kindergarten Here I Come". While this was a completely free program for families across the County, because of the support of the Dollywood Foundation, the local cost was only about \$2 per book, which included the cost of postage and the book, \$25 covered the cost of one child for an entire year. It was a super-efficient way of getting books in the hands of young children. They were really excited that they had built their enrollment for Imagination Library, just in Catawba County, to 5,425 children. All of those children received one free book in the mail every single month. That was about 65 percent of the age eligible children in Catawba County. She commented even though they hadn't been able to hold their traditional promotional events over the last year or so, since last time she had spoken with Council, they had increased their enrollment by about 10 percent. They were still working to increase those numbers. She commented this was the exciting part, they just mailed their 500,000th book, so they had sent to Catawba County children nearly 506,000 books since they started 10 years ago, and they were really excited about that. She said that Imagination Library works. It was a very clear-cut program and it was really easy to understand, but it also worked. They used to do a local evaluation of Imagination Library and survey their families. Now they participate in a Statewide evaluation of Imagination Library, so they benefit from that work at the State level, but the results were really amazing. Parents were reporting that their children were more enthusiastic about books and reading, and parents were reporting that they were reading to their children several times a day. That was exactly what they wanted to see, start building those early literacy skills so that children could be successful readers and successful students once they get to school. Another really neat outgrowth of Imagination Library had been their development of little free libraries. She advised this was a collaborative project with Catawba County Government, and they had installed 12 little free libraries across Catawba County. One was at Zahra Baker Park. They were responsible for filling these libraries up with returned Imagination Library books as well as other books that had been donated to them. They wanted to make sure that all children in Catawba County had access to books. They really appreciated the City's support in allowing them to put one of those little free libraries out there at Zahra Baker Park. She thought Council might be interested in seeing the geographic makeup of the children who currently participated in Imagination Library. About 45 percent of the children had a Hickory address, followed by Newton at 16 percent and Conover at 15 percent. They were still continuing to work to make sure children across the whole County received books in the mail every month.

She thanked Council for that. Imagination Library was truly a collaborative project. They benefit from Smart Start supporting it from Hickory Rotary Club for United Way, but they really did appreciate the City's support and the support of the Hickory Public Library for really caring about early education and caring about early literacy and seeing the important work that it was doing in Catawba County.

Ms. Holden displayed a photo on the PowerPoint which Mayor Guess was in the photo. She wanted to celebrate Mayor Guess as well, because they celebrated the 25th Anniversary of the Partnership for Children a little over a year ago and they named 25 Champions for Children and Mayor Guess was one of those Champions. He was kind enough to go out to a Pre-K classroom at Southwest Primary School and read them stories, and they were thrilled, as you could see by those faces on the photo. There were several pictures of everyone making crazy faces, and she decided not to share that one just out of respect for Mayor Guess, but they were lovely and something about Mayor Guess being there with them. She thanked Council for the investment that they had made in early childhood and early literacy. They appreciate their partnership and were making great strides in Catawba County thanks to them and their many partners. She advised she would be happy to answer questions about the Partnership for Children or about Imagination Library if Council had any.

Alderwoman Patton advised that her granddaughter signed up for that, because there was four of them from Rotary that supported it. She loved getting the books and she looked forward so much to getting her own book. She had a bookshelf and filled it full. It was wonderful and today the library was one of her favorite places.

Ms. Holden loved it, a great success story. Thank you.

Alderwoman Patton commended her for doing a good job.

Alderwoman Williams asked how these kids got connected to that. Was it something that happened at the hospital when the baby was born?

Ms. Holden advised that each baby when they were born got a bag from Catawba County Library. In that bag was a magnet that had instructions for how to enroll in Imagination Library. That didn't always work. Pediatricians had been great about asking families when they come to those first few visits if they had enrolled yet, and if not, they would fax those applications over to them. Public Health, Social Services, the school systems. It was all about those collaborative relationships because they all helped push families towards that service.

Alderman Zagaroli asked how they provided transportation or did they provide transportation.

Ms. Holden responded that was a gap. She advised that NC Pre-K in particular did not provide transportation. They had struggled with that over the years. A lot of times they would work with families that had children in the same neighborhoods and they would carpool. They try to work with them doing those types of things. She advised that was really a gap for them and they were trying to address it. The good thing about NC Pre-K in particular was that they have those 22 classrooms across the County, so they had tried to place them in communities where the travel wouldn't be very far. They went with parent choice on that. It was not a school district situation. Parents could choose. If Grandma lives next to one of the classrooms, then they could put that child at that place to try to make it as convenient as possible for them.

Alderman Zagaroli could see where that was a little bit of a problem.

Ms. Holden replied it really was.

Alderman Wood inquired how the 5,425 participants in Imagination Library compared to the potential population that could participate. What was the percentage of it?

Ms. Holden responded it was about 65 percent right now. They had 10,400 birth to age five children, but this was only eligible up until they turn five, so it ends up being right at 65 percent.

Alderman Seaver referred to the transportation of Catawba County partnership. He asked if it was to get the kids to the classroom.

Ms. Holden commented the program that they need transportation for the most was the NC Pre-K program, which was a pre-kindergarten program. They have lots of programs like parents as teachers for example, that was one of their parenting programs. That was when educators go into the homes and so families could be in the homes and receive that service. It had been really interesting for part of their parenting programs like triple "P", which stood for Positive Parenting Program. They had been doing those programs

February 16, 2021

via Zoom, and they had learned something about connecting with families that way and were reticent to do that at the beginning, thinking that was going to lose some connection with families. It had been really successful. It was one of those things that after COVID they might actually hang on to some of those practices they had learned because it removed that barrier for families getting access to some of those parenting resources.

Alderman Seaver inquired about the 411 children. He asked how they got into that group. Did they have a certain number that they could handle?

Ms. Holden advised they had an application process that they run through the Partnership for Children. Families apply, and it was basically income eligibility. They assess them for eligibility and then they have to prioritize kids based on a rubric because they typically have a waiting list for services. They get applications through Social Services, Public Health, through the libraries, and the school systems when they have younger siblings who need the service. They all send their applications to them and they field those and then the children are selected each year.

City Council Members thanked Ms. Holden.

Mayor Guess commented there was very few things that you could get everybody to agree on, but he thought that everybody would concur that this was a wonderful program and it was a great investment in the future. He thanked Ms. Holden and commented they were glad to be a partner.

Ms. Holden appreciated Council very much.

V. Persons Requesting to Be Heard

VI. Approval of Minutes

A. Regular Meeting of February 2, 2021

Alderman Seaver moved, seconded by Alderwoman Patton that the Regular Meeting Minutes of February 2, 2021 be approved. The motion carried unanimously.

VII. Reaffirmation and Ratification of Second Readings. Votes recorded on first reading will be reaffirmed and ratified on second reading unless Council Members change their votes and so indicate on second reading.

Alderwoman Patton moved, seconded by Alderwoman Williams that the following be reaffirmed and ratified on second reading. The motion carried unanimously.

A. Budget Revision Number 14. (First Reading Vote: Unanimous)

VIII. Consent Agenda: All items below will be enacted by vote of City Council. 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 Item IX.

Alderwoman Patton moved, seconded by Alderman Seaver approval of the Consent Agenda. The motion carried unanimously.

A. Approved the Renewal of the Annual Auditing Contract with Martin Starnes & Associates for Fiscal Year Ending June 30, 2021.

Staff requests approval to accept the renewal of the annual contract for auditing services with Martin Starnes & Associates for fiscal year ending June 30, 2021. The City of Hickory has utilized the services of Martin Starnes & Associates for the past twelve years with excellent results. Since fiscal year 2012, Martin Starnes & Associates has also been contracted to produce the City's Comprehensive Annual Financial Report. The North Carolina Local Government Commission (LGC) does not enforce formal bid requirements for auditing services due to the professional relationship formed between auditors and clients over an extended work history. The Secretary of the Local Government Commission approves all local government contracts and invoices for audit or audit-related work. The LGC requires approval of the auditing contract on an annual basis. In 2019, the City of Hickory approved a three-year renewal contract with Martin Starnes & Associates. The annual renewal ending June 30, 2021 will be the third year of this contract with audit fees of \$61,175. Staff recommends approval to renew the annual auditing contract with Martin Starnes & Associates for fiscal year ending June 30, 2021.

B. Approved the Citizens' Advisory Committee Recommendations for Assistance through the City of Hickory's Housing Programs.

The following requests were considered by the Citizens' Advisory Committee at their regular meeting on February 4, 2020.

February 16, 2021

- Lorene Wimbush, 835 9th Avenue Place NE, Hickory, was recommended for approval of a Housing Rehabilitation Loan. The Citizens' Advisory Committee recommends approval for assistance not to exceed \$25,000 for repairs to her house. Assistance would be in the form of a zero percent interest deferred loan.
- Edith Jean Bowser, 726 7th Avenue Court SE, Hickory, was recommended for approval of a Housing Rehabilitation Loan. The Citizens' Advisory Committee recommends approval for assistance not to exceed \$11,139 for repairs to her house. Assistance would be in the form of a zero percent interest deferred loan. The repairs would be added to her existing deferred loan.

Funds are budgeted for these items through the City of Hickory's former Housing Rehabilitation Program income received in FY 2019 and/or program income received through the City of Hickory's Community Development Block Grant Program. The Citizens' Advisory Committee recommends approval of the aforementioned requests for assistance through the City of Hickory's housing assistance programs.

C. Approved on First Reading Budget Revision Number 15.

ORDINANCE NO. 21-05
BUDGET REVISION NUMBER 15

BE IT ORDAINED by the Governing Board of the City of Hickory that, pursuant to N.C. General Statutes 159.15 and 159.13.2, the following revision be made to the annual budget ordinance for the fiscal year ending June 30, 2021.

SECTION 1. To amend the General Fund within the FY 2020-21 Budget Ordinance, the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Public Safety	1,000	-
TOTAL	1,000	-

To provide funding for the above, the General Fund revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous Revenues	1,000	-
TOTAL	1,000	-

S

SECTION 2. To amend the Solid Waste Fund within the FY 2020-21 Budget Ordinance the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Environmental Protection	40,000	-
TOTAL	40,000	-

To provide funding for the above, the Solid Waste revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Sales and Services	40,000	-
TOTAL	40,000	-

SECTION 3. To amend the Transportation Fund within the FY 2020-2021 Budget Ordinance, the expenditures shall be changed as follows.

FUNCTIONAL AREA	INCREASE	DECREASE
Transportation	42,755	-
TOTAL	42,755	-

To provide funding for the above, the Transportation Fund revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Sales and Services	5,491	-
Other Financing Sources	37,264	-
TOTAL	42,755	-

SECTION 4. To amend the Urgent Repair Program Fund, within the FY 2020-21 Budget Ordinance, the expenditures shall be changed as follows.

FUNCTIONAL AREA	INCREASE	DECREASE
Economic and Community Development	-	8,642
TOTAL	-	8,642

To provide funding for the above, the Urgent Repair revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Restricted Intergovernmental Revenue	-	8,642
TOTAL	-	8,642

SECTION 5. Copies of the budget revision shall be furnished to the Clerk of the Governing Board, and to the City Manager (Budget Officer) and the Finance Officer for their direction.

IX. Items Removed from Consent Agenda – None

X. Informational Item

XI. New Business:

A. Public Hearings

1. Approved on First Reading Amending Chapter 6, Section 6-3 of the Hickory City Code of Ordinances – Presentation by Deputy City Attorney Arnita Dula and Fire Chief Matt Hutchinson.

In accordance with N.C.G.S.160D-1128, which was previously codified as 160A-435, the Hickory City Council established fire limits or a fire district in the downtown area by ordinance. The fire limits impose certain requirements on building construction in the designated downtown area. Council last amended the ordinance that establishes the fire limits in 2020. Upon further consideration of current building structures in the downtown area and projected economic development and growth in the downtown area, amending the designated fire limits outlined in Section 6-3 is proposed. Advances have been made in requirements for building construction materials and methods, including improved safety features, for new construction, as well as renovations of existing buildings. Properties inside and outside of the proposed amended limits will still be subject to current North Carolina Building and Fire Codes. In addition to changing the fire limit boundaries, the proposed amendment will delete the current written metes and bounds description. The written description will be replaced by a reference to the official fire limits map that will be maintained by the Hickory Fire Department’s Fire & Life Safety Division. Staff recommends Council consider the proposed amendments to Section 6-3 of Chapter 6 of the Hickory Code of Ordinances and approve the amendments.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on February 5, 2021.

City Manager Warren Wood asked Deputy City Attorney Arnita Dula and Fire Chief Matt Hutchinson to the podium to present proposed amendments to Chapter 6, Section 6-3 of the Hickory Code of Ordinances.

Deputy City Attorney Arnita Dula presented a PowerPoint presentation. She discussed proposed amendments to Chapter 6, Section 6-3 of the Hickory Code of Ordinances which dealt with the fire limits. She advised Council that they had made changes approximately a year ago, but as she was sharing with Chief Hutchinson progress requires change. She noted that progress was being made in the City of Hickory. She stood before Council to help advance that progress. She asked Fire Chief Hutchinson to continue the presentation with the substance of the change.

Fire Chief Matt Hutchinson reiterated what Deputy City Attorney Arnita Dula said, this was the background of North Carolina General Statutes requiring the establishment of fire limits. The intent was to restrict frame or wooden building structures within a fire limit area. In establishing that they were allowed two options a primary, which they had to do, and they could also do a secondary which could be encompassed of a farther out area, not many municipalities do that so they were going to maintain with what they had as a primary. It was a written document. If Council recalled in the past it was a very lengthy written document and it traveled a path that could be confusing at best. They decided it would be better to make a map. A lot of municipalities do that, Charlotte being one. They contended that was the best option, and it would be housed at the Fire and Life Safety Division for contractors and at the Office of Business Development. With the anticipated growth they felt that it necessitated the change. He advised they would see why when he showed them the map. He noted there were some errors that they had corrected as far as some of the lines

going through structures that were inaccurate. The advances they have right now in building instruction far exceeded the intent of the original years and years ago when this was put to pass in General Statute. Basically, the changes they have many more fire rating improvements and fire protective systems. In the area outside or inside would still have those same requirements, the only difference being whether it was a metal stud or a wooden stud wall. At the moment those prices make it more conducive to use metal with the cost of construction. He referred to the PowerPoint and displayed a map. He pointed out a red line which was the old line. It covered a lot of area. The intent of the fire limit was contiguous or like a conflagration. The downtown area satisfied the definition. It was one building on top of another building without required firewalls. They were there but not with the intent of today's standards. They eliminated the church parking lots and some other buildings that over time they had just added space. It would allow for more construction on the south side of the tracks. He advised that was the map and that it would not have the red on it. It would be a larger map and would show the blue dotted area, the original downtown core area. He asked Council for any questions.

Alderman Seaver asked if they had to pay extra to get in that zone.

Chief Hutchinson advised no, that was free.

Alderman Seaver thought it might help their insurance.

Chief Hutchinson advised right now it was a fire safety thing, but with the ISO rating the way it was their insurance was going to be the same regardless.

Mayor Guess explained the rules for conducting the public hearing. He declared the public hearing open and asked if there was anyone present to speak in opposition to the proposal. No one appeared. He asked if there was anyone present to speak in favor of the proposal. No one appeared. Mayor Guess closed the public hearing.

Alderman Zagaroli moved, seconded by Alderwoman Patton approval of the proposed amendments to Section 6-3 of Chapter 6 of the Hickory Code of Ordinances. The motion carried unanimously.

ORDINANCE NO. 21-06

AN ORDINANCE OF THE HICKORY CITY COUNCIL AMENDING SECTION 6-3
FIRE LIMITS OF CHAPTER 6 BUILDINGS OF THE
HICKORY CODE OF ORDINANCES

WHEREAS, in accordance with N.C.G.S. 160D-1128, which was previously codified as N.C.G.S. 160A-435, Hickory City Council has established and defined fire limits in the downtown area by ordinance; and

WHEREAS, Council last amended the ordinance that establishes the fire limits in 2020; and

WHEREAS, the fire limits need further amendment due to ongoing economic development and growth opportunities in the downtown area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HICKORY, THAT SECTION 6-3 OF CHAPTER 6 OF THE HICKORY CITY CODE BE AMENDED AS FOLLOWS:

Section 1. Deletion and Replacement

Current Section 6-3 is deleted in its entirety and replaced as follows:

Pursuant to state laws, the fire limits of the city shall be shown on a map dated February 16, 2021, such being on record in the Fire and Life Safety Division office.

Section 2. Repeal

All ordinances or provisions of the Hickory City Code of Ordinances that are not in conformance with the provisions of the amendment occurring herein are repealed as of the effective date of this article.

Section 3. This ordinance shall become effective immediately upon adoption.

B. Departmental Reports:

1. Appointments to Boards and Commissions

COMMUNITY APPEARANCE COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
 At-Large (Outside City but within HRP) (Council Appoints) VACANT

COMMUNITY RELATIONS COUNCIL

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
 Other Minority (Council Appoints) VACANT
 Other Minority (Council Appoints) VACANT
 Other Minority (Council Appoints) VACANT
 Differently-Abled and is African-American or Other Minority (Council Appoints) VACANT

HICKORY REGIONAL PLANNING COMMISSION

(Terms Expiring 6-30; 3-Year Terms With Unlimited Appointments)
 (Appointed by City Council)
 Brookford (Mayor Appoints with Recommendation from Brookford) VACANT

LIBRARY ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
 At-Large (Mayor Appoints) VACANT
 (Unexpired Term of Helen Devlin)

Mayor Guess nominated Mark Thomas as an At-Large Representative on the Library Advisory Board.

PUBLIC ART COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
 Ward 4 (D. Williams Appoints) VACANT

PUBLIC HOUSING AUTHORITY

(Terms Expiring 6-30; 5-Year Terms) (Appointed by the Mayor)
 Position 3 (Mayor Appoints) VACANT
 Position 9 (Mayor Appoints) (Unexpired Term of Rebecca Clements) VACANT

YOUTH COUNCIL

(Terms Expiring 6-30; 1-Year Terms) (Appointed by City Council)
 Youth Council Applicant Review Committee Recommends the Following Appointments:

FTF VACANT
 HCAM VACANT
 HHS VACANT
 Homeschool VACANT

Mayor Guess thought this was the shortest list that he had seen since he had been on Council as far as vacant positions on Boards and Commissions.

Alderman Seaver moved seconded by Alderwoman Patton approval of the above nomination. The motion carried unanimously.

C. Presentation of Petitions and Requests

XII. Matters Not on Agenda (requires majority vote of Council to consider)

XIII. General Comments by Members of Council, City Manager or City Attorney of a Non-Business Nature

Alderman Zagaroli mentioned the building across the street was coming right along.

Mayor Guess commented that One North Center was on schedule as far as he knew. He mentioned that the City had a visit today from Congressman McHenry. He was in town this morning visiting the City. He wanted to come and see all the progress and he was very complimentary and very excited about everything that was going on not only in Hickory, but of course, in the surrounding area and the metropolitan area. He appreciated him visiting with them this morning. He reminded everyone in the audience and everyone that was listening about the meeting on Tuesday, February 23rd, at CVCC. It would be a workshop on the racial disparity report that had been presented to Council. They would have a workshop. The first workshop at noon at the Workforce Solutions Complex at CVCC. The public was invited to be there and were certainly welcome to come to that.

XIV. There being no further business, the meeting adjourned at 7:29 p.m.

Mayor

City Clerk

February 23, 2021 – Special Meeting

A Special Meeting of the Hickory City Council was held in Hickory, North Carolina on Tuesday, February 23, 2021, at the Catawba Valley Community College, in the Workforce Solutions Complex, located at 1980 Startown Road.

On Tuesday, February 23, 2021 at approximately 12:00 p.m. a Special Council Workshop was convened.

The following members were present: Mayor Hank Guess, Alderman Tony Wood, Alderwoman Charlotte Williams, Alderman Danny Seaver, Alderman David Williams, and Alderwoman Jill Patton. Absent: Alderman David Zagaroli. A quorum was present.

Others present were: City Manager Warren Wood, Assistant City Manager Rick Beasley, Deputy City Manager Rodney Miller, Deputy City Attorney Arnita Dula, Library Director Sarah Greene, Police Chief Thurman Whisnant, Communications Specialist Sarah Killian, City Attorney John Crone, Governmental Affairs Analyst Sarah Prencipe, Community Development Manager Karen Dickerson, Human Resources Director Claudia Main, Executive Assistant to the City Manager Deisy Zavala, and City Clerk Debbie D. Miller

I. Call to Order

Mayor Guess welcomed everyone to the meeting. He recognized Hickory City Council members introducing: Alderwoman Patton, Alderman Williams, Alderman Seaver, Alderwoman Williams, and Alderman Wood. He also recognized City Attorney John Crone, City Manager Warren Wood, and Assistant City Manager Rick Beasley. Several other staff members were in attendance and he thanked them for their assistance with setting up the meeting. He thanked Catawba Valley Community College (CVCC) President Dr. Garrett Hinshaw for allowing the City to use the facility for the meeting and for the opportunity to see what CVCC has to offer. He appreciated the partnership/relationship that the City has with CVCC. He mentioned that Western Piedmont Council of Governments was instrumental in gathering the information needed to conduct the workshop and he thanked them as well. He requested that anyone speaking to do so at a microphone as the meeting was being filmed to be posted on the website and shared with others who might like to see it but were unable to attend. He recognized the President of the NAACP, Mr. Sam Hunt and advised that other NAACP members were present, as well as other special guests. He mentioned this was the first workshop and there would be others. He advised it was a public meeting and he called the meeting to order.

II. Introduction and Recap of the Racial Equity Report Findings – City Manager Warren Wood

City Manager Warren Wood thanked everyone for coming and for the good turnout. He also thanked Dr. Garrett Hinshaw. He noted there was nothing like the CVCC complex in the State of North Carolina. The facility had created a lot of success in the economic development efforts. He commented the best way to avoid poverty and ensure success in someone's life was to prepare themselves for the opportunity of a good paying job. There were a lot of services and programs in the community that could help people to do that and educate people of how to go about doing that. He recapped the Racial Disparities Report that was presented a few weeks ago. The report was 80 pages long and he advised he was presenting a few slides of a summary. He advised when the census data comes back, they would be able to compare the most current census numbers to the previous census numbers and do another iteration of the report when that data becomes available.

City Manager Warren Wood presented a PowerPoint. He discussed a few major takeaways. White and African-American populations were aging the fastest. Hispanic and Asian populations were growing the fastest. There was a large household income gap between African-Americans/Hispanics and Whites/Asian-Americans. There was also a large educational achievement gap between African-American and all other groups in the community. There was a large educational attainment gap between the African-Americans/Hispanics and Whites/Asian Americans. Our economy was transitioning to one that will require more advanced skill sets as a result and will offer more pay to those that are prepared. It was vital that the residents are prepared for and connected to the employment opportunities that exist today and in the future both locally and nationally.

City Manager Warren Wood discussed economic opportunity and opportunity to improve on the disparities. Hickory and Catawba County are focused on economic development and job growth. He referred to the partnership with Catawba County of the Trivium Corporate Center. Trivium Corporate Center was an advanced business park where hundreds of jobs had been announced, and tens of millions of dollars in tax base. The CVCC facility had a lot to do with it. Those were the types of jobs they were bringing to the community. In our community there was opportunity. If we were facing disparity and weren't growing this would be a monumental task. The good news was we are growing. We are getting a lot of high paying jobs which require high skill sets, so there was opportunity in the community. We need to add 500 people a year to the workforce in Catawba County just to maintain status quo. That was how quickly that White and African-American populations were aging. That 500 did not include finding people to fill these jobs that were being announced. Catawba County Economic Development Corporation (EDC) had done a great job landing over 2,000 new jobs in Catawba County over the past few years. All of these

February 23, 2021 – Special Meeting

jobs pay above the Catawba County average wage which was \$44,000. The City does not incentives jobs that don't pay at least the County's average wage. They are going to continue to raise the bar in terms of pay in Catawba County. Additionally, there are currently over 8,000 vacant jobs in the metro area. Before COVID there were 3,400 vacant jobs. In COVID there are 8,000 plus or minus jobs that are currently vacant. Some of what had happened was there were moms and dads that can't go to work because their child was out of school. There were all kinds of different situations. He advised there was opportunity in the community.

City Manager Warren Wood discussed unique community assets and investments to prepare residents for the economy of the future. He advised that Hickory has a lot of unique assets a lot of communities don't have. Some of those included Hickory citizens control their own school system, Hickory Public Schools. Around the State most of the systems are countywide. There was just a handful of systems like this one. We have a real small manageable school system. The City of Hickory was one of eight cities in North Carolina that operates its own library system. They are normally county ran. We have the main library and Ridgeview Branch. There are two other county libraries in addition to that. The SALT Block was also a unique asset to the City. CVCC was located in Hickory and was one of the best community colleges in the United States. The Small Business Center was located at CVCC and its services were free. K-64 provided Chromebooks to every student and also internet service if needed to all students. Western Piedmont Council of Governments NC Works has a Career Center. He mentioned the Catawba County Partnership for Children. The City of Hickory partners with them to make sure that every child, 0 - 5 years old, got a book every month delivered to their house. That was part of the Dolly Parton's Imagination Library. That was very unique for children in Hickory. Kim Holden talked about the importance of the first 2,000 days in a child's life. He noted they were excited about were the City was going with the trail system and development of that was starting to popup. The system would contain conduit for nearly 10 miles of broadband fiber. There were also options at Lenoir-Rhyne University. A lot of unique assets in the City of Hickory.

City Manager Warren Wood discussed workforce preparedness and economic advancement. He mentioned the entities in the community who were working in those areas: City of Hickory does infrastructure and economic development which was a main focus for them. The City also partners with Catawba County. Catawba County does school funding as well as economic development as well as a lot of other things. Hickory Public Schools and Catawba County Public Schools both do education. We need an educated workforce. K-64's mission was developing a "Future Ready Workforce" and lifetime learning. CVCC was workforce development and small business assistance. Western Piedmont Council of Government's was workforce development and job placement. Catawba County Economic Development Corporation (EDC) obviously was economic development.

City Manager Warren Wood advised in today's meeting they would discuss the entities in the community that work on workforce development, K-64, CVCC/Workforce Solutions Complex and WPCOG/Career Centers. They need to understand their role and mission in the community and determine what work was currently being done to connect disadvantaged communities to employment opportunities. What challenges do they have? Help individuals overcome employment obstacles. Identify the gaps that exist in serving Hickory residents and preparing them for success. That would be the focus of today's meeting.

III. K64 – Presentation by CVCC President, Dr. Garrett Hinshaw

CVCC President, Dr. Garrett Hinshaw welcomed everyone to their Catawba Valley Community College. He was honored to discuss with them the issues the community was facing. He advised it all started with critical conversations. Connecting the dots and building relationships. We need to never stop trying to improve those types of conversations throughout the community. He would discuss the existing opportunities and how they connect the dots to ensure that every citizen in Catawba County has equal access to those opportunities. How do they ensure that each person has the opportunity for success and a quality of life that we all expect for our young people? He thanked the Mayor, City Council, and City of Hickory staff for providing opportunities for people to express the experiences that are happening to that person. This was an important piece to what they do.

Dr. Hinshaw presented a PowerPoint. He advised CVCC's mission was to empower the courageous to become champions, the bold to become life-long learners and tomorrow's leaders for our community. Simple as it gets. They want to give everybody a chance and give everybody that hope that they can be successful here in this area. To do that, a lot of times, they have to look in the mirror. They have to think about all of the different agencies that are providing support in this area. Sometimes we get too busy in our own stuff and we don't look outside of our box. We don't reach out to those other agencies which could be an important part of reaching major goals. In 2008-2010 we went through a terrible recession and lost a ton of jobs in this area. People didn't know what to do. The College was overrunning with individuals looking for an opportunity for themselves, retool or change careers. That was a real challenge because at the time information came out, from the Western Piedmont Council of Governments, showing the population projections for Catawba County long term. They were frightening. We were going to lose a lot of young people. We were going to let opportunity that existed right here move out of

February 23, 2021 – Special Meeting

this area if they didn't do something more. Catawba County Commissioners approached him, and he began to work with Mr. Mark Story. They began to think about what had to change if they were going to change the projectory of the population. It was everything that had to change. They put together a program that was driving change through the public education systems, from kindergarten all the way through community college, and Lenoir-Rhyne University. "K" was for kindergarten and 64 represented what we hope we can do someday and that was retire. It talks about creating those on and off ramps that were necessary for the community and the citizens to be successful. No longer can they say what they did five years ago was still relevant today. They have to continue to look for opportunities to build relationships that were necessary. They presented that proposal to the Catawba County Commissioners. They thought it was risky, but it was bold, and that was what they had asked them to bring to the Commissioners. The Commissioners made a funding commitment for this program long term. With that came public and private partnerships that also provided funding. They created the change that was necessary and what their focus would be. It was about connecting the workforce, our young people, our future workforce. The real opportunities that exist was buried, so if they could get them started early in thinking about what the next step takes. Thinking about public education, for too long they went through the process that focused on the top 20 - 30 percent. Those that were going to go straight to the university and were going to be successful. What about that 70 percent? What about those kids? They needed to create a program that was going to answer that question on what tomorrow looked like for them. They have a longways to go, but they have absolutely started down this pathway in connecting partnerships and building relationships that were necessary. When you think about partnerships you have to have talent, training, and education. You've got an employer. How do they make those two to meet seamlessly? It was through partnerships with NC Works Western Piedmont Council of Governments. Municipalities, County Commissioners, all the employers in the area. Most importantly it was about each and every child that moves into that system and how they would progress and what they critically need to be successful in the community.

Dr. Hinshaw discussed K-64's six guiding priorities. The first was 1-to-World Technology. Connecting every student with the technology he or she needs to optimize learning inside and outside the classroom. Every single student in the three public school systems has technology now because of K-64. It was Mark Story's big dream. That they would address the challenges for rural areas with no internet connection. That they could provide each and every student the opportunity to show up for school with their work done because they had what they needed at home to do what they needed to do. They had received a lot of feedback on that. He shared a story about a child named Jim who would show up every day just to cause problems in the school system. After he got his Chromebook and he got access to the internet Jim started showing up ready for class. He started showing up because he was equal to everybody else there. He wasn't embarrassed anymore about not having all the resources that he needed for school. That was the change they had to create at a very early stage. They also focused on character and soft skills development. In the social economy of today, a lot of these kids come to school and it may be the only meal that they get that day. They may be thinking about will my power be on when I go home. They may be thinking will mom and dad even be there. Will mom be there by herself? What is going to be going on in my household? How can they expect kids to come into the learning facility and focus and engage and learn, when they know when they leave that school setting the challenges that they face at their house? Families used to gather around dinner tables and have conversations and talk about values, and good behavior and those sorts of things. That doesn't happen often enough anymore. That was why they emphasis the character development and soft skills. Learning how to work together, communicate, how to be a productive citizen and the expectations that you need to meet as you move through the continuum.

Dr. Hinshaw advised they also knew if they gave technology to everyone, they better have teachers that knew how to use it. They invested a ton of money in teacher training and every one of the teachers in the 30-school system went through this intensive training learning how to engage in a different world. They focused on work-based learning. People that go through educational processes are just after a piece of paper that was a credential, but they have no idea what that means in the workforce. Their goal was to provide every student the opportunity to make their education relevant through a work-based learning experience. That was not easy to do. They have to have commitments from the employee spectrum across all sectors. They have to assure that those experiences are of value and they're not just sending them in there to empty the trash cans. They were sending them in there to see what their future may look like. They have employer engagement which was one of the most critical pieces that they hadn't paid attention to enough in the educational sector. Employers look at the educational sector and say you are supposed to provide us with this. Educational sector said they were providing it, but they never make those connections. Employer engagement, getting employers connected through partnerships, not partnerships where you sit around a table and talk about the problem, but a partnership where you roll up your sleeves and do something about it. Those are the partnerships they are building through their employer engagement initiative. He discussed career adaptability. It was not like it used to be where you go get a degree or a credential and then you have a career. They have to learn new skills every day. Students need to understand that was an important piece of lifelong learning.

Dr. Hinshaw discussed programs for high school students. When you look at how it connects

February 23, 2021 – Special Meeting

high school students to the programs at CVCC they are building a very strong apprenticeship program that gives free tuition, full-time employment to individuals from all three school systems that enter into those agreements with the employers in this area. Many of the young people don't know about these opportunities and don't see that as their future. They have career and technical programs, that result in high paying jobs. Not minimum wage. Quality of life opportunities that exist right here. Their employers tell them every day that they can't find people to work. Why? There was 5,000 people on CVCC's campus during normal times that they could be choosing from. Instead these employers post their positions on Indeed and hope that there are young people connected with them. They need to be sufficient in their notion where they have the ability to build relationships early and they can determine where they are a good fit with a potential future employer.

IV. CVCC and Workforce Solutions Complex – Presentation by CVCC President, Dr. Garrett Hinshaw

CVCC President, Dr. Garrett Hinshaw referred to the complex and discussed the types of programs in the complex, usually in most educational settings they were located in a dirty old shop somewhere. How is that inspiring young people to want to pursue a career in this area? When you walk through CVCC's complex it was state of the art. It was inspirational. That was the whole goal of the facility to say to the 70 percent there is a place for you here. This was the level of value they were placing on their education and their skill credentials. He discussed engineering technology and the engineering programs. He advised they were two plus two guaranteed in the State of North Carolina. You could earn two years towards a four-year degree here and then transfer to any public institution that offered engineering. It saved money for the students and their family and the community, approximately \$30,000. He discussed skilled trades, which included: automotive systems technology, computer integrated machining, HVACR, and welding. It was a challenge to find trades people. If you look at that industry sector and the age of those individuals there was a big gap coming at us, to the point you were not going to be able to afford to pay someone to come fix the plumbing or the HVAC system, because there was going to be so few of them out there. They have got to address those things and really know the pool.

Dr. Hinshaw discussed the 3-D printing program. A lot of things that were created now were printed off of a 3-D printing. There was a huge demand for employment in this market. They have a center at the CVCC complex where students are printing out all kinds of things. If you look at the technology that existed within the facility it was real life. It was bringing the classroom to life. That had been their motto from day one, building relevant spaces that understand what the world work was going to feel like. The center was exactly designed for that purpose. They have companies that were investing in there. Putting their own machines in the complex. He noted that Sarstedt had placed a \$275,000 injection molding machine at the facility, that they had shipped to them from Germany, to train people to come work for them. He mentioned Wanzhi, formerly Technibilt, was one of the largest manufacturers of shopping carts in North America, a lot of people don't even know there here. Those were important facets of what the future holds and what they look at. He discussed electrical systems technology, CNC machining, world class programs to go anywhere and do anything, but they couldn't graduate enough students to fill the workforce. They need more. They need to broaden the pipeline. Talk to these kids and get them engaged and let them see the opportunities that exist. He noted that welding was one of their fastest growing programs. Every manufacturer in the whole world needs welders. Welders are beneficial and were in high demand. When a student completes a certificate credential, they leave there making \$25 an hour right out of the gate and some of them were actually way above six figures if they were very skilled.

Dr. Hinshaw discussed automotive systems. They offer a whole series of bays committed to the automotive industry. They were doing hybrids, electrical cars and would be moving into light diesel. They were making a difference for that connection and that pathway for the future workers. He mentioned the HVAC program was getting ready for an expansion into plumbing. They do residential and commercial HVAC training with all the credentials that were necessary there. He advised that all of their faculty came from the workforce. They were not trained educators necessarily they were experienced and knew what it takes to be successful. He commented they have one of the largest SkillsUSA programs in the whole country. He was very proud of this. He explained that SkillsUSA was where their students prove the quality that goes on in the classroom. They compete nationally against colleges all over the country. If Catawba Valley Community College was its own State, last year, they would have finished second only to the State of Texas with the number of medals that their students won. This was the story that they needed to be telling the young people. It was the story they needed to be telling their employers. The talent was here. They have to think differently about how they fish and how they connect with the young people and how they build these pipelines broader.

Dr. Hinshaw discussed the Valley SIM Hospital, the largest simulated hospital east of the Mississippi River. This facility made you feel like you were in a hospital. Everything was lifelike as it could be. This simulation allows them to do things that they had never had access to do for the healthcare in this area. They go through thousands of simulations that they would never see on a regular day of clinicals at the hospital. He advised they had former students, that were now

February 23, 2021 – Special Meeting

employees, who had identified something going on with a patient at the hospital because they had gone through the simulation and were taught to identify the problem. That was the difference it could make and what they were focusing on. He referred to the PowerPoint and displayed pictures from the Valley SIM Hospital. He invited anyone to come and visit the facilities. They were working in real life and understood what it was going to be like when they were employed with their employer. That brings value to the employer that they have a facility like this. They have physicians and practitioners that were coming back on to the campus and training in the Valley SIM Hospital on issues that they were having at the hospital every day.

Dr. Hinshaw advised they also have a developing public services training center that would be important for the future of this area. Once it was completed, they will have fire, EMS, rescue, and law enforcement. Everything that you could ever imagine in terms of training would be available right here in the City of Hickory. That was important for everyone because they are the ones that are going to show up when we are having problems or emergencies, fires, issues, they are the ones that are going to be there. Why wouldn't they want them to be at their very best? Their commitment was they were going to do everything in their power to make sure every officer, fireman, and EMS person was functioning at the highest level that they possible can, because that is who he wants to show up at his house when he is having a problem.

Dr. Hinshaw discussed the state-of-the-art cosmetology center which had just opened up on campus across from Startown Road in the new project. He displayed photos on the PowerPoint and commented there were inspiring spaces again, not just some old shop. They partnered with Plush Kutz, Alderman Williams also a barber in this region. They don't believe that there are any possibilities that are out of their reach if they connect to the right people and the right partners. They have got to make a commitment to that like they never have before to make sure that they are successful.

Dr. Hinshaw mentioned they have the only Office of Multicultural Affairs in the North Carolina Community Colleges Carolina Campus. It was established in 2008. It was a commitment to access and inclusion. They were going to continue to do that and lead in the community in those areas.

Dr. Hinshaw discussed 10 numbers about Catawba Valley Community College. They were ranked number three out of all community colleges in the Nation in 2019. They have 30,000 alumni. They were number one out of 58 community colleges in North Carolina. They were National Champions in the Workplace Skills Model of Excellence. They were 10 National Champions in SkillsUSA National Competition. A 100 percent employment rate in several of their programs. That was success. This couldn't happen without the commitment of the community and all of their partners. They have got to continue this. Identify the assets, the value of the programs and services that were out in the community and layer them together to do something special. He thanked everyone for letting him share a little bit of information and asked for any questions.

City Manager Warren Wood asked Dr. Hinshaw to discuss how they were reaching out to the minority communities to diversify the student population.

Dr. Hinshaw explained that one of the many initiatives that they had made a core priority at the college was built around access equity and inclusiveness. They hadn't done a good job in their history of that. That was why they were putting together some specific actions within their organization for the outreach to the community. They didn't expect everyone to come to the campus, because it was not a comfortable environment for everyone. They had to go out into the community with these programs and opportunities and have these conversations. Then they have got to be reflective on what the community looks like when they think about their faculty and their staff. When an individual does come on their campus, they need to see someone that looks like them. They need to see someone that understands their values, obstacles, and challenges and also see the potential in the opportunity going forward. They have several strategic initiatives to build around how they change their trajectory. Those are being implemented every day. The pandemic had slowed them down some. It was at the heart of what they were committed to at CVCC. He advised he would be glad to have an individual discussion with anyone on that topic. That was important.

Ms. Susan Smith Walker, with Exodus Homes, advised they have 73 residents and they had created a computer lab for higher education and online learning. She asked how much or if any of the skilled training could be done online for an adult who was already working.

Dr. Hinshaw advised currently they were at approximately 75 percent of either hybrid or virtual because of the pandemic. There was approximately 25 percent that still had to be face to face. You couldn't weld virtually and earn credentials. You couldn't do automotive systems or a lot of the healthcare programs. A lot of that required the face to face. They were going to see coming out of the pandemic a big shift towards that hybrid model, where there was a lot of opportunities to engage at home, and then opportunities to come and learn to practice what you have learned at home, physically on campus. He thought that was a big transition they were going to see in education in general as they move forward. There were certain programs for the workforce that

February 23, 2021 – Special Meeting

were virtual, and they try to market those. They still hadn't done a great job in telling that story to the community. He invited everyone to come back to the campus and visit anytime and explore the campus, because one of his number one goals that he had, since he had been there for 14 years, was that every individual that walks onto the campus leaves each day and says I had no idea. If they have enough people saying I had no idea, then they are getting the idea. That would make the change they were looking for. He thanked everyone.

V. WPCOG-Western Piedmont Workforce Development – NCWorks Career Center – Presentation by WPCOG Director of Workforce Development Wendy Johnson

WPCOG Director of Workforce Development Wendy Johnson introduced herself. She presented a PowerPoint presentation. She discussed a brief history of the board. There were 23 Workforce Development Boards, in North Carolina, and over 500 nationwide. They were charged through Federal Law, Workforce Innovation and Opportunity Act of 2014. Part of that act, as the board, was oversight, coordination, and planning of One-Stop Operations, which for North Carolina was branded as NCWorks Career Centers. She advised she would focus on that today because that was where the real work takes place in terms of the services within the career center. She noted it was housed at Catawba and moved over to Conover Station in Conover. The Career Center offered a lot of career placement and coaching. She mentioned once the student has graduated, they come to the Career Center. They come with a lot of baggage and barriers a lot of times. Their staff spends an enormous amount of time "coaching" them, really helping these people work through their barriers, understand where they are, what was going on and what was next for them. There was a lot around resume preparation as an element, but everything now is on technology and on the internet. Twenty years ago, you could walk into a business and apply on a paper application. Now, even the smallest of employers want a resume or information to be filled out online. Very, very few paper applications. They do a lot of work around that. Along with the job ready preparation, Dr. Hinshaw had mentioned the soft skills element, that was a huge challenge. Not knowing the home life of students, have they learned how to problem solve. A lot of people come in and want a job, but they are not job ready. They are not sure how to dress, they don't have a resume, maybe they don't even have transportation. They also have preparation workshops, most of them were online now. They had seen an enormous uptick in the virtual workshops. Before they were offering these workshops in person and were lucky to have five people show up. Now they are getting 20 plus that logon with them in a live interactive session around how to create a resume, how to dress for the job, how to prepare for an interview. She mentioned that interviews are scary, and they need some help with that. Now when you go into an interview its not just one person, it typically was a panel of three to five people on the interview. That takes a lot of work and finesse to help people through that process.

Ms. Johnson advised they have a reentry coaching job ready program which was for former offenders that they work with through the Department of Commerce. They have certified reentry specialist in all of their career centers. That involved also helping people get housing, just not the job portion. In those workshops they also teach an expungement workshop. They have a lot of young people who have made some mistakes when they were younger, and they want to make sure that they can get those records expunged and help them to go on and be successful. That is what they want to strive to do. They do a lot of work around that with Vanessa James at the Department of Commerce.

Ms. Johnson discussed skill assessments. She shared a story of a girl who thought she wanted to be a medical assistant, but it turned out she was a much better truckdriver. Working through those skill assessments of what you think you want to be versus what you really have the talent and strengths to be can be like a complete 180, sometimes that was very enlightening to see what they are capable of doing. Through their workforce scholarships, that was part of their funding. A lot of their funding goes for that. For eligible participants they could actually provide scholarships to CVCC, other community colleges, and Trans Tech, a lot of people come in and have an interest in truck driving. Along with their scholarships they also have funding for support costs. They know some of the barriers, childcare, transportation, and the tools for the trade. Tools for the auto mechanic program were really expensive so they could actually pay for that as part of their training and support costs through workforce development. They had a preapplication process for these scholarship programs. It could be filled out online and then they can call the person back and have a deeper conversation about what goes on.

Ms. Johnson noted they also provide labor market data including, wages, the industries that were hiring, and occupations that were higher growth. They don't want to steer someone down a career path that they know was decreasing. Or if the automation was changing and they may need to go on a different direction. They also provide this data to employers. She referred to a quarterly newsletter which they produce, the Economic Indicator. She advised it was on their website and they could subscribe. It was great information there for community as a whole.

Ms. Johnson discussed another program at the NCWorks Career Center called NEXTGEN. This was their youth program that focused specifically on 16 to 24-year-olds. Part of that component also involved in school youth. Their staff also does a lot of work at Hickory High School and HCAM (Hickory Career & Arts Magnet High School) to help students that are struggling. They have a customized career advantage program and they are also able to provide paid internships

February 23, 2021 – Special Meeting

and that work experience. It was critical for them to understand what was out there. As she had mentioned through their coaching it helps explain that it doesn't mean they have to stay there forever. They could go in and try it out and maybe it wasn't what worked. They could help them maneuver that. Where do their skills fit? What is best for them? That was the NEXTGEN Program.

Ms. Johnson mentioned their business recruitment events. They were holding a lot of those at the Career Center in person, but then COVID, and now they have pivoted to online virtual job fairs and also were trying to do business chats. She mentioned you may not really understand what goes on in a business behind those doors. Trying to get the businesses in the spotlight to explain what they do, what their benefits are and what they have to offer. It also helps the young people put a face to a name. Now they have recognized somebody and that may give them a little more confidence to apply or attend a job fair.

Ms. Johnson discussed their Upskill Grant, which was a grant that was offered to businesses to train their own. The amount of people that we need to fill jobs, a lot of employers were starting to look at their own. Senior employees that they feel like needed training to move up to make way for entry level positions. Upskill was a training directive for the incumbent worker through the employer and they work with a customized training program at the Community College. Typically, they were successful in helping the employer get what they need for their incumbent workforce.

Ms. Johnson referred to the report that Mr. Taylor Dellinger had did and advised it was available on the City of Hickory's website. They could access the YouTube video and follow along with the 40-page report. It was excellent. She didn't have a lot to add to that, she felt it wrapped up a lot of everything. She referred to the PowerPoint and displayed a graph. She advised she had pulled the last two year, 2018 and 2019, where there was a full year. Their program year runs from July 1 to June 30. She advised when someone is "enrolled" that was where they had actually interfaced, came to the center, and were working one on one with that career coach, and maybe they were going to school, or they were helping them with a resume, or the job fair. What ncworks.gov allows people to do was actually log online and job search and do a lot of things that doesn't require staff involvement. They want it to require staff involvement. You can do a lot of things now on you on own online. That was where people miss the opportunity to have that coaching. She used as an example going to the gym if you have somebody there supporting you, you're more apt to do it. If you have somebody there supporting, you and coaching you along the way it makes things typically more successful.

Ms. Johnson mentioned the barriers to economic mobility. Lack of transportation was a barrier. The need for childcare assistance was a barrier. The scholarship program might could help them, but if they just want to go to work on a second or third shift job, then they have some time to reevaluate that. Drug abuse, employers need someone that can pass a drug test. That was a huge challenge across the board. Unable to manage oneself, meaning young people can not manage themselves, they don't know how to get to work on time, they didn't have to get to school on time so why did they have to get to work on time. Coming to work as scheduled. One employer said people do not know when they get a job they have to come to work. They would get the job and just not show up or be out two or three days a week. Following directions and problem solving and working well with others. When you are on your phone all the time you probably think you are working well with others, but then you get in their personal space and there is a whole energy level that goes on. Fear of success, people don't know what to do with that especially if they had not had success in their own family or their environment that they had grown up in. Considering convenience over commitment, people want things in 30-seconds. What is the vision? Helping them see the vision to the commitment that gets them to that success to where they need to be. Little to no parental involvement or encouragement to complete school, a degree, go on to college or to keep the job. That was inspiration. Lack of knowledge of the many different kinds of jobs in the area. She commented technology was a beautiful thing, but it was also diluting how we find information. You can post something and 30-seconds later 500 other things have stacked on top of it. Where are they going to find information? That is one of their challenges as well.

Ms. Johnson discussed some of the past initiatives. Thanks to COVID, it kicked them where it hurt, because they felt like they were finally getting some traction on being in the community, particularly around the City of Hickory for the Catawba level outreach. She referred to the PowerPoint of a list of some of the past initiatives. She referred to the photo and advised it was taken last summer at Highland Recreation at a Back to School Bash. They were handing out things and talking to people and parents. A current initiative they had going on, in collaboration with the Ridgeview Community and the City of Hickory, was the Concerned Citizens of Ridgeview was trying to figure out how they could corner their way to offer some directs to NCWorks Career Services. Thanks to COVID, the one on one how to get involved with people had slowed them down a little bit, but they were hopeful as they talk through it and set a plan that the plan would be ready and they could get to where they need to be either through the recreation center, or the Ridgeview Library. There was a lot of balls in the air about that. There was a small group that they met with to help them. Ms. Karen Dickerson helped to set that up to talk to a core group of people so they could hear from the community. She commented it was unfair for her to think that she knew what everybody needed. They wanted to hear from the community on what they

February 23, 2021 – Special Meeting

needed and what needed to happen. They were also going to be focusing on some outreach countywide library directors in Alexander, Burke, Caldwell, and Catawba, as well as the Housing Authority. Trying to figure out who gets right to the core of the people bypassing technology. They would still do the technology thing, but they need to get back to some grassroots of one on one conversation. That was something that Mr. Charles Mackie had brought up at their meeting, maybe they need to get back to door to door. Don't be surprised if someone from NCWorks comes knocking on your door in the future to let them know what was going on the community.

Ms. Johnson referred to the PowerPoint and advised it was a snapshot of www.ncworks.gov versus Indeed. She advised this was called nonduplicate. If you see a team assembler position, maybe there are ten positions, you are only seeing one, which was why the numbers appeared lower than what Mr. Wood mentioned earlier. She advised people also use Indeed because people use that tool as well. She advised they both were around 700, about 1,400 jobs. If you added all the duplicated jobs in there it would probably be 2,000 to 2,500. She commented there were all different types of jobs from part-time to full-time, manufacturing, healthcare, and transportation. They didn't mind where they searched for a job, if it was Indeed, they would help them. If they wanted to use NCWorks they would help them. Their goals were to increase the persons economic mobility and be successful in life to whatever that looks like for them.

Ms. Johnson referred to the PowerPoint and shared some success stories. She thought data was a great thing and there were always people attached to that data and that was what was most important. She noted that Jailen, finished at the end of last year. He was part of the internship program. He went to HCAM. They had offered him a permanent position. He turned out to be a really good worker and was really excited about that opportunity. She referred to the PowerPoint and discussed Hussein which was two years ago. He also worked with a NEXTGEN Career Advisors. He attended Hickory High. The last word was he was enrolling in the mechatronics program at CVCC. She referred to Lakaishia on the PowerPoint. She was the girl she mentioned earlier. She thought she wanted to go into the medical assistant program, she was in it about two weeks and decided that it wasn't for her. She had some family members who were in truck driving and that was what she thought she wanted to try, and she did. She had been a success. She worked for one company for a while, she got recruited away and now she is a trainer. That's were it goes back when you talk about inspiration, and what's happening at home, and who was speaking these words to these children to gets them to aspire to do more. Technology was great, but they know statistically that the number one-way people find their jobs was through family and friends. It was up to them as a whole to speak that positive language into these kids and get them where they need to go. Maybe even reenergize adults that have fallen out of the workforce, especially if they have been out a longtime. How do we get them inspired to move forward and be successful?

Ms. Johnson advised they were on a lot of social media outlets because that was where you reach young people. They actually created a TikTok account. One of their staff does that, and they get a lot of hits on that. They shared their resume workshop with Hickory High School and Alexander Central, some of the teachers had reached back to them and they have those good relationships that kind of helps them out particularly during these virtual spaces of what goes on. She asked for any questions.

VI. Discussion

Mr. David Roberts II, Pastor of Morning Star First Baptist Church, thanked Ms. Johnson and Dr. Hinshaw for the information they had presented. It was excellent and exciting. He advised he was on the other end of the spectrum. He works with a lot of homeless. He was a retired Navy veteran and he works with the veterans. He also deals with the young folks a lot. He hadn't heard much about social skills training, or sensitivity from employers. He mentioned that veterans were very skilled because they teach them the skills in the military. He advised what he was finding out was there was a revolving door. They were doing a great job in skilled training and all of that, but they get the job, and bosses are still thinking like the old bosses. They still think I am the boss, I am in charge, what I tell you what you will do, or I will fire you. Young folks now a days will just walkout the door. They are not teaching discipline anymore in school. They can't discipline them anymore because Social Services won't let you touch nobody to discipline them anymore. Kids come out with no respect, no discipline, no social skills, and no morals. They will take the money, the first few checks, and then they are gone. He asked in the one on one sessions were they talking about the social skills and the sensitivity that was required. Like the boss man yelling at you or he may raise his voice. I lot of them would snap at him, but they won't have a job.

Ms. Johnson wished one of her NEXTGEN coaches was present because they do a lot of that conversation with the 16 to 24-year-old(s). Sometimes they are in that revolving door, back and forth. Coaching was not a one-time conversation, it was ongoing. She wouldn't say they got penalized but that was the hard work to put a number on. They may have worked with an individual for six months to a year before they can get them to a social level where they could operate over some criticism or being talked to in a not so sensitive way. It was working through them with that, especially the young people. Don't quit, stick with it. Their NEXTGEN folks, the kids would call them before they would call their boss if something isn't right. They are working with them quicker. She wished it was quicker than the sometimes six months to a year conversation. When they can the door opens, and they have that relationship. They also try to

February 23, 2021 – Special Meeting

talk to the employer about what was going on. They were able to get one employer to change their title of a job description, it said cutter or knifer. What? Not sure I want to be that. They could have some of those conversations with the employer sometimes it just becomes sensitive. That was something they were talking about a lot and it takes a lot of coaching and correcting to get people to where they need to be.

Ms. Felicia Culbreath-Setzer, Regional Operations Director for the Department of Commerce Northwest Prosperity Zone commented that Ms. Johnson was being a little modest. They talk to them about culture, and training at CVCC. A lot of times what happens was people put supervisors in roles because they have experience, but they don't know how to supervise. They don't understand that you manage processes and lead people. They deal with employers on that level and talk to them about culture. Talking to them about the GenX population and who these young people are. The NEXTGEN career advisors, most of them, are young people. That helps with helping them, but they work with the employers as well. Not only does that vernacular has to change for young people but it also has to change for employers, because they also understand there is a way to talk to people. They have to understand there was a way to say the things that they need to be done without being dispiriting. They do have that piece with employers that they deal with employers as well.

Mr. Sam Hunt, NAACP President commented the branch had much discussion on establishing a commission and to do so they first had to have a meeting with the Mayor, because what they presented they wanted to know what the Mayor thought about it. They then included City Council members and met with each one of them. The goal was what they could do to help African-American and other minorities in the county. They discussed it and really didn't come up with a solution. They thought this would come out and they would get information from the whole community, the City of Hickory, Catawba County, and Western Piedmont Council of Governments, and put all of this in motion. He referred to the Mayor's proclamation, and some people didn't care about the manner in which he did it. They didn't know the way he did it was because of the bigger views of all Mayors and it had to include the Council. They went to the Mayor about that. They tried to get the Mayor to come on board with a meeting, but the Mayor felt like it was an issue for NAACP. He advised they met with City Manager Warren Wood and he suggested that the Western Piedmont Council of Governments could provide information. His biggest concern, and the branch's biggest concern had come from the information that was provided. They would need to knock on doors to share the information about employment, because if they are not skilled, they are going to stay home. If you're not skilled and you're staying home, you don't have a plan. He thought this information was fantastic, but it can't be just talk. Let's do something. He thought one of the first things they were going to do was knock on doors and share the information. They need to come up with a program to continuously get them to come to the centers so they could present the information to them. He mentioned that he went to the service because he couldn't get a job. When he came back, he attended CVCC for computer programming. Three months before graduation time, he hated computer programming. He ended up coming back and became a safety manager for 15-years. It means a better life. He advised he was going to try and contact young people and share these job opportunities with the young people.

Mr. Johnny Scott, Equity Diversity Special Projects Coordinator at CVCC referred to Dr. Hinshaw's comment that brought up a childhood memory of his, which was not always good, about them sitting around at the dinner table having conversations. It came to mind, as a kid he didn't have a dinner table. He described where his family ate their meals. Sometimes they have to try and visualize, if they could, what other people are going through. He thought the challenge of the community was for White people to pull themselves out of their whiteness and listen to what was going on. Going forward they have to start trying to understand where people come from. If and when they go out, they have to meet people where they are, not where they want them to be. He asked if they could imagine their lives without hope. He mentioned there were some pretty accomplished people in the room. He would dare say that at some point in time that they hoped for something. They hoped to graduate, not be a super senior for like seven years. There was that hope, but understand a lot of young people, a lot of young minority students don't have hope. They can't even imagine getting beyond 22 or 25. He challenged everyone, particularly if they were White, to put their whiteness aside and listen to what was being said, and if they could, feel what people were saying. He got the sense that Black people were chomping at the bit to let them know how they feel, and what they feel. It cannot be about us.

Mayor Guess recognized Executive Director, Anthony Starr from Western Piedmont Council of Governments (WPCOG) and others from the WPCOG. He explained that the WPCOG was the entity that the City used to get the facts. When he first spoke to City Manager Warren Wood, they wanted the facts and the WPCOG was the entity that was able to do that and presented the information to the City. He appreciated their partnership, not only in the beginning, but as they continue through this process, he was sure they would continue with them. He mentioned that he was an alumni of Catawba Valley Technical Institute (CVTI) and the name was changed to Catawba Valley Community College (CVCC). He understood that, but it almost appeared to him that they were coming full circle and it was still Catawba Valley Technical Institute. He saw the crowd and how many people were engaged in the process. He was inspired. He wrote 3-C's. He thought this was where they were at. It all started with communication, a dialogue. He thought that was still an important part of this. Another one was connectivity. Everything that had been talked about today. At the City they were creating connectivity with the trails, and the pathways that they see coming about, and that was all about economic development. All that connectivity was about creating destinations and growing the economy and the population. It was also the connectivity in the room of the people. They had heard about some connectivity that they may didn't know about before the meeting. They have to continue not only with the

February 23, 2021 – Special Meeting

connectivity throughout the City and the County, but they have to continue with the connectivity with the communications. It had been said many times today that not everyone has the same opportunities and the same knowledge that others in the room may have. He thought it was their responsibility as they leave the meeting today to be able to share that knowledge about connectivity that they each have with those folks that they come into contact with each and every day. The third one, and probably the most important one as he looked around the room, was about caring. He believed that everyone present and others that couldn't be there cared about the community and the people and the future of the folks that live, visit and work in the metropolitan area. He commented they were going to continue; it was not they had come today and now it was over. They were going to continue to partner and offer these types of workshops as the opportunities become available and as they have different partners and have different things that they address, not only in Hickory, but in the Hickory area. He welcomed their input and discussion and appreciated them being present and being engaged. He thought that was probably the most important thing. He would provide the opportunity if anyone had a specific question or had something to add before they adjourned.

Mr. Mervin Sealy thanked City Manager Warren Wood. They went to the City with a request to set up a commission to do what they were doing today. They meet with some resistance. They were told that the Hickory Branch should do it. They look around and see the people here today, Hickory Branch couldn't pull all of these people together to do what they were doing today. His challenges for the City of Hickory, City Manager Warren Wood went out and got the report. It was not only the minority community that they understood, it was the whole community. It was about the majority and minority community. Look back at the report and see where we are failing in Hickory. He asked City Council to setup a task force/commission so Hickory can become an All-American City that they want it to be. They could pull in some of these people that were present today. They were willing to work with them and do what they could to make sure that Hickory becomes a better and more All-American City. He said they were asking again and now that they had seen the report, let's work together.

Mr. Walter Witherspoon discussed sensitivity. He asked if sensitivity improved or hindered production. Those in the workforce say that was what it was all about, production. He didn't think so. He didn't know about the expectations. He thought they had perceived ideas or expectations. You look at him and perceive what he can produce. They perceive that he could probably learn. They said earlier there were opportunities that were presented. They were discussing job opportunities for people, but where are the people. Some maybe would come, but some may be apprehensive to coming here and stating their needs. He didn't know what their needs were. Maybe we need to ask those folks. The leaders can't sit back and say I got mine, you get yours. Add more programs and more committees. What do these events do? They sit there and discuss things here, but where is the action. Where do we go from here? We are not sitting here solving problems, we are sitting here with ideas and hope that they solve problems, but how to we get those ideas afloat. How do we get those people that we are trying to convince that there is a better way? How do they do that as leaders? He sees young kids and they don't know where they are going. Do they expect the government to take care of them? He referred back to sensitivity and the boss scenario and that the young kids would question them. How do they reach that person? You give them a degree or a certificate to go out and produce, but we don't give them the social skills. You teach them social skills, but the boss doesn't know about social skills he knows about production. You get fired because you ask questions. You ask how you could improve yourself, and this person doesn't have time to explain it to you. He liked the idea of preparing them for an interview. He could have the skills to take the job, he may be nervous, but he could do the job. He got a bad interview therefore he didn't get the job. He reiterated sensitivity for the younger folks, you can't do it for the older folks like him 83 years old.

Ms. Ida Clough, NAACP, commented she had really been impressed with a lot that she had heard. She was very proud to say that the NAACP had help to initiate the process that brought the meeting to fruition. However, she thought that it was extremely important that they don't continue to perpetuate what had turned the distances and the disparities and the inequities among the people of this community as well as the rest of the country. If they are serious, they can't go it alone. As it had already been said the NAACP could not do this alone, they knew that. They also knew that it had to be done. Something had to be done. She heard that some people were interested in doing something, but they have to do it together. The simple fact that the City could arrange a meeting like this was wonderful and it was what they knew, but everybody has to be involved. One thing that they asked for was a commission, or a task force, whatever they wanted to call it, but there has to be a plan. They could do wonderful things, but if those things aren't working towards one end then it was just tying up staff. They need to work together.

Ms. Jerisha Farrer advised she was born and raised in the City and left in 2008 to earn her undergraduate. She moved back two years ago to accept a job at Appalachian State University. During her two years here, she advised there was no programming for ages 3 to 13. The ages 16 to 24 job preparation she had reservations about as well. She discussed the allocation of funds for schools and K-64 policy legislation. She noted that Mr. Robbie Adell was the only Black person on the board of K-64 workforce development partnership and the he was an ex officio member with no voting power. She mentioned incoming police officers, and she didn't see any police officers that looked like her. When she walked in her neighborhood at Ridgeview, Kenworth, and East Ridge, she doesn't see any police officers that looks like her. She has a different policy when it came to policing, but she would love to see a woman who looks like her on the City police force. She discussed the recruitment of that type of officer so she could feel safe in her neighborhood.

Ms. Betty Lohr, retired public school teacher, asked if there were any school board people in

February 23, 2021 – Special Meeting

attendance. Several raised their hands. She commented it had been a great presentation and she had learned a lot from it. They were seeing a great trust being made with young people between 16 to 24, but this whole education disparity went much more in the school system, even in the elementary schools, and the graduation rates. They have to get them graduated to get them involved in some of these. She would love to see part of the strategy of this whole effort to be working with the school board, Catawba County as well as Hickory City. Come up with ways to engage these students, at a lower level, for sure middle school. She advised that was the area that she taught in, and work with the middle school students in particular so they are exposed early on to these opportunities that they can come later. Not just focus on high school but get them earlier. That involved curriculum changes, sensitivity, and implicit bias training for teachers. It involved training from the educator's standpoint as well as opportunities to adjust the curriculum so that middle school students see what is available to them at an earlier age and it was not something that they just get in high school. She was glad about the collaboration.

Mr. Bill Garrard advised he had looked at the report and one of the obvious things was a disparity in the income and wealth in the minority population. A lot of people in poverty and the poverty rate was twice what it was for the White population. Good job opportunities were important to change that. He referred to the job development and job skills and asked the leaders if they were tracking how many folks, and what race they were and if they had data. Did they know what was going on in their programs? He knew that the workforce did have some of that. If these are the folks that they need to target are they targeting that? Do they have specific targeted programming that was not just something for everybody? These are the problem children, not in a negative way. This was the issue that they were dealing with, these are the people on the bottom here. Do they have specific things that they are targeting? As you target those folks the whole community was going to rise up and come to economic prosperity.

Ms. Susan Smith Walker advised she understood how hard it was because she was a high school dropout herself and got a GED. The reason she got the GED was because so many people encouraged her to get one. People did not give up on her. People didn't think, oh well she's strung out on drugs and she will make her way somehow. There were people who really kept encouraging her. She got her degree after 18 years. She went to community college first to get it. She understands the struggle of students that have dropped out of school and feel hopeless and don't feel that they are going to make it. You have to keep encouraging them to get their GED and not make it so hard to get it. In some ways it was harder now to get the GED than it was then. If you don't get the GED, then you can't move on. There was no way to take a lot of these classes or participate in a lot of these programs because you are not a high school graduate, or you don't have the GED. She asked them to not forget, the reason that the workforce was so short right now, was the war on drugs started in the 1970's which disproportionately affected African-American minority people with incarceration and criminal records. Some of these people can't get a job, even with a misdemeanor. Even with a few misdemeanors they can't get a job. They have the skills and are eager to work but they are turned away because of a mistake that they have made in the past. Right now, because of the shortage in the workforce, a lot of employers are looking the other way right now where they weren't before. Even if they have policies that say they can't hire people who have criminal records. Some of them are waiving those rules right now. But when the economy gets better will they continue to have that same attitude of giving those people a chance to work? She had a conversation with a very influential person in the community who was connected to one of the top elected officials on a national level, and she said she thought it was really awesome how some of the employers right now are willing to give people a chance regardless of their criminal record because of the shortage in the workforce, but what will happen later. What will happen when the economy was better? When these people are not needed as much as they are right now. The answer she got was well that is supply and demand. The supply goes up and they hire workers that don't have criminal records, the demand for the ones that do would go down. It was heartless and cold, and he looked her right in her eye and said that is the way it works. That was exactly as she thought, that was the way it works, that supply and demand. We are talking about human-beings, people. She asked for them to put that in the plans. She advised there were so many people who would love to work but they had given up, they just don't even try. Some of them work through a temp agency right now, they are not as strict when they go through a temp, but they're never going to get hired, they would always be a temp. She thanked everyone.

Mr. Cliff Moone mentioned he had been involved in the community a lot and he enjoyed it. He had the privilege of teaching at CVCC on and off for 15-years. He was grateful for the presentation. He had the privilege of working with Mr. Witherspoon for a number of years on the Citizens for Equity in Government. He mentioned a couple of things that he didn't hear today that he thought should be added. One was a lot of reasons people don't come out to these things, a lot of reasons young people don't get involved in these kinds of activities, was they have no earthly idea how to access the levels of power. They have no idea and they are intimidated. He referred to his 33-year-old daughter, and she was White, and had White privilege all of her life. She doesn't get that sometimes, but she is one of these people who doesn't think that it makes any difference when you vote or not vote. He noted that he was so involved, but she thinks it doesn't make any difference at all, they do what they want to do. He commented that they need civic education and they need to teach their young people how to access the levels of power and how to access the people. He had never been turned away by anybody when he tried to do it, but he knew how to get to those people. He mentioned something that had changed his mind in the midst of all of this, because this is wonderful. He commented it was an old saying the soft discrimination of low expectations. They talked about the 70 percent and how to get better jobs. They go through the system and go to college and get their degree. They need college leaders and college trained leaders. The real key was to never put a limit on somebody's possibilities. He thought that at 71 ½ years old, he could not put aside his whiteness. He couldn't because he

February 23, 2021 – Special Meeting

was White. He was raised during the time of integration, but he was raised in segregation too. Don't misunderstand him, what he could do was listen to those that were different from him. We all can. He thought that they had done that process again today and could continue to review it.

Mayor Guess wanted to make sure that anyone who had a question or concern that they had the opportunity to voice that. He appreciated everyone being present but realized that not everyone who wanted to be present could be. The meeting would be available for anyone to watch within the next 24-hours. One of the challenges they had with this from the very beginning was trying to attract and get all of the entities, all of the people at the table that needed to be at the table. By everyone showing up it certainly showed that they were interested in having a seat at the table. They wanted to keep this going and wanted to get the word out. Everyone was invited to have a seat at the table. They would continue to provide those opportunities as they move forward and have future workshops.

Ms. Ittily Carson, Vice Chair, Board of Education for Hickory Public Schools, referred to the young lady who referred to the school board and she was pretty sure that the same joy was being shared by the other districts, but in the Hickory District they have partnerships with not only CVCC, but Lenoir-Rhyne College, and Appalachian State University. She may not know that there are some avenues with getting the middle school students also involved. She advised their Communications Director Beverly Snowden was present. She mentioned that this was the first day, she hoped it was not the last. Progress was miserable and many times you are going to have to put a date on something to see the progress. She would like to see the date when they have other meetings and whatnot, and they need to proceed forward to making those things happen. She commented today was a work meeting, now they need an action meeting. That was what she would like to hear about, Was that in the works? Do we have a date moving forward? They have got to come forward with an action plan so the next time they get together they can form a task force in order to make all of these wonderful things that have blossomed in this room come alive. Something must happen next in order for them to measure what they had done here today and see how far they have come. How do they effectively apply what was said today? How was it working by the next time they were getting together? Could this be a quarterly meeting? Could this be something like that? She didn't know all of the parties that had come together, she knew of three entities. This must happen. She didn't want what had happened here today to stay within the four walls. They have to go out and tell somebody. Sometimes you have got to look at things as joy and joy was meant to be shared. What she had experienced in the room had been nothing but joy, and she thought that each and everyone that had said something or had participated by just being present and just seeing a rainbow of the district here. She mentioned that the elephant in the room was systemic racism and it went all the way to the top. They have got to be the unit united that can change that, but they have got to look at the man in the mirror on both sides of the track. Blood ran through her veins on both sides of the track here in Hickory. She was born here, raised here, a student, a parent, and now on the school board, and she works here. This was her home and it mattered to her. She thanked everyone and looked forward to seeing them and more. She realized this meeting was targeted to specific individuals, specific organizations and she hoped the next meeting would be a little more diverse with more people in the community so they could hear from them, because it sounded like to her they really wanted to hear from them, and the best way to do it was to invite them. She thanked everyone.

- VII. Alderwoman Patton moved, seconded by Alderwoman Williams to adjourn the meeting. The motion carried unanimously. At approximately 1:55 p.m. the discussions concluded, and the meeting was adjourned.

Mayor

City Clerk



Life. Well Crafted.

PROCLAMATION

Arbor Day Proclamation

Whereas, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

Whereas, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

Whereas, Arbor Day is now observed throughout the nation and the world; and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal,

NOW, THEREFORE, I Hank Guess, Mayor of the City of Hickory, on behalf of Hickory City Council, do hereby proclaim March 19, 2021 as

Arbor Day

in the City of Hickory, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and further, I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

Proclaimed this, the 2nd day of March 2021.

A blue ink signature of Hank Guess, Mayor of Hickory, is written over a horizontal line. The signature is stylized and cursive.

Hank Guess, Mayor



COUNCIL AGENDA MEMOS

Exhibit VIII.B.

To: City Manager's Office

From: Steve Miller, Public Works Director

Contact Person: Caroline M. Kone, PE, Transportation Manager

Date: Feb. 16, 2021

Re: Equipment Purchase for replacement of Tandem dump truck with snowplow and salt spreader

REQUEST

Staff requests Council acceptance and approval of bid and award to TranSource Truck & Trailer Centers for the purchase of a 2022 Mack Granite tandem dump truck with snowplow and salt spreader in the amount of \$189,243.29. This price includes a 60-month/300,000-mile warranty.

BACKGROUND

The Public Services Street Division operates various types of equipment in the practice of operating, maintaining, and managing roadway infrastructure. The Division regularly purchases replacement equipment as the existing equipment ages out or becomes costly to maintain. Continued maintenance and operation of this piece of equipment has become ineffective due to mechanical wear and age.

The Division currently uses a 1992 Ford tandem dump truck. Equipment on that unit is outdated, no longer working, and parts are difficult to find.

This equipment is being replaced as a component of the Public Services Street Division's normal Capital Budget.

ANALYSIS

A Tandem truck with snowplow and salt spreader purchase is budgeted this Fiscal Year in the Street Division (5460) Capital Budget line 010-5460-537.75-01. Specifications were prepared by the Street and Fleet Divisions to ensure we purchased the type equipment that would best serve the Division. Selection of equipment was made using the NC State Contract-NCDOT-070E and the North Carolina Sherriff's Association Contract for pricing.

RECOMMENDATION

Staff recommends Council acceptance and approval of bid and award to TranSource Truck & Trailer Centers for the purchase of a 2022 Mack Granite tandem dump truck with snowplow and salt spreader in the amount of \$189,243.29. This price includes a 60-month/300,000-mile warranty.

BUDGET ANALYSIS:

Budgetary Action

Is a Budget Amendment required?

Yes

No

LIST THE EXPENDITURE CODE:

010-5460-537.75-01

Reviewed by:

(D)

Steve Miller 2-16-21
Initiating Department Head Date

A. Dula 2-24-21
Deputy City Attorney, A. Dula Date

Rodney Miller 2-22-21
Asst. City Manager Rodney Miller Date

R. Beasley 2/22/21
Asst. City Manager, R. Beasley Date

Melissa Miller 2-22-21
Finance Officer, Melissa Miller Date

Cameron McHargue 2-22-21
Deputy Finance Officer, Cameron McHargue Date

Date

Recommended for approval and placement on _____ Council agenda (as Consent, Public Hearing, Informational, Department Report, etc).

W. Wood
City Manager, W. Wood

2-25-21
Date



Truck & Trailer Centers

City of Hickory
 1441 9th Ave NE
 Hickory, NC 28601
 828-234-4583

Tuesday, January 12, 2021

Dear, Brad Abernathy

Thank you for the opportunity to quote your new truck needs with TranSource - Mack Trucks in Hickory, North Carolina. Based on our conversation, I am providing you a quotation for **1 2022 Mack Granite** for a **Dump/Plow** application. We have plan to have this delivered to you on or by **TBD**. I have attached a copy of the Spec Proposal for your review. Below are the highlighted features of the Spec Proposal.

2022 Mack Granite

- MP7-425 Engine
- Allison 4500 Transmission
- 1560 Ft Lbs Torque
- 18000# Front Axle
- 40000# Rear Axle
- Multileaf Rear Suspension
- 4.19 Ratio
- 258" WB
- Drum Brakes
- 315/80R22.5 Front Tires
- Steel Wheels
- 11R22.5 Rear Tires
- 0
- 0
- 0
- 0

Pricing Breakdown

- \$ 117,803.59 Mack Chassis & Locals
- \$ 68,419.70 Godwin (see attached Quote)
- \$ Federal Exise Tax
- \$ - Registration Taxes and Tags
- \$ - Extended Warranty

Warranty option
 60 Month / 300k Miles
 Engine Plan 2 and Aftertreatment
\$3020 Total
 (not included in price below)

Total Price Per Unit \$186,223.29

Priced using NC State Contract- NCDOT-070E

Thank you again for this opportunity to earn your business. We look forward to serving your transportation needs. Please let me know if you have any questions. I hope you have a great day.

Respectfully,

Kris Kerley
 88-896-7006



THE CITY OF HICKORY,
A North Carolina Municipal Corporation

By: _____
Warren Wood, City Manager

Attest:

(SEAL)

Date: _____

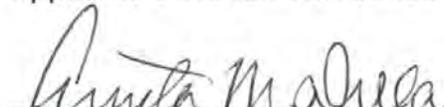
Debbie D. Miller, City Clerk

This document has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.



Melissa Miller, Finance Officer

Approved as to form on behalf of the City of Hickory only:



Arnita Dula, Deputy City Attorney

E-VERIFY ADDENDUM

VENDORS

Vendor hereby acknowledges that "E-Verify" is the federal E-Verify program operated by the US Department of Homeland Security and other federal agencies which is used to verify the work authorization of newly hired employees pursuant to federal law and in accordance with Article 2, Chapter 64 of the North Carolina General Statutes. Vendor further acknowledges that all employers, as defined by Article 2, Chapter 64 of the North Carolina General Statutes, must use E-Verify and after hiring an employee to work in the United States, shall verify the work authorization of the employee through E-Verify in accordance with NCGS §64-26(a). Vendor hereby pledges, attests and warrants through execution of this Agreement that Vendor complies with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes and further pledges, attests and warrants that any third-party vendors currently employed by or subsequently hired by Vendor shall comply with any and all E-Verify requirements. Failure to comply with the above requirements shall be considered a breach of this Agreement.

To: City Manager's Office
From: Shawn Pennell, Public Utilities Director
Contact Person: Shawn Pennell, Public Utilities Director
Date: March 2, 2021
Re: Professional Services Agreement; Assessment and Design Henry River Crossing

REQUEST

Staff requests Council acceptance of a Professional Services Agreement for the assessment and design of the Henry Fork River crossing at Old River Trails to Clayton Engineering and Design for a lump sum fee of \$94,000.00.

BACKGROUND

The Public Utilities Division annually identifies infrastructure that is in need of evaluations replacement or rehabilitation, as appropriate, as a component of the Divisions sustainability programs. Infrastructure to be evaluated is identified by reviewing records of maintenance calls to the area, reviewing annual inspection records from staff, age of infrastructure and overall size of project that needs to be performed.

Due to the removal of the Old Shuford Mills Dam in 2015, the banks of the Henry River and the river bed above the previous dam have eroded. The sewer aerial crossing serving the Old River Trails Subdivision has been damaged numerous times and repaired. Continued erosion and higher flows in the river than previous designs have made it a necessity to reevaluate the crossing and design an alternative method of crossing the river.

ANALYSIS

The project consists of the evaluation of the sewer system for the area, evaluation of the crossing and the best engineering practices to design a long lasting system to cross the river. The second phase of the project will cover the construction phase of the project, including observation, pay requests and engineer certifications of the project.

RECOMMENDATION

Staff recommends Council acceptance of a Professional Services Agreement for the assessment and design of the Henry Fork River crossing at Old River Trails to Clayton Engineering and Design for a lump sum fee of \$94,000.00.

BUDGET ANALYSIS:

Budgetary Action

Is a Budget Amendment required?

Yes

No

LIST THE EXPENDITURE CODE:

030-8033-547.77-78

Reviewed by:

WWS

Shawn Pennell
Initiating Department Head

02/18/2021
Date

A. Dula
Deputy City Attorney, A. Dula

2-24-21
Date

Rodney Miller
Asst. City Manager, Rodney Miller

2-22-21
Date

Rick Beasley
Asst. City Manager, Rick Beasley

2/22/21
Date

Melissa Miller
Finance Officer, Melissa Miller

2-22-21
Date

R. Cameron
Purchasing Manager,

2-22-21
Date

Date

Recommended for approval and placement on _____ Council agenda (as Consent, Public Hearing, Informational, Department Report, etc).

Warren Wood
City Manager, Warren Wood

2-25-21
Date

**AGREEMENT BETWEEN OWNER
AND ENGINEER
FOR PROFESSIONAL SERVICES**

THIS AGREEMENT is made as of this _____ day of _____, 2020, between the City of Hickory (“OWNER”), with principal offices at 76 North Center Street, Hickory, NC, 28601 and Clayton Engineering & Design, (“ENGINEER”), with principal offices at PO Box 2351, Hickory, NC 28603 for services in connection with the project known as the Henry Fork Pump Station;

WHEREAS, OWNER desires to engage ENGINEER to provide professional engineering, consulting and related services (“Services”) in connection with the Project; and

WHEREAS, ENGINEER desires to render these Services as described in SECTION I, Scope of Services.

NOW, THEREFORE, OWNER and ENGINEER in consideration of the mutual covenants contained herein, agree as follows:

SECTION I. SCOPE OF SERVICES

ENGINEER will provide Services for the Project, which consist of the Scope of Services as outlined on the attached Exhibit A.

SECTION II. TERMS AND CONDITIONS OF ENGINEERING SERVICES

The Terms and Conditions which are attached hereto in Exhibit B, are incorporated into this Agreement by this reference as if fully set forth herein.

SECTION III. RESPONSIBILITIES OF OWNER

The OWNER shall provide the information set forth in paragraph 6 of the attached Terms and Conditions for Professional Services.

SECTION IV. COMPENSATION

Compensation for ENGINEER’S services under this Agreement shall be on the basis of lump sum. The amount of the lump sum is \$49,000 (Phase I) and \$45,000 (Construction Services)

The amount of any sales tax, excise tax, value added tax (VAT), or gross receipts tax that may be imposed on this Agreement shall be added to the ENGINEER’S compensation as Reimbursable Expenses.

Compensation terms are defined as follows:

Lump Sum shall mean a fixed amount which shall be the total compensation agreed upon in advance for Scope of Services.

SECTION V. PERIOD OF SERVICE

Upon receipt of written authorization to proceed, ENGINEER shall perform the services within the time period(s) described in Exhibit A.

Unless otherwise stated in this Agreement, the rates of compensation for ENGINEER'S services have been agreed to in anticipation of the orderly and continuous progress of the project through completion. If any specified dates for the completion of ENGINEER'S services are exceeded through no fault of the ENGINEER, such as Acts of God, Delay attributed solely to Owner or unforeseeable delay related to Regulatory Agency, the time for performance of those services shall be automatically extended for a period which may be reasonably required for their completion and all rates, measures and amounts of ENGINEER'S compensation may be equitably adjusted, as agreed to in writing.

SECTION VI. SPECIAL PROVISIONS

Engineer shall be responsible for paying all fees related to regulatory or other governing authority submittal, review, permitting, etc. These fees shall be requested as a reimbursement from the City at the direct cost with no markup.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first written above.

City of Hickory
"OWNER"

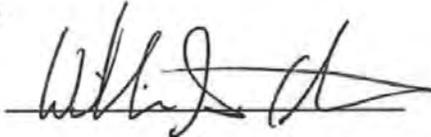
BY: _____

NAME: _____

TITLE: City Manager

ADDRESS: PO Box 398
Hickory, NC 28603

"ENGINEER"

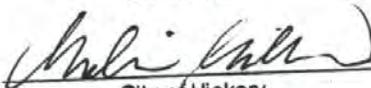
BY: 

NAME: WILLIAM S. CLAYTON, PE

TITLE: PRESIDENT

ADDRESS: PO BOX 2351
HICKORY, NC 28603

This instrument has been preaudited
in the manner required by the Local
Government Budget and Fiscal
Control Act.


City of Hickory
Finance Officer

Approved as to form

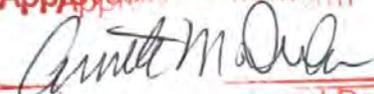

- Legal Dept.

EXHIBIT A
SCOPE OF SERVICES

CLAYTON

ENGINEERING & DESIGN

Exhibit "A"
Scope of Service
Henry Fork Pump Station – Hickory, NC
February 2, 2021

Section 1: Project Scope

The project consists of the construction/replacement of an existing sewer collection system and aerial crossing. Scope will generally consist of the design, permitting, bidding, and construction administration. Scope will include several options for correction and review with Owner.

The project is expected to consist of the following items:

1. Schematic Design & Preliminary Study
 - a. Survey Plan
 - b. Review Existing Plans/Schematics
 - c. Site Review
 - d. Prepare Option Plans
 - e. Begin necessary permitting processes.
 - i. NCDEQ Water Quality
 - ii. NCDEQ Erosion Control
 - iii. USACE
 - f. Review Meetings

2. Design Development (Concept Plan Phase). Based on an approved Schematic Design, CE&D will provide preliminary design documents and specifications of the following:
 - a. Survey Plan
 - b. Demolition Plan (As Necessary)
 - c. Sewer Plan & Profiles
 - d. Pump Station Design & Details
 - e. Continue necessary permitting processes.
 - i. NCDEQ Water Quality
 - ii. NCDEQ Erosion Control
 - iii. USACE
 - f. Meeting as required

3. Construction Documents (Design Phase). Based on the approved Design Development, CE&D will complete the required engineering design and produce a set of drawings and specifications for construction including:
 - a. Survey Plan
 - b. Demolition Plan (As Necessary)
 - c. Sewer Plan & Profiles
 - d. Pump Station Design & Details
 - e. Finalize permitting processes.
 - i. NCDEQ Water Quality
 - ii. NCDEQ Erosion Control
 - iii. USACE
 - f. Meeting as required

4. Perform professional normal civil engineering services incidental to the project.

CLAYTON

ENGINEERING & DESIGN

5. Consult with the CLIENT to determine the PROJECT'S requirements and review available project information.
6. Advise the CLIENT as to the necessity of the ENGINEER providing or obtaining from others data or services and act as the CLIENT'S representative in connection with any such services.

Section 2: Construction Phase Services by CE&D (Phase II)

The following scope of services shall be provided by Clayton Engineering & Design during the Construction Phase:

- A. Solicit bids
- B. Open bids, review and recommend bidder to Owner.
- C. Issue construction documents in electronic format to the Owner and Contractor.
- D. Respond to questions and request for information through the issuance of addendum.
- E. Coordinate start of construction with Owner and Contractor.
- F. Review Shop Drawings and samples, the results of tests and inspections and other data which any Contractor is required to submit, but only for conformance with the design concept of the Project and compliance with the information given in the Contract Documents; determine the acceptability of substitute materials and equipment proposed by Contractors; and receive and review (for general content as required by the Specifications) maintenance and operating instructions, schedules, guarantees, bonds and certificates of inspection which are to be assembled by Contractors in accordance with the Contract Documents.
- G. Make visits to the site as necessary to observe as an experienced and qualified design professional the progress and quality of the Contractor's work and to determine in general if the work is proceeding in accordance with the Contract Documents. Clayton Engineering shall not be responsible for the means, methods, techniques, sequences or procedures of construction selected by the contractor(s) or the safety precautions and programs incident to the work of the contractors. This shall include shoring and bypass pumping design work.
- H. Clayton Engineering's undertaking herein shall not relieve the contractor of contractor's obligation to perform the work in conformity with the drawings and specifications and in a workmanlike manner and in accordance with local and state standards; and shall not make Clayton Engineering an insurer of the contractor's performance.
- I. Revise Drawings to show those changes made during the construction process, based on marked-up prints, drawings and other data furnished by the Contractors. Furnish the original "Record Drawings" to the Owner within ninety (90) days of project acceptance.
- J. Certify Project at completion of construction and testing.

Section 3: Additional Services by Clayton Engineering & Design

1. If authorized by the CLIENT, the ENGINEER will perform additional services of the following types which are not considered normal or customary Basic Services.
 - a. Preparation of special documents or reports as may be required by state and federal agencies that may have jurisdiction over the project. This would include but not be limited to environmental assessments, Geotechnical testing, wetland surveys, wildlife surveys, archeological surveys, and pilot studies.
 - b. Assistance in right of way acquisition
 - d. Design of off-site utilities.

CLAYTON

ENGINEERING & DESIGN

- e. Permit/Application fees
- f. Retaining Wall Design
- g. Railroad Permitting

Section 3: Period of Service

- 1. The ENGINEER's period of service shall begin upon the authorization of the CLIENT for each phase of work and shall continue until the final phase is completed.
- 2. If the CLIENT request modifications or changes in the scope of the PROJECT, the time of performance, outlined in Paragraph 3a below, shall be appropriately adjusted.
- 3. Time estimates:
 - a. Site Review – 5 days
 - b. Schematic Design (Following Survey) – 10 days
 - c. Design Development – 15 days
 - d. Construction Documents – 20 days
 - e. Permitting – 30 to 45 days

Section 4: Payments to the Engineer

- 1. For the Basic Services rendered under Section I the CLIENT shall make payments to the ENGINEER according to the following:
 - a. Lump Sum fee of forty-nine thousand dollars (\$49,000.00).

1. Survey Fee	\$ 3,500
2. Schematic Design	\$ 14,500
3. Design Development	\$ 16,500
4. Construction Documents & Permitting	\$ 12,500
5. Bidding	\$ 2,000
 - b. Other direct costs (i.e. direct non-payroll expenses) associated with these Additional Services, will be billed at 1.10 times cost. Reimbursable fees shall be approved by CLIENT prior to ENGINEER incurring such cost. The cost of reproductions and travel are included in lump sum amount, and shall not be reimbursable fees.
 - c. Construction Administration Allowance (NTE): \$45,000

EXHIBIT B
TERMS AND CONDITIONS

Terms and Conditions for Professional Services

1. STANDARD OF PERFORMANCE

The standard of care for all professional engineering, consulting and related services performed or furnished by ENGINEER and its employees under this Agreement will be the care and skill ordinarily used by members of ENGINEER's profession. ENGINEER makes no warranties, express or implied, under this Agreement or otherwise, in connection with ENGINEER's services.

2. INSURANCE/INDEMNITY

ENGINEER agrees to procure and maintain, at its expense, Workers' Compensation insurance as required by statute; Employer's Liability of \$250,000; Automobile Liability insurance of \$1,000,000 combined single limit for bodily injury and property damage covering all vehicles, including hired vehicles, owned and non-owned vehicles; Commercial General Liability insurance of \$1,000,000 combined single limit for personal injury and property damage; and Professional Liability insurance of \$3,000,000 per claim for protection against claims arising out of the performance of services under this Agreement caused by negligent acts, errors, or omissions for which ENGINEER is legally liable. OWNER shall be made an additional insured on Commercial General and Automobile Liability insurance policies and certificates of insurance will be furnished to the OWNER. ENGINEER agrees to indemnify OWNER for claims to the extent caused by ENGINEER's negligent acts, errors or omissions. However, neither Party to this Agreement shall be liable to the other Party for any special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to the Project or the Agreement from any cause or causes, including but not limited to any such damages caused by the negligence, errors or omissions, strict liability or breach of contract.

3. OPINIONS OF PROBABLE COST (COST ESTIMATES)

Any opinions of probable project cost or probable construction cost provided by ENGINEER are made on the basis of information available to ENGINEER and on the basis of ENGINEER's experience and qualifications, and represents its judgment as an experienced and qualified professional engineer. However, since ENGINEER has no control over the cost of labor, materials, equipment or services furnished by others, or over the contractor(s)' methods of determining prices, or over competitive bidding or market conditions, ENGINEER does not guarantee that proposals, bids or actual project or construction cost will not vary from opinions of probable cost ENGINEER prepares.

4. CONSTRUCTION PROCEDURES

ENGINEER's observation or monitoring portions of the work performed under construction contracts shall not relieve the contractor from its responsibility for performing work in accordance with applicable contract documents. ENGINEER shall not control or have charge of, and shall not be responsible for, construction means, methods, techniques, sequences, procedures of construction, health or safety programs or precautions connected with the work and shall not manage, supervise, control or have charge of construction. ENGINEER shall not be responsible for the acts or omissions of the contractor or other parties on the project. ENGINEER shall be entitled to review all construction contract documents and to require that no provisions extend the duties or liabilities of ENGINEER beyond those set forth in this Agreement.

5. CONTROLLING LAW

This Agreement is to be governed by the state of NC. Jurisdiction and Venue shall lie with the courts of Catawba County, NC.

6. SERVICES AND INFORMATION

OWNER will provide all criteria and information pertaining to OWNER's requirements for the project, including design objectives and constraints, space, capacity and performance requirements, flexibility and expandability, and any budgetary limitations. OWNER will also provide copies of any OWNER-furnished Standard Details, Standard Specifications, or Standard Bidding Documents which are to be incorporated into the project.

In performing professional engineering and related services hereunder, it is understood by OWNER that ENGINEER is not engaged in rendering any type of legal, insurance or accounting services, opinions or advice. Further, it is the OWNER's sole responsibility to obtain the advice of an attorney, insurance counselor or accountant to protect the OWNER's legal and financial interests. To that end, the OWNER agrees that OWNER or the OWNER's representative will examine all studies, reports, sketches, drawings, specifications, proposals and other documents, opinions or advice prepared or provided by ENGINEER, and will obtain the advice of an attorney, insurance counselor or other consultant as the OWNER deems necessary to protect the OWNER's interests before OWNER takes action or forebears to take action based upon or relying upon the services provided by ENGINEER.

7. SUCCESSORS AND ASSIGNS

OWNER and ENGINEER, respectively, bind themselves, their partners, successors, assigns, and legal representatives to the covenants of this Agreement. Neither OWNER nor ENGINEER will assign, sublet, or transfer any interest in this Agreement or claims arising therefrom without the written consent of the other.

8. RE-USE OF DOCUMENTS

Upon payment of all amounts rightfully owed by Owner to the Engineer for services rendered with respect to the Services provided under this Agreement, all plans, drawings, specifications, elements of design, models, reports, submissions, mock-ups and other documents and materials that are produced by the Engineer as part of its performance of such Services hereunder (hereinafter the "Design Documents"), with the exception of those documents that constitute standard details, specifications, and/or other data and/or materials that are regularly used by the Engineer and/or the professional design industry in the normal course of business, shall be deemed to be the property of Owner. Any reuse or modification of such documents for purposes other than those intended by the Engineer shall be at the Owner's sole risk and without liability to the Engineer.

9. TERMINATION OF AGREEMENT

OWNER or ENGINEER may terminate the Agreement, in whole or in part, by giving ten (10) days written notice to the other party. Where the method of payment is "lump sum," or cost reimbursement, the final invoice will include all services and expenses associated with the project up to the effective date of termination. An equitable adjustment shall also be made to provide for termination settlement costs ENGINEER incurs as a result of commitments that had become firm before termination.

10. SEVERABILITY

If any provision of this agreement is held invalid or unenforceable, the remaining provisions shall be valid and binding upon the parties. One or more waivers by either party of any provision, term or condition shall not be construed by the other party as a waiver of any subsequent breach of the same provision, term or condition.

11. INVOICES

ENGINEER will submit monthly invoices for services rendered and OWNER will make payments within 30 days in response to ENGINEER's invoices.

ENGINEER will retain receipts for reimbursable expenses in general accordance with Internal Revenue Service rules pertaining to the support of expenditures for income tax purposes. Receipts will be available for inspection by OWNER's auditors upon request.

If OWNER disputes any items in ENGINEER's Invoice for any reason, including the lack of supporting documentation, OWNER may temporarily delete the disputed item and pay the remaining amount of the invoice. OWNER will promptly notify ENGINEER of the dispute and request clarification and/or correction. After any dispute has been settled, ENGINEER will include the disputed item on a subsequent, regularly scheduled invoice, or on a special invoice for the disputed item only.

OWNER recognizes that late payment of invoices results in extra expenses for ENGINEER. ENGINEER retains the right to assess OWNER interest at the rate of one percent (1%) per month, but not to exceed the maximum rate allowed by law, on invoices which are not paid within thirty (30) days from the date of receipt by OWNER. In the event undisputed portions of ENGINEER's invoices are not paid when due, ENGINEER also reserves the right, after ten (10) days prior written notice, to suspend the performance of its services under this Agreement until all past due amounts have been paid in full.

12. CHANGES

The parties agree that no change or modification to this Agreement, or any attachments hereto, shall have any force or effect unless the change is reduced to writing, dated, and made part of this Agreement. The execution of the change shall be authorized and signed in the same manner as this Agreement. Adjustments in the period of services and in compensation shall be in accordance with applicable paragraphs and sections of this Agreement. Any proposed fees by ENGINEER are estimates to perform the services required to complete the project as ENGINEER understands it to be defined. For those projects involving conceptual or process development services, activities often are not fully definable in the initial planning. In any event, as the project progresses, the facts developed may dictate a change in the services to be performed, which may alter the scope. ENGINEER will inform OWNER of such situations so that changes in scope and adjustments to the time of performance and compensation can be made as required. If such change, additional services, or suspension of services results in an increase or decrease in the cost of or time required for performance of the services, an equitable adjustment may be made, and the Agreement modified accordingly.

13. CONTROLLING AGREEMENT

These Terms and Conditions shall take precedence over any inconsistent or contradictory provisions contained in any proposal, contract, purchase order, requisition, notice-to-proceed, or like document.

14. EQUAL EMPLOYMENT AND NONDISCRIMINATION

In connection with the services under this Agreement, ENGINEER agrees to comply with the applicable provisions of federal and state Equal Employment Opportunity for individuals based on color, religion, sex, or national origin, or disabled veteran, recently separated veteran, other protected veteran and armed forces service medal veteran status, disabilities under provisions of executive order 11246, and other employment, statutes and regulations, as stated in Title 41 Part 60 of the Code of Federal Regulations § 60-1.4 (a-f), § 60-300.5 (a-e), § 60-741 (a-e).

ENGINEER shall comply with NC's e-verify program.

15. HAZARDOUS MATERIALS

OWNER represents to ENGINEER that, to the best of its knowledge, no hazardous materials are present at the project site. However, in the event hazardous materials are known to be present, OWNER represents that to the best of its knowledge it has disclosed to ENGINEER the existence of all such hazardous materials, including but not limited to asbestos, PCB's, petroleum, hazardous waste, or radioactive material located at or near the project site, including type, quantity and location of such hazardous materials. It is acknowledged by both parties that ENGINEER's scope of services do not include services related in any way to hazardous materials. In the event ENGINEER or any other party encounters undisclosed hazardous materials, ENGINEER shall have the obligation to notify OWNER and, to the extent required by law or regulation, the appropriate governmental officials, and ENGINEER may, at its option and without liability for delay, consequential or any other damages to OWNER, suspend performance of services on that portion of the project affected by hazardous materials until OWNER: (i) retains appropriate specialist consultant(s) or contractor(s) to identify and, as appropriate, abate, remediate, or remove the hazardous materials; and (ii) warrants that the project site is in full compliance with all applicable laws and regulations. OWNER acknowledges that ENGINEER is performing professional services for OWNER and that ENGINEER is not and shall not be required to become an "arranger," "operator," "generator," or "transporter" of hazardous materials, as defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1990 (CERCLA), which are or may be encountered at or near the project site in connection with ENGINEER's services under this Agreement. If ENGINEER's services hereunder cannot be performed because of the existence of hazardous materials, ENGINEER shall be entitled to terminate this Agreement for cause on 30 days written notice. To the fullest extent permitted by law, OWNER shall indemnify and hold harmless ENGINEER, its officers, directors, partners, employees, and sub-consultants from and against all costs, losses, and damages (including but not limited to all fees and charges of engineers, architects, attorneys, and other professionals, and all court or arbitration or other dispute resolution costs) caused by, arising out of or resulting from hazardous materials, provided that (i) any such cost, loss, or damage is attributable to bodily injury, sickness, disease, or death, or injury to or destruction of tangible property (other than completed Work), including the loss of use resulting therefrom, and (ii) nothing in this paragraph shall obligate OWNER to indemnify any individual or entity from and against the consequences of that individual's or entity's sole negligence or willful misconduct.

16. EXECUTION

This Agreement, including the exhibits and schedules made part hereof, constitute the entire Agreement between ENGINEER and OWNER, supersedes and controls over all prior written or oral understandings. This Agreement may be amended,

supplemented or modified only by a written instrument duly executed by the parties.

17. ALLOCATION OF RISK

OWNER and ENGINEER have evaluated the risks and rewards associated with this project, including ENGINEER'S fee relative to the risks assumed, and agree to allocate certain of the risks, so, to the fullest extent permitted by law, the total aggregate liability of Engineer (and its related corporations, sub-consultants, and employees) to OWNER and third parties granted reliance is limited to the fee, for any and all injuries, damages, claims, losses, or expenses (including attorney and expert fees) arising out of ENGINEER's services or this Agreement regardless of cause(s) or the theory of liability, including negligence, indemnity, or other recovery. This limitation shall not apply to the extent the damage is paid under Engineer's commercial general liability insurance policy.

18. LITIGATION SUPPORT

In the event ENGINEER is required to respond to a subpoena, government inquiry or other legal process related to the services in connection with a legal or dispute resolution proceeding to which ENGINEER is not a party or negligent in the performance of services rendered, OWNER shall reimburse ENGINEER for reasonable costs in responding and compensate ENGINEER at its then standard rates for reasonable time incurred in gathering information and documents and attending depositions, hearings, and trial.

19. UTILITY LOCATION

If underground sampling/testing is to be performed, a local utility locating service shall be contacted to make arrangements for all utilities to determine the location of underground utilities. In addition, OWNER shall notify ENGINEER of the presence and location of any underground utilities located on the OWNER's property which are not the responsibility of private/public utilities. ENGINEER shall take reasonable precautions to avoid damaging underground utilities that are properly marked.

20. PROFESSIONAL LICENSURE

All work shall be sealed by a properly licensed design professional in North Carolina doing business in the state of North Carolina. These shall include but not be limited to: Engineer, Landscape Architect, Surveyor, Architect, Geologist, etc.

21. IRAN DIVESTMENT ACT

By executing this Agreement/Contract, Contractor hereby certifies that Contractor is not listed on the Iran Final Divestment List ("List") created by the State Treasurer pursuant to N.C.G.S. 147-86.58, Iran Divestment Act ("Act"). In compliance with the Act's requirement and N.C.G.S. § 147-86.59, Contractor shall not utilize in the performance of this agreement/contract any subcontractor that is identified on the List. The List can be found on the State Treasurer's website at the address www.nctreasurer.com/iran and should be updated at least every 180 days.

E-VERIFY ADDENDUM

ENGINEER

Grantee hereby acknowledges that "E-Verify" is the federal E-Verify program operated by the US Department of Homeland Security and other federal agencies which is used to verify the work authorization of newly hired employees pursuant to federal law and in accordance with Article 2, Chapter 64 of the North Carolina General Statutes. Grantee further acknowledges that all employers, as defined by Article 2, Chapter 64 of the North Carolina General Statutes, must use E-Verify and after hiring an employee to work in the United States, shall verify the work authorization of the employee through E-Verify in accordance with NCGS §64-26(a). Grantee hereby pledges, attests and warrants through execution of this Agreement that Contractor complies with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes and further pledges, attests and warrants that any subcontractors currently employed by or subsequently hired by Grantee shall comply with any and all E-Verify requirements. Failure to comply with the above requirements shall be considered a breach of this Agreement.

BUDGET REVISION # 16

BE IT ORDAINED by the Governing Board of the City of Hickory that, pursuant to N.C. General Statutes 159.15 and 159.13.2, the following revision be made to the annual budget ordinance for the fiscal year ending June 30, 2021 and for the duration of the Projects noted herein.

SECTION 1. To amend the General Fund within the FY 2020-21 Budget Ordinance, the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Public Safety	735,750	
Culture and Recreation	489,376	
Other Financing Uses	27,425	
TOTAL	1,252,551	-

To provide funding for the above, the General Fund revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous Revenues	15,750	
Other Financing Sources	3,725,348	2,488,547
TOTAL	3,741,098	2,488,547

SECTION 2. To amend the *Trivium East Capital Project Ordinance* (#B1B004), the expenditures shall be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	54,850	
TOTAL	54,850	-

To provide funding for the above, the Project revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Intergovernmental Revenues	27,425	
Other Financing Sources	27,425	
TOTAL	54,850	-

SECTION 3. To amend the *Project Enzyme Roadway Infrastructure Capital Project Ordinance* (#B1B003), the expenditures shall be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	240,000	
TOTAL	240,000	-

To provide funding for the above, the Project revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Intergovernmental Revenues	240,000	
TOTAL	240,000	-

SECTION 4. To amend the *Lackey Park Capital Project Ordinance* (#620007), the expenditures shall be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	2,950,500	
TOTAL	2,950,500	-

To provide funding for the above, the Project revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	2,950,500	
TOTAL	2,950,500	-

SECTION 5. To amend the *Ridgeview Library Expansion Capital Project Ordinance (#630001)*, the expenditures shall be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	281,607	
TOTAL	281,607	-

To provide funding for the above, the Project revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	281,607	
TOTAL	281,607	-

SECTION 6. To amend the *ARC Grant - 9th Ave Dr NW Capital Project Ordinance (#546016)*, the expenditures shall be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	1,300,000	
TOTAL	1,300,000	-

To provide funding for the above, the Project revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	1,300,000	
TOTAL	1,300,000	-

SECTION 7. Copies of the budget revision shall be furnished to the Clerk of the Governing Board, and to the City Manager (Budget Officer) and the Finance Officer for their direction.

Adopted this ____ day of _____, 2021

Mayor

Clerk

COUNCIL AGENDA MEMOS

To: City Manager's Office
From: John Marshall, Transportation Planning Manager
Contact Person: John Marshall, Transportation Planning Manager
Date: March 2, 2021
Re: 9th Street NW - EB-5977 Change Order #1

REQUEST

Staff requests Council approval and acceptance of Change Order #1 to the Agreement for Professional Services with Vaughn & Melton Consulting Engineers, Inc. for survey services including right-of-way staking and services related to right-of-way acquisition for EB-5977 in the amount of \$19,878.03, contingent upon NCDOT concurrence.

BACKGROUND

The City of Hickory Bond Commission and City Council approved a group of projects that were voted on by the citizens of Hickory to complete with a \$40 Million Bond Referendum. These projects are intended to identify Hickory as a prospering and vibrant City to enjoy, do business in and hopefully move to. The 9th Street NW Multi-Use Trail Project is one of the projects envisioned in the Bond Referendum and is intended to provide improved connectivity from City Walk to the Old Lenoir Road Multi-Use Trail.

ANALYSIS

The 9th Street NW Multi-Use Trail project is an element of the Bond Referendum that was to be added in the future as a continued development of the multi-use path around the City that connected all parts of the City for citizens and visitor's enjoyment. This project has received federal funding at 80/20 ratio, federal and City respectively.

Change Order #1 for 9th Street NW Multi-Use Trail identifies services that include survey work along the project corridor to stake easements and existing right-of-way, and services that include right-of-way acquisition along the corridor.

City of Hickory portion of fees will be funded by Bond proceeds.

RECOMMENDATION

Staff recommends Council approval and acceptance of Change Order #1 to the Agreement for Professional Services with Vaughn & Melton Consulting Engineers, Inc. for survey services and right-of-way acquisition services related to EB-5977 in the amount of \$19,878.03, contingent upon NCDOT concurrence.

BUDGET ANALYSIS:

Budgetary Action

Is a Budget Amendment required?

Yes

No

LIST THE EXPENDITURE CODE:

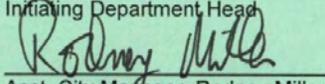
B10002

061-7510-577.21-04

Reviewed by:

John Marshall

Initiating Department Head



Asst. City Manager, Rodney Miller

02-18-21

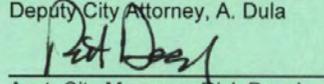
Date

2-22-21

Date

Deputy City Attorney, A. Dula

Date



Asst. City Manager, Rick Beasley

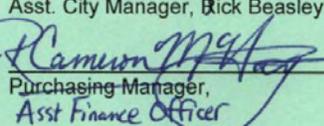
2/22/21

Date

Finance Officer, Melissa Miller

Date

Date

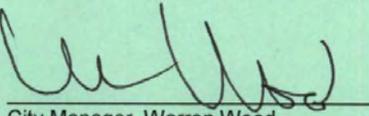


Purchasing Manager,
Asst Finance Officer

2-22-21

Date

Recommended for approval and placement on _____ Council agenda (as Consent, Public Hearing, Informational, Department Report, etc).



City Manager, Warren Wood

2-25-21

Date

Date of Issuance: February 16, 2021
 Owner: City of Hickory
 Consultant: Vaughn & Melton Consulting Engineers, Inc.

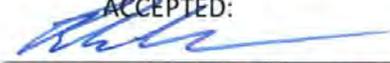
Consultant's Project No: 31930-20
 Contract Name: 9th Street NW
 Project: EB-5977

The Contract is modified as follows upon execution of this Change Order:

Description: Right of Way Acquisition and Right of Way Staking

Attachments: *Contract Amendment 1*

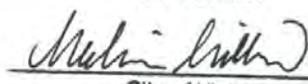
CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ 224,346.97	Original Contract Times: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: \$ 0	[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: Substantial Completion: _____ Ready for Final Payment: _____ days
Contract Price prior to this Change Order: \$ 224,346.97	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Increase of this Change Order: \$ 19,878.03	[Increase] [Decrease] of this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Contract Price incorporating this Change Order: \$ 244,225.00	Contract Times with all approved Change Orders: Substantial Completion: _____ Ready for Final Payment: _____ days or dates

ACCEPTED:	ACCEPTED:
By: _____	By: 
Owner (Authorized Signature)	Consultant (Authorized Signature)
Title _____	Title <u>Regional Vice President</u>
Date _____	Date <u>2/16/21</u>

Approved by Funding Agency (if applicable)

By: _____ Date: _____
 Title: _____

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.


 City of Hickory
 Finance Officer

**AMENDMENT NUMBER 1 TO THE AGREEMENT BETWEEN CITY OF HICKORY
AND VAUGHN & MELTON CONSULTING ENGINEERS, INC.**

This is Amendment number 1 dated _____ to the agreement between City of Hickory (“Client”) and Vaughn & Melton Consulting Engineers, Inc. (“Consultant”) dated 1/17/2020 (“the Agreement”) concerning EB-5977 9th Street NW Streetscapes project.

The Consultant has entered into the Agreement with Client for the furnishing of professional services, and the parties now desire to amend the Agreement.

The Agreement is amended to include services to be performed by Consultant for compensation as set forth below in accordance with the terms of the Agreement, which are incorporated by reference.

Consultant (or their subconsultant) will perform the following services:

- **Right of Way Staking**

- Project Description: Job is English, and type of work is Conventional Survey – Right-of-Way and Easement Staking
- V&M’s due date **5 weeks from notice to proceed**
- Travel is 162 miles and 3-hour roundtrip from V&M’s Asheville location.
- V&M will not recontact property owners along the project.
- V&M will stake points that require rebar to be set, call 811 to clear the point, then return to set the point after 811 clearance.
- ROW & Permanent Easement Points to be set = 270
- Temporary Easement Points to be set = 171
- Vaughn & Melton will perform the staking of Right-of-Way and Easement Points as follows:
- Set Iron Pin & Caps with 4’ white top stakes as witness posts for Right-of-Way
- Use White flagging on ROW Points.
 - Set Iron Pin & Caps on all Permanent Easement Points including PDEs and PUEs.
 - Use 4’ white top stakes as witness posts on all Permanent Easement Points.
 - Use Blue flagging on PDEs
 - Use Yellow flagging on TCEs and use 8” spike nails with a 4’ white top stake.
 - Use Orange flagging on all Utility Easement Points.
- V&M to provide 187 Permanent Easement Caps and 17 Right-of Way Caps and 463 4’ wood stakes.
- Items to be totaled in Misc. Survey Supplies;
 - 17 ROW Caps
 - P-Easement caps

- 5 8" common spikes
 - 26 Wood stakes
 - 21 #5x30" Rebar
 - Revisions will be staked under this contract up to 10 points.
 - V&M will comply with NCDOT safety procedures regarding signage and safety apparel
 - V&M will update existing FS, GPK files, points list, design file as staked, 1c & ROW Sheets and Attestation sheets
- **Right of Way Acquisition**

V&M will provide Right of Way acquisition and consultation services to include:

- ROW Negotiations for up to 3 parcels
- Narrative Appraisals for up to 1 parcel will be provided by a sub-consultant to V&M
- Title Opinion and Closings for up to 1 parcel

All Right of Way acquisition services will be in accordance with G.S. 136-28.1 of the General Statutes of North Carolina, as amended, and in accordance with the requirements set forth in the North Carolina Department of Transportation's Right of Way Manual, the North Carolina Department of Transportation's Rules and Regulations for the Use of Right of Way Consultants, the Federal Code of Regulations, and Chapter 133 of the general Statutes of North Carolina from Section 133-5 through 133-18, hereby incorporated by reference, including the Uniform Relocation Assistance Act Amendments of 1989.

Negotiating

Negotiations on each parcel shall be based upon appraisals provided by V&M's certified appraiser and that have been approved by the North Carolina Department of Transportation (THE DEPARTMENT) and upon approved right of way plans as provided to V&M. V&M shall make a detailed study of the Old Lenoir Road design plans, including a field study for items such as property lines, improvements, out-conveyances, etc., to assure correctness of the said plans and shall further compare the property in relation to the approved plans and the approved appraisal after which necessary documents are to be prepared by V&M in the proper form as set forth in THE DEPARTMENT's Right of Way Manual. All negotiations will be in compliance with THE DEPARTMENT's Right of Way Manual and/or special instructions from the City.

V&M shall make an initial contact (pre-appraisal contact) with each property owner, and/or their representative as may be required, for the purpose of:

- (1) Establishing rapport with owners to provide a conducive atmosphere for negotiations.
- (2) Providing the owner with information about the project and its effect upon their property.
- (3) Delivering to the owner, a copy of THE DEPARTMENT'S "Right of Way Brochure" advising them of their legal rights.
- (4) Verifying property and improvement information shown on the plans and its ownership for appraisal and title purposes.

V&M shall provide information for title investigations on each individual claim in accordance with THE DEPARTMENT'S Right of Way Manual. V&M shall secure and provide a Preliminary Certificates of Title on individual claims in accordance with the title procedures in THE DEPARTMENT'S Right of Way Manual along with a current Certificate of Title for each parcel as of the date of closing or the date of filing of condemnation.

ALL COSTS ASSOCIATED WITH SECURING THE PRELIMINARY CERTIFICATES OF TITLE AND CLOSING OF THE CLAIMS SHALL BE BOURNE BY THE VAUGHN & MELTON.

V&M shall request or provide appraisals containing the necessary and required information regarding the property and its ownership as affected by the project.

V&M shall provide the necessary information for the preparation of all deeds, agreements, and instruments of conveyance necessary to acquire the appropriate right of way.

V&M shall make offers based on the approved appraisals to the owner(s) of each property for the proposed right of way and advise said owners of applicable relocation benefits entitlements. V&M will conduct follow-up negotiations as may be appropriate and necessary. V&M will prepare negotiation reports and documentation. V&M will coordinate the retention of improvements with applicable owners.

Where settlements have been reached with owners, V&M shall submit final reports, on each property claim containing the instruments of conveyance, requests for payment, and the required documentation, to the City for processing and issuance of a check for payment.

If negotiations are unsuccessful, V&M shall submit a request for condemnation on each involved parcel, with appropriate documentation, for processing and the initiation of litigation through condemnation on said claim.

V&M shall provide, at least, a weekly status updates of projects/parcels, negotiation and improvement disposition.

Closing

On all settled claims, V&M shall use their Abstracting Attorney to close claims when applicable. Closing of each claim will involve the updating of title information to date, the recordation of the instruments of conveyance, with appropriate documentary stamps attached, in the Register of Deeds Office in the County where the project is located; delivery of the check for the purchase of right of way to owner by Parcel Post, return receipt requested, or by personal delivery with signed acknowledgement of acceptance; notification of tax proration for the part taken; and submittal of closing package including the above documents to the City. When using the Firm's Contracted Abstracting Attorney to close claim, V&M shall submit instruments of conveyance and check with closing instructions to the Abstracting Attorney to close and submit to the City closing package after closure.

V&M shall assist the City in those closings where no Abstracting Attorney has been retained.

Relocation

No relocations are anticipated.

Any additional items not specifically mentioned in the list above or in the original scope of services are not included and will be considered Additional Services.

For the services set forth above, Client shall pay Consultant the following compensation:

Right of Way Staking – Lump sum fee of Six Thousand Five Hundred Seventy-Eight Dollars and Three Cents (\$6,578.03).

Right of Way Acquisition – Cost Plus with a maximum fee of Thirteen Thousand Three Hundred Dollars and No Cents (\$13,300.00).

Total Amendment Fees not to exceed Nineteen Thousand Eight Hundred Seventy-Eight Dollars and Three Cents (\$19,878.03).

CLIENT:

CITY OF HICKORY

By: _____

Title: _____

Date: _____

CONSULTANT:

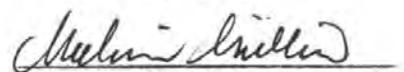
VAUGHN & MELTON CONSULTING ENGINEERS, INC.

By: 

Title: Regional Vice President

Date: 2/16/21

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.


City of Hickory
Finance Officer

E-VERIFY ADDENDUM
CONSULTANTS

Consultant hereby acknowledges that "E-Verify" is the federal E-Verify program operated by the US Department of Homeland Security and other federal agencies which is used to verify the work authorization of newly hired employees pursuant to federal law and in accordance with Article 2, Chapter 64 of the North Carolina General Statutes. Consultant further acknowledges that all employers, as defined by Article 2, Chapter 64 of the North Carolina General Statutes, must use E-Verify and after hiring an employee to work in the United States, shall verify the work authorization of the employee through E-Verify in accordance with NCGS §64-26(a). Consultant hereby pledges, attests and warrants through execution of this Agreement that Consultant complies with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes and further pledges, attests and warrants that any subconsultants currently employed by or subsequently hired by Consultant shall comply with any and all E-Verify requirements. Failure to comply with the above requirements shall be considered a breach of this Agreement.

COUNCIL AGENDA MEMOS

To: City Manager's Office
From: John Marshall, Transportation Planning Manager
Contact Person: John Marshall, Transportation Planning Manager
Date: March 2, 2021
Re: Old Lenoir Road Multi-Use Trail Project - EB-5911 Change Order #1

REQUEST

Staff requests Council approval and acceptance of Change Order #1 to the Agreement for Professional Services with Vaughn & Melton Consulting Engineers, Inc. for survey services including right-of-way staking and services related to right-of-way acquisition for EB-5911 in the amount of \$348,009.79, contingent upon NCDOT concurrence.

BACKGROUND

The City of Hickory Bond Commission and City Council approved a group of projects that were voted on by the citizens of Hickory to complete with a \$40 Million Bond Referendum. These projects are intended to identify Hickory as a prospering and vibrant City to enjoy, do business in and hopefully move to. The Old Lenoir Road Multi-Use Trail Project is one of the projects envisioned in the Bond Referendum and is intended to provide improved connectivity from City Walk to Riverwalk and Aviation Walk.

ANALYSIS

The Old Lenoir Road Multi-Use Trail project is an element of the Bond Referendum that was to be added in the future as a continued development of the multi-use path around the City that connected all parts of the City for citizens and visitor's enjoyment. This project has received federal funding at 80/20 ratio, federal and City respectively.

Change Order #1 for Old Lenoir Road Multi-Use Trail identifies services that include survey work along the project corridor to stake easements and existing right-of-way, and services that include right-of-way acquisition along the corridor.

City of Hickory portion of fees will be funded by Bond proceeds.

RECOMMENDATION

Staff recommends Council approval and acceptance of Change Order #1 to the Agreement for Professional Services with Vaughn & Melton Consulting Engineers, Inc. for survey services and right-of-way acquisition services related to EB-5911 in the amount of \$348,009.79, contingent upon NCDOT concurrence.

Change Order No. 1

Date of Issuance: February 16, 2021
 Owner: City of Hickory
 Consultant: Vaughn & Melton Consulting Engineers, Inc.

Consultant's Project No.: 31930-20
 Contract Name: Old Lenoir Rd.
 Project: EB-5911

The Contract is modified as follows upon execution of this Change Order:

Description: Right of Way Acquisition and Right of Way Staking

Attachments: Contract Amendment 1

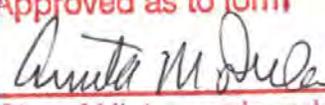
CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ 877,064.35	Original Contract Times: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: \$ 0	[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: Substantial Completion: _____ Ready for Final Payment: _____ days
Contract Price prior to this Change Order: \$ 877,064.35	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Increase of this Change Order: \$ 348,009.79	[Increase] [Decrease] of this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Contract Price incorporating this Change Order: \$ 1,225,074.10	Contract Times with all approved Change Orders: Substantial Completion: _____ Ready for Final Payment: _____ days or dates

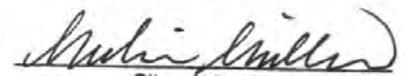
ACCEPTED:	ACCEPTED:
By: _____	By: 
Owner (Authorized Signature)	Consultant (Authorized Signature)
Title _____	Title <u>Regional Vice President</u>
Date _____	Date <u>2/16/21</u>

Approved by Funding Agency (if applicable)

By: _____ Date: _____
 Title: _____

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

Approved as to form

 City of Hickory - Legal Dept.


 City of Hickory
 Finance Officer

**AMENDMENT NUMBER 1 TO THE AGREEMENT BETWEEN CITY OF HICKORY
AND VAUGHN & MELTON CONSULTING ENGINEERS, INC.**

This is Amendment number 1 dated _____ to the agreement between City of Hickory (“Client”) and Vaughn & Melton Consulting Engineers, Inc. (“Consultant”) dated 1/17/2020 (“the Agreement”) concerning EB-5911 Old Lenoir Road Multi-Use Trail project.

The Consultant has entered into the Agreement with Client for the furnishing of professional services, and the parties now desire to amend the Agreement.

The Agreement is amended to include services to be performed by Consultant for compensation as set forth below in accordance with the terms of the Agreement, which are incorporated by reference.

Consultant (or their subconsultant) will perform the following services:

- **Right of Way Staking**
 - Project Description: Job is English, and type of work is Conventional Survey – Right-of-Way and Easement Staking
 - V&M’s due date **5 weeks from notice to proceed**
 - Travel is 162 miles and 3-hour roundtrip from V&M’s Asheville location.
 - V&M will not recontact property owners along the project.
 - V&M will stake points that require rebar to be set, call 811 to clear the point, then return to set the point after 811 clearance.
 - ROW & Permanent Easement Points to be set = 270
 - Temporary Easement Points to be set = 177
 - Vaughn & Melton will perform the staking of Right-of-Way and Easement Points as follows:
 - Set Iron Pin & Caps with 4’ white top stakes as witness posts for Right-of-Way
 - Use White flagging on ROW Points.
 - Set Iron Pin & Caps on all Permanent Easement Points including PDEs and PUEs.
 - Use 4’ white top stakes as witness posts on all Permanent Easement Points.
 - Use Blue flagging on PDEs
 - Use Yellow flagging on TCEs and use 8” spike nails with a 4’ white top stake.
 - Use Orange flagging on all Utility Easement Points.
 - V&M to provide 4 Permanent Easement Caps and 77 Right-of Way Caps and 463 4’ wood stakes.
 - Items to be totaled in Misc. Survey Supplies;
 - 94 ROW Caps
 - 183 P-Easement caps

- 177 8" common spikes
 - 4337 Wood stakes
 - 260 #5x30" Rebar
 - Revisions will be staked under this contract up to 10 points.
 - V&M will comply with NCDOT safety procedures regarding signage and safety apparel
 - V&M will update existing FS, GPK files, points list, design file as staked, 1c & ROW Sheets and Attestation sheets
- **Right of Way Acquisition**
V&M will provide Right of Way acquisition and consultation services to include:
 - ROW Negotiations for up to 61 parcels
 - Narrative Appraisals for up to 20 parcels will be provided by a sub-consultant to V&M
 - 11 Sign/Personal Property Relocation services
 - Title Opinions and Closings for up to 20 parcels

All Right of Way acquisition services will be in accordance with G.S. 136-28.1 of the General Statutes of North Carolina, as amended, and in accordance with the requirements set forth in the North Carolina Department of Transportation's Right of Way Manual, the North Carolina Department of Transportation's Rules and Regulations for the Use of Right of Way Consultants, the Federal Code of Regulations, and Chapter 133 of the general Statutes of North Carolina from Section 133-5 through 133-18, hereby incorporated by reference, including the Uniform Relocation Assistance Act Amendments of 1989.

Negotiating

Negotiations on each parcel shall be based upon appraisals provided by V&M's certified appraiser and that have been approved by the North Carolina Department of Transportation (THE DEPARTMENT) and upon approved right of way plans as provided to V&M. V&M shall make a detailed study of the Old Lenoir Road design plans, including a field study for items such as property lines, improvements, out-conveyances, etc., to assure correctness of the said plans and shall further compare the property in relation to the approved plans and the approved appraisal after which necessary documents are to be prepared by V&M in the proper form as set forth in THE DEPARTMENT's Right of Way Manual. All negotiations will be in compliance with THE DEPARTMENT's Right of Way Manual and/or special instructions from the City.

V&M shall make an initial contact (pre-appraisal contact) with each property owner, and/or their representative as may be required, for the purpose of:

- (1) Establishing rapport with owners to provide a conducive atmosphere for negotiations.
- (2) Providing the owner with information about the project and its effect upon their property.

- (3) Delivering to the owner, a copy of THE DEPARTMENT'S "Right of Way Brochure" advising them of their legal rights.
- (4) Verifying property and improvement information shown on the plans and its ownership for appraisal and title purposes.

V&M shall provide information for title investigations on each individual claim in accordance with THE DEPARTMENT'S Right of Way Manual. V&M shall secure and provide a Preliminary Certificate of Title on individual claims in accordance with the title procedures in THE DEPARTMENT'S Right of Way Manual along with a current Certificate of Title for each parcel as of the date of closing or the date of filing of condemnation.

ALL COSTS ASSOCIATED WITH SECURING THE PRELIMINARY CERTIFICATES OF TITLE AND CLOSING OF THE CLAIMS SHALL BE BOURNE BY THE VAUGHN & MELTON.

V&M shall request or provide appraisals containing the necessary and required information regarding the property and its ownership as affected by the project.

V&M shall provide the necessary information for the preparation of all deeds, agreements and instruments of conveyance necessary to acquire the appropriate right of way.

V&M shall make offers based on the approved appraisals to the owner(s) of each property for the proposed right of way and advise said owners of applicable relocation benefits entitlements. V&M will conduct follow-up negotiations as may be appropriate and necessary. V&M will prepare negotiation reports and documentation. V&M will coordinate the retention of improvements with applicable owners.

Where settlements have been reached with owners, V&M shall submit final reports, on each property claim containing the instruments of conveyance, requests for payment, and the required documentation, to the City for processing and issuance of a check for payment.

If negotiations are unsuccessful, V&M shall submit a request for condemnation on each involved parcel, with appropriate documentation, for processing and the initiation of litigation through condemnation on said claim.

V&M shall provide, at least, a weekly status updates of projects/parcels, negotiation and improvement disposition.

Closing

On all settled claims, V&M shall use their Abstracting Attorney to close claims when applicable. Closing of each claim will involve the updating of title information to date, the recordation of the instruments of conveyance, with appropriate documentary stamps

attached, in the Register of Deeds Office in the County where the project is located; delivery of the check for the purchase of right of way to owner by Parcel Post, return receipt requested, or by personal delivery with signed acknowledgement of acceptance; notification of tax proration for the part taken; and submittal of closing package including the above documents to the City. When using the Firm's Contracted Abstracting Attorney to close claim, V&M shall submit instruments of conveyance and check with closing instructions to the Abstracting Attorney to close and submit to the City closing package after closure.

V&M shall assist the City in those closings where no Abstracting Attorney has been retained.

Relocation

No relocations are anticipated.

Any additional items not specifically mentioned in the list above or in the original scope of services are not included and will be considered Additional Services.

For the services set forth above, Client shall pay Consultant the following compensation:

Right of Way Staking – Lump sum fee of Sixty-Two Thousand Five Hundred Nine Dollars and Seventy-Nine Cents (\$62,509.79).

Right of Way Acquisition – Cost Plus with a maximum fee of Two Hundred Eighty-Five Thousand Five Hundred Dollars and No Cents (\$285,500.00).

Total Amendment Fees not to exceed Three Hundred Forty-Eight Thousand Nine Dollars and Seventy-Nine Cents (\$348,009.79).

CLIENT:

CITY OF HICKORY

By: _____

Title: _____

Date: _____

CONSULTANT:

VAUGHN & MELTON CONSULTING ENGINEERS, INC.

By:  _____

Title: Regional Vice President

Date: 2/16/21

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.


City of Hickory
Finance Officer

E-VERIFY ADDENDUM
CONSULTANTS

Consultant hereby acknowledges that "E-Verify" is the federal E-Verify program operated by the US Department of Homeland Security and other federal agencies which is used to verify the work authorization of newly hired employees pursuant to federal law and in accordance with Article 2, Chapter 64 of the North Carolina General Statutes. Consultant further acknowledges that all employers, as defined by Article 2, Chapter 64 of the North Carolina General Statutes, must use E-Verify and after hiring an employee to work in the United States, shall verify the work authorization of the employee through E-Verify in accordance with NCGS §64-26(a). Consultant hereby pledges, attests and warrants through execution of this Agreement that Consultant complies with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes and further pledges, attests and warrants that any subconsultants currently employed by or subsequently hired by Consultant shall comply with any and all E-Verify requirements. Failure to comply with the above requirements shall be considered a breach of this Agreement.