A G E N D A

HICKORY CITY COUNCIL

November 3, 2026

HICKORY
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Life. Well Crafted.

6:00 p.m.

HICKORY
North Carolina
Life. Well Crafted.

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

November 3, 2026
6:00 p.m.

I. Call to Order

II. Invocation

III. Pledge of Allegiance

IV. Special Presentations

V. Persons Requesting to Be Heard

VI. Approval of Minutes

A. Regular Meeting of October 20, 2026. **(Exhibit VI.A.)**

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 7. **(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. Approval of a Resolution Expressing Appreciation to the Members of the North Carolina General Assembly for the Enactment of House Bill 850 (S.L. 2025-74) Regarding the Interbasin Transfers. **(Exhibit VIII.A.)**

The resolution acknowledges the importance of the Catawba River Basin to Hickory and expresses concern about Charlotte's proposed increase in interbasin water transfers. It highlights that House Bill 850 (Session Law 2025-74) places a temporary moratorium on new or expanded transfers and directs the UNC Collaboratory to study and improve the IBT process. The Hickory City Council thanks members of the North Carolina General Assembly—especially local representatives and senators—for supporting the legislation and for considering the long-term water supply, economic development, and growth needs of Western Piedmont communities.

B. Approval of Updates to the Western Piedmont Council of Governments' Charter and Bylaws. **(Exhibit VIII.B.)**

Western Piedmont Council of Governments (WPCOG) request approval of the updates to their Charter and Bylaws. The summary of changes adds explicit language regarding the COG's authorization to act as the regional public housing authority (Article VI, Section 1).

This was recommended to clarify authority to assist in bonds (no obligation to WPCOG or local governments) for tax advantages for developers of affordable housing projects. Original authorization for the WPCOG to act as a regional public housing authority was given in 1977. Changes the vote threshold for action to a simple majority instead of a two-thirds majority. (Article VII, Section 4; Article XI, Section 4). This is consistent with local government voting procedures. Eliminates the Treasurer position, while adding another at-large position on the Executive Committee (Article VIII, Sections 1 and 2). This is consistent with common local government structure. Eliminates the Secretary position while adding another at-large position on the Executive Committee and add reference to a staff Clerk to the Board (Article VIII, Section 2). This is consistent with common local government structure. A reference to the WPCOG finance officer was added. (Article X, Section 3). WPCOG is subject to the NC Local Government Budget and Fiscal Control Act like its municipalities and counties. Minor language clarifications that don't impact the intent or structure of a section. As outlined in the Charter and Bylaws, any modification must be sent to each member of government for ratification, with approval by three-fourths of the members of the WPCOG required (21 of the 28 members). Following approval by member governments, a second reading of the changes must be held at the next regular Policy Board meeting, at which time actions of the members will be reported and accepted.

C. Approval of a Resolution Accepting the Streets Within Lachlan Village Residential Community. **(Exhibit VIII.C.)**

Staff requests Council's approval of a Resolution for acceptance of lands and improvements within Lachlan Village residential subdivision including 48th Avenue NE, described as a 50-foot right-of-way as recorded in Plat Book 90, at Page 109 of the Catawba County Registry. The streets have been completed, inspected and found to be compliant with City specifications and in good repair. Public use and maintenance of street right-of-way cannot occur unless City Council formally accepts the offer of public dedication by means of a duly executed resolution as outlined in the North Carolina General Statutes, as well as the City's Land Development Code. Staff recommends approval of the Resolution.

D. Approval of Amendment Number One to the Professional Engineering Services Agreement with McGill Associates, P.A., in the Amount of $684,000 for the Henry Fork Stream Bank and Sewer Improvements. **(Exhibit VIII.D.)**

Staff requests Council's approval of amendment number one to the Professional Engineering Services Agreement with McGill Associates, P.A., in the amount of $684,000 for the Henry Fork stream bank and sewer improvements. Amendment one consists of surveying, environmental review, sewer and stream restoration design, floodplain, and floodway modeling, geotechnical investigations, structural design, permitting, DWI coordination and preparation of full bidding documents. The Department of Environmental Quality has received over $253 million in appropriations earmarked specifically for wastewater projects in areas affected by Hurricane Helene. The City of Hickory has qualified for a $5 million dollar loan with 100% principal forgiveness. Staff recommends Council's approval of amendment one with McGill Associates, P.A.

E. Approval of a Cemetery Deed from the City of Hickory to Irene Suddreth and spouse, Benjamin Suddreth located in Southside Cemetery, Containing 80 square feet, and Designated as Lot No. E, Section 6, Spaces 22, and 23. (Prepared by the City of Hickory) **(Exhibit VIII.E.)**

F. Approval of a Resolution Accepting an Offer to Sale Two City-Owned Parcels to Legacy Home Builders, North Carolina, LLC in the Amount of $25,000. **(Exhibit VIII.F.)**

Staff requests Council's approval of a Resolution accepting an offer from Legacy Home Builders North Carolina LLC in the amount of $25,000 for two City-owned parcels located in the 400 block of 3rd Street SW. The parcels are identified as GIS PINs 3702-06-47-8534

and 3702-06-47-8520, containing a total of .15 acres in size and are currently undeveloped. The combined tax value of the parcels is $3,600. Legacy Home Builders North Carolina LLS has offered $25,000 for the parcels. The property would be sold subject to the upset bid statute to allow other interested parties to bid on the property. Staff recommends that Council adopt a Resolution accepting the offer from Legacy Home Builders North Carolina LLC and authorize staff to advertise for upset bids.

G. Budget Revision Number 8. **(Exhibit VIII.G.)**

1. *To appropriate $79,121 in Duke Energy reimbursements to be used for capital improvements at the Airport.*
2. *To appropriate $684,000 in state revolving loan funds towards a professional engineering services agreement with McGill and Associates for Henry Fork streambank and sewer improvements.*
3. *To appropriate $249 in donation revenue to the Library for book purchasing and programming costs.*
4. *To appropriate $7,000 in equipment sale revenue to be used for the purchase of new firefighting equipment for the Fire Department.*
5. *To appropriate $199,691 in donations from the State Bureau of Investigation for the Police Department to be used for personnel costs.*
6. *To appropriate $300,000 in General Fund Balance to be used for the purchase of land for the Police Department.*
7. *To appropriate a total of $2,781,462 in revenues to be used for the Springs Road Sidewalk Project for a construction services contract with Cardinal Civil Contracting. $1,925,557 will come from Federal Grants with a local match of $855,905 from General Fund Balance.*

IX. Items Removed from Consent Agenda

X. Informational Items

XI. New Business

A. Public Hearings

B. Departmental Reports

1. Sandy Pines Park Update – Presented by Assistant City Manager Steve Miller.

2. Acceptance of the Bid and Award the Contract to Cardinal Civil Contracting, LLC in the Amount of $2,781,461.33, for the Construction of the Springs Road Sidewalk, Contingent upon North Carolina Department of Transportation Concurrence – Presented by Assistant City Manager Steve Miller. **(Exhibit XI.B.2.)**

Staff requests Council's acceptance of the bid and award the contract to Cardinal Civil Contracting, LLC, for the construction of BL-0066 - Springs Road Sidewalk, in the amount of $2,781,461.33, contingent upon North Carolina Department of Transportation (NCDOT) concurrence. The City applied for and received State Transportation Block Grant – Directly Attributable (STBG-DA) funding approval from the Greater Hickory MPO and NCDOT for sidewalk improvements on Springs Road from Sandy Ridge Road to McDonald Parkway. Adding sidewalk in an area that is already used by pedestrians provides a safer connection and would enhance access. Bids were advertised for the project and three bids were received: Cardinal Civil Contracting, LLC - $2,781,461.33; M&M Construction of Banner Elk - $4,797,178.80; and TP Howards Plumbing Co. Inc. - $3.249,000. Staff recommends Council's acceptance of the bid and award the contract to Cardinal Civil Contracting, LLC.

3. Appointments to Boards and Commissions

CITIZENS ADVISORY COMMITTEE
(Terms Expiring 6-30; 3-Year Terms) Appointed by City Council
Small Cities Project Area (Council Appoints) VACANT

Alderman Seaver to Nominate Jeff Davidson as the Small Cities Project Area Representative on the Citizens Advisory Committee.

COMMUNITY APPEARANCE COMMISSION
(Terms Expiring 6-30; 3-Year Terms) Appointed by City Council
Ward 2 (Williams Appoints) VACANT

COMMUNITY RELATIONS COUNCIL
(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Caucasian (Council Appoints) VACANT
Caucasian (Council Appoints) VACANT
Caucasian (Council Appoints) VACANT
Other Minority (Council Appoints) VACANT

HICKORY REGIONAL PLANNING COMMISSION
(Term Expiring 6-30; 3-Year Terms with Unlimited Appointments) (Appointed by City Council)
Burke County Representative (Mayor Appoints with Recommendation from Burke County) VACANT

LIBRARY ADVISORY BOARD
(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 4 (Freeman Appoints) VACANT
At-Large (1) (Mayor Appoints) VACANT
At-Large (2) (Mayor Appoints) VACANT

PUBLIC ART COMMISSION
(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 4 (Freeman Appoints) (Wes Christopher resigned 10-13-26) VACANT

RECYCLING ADVISORY BOARD
(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 4 (Freeman Appoints) VACANT
Ward 6 (Patton Appoints) VACANT
At-Large (Council Appoints) VACANT
At-Large (Council Appoints) VACANT

YOUTH COUNCIL
(Terms Expiring 6-30; 1-Year Terms) (Appointed by City Council)
Homeschool VACANT
St. Stephens High School 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, October 20, 2026 at 6:00 p.m., with the following members present:

	Hank Guess	
Tony Wood		Anthony Freeman
Charlotte C. Williams	Aldermen	Arnita Dula
Danny Seaver		Jill Patton

A quorum was present.

Also present were City Manager Warren Wood, Assistant City Manager Steve Miller, City Attorney Timothy Swanson, 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.

II. Invocation by Reverend Dr. Nick Perrin, Senior Pastor, Corinth Reformed Church

III. Pledge of Allegiance

IV. Special Presentations

V. Persons Requesting to Be Heard

A. Mr. Jeffrey Katz advised that he and his wife lived at 735 4th Street NE. He first came before the Hickory City Council on April 21st to discuss their concerns about the water quality at their home. Mayor Guess put him in touch with Mr. Will Hamblin, who was the Public Utilities Director. During the past few months, their water was sampled, fire hydrants were cleared, repeated samples obtained, and it showed that they had continued concerns about the water quality at their home. He was happy to report on October 13th, their house was hooked up to a new water feed off 7th Avenue NE. He thought it was important to let them know when they have concerns, but it was just as important to let them know that when their concerns were heard and corrective action was taken. Most people do not get to do that. They do not get to hear that. He thanked Council.

B. Mr. Sean Little 615 4th Avenue SW, Hickory mentioned that his wife sent him information which showed that Planning Director Brian Frazier was retiring. He commented that guy was so awesome for them. They moved into Green Park 18 years ago. He knew that was not that long, but when they got there, they had the Green Park Association and they would meet. Brian Frazier was their liaison, and he would be there every time they would have a meeting, always prepared. He would always have information for them about the community, about what they had going on around there that was going to happen. He would give them some information, some other stuff too. He thought Brian Frazier was always so nice to them, always there. He would set everything up for them. He did not know if they lost that. That was before he had help. He was always behind, always had so much to do because he did not think they had, at the time, the helpers for him. But he got those as time went. When you have somebody that helps you like that, you just want to recognize them. He would see him everywhere. He had not seen him in a long time, but he wanted to appreciate him for that because it was awesome to have help like that, especially when you first move into a neighborhood that you do not know. Most of the people have come and gone or passed, and it was just a different time, and he appreciated him. He thanked Council.

Alderman Freeman commented that he did not want this moment to pass them by. Because it was not every so often that they had two consecutive citizens coming and giving the City accolades. He did not want this moment to pass them by. He said thank you because it was far in between when they got that. He thanked both of the citizens, and certainly speaking on behalf of Brian Frazier, and he thanked them for coming and sharing their concern and then also letting them know that the City did whatever they could do to correct that. He certainly did not want this moment to pass them by without them saying thank you.

Mayor Guess commented very well said, sir. He asked if anyone else would like to address the Council this evening? No one else appeared.

VI. Approval of Minutes

A. Regular Meeting of October 6, 2026.

Alderwoman Patton moved, seconded by Alderman Freeman that the Minutes of October 6, 2026 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.

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

A. Budget Revision Number 6. (First Reading Vote: Unanimous)

B. Rezoning Petition Number 26-08 for City-Owned Property Located in Burke County at 964 and 970 Airport Rhodhiss Road and an unaddressed parcel to the East, total 24.39 Acres, from Burke County R-3 Residential to City of Hickory Planned Development. (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.

City Manager Warren Wood requested Item "C" be removed from the consent agenda.

Alderwoman Patton moved, seconded by Alderwoman Williams approval of the Consent Agenda with the exception of Item "C". The motion carried unanimously. (Vote was taken after the discussion of Item "C" under IX. Items Removed from Consent Agenda.)

A. Approved the Designation of an Agent for Grant Management and Agreements for HUD Community Project Funding (CPF) Grant B-26-CP-NC-1309 for Fire Station Upgrades.

Staff requests Council approval to designate an agent to manage grant documents and agreements for HUD Community Project Funding (CPF) Grant B-26-CP-NC-1309 for Fire Station Upgrades. In 2024, the Hickory Fire Department applied through Senator Thom Tillis for $1,383,000 in CPF appropriations to support fire station upgrades, including a new alerting system. In spring 2026, the City was notified that Congress approved the request. HUD administers CPF grants through the Disaster Recovery Grant Reporting (DRGR) system, which requires the submission and signature of certain federal documents prior to issuing the final grant agreement. Designating an authorized agent will streamline this process. Once HUD prepares the $1,383,000 grant agreement in the DRGR portal, staff will present it to Council for formal acceptance and approval. Staff recommends Council approval of the designation of an agent for HUD CPF Grant B-26-CP-NC-1309 for Fire Station Upgrades.

RESOLUTION NO. 26-53
Designation of Applicant's Agent
for HUD Community Project Funding (CPF) Grant B-26-CP-NC-1309
for Fire Station Upgrades

(Resolution 26-53 is on file in the City Clerk's Office and is hereby incorporated by reference and made a part of the minutes)

B. Acknowledged the Publication of the Notice of Conflict of Interest Stemming from a Nonprofit's Application for Funding from the City's Community Development Block Grant Program.

Staff requests Council's acknowledgement of the published notice regarding a potential conflict of interest associated with an application for Community Development Block Grant (CDBG) funding. The City of Hickory participates in the U.S. Department of Housing and Urban Development's CDBG program, which allows funding to eligible nonprofit organizations. The City has received an application from a nonprofit that has a City Council member serving on its Board of Directors. Under federal regulations (24 C.F.R. § 570.611), the City must publicly disclose potential conflicts of interest in connection with CDBG Public Service Activities funding. In compliance, the City has issued a public notice describing the potential conflict. The notice has been posted on the City's website, City Hall, Patrick Beaver Memorial Library, and Ridgeview Library. Staff requests Council's acknowledgement of the publication of this required conflict-of-interest notice.

C. Removed from Consent Agenda to be Considered at a future City Council meeting a Priority Use Agreement with Catawba Valley Youth Soccer Association for Priority Use of the Henry Fork River Park Soccer Complex.

Staff requests City Council's approval of the Priority Use Agreement with Catawba Valley Youth Soccer Association (CVYSA) for priority use of the Henry Fork River Park Soccer Complex (HFRP). CVYSA and the City have partnered since 2000. The organization provides youth travel soccer for approximately 600 players each season and has contributed financially to the park's development. The proposed ten-year agreement grants CVYSA priority use of five of the ten soccer fields at HFRP. As part of the agreement, CVYSA will contribute $100,000 toward construction of Field #11, with payments of $25,000 annually from 2026–2030 and $30,000 annually from 2031–2035. The total contribution over the term of the agreement is $375,000. Parks, Recreation & Sports Tourism recommends City Council's approval of the Priority Use Agreement with CVYSA.

Notice of the priority use agreement was advertised in a newspaper having general circulation in the Hickory area on September 10, 2026.

D. Approved the Request to Award Service Weapon(s) and Badge(s) to MPO Kongpheng Lo and MPO Scott Cote upon their Retirement from the Hickory Police Department.

The Hickory Police Department requests that City Council award Master Police Officer Kongpheng Lo his service weapon (Glock Model 45, Serial No. CDAM854) and badge upon his retirement on October 1, 2026, and award Master Police Officer Scott Cote his service weapon (Glock Model 45, Serial No. CDAM806) and badge upon his retirement on November 1, 2026. Master Police Officer Kongpheng Lo will retire from the Hickory Police Department after completing over 25 years of qualifying service to the citizens of Hickory. Master Police Officer Scott Cote will retire after completing over 14 years of qualifying service. Pursuant to North Carolina General Statutes, City Council may award service weapons and badges to officers upon their retirement from the Hickory Police Department. Upon Council approval, the service weapons and badges will be declared surplus and removed from the City's fixed asset inventory. Staff recommends approval to award the service weapons and police badges to Master Police Officers Kongpheng Lo and Scott Cote in recognition of their dedicated service to the City of Hickory.

E. Approved a Community Appearance Grant for Non-Residential Property Owned by Crystal Rogers Located at 310 4th Street SW, Hickory.

The Community Appearance Commission recommends that City Council approve a Community Appearance Grant in the amount of $5,790 for property owned by Crystal Rogers located at 310 4th Street SW. The project includes repainting, siding replacement, landscaping improvements, and updates to the sidewalk and ADA-compliant ramp. The lowest project estimate totals $15,080, qualifying the request for up to $7,500. Based on the project's overall impact, the Community Appearance Commission recommends funding in the amount of $5,790. The property is within the Urban Revitalization Area and has an assessed tax value of $177,900. The Community Appearance Commission unanimously recommended funding the grant application in the amount of $5,790 and recommend Council's approval of the grant.

F. Approved Amendment Number 2 to the Professional Services Agreement with KCI Technologies, Inc. in the Amount of $366,900 for Water Infrastructure Improvements.

Staff requests Council's approval of amendment number 2 to the Professional Services Agreement with KCI Technologies, Inc. for the Directed Appropriations Project – Hickory-Longview Elevated Storage Tank Engineering and Design, West Hickory Elevated Storage Tank improvements, and Water Treatment Facility upgrades in the amount of $366,900. Amendment number 2 consist of two separate resiliency projects: 1) upgrades to the Water Treatment Facility finished water pump station - $264,900; 2) improvements to the West Hickory Elevated Storage Tank - $102,000. Staff recommends Council's approval of amendment number 2 to the Professional Services Agreement with KCI Technologies Inc. in the amount of $366,900.

G. Approved Amendment Number 2 to the Professional Services Agreement with Freese and Nichols, Inc. for the NW Sewer Extension Design, in an Amount not to Exceed $261,400.

Staff requests Council's approval of amendment number 2 to the Professional Services Agreement with Freese and Nichols, Inc., for the Northwest Sewer Extension Design, in an amount not to exceed $261,400. Amendment number 2 provides for construction phase services, including project management, DWI coordination, construction administration, site inspections, and project closeout activities. These services are required to support the construction of a new gravity sewer line and lift station intended to serve the Airport area and facilitate future economic development. Staff recommends Council's approval of amendment 2 with Freese and Nichols, Inc. in the amount of $261,400.

H. Approved a Resolution for Acceptance of a Milwaukee "Cut-Off Machine" Saw for use by the Hickory Police Department Special Operations Team.

The Hickory Police Department requests City Council's approval of a Resolution authorizing the acceptance of a donated Milwaukee "Cut Off Machine" saw valued at $899 from Hickory Home and Garden. This specialized tool will enhance the Special Operations Team's ability to conduct tactical operations, perform rescues, and gain rapid access to structures during emergencies. The Police Department recommends Council's approval of the Resolution accepting the donation.

RESOLTION 26-54

RESOLUTION AUTHORIZING ACCEPTANCE OF A DONATED SAW FOR THE HICKORY POLICE DEPARTMENT

WHEREAS, the City of Hickory is a municipal corporation existing and operating pursuant to the laws of the State of North Carolina, including N.C. Gen. Stat. § 160A-11, et seq.; and

WHEREAS, pursuant to N.C. Gen. Stat. §§ 160A-11 and 160A-240.1, the City of Hickory has authority to acquire and hold personal property, including property acquired by gift for use by the City or any City department; and

WHEREAS, the Hickory Police Department's Special Operations Team relies on specialized equipment to safely and effectively respond to critical incidents and other situations requiring capabilities beyond those used during normal patrol operations; and

WHEREAS, a saw has been offered for donation to the City for use by the Hickory Police Department as a specialized entry tool to gain access to structures during lawful tactical operations, rescues, and emergency circumstances where rapid access may be essential; and

WHEREAS, the City Council finds that acceptance of the donated saw will enhance the Special Operations Team's operational capabilities and serve the public purposes of protecting life and property and maintaining law and order.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hickory, North Carolina, as follows:

1. The City Council authorizes acceptance of the donated saw for use by the Hickory Police Department, including its Special Operations Team, subject to the requirements of this Resolution.

2. The City Manager, or the City Manager's designee, including the Chief of Police, is authorized to accept the saw on behalf of the City and complete any necessary transfer documentation, provided the Chief of Police determines that the saw is suitable for its intended use and consistent with the Department's operational needs. Any donor condition or material financial obligation shall require further City Council approval before acceptance.

3. Upon acceptance, the saw shall become the property of the City of Hickory and shall be inventoried, used, maintained, and, when appropriate, disposed of in accordance with applicable law and City policies. Acceptance shall not obligate the City to retain or use the saw for any specific period of time.

4. The City Manager and Chief of Police are authorized to take the actions necessary to implement this Resolution. This Resolution is effective upon adoption.

I. Approved a Professional Services Agreement with McGill Associates, P.A. for Water Treatment Facility Clearwell Rehabilitation Evaluation and Design in the Amount of $104,200.

Staff requests Council's approval of a Professional Services Agreement with McGill Associates, P.A., in the amount of $104,200 for evaluation and design services related to the clearwell rehabilitation at the Water Treatment Facility. The project will address structural and coating deterioration by developing engineered plans for concrete repairs, surface preparation, and protective coating application. McGill Associates was selected through a formal RFQ process based on qualifications and project understanding. This project is included in the FY26-27 Water Treatment Facility Capital Improvement Plan.

J. Accepted the Bid and Awarded the Contract to T.P. Howard's Plumbing Co., Inc. in the Amount of $464,570 for Improvements to Miracle of Hickory Park.

Staff requests Council's acceptance of the bid and approval of the contract with T.P. Howard's Plumbing Co., Inc. for improvements to Miracle of Hickory Park project. Plans began in 2022 for accessibility and amenity upgrades. The NC Division of Park & Recreation awarded a 5:1 matching grant fund to include parking improvements, accessible routes and restrooms, a shaded pavilion, an accessible stage, and related furnishings and landscaping. Benesch was selected in June 2025 to complete design and permitting. Following receipt of seven bids, T.P. Howard's Plumbing Co., Inc. was identified as the lowest responsive bidder with a total project cost of $464,570. Staff recommends Council approval of the contract to move forward with construction of these park enhancements.

K. Approved on First Reading Budget Revision Number 7.

ORDINANCE NO. 26-34
BUDGET REVISION NUMBER 7

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, 2027, and for the duration of the Project Ordinance noted herein.

SECTION 1. To amend the General Fund within the FY 2026-27 Budget Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Government	1,628	-
Other Financing Uses	319,200	-
TOTAL	320,828	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous	151,628	-
Other Financing Sources	169,200	-
TOTAL	320,828	-

SECTION 2. To amend the Longview Elevated Storage (#83316) Capital Project Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Water & Sewer Capital Projects	366,900	366,900
TOTAL	366,900	366,900

SECTION 3. To amend the NW Sewer Extension/ARC (#83308) Capital Project Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Water & Sewer Capital Projects	261,400	261,400
TOTAL	261,400	261,400

SECTION 4. To amend the CREEC Project (#83317) Grant Project Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Water & Sewer Capital Projects	150,000	-
TOTAL	150,000	-

To provide funding for the above, the CREEC Project (#83317) revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	150,000	-
TOTAL	150,000	-

SECTION 5. To amend the Miracle of Hickory Park (#62009) Grant Project Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	49,200	-
TOTAL	49,200	-

To provide funding for the above, the Miracle of Hickory Park (#62009) revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	49,200	-
TOTAL	49,200	-

SECTION 6. To amend the Sandy Pines Park (#62010) Grant Project Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Government	120,000	-
TOTAL	120,000	-

To provide funding for the above, the Sandy Pines Park (#62010) revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	120,000	-

TOTAL	120,000	-

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.

IX. Items Removed from Consent Agenda – Item "C"

City Manager Warren Wood advised this was a Priority Use Agreement with the Catawba Valley Youth Soccer Association. He would like to remove this for the purposes of some changes that need to be made and to take a deeper look at some of the terms and conditions and then bring it back to Council more than likely for a Departmental Report either at their next meeting or a future meeting. City Council approved deferring the Priority Use Agreement to a future meeting.

X. Informational Items

XI. New Business

A. Public Hearings

B. Departmental Reports

1. Appointments to Boards and Commissions

CITIZENS ADVISORY COMMITTEE
(Terms Expiring 6-30; 3-Year Terms) Appointed by City Council
Small Cities Project Area (Council Appoints) VACANT

COMMUNITY APPEARANCE COMMISSION
(Terms Expiring 6-30; 3-Year Terms) Appointed by City Council
Ward 2 (Williams Appoints) VACANT

COMMUNITY RELATIONS COUNCIL
(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Caucasian (Council Appoints) VACANT
Caucasian (Council Appoints) VACANT
Caucasian (Council Appoints) VACANT
Other Minority (Council Appoints) VACANT

HICKORY REGIONAL PLANNING COMMISSION
(Term Expiring 6-30; 3-Year Terms with Unlimited Appointments) (Appointed by City Council)
Burke County Representative (Mayor Appoints with Recommendation from Burke County) VACANT

LIBRARY ADVISORY BOARD
(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 4 (Freeman Appoints) VACANT
At-Large (1) (Mayor Appoints) VACANT
At-Large (2) (Mayor Appoints) VACANT

PUBLIC ART COMMISSION
(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 3 (Seaver Appoints) VACANT
Ward 4 (Freeman Appoints) (Wes Christopher resigned 10-13-26) VACANT

Alderman Seaver nominated Jeff Davidson as Ward 3 Representative on the Public Art Commission.

RECYCLING ADVISORY BOARD
(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 4 (Freeman Appoints) VACANT
Ward 6 (Patton Appoints) VACANT
At-Large (Council Appoints) VACANT
At-Large (Council Appoints) VACANT

YOUTH COUNCIL
(Terms Expiring 6-30; 1-Year Terms) (Appointed by City Council)
Homeschool VACANT
St. Stephens High School VACANT

Alderman Seaver moved seconded by Mayor Guess 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

Mayor Guess referred to the gentleman that was praising Brian Frazier, he certainly wanted to jump in and be part of that as well. He saw Brian on the way in. He was leaving. Typically, he would be at this meeting. This would have been his last meeting, but he guessed he decided since it was his last meeting, he was not obligated to show up. He told him on the way out, most of them knew Brian or had some kind of dealings with Brian, and the gentleman that spoke was exactly correct. They could not ask for somebody to be a better person in that role. Brian had been in that role, not here, but for a total of 40 years. He spent right at 20 years in New York doing practically the same thing, and then the last 20 years here in North Carolina. The City Council certainly had relied on Brian's expertise to help them maintain and have informed decisions as they go through different things with the City and sharing and shaping their community, not only in the past and in the future as well. They were grateful for his leadership, and they support him in anything that he may do. He talked to him a little while ago, and he said that he already had a honey-do list and he was going to miss it, but he said that he thinks he was ready. They certainly wanted to congratulate him on his retirement. And there was a reception planned, he was not sure when, but he had it on his calendar, but there was a reception planned for him sometime in the very near future. He had maybe another two weeks left? The end of this month. It goes without saying that they were certainly going to miss Brian. But on a positive note, he thought to replace Brian, he had heard from the communications folks that they were introducing Chip. He asked if Chip was going to replace Brian? Because Chip was 24/7, 365 days a year where they could ask Chip what was going on in the City. He guessed Chip was replacing Brian Frazier because that was kind of what they could depend on him for. If they do not know about Chip, they need to look at that. He thought it was out on the City's website. He had already programmed Chip into his phone and asked Chip some questions. And Chip has been pretty helpful so far. They would see how that goes. He asked if anybody was familiar? Had anybody heard about Chip besides the folks that work here? Did he get it all right?

City Manager Warren Wood responded pretty close.

Mayor Guess asked what he had missed?

City Manager Warren Wood joked that it was going to replace everybody but the Mayor.

Alderman Seaver commented he could ask Chip when he got home.

Mayor Guess commented for them not saying it too loud, his phone would go off. They got Chip now instead of Brian.

Alderman Seaver commented that Brian may not be here tonight, but he would be in the minutes.

Mayor Guess commented that he would be in the minutes, that was for sure.

City Manager Warren Wood thanked Mr. Little and Mr. Katz for coming out. He saw that Mr. Little had brought his kids out, and Mr. Katz had to leave. A lot of times people take the time to come and state some other things, but it was always appreciated when people take the time to give that kind of feedback. To echo what Alderman Freeman and the Mayor said, thank you all for taking the time to do that.

Alderwoman Dula advised she had the opportunity and the privilege of working with Brian as a coworker, and she also considered him to be a friend. She learned a lot about planning when she first came to Hickory. She knew zero about planning. Brian arrived about a year before she did. In a sense, they grew together in their roles as City employees. She appreciated his knowledge and his insight, compassion, consideration, and then again, his friendship. He definitely would be missed.

Alderman Wood gave his biannual public service announcement. They would not meet again before daylight saving time ends. Check the batteries in their smoke detectors, make sure they were working, those kinds of things.

Mayor Guess thought he was going to talk about leaf pickup.

Alderman Wood replied no, good luck with your leaves. Left with your legs, not your back.

Mayor Guess commented that leaf pickup had started.

Alderman Freeman mentioned that on Saturday, October 24th, at the Brown Penn Recreation Center, that they would be hosting the Trunk-or-Treat for their community. And there were still vendor spots and spaces for individuals to come to decorate their trunks. That time would be from

2:30 p.m. to 5:00 p.m. If they wanted to come and get a parking spot and decorate their trunk, they could begin at 12:30 p.m.

XIV. There being no further business, the meeting adjourned at 6:14 p.m.

_____
Mayor

_____
City Clerk

RESOLUTION NO. 26-

RESOLUTION OF THE CITY OF HICKORY CITY COUNCIL EXPRESSING APPRECIATION TO THE MEMBERS OF THE NORTH CAROLINA GENERAL ASSEMBLY FOR THE ENACTMENT OF HOUSE BILL 850 (S.L. 2025-74) REGARDING INTERBASIN TRANSFERS

WHEREAS, the Catawba River Basin is a vital natural resource supporting the residents, businesses, and long-term economic health of the City of Hickory and the surrounding region; and

WHEREAS, the City of Charlotte's recent request to increase its currently approved 33 million gallons per day (MGD) interbasin transfer (IBT) by an additional 30 MGD—resulting in a total proposed IBT of 63 MGD—raised substantial concerns about future capacity for economic growth, agricultural activities, and financial stability within the Catawba River Basin; and

WHEREAS, North Carolina's IBT statute, G.S. 143-215.22L, governs the certification of significant transfers of water between river basins, and local governments within the Catawba River Basin have a strong interest in ensuring that such transfers are evaluated thoroughly, transparently, and with consideration for long-term regional impacts; and

WHEREAS, House Bill 850 was enacted as Session Law 2025-74 with overwhelming bipartisan support in both chambers of the North Carolina General Assembly; and

WHEREAS, Session Law 2025-74 establishes a temporary moratorium on the issuance of certificates authorizing significant new or increased IBT water transfers; and

WHEREAS, Session Law 2025-74 further directs the North Carolina Collaboratory at the University of North Carolina at Chapel Hill to study the statutory IBT process, including the adequacy of environmental review, potential incentives for resilience measures that reduce the magnitude of transfers needed, and any other matters necessary to promote fairness, effectiveness, and long-term sustainability; and

WHEREAS, this measured and research-based approach enables the State to examine and improve North Carolina's IBT framework prior to approving further significant transfers, while also ensuring that the interests of communities within the Catawba River Basin, such as the City of Hickory, are protected.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hickory expresses its sincere appreciation to the members of the North Carolina General Assembly who supported House Bill 850, and extends special thanks to Representative Destin Hall, Representative Jay Adams, Representative Mitchell Setzer, Representative Hugh Blackwell, Senator Mark Hollo, and Senator Warren Daniel**,** for their consideration of the needs of Western Piedmont communities, including issues related to future growth, economic development, water treatment, and the long-term reliability of water supply within the Catawba River Basin.

Adopted this ___ day of _____, 2026.

_____
Mayor Hank Guess
City of Hickory

ATTEST:

_____
Debbie D. Miller, City Clerk

Western Piedmont Council of Governments

1880 Second Avenue NW | Hickory, 28601
PO Box 9026 | Hickory, NC 28603
828.322.9191 | Fax: 828.322.5991 | www.wpcog.org

Creative Regional Solutions Since 1968

Memorandum

Date: September 23, 2026
To: WPCOG Local Government Managers, Administrators, and Clerks
From: Anthony W. Starr, Executive Director
Subject: WPCOG Charter and Bylaws Updates – ACTION NEEDED BY YOUR BOARD/COUNCIL

The Western Piedmont Council of Governments Policy Board proposes to update the WPCOG Charter and Bylaws. Last updated in 2007, the Charter and Bylaws updates serve to increase transparency and clarity for our local governments. The Executive Committee and the Policy Board unanimously approved and recommended these changes. These updates have also been reviewed by WPCOG legal counsel. The draft Charter and Bylaws are included with this communication for your review.

Summary of Changes

- Adds explicit language regarding the COG's authorization to act as the regional public housing authority (Article VI, Section 1). This was recommended to clarify authority to assist in bonds (no obligation to WPCOG or local governments) for tax advantages for developers of affordable housing projects. Original authorization for the WPCOG to act as a regional public housing authority was given in 1977.
- Changes the vote threshold for action to a simple majority instead of a two-thirds majority. (Article VII, Section 4; Article XI, Section 4). This is consistent with local government voting procedures.
- Eliminates the Treasurer position, while adding another at-large position on the Executive Committee (Article VIII, Sections 1 and 2). This is consistent with common local government structure.
- Eliminates the Secretary position while adding another at-large position on the Executive Committee and add reference to a staff Clerk to the Board (Article VIII, Section 2). This is consistent with common local government structure.
- A reference to the WPCOG finance officer was added. (Article X, Section 3). WPCOG is subject to the NC Local Government Budget and Fiscal Control Act like its municipalities and counties.
- Minor language clarifications that don't impact the intent or structure of a section.

As outlined in the Charter and Bylaws, any modification must be sent to each member government for ratification, with approval by three-fourths of the members of the WPCOG required (21 of the 28 members). Following approval by member governments, a second reading of the changes must be held at the next regular Policy Board meeting, at which time actions of the members will be reported and accepted.

The effective date of the revised Charter and Bylaws would be the second reading of the Policy Board following ratification by the required number of members. The Policy Board intends to give final approval at its November meeting. Please let us know if you have questions or require further information.

We request that our local government's governing boards approve the proposed changes and let us know by Thursday, November 12, 2026.

Executive Committee: Randy Burns, Chair | Larry Yoder, Vice Chair | Larry Chapman, Secretary | George B. Holleman, Treasurer | Joseph L. Gibbons, Past Chair | **At-Large Members:** Mike LaBrose | Cole Setzer | Jill Patton | Chris Jernigan | **Executive Director,** Anthony W. Starr

Serving: Alexander County | Taylorsville | Burke County | Connelly Springs | Drexel | Glen Alpine | Hildebran | Morganton | Rutherford College | Valdese | Caldwell County | Cajah's Mountain | Cedar Rock | Gamewell | Granite Falls | Hudson | Lenoir | Rhodhiss | Sawmills | Catawba County | Brookford | Catawba | Claremont | Conover | Hickory | Long View | Maiden | Newton

CHARTER OF THE WESTERN PIEDMONT COUNCIL OF GOVERNMENTS

I. Name

The Council shall be called Western Piedmont Council of Governments (WPCOG).

II. Powers, Duties and Functions

The Western Piedmont Council of Governments shall have the following powers:

A) To apply for, accept, receive and dispense funds and grants made available to it by the State of North Carolina or any agency thereof, the United States of America or any agency thereof, any unit of local government (whether or not a member of the Council) and any private civic agency;

B) To employ personnel;

C) To contract with consultants;

D) To contract with the State of North Carolina, any other state, the United States of America, or any agency thereof, for services;

E) To study regional governmental problems, including matters affecting health, safety, welfare, education, recreation, economic conditions, regional planning and regional development;

F) To promote cooperative arrangements and coordinated action among its member governments;

G) To make recommendations for review and action to its member governments and other public agencies which perform functions within the region in which its member governments are located;

H) For the purpose of meeting the council's office space and program needs, to acquire real property by purchase, gift, or otherwise, and to improve that property. The council may pledge real property as security for indebtedness used to finance acquisition of that property or for improvements to that real property, subject to approval by the Local Government Commission as required under North Carolina General Statute 159—153. The council may not exercise the power of eminent domain;

I) Any other powers that are exercised or capable of exercise by its member governments and desirable for dealing with problems of mutual concern to the extent such powers are specifically delegated to it from time to time by resolution of the governing board of each of its member governments which are affected thereby.

J) Any other powers authorized by applicable law and duly conferred upon or delegated to the Council in the manner required by such law.

III. Delegates

Each member government shall appoint a representative of such member government to serve as the official delegate to the Policy Board of the Western Piedmont Council of Governments. An alternate delegate shall also be appointed to serve when the official delegate is unable to attend regular and special Council meetings.

A majority of the appointed representatives must be elected officials. No member government employee shall be eligible to serve as a delegate or alternate delegate.

In addition, the Policy Board shall appoint seven (7) additional delegates to satisfy requirements of the Economic Development Administration (EDA) for board composition.

The term of office, method for filling vacancies, and method of compensation and allowances shall be as set forth in the Council Bylaws.

IV. Financial Support

The Western Piedmont Council of Governments shall receive financial support for its operations and programs as follows:

A) Regular Assessments – The member governments of the Western Piedmont Council of Governments shall fund the Council operations by means of assessments on a per capita basis as determined by the Policy Board of the Council. The per capita share of a member government shall be based on the latest North Carolina Office of State Budget estimates and shall include the population within the geographic area of the member government. Counties shall provide funds per capita after subtracting the populations of member governments within the geography of such county.

B) Special Assessments – The member governments shall fund certain Council operations and programs by means of special assessments as prescribed by law and determined by the Policy Board.

C) State and Federal Grants – The Council shall apply for and receive state and federal grants for programs approved by the Policy Board of the Council.

D) Private and Charitable Contributions – The Council shall apply for and receive and be entitled to receive funds for its operations and programs from charitable and private sources approved by the Policy Board of the Council.

V. Dissolution

A) The Western Piedmont Council of Governments shall be dissolved upon the unanimous vote of all member governments comprising the Council and the adoption of concurrent resolutions of all members of the Western Piedmont Council of Governments setting forth the dissolution and the reason therefore.

B) Any member government may withdraw from the Western Piedmont Council of Governments at the end of any fiscal year by giving at least 60 days' written notice to each of the other members. Withdrawal of a member government shall not dissolve the Council if at least two members remain.

C) Following adoption of concurrent resolutions dissolving the Western Piedmont Council of Governments or following withdrawal of all member governments from the Western Piedmont Council of Governments, the Council shall proceed to liquidate its assets and pay all liabilities within a 12-month period beginning with the date of the adoption of such resolutions or withdrawal of such members. Any assets remaining following the payment of liabilities shall be distributed in cash or in kind to the member governments in such proportions as the Policy Board of the Council may decide. Such distribution shall be made only after a unanimous vote of the members authorizing the distribution.

VI. Amendment

The Charter of the Western Piedmont Council of Governments may be amended upon the adoption of concurrent resolutions by three fourths of the existing members of the Council approving such amendment. A three-fourths majority shall be required to approve amendments to the Charter.

VII. This revised Charter shall be effective upon ratification by the required three-fourths majority of member governments.

This _____ of _____, 2026.

Amended 11/27/90
Amended 2/23/04
Amended 5/22/07
Amended 3/23/2010
Amended _____/2026

BYLAWS OF THE WESTERN PIEDMONT COUNCIL OF GOVERNMENTS

Article I. Charter

Section 1. Charter Agreement

The Western Piedmont Council of Governments is organized and exists pursuant to concurrent resolutions and amendments thereto adopted by and among the Counties of Alexander, Burke, Caldwell and Catawba; and the municipalities of Brookford, Cajah's Mountain, Catawba, Cedar Rock, Claremont, Connelly Springs, Conover, Drexel, Gamewell, Glen Alpine, Granite Falls, Hickory, Hildebran, Hudson, Lenoir, Long View, Maiden, Morganton, Newton, Rhodhiss, Rutherford College, Sawmills, Taylorsville and Valdese, in accordance with N.C. General Statute 160A-470, et. seq., as amended.

Article II. Creation

Section 1. Name of Council

The name of the regional council of governments hereby created is the "Western Piedmont Council of Governments," hereinafter referred to as the "Council." The address of the Council is 1880 2nd Avenue NW, Hickory, NC 28601.

Section 2. Legal Authority

The Council shall exist and function pursuant to N.C. General Statute 160A-470, et. seq., and other applicable laws governing regional councils of governments and public authorities.

Article III. Definition of Terms

Section 1. Terms

A. Council – the Western Piedmont Council of Governments.

B. Delegate – a representative of a member government appointed to the Policy Board by the participating member government.

C. Appointed Delegate – a minority representative or private citizen appointed to the WPCOG Policy Board by its delegates. It is the goal of the WPCOG, in compliance with the U.S. Economic Development Administration (EDA) regulations, to provide for minority representation and private citizen membership on the WPCOG Policy Board. In order to achieve this goal, seven additional delegates will be appointed by the WPCOG Policy Board who are broadly representative of the principal economic interests of the WPCOG area including the interests of the area's minority and low-income populations. These Appointed Delegates must be private citizens who are neither elected

officials nor employees of a member government. Minority representation will be obtained by working with minority groups and agencies in the area covered by the WPCOG.

D. Member Governments – those local governmental units which are charter members of the Council or approved for membership pursuant to the provisions of these Bylaws.

E. Policy Board – the governing body of the Council comprised of one representative from each member government, known as a delegate, and seven non-elected representatives.

F. Region E – Region E consists of the geographic area of Alexander, Burke, Caldwell and Catawba Counties.

G. Year – fiscal year of July 1 through June 30, unless otherwise defined.

Article IV. Membership

Section 1. Membership

The members of the Council shall be the following governmental units within Region E: Counties of Alexander, Burke, Caldwell and Catawba; and the municipalities of Brookford, Cajah's Mountain, Catawba, Cedar Rock, Claremont, Connelly Springs, Conover, Drexel, Gamewell, Glen Alpine, Granite Falls, Hickory, Hildebran, Hudson, Lenoir, Long View, Maiden, Morganton, Newton, Rhodhiss, Rutherford College, Sawmills, Taylorsville and Valdese, and such other governmental units within as may apply for and be accepted as a member government pursuant to these Bylaws.

Section 2. Application for Membership

A. Any county or municipality within Region E is eligible for membership in the Council. Upon written application, a prospective member shall be subject to the approval of a two-thirds majority of existing members. Such approval shall be given or withheld by each member government through its delegate on the Policy Board of the Council.

B. Following approval, a prospective new member shall adopt a resolution adopting the Charter and Bylaws of the Council, as amended.

C. Following approval, a new member shall appoint a delegate and an alternate delegate to represent it on the Policy Board of the Council.

Section 3. Withdrawal

Any member may withdraw from membership on the Council at the end of any fiscal year provided notice of withdrawal is made to the Policy Board of the Council by a resolution of withdrawal delivered to the Policy Board at least 60 days from the end of any fiscal year. The Council shall continue and exist so long as two or more member governments from Region E remain members of the Council.

Section 4. Dissolution

Dissolution shall take place as set forth in the Charter. Dissolution shall be incomplete until approval of dissolution and liquidation is approved by appropriate state and federal authorities.

Article V. Purpose

Section 1. Purposes

The Council is formed and serves the following purposes:

A. To promote intergovernmental coordination in communications, planning efforts, and common regional problem solving;

B. After survey and analysis, to develop and formalize policy recommendations concerning matters within the jurisdiction of local governments and having regional significance;

C. To provide an expert resource for information and in-the-field assistance in planning for a broad mix of local government services;

D. To help establish and meet regional development goals;

E. To develop and implement policy recommendations concerning local government matters having regional significance;

F. To represent the interests and needs of WPCOG member governments to state and federal agencies;

G. To be the umbrella agency for all policy and administrative coordination for area-wide multi-jurisdictional problems and agencies;

H. To retain enough flexibility in staff time and organizational structure to be able to respond to unforeseen local and regional needs;

I. To identify and respond to potential local or regional threats or opportunities;

J. To be efficient with staff time and resources available to the WPCOG.

The Council shall strive to promote harmony and cooperation among its members. It shall seek to deal with urban and rural problems in a manner which is mutually satisfactory and shall respect the autonomy of all local governments within the region.

Article VI. Powers, Duties, Functions

Section 1. Powers, Duties, Functions

The Western Piedmont Council of Governments shall have those powers set forth in N.C. General Statute 160A-475, as amended, which powers are incorporated herein by reference. In addition, the Council shall have the following powers:

A. To purchase equipment, rent office space, and enter into contracts to the extent that such activities are authorized by budgets or by specific resolutions duly adopted by all participating governmental units and are within the limits of funds appropriated to the Council by the participating governmental units for such purposes;

B. To request and receive contributions of research assistance from its own agencies, private research organizations, civic foundations, institutions of higher learning and other organizations;

C. To act as the official clearinghouse and reviewing agency of the participating governmental units for all programs (federal, state or private) requiring regional review;

D. To adopt such rules and regulations relating to the procedures to be followed by the Council as the said Council shall find to be appropriate;

E. To perform and carry out such other powers, duties and responsibilities as may be authorized by North Carolina law, except insofar as the same may conflict with the provisions of these Bylaws; provided, however, the Council shall have no power to levy any tax or to acquire any property by condemnation;

F. To act as the regional public housing authority, as originally authorized in 1977, with all the associated duties and powers pursuant to federal and state law and regulations including Chapter 157 of the N.C. General Statutes, as amended.

Article VII. Policy Board

Section 1. Governing Body

The governing body of the Council shall be known as the "Policy Board."

Section 2. Number, Term and Composition of Policy Board

The Policy Board shall consist of one delegate from each member government. An alternate delegate from each member shall be selected to attend Policy Board meetings and otherwise act for the delegate in the event the delegate is unable to attend. Each member government shall be entitled to one vote on all matters coming before the Council requiring a vote.

A delegate and an alternate delegate shall be a representative of a member government who shall serve on the Policy Board of the Council at the pleasure of the member government. Such delegates shall serve at the pleasure of such member government until their successors are appointed. The alternate delegate shall attend Council meetings when the delegate is unable to attend.

In addition, there will be seven delegates appointed by the WPCOG Policy Board. Each of these members shall be entitled to one vote on all matters coming before the Council requiring a vote. The term of the appointment shall be for a period of two years and may be renewed at the option of the Board.

Section 3. Vacancies

In the event a delegate or alternate delegate to the Policy Board dies, retires, resigns, or otherwise ceases to serve, the member government shall fill the vacated position with a representative of such member government appointed to serve in the capacity of delegate or alternate delegate, as the case may be.

If this person is an appointed delegate, the Policy Board will appoint another person to meet non-elected or minority requirements.

Section 4. Quorum

A simple majority of the membership of the Council shall constitute a quorum for conducting business. The number required for a quorum shall not be affected by vacancies. A delegate who has withdrawn early from a meeting without being excused by a simple majority vote of the remaining delegates and appointed delegates present shall be counted as present for purposes of determining whether a quorum is present.

The affirmative vote of a simple majority of the delegates and appointed delegates present shall be necessary to act favorably on any matter unless otherwise required in these Bylaws or the Charter.

Section 5. Meetings

A. Regular – The Council shall regularly meet bimonthly on the fourth Tuesday of each month beginning in January of each calendar year at 6:00 pm at member government offices, or other locations in their jurisdictions, on a rotation basis, or such other time or place as the Policy Board may select.

Notice of each regular meeting shall be emailed to delegates, alternate delegates and appointed delegates prior to such meeting at their respective addresses or such other address as a member government may designate.

B. Special – Special meetings may be called by the Board Chair, Vice-Chair, or any five delegates of the Council upon five-day written notice, or two-day written notice if such notice is personally delivered to the delegates, alternate delegates and appointed delegates.

Written notice of special meetings shall contain a brief description of the business to be conducted at such special meeting and be consistent with the provisions of North Carolina law as it pertains to open meetings.

Section 6. Open Meetings

Meetings of the Policy Board, Executive Committee, and any other committee or public body of the Council shall comply with the North Carolina Open Meetings Law, Article 33C of Chapter 143 of the North Carolina General Statutes, to the extent applicable. The schedule of regular meetings will be maintained with the Clerk to the Board of the Council and made available from the Clerk to the Board or from the Executive Director during regular office hours at the normal place of business.

Section 7. Voting

Each member government shall be entitled to one vote on all matters that come before the Council requiring a vote. The vote may be cast by the delegate or alternate delegate of each member government.

Each appointed delegate shall also be entitled to one vote on all matters that come before the Council requiring a vote.

Section 8. Excuses from Voting

No member or appointed delegate shall be excused from voting except upon matters involving the consideration of his or her own financial interest or official conduct. In all other cases, a failure to vote by a delegate or appointed delegate who is physically present at a regular or special meeting, or who has withdrawn without being excused by a simple majority vote of the remaining delegates and appointed delegates, shall be recorded as an affirmative vote.

Section 9. Minutes to be Kept; Ayes and Noes

The Clerk to the Board shall keep full and accurate minutes of the meetings and proceedings of the Council, which shall be available for public inspection. The Clerk to the Board shall record the results of each vote in the minutes. Upon the request of any member of the Council, the ayes and noes upon any question shall be taken and recorded.

Section 10. Procedures

Procedural matters coming before the Council shall be conducted according to generally accepted rules of parliamentary procedure.

At all meetings of the Council, the order of business shall be as follows:

A. Meeting Called to Order.
B. Minutes of Previous Meeting (Correction of Minutes).
C. Unfinished Business.
D. New Business.
E. Announcements.
F. Adjournment.

Section 11. Compensation

The officers, delegates, alternate delegates and appointed delegates shall serve without compensation or remuneration for their services. This section shall not, however, prohibit reimbursement for expenses incurred while on Council business and in accordance with Council fiscal policies.

Article VIII. Organizational Structure, Procedures

Section 1. Election of Officers

At the last regular meeting of the Policy Board in a calendar year, the Council shall elect a board chair, vice-chair, immediate past chair, six at-large executive committee members, and such additional officers as the Council finds necessary in the proper performance of its duties, to serve for one year or until their successors have been duly installed. Installation of officers shall take place at the next regular meeting of the Council following their election.

Section 2. Duties of Officers

A. Board Chair – The Board Chair shall preside at all meetings of the Council at which he or she is present and shall conduct said meetings in an orderly and impartial manner so as to permit a free and full discussion by the membership of such matters as may be brought before the Policy Board.

The Board Chair shall have the same voting rights as other members. He or she shall be responsible for the implementation of the policies established and the action taken by the Council; appoint such committees as he or she finds necessary or desirable; have all the powers and duties customarily pertaining to the office of Chair of the Board; and perform such further duties as may be assigned to him or her by the Council.

B. Vice-Chair – The Vice-Chair shall perform all duties of the Chairman in the absence of the Chairman or in event of the inability of the Chairman to act, and shall perform such other duties as the Council may delegate.

All other officers elected by the Council shall perform such duties as may be prescribed by the Council.

Section 3. Reports

The Council shall prepare and submit an annual written report of its activities, including a financial statement, to the participating governmental units and the public.

Article IX. Committees

Section 1. Executive Committee

The Executive Committee shall be composed of the following elected officers: Board Chair, Vice-Chair, the Immediate Past Chair, and six At-Large Members. In the event an immediate Past Chair is not eligible to serve as a Council delegate, an additional at-large member shall be chosen to serve for a one-year term. If the Past Chair office continues to be vacant beyond the first year, the at-large position may be filled for an additional one-year term.

The Executive Committee shall meet at a minimum in the months of February, April, June, August, October and December, and such other times as called by the Chair. The time and place shall be determined by the Chair.

The Executive Committee is empowered to act for the Policy Board in matters of personnel, legal, administration, finance, and other matters as expressly authorized by the Policy Board through resolution.

Representation on the Executive Committee shall also meet the Economic Development Administration's requirements for board composition.

Should any vacancy occur after November, the Executive Committee shall recommend appointment of a member to fill the vacancy at the next regularly scheduled Policy Board meeting.

Section 2. Nominating Committee

The Board Chair shall appoint an ad hoc nominating committee of four persons from the membership to research and seek out suitable candidates for nomination to Council office. Their report is due at the regular November meeting of the Council in the calendar year for consideration and action. This report shall be received along with general nominations from the floor and shall constitute the only legitimate candidates for offices to be filled.

Section 3. Additional Committees

The Board Chair may appoint such additional committees as he or she finds necessary or desirable.

Section 4. Committee Procedures

Committees shall, in the absence of additional directives from the Board Chair and Council, follow procedures outlined in "Council Committee Policies and Procedures." Voting procedures for committees shall be as for the Council, as provided in Article VII, Sections 7-9.

Article X. Staff and Administration

Section 1. Staff

It shall be the policy of the Council to employ a staff of qualified professionals and other support staff and pay to them such compensation as it shall deem necessary and advisable to carry out their duties and implement Council projects, programs and functions.

Section 2. Appointment of Executive Director

The Executive Director shall be appointed by the Policy Board based on recommendations of the Executive Committee and shall serve at the pleasure of the Policy Board. The Executive Director shall be appointed solely on the basis of his or her executive and administrative qualifications.

Section 3. Powers and Duties of Executive Director

The Executive Director is the chief administrator of the Council. He or she is responsible to the Policy Board for the administration of all departments under the Policy Board's general control and has the following powers and duties:

A. He or she shall appoint and suspend or remove all Council employees and agents. Such appointments, suspensions and removals shall be in accordance with any general personnel rules, regulations, policies or ordinances as the Policy Board may adopt.

B. He or she shall direct and supervise the administration of all Council offices, departments, boards, committees and agencies under the general control of the Policy Board, subject to the general direction and control of the Policy Board.

C. He or she shall attend all meetings of the Policy Board and Executive Committee and recommend any measure that he considers expedient.

D. He or she shall see that the orders, resolutions and regulations of the Policy Board are faithfully executed within the Council.

E. He or she shall prepare and submit the annual budget to the Policy Board and act as budget officer.

F. He or she shall annually submit to the Policy Board and make available to the public a complete report on the finances and administrative activities of the Council as of the end of the fiscal year.

G. He or she shall appoint and supervise a finance director/officer to fulfill the requirements of N.C. General Statutes Chapter 159, the N.C. Local Government Budget and Fiscal Control Act.

H. He or she shall appoint and supervise a clerk to the board who shall keep all official minutes, books, and records and make them available for public inspection to the extent required by law. The clerk to the board shall attest to official actions of the Council and certify actions and accounts taken by that body.

I. He or she shall make any other reports that the Policy Board may require concerning the operations of Council offices, departments, committees and agencies.

J. He or she shall perform other duties that may be required or authorized by the Policy Board.

Article XI. Fiscal Control

Section 1. Policy Board to Direct Fiscal Policy of the Council

The Policy Board has and shall exercise the responsibility of developing and directing the fiscal policy of the Council under the provisions and procedures of the Local Government Budget and Fiscal Control Act as they apply to a "public authority." The Policy Board shall use a full accrual accounting system until another is adopted in accordance with Article XIII of the Bylaws entitled "Amendments."

Section 2. Annual Balanced Budget

The Council shall operate under an annual balanced budget adopted and administered in accordance with the Local Government Budget & Fiscal Control Act. The budget ordinance shall cover a fiscal year beginning July 1 and ending June 30. Only expenditures authorized in the budget may be disbursed.

Section 3. Budget Officer

The Executive Director shall serve as the Budget Officer. He or she shall have the power to sign on behalf of the Council, agreements or other instruments to be executed by the Council in the conduct of its business. Unless otherwise provided, he or she shall sign or countersign checks and vouchers in payment of obligations of the Council. In case of absence of the

Executive Director, any other Executive Committee member, or other designated official, may be empowered to countersign checks and vouchers in payment of obligations to the Council.

Section 4. Budget Requests

At the March meeting of the Council, a proposed balanced budget for the next fiscal year shall be presented. This preliminary budget as amended constitutes a first reading and shall be submitted the first week in April to each participating government for its review. At the next regular meeting of the Council in May, the Council shall conduct a public hearing and perform a second reading making any final changes necessary. The results of this meeting will constitute final action and adoption of the budget through a simple majority vote.

The budget request shall be an estimate of the financial requirements of the Council for the budget year and shall be made in such form and detail with such supporting information and justifications as the Budget Officer may prescribe. The revenue estimate shall be an estimate of all revenues to be realized by the Council during the budget year.

Section 5. Regular Assessments

The annual budget shall set forth the per capita share of the budget to be funded by each member as provided in the Charter.

Section 6. Special Assessments

If, as a result of participation in a Council program with special funding requirements, a governmental unit is required to offer separate funding for its share, this shall be made known in the budget request to that governmental unit.

Section 7. Budget Approval

Upon approval of the budget by all participating governmental units, each participant governmental unit shall appropriate its share of the budget and shall forward this amount to the Council at the beginning of each fiscal year.

Section 8. Annual Independent Audit

The Council shall have its accounts audited as soon as possible after the close of each fiscal year by a certified public accountant. The auditor shall be selected by and shall report directly to the Policy Board. Upon completion of the examination, the auditor shall prepare a written report embodying financial statements and his or her opinion and comments relating thereto.

Copies of this report shall be distributed to each Council delegate or alternate at the next regular Policy Board meeting following the publication of the report.

Article XII. Prohibited Activities

Section 1. Prohibited Activities

Notwithstanding any other provision of these articles, this organization shall not carry on any activities prohibited by the following.

A) An organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1954 or the corresponding provision of any future United States Internal Revenue Law, or

B) An organization contribution to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1954 or any other corresponding provision of any future United States Internal Revenue Law.

Article XIII. Amendment of Bylaws; Effective Date

Section 1. Amendment of Bylaws

Any proposed amendment, repeal, or alteration, in whole or in part, of these Bylaws shall be submitted in writing and presented for a first reading at a regular meeting of the Policy Board. This shall constitute an official first reading, after which the proposed amendment shall be transmitted to each member government for consideration and ratification. Ratification by three-fourths of the existing member governments shall be required. At the next regular meeting of the Policy Board following receipt of the required ratifications, the proposed amendment shall be presented for a second reading, at which the member governments' actions shall be reported and accepted.

Section 2. Effective Date

These revised Bylaws shall be in full force and effect from and after the date ratified by the required three-fourths majority of member governments and the Policy Board.

ADOPTED THIS _____OF _____, 2026.

Amended November 27, 1990
Amended February 23, 2004
Amended May 22, 2007
Amended _____, 2026

COUNCIL AGENDA MEMOS

To: City Manager's Office

From: Office of Business Development – Planning and Development

Contact Person: Caroline M. Kone, PE, Assistant Public Services Director

Date: Oct. 20, 2026

Re: Offer of Dedication of Public Street Right-of-Way (Lachlan Village)

REQUEST

Consideration of acceptance of the offer of public dedication of lands and improvements within Lachlan Village residential subdivision including 48th Ave NE which is described as 50 foot rights-of-way as recorded in Plat Book 90, Page 109 of the Catawba County Registry.

BACKGROUND

Lachlan Village neighborhood was platted and building lots were created in April of 2025. As part of the process the city granted approval of the streets, contingent upon holding a performance guarantee (bond) to ensure the streets would be completed and in an acceptable state before public maintenance would be considered. Since this time, the streets have been completed, inspected and found to be compliant with city specifications and in good repair.

ANALYSIS

The city has been presented with an offer of dedication of street right-of-way as shown on a plat recorded at Plat Book 90 Page 109 of the Catawba County Registry, which consists of 48th Ave NE. The streets were improved to provide access to the residences within the community, have been inspected by the City of Hickory, and been found to be compliant with city specifications and in good repair. The streets are eligible for public maintenance upon City Council's approval.

Public use and maintenance of street right-of-way cannot occur unless City Council formally accepts the offer of public dedication by means of a duly executed resolution. This requirement is outlined in the North Carolina General Statutes, as well as the City's Land Development Code.

RECOMMENDATION

Staff recommends City Council approve a resolution accepting the streets within Lachlan Village residential community as outlined above.

BUDGET ANALYSIS:

Budgetary Action Is a Budget Amendment required?	Yes	No
	☐	☒

LIST THE EXPENDITURE CODE:

Reviewed by:

Caroline M. Kone, PE Initiating Department Head	10-20-26 Date	_____ City Attorney, T. Swanson	_____ Date
_____ Asst. City Manager, R. Miller	10/26/26 Date	_____ Asst. City Manager S. Miller	_____ Date
_____ Finance Officer, Kari Dunlap	10/29/26 Date	_____ Deputy Finance Officer, Cameron McHargue	10-29-26 Date
_____ Asst City Manager, Yaidee Fox	10/26/26 Date		

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

_____
City Manager, W. Wood

10.30.26
Date

RESOLUTION NO. _____

A RESOLUTION OF THE HICKORY CITY COUNCIL ACCEPTING THE OFFER OF PUBLIC DEDICATION OF LANDS AND IMPROVEMENTS KNOWN AS LACHLAN VILLAGE WHICH INCLUDES 48th AVE NE WHICH IS DESCRIBED IN EXHIBIT A AS A 50 FOOT RIGHT-OF-WAY AS RECORDED IN PLAT BOOK 90, PAGE 109 OF THE CATAWBA COUNTY REGISTRY.

WHEREAS, NCGS §160A-374 and Article 2, Section 2.3.6 of the Land Development Code provide that City Council may, by resolution, accept offers of public dedication made to the public of lands and facilities for streets, sidewalks, open spaces and public utilities after verification from the City Engineer such properties and improvements are in a manner acceptable for acceptance; and

WHEREAS, the City of Hickory has been provided with an offer of public dedication of lands and improvements known as Lachlan Village which includes 48th Avenue NE which is described in EXHIBIT A as a 50 foot right-of-way as recorded in Plat Book 90, Page 109 of the Catawba County; and

WHEREAS, the City of Hickory has reviewed the land and improvements placed upon them provided as part of the offer of public dedication, and such land and improvements have been found to be compliant with standards in place for such land and improvements; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Hickory, North Carolina, the offer of public dedication for Lachlan Village which includes 48th Avenue NE described in EXHIBIT A as a 50 foot right-of-way as recorded in Plat Book 90, Page 109 of the Catawba County, is accepted, subject to the following terms and conditions:

SECTION 1. Terms and Conditions of Acceptance:

1. The property owners shall guarantee all materials and workmanship for a period of 18 months from the date of official acceptance by the City Council;

2. The acceptance by the City Council shall not be interpreted in any way to relieve any developer, contractor, subcontractor, insurance company, owner, or other person of his individual or several obligations under any ordinance, policy, or contract or to otherwise reduce or eliminate the rights of the city, its agents and employees against any other party connected with or in any way related to the development of the subdivision and facilities. The acceptance shall not be interpreted as a waiver of any defense or immunities that the city, its agencies or employees may assert or be entitled to;

3. All rights, privileges and warranties of whatsoever nature and kind, for equipment, supplies, materials, goods, and services shall be assigned to the city and any and all benefits derived there from shall inure to the city, its agents, and employees. The acceptance of the lands and facilities shall be conditioned upon the owners covenanting and warranting that they are lawfully seized and possessed of all the lands and facilities dedicated to the public; that they have good and lawful authority to dedicate the same to the public for the stated purpose; that the lands and facilities are free and clear of any deed of trust, mortgage, lien or assessments and that the dedicators for their heirs, successors, executors, administrators, and assigns,

covenant that they will warrant and defend the dedication of such land and facilities against any and all claims and demands whatsoever; and

4. Acceptance of dedication of lands and facilities shall not obligate the city to construct, install, maintain, repair, replace, extend, improve, build or operate any public facilities or utilities which are not in existence as of the date of the acceptance of the lands and facilities. Such acceptance shall not obligate the city to construct any main, line, pipe, lateral, or other extension or permit connection to the city's water, sanitary sewer, storm sewer, drainage or other public utilities systems.

SECTION 2. This Resolution shall become effective immediately upon adoption.

RESOLVED by the City Council of Hickory, North Carolina, this, the _____ day of _____, 2026.

THE CITY OF HICKORY, a
(SEAL) North Carolina Municipal Corporation

Attest:

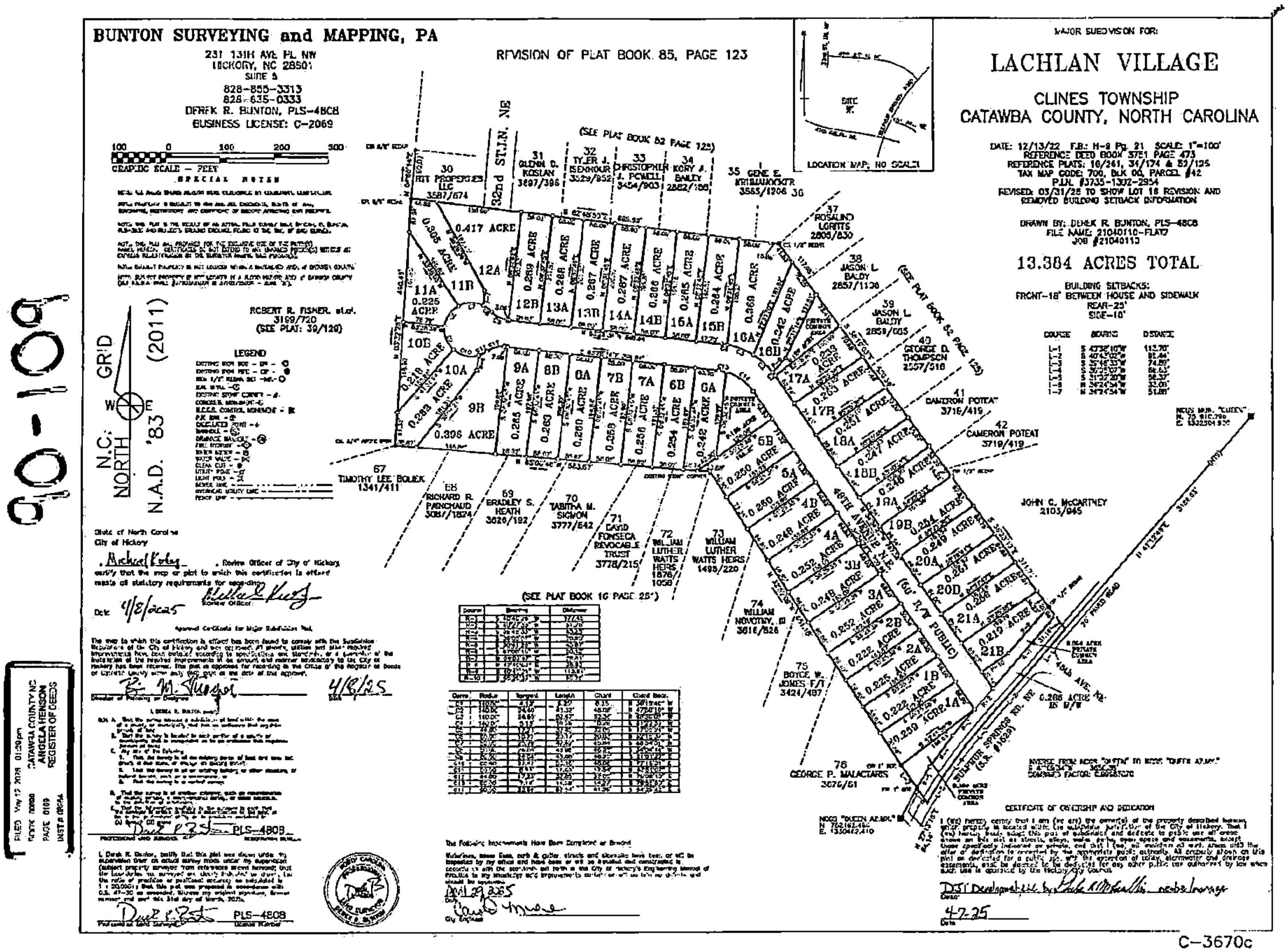
By: _____
Hank Guess, Mayor

_____
Debbie D. Miller, City Clerk

Approved as to form this _____ day of _____, 2026.

_____
Attorney for the City of Hickory

EXHIBIT A FOLLOWS
PLAT BOOK 90, PAGE 109



RESOLUTION NO. ________
HICKORY CITY COUNCIL
Page 3 of 3

4

COUNCIL AGENDA MEMOS

To: City Manager's Office

From: Will Hamblin, Public Utilities Director

Contact Person: Will Hamblin, Public Utilities Director

Date: November 3, 2026

Re: Henry Fork Streambank and Sewer Improvements – Amendment 1

REQUEST

Staff requests Council approval of a Professional Engineering Services Agreement with McGill Associates, P.A. for the Henry Fork Streambank and Sewer Improvements – Amendment 1, in the amount of $684,000.00.

BACKGROUND

On September 27, 2024, Hurricane Helene swept through Hickory, causing downed trees, high water, and piles of debris. The high rushing waters damaged portions of the sewer system and the City's raw water intake located in Lake Hickory.

Prior to Hurricane Helene, the City had contracted with McGill Engineering to conduct a self-funded study to identify areas of sewerline exposure and streambank erosion, problems that were exacerbated during the hurricane's heavy rainfall, as evidenced by McGill's inspection in late November 2024. Additional flooding incidents could further erode the streambank, impact the sewer system, and lead to sewage overflows into the Henry Fork River, posing a public health hazard. This project will consist of replacement and relocation of sewerlines, the rehabilitation of manholes, and the restoration and hardening of streambanks to prevent future issues and enhance resilience. The Department of Environmental Quality has received over $253 million in appropriations earmarked specifically for wastewater projects in areas affected by Hurricane Helene. The City of Hickory has qualified for a $5M loan with 100% principal forgiveness.

ANALYSIS

The initial phase of the design consisted of an Engineer Report/Environmental Information Document (ER/EID). NCDEQ has approved the ER/EID allowing detailed design to commence. Amendment 1 consists of surveying, environmental review, sewer and stream restoration design, flood plain and floodway modeling, geotechnical investigations, structural design, permitting, DWI coordination and preparation of full bidding documents.

RECOMMENDATION

Staff recommends Council approval of a Professional Engineering Services Agreement with McGill Associates, P.A. for the Henry Fork Streambank and Sewer Improvements – Amendment 1, in the amount of $684,000.00.

BUDGET ANALYSIS:

Budgetary Action Is a Budget Amendment required?	Yes	No
	☒	☐

LIST THE EXPENDITURE CODE:

Project# 83321 Engineering

Reviewed by:

Will Hamblin Initiating Department Head	10/22/2026 Date	Asst. City Manager, Yaidee Fox	10/26/26 Date
Asst. City Manager, Rodney Miller	10/26/26 Date	Asst. City Manager, Steve Miller	Date
Finance Officer, Kari Dunlap	10/29/26 Date	Deputy Finance Officer, Cameron McHargue	10-29-26 Date

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

City Manager, W. Wood

10.30.26
Date

AMENDMENT NO. 1
to the
AGREEMENT FOR ENGINEERING SERVICES – DATED MAY 19, 2026
HENRY FORK STREAMBANK AND SEWER IMPROVEMENTS

WHEREAS, the OWNER desires to modify the previously defined project scope which was described in in the Agreement for Engineering Services Dated May 19, 2026, and

WHEREAS, the new task within the agreement is titled "Design and Construction Phase Services"

NOW, THEREFORE, in consideration of the mutual covenants herein set forth and other good and valuable consideration, the parties agree to amend the Agreement for Engineering Services (AGREEMENT) pursuant to Section 3 of the AGREEMENT as follows:

Section 2 – Basic Services shall be amended to add the following services:

2.2 DESIGN PHASE

2.2.1 Prepare a complete set of bid documents, contract documents, technical specifications and construction drawings to detail the character and scope of the work including all design functions, surveying, and coordination for all disciplines of work including construction sequencing of the project. Design tasks associated with the scope of work for this phase include the following:

- Existing Conditions Survey
- Environmental Review and Design
- Preliminary Sewer Design
- Stream Restoration Design
- Flood Plain and Floodway Modeling
- Sewer Line Design & Bid Document Development
- Geotechnical Subsurface Investigations
- Aerial Sewer Structural Design

2.2.2 Review all the design documents as described above with the OWNER for comments and approval throughout the design process. This shall include a 60% design submittal and 90% design submittal with comments from the Owner and permitting agency being implemented to achieve the final design documents.

2.2.3 Assist the OWNER in securing approval of the final design documents from such governmental agencies if any have jurisdiction over the project or any portion thereof. The following approvals/permits are assumed to be required for the project as defined in the PER. Any additional permitting, beyond this due to unforeseen regulatory requirements or changes in project scope would be considered additional services.

- NC Division of Water Resources – Approval of Plans and Specifications and Authorization to Construct
- NC Division of Water Infrastructure – Plans and Specifications Approval and Authority to Award
- NC Division of Energy Minerals and Land Resources – Erosion and Sedimentation Control Approval
- NC Division of Water Resources – 401 Water Quality Certification
- USACE – Section 404 Permit
- Local Flood Plain Administration Permitting

2.2.4 Prepare and submit to the OWNER an updated project opinion of probable costs based upon the final design drawings and documents. Advise the OWNER of any adjustment of the project cost caused by changes in scope, design requirements or construction costs.

2.2.5 Furnish copies of the final design documents as required to accomplish the design phase.

2.2.6 Provide Bidding Phase Services including:

- Assist the OWNER with DWI funding-related bidding and other requirements.
- Assist the OWNER in advertising, receiving, opening and evaluating bids.
- Schedule a Pre-Bid Conference with prospective bidders and the OWNER to address the project requirements and receive any bidding questions.
- Consult with and advise the OWNER as to the acceptability of contractors and subcontractors and make recommendations as to the lowest, responsive, responsible bidder.
- Assist the OWNER in the final preparation and execution of construction contracts and in checking Performance and Payment Bonds and Insurance Certificates for compliance

SECTION 6 - PAYMENT TO THE ENGINEER

6.1 PAYMENT FOR BASIC SERVICES

6.1.1 The OWNER will pay the ENGINEER for Basic Services as outlined in Section 2, amounts for the project as follows:

Section 2.2 as detailed above (Lump Sum Fee): $684,000

In accordance with the Agreement for Engineering Services, the Owner agrees to pay the ENGINEER the amounts noted above for the Additional Services rendered as outlined in this Amendment No. 1.

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

CITY of Hickory

Warren Wood
City Manager

Date: _____

McGILL ASSOCIATES, P.A.

Douglas Chapman, PE
Vice President / Regional Manager

Date: 10-20-26

ATTEST:

Debbie D. Miller
City Clerk

PRE-AUDIT CERTIFICATION:

THIS INSTRUMENT has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act as amended.

By: Kari Dunlap
~~Rodney N. Miller~~
~~Deputy City Manager/CFO~~
Finance Director

PREPARED BY: **City of Hickory**
P.O. Box 398
Hickory, NC 28603

STATE OF NORTH CAROLINA – CATAWBA COUNTY: CEMETERY DEED

THIS DEED, made this the ___ day of **November 2026**, by the **CITY OF HICKORY,** a municipal corporation under the laws of the State of North Carolina, acting by and through its Mayor and City Manager, hereinafter referred to as Grantor, and **Irene Suddreth and spouse, Benjamin Suddreth** of Catawba County, in said State, hereinafter referred to a Grantee(s);

WITNESSETH

THAT the Grantor, in consideration of the sum of Two Thousand Thirty-Two Dollars **($2,032.00) DOLLARS,** to it paid by the Grantee(s), receipt of which is hereby acknowledged, has bargained and sold, and by these presents does grant, bargain, sell and convey unto the Grantee(s), and her heirs, that certain lot of land containing **Eighty (80)** square feet, situate in **Southside** Cemetery in said City, and designated on the plot of said Cemetery as **Lot No. E , Section 6, Spaces 22 and 23.**

TO HAVE AND TO HOLD said cemetery lot to said Grantee(s), his/her heirs and assigns forever, for burial of bodies of persons and for no other purpose.

This Deed is executed, delivered and accepted upon the condition that the Grantee(s) and her heirs and assigns shall faithfully comply with and carry out all of the terms of Chapter 7 of the Hickory City Code and to any Ordinance of the Hickory City Council amending, revising and/or replacing, in whole or in part Chapter 7 of the Hickory City Code regarding the operation of municipally owned cemeteries and establishing an effective date for the same.

In the event of the actual or attempted use of said lot by the Grantee(s) or her heirs and assigns for any purposes other than designated herein or in any manner in violation of said set out Section of said Chapter 7, this conveyance shall become inoperative and the Grantor shall have his right to immediately resume possession and control of said lot; further, said lot shall not be transferred without the consent in writing of the Grantor, which said consent shall not be unreasonably withheld.

SOUTHSIDE CEMETERY DEED
HICKORY, NC
CITY OF HICKORY

IN WITNESS WHEREOF, the said City of Hickory has caused its official name to be signed, and its common seal affixed hereto, by its Mayor and attested by its City Manager on the day above written.

ATTEST:

CITY OF HICKORY

_____
City Manager

_____
Mayor

SEAL

STATE OF NORTH CAROLINA
COUNTY OF CATAWBA

I, a Notary Public of the county and state aforesaid, certify that **Warren Wood** personally came before me this day and acknowledged that he is the City Manager of the **CITY OF HICKORY,** a North Carolina municipal corporation, and that by authority duly given and as the act of the City Council of the City of Hickory, the foregoing instrument was signed in its name and by its Mayor, sealed with its corporate seal and attested by him as its City Manager.

WITNESS my hand and seal this _____ day of _____, 2026.

_____
Notary Public
My commission expires: _____

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COUNCIL AGENDA MEMOS

To: **City Manager's Office**

From: **Dave Leonetti, Business Development Director**

Contact Person: **Dave Leonetti, Business Development Director**

Date: **October 23, 2026**

Re: **Approve the sale of City-owned property at 445 3rd St SW to Legacy Home Builders North Carolina, LLC.**

REQUEST

Approve the sale of two parcels of City-owned property at 445 3rd St SW to Legacy Home Builders North Carolina, LLC.

BACKGROUND

The City owns two parcels in the 400 block of 3rd Street SW. The properties are 0.15 acres in size and are currently undeveloped. The property is further described as GIS PINs 370206478534 and 370206478520 on the Catawba County tax maps. The combined tax value of the property is $3,600.

ANALYSIS

Legacy Home Builders North Carolina LLC has expressed interest in the site for residential development. They have offered $25,000 for the property. A sale to the private sector will place the property back on the property tax roll for residential development. North Carolina general statutes require that surplus property be sold competitively. The property would need to be sold subject to the upset bid statute and allow other interested parties to bid on the property after the City Clerk publishes a notice in the newspaper.

RECOMMENDATION

Staff recommend that City Council adopt a resolution accepting the offer from Legacy Home Builders North Carolina LLC and authorize staff to advertise for upset bids.

BUDGET ANALYSIS:

Budgetary Action	Yes	No
Is a Budget Amendment required?	☐	☒

LIST THE EXPENDITURE CODE:

Reviewed by:

David Leonetti
Initiating Department Head — 10/23/26 Date

Deputy City Manager Rodney Miller — 10/26/26 Date

Asst. City Manager, S. Miller — Date

Finance Officer, Kari Dunlap — 10/29/26 Date

Deputy Finance Officer, Cameron McHargue — 10-29-26 Date

Asst. City Manager Yaidee Fox — 10/24/26 Date

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

City Manager W. Wood

10.30.26
Date

dotloop signature verification: dtlp.us/tuwr-gedq-cUyE

CITY OF HICKORY
OFFER TO PURCHASE AND CONTRACT
(OFFER SUBJECT TO UPSET BID PROCEDURE)

Legacy Home Builders North Carolina LLC as "Buyer," hereby offers to purchase, and the City of Hickory, a municipal corporation, as "Seller," upon the execution hereof as authorized by action of the Hickory City Council, agrees to sell and convey, all of that plot, piece or parcel of land described below, together with improvements, if any, located thereon (the "Property"), upon the following terms and conditions:

1. **REAL PROPERTY:** Located in the City of Hickory, County of Catawba, State of North Carolina, being known as and more particularly described as:
   Street Address: 445 3rd St SW, Hickory, NC 28602
   Legal Description: Parcel IDs 370206478534 and 370206478520 (Some or all of the property may be described at DB: 2835, PG: 0751and at DB: 1616, PG: 0806 in the Catawba County Registry

2. **OFFER/PURCHASE PRICE:** The purchase price offered is $ $25,000 and shall be paid as follows:

(a) $1250, representing a 5% deposit paid by 10/28/2026 (bank certified check or money order) with the delivery of this contract, to be held in escrow by Young, Morphis Bach, and Taylor, until the sale is closed, as which time it will be credited to Buyer, or until this contract is otherwise terminated and it is disbursed to Buyer.

(b) $23,750, the balance of the purchase price in cash at closing. **At closing Buyer agrees to pay for all advertising costs incurred by the City of Hickory during the upset bid process in addition to the purchase price offered in section 2 above.**

3. **CONDITIONS:** The attached Standard Provisions are incorporated herein by reference shall apply to this Offer and Contract, unless expressly modified by addendum to this instrument. Additional Conditions applicable to the property in question are attached hereto as Exhibit A.

4. **DURATION OF OFFER:** This offer to purchase shall be effective for sixty (60) days from the date hereof. Following acceptance of this offer, the parties shall remain bound hereby for an additional forty-five (45) days and closing shall occur before the expiration of such period.

5. **CLOSING:** All parties agree to execute any and all documents and papers necessary in connection with closing and transfer of title at a place designated by the Seller. The conveyance is to be made to the Buyer by **NON-WARRANTY** deed.

6. **POSSESSION:** Possession shall be delivered **immediately upon closing.**

This offer shall become a binding contract when signed by both Buyer and Seller.

Date of Offer: 10/22/2026

Buyer: Legacy Home Builders North Carolina LLC

_____ **(Seal)**

Nataly Gladysh dotloop verified 10/22/25 9:15 AM EDT GNOP-5JDG-MION-BYDO _____ **(Seal)**

Address: 526 23rd St SW, Hickory, NC, 28602

Phone: 413-355-0545

Email: realestate@legacy-hb.com

Date of Acceptance: _____

Seller: City of Hickory

By: _____
Warren Wood, City Manager

Council Resolution Date: _____

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

_____
City of Hickory
Finance Officer

****

544082.1

To Submit in Person: Debbie Miller, City Clerk, City of Hickory, 76 N Center Street, Hickory, NC 28601
To Submit by Mail - Mailing address: City of Hickory, Attn. Debbie Miller, City Clerk, PO Box 398, Hickory, NC 28603

dotloop signature verification: dtlp.us/tuwr-gedq-cUyE

Receipt of Bid Deposit:

I hereby acknowledge receipt of the earnest money herein set forth and agree to hold and disburse the same in accordance with the terms hereof.

Young, Morphis, Bach, and Taylor

Date: _____ By: _____

dotloop signature verification: dtlp.us/tuwr-gedq-cUyE

STANDARD PROVISIONS

1. **DEPOSIT WITH OFFER:** This offer, and the deposit sum paid by Buyer, is expressly conditioned upon the provisions for upset bidding set forth in N.C. General Statute 160A-269. In the event this offer is not accepted as a result of a qualifying upset bid being received, the Seller's rejection of any or all offers, the failure to satisfy any of the conditions hereof, or in the event of any breach of this contract by the Seller, then the deposit shall be returned to Buyer.

In the event this offer is accepted and the Buyer fails to close or otherwise breaches this contract, then the deposit shall be forfeited, but such forfeiture shall not affect any other remedies available to the Seller for such breach.

2. **PRORATIONS AND ADJUSTMENTS:** Unless otherwise provided, the following items shall be prorated and either adjusted between the parties or paid at closing:

(a) Ad valorem taxes on real property due for the next fiscal year period, shall be paid by Buyer when closing is held between January 1 and June 30. See N.C.G.S 105-285(d).
(b) Ad valorem taxes on personal property, if any, for the entire year shall be paid by Seller.
(c) Rents, if any, for the Property shall be prorated to the date of closing.

3. **FIRE AND OTHER CASUALTY:** The risk of loss or damage by fire or other casualty prior to closing shall be upon Seller.

4. **SOILS AND ENVIRONMENTAL CONDITIONS:** Buyer and Seller acknowledge that the property is to be sold in "as is" condition; that no assurances or warranties are given by Seller as to the condition of the site, including any adverse conditions discoverable by soils studies or other subsurface investigations of the property. Seller and Buyer expressly agree that no environmental studies or investigations have been performed by the Seller incidental to the sale of the property; and that any such studies or investigations to be performed by the Buyer are the sole responsibility of the Buyer; and that the Buyer expressly releases and discharges the Seller from any and all responsibility and liability resulting from surface, soils, ground water or other contamination or adverse environmental condition of the site, whatsoever.

5. **CONDITIONS:**

(a) The Property must be in substantially the same condition at closing as on the date of this offer, reasonable wear and tear excepted.
(b) Title will be delivered at closing by **NON-WARRANTY DEED.**
(c) Property is being sold as-is, buyer beware, and it is the duty of Buyer to research the property on its own. The information posted on the City of Hickory website (notice, property characteristics, structures, pictures, etc.), if any, is for assistance only in the Buyer's research process and cannot and should not be relied upon solely by Buyer.

6. **NEW LOAN:** Buyer shall be responsible for all costs with respect to any new loan obtained by Buyer. Seller shall have no obligation to pay any charge in connection therewith unless specifically set forth in this contract.

7. **CLOSING EXPENSES:** Buyer agrees to prepare the proper deed, pay for recording the deed and for preparation and recording of all other instruments if any, incidental to closing. **The winning bidder will be responsible for all advertising costs incurred by the City of Hickory during the upset bid process.**

8. **EVIDENCE OF TITLE:** Seller agrees to use its best efforts to deliver to Buyer as soon as reasonably possible after the acceptance of this offer, copies of all title information in possession of or available to Seller, including but not limited to: title insurance policies, attorney's opinions on title, surveys, covenants, deeds, notes and deeds of trust and easements relating to the Property.

9. **ASSIGNMENTS:** This contract may not be assigned without the written agreement of all parties, but if assigned by agreements, then this contract shall be binding on the assignee and his heirs and successors.

10. **PARTIES:** This contract shall be binding upon and shall inure to the benefit of the parties and their heirs, successors and assigns. As used herein, words in the singular include the plural and the masculine includes the feminine and neuter genders, as appropriate.

11. **SURVIVAL:** If any provision herein contained which by its nature and effect is required to be observed, kept or performed after the closing, it shall survive the closing and remain binding upon and for the benefit of the parties hereto until fully observed, kept or performed.

dotloop signature verification: dtlp.us/tuwr-gedq-cUyE

12. **ENTIRE AGREEMENT:** Buyer acknowledges that he has inspected the Property. This contract contains the entire agreement of the parties and there are no representations, inducements or other provisions other than those expressed herein in writing.

13. **RIGHT OF ENTRY/INDEMIFICATION:** Upon execution by both parties, Buyer and its employees, agents, contractors and consultants are granted a Right of Entry over the Property for a period not to exceed forty-five (45) days from the date of this contract (which is the date of the last signature above). The Right of Entry granted herein is for the purpose of allowing the Buyer, its employees, agents, contractors and consultants to perform site evaluations of the Property, which site evaluations may include the performance of boundary surveys and environmental assessments such as a Phase 1 Environmental assessment provided there shall be no soil borings or placement of any groundwater monitoring wells associated with any such environmental assessments without the Seller's express written permission. Buyer shall provide Seller with reasonable notice before Buyer or any of its employees, agents, contractors and/or consultants enters onto the Property pursuant to this Right of Entry. Such notice shall be delivered by U.S. mail, to the attention of the City's Manager or his designee, at the following address: 76 N Center Street, Hickory, NC 28601 (or PO Box 398, Hickory, NC 28603, if by mail). Buyer agrees to defend, indemnify and hold harmless the City of Hickory against any and all claims, demands, actions, losses, damages, liabilities, fines and expenses (including reasonable attorneys' fees actually incurred) arising out of, or in any way related to, Buyer or its employees', agents', contractors' and/or consultants' entry onto the Property pursuant to this Right of Entry, including, but not limited to, any and all damages and injuries (including death) to person and property (personal and real) resulting from such entry onto the Property. This indemnification obligation shall survive the expiration or termination of this contract.

14. **IRAN DIVESTMENT ACT COMPLIANCE:** Buyer certifies that, as of the date listed below, it is not on the Final Divestment List as created by the State Treasurer pursuant to N.C.G.S. § 147-86.55, et seq.

15. **COMPANIES BOYCOTTING ISRAEL DIVESTMENT ACT CERTIFICATION:** Buyer certifies that it has not been designated by the North Carolina State Treasurer as a company engaged in the boycott of Israel pursuant to N.C.G.S. 147- 86.81

16. **NONDISCRIMINATION:** To the extent permitted by North Carolina law, the Buyer and Seller for themselves, their agents, officials, directors, officers, members, representatives, employees, and contractors agree not to discriminate in any manner or in any form based on actual or perceived age, mental or physical disability, sex, religion, creed, race, color, sexual orientation, gender identity or expression, familial or marital status, economic status, veteran status or national origin in connection with this contract or its performance.

RESOLUTION NO. 26-
RESOLUTION AUTHORIZING THE ADVERTISEMENT OF AN OFFER TO PURCHASE CERTAIN PROPERTY

WHEREAS, City Council of the City of Hickory desires to dispose of certain surplus properties of the City of Hickory.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL THAT:

1. The following properties described are hereby declared to be surplus to the needs of the City of Hickory:

   Properties located in the 400 Block of 3rd Street SW, (435 3rd Street SW, Hickory, and an unaddressed parcel), containing a total of approximately .15 acres, identified as Catawba County GIS PINs 3702-06-47-8534 and 3702-06-47-8520.

2. City Council has received an offer to purchase for the sum of $25,000, the properties located in the 400 Block of 3rd Street SW, (435 3rd Street SW, Hickory, and an unaddressed parcel), containing a total of approximately .15 acres, identified as Catawba County GIS PINs 3702-06-47-8534 and 3702-06-47-8520. The person making the offer must deposit the sum equal to five percent (5%) of his or her offer, to Young, Morphis, Bach & Taylor Trust Account in accordance with the Real Estate Purchase Agreement.

3. City Council proposes to accept the offer unless a qualifying upset bid shall be made.

4. The City Clerk shall cause a notice of such offer to be published in accordance with G.S. 160A-269.

5. Persons wishing to upset the offer must submit a sealed bid to the City Clerk within ten (10) days after publication of the notice. A five per cent (5%) bid deposit in the form of cash, cashier's check, or wired funds is required for each upset bid. In addition, the bid must raise the original offer by amount of at least 10% of the first $1000 of that offer and 5% of the remainder. At the conclusion of the ten (10) days, the City Clerk shall open the bids, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

6. If a qualifying upset bid is received, the City Clerk is directed to re-advertise the offer at the increased upset bid amount, and to continue with this process until a ten (10) day period has passed without receipt of a qualifying upset bid.

7. Upon approval of the final upset bid, total payment for the properties must be received by the City of Hickory within 30 days of the bid award.

8. City Council authorizes the City Manager to execute all documents related to the sale if no upset bids are received after due advertisement.

Adopted this the ____ day of _____, 2026.

THE CITY OF HICKORY a
North Carolina Municipal Corporation

(SEAL)

ATTEST:

By: _____
Hank Guess, Mayor

_____
Debbie D. Miller, City Clerk

BUDGET REVISION # 8

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, 2027 and for the duration of the Project Ordinances noted herein.

SECTION 1. To amend the General Fund within the FY 2026-27 Budget Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Culture & Recreation	249	
Public Safety	506,691	
Other Financing Uses	855,905	
TOTAL	1,362,845	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous	7,249	
Sales and Services	199,691	
Other Financing Sources	1,155,905	
TOTAL	1,362,845	-

SECTION 2. To amend the Airport Fund within the FY 2026-27 Budget Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Transportation	79,121	
TOTAL	79,121	-

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

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous	79,121	
TOTAL	79,121	-

SECTION 3 To amend the Springs Road Sidewalk (#54620) Capital Project Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
General Capital Projects	2,781,462	
TOTAL	2,781,462	-

To provide funding for the above, the Springs Road Sidewalk (#54620) revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	855,905	
Restricted Intergovernmental	1,925,557	
TOTAL	2,781,462	-

SECTION 4 To amend the Henry Fork Streambank and Sewer Improvements (#83321) Grant Project Ordinance, the expenditures shall be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Water & Sewer Capital Projects	684,000	
TOTAL	684,000	-

To provide funding for the above, the Henry Fork Streambank and Sewer Improvements (#83321) revenues will be amended as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	684,000	
TOTAL	684,000	-

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.

Adopted this _____ day of _____, 2026

_____
Mayor

_____
Clerk

2

COUNCIL AGENDA MEMOS

To: City Manager's Office

From: John Marshall, Transportation Planning Director

Contact Person: John Marshall, Transportation Planning Director

Date: November 3, 2026

Re: BL-0066 – Springs Road Sidewalk

REQUEST

Staff requests Council acceptance and award of the contract for construction for BL-0066 – Springs Road Sidewalk to Cardinal Civil Contracting, LLC, in the amount of $2,781,461.33, contingent upon NCDOT concurrence.

BACKGROUND

The City applied for and received State Transportation Block Grant - Directly Attributable (STBG-DA) funding approval from the Greater Hickory MPO and North Carolina Department of Transportation (NCDOT) for sidewalk improvements on Springs Road from Sandy Ridge Road to McDonald Pkwy.

By adding sidewalk in an area that is already used by pedestrians, a safer connection would be created and would enhance access to various development types. Currently Springs Road connects residential development with churches, schools, medical facilities and many commercial uses including grocery stores, banks, restaurants, pharmacies, and other uses.

ANALYSIS

A contractor is needed for the construction of BL-0066 – Springs Road Sidewalk. Bids were advertised for the project and received on October 15, 2026. Three bids were received and opened, and the results are as follows:

- Cardinal Civil Contracting, LLC – $2,781,461.33
- M&M Construction of Banner Elk - $4,797,178.80
- TP Howards Plumbing Co. Inc. – $3,249,000.00

RECOMMENDATION

Staff recommends Council acceptance and award of the contract for construction for BL-0066 – Springs Road Sidewalk in the amount of $2,781,461.33 to Cardinal Civil Contracting, LLC, contingent upon NCDOT concurrence.

BUDGET ANALYSIS:

Budgetary Action	Yes	No
Is a Budget Amendment required?	☒	☐

LIST THE EXPENDITURE CODE:

BL-0066 – Springs Road Sidewalk
Project Code – ~~546021~~ 54620
CONST Expenditure Code – 061-5460-5743-02

Reviewed by:

John Marshall
Initiating Department Head

10/22/2026
Date

City Attorney, Timothy Swanson

Date

Asst. City Manager Rodney Miller

10/26/26
Date

Asst. City Manager, Steve Miller

Date

Finance Officer, Kari Dunlap

10/29/26
Date

Deputy Finance Officer, Cameron McHargue

10-29-26
Date

Asst. City Manager Yaidee Fox

10/26/26
Date

Recommended for approval and placement on November 3, 2026, Council agenda (as Consent, Public Hearing, Informational, Department Report, etc).

City Manager, W. Wood

10·30·26
Date

RESOLUTION NO. _____

RESOLUTION AWARDING CONTRACT FOR TIP PROJECT BL-0066 AND AUTHORIZING EXECUTION OF CONTRACT DOCUMENTS

WHEREAS, the City of Hickory, North Carolina, solicited formal bids for the construction of TIP Project No. BL-0066 – Springs Road Sidewalk Project (the "Project"); and

WHEREAS, the City received three (3) sealed bids for the Project; and

WHEREAS, sealed bids for the Project were publicly opened on October 15, 2026; and

WHEREAS, Cardinal Civil Contracting, LLC submitted the lowest responsive, responsible bid in the amount of $2,781,461.33; and

WHEREAS, City staff has reviewed the bid submitted by Cardinal Civil Contracting, LLC and determined that the bid complies with the applicable bidding requirements and contract documents; and

WHEREAS, the City Council finds that awarding the contract to Cardinal Civil Contracting, LLC is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hickory, North Carolina, as follows:

1. The City Council hereby awards the construction contract for TIP Project No. BL-0066 – Springs Road Sidewalk Project to Cardinal Civil Contracting, LLC in the amount of $2,781,461.33, subject to the conditions set forth in this Resolution.
2. The award is contingent upon receipt of written concurrence in the award from the North Carolina Department of Transportation. No construction contract shall be executed before that concurrence is received.
3. Following satisfaction of the foregoing condition, the City Manager is hereby authorized and directed to execute the construction contract and all related documents consistent with the bid and this award, subject to approval as to form by the City Attorney, receipt of the required performance and payment bonds and evidence of insurance, and completion of the preaudit certification required by G.S. 159-28.
4. This Resolution shall become effective upon adoption.

Adopted this the 3rd day of November 2026, at Hickory, North Carolina.

ATTEST:

_____
Hank Guess, Mayor

_____
Debbie D. Miller, City Clerk

Approved as to form on _____day of _____ 2026

_____
Timothy Swanson, City Attorney