



MINUTES

September 28, 2022

SECOND MONTHLY MEETING OF THE CITY COUNCIL CITY OPERATIONS CENTER | 305 WILLIAMS ST. | 4:00 p.m.

Present: Mayor Barbara G. Volk, Mayor Pro Tem Lyndsey Simpson and Council Members: Dr. Jennifer Hensley, Debbie O'Neal-Roundtree, and Jerry A. Smith Jr., J.D.

Staff Present: City Manager John F. Connet, Assistant City Manager Brian Pahle, City Attorney Angela Becker, City Clerk Angela Reece, Communications Manager Allison Justus, and others

1. CALL TO ORDER

Mayor Barbara G. Volk called the meeting to order at 4:03 p.m. and welcomed those in attendance. A quorum was established with the majority of members in attendance.

2. CONSENT

A. Adoption of City Council Minutes – *Angela Reece, City Clerk*

I move that City Council adopt the minutes of the August 24, 2022 Second Monthly Meeting and the September 1, 2022 Regular Meeting.

B. August Budget Amendments – *Adam Murr, Budget Manager*

I move City Council adopt budget amendment(s) 09282022-01, 09282022-02, and 09282022-03, as presented.

C. Henderson County Tax Adjustments -*Amanda Lofton, Deputy Tax Collector*

I move that City Council resolve to direct and authorize the tax releases submitted by Henderson County Tax Collector as presented and relieve the Henderson County Tax Collector and the Deputy Tax Collectors of the charges owed.

D. Project Coordinator Engineering department – *Jennifer Harrell, HR Director*

I move City Council adopt the Engineering Project Coordinator position and job description as presented.

E. Seventh Ave. Streetscape Construction Manager at Risk Contract Execution – *Brendan Shanahan, Civil Engineer IV*

I move the City Council adopt a Resolution authorizing the City Manager to execute a contract with Harper General Contractors to provide construction manager at risk services.

Resolution #R-22-122

RESOLUTION BY THE HENDERSONVILLE CITY COUNCIL ACCEPTING HARPER GENERAL CONTRACTORS' CONSTRUCTION MANAGER AT RISK PROPOSAL FOR THE SEVENTH AVENUE STREETSCAPE PROJECT

WHEREAS, the City Council has resolved to authorize the negotiation of a contract for construction manager at risk services with Harper General Contractors for the Seventh Avenue Streetscape Project and;

WHEREAS, staff have received and evaluated a proposal for such services from Harper General Contractors; and

WHEREAS, a contract for services is still to be established;

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

1. The City Manager is authorized to execute a contract for construction manager at risk pre-construction services with Harper General Contractors on behalf of City Council in the amount not to exceed \$30,000 for pre-construction services and a construction manager's fee

not greater than 7.5% of the cost of work upon establishment of a guaranteed maximum price (GPM), for the Seventh Avenue Streetscape project, and

2. The City Manager is authorized to utilize additional services as described in the proposal when it is determined to be in the best interest of the City of Hendersonville within budgeted funds available for the project.
3. The City Manager and City Attorney are authorized to negotiate and execute a final contract with Harper General Contractors for construction manager at risk services for the Seventh Avenue Streetscape project.

Adopted by the City Council of the City of Hendersonville, North Carolina this 28th day of September 2022.

/s/Barbara G. Volk, Mayor

Attest: /s/Angela L. Reece, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

Council Member Lyndsey Simpson moved that City Council approve the consent agenda as presented. A unanimous vote of the Council followed. Motion carried.

3. NEW BUSINESS

- A. Authorizing the Hiring of Contract City Clerk and Appointment of Deputy City Clerk**
– John Connet, City Manager

Council Member Dr. Jennifer Hensley moved that City Council authorize the City Manager to enter into a contract with Angela Reece to serve as City Clerk until a full-time City Clerk can be appointed and appoint Daniel Heyman as Deputy City Clerk. A unanimous vote of the Council followed. Motion carried.

4. PRESENTATIONS

- A. American Rescue Plan Appropriation Discussion**– Adam Murr, Budget Manager

Budget Manager Adam Murr provided an update on the American Rescue Plan (ARP) appropriations in fiscal year 2022-2023. Mr. Murr stated the City received eighteen (18) ARP funding applications which were reviewed, scored, and ranked by five staff members based on the following criteria:

- Application – the applicant submitted a complete application; the applications is, overall, grammatically correct, and professional.
- Project – the project is clearly defined, and Staff can render an opinion on the City’s legal authority to fund the project.
- Impact – the benefits and externalities of the project are clearly defined, the project’s “transformative” nature is evidenced in the application.
- Outcomes – results are defined and supported by research and/or evidence; the applicant has a clear understanding of indicators of success for the project.
- Reporting – the applicant has provided funding sources and uses for the project, a budget, summary of funding use, and acknowledges accountability requirements.

City Manager John F. Connet provided a recommendation for funding the highest-ranking applications which are transformative and do not receive funding from other sources. Manager Connet explained how funding a crisis response advocate position would be beneficial to public safety and code enforcement. He further explained this would be a pilot project to embed a social worker into city government to assist departments with certain types of calls, provide efficiency, and assist victims thereby reducing pressure on patrol officers.

5. CLOSED SESSION

- A. Closed Session** – John Connet, City Manager

At 4:36 p.m. Council Member Jerry A. Smith Jr., J.D. moved that City Council enter closed session pursuant to NCGS § 143-318.11 (a) (1) and (3) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes and to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body. A unanimous vote of the Council followed. Motion carried.

At 6:52 p.m. Council Member Debbie O’Neal-Roundtree moved that City Council return to open session. A unanimous vote of the Council followed. Motion carried.

There being no further business, the regular meeting was adjourned at 6:52 p.m. upon unanimous assent of the Council.

Barbara G. Volk, Mayor

ATTEST:

Angela L. Reece, City Clerk