



AGENDA

Henderson City Council Regular Meeting

Monday 10 June 2013, 6:00 p.m.

R. G. (Chick) Young, Jr. Council Chambers, Municipal Building

134 Rose Avenue

Henderson, North Carolina

Mayor and City Council Members

Mayor James D. O'Geary, Presiding

Councilmember James C. Kearney, Jr.

Councilmember Sara M. Coffey

Councilmember Michael C. Inscoc

Councilmember D. Michael Rainey

Councilmember Brenda G. Peace—Jenkins

Councilmember Garry D. Daeke

Councilmember Vernon L. Brown

Councilmember George M. Daye

City Officials

A. Ray Griffin, Jr., City Manager

John H. Zollicoffer, Jr., City Attorney

Esther J. McCrackin, City Clerk

I. CALL TO ORDER

II. ROLL CALL

III. INVOCATION AND PLEDGE OF ALLEGIANCE

IV. OPENING REMARKS

In order to provide for the highest standards of ethical behavior and Transparency in Governance as well as provide for good and open government, the City Council has approved Core Values regarding Ethical Behavior¹ and Transparency in Governance². The Mayor now inquires as to whether any Council Member knows of any conflict of interest, or appearance of conflict, with respect to matters before the City Council. If any Council Members knows of a conflict of interest, or appearance of conflict, please state so at this time.

¹ **Core Value 4: Ethical Behavior:** We value the public trust and will perform our duties and responsibilities with the highest levels of integrity, honesty, trustworthiness and professionalism.

² **Core Value 10: Transparency in Governance:** We value transparency in the governance and operations of the City.

V. ADJUSTMENTS TO AND/OR APPROVAL OF THE AGENDA

VI. APPROVAL OF MINUTES

- a)* 13 May Regular Meeting [*See Notebook Tab 1*]
- b)* 20 May Special Called Meeting
- c)* 23 May Budget Work Session #1
- d)* 28 May Budget Work Session #2
- e)* 30 May Budget Work Session #3
- f)* 3 June Budget Work Session #4

VII. PUBLIC HEARING

- a)* FY 14 Budget Hearing. (*CAF 13-A-40*) [*See Notebook Tab 2*]
 - Public Hearing
- b)* Consideration of Approval of Ordinance 13-32, Amending the Zoning Map to Change Vance County Tax Map 0221, Block 04, Lot 002 from R20 (Low Density Residential) and R15 (Moderate to Low Density Residential) Zoning Districts to RA (Residential and Agricultural) Zoning District Located in the ETJ off Brodie Road 5.00 +/- Acres. (*CAF 13-71*) [*See Notebook Tab 3*]
 - Ordinance 13-32
 - Public Hearing
- c)* Consideration of Approval of Ordinance 13-33, Amending the Zoning Map to Change Vance County Tax Map 0012, Block 01, Lot 027 from I2 (Industrial Non-Park) District to B2 (Highway Commercial) Zoning District Located in the City at 903 S. Beckford Drive, 0.84 +/- acres. (*CAF 13-72*) [*See Notebook Tab 4*]
 - Ordinance 13-33
 - Public Hearing
- d)* Consideration of Approval of Ordinance 13-34, Amending the Table of Permitted Uses – Section 310 A.14.11 – Gas Sales of the Zoning Ordinance to Include Oil Changes, Tire Repair and Inspections as a Permitted Use in the I2 (Industrial Non-Park), B2 (Highway Commercial), B2A (Highway Commercial Along the Interstate) and B4 (Neighborhood Business) Zoning Districts and by Special Use Permit in the B1 (Central Business) District. (*CAF 13-73*) [*See Notebook Tab 5*]
 - Ordinance 13-34
 - Public Hearing

VIII. PUBLIC COMMENT ON AGENDA ITEMS

Citizens may only speak on Agenda items at this time. Citizens wishing to address the Council must sign-in on a form provided by the City Clerk prior to the beginning of the meeting. The sign-in form is located on the podium. When recognized by the Mayor, come forward to the podium, state your name, address and if you are a city resident, and identify the Agenda Item about which you wish to speak on the sign-up sheet. Please review the Citizen Comment Guidelines that are provided on the last page of this Agenda.³

IX. NEW BUSINESS

- a) Consideration of Approval of 1) Resolution 13-45, Accepting the CDBG Talent Enhancement Capacity Building Grant; and 2) Ordinance 13-30, FY 13 BA #38, Establishing the Budget for Above Mentioned Grant in the Amount of \$50,000. (CAF 13-63) [See Notebook Tab 6]
- Resolution 13-45
 - Ordinance 13-30
- b) Consideration of Approval of Resolution 13-50, Requesting the County of Vance to Consider Amending its Tax Collections' Policies as it Relates to Delinquent Taxes. (CAF 13-70) [See Notebook Tab 7]
- Resolution 13-50
- c) Consideration of Approval of Resolution 13-47, Providing for the Disposition of Certain Jointly Held Property by the City and County Otherwise Identified or Located at 701 East Avenue, Vance County Tax Parcel 0079 04002. (CAF 13-67) [See Notebook Tab 8]
- Resolution 13-47
- d) Consideration of Approval of Resolution 13-48, Authorizing Remaining Funds to be Used in Conjunction with the Sanitary Sewer Replacement Project with H.G. Reynolds Company, Inc. (CAF 13-68) [See Notebook Tab 9]
- Resolution 13-48
- e) Consideration of Approval of Resolution 13-44, Approving the Submission of a Letter of Support to the Triangle North Board of Directors Encouraging More Aggressive Marketing Tactics be Utilized for the Triangle North Industrial Parks. (CAF 13-62) [See Notebook Tab 10]
- Resolution 13-44

X. CONSENT AGENDA

All matters listed under the Consent Agenda have either been previously discussed by City Council during a previous meeting and/or are considered in the ordinary course of business by the City Council and will be enacted-on by one motion and a roll call vote in the form listed. If discussion is desired by either the Council or the Audience, the item in question will be removed from the Consent Agenda and considered separately after the revised consent agenda has been approved.

- a) Consideration of Approval of Resolution 13-49, Grant Application for Funding Through the U.S. Department of Justice BJA Justice Assistance Grant Program for 2013. (CAF 13-69) [See Notebook Tab 11]
 - Resolution 13-49

- b) Consideration of Approval of Resolution 13-46, Declaring that Kerr Lake Water Levels Have Improved and that Voluntary Conservation Measures are no Longer Required in Accordance with Chapter 15B of the Water Shortage Response Ordinance. (CAF 13-66) [See Notebook Tab 12]
 - Resolution 13-46

- c) Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of April 2013. (CAF 13-64) [See Notebook Tab 13]

XI. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

Citizens may only speak on non-Agenda items only at this time. Citizens wishing to address the Council must sign-in on a form provided by the City Clerk prior to the beginning of the meeting. The sign-in form is located on the podium. When recognized by the Mayor, come forward to the podium, state your name, address and if you are a city resident. Please review the Citizen Comment Guidelines that are provided below.³

³ Citizen Comment Guidelines

The Mayor and City Council welcome and encourage citizens to attend City Council meetings and to offer comments on matters of concern to them. Citizens are requested to review the following public comment guidelines prior to addressing the City Council.

- 1) Citizens are requested to limit their comments to five minutes; however, the Mayor, at his discretion, may limit comments to three minutes should there appear to be a large number of people wishing to address the Council;
- 2) Comments should be presented in a civil manner and be non-personal in nature, fact-based and issue oriented. Except for the public hearing comment period, citizens must speak for themselves during the public comment periods;
- 3) Citizens may not yield their time to another person;
- 4) Topics requiring further investigation will be referred to the appropriate city official, Council Committee or agency and may, if in order, be scheduled for a future meeting agenda;
- 5) Individual personnel issues are confidential by law and will not be discussed. Complaints relative to specific individuals are to be directed to the City Manager;
- 6) Comments involving matters related to an on-going police investigative matter and/or the court system will not be permitted; and
- 7) Citizens should not expect specific Council action, deliberation and/or comment on subject matter brought up during the public comment section unless and until it has been scheduled as a business item on a future meeting agenda.

XII. REPORTS

- a) Mayor/Mayor Pro-Tem
- b) City Manager
 - i. Use of Aycock Center by Vance County School Employees *[See Notebook Tab 14]*
- c) City Attorney
- d) City Clerk
 - i. Calendar Update *[See Notebook Tab 15]*
 - ii. Various Departmental Reports
 - a) Henderson Fire Department

XII. ADJOURNMENT

City Council Minutes

Regular Meeting

10 June 2013

PRESENT

Mayor James D. O'Geary, Presiding; and Council Members James C. Kearney, Sr., Sara M. Coffey, Michael C. Inscoc, D. Michael Rainey, Brenda Peace-Jenkins, Garry D. Daeke, Vernon L. Brown, and George M. Daye.

ABSENT

None.

STAFF PRESENT

City Manager Ray Griffin, City Attorney John Zollicoffer, Jr., City Clerk Esther J. McCrackin, Assistant City Manager Frank Frazier, Finance Director Katherine C. Brafford, Planning & Community Development Director Erris Dunston, Code Compliance Director Corey Williams, Fire Chief Danny Wilkerson, Interim Police Chief Marcus Barrow, Main Street Coordinator Pam Hester, Youth Services Director Donna Stearns, and Recreation Center Director Crystal Allen.

CALL TO ORDER

The 10 June 2013 Regular Meeting of the Henderson City Council was called to order by Mayor James D. O'Geary at 6:00 p.m. in the R. G. "Chick" Young, Jr. Council Chambers, Municipal Building, 134 Rose Avenue, Henderson, NC.

ROLL CALL

The City Clerk called the roll and advised Mayor O'Geary a quorum was present.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Brenda Peace-Jenkins led those in attendance in a prayer and the Pledge of Allegiance.

Mayor O'Geary welcomed all and said it was good to see citizens in attendance.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor O'Geary asked if there were any adjustments to the Agenda. There were no adjustments so Mayor O'Geary asked for the pleasure of Council. Council Member Rainey moved to accept the Agenda as presented. Motion seconded by Council Member Daye and unanimously approved.

APPROVAL OF MINUTES

Mayor O'Geary asked for any corrections to and/or approval of the minutes. Council Member Peace-Jenkins moved the approval of the 13 May Regular Meeting, 20 May Special Called Meeting; 23 May Budget Work Session #1, 28 May Budget Work Session #2, 30 May Budget Work Session #3 and 4 June Budget Work Session #4 minutes as presented. Motion seconded by Council Member Daeke and unanimously approved.

PUBLIC HEARING

FY14 Budget

Before beginning the Public Hearing, Mayor O'Geary reviewed the guidelines for all public hearings.

City Manager Griffin reviewed the budget process and gave a summary of the consensus budget as follows:

- 64: Regional Water Fund
 - Recommended 5% water rate increase was eliminated.
 - Elimination of clear-well capital repair project and painting/coating of interior pipes in water plant.
- 31: Sewer Fund
 - Recommended 2.5% sewer rate increase was reduced to 1%.
 - Elimination of Public Utilities Director position (1/2 of costs)
- 30: Water Fund
 - Recommended 8% water rate increase was eliminated.
 - Elimination of Public Utilities Director position (1/2 of costs) and reduction in contingency. 5% of increase reduced by virtue of not increasing the Regional Water rate.
- 10: General Fund
 - Recommended property tax increase of 8.3 cents was reduced to 3 cents
 - Sanitation fee increase of 50 cents was increased to \$1.50 from (\$27.00 to \$28.50)
 - Fund balance was increased from zero to \$164,300.
 - New Fire Inspection Fees, based on square footage and estimated to average between \$55 and \$120, was added to budget.

- Planning and Zoning Fees increased on average of \$100: zoning, variance, special use, etc.
- \$503,300 in expenditure reductions in many budget departments.

A copy of the PowerPoint presentation is incorporated by reference and hereby made part of these minutes. (*See Attachment A*)

(*Clerk's Note: Council Member Kearney arrived at 6:07 p.m.*)

Council Member Rainey complimented City Manager Griffin for his budget work. He particularly appreciated the portion of the PowerPoint presentation when Mr. Griffin explained all income from water sales has to stay in the water fund. Mr. Rainey said he hoped the newspaper would print this information so citizens would understand the process.

There were no other comments so Mayor O'Geary opened the Public Hearing by asking if anyone was present who wished to speak regarding the FY14 Budget.

Mr. Sam Watkins, 2106 Woodland Drive Mr. Watkins recognized people and businesses are all struggling and he asked the prudence prevail as Council searches to find ways to encourage growth. Mr. Watkins said he is not opposed to taxes but would like them used appropriately. He said the City has a 12 million dollar library and soon will have an 8 million dollar performing arts center and he felt a downtown coordinator to assist with growth of downtown is important.

Mr. David Thomas, 305 Sydney Hill Mr. Thomas addressed Council as the City's Airport Authority representative. He thanked Council for its support and said work is expected to begin mid-July to extend the runway 500 feet with work also being done on the overrun and lighting of the runway.

Council Member Rainey asked how this would benefit the area. Mr. Thomas responded planes will now be able to take off with a full load of fuel, and larger planes will be able to land at the airport. He went on to say the airport currently supports military traffic, prisoner flights from California and business travel for companies in Henderson and Oxford.

Mr. Jason Stewardson, 128 South Chestnut Street Mr. Stewardson addressed Council representing the Henderson-Vance Downtown Development Commission (DDC). He said he understood the difficulties facing Council regarding the budget. He said since Ms. Pam Hester was hired last year as Main Street Coordinator the DDC has been brought back into compliance. He felt the full time position is necessary and encouraged Council to retain the position. He added four (4) new businesses are poised to open; reminded Council of the Hope VI completion and asked Council to take all of this into consideration as they continue with the budget process. Mr. Stewardson reminded Council the Hope VI project, which rehabilitated buildings into apartments, contributed to the tax base saying in 2009 the taxes for one building were \$820 and in 2013 the same building paid taxes of \$4,700.

Mr. Phil Hart, 16 Burke Drive Mr. Hart is the incoming chairman for the Henderson-Vance Downtown Development Commission (DDC). He read a prepared speech which shared the plans of the DDC for the coming year. The plans included four goals: 1) hearing ideas from

downtown merchants; 2) promoting all areas of downtown, expanding events for Halloween, Christmas and New Year's celebrations and fundraising ideas such as bringing back the Miss Henderson pageant and Little Miss Henderson; 3) partnering with local groups and merchants for additional cleanup work downtown, establishing guidelines for outdoor business signs and installing new hardware on the new power poles; and 4) economic restructuring by finding ways to improve existing businesses and use of old structures. He stressed all these services are free but required a full-time Main Street Manager.

Mr. Stuart Litvin, 935 South Chestnut Mr. Litvin, as a professional certified community developer, asked Council to look at the Main Street Coordinator/DDC as an investment rather than an expense.

When no one else indicated a desire to address Council, Mayor O'Geary closed the Public Hearing and called for a ten (10) minute recess.

After approximately five (5) minutes, Mayor O'Geary called the recessed meeting to order and asked the Clerk to read the next Public Hearing issue.

Amending the Zoning Map to Change Vance County Tax Map 0221, Block 04, Lot 002 from R20 (Low Density Residential) and R15 (Moderate to Low Density Residential) Zoning Districts to RA (Residential and Agricultural) Zoning District Located in the ETJ off Brodie Road 5.00 +/- Acres. (Reference: CAF 13-71; Ordinance 13-32)

City Manager Griffin asked Planning and Community Development Director Erris Dunston to come forward. Ms. Dunston said Vance County requested this zoning amendment for a proposed animal shelter. She said one of the allowed uses in a RA district is kennels. This petition was reviewed and unanimously approved by the Planning Board.

Council Member Daeke asked where the plans placed the entrance and if Julia Avenue residents had been notified. Ms. Dunston responded all adjacent property owners were notified and property postings, along with newspaper notices were placed as required. Ms. Dunston added access from Brodie Road is anticipated.

City Attorney John Zollicoffer, Jr., shared the City cannot bind the County to a Brodie Road access.

Council Member Kearney asked about the setbacks. Ms. Dunston said 10' on the sides and 30' front and back are required.

There was no further discussion so Mayor O'Geary asked if anyone present wished to speak in favor of this amendment.

Attorney Jonathan Care, 1009 West Montgomery Representing Vance County, Attorney Care, thanked Council for its consideration of this request. He said there was no opposition from the Planning Board and went on to say it is currently the intention to create an access from Brodie Road but added the plans are still being developed. He said the County is required to provide an animal shelter and it would like to build a new shelter on this property. Attorney Care said this is good use of the property and it fits the surrounding area.

No other citizen came forward so Mayor O'Geary then asked if anyone was present who wished to speak in opposition to this amendment. No one came forward.

City Attorney Zollicoffer, Jr., reminded Council that any zoning change affects to entire zone and Council needs to consider all possible uses when making a change.

Mayor O'Geary then closed the Public Hearing and asked for Council's pleasure.

Council Member Rainey moved the approval of Ordinance 13-32, *Amending the Zoning Map to Change Vance County Tax Map 0221, Block 04, Lot 002 from R20 (Low Density Residential) and R15 (Moderate to Low Density Residential) Zoning Districts to RA (Residential and Agricultural) Zoning District Located in the ETJ off Brodie Road 5.00 +/- Acres.* Motion seconded by Council Member Inscoe and APPROVED by the following vote: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Brown and Daye. NO: None. ABSTAIN: None. ABSENT: None. (See Ordinance Book 8, p.583)

Amending the Zoning Map to Change Vance County Tax Map 0012, Block 01, Lot 027 from I2 (Industrial Non-Park) District to B2 (Highway Commercial) Zoning District Located in the City at 903 S. Beckford Drive, 0.84 +/- Acres. (Reference: CAF 13-72; Ordinance 13-33)

City Manager Griffin asked Planning and Community Development Director Erris Dunston to summarize this amendment. Ms. Dunston said this request came to the Planning Board from CA Moloir, LLC to rezone the property on the corner of Dabney Drive and S. Beckford Drive which would allow for more commercial business. She said the amendment conforms to the land use plan and reduces setbacks to provide for other uses. Ms. Dunston said this amendment has been property noticed.

Council Member Daeke asked if proper setbacks are met. Ms. Dunston responded yes.

There was no further discussion. Mayor O'Geary then asked if anyone present wished to speak in favor of this amendment.

Mr. Stuart Litvin, 935 South Chestnut Street As Director of the Henderson Vance Economic Development Commission, Mr. Litvin asked Council to support this amendment change and then introduced a representative from CA Moloir, LLC., Mr. Austin Williams.

Mr. Austin Williams, 8480 Honeycutt Road, Raleigh Mr. Williams told Council CA Moloir, LLC has purchased 23 Blockbuster facilities, which is downsizing its holdings. The plan is to lease 2/3 of the property on Beckford Drive to a regional urgent care facility. He added the company plans to repair the parking lot and building with work beginning shortly.

No other citizen addressed Council so Mayor O'Geary then asked if anyone was present who wished to speak in opposition to this amendment. No one came forward.

Mayor O'Geary then closed the Public Hearing and asked for Council's pleasure.

City Attorney Zollicoffer, Jr., again reminded Council that any zoning change affects to entire zone and Council needs to consider all possible uses when making a change.

Council Member Daeke moved the approval of Ordinance 13-33, *Amending the Zoning Map to Change Vance County Tax Map 0012, Block 01, Lot 027 from I2 (Industrial Non-Park) District to B2 (Highway Commercial) Zoning District Located in the City at 903 S. Beckford Drive, 0.84 +/- Acres.* Motion seconded by Council Member Coffey and APPROVED by the following vote: YES: Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Brown, Daye and Kearney. NO: None. ABSTAIN: None. ABSENT: None. (See Ordinance Book 8, p.585)

Amending the Table of Permitted Uses – Section 310 A.14.11 – Gas Sales of the Zoning Ordinance to Include Oil Changes, Tire Repair and Inspections as a Permitted Use in the I2 (Industrial Non-Park), B2 (Highway Commercial), B2A (Highway Commercial Along the Interstate) and B4 (Neighborhood Business) Zoning Districts and by Special Use Permit in the B1 (Central Business) District. (Reference: CAF 13-73; Ordinance 13-34)

The City Manager asked Planning and Community Development Director Dunston to summarize this amendment. Ms. Dunston said this is a change in permitted uses for car maintenance. No major repairs would occur with this change and said downtown is protected as the changes would be by special permit only. She said this amendment has been properly noticed.

Council Member Daeke asked for a description of the B1 area. Ms. Dunston said from Andrews to Spring to Chestnut and back, and Winder to Zene to Montgomery.

Council Member Coffey asked if this change affected a recent request rejected by the Planning Board. Ms. Dunston said a special use permit would need to be requested and properly processed through the Board of Adjustment.

City Attorney Zollicoffer, Jr., summarized the request saying this is for work normally performed at gas stations.

Mayor O'Geary then asked if anyone present wished to speak in favor of this amendment. No one came forward so Mayor O'Geary then asked if anyone was present who wished to speak in opposition to this amendment. No one came forward.

Mayor O'Geary then closed the Public Hearing and asked for Council's pleasure.

Council Member Peace-Jenkins moved the approval of Ordinance 13-34, *Amending the Table of Permitted Uses – Section 310 A.14.11 – Gas Sales of the Zoning Ordinance to Include Oil Changes, Tire Repair and Inspections as a Permitted Use in the I2 (Industrial Non-Park), B2 (Highway Commercial), B2A (Highway Commercial Along the Interstate) and B4 (Neighborhood Business) Zoning Districts and by Special use Permit in the B1 (Central Business) District.* Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Inscoe, Rainey, Peace-Jenkins, Daeke, Brown, Daye, Kearney and Coffey. NO: None. ABSTAIN: None. ABSENT: None. (See Ordinance Book 8, p.587)

(Clerk's Note: Council Member Rainey left the meeting at 6:57 p.m. and returned at 7:04 p.m.)

PUBLIC COMMENT PERIOD ON AGENDA ITEMS

The City Clerk advised the Mayor and Council Members that no citizen wished to speak to Council on agenda matters.

NEW BUSINESS

Accepting the CDBG Talent Enhancement Capacity Building Grant and Establishing the Budget for the Above Mentioned Grant in the Amount of \$50,000. *(Reference: CAF 13-63; Resolution 13-45, Ordinance 13-30)*

City Manager Griffin began the discussion by reminding Council of prior budget discussions regarding this grant and whether or not the grant could be administered in-house, and/or contracted out. He said both Ms. Dunston and he have spoken with a State representative and Mr. Charlie Thompson, the State's administrator for the grant program, advised the City may use the money to supplant an existing employee's salary for the first year, to pay for training and travel expenses as well as expenses associated with developing a neighborhood plan. If accepted, the City will develop an in-house plan as these services cannot be contracted out.

Ms. Dunston added the grant requires hiring a person for FY14 and said \$25,000 would come from staff salary (hers) and \$10,000 would come from the grant for training and \$5,000 for planning work.

Council Member Peace-Jenkins asked if Ms. Dunston would do the grant writing. Ms. Dunston responded yes.

City Manager Griffin noted an error in CAF 13-63 where Spell Check inserted the word *supplement* in place of the word *supplant* in the third paragraph on page 2. Mr. Griffin added Mr. Thompson has provided Ms. Dunston with verbal acceptance of the City's grant application.

(Clerk's note: This error in the CAF has been corrected for the record, reprinted and the corrected copy placed in the Agenda Package)

Mr. Griffin added \$25,000 from Ms. Dunston's salary/wages may be used for the Flint Hill plans so as to have adequate reserves for the planning and not create a budget gap for next year when the grant ends. There was consensus of Council to do this.

Mayor O'Geary asked for the pleasure of Council.

Council Member Kearney moved the approval of Resolution 13-45, *Accepting the CDBG Talent Enhancement Capacity Building Grant* and Ordinance 13-30, FY13, BA #38, *Establishing the Budget for the Above Mentioned Grant in the Amount of \$50,000*. Motion seconded by Council Member Daye and APPROVED by the following vote: YES: Rainey, Peace-Jenkins, Daeke, Brown, Daye, Kearney, Coffey and Inscoe. NO: None. ABSTAIN: None. ABSENT: None. *(See Resolution Book 3, p. 191; Ordinance Book 8, p. 579)*

Requesting the County of Vance to Consider Amending its Tax Collections' Policies as it Relates to Delinquent Taxes. (Reference: CAF 13-70; Resolution 13-50)

City Manager Griffin said in response to Council's recent directive, this is a request to the County to improve its current policy of collecting back taxes alphabetically to collecting back taxes by year. The Resolution also suggests hiring a staff attorney to expedite foreclosures.

Council Member Coffey asked if an acceptable percentage could be added. Mr. Griffin responded the Resolution could be restructured but added the current collection rate is approximately 93.68% and thought with the new tax/tag process for motor vehicle registration the collection rate would improve to possibly 95% within the next year or so.

Mayor O'Geary said he thought the County Tax Collector was doing an excellent job and Council Member Kearney added he thought the target was to collect the oldest taxes first.

There was a brief discussion and City Manager Griffin asked Finance Director Kathy Brafford to see if she could obtain the amount of delinquent taxes for 2012 to bring back to Council.

Council Member Coffey asked if there is a list of public officials owing taxes. Mr. Griffin said there is no list legally required.

There was no further discussion. Mayor O'Geary asked for the pleasure of Council.

Council Member Daeke moved the approval of Resolution 13-50, *Requesting the County of Vance to Consider Amending its Tax Collections' Policies as it Relates to Delinquent Taxes*. Motion seconded by Council Member Rainey and APPROVED by the following vote: YES: Peace-Jenkins, Daeke, Brown, Daye, Kearney, Coffey, Inscoe and Rainey. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 3, p. 201)

Providing for the Disposition of Certain Jointly Held Property by the City and County Otherwise Identified or Located at 601 East Avenue, Vance County Tax Parcel 0079-04002. (Reference: CAF 13-67; Resolution 13-47)

City Manager Griffin asked Code Compliance Director Corey Williams to explain this request. Mr. Williams said the County has been approached by an individual who would like to purchase this property. He said the property is valued at \$14,664 and \$2,170 is owed in taxes. In order for the County to continue with the bidding process, the City needs to declare the property surplus.

Council Member Kearney asked what the purchaser planned to do with the property. Mr. Williams responded he did not know.

City Attorney Zollicoffer, Jr. said he would draw up the appropriate deed if Council approved this action.

Mayor O'Geary then asked for the pleasure of Council.

Council Member Rainey moved the approval of Resolution 13-47, *Providing for the Disposition of Certain Jointly Held Property by the City and County Otherwise Identified or Located at 601 East Avenue, Vance County Tax Parcel 0079-04002*. Motion seconded by Council Member Peace-Jenkins and APPROVED by the following vote: YES: Daeke, Brown, Daye, Kearney, Coffey, Inscoe, Rainey and Peace-Jenkins. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 3, p. 195)

Authorizing Remaining Funds to be Used in Conjunction with the Sanitary Sewer Replacement Project with H. G. Reynolds Company, Inc.. (Reference: CAF 13-68; Resolution 13-48)

City Manager Griffin asked Assistant City Manager Frank Frazier to present this item to Council. Mr. Frazier reminded Council that this project has replaced many sewer mains and currently there are dollars left from the contract along with contingency dollars which he suggests using to complete other streets. If approved, Mr. Frazier will begin discussion with the contractor to formally decide which streets. Mr. Frazier said he would like to use the funds not knowing what changes will occur with the State's FY14 budget.

There was no discussion. Mayor O'Geary asked for the pleasure of Council.

Council Member Daeke moved the approval of Resolution 13-48, *Authorizing Remaining Funds to be Used in Conjunction with the Sanitary Sewer Replacement Project with H. G. Reynolds Company, Inc.* Motion seconded by Council Member Daye and APPROVED by the following vote: YES: Brown, Daye, Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins and Daeke. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 3, p. 197)

City Manager Griffin took a moment at this time to thank Mr. Frazier and the Public Services Department staff for their excellent work during the rain storm this past Friday and Saturday. He said these individuals are unsung heroes because without their good work, roads would have been impassable.

Approving the Submission of a Letter of Support to the Triangle North Board of Directors Encouraging More Aggressive Marketing Tactics be Utilized for the Triangle North Industrial Parks. (Reference: CAF 13-62; Resolution 13-44)

City Manager Griffin said this letter of support does not commit Council to any specific obligations.

With no discussion, Mayor O'Geary asked for the pleasure of Council.

Council Member Kearney moved the approval of Resolution 13-44, *Approving the Submission of a Letter of Support to the Triangle North Board of Directors Encouraging More Aggressive Marketing Tactics be Utilized for the Triangle North Industrial Parks*. Motion seconded by Council Member Inscoe and APPROVED by the following vote: YES: Daye, Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke and Brown. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 3, pp.189)

CONSENT AGENDA

The City Clerk read the Consent Agenda, summarized as follows:

Grant Application for Funding Through the U.S. Department of Justice BJA Justice Assistance Grant Program for 2013. (Reference: CAF 13-69; Resolution 13-49) This is an application to fund/replace at least two (2) new In-Car Mobile Camera Audio/Video Recorders for the police department. (See Resolution Book 3, p. 199)

Declaring that Kerr Lake Water Levels Have Improved and the Voluntary Conservation Measures are no Longer Required in Accordance with Chapter 15B of the Water Shortage Response Ordinance. (Reference: CAF 13-66; Resolution 13-46) This removes the water conservation measures as the water levels are currently sufficient. (See Resolution Book 3, p. 193)

Tax Releases and Refunds from Vance County for the Month of April 2013. (Reference: CAF 13-64). The Finance Director reviewed the tax releases and refunds and found them to be in order. (See below)

April 2013 Tax Releases			
Name	Reason	Tax Ye:	Amount
Real & Personal Property Releases			
Carter, A T Est & Clark J W	Taxes Lost to Foreclosure	2003	\$ 6.59
Crews, William Thomas	Taxes Lost to Foreclosure	2003	\$ 18.61
Davis, Hallie Heirs	Taxes Lost to Foreclosure	2003	\$ 167.60
Carter, A T Est & Clark J W	Taxes Lost to Foreclosure	2004	\$ 6.91
Crews, William Thomas	Taxes Lost to Foreclosure	2004	\$ 19.52
Davis, Hallie Heirs	Taxes Lost to Foreclosure	2004	\$ 14.53
Carter, A T Est & Clark J W	Taxes Lost to Foreclosure	2005	\$ 7.24
Crews, William Thomas	Taxes Lost to Foreclosure	2005	\$ 20.44
Davis, Hallie Heirs	Taxes Lost to Foreclosure	2005	\$ 95.21

Carter, A T Est & Clark J W	Taxes Lost to Foreclosure	2006	\$ 7.24
Crews, William Thomas	Taxes Lost to Foreclosure	2006	\$ 20.44
Davis, Hallie Heirs	Taxes Lost to Foreclosure	2006	\$ 15.21
Carter, A T Est & Clark J W	Taxes Lost to Foreclosure	2007	\$ 7.24
Crews, William Thomas	Taxes Lost to Foreclosure	2007	\$ 20.44
Davis, Hallie Heirs	Taxes Lost to Foreclosure	2007	\$ 15.21
Evans, Correll G Est	Taxes Lost to Foreclosure	2007	\$ 21.78
Carter, A T Est & Clark J W	Taxes Lost to Foreclosure	2008	\$ 7.91
Crews, William Thomas	Taxes Lost to Foreclosure	2008	\$ 22.43
Davis, Hallie Heirs	Taxes Lost to Foreclosure	2008	\$ 18.65
Evans, Correll G Est	Taxes Lost to Foreclosure	2008	\$ 32.21
Carter, A T Est & Clark J W	Taxes Lost to Foreclosure	2009	\$ 8.19
Crews, William Thomas	Taxes Lost to Foreclosure	2009	\$ 23.22
Davis, Hallie Heirs	Taxes Lost to Foreclosure	2009	\$ 19.31
Evans, Correll G Est	Taxes Lost to Foreclosure	2009	\$ 33.35
Carter, A T Est & Clark J W	Taxes Lost to Foreclosure	2010	\$ 8.19
Crews, William Thomas	Taxes Lost to Foreclosure	2010	\$ 23.22
Davis, Hallie Heirs	Taxes Lost to Foreclosure	2010	\$ 19.31
Evans, Correll G Est	Taxes Lost to Foreclosure	2010	\$ 33.35
Allen, Jerry W	Pro-Rate	2011	\$ (34.78)
Carter, A T Est & Clark J W	Taxes Lost to Foreclosure	2011	\$ 8.21
Crews, William Thomas	Taxes Lost to Foreclosure	2011	\$ 23.21
Davis, Hallie Heirs	Taxes Lost to Foreclosure	2011	\$ 19.28
Evans, Correll G Est	Taxes Lost to Foreclosure	2011	\$ 33.35
Sneed, Mary	Pers. Prop.Billed in Error	2011	\$ 34.78
Branch Exterminating	Pers. Prop.Billed in Error	2012	\$ 1,524.49
Carter, A T Est & Clark J W	Taxes Lost to Foreclosure	2012	\$ 8.21
Crews, William Thomas	Taxes Lost to Foreclosure	2012	\$ 23.21
Davis, Hallie Heirs	Taxes Lost to Foreclosure	2012	\$ 19.28
Evans, Correll G Est	Taxes Lost to Foreclosure	2012	\$ 33.35
Nevils, Ralph T III	Pers. Prop.Billed in Error	2012	\$ 16.09
Pena, Amada Morales	Double Billed	2012	\$ 31.62
Redevelopment Commission	Government	2012	\$ 1,173.49
Sneed, Mary	Pers. Prop.Billed in Error	2012	\$ 31.62
Vance County Pupil Transp.	Government	2012	\$ 64.17
Wheeler, Henry Lee Jr.	Pers. Prop.Billed in Error	2012	\$ 31.36
Total R&P Prop. Releases			\$ 3,754.49

Real & Personal Property			
Refunds			
Rogers, John C	Real Prop. Billed in Error	2008	\$ 161.65
Rogers, John C	Real Prop. Billed in Error	2009	\$ 167.37
Rogers, John C	Real Prop. Billed in Error	2010	\$ 167.37
Rogers, John C	Real Prop. Billed in Error	2011	\$ 167.38
Rogers, John C	Real Prop. Billed in Error	2012	\$ 167.38
Total R&P Prop. Refunds			\$ 831.15
Total R&P Prop. Rel. & Refunds			\$ 4,585.64
Registered Vehicle Releases			
Allen, James Wesley Jr.	Pro-Rate	2011	\$ 1.51
Person, Torrey Terrence	Pro-Rate	2011	\$ 3.47
Wilson, Jacquetta Marie	Pro-Rate	2011	\$ 11.85
Belgrave, Gerard John	Correct Value	2012	\$ 15.97
Bryant, Alice Faye	Pro-Rate	2012	\$ 2.21
Canfield, Joseph Robert	Correct	2012	\$ 6.57
Dickerson, Linwood Ray	Pro-Rate	2012	\$ 5.79
Dunston, Makecia Rachelle	Pro-Rate	2012	\$ 1.89
ETC of Henderson, Inc.	Correct Value	2012	\$ 12.12
Faulkner, Roy Hurst	Pro-Rate	2012	\$ 0.15
Fields, Beatrice Helen	Pro-Rate	2012	\$ 24.46
Green-Bello Carlyne	Pro-Rate	2012	\$ 13.89
Hanks, Sandra Nelson	Pro-Rate	2012	\$ 27.65
Henderson Family YWCA	Charitable All O	2012	\$ 109.45
James, Thomas Paul	Correct Value	2012	\$ 6.14
Kerr Area Transportation Auth	Charitable All O	2012	\$ 390.25
Lemay Tashon Nakia	Pro-Rate	2012	\$ 7.15
Marrow, Chiquita Marie	Pro-Rate	2012	\$ 7.26
Morgan, William Joshua	Correct Value	2012	\$ 94.17
Person, Torrey Terrence	Pro-Rate	2012	\$ 18.02
Pettaway, Bryan Oneal	Military Non Resident	2012	\$ 144.78
Soto, Irma Santiago	Correct Situs	2012	\$ 30.83
Teeter, Charles Lavette, Jr.	Transfer Out	2012	\$ 108.32
Tillman, Richard Gary	Pro-Rate	2012	\$ 65.81
Townes, Vernon Lee	Transfer Out	2012	\$ 130.33

Troutman, William Marlin	Transfer Out	2012	\$ 72.54
Vallejo, Joel Gerrado	Pro-Rate	2012	\$ 6.55
Vann, Michael Dale	Correct Value	2012	\$ 115.53
Variety Wholesale Inc.	Pro-Rate	2012	\$ 161.14
Walton, Charles Edward	Correct Situs	2012	\$ 153.73
Yarborough, Martin Antonio	Pro-Rate	2012	\$ 2.55
Total Releases			\$ 1,752.08
Registered Vehicle			
Refunds			
Eaton, Jonah Marshall	Pro-Rate	2012	\$ 9.13
Hargrove, Darrica Jean	Pro-Rate	2012	\$ 15.64
Hargrove, John III	Pro-Rate	2012	\$ 2.94
Holt, Karen Edwards	Pro-Rate	2012	\$ 1.40
Jefferson, Tiffany	Pro-Rate	2012	\$ 8.88
M R Williams	Pro-Rate	2012	\$ 66.50
Neal, Demarcus Jerron	Pro-Rate	2012	\$ 17.76
Townes, Lawanda Renee	Reg. Veh. Billed In Error	2012	\$ 92.19
Vallejo, Joel Gerrado	Pro-Rate	2012	\$ 6.74
Vick, Frederick Earl J.	Pro-Rate	2012	\$ 3.64
Wardrett, Brenda Faye	Pro-Rate	2012	\$ 15.28
West, Kristen Leigh	Pro-Rate	2012	\$ 7.92
Williams, Alfreda	Pro-Rate	2012	\$ 11.56
Total Reg Veh Refunds			\$ 259.58
Total Reg Veh Releases			
& Refunds			\$ 2,011.66
Total All Releases & Refunds			\$ 6,597.30

Mayor O'Geary asked if anyone wished to remove an item from the Consent Agenda. There were no requests. Mayor O'Geary asked for a motion to approve the consent Agenda

Council Member Rainey moved the approval of the Consent Agenda as presented. Motion seconded by Council Member Coffey and APPROVED by the following vote: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Brown and Daye. NO: None. ABSTAIN: None. ABSENT: None.

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

City Clerk McCrackin advised no citizen wished to address City Council.

REPORTS

- a) Mayor/Mayor Pro-Tem (No Report)
- b) City Manager

Mr. Griffin said Mr. Gill did an excellent job in preparing a packet of information regarding the School Superintendent's request for school staff to use the Aycok Center. Although Mr. Gill has still not received the requested information, and as school employees are State employees,

Mr. Griffin said Council could choose to grant school employees free access to Aycock Center, or carry the issue forward to the next regular Council meeting.

Council Member Kearney addressed the financial impact and suggested a twelve month trial period which would give Mr. Gill time to gather data.

Council Member Coffey felt there would not be a “flood” of school staff using the facility and Council Member Daeke agreed that the request should be reviewed in June of 2014.

Motion was made by Council Member Kearney to allow Vance County School Employees use of the Aycock Center with a data review in June 2014. Motion was seconded by Council Member Coffey and APPROVED by the following vote: YES: Coffey, Inscoc, Rainey, Peace-Jenkins, Daeke, Brown, Daye and Kearney. NO: None. ABSTAIN: None. ABSENT: None.

c) City Attorney (No Report)

d) City Clerk (No Report)

Council Member Daye brought up an issue regarding a fallen tree. Mr. Griffin asked Mr. Daye to give the details to Assistant City Manager Frazier following the meeting.

Council Member Kearney asked if the issue of street lights should be discussed this evening or at the next Work Session saying he knows of several areas that he would like to have better lit to help combat crime. Mr. Griffin said it would be best discussed at the next Work Session.

Council Member Daeke said the Ducky Derby date has been set for 21 September.

With no further discussion, Mayor O’Geary asked if Council was prepared to adjourn.

ADJOURNMENT

Council Member Rainey moved for adjournment. Motion seconded by Council Member Daye, and was unanimously approved. The meeting adjourned 7:32 p.m.

James D. O’Geary
Mayor

ATTEST:

Esther J. McCrackin
City Clerk