



AGENDA

Henderson City Council Regular Meeting

Monday, 12 March 2012, 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. Inscoe

Councilmember D. Michael Rainey

Councilmember Brenda G. Peace—Jenkins

Councilmember Garry D. Daeke

Councilmember Lonnie Davis, Jr.

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) 27 February Short Regular Meeting *[See Notebook Tab 1]*
- b) 27 February Work Session

VII. PUBLIC HEARING

- a) Consideration of Public Hearing for the Purpose of Receiving Initial Citizen Comments Relative to a Proposed CDBG Infrastructure Hook-Up Grant Application. *(CAF 12-40) [See Notebook Tab 2]*
 - Public Hearing

VIII. PUBLIC COMMENT PERIOD 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 Resolution 12-19, Authorizing the Application for a FEMA Global Fire Prevention Grant by the Henderson Fire Department in the Amount of \$2,500. *(CAF 12-37) [See Notebook Tab 3]*
 - Resolution 12-19
- b) Consideration of Approval of Resolution 12-21, Award of Departmental Handgun and Badge to Retiree Lieutenant Charles R. Crumpler. *(CAF 12-39) [See Notebook Tab 4]*
 - Resolution 12-21
- c) Consideration of Approval of 1) Ordinance 12-A-20, Amending Section 15.33 of the Henderson City Code Establishing Utility Account Security Deposits and: 2) Resolution 12-A-15, A resolution Amending the Implementation of Timetable for Amending the Current Practice of Turning Off Water Service for Delinquent Utility Accounts as Articulated in Resolutions 11-70, 11-A-70 and 12-15. *(CAF 12-A-34) [See Notebook Tab 5]*
 - Ordinance 12-A-20
 - Resolution 12-A-15

d) Consideration of Resolution 12-03, Authorizing the Submission of a Letter to the NC Rural Center Advising that a Full Application and Performance Agreement for an Infrastructure Program Award (Ref # 2011-182-40401-107) is Not Available and Funding Will Not be utilized at this time. (CAF 12-05)[See Notebook Tab 6]

- Resolution 12-03

e) Consideration of Resolution 12-23, Approval of 911 Agreement with Vance County. (CAF 12-41)

- It is anticipated the materials for this item will be available by Council Meeting time Monday evening.

X. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

Citizens may 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 on the last page of this Agenda.³

XI. WORK SESSION

a) Consideration of Ordinance 12-18, FY 12 Budget Amendment #34, Creating Contingency Budget for Construction of the US Hwy #1 Sewer Project. (CAF 12-31)
[See Notebook Tab 7]

- Ordinance 12-18

b) Consideration of Ordinance 12-22, FY 12 Budget Amendment #33, Authorizing Funds to Various Street Repair Projects. (CAF 12-28) [See Notebook Tab 8]

- Ordinance 12-22

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
- c) City Attorney
- d) City Clerk
 - i. Calendar Notes and Schedule Update *[See Notebook Tab 9]*
 - ii. Various Departmental Reports *[See Notebook Tab 10]*
 - Henderson-Vance County 911
 - Henderson Fire Department

XIV. ADJOURNMENT

City Council Minutes
Regular Meeting
12 March 2012

PRESENT

Mayor James D. O'Geary, Presiding; and Council Members Sara M. Coffey, Michael C. Inscoc, D. Michael Rainey, Brenda G. Peace-Jenkins, Garry D. Daeke, Lonnie Davis, Jr., and George M. Daye.

ABSENT

James C. Kearney, Sr.

STAFF PRESENT

City Manager Ray Griffin, City Attorney John Zollicoffer, City Clerk Esther J. McCrackin, Assistant City Manager Frank Frazier, Finance Director Katherine C. Brafford, Fire Chief Danny Wilkerson and Henderson Water Reclamation Facility Manager Tom Spain.

CALL TO ORDER

The 12 March 2012 Regular Meeting of the Henderson City Council was called to order by Mayor James D. O'Geary at 6:01 p.m. in the R. G. "Chick" Young, Jr. Council Chambers, Municipal Building, and 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 Peace-Jenkins led those in attendance in the Lord's Prayer and the Pledge of Allegiance.

Mayor O'Geary welcomed everyone and said it is always a pleasure to see citizens in attendance.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor O'Geary asked if there were any adjustments to the Agenda. City Clerk McCrackin asked that two items be added to the agenda: 1) *CLOSED SESSION for G.S. §143.318.11(a)(6), a Personnel Matter and G.S. §143.318.11(a)(3), a Client-Attorney Matter* and add *CM 12-04, Water and Sewer Availability Fee Discussion* to the Work Session. There was also an error under New Business: *Item "a"* as it is a FM Global Fire Grant (not FEMA). With those adjustments, Mayor O'Geary asked for the pleasure of Council. Council Member Rainey moved

to accept the adjusted Agenda. 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 following minutes: 27 February 2012 Short Regular meeting and 27 February 2012 Work Session. Motion seconded by Council Member Daye and unanimously approved.

PUBLIC HEARING

Public Hearing for the Purpose of Receiving Initial Citizen Comments Relative to a Proposed CDBG Infrastructure Hook-Up Grant Application. *(Reference: None)*

City Manager Griffin stated no action is required by Council at this meeting and then asked Mr. Timmy Baynes, from Kerr-Tar Council of Government (COG) to explain the grant.

Mr. Baynes read the following:

Community Development Block Grants

Enhancing local community housing and environments, expanding economic opportunities

Community Development Block Grant (CDBG) funds are available to local municipal or county governments for projects to enhance the vitality of communities by providing decent housing and suitable living environments and expanding economic opportunities. These grants primarily serve persons of low- and moderate- incomes. State CDBG funds are provided by the U.S. Department of Housing and Urban Development (HUD) to the state of North Carolina. Some urban counties and cities in North Carolina receive CDBG Funding directly from HUD.

The Department of Commerce's Community Investment and Assistance (CI), Commerce Finance Center (CFC), and the Office of Rural Development Programs (ORD) administer the State of North Carolina's Community Development Block Grant (CDBG) program to local governments in non-entitlement areas. Non-entitlement areas are cities with populations of less than 50,000 (except cities that are designated principal cities of Metropolitan Statistical Areas), and counties with populations of less than 200,000.

The primary statutory objective of the CDBG program is to develop viable communities by providing decent housing and a suitable living environment and by expanding economic opportunities. These grants primarily serve persons of low- and moderate-income, as the State must ensure that at least 70 percent of its CDBG grant funds are used for activities that benefit these persons. CDBG Funds for program year 2011 in the non-entitlement areas are allocated to the following grant categories:

NC Catalyst

Grants to local governments to develop viable communities by providing decent housing, a suitable living environment, and expanding economic opportunities, principally for

persons of low and moderate-income.

Economic Development

Provides grants or loans to local governments for creating and retaining jobs.
Administered by the Commerce Finance Center.

Infrastructure

Provides public water or sewer to correct severe health or environmental problems.

Infrastructure Hook-Up (Water and Sewer Connections)

Provides funding to eligible local governments to assist with connections to an existing water and/or sewer system.

Scattered Site Housing

Given to county governments on a rotating basis to address the most critical housing needs of very low-income families

Small Business Entrepreneurial Assistance

Creates and retains jobs for struggling small local businesses.

Talent Enhancement Capacity Grants Program

Helps non-profits in partnership with units of local government design and carry out CDBG activities to address the challenge of capacity. Administered by the Office of Rural Development.

Mayor O'Geary then opened the floor for questions.

Council Member Coffey asked if there was a limit to the number of applicants. Mr. Baynes responded no. Council Member Daeke asked if the grant was for homeowners only and if letters could be sent to everyone on City sewer. Mr. Baynes responded renters could apply but the grant requirements are stricter. He also shared certain rent control criteria have to be met. City Manager Griffin stated letters would be going to those not yet connected to City sewer.

Mayor O'Geary asked if other grants are available to assist citizens. Mr. Baynes said as far as he knew, other assistance would provide loan dollars, not grant monies. He also stated that once this grant is exhausted and closed out, application could be made for a new grant.

Mayor O'Geary opened the Public Hearing by asking if anyone was present who wished to speak in favor of this grant. No one came forward so Mayor O'Geary then asked if anyone was present who wished to speak in opposition.

Ms. Ginger Freeding, 218 Southern Avenue, Henderson. Ms. Freeding stated she only heard about this grant within the last week and asked for details on how the grant would work, who pays for the grant and how payment will be received.

City Manager Griffin asked Mr. Timmy Baynes from the COG to call Ms. Freeding to answer her questions.

Mr. Lester Allison, 135 Dorsey Place, Henderson. Mr. Allison also asked for more information regarding the grant. He said he was in favor of assistance through the grant but felt a mandatory fee was inappropriate.

Mayor O'Geary thanked Mr. Allison for his comments.

Mr. Michael T. Johnson, 503 Powell Street, Henderson. Mr. Johnson agreed with the comments made by Mr. Allison. He said he inherited his property on which a septic tank was placed according to code and asked if there was a grandfather clause. City Attorney Zollicoffer said he did not believe so as the ordinance has been in place for many years.

Mayor O'Geary thanked Mr. Johnson and said he appreciated all citizen comments this evening. Mayor O'Geary then closed the Public Hearing and asked for Council's pleasure.

Council Member Rainey asked for clarification that the grant is to offset the cost for people wanting to hook up to City sewer. Mayor O'Geary stated the grant is to help homeowners hook up if they wish.

Discussion of this issue continued during the added Work Session item *Water and Sewer Availability Fee Discussion*.

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

Authorizing the Application for a FM Global Fire Prevention Grant by the Henderson Fire Department in the Amount of \$2,500. (Reference: CAF: 12-37; Resolution 12-19)

City Manager Griffin asked Fire Chief Danny Wilkerson to advise Council on this item. Chief Wilkerson said this request is for grant funding of a camera for taking fire scene photos, a camera carrying case, a Model-C hydrocarbon detector for arson investigations and one photo documentation kit and battery operated hand tools. He stated no match is required from the City and the availability of these items would greatly enhance investigating fires.

Council Member Coffey asked if the photo documentation kit could be used multiple times. Chief Wilkerson responded yes.

With no further discussion, Mayor O'Geary asked for Council's pleasure.

Council Member Coffey moved the approval of Resolution 12-19, *Authorizing the Application for a FMA Global Fire Prevention Grant by the Henderson Fire Department in the Amount of \$2,500*. Motion seconded by Council Member Rainey and APPROVED by the following vote: YES: Coffey, Inscoc, Rainey, Peace-Jenkins, Daeke, Davis and Daye. NO: None. ABSTAIN: None. ABSENT: Kearney. (See Resolution Book 2, p. 287)

Award of Departmental Handgun and Badge to Retiree Lieutenant Charles R. Crumpler.
(Reference: CAF 12-39; Resolution 12-21)

City Manager Griffin advised it has been tradition for Council to award the badge and weapon to a retiring police officer. He stated Lt. Charles R. Crumpler will be retiring with full benefits at the end of this month and he would pay a legal fee of \$1.00 for the weapon.

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

Council Member Inscoe moved the approval of Resolution 12-21, *Award of Departmental Handgun and Badge to Retiree Lieutenant Charles R. Crumpler*. Motion seconded by Council Member Peace-Jenkins and APPROVED by the following vote: YES: Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Davis and Daye. NO: None: ABSTAIN: None. ABSENT: Kearney. (See Resolution Book 2, p 291)

1) Ordinance 12-A-20, Amending Section 15.33 of the Henderson City Code Establishing Utility Account Security Deposits and: 2) Resolution 12-A-15, A Resolution Amending the Implementation of Timetable for Amending the Current Practice of Turning Off Water Service for Delinquent Utility Accounts as Articulated in Resolutions 11-70, 11-A-70 and 12-15. (Reference: CAF 12-A-34; Ordinance 12-A-20; Resolution 12-A-15)

City Manager Griffin said this item is the result of the consensus of Council from its discussion and deliberation during the 27 February Council Work Session. He summarized the changes saying the ordinance makes the reduction in security deposits retroactive between 1 November 2011 and 20 February 2012 reducing in-city residential customer fees from \$100 to \$75 and reducing outside city residential customer fees from \$200 to \$100. Mr. Griffin read the *Late Penalty Fee Waiver For Agreements* section of the resolution and said the *Grace Period* was tweaked slightly for clarification, saying the grace period is now somewhere between 12-16 days, depending on how the weeks flow --- there is still ten (10) business days being provided in this grace period.

Council Member Daeke asked if all late fees are reinstated if a customer breaks their agreement. Mr. Griffin said yes as their water would be turned off if they break their agreement. Council Member Peace-Jenkins said the wording makes sense and perhaps this would be incentive for customers to not break their agreement. Council Member Coffey asked about the one-time courtesy deposit waiver for customers in good standing by questioning whether the late fee and the reconnection fee will remain. Mr. Griffin said yes. Mr. Griffin said the fee schedule further reduces the disconnect fee from \$25 to \$13 if customers are in good standing (meaning they have not been late in the last 12 months) and there is a one-time waiver of the late fee for those in good standing.

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

Council Member Rainey moved the approval of Ordinance 12-A-10, *Amending Section 15.33 of the Henderson City Code Establishing Utility Account Security Deposits and 2) Resolution 12-A-15, A resolution Amending the Implementation of Timetable for Amending the Current Practice of Turning Off Water Service for Delinquent Utility Accounts as Articulated in Resolutions 11-70, 11-A-70 and 12-15*. Motion seconded by Council Member Peace-Jenkins and APPROVED

by the following vote: YES: Inscoc, Rainey, Peace-Jenkins, Davis, Daye and Coffey. NO: Daeke. ABSTAIN: None. ABSENT: Kearney. (See Resolution Book 2, p. 280-A; Ordinance Book 8, p 392-A)

Authorizing the Submission of a Letter to the NC Rural Center Advising that a Full Application and Performance Agreement for an Infrastructure Program Award (Ref # 2011-182-40401-107) is Not Available and Funding Will Not Be Utilized at the Time. (Reference: CAF 12-05; Resolution 12-03)

City Manager Griffin said after several meetings and contact with property owners over a period of time, there has been no petition to the City for annexation and the owners have expressed no desire to pay for any of the remaining infrastructure costs. Therefore, Mr. Frazier has drafted a Resolution for Council's approval informing the Rural Center that the needed documentation for the grant funds is incomplete at this time. Mr. Frazier said once all the criteria are met, the Rural Center has confirmed the City may reapply for this funding.

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

Council Member Daeke moved the approval of Resolution 12-03, *Authorizing the Submission of a Letter to the NC Rural Center Advising that a Full Application and Performance Agreement for an Infrastructure Program Award (Ref # 2011-182-40401-107) is Not Available and Funding Will Not Be Utilized at the Time.* Motion seconded by Council Member Davis and APPROVED by the following vote: YES: Inscoc, Rainey, Peace-Jenkins, Daeke, Davis, Daye and Coffey. NO: None. ABSTAIN: None. ABSENT: Kearney. (See Resolution Book 2, p. 255)

Approving a Lease Agreement Between the City of Henderson and County of Vance Regarding the Location of an Auxiliary E-911 Center at the City Operations Center Located at 900 South Beckford Drive. (Reference: CAF 12-41, Resolution 12-23)

City Manager Griffin stated Vance County asked to use the Operations Center as an auxiliary E-911 center in case the main E-911 center becomes unusable. Establishing the auxiliary center would be at no cost to the City and the County would assume 100% of the build-out costs and maintaining the center. The City and Vance County currently finance the E-911 Center budget on a 50%/50% basis and the City will not charge rent for the portion of the Operations Center appropriated to E-911. Mr. Griffin said the floor plan was received just prior to the meeting. Once approved by the City Manager and City Attorney, the Mayor will sign the appropriate documents.

City Attorney Zollicoffer stated the lease is being treated as a sale per G.S.§160A-274. According to the lease, Attorney Zollicoffer said the County will use 1510.5 square feet and will pay all costs associated. The County will maintain liability in the amounts of \$130,000/fire; \$1M general liability and \$3M personal injury along with \$1M property damage. The term of the lease is 25 years with two (2) automatic five (5) year extensions and can be terminated if the City chooses to sell the Operations Center.

Council Member Rainey asked how the insurance would work if the problem started in the E-911 portion of the building. Council Member Daeke asked if a fire wall should be required. City Attorney Zollicoffer stated the E-911 insurance along with the City insurance would be in place

for problems and City Manager Griffin said there is an existing sprinkler system in the building. Building a fire wall could create problems and Fire Chief Wilkerson said this would be reviewed as part of the fire/code inspections. Council Member Inscoe suggested the lease agreement be revised to include a sprinkler system requirement.

City Manager Griffin also shared Progress Energy has submitted an easement request regarding the Operations Center property. Mayor O'Geary will sign the easement once the lease agreement is finalized.

Mayor O'Geary asked for the pleasure of Council

Council Member Peace-Jenkins moved the approval of Resolution 12-23, *Approving a Lease Agreement Between the City of Henderson and County of Vance Regarding the Location of an Auxiliary E-911 Center at the City Operations Center Located at 900 South Beckford Drive.* Motion seconded by Council Member Rainey and APPROVED by the following vote: YES: Rainey, Peace-Jenkins, Daeke, Davis, Daye, Coffey and Inscoe. NO: None. ABSTAIN: None. ABSENT: Kearney. (See Resolution Book 2, p. 295)

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

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

WORK SESSION

FY 12 Budget Amendment #34, Creating Contingency Budget for Construction of the US Hwy #1 Sewer Project. (Reference: CAF 12-31; Ordinance 12-18)

City Manager Griffin said this is a housekeeping item carried over from the last Council Meeting asking Council to appropriate funds from the operating contingency account to the appropriate CIP-Sewer line item.

It was the consensus of Council to carry this issue forward for action at the next regular meeting.

FY 12 Budget Amendment #33, Authorizing Funds to Various Street Repair Projects. (Reference: CAF 12-28; Ordinance 12-22)

City Manager Griffin asked Assistant City Manager Frazier to explain this request. Mr. Frazier stated there are several streets in need either storm drain pipe replacement or stabilization. He said Birch Circle, Hillside Avenue and Cameron Drive will require outside contract work and staff will receive informal bids from qualified contractors to perform this work. The estimated cost for Birch Circle is \$45,000; Hillside Avenue is \$30,000 and Cameron Drive stabilization is \$12,000. Funding for the projects will come from the Powell Bill.

Council Member Coffey asked about the timeframes. Mr. Frazier responded two (2) bids for Birch Circle have already been received and they are waiting for a third; Hillside Avenue is being designed by the Engineering Department and Cameron Drive will start soon.

It was the consensus of Council to carry this issue forward to the next regular meeting.

Water and Sewer Availability Fee Discussion. (*Reference: CM 12-04*)

City Manager Griffin reminded Council that at a prior meeting they asked for Code details regarding the need to connect to available water and sewer within City limits. He stated Council wanted to discuss further the alternatives for those not connected so a meaningful determination could be made. Mr. Griffin then asked City Attorney Zollicoffer to present his findings

Attorney Zollicoffer summarized City Code 15-02 saying City residents within city limits are required to tap onto the systems if available to their property. This Code was established with an Ordinance dated May 3, 1994 which is an update of an original ordinance from 1972. Attorney Zollicoffer said he did not know why the City has been lax in enforcing the ordinance and added he is aware of other cities who charge property owners when they have not connected to City services.

Council Member Daeke felt enforcement of the code should occur and wondered if the City could make the same offer as they did ten (10) years ago which was a \$500 discount of the \$1,000 total. He also said citizens were told back then that they did not have to connect if they had a working system. Attorney Zollicoffer said in the 70's and 80's he knew the code was enforced on a few homes and that it was a misdemeanor if they did not for health reasons. In wanting to offer a helping hand, Council Member Daeke stated he understood the health concerns and felt a letter should be sent to the effected citizens notifying them of the grant possibility and also offering the \$500 discount. He also felt there should be a time period set to respond to this offer.

Council Member Rainey agreed to a point but did not feel it should be mandatory. Council Member Inscoe reconfirmed the grant was available to landlords and suggested a discussion regarding the existing ordinance.

Council Member Peace-Jenkins commended Council Member Daeke for his alternate plan.

City Attorney Zollicoffer cautioned Council not to give up the right to require hook-up for health reasons. City Manager Griffin said in compromise Council needed to be mindful of the future costs of upgrading the water and sewer plants. Attorney Zollicoffer added that when the City purchased revenue bonds, the hook-up requirement was one of the major issues reviewed by the agents in determining the City's rating.

Council Member Coffey suggested approaching the effected citizens with the benefits of connecting to see what kind of response occurs.

Council Member Daeke suggested wording be drafted offering the \$500 discount, notifying citizens of the grant which would be monitored by the COG and repealing Ordinance setting mandatory fee.

Mayor O'Geary polled Council and it was the consensus to take action at the next meeting.

REPORTS

- a) Mayor/Mayor Pro-Tem/Chairman Pro-Tem (No Report)
- b) City Manager (No Report)
- c) City Attorney (No Report)
- d) City Clerk - (No Report)

Council Member Inscoe asked for an update regarding the sewer replacement on Spring Street. Assistant City Manager said the manhole should arrive on Wednesday, March 14th and then the project could be finalized.

Mr. Inscoe also inquired about the Shirley Avenue/Drive pressure report. Mr. Frazier said he would compile a report for Council at the next meeting.

Council Member Daeke visited with Council Member Kearney who was interested in knowing about the Clean Water Management Trust Fund project and Mr. Frazier said they would be in the office this week to review the project.

CLOSED SESSION

With no further discussion, Mayor O'Geary asked if Council was prepared to go into Closed Session and stated there would be no report following the session.

Council Member Coffey moved for Council to convene in closed session pursuant to G.S. §143-318.11(a)(3) for an Attorney-Client Privilege Matter and G.S. 143-318.11(a)(6), a Personnel Matter. Motion seconded by Council Member Rainey and unanimously approved. *(Council convened in closed session at 7:15 p.m.)*

Council Member Rainey moved for Council to convene in open session. Motion seconded by Council Member Daeke and unanimously approved. *(Council convened in open session at 8:11 p.m.)*

ADJOURNMENT

Council Member Inscoe moved for adjournment. Motion seconded by Council Member Daye and unanimously approved. The meeting adjourned at 8:12 p.m.

James D. O'Geary
Mayor

ATTEST:

Esther J. McCrackin
City Clerk