



AGENDA

Henderson City Council Regular Meeting

Monday 13 February 2017, 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 Eddie Ellington, Presiding

Councilmember Marion B. Williams
Councilmember Sara M. Coffey
Councilmember Michael C. Inscoe
Councilmember D. Michael Rainey

Councilmember Melissa Elliott
Councilmember Garry D. Daeke
Councilmember Fearldine A. Simmons
Councilmember George M. Daye

City Officials

Frank Frazier, City Manager
D. Rix Edwards, 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) 9 January 2017 Regular Meeting [See Notebook Tab 1]
- b) 23 January 2017 Special Called Meeting
- c) 1-2 February 2017 Annual Strategic Planning Retreat

VII. PRESENTATIONS & RECOGNITIONS

- a) Retiree Donna Stearns

VIII. PUBLIC HEARING

- a) Holding a Public Hearing on the Question of Annexation for Garden Gate Villas, Inc., Pursuant to North Carolina General Statute 160-A-31; *and* Consideration of Approval of Ordinance 17-08, Extending the Corporate Limits of the City of Henderson, North Carolina; *and* Assignment of Newly Annexed Area Known as Garden Gate Villas, Inc. to Ward 4; *and* Directing the City Attorney to Record Annexation with Vance County Board of Elections, Vance County Register of Deeds and the North Carolina Secretary of State. (CAF 17-02-A) [See Notebook Tab 2]

- Ordinance 17-08

IX. 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. Please review the Citizen Comment Guidelines that are provided below.³

³ Citizen Comment Guidelines for Agenda Items

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.

X. NEW BUSINESS

- a)* Consideration of Approval of Resolution 17-10, Receiving the Comprehensive Annual Financial Report for FY Ending 30 June 2016. (CAF 17-13) [See Notebook Tab 3]
- Resolution 17-10
- b)* Consideration of Approval of Resolution 17-15, Reaffirming Section 504 Grievance Procedure as Required by the North Carolina Department of Environment Quality (NCDEQ) Division of Water Infrastructure for the CDBG Infrastructure Project 14-I-2658 (Newton Dairy Road/Birch and Bobbitt Street Sewer Extension Project) (CAF 17-19) [See Notebook Tab 4]
- Resolution 17-15
- c)* Consideration of Approval of Ordinance 17-03, Establishing an Urban Homesteading Program Pursuant to NCGS §160A-457.2. (CAF 17-04) [See Notebook Tab 5]
- Ordinance 17-03
- d)* Consideration of Approval of Ordinance 17-09, FY17 BA #25 Authorizing the Transfer of \$6,000 of Recreation & Parks Department's Donated Funds Revenue Account to Donated Funds Expense Account for Purchasing Rec Players Items in Conjunction with the Fundraiser and Two Summer Shows. (CAF 17-21) [See Notebook Tab 6]
- Ordinance 17-09

XI. 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 17-09, Providing for the Disposition of a Jointly Held Property by the City and County Otherwise Identified as 517 Neathery Street, Parcel ID # 0093 03011. (CAF 17-12) [See Notebook Tab 7]
- Resolution 17-09
- b)* Consideration of Approval of Resolution 17-16, Providing for the Disposition of a Jointly Held Property by the City and County Otherwise Identified as 416 Parham Street, Parcel ID #0022 01009. (CAF 17-20) [See Notebook Tab 8]

- Resolution 17-16
- c) Consideration of Approval of Resolution 17-05, Authorizing the Demolition of Ten Jointly Owned Properties. (CAF 17-07) [See Notebook Tab 9]
 - Resolution 17-05
- d) Consideration of Approval of Resolution 17-13, Approving the Tar River Hazard Mitigation Plan. (CAF 17-17) [See Notebook Tab 10]
 - Resolution 17-13
- e) Consideration of Approval of Resolution 17-12, Ratifying and Approving an Application to the North Carolina Governor’s Crime Commission in the Amount of \$70,485 for 2016 HERO and Internet Crimes Against Children (ICAC) Grant. (CAF 17-15) [See Notebook Tab 11]
 - Resolution 17-12
- f) Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of December 2016. (CAF 17-10) [See Notebook Tab 12]

XII. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

Citizens may only speak on non-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. Please review the Citizen Comment Guidelines that are provided below.⁴

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- 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.

XIII. REPORTS

- a)** Mayor/Mayor Pro-Tem (No Report)
- b)** City Manager (No Report)
- c)** City Attorney (No Report)
- d)** City Clerk
 - i. Meeting and Events Calendar *[See Notebook Tab 13]*
 - ii. E-911 Monthly Report
 - iii. Downtown Development (DDC) 2016 Accomplishments
 - iv. Fire Department Monthly Report

XIV. WORK SESSION

- a)** Establishing a Stormwater Utility (*CMR 17-01*) *[See Notebook Tab 14]*
- b)** Consideration of Approval of: 1) Resolution 17-08, Approving the Customer Service Policy; and 2) Ordinance, 17-06, Amending City Code Section 15-33 and Revising Annual Schedule of Fees to Reflect Revised Set Up Fee Policy. (*CAF 17-11*) *[See Notebook Tab 15]*
 - Resolution 17-08
 - Ordinance 17-06
- c)** Consideration of Approval of Resolution 17-11, Approving the Submittal of a Grant Application to the North Carolina Forest Service as Administrator for the USDA Urban & Community Forestry Grant Program. (*CAF 17-14*) *[See Notebook Tab 16]*
 - Resolution 17-11
- d)** Possible Energy Saving Project Presentation (No Materials Available)

XV. ADJOURNMENT

City Council Minutes

Regular Meeting

13 February 2017

PRESENT

Mayor Eddie Ellington, Presiding; and Council Members Sara M. Coffey, D. Michael Rainey, Melissa Elliott, Garry D. Daeke, Fearldine A. Simmons, and George M. Daye.

ABSENT

Council Members Marion B. Williams and Michael C. Inscoe

STAFF PRESENT

City Manager Frank Frazier, City Attorney D. Rix Edwards, City Clerk Esther J. McCrackin, Finance Director Joseph Fuqua, Police Chief Marcus Barrow, Fire Chief Steve Cordell, Assistant to City Manager Paylor Spruill, Engineering Director Clark Thomas, Development Services Director Corey Williams, Recreation and Parks Director Kendrick Vann, Kerr Lake Regional Water Director Christy Lipscomb, Henderson Water Reclamation Director Lamont Allen, Human Resources Director Cathy Brown, and Customer Service Supervisor Shay Bennett.

CALL TO ORDER

The 13 February 2017 Regular Meeting of the Henderson City Council was called to order by Mayor Eddie Ellington at 6:02 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 Ellington a quorum was present.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Simmons led those present in a prayer and the Pledge of Allegiance.

OPENING COMMENTS

Mayor Ellington welcomed citizens and staff to this meeting and thanked everyone for taking time out of their busy schedules to attend.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor Ellington asked if there were any adjustments to the Agenda. Council Member Rainey moved to accept the Agenda as presented. Motion seconded by Council Member Simmons, and unanimously approved.

APPROVAL OF MINUTES

Mayor Ellington asked for any corrections to and/or approval of the minutes. Council Member Coffey moved the approval of the 9 January 2017 Cancelled and 23 January 2017 Regular Meeting, along with the 1-2 February 2017 Strategic Planning Retreat minutes as presented. Motion seconded by Council Member Daye, and unanimously approved.

PUBLIC HEARING

Holding a Public Hearing on the Question of Annexation for Garden Gate Villas, Inc., Pursuant to North Carolina General Statute 160-A-31; and Consideration of Approval of Ordinance 17-08, Extending the Corporate Limits of the City of Henderson, North Carolina; and Assignment of Newly Annexed Area Known as Garden Gate Villas, Inc. to Ward 4; and Directing the City Attorney to Record Annexation with Vance County Board of Elections, Vance County Register of Deeds and the North Carolina Secretary of State. (Reference: CAF 17-02-A, Ordinance 17-08)

City Manager Frazier explained this voluntary non-contiguous annexation has been requested by Mr. Dennis Tharrington. The Villas will be a 56 unit elderly housing complex and depending on the outcome of the public hearing, Council may elect to approve this annexation, effective today.

There was no discussion so Mayor Ellington opened the Public Hearing by asking if anyone present wished to speak in favor of this annexation. No one came forward so Mayor Ellington asked if anyone was present who wished to speak in opposition to this annexation. No one came forward. Mayor Ellington then closed the Public Hearing and asked how Council would like to proceed.

Council Member Coffey moved the approval of Ordinance 17-08, *Extending the Corporate Limits of the City of Henderson, North Carolina; and Assignment of Newly Annexed Area Known as Garden Gate Villas, Inc. to Ward 4; and Directing the City Attorney to Record Annexation with Vance County Board of Elections, Vance County Register of Deeds and the North Carolina Secretary of State.* Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Coffey, Rainey, Elliott, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: Williams and Inscoe. *(See Ordinance Book 9, p 419)*

PUBLIC COMMENT PERIOD ON AGENDA ITEMS

City Clerk McCrackin advised no citizen wished to address Council.

NEW BUSINESS

Receiving the Comprehensive Annual Financial Report for FY Ending 30 June 2016. (Reference: CAF 17-13; Resolution 17-10)

City Manager Frazier said the audit has been completed and approved by the Local Government Commission. He then asked Mr. Curtis Averette, Jr., CPA, to highlight the audit. Mr. Averette began by thanking Mr. Frazier, Finance Director Joey Fuqua, Assistant Finance Director Lisa Boyd and Customer Service Supervisor Shay Bennett for their assistance during the audit process. Mr. Averette highlighted several areas such as the General Fund Balance increase of unrestricted funds of approximately \$1,678,145 over last year. He addressed the proprietary funds that have also increased since last year and said this shows conscientious planning. Some policy changes have been suggested, but overall the City has received a clean report that has been approved by the LGC. Mr. Averette concluded by saying the state of the city is strong.

Council Member Daeke asked if the decrease in personal property was related to the Hospital. Mr. Frazier said he would look into this and give Council a follow-up report. Mr. Daeke then commented favorably on the strong fund balance.

Mayor Ellington thanked Mr. Averette and his team for their work

Mr. Frazier said he is working on a contract for the FY17 audit that will be brought to Council for approval.

With no further questions, Mayor Ellington asked Council how it wished to proceed.

Council Member Rainey moved the approval of Resolution 17-10, *Receiving the Comprehensive Annual Financial Report for FY Ending 30 June 2016*. Motion seconded by Council Member Elliott, and APPROVED by the following vote: YES: Coffey, Rainey, Elliott, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: Williams and Inscoe. (See Resolution Book 5, p 189)

Reaffirming Section 504 Grievance Procedure as Required by the North Carolina Department of Environment Quality (NCDEQ) Division of Water Infrastructure for the CDBG Infrastructure Project 14-I-2658 *(Newton Dairy Road/Birch and Bobbitt Street Sewer Extension Project). (Reference: CAF 17-19; Resolution 17-15)

City Manager Frazier explained this infrastructure grant was received in part to convert the pump station to a gravity feed and extend sanitary sewer in the Birch/Bobbitt street areas. Plans are in place to take this project to bid at the end of the month. One of the requirements of this grant is to ensure the City complies with all its requirements and it was felt the City should reaffirm its existing Section 504 Grievance procedure by resolution. Briefly, this procedure provides that individuals with disabilities have access to the same parameters as any other individual.

Council Member Coffey asked what happens if the City is out of compliance. Mr. Frazier responded the City would be notified as soon as possible by the Grant Administrator who monitors the quarterly reports submitted by the City, and they have visited the City during the pre-bid meeting to monitor compliance.

There were no other questions so Mayor Ellington asked Council how it wished to proceed.

Council Member Coffey moved the approval of Resolution 17-15, *Reaffirming Section 504 Grievance Procedure as Required by the North Carolina Department of Environment Quality (NCDEQ) Division of Water Infrastructure for the CDBG Infrastructure Project 14-I-2658 (Newton Dairy Road/Birch and Bobbitt Street Sewer Extension Project)*. Motion seconded by Council Member Simmons, and APPROVED by the following vote: YES: Rainey, Elliott, Daeke, Simmons, Daye and Coffey. NO: None. ABSTAIN: None. ABSENT: Williams and Inscoe. (See Resolution Book 5, p 199)

Establishing an Urban Homesteading Program Pursuant to NCGS §160A-457.2.
(Reference: CAF 17-04, Ordinance 17-03)

City Manager Frazier reminded Council that this has been discussed at both the last Work Session and during the Retreat. Staff feels this is a good program and if approved, the next step is to develop procedures and policies to ensure the program is administered fairly.

Council Member Coffey said her concern was the selection process and she is pleased to know the process will be included in the handbook. Mr. Frazier stated that the purposed handbook will include the selection process and it will be brought back to Council for review and approval.

There were no questions so Mayor Ellington asked Council how it wished to proceed.

Council Member Elliott moved the approval of Ordinance 17-03, *Establishing an Urban Homesteading Program Pursuant to NCGS §160A-457.2*. Motion seconded by Council Member Daeke, and APPROVED by the following vote: YES: Rainey, Elliott, Daeke, Simmons, Daye, and Coffey. NO: None. ABSTAIN: None. ABSENT: Williams and Inscoe. (See Ordinance Book 5, p 409)

Authorizing the Transfer of \$6,000 of Recreation & Parks Department's Donated Funds Revenue Account to Donated Funds Expense Account for Purchasing Rec Players Items in Conjunction with the Fundraiser and Two Summer Shows. (Reference: CAF 17-21; Ordinance 17-09)

City Manager Frazier said this is a housekeeping item and asked Recreation and Parks Director Kendrick Vann to explain this in detail. Mr. Vann said that donated funds are often earmarked for particular segments of his department. This transfer will move \$6,000 from the general donation account to the Rec Players line item that will allow them to purchase equipment and items for its upcoming fundraiser and its two summer shows. Mr. Frazier added there is currently \$24,709 in the Rec Players account.

There was no discussion. Mayor Ellington asked how Council wished to proceed.

Council Member Daeke moved the approval of Ordinance 17-03, *Authorizing the Transfer of \$6,000 of Recreation & Parks Department's Donated Funds Revenue Account to Donated Funds Expense Account for Purchasing Rec Players Items in Conjunction with the Fundraiser and Two Summer Shows*. Motion seconded by Council Member Daye, and APPROVED by the following vote: YES: Elliott, Daeke, Simmons, Daye, Coffey and Rainey. NO: None. ABSTAIN: None. ABSENT: Williams and Inscoe. (See Ordinance Book 5, p 421)

CONSENT AGENDA

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

Providing for the Disposition of a Jointly Held Property by the City and County Otherwise Identified as 517 Neathery Street, Parcel ID #0093 03011. (Reference: CAF 17-12; Resolution 17-09) This action approves the transfer of 517 Neathery Street to the County with the understanding, upon sale, that the proceeds will be shared on a pro-rata basis. (See Resolution Book 9, p 187)

Providing for the Disposition of a Jointly Held Property by the City and County Otherwise Identified as 416 Parham Street, Parcel ID #0022 01009. (Reference: CAF 17-20; Resolution 17-16) This action approves the transfer of 416 Parham Street to the County with the understanding, upon sale, that the proceeds will be shared on a pro-rata basis. (See Resolution Book 5, p 201)

Authorizing the Demolition of Ten Jointly Owned Properties. (Reference: CAF 17-07, Resolution 17-05) These ten properties are considered dilapidated and the cost to bring them up to code will exceed the assessed value; therefore, if the properties are not considered appropriate for the Urban Homesteading program, the City will seek approval from the County to continue with the demolition process. (See Resolution Book 5, p 179)

Approving the Tar River Hazard Mitigation Plan. (Reference: CAF 17-17, Resolution 17-13) Section 322 of the Federal Disaster Mitigation Act of 2000 states that local governments must develop an All-Hazards Mitigation Plan in order to be eligible to receive future Hazard Mitigation Grant Program Funds, along with other disaster-related assistance and this Plan must be updated and adopted within a five-year cycle. Vance County 911 has asked each jurisdiction to adopt the revisions by resolution. (See Resolution Book 5, p 195)

Ratifying and Approving an Application to the North Carolina Governor's Crime Commission in the Amount of \$70,485 for 2016 HERO and Internet Crimes Against Children (ICAC) Grant. (Reference: CAF 17-15, Resolution 17-12) Notification of this grant opportunity arrived after the last Council meeting and the deadline to submit the application was prior to this meeting. City Manager Frazier approved the department's submission and this action ratifies the submission of this no-match grant opportunity. (See Resolution Book 5, p 193)

Tax Releases and Refunds from Vance County for the Month of December 2016. The following releases/refunds are found to be in order and this action approves the tax releases and refunds for December.

Column1	Column2	Column3	Column4
Dec 2016 Tax Releases & Refunds			
Name	Reason	Tax Year	Amount
Real & Personal Property			
Releases			
Cameron & Associates	Lost to Foreclosure	2016	122.55
Elkerson, Josephine W	Correct Ownership	2016	20.46
Faulkner, Roy Hurst	Pers.Property Billed in Error	2016	4.70
Gholson, Thornton P. Jr.	Lost to Foreclosure	2016	134.55
Hanny, Phillip R	Adjusted Value	2016	339.18
Henderson Furniture	Discovery	2016	193.39
LeMay Moses J, Heirs	Lost to Foreclosure	2016	237.69
Lockett, Randolph	Lost to Foreclosure	2016	171.05
Owens, Cleola E., Heirs	Lost to Foreclosure	2016	23.64
Rogers, John C	Correct Ownership	2016	75.64
Video Shack	Pers.Property Billed in Error	2016	120.72
Total R&P Property Releases			\$ 1,443.57
Real & Personal Property			
Refunds			
Bryant Pauline B, Heirs		2016	(178.00)
Spring Street Mission	Correct Ownership	2016	(75.64)
Vance County		2016	(140.01)
Yeargin, Wilber		2016	(20.46)
Total R & P Property Refunds			1,029.46
Total R&P Prop. Rel. & Ref.			1,029.46

Mayor Ellington asked if anyone wished to remove any item from the Consent Agenda. There were no requests. However, Council Member Daeke asked Police Chief Barrow if there were any costs associated with the HERO Grant. Chief Barrow said there is an approximate \$2,000 yearly cost associated with the software. This item was also mentioned during the Strategic Planning Retreat.

Council Member Daeke also asked if the ten jointly owned properties were in addition to the existing list of properties that have been already authorized for demolition. Development Services Director Williams said these are in addition to the existing list. Mr. Frazier indicated several of these houses might become part of the Urban Homesteading program.

Mayor Ellington then asked for a motion to approve the Consent Agenda.

Council Member Coffey moved the approval of the Consent Agenda as presented. Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Daeke, Simmons, Daye, Coffey, Rainey and Elliott. NO: None. ABSTAIN: None. ABSENT: Williams and Inscoc.

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

City Clerk McCrackin advised one citizen wished to address Council.

Mr. Aaron Ramsey, 5129 Tabbs Creek Lane, Oxford Mr. Ramsey came before the Zoning Board to request a permit to open the *Corbitt Emporium and Flea Market*. Due to the current zoning ordinances, his request was tabled for further consideration. Mr. Ramsey asked Council to do what it could to expedite his request.

There was a brief discussion with several Council Members indicating perhaps changes should be made to the existing ordinances but everyone felt the request should go through the proper channels. Council Member Daeke gave a brief report on the Zoning Board meeting and Mr. Frazier said it was his understanding a planning board meeting has been scheduled and this item is on the agenda.

Mr. Ramsey thanked Council for its time and Mayor Ellington thanked Mr. Ramsey for his comments.

REPORTS

- a) Mayor/Mayor Pro-Tem - Mayor Ellington reported on the following: Housing Advisory Committee meeting, Chamber of Commerce Banquet, the Strategic Planning Retreat, State of Downtown and the crowning of Ms. Henderson, Evan O'Geary.
- b) City Manager
 - i. Replacement of the KLRW 36" water pipe will begin at midnight on the 15th. Mr. Frazier thanked Christy Lipscomb, Clark Thomas and Andy Perkinson for coordinating this project.
 - ii. Vance County is currently working with CGI Communications and Mr. Frazier would like to work with CGI also. CGI does promotional videos that can be placed on the City's web page promoting Henderson. There is no cost to the City as it is paid for by businesses who wish to place their promotional material on the video. It was noted that some surrounding communities have successfully used this company.
 - iii. The burned out church on North Garnett Street has been demolished and the City appreciates the church's willingness to take care of this so quickly.
 - iv. Council Member Coffey had asked Mr. Frazier to look into some property on Andrews Avenue. He said the property is being investigated further by the Development Services Department.
 - v. Finance Reports from December and January were distributed.
- c) City Attorney (No Report)
- d) City Clerk – Reminded Council of the Employee Service Awards Banquet this Thursday at the Henderson Country Club.

WORK SESSION

Establishing a Stormwater Utility (*Reference: CMR 17-01*)

City Manager Frazier said this was briefly discussed during the Retreat and asked Engineering Director Clark Thomas to explain this in more detail. Mr. Thomas said many towns are now charging a utility fee to help obtain funds for the repair/upkeep of the storm water system. He said currently the City budgets approximately \$20,000 for fixing stormwater pipes. Mr. Thomas indicated that some mapping has been done but now is perhaps the time to begin looking at identifying the location of these pipes, the potential problems and to begin fixing them before repaving takes place (since most of the pipes are under streets). He did say a consultant would be needed to help with this process as he does not have the staff to do this on a consistent basis.

During his presentation, Mr. Thomas referenced ERUs and Council Member Coffey asked what ERU stands for. Mr. Thomas said Equivalent Residential Units that is defined as the average impervious surface of a single-family residential lot. He said normally that would only increase the water bill by about \$2.00 a month if Council decided to implement this stormwater utility fee.

Council Member Rainey asked where the current funding is budgeted. Mr. Frazier said it comes from the General Fund (Powell Bill).

Council Member Daeke expressed concern regarding the problems caused by leaves, pine needles, etc. that flow into storm drains and asked if the existing ordinance is enforced. Mr. Frazier said citizens are encouraged to put yard waste in containers but it continues to be a problem. Council Member Coffey asked how this can be enforced. Mr. Thomas said there are catch basins bags but they need to be cleaned and/or emptied regularly, and Mr. Frazier added they are very costly.

Council Member Daeke asked how much revenue this fee will generate. Mr. Frazier said there are approximately 5,400 housing units that could be charged this fee.

Mr. Thomas said businesses would be charged a higher fee and added there must be public buy-in to such a program. He mentioned the need for public forums to help citizens understand the problem and why it is necessary to generate additional funds to help pay for the replacement of stormwater infrastructure.

The discussion then turned to specific problems with catch basins on State roads and whether large businesses such as grocery stores keep their lots clean of debris. If this is happening, it should help keep debris out of the catch basins. Mr. Thomas stated that since the purchase of the new jet vac for sewer collect, the old one is being used more for cleaning storm drains and catch basins. Mr. Frazier added this will be a long process with more study and further recommendations to come before Council will need to take action.

With no further discussion, Mayor Ellington asked Council how it wished to proceed. Council asked staff to come back with further information and/or recommendations and agreed to look into this issue further with the consensus being: YES: Coffey, Rainey, Elliott, Daeke, Simmons and Daye. NO: ABSTAIN: ABSENT: Williams and Inscoc.

Approving the Customer Service Policy and Amending City Code Section 15-33 and Revising Annual Schedule of Fees to Reflect Revised Set Up Fee Policy. *(Reference: CAF 17-11, Resolution 17-08, Ordinance 17-06)*

City Manager Frazier said this policy was established to inform customers of their responsibilities and duties, along with outlining the City's responsibilities and duties. Due to on-line bill paying and other enhancements, it is now necessary to update the policy. One change is the need for a higher security deposit if a new customer is unwilling to present their social security card. Without a social security card, the city has no way to collect a debt if the customer becomes delinquent. Another change relating to the Customer Service Department is an explanation regarding the timing for accepting service applications.

Council Member Rainey asked how many customers are on the equal payment plan. Customer Service Supervisor Shay Bennett said currently none. She said in all the time she has been with the City maybe two or three have participated in the plan. She was also asked how many people are on the cutoff list per month. Ms. Bennett said it is always the same people and the cutoff list averages 300-400 a month.

Council Member Daeke asked for the reconnect fee amount. Ms. Bennett said it is currently \$13.00 and added it was \$40.00 when she first started with the City.

Council Member Coffey asked if it was legal to charge individuals more if they do not provide a social security number, and Council was assured the City Attorney has reviewed the entire policy extensively.

Council Member Daeke asked if in the future changes to a large document such as this could be indicated in some manner so Council is fully aware of changes. City Manager Frazier said this can be done. Mr. Daeke said he was fine with the policy and did not need to see the changes marked on the document when it is brought back to the March meeting.

There were no further questions so Mayor Ellington asked Council how it wished to proceed. Council agreed to bring this back for action at the next meeting with the consensus being: YES: Coffey, Rainey, Elliott, Daeke, Simmons and Daye. NO: ABSTAIN: ABSENT: Williams and Inscoe.

Consideration of Approval of Resolution 17-11, Approving the Submittal of a Grant Application to the North Carolina Forest Service as Administrator for the USDA Urban & Community Forestry Grant Program. (Reference: CAF 17-14; Resolution 17-11)

City Manager Frazier said this grant, although education specific, may help with landscaping of the pavilion project that was recently approved by Council. He then asked Assistant to the City Manager Paylor Spruill to elaborate on this grant opportunity. Mr. Spruill said this is a joint work in progress with the DDC. At this time, it is unclear if the \$20,000 approved by Council can be used as part of the matching portion of this forestry grant. The maximum grant amount is \$15,000, part of which can be in-kind contributions.

There was a brief discussion with the consensus being this is worth exploring.

Mayor Ellington asked Council how it wished to proceed. Council agreed to move forward with this item with the consensus being: YES: Coffey, Rainey, Elliott, Daeke, Simmons and Daye. NO: ABSTAIN: ABSENT: Williams and Inscoe.

Energy Saving Presentation

City Manager Frazier introduced Ms. Alysa Watkins from Schneider Electric and said she would be sharing information regarding an Energy Savings Performance Contract.

Ms. Watkins distributed a booklet of information for Council to review regarding question such as what an energy savings contract is, what it does, the objectives, the process, etc. Although the booklet is specific to Schneider Electric, she said the process is the same, no matter what contractor is selected.

In general, this program would help the City find cost saving areas such as replacing old HVAC systems and improving lighting efficiency with LED lights. The first step is to do a walk through every building that houses city employees, then an RFP is sent out to contractors approved by the State for this type of performance contract. Once the Performance Contractor is

selected, the design and engineering portion of the project would be done. The actual improvements are normally performed by local contractors, if possible. The ultimate goal is for the City to save monies by becoming more energy efficient. The cost of the project would be paid for using savings from energy and through a lending arrangement that must be approved by the LGC. The Performance Contractor must guarantee the savings and if the savings are not met, the Performance Contractor has to pay the difference.

Ms. Kathy Walters, representing the State, said the State ultimately oversees this process and said the City can choose to back out of the process at any time up until the signing of a contract but said usually once a municipality gets to this point, they are fully committed. Ms. Walters also indicated that there is a possibility that grant funds may become available for third party engineering projects.

Ms. Watkins felt the City could benefit from such a program and urged Council to review the information she provided and to feel free to contact her, Ms. Walters or Mr. Frazier with any questions they might have.

With no further business, Mayor Ellington asked if Council was prepared to adjourn.

ADJOURNMENT

Council Member Rainey moved for adjournment. Motion seconded by Council Member Elliott, and unanimously approved. The meeting adjourned at 7:42 p.m.

Eddie Ellington
Mayor

ATTEST:

Esther J. McCrackin, City Clerk