



AGENDA

Henderson City Council Regular Short Meeting
Monday, 24 September 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. Dacke
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) 10 September 2012 Regular Meeting [*See Notebook Tab 1*]
- b) 13 September 2012 Ride-Around
- c) 14 September 2012 Special Called Meeting

VII. PRESENTATIONS/RECOGNITIONS

- a) 2011 Life Safety Achievement Award [*See Notebook Tab 1*]
- c) National Fire Prevention Week Proclamation - October 7-13, 2012

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 Approval of Resolution 12-81, Authorizing the Execution of a Contract with the H.G. Reynolds Company for a Water Main Relocation and Tie-In in Conjunction with a Red Bud Creek Bridge Replacement Project. (Project #BD-5105C, WBS Elements: 45351.3.3) (*CAF 12-118*) [*See Notebook Tab 2*]
 - Resolution 12-81
- b) Consideration of Approval of Resolution 12-80, Appointments to the Henderson Zoning Board of Adjustment Committee, and Henderson Recreation and Parks Commission. (*CAF 12-117*) [*See Notebook Tab 3*]
 - Resolution 12-80

X. 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 on the last page of this Agenda.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.

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 4]*

ADJOURNMENT

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- 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.

City Council Minutes

Regular Short Meeting

24 September 2012

PRESENT

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

ABSENT

None.

STAFF PRESENT

City Manager Ray Griffin, City Clerk Esther J. McCrackin, Assistant City Manager Frank Frazier, Human Resources Director Cathy Brown, Engineering Director Peter Sokalski, Fire Chief Danny Wilkerson, Assistant Fire Chief Steve Cordell and Fire Captain Training Inspector Fire & Life Safety Educator Jon Juntunen.

CALL TO ORDER

The 24 September 2012 Short 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.

Mayor O'Geary welcomed everyone to this open meeting.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor O'Geary asked if there were any adjustments to the Agenda. Council Member Rainey moved to accept the Agenda as presented. Motion seconded by Council Member Peace-Jenkins and unanimously approved.

APPROVAL OF MINUTES

Mayor O'Geary asked for any corrections to and/or approval of the minutes. There were no adjustments. Council Member Peace-Jenkins moved the approval of the following minutes as presented: 10 September Regular Meeting, 13 September Ride-Around and 14 September Special Called Meeting. Motion seconded by Council Member Coffey and unanimously approved.

PRESENTATIONS & RECOGNITIONS

Mayor O'Geary presented the 2011 Life Safety Achievement Award to Fire Chief Danny Wilkerson who accepted the award, along with Assistance Chief Steve Cordell and Fire Captain Training Inspector Fire & Life Safety Educator Jon Juntunen.

Mayor O'Geary then read and presented a proclamation to the Fire Chief recognizing Fire Prevention Week which is October 7 – 13, 2012. Mayor O'Geary thanked the Chief and the entire fire department for their safety efforts.

PUBLIC COMMENT PERIOD ON AGENDA ITEMS

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

NEW BUSINESS

Authorizing the Execution of a Contract with the H. G. Reynolds Company for a Water Main Relocation and Tie-In in Conjunction with Red Bud Creek Bridge Replacement Project. (Project #BD-5105C, WBS Elements: 45351.3.3.) (Reference: CAF 12-118; Resolution 12-81)

City Manager Griffin asked Assistant City Manager Frank Frazier to update this project. Mr. Frazier reminded Council that this project was approved in 2011. He said the work has been ongoing and although the project is nearing completion, changes are needed within the water main to insure minimal disruption of service. The NCDOT received a quote from the Fred Smith Company, (\$39,725.56) which is the same company performing the bridge work and the City obtained a quote from H. G. Reynolds (\$20,990.00) for the same waterline relocation work. It is recommended that H.G. Reynolds perform the work. Mr. Frazier said this would require a little more coordination by the City. He also said the work would be performed at night to minimize service disruption. Mr. Frazier also said he is hopeful this project will be completed under budget.

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

Council Member Inscoe moved the approval of Resolution 12-81, *Authorizing the Execution of a Contract with the H. G. Reynolds Company for a Water Main Relocation and Tie-In in Conjunction with Red Bud Creek Bridge Replacement Project. (Project #BD-5105C, WBS Elements: 45351.3.3.)* Motion seconded by Council Member Daye and APPROVED by the following vote: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Brown and Daye. NO: None. ABSTAIN: None. ABSENT: None. *(See Resolution Book 3, p. 57)*

Appointments to the Henderson Zoning Board of Adjustment Committee and Henderson Recreation and Parks Commission. *(Reference: CAF 12-117; Resolution 12-80)*

City Manager Griffin asked City Clerk McCrackin to address Council. Ms. McCrackin said the Committee met on 6 September to review three applications. Mr. Brown has been serving on the County side of the Recreation and Parks Commission; however, since the County had more applications than the City, it was felt it would be in the best interest to move Mr. Brown to the City side so the County could appoint interested individuals on their side. Ms. Coffey is currently an Alternate on the Board of Adjustment and the Boards and Commissions Committee would like approval to appoint her as a full-time member. The Committee also recommends Mr. Young and Mr. Andrews be appointed to the Recreation and Parks Commission. She said there are still seats available on several other committees. Council should ask citizens to complete an application, whether the board/committee has current openings or not as there are constant changes.

City Manager Griffin asked that the resolution be revised to include Council Member Daeke as an alternate to the Board of Adjustment filling the unexpired term of Sara Coffey.

Council Member Kearney asked if the committee had discussed and was satisfied with Mr. Young's comments regarding his Affirmation of Eligibility. Ms. McCrackin said Mr. Young met with the City Manager and the committee was satisfied with the outcome of that meeting.

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

Council Member Rainey moved the approval of Resolution 12-80 with the suggested revision, *Appointments to the Henderson Zoning Board of Adjustment Committee and Henderson Recreation and Parks Commission.* Motion seconded by Council Member Kearney and APPROVED by the following vote: YES: Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Brown, Daye and Kearney. NO: None. ABSTAIN: None. ABSENT: None. *(See Resolution Book 3, p 39)*

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

City Clerk advised no citizen wished to address City Council on a non-agenda item.

REPORTS

- a) Mayor/Mayor Pro-Tem - (No Report)
- b) City Manager – Mr. Griffin said after the October 8th meeting the next two scheduled meetings will be cancelled due to the League meeting in October and Veterans Day in November. He said if a special meeting is needed, the Mayor will call a Special Meeting.
- Mr. Griffin also said there is a meeting in Raleigh tomorrow regarding the moped issue and he has asked Police Chief Sidwell to attend. He said there are several other cities concerned with this issue and he hopes for a friendly reception to carry the issue forward.
- Council Member Coffey expressed pleasure that this issue is moving forward and mentioned another serious moped accident occurred over the weekend.
- Council Member Daeke mentioned he was glad for the participation and discussion during the Ride-Around. He said although many of the problems are problems Council is aware of, it was good to have them reinforced.
- c) City Attorney – Attorney Zollicoffer commented on the moped issue saying he had one pull out in front of him without stopping which nearly caused a serious accident and Mayor O’Geary said he has had similar near misses.
- d) City Clerk – Ms. McCrackin reminded Council of the COG Banquet September 27th in Warrenton.

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

ADJOURNMENT

Council Member Daye moved for adjournment. Motion seconded by Council Member Rainey and unanimously approved. The meeting adjourned at 6:18 p.m.

James D. O’Geary
Mayor

ATTEST:

Esther J. McCrackin, City Clerk