



AGENDA

Henderson City Council Regular Short Meeting

Monday, 27 August 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 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 August 2012 Regular Meeting [*See Notebook Tab 1*]

VII. 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

VIII. NEW BUSINESS

a) Consideration of Approval of Resolution 12-44, Supporting the Vance County Comprehensive Transportation Maps Endorsing the One-Way Pair Concept for Dabney Drive and Corbitt Drive, While Recommending Additional Study of Design Details. (CAF 12-A-73) [*See Notebook Tab 2*]

- Resolution 12-44

b) Consideration of Approval of Resolution 12-72, Establishing City Council Committee Appointments to the Fireman's Supplemental Retirement Committee and to the Boards and Commissions Committee. (CAF 12-113) [*See Notebook Tab 3*]

- Resolution 12-72

IX. 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.

- 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;

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]*
 - ii. Code Compliance Department

XIV. CLOSED SESSION

- a)** Pursuant to G.S. §143-318.11 (a)(4) for an Economic Development Matter
- b)** Pursuant to G.S. §143-318.11 (a)(6) for Personnel Matters

ADJOURNMENT

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- 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
27 August 2012

PRESENT

Mayor James D. O'Geary, Presiding; and Council Members James C. Kearney, Sr., Sara M. Coffey, Michael C. Inscoe, 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, Finance Director Kathy Brafford, Engineering Director Peter Sokalski, Planning Director Erris Dunston, Kerr Lake Regional Water Director Christy Lipscomb, Code Compliance Director Corey Williams, Henderson Water Reclamation Facility Director Tom Spain, and Attorney Carolyn Burnett, representing City Attorney John Zollicoffer.

CALL TO ORDER

The 27 August 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.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

Mayor O'Geary welcomed everyone and said he was glad to see so many in attendance.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor O'Geary asked if there were any adjustments to the Agenda. City Clerk McCrackin announced *G.S. §143-318.11(a)(3)*, an attorney-client matter would be added to the *Closed Session*. Council Member Inscoe moved to accept the adjusted Agenda. Motion seconded by Council Member Daeke and unanimously approved.

APPROVAL OF MINUTES

Mayor O'Geary asked for any corrections to and/or approval of the minutes. City Clerk McCrackin asked for approval to amend the 25 June 2012 minutes to include Ordinance 12-41, *FY Budget Amendment #55, Establishing the Julia Avenue Phase II Project Budget*, which was approved during the 25 June meeting, along with Resolution 12-40 *Authorizing the Acceptance of Julia Avenue Phase II CDBG Project – City of Henderson Engineering Agreement and an Agreement with Appian Consulting Engineers for the Development of a Public Facilities Manual*. With that adjustment, Council Member Coffey moved the approval of the following minutes as presented: 13 August 2012 Regular Meeting. Motion seconded by Council Member Rainey and unanimously approved.

(Clerk's Note: Council Member Daeke moved the approval of Ordinance 12-41 on 25 June 2012. Motion seconded by Council Member Rainey and the ordinance was approved by the following vote: YES: Coffey, Rainey, Peace-Jenkins, Daeke, Daye and Kearney. NO: None. ABSTAIN: Inscoe. ABSENT: Davis. It was a failure to note this Ordinance in the 25 June minutes and a note has been made in the 25 June minutes of this amendment.)

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

Supporting the Vance County Comprehensive Transportation Maps Endorsing the One-Way Pair Concept for Dabney Drive and Corbitt Drive, While Recommending Additional Study of Design Details. *(Reference: CAF 12-A-73; Resolution 12-44)*

City Manager Griffin asked Planning Director Erris Dunston to introduce the representative from North Carolina Department of Transportation Planning Department (NCDOT) who will update Council on the plan. Ms. Dunston introduced Mr. Scott Walston who is here to present the most recent concept and to answer any questions.

Mr. Walston distributed a PowerPoint overview which showed a "needs" list and the sequence of events for the next 30 years. He said there is no promise that this concept will be built and

stressed several times that this overview is only a concept. Mr. Walston recommended starting the process by approving the concept so preparations are in place when the appropriate time comes. He emphasized the design specifications would be addressed when the concept is approved. Vance County approved this concept on 6 August, and Mr. Walston will be presenting the concept to both Middleburg and Kittrell later this year.

Council Member Inscoe inquired how this concept fits with the widening of South Beckford Drive. City Manager Griffin said an update is scheduled for later in the meeting and offered to present the information at this time. Mr. Inscoe said he would wait.

There was some confusion when Mr. Walston said the plan included the use of the old railroad bed. City Manager clarified the railroad bed was the portion of the concept from Parham Road to Beckford Drive.

Council Member Inscoe asked if the wording issues from the last meeting had been clarified. The City Manager said since this is only a concept the issues were not pertinent at this time.

Mr. Walston concluded by pointing out that at this time there is no funding for the project but it is necessary to get this on the table so when funding is available the appropriate steps have been taken and then the details and design can be established.

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

Council Member Daeke moved the approval of Resolution 12-44, *Supporting the Vance County Comprehensive Transportation Maps Endorsing the One-Way Pair Concept for Dabney Drive and Corbitt Drive, While Recommending Additional Study of Design Details*. Motion seconded by Council Member Peace-Jenkins and APPROVED by the following vote: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, and Brown. NO: None. ABSTAIN: None. ABSENT: Daye. (See Resolution Book 2, p. 337)

Establishing City Council Committee Appointments to the Fireman's Supplemental Retirement Committee and to the Boards and Commissions Committee. (Reference: CAF 12-113; Resolution 12-72)

City Manager Griffin asked City Clerk McCrackin to address Council. Ms. McCrackin said after submitting the recommendations for Council appointments in July, it was learned that the Fireman's Supplemental Retirement Committee required two (2) Council Members on that committee and a fourth Council Member was needed for the Boards and Commissions Committee. Mayor O'Geary would like approval of his recommendation of Council Member Coffey to the Retirement Committee and Council Member Peace-Jenkins to the Boards and Commissions Committee.

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

Council Member Daeke moved the approval of Resolution 12-72, *Establishing City Council Committee Appointments to the Fireman's Supplemental Retirement Committee and to the Boards and Commissions Committee*. Motion seconded by Council Member Inscoe and APPROVED by the following vote: YES: Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Brown, and Kearney. NO: None: ABSTAIN: None. ABSENT: Daye. (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 - (No Report)
- c) City Attorney - (No Report)
- d) City Clerk McCrackin – Ms. McCrackin reminded Council of the COG Banquet September 27th in Warrenton and the Ride-Around scheduled for September 13.

Council Member Daeke reminded everyone of the Franklin Granville Vance Smart Start Ducky Derby on September 29th.

Council Member Peace-Jenkins thanked those that came to the Saving Young Black Men Forum.

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

(Clerk's Note: Council Member Daye arrived at 6:29 p.m.)

CLOSED SESSION

Council Member Coffey moved for Council to convene in closed session pursuant to G.S. §143-318.11(a)(4) for an Economic Development Matter, G.S. §143-318.11(a)(3), for an Attorney-Client matter, and G.S. §143-318.11(a)(6), for Personnel matters. Motion was seconded by Council Member Peace-Jenkins and unanimously approved.

Council Member Rainey moved for Council to convene in open session. Motion seconded by Council Member Kearney and unanimously approved.

An Authorizing Resolution by the Henderson City Council in Support of a North Carolina Building Restoration and Reuse Grant Program for Economic Development Prospect 12-3; ALB Hotels, LLC dba Henderson Hospitality LLC. (Reference: CAF 12-83, Resolution 12-74; Ordinance 12-67). City Manager Griffin announced the Henderson/Vance Economic Development Commission is requesting Council to consider approval of an incentive for a developer who has purchased the old Ambassador Inn. This incentive, through the Rural Center would provide for 35 jobs at an average salary of \$16,945, including health insurance. The grant also required no more than \$3,500 from the City. These dollars are available within the existing budget and it was suggested the agreement state these funds be held by the City until such time as the project has complied with all grant project requirements.

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

Council Member Rainey moved the approval of Resolution 12-74, *An Authorizing Resolution by the Henderson City Council in Support of a North Carolina Building Restoration and Reuse Grant Program for Economic Development Prospect 12-3; ALB Hotels, LLC dba Henderson Hospitality LLC.* Motion seconded by Council Member Kearney and APPROVED by the following vote: YES: Inscoe, Rainey, Peace-Jenkins, Daeke, Brown, Daye, Kearney, and Coffey. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 3, p 43; Ordinance Book 8, p 485)

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 Daeke moved for adjournment. Motion seconded by Council Member Daye and unanimously approved. The meeting adjourned at 7:30 p.m.

James D. O'Geary
Mayor

ATTEST:

Esther J. McCrackin, City Clerk