



AGENDA

**Henderson City Council Regular Meeting
Monday 10 April 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. Inscoc
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) 13 March 2017 Regular Meeting [See Notebook Tab 1]*

VII. PRESENTATIONS & RECOGNITIONS

- a) Leadership Vance 2017 Class Recognition – Mayor Ellington*
b) Police Department Accreditation Presentation – Chief Marcus Barrow

VIII. PUBLIC HEARING

- a) Consideration of Approval of 1) Ordinance 17-20, (Public Hearing) Amending the Zoning Ordinance Article 500: Section 510 Parking & Loading, Parking List: 15.40 Parking Standards for Flea Markets and Add Section 671.B.10 Parking Requirements for Flea Markets; and 2) Ordinance 17-21 (Public Hearing) Amending the Zoning Ordinance Article 500: Section 542 Surfacing 542.2 Exemptions and Amend 542.4 Standards for Non-Paved Gravel Areas. (CAF 17-36) [See Notebook Tab 2]*

- Ordinance 17-20
- Ordinance 17-21

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 1) Resolution 17-25, Authorizing the Dedication and Acceptance of Water and Sewer Mains and Streets Serving Carey Chapel Phase II Subdivision, and 2) Approving Ordinance 17-18, Amending City Code to Include Said Streets. *(CAF 17-34)[See Notebook Tab 3]*
- Resolution 17-25
 - Ordinance 17-18
- b)** Consideration of Approval of 1) Resolution 17-32, A Resolution of Commitment to the NC Main Street & Rural Planning Center to Participate in the Downtown Associate Community Program; and 2) Resolution 17-33, Designating the Coordinating Entity for the Local Downtown Associate Community Program. *(CAF 17-42) [See Notebook Tab 4]*
- Resolution 17-32
 - Resolution 17-33
- c)** Consideration of Approval of Resolution 17-29, Authorizing a Grant Application from the Rural Building Demolition Program for Demolition of Vacant Buildings to Encourage Site Rehabilitation and Site Availability for Economic Development. *(CAF 17-39) [See Notebook Tab 5]*
- Resolution 17-29
- d)** Consideration of Approval of Ordinance 17-10, Amending Sec. 13-1 and Adding Sec. 12-6 to the Henderson City Code Regarding Limitations on Providing Fire Protection and Updating the Periodic Fire Inspection Schedule. *(CAF 17-27) [See Notebook Tab 6]*
- Ordinance 17-10
- e)** Consideration of Approval of Resolution 17-30, Approving the Submittal of a Grant Application to the North Carolina Urban Forest Council Legacy Tree Fund. *(CAF 17-40) [See Notebook Tab 7]*
- Resolution 17-30
- f)** Consideration of Approval of 1) Resolution 17-27, Authorizing the Grant Application from the NC Industrial Development Fund Relative to Funding Assistance for a Water and Sewer Main Extension for Robco Manufacturing, and 2) Resolution 17-28, Authorizing an Agreement with Kerr-Tar Regional Council of Governments (KRTCOCG) for Administration of Above Mentioned Grant. *(CAF 17-38) [See Notebook Tab 8]*
- Resolution 17-27
 - Resolution 17-28

- g) Consideration of Approval of Resolution 17-26, Authorizing the Sale of a Parcel of City Owned Property Located at 245 Andrews Avenue Recorded in Tax Deed Book 1288, Page 0283 and Better Identified as Pin #0078-01011, and 255 Andrews Avenue Recorded in Tax Deed Book 1296, Page 0007 Better Identified as Pin #0078-01012 of the Vance County Registry. *(CAF 17-35) [See Notebook Tab 9]*
 - Resolution 17-26
- h) Consideration of Approval of Resolution 17-31, Opposing Pending State Legislation that Provides for the Siting of Wireless Communication Infrastructure. *(CAF 17-41) [See Notebook Tab 10]*
 - Resolution 17-31
- j) Consideration of Approval of Resolution 17-18-A, 1) Issuance of Certificate of Sufficiency; and 2) Fixing Date of Public Hearing on Question of Annexation of Various Parcels on Birch/Bobbitt Streets Pursuant to N.C.G.S. §160A-31. *(CAF 17-23-A) [See Notebook Tab 11]*
 - Resolution 17-18-A
- k) Consideration of Approval of Resolution 17-24, Providing for the Disposition of Two Jointly Held Properties by the City and County Otherwise Identified in the Vance County Registry as 416 Harriett Street, Parcel ID #0091 04024 & 1324 Hargrove Street, Parcel ID #0006 06003. *(CAF 17-32-A) [See Notebook Tab 12]*
 - Resolution 17-24

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 1) Resolution 17-12-A, Ratifying and Accepting a Grant from the North Carolina Governor's Crime Commission for the Internet Crimes Against Children Task Force; and 2) Ordinance 17-19, FY17, Budget Amendment #27, Establishing the Budget for Said Grant. *(CAF 17-15-A) [See Notebook Tab 13]*
 - Resolution 17-12-A
 - Ordinance 17-19

b) Consideration of Approval of Ordinance 17-22, FY17, Budget Amendment #28, Transferring Funds from Regional Water Reserve Account to Regional Water Repair Account for 36" Line Repair Costs. (CAF 17-37) [See Notebook Tab 14]

- Ordinance 17-22

c) Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of February 2017. (CAF 17-33) [See Notebook Tab 15]

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

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 16]
 - ii. E-911 Monthly Report
 - iii. Fire Department Monthly Report
 - iv. Child Abuse Prevention Awareness Month Proclamation

XIV. WORK SESSION

- a) PowerPoint Presentation - Possible Adjustment to ETJ Limit Lines and Realignment of Boundaries. (No Materials for Distribution)

XV. ADJOURNMENT

⁴ Citizen Comment Guidelines for Non-Agenda Items

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- 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 Meeting

10 April 2017

PRESENT

Mayor Eddie Ellington, Presiding; and Council Members Marion B. Williams, Michael C. Insoe, D. Michael Rainey and Melissa Elliott

ABSENT

Council Members Sara M. Coffey, Garry D. Daeke, Fearldine A. Simmons and George M. Daye

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, Human Resources Director Cathy Brown, Kerr Lake Regional Water Director Christy Lipscomb and Henderson Water Reclamation Facility Director Lamont Allen.

CALL TO ORDER

The 10 April 2017 Regular Meeting of the Henderson City Council was called to order by Mayor Eddie Ellington 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 Ellington a quorum was present.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

OPENING COMMENTS

Mayor Ellington greeted the public, and specifically mentioned the 2017 Leadership Vance Class.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor Ellington asked if there were any adjustments to the Agenda. Council Member Inscoe requested a discussion regarding signage. Council Member Inscoe moved to accept the Agenda as presented. Motion seconded by Council Member Elliott and unanimously approved.

APPROVAL OF MINUTES

Mayor Ellington asked for any corrections to and/or approval of the minutes. Council Member Elliott moved the approval of the 13 March 2017 Regular Meeting minutes as presented. Motion seconded by Council Member Williams, and unanimously approved.

PRESENTATIONS/RECOGNITIONS

Mayor Ellington recognized the 28th Leadership Vance Class by asking them to stand and introduce themselves to Council. Several members of Council and a few staff members present attended one of the earlier classes and City Manager Frazier was a member of the 1st Leadership Class in 1990.

Police Chief Marcus Barrow proudly announced that the Henderson Police Department successfully completed the accreditation process for CALEA for the 6th time. This is the 15th year of continuous accreditation in the international program. Chief Barrow said there is only one or two towns in North Carolina, the size of Henderson that have attained this status.

PUBLIC HEARING

Amending the Zoning Ordinance Article 500: Section 510 Parking & Loading, Parking List: 15.40 Parking Standards for Flea Markets and Add Section 671.B.10 Parking Requirements for Flea Markets: and Amending the Zoning Ordinance Article 500: Section 542 Surfacing 542.2 Exemptions and Amend 542.4 Standards for Non-Paved Gravel Areas.
(Reference: CAF 17-36; Ordinance 17-20 and 17-21)

City Manager Frazier said this issue of parking at flea markets came before Council during a previous meeting and then asked Development Services Director Corey Williams to explain these amendments.

Mr. Williams explained Ordinance 17-20 as an amendment changing parking space requirements from 1 space for every 4 vendors to 1 space per 750 feet. Basing the parking requirements on footage rather than vendors makes the ordinance uncomplicated as staff would have to confirm the number of vendors for each event.

Mr. Williams said Ordinance 17-21 amends the existing requirement that all parking areas should be paved to allowing graveling parking with restrictions. He said after consulting with the City Engineer, it has been determined for areas with 15 or less parking spaces, gravel parking would be acceptable if the gravel is 6" deep and is topped with 2" of #57 washed stone or other material approved by the City Engineer. Another requirement is an asphalt entrance 24-foot wide by 20-foot long. Other specifications are listed in the ordinance.

Council Member Inscoe asked who will be responsible for inspecting the gravel parking lot to ensure it maintains the required standards, and what the timeframe will be for re-inspections. He also asked about handicap parking. Mr. Williams said the handicapped parking space will need to meet State requirements. Mr. Williams also stated that his department will be responsible for periodically inspecting the property. City Manager Frazier said a schedule can be established by priority for doing re-inspections.

Council Member Williams inquired about the runoff. Mr. Williams said that will need to be maintained and Mr. Inscoe added erosion issues should be held to code standards.

With no further discussion, Mayor Ellington opened the Public Hearing by asking if anyone was present who wished to speak in favor of these amendments.

No one came forward so Mayor Ellington then asked if anyone was present who wished to speak in opposition to these amendments. No one came forward. Mayor Ellington then closed the Public Hearing and asked for Council's pleasure.

Council Member Rainey moved the approval of Ordinance 17-20, *Amending the Zoning Ordinance Article 500: Section 510 Parking & Loading, Parking List: 15.40 Parking Standards for Flea Markets and Add Section 671.B.10 Parking Requirements for Flea Markets and Ordinance 17-21, Amending the Zoning Ordinance Article 500: Section 542 Surfacing 542.2 Exemptions and Amend 542.4 Standards for Non-Paved Gravel Areas*. Motion seconded by Council Member Inscoe, and APPROVED by the following vote: YES: Williams, Inscoe, Rainey and Elliott. NO: None. ABSTAIN: None. ABSENT: Coffey, Daeke, Simmons and Daye. *(See Ordinance Book 9, pgs 443 and 445 respectively)*

PUBLIC COMMENT PERIOD ON AGENDA ITEMS

City Clerk McCrackin advised no citizen wished to address Council.

NEW BUSINESS

Authorizing the Dedication and Acceptance of Water and Sewer Mains and Streets Serving Carey Chapel Phase II Subdivision, and 2) Approving Ordinance 17-18, Amending City Code to Include Said Streets. *(Reference: CAF 17-34; Resolution 17-25)*

City Manager Frazier explained this is a routine action. Carey Chapel Phase II Subdivision was built in accordance with the approved plans and specifications. The City Engineer has inspected and signed off on the specifications and it is now time for the City to officially accept the approved water and sewer mains and streets within Carey Chapel. These will now be maintained by the City, approximately 0.59 street miles will be added to the Powell Bill, and the City Code will be amended to include these streets relative to stop signs.

Council Member Inscoe requested an update on the amount of tax value and extra revenue this will potentially generate. Mr. Frazier said he would provide the information as soon as it is available since Vance County Tax office has not yet posted the tax information.

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

Council Member Inscoe moved the approval of Resolution 17-25, *Authorizing the Dedication and Acceptance of Water and Sewer Mains and Streets Serving Carey Chapel Phase II Subdivision*, and Ordinance 17-18, *Amending City Code to Include Said Streets*. Motion seconded by Council Member Elliott, and APPROVED by the following vote: YES: Inscoe, Rainey, Elliott and Williams. NO: None. ABSTAIN: None. ABSENT: Coffey, Daeke, Simmons and Daye. (See Resolution Book 5, p 219; Ordinance Book 9, p 439)

A Resolution of Commitment to the NC Main Street & Rural Planning Center to Participate in the Downtown Associate Community Program and Designating the Coordinating Entity for the Local Downtown Associate Community Program. (Reference: CAF 17-42; Resolution 17-32 and 33)

City Manager Frazier said this is part of the development effort to be considered as part the Main Street program that was allowed to lapse several years ago. If approved for the program, Henderson could receive valuable downtown revitalization technical services. The City would also be eligible for possible grants and loans.

Council Member Inscoe said he is in favor of this as downtown is the *heart and soul* of the City. He did ask that the Mayor send a letter to the Secretary of Commerce lobbying for the City to regain its Main Street designation as quickly as possible. Mr. Frazier noted the City estimated approximately \$5,000 in costs associated with establishing the Main Street programs: costs such as visitations to evaluate the City's position.

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

Council Member Rainey moved the approval of Resolution 17-32, *A Resolution of Commitment to the NC Main Street & Rural Planning Center to Participate in the Downtown Associate Community Program*; and Resolution 17-33, *Designating the Coordinating Entity for the Local Downtown Associate Community Program*.. Motion seconded by Council Member Williams, and APPROVED by the following vote: YES: Inscoe, Rainey, Elliott and Williams. NO: None. ABSTAIN: None. ABSENT: Coffey, Daeke, Simmons and Daye. (See Resolution Book 5, pgs 233 and 235 respectively)

Authorizing a Grant Application from the Rural Building Demolition Program for Demolition of Vacant Buildings to Encourage Site Rehabilitation and Site Availability for Economic Development. (Reference: CAF 17-29; Resolution 17-29)

City Manager Frazier shared this was discussed during the joint city/county land planning meeting during which time staff was asked to identify potential sites and the possibility of applying for this grant. After discussion and review with a Kerr-Tar Council of Government (COG) representative, three properties were identified: 511 Garnett Street, 425-427 Garnett Street and a property on Ruin Creek Road. The estimated cost to demolish the Garnett Street structures is \$70,340 and if the grant is awarded, the match required would be \$17,585. The matching funds would be included in the FY17-18 budget in reserves. This grant requires a reasonable expectation of private sector investment and the local authority must have control of the property either through a contractual arrangement or ownership.

Council Member Inscoe raised questions about the city's recourse as these properties are privately owned. City Attorney Rix Edwards felt there are public health issues with one property and presented the facts on possible abatement along with placing a lien on the property. Since the Land Planning Committee met, Mr. Inscoe has reviewed the state statute regarding this issue and asked the Attorney to do the same for clarity as to whether or not other properties of the current landowner have liens placed against them.

Council Member Williams asked if the property owner has been notified of the health issues. Mr. Frazier said Mr. Williams, Development Services Director, has spoken to the owner. Ms. Williams then asked about the Ruin Creek property. She learned this property is the old Days Inn. Ms. Williams asked if the owner of the 511 Garnett Street property has been contacted. Mr. Williams said yes.

Development Services Director Corey Williams said the grant application needs to be submitted by May 2nd or the next round of applications deadline is September 2017.

Mr. Inscoe had a concern that potentially the City could demolish or help rehabilitate a structure for the property owner while the City had no control of the property. Council Member Elliott asked if there could be a contractual agreement included as part of the package and part of the resolution. Mr. Frazier said if the grant is awarded, it will be brought back to Council for acceptance and staff would work on that component of the grant. Both properties could be included in the grant or the 511 Garnett Street property could be removed.

After a short discussion that included the County's unwillingness to help with this problem, Mr. Inscoe agreed that something needs to be done and asked the City Manager to talk with the County to express disappointment in the County's unwillingness to help resolve this issue.

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

Council Member Williams moved the approval of Resolution 17-29, *Authorizing a Grant Application from the Rural Building Demolition Program for Demolition of Vacant Buildings to Encourage Site Rehabilitation and Site Availability for Economic Development* with the addition of a contractual agreement. Motion seconded by Council Member Rainey and APPROVED by the following vote: YES: Rainey, Elliott, Williams and Inscoe. NO: None. ABSTAIN: None. ABSENT: Coffey, Daeke, Simmons and Daye. *(See Resolution Book 5, p 227)*

Amending Sec. 13-1 and Adding Sec. 12-6 to the Henderson City Code Regarding Limitations on Providing Fire Protection and Updating the Periodic Fire Inspection Schedule. *(Reference: CAF 17-27; Ordinance 17-10)*

Fire Chief Steve Cordell explained in January the Fire Department received a 9S inspection. This State inspection ensures the department is operating under state guidelines. During the inspection, it was discovered provisions needed to be added to the City Code regarding the fire protection limits. The amendment ensures compliance with NCGS §160A-411 regarding frequency rates of inspections. The new section establishes how often inspections are to be done. Chief Cordell stressed the need for these inspections in light of the recent major fire in downtown Raleigh.

There were no questions; however, Council Member Rainey commended the Chief for his performance in this matter. Mayor Ellington then asked Council how it wished to proceed.

Council Member Elliott moved the approval of Ordinance 17-10, *Amending Sec. 13-1 and Adding Sec. 12-6 to the Henderson City Code Regarding Limitations on Providing Fire Protection and Updating the Periodic Fire Inspection Schedule*. Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Elliott, Williams, Inscoc and Rainey. NO: None. ABSTAIN: None. ABSENT: Coffey, Daeke, Simmons and Daye. (*See Ordinance Book 9, p 423*)

Approving the Submittal of a Grant Application to the North Carolina Urban Forest Council Legacy Tree Fund. (*Reference: CAF 17-40; Resolution 17-30*)

City Manager Frazier said the Downtown Development Director Carolyn Powell found this grant that should help with the Pavilion project. The maximum amount that can be applied for is \$5,000 and a match or in-kind services are required.

Council Member Elliott suggested contacting Lowes for in-kind participation.

Council Member Inscoc asked about site design. Mr. Frazier said the City Engineer could assist with the design, although landscaping would need to be done by others. Mr. Inscoc asked if this service would count as in-kind time to which Mr. Frazier said he thought the engineering service would count. He added the staff could consult with local landscape suppliers, as well as landscape firms.

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

Council Member Rainey moved the approval of Resolution 17-30, *Approving the Submittal of a Grant Application to the North Carolina Urban Forest Council Legacy Tree Fund*. Motion seconded by Council Member Williams, and APPROVED by the following vote: YES: Williams, Inscoc, Rainey and Elliott. NO: None. ABSTAIN: None. ABSENT: Coffey, Daeke, Simmons and Daye. (*See Resolution Book 5, p 229*)

Authorizing the Grant Application from the NC Industrial Development Fund Relative to Funding Assistance for a Water and Sewer Main Extension for Robco Manufacturing, and 2) Resolution 17-28, Authorizing an Agreement with Kerr-Tar Regional Council of Governments (COG) for Administration of Above Mentioned Grant. (*Reference: CAF 17-38; Resolution 17-27 and 17-28*)

City Manager Frazier said this is a good project as it involves expansion to a locally owned manufacturing company. He explained Robco Manufacturing is experiencing growth and is looking to enlarge its current facility by approximately 55,000 sq. ft. and expects to hire 20 additional employees. To accommodate this growth, the sanitary sewer needs to be extended and a larger water tap installed for fire protection. Although Robco is located outside city limits, they currently do have water service. The estimated cost for a water tap and sanitary sewer extension is \$217,272. Mr. Frazier said the Engineering department will perform the necessary design and if awarded, the COG will administer the grant that has no required match.

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

Council Member Inscoe moved to Approve Resolution 17-27, *Authorizing the Grant Application from the NC Industrial Development Fund Relative to Funding Assistance for a Water and Sewer Main Extension for Robco Manufacturing*, and Resolution 17-28, *Authorizing an Agreement with Kerr-Tar Regional Council of Governments (COG) for Administration of Above Mentioned Grant*. Motion seconded by Council Member Elliott, and APPROVED by the following vote: YES: Williams, Inscoe, Rainey and Elliott. NO: None. ABSTAIN: None. ABSENT: Coffey, Daeke, Simmons and Daye. (See Resolution Book 5, p 223 and 225 respectively)

Authorizing the Sale of a Parcel of City Owned Property Located at 245 Andrews Avenue Recorded in Tax Deed Book 1288, Page 0283 and Better Identified as Pin #0078-01011, and 255 Andrews Avenue Recorded in Tax Deed Book 1296, Page 0007 Better Identified as Pin #0078-01012 of the Vance County Registry. (Reference: CAF 17-35; Resolution 17-26)

Council Member Elliott recused herself from voting due to a conflict of interest, which did not allow for a quorum so this item was TABLED.

Opposing Pending State Legislation that Provides for the Siting of Wireless Communication Infrastructure. (Reference: CAF 17-41; Resolution 17-31)

City Manager Frazier explained there are several bills in the North Carolina General Assembly that he is watching carefully. Mr. Frazier said the city is not opposed to wireless communications; however, this particular bill pending in both houses (HB0310/SB0377) would require municipalities to allow small cell wireless communication infrastructure in public right-of-ways. Therefore, it limits the city's management of public safety and zoning authority. Mr. Frazier said staff is not opposed to the use of technology but feels each location is unique and that placement is critical for the safety of everyone. Assistant to the City Manager Paylor Spruill explained the details of the bill.

There was no discussion so Mayor Ellington asked Council how it would like to proceed.

Council Member Williams moved the approval of Resolution 17-31, *Opposing Pending State Legislation that Provides for the Siting of Wireless Communication Infrastructure*. Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Williams Inscoe, Rainey, and Elliott. NO: None. ABSTAIN: None. ABSENT: Coffey, Daeke, Simmons and Daye. (See Resolution Book 5, p 231)

Issuance of Certificate of Sufficiency; and Fixing Date of Public Hearing on Question of Annexation of Various Parcels on Birch/Bobbitt Streets Pursuant to N.C.G.S. §160A-31. (Reference: CAF 17-23-A; Resolution 17-18-A)

City Manager Frazier said this action sets the date of the public hearing for May 8, 2017.

With no discussion, Mayor Ellington asked Council how it would like to proceed.

Council Member Rainey moved the approval of Resolution 17-18-A, *Issuance of Certificate of Sufficiency; and Fixing Date of Public Hearing on Question of Annexation of Various Parcels on Birch/Bobbitt Streets Pursuant to N.C.G.S. §160A-31*. Motion seconded by Council Member Inscoe, and APPROVED by the following vote: YES: Inscoe, Rainey, Elliott and Williams. NO: None. ABSTAIN: None. ABSENT: Coffey, Daeke, Simmons and Daye. (See Resolution Book 5, p 205-A)

Providing for the Disposition of Two Jointly Held Properties by the City and County Otherwise Identified in the Vance County Registry as 416 Harriett Street, Parcel ID #0091 04024 & 1324 Hargrove Street, Parcel ID #0006 06003. (Reference: CAF 17-32-A; Resolution 17-24)

City Manager Frazier said Vance County received interest from a private buyer who has offered \$1,000 for the Harriett Street property and \$1,200 for the Hargrove Street property. The sale of these properties was discussed during the joint City/County land planning meeting and the general consensus was to move forward with these sales since bids had already been accepted. The County approved these sales during its March meeting.

Council Member Elliott felt these properties are suitable to the Urban Homesteading program and felt they should not be sold at this time.

Council Member Williams asked what options Council has at this time. City Manager Frazier said one option would be to continue the tabling of the sale and not deed the properties to the County. Mr. Frazier said the County has changed its Offer to Purchase agreement to include conditions for meeting codes in a specific timeframe.

Council Member Inscoe suggested this item be tabled and asked the City Manager to determine exactly what the new, current County purchasing restrictions are.

It was the consensus of Council to TABLE this item.

Signage

At this time, Council considered Council Member Inscoe's request to discuss signage. Mr. Inscoe said that about 90 days ago Council requested a survey of the city for signs that are no longer needed, poorly placed, etc. and asked for a status update. Mr. Frazier said the city has been working on this project and mentioned that replacement of signs, such as stop signs, involving ordinances were priority due to safety concerns and others no longer needed also possibly required amendments to the City Code.

This created a discussion about several things including who approves the placement of signs. Mr. Frazier said some need to be approved by Council. Discussion took place regarding the need for an overall process improvement with placement of signs, and how to eliminate the bureaucracy of having to amend the code every time a change is made. Mr. Inscoe mentioned signs at or near the post office and said there are signs everywhere that need to be removed if no longer applicable.

City Attorney Edwards suggested 1) A mass review and cleanup of the existing ordinance(s), 2) Creation of a new process in which staff could approve normal stop sign placement, etc. Mr. Frazier stated that he did not have the authority to amend the Code without Council approval but stated that the Attorney could review the process with staff, and 3) Evaluation of loading zone signage.

Council Member Inscoe asked for an update at the May meeting.

CONSENT AGENDA

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

Ratifying and Accepting a Grant from the North Carolina Governor’s Crime Commission for the Internet Crimes Against Children Task Force and Establishing the Budget for Said Grant. *(Reference: CAF 17-15-A; Resolution 17-12-A, Ordinance 17-19, Budget Amendment #27)* Due to time constraints and the need to complete purchasing and training by the end of this fiscal year, the City Manager approved the acceptance of the grant award in the amount of \$70,485. There is no match required and Council is being asked to ratify the acceptance of this grant. *(See Resolution Book 5, p 193-A; Ordinance Book 9, p 441)*

Transferring Funds from Regional Water Reserve Account to Regional Water Repair Account for 36” Line Repair Costs. *(Reference: CAF 17-37; Ordinance 17-22)* On February 15, 2017, there was a leak in the 36” transmission line at the Regional Water Plant that needed immediate repair. The repair required parts to be purchased and equipment to be rented. This request is to transfer \$50,000 to cover all those expenses. *(See Ordinance Book 9, p 447)*

Tax Releases and Refunds from Vance County for the Month of February 2017. The Finance Director has reviewed the following releases/refunds and found them to be in order. This action approves the tax releases and refunds for February.

February 2017 Tax Releases & Refunds			
Name	Reason	Tax Year	Amount
Real & Personal Property Releases			
Grissom, Kimberly Sue	Pers. Property Billed in Error	2016	\$ 18.13
Total Releases/R & P Property			\$ 18.13
Audit Discoveries			
Ruin Creek Investment			\$ (11,471.24)
Total Refunds/ R & P Property			\$ (11,471.24)
Total Refunds & Releases RP			\$ (11,453.11)

Mayor Ellington asked if anyone wished to remove any item from the Consent Agenda. There were no requests. Mayor Ellington then asked for a motion to approve the Consent Agenda.

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

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

City Clerk McCrackin advised one citizen wished to address Council.

Larry Carroll, 703 East Avenue Mr. Carroll's concern regarded the paving of streets. He said the area of Pinkston Street and East Avenue is heavily traveled with traffic going to the elementary school and the DMV. He was disappointed these streets were not included in the city's proposed list of streets to be repaved. Mr. Carroll asked Council to use tax dollars wisely.

REPORTS

- a) Mayor/Mayor Pro-Tem – Mayor Ellington reported on his time at Town Hall Day, Leadership Vance City Day, Carey Chapel dedication, Child Abuse Prevention day and the opening ceremonies at the Recreation Center for baseball/softball. He also said he is finalizing the Mayor's message.
- b) City Manager – Mr. Frazier reported on the following:
 - i. The County has approved its portion of the next round of demolitions.
 - ii. The summary abatement process for Abagayles bookstore was signed off on by the Fire Chief.
 - iii. The Urban Homesteading procedures are still in the works.
 - iv. Council Member Williams participated in the opening ceremonies at the Rec Center and Mr. Frazier said she throws a softball well.
 - v. A notice regarding work on I-85 was distributed this evening.
 - vi. Budget is progressing nicely and the proposed budget will be presented at the May meeting.
 - vii. An offer has been received for a parcel of land and the Clerk will be setting up a Land Planning meeting in the near future.
 - viii. There is definitely a light at the end of the proverbial tunnel for the completion of the HWRF project.
 - ix. A date for the joint city/county meeting with the SOG is still not confirmed due to a conflict with the County's schedule but will be sometime in May.
 - x. Several legislative bills of note include a uniform fee system and firefighters separation.
 - xi. A request has been made to the State to add an expansion component to the Regional Water project as approved by Council.
 - xii. A memo was distributed this evening regarding the resurfacing project. For several reasons, staff is suggesting the \$200,000 in the FY16-17 budget be moved to a CIP and that \$200,000 be added in FY17-18. This would provide for a larger project that will possibly allow for more streets to be paved and also, bids Could be lower due to the cost of the larger project.
- c) City Attorney (No Report)
- d) City Clerk – City Hall will be closed on Friday for Good Friday and she wished everyone a Happy Easter . Ms. McCrackin also mentioned Litter Sweep week begins April 24.

OTHER

Council Member Williams asked Recreation and Parks Director Kendrick Vann to give a brief update of events at the Rec center. Mr. Vann shared there are 24 baseball/softball teams this year and 21 have sponsors. Approximately 500 citizens attended the opening ceremonies. The Youth Services Teen Court won the statewide competition in Greensboro several weeks ago. He said Aycock Recreation Center will be hosting the Eastern District tournaments for 10 and under baseball the week of June 19 and the following week the 12 and under teams will be at Aycock. Overall, the department is having a very successful spring.

WORK SESSION

PowerPoint Presentation - Possible Adjustment to ETJ Limit Lines and Realignment of Boundaries

This item was TABLED until the May meeting as it was the consensus of Council that all the members should be present to hear the presentation.

ADJOURNMENT

Council Member *** moved for adjournment. Motion seconded by Council Member *** and unanimously approved. The meeting adjourned at 7:45 p.m.

Eddie Ellington
Mayor

ATTEST:

Esther J. McCrackin, City Clerk