



## **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 Behavior<sup>1</sup> and Transparency in Governance<sup>2</sup>. 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.

---

<sup>1</sup> **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.

<sup>2</sup> **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.<sup>3</sup>

---

<sup>3</sup> **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.<sup>4</sup>

## **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**

---

### **<sup>4</sup> Citizen Comment Guidelines for Non-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.