



AGENDA

**Henderson City Council Short Regular Meeting
Monday 25 August 2014, 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 Peace-Jenkins
Councilmember Garry D. Daeke
Councilmember Fearldine A. Simmons
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) 11 August 2014 Regular Meeting [See Notebook Tab 1]

VII. PRESENTATIONS & RECOGNITIONS

VIII. PUBLIC HEARING

- a) Consideration of Approval of 1) Resolution 14-53, Requesting the Closeout of the 2012 Talent Enhancement Capacity Building (TECB) Community Development Block Grant, Project Number 12-C-2455 and; 2) Ordinance 14-40, FY15 Budget Amendment #5 Amending Fund 55: to Closeout the Above Mentioned Project Budget. (CAF 14-91) [See Notebook Tab 2]

- Resolution 14-53
- Ordinance 14-40

IX. PUBLIC COMMENT PERIOD ON AGENDA ITEMS

Citizens may only speak on non-Agenda items only 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

X. NEW BUSINESS

- a) Consideration of Approval of Ordinance 14-34-B, FY15 Budget Amendment #4, Amending the Annual Fee Schedule Providing for Technical Corrections. (CAF 14-62-D) [See Notebook Tab 3]
- Ordinance 14-34-B

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;
- 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.

- b) Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of July 2014. (CAF 14-93) [See Notebook Tab 4]

XI. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

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XII. REPORTS

- a) Mayor/Mayor Pro-Tem
- b) City Manager
 - i. Declaring Surplus Property (CM 14-30)[See Notebook Tab 5]
- c) City Attorney
- d) City Clerk
 - i. Meeting and Events Calendar [See Notebook Tab 6]

XIII. CLOSED SESSION

- a) Pursuant to G.S.§143-318.11 (a)(3) regarding three (3) Attorney/Client Privilege Matters.
- b) Pursuant to G.S.§143-318.11 (a)(6) regarding a Personnel Matter.

XIV. ADJOURNMENT

⁴ Citizen Comment Guidelines

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- 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

Short Regular Meeting

25 August 2014

PRESENT

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

ABSENT

None.

STAFF PRESENT

City Manager Ray Griffin, City Attorney John Zollicoffer, City Clerk Esther J. McCrackin, Assistant City Manager Frank Frazier, Finance Director Kathy Brafford, Engineering Director Clark Thomas, Code Compliance Director Corey Williams and Henderson Water Reclamation Facility Director Tom Spain.

CALL TO ORDER

The 25 August 2014 Short Regular Meeting and Work Session 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 Brenda Peace-Jenkins led those in attendance in a prayer and the Pledge of Allegiance.

Mayor O'Geary extended a warm welcome to citizens and Council Members alike.

#5, Amending Fund 55: to Closeout the Above Mentioned Project Budget. Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins and Simmons. NO: None. ABSTAIN: None. ABSENT: Daeke and Daye. (See Resolution Book 4, p 53, Ordinance Book 9, p 165)

PUBLIC COMMENT PERIOD ON AGENDA ITEMS

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

NEW BUSINESS

(Clerk’s Note: Council Members Daeke and Daye arrived at 6:08 p.m.)

FY15 Budget Amendment #4, Amending the Annual Fee Schedule Providing for Technical Corrections. (Reference: CAF 14-14-62-D; Ordinance 14-34-B)

City Manager Griffin explained there was a failure to incorporate existing sanitation fees into the FY14-15 Budget Annual Fee Schedule. This action reflects the correct fees for monthly Sanitation charges.

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

Motion was made by Council Member Rainey to approve Ordinance 14-34-B, *FY15 Budget Amendment #4, Amending the Annual Fee Schedule Providing for Technical Corrections.* Motion seconded by Council Member Peace-Jenkins, and APPROVED by the following vote: YES: Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons, Daye and Kearney. NO: None. ABSTAIN: None. ABSENT: None. (See Ordinance Book 9, p 131-B)

Tax Releases and Refunds from Vance County for the Month of July 2014. (Reference: CAF 14-93)

City Manager Griffin said this is a routine matter and no exceptions were noted by Finance Director Brafford. The July tax releases and refunds are found below:

July 2014 Tax Releases			
Name	Reason	Tax Year	Amount
Real & Personal Property			
Releases			
Moorefield, Janis I	Taxes Lost to Foreclosure	2007	\$ 112.83
Moorefield, Janis I	Taxes Lost to Foreclosure	2008	\$ 69.44
Moorefield, Janis I	Taxes Lost to Foreclosure	2009	\$ 71.90
Moorefield, Janis I	Taxes Lost to Foreclosure	2010	\$ 71.90
Moorefield, Janis I	Taxes Lost to Foreclosure	2011	\$ 71.91
Garrison, Terry E	Correct Ownership	2012	\$ (69.11)
Housing & Urban Development	Correct Ownership	2012	\$ 69.11
Moorefield, Janis I	Taxes Lost to Foreclosure	2012	\$ 71.91
Smith, W C, Jr.	Correct Ownership	2012	\$ 35.71
Thorpe, John J	Correct Ownership	2012	\$ (25.94)

City Attorney Zollicoffer, Jr. asked if the negative amounts indicated additional taxes. Finance Director Brafford responded that was correct.

There were no further questions and Mayor O'Geary asked for the pleasure of Council.

Council Member Inscoe moved the approval of the *Tax Releases and Refunds from Vance County for the Month of July 2014*. Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons, Daye, Kearney and Coffey. NO: None. ABSTAIN: None. ABSENT: None.

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

City Clerk McCrackin advised one citizen wished to address City Council; however, he was not present. She asked Council if they would be willing to allow the individual to address Council when they arrived and Council agreed.

REPORTS

a) Mayor/Mayor Pro-Tem (No Report)

b) City Manager

- i. **CM 14-30: Declaration of Surplus Property.** Although no action is required it is appropriate for Council to be advised of this action to allow the opportunity for questions and/or objections to the proposed sale. Council voiced no objections.
- ii. **Recreation and Parks Director.** Mr. Griffin said he has spoken to the County Manager regarding the suggested program transition. The County is moving forward slowly so interviews will begin for the vacant director position and the County Manager and County Human Resources Director will be included in the interview process.

c) City Attorney (No Report)

d) City Clerk

- i. Thank you for the opportunity to attend the annual Clerks Academy which was entitled *Clerks: Pearls of the Community – The Hidden Treasure*. The learning experience made the trip and classes well worthwhile.
- ii. COG Annual Dinner & Awards Banquet – September 25, 2014 at 7:00 p.m. Butner Sports Arena – City will pay for Council to attend – need RSVP
- iii. The Perry Memorial Library will be celebrating its 90th birthday on Thursday, August 28th. Mayor Pro-Tem Rainey will be reading a proclamation from the City and all Council Members are invited to attend.

has enjoyed his 42 years as City Attorney and has been blessed over the years with wonderful staff and associates. The letter from Attorney Zollicoffer is incorporated by reference and hereby made part of these minutes. (See Attachment A)

As of 1 October 2014, Rix Edwards, an attorney with 37 years of experience will be joining the Firm.

City Manager Griffin asked the Council to give the Attorney a standing round of applause for all he has meant to the City and staff.

With no further comments, Mayor O'Geary asked if Council is prepared to adjourn.

ADJOURNMENT

Council Member Coffey moved for adjournment. Motion seconded by Council Member Peace-Jenkins, and unanimously approved. The meeting adjourned at 7:53 p.m.

James D. O'Geary
Mayor

ATTEST:

Esther J. McCrackin
City Clerk