



## **AGENDA**

**Henderson City Council Regular Meeting**

**Monday 14 August 2017, 6:00 p.m.**

**R. G. (Chick) Young, Jr. Council Chambers, Municipal Building**

**134 Rose Avenue**

**Henderson, North Carolina**

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### **Mayor and City Council Members**

Mayor Eddie Ellington, Presiding

Councilmember Marion B. Williams

Councilmember Sara M. Coffey

Councilmember Michael C. Inscoe

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.

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<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) 10 July 2017 Regular Meeting [See Notebook Tab 1]
- b) 24 July 2017 Special Called Meeting
- c) 3 August 2017 Mid-Year Retreat
- d) 3 August 2017 Special Called Meeting

## VII. PRESENTATIONS & RECOGNITIONS

- a) Comprehensive Annual Financial Report Award – Finance Director Fuqua

## VIII. PUBLIC HEARING

- a) Consideration of Approval of Ordinance 17-30, Amending Article 600B: Accessory Structures and Storage, Section 642B: to Provide Additional Regulations in the Zoning Ordinance. (CAF 17-74) [See Notebook Tab 2]
  - Ordinance 17-30

## 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>

## X. OLD BUSINESS

- a) Consideration of Approval of Resolution 17-14-A, Approving Streets for the Resurfacing Project. (CAF 17-18-A) [See Notebook Tab 3]
  - Resolution 17-14-A

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### <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.

*b)* Consideration of Approval of Ordinance 17-14, 1) Extending the Corporate Limits of the City of Henderson, North Carolina; 2) Assignment of Newly Annexed Area to Ward 4, and 3) Directing the City Attorney to Record Annexation with Vance County Board of Elections, Vance County Register of Deeds and the North Carolina Secretary of State. *(CAF 17-23-D) [See Notebook Tab 4]*

- Ordinance 17-14

*c)* Consideration of Approval of Resolution 17-36, Authorizing a Lease Agreement Extension by and Between the City of Henderson (City) and Green Rural Redevelopment, Inc. *(CAF 17-49) [See Notebook 5]*

- Resolution 17-36

## **XI. NEW BUSINESS**

*a)* Consideration of Approval of Resolution 17-57, Approving Appointments to the Perry Memorial Library Board of Trustees, Planning Board, Henderson-Vance Economic Development Commission and Henderson-Vance Recreation and Parks Commission. *(CAF 17-72) [See Notebook Tab 6]*

- Resolution 17-57

*b)* Consideration of Approval of Ordinance 17-29, Amending the Henderson City Code Consumption of Alcoholic Beverage Regulations for the Purpose of Allowing Certain Alcohol Sales to Begin on Sunday Morning. *(CAF 17-73) [See Notebook Tab 7]*

- Ordinance 17-29

*c)* Consideration of Approval of Resolution 17-59, Authorizing Waiving the Water and Sewer Tap Fees for the Habitat for Humanity House Being Constructed on Arrow Street. *(CAF 17-77) [See Notebook Tab 8]*

- Resolution 17-59

*d)* Consideration of Approval of Resolution 17-60, Providing for the Disposition of a Jointly Held Property by the City and County Otherwise Identified as 629 Powell Street; Parcel ID # 0095 01008 Recorded in Deed Book 1230, Page 1090 in the Vance County Register of Deeds. *(CAF 17-78) [See Notebook Tab 9]*

- Resolution 17-60

## **XII. 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 Resolution 17-58, Requesting the Closeout of the Hope VI Grants (NC19URD27536M07 and NC19URD27536M08). (CAF 17-76) [See Notebook Tab 10]*

- Resolution 17-58

*b) Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of June 2017. (CAF 17-75) [See Notebook Tab 11]*

## **XIII. 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>

## **XIV. 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 12]*
  - ii. E-911 Monthly Report*
  - iii. Fire Department Monthly Report*
  - iv. Police Department Monthly Report*
  - v. Public Utilities Monthly Report*

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

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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.

## **XV. WORK SESSION**

*a)* Text Amendment to Allow Light Manufacturing as a Special Use Permit in the Central Business District (B-1) and to Provide Additional Regulations in the Zoning Ordinance. *(See Notebook Tab 13)*

- Resolution 17-36

## **XVI. ADJOURNMENT**

# **City Council Minutes**

## **Regular Meeting**

### **14 August 2017**

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#### **PRESENT**

Mayor Eddie Ellington, Presiding; and Council Members D. Michael Rainey, Melissa Elliott, Garry D. Daeke and George M. Daye

#### **ABSENT**

Council Members Williams, Coffey, Inscoc and Simmons

#### **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 Fire Chief Curtis Tyndall, Assistant to City Manager Paylor Spruill, Engineering Director Clark Thomas, Development Services Director Corey Williams, Human Resources Director Cathy Brown, and Henderson Water Reclamation Facility Director Lamont Allen.

#### **CALL TO ORDER**

The 14 August 2017 Regular Meeting of the Henderson City Council was called to order by Mayor Eddie Ellington at 6:09 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 thanked the citizens for attending.

#### **ADJUSTMENTS TO/APPROVAL OF AGENDA**

Mayor Ellington asked if there were any adjustments to the Agenda. The City Clerk said with Council’s approval, the first Old Business item, *Consideration of Approval of Resolution 17-14-A, Approving Streets for the Resurfacing Project*, would be moved to the Work Session. Another item to be added to the Work Session is a water issue on Skenes Avenue. She also said there would be a Closed Session pursuant to NCGS 143-318.11(a)(6) for a personnel matter and

Council Member Rainey moved to accept the Agenda as adjusted. 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 10 July Regular Meeting, 24 July Special Called Meeting, 3 August Mid-Year Retreat and 3 August Special Called Meeting minutes as presented. Motion seconded by Council Member Daye, and unanimously approved.

## **PRESENTATIONS/RECOGNITIONS**

City Manager Frazier recognized Finance Director Mr. Joey Fuqua for receiving the Certificate of Achievement for Excellence in Financial Reporting award from the Government Finance Officers Association of the United States and Canada. This award was for the Comprehensive Annual Financial Report Award in conjunction with the 2016 audit. Mr. Frazier said it has been several years since the City has been recognized and he congratulated Mr. Fuqua and his staff for a job well done. He added a news release will be going out shortly regarding this good news.

## **PUBLIC HEARING**

**Amending Article 600B: Accessory Structures and Storage, Section 642B: to Provide Additional Regulations in the Zoning Ordinance.** (*Reference: CAF 17-74; Ordinance 17-30*)

City Manager Frazier asked Development Services Director Corey Williams to explain this amendment in detail.

Mr. Williams explained currently if a property owner in the ETJ owns two tracts of land adjacent to each other with one tract being the primary residence, they are not allowed to construct any structure, such as a shed or garage, on the second tract. This amendment would allow property owners residing in the R20 and R40 zoning districts (primarily ETJ) with multiple parcels of adjacent land to construct an accessory structure on their adjacent property. Mr. Williams said this amendment will create harmony with the existing Vance County Zoning Ordinance.

Council Member Daeke asked what happens when a parcel is sold. Mr. Williams replied the parcel would need to comply with all existing zoning ordinances. Mayor Ellington verified that this was unanimously approved by the Planning Board, and Mr. Williams confirmed that this was discussed during the July 17<sup>th</sup> Planning Board meeting and was unanimously approved.

At this time, Mayor Ellington opened the Public Hearing by asking if anyone was present to speak in favor of this amendment. No one came forward so he then asked if anyone was present to speak in opposition to this amendment. No one came forward so Mayor Ellington closed the public hearing and asked Council how it wished to proceed.

Council Member Daeke moved the approval of Ordinance 17-30, *Amending Article 600B: Accessory Structures and Storage, Section 642B: to Provide Additional Regulations in the Zoning Ordinance*. Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Rainey, Elliott, Daeke and Daye. NO: None. ABSTAIN: None. ABSENT: Williams, Coffey, Inscoc and Simmons. (See Ordinance Book 9, p 463)

## **PUBLIC COMMENT PERIOD ON AGENDA ITEMS**

City Clerk McCrackin advised one citizen wished to address Council.

**Ardis Crews, 424 Hamilton Street** Ms. Crews humbly apologized to Council for not being present at the last meeting to answer any questions regarding the Green Rural Redevelopment request. (Clerk's Note: The second Old Business item on this agenda). Ms. Crews said she is here tonight to answer any questions Council may have.

Mayor Ellington thanked Mr. and Mrs. Crews for attending this evening and said they will be called upon when this agenda item is discussed later in the meeting, if questions arise.

## **OLD BUSINESS**

**Extending the Corporate Limits of the City of Henderson, North Carolina, Assignment of Newly Annexed Area to Ward 4 and Directing the City Attorney to Record Annexation with Vance County Board of Elections, Vance County Register of Deeds and the North Carolina Secretary of State.** (Reference: CAF 17-23-D; Ordinance 17-14)

City Manager Frazier explained there has been previous action on this, including the public hearing for these annexations. However, a decision on the actual date of annexation was postponed until the City provided additional funding for the project and awarded a construction contract. During the previous discussion, Council asked for an estimate of revenue costs and Mr. Frazier gave a summary of the anticipated revenues with the General Fund, Sewer and Water, along with the Powell Bill.

There were no questions so Mayor Ellington asked Council how it wished to proceed.

Council Member Rainey moved the approval of Ordinance 17-14, *Extending the Corporate Limits of the City of Henderson, North Carolina, Assignment of Newly Annexed Area to Ward 4 and Directing the City Attorney to Record Annexation with Vance County Board of Elections, Vance County Register of Deeds and the North Carolina Secretary of State*. Motion seconded by Council Member Daye, and APPROVED by the following vote: YES: Rainey, Elliott, Daeke and Daye. NO: None. ABSTAIN: None. ABSENT: Williams, Coffey, Inscoc and Simmons. (See Ordinance Book 9, p 431)

**Authorizing a Lease Agreement Extension by and Between the City of Henderson (City) and Green Rural Redevelopment, Inc. (Reference: CAF 17-49; Resolution 17-36)**

City Manager Frazier said this has been discussed at two previous meetings and he reminded Council that Green Rural Redevelopment, Inc. (GRRO) currently has a one-year lease with the City for growing vegetables on Arch and Roberson streets. The issue before Council this evening is whether to extend the lease on Roberson Street until December 2019 which is the term needed for GRRO to receive funding for the purchase of a seasonal high-tunnel greenhouse. Mr. Frazier said the property is owned by the City and County, and the County has already approved the lease extension.

Council Member Rainey asked how long it would take to get the tunnel in place. Mr. Henry Crews came forward and said a 3 year lease is the longest needed by the USDA and he did not expect the funding to be approved before October of this year but there was concern about the delay.

Council Member Elliott asked if it would be prudent to table this issue due to the number of members absent this evening. Mr. Crews said the application is well past the deadline and he was unsure if he would be able to obtain an extension.

Council Member Daeke asked about the produce raised and Mr. Crews said GRRO is a not-for-profit and the produce sales go back to GRRO. He did say all the produce is sold locally. He also stated that the Arch Street property was for training and there were no restrictions on the proceeds. Mr. Crews also stated that the Arch Street property did not need to be a part of the three-year extension.

Council Member Elliott asked a question about the community gardens which led to a discussion about verbiage. Mr. Frazier asked Assistant to the city Manager Paylor Spruill to help clarify terminology and ultimately Council was referred to the existing lease that states the property will be used as a *farm* and that the land was never used in a *community* format.

At this time, a motion was made by Council Member Elliott to table this request and Council Member Daeke seconded the motion. Mr. Crews said this may cancel the opportunity of placing a \$9,000 hoop house on the property but he would talk with the USDA to see if the loan could be extended.

Depending on the outcome, this issue may be placed on the agenda for the next regular meeting that will be held on Monday, August 28, 2017.

Council Member Elliott moved to TABLE Resolution 17-36, *Authorizing a Lease Agreement Extension by and Between the City of Henderson (City) and Green Rural Redevelopment, Inc.* Motion seconded by Council Member Daeke, and APPROVED by the following vote: YES: Rainey, Elliott, Daeke and Daye. NO: None. ABSTAIN: None. ABSENT: ABSENT: Williams Coffey, Inscoc and Simmons. (See Resolution Book 5, p 241)

## NEW BUSINESS

**Approving Appointments to the Perry Memorial Library Board of Trustees, Planning Board, Henderson-Vance Economic Development Commission and Henderson-Vance Recreation and Parks Commission.** *(Reference: CAF 17-72; Resolutions 17-57)*

City Manager Frazier explained the Boards and Commissions Committee met in July to review applications for various positions. The Committee recommends approving the eight citizens who wish to serve their city.

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

Council Member Elliott moved the approval of Resolution 17-57, *Approving Appointments to the Perry Memorial Library Board of Trustees, Planning Board, Henderson-Vance Economic Development Commission and Henderson-Vance Recreation and Parks Commission*. Motion seconded by Council Member Daeke, and APPROVED by the following vote: YES: Rainey, Elliott, Daeke and Daye. NO: None. ABSTAIN: None. ABSENT: Williams, Coffey, Inscoe and Simmons. *(See Resolution Book 5, p 283)*

**Amending the Henderson City Code Consumption of Alcoholic Beverage Regulations for the Purpose of Allowing Certain Alcohol Sales to Begin on Sunday Morning.** *(Reference: CAF 17-73, Ordinance 17-29)*

City Manager Frazier explained that in light of the recent decision by the North Carolina General Assembly to expand sale of alcoholic beverages on Sunday morning, this is being brought before Council for consideration. He said the ABC Board, along with a few citizens have requested an amendment to the existing code.

Council Member Daeke asked if this will affect grocery stores relative to the sale of alcoholic beverages. The response was yes.

There were no other questions so Mayor Ellington asked Council how it wished to proceed.

Council Member Rainey moved the approval of Ordinance 17-29, *Amending the Henderson City Code Consumption of Alcoholic Beverage Regulations for the Purpose of Allowing Certain Alcohol Sales to Begin on Sunday Morning*. Motion seconded by Council Member Daeke, and APPROVED by the following vote: YES: Elliott, Daeke, Daye and Rainey. NO: None. ABSTAIN: None. ABSENT: Williams, Coffey, Inscoe and Simmons. *(See Ordinance Book 9, p 461)*

**Authorizing Waiving the Water and Sewer Tap Fees for the Habitat for Humanity House Being Constructed on Arrow Street.** *(Reference: CAF 17-77; Resolution 17-59)*

City Manager Frazier said he received a request from Habitat for Humanity of North Carolina to waive the water and sewer tap fees for the house they are building on Arrow Street. The cost of waiving these fees is \$2,235. He said he has no authority to waive these fees, which is why it is being brought before Council

Council Member Daeke asked about the size of the house. It is believed the house will be 1,400-1,500 sq. ft.

Council Member Rainey asked what will happen to the property the City donated to Habitat for Humanity on North Street. City Attorney Rix Edwards said the deed included a clause that the property will revert back to the City if Habitat does not use it before December 2017.

Council Member Elliott asked if waiving the fee would be the *best practice* for the future. Mr. Frazier said that is a concern and offered an option of reducing the fee as that had been done for previous annexations. Council Member Rainey asked if the fees are set. Mr. Frazier said the fees are set and included in the schedule of fees.

Council Member Daeke felt since this is the first house Habitat for Humanity has done in Henderson in a long time it would be an added incentive to waive the fee in this particular instance. Attorney Edwards commented that any future request will be considered individually.

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

Council Member Daeke moved the approval of Resolution 17-59, *Authorizing Waiving the Water and Sewer Tap Fees for the Habitat for Humanity House Being Constructed on Arrow Street*. Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Daeke, Daye, Rainey and Elliott. NO: None. ABSTAIN: None. ABSENT: Williams, Coffey, Inscoc and Simmons. (See Resolution Book 5, p 287)

**Providing for the Disposition of a Jointly Held Property by the City and County Otherwise Identified as 629 Powell Street; Parcel ID # 0095 01008 Recorded in Deed Book 1230, Page 1090 in the Vance County Register of Deeds.** (Reference: CAF 17-78; Resolution 17-60)

City Manager Frazier explained the County has received an offer to purchase 629 Powell Street in the amount of \$2,100. The assessed value of the property is \$8,452 and the proposed purchaser owns property adjacent to this empty lot. The request to Council is that it approve the transfer of this property to Vance County with the understanding upon finalization of the sale, the proceeds will be shared on a pro-rata basis.

Council Member Daeke asked if the property will be used for home ownership or as a rental. Mr. Frazier said he thought it would be used for home ownership but he was not positive and Council Member Elliott added the offer to purchase is from an adjacent property owner.

There were no other questions so Mayor Ellington asked Council how it wished to proceed.

Council Member Elliott moved the approval of Resolution 17-60, *Providing for the Disposition of a Jointly Held Property by the City and County Otherwise Identified as 629 Powell Street; Parcel ID # 0095 01008 Recorded in Deed Book 1230, Page 1090 in the Vance County Register of Deeds*. Motion seconded by Council Member Daye, and APPROVED by the following vote: YES: Daye, Rainey, Elliott and Daeke. NO: None. ABSTAIN: None. ABSENT: Williams, Coffey, Inscoc and Simmons. (See Resolution Book 5, p 289)

## CONSENT AGENDA

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

**Requesting the Closeout of the Hope VI Grants (NC19URD27536M07 and NC19URD27536M08).** (Reference: CAF 17-76, Resolution 17-58) This action will allow a letter to be sent to the United States Department of Housing and Urban Development (HUD) indicating this project is closed. (See Resolution Book 5, p 285)

**Tax Releases and Refunds from Vance County for the Month of June 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 the month of June (CAF 17-75)

June 2017 Tax Releases & Refunds			
Name	Reason	Tax Year	Amount
<b>Real &amp; Personal Property Releases</b>			
Williams, Derylvon	Lost To Foreclosure	2007	\$ 86.83
Williams, Derylvon	Lost To Foreclosure	2008	\$ 67.80
Williams, Derylvon	Lost To Foreclosure	2009	\$ 70.20
Williams, Derylvon	Lost To Foreclosure	2010	\$ 70.20
Williams, Derylvon	Lost To Foreclosure	2011	\$ 70.20
Williams, Derylvon	Lost To Foreclosure	2012	\$ 70.20
Williams, Derylvon	Lost To Foreclosure	2013	\$ 74.40
Williams, Derylvon	Lost To Foreclosure	2014	\$ 74.20
Moorefield, Charlie	Lost To Foreclosure	2014	\$ 192.55
Moorefield, Charlie	Lost To Foreclosure	2015	\$ 192.55
Williams, Derylvon	Lost To Foreclosure	2015	\$ 74.20
Moorefield, Charlie	Lost To Foreclosure	2016	\$ 115.16
Williams, Derylvon	Lost To Foreclosure	2016	\$ 31.50
<b>Total Releases/R &amp; P Property</b>			<b>\$ 1,189.99</b>
			\$ -
<b>Total Refunds/ R &amp; P Property</b>			<b>\$ -</b>
			\$ -
<b>Total Refunds &amp; Releases</b>			<b>\$ 1,189.99</b>

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 Daeke, and APPROVED by the following vote: YES: Daye, Rainey, Elliott and Daeke. NO: None. ABSTAIN: None. ABSENT: Williams, Coffey, Inscoc and Simmons.

## PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

City Clerk McCrackin advised several citizens wished to address Council.

**Ricky Pearce, 525 Welcome Avenue** Mr. Pearce expressed his concern about how to keep kids off drugs. He sees this as a health issue and would like to see the Health Department more involved. As a gravedigger for the County, Mr. Pearce said something needs to be done to stop the sale of drugs in this community. He also mentioned several crime events that had taken place near his home.

**Angela Ryan, 327 Franklind Road** Ms. Ryan is a Vance County resident who recently moved back to the County and also would like to see something done about the drug problem in Vance County. She said the community does not have a racial problem but felt the problems centered on drugs. Ms. Ryan asked what citizens can do to help eradicate this problem.

**Belinda Denton, 141 S. Lake Lodge Road** Ms. Denton's comments focused not only on the drug issue but also on the decline of the school system.

**Donna P. Metz, 477 Welcome Avenue** Ms. Metz commented on the court system and felt stiffer laws should be enforced. She asked what kind of reputation does the City want and suggested a hot line for citizens to notify the police of unlawful activity.

Council Member Daeke thanked these citizens for their comments and suggested they take these concerns to the County as some of these concerns are more County related.

Mayor Ellington said the City and the Council Members struggle with these issues also and thanked these individuals for their willingness to express their concerns.

**Edythe Thompson, 1751 Parker Lane** Ms. Thompson recently moved to Henderson by choice and she sees a city of opportunity. She gave accolades to the Homestead program and congratulated the City for such a *bold move*. However, she referenced a letter from the NAACP that is incorporated by reference and hereby made part of these minutes, and asked that the City consider allowing the NAACP to participate in further defining the guidelines and rules for the program so those who could benefit the most will not be excluded.

## REPORTS

- a) Mayor/Mayor Pro-Tem – Mayor Pro-Tem said kudos to the Public Works Department for a job well done in fixing the 12” water leak on Raleigh Road over the weekend.
- b) City Manager – Mr. Frazier reported on the following:
  - i. Met with the County about using the Arch Street property in the pilot program for the Urban Homestead Program
  - ii. The loan closing for the Municipal building project has occurred with the interest rate based on it being used as a public facility.
  - iii. The new street sweeper was placed in action last week. It picked up 18,320 pounds of debris which is just over 9 tons.
  - iv. 332 Rowland Street property has been demolished by the owner
  - v. Abagayles Bookstore has been foreclosed on and the next step is to meet with the County to discuss replacing the roof on the building. Council Member Daeke asked that this be done as soon as possible.
  - vi. An official letter has been received from the USDA regarding grant/loan funding for the Fire Pumper Truck.

- vii. Thank you for the Public Works Department for repairing the 12” water break that was repaired about 8:30 pm Friday night. Mr. Frazier will be bringing a proposal to Council soon for additional valves on this section of water line from Chavasse Avenue to J.P. Taylor Road.
  - viii. The details for the community liaison and salaries are being finalized and will be brought to Council at the August 28, 2017 meeting, along with the KLRW Design Build agreement.
  - ix. The Eaton Johnson Community Watch Group has requested speed bumps to reduce traffic problems. It was decided to lower the speed limit; therefore an ordinance revision will be drafted for Council’s consideration.
  - x. A map was distributed of the Central Business District that has been surveyed showing all the signs mapped and photographed. This was done in conjunction with a request by Council to remove old signs no longer applicable.
- c) City Attorney - (No Report)
- d) City Clerk – The COG and Crime Stoppers annual banquets will be in September and Council should RSVP to the Clerk before September 11.

With no further discussion, Mayor Ellington asked if Council was prepared to go into Closed Session and stated there would be no report following the session.

### **CLOSED SESSION**

Council Member Daeke moved for Council to convene in closed session pursuant to G.S. §143-318.11(a)(6) for a Personnel matter. Motion seconded by Council Member Daye, and unanimously approved.

Council Member Elliott moved for Council to convene in open session. Motion seconded by Council Member Daye, and unanimously approved.

### **WORK SESSION**

#### **Text Amendment to Allow Light Manufacturing as a Special Use Permit in the Central Business District (B-1) and to Provide Additional Regulations in the Zoning Ordinance.** *(Reference: Ordinance 17-00)*

City Manager Frazier said this was discussed at the Planning Board meeting earlier today and asked Development Services Director Corey Williams to summarize the discussion.

Mr. Williams said the Planning Board tabled this today due to technical issues, not the essence of the amendment. The issue revolves around microbreweries and the questions from the Board centered on pollution, downtown storage, etc. Mr. Williams gave a definition of a microbrewery versus a distillery and said the space that is being discussed is part of the old municipal building. Part of the issue is defining a tasting/education room and limiting that space to no more than 500 sq. ft. Mr. Williams said before taking this to the Planning Board, staff looked at what other communities, such as N. Wilkesboro, Durham, Zebulon, have done.

Council Member Rainey suggested staff look at what Tarboro has done.

Wanting to be pro-active, Mr. Frazier said no action is needed; he just wanted Council to be aware of the concerns and status and what would be forthcoming

**Approving Streets for the Resurfacing Project.** (*Reference: CAF 17-18-A; Resolution 17-14-A*)

City Manager Frazier said the list of streets for resurfacing has been reviewed and there is a good chance some of the work can be completed in conjunction with NCDOT work. If this can be worked out, it should give the City a better price and ultimately allow for more resurfacing. He did say there would be a 15% administrative fee associated with working with the DOT.

Council Member Daeke asked what order the streets would be resurfaced. Mr. Frazier said once a price is obtained, a priority list would be compiled and presented to Council, along with the award. Discussion then turned to how the State prioritizes its resurfacing (Dabney Drive and Andrews Avenue were specially mentioned).

It was the consensus of Council to request bids for resurfacing and the consensus was: YES: Rainey, Elliott, Daeke and Daye. NO: None. ABSTAIN: None. ABSENT: Williams, Coffey, Inscoe and Simmons.

**Skenes Avenue Water Issue**

City Manager Frazier said there is some contaminated water in the Nicholas/Miriam Street area. The State notified Clark Thomas regarding a possible water extension and Mr. Frazier asked Engineering Director Clark Thomas to explain the situation in more detail.

Mr. Thomas said it is unknown how much contamination exists throughout the area and he noted the SRF does not provide grant funds for individual residences, but does do so for public well systems. The City Manager reminded Council about the Brookhaven Mobile Home project that was funded by the State.

There was a general discussion about the situation, cost to run the lines, the fact that the properties are in the ETJ (County) and spending city tax dollars in the ETJ. Overall, it was felt the Manager should speak to the County Manager about this issue and to bring back information at a later time. It was stated that a project such as this would rank high in regard to SRF loans.

Before adjourning, it was confirmed with Council wanted to add a Regular Meeting on Monday, August 28, 2017, to the established 2017 meeting schedule. It was the consensus of Council to add this meeting.

With no further discussion, Mayor Ellington asked if Council was prepared to adjourn.

## ADJOURNMENT

Council Member Elliott moved for adjournment. Motion seconded by Council Member Daye, and unanimously approved. The meeting adjourned at 8:10 p.m.

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Eddie Ellington  
Mayor

*ATTEST:*

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Esther J. McCrackin, City Clerk



WWW.NAACP.ORG

# NAACP

## Vance County Branch of NAACP

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August 14, 2017

Henderson City Council  
134 Rose Avenue  
Henderson, NC 27536

Dear Council Member(s):

It has come to the attention of the NAACP that the City of Henderson is about to establish, or has established, a Homesteading Program. Such a program could be beneficial to the city; however, the plan must be promulgated and executed in a manner that is fair to all of the citizens of Henderson. The "first come first serve plan" lacks sufficient detail. There is simply no stated assurances that the people who most need to benefit from such a plan will actually be able to avail themselves of the program.

Consequently, The NAACP is requesting the opportunity to participate in further defining the guidelines and rules under which the Homesteading Program will be administered. It is important that ambiguities be eliminated to assure clear compliance with existing rules and laws and which indicate the clear intent of fundamental fairness.

The NAACP looks forward to having additional discussions regarding the Homesteading Program.

Respectfully,

D. Bernard Alston  
President, Vance County Branch  
NAACP