



AGENDA

Henderson City Council Regular Meeting

Monday 12 December 2016, 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. 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 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) 14 November 2016 Regular Meeting *[See Notebook Tab 1]*

VII. PUBLIC HEARING

- a) Consideration of Approval of Ordinance 16-32-A, (Public Hearing) Amending the Zoning Ordinance Section 310A Table of Permitted Uses, Section 641.B, Section 652B and Section 1002: Define Meeting Facilities (Commercial and Civic), and Banquet Facility/Event Center with a Special Use Permit. (CAF 16-89-A) *[See Notebook Tab 2]*

- Ordinance 16-32-A

- b) Consideration of Approval of Ordinance 16-43, (Public Hearing) Amending the City Code and Zoning Ordinance to Include Electric Security Fences. (CAF 16-113-A) *[See Notebook Tab 3]*

- Ordinance 16-43

VIII. 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

X. OLD BUSINESS

- a) Consideration of Approval of Ordinance 16-38, FY17, BA #14, Authorizing the Transfer of General Fund Contingency Funds to the Elmwood Cemetery Budget for Various Improvements at Elmwood Cemetery. (CAF 16-105) *[See Notebook Tab 4]*

- Ordinance 16-38

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.

b) Consideration of Approval of Resolution 16-43-A, to Award a Bid for the Elmwood Sanitary Sewer Project for Division I to HG Reynolds for \$1,527,926 Funded by the Clean Water State Revolving Fund (CWSRF) Project #CS370410-08. (CAF 16-69-B) [See Notebook Tab 5]

- Resolution 16-43-A

XI NEW BUSINESS

a) Consideration of Approval of Resolution 16-11-A, Authorizing the Award of a Construction Contract in the Amount of \$131,510 to HG Reynolds for the Henderson-Vance Industrial Park Water and Sewer Project – NC Rural Economic Development Grant U-459. (CAF 16-26-A) [See Notebook Tab 6]

- Resolution 16-11-A

b) Consideration of Approval of Resolution 16-74, Directing the Clerk for the City of Henderson, North Carolina to Investigate the Sufficiency of an Annexation Petition for Garden Gate Villas, LLC. (CAF 16-121) [See Notebook Tab 7]

- Resolution 16-74

c) Consideration of Approval of 1) Resolution 16-84, Declaring Official Intent to Reimburse Expenditures Associated with the Former Municipal Building; 2) Resolution 16-65-A, Awarding the Contract for the Interior Demolition of the Former Municipal Building to J.L. Williams Construction in the Amount of \$70,272; and 3) Resolution 16-85, Awarding the Contract for Electrical Work to Rick Edwards Electric in the Amount of \$21,875. (CAF 16-96-A) [See Notebook Tab 8]

- Resolution 16-84
- Resolution 16-65-A
- Resolution 16-85

d) Consideration of Approval of Resolution 16-82, Providing for the Disposition of a Jointly Owned Property by the City and County Otherwise Identified as 332 Rowland Street PIN #0073 04001, Recorded in Deed Book 1303, Page 0962 in the Vance County Register of Deeds. (CAF 16-122) [See Notebook Tab 9]

- Resolution 16-82

e) Consideration of Approval of Resolution 16-83, Donating Properties Located on North Street (Parcel #0107 01 022 and 0107 01 023) to Habitat for Humanity of North Carolina for the Purpose of Constructing a Single Family Home. (CAF 16-123) [See Notebook Tab 10]

- Resolution 16-83

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 Ordinance 16-30, FY17 BA #19, to Close Out the High Service Pump Replacement Project Located at the Kerr Lake Regional Water Plant. (CAF 16-16) [See Notebook Tab 11]
- Ordinance 16-30
- b) Consideration of Approval of Ordinance 16-48, FY17 BA #21, Closing Out the Beckford Drive/Highway 158 Water Extension Project and; Ordinance 16-49, FY17 BA #20, Closing Out the Radio Read Meter Purchase Project. (CAF 16-125) [See Notebook Tab 12]
- Ordinance 16-48
 - Ordinance 16-49
- c) Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of November 2016. (CAF 16-126) [See Notebook Tab 13]

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.⁴

⁴ Citizen Comment Guidelines for Non-Agenda Items

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- 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.

VX. REPORTS

- a)* Mayor/Mayor Pro-Tem (No Report)
- b)* City Manager (No Report)
 - i. Bike/Pedestrian Study
- c)* Departmental Reports [*See Notebook Tab 14*]
 - i. Meeting and Events Calendar
 - ii. E-911 Monthly Report
 - iii. Fire Department Monthly Report
- d)* City Attorney (No Report)
- e)* City Clerk (No Report)

IX. CLOSED SESSION

- a)* Pursuant to G.S. §143-318.11(a)(3) regarding Attorney/Client Matters.

XI. ADJOURNMENT

City Council Minutes

Regular Meeting

12 December 2016

PRESENT

Mayor Eddie Ellington, Presiding; and Council Members Marion B. Williams, Michael C. Insoe, D. Michael Rainey, Melissa Elliott, Garry D. Daeke, Fearldine A. Simmons, and George M. Daye.

ABSENT

Council Member Sara M. Coffey

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, Henderson Water Reclamation Director Lamont Allen and Kerr Lake Regional Water Director Christy Lipscomb

CALL TO ORDER

The 12 December 2016 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 Simmons led those present in a prayer and the Pledge of Allegiance.

OPENING COMMENTS

Mayor Ellington said he was glad to see citizens present and welcomed everyone.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor Ellington asked if there were any adjustments to the Agenda. Council Member Inscoe moved to accept the Agenda as presented. Motion seconded by Council Member Rainey, and unanimously approved.

APPROVAL OF MINUTES

Mayor Ellington asked for any corrections to and/or approval of the minutes. City Clerk McCrackin said there was a technical correction made to Ordinance 16-41, the *Vehicle Registration and Vehicle Registration Tax*. The ordinance stated an incorrect effective date that has been corrected to correspond with its passing with the FY16-17 budget. Council Member Rainey moved the approval of the 14 November 2016 Regular Meeting minutes as amended. Motion seconded by Council Member Daeke, and unanimously approved.

PUBLIC HEARING

Amending the Zoning Ordinance Section 310A Table of Permitted Uses, Section 641.B, Section 652B and Section 1002: Define Meeting Facilities (Commercial and Civic) and Banquet Facility/Event Center with a Special Use Permit. (Reference: CAF 16-89-A, Ordinance 16-32)

City Manager Frazier said this item was brought before Council in August at which time Council referred the ordinance back to the Planning Board for specifics regarding alcohol use. He then asked Development Services Director Corey Williams to explain this revision. Mr. Williams said the Planning Board has reviewed this request twice since August and it has been discussed during the Land Planning Committee meeting on December 8, 2016 where the members recommended removing B-1, OI and OIA from Article 5.19(a). He said revisions have been made to Article 310 Table of Permitted Uses; Article 510 Parking Lot; Article 5600B, Section 641B.7 Unified Business Development Uses; Section 652B.5 Banquet Facilities/Event Center and Article 100, Section 102, Definition. Mr. Williams read portions of these sections to ensure there was a clear understanding of the changes. In regard to the alcohol issue, this ordinance makes obtaining an ABC license the responsibility of the business owner. The Planning Board approved these ordinance changes at its November 21, 2016, meeting and staff recommends approval of this revised ordinance.

Council Member Rainey asked how McGregor Hall fits into this ordinance regarding alcohol. Mr. Williams said McGregor Hall already has a permit.

Council had no further questions so Mayor Ellington opened the Public Hearing by asking if anyone was present who wished to speak in favor of this amendment.

Charitel C. Rogers, 166 Little Lane, Warrenton Ms. Rogers has owned an event planning business for 15 years and plans to open her own facility on Norlina Road.

Council had no questions of Ms. Rogers so Mayor Ellington asked if anyone else wished to speak in favor of this amendment. No one came forward so the Mayor asked if anyone was present who wished to speak in opposition to the amendment. No one came forward.

Mayor Ellington closed the Public Hearing and asked for Council's pleasure.

Council Member Elliott moved the approval of Ordinance 16-32, *Amending the Zoning Ordinance Section 310A Table of Permitted Uses, Section 641.B, Section 652B and Section 1002: Define Meeting Facilities (Commercial and Civic) and Banquet Facility/Event Center with a Special Use Permit*. Motion seconded by Council Member Williams, and APPROVED by the following vote: YES: Williams, Inscoe, Rainey, Elliott, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: Coffey. (*See Ordinance Book 9, p 369*)

Amending the City Code and Zoning Ordinance to Include Electric Security Fences.
(*Reference: CAF 16-113, Ordinance 16-43*)

City Manager Frazier said this issue was sent back to the Planning Board after coming before Council in November for some technical changes. This was also discussed at the Land Planning Committee meeting where Development Services Director Corey Williams was directed to revise the screening issue. With the City Attorney's assistance, Section 204.8.3 was added to the proposed ordinance. Mr. Williams specifically read this section to Council to ensure a clear understanding.

Council Member Inscoe asked for clarification regarding vegetation used as screening. Mr. Williams said any vegetation screening design will have to be approved by the Board of Adjustment when considering the Special Use Permit.

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

Ms. Cindy Williams, Electric Guard Dog, LLC Ms. Williams commended the City for the changes made to the ordinance and said Electric Guard Dog is satisfied with the screening requirements. She mentioned they will probably use mesh screening and thanked Council for its time.

Mayor Ellington asked if anyone else wished to speak in favor of this amendment. No one came forward so the Mayor asked if anyone was present who wished to speak in opposition to the amendment. No one came forward.

Mayor Ellington closed the Public Hearing and asked for Council's pleasure.

Council Member Elliott moved for approval of Ordinance 16-43, *Amending the City Code and Zoning Ordinance to Include Electric Security Fences* for further information. Motion seconded by Council Member Williams, and APPROVED by the following vote: YES: Inscoe, Rainey, Elliott, Daeke, Simmons, Daye and Williams. NO: None. ABSTAIN: None. ABSENT: Coffey. (*See Ordinance Book 9, p 391*)

PUBLIC COMMENT PERIOD ON AGENDA ITEMS

City Clerk McCrackin advised no citizen wished to address Council.

OLD BUSINESS

Authorizing the Transfer of General Fund Contingency Funds to the Elmwood Cemetery Budget for Various Improvements at Elmwood Cemetery. (*Reference: CAF 16-105, Ordinance 16-38, Budget Amendment #14*)

City Manager Frazier said this was discussed during a Work Session in October. If approved these funds will be used for the following: Grave relocation expenses of \$2,800; Cemetery Marker expenses (used to properly identify the lots as laid out with either concrete or brass markers) of \$2,500; Storm Drain Repairs at a cost of \$2,500 and a large tree that needs to be removed at a cost of \$4,700.

Council Member Inscoe asked if the tree stump removal is included in the cost. Mr. Frazier said yes. Council Member Rainey asked if there was more than one tree that needed to be removed. Mr. Frazier said yes but the one tree is the most important at this time.

Council Members Inscoe and Daeke asked about the cemetery trust fund and if it could be used for any of these expenses. They also asked for the amount in this fund. Mr. Frazier said about \$400,000 and added the City Attorney is looking into exactly how this fund can be used. Council Member Simmons asked where the monies in the cemetery fund come from and Mr. Frazier said a portion of the cost of the plot goes for perpetual care.

Mr. Frazier said he had an inquiry from the Vance County Historical Society, that has been working to update the names in the old section of the cemetery and recently hosted a successful walk through the cemetery, as to whether the endowment funds from the perpetual funds (maintained in accordance with NCGS 160A-347) could be used for restoration of monuments in need of repair. Mr. Frazier said he would let Council know the City Attorney's findings when they become available.

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

Council Member Rainey moved the approval of Ordinance 16-38, *Authorizing the Transfer of General Fund Contingency Funds to the Elmwood Cemetery Budget for Various Improvements at Elmwood Cemetery*. Motion seconded by Council Member Daeke, and APPROVED by the following vote: YES: Inscoe, Rainey, Elliott, Daeke, Simmons, Daye and Williams. NO: None. ABSTAIN: None. ABSENT: Coffey. (*See Ordinance Book 9, p 381*)

Award a Bid for the Elmwood Sanitary Sewer Project for Division I to HG Reynolds for \$1,527,926 Funded by the Clean Water State Revolving Fund (CWSRF) Project #CS370410-08. (*Reference: CAF 16-69-B, Resolution 16-43-A*)

City Manager Frazier said during the November Work Session Council staff presented two options for this project. Option B was beyond the City's budget so the consensus of Council was to proceed with Option A for replacing the lower section of the gravity sewer. Mr. Frazier stated that even though all of the work is needed, this portion is the most urgent and staff recommends Council awarding this work to HG Reynolds Company.

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

Council Member Inscoe moved the approval of Resolution 16-43-A, *Award a Bid for the Elmwood Sanitary Sewer Project for Division I to HG Reynolds for \$1,527,926 Funded by the Clean Water State Revolving Fund (CWSRF) Project #CS370410-08*. Motion seconded by Council Member Elliott, and APPROVED by the following vote: YES: Rainey, Elliott, Daeke, Simmons, Daye, Williams, and Inscoe. NO: None. ABSTAIN: None. ABSENT: Coffey. (See *Resolution Book 5, p 85-A*)

NEW BUSINESS

Authorizing the Award of a Construction Contract in the Amount of \$131,510 to HG Reynolds for the Henderson-Vance Industrial Park Water and Sewer Project – NC Rural Economic Development Grant U-459. (Reference: CAF 16-26-A; Resolution 16-11-A)

City Manager Frazier explained the funds for this project were authorized September 28, 2015 due to possible expansion of an existing business: however, that business chose not to expand at this time. The City received permission to move forward with this project that should be an incentive for attracting new business in the future. This project will provide expansion in the industrial park with 1,000 feet of a 12-in water line and 80-feet of sanitary sewer that will better position the city for future growth. The project had to be re-bid and as allowed by Statute, HG Reynolds was the low bidder at \$131,510. As this bid is slightly over the existing funds, it is recommended that Council approve a transfer of \$6,230 from the contingency line item to the construction line item.

Council Member Rainey applauded the City for the use of local business.

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

Council Member Rainey moved the approval of Resolution 16-11-A, *Authorizing the Award of a Construction Contract in the Amount of \$131,510 to HG Reynolds for the Henderson-Vance Industrial Park Water and Sewer Project – NC Rural Economic Development Grant U-459*. Motion seconded by Council Member Daeke, and APPROVED by the following vote: YES: Elliott, Daeke, Simmons, Daye, Williams, Inscoe and Rainey. NO: None. ABSTAIN: None. ABSENT: Coffey. (See *Resolution Book 5, p 21-A*)

Directing the Clerk for the City of Henderson, North Carolina to Investigate the Sufficiency of an Annexation Petition for Garden Gate Villas, LLC. (Reference: CAF 16-121, Resolution 16-74)

City Manager Frazier explained a petition has been received from W. Dennis Tharrington for voluntary annexation of a 12.202+/- acre parcel of land to be developed on Vicksboro Road to be known as Garden Gate Villas, LLC. The parcel is non-contiguous and if approved, the Clerk will take the next step toward properly annexing this property.

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

Council Member Daeke moved the approval of Resolution 16-74, *Directing the Clerk for the City of Henderson, North Carolina to Investigate the Sufficiency of an Annexation Petition for Garden Gate Villas, LLC*. Motion seconded by Council Member Simmons, and APPROVED by the following vote: YES: Daeke, Simmons, Daye, Williams, Inscoe, Rainey and Elliott. NO: None. ABSTAIN: None. ABSENT: Coffey. (*See Resolution Book 5, p 147*)

Declaring Official Intent to Reimburse Expenditures Associated with the Former Municipal Building; Awarding the Contract for the Interior Demolition of the Former Municipal Building To J.L. Williams Construction in the Amount of \$70,272; and Awarding the Contract for Electrical Work to Rick Edwards Electric in the Amount of \$21,875. (*Reference: CAF 16-96-A: Resolution 16-84, 16-65-A, 16-85*)

City Manager Frazier explained overall, Kilian Engineering has recommended the completion of the interior demolition prior to detailing the renovation plans so the first part of this action shows the City's intent to reimburse the costs, as approved by the Local Government Commission, is for clear tracking by the auditors. Interior demolition bids were received and it is recommended that J.L. Williams Construction be awarded the work. Rick Edwards was the low bidder for the electrical work associated with the demolition process. Mr. Frazier said work can start immediately after execution of the contract. Council Member Inscoe asked if the demolition work, such as asbestos removal, will be completed by the end of the year. Mr. Frazier said it is very possible.

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

Council Member Daeke moved the approval of Resolution 16-84, *Declaring Official Intent to Reimburse Expenditures Associated with the Former Municipal Building; Resolution 16-65 –A, Awarding the Contract for the Interior Demolition of the Former Municipal Building To J.L. Williams Construction in the Amount of \$70,272; and Resolution 16-85, Awarding the Contract for Electrical Work to Rick Edwards Electric in the Amount of \$21,875*. Motion seconded by Council Member Inscoe, and APPROVED by the following vote: YES: Simmons, Daye, Williams, Inscoe, Rainey, Elliott and Daeke. NO: None. ABSTAIN: None. ABSENT: Coffey. (*See Resolution Book 5, pgs 167, 129 and 169*)

Providing for the Disposition of a Jointly Owned Property by the City and County Otherwise Identified as 332 Rowland Avenue PIN #0073 04001, Recorded in Deed Book 1303, Page 0962 in the Vance County Register of Deeds. (*Reference: CAF 16-122, Resolution 16-82*)

(Clerk's Note: Before discussion began, Council Member Inscoe asked to be excused from voting on this issue due to a conflict of interest.)

City Manager Frazier said the County has received several offers to purchase this property and it is now subject to the upset bid process through the County. The County is asking the City to deed over its share of the property so the County can handle the negotiations. The Land Planning Committee met on November 2, 2016 and expressed no objections to this request.

Council Member Elliott asked how this property related to the City owned property currently for sale on Andrews Avenue. Mr. Frazier said there was no physical association.

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

Council Member Rainey moved the approval of Resolution 16-83, *Providing for the Disposition of a Jointly Owned Property by the City and County Otherwise Identified as 332 Rowland Avenue PIN #0073 04001, Recorded in Deed Book 1303, Page 0962 in the Vance County Register of Deeds.* Motion seconded by Council Member Daye, and APPROVED by the following vote: YES: Daye, Williams, Rainey, Elliott, Daeke and Simmons. NO: None. ABSTAIN: Inscoe. ABSENT: Coffey. (See Resolution Book 5, p 163)

Donating Properties Located on North Street (Parcel #0107 01 022 and 0107 01 023 to Habitat for Humanity of North Carolina for the Purpose of Constructing a Single Family Home. (Reference: CAF 16-123, Resolution 16-83)

City Manager Frazier received a request from Habitat for Humanity of NC for the City to donate two City/County owned lots at the end of North Street and Andrews Avenue. This request was discussed at the Land Planning Committee meeting last week with no objections and Vance County has authorized transferring its deed to the City. The deed to Habitat will be subject to construction being completed by December 31, 2017. These two properties were obtained through foreclosure and together they will make a lot large enough to build a 1,500 sq. ft. single-family house that will put both lots back on the tax roll. North Carolina General Statute 160A-279 allows for the donation of city-owned property to non-profit organizations. Representatives from Habitat for Humanity were present if Council wished to ask any questions.

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

Council Member Rainey moved the approval of Resolution 16-83, *Donating Properties Located on North Street (Parcel #0107 01 022 and 0107 01 023 to Habitat for Humanity of North Carolina for the Purpose of Constructing a Single Family Home.* Motion seconded by Council Member Elliott, and APPROVED by the following vote: YES: Williams, Inscoe, Rainey, Elliott, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: Coffey. (See Resolution Book 5, p 165)

CONSENT AGENDA

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

Closing Out the High Service Pump Replacement Project Located at the Kerr Lake Regional Water Plant. (Reference: CAF 16-16; Ordinance 16-30; Budget Amendment #19) This action closes out a successful installation of a 750 horsepower variable drive pump. The final cost of the project was \$1,028,571 and repayment of the loan began in fiscal year 2015-16. (See Ordinance Book 9, p 365)

Closing Out the Beckford Avenue/Highway 158 Water Extension Project and Closing Out the Radio Read Meter Purchase Project. (Reference: CAF 16-125; Ordinance 16-48 Budget Amendment #21 and Ordinance 16-49 Budget Amendment #20) This action closes out the budget for both the abovementioned projects. (See Ordinance Book 9, p 401 and 403)

Approval of Tax Releases and Refunds from Vance County for the Months of September and November 2016. (Reference: CAF 16-126) The following releases/refunds are found to be in order and this action approves the tax releases and refunds for November.

Nov 2016 Tax Releases & Refunds			
Name	Reason	Tax Year	Amount
Real & Personal Property			
Releases			
Small, Carl Edward	Lost to Foreclosure	2014	198.48
Small, Carl Edward	Lost to Foreclosure	2015	198.48
Haitcock, W I Jr	Correct Value	2016	449.64
Herrera, Donnna	Mobile Home	2016	47.68
Ortega, Fredy Josue R	Mobile Home	2016	47.68
Small, Carl Edward	Lost to Foreclosure	2016	70.19
Vance County	Government	2016	622.52
Total R&P Property Releases	Nov R & P Releases		1,634.67
Real & Personal Property			
Refunds			
Hughes, William D Jr.	Correct Value		390.35
Total R & P Property Refunds			390.35
Total R&P Prop. Rel. & Ref.			2,025.02

Mayor Ellington asked if anyone wished to remove an item from the Consent Agenda. There were no requests. However, for informational purposes, Council Member Daeke asked how many radio read meters have been purchased and what percent they represent of the total. Mr. Frazier said about 1,000 have been installed and he estimated that is about 40-45% of the total number of meters.

Mayor Ellington then asked for a motion to approve the Consent Agenda.

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

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

City Clerk McCrackin advised no citizen wished to address Council.

REPORTS

- a) Mayor/Mayor Pro-Tem – Mayor Ellington reported on the Christmas Tree Lighting that followed the Christmas Parade. This is the first year the City has put up and lit a tree in the circle between the Police Station and the Library and the Mayor thanked everyone involved in helping this to happen; the Police, Fire, Development Services, Public

Services and other staff were all involved. Mayor Ellington also mentioned the annual employee holiday luncheon that had the largest turnout ever.

Mayor Pro-Tem Rainey asked the City Manager to look into abandoned vehicles on Alexander Avenue. He also thanked staff for fixing leaks on Country Club Drive and Chavasse Avenue. Lastly, he wished everyone a nice, safe holiday.

b) City Manager

- i. Mr. Frazier asked Kerr Lake Regional Water Director Christy Lipsomb to give an update on the generator work required following Hurricane Matthew. Ms. Lipscomb brought a piece of the old wiring and the new wiring to show Council the upgrade. She said the generator work was completed this afternoon and the generator is up and working properly.
- ii. There was a water leak that was repaired Sunday on Chavasse Avenue under the newly paved road. Patching still needs to be done.
- iii. A letter has been drafted to the County Manager in response to the discussion during the Land Planning Meeting. If there are no changes, the City Manager will send the letter off on Tuesday.
- iv. The City Attorney is working on revising and establishing a bidding policy for city owned property. The Attorney is also working on researching and drafting a policy for burned structures.
- v. Information regarding sign regulations has been sent out.
- vi. Information was sent out to Council regarding street sign replacements/removal and further updates will be provided as this work begins.
- vii. Leaf season will end on January 15. After the 15th, there will be a charge if the vacuum machines are used but citizens can continue to put out leaves that are bagged.
- viii. Police Chief Barrow introduced three new police officers: Shauna Terry, Shawn Brown and Justin Dailey. He also updated Council on the results of the Gun Buy Back day that was partnered with the Sheriff's department. Chief Barrow said 37 weapons were collected. When asked what type of weapons, he said mostly handguns with just a few rifles and shotguns all of which will be properly disposed of per general statute. He said he is proud of the individuals who brought in these weapons. Chief Barrow said the CALEA evaluation was very pleasant and the assessors found no issues. Chief Barrow reminded Council that this is an international accreditation that involves mandatory inspection of 290 files, the policy manual/best practices along with numerous meetings with staff, department heads and citizens.

Council Member Simmons said a citizen in her neighborhood has expressed a concern regarding drug activity. Chief Barrow said he would talk with her after the meeting for more details.

c) City Attorney (No Report)

- d) City Clerk – Ms. McCrackin reminded Council of: 1) JCPC meeting Thursday at the Aycock Center; 2) Housing Advisory Meeting Thursday at 6:00 p.m. in Council Chambers; 3) Strategic Retreat February 1 and 2, 2017, and wished everyone a Merry Christmas.

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 Rainey moved for Council to convene in closed session pursuant to G.S. §143-318.11(a)(3) for several Attorney-Client Privilege Matters. Motion seconded by Council Member Daeke, and unanimously approved.

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

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

ADJOURNMENT

Council Member Elliott moved for adjournment. Motion seconded by Council Member Daeke, and unanimously approved. The meeting adjourned at 7:57 p.m.

Eddie Ellington
Mayor

ATTEST:

Esther J. McCrackin, City Clerk