



## AGENDA

Henderson City Council Short Regular Meeting and Work Session  
Monday 26 January 2015, 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  
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) 12 January 2015 Regular Meeting [*See Notebook Tab 1*]

**VII. PUBLIC HEARING**

- a) Consideration of Approval of Ordinance 15-06, Rezoning a .163+/- Acre Tract Located at 1106 Bane Avenue from B2A (Highway Commercial “A” District) to OI (Office Institutional District). (*CAF 15-16*) [*See Notebook Tab 2*]

- Public Hearing
- Ordinance 15-06

**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.<sup>3</sup>

**IX. NEW BUSINESS**

- a) Consideration of Approval of Resolution 15-10, Receiving the Comprehensive Annual Financial Report for FY Ending 30 June 2014. (*CAF 15-12*) [*See Notebook Tab 3*]

- Resolution 15-10

- b) Consideration of Approval of Resolution 15-06, Approving an Application to the North Carolina Governor’s Highway Safety Program in the Amount of \$12,000 for NC Governor’s Highway Safety Program Grant to Fund Police Vehicle Equipment. (*CAF 15-07*) [*See Notebook Tab 4*]

- Resolution 15-06

---

<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.

- c) Consideration of Approval of Resolution 15-11, Naming the Aycock Recreation Center Weight Room in Memory of Former Recreation and Parks Director Ralph Peace. (CAF 15-13) [See Notebook Tab 5]
  - Resolution 15-11
- d) Consideration of Approval of Resolution 15-16, Allowing the Corbitt Preservation Association to Assume Responsibility for the Renovation and Maintenance of the Bennett Perry Museum. (CAF 15-22) [See Notebook Tab 6]
  - Resolution 15-16
- e) Consideration of Approval of Ordinance 15-01, FY 15 Budget Amendment #18, Closing Out the Sanitary Sewer Replacement Project. (CAF 15-02) [See Notebook Tab 7]
  - Ordinance 15-01
- f) Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of December 2014. (CAF 15-21) [See Notebook Tab 8]

## **X. 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>

---

### <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.

## **XI. REPORTS**

- a)* Mayor/Mayor Pro-Tem
- b)* City Manager
- c)* City Attorney
- d)* City Clerk
  - i. Soliciting Commercial Real Estate Brokers to Sell a City of Henderson, North Carolina Property Update (*CM 15-02*)[*See Notebook Tab 9*]
  - ii. Meeting and Events Calendar [*See Notebook Tab 1-*]

## **XII. CLOSED SESSION**

- a)* Pursuant to G.S.§143-318.11 (a)(3) regarding two (2) Attorney/Client Privilege matters

## **XIII. WORK SESSION**

- a)* Consideration of Approval of Resolution 15-01, Amending the Water and Sewer Capital Improvements Plan. (*CAF 15-01*) *See Notebook Tab 11*
  - Resolution 15-01

## **XIV. ADJOURNMENT**

**City Council Minutes**  
**Short Regular Meeting and Work Session**  
**26 January 2015**

---

**PRESENT**

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

**ABSENT**

None.

**STAFF PRESENT**

Interim City Manager Edward A. Wyatt, City Attorney D. Rix Edwards, City Clerk Esther J. McCrackin, Assistant City Manager Frank Frazier, Finance Director Kathy Brafford, Development Services Director Corey Williams, Engineering Director Clark Thomas, Public Services Director Mike Ross, Youth Services Director Donna Stearns, Recreation and Parks Director Kendrick Vann and Police Chief Marcus Barrow.

**CALL TO ORDER**

The 26 January 2015 Short Regular Meeting of the Henderson City Council was called to order by Mayor James D. O'Geary at 6:01 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.

**WELCOME**

Mayor O'Geary said he was delighted to see all the Council members present along with so many citizens.

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

Mayor O'Geary asked if there were any adjustments to the Agenda. City Clerk McCrackin said an additional Closed Session, pursuant to G.S. §143-318.11(a)(3) for an Attorney-Client Privilege Matter will be added to the agenda along with the following item: *Consideration of Approval of Resolution 15-17, Grant Application for Funding Through the NC Governor's Crime Commission Program.* Council Member Simmons moved to accept the Agenda as adjusted. Motion was seconded by Council Member Daye, and unanimously approved.

## **APPROVAL OF MINUTES**

Mayor O'Geary asked for any corrections to and/or approval of the minutes. Council Member Coffey moved the approval of the 12 January 2015 Regular Meeting minutes, as presented. Motion seconded by Council Member Daeke, and unanimously approved.

At this time, Mayor O'Geary asked for a motion at this time to go into Closed Session.

## **CLOSED SESSION**

Council Member Coffey moved for Council to convene in closed session pursuant to G.S. §143-318.11(a)(3) for an Attorney-Client Privilege Matter. Motion seconded by Council Member Peace-Jenkins and unanimously approved.

Following the Closed Session, Council Member Coffey moved for Council to convene in open session. Motion seconded by Council Member Rainey, and unanimously approved.

Mayor O'Geary now asked the City Clerk to announce the next open session item.

## **PUBLIC HEARING**

**Rezoning a .163+/- Acre Tract Located at 1106 Bane Avenue from B2A (Highway Commercial "A" District) to OI (Office Institutional District).** (*Reference: CAF 15-16; Ordinance 15-06*)

Development Services Director Corey Williams explained this property formerly housed the Hair Shack. Since that business has relocated, the property owner has been approached by multiple individuals who are interested in renting the property as a single family dwelling. The property is currently zoned commercial and after discussion with Mr. Williams, it was decided to rezone the property to OI which will allow for either residential or commercial. Mr. Williams added this rezoning will bring the property into conformity with the surrounding area.

Council Member Daeke asked about parking issues. Mr. Williams explained parking is based on the use of the property. Council Member Inscoe added that a new permit is required when the usage changes.

With no further discussion, Mayor O'Geary opened the Public Hearing by asking if anyone was present who wished to speak in favor of this rezoning.

**Mr. and Mrs. James and Jean Richardson, 70 North Chaucer Way, Kittrell.** Both Mr. and Mrs. Richardson came forward. Ms. Richardson explained there has been a big interest in using the property as residential. Mr. Richardson said only one business expressed interest in the property but it was not what either of the Richardson's considered neighborhood friendly. Ms. Richardson was excited to know this zoning change allows her both residential and/or commercial opportunities.

No one else came forward so Mayor O'Geary then asked if anyone was present who wished to speak in opposition to the amendment. No one came forward.

Mayor O'Geary then closed the Public Hearing and asked for Council's pleasure.

Motion was made by Council Member Rainey to approve Ordinance 15-06, *Rezoning a .163+/- Acre Tract Located at 1106 Bane Avenue from B2A (Highway Commercial "A" District) to OI (Office Institutional District)*. Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None. (*See Ordinance Book 9, p 205*)

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

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

#### **NEW BUSINESS**

**Receiving the Comprehensive Annual Financial Report for FY Ending 30 June 2014.**  
(*Reference: CAF 15-12; Resolution 15-10*)

Interim City Manager Wyatt said it is a pleasure to have Mr. Curtis Averette with William L. Stark and Company present this evening to give a brief summary of the FY14-15 audit. Mr. Averette began with expressing his thanks to Finance Director and her staff for their assistance in completing the audit in a timely manner.

Mr. Averette then shared it was a clean report with no findings. He said the audit has been approved by the Local Government Commission (LGC) and then reviewed various accounts. Mr. Averette said the General Fund Balance increased more than \$710,064 over last year (this excluded items such as the Powell Bill, and Federal Asset Forfeiture). This represents approximately 36% of the fiscal year expenditures as calculated by the LGC which requires municipalities to maintain an 8% fund balance.

Mr. Averette said the Regional Water Fund shows a decrease from the prior year due to the termination of the Water Sales Agreement with Granville County but is actually in line with previous years. The Water/Sewer accounts both showed an increase.

Overall, Mr. Averette said it was a good year.

Council Member Rainey asked about the status of the property tax collections excluding the vehicle/tag collections. Mr. Averette said the information was included in the audit but he did not have those figures in front of him at this time.

Council Member Kearney asked if a copy of this summary will be available for Council to review during the budget process. Finance Director Brafford will provide this information to the City Clerk for distribution.

There were no other questions so Mayor O'Geary asked for Council's pleasure.

Motion was made by Council Member Daeke to approve Resolution 15-10, *Receiving the Comprehensive Annual Financial Report for FY Ending 30 June 2015*. Motion seconded by Council Member Daye, and APPROVED by the following vote: YES: Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons, Daye and Kearney. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 4, p 161)

**Approving an Application to the North Carolina Governor's Highway Safety Program in the Amount of \$12,000 for NC Governor's Highway Safety Program Grant to Fund Police Vehicle Equipment.** (Reference: CAF 15-07; Resolution 15-06)

Interim City Manager Wyatt explained this is a 50/50 grant for the purchase of four (4) In-Car Mobile Video camera systems. The Police department's portion of \$12,000 will come from Federal Asset Forfeiture Funds which are quickly being depleted. Notification of approval is anticipated by 1 July 2015 and will correspond with the City's budget year.

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

Motion was made by Council Member Rainey to approve Resolution 15-06, *Approving an Application to the North Carolina Governor's Highway Safety Program in the Amount of \$12,000 for NC Governor's Highway Safety Program Grant to Fund Police Vehicle Equipment*. Motion seconded by Council Member Kearney, and APPROVED by the following vote: YES: Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons, Daye, Kearney and Coffey. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 4, p 153)

**Naming the Aycock Recreation Center Weight Room in Memory of Former Recreation and Parks Director Ralph Peace.** (Reference: CAF 15-13; Resolution 15-11)

Recreation and Parks Director Vann explained Mr. Peace was the second director of the Recreation and Parks department. During his 26 years of service to the City, Mr. Peace established the Bar Bell Club which won a national title in 1978. The Recreation Advisory Commission unanimously agreed that it is appropriate to name the weight room at the Aycock Center for Mr. Peace.

Mayor O'Geary said he thought this was a wonderful idea. There was no discussion so Mayor O'Geary asked for Council's pleasure.

Motion was made by Council Member Inscoe to approve Resolution 15-11, *Naming the Aycock Recreation Center Weight Room in Memory of Former Recreation and Parks Director Ralph Peace*. Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Rainey, Peace-Jenkins, Daeke, Simmons, Daye, Kearney, Coffey and Inscoe. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 4, p 163)

**Allowing the Corbitt Preservation Association to Assume Responsibility for the Renovation and Maintenance of the Bennett Perry Museum.** (Reference: CAF 15-22; Resolution 15-16)

Interim City Manager Wyatt explained that the Corbitt Preservation Association, which is a 501C3, is willing to take over the project of renovating and maintaining the Bennett Perry Museum. The Association is willing to do this with the understanding that the City will lease the building for \$1.00 per year and will maintain proper insurance. He then asked Council Member Inscoe for additional comments as he has been the point person on this project.

Mr. Inscoe said the Corbitt Association has agreed to renovate and control the museum. He added Mr. Roberson who came before Council in November is on the Corbitt Association's Board and the plan is for the Association to present an annual audit. He said this partnership will put the building to good use as the City does not have the funds to maintain it as a museum.

Council Member Daeke asked about stipulations on the type of museum. City Attorney Edwards said the leasing agreement will incorporate issues such as property use, museum requirements, renovations, maintenance and insurance and will be agreed upon by all parties.

Council Member Rainey said the Corbitt Association has a proven record and feels they will do a good job with the building.

There were no other comments. Mayor O'Geary asked for the pleasure of Council.

Motion was made by Council Member Coffey to approve Resolution 15-16, *Allowing the Corbitt Preservation Association to Assume Responsibility for the Renovation and Maintenance of the Bennett Perry Museum*. Motion seconded by Council Member Peace-Jenkins, and APPROVED by the following vote: YES: Peace-Jenkins, Daeke, Simmons, Daye, Kearney, Coffey, Inscoe and Rainey. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 4, p 173)

**Closing Out the Sanitary Sewer Replacement Project.** (Reference: CAF 15-02; Ordinance 15-01; Budget Amendment #18)

Interim City Manager Wyatt said this officially closes out this project which was approved in October 2010 with a loan from the State in the amount of \$1,000,000 to reduce infiltration/inflow as well as potential sewer overflow. One half (\$500,000) of that loan was in principal forgiveness. The funds were also used for the UV Replacement Project and replacing sewer mains in the Sandy Creek basin, as well as a small portion on Garnett Street.

There were no questions. Mayor O’Geary asked for the pleasure of Council.

Motion was made by Council Member Inscoe to approve Ordinance 15-01, *Closing Out the Sanitary Sewer Replacement Project*. Motion seconded by Council Member Daye, and APPROVED by the following vote: YES: Daeke, Simmons, Daye, Kearney, Coffey, Inscoe, Rainey and Peace-Jenkins. NO: None. ABSTAIN: None. ABSENT: None. (See Ordinance Book 9 p 195)

**Tax Releases and Refunds from Vance County for the Month of December 2014.** (Reference: CAF 14-110) Below are the tax releases and refunds which were found to be in order by the Finance Director for the month of December 2014.

Dec 2014 Tax Releases & Refunds			
Name	Reason	Tax Year	Amount
<b>Real &amp; Personal Property</b>			
<b>Releases</b>			
Taylor, Carrie Mrs.	Taxes Lost to Foreclosure	2003	17.20
Williams, Billy D. Heir	Taxes Lost to Foreclosure	2003	3.05
Taylor, Carrie Mrs.	Taxes Lost to Foreclosure	2004	18.05
Williams, Billy D. Heir	Taxes Lost to Foreclosure	2004	3.20
Taylor, Carrie Mrs.	Taxes Lost to Foreclosure	2005	18.89
Williams, Billy D. Heir	Taxes Lost to Foreclosure	2005	3.35
Taylor, Carrie Mrs.	Taxes Lost to Foreclosure	2006	18.89
Williams, Billy D. Heir	Taxes Lost to Foreclosure	2006	123.35
Taylor, Carrie Mrs.	Taxes Lost to Foreclosure	2007	18.89
Williams, Billy D. Heir	Taxes Lost to Foreclosure	2007	183.35

Taylor, Carrie Mrs.	Taxes Lost to Foreclosure	2008	17.97
Williams, Billy D. Heir	Taxes Lost to Foreclosure	2008	2,509.66
Yarborough, Carolyn A.	Taxes Lost to Foreclosure	2008	54.24
Taylor, Carrie Mrs.	Taxes Lost to Foreclosure	2009	18.60
Williams, Billy D. Heir	Taxes Lost to Foreclosure	2009	34.63
Yarborough, Carolyn A.	Taxes Lost to Foreclosure	2009	56.16
Taylor, Carrie Mrs.	Taxes Lost to Foreclosure	2010	18.60
Williams, Billy D. Heir	Taxes Lost to Foreclosure	2010	34.63
Yarborough, Carolyn A.	Taxes Lost to Foreclosure	2010	56.16
Taylor, Carrie Mrs.	Taxes Lost to Foreclosure	2011	18.57
Williams, Billy D. Heir	Taxes Lost to Foreclosure	2011	34.63
Yarborough, Carolyn A.	Taxes Lost to Foreclosure	2011	3,536.67
Taylor, Carrie Mrs.	Taxes Lost to Foreclosure	2012	18.57
Williams, Billy D. Heir	Taxes Lost to Foreclosure	2012	34.63
Yarborough, Carolyn A.	Taxes Lost to Foreclosure	2012	26.01
Arias, Gabriella	Correct Ownership	2013	(82.21)
Pena, Amada Morales	Correct Ownership	2013	82.21
Taylor, Carrie Mrs.	Taxes Lost to Foreclosure	2013	19.69
Williams, Billy D. Heir	Taxes Lost to Foreclosure	2013	336.70
Yarborough, Carolyn A.	Taxes Lost to Foreclosure	2013	27.57
Arias, Gabriela	Correct Ownership	2014	(82.21)
BB&T Company	Correct Ownership	2014	432.08
Barrett, Marcia L.	Correct Ownership	2014	(432.08)
Hamlett Investments	Correct Value	2014	80.47
Hamlett Investments	Remove Solid Waste Fee	2014	(6.20)
Muzak, LLC	Correct Value	2014	(90.93)
Pena, Amada Morales	Correct Ownership	2014	82.21
Taylor, Carrie Mrs.	Taxes Lost to Foreclosure	2014	19.69
Valdez, Salvador Rodriguez	Correct Value	2014	(52.93)
Williams, Billy D. Heir	Taxes Lost to Foreclosure	2014	36.70
Yarborough, Carolyn A.	Taxes Lost to Foreclosure	2014	27.57
<b>Total R&amp;P Property Releases</b>			<b>7,276.28</b>
<b>Real &amp; Personal Property</b>			
<b>Refunds</b>			
BB&T Company	Correct Value	2010	1,496.08
BB&T Company	Correct Value	2011	1,206.79
BB&T Company	Correct Value	2012	983.28
BB&T Company	Correct Value	2013	805.23
<b>Total R &amp; P Property Refunds</b>			<b>4,491.38</b>
<b>Total R&amp;P Prop. Rel. &amp; Ref.</b>			<b>11,767.66</b>
<b>Vehicle Releases</b>			
Dewell, Teresa Lynn	Pro-Rate	2013	1.75
<b>Total Vehicle Releases</b>			<b>1.75</b>
<b>Vehicle Refunds</b>	None		-
<b>Total Vehicle Refunds</b>			-
<b>Tot. Veh. Rel. &amp; Ref.</b>			<b>1.75</b>
<b>Total All Releases &amp; Refunds Dec 2014</b>			<b>11,769.41</b>

*Minute Book 43*

26 January 2015 Short Regular Meeting and Work Session

Page 7 of 10

There were no questions so Mayor O'Geary asked for Council's pleasure.

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

**Grant Application for Funding Through the NC Governor's Crime Commission Program.**  
(Reference: CAF 15-23, Resolution 15-17)

Interim City Manager Wyatt apologized that Council did not have an opportunity to review this matter before this evening. However, due to the time sensitive nature of this Grant, Chief Barrow requests Council's approval to apply for a grant to purchase five (5) new computer desktop workstations to be assigned as NC Department of Criminal Information (DCI) terminals. The grant will cover 75% of the \$15,000 cost with the City's portion of \$3,750 coming from Federal Asset Forfeiture funds.

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

Motion was made by Council Member Coffey to approve Resolution 15-17, *Grant Application for Funding Through the NC Governor's Crime Commission Program*. Motion seconded by Council Member Daeke, and APPROVED by the following vote: YES: Daye, Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, and Simmons. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 4, p 175)

**PUBLIC COMMENT PERIOD ON AGENDA ITEMS**

The City Clerk advised the Mayor and Council Members that one citizen wished to address to Council.

**Mr. Bryan Hargrove, 78 Jordan Lane** Mr. Hargrove expressed disappointment with the letter he received regarding the findings of his complaint. He said he was never given the opportunity to give his opinion and never received phone calls from City staff. He does not understand how it came to this point as he followed the City guidelines. He said if he did not follow the proper guidelines, the Aycock Recreation facility should never have been reserved. He then thanked Council for returning his calls and thanked them for their time this evening.

**REPORTS**

- a) Mayor/Mayor Pro-Tem(No Report)
- b) City Manager - Mr. Wyatt asked Assistant City Manager Frazier to introduce the new Public Services Director. Mr. Frazier is excited to have Mr. Mike Ross joining the staff as this position has been vacant for many years. Mr. Ross comes from the City of Durham and is well qualified for the position.

Mr. Ross shared briefly his work history and said he is looking forward to working for the City.

In regard to the lack of response to the RFP for soliciting a commercial real estate broker to sell the bank building at 213 Garnett Street, Mr. Wyatt asked Assistant City Manager Frazier to contact agents that are willing to work with the City to sell the property.

c) City Attorney (No Report)

d) City Clerk – Ms. McCrackin said she would distribute the Strategic Planning Retreat information while Council is in Closed Session and specifically mentioned Council may wish to review the responses to the pre-questionnaire before coming to the Retreat January 28 and 29.

## **OTHER**

Council Member Coffey asked Council to consider placing a new flag pole to fly the Purple Heart City flag. She said since Henderson became a Purple Heart City in 2012, it would be appropriate to recognize veterans with this special flag. Mayor O'Geary asked Assistant City Manager Frazier to look into this.

Council Member Peace-Jenkins said she was asked by the new Chairperson of the Human Relations Commission to let Council know he plans to make periodic reports to Council.

There was no further discussion so Mayor O'Geary asked if Council was prepared to go into Closed Session. He said no report is expected.

## **CLOSED SESSION**

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

Following the Closed Session, Council Member Daeke moved for Council to convene in open session. Motion seconded by Council Member Kearney, and unanimously approved.

## **WORK SESSION**

**Amending the Water and Sewer Capital Improvements Plan.** (*Reference: CAF 15-01; Resolution 15-01*)

Assistant City Manager Frazier asked Doug Chapman, from McGill Associates, to briefly review the amendments to the CIP (Capital Improvements Plan). Mr. Chapman began by saying this is the 3<sup>rd</sup> year for the plan which makes the process of planning easier, even if the funding is not so easy. He said the plan predicts the revenue needed for the next ten years which needs to be adjusted over time. He added the Plan takes into consideration debt service and how to best

utilize funds as old projects are completed. Mr. Chapman reminded Council that this is a forecast and is not set in stone.

Mayor O'Geary thanked Mr. Chapman for the overview.

Council Member Inscoe asked if the IBT Permit is granted, if there is a specific time frame for the City to act. Mr. Chapman responded he did not know of any timeframe that would be triggered when the permit is issued.

Council Member Daeke asked if there was anything in the Plan regarding work in the ETJ/US158 in conjunction with the County water line requests. Mr. Chapman said there is approximately \$660,000 for a project from Ruin Creek to Poplar that has not been approved and that the Plan does include some general funds for unexpected projects.

Council Member Kearney commented that the Plan can be adjusted as Council sets its priorities. Mr. Chapman said there are always exceptions.

With no further questions, Mayor O'Geary thanked Mr. Chapman. Assistant City Manager Frazier said this will be brought back before Council after they have time to review the Plan.

With no further business, Mayor O'Geary asked if Council was prepared to adjourn.

#### **ADJOURNMENT**

Council Member Coffey moved for adjournment. Motion seconded by Council Member Kearney, and unanimously approved. The meeting adjourned at 8:19 p.m.

---

James D. O'Geary  
Mayor

***ATTEST:***

---

Esther J. McCrackin  
City Clerk