



AGENDA

Henderson City Council Regular Meeting

Monday 11 July 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. Inscoc
Councilmember D. Michael Rainey

Councilmember Melissa Elliott
Councilmember Garry D. Daeke
Councilmember Fearldine A. Simmons
Councilmember George M. Daye

City Officials

Frank Frazier, City Manager
D. Rix Edwards, City Attorney
Esther J. McCrackin, City Clerk

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. INVOCATION AND PLEDGE OF ALLEGIANCE**
- IV. OPENING REMARKS**

In order to provide for the highest standards of ethical behavior and Transparency in Governance as well as provide for good and open government, the City Council has approved Core Values regarding Ethical 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) 13 June 2016 Regular Meeting [See Notebook Tab 1]

VII. PRESENTATIONS/RECOGNITIONS

- a) Duke Energy Neighborhood Energy Savers Program – Evans Taylor
- b) Retirees Tom Spain and Gene Roberts
- c) Medal Presentations – Fire Chief Steve Cordell

VIII. PUBLIC HEARING

- a) Consideration of 1) Holding a Public Hearing on the Question of Annexation for LIDL, Pursuant to North Carolina General Statute 160-A-31 and 2) Consideration of Approval of Ordinance 16-21, 1) Extending the Corporate Limits of the City of Henderson, North Carolina; and 2) Assignment of Newly Annexed Area to Ward 2 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 16-68-B) [See Notebook Tab 2]

- Ordinance 16-21

IX. PUBLIC COMMENT PERIOD ON AGENDA ITEMS

Citizens may only speak on Agenda items at this time. Citizens wishing to address the Council must sign-in on a form provided by the City Clerk prior to the beginning of the meeting. The sign-in form is located on the podium. When recognized by the Mayor, come forward to the podium, state your name, address and if you are a city resident. Please review the Citizen Comment Guidelines that are provided below.³

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.

X. NEW BUSINESS

- a)** Consideration of Approval of Resolution 16-23, Authorizing the Execution of an Engineering Contract to Sturgill Engineering for the Design and Bidding of a New SCADA System for the Kerr Lake Regional Water Facility. (CAF 16-40) [See Notebook Tab 3]
- Resolution 16-23
- b)** Consideration of Approval of 1) Resolution 16-52, Establishing a Special Events Manual, Permit and Application Guide, and 2) Ordinance 16-22, Revising the Schedule of Fees to Include the Special Events Application Fee. (CAF 16-04) [See Notebook Tab 4]
- Resolution 16-552
 - Ordinance 16-22
- c)** Consideration of Approval of Ordinance 16-14, Converting Nine 1½ Hour Parking Spaces to 2 Hour, and Converting One 2 Hour Parking Space on Garnett Street to Loading Zone and One to a Handicap Parking Space. (CAF 16-60-A) [See Notebook Tab 5]
- Ordinance 16-14
- d)** Consideration of Approval of 1) Resolution 16-53, Authorizing the Execution of an Engineering Contract in the Amount of \$29,300 to CH2M Hill for a NC Connect Fund and Drinking Water State Revolving Fund (DWSRF) Application and a Level 1 Detailed Cost Estimate for the 20 MGD Plant Upgrade; and 2) Ordinance 16-05, FY17 BA #3, Establishing the Budget for Said Project. (CAF 16-80) [See Notebook Tab 6]
- Resolution 16-53
 - Ordinance 16-05
- e)** Consideration of Approval of 1) Resolution 16-54, Approval of Amendment #1 to the Engineering Contract with McGill Associates Relative to the Elmwood Sanitary Sewer Project; and 2) Ordinance 16-24, FY17, Budget Amendment #2, Authorizing the Appropriation of \$10,000 from the Contingency Line to the Engineering Design Line of the Elmwood Sanitary Sewer Project. (CAF 16-51) [See Notebook Tab 7]
- Resolution 16-55
 - Ordinance 16-51

- f) Consideration of Approval of Resolution 16-55, Appointments to the Perry Memorial Library Board of Trustees, Planning Board, Board of Adjustment, Henderson-Vance Economic Development Commission, and Henderson-Vance Recreation and Parks Commission. (CAF 16-82) [See Notebook Tab 8]
- Resolution 16-55
- g) Consideration of Approval of 1) Resolution 16-56, Authorizing the Execution of a Contract with Kilian Engineering Inc. for Service Related to Renovations of the Former Municipal/Police Station and Fire Department, Station #2; and 2) Ordinance 16-26, FY17, Budget Amendment #4 Establishing a CIP Budget for Said Project. (CAF 16-83) [See Notebook Tab 9]
- Resolution 16-56
 - Ordinance 16-26
- h) Consideration of Approval of Resolution 16-50, Awarding of FY16 Audit Contract Between the City of Henderson and William L. Stark and Company to Conduct the Annual Audit for Fiscal Year 2015-2016. (CAF 16-78) [See Notebook Tab 10]
- Resolution 16-50
- i) Consideration of Approval of Ordinance 16-27, FY17, Budget Amendment #5, Establishing the CIP Budget for a NC Rural Industrial Development Grant Project Relative to a Water and Sewer Main Extension for a Henderson-Vance Industrial Park Property. (CAF 16-84) [See Notebook Tab 11]
- Ordinance 16-27

CONSENT AGENDA

All matters listed under the Consent Agenda have either been previously discussed by City Council during a previous meeting and/or are considered in the ordinary course of business by the City Council and will be enacted-on by one motion and a roll call vote in the form listed. If discussion is desired by either the Council or the Audience, the item in question will be removed from the Consent Agenda and considered separately after the revised consent agenda has been approved.

- a) Consideration of Approval of 1) Resolution 16-36-A, Ratifying Acceptance of the Carolina Panthers 2016 Challenger Flag Football League Grant Award, and 2) Ordinance 16-23, FY16, Budget Amendment #4, Amending the Budget for the Funding of Said Grant and Receipt of Funds. (CAF 16-61-A) [See Notebook Tab 12]
- Resolution 16-36-A
 - Ordinance 16-23

- b) Consideration of Approval of Resolution 16-51, Re-Adopting the Procurement Plan and the Equal Opportunity Plan for NC Department of Environment Quality (NCDEQ) Division of Water Infrastructure; CDBG Infrastructure Project 14-I-2658 (Newton Dairy Road/Birch and Bobbitt Street Sewer Extension Project). (CAF 16-79) [See Notebook Tab 13]

- Resolution 16-51

- c) Consideration of Approval of Ordinance 16-25, Amending the FY 15-16 Budget as Part of the Year Ending Budget Reconciliation Process, Budget Amendment #22. (CAF 16-81) [See Notebook Tab 14]

- Ordinance 16-25

XI. 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

XII. REPORTS

- a) Mayor/Mayor Pro-Tem (No Report)
b) City Manager (No Report)
c) City Attorney (No Report)
d) City Clerk
- Meeting and Events Calendar [See Notebook Tab 15]
 - E-911 Monthly Report

XIII. WORK SESSION

- a) Discussion Relative to Dabney Drive Water Main Break [No Materials for Distribution]

XIV. ADJOURNMENT

⁴ 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.

City Council Minutes - DRAFT
Regular Meeting
11 July 2016

PRESENT

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

ABSENT

None.

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, Kerr Lake Regional Water Director Christy Lipscomb, Human Resources Director Cathy Brown, Interim Henderson Water Reclamation Director Lamont Allen and the Fire Department was represented by Assistant Chief Curtis Tyndall, Battalion Chiefs Jimmy Owen and Joel Bartholomew, Lieutenant Jeremy Turner, Fire Engineers Cory Adams and Harvey Grim, Interim Fire Engineer Mike Pulley, and Firefighters Quentin Brown, Dillan Dickerson, Charlie Rogers and Masten Carr

CALL TO ORDER

The 11 July 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 welcomed a full house saying he was glad to see so many citizens present.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor Ellington asked if there were any adjustments to the Agenda. Council Member Rainey moved to accept the Agenda as presented. 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 Coffey moved the approval of the 13 June, 2016 Regular Meeting minutes as presented. Motion seconded by Council Member Daye, and unanimously approved.

PRESENTATIONS/RECOGNITIONS

City Manager Frazier introduced Mr. Evans Taylor from Duke Progress Energy who gave a brief report using a PowerPoint presentation to introduce the Neighborhood Energy Savers Program and how it will be marketed to Henderson residents. Letters will be sent to approximately 1,500 residents informing them of the program and how they can become recipients of free energy saving items such as air filters, weatherstripping, and compact fluorescent lights to name a few.

Next Mayor Ellington planned to recognize two retirees: Tom Spain, HWRF Director who retired June 30th after 35+ years and Gene Roberts, who also retired June 30th after 12 years of service. However neither retiree was able to attend.

The last presentation was made by Fire Chief Steve Cordell. Chief Cordell presented three Medals of Honor: The Award of Valor was presented to Interim Fire Engineer Mike Pulley and the Award of Merit was presented to Battalion Chief Joel Bartholomew and Firefighter Quentin Brown. These three gentlemen, along with the Vance County Rescue Squad, Vance County EMS and the Vance County Fire Department successfully rescued a citizen trapped in a grain bin. Without the City of Henderson's ladder truck and the excellent sight unseen manipulation of the ladder, it is doubtful the rescue would have been successful. Chief Cordell clearly proclaimed how proud he is of not only these three individuals but of his entire department.

PUBLIC HEARING

Holding a Public Hearing on the Question of Annexation for LIDL, Pursuant to North Carolina General Statute 160-A-31 and 2) Consideration of Approval of Ordinance 16-21, 1) Extending the Corporate Limits of the City of Henderson, North Carolina; and 2) Assignment of Newly Annexed Area to Ward 2 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. (Reference: CAF 16-68-B; Ordinance 16-21)

City Manager Frazier explained as the next step in annexation, a public hearing is required and added a copy of an annexation report was included with this CAF. After the hearing, if Council approves, the annexation will become official as of this date.

With no discussion, Mayor Ellington opened the Public Hearing by asking if anyone was present who wished to speak in favor of this amendment. No one came forward so Mayor Ellington then asked if anyone was present who wished to speak in opposition to the amendment. No one came forward so Mayor Ellington closed the Public Hearing and asked how Council would like to proceed.

Council Member Inscoe moved the approval of Ordinance 16-21, *Holding a Public Hearing on the Question of Annexation for LIDL, Pursuant to North Carolina General Statute 160-A-31 and 2) Consideration of Approval of Ordinance 16-21, 1) Extending the Corporate Limits of the City of Henderson, North Carolina; and 2) Assignment of Newly Annexed Area to Ward 2 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. Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Williams, Coffey, Inscoe, Rainey, Elliott, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None. (See Ordinance Book 9, p 347)*

PUBLIC COMMENT PERIOD ON AGENDA ITEMS

City Clerk McCrackin advised no citizens wished to address Council.

NEW BUSINESS

Authorizing the Execution of an Engineering Contract to Sturgill Engineering for the Design and Bidding of a New SCADA System for the Kerr Lake Regional Water Facility.
(Reference: CAF 16-40, Resolution 16-23)

City Manager Frazier said funding for this upgrade has been set aside and with approval, Staff is prepared to move forward with this project. He then asked Kerr Lake Regional Water Director Christy Lipscomb to present this request in detail. Ms. Lipscomb explained the current SCADA system was installed in 1996 and the company that installed the system is no longer reliable. Sturgill Engineering has submitted a proposal for the design and bidding process of a new system that will not be proprietary and will be capable of handling changes and/or additions when the plant upgrade is started. The KLRWS Advisory Board has agreed there is a need to replace the SCADA system and \$520,000 was originally budgeted in FY16 and was then moved to a CIP project budget.

As Chairperson of the KLRWS Advisory Board, Mr. Inscoe said the current SCADA system is proprietary, and City Manager Frazier added a key component of the contract is that the City obtains a nonproprietary system and one that can be worked by different vendors as needed.

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

Council Member Elliott moved the approval of Resolution 16-23, *Authorizing the Execution of an Engineering Contract to Sturgill Engineering for the Design and Bidding of a New SCADA System for the Kerr Lake Regional Water Facility*. Motion seconded by Council Member Coffey and APPROVED by the following vote: YES: Coffey, Inscoe, Rainey, Elliott, Daeke, Simmons, Daye and Williams. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 5, p 45)

Establishing a Special Events Manual, Permit and Application Guide, and Revising the Schedule of Fees to Include the Special Events Application Fee. (Reference: CAF 16-04; Resolution 16-52, Ordinance 16-22 Budget Amendment #6)

City Manager Frazier asked Assistant to the City Manager Paylor Spruill to explain this item. Mr. Spruill said this manual is a tool to handle requests and to set forth a procedure for street closings. This manual is a compilation of input from several departments that are affected by street closings. Mr. Spruill said the manual provides options for yearly events.

Council Member Inscoe asked how the fee was set and how it compares to surrounding cities. Mr. Frazier said no comparisons relative to this fee were done and Mr. Spruill added the \$25.00 fee does not include inspection fees. Mr. Inscoe would like to see what fees other cities have in place for street closings. Council Member Coffey asked is the fee is refundable if the event is denied. Mr. Spruill said it is a non-refundable fee. Council Member Rainey asked if a fee could be set based on the size of the event and if could be based on the number of participants or visitors. Council Member Daeke wondered if the manual is too cumbersome for smaller events and Council Member Simmons asked how this procedure would affect prayer events. Council Member Williams questioned who determines whether an event is approved. Mr. Frazier stated the City Manager ultimately approves each request with input from Department Directors.

Following this discussion it was determined that this should be tabled until the August meeting so staff can compile examples of how the process will work and what fees are being charged by other cities. Mayor Ellington asked Council if this was how it wished to proceed and the consensus was as follows: YES: Williams, Coffey, Inscoe, Rainey, Elliott, Daeke, Simmons and Daye.

Converting Nine 1½ Hour Parking Spaces to 2 Hour and Converting One 2 Hour Parking Space on Garnett Street to a Loading Zone and one to a Handicap Parking Space. (Reference: CAF 16-60-A; Ordinance 16-14)

Assistant to the City Manager Paylor Spruill explained this request. Mr. Spruill said the manager of the office supply store is agreeable to making the loading zone at the corner of Breckenridge and Garnett available to the general public after 11:00 a.m. Monday – Friday. It was stated that the loading zone is available for anyone making deliveries. This would free up the space for restaurant patrons and other shops for the rest of the day. Mr. Spruill said one of the reasons for keeping the loading zone in this specific location is the existing ramp and also the ease of trucks getting into that specific spot. He said the handicap parking space will be at the corner of W. Orange and Garnett, in front of what is now the *Marketplace*.

Council Member Williams asked about a handicap parking space in front of the Senior Center. Mr. Spruill said the Center only requested two hour parking as many of its events last more than 90 minutes. Mr. Frazier explained there is no ramp on Garnett Street that would make a handicap parking space feasible and added there is handicap parking in the back of the Senior Center.

There was a general discussion about how the loading zone would be marked so citizens would know they are able to park in that space after 11:00 a.m. and at that time it reverts back to a 90 minute parking space.

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

Council Member Rainey moved the approval of Ordinance 16-14, *Converting Nine 1½ Hour Parking Spaces to 2 Hour and Converting One 2 Hour Parking Space on Garnett Street to a Loading Zone and one to a Handicap Parking Space*. Motion seconded by Council Member Williams, and APPROVED by the following vote: YES: Rainey, Elliott, Daeke, Simmons, Daye, Williams Coffey and Inscoe. NO: None. ABSTAIN: None. ABSENT: None. (See Ordinance Book 9, p 333)

Council Member Inscoe asked the City Manager to survey the City for signage that is no longer applicable.

Authorizing the Execution of an Engineering Contract in the Amount of \$29,300 to CH2M Hill for a NC Connect Fund and Drinking Water State Revolving Fund (DWSRF) Application, a Level 1 Detailed Cost Estimate for the 20MGD Plant Upgrade and a Level 1 Detailed Cost Estimate for the 20MGD Plant Upgrade; and Establishing the Budget for Said Project. (Reference: CAF 16-80; Resolution 16-53, Ordinance 16-05, Budget Amendment #3)

City Manager Frazier asked Engineering Director Clark Thomas to provide details of this request. Mr. Thomas said the 20MGD Interbasin Transfer has been approved and possible funding may become available through bonds or low interest funds. However, there are three entities that will be involved with the upgrade and since CH2M Hill is familiar with all entities it has been determined their knowledge and assistance will be important in helping to structure the application so that the City will be competitive in obtain funds to expand the plant.

Council Member Inscoe asked if a deadline is known for awarding the NC Connect funds. Mr. Thomas said the application process is not complete so there is no deadline known at this time and he added CH2M Hill will be assisting in the grant application process for both funds.

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

Council Member Elliott moved the approval of Resolution 16-53, *Authorizing the Execution of an Engineering Contract in the Amount of \$29,300 to CH2M Hill for a NC Connect Fund and Drinking Water State Revolving Fund (DWSRF) Application, and a Level 1 Detailed Cost Estimate for the 20MGD Plant Upgrade; and Ordinance 16-05, Establishing the Budget for Said Project*. Motion seconded by Council Member Inscoe, and APPROVED by the following vote:

YES: Elliott, Daeke, Simmons, Daye, Williams, Coffey, Inscoe and Rainey. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 5, p 105, Ordinance Book 9, p 315)

Approval of Amendment #1 to the Engineering Contract with McGill Associates Relative to the Elmwood Sanitary Sewer Project; and Authorizing the Appropriation of \$10,000 from the Contingency Line to the Engineering Design Line of the Elmwood Sanitary Sewer Project. (Reference: CAF 16-51; Resolution 16-54, Ordinance 16-24, Budget Amendment #2)

City Manager Frazier reminded Council that bids for this project came in way over budget. Staff has been working to formulate a plan to redesign the project. Mr. Frazier then asked Mr. Doug Chapman from McGill to explain further. Mr. Chapman explained the project would be divided into three divisions with other moderate changes for rebidding.

There was a lengthy discussion about whether doing the project in sections is feasible and cost effective, and whether spending \$10,000 to formulate a three part plan is justified. Mr. Chapman said the project is well over the deadline for awarding bids but said the State is aware that the bids came in way over budget. After discussion, Council expressed a desire to rebid the project as it was originally designed to see how the bids may differ from what was submitted previously. Mr. Frazier reminded Council that the additional cost was allowable in their contract; however, Council stated that the City did not have to agree with the amount.

Council Member Daeke made a motion to NOT move forward with Amendment #1 to the Engineering Contract with McGill Associates Relative to the Elmwood Sanitary Sewer Project and to rebid the project as a whole. Mayor Ellington asked Council if this was how they wished to proceed and the consensus was as follows: YES: Williams, Coffey, Inscoe, Rainey, Elliott, Daeke, Simmons and Daye.

Appointments to the Perry Memorial Library Board of Trustees, Planning Board, Board of Adjustment, Henderson-Vance Economic Development Commission and Henderson-Vance Recreation and Parks Commission. (Reference: CAF 16-82, Resolution 16-55)

City Manager Frazier explained the Boards and Commissions Committee met on July 7th. The consensus of that meeting was to re-appoint Diane Davis to the Perry Memorial Library Board of Trustees; Jimmy Ayscue to the Planning Board; Horace Bullock to the Board of Adjustment; Robert Herford to the Henderson-Vance Economic Development Commission and Hilda Delbridge to the Henderson-Vance Recreation and Parks Commission. It was also the consensus of the Committee to appoint Salonia House to the Henderson-Vance Recreation and Parks Commission. All of these appointments were for three-year terms.

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

Council Member Elliott moved the approval of Resolution 16-55, *Appointments to the Perry Memorial Library Board of Trustees, Planning Board, Board of Adjustment, Henderson-Vance Economic Development Commission and Henderson-Vance Recreation and Parks Commission*. Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Daeke, Simmons, Daye, Williams, Coffey, Inscoe, Rainey and Elliott. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 5, p 109)

Authorizing the Execution of a Contract with Kilian Engineering Inc. for Service Related to Renovations of the Former Municipal/Police Station and Fire Department, Station #2; and Establishing a CIP Budget for Said Project. (Reference: CAF 16-83; Resolution 16-56, Ordinance 16-26, Budget Amendment #4)

City Manager Frazier said the Land Planning Committee met and its recommendation is to proceed with this contract with Kilian Engineering for renovations of the former municipal/police station attached to Fire Station #2 on Garnett Street. Mr. Frazier added, at the request of the Committee Kilian has agreed to design sub-meter units (if needed) at no additional cost. The funding for this project is in the FY16-17 Public Buildings budget and notices to banks have been sent relative requesting bids. Mr. Frazier said the LGC will need to approve this project.

Council Member Inscoe asked when RFPs will go out. Mr. Spruill responded within the next 2-3 weeks.

Mayor Ellington now asked Council how they wished to proceed.

Council Member Coffey moved the approval of Resolution 16-56, *Authorizing the Execution of a Contract with Kilian Engineering Inc. for Service Related to Renovations of the Former Municipal/Police Station and Fire Department, Station #2 and Establishing a CIP Budget for Said Project.* Motion seconded by Council Member Inscoe, and APPROVED by the following vote: YES: Daye, Williams, Coffey, Inscoe, Rainey, Elliott, Daeke, and Simmons. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 5, p 111, Ordinance Book 9, p 357)

Awarding of FY 16 Audit Contract Between the City of Henderson and William L. Stark and Company to Conduct the Annual Audit for Fiscal Year 2015-2016. (Reference: CAF 16-78; Resolution 16-50)

City Manager Frazier said this is the second year of a three-year agreement with William L. Stark and Company to perform the yearly audit. This agreement allows for a 5% increase each year and the LGC needs to approve this contract.

Overall Council was not pleased with the 5% annual increase and asked the City Manager to express their displeasure to William L. Stark and Company. They also said the next contract needs to be for a set price over the period of the agreement. Council felt the audit work should become easier with each year; therefore, the price should not increase dramatically. The City Manager and Finance Director will discuss this with Mr. Averette with Stark & Company.

Mayor Ellington asked Council how they wished to proceed.

Council Member Rainey moved the approval of Resolution 16-50, *Awarding of FY 16 Audit Contract Between the City of Henderson and William L. Stark and Company to Conduct the Annual Audit for Fiscal Year 2015-2016.* Motion seconded by Council Member Simmons, and APPROVED by the following vote: YES: Williams, Coffey, Inscoe, Rainey, Elliott, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 5, p 99)

Establishing the CIP Budget for a NC Rural Industrial Development Grant Project Relative to a Water and Sewer Main Extension for a Henderson-Vance Industrial Park Property. (Reference: CAF 16-84, Ordinance 16-27)

City Manager Frazier reminded Council that this grant was originally approved by the State for a specific business. When the business decided not to expand, the State offered the grant so the City can be prepared for future prospects.

Council Member Inscoe asked when this will go out for bid. Engineering Director Thomas said with the next 2-3 months.

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

Council Member Daeke moved the approval of Ordinance 16-27, *Establishing the CIP Budget for a NC Rural Industrial Development Grant Project Relative to a Water and Sewer Main Extension for a Henderson-Vance Industrial Park Property*. Motion seconded by Council Member Daye, and APPROVED by the following vote: YES: Coffey, Inscoe, Rainey, Elliott, Daeke, Simmons, Daye and Williams. NO: None. ABSTAIN: None. ABSENT: None. (See *Ordinance Book 9, p 359*)

CONSENT AGENDA

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

Acceptance of the Carolina Panthers 2016 Challenger Flag Football League Grant Award and Amending the Budget for the Funding of Said Grant and Receipt of Funds. (Reference: CAF 16-61-A; Resolution 16-36-A, Ordinance 16-23, Budget Amendment #4) Acceptance of this grant from the Carolina Panthers Charities will allow the Recreation & Parks Dept. to continue to offer flag football programs to children and young adults with disabilities. (See *Resolution Book 5, p 71-A, Ordinance Book 9, p 351*)

Re-Adoption of Procurement Plan and the Equal Opportunity Plan for NC Department of Environment Quality (NCDEQ) Division of Water Infrastructure: CDBG Infrastructure Project 14-I-2658 (Newton Dairy Road/Birch and Bobbitt Street Sewer Extension Project)/ (Reference: CAF 16-79, Resolution 16-51) The funding agency requires an updated Procurement and Equal Employment Opportunity Plan prior to awarding a construction contract. (See *Resolution Book 5, p 101*)

Amending the FY 15-16 Budget as Part of the Year Ending Budget Reconciliation Process. (Reference: CAF 16-81, Ordinance 16-25, Budget Amendment #22) This action reconciles the General, Water and Sewer funds in preparation for the annual audit. (See *Ordinance Book 9, p 355*)

Mayor Ellington asked if anyone wished to remove an item from the Consent Agenda. There were no requests so Mayor Ellington asked for how Council wished to proceed.

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

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

City Clerk McCrackin advised two citizens wished to address Council.

James H. Henderson, 923 N. Pinkston Street Mr. Henderson came to Council to address speeding issues on Pinkston Street and Farrar Street to request signage and/or speed bumps.

Chief Barrow said the speed trailer data indicates speeders and it was agreed that a Public Safety Meeting would be set up to discuss the issue. Council Member Daeke commented on the problems with speed bumps. There was also discussion about people running 4-way stops and whether roundabouts would be effective. The City Clerk will set up the Public Safety meeting and the City Manager will report its findings back to Mr. Henderson.

Mark Sanders, 516 Birch Circle Mr. Sanders came before Council in May so he could make an informed decision about water problems on his property. Although he feels more should be done, he thanked the City collectively for the improvements it has made. He also thanked the City for the new LED streetlight.

Council Member Rainey thanked Mr. Sanders for his positive comments.

Ardis Crews, 424 Hamilton Street Ms. Crews came before Council to give an update on Rural Green Gardens. She brought with her many citizens from the Latino community who are participating in the program. She also said this program is receiving national attention as this is not normally seen in a community as small as Henderson. Then Ms. Crews asked for Council's permission for two of the participants to address Council.

Ms. Suzy Geronimo and Ms. Xochith Hernandez both expressed their thanks to Council for allowing vacant lots to be used for growing vegetables and Council was invited to a luncheon this Friday, at the Family Resource Center on the corner of Andrews and Chestnut, to partake of the bounty from these gardens.

REPORTS

- a) Mayor/Mayor Pro-Tem – Mayor Pro-Tem Rainey has been approached by a Kerr Lake State Park Ranger about the possibility of Henderson being recognized as a *Tree City*. He said he will bring details to Council as they become available. Mr. Rainey asked the City Manager to look into the corner of Granite Street and Chestnut Street.

Mayor Ellington reported on two proclamations: Gerald Alston Day June 18th and Henderson's 175th anniversary proclamation presented during the July 4th parade. Mayor

Ellington said Mr. Alston said the proclamation from his home town was one of the most meaningful awards he has received over the years. The Mayor also thanked the Police for allowing him to use the City's golf cart in the parade.

b) City Manager - Mr. Frazier had several items to report:

- i. Housing Issue – The Mayor and City Manager are finalizing a cross section of citizens to serve on this committee and the results will be brought to Council at its August meeting.
- ii. Land Planning Committee has asked the City Attorney to draft a lease for Rural Green Gardens which will be presented to Council at its August meeting.
- iii. Birch/Bobbitt streets – There will be a meeting with residents at City Hall regarding possible voluntary annexation this Wednesday evening.
- iv. A positive response has been received from Weybosset Road residents and a meeting has been set at City Hall on July 27th for further discussions relative to a possible water main extension into the area.
- v. An employee turnover report requested by Council will be coming soon from the Human Resources Department
- vi. The street sweeper should be back in service by the end of the week.
- vii. A memo listing items going to GovDeal was distributed this evening for Council's Review.
- viii. Mr. Frazier asked Recreation and Parks Director Kendrick Vann to give a brief summary of the Babe Ruth Tournament that took place the end of June. Mr. Vann said 35 teams from across North Carolina participated and although the profit was not as great as he would have liked, it was a success and brought substantial dollars to the community. Mr. Vann specifically thanked Program Supervisor Steve Osborne and the ground crew for making the event successful.

c) City Attorney (No Report)

d) City Clerk - Fire Chief Cordell has reworked the department's monthly report for more clarity. If Council would like any changes to the report, they should contact the Chief.

OTHER:

Council Member Simmons expressed concern to the Police Chief about "weaving" vehicles. She also mentioned the need for taboo issues to become open issues to avoid tragedies like have happened in many cities across this country. She said dialogue needs to be developed between young men and mentioned her pleasure in seeing events such as Fishing with a Cop. Chief Barrow said he, along with his Captains and officers have been working hard to "mend and heal"; they have talked with various groups such as the Boys and Girls Club, church groups and schools. He said his officers are doing a lot that citizens are unaware of and will continue their efforts to unify the city. He added there are no taboo subjects for him or his officers and they are always open for dialogue with anyone.

Council Member Coffey asked about the flashing lights at the corner of Young and Chestnut. Mr. Frazier will follow up on this.

Council Member Inscoe asked about an update on properties to be demolished. City Manager Frazier stated that bids have been received for the 23-24 properties to be demolished.

Council Member Daeke said he appreciates the Fire Department burning several structures and asked if there are plans to have the debris removed. Mr. Frazier said the debris will be removed.

WORK SESSION

Mr. Frazier asked for guidance from Council on how to proceed regarding a possible water main extension along Beckford Drive, in light of the recent water main break on Dabney/Beckford Drive. He said the Public Services crew did an excellent job of repairing and repaving the break; however, this is the third time in three years there has been a major break which affects the continuity of service to many businesses, including the dialysis center. Mr. Frazier said the design and permits were approved a while ago and the approximate cost of looping the system along Beckford Drive is \$175,000 to \$200,000. Depending on Council's guidance these funds would come from Rate Stabilization.

Council Member Inscoe felt this project is a higher priority than the Elmwood Cemetery project discussed earlier this evening. Mr. Inscoe asked about the widening project on Beckford. Mr. Frazier said it would actually help that project in being able to isolate the water on both sides of a proposed new culvert replacement. Council Members Coffey and Daeke agreed with Mr. Inscoe about the project priority.

Mayor Ellington called for a consensus as to whether Council would like to move forward with this project and the results are as follows: YES: Williams, Coffey, Inscoe, Rainey, Elliott, Daeke, Simmons and Daye.

Mayor Ellington asked if there was anything further Council wished to discuss or if they were prepared to adjourn.

ADJOURNMENT

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

Eddie Ellington
Mayor

ATTEST:

Esther J. McCrackin, City Clerk