



## **AGENDA**

**Henderson City Council Regular Meeting**

**Monday 13 March 2017, 6:00 p.m.**

**R. G. (Chick) Young, Jr. Council Chambers, Municipal Building  
134 Rose Avenue  
Henderson, North Carolina**

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

Mayor Eddie Ellington, Presiding

Councilmember Marion B. Williams  
Councilmember Sara M. Coffey  
Councilmember Michael C. Inscoe  
Councilmember D. Michael Rainey

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

### **City Officials**

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

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

In order to provide for the highest standards of ethical behavior and Transparency in Governance as well as provide for good and open government, the City Council has approved Core Values regarding Ethical Behavior<sup>1</sup> and Transparency in Governance<sup>2</sup>. The Mayor now inquires as to whether any Council Member knows of any conflict of interest, or appearance of conflict, with respect to matters before the City Council. If any Council Members knows of a conflict of interest, or appearance of conflict, please state so at this time.

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<sup>1</sup> **Core Value 4: Ethical Behavior:** We value the public trust and will perform our duties and responsibilities with the highest levels of integrity, honesty, trustworthiness and professionalism.

<sup>2</sup> **Core Value 10: Transparency in Governance:** We value transparency in the governance and operations of the City.

**V. ADJUSTMENTS TO AND/OR APPROVAL OF THE AGENDA**

**VI. APPROVAL OF MINUTES**

- a) 13 February 2017 Regular Meeting [See Notebook Tab 1]*

**VII. PRESENTATIONS & RECOGNITIONS**

- a) Henderson-Vance Downtown Development Commission (Carolyn Powell)*

**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. OLD BUSINESS**

- a) Consideration of Approval of Resolution 17-11, Approving the Submittal of a Grant Application to the North Carolina Forest Service as Administrator for the Urban Community Forestry Grant Program. (CAF 17-14) [See Notebook Tab 2]*

- Resolution 17-11

**X. NEW BUSINESS**

- a) Consideration of Approval of Resolution 17-14, Awarding the Proposed Henderson Pavement Overlay Project 2016 to S.T. Wooten in the Amount of \$200,000. (CAF 17-18) [See Notebook Tab 3]*

- Resolution 17-14

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<sup>3</sup> **Citizen Comment Guidelines for Agenda Items**

The Mayor and City Council welcome and encourage citizens to attend City Council meetings and to offer comments on matters of concern to them. Citizens are requested to review the following public comment guidelines prior to addressing the City Council.

- 1) Citizens are requested to limit their comments to five minutes; however, the Mayor, at his discretion, may limit comments to three minutes should there appear to be a large number of people wishing to address the Council;
- 2) Comments should be presented in a civil manner and be non-personal in nature, fact-based and issue oriented. Except for the public hearing comment period, citizens must speak for themselves during the public comment periods;
- 3) Citizens may not yield their time to another person;
- 4) Topics requiring further investigation will be referred to the appropriate city official, Council Committee or agency and may, if in order, be scheduled for a future meeting agenda;
- 5) Individual personnel issues are confidential by law and will not be discussed. Complaints relative to specific individuals are to be directed to the City Manager;
- 6) Comments involving matters related to an on-going police investigative matter and/or the court system will not be permitted; and
- 7) Citizens should not expect specific Council action, deliberation and/or comment on subject matter brought up during the public comment section unless and until it has been scheduled as a business item on a future meeting agenda.

- b)* Consideration of Approval of Resolution 17-23, Accepting a Grant/Loan from DWSRF for the Kerr Lake Regional Water System Plant Improvement Project and Requesting the Project be Converted to an Expansion Project. (CAF 17-30) [See Notebook Tab 4]
- Resolution 17-23
- c)* Consideration of Approval of Resolution 17-21, Placing Perpetual Land Use Restrictions on the Old City Landfill Property Described in Deed Book 347, Page 442 of the Vance County Registry. (CAF 17-28) [See Notebook Tab 5]
- Resolution 17-21
- d)* Consideration of Approval of Resolution 17-18, Directing the Clerk for the City of Henderson, North Carolina (City) to Investigate the Sufficiency of Numerous Contiguous Annexation Petitions of Properties on Birch and Bobbitt Street. (CAF 17-23) [See Notebook Tab 6]
- Resolution 17-18
- e)* Consideration of Approval of Resolution 17-22, Designating Birch (SR1194), Bobbitt (SR1192) and N. Pine Street (SR 1193) City Maintained Streets. (CAF 17-29) [See Notebook Tab 7]
- Resolution 17-22
- f)* Consideration of Approval of Ordinance 17-11, FY17 BA #26, Authorizing the Transfer of Reserve Funds to Demolish Several Jointly Owned Properties. (CAF 17-31) [See Notebook Tab 8]
- Ordinance 17-11
- g)* Consideration of Approval of Resolution 17-24, Providing for the Disposition of Two Jointly Held Properties by the City and County Otherwise Identified in the Vance County Registry as 416 Harriett Street, Parcel ID # 0091 04024 & 1324 Hargrove Street, Parcel ID # 0006 06003. (CAF 17-32) [See Notebook Tab 9]
- Resolution 17-24

## **XI. CONSENT AGENDA**

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

- a) Consideration of Approval of Resolution 17-17, Providing for the Appointment of a Deputy City Clerk. (CAF 17-22) [See Notebook Tab 10]
  - Resolution 17-17
- b) Consideration of Approval of 1) Resolution 17-08, Approving the Customer Service Policy; and 2) Ordinance 17-06, Amending City Code Section 15-33 and Revising Annual Schedule of Fees to Reflect Revised Set Up Fee Policy. (CAF 17-11) [See Notebook Tab 11]
  - Resolution 17-08
  - Ordinance 17-06
- c) Consideration of Approval of Resolution 17-20, Approving FY17-18 Budget Review Calendar and Scheduling of Special Council Budget Work Sessions. (CAF 17-25) [See Notebook Tab 12]
  - Resolution 17-20
- d) Consideration of Approval of Resolution 17-19, 1) Approving the Agreement Setting Forth Mayor, City Council and City Manager Roles, Responsibilities and Expectations, and 2) Approving the 2016-2017 Strategic Plan. (CAF 17-24) [See Notebook Tab 13]
  - Resolution 17-19
- e) Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of January 2017. (CAF 17-26) [See Notebook Tab 14]

## **XII. 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>

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### <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.

### **XIII. REPORTS**

- a)** Mayor/Mayor Pro-Tem (No Report)
- b)** City Manager (No Report)
- c)** City Attorney (No Report)
- d)** City Clerk
  - i. Meeting and Events Calendar [*See Notebook Tab 15*]
  - ii. E-911 Monthly Report
  - iii. Police Department Monthly Report
  - iv. Fire Department Monthly Report
  - v. Public Works, KLRW and HWRF Monthly Report

### **XIV. CLOSED SESSION**

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

### **XV. WORK SESSION**

- a)** Developing Standards and Policy to Serve Existing Residents Inside the ETJ that are Experiencing Septic Tank Failure. (*CMR 17-02*) [*See Notebook Tab 16*]

### **XVI. ADJOURNMENT**

# **City Council Minutes**

## **Regular Meeting**

### **13 March 2017**

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#### **PRESENT**

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

#### **ABSENT**

Council Member Michael C. Inscoe

#### **STAFF PRESENT**

City Manager Frank Frazier, Attorney John H. Zollicoffer, Jr., 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 Reclamation Facility Director Lamont Allen and Public Services Director Andy Perkinson.

#### **CALL TO ORDER**

The 13 February 2017 Regular Meeting of the Henderson City Council was called to order by Mayor Eddie Ellington 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 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 extended a special welcome to Attorney John Zollicoffer, Jr. who is here tonight as D. Rix Edwards, City Attorney is unable to be in attendance.

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

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

## **APPROVAL OF MINUTES**

Mayor Ellington asked for any corrections to and/or approval of the minutes. Council Member Elliott moved the approval of the 13 February 2017 Regular Meeting minutes as presented. Motion seconded by Council Member Daye, and unanimously approved.

## **PRESENTATIONS/RECOGNITIONS**

Mayor Ellington invited Ms. Carolyn Powell, Director of the Henderson-Vance Downtown Development Commission (DDC) to come forward to do a brief presentation. Ms. Powell introduced the six members of the DDC who were present. She then provided information on the Commission's accomplishments and gave a summary of how it has spent funds over the last few months. Ms. Powell said they appreciate the City's support and urged Council to consider these accomplishments and the forward momentum that has been established when discussing the FY17-18 budget.

Council Member Rainey complimented the Commission on all it has accomplished. City Manager Frazier and Mayor Ellington also expressed their appreciation.

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

City Clerk McCrackin advised no citizen wished to address Council.

## **OLD BUSINESS**

**Approving the Submittal of a Grant Application to the North Carolina Forest Service as Administrator for the Urban Community Forestry Grant Program.** (*Reference: CAF 17-14; Resolution 17-11*)

City Manager Frazier said this grant, if awarded, would be used as a tool to help fund the outdoor pavilion. Trees planted will be marked for educational purposes along with beautifying the area around the pavilion on the corner of Montgomery and Chestnut streets. The grant application will be for \$7,000 making the City's portion \$3,500 and some of this can be in-kind.

Council Member Rainey asked if trees or other similar landscaping items could be donated. Mr. Frazier said that could be a possibility. Both Mr. Rainey and Council Member Coffey expressed positive comments regarding the project. Mr. Frazier stated the selection will be made by the end of June or July and the funds may be included in the FY17-18 budget if in-kind funding is not available.

With no other question, Mayor Ellington asked Council how it wished to proceed.

Council Member Rainey moved the approval of Resolution 17-11, *Approving the Submittal of a Grant Application to the North Carolina Forest Service as Administrator for the Urban Community Forestry Grant Program*. Motion seconded by Council Member Elliott, and APPROVED by the following vote: YES: Williams, Coffey, Rainey, Elliott, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: Inscoe. (See Resolution Book 5, p 191)

## **NEW BUSINESS**

### **Awarding the Proposed Henderson Pavement Overlay Project 2016 to S.T. Wooten in the Amount of \$200,000.** (Reference: CAF 17-18; Resolution 17-14)

City Manager Frazier said although lots of street patching has been done, no major street resurfacing has been done since 2009. A list of streets has been compiled for Council's review and if approved, work will be done prior to the end of this fiscal year.

Council Member Simmons asked how the streets were selected. Mr. Frazier said the streets with large cuts, usually in the middle of the street along with cuts where services were replaced for some type of water/sewer work were concentrated on first.

Council Member Daeke asked if street volume was considered and wondered if there are streets with more traffic volume than some of the ones on the list. He also wondered if there were streets in other Wards that were in more need than those on the list. Mr. Frazier said traffic counts were not a major consideration. It was suggested that Cedarwood be delayed and some of the alternate streets be considered.

Council Member Williams asked if work could be done on Beckford Drive due to the bad condition and cars dodging potholes. Mr. Frazier explained Beckford Drive is a State maintained road and any major resurfacing work has probably been delayed by NCDOT since it is being used as a detour during the I-85 project. The city also has a project to widen a portion of Beckford Drive from the Operations Center to North Park Drive.

There was some discussion about how the streets should be selected. City Engineer Clark Thomas said the best, but most expensive way would be to hire a street assessment consultant to do a study that would cost approximately \$30,000 but with limited funds, this is not practical at this time. Mr. Thomas said the industry average is to do overlay work every 7-8 years and as Mr. Frazier said, Henderson has not had the luxury of doing this for more years than the average.

After more discussion, Council asked the City Manager to rework the list but they were willing to approve awarding the work to S.T. Wooten. Mr. Frazier said staff would rework the list and present it to Council prior to the actual execution of the work as it will take some time to execute the contract and schedule the work with S.T. Wooten.

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

Council Member Elliott moved the approval of Resolution 17-14, *Awarding the Proposed Henderson Pavement Overlay Project 2016 to S.T. Wooten in the Amount of \$200,000*. Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Coffey, Rainey, Elliott, Daeke, Simons, Daye and Williams. NO: None. ABSTAIN: None. ABSENT: Inscoe. (See Resolution Book 5, p 197)



**Accepting a Grant/Loan from DWSRF for the Kerr Lake Regional Water System Plan Improvement Project and Requesting the Project be Converted to an Expansion Project.**  
(Reference: CAF 17-30; Resolution 17-23)

City Manager Frazier said on February 1, 2017, the DWSRF program issued a letter of intent to fund the improvement project for \$19,893,000 at 1.53% interest for 20 years. He then asked Engineering Director Clark Thomas to explain the details and recap the project. Mr. Thomas said originally the plan was to rehabilitate the water plant. However, after a meeting between City staff, the KLRW partners and DWSRF about the possibility of this to become a design build project and using the excess funds should there be a cost savings, it was suggested by DWSRF that a request to change the scope of the project to an expansion project be requested. This request needs to go before the State Water Infrastructure Authority and if approved would convert the project to an expansion project, while still addressing water quality issues. The KLRW Advisory Board recommends accepting the funds and recommends authorizing the City Manager to request the conversion of this project to an expansion project. Mr. Thomas said all the partners see this as a win-win situation.

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

Council Member Coffey moved the approval of Resolution 17-23, *Accepting a Grant/Loan from DWSRF for the Kerr Lake Regional Water System Plan Improvement Project and Requesting the Project be Converted to an Expansion Project*. Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Rainey, Elliott, Daeke, Simmons, Daye, Williams and Coffey. NO: None. ABSTAIN: None. ABSENT: Incoe. (See Resolution Book 5, p 215)

**Placing Perpetual Land Use Restrictions on the Old City Landfill Property Described in Deed Book 347, Page 442 of the Vance County Register of Deeds.** (Reference: CAF 17-28; Resolution 17-21)

City Manager Frazier explained the City was contacted by the State concerning the old city landfill and received a draft Remediation Plan, along with a proposed Declaration Land Use Restrictions document that places perpetual restrictions on the old landfill property on the east side of the intersection of St. Andrews Church Road and NC Highway 39 North. If the City agrees, the restrictions require any development plans for the property be submitted to the State for review and allows any perspective buyer to understand how the property was used. Signing the document will allow the State to enter onto and remediate the property at an estimated cost of approximately \$2.4million to the State and no cost to the City. Mr. Frazier said the State would remove undergrowth, trees, etc. and add topsoil without any required funds from the City in accordance with the remediation plan. It would not prohibit future use of the project for outdoor purposes or other development opportunities as long as it did not create hazards or environmental issues.

It was the consensus of Council that this was definitely a good project.

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

Council Member Coffey moved the approval of Resolution 17-21, *Placing Perpetual Land Use Restrictions on the Old City Landfill Property Described in Deed Book 347, Page 442 of the*

*Minute Book 44*

*Vance County Register of Deeds.* Motion seconded by Council Member Williams, and APPROVED by the following vote: YES: Rainey, Elliott, Daeke, Simmons, Daye, Williams and Coffey. NO: None. ABSTAIN: None. ABSENT: Inscoe. (See Resolution Book 5, p 211)

**Directing the Clerk for the City of Henderson, North Carolina (City) to Investigate the Sufficiency of Numerous Contiguous Annexation Petitions of Properties on Birch and Bobbitt Street.** (Reference: CAF 17-23; Resolution 17-18)

City Manager Frazier said the City has received a CDBG Infrastructure Grant that would allow for the elimination of the Newton Dairy Pump station. It will also provide for a sanitary sewer extension to the area of Birch and Bobbitt streets. At this time, about 60% of the CDBG area to be served have submitted voluntary annexation requests.

Council Member Daeke asked about the cost for owners and Council Member Simmons asked if the owners understand the value of connecting to the system. Mr. Frazier stated that this would include the cost of the taps and service lines if performed during the project. Mr. Frazier said although the residents received certified letters explaining the benefits of inside vs. outside rates and connection to the houses, some have chosen not to respond. He added there would be a tap fee charge if the residents wish to connect at a future time.

Council Member Daeke expressed concern about projects in the past in which the city has not required houses to connect after the infrastructure has been installed. He asked the City Manager to provide a count of the houses not currently connected. Mr. Frazier said he would do this. As far as the annexations, Mr. Frazier said this is the first step in the process.

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

Council Member Coffey moved the approval of Resolution 17-18, *Directing the Clerk for the City of Henderson, North Carolina (City) to Investigate the Sufficiency of Numerous Contiguous Annexation Petitions of Properties on Birch and Bobbitt Street.* Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Elliott, Daeke, Simmons, Daye, Williams, Coffey and Rainey. NO: None. ABSTAIN: None. ABSENT: Inscoe. (See Resolution Book 5, p 205)

**Designating Birch (SR1194), Bobbitt (SR119) and N. Pine Street (SR 1192) City Maintained Streets.** (Reference: CAF 17-29; Resolution 17-22)

City Manager Frazier said this request relates back to the annexations just discussed. He asked Engineering Director Clark Thomas to explain the reasoning behind making these streets city streets. Mr. Thomas said the City desires to take over these streets mainly due to the expense of requirements required by NCDOT during the construction of the sewer main relative positive shoring in lieu of using trench boxes. Discussion with various contractors indicated the boxes could add approximately \$100/ft. and possibly derail the project due to a lack of funds.

Council Member Coffey asked how the process works. Mr. Frazier said a letter will be sent to the State and typically, the State is more than happy to transfer the streets to the City. If approved, sections of 0.10 miles of Birch, 0.09 miles of Bobbitt and 0.06 miles of North Pine Street will become part of the city system and will be included in the Powell Bill Street System.

Council Member Daeke asked if this is a necessary project. Mr. Frazier said it is a worthy project as it will allow the removal of the Newton Dairy Road pump station, add street miles to the Powell Bill and add additional customers to the sewer system. Council Member Rainey asked about the costs involved. Mr. Frazier said the City would no longer have to pay for power at the pump station and would also provide cost avoidance for replacing a pump station that is over 30 years old. It would also help eliminate backflow problems experienced in the Patton Circle area.

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

Council Member Williams moved the approval of Resolution 17-22, *Designating Birch (SR1194), Bobbitt (SR119) and N. Pine Street (SR 1192) City Maintained Streets*. Motion seconded by Council Member Daye, and APPROVED by the following vote: YES: Daeke, Simmons, Daye, Williams, Coffey, Rainey and Elliott. NO: None. ABSTAIN: None. ABSENT: Inscoc. (See Resolution Book 5, p 213)

**Authorizing the Transfer of Reserve Funds to Demolish Several Jointly Owned Properties.**  
(Reference: CAF 17-31; Ordinance 17-11, Budget Amendment #26)

City Manager Frazier said the Land Planning Committee, during its March meeting, recommended staff proceed with the demolition of nine properties (107 Briarcliff Street, 857 Lamb Street, 521 Neathery Street, 1002 Standish Street, 508 and 602 Winder Street, 248 Denver Street, 35 Gorman Street and 1109 Washington Street). The estimated cost for asbestos inspection, removal, demolition and landfill costs is \$56,900, and if approved, there will be \$121,498,85 remaining in reserve funds. The County has received offers to purchase two properties were removed from the original list: 416 Harriett Street and 1324 Hargrove Street. Arch Street was also removed from the original list as it may be suitable for the Urban Homesteading program. Mr. Frazier stated that once the County pays its half, those funds would be placed back into the reserve fund. He said he has spoken to the County Manager about this project and the County Manager indicated he did not anticipate any problem paying half the cost.

There was discussion as to whether the funds should be made available before knowing if the County is willing to pay its portion of these demolitions. It was the consensus of Council that it did not want the funds used until approval of payment is received from the County relative to paying one-half of the demolition costs.

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

Council Member Rainey moved the approval of Ordinance 17-11, *Authorizing the Transfer of Reserve Funds to Demolish Several Jointly Owned Properties*. Motion seconded by Council Member Daeke and APPROVED by the following vote: YES: . NO: None. ABSTAIN: None. ABSENT: Inscoc. (See Ordinance Book 9, p 425)

**Providing for the Disposition of Two Jointly Held Properties by the City and County Otherwise Identified in the Vance County Registry as 416 Harriett Street, Parcel ID #0019 04024 and 1324 Hargrove Street, Parcel ID #0006 06003.** (Reference: CAF 17-32; Resolution 17-24)

City Manager Frazier explained Vance County received offers to purchase these two jointly owned properties. The City has no current liens on these properties and if the sale is finalized, the proceeds will be shared on a pro-rata basis.

Council Member Daeke expressed concern about the offer amounts and felt it might be better to offer these properties as part of the recently adopted Urban Homesteading program so they could possibly become home owned and occupied properties. Mr. Frazier noted this could be discussed further with the County at the joint land planning meeting on March 22, 2017.

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

Council Member Rainey moved to TABLE Resolution 17-24, *Providing for the Disposition of Two Jointly Held Properties by the City and County Otherwise Identified in the Vance County Registry as 416 Harriett Street, Parcel ID #0019 04024 and 1324 Hargrove Street, Parcel ID #0006 06003* until the parcels can be evaluated for possible use in the Urban Homesteading Program. Motion seconded by Council Member Daye, and APPROVED by the following vote: YES: Daye, Williams, Coffey, Rainey, Elliott, Daeke and Simmons. NO: None. ABSTAIN: None. ABSENT: Inscoe. *(See Resolution Book 5, p 217)*

## **CONSENT AGENDA**

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

**Providing for the Appointment of a Deputy City Clerk.** *(Reference: CAF 17-22; Resolution 17-17)* This action removes City Manager Frank Frazier as Deputy City Clerk and appoints Assistant to the City Manager Paylor Spruill as Deputy City Clerk. It also re-appoints Executive Assistant Patricia Pearson as Deputy City Clerk.*(See Resolution Book 5, p 203)*

**Approving the Customer Service Policy, Amending City Code Section 15-33 and Revising the Annual Schedule of Fees to Reflect Revised Set Up Fee Policy.** *(Reference: CAF 17-11; Resolution 17-08, Ordinance 17-06)* This action allows changes to the existing policy that outlines the City's responsibilities in providing utility services, the customer's responsibilities and changes the existing Annual Schedule of Fees. *(See Resolution Book 5, p 185)*

**Approving F7-18, Budget Review Calendar and Scheduling of Special Council Budget Work Sessions.** *(Reference: CAF 17-25; Resolution 17-20)* This is an annual event setting the meeting schedule for budget discussions, the public hearing and approving the FY17-18 budget. *(See Resolution Book 5, p 209)*

**Approving the Agreement Setting Forth Mayor, City Council and City Manager Roles, Responsibilities and Expectations, and Approving the 2016-2017 Strategic Plan.** *(Reference: CAF 17-24, Resolution 17-19)* This action formalizes the roles, responsibilities and expectations that Council agreed upon during its annual Strategic Planning Retreat February 1-2, 2017. It also approves the revised strategic plan that formalizes Council's discussion during the Retreat. *(See Resolution Book 5, p 207)*

**Tax Releases and Refunds from Vance County for the Month of January 2017.** The Finance Director has reviewed the following releases/refunds and found them to be in order. This action approves the tax releases and refunds for January.

<b>January 2017 Tax Releases &amp; Refunds</b>			
<b>Name</b>	<b>Reason</b>	<b>Tax Year</b>	<b>Amount</b>
<b>Real &amp; Personal Property Releases</b>			
Falkner, Joseph E & Julia	Real Property Billed in Error	2016	\$ 79.74
Grissom Shoe Shop	Person Property Billed in Error	2016	\$ 16.22
Quality Investments	Person Property Billed in Error	2016	\$ 64.26
<b>Total Releases/R &amp; P Property</b>			<b>\$ 160.22</b>
<b>Real &amp; Personal Property Refunds</b>			
<b>Total Refunds/ R &amp; P Property</b>			<b>\$ -</b>
<b>Total Refunds &amp; Releases RP</b>			<b>\$ 160.22</b>

Mayor Ellington asked if anyone wished to remove any item from the Consent Agenda. There were no requests. Mayor Ellington then asked for a motion to approve the Consent Agenda.

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

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

City Clerk McCrackin advised no citizen wished to address Council.

#### **REPORTS**

##### **a) Mayor/Mayor Pro-Tem**

- i. Reviewed the location of the outdoor pavilion with a site visit as part of the Land Planning Committee meeting.
- ii. Commended Council Member Coffey for providing lunch for the Public Works staff
- iii. Attended a meeting with Council Member Williams showcasing community gardens at the Aycock Recreation Center.

##### **b) City Manager**

- i. Attended a Community Watch meeting on March 2<sup>nd</sup> where he was asked to looking into speeding issues on Pinkston Street between Waters and Andrews. This is a DOT street and Mr. Frazier asked for Council's approval to write the DOT to ask for assistance by possibly making this intersection a four-way stop. He would also like to request the DOT look at the Railroad crossing on Andrews Avenue. It was the consensus of Council that Mr. Frazier should follow up on these issues and prepare a letter on behalf of the Mayor and Council.
- ii. In regards to the I-85 project, the DOT would like comments from the executive body to close two southbound interchanges (Satterwhite Point Road and US 1) at the same time to reduce the project completion date by a year. The closures would be for approximately 90 days. Council did not express any objections. Mr. Frazier stated that further information will be forthcoming.

- iii. Mr. Frazier directed Council's attention to the new Public Works, KLRW and HWRF form. This will be a monthly report.
  - iv. Currently the City is experiencing more than normal position openings so Mr. Frazier asked Council to pass the word. He specifically mentioned the Code Compliance position that is the most recent resignation, as of last Friday.
  - v. Town Hall Day is March 29 and the Mayor and Mr. Frazier will be attending. There are several important issues that they will discuss with representatives: specifically Mr. Frazier mentioned impact fees and the possibility that the State will do away with them.
- c) City Attorney (No Report)
- d) City Clerk (No Report)
- i. The upset bid period for 245 and 255 Andrews Avenue will end March 20 and the current bid is \$7,190.
  - ii. Leadership Vance City Day is March 23<sup>rd</sup> and this year they will start at City Hall, not the Aycock Center.
  - iii. St. Baldrick's day is coming up quickly in April
  - iv. During the Strategic Planning Retreat Council suggested a mid-year meeting. Ms. McCrackin asked Council to check their calendars for the afternoon of August 24.

## **OTHER**

Council Member Coffey asked about the condition of the street sweeper. Public Works Director Andy Perkinson said it came out of the repair shop three weeks ago and ran for nine days. It is now in need of approximately \$700 in repairs and is in the process of being repaired once again. The sweeper is about 12 years old and Ms. Coffey said a new sweeper should be considered. Mr. Frazier said it will be a discussion item during the budget process as it was not approved in the current FY budget.

Mayor Ellington recognized several young ladies in attendance this evening from GangFree, Inc., that came with Council Member Elliott to learn about local government.

At this time, Mayor Ellington asked if Council was prepared to go into Closed Session.

## **CLOSED SESSION**

Council Member Rainey 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 Daye and unanimously approved.

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

*(Clerk's Note: Council Member Elliott left the meeting at 7:35 p.m.)*

## **WORK SESSION**

**Developing Standards and Policy to Serve Existing Residents Inside the ETJ that are Experiencing Septic Tank Failure. (CMR 17-02)**

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City Engineer Clark Thomas said he has been exploring how to best serve residents in the ETJ that live on *postage stamp* lots that experience septic tank failure. He reviewed the health issues and the steps necessary to extend sewer services into areas with septic tank failures.

There was discussion about various related issues including why contractors have a choice between a septic system or connecting to the sewer system, what the City Code requires and why the City should do work in the ETJ when there are many things to be done within city limits.

Ultimately, Council did not seem to feel this was a priority and did not ask for this to be brought before Council for further consideration any time soon. They did ask the City Manager to provide a list of properties currently not on city sewer.

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

### **ADJOURNMENT**

Council Member Daeke moved for adjournment. Motion seconded by Council Member Simmons and unanimously approved. The meeting adjourned at 7:54 p.m.

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Eddie Ellington  
Mayor

***ATTEST:***

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Esther J. McCrackin, City Clerk