

City Council Minutes

Regular Meeting

8 May 2017

PRESENT

Mayor Eddie Ellington, Presiding; and Council Members Marion B. Williams, Sara M. Coffey, Michael C. Inscoe, 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 Fire Chief Curtis Tyndall, 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, Kerr Lake Regional Water Director Christy Lipscomb, Henderson Water Reclamation Facility Director Lamont Allen, Public Works Director Andy Perkinson, Assistant Public Works Director Lee Owens and Youth Services Program Director Greg Kelly.

CALL TO ORDER

The 8 May 2017 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 by saying this is their city and he was glad to see so many present.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor Ellington asked if there were any adjustments to the Agenda. Council Member Williams asked that the sale of 245/255 Andrews Avenue be added to the Agenda. Council Member Inscoe moved to accept the Agenda as adjusted. Motion seconded by Council Member Coffey and unanimously approved.

APPROVAL OF MINUTES

Mayor Ellington asked for any corrections to and/or approval of the minutes. Council Member Elliott moved the approval of the 10 April 2017 Regular Meeting minutes as presented. Motion seconded by Council Member Williams, and unanimously approved.

PRESENTATIONS/RECOGNITIONS

Mayor Ellington recognized retiree Robert Critcher who retired from the Kerr Lake Regional Water department. The Mayor thanked Robert for his many years of service and dedication to the City, and wished him the very best in his retirement years.

Fire Chief Cordell introduced the 2nd Fire Academy participants to Council. Although this class is small with only three participants, the Chief commended Lt. Adams for taking over the class and building on the 1st Academy to include segments such as extrication, fire behavior, first aid and CPR. Certificates were given to Horace Bullock, Ginealla Hart and Kathy Pierce.

Ms. Hart encouraged people to attend this Academy saying it was well worth the time. Council Member Williams, as a member of the 1st Academy, specifically encouraged anyone in the audience to participate in the next Academy and said it is an experience that will not be forgotten.

PUBLIC HEARING

Holding a Public Hearing on the Question of Annexation of Various Parcels on Birch/Bobbitt Streets, Pursuant to North Carolina General Statue 160-A-31. (Reference: CAF 17-23-B)

City Manager Frazier explained the actual voluntary annexation ordinance for this area will be considered at a later date due to the fact that the City is still negotiating with the contractor on the sewer extension project for this area, as well as the Newton Dairy Road Pump Station, which could delay the annexation process.

As there was no discussion, Mayor Ellington opened the Public Hearing by asking if anyone was present who wished to speak in favor of these annexations. No one came forward, so Mayor Ellington asked if anyone was present who wished to speak in opposition to these annexations. No one came forward. Mayor Ellington then closed the Public Hearing and asked for Council's pleasure.

Council Member Inscoe asked for a comparison of water and sewer revenues if these properties are annexed versus remaining in the ETJ. Mr. Frazier said he would compile that information for Council's review.

No action was needed at this time. Mr. Frazier said the annexations will be brought back before Council depending on the outcome of the on-going negotiations.

PUBLIC COMMENT PERIOD ON AGENDA ITEMS

City Clerk McCrackin advised no citizen wished to address Council.

NEW BUSINESS

Amending Various Sections of the City Code Relating to Parking on City Streets. *(Reference: CAF 17-48; Ordinance 17-15)*

City Manager Frazier explained there are more signs to review but tonight this ordinance amends the signage on Belle and Williams streets. Mr. Frazier and City Attorney Edwards are working together to improve the process and one example is to go to a technical ordinance with a traffic schedule.

Council Member Inscoe asked why certain signs on Belle Street were not included in this ordinance. Mr. Frazier responded that he had asked the City Engineer, Police Chief and Public Works Director to review this and that the one-hour parking signs were not included because of existing businesses. The action being considered tonight also included one hour parking on William Street. Mr. Inscoe then shared he did a five block sweep around the old Harriett Henderson plant and found 9 *No Truck Allowed* signs.

Council Member Simmons asked how soon the signs will be taken down after approving this ordinance. Mr. Frazier said they could come down tomorrow.

Council Member Daeke summarized the discussion by saying Council does not want to do anything illegally and will not disregard existing laws but suggested the Land Planning Committee discuss ways to expedite the process.

Mayor Ellington asked Council how it wished to proceed.

Council Member Daeke moved the approval of Ordinance 17-15, *Amending Various Sections of the City Code Relating to Parking on City Streets*. Motion seconded by Council Member Simmons, 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 433)*

Authorizing the Repair of 405 S. Garnett Street (former Abagayle's Bookstore). *(Reference: CAF 17-50; Resolution 17-37)*

City Manager Frazier explained this property was discussed during the City/County Land Planning meeting as there have been numerous complaints about the business. He said the Fire

Chief has declared the structure unsafe and Code Compliance has estimated the demolition cost to be approximately \$60,000 - \$100,000. Mr. Frazier shared the property is in the process of foreclosure due to the fact that taxes have not been paid since 2014. During the joint meeting, the County indicated it would be willing to share the cost of replacing the roof to stabilize the structure. This would allow the inside to dry out so it might be able to be salvaged. The roof replacement cost is approximately \$13,000.

Council Member Inscoe asked the City Manager to verify the County's willingness to share in the roof replacement cost.

Council Member Rainey asked if at this time the plan is only to replace the roof. Mr. Frazier said yes. Council Member Daeke said replacing the roof would secure the structure, allow for cleaning out the contents and provide possible alternatives to demolition.

Council Member Williams asked if the City will be responsible for any asbestos removal. Mr. Frazier said yes, if the property becomes City/County owned.

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

Council Member Daeke moved the approval of Resolution 17-37, *Authorizing the Repair of 405 S. Garnett Street (former Abagayle's Bookstore)*. Motion seconded by Council Member Rainey and APPROVED by the following vote: YES: Inscoe, Rainey, Elliott, Daeke, Simmons, Daye, Williams and Coffey. NO: None. ABSTAIN: None. ABSENT: None. *(See Resolution Book 5, p 243)*

Providing for the Disposition of a Jointly Held Property by the City and County Otherwise Identified in the Vance County Registry as 119 Lincoln Street, Parcel ID # 0107 01003. *(Reference: CAF 17-45; Resolution 17-34)*

City Manager Frazier explained the County has received an offer of \$3,000 from a private buyer for this property. Mr. Frazier said the potential buyer has indicated that the intent is to live in the house.

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

Council Member Coffey moved the approval of Resolution 17-34, *Providing for the Disposition of a Jointly Held Property by the City and County Otherwise Identified in the Vance County Registry as 119 Lincoln Street, Parcel ID # 0107 01003*. Motion seconded by Council Member Elliott, and APPROVED by the following vote: YES: Rainey, Elliott, Daeke, Simmons, Daye, Williams, Coffey and Inscoe. NO: None. ABSTAIN: None. ABSENT: None. *(See Resolution Book 5, p 237)*

Authorizing the Submission of an Application to the 2017 Triangle North Healthcare Foundation Annual Grant for the Walk the Beat” Outdoor Exercise Destination.
(Reference: CAF 17-47; Resolution 17-35)

City Manager Frazier explained this is a non-matching grant for outdoor exercise equipment that would be placed on the northeast corner of the Police Department. Staff feels this is a worthwhile goal to keep citizens healthy.

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

Council Member Elliott moved the approval of Resolution 17-35, *Authorizing the Submission of an Application to the 2017 Triangle North Healthcare Foundation Annual Grant for the Walk the Beat” Outdoor Exercise Destination*. Motion seconded by Council Member Coffey, 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 239)

Transferring Funds from the Street Department Budget to a Capital Improvement Plan (CIP) Account for the Resurfacing of Various Streets Throughout the City of Henderson.
(Reference: CAF 17-46; Ordinance 17-12)

City Manager Frazier explained that due to the limited amount of paving to be done and since the work could not be performed prior to the end of this fiscal year, staff feels it would be best to place the existing \$200,000 into a CIP. If Council approves additional funds in the FY17-18 budget, this amount will be added to the FY17-18 budget that will create a larger project and hopefully a better price due to increasing the amount of paving to be contracted out.

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

Council Member Daeke moved the approval of Ordinance 17-12, *Transferring Funds from the Street Department Budget to a Capital Improvement Plan (CIP) Account for the Resurfacing of Various Streets Throughout the City of Henderson*. 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 Ordinance Book 9, p 427)

Tax Releases and Refunds from Vance County for the Month of March 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 March.

March 2017 Tax Releases & Refunds			
Name	Reason	Tax Year	Amount
Real & Personal Property Releases			
Bollar, Lewis Jr.	Lost To Foreclosure	2010	\$ 99.45
Bollar, Lewis Jr.	Lost To Foreclosure	2011	\$ 99.42
Bollar, Lewis Jr.	Lost To Foreclosure	2012	\$ 99.42
Bollar, Lewis Jr.	Lost To Foreclosure	2013	\$ 105.37
Bollar, Lewis Jr.	Lost To Foreclosure	2014	\$ 105.37
Bollar, Lewis Jr.	Lost To Foreclosure	2015	\$ 105.37
Bollar, Lewis Jr.	Lost To Foreclosure	2016	\$ 55.00
Henderson Church of God	Religious	2016	\$ 319.50
Navarro, Soni A	Personal Property Billed in Error	2016	\$ 34.73
Total Releases/R & P Property			\$ 1,023.63
Audit Discoveries			
			\$ -
Total Refunds/ R & P Property			\$ -
Total Refunds & Releases RP			\$ 1,023.63

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

Council Member Daeke moved the approval of the *Tax Releases and Refunds for the Month of March, 2017*. Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Daye, Williams, Coffey, Inscoe, Rainey, Elliott, Daeke and Simmons. NO: None. ABSTAIN: None. ABSENT: None.

Authorizing the Sale of a Parcel of City Owned Property Located at 245 Andrews Avenue Recorded in Tax Deed Book 1288, Page 0283 and Better Identified as Pin #0078-01011, and 255 Andrews Avenue Recorded in Tax Deed Book 1296, Page 0007 Better Identified as Pin #0078-01012 of the Vance County Registry. (CAF 17-35; Resolution 17-26)

Council Member Elliott asked to be recused as this item is a conflict of interest.

City Manager Frazier explained during the last meeting Council expressed some questions which is why this was not part of the original agenda. He said he has spoken to GangFree, the highest bidder for the property and it is his understanding it plans to tear down the building. It was stated that GangFree may utilize the front of the building and tear down the remaining part.

Council Member Inscoe asked the City Attorney if the demolition could be included in the deed. City Attorney Edwards said yes, that could be a covenant in the deed.

A discussion ensued with Council agreeing that the City Attorney should meet with the buyer and then draft a deed to be reviewed at the Land Planning Committee meeting next week. It was the consensus of Council that demolition should take place within one year.

Mayor Ellington asked Council how it wished to proceed.

Council Member Daeke moved the approval of Resolution 17-26, *Authorizing the Sale of a Parcel of City Owned Property Located at 245 Andrews Avenue Recorded in Tax Deed Book 1288, Page 0283 and Better Identified as Pin #0078-01011, and 255 Andrews Avenue Recorded in Tax Deed Book 1296, Page 0007 Better Identified as Pin #0078-01012 of the Vance County Registry* with the deed being approved by the Land Planning Committee. Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Williams, Coffey,

Inscoe, Rainey, Daeke, Simmons and Daye. NO: None. ABSTAIN: Elliott. ABSENT: None.
(See Resolution Book 5, p 221)

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

City Clerk McCrackin advised two citizens wished to address Council.

Jamie Elliott, 1814 Dabney Road – Mr. Elliott thanked Council for the opportunity to address them this evening. To summarize, Mr. Elliott asked for prayers as builds relationships with others in the community (including the City) to provide love, hope, pride and direction for those struggling with addiction. Currently Mr. Elliott is weekly serving between 40-80 individuals. He concluded by inviting everyone to a revival at Vance Granville Civic Center, September 10-12, 2017, from 6:30 to 8:30 p.m.

Mayor Ellington applauded Mr. Elliott's efforts and Council Member Elliott encouraged Mr. Elliott to keep up the good work. Council Member Coffey committed herself to helping with a clothing ministry and Council Member Simmons offered encouragement as well.

Joanne Allen, 159 Waterfall Road- Pastor Allen represented V-Hope and concerned citizens regarding the recent homicides in Henderson. She said all three victims were African Americans, ages 16, 18 and 29. Ms. Allen said she has done a community survey with most saying they do not feel safe because of drugs and gun violence. She then listed several issues she would like Council to address: 1) Amend the existing curfew, 2) provide a police substation at Party Pickup, 3) more police presence in hot spots throughout the city, 4) hire an outreach director and a grant writer. Ms. Allen said a meeting with the Police Chief has been set later this month with several area pastors. She then introduced Pastor William Clayton from St. James Missionary Baptist Church.

William Clayton, 1029 South Chestnut Street Pastor Clayton expressed a sense of hopelessness in the community and felt the community has become desensitized to the violence. He asked Council to consider during the budget process hiring a full time outreach coordinator.

Council Member Williams commended the speakers for their concern and shared from personal experience how much family lives change and the hurt that families experience when someone is a victim of violence. She said guns are necessary in the proper hands and is willing to share her story if it helps other to move forward.

Police Chief Barrow said he and his officers have been working with faith-based groups. The department, as with the community, would much prefer to be hearing crickets rather than gunfire. He and the officers are deeply saddened when things of this nature occur and they continue to strive to make this community safe.

Council Member Rainey asked if the victims are local or from out of town. Both Chief Barrow and Council Member Elliott said 99% of the acts have been local but no specific patterns have been observed. Chief Barrow said there is a program called "Cops on Dots" that is data driven that is helpful. Ms. Elliott said economic development is needed because education, jobs and support are all important elements to a safe community.

Council Member Elliott would like Council to discuss the possibility of additional staff during the budget process. It was decided that a motion was not necessary but would like for the City Manager and Council to discuss this during the upcoming budget discussions.

Mayor Ellington thanked everyone for their input, and said this is not a matter to take lightly. It is on the hearts and minds of many.

Council Member Coffey asked the community members to keep Council informed of any meetings regarding crime and the Mayor said they could call the City Clerk who will forward the information to Council.

REPORTS

- a) Mayor/Mayor Pro-Tem – Mayor Ellington attended the following functions: St. Baldrick’s Day, Bike Tour recognition for fallen police officers, NC School of Government (SOG) information session regarding redevelopment and the National Day of Prayer breakfast and noon event. He also did a ride-through the City with the City Manager and mentioned again the CALEA accreditation awarded to the Police Department.
- b) City Manager – Mr. Frazier reported on the following:
 - i. KLRW Design Build request received 5-6 qualified bids. These are currently being reviewed by staff.
 - ii. If any Council member would like a copy of the PowerPoint presentation by the SOG, please let him know. Council Member Simmons requested a copy of this presentation.
 - iii. The city will be visited on May 22nd by grant staff regarding the demolition grant application the City submitted.
 - iv. There is to be a Public Works luncheon on May 25 (Thursday) from 12:30 to 2:00 p.m. at the Operations Center to celebrate National Public Works Week and Council is invited.
 - v. On May 11, 2017, Secretary of Commerce Copeland will be in town.
 - vi. Staff will begin using P-Cards (procurement cards) shortly. It is anticipated these cards will bring additional revenue to the City.
 - vii. There will be a ribbon cutting for the new HVDDC office on May 17 at 11:45.
- c) City Attorney (No Report)
- d) City Clerk – Relay for Life will be May 12 at Southern Vance High School.

OTHER

Both Council Members Williams and Coffey received a letter from a neighborhood watch group in their ward requesting speed bumps be installed. Mr. Frazier asked for a copy of the letter so he can look into the matter.

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

CLOSED SESSION

Council Member Daeke moved for Council to convene in closed session pursuant to G.S. §143-318.11(a)(3) for two (2) Attorney-Client Privilege Matters. Motion seconded by Council Member Coffey, and unanimously approved.

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

At this time, Mayor Ellington asked the City Manager to begin his proposed FY17-18 budget presentation.

PROPOSED BUDGET PRESENTATION

Mr. Frazier presented a PowerPoint presentation highlighting the proposed FY17-18 budget. No rate increases are recommended for Regional Water and Sewer. The current tax rate is recommended to remain the same. A 3% increase is recommended for Water. That increase equates to \$.34 per month per customer within the city and \$.84 per month per customer outside the city.

Mr. Frazier said the city must continue to improve its efforts to recruit and retain the best employees. The FY17-18 does include a 3% increase for eligible employees beginning in January 2018. Mr. Frazier said 9 new positions were requested; however none are proposed to be funded in this budget.

Mr. Frazier mentioned the cost of insurance premiums with Aetna increased 9.90%. Subsequent adjustments to the plan and negotiations led to a 6.83% increase. He also shared information regarding workers' compensation costs, which are slightly lower than last fiscal year due to the continued diligence of staff in improving safety and a safer work environment.

Some of the largest capital expenses in the FY17-18 budget are \$566,500 to replace a fire pump truck, \$260,000 for a new street sweeper and \$200,000 for street resurfacing which would be added to the existing CIP.

There were some general questions as Mr. Frazier went through his presentation. One specific question related to grease trap inspections and how it impacts sanitation sewer lines. That led to a discussion about inspections, how often inspections are done, the city does not always know when stores need grease traps among other issues. Currently inspections are done once a year and it was suggested twice a year might need to be considered. The inspection fee was also asked about.

Looking to the future, Mr. Frazier mentioned two things that he specifically would like Council to consider: 1) stormwater fees and 2) 401(k) for all employees. It was noted that it is a requirement for Police.

In closing, Mr. Frazier thanked staff for their assistance in compiling the budget and said the first budget work session is on May 16th and will encompass Regional Water, Water and Sewer and other accounts such as Capital Reserve.

Mr. Frazier stated that if Council needs any more detailed information prior to the budget sessions that he will be glad to provide them with what they request.

Council had no specific requests for the first budget work session discussion.

Mayor Ellington asked if there was anything further or if Council was prepared to adjourn.

ADJOURNMENT

Council Member Rainey moved for adjournment. Motion seconded by Council Member Inscoc and unanimously approved. The meeting adjourned at 8:25 p.m.

Eddie Ellington
Mayor

ATTEST:

Esther J. McCrackin, City Clerk