



AGENDA

**Henderson City Council Regular Meeting
Monday 10 November 2014, 6:00 p.m.
R. G. (Chick) Young, Jr. Council Chambers, Municipal Building
134 Rose Avenue
Henderson, North Carolina**

Mayor and City Council Members

Mayor James D. O'Geary, Presiding

Councilmember James C. Kearney, Jr.
Councilmember Sara M. Coffey
Councilmember Michael C. Inscoe
Councilmember D. Michael Rainey

Councilmember Brenda Peace-Jenkins
Councilmember Garry D. Daeke
Councilmember Fearldine A. Simmons
Councilmember George M. Daye

City Officials

Edward A. Wyatt, Interim 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) 27 October 2014 Short Regular Meeting [See Notebook Tab 1]
- b) 27 October 2014 Work Session

VII. PUBLIC COMMENT PERIOD ON AGENDA ITEMS

Citizens may only speak on non-Agenda items only 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

VIII. OLD BUSINESS

- a) Consideration of Approval of Resolution 14-91, Approving the Settlement Agreement between the City of Oxford, Granville County, Warren County and the City of Henderson. (CAF 14-123) [See Notebook Tab 2]
 - Resolution 14-91

IX. NEW BUSINESS

- a) Consideration of Approval of Resolution 14-86, Authorizing the NC Wildlife Resources Commission to Apply for Permits for a Public Fishing Pier Construction Project at Fox Pond Park. (CAF 14-119) [See Notebook Tab 3]
 - Resolution 14-86
- b) Consideration of Approval of Resolution 14-73-A, Relaying Concerns on the Impact of I-85 Ramp Closures on Local Businesses and Public Safety and Requests for Certain Actions be Taken by the North Carolina Department of Transportation (NCDOT). (CAF 14-102-A) [See Notebook Tab 4]
 - Resolution 14-73-A

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.

- c) Consideration of Approval of Resolution 14-87, Ratifying and Approving the Mayor's Signature on Amendment #6 for the North Carolina Rural Economic Development Center Contract 2010-266-40101-112 Relative to the Replacement of the UV Disinfection System at Henderson Water Reclamation Facility. (CAF 14-118) [See Notebook Tab 5]
- Resolution 14-87
- d) Consideration of Approval of Resolution 14-88, Authorizing the Execution of a Construction Contract for the Lakeview Drive Storm Sewer Replacement Project in the Amount of \$15,844 with M. T. Murphy, Inc. (CAF 14-120) [See Notebook Tab 6]
- Resolution 14-88
- e) Consideration of Approval of Resolution 14-89, Respectfully Declining an Offer to Accept the Donation of Four Parcels of Land within City Limits. (CAF 14-121) [See Notebook Tab 7]
- Resolution 14-89
- f) Consideration of Approval of Resolution 14-60, Endorsing the Concept of the Formation of the Henderson NC Preservation Committee in Relation to the Bennett Perry Memorial Museum. (CAF 14-78) [See Notebook Tab 8]
- Resolution 14-60

X. 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 14-86, Verifying the Ethics Policies for the City of Henderson's Elected Officials. (CAF 14-09) [See Notebook Tab 9]
- Resolution 14-86
- b) Consideration of Approval of Resolution 14-81, Authorizing the Implementation of an "Adopt a Park" Policy for the Henderson-Vance Recreation and Parks Department. (CAF 14-112) [See Notebook Tab 10]
- Resolution 14-81

c) Consideration of Approval of Resolution 14-82, Adopting the 2015 City Council Meeting Schedule. (CAF 14-113) [See Notebook Tab 11]

- Resolution 14-82

XI. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

Citizens may only speak on non-Agenda items only 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) Interim City Manager (No Report)
- c) City Attorney (No Report)
- d) City Clerk
 - i. Meeting and Events Calendar [See Notebook Tab 12]
 - ii. E-911 Monthly Report
 - iii. Fire Department Monthly Report
 - iv. Finance Department
 - v. American Education Week Proclamation
 - vi. Home Health Month Proclamation

XIII. CLOSED SESSION

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

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

Regular Meeting

10 November 2014

PRESENT

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

ABSENT

Interim City Manager Edward A. Wyatt

STAFF PRESENT

Assistant City Manager Frank Frazier, City Attorney D. Rix Edwards, City Clerk Esther J. McCrackin, Finance Director Kathy Brafford, Interim Recreation and Parks Director Steve Osborne, Development Services Director Corey Williams, and Engineering Director Clark Thomas.

CALL TO ORDER

The 10 November 2014 Regular Meeting of the Henderson City Council was called to order by Mayor O'Geary 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 O'Geary a quorum was present.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Peace-Jenkins led those present in a prayer and the Pledge of Allegiance.

OPENING COMMENTS

Mayor O'Geary said it is a pleasure to see so many citizens present this evening. He welcomed them, along with Attorney John Zollicoffer, Jr. The Mayor stated Mr. Edward Wyatt, Interim City Manager, is not well this evening but expects to be back in the office on Thursday. Mr. Wyatt sent his regrets

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor O'Geary asked if there were any adjustments to the Agenda. The City Clerk said there was a typographical error on the Agenda as Item a) under the Consent Agenda should be Ordinance 14-52 instead of Resolution 14-86. Council Member Rainey moved to accept the Agenda as corrected. Motion seconded by Council Member Daye and unanimously approved.

APPROVAL OF MINUTES

Mayor O'Geary asked for any corrections to and/or approval of the minutes. Council Member Daeke moved the approval of the 27 October Short Regular and 27 October Work Session Minutes, as presented. Motion seconded by Council Member Coffey, and unanimously approved.

PUBLIC COMMENT PERIOD ON AGENDA ITEMS

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

OLD BUSINESS

Approving the Settlement Agreement between the City of Oxford, Granville County, Warren, County and the City of Henderson. (CAF 14-123; Resolution 14-91)

Mayor O'Geary recognized former City Attorney John Zollicoffer, Jr. who has worked on this settlement since its inception. Attorney Zollicoffer, Jr. explained the City of Oxford instituted a lawsuit on 27 August 2012 alleging the Utility Sales Agreement with Granville County represented a breach of the Kerr Lake Regional Water System's 4th Amendment, which allegations were denied. He said there has been prior discussion on this issue by Council and it now needs to be approved for the record. Attorney Zollicoffer, Jr. said there are three parts to the settlement which need to be executed: 1) authorization to terminate the Utility Sales Agreement; 2) a Kerr Lake Regional Water System 5th Amendment which grants each entity control of the water by each entity within its respective County boundary, and 3) the Settlement Agreement. Attorney Zollicoffer, Jr. explained the City of Henderson reserves the right to move meters to the County lines and is currently in the process of moving a meter to the Warren County Line. The City of Oxford and Granville County have approved the documents. The City of Henderson will sign the documents once they have been approved by Warren County.

Attorney Zollicoffer, Jr. said the only legal fees incurred by the City are his attorney fees. He said the settlement provides that the City of Henderson will refund \$1.853 million of the allocation fees to Granville County and will retain \$1 million of these fees previously paid by Granville County for water reservations over the last four years.

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

Council Member Inscoe moved the approval of Resolution 14-91, *Approving the Settlement Agreement between the City of Oxford, Granville County, Warren, County and the City of Henderson*. Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 4, p 127)

NEW BUSINESS

Authorizing the NC Wildlife Resources Commission to Apply for Permits for a Public Fishing Pier Construction Project at Fox Pond Park. (CAF 14-119; Resolution 14-86)

Assistant City Manager Frazier said this is an opportunity to continue improving Fox Pond Park and asked Interim Recreation and Parks Director Osborne to explain this application further. Mr. Osborne explained the NC Wildlife Resources Commission approached the Henderson-Vance Recreation and Parks Commission offering to construct a public fishing pier, handicapped parking spaces and an ADA walkway at Fox Pond Park. He said the Wildlife Commission is also willing to install a fish feeder and to stock the pond with catfish. The construction costs will be 100% funded by NC Wildlife. The anticipated yearly cost for fish food is \$300 - \$400.

Council Member Kearney asked if any other fish would be stocked. Mr. Osborne was unsure.

Council Member Rainey asked if the pond has been dredged as he thought it was too shallow for fish. Mr. Osborne responded the Commission will place the feeder in an area that has a depth of 10-12 feet.

Council Member Daeke asked for clarification about the \$300-\$400 cost as the information in the agenda packet indicated \$1,200. Mr. Osborne explained the \$1,200 was from a prior communication with the Commission and that the \$300-\$400 is more accurate.

There was no further discussion so Mayor O'Geary asked for Council's pleasure.

Council Member Rainey moved the approval of Resolution 14-86, *Authorizing the NC Wildlife Resources Commission to Apply for Permits for a Public Fishing Pier Construction Project at Fox Pond Park*. Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons, Daye, and Kearney. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 4, p 119)

Relaying Concerns on the Impact of I-85 Ramp Closures on Local Businesses and Public Safety, and Requests for Certain Actions to be Taken by the North Carolina Department of Transportation (NCDOT) (Reference: CAF 14-102-A; Resolution 14-73-A)

Assistant City Manager Frazier said it is the City's wish to go on record regarding several major issues which have been discussed in prior meetings with the DOT. The main issues are protected left turns at Beckford and Dabney; 2) removing from the Powell Bill and returning the State a portion of Parham Road from US1 Business to the I-85 Bridge; 3) possible reversal of traffic at the northbound ramp from Highway 158 to a southbound ramp during Phase 3 of the project; 4)

using message boards during the construction as well as emergency turn-outs; and 5) repair of various dips in the road on Highway 158 southbound off ramp towards Lowes Home Improvement.

Council Member Kearney asked if the dips in the road on Beckford Drive should have been included. Mr. Frazier responded if Council wished, this would be specifically added to the Resolution.

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

Council Member Kearney moved the approval of Resolution 14-73-A, *Relaying Concerns on the Impact of I-85 Ramp Closures on Local Businesses and Public Safety, and Requests for Certain Actions to be Taken by the North Carolina Department of Transportation (NCDOT)*. Motion seconded by Council Member Daeke, and APPROVED by the following vote: YES: Inscoc, Rainey, Peace-Jenkins, Daeke, Simmons, Daye, Kearney and Coffey. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 4, p 93-A)

Ratifying and Approving the Mayor's Signature on Amendment #6 for the North Carolina Rural Economic Development Center Contract 2010-266-40101-112 Relative to the Replacement of the UV Disinfection System at Henderson Water Reclamation Facility. (Reference: CAF 14-118; Resolution 14-87)

Assistant City Manager Frazier said this is a project from 2010. There was funding remaining from the project which the North Carolina Rural Economic Development Center allowed the City to use for other projects such as the sanitary sewer rehab project and work on Highway 158 Bypass. This Resolution allows the City until 31 January 2015 to complete the paperwork and close-out this project.

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

Council Member Daeke moved the approval of Resolution 14-87, *Ratifying and Approving the Mayor's Signature on Amendment #6 for the North Carolina Rural Economic Development Center Contract 2010-266-40101-112 Relative to the Replacement of the UV Disinfection System at Henderson Water Reclamation Facility*. Motion seconded by Council Member Peace-Jenkins, and APPROVED by the following vote: YES: Rainey, Peace-Jenkins, Daeke, Simmons, Daye, Kearney, Coffey and Inscoc. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 4, p 121)

Authorizing the Execution of a Construction Contract for the Lakeview Drive Storm Sewer Replacement Project in the Amount of \$15,844 with M. T. Murphy, Inc. (CAF 14-120; Resolution 14-88)

Assistant City Manager Frazier explained there have been several storm drain failures over the last two years. This particular failure requires more equipment than what the City has and there is also an easement needed. He then asked Engineering Director Thomas to come forward. Mr. Thomas said staff felt a request for informal bids was the best route to take in light of the project

needs and three bids were received. He said the corrugated metal pipe failed and the street had to be closed to school buses. Although Chris Gupton provided the lowest bid, it did not include materials or asphalt patching. Due to the limited scope, cost and duration of the project, staff is recommending M. T. Murphy be awarded the contract in the amount of \$15,844. The anticipated time frame for completion once the project begins is one week.

Council Member Coffey asked if M. T. Murphy has done work for the City before and why a local firm was not selected. Council Member Rainey also asked about using local. Mr. Thomas responded that M. T. Murphy has done work before for the City. He then explained that M. T. Murphy included items that the others did not.

There was a brief discussion about using local businesses

Mayor O'Geary then asked for the pleasure of Council.

Council Member Peace-Jenkins moved the approval of Resolution 14-88, *Authorizing the Execution of a Construction Contract for the Lakeview Drive Storm Sewer Replacement Project in the Amount of \$15,844 with M. T. Murphy, Inc.* Motion seconded by Council Member Rainey and APPROVED by the following vote: YES: Peace-Jenkins, Daeke, Simmons, Daye, Kearney, Coffey, Inscoc and Rainey. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 4, p 123)

Respectfully Declining an Offer to Accept the Donation of Four Parcels of Land within City Limits. (Reference: CAF 14-121; Resolution 14-89)

Assistant City Manager Frazier said the Land Planning Committee met to discuss these parcels and asked Chairperson Inscoc for his comments. Council Member Inscoc said two parcels are landlocked; one was located next to the Blacknall Cemetery where property ownership is undetermined and the last parcel is unusable. He said accepting this offer would be of no benefit to the City and also mentioned the loss of taxes if the City accepts the offer.

Council Member Coffey asked who offered the property. Development Services Director Corey Williams said Rebecca Irving was offering the properties as part of an estate.

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

Council Member Daeke moved the approval of Resolution 14-89, *Respectfully Declining an Offer to Accept the Donation of Four Parcels of Land within City Limits.* Motion seconded by Council Member Daye, and APPROVED by the following vote: YES: Simmons, Daye, Kearney, Coffey, Inscoc, Rainey, Peace-Jenkins and Daeke. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 4, p 125)

Endorsing the Concept of the Formation of the Henderson NC Preservation Committee in Relation to the Bennett Perry Memorial Museum. (Reference: CAF 14-78; Resolution 14-60)

Mayor O'Geary asked Council Member Inscocoe to provide information on this issue. Mr. Inscocoe said Mr. Tommy Roberson is willing to spearhead a committee to restore and repair the Perry house which was given to the City of Henderson to be used as a museum. Due to economic constraints, the City has been unable to make the repairs necessary to create a museum. Mr. Inscocoe said a monetary gift allowed the City to install a new heating/air conditioning unit on the first floor and it is his understanding an alarm system is being installed. He then recognized Mr. Roberson who came forward to address Council

Mr. Roberson, 1760 Parker Lane. Mr. Roberson stated he has a huge interest in the community and has volunteered to form a committee to seek funds for the necessary renovations and upkeep. He said this is in its infant stage and projects it will be two years before the Committee is ready to move forward.

Mayor O'Geary said he thought this was a wonderful idea and thanked Mr. Roberson for taking on this project.

Council Member Kearney asked if Council is endorsing the concept this evening. Mayor O'Geary responded yes.

Mayor O'Geary now asked for the pleasure of Council.

Council Member Rainey moved the approval of Resolution 14-60, *Endorsing the Concept of the Formation of the Henderson NC Preservation Committee in Relation to the Bennett Perry Memorial Museum* Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Daeke, Simmons, Daye, Kearney, Coffey, Inscocoe, Rainey and Peace-Jenkins. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 4, p 145)

CONSENT AGENDA

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

Verifying the Ethics Policies for the City of Henderson's Elected Officials. (Reference: CAF 14-09; Ordinance 14-52) This action is required by the State of North Carolina and incorporates the requirements of the State Statutes. (See Ordinance Book 9, p 189)

Authorizing the Implementation of an "Adopt a Park" Policy for the Henderson-Vance Recreation and Parks Department. (CAF 14-112; Resolution 14-81) This action will allow partnership with civic clubs, churches, businesses and interested individuals to adopt a park or certain aspects of a park which will assist with the maintenance and upkeep of the adopted park. (See Resolution Book 4, p 109)

Adopting the 2015 City Council Meeting Schedule. (*Reference: CAF 14-113; Resolution 14-82*) This is part of the annual meeting planning efforts to schedule all regular council meetings and work sessions for 2015. (*See Resolution Book 4, p 111*)

Mayor O'Geary asked if anyone wished to remove an item from the Consent Agenda. There were no requests. Mayor O'Geary asked for a motion to approve the consent Agenda

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

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

City Clerk McCrackin advised one citizen wished to address Council.

Ms. Sarah Baskerville, 4880 Satterwhite Point Road. Ms. Baskerville said she is not a resident of Henderson but as an educator for 30 years, she wished to speak on a personnel issue

Mayor O'Geary informed Ms. Baskerville that is it Council's policy not to allow individual personnel issues to be discussed. (*Clerk's Note: This policy is posted on the door to Council Chambers and also printed in each Agenda*).

At this time, there was discussion about whether Council was willing to hear what the citizens had to say. Council Members Kearney, Coffey, Peace-Jenkins and Simmons felt the citizens should have their say. Council Member Daeke said it pleased him to see so many present and was willing to allow citizens to speak. Council Member Rainey said Council only hires the City Manager, City Attorney and City Clerk.

Leslie Baskerville, 4910 Satterwhite Point Road Mr. Baskerville made reference to an article printed in the *Daily Dispatch* and mentioned contacting the media regarding this issue.

Nathan Baskerville, 119 West Wakefield Road Mr. Baskerville asked if the Ethics Policy just passed by Council contained any information regarding personnel issues.

Council Member Rainey again said this is a decision of the City Manager.

Assistant City Manager Frazier shared the policy regarding not discussing personnel issues was established to protect the privacy of individuals.

Council Member Peace-Jenkins said if citizens wish to speak, Council should be willing to listen. Council Member Simmons agreed.

Mayor O'Geary asked City Attorney Edwards for guidance. Attorney Edwards felt the privacy of the individual should be of utmost consideration.

Council Member Daeke made a motion to recess for 15 minutes. Motion was seconded by Council Member Simmons and unanimously approved as follows: YES: Kearney, Coffey, Inscoc, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None.

When Council returned from the recess, Council Member Rainey reiterated once again that personnel issues do not fall under the duties of Council so all the Committee of the Whole (the entire Council) can do is listen.

Mayor O'Geary then said if the citizens would like to have one individual express the concerns of the whole, it would be fine or individuals may address Council and asked who would like to come forward.

Gloria Bennett, 332 Ross Avenue Ms. Ross said the individual of concern is her son and asked Council to think about what was in the newspaper. She said her son wish is to only do well; the kids love him and he works well with adults. She said the City cannot take back what it has done and thanked Council for listening.

William Henderson Skene Avenue Mr. Henderson mentioned the prayer that begin this meeting and asked who to turn to regarding this matter. He said a person needs to be measured in total and said what the City is doing is hurtful and gives the wrong message to kids.

Victor Hunt, Warren County Mr. Hunt commended everyone and the decision that has been made. He said it is a job well done.

Christina Hawkins, 1212 West Rockspring Street Ms. Hawkins said she has known this individual for many years during which the individual has been respectful to both young and old. She said this individual is a good person willing to help the youth of the City.

No one else came forward.

Council Member Rainey said citizens are welcome to come to Council meetings anytime and in response to Mr. Henderson's question said citizens are also welcome to speak with the City Manager.

At this time Mayor O'Geary asked if Council was prepared to go into Closed Session and stated there may be a report following the session.

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

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

Mayor O'Geary said there is a report and asked the City Clerk to describe the issue.

City Clerk McCrackin said the following was discussed in Closed Session which is now appropriate for Council to take official action on the following. Council did request that the Mayor be allowed to sign this agreement.

Approving an Incentive Agreement Between WILCO Holdings, LLC and M. R. Williams, Inc. and the City of Henderson. (*Reference: CAF 14-122, Resolution 14-90*)

Mayor O'Geary asked if Council had any questions. There were none so the Mayor asked for the pleasure of Council.

Council Member Rainey moved the approval of Resolution 14-90, *Approving an Incentive Agreement Between WILCO Holdings, LLC and M. R. Williams, Inc. and the City of Henderson.* Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None. (*See Resolution Book 4, p 127*)

(Clerk's Note: This agreement expresses Council's desire to induce M. R. Williams to remain in Henderson, thereby retaining jobs, with the potential of increasing jobs and future tax revenues based on its expansion.

REPORTS

a) Mayor/Mayor Pro-Tem (No Report)

Council Member Coffey reported that there was a gathering at the Senior Center to honor Veterans. Council Member Simmons and Mayor O'Geary also attended and they all agreed that listening to veterans tell their stories were very enlightening.

b) City Manager (No Report)

c) City Attorney(No Report)

d) City Clerk

The annual Light the Night Ceremony will take place on December 7 at 5:30 p.m. and Mayor O'Geary shared those that will be participating, including Council Members Peace-Jenkins and Simmons.

Mayor O'Geary now asked if Council was prepared to adjourn.

ADJOURNMENT

Council Member Rainey moved for adjournment. Motion seconded by Council Member Coffey, and unanimously approved. The meeting adjourned at 8:33 p.m.

James D. O'Geary
Mayor

ATTEST:

Esther J. McCrackin
City Clerk