



AGENDA

Henderson City Council Regular Meeting

Monday 9 November 2015, 6:00 p.m.

R. G. (Chick) Young, Jr. Council Chambers, Municipal Building

134 Rose Avenue

Henderson, North Carolina

Mayor and City Council Members

Mayor James D. O'Geary, Presiding

Mayor-Elect Eddie Ellington

Councilmember James C. Kearney, Sr.

Councilmember Sara M. Coffey

Councilmember Michael C. Inscoe

Councilmember D. Michael Rainey

Councilmember Brenda Peace

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) 26 October Short Regular Meeting. *[See Notebook Tab 1]*
- b) 26 October Work Session

VII. PRESENTATIONS/RECOGNITIONS

- a) Paylor Spruill – Introduction of New *Assistant to the City Manager*

VIII. PUBLIC HEARING

- a) Consideration of Approval of Ordinance 15-52, Authorizing Permanently Closing Two Alleys Located Off of Sims Street and Designated on the Site Map and Application as L-4 and L-5. (CAF 15-113-A) *[See Notebook Tab 2]*
 - Public Hearing
 - Ordinance 15-52

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

X. NEW BUSINESS

- a) Consideration of Approval of Resolution 15-91, Employee Appreciation One-Time Salary Supplement. (CAF 15-129) *[See Notebook Tab 3]*
 - Resolution 15-91

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.

- b) Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of October 2015. (CAF 15-132) [See Notebook Tab 4]

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

XI. REPORTS

- a) Mayor/Mayor Pro-Tem
- b) City Manager
- c) City Attorney
- d) City Clerk
 - i. Meeting and Events Calendar [See Notebook Tab 5]
 - ii. Monthly Fire Department Report

XII. CLOSED SESSION

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

XIII. ADJOURNMENT

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- 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
9 November 2015

PRESENT

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

ABSENT

None.

STAFF PRESENT

City Manager Franklin W. Frazier, City Attorney D. Rix Edwards, City Clerk Esther J. McCrackin, Public Services Director Mike Ross, Engineering Director Clark Thomas, Assistant to the City Manager Paylor Spruill, Human Resources Director Cathy Brown, Police Chief Marcus Barrow, Development Service Director Corey Williams and Interim Fire Chief Steve Cordell.

CALL TO ORDER

The 9 November 2015 Regular Meeting of the Henderson City Council was called to order by Mayor James D. 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 led those present in a prayer and the Pledge of Allegiance.

OPENING COMMENTS

Mayor O'Geary opened the meeting with a word of welcome.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor O'Geary asked if there were any adjustments to the Agenda. Council Member Peace moved to accept the Agenda as presented. Motion seconded by Council Member Rainey, and unanimously approved.

APPROVAL OF MINUTES

Mayor O'Geary asked for any corrections to and/or approval of the minutes. Council Member Coffey moved to approve the October 26 Short Regular Meeting and Work Session minutes as presented. Motion seconded by Council Member Daeke, and unanimously approved.

PRESENTATIONS/RECOGNITIONS

City Manager Frazier was pleased to introduce the new *Assistant to the City Manager* Paylor Spruill. Mr. Spruill has an extensive background in land and project development and brings assets that will help carry out the duties of the manager's office as well as strengthen Henderson's economic initiatives.

PUBLIC HEARING

Authorizing Permanently Closing Two Alleys Located Off of Sims Street and Designated on the Site Map and Application as L-4 and L-5. (*Reference: CAF 15-113-A; Ordinance 15-52*)

City Manager Frazier reminded Council that during the September 28th meeting, a Resolution of Intent was approved. This public hearing has been properly noticed for four (4) consecutive weeks and posted in accordance with North Carolina General Statute GS §160A-299. The purpose of this request is to allow Tharrington Properties, LLC, the necessary land mass to construct a triplex.

There was no discussion so Mayor O'Geary opened the Public Hearing by asking if anyone present wished to speak in favor of this action.

Chet Luney, 8431 Dunham Station Drive, Tampa, FL Mr. Luney represents Tharrington Properties, LLC. He said they are looking forward to developing the property and making a positive contribution to Henderson.

No other citizen came forward so Mayor O'Geary asked if anyone present wished to speak in opposition to the alley closings.

No one came forward so Mayor O'Geary closed the Public Hearing and asked for Council's pleasure.

Council Member Daeke moved the approval of Ordinance 15-52, *Authorizing Permanently Closing Two Alleys Located Off of Sims Street and Designated on the Site Map and Application as L-4 and L-5*. Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Kearney, Coffey, Inscoe, Rainey, Peace, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None. (*See Ordinance Book 9, p 297*)

PUBLIC COMMENT PERIOD ON AGENDA ITEMS

The City Clerk advised the Mayor and Council Members that no citizen wished to address Council at this time.

NEW BUSINESS

Employee Appreciation One-Time Salary Supplement. (*Reference: CAF 15-129; Resolution 15-91*)

City Manager Frazier said over the last several years this supplement has been included in the budget process. This allocation of a one-time salary supplement is normally distributed during the first week of December. The approved amount is \$200 for full-time active employees; \$150 for employees hired in 2015 between January – March; \$100 between April – June; \$75 between July – September and \$25 between October and the distribution date. Mr. Frazier said staff appreciates Council's action and continued support.

Council Member Coffey asked if anything more could be done to support the staff. Mr. Frazier said at this time the dollar amount has been set.

There was no further discussion and Mayor O'Geary called for the pleasure of Council.

Council Member Rainey moved the approval of Resolution 15-91, *Employee Appreciation One-Time Salary Supplement*. Motion seconded by Council Member Daye, and APPROVED by the following vote: YES: Coffey, Inscoe, Rainey, Peace, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None. (*See Resolution Book 4, p 323*)

Tax Releases and Refunds from Vance County for the Month of October 2015. (*Reference: CAF 15-132*)

City Manager Frazier said this is a routine housekeeping matter and the releases and refunds listed below for the month of October are in order and recommended for approval.

Column1	Column2	Column3	Column4
Oct 2015 Tax Releases & Refunds			
Name	Reason	Tax Year	Amount
Real & Personal Property			
Releases			
Perry, Willie,Sr.	Personal Property Billed in Error	2012	\$ 34.78
Perry, Willie,Sr.	Personal Property Billed in Error	2013	\$ 36.86
Burnette Financial Group	Correct Value	2014	\$ 111.63
Key, Tommy Lee	Correct Ownership	2014	\$ (1,033.98)
State Employees Credit Union	Correct Ownership	2014	\$ 1,033.98
Bowden, Anna B.	Remove Sr. Exemption	2015	\$ (194.26)
Burnette Financial Group	Correct Value	2015	\$ 111.63
Cheatham, Joel T.	Correct Ownership	2015	\$ 539.93
Garnett Street Investment	Correct Ownership	2015	\$ (539.93)
Hicks, Linda K.	Correct/ Grant Exempt	2015	\$ 562.22
Johnson, M. Chael T.	Personal Property Billed in Error	2015	\$ 46.02
Key, Tommy Lee	Correct Ownership	2015	\$ (1,033.98)
State Employees Credit Union	Correct Ownership	2015	\$ 1,033.98
Walker, Tam Joy	Correct Value	2015	\$ 493.00
			\$ 1,201.88
Refunds	None		\$ -
Total R&P Prop. Rel. & Ref.			\$ 1,201.88

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

Council Member Peace moved to accept the *Tax Releases and Refunds from Vance County for the Month of October 2015*, as presented. Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Inscoe, Rainey, Peace, Daeke, Simmons, Daye and Kearney. NO: None. ABSTAIN: None. ABSENT: None.

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

The City Clerk advised the Mayor and Council Members that no citizen wished to address Council at this time.

REPORTS

Mayor/Mayor Pro-Tem (No Report)

City Manager – Mr. Frazier had four items.

1. The Cellco (Verizon) cell tower agreement is currently being reviewed by their attorneys and staff, and will be brought back to Council as soon as they respond.
2. The Backflow ordinance will be brought back to Council at the November 23rd meeting.
3. A copy of the press release announcing the approval of the Interbasin Transfer Certificate was given to Council. This press release is incorporated by reference and hereby made part of these minutes.
4. City Hall will be closed on Wednesday, November 11, in recognition of Veteran's Day.

City Attorney (No Report)

City Clerk - Ms. McCrackin said contributions to United Way must be submitted by November 30. She also congratulated Mayor and Mrs. O'Geary as they celebrated their 60th wedding anniversary over the weekend.

OTHER

Council Member Coffey said she would like to show a video of what some of the work City staff does and why she feels more should be done to recognize staff. It was the consensus that this should be done during the budget process.

Council Member Simmons thanked everyone for checking on her during her illness. She also spoke about the genuine concern shown by the police and fire department during the unexpected illness of Officer Wormley. She complimented the Police Chief saying he is a *jewel* within that department as they are a department that *sticks together*.

Ms. Simmons would also like to see a day set aside that would bring together all the staff.

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

CLOSED SESSION

Council Member Rainey moved for Council to convene in closed session pursuant to G.S. §143-31811(a)(3) for an Attorney-Client matter. Motion seconded by Council Member Inscoe, and unanimously approved.

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

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

ADJOURNMENT

Council Member Coffey moved for adjournment. Motion seconded by Council Member Peace, and unanimously approved. The meeting adjourned at 6:31 p.m.

James D. O'Geary
Mayor

ATTEST:

Esther J. McCrackin, City Clerk

FOR IMMEDIATE RELEASE: November 6, 2015

**NC Environmental Management Commission unanimously
approves Kerr Lake Regional Water System Interbasin Transfer
Certificate**

Press Contact: Bill Kreutzberger
Phone: (704) 543-3269
Email: bill.kreutzberger@ch2m.com

HENDERSON, N.C. – The N.C. Environmental Management Commission unanimously approved the Kerr Lake Regional Water System’s (KLRWS) Interbasin Transfer Certificate request at its meeting on Thursday, Nov. 5. CH2M HILL managed the application on behalf of KLRWS.

“This Interbasin Transfer Certificate is critical to the Kerr Lake Regional Water System’s ability to meet future demands without adversely impacting the lake’s water levels,” said Mayor James D.O’Geary. “Thanks to yesterday’s vote of approval, we now have an additional tool to support economic development and continue to provide our residents with a reliable source of safe, clean drinking water. We are grateful for the support and hard work of our staff and partner organizations throughout this application process.”

About the Kerr Lake Regional Water System

The Kerr Lake Regional Water System (KLRWS) is a regional public water system serving portions of Vance, Granville, Warren and Franklin Counties in North Carolina. The system serves three bulk customers, the City of Henderson, City of Oxford and Warren County, which currently supply water to Granville County, Vance County, Franklin County and the Towns of Stovall, Kittrell, Norlina and Warrenton. The South Granville Water and Sewer Authority will also become a customer and will provide water to the Town of Creedmoor. The KLRWS infrastructure consists of a conventional surface water treatment plant, distribution mains, storage tanks and water meters. John H. Kerr Reservoir (Kerr Lake) serves as the water supply. For more information, please visit <http://ci.henderson.nc.us/departments/public-utilities/kerr-lake-regional-water-system/>.

About CH2M HILL

Headquartered near Denver, Colo., CH2M HILL is a global leader in engineering, procurement, construction, management and operations for government, civil, industrial and energy clients. The firm’s work is concentrated in the areas of energy, water, transportation, environmental, nuclear and industrial facilities. For more information, please visit <http://www.ch2m.com>.

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