



## **AGENDA**

### **Henderson City Council Regular Meeting**

**Monday 10 October 2016, 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. Inscoc  
Councilmember D. Michael Rainey

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

### **City Officials**

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

### **I. CALL TO ORDER**

### **II. ROLL CALL**

### **III. INVOCATION AND PLEDGE OF ALLEGIANCE**

### **IV. OPENING REMARKS**

In order to provide for the highest standards of ethical behavior and Transparency in Governance as well as provide for good and open government, the City Council has approved Core Values regarding Ethical 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) 12 September 2016 Regular Meeting [See Notebook Tab 1]
- b) 26 September 2016 Special Called Meeting

**VII. PUBLIC HEARING**

- a) Consideration of Approval of Ordinance 16-40, Amending the Zoning Map to Rezone Property from B3 (Shopping Center District) to B4 (Neighborhood Commercial District) 28,454 sq. ft. / 0.653<sup>+</sup> Acres Located on Dabney Drive Former PNC Bank (Henderson Mall PIN #0013 03046). (CAF 16-103) [See Notebook Tab 2]
  - Ordinance 16-40

**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. NEW BUSINESS**

- a) Consideration of Approval of Resolution 16-68, Authorizing an Agreement with the American Red Cross Designating the Aycock Recreation Center as a Temporary Emergency Shelter in the Event of a Disaster. (CAF 16-101) [See Notebook Tab 3]
  - Resolution 16-68
- b) Consideration of Approval of Resolution 16-62, Declaring Intent to Close a Portion of Lamb Street from Main Street to David Street. (CAF 16-93) [See Notebook Tab 4]
  - Resolution 16-62

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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.

- c) Consideration of Approval of 1) Ordinance 16-07, Amending Section 2-4 of the City Code Relative to Designating Regular Council Meeting Time and Place, and 2) Approval of Resolution 16-38, Adopting the 2017 City Council Meeting Schedule. (CAF 16-34) [See Notebook Tab 5]
- Ordinance 16-07
  - Resolution 16-38
- d) Consideration of Approval of Resolution 16-69, Authorizing the Application for a State Farm Community Grant by the Henderson Fire Department in the Amount of \$7,500. (CAF 16-104) [See Notebook Tab 6]
- Resolution 16-69
- e) Consideration of Approval of Resolution 16-72, Requesting the County of Vance to Continue Enforcement as it Relates to Delinquent Taxes. (CAF 16-108) [See Notebook Tab 7]
- Resolution 16-72
- f) Consideration of Approval of Resolution 16-70, Authorizing a Lease Purchase Financing Agreement for a Fire Department Truck with Benchmark Community Bank. (CAF 16-102) [See Notebook Tab 8]
- Resolution 16-70
- g) Consideration of Approval of 1) Resolution 16-12-C, Awarding an Engineering Contract with WK Dickson for the Implementation of the Technical Assistance Grant Relative to Asset Management and Sanitary Sewer Modeling to Meet the Guidelines of the North Carolina State Department of Environmental Quality Resources; and 2) Ordinance 16-42 FY 17 BA #15, Establishing the Budget for the Technical Assistance Grant. (CAF 16-13-C) [See Notebook Tab 9]
- Resolution 16-12-C

## 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 16-71, Authorizing the Mayor and City Manager to Sign Amendments to the State Archives Records Retention Schedule. (CAF 16-106) [See Notebook Tab 10]
- Resolution 16-71

b) Consideration of Approval of 1) Resolution 16-63-A, Authorizing the Acceptance of Wal-Mart Community Grant for the Henderson Fire Department in the Amount of \$1,500; and 2) Ordinance 16-19, FY BA #13, To Establish the Budget for Said Grant. (CAF 16-94-A) [See Notebook Tab 11]

- Ordinance 16-19

c) Consideration of Approval of 1) Resolution 16-45-A, Authorizing the Acceptance of the 2016 BJA Grant in the Amount of \$19,996; and 2) Ordinance 16-39, FY17 Budget Amendment #12, Establishing the 2016 BAJ Grant Project Budget. (CAF 16-58-A) [See Notebook Tab 12]

- Resolution 16-45-A
- Ordinance 16-39

d) Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of August, 2016. (CAF 16-100) [See Notebook Tab 13]

## **X. 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>

## **XI. REPORTS**

- a) Mayor/Mayor Pro-Tem [See Notebook Tab 14]
- i. Fire Prevention Month Proclamation
  - ii. Johnnie Jacqueline Young Mims Sanders Resolution

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### **<sup>4</sup> Citizen Comment Guidelines for Non-Agenda Items**

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- 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)** City Manager [*See Notebook Tab 15*]
  - i. Cartegraph Presentation (No Materials)
  - ii. Elmwood Cemetery Sewer Replacement Update
  - iii. Housing Demolition Update (No Materials)
  - iv. Housing Advisory Committee Update (No Materials)
  - v. CIP Major Project Update
  - vi. Extra Territorial Jurisdiction (ETJ) Boundary Line Memo
  - vii. Finance Report (To Be Distributed)
- c)** City Attorney (No Report)
- d)** City Clerk
  - i. Meeting and Events Calendar [*See Notebook Tab 16*]
  - ii. E-911 Monthly Report
  - iii. Fire Department Monthly Report

## **XII. CLOSED SESSION**

- a)** Pursuant to G.S. §143-318.11(a)(6) regarding a Personnel Matter.
- b)** Pursuant to G.S. §143-318.11(a)(3) regarding an Attorney/Client Matter.

## **XIII. WORK SESSION**

- a)** Consideration of Approval of Ordinance 16-38, FY17 BA#14, Authorizing the Transfer of General Fund Contingency Funds to Elmwood Cemetery Budget for Various Improvements at Elmwood Cemetery. (*CAF 16-105*) [*See Notebook Tab 17*]
  - Ordinance 16-38

## **XIII. ADJOURNMENT**

# **City Council Minutes**

## **Regular Meeting**

### **10 October 2016**

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#### **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**

Council Members D. Michael Rainey and Melissa Elliott

#### **STAFF PRESENT**

City Manager Frank Frazier, City Attorney D. Rix Edwards, City Clerk Esther J. McCrackin, Finance Director Joseph Fuqua, Police Chief Marcus Barrow, Fire Chief Steve Cordell, Assistant to City Manager Paylor Spruill, Engineering Director Clark Thomas, Development Services Director Corey Williams, Recreation and Parks Director Kendrick Vann, Human Resources Director Cathy Brown, Henderson Water Reclamation Director Lamont Allen and Water Meter Reader William Douglas

#### **CALL TO ORDER**

The 10 October 2016 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 welcomed the large turnout and specifically mentioned Boy Scout Troop 605 who was in attendance.

## ADJUSTMENTS TO/APPROVAL OF AGENDA

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

## APPROVAL OF MINUTES

Mayor Ellington asked for any corrections to and/or approval of the minutes. Council Member Daeke moved the approval of the 12 September 2016 Regular and 26 September Special Called Meeting minutes as presented. Motion seconded by Council Member Inscoe, and unanimously approved.

## PUBLIC HEARING

**Amending the Zoning Map to Rezone Property from B3 (Shopping Center District) to B4 (Neighborhood Commercial District) 28,454 sq. ft. / 0.653<sup>+</sup> Acres Located on Dabney Drive Former PNC Bank (Henderson Mall PIN #0013 03046).** (*Reference: CAF 16-103, Ordinance 16-40*)

Development Services Director Corey Williams explained Henderson Fields, LLC has requested a rezoning of 28,454 sq. ft./0.653<sup>+/-</sup> acres in the Henderson Mall formerly known as the PNC Bank. The objective is to create an out parcel with a conforming zoning classification and after review the Planning Board unanimously voted to recommend this rezoning to Council. Mr. Williams stated this rezoning was properly noticed.

Council Member Daeke asked if there would be any conceptual changes. Mr. Williams explained the B3 classification is for a large tract with multiple uses, whereas B4 is a parcel or single unit. Mr. Daeke then asked about landscaping and expressed the need for delineation between this parcel and the rest of the area. Mr. Williams said this is something the TRC committee will consider as it reviews that particular site plan when redeveloped. Mr. Daeke asked if special permits will be required for this parcel. Mr. Williams responded it will depend on the type of business, but if called for a drive thru or similar type use it will be required.

Council Member Williams asked why this parcel was not zoned B4 when the rest of the parcel was zoned B4. Mr. Williams responded each parcel has been zoned separately.

With no further questions, Mayor Ellington opened the Public Hearing by asking if anyone was present who wished to speak in favor of this rezoning.

**Attorney Jim Wrenn, 111 Gilliam St, Oxford** Attorney Wrenn stated the purpose of this request is to subdivide and sell the property. He said because of the age of the current structure, it will most likely be demolished and when the property is sold, it will need to meet current code/requirements. Mr. Wrenn said currently no purchase contracts.

No one else came forward so Mayor Ellington then asked if anyone was present who wished to speak in opposition to the rezoning. No one came forward.

Mayor Ellington then closed the Public Hearing and asked for Council's pleasure.

Council Member Daeke moved the approval of Ordinance 16-40 *Amending the Zoning Map to Rezone Property from B3 (Shopping Center District) to B4 (Neighborhood Commercial District) 28,454 sq. ft. / 0.653<sup>±</sup> Acres Located on Dabney Drive Former PNC Bank (Henderson Mall PIN #0013 03046)*. Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Williams, Coffey, Inscoe, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: Rainey and Elliott. *(See Ordinance Book 9, p 385)*

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

City Clerk McCrackin advised no citizens wished to address Council.

## **NEW BUSINESS**

**Authorizing an Agreement with the American Red Cross Designating the Aycock Recreation Center as a Temporary Emergency Shelter in the Event of a Disaster.** *(Reference: CAF 16-101; Resolution 16-68)*

City Manager Frazier explained the American Red Cross contacted Recreation and Parks Director Kendrick Vann to request Aycock Recreation Center be designated a temporary emergency shelter. He said he is thankful the Center was not needed over the weekend as Hurricane Matthew passed by and shared the Operations Center is currently designated as a disaster relief facility.

Council Member Williams asked for clarification regarding food service. Mr. Frazier said food service is the obligation of the Red Cross, not the City.

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

Council Member Coffey moved the approval of Resolution 16-62, *Authorizing an Agreement with the American Red Cross Designating the Aycock Recreation Center as a Temporary Emergency Shelter in the Event of a Disaster*. Motion seconded by Council Member Williams, and APPROVED by the following vote: YES: Coffey, Inscoe, Daeke, Simmons, Daye, and Williams. NO: None. ABSTAIN: None. ABSENT: Rainey and Elliott. *(See Resolution Book 5, p 135)*

**Declaring Intent to Close a Portion of Lamb Street from Main Street to David Street.** *Reference: CAF 16-93, Resolution 16-62)*

City Manager Frazier said a request has been received for permanently closing a portion of Lamb Street. This portion of the street is not heavily traveled and does not meet current standards relative to street width or right-of-way. Abutting property owners have been notified by letter and no objections either pro or con have been received. If the intent to close this portion of

Lamb Street is not acceptable, Council should consider making it a one way street due to the narrowness of the street. If the closing is approved, the next step is to hold a public hearing at the next Council meeting on November 14.

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

Council Member Inscoe moved the approval of Resolution 16-62, *Declaring Intent to Close a Portion of Lamb Street from Main Street to David Street*. Motion seconded by Council Member Daeke, and APPROVED by the following vote: YES: Inscoe, Daeke, Simmons, Daye, Williams and Coffey. NO: None. ABSTAIN: None. ABSENT: Rainey and Elliott. (See Resolution Book 5, p 123)

**Amending Section 2-4 of the City Code Relative to Designating Regular Council Meeting Time and Place, and, Adopting the 2017 City Council Meeting Schedule.** (Reference: CAF 16-34: Ordinance 16-07, Resolution 16-38)

City Manager Frazier said it has been almost a year since Council agreed to meet once a month. Since this seems to be working well, it is appropriate to change the City Code to reflect Council no longer meets twice a month. Also, as part of the annual meeting planning efforts, the 2017 regular council meeting schedule has been presented for consideration.

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

Council Member Inscoe moved the approval of Ordinance 16-07, *Amending Section 2-4 of the City Code Relative to Designating Regular Council Meeting Time and Place*, and Resolution 16-38, *Adopting the 2017 City Council Meeting Schedule*. Motion seconded by Council Member Simmons, and APPROVED by the following vote: YES: Daeke, Simmons, Daye, Williams, Coffey and Inscoe. NO: None. ABSTAIN: None. ABSENT: Rainey and Elliott. (See Ordinance Book 9, p 319, Resolution Book 5, p 75)

**Authorizing the Application for a State Farm Community Grant by the Henderson Fire Department in the Amount of \$7,500.** (Reference: CAF 16-104, Resolution 16-69)

Fire Chief Steve Cordell explained if this request to apply for a State Farm Community Grant with no City match is approved, the department plans to use the funds to provide fire prevention materials to all K-5 classes. The department will also be able to provide each teacher with an emergency preparedness kit.

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

Council Member Coffey moved the approval of Resolution 16-69, *Authorizing the Application for a State Farm Community Grant by the Henderson Fire Department in the Amount of \$7,500*. Motion seconded by Council Member Daye, and APPROVED by the following vote: YES: Daeke, Simmons, Daye, Williams, Coffey and Inscoe. NO: None. ABSTAIN: None. ABSENT: Rainey and Elliott. (See Resolution Book 5, p 137)

**Requesting the County of Vance to Continue Enforcement as it Relates to Delinquent Taxes.** *(Reference: CAF 16-108, Resolution 16-72)*

City Manager Frazier stated the Land Planning Committee met last week and identified several properties in need of repair in the downtown area. Mr. Frazier said the County has definitely progressed in the area of delinquent taxes and tax collections; however this resolution authorizes the Mayor to send a letter to the County asking the Commissioners to renew efforts regarding foreclosures and demolition. Several properties in particular, including properties known as the former Abagayle's Bookstore and Henderson Laundry.

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

Council Member Daeke moved the approval of Resolution 16-72, *Requesting the County of Vance to Continue Enforcement as it Relates to Delinquent Taxes*. Motion seconded by Council Member Williams, and APPROVED by the following vote: YES: Daeke, Simmons, Daye, Williams, Coffey and Inscoc. NO: None. ABSTAIN: None. ABSENT: Rainey and Elliott. *(See Resolution Book 5, p 143)*

**Authorizing a Lease Purchase Financing Agreement for a Fire Department Truck with Benchmark Community Bank.** *(Reference: CAF 16-102, Resolution 16-70)*

City Manager Frazier reminded Council that this lease purchase was approved as part of the FY16-17 Budget. Quotes were requested from four banking institutions: two institutions did not submit quotes and a third said this purchase did not meet its minimum requirement. Benchmark Community Bank offered an interest rate of 2.150% for five years.

Council Member Coffey remarked on the great rate.

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

Council Member Coffey moved the approval of Resolution 16-70, *Authorizing a Lease Purchase Financing Agreement for a Fire Department Truck with Benchmark Community Bank*. Motion seconded by Council Member Simmons, and APPROVED by the following vote: YES: Simmons, Daye, Williams, Coffey, Inscoc and Daeke. NO: None. ABSTAIN: None. ABSENT: Rainey and Elliott. *(See Resolution Book 5, p 139)*

**Awarding an Engineering Contract with WK Dickson for the Implementation of the Technical Assistance Grant Relative to Asset Management and Sanitary Sewer Modeling to Meet the Guidelines of the North Carolina State Department of Environmental Quality Resources; and Establishing the Budget for the Technical Assistance Grant.** *(Reference: CAF 16-13-C, Resolution 16-12-C, Ordinance 16-42)*

City Manager Frazier stated Council accepted this grant during the August 2016 meeting and asked Engineering Director Clark Thomas to explain the specifics. Mr. Clark said WK Dickson is one of the on-call engineering firms that will help the City develop a sanitary sewer model. Ultimately, this should help staff correct problems before they become major breaks. Mr. Thomas said the EPA guidelines have become expansive and intensive. Therefore, it is

suggested that WK Dickson be used to identify high priority sewers based on the level of service and possible failure, as well as developing the model for the Sandy Creek basin. City staff will be used to identify smaller priorities. There is a grant match of \$6,250.

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

Council Member Daeke moved the approval of Resolution 16-12-C, *Awarding an Engineering Contract with WK Dickson for the Implementation of the Technical Assistance Grant Relative to Asset Management and Sanitary Sewer Modeling to Meet the Guidelines of the North Carolina State Department of Environmental Quality Resources*; and Ordinance 16-42, *Establishing the Budget for the Technical Assistance Grant*. Motion seconded by Council Member Daye, and APPROVED by the following vote: YES: Daye, Williams, Coffey, Inscoc, Daeke and Simmons. NO: None. ABSTAIN: None. ABSENT: Rainey and Elliott. (See Resolution Book 5, p 23-C, Ordinance Book 9, p 389)

## CONSENT AGENDA

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

*(Clerk's Note: Council Member Rainey was delayed due to a prior commitment and arrived at 6:20 p.m.)*

**Authorizing the Mayor and City Manager to Sign Amendments to the State Archives Records Retention Schedule.** (Reference: CAF 16-106, Resolution 16-71) The Department of Natural and Cultural Resources amended the following sections of the Records Retention Schedule: Standard 4: Item 32, *Escheat and Unclaimed Property File* and Standard 12: Item 1-A, *Accreditation Records*; Item 36, *Medical Leave Act (FMLA)*; Item 42, *Leave File*, and Item 43, *Leave Without Pay*; Standard 6: Item 3, *911 Recordings* and Item 18, *Emergency Notifications*, and Standard 9: Item 136, *Law Enforcement Audio and Video Recordings* and Standard 12: Item 19, *Employee Eligibility Records*. As required by law, these all need to be formally approved by the Mayor and City Manager. (See Resolution Book 5, p 141)

**Authorizing the Acceptance of Wal-Mart Community Grant for the Henderson Fire Department in the Amount of \$1,500 and Establish the Budget for Said Grant.** (Reference: CAF 16-94-A; Resolution 16-63-A, Ordinance 16-19) Accepting this grant provides funding to purchase a Bright Link 595 Wi-Interactive 3 LCD Projector. (See Resolution Book 5, p 125, Ordinance Book 9, p 343)

**Authorizing the Acceptance of the 2016 BJA Grant in the Amount of \$19,996 and Establishing the 2016 BAJ Grant Project Budget.** (Reference: CAF 16-58—A, Resolution 16-45-A, Ordinance 16-39) This grant is an annual submission that shares the funds between the City and County. The allocation this year is \$11,997.60 for the City and \$7,998.40 for the County. (See Resolution Book 5, p 89, Ordinance Book 9, p 393)

**Approval of Tax Releases and Refunds from Vance County for the Month of August 2016.**  
 (CAF 16-100) The tax releases and refunds have been reviewed and found to be in order. (See below)

August 2016 Tax Releases			
Name	Reason	Tax Year	Amount
<b>Real &amp; Personal Property Releases</b>			
Rojo, Jesus	Person Prop Billed in Error	2013	36.86
Allen, Annie	Adust Value- Evaluation	2016	248.02
Allen, Catherine Trustee	Real property billed in error	2016	8.47
Ayscue, Jean E	Correct Value	2016	74.07
Baskerville, Emma	Adust Value - Evaluation	2016	178.00
Belk Store Services	Correct Value	2016	244.58
Boyd, Johnnie Mitchell	Correct/ Grant Ex	2016	440.23
Burwell, Mary A	Adust Value - Evaluation	2016	178.00
Coles, James Thomas	Correct/ Grant Ex	2016	320.40
Cordell, James M	Person Prop Billed in Error	2016	0.71
Curtin Trucking & Dra	Depreciated Equipment	2016	3,177.74
Daniles, Mary Heirs	Adjust Value - Evaluation	2016	178.00
Dennison, Charles M	Correct/ Grant Ex	2016	178.00

Name	Reason	Tax Year	Amount
<b>Real &amp; Personal Property Releases</b>			
Ellis, Ann M	Adust Value - Evaluation	2016	178.00
Fellowship Baptist Church	Religious exemption	2016	15,715.85
First Citizens Bank Leasing	Correct Value	2016	10.58
Gatham Properties, LLC	Correct Ownership	2016	(6,834.61)
Gregg Marjorie W	Correct Value	2016	(178.00)
Grissom, Milton	Correct/ Grant Ex	2016	235.69
Hawkins, Marie Heirs	Adjust Value - Evaluation	2016	109.31
Heirerra, Donna R	Person Prop Billed in Error	2016	47.68
Hicks, Linda K	Adjust Value - Evaluation	2016	304.99
Hope, John Henry	Adjust Value - Evaluation	2016	178.00
Jimenes, Juana	Person Prop Billed in Error	2016	32.25
Journigan, Brenda H	Adjust Value - Evaluation	2016	146.37
Kelly, Virginia P	Correct/ Grant Ex	2016	186.51
Lossa, Katia N	Correct Value	2016	454.06
Marshall, Lindy G	Correct/ Grant Ex	2016	178.00
Matthews, Louise	Adjust Value - Evaluation	2016	198.58
Moore, William Ray	Correct/ Grant Ex	2016	274.31
Neal, John Henry	Adjust Value - Evaluation	2016	178.00
Nelson, Barbara H	Adjust Value - Evaluation	2016	239.85
Norwood, Ronald E	Removed Solid Waste fee	2016	267.42
Owens, Brenda Anne	Person Prop Billed in Error	2016	5.14
Perry, Barbara J	Correct/ Grant Ex	2016	174.85
Riggan, Mattie	Adjust Value - Evaluation	2016	92.18
Salazar, Jose	Correct Value	2016	13.05
Short, Helen D	Correct/ Grant Ex	2016	249.23
Southerland, Carolyn J	Adjust Value - Evaluation	2016	132.81
SRS of Henderson, LLC	Correct Ownership	2016	6,834.61
Toole, Frankie S	Correct/ Grant Ex	2016	434.44
Van Brunt, Robert L	Correct/ Grant Ex	2016	320.40
Vass, Clara	Correct/ Grant Ex	2016	168.47
Vision of Hope International	Charitable	2016	159.23
Wallace, David	Adjust Value - Evaluation	2016	178.00
Winders, Mary D	Adjust Value - Evaluation	2016	442.01
<b>Total R&amp;P Property Releases</b>			<b>26,390.34</b>
<b>Real &amp; Personal Property Refunds</b>			
<b>Refunds</b>	NONE		<b>0.00</b>
<b>Total R &amp; P Property Refunds</b>			<b>26,390.34</b>
<b>Total R&amp;P Prop. Rel. &amp; Ref.</b>			<b>\$ 26,390.34</b>
<b>Tot. Veh. Rel. &amp; Ref.</b>	NONE		<b>\$ -</b>
<b>Total All Releases &amp; Refunds</b>			<b>\$ 26,390.34</b>

Mayor Ellington asked if anyone wished to remove an item from the Consent Agenda. There were no requests. Mayor Ellington 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 Williams, and APPROVED by the following vote: YES: Williams, Coffey, Inscoe, Rainey, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: Elliott.

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

City Clerk McCrackin advised two citizens wished to address Council.

**Joanne Allen, 159 Waterfall Road** Ms. Allen shared with Council the need for a women's shelter. She represents V-Hope, an organization with a mission to re-integrate women into the main stream through life, parenting and financial training among other things. Ms. Allen said they would like to create a shelter at 255 West Andrews (former Terry's Funeral Home). She asked Council to consider selling this city owned property to V-Home for one dollar.

Mayor Ellington referred this request to the Land Planning Committee.

**Torrey Person, 101 Kearney Street** Mr. Person stated he has a water leak and that he has been told by various city personnel that the leak is on his side of the meter. He feels the city is not doing its part and would like help to resolve the issue.

City Manager Frazier spoke to Mr. Person earlier in the day and plans to have the Interim Public Services Director meet with Mr. Person tomorrow. Mr. Frazier explained the meter for this account is on Shirley Drive, not Kearney Street because there was no water line to Kearney Street when homes were built on Kearney Street. Mr. Frazier said there should have been an easement created when the original service was installed which should allow Mr. Person to repair the service line if a leak occurred.

## **REPORTS**

- a) Mayor/Mayor Pro-Tem – Mayor Ellington reported on and participated with the Downtown Development's Harvest Moonlight Gala, the ribbon cutting for the new Animal Shelter, Hometown Hero Award and Walk to School events.

Mayor Pro-Tem Rainey thanked the Public Services department for an excellent job in preparing for Hurricane Matthew.

b) City Manager

- i. Mr. Frazier also thanked the Public Services department for their work preparing for the hurricane. He thanked the KLRW staff for what they did to get the plant up and running when it lost power and the generator failed during the hurricane. The staff at HWRF is also to be commended as the hurricane caused overflows at both Sandy Creek and Julia Avenue.
- ii. The work on Birch Circle has been completed.
- iii. The Purple Heart flag will be raised on Wednesday, October 12 on the flagpole next to Garnett Street Fire Station.

- iv. Unfortunately, the Police Station was not awarded a grant from Triangle North for fitness stations downtown.
- v. Only one bid was received for the street resurfacing project. This will go out for re-bids.
- vi. Waste Industries - Mr. Frazier sent Council information a while back that this agreement was up for renewal and asked for feedback. Since he received no feedback, the agreement was allowed to renew automatically. Waste Industries has requested a confirmation of renewal form be completed.

Council Member Inscoe asked that whenever a contract is up for renewal, the escalation fees be reviewed and renegotiated if possible. Mr. Frazier stated that he would review future renewals.

- vii. Mr. Frazier asked Engineering Director Clark Thomas to make a presentation regarding the Cartegraph work order system. Mr. Thomas presented a brief PowerPoint explaining the deployment and milestones of initiating the program. Overall, the system has been well received and it will be introduced to additional departments in the coming months.

There was a brief discussion regarding how the work orders are entered and the benefits of the program. Council Member Daeke summarized the discussion by saying the work order system presents a macro view of work. Mr. Frazier it will assist in providing accountability for repairs and inventory of various utility issues as well as customer satisfaction as it provides data regarding work performed, equipment/supplies and manpower use, along with a history of areas with specific problems.

- viii. Elmwood Cemetery Sewer Replacement cost estimates were distributed. Mr. Frazier said there is no recommendation at this time.
- ix. Development Services Director Corey Williams gave a brief update regarding the nine properties due to demolition. Asbestos inspection is complete with three testing positive (706 Highland Avenue, 803 Garnett Street and 741 Jefferson Street). The cost to remove the asbestos is estimated at \$5,650 and removal is scheduled to be completed by October 22<sup>nd</sup>. Mr. Williams said gas and electric service has been retired for all the properties and Faulkner Grading is prepared to begin the demolitions once a contract is finalized. Also, on September 28<sup>th</sup>, 742 Hillside Avenue was demolished by fire training.

There was discussion regarding the funding of these demolitions and Council Member Inscoe made a motion to continue on with the available funds and to allow the City Manager to use contingency funds as needed until such time as the County reimburses its portion. There was some discussion relative to whether this would de-obligate the County's share of funding. It was decided that Development Services would continue to

proceed with the demolitions and seek reimbursement from the County for its share of the demolition costs.

The consensus of Council was as follows: YES: Williams, Coffey, Inscoc, Rainey, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: Elliott.

- x. Housing Advisory Committee met last week. Chairperson Daeke said the meetings have been productive and they will meet again soon. Council Member Coffey asked to be notified when the next meeting is scheduled so the Clerk will email the minutes that include the next meeting date of November 3<sup>rd</sup>.
- xi. ETJ Boundary Line – Staff is currently studying the current ETJ boundaries and recommendations will be forthcoming for new boundary lines when the process is complete.

c) City Attorney (No Report)

d) City Clerk – The Clerk reminded Council of Cops-On-Top and the Domestic Violence event this Thursday; the car show this Saturday and Trick or Treat on October 31<sup>st</sup>.

## **OTHER**

Council Member Coffey mentioned Shop with a Cop. The event will take place at the Henderson Country Club. Police Chief Barrow said this is a joint venture with the Chamber of Commerce. It is a reverse raffle and proceeds will be shared with the Chamber. The police will use its portion to take children shopping for Christmas.

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

## **CLOSED SESSION**

Council Member Coffey moved for Council to convene in closed session pursuant to G.S. §143-318.11(a)(3) for an Attorney-Client Privilege Matter and G.S. §143-318.11(a)(6) for a Personnel Matter. Motion seconded by Council Member Williams, and unanimously approved.

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

*(Clerk's Note: Council Members Inscoc and Daeke left before the start of the Work Session)*

## WORK SESSION

### **Authorizing the Transfer of General Fund Contingency Funds to Elmwood Cemetery Budget for Various Improvements at Elmwood Cemetery. (Reference: CAF 16-105, Ordinance 16-38)**

City Manager Frazier is requesting \$10,000 be transferred from the General Fund Non-Departmental contingency to the Elmwood Cemetery budget for necessary repairs at the cemetery such as tree removal, plot markers storm drain repair and paint for the main entrance gate.

Council Member Rainey asked about tree removal at various areas within the cemetery. Mr. Frazier said the city prefers to obtain consent from descendants, as you never know who planted the tree and how they would feel about its removal. Mr. Frazier mentioned there will be a cemetery walk in conjunction with the 175<sup>th</sup> anniversary of the City of Henderson at the end of October and the Historical Society has asked the City to use some of the perpetual care funds to repair various headstones in the older section of the cemetery that have fallen or are in disrepair.

The following is the consensus of Council to transfer the \$10,000: YES: Williams, Coffey, Rainey, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: Inscoc, Elliott and Daeke.

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

## ADJOURNMENT

Council Member Simmons moved for adjournment. Motion seconded by Council Member Coffey, and unanimously approved. The meeting adjourned at 8:43 p.m.

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Eddie Ellington  
Mayor

**ATTEST:**

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Esther J. McCrackin, City Clerk