



AGENDA

**Henderson City Council Work Session
Monday, 27 October 2014 Immediately Following Regular Session
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, Sr.
Councilmember Sara M. Coffey
Councilmember Michael C. Inscoc
Councilmember D. Michael Rainey

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

City Officials

A. Ray Griffin, Jr., City Manager
D. Rix Edwards, City Attorney
Esther J. McCrackin, City Clerk

I. CALL TO ORDER

II. ROLL CALL

III. ADJUSTMENTS TO AND/OR APPROVAL OF THE AGENDA

IV. REGULAR WORK SESSION

- a) Consideration of Approval of Resolution 14-24, Adopting the Proposed Employee Personnel Manual. (CAF 14-72) [See Notebook Tab 12]
 - Resolution 14-24
- b) Consideration of Approval of Ordinance 14-41, Amending Section 7-64.0 of the City Code Relative to Declaration as to Certain Intersections and Section 7-49, Declaration as to Certain Streets. (CAF 14-92) [See Notebook Tab 13]
 - Ordinance 14-41
- c) Consideration of Approval of Resolution 14-82, Adopting 2015 Council Meeting Schedule. (CAF 14-113) [See Notebook Tab 14]
 - Resolution 14-113

- d) 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 15]*
- Resolution 14-81
- e) Consideration of Approval of Ordinance 14-52, Verifying the Ethics Policies for the City of Henderson’s Elected Officials. (CAF 14-09) [See Notebook Tab 16]*
- Ordinance 14-52
- f) Youth Protection Ordinance. [See Notebook Tab 17]*
- g) Installation of Water Spray Park. (CM 14-28-B) [See Notebook Tab 18]*
- h) Chavasse Avenue and Beckford Drive Widening Projects Update. (CM 14-34) [See Notebook Tab 19]*
- i) LED Street Light Change Out. (CM 14-35) [See Notebook Tab 20]*
- j) Update on NCDOT’s Request for Temporary (60-90 days) and long term (5-10 months) Ramp Closures in Conjunction with Improvements to I-85 (I-0914BA). (CM 14-36) [See Notebook Tab 21]*

V. ADJOURNMENT

City Council Minutes
Work Session
27 October 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 Daeke, Fearldine A. Simmons and George M. Daye.

ABSENT

None.

STAFF PRESENT

City Manager Ray Griffin, City Attorney D. Rix Edwards, City Clerk Esther J. McCrackin, Assistant City Manager Frank Frazier, Finance Director Kathy Brafford, Engineering Director Clark Thomas, Development Services Director Corey Williams, Human Resources Director Cathy Brown, Police Chief Marcus Barrow, Fire Chief Danny Wilkerson, Assistant Fire Chief Steve Cordell, Battalion Chief Tim Twisdale and Interim Recreation and Parks Director Steve Osborne.

CALL TO ORDER

The 27 October 2014 Work Session of the Henderson City Council was called to order by Mayor O'Geary at 8:50 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.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor O'Geary asked if there were any adjustments to the Agenda. The agenda was unanimously approved as presented.

WORK SESSION ITEMS

Adopting the Proposed Employee Personnel Manual. (*Reference: CAF 14-72, Resolution 14-24*)

Human Resources Director Brown explained the last comprehensive Personnel Policy manual was adopted sometime around 1998. Over the last five (5) years some changes have been made as needed but as part of the Pay Classification Study completed by The MAPS Group an updated draft is now being developed. Ms. Brown then pointed out specific areas of change that she wanted Council to note. They were as follows: Article 3, Section 13, 16, and 19; Article 5, Section 2, 12, 13-15, Article 8, Section 7, 8, 13, 14, and 16 and Article 11, Section 1.

When Ms. Brown mentioned changes to the per diem when traveling, Council Member Daeke asked what the change is based on. Mr. Griffin said it is just a more reasonable amount for current conditions.

Council Member Inscoc asked if the new funeral leave portion of the policy was for immediate family and Council Member Coffey asked if this policy includes all the new laws regarding "family." Ms. Brown said the leave is only for immediate family and if an employee had documentation of a legal spouse, the policy will apply.

Council Member Daeke asked if the policy has been reviewed by the Human Resources Committee. City Manager Griffin responded it was hoped to have this policy prepared for consideration in September which was impossible so in an effort to complete the policy, he consulted with the Human Resources Chairman Rainey and it was felt a decision by the Committee as a Whole would be appropriate. However, Council certainly has the option of asking the Human Resources Committee to approve the policy before final approval by Council.

Mayor O'Geary asked for Council's pleasure. It was the consensus of Council to move forward with this to the November meeting as follows: YES: Kearney, Coffey, Inscoc, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None.

Amending Section 7-64.0 of the City Code Relative to Declaration as to Certain Intersections and Section 7-49, Declaration as to Certain Streets. (*Reference: CAF 14-92, Ordinance 14-41*)

Assistant City Manager Frazier said these issues have been brought before Council earlier. The first portion of this amendment deals with the intersection of Chestnut and Young Street. The City has requested a signal warrant study which will be performed by VHB Consultants of Raleigh and the findings will be brought back to Council. Currently the stop signs seem to be working effectively. Mr. Frazier said there may be funds received from the insurance companies of the parties involved in the accident which could partially cover the cost of removing the traffic signals.

Next Mr. Frazier spoke about the South Park/Beckford Drive intersection where Council has expressed concern about the "pork chop" and traffic in/out of the Farmers Market. After

speaking with the NCDOT, it is anticipated the DOT will prohibit left hand movement from and to South Park Drive and have asked for the City's support in having the local Police Department enforce the change.

Council Member Kearney commented that it seems like North Park Drive should be South Park Drive and South Park Drive should be North Park Drive.

Council Member Inscoe asked about the pork chop at the ABC Liquor Store. Mr. Frazier said he believed that was installed by the property owner. He also asked about the sandbags holding the Stop sign on Corbitt Street. Mr. Frazier said the new signs have just arrived and will be replaced as soon as possible.

Next Mr. Frazier addressed the change from one-way to two-way on Oak Street. This request came from the Fire Department and Fire Chief Wilkerson said this is a major concern of his as people often travel the one-way street the wrong way. He added being able to use two different streets would save wear and tear on the fire truck tires. Chief Wilkerson has spoken to the Superintendent of Schools, Mr. Gregory who has written a letter of support for returning Oak Street to two-way traffic.

Council Member Daeke asked what the original reason was for making Oak Street one way. The response was the school system had concerns about loading/unloading students from vehicles.

Lastly, Mr. Frazier said the citizen who requested handicap parking in downtown was mainly concerned about the parking in the rear of the building near the railroad track which the City has no jurisdiction over. Mr. Frazier does plan to speak to the Downtown Development Commission about the possibility of creating handicap parking on Garnett Street.

Council Member Coffey asked about the hole on Belle Street. Mr. Frazier said the needed pipe has been ordered and it will be replaced just as soon as the pipe arrives.

Mayor O'Geary asked for a consensus to move forward with these four issues and Council responded as follows: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None.

Adopting the 2015 City Council Meeting Schedule. (*Reference: CAF 14-113, Resolution 14-82*)

City Manager Griffin explained this is a routine matter of scheduling the 2015 meeting dates so the City Clerk can post the information.

There was no discussion and when Mayor O'Geary asked for a consensus to adopt the 2015 meeting schedule as present. Council's response was affirmative as follows: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None.

Authorizing the Implementation of an “Adopt a Park” Policy for the Henderson-Vance Recreation and Parks Department. *(Reference: CAF 14-112, Resolution 14-81)*

Interim Recreation and Parks Director Osborne said he was approached by a civic organization/church about adopting a park – specifically Owen Davis Park. He would like to see this policy (which has been reviewed and approved by the City Attorney) approved so others can partner with the department to help with maintenance, cleanliness, etc. of additional parks.

Council Member Inscoe asked about set guidelines and Council Member Rainey asked about insurance/liability. City Manager Griffin said the policy and program has been reviewed and approved by City Attorney D. Rix Edwards.

Council Member Kearney said Ms. Sheila Simmons who keeps a close eye on Kings Kids Park has had some health issues and that park may need additional supervision.

Council Member Daeke asked if consideration would be given to the possibility of these groups wanting to put up signage and Council Member Inscoe asked Mr. Osborne to find ways to publicize this policy once it is approved so other groups can become involved.

Mayor O’Geary asked for a consensus and Council’s response to move forward with this was as follows: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None.

Verifying the Ethics Policies for the City of Henderson’s Elected Officials. *(Reference: CAF 14-09, Ordinance 14-52)*

City Manager Griffin said the State of North Carolina now requires local elected officials to adopt an ethics policy. The School of Government created a model which was used in drafting this policy which puts Council in full compliance with the State law.

There were no questions and it was the consensus of Council to move forward with this issue as follows: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None.

Youth Protection Ordinance Report *(No References)*

Police Chief Barrow reviewed the statistics of juvenile activity in 2013-2014 and said there were only four (4) juveniles that truly violated the ordinance. He said this ordinance was created for the protection of juveniles rather than to be a punitive ordinance. He said the ordinance was created to help parents be parents.

Council Member Peace-Jenkins asked if the ordinance is as effective now as it was when it was created. Chief Barrow responded he was not finding the issues as bad now as when the ordinance was created. He referenced a time when kids were bouncing from place to place without a purpose which does not seem to occur now. He did say anti-graffiti paint has helped

and plans to revisit issues of overgrown vegetation in certain areas which could create the same type of problems in the future since kids used the overgrowth as places to hide.

Council Member Rainey asked what citizens should do when kids are walking down the middle of the road. Chief Barrow said citizens should call the police. He added this does not seem to be a repeat offender issue.

Council Member Peace-Jenkins asked about the 17 and older segment. Chief Barrow said that is another issue and said he is more than willing to work with those who want help to stay off the wrong path. Ms. Peace-Jenkins thanked the Chief for the update.

No action will be taken at this time.

Installation of Water Spray Park (CM 14-28-B)

Interim Recreation and Parks Director Osborne said the Henderson/Vance Recreation and Parks Commission have discussed this possibility and expressed three main concerns: 1) it is not a high priority in the Master Plan; 2) due to possible vandalism, the spray park should not be located anywhere other than at the Aycock Center and 3) the spray park should be constructed at Aycock where it could be easily monitored and the staff at Aycock is certified as pool operators.

Council Member Daeke said this defeats his purpose of providing a park where kids could go that do not have the ability to travel to the Aycock Center. He was disappointed with the Commission's decision and also disappointed with the newspaper report saying the article was very negative. He then challenged Mr. Osborne and the Commission to think outside the box and come up with a transportation plan to get kids to the Aycock Center.

Council Member Simmons said Aycock Center is nice but she was at a soccer game recently and found the bathrooms embarrassing. She said anyone from out of town (teams, etc.) would certainly be offended by what she saw.

No action will be taken at this time.

Chavasse Avenue and Beckford Drive Widening Projects Update. (CM 14-34)

Assistant City Manager Frazier said there has been a setback on the Chavasse Avenue project in that there has been a modification in the State plans which now require one right-of-way to be re-signed. He added it was anticipated the project would begin this October/November; however, the DOT does not want to start this project now due to winter weather so they anticipate taking bids in early 2015, subject to funding approval by both the DOT and the City.

Regarding the Beckford Drive project, Mr. Frazier said papers have been filed with the Court to proceed with the condemnation process necessary before the project can proceed.

No action is needed at this time.

LED Street Light Change Out (CM 14-35)

Mr. Frazier said Duke Energy Progress has started converting the mercury vapor street lights as well as other lights that have been in place for 20 years or more with LED lights. There is a \$50 fee to change out lights less than 20 years old and Mr. Frazier advised there are approximately 200 of these newer lights. According to Duke Energy Progress the cost of changing these lights can be recouped within a relatively short span and staff recommends going forward with the change out. The anticipated total cost to change out street lights less than 20 years is \$10,000 and the City Manager said this could be handled administratively is Council approves.

Council Members Inscoe and Kearney said this should be approved.

Mayor O'Geary asked for a consensus of Council to approve changing out street lights less than 20 years old and that this would be handled administratively. Council's response was as follows: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None.

City Manager Griffin now asked for permission to address Council since this is his last meeting. He again thanked Council so very much for the opportunity to work with each of them. He said he has enjoyed serving the City of Henderson and is glad his career as City Manager is ending in Henderson.

There were no other questions or comments so Mayor O'Geary asked if Council was prepared to adjourn.

ADJOURNMENT

Council Member Rainey moved for adjournment. Motion seconded by Council Member Peace-Jenkins and unanimously approved. The meeting adjourned at 9:50 p.m.

James D. O'Geary
Mayor

ATTEST:

Esther J. McCrackin, City Clerk