



## **AGENDA**

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

**Monday 14 September 2015, 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 James D. O'Geary, Presiding

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**

Franklin W. 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. MOMENT OF SILENCE**

- a) In Remembrance of County Commissioner Eddie Wright who passed away September 8<sup>th</sup>.

**VI. ADJUSTMENTS TO AND/OR APPROVAL OF THE AGENDA**

**VII. APPROVAL OF MINUTES**

- a) 10 August 2015 Regular Meeting. *[See Notebook Tab 1]*

**VIII. PRESENTATIONS/RECOGNITIONS**

- a) Retiree Fire Chief Danny Wilkerson

**IX. PUBLIC HEARING**

- a) Consideration of Approval of Ordinance 15-04, Amending the Zoning Map to Rezone Property Located at Spring Valley Road, Hwy 158 Business and Satterwhite Point Road (PIN #0211 02003) as Follows: 5.9 Acres from I-1 (Industrial) to R8M (Moderate to High Density Residential HUD Code Home District) and 14.10 Acres from B-2 (Highway Commercial District) to I-1 (Industrial) Zoning District. (CAF 15-101) *[See Notebook Tab 2]*

- Public Hearing
- Ordinance 15-04

**X. 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>

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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.

## **XI. NEW BUSINESS**

- a)** Consideration of Approval of Resolution 15-56, Authorizing the Dedication and Acceptance of a Sewer Main Serving the Davita Dialysis Building on Ruin Creek Road. *(CAF 15-84) [See Notebook Tab 3]*
- Resolution 15-56
- b)** Consideration of three possible funding applications as follows:
1. Approval of Resolution 15-52, Authorizing the Submission of an Application for a Drinking Water State Revolving Fund (DWSRF) Grant/Loan for a Water System Merger with Knoll Terrace Mobile Home Park. *(CAF 15-105) [See Notebook Tab 4]*
    - Resolution 15-52
  2. Approval of Resolution 15-75, Authorizing the Submission of a Drinking Water State Revolving Fund (DWSRF) Grant/Loan Application for Water System Improvements, Replacing Various Water Lines on Young Avenue and Several Surrounding Streets. *(CAF 15-115) [See Notebook Tab 4]*
    - Resolution 15-75
  3. Approval of Resolution 15-76, Authorizing the Resubmission of a Drinking Water State Revolving Fund Application for Water System Improvements to Hwy 158 and Beckford Drive. *CAF 15-116) [See Notebook Tab 4]*
    - Resolution 15-76
- c)** Consideration of Approval of Ordinance 15-49, Amending Section 16-20 of the City Code Regarding Obstruction of View at Street Intersections. *(CAF 15-106) [See Notebook Tab 5]*
- Ordinance 15-49
- d)** Consideration of Approval of Resolution 15-73, Authorizing an Application to the Triangle North Healthcare Foundation in the Amount of \$20,000 to Complete the Development of the South Side of the Fox Pond Trail System, Phase III. *(CAF 15-112) [See Notebook Tab 6]*
- Resolution 15-73
- e)** Information and Possible Action Items for Consideration by Council. *(CRM 15-01) [See Notebook Tab 7]*

## **XII. 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 15-35, Awarding of Departmental Fire Helmet and Badge to Daniel Wilkerson, Retired Fire Chief. (CAF 15-102) [See Notebook Tab 7]*
  - Resolution 15-35
  
- b) Consideration of Approval of Ordinance 15-48, FY16 Budget Amendment #8, Amending the Annual Fee Schedule Providing for Technical Corrections. (CAF 15-104) [See Notebook Tab 8]*
  - Ordinance 15-48
  
- c) Consideration of Approval of Ordinance 15-50, Repealing City Code Article II, Section 3-12, Privilege License Fees, in Accordance with North Carolina General Statute 160A-211, effective July 1, 2015. (CAF 15-108) [See Notebook Tab 9]*
  - Ordinance 15-50
  
- d) Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of July 2015. (CAF 15-99) [See Notebook Tab 10]*

### **XIII. 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>

### **XIV. REPORTS**

- a)* Mayor/Mayor Pro-Tem
- b)* City Manager
- c)* City Attorney
- d)* City Clerk
  - i. Meeting and Events Calendar [*See Notebook Tab 12*]
  - ii. National Chiropractic Health Month Proclamation

### **XV. ADJOURNMENT**

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

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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**  
**14 September 2015**

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**PRESENT**

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

**ABSENT**

Council Member Michael C. Inscoe

**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, Interim Finance Director Michelle Daniels, Recreation and Parks Director Kendrick Vann, Human Resources Director Cathy Brown, Kerr Lake Regional Water Director Christy Lipscomb, Police Chief Marcus Barrow, Development Service Director Corey Williams, Interim Fire Chief Steve Cordell, Lieutenant Joel Bartholomew, Lieutenant Trent Ayscue, Fire Engineer Jeff Turner, Fire Engineer Mike Fleming, Fire Fighter Paul Bauer, Fire Fighter Travis Richardson, Fire Fighter Cody Ayscue and Fire Fighter Justin Simmons

**CALL TO ORDER**

The 14 September 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 and called for a moment of silence.

## **MOMENT OF SILENCE**

A moment of silence was held to honor the passing of County Commissioner Eddie Wright.

## **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 Simmons 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 10 August 2015 Regular Meeting minutes as presented. Motion seconded by Council Member Daye, and unanimously approved.

## **PRESENTATIONS/RECOGNITIONS**

Mayor O'Geary recognized Daniel Wilkerson who recently retired from the Fire Department where he served for 40 years. The Mayor read a Certificate of Recognition that outlined the Chief's career which culminated with him serving as Fire Chief for 16 years. The Mayor also presented an engraved clock. Mayor O'Geary thanked Mr. Wilkerson for his dedication to the City, said he will be missed and wished him the very best during his retirement.

Mr. Wilkerson thanked the Mayor, Council and staff for the opportunity to serve. He said he has left the department in good hands and with good leadership. Mr. Wilkerson recognized his wife, Sandra and daughter, Abby, along with several other relatives in the audience and thanked his family for their support. He received a standing ovation.

## **PUBLIC HEARING**

**Amending the Zoning Map to Rezone Property Located at Spring Valley Road , Hwy 158 Business and Satterwhite Point Road (PIN # 0211 02003) as follows: 5.9 Acres from I-1 (Industrial) to R8M (Moderate to High Density Residential HUD Code Home District) and 14.10 Acres from B-2 (Highway Commercial District) to I-1 (Industrial) Zoning District. (Reference: CAF 15-101; Ordinance 15-04)**

City Manager Frazier briefed Council by saying this rezoning will better classify the area and asked Development Service Director Corey Williams to present this material in detail.

Mr. Williams said only portions of the 83 acre tract are being considered for rezoning. He pointed out on a map the parcels being considered, which is incorporated by reference and hereby made part of these minutes. Mr. Williams said originally staff believed the entire parcel was zoned I-1; however, after additional research, it was determined the parcel has three different zoning classification with various uses creating a non-conforming situation. To correct these differences, staff suggested the parcel be subdivided to allow the creation of zoning

districts reflecting current and anticipated uses. The Planning Board approved this recommendation with a 5-2 vote during its August 3, 2015 meeting.

Council Member Kearney asked if I-1 would allow for potential solar use and if the owners and developers were cooperating. Mr. Williams responded yes.

Council Member Daeke asked if anyone had expressed concern. Mr. Williams said one citizen attended the Planning Board meeting and expressed concern regarding how the B-2 zoning would affect their property. Mr. Williams explained there should be no affect since the property of concern is adjacent to a tract of land that would remain R8M.

With no further discussion, Mayor O'Geary opened the Public Hearing by asking if anyone present wished to speak in favor of the rezoning.

**Josh Crumpler**, engineer for the developers and property owners said he is present to answer any questions Council may have.

There were no questions, so Mayor O'Geary asked if anyone present wished to speak in opposition to the rezoning.

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

Council Member Coffey moved the approval of Ordinance 15-04, *Amending the Zoning Map to Rezone Property Located at Spring Valley Road, Hwy 158 Business and Satterwhite Point Road (PIN # 0211 02003) as follows: 5.9 Acres from I-1 (Industrial) to R8M (Moderate to High Density Residential HUD Code Home District) and 14.10 Acres from B-2 (Highway Commercial District) to I-1 (Industrial) Zoning District.* Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Kearney, Coffey, Rainey, Peace, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: Inscoe. (See Ordinance Book 9, p 201)

## **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**

**Authorizing the Dedication and Acceptance of a Sewer Main Serving the Davita Dialysis Building on Ruin Creek Road.** (Reference: CAF 15-84; Resolution 15-56)

City Manager Frazier explained this is a routine matter. Triad Design Group worked with RHGC Kerr Lake LLC and the City to install a new sanitary sewer main/service for the Davita Dialysis Center and approval from the North Carolina Department of Environment and Natural Resources was obtained. The new main is ready to be put into service when the Center opens and will be a part of the city limits.

There was no discussion. Mayor O'Geary said the Center is a beautiful building and then asked for the pleasure of Council.

Council Member Rainey moved the approval of Resolution 15-56, *Authorizing the Dedication and Acceptance of a Sewer Main Serving the Davita Dialysis Building on Ruin Creek Road*. Motion seconded by Council Member Daye, and APPROVED by the following vote: YES: Coffey, Rainey, Peace, Daeke, Simmons, Daye and Kearney NO: None. ABSTAIN: None. ABSENT: Insoe. (See Resolution Book 4, p 253)

### **Consideration of three possible funding applications.**

City Manager Frazier explained Council has three options (listed below) to consider for grant applications to the Drinking Water State Revolving Fund (DWSRF). The application deadline is September 30, 2015. Council discussed each option and then voted separately on each option.

#### **Authorizing the Submission of an Application for a Drinking Water State Revolving Fund (DWSRF) Grant/Loan for a Water System Merger with Knoll Terrace Mobile Home Park.** (Reference: CAF 15-105; Resolution 15-52)

City Manager Frazier reminded Council of a previous meeting when the owners of Knoll Terrace Mobile Home Park asked about sewer credits. Further discussions with the owners revealed problems with leaks and Engineering Director Clark Thomas has discussed the problem with the State DWSRF. Mr. Thomas has found there are grants/loans available; however, the principal forgiveness is unclear. Mr. Frazier asked Mr. Thomas to further explain each project in detail.

Mr. Thomas said the cost for fire protection and to supply water to the Park would involve one 8" line; a 6" loop and a 2" extension to service 111 customers. The estimated cost of this project including contingency is \$450,000 or roughly \$4,000 per customer.

Council Member Kearney asked about the breakeven point. Mr. Thomas said it would be 34 years assuming no principal forgiveness. Mr. Kearney expressed concern for such a lengthy timeframe.

Council Member Daeke asked if the loan could be refused if there was no principal forgiveness for the project. He also asked how the State would view the City regarding projects in the future for refusing the loan. Mr. Thomas said there is no penalty as the State understands the budget constraints of municipalities and yes, if awarded, Council could refuse to accept the funds. Mr. Daeke felt it would be best to apply and then make the decision.

City Manager Frazier added that once the cost of the project is fully known, (an whether or not it is all grant or loan) there could be a discussion with the owners to see if they are willing to contribute toward the expense of providing water main extensions for the Park.

Council Member Rainey asked if there are actually 111 lots at the Park. Mr. Thomas said an aerial view indicated 108 lots.

Council Member Kearney asked if the owners would pay the water bill or individual tenants. Mr. Clark said it would be the tenants and Council Member Coffey added tenants move in and out of the Park often. Mr. Clark added there would be a \$300 fee to set each meter, plus the applicable deposits.

Council Member Kearney moved the approval of Resolution 15-52, *Authorizing the Submission of an Application for a Drinking Water State Revolving Fund (DWSRF) Grant/Loan for a Water System Merger with Knoll Terrace Mobile Home Park*. Motion seconded by Council Member Daeke, and APPROVED by the following vote: YES: Rainey, Peace, Daeke, Simmons, Daye, Kearney and Coffey. NO: None. ABSTAIN: None. ABSENT: Inscoe. (See Resolution Book 4, p 245)

**Authorizing the Submission of a Drinking Water State Revolving Fund (DWSRF) Grant/Loan Application for Water System Improvements, Replacing Various Water Lines on Young Avenue and Several Surrounding Streets.** (Reference: CAF 15-115; Resolution 15-75)

City Manager Frazier said this area has recently experienced an unusual number of water line breaks and there was a leak again this weekend. A company was hired to review the altitude values at the Young Avenue water tower and no problems were found. Hazen and Sawyer had previously studied the area when there was a problem with the Shirley Drive area; however, they were unsuccessful in determining the problem. Mr. Frazier then asked Public Services Director Mike Ross to provide details of this project.

Mr. Ross said there have been a total of 7 major leaks in the area since October 2014. When the Shirley Drive project was completed it seems the problem moved to the Young Avenue area and one of the main concerns is this area is not looped and there is a senior apartment complex that is affected every time there is a leak.

Council Member Kearney asked how this project fits with the Capital Improvement Plan (CIP). Mr. Ross said it is not currently on the Plan and should be added. Mr. Kearney said Council should be mindful while considering these projects of what will happen to water rates going forward. It was again stated that Council may reject the funding in the event there is no principal forgiveness.

Council Member Rainey moved the approval of Resolution 15-75, *Authorizing the Submission of a Drinking Water State Revolving Fund (DWSRF) Grant/Loan Application for Water System Improvements, Replacing Various Water Lines on Young Avenue and Several Surrounding Streets*. Motion seconded by Council Member Simmons, and APPROVED by the following vote: YES: Rainey, Peace, Daeke, Simmons, Daye, and Coffey. NO: Kearney. ABSTAIN: None. ABSENT: Inscoe. (See Resolution Book 4, p 291)

**Authorizing the Resubmission of a Drinking Water State Revolving Fund Application for Water System Improvements to Hwy 158 and Beckford Drive.** (Reference: CAF 15-116; Resolution 15-76)

Engineering Director Thomas said this is a familiar project that has been submitted twice before to DWSRF for water line extensions and both times were unsuccessful in securing funding. However, DWSRF has more funding than in the past and staff feels it is the right time to make another application. The total cost of this project is \$900,000 and the annual debt service on a 20 year note at 2% interest is \$55,041.

Council Member Coffey asked which project is the most expensive. Mr. Thomas replied the Young Avenue project which is estimated at \$1,550,000 with the annual debt service on a 20 year note at 2% interest of \$91,735.

Council Member Coffey moved the approval of Resolution 15-75, *Authorizing the Resubmission of a Drinking Water State Revolving Fund Application for Water System Improvements to Hwy 158 and Beckford Drive*. Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Rainey, Peace, Daeke, Simmons, Daye, Kearney and Coffey. NO: None. ABSTAIN: None. ABSENT: Inscoe. (See Resolution Book 4, p 293)

**Amending Section 16-20 of the City Code Regarding Obstruction of View at Street Intersections.** (Reference: CAF 15-106; Ordinance 15-49)

City Manager Frazier explained the current Code related to right-of-ways at intersections was written in the 1960's and is very vague. Out of concern for citizen safety and numerous complaints regarding visibility at intersections due to shrubbery and other landscaping materials, the City Manager, Engineering Director, Police Chief and City Attorney have met to draft an amendment to the correlating section of the Code. The goal is for property owners to comply; however, if there is no response within the specified time, the code allows the City and its staff to remove the obstruction with attendant costs assessed the owner of the property.

Council Member Coffey said she received a call from a citizen today expressing concern about visibility at an intersection. The citizen also asked if the City would look into adding a street light closer within the Thorpe and Oxford Road area.

Council Member Rainey applauded staff and citizens for expressing concern about this problem. He asked if staff would look into and remove growth on lines over roads. City Manager Frazier said these are usually TV or phone lines and will look into this issue.

Council Member Daeke asked if the code change will be effective immediately. Mr. Frazier responded yes.

Council Member Coffey moved the approval of Ordinance 15-49, *Amending Section 16-20 of the City Code Regarding Obstruction of View at Street Intersections*. Motion seconded by Council Member Daeke, and APPROVED by the following vote: YES: Rainey, Peace, Daeke, Simmons, Daye, Kearney and Coffey. NO: None. ABSTAIN: None. ABSENT: Inscoc. (*See Ordinance Book 9, p 291*)

**Authorizing an Application to the Triangle North Healthcare Foundation in the Amount of \$20,000 to Complete the Development of the South Side of the Fox Pond Trail System, Phase III.** (*Reference: CAF 15-112; Resolution 15-73*)

City Manager Frazier said Recreation and Parks Director Kendrick Vann found Triangle North Healthcare Foundation funds can be applied for to complete the south side of the Fox Pond Trail System, Phase III. He then asked Mr. Vann to explain the project.

Mr. Vann said the completing of Phase III will complete the trail around the pond and will allow cross country teams to begin using for training. There is no grant match and the Healthcare Foundation very graciously has allowed the City an extension to authorize an application as the deadline was September 11.

Council Member Daeke said it was very considerate of the Foundation to allow the extension.

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

Council Member Kearney moved the approval of Resolution 15-73, *Authorizing an Application to the Triangle North Healthcare Foundation in the Amount of \$20,000 to Complete the Development of the South Side of the Fox Pond Trail System, Phase III*. Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Peace, Daeke, Simmons, Daye, Kearney, Coffey and Rainey. NO: None. ABSTAIN: None. ABSENT: Inscoc. (*See Resolution Book 4, p 287*)

**Information and Possible Action Items for Consideration by Council.** There were two issues to be considered.

**Waste Industries** - City Manager Frazier explained in accordance with the Waste Industries contract, the 2015 survey has been completed and the results compiled. He asked Public Services Director Mike Ross to explain the results.

Mr. Ross said approximately 7.2% of the total customers served responded with 85.75% of those responding positively. The issues revealed in the survey were:

- 1) Requests for larger recycling bins - Mr. Ross said approximately 35-40% of customers currently recycle using the small green bins. This is up from prior years and there was a discussion regarding the cost providing additional roll-out bins for recycling.
- 2) Trash bins not being returned properly at each residence— Mr. Ross is addressing this with staff.

3) Need for improved brush pick up – Currently the 2007 knuckle boom truck is being used to pick up; however \$16,000 has been spent on repairs since the first of the year. Mr. Ross asked that Council consider budgeting in FY17 for a new truck to augment this truck. He said Waste Industries is picking up less and less trash if it is not in a bin. Since coming to the City, Mr. Ross has changed the work schedule so the knuckleboom truck is now out five days a week picking up trash which has reduced complaints by 50%. He is also looking into having brush/recycling picked up five days a week. Mr. Ross added he has enforced the 2006 ordinance which requires property owners to pay a fee for large amounts of brush/construction materials over 200 pounds.

4) Missed trash pick-up – Waste Industries is notified of any calls received by the City of missed pick-ups and they normally respond within 48 hours.

Council Member Daeke asked if a figure could be provided on the revenue collected during the last fiscal year for large amounts of trash. Mr. Frazier said he thought it was \$10,000 - \$11,000 but would confirm the amount. Mr. Daeke also asked if the City received any revenues from recycling. The response was no. The State does have grant funds that can be applied for but because the City does recycling bi-weekly, it is not eligible for funds to purchase roll out recycling containers.

Council Member Rainey asked how the 200 pound weight is determined. Mr. Ross explained it is an estimate based on knowledge. He said photographs are taken at the time of pickup with the date and location noted on each photo. If there is any question, he errs on the side of the City and does not charge the property owner. He said it does not take much for construction materials, tree limbs to reach 200 pounds. Mr. Rainey also asked about “neighborhood trash piles”, scrap tires and electronics. Mr. Ross said there is no such thing as a neighborhood trash pile. Regarding scrap tires and the disposal fee, the revenue goes back to the County. Mr. Rainey asked the City Manager to look into whether the City receives any portion of this revenue. Mr. Ross said the landfill does not take computers.

Council Member Kearney asked if the problem with garbage pickup is occurring in any specific area of the City. Mr. Ross said no.

Mr. Frazier reminded Council that leaf season begins the end of October and until then leaves need to be bagged.

There was a brief discussion regarding landfill restrictions which is often the reason why a truck does not stop to pick up trash and/or yard debris. Mr. Ross mentioned there are stickers that can be placed on trash bins indicating *Yard Waste Only*.

**Annie Bullock Scholarship Fund** – Mr. Frazier said this scholarship was established at Vance Granville Community College (VGCC) in memorial to former Council Member Bullock. The scholarship is to go first to a child of a City employee. It was established with \$5,000; however, to sustain the scholarship, the College has asked for a one time contribution of \$5,000. Council Member Daeke asked that Council discuss this request.

Council Member Kearney asked staff to look into alternatives, including the possibility of adding this scholarship to another existing VGCC scholarship.

Several Council Members said they were unaware of this scholarship and felt the City needed to promote it to staff.

City Manager Frazier will look into alternatives and bring his findings back to a future meeting.

**CONSENT AGENDA**

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

**Awarding of Departmental Fire Helmet and Badge to Daniel Wilkerson, Retired Fire Chief.** *(Reference CAF 15-102; Resolution 15-35)* This action allows the former Fire Chief, Danny Wilkerson to be awarded his helmet and badge at a cost of \$1.00. *(See Resolution Book 4, p 211)*

**Amending the Annual Fee Schedule Providing for Technical Corrections.** *(Reference: CAF 15-104; Ordinance 15-48)* A typographical error was noted with the rates being reversed for “Fixed Rate” and “Used Rate” for Regional Water. This action corrects that error. *(See Ordinance Book 9, p 289)*

**Repealing City Code Article II, Section 3-12, Privilege License Fees, in Accordance with North Carolina General Statute 160A-211, effective July 1, 2015.** *(Reference: CAF 15-108, Ordinance 15-50)* Due to action taken by the North Carolina General Assembly, cities are no longer allowed to bill a privilege license tax. The State put this statute into effect July 1, 2015. *(See Ordinance Book 9, p 293)*

Tax Releases and Refunds from Vance County for the Month of July 2015. *(Reference: CAF 15-99)*

July 2015 Tax Releases			
Name	Reason	Tax Year	Amount
<b>Real &amp; Personal Property</b>			
<b>Releases</b>			
Rodwell, Samuel Otis	Taxes Lost to Foreclosure	2004	\$ 76.42
Rodwell, Samuel Otis	Taxes Lost to Foreclosure	2005	\$ 80.00
Wright, Camilla	Taxes Lost to Foreclosure	2005	\$ 34.54
Rodwell, Samuel Otis	Taxes Lost to Foreclosure	2006	\$ 80.00
Wright, Camilla	Taxes Lost to Foreclosure	2006	\$ 50.12
Rodwell, Samuel Otis	Taxes Lost to Foreclosure	2007	\$ 80.00
Wright, Camilla	Taxes Lost to Foreclosure	2007	\$ 50.12
Rodwell, Samuel Otis	Taxes Lost to Foreclosure	2008	\$ 77.52
Wright, Camilla	Taxes Lost to Foreclosure	2008	\$ 38.70
Rodwell, Samuel Otis	Taxes Lost to Foreclosure	2009	\$ 80.26
Wright, Camilla	Taxes Lost to Foreclosure	2009	\$ 40.07
Wright, Camilla	Taxes Lost to Foreclosure	2010	\$ 40.07
Wright, Camilla	Taxes Lost to Foreclosure	2011	\$ 40.08

<b>July 2015 Tax Releases</b>			
<b>Name</b>	<b>Reason</b>	<b>Tax Year</b>	<b>Amount</b>
Ramirez, Lorenzo Antonio	Personal Prop. Billed in Error	2012	\$ 34.78
Rodwell, Samuel Otis	Taxes Lost to Foreclosure	2012	\$ 20.59
Sanchez, Deni	Personal Prop. Billed in Error	2012	\$ 34.78
Wright, Camilla	Taxes Lost to Foreclosure	2012	\$ 40.08
Arteaga-Garcia Victor Manuel	Personal Prop. Billed in Error	2013	\$ 23.32
Martinez Gerardo Huaso	Personal Prop. Billed in Error	2013	\$ 27.35
Mendoza Porfirio Rodriguez	Personal Prop. Billed in Error	2013	\$ 23.32
Ramirez, Lorenzo Antonio	Personal Prop. Billed in Error	2013	\$ 36.86
Rodwell, Samuel Otis	Taxes Lost to Foreclosure	2013	\$ 21.82
Sanchez, Deni	Personal Prop. Billed in Error	2013	36.86
Wright, Camilla	Taxes Lost to Foreclosure	2013	42.48
Rodwell, Samuel Otis	Taxes Lost to Foreclosure	2014	\$ 21.82
Wright, Camilla	Taxes Lost to Foreclosure	2014	42.48
<b>Total R&amp;P Property Releases</b>			<b>\$ 1,174.44</b>
<b>Real &amp; Personal Property</b>			
<b>Refunds</b>			
<b>None</b>	None		\$ -
<b>Total R &amp; P Property Refunds</b>			<b>\$ -</b>
<b>Total R&amp;P Prop. Rel. &amp; Ref.</b>			<b>\$ 1,174.44</b>
<b>Vehicle Releases</b>			
<b>Total Vehicle Releases</b>	None		<b>\$ -</b>
<b>Vehicle Refunds</b>	None		\$ -
<b>Total All Releases &amp; Refunds</b>			<b>\$ 1,174.44</b>

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

#### **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 shared the Vietnam Veterans Traveling Wall will arrive in Henderson on October 14 through October 18. The Police and Fire Department, and Public Services have all been involved in the coordination of the event with the County and the Highway Patrol. While here, there will be a day set aside as a school day for students and the wall will be available 24/7.

Council Member Coffey asked if the flag pole for the Purple Heart flag will be set in time for this event. Since a new location has been proposed, Mr. Frazier said he would look into this matter as permissions need to be obtained from several groups including the veteran's. The current thought is to place the pole and other existing monuments from various areas of the City near the Police Station.

Mr. Frazier also shared the Fire department was the top collector in this area for the *Fill the Boot* campaign for Muscular Dystrophy, raising more than \$16,000. The Fire department also received the 2014 Life Safety Award for no fatalities.

City Attorney (No Report)

City Clerk - Ms. McCrackin reminded Council of the Crime Stoppers banquet this week and also the Kerr-Tar Council of Government's banquet September 24.

## **OTHER**

Council Member Kearney asked for a memo in layman's terms regarding drinking water concerns expressed by citizens at neighborhood watch meetings.

Council Member Daeke thanked the Police, Fire and Public Services staff for assisting with the very successful Ducky Derby event this year. He said the event cannot take place without the City's assistance.

Council Member Coffey thanked everyone for their support, and calls while in the hospital and for standing behind her.

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

## **ADJOURNMENT**

Council Member Rainey moved for adjournment. Motion seconded by Council Member Daeke, and unanimously approved. The meeting adjourned at 7:30 p.m.

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James D. O'Geary  
Mayor

*ATTEST:*

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Esther J. McCrackin, City Clerk



