



AGENDA

Henderson City Council Short Regular Meeting
Monday 22 September 2014, 6:00 p.m.
R. G. (Chick) Young, Jr. Council Chambers, Municipal Building
134 Rose Avenue
Henderson, North Carolina

Mayor and City Council Members

Mayor James D. O'Geary, Presiding

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

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

City Officials

A. Ray Griffin, Jr., City Manager
John H. Zollicoffer, Jr., 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) 4 September 2014 Special Called Meeting [*See Notebook Tab 1*]
- b) 8 September 2014 Regular Meeting

VII. PRESENTATIONS/RECOGNITIONS

- a) North Carolina Chapter AWWA- WEA Water Environment Award

VIII. PUBLIC COMMENT PERIOD ON AGENDA ITEMS

Citizens may only speak on Agenda items only at this time. Citizens wishing to address the Council must sign-in on a form provided by the City Clerk prior to the beginning of the meeting. The sign-in form is located on the podium. When recognized by the Mayor, come forward to the podium, state your name, address and if you are a city resident. Please review the Citizen Comment Guidelines that are provided below.³

IX. NEW BUSINESS

- a) Consideration of Approval of 1) Resolution 14-19-B, Authorizing Change Order #2 for Additional Areas for Water Main and Services Replacement to the 2” Water Main and Services Replacement Project Subject to Approval from DWSRF and Availability of Remaining Funds and: 2) Ordinance 14-47, FY15 Budget Amendment #12, Amending 2” Water Line Replacement Project. (*CAF 14-26-B*) [*See Notebook Tab 2*]
 - Resolution 14-19-B
 - Ordinance 14-47

- b) Consideration of Approval of Resolution 14-76, Providing for the Disposition of Jointly Held Property by the City and County Identified as 469 Merriman Street and Further Identified in Vance County Register of Deeds Book #1246, Page #598; Tax Parcel #0021-07-017. (*CAF 14-105*)[*See Notebook Tab 3*]
 - Resolution 14-76

³ **Citizen Comment Guidelines for Agenda Items**

The Mayor and City Council welcome and encourage citizens to attend City Council meetings and to offer comments on matters of concern to them. Citizens are requested to review the following public comment guidelines prior to addressing the City Council.

- 1) Citizens are requested to limit their comments to five minutes; however, the Mayor, at his discretion, may limit comments to three minutes should there appear to be a large number of people wishing to address the Council;
- 2) Comments should be presented in a civil manner and be non-personal in nature, fact-based and issue oriented. Except for the public hearing comment period, citizens must speak for themselves during the public comment periods;
- 3) Citizens may not yield their time to another person;
- 4) Topics requiring further investigation will be referred to the appropriate city official, Council Committee or agency and may, if in order, be scheduled for a future meeting agenda;
- 5) Individual personnel issues are confidential by law and will not be discussed. Complaints relative to specific individuals are to be directed to the City Manager;
- 6) Comments involving matters related to an on-going police investigative matter and/or the court system will not be permitted; and
- 7) Citizens should not expect specific Council action, deliberation and/or comment on subject matter brought up during the public comment section unless and until it has been scheduled as a business item on a future meeting agenda.

c) Consideration of Approval of Resolution 14-74, Amending the 2014 City Council Meeting Schedule. (CAF 14-103) [See Notebook Tab 4]

- Resolution 14-74

d) Consideration of Approval of Resolution 14-47, Authorizing FY14-15 Financing with SunTrust Equipment Finance & Leasing Corp. in the Amount of \$149,711.45 for Five (5) Vehicles: Three (3) 2014 Ford Interceptor Utility Vehicles (Two for the Fire Department and One for the Police Department); and Two (2) 2014 V8 Dodge Chargers with Police Packages for the Police Department. (CAF 14-73) [See Notebook Tab 5]

- Resolution 14-47

X. CONSENT AGENDA

All matters listed under the Consent Agenda have either been previously discussed by City Council during a previous meeting and/or are considered in the ordinary course of business by the City Council and will be enacted-on by one motion and a roll call vote in the form listed. If discussion is desired by either the Council or the Audience, the item in question will be removed from the Consent Agenda and considered separately after the revised consent agenda has been approved.

a) Consideration of Approval of Ordinance 14-45, FY15 Budget Amendment #11, Amending General Fund Revenues and the Capital Outlay >\$5,000 Expenditure Line Item of the Information Systems Departmental Budget. (CAF 14-101) [See Notebook Tab 6]

- Ordinance 14-45

b) Consideration of Approval of Ordinance 14-46, FY15 Budget Amendment #10, Amending the Water Fund to Appropriate Fund Balance and Insurance Proceeds to Offset the Cost of Repairs to a Wrecked Service Truck in the Customer Service Department. (CAF 14-107) [See Notebook Tab 7]

- Ordinance 14-46

c) Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of August 2014. (CAF 14-100) [See Notebook Tab 8]

XI. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

Citizens may only speak on Agenda items only at this time. Citizens wishing to address the Council must sign-in on a form provided by the City Clerk prior to the beginning of the meeting. The sign-in form is located on the podium. When recognized by the Mayor, come forward to the podium, state your name, address and if you are a city resident. Please review the Citizen Comment Guidelines that are provided below.⁴

XII. REPORTS

- a)** Mayor/Mayor Pro-Tem
- b)** City Manager
- c)** City Attorney
- d)** City Clerk
 - i.** Meeting and Events Calendar [*See Notebook Tab 9*]
 - ii.** Monthly Reports
 - Henderson Police Department August Report
 - Henderson Fire Department August Report
 - Proclamation for Henrietta H. Clark's 100th Birthday

XIII. CLOSED SESSION

- a)** Pursuant to G.S.§143-318.11 (a)(6) regarding two (2) Personnel Matters
- b)** Pursuant to G.S.§143-318.11(a)(3) regarding Attorney/Client Privilege
- c)** Pursuant to G.S.§143-318.11(a)(4) regarding an EDC Matter

XIV. ADJOURNMENT

⁴ **Citizen Comment Guidelines for Non-Agenda Items**

The Mayor and City Council welcome and encourage citizens to attend City Council meetings and to offer comments on matters of concern to them. Citizens are requested to review the following public comment guidelines prior to addressing the City Council.

- 1) Citizens are requested to limit their comments to five minutes; however, the Mayor, at his discretion, may limit comments to three minutes should there appear to be a large number of people wishing to address the Council;
- 2) Comments should be presented in a civil manner and be non-personal in nature, fact-based and issue oriented. Except for the public hearing comment period, citizens must speak for themselves during the public comment periods;
- 3) Citizens may not yield their time to another person;
- 4) Topics requiring further investigation will be referred to the appropriate city official, Council Committee or agency and may, if in order, be scheduled for a future meeting agenda;
- 5) Individual personnel issues are confidential by law and will not be discussed. Complaints relative to specific individuals are to be directed to the City Manager;
- 6) Comments involving matters related to an on-going police investigative matter and/or the court system will not be permitted; and
- 7) Citizens should not expect specific Council action, deliberation and/or comment on subject matter brought up during the public comment section unless and until it has been scheduled as a business item on a future meeting agenda.

City Council Minutes - Short Regular Meeting 22 September 2014

PRESENT

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

ABSENT

None.

STAFF PRESENT

City Manager Ray Griffin, Attorney Mike Satterwhite, City Clerk Esther J. McCrackin, Assistant City Manager Frank Frazier, Finance Director Kathy Brafford, Engineering Director Clark Thomas, Code Compliance Director Corey Williams and Henderson Water Reclamation Facility Director Tom Spain.

(Clerk's Note: In the absence of City Attorney Zollicoffer, Jr., Attorney Mike Satterwhite is serving tonight as Acting City Attorney)

CALL TO ORDER

The 22 September 2014 Short Regular Meeting and Work Session of the Henderson City Council was called to order by Mayor James D. O'Geary 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 O'Geary a quorum was present.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

Mayor O'Geary extended a warm welcome to all the Council members and guests present this evening, and encouraged citizens to attend any time.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor O'Geary asked if there were any adjustments to the Agenda. Council Member Peace-Jenkins moved to accept the Agenda as presented. Motion was 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 the approval of the 4 September Special Called meeting and the 8 September 2014 Regular Meeting minutes as presented. Motion seconded by Council Member Simmons, and unanimously approved.

PRESENTATIONS/RECOGNITIONS

The Mayor asked Mr. Chris Belk to come forward. As Chair-Elect for the AWWA-WEA (NC Water Works Association-Water Environment Association, Mr. Belk presented a plaque to Henderson Water Reclamation Facility Director Mr. Tom Spain for his *Exceptional Service and Dedication to Wastewater Schools Committee Developing Water Professionals of the Future*. Mr. Spain has committed over 30 years to educating students in his vocation. A standing ovation was given.

Mr. Spain thanked Mr. Belk and said volunteering as a teacher has allowed him to give back to the profession which in turn has also been beneficial to Mr. Spain.

Mayor O'Geary said Mr. Spain has served the City well over his 34 years of service with both his knowledge and dedication to providing excellent service to the citizens of Henderson. City Manager Griffin described Mr. Spain as a master waste water treatment professional.

PUBLIC COMMENT PERIOD ON AGENDA ITEMS

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

NEW BUSINESS

Authorizing Change Order #2 for Additional Areas for Water Main and Services Replacement to the 2" Water Main and Services Replacement Project Subject to Approval from DWSRF and Availability of Remaining Funds and FY15 Budget Amendment #12, Amending 2" Water Line Replacement Project. (Reference: CAF 14-26-B; Resolution 14-19-B, Ordinance 14-47)

Engineering Director Thomas explained that approximately 98% of the work associated with the original contract with NCDENR Drinking Water State Revolving Fund (DWSRF) is nearing completion and only about 65% of the funds have been expended. Staff has received approval from the State to replace water mains on Zollicoffer Avenue, Cedarwood Drive, Crestwood Drive and Lynn Avenue and is now seeking Council's approval. Mr. Thomas said the contractor

has agreed to the same pricing as in the original contract except for a slight increase due to copper costs increasing. If funds remain after this work is done, additional streets will be brought before Council for consideration.

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

Motion was made by Council Member Daeke to approve Resolution 14-19-B, *Authorizing Change Order #2 for Additional Areas for Water Main and Services Replacement to the 2" Water Main and Services Replacement Project Subject to Approval from DWSRF and Availability of Remaining Funds* and Ordinance 14-47, *FY15 Budget Amendment #12, Amending 2" Water Line Replacement Project*. Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 4, p 303-B, Ordinance Book 9, p 179)

Providing for the Disposition of Jointly Held Property by the City and County Identified as 469 Merriman Street and Further Identified in Vance County Register of Deeds Book #1246, Page #598; Tax Parcel #0021-07 017. (Reference: CAF 14-105; Resolution 14-76)

Code Compliance Director Williams explained this property has been abandoned and property foreclosed on by the County. Sale of the property will put the property back on the tax books and will be brought up to code before it is approved for habitation.

Council Member Daeke asked what the property value is currently and how it will affect the tax value. Attorney Satterwhite said no matter what the property sells for, the value of the property does not change. The property is currently assessed at \$12,227. Mr. Daeke said he understands the City/County cannot place restrictions on the type of residence but asked if anyone knew if the buyer planned to make it into rental property. Mr. Williams said he did not know.

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

Motion was made by Council Member Peace-Jenkins to approve Resolution 14-76, *Providing for the Disposition of Jointly Held Property by the City and County Identified as 469 Merriman Street and Further Identified in Vance County Register of Deeds Book #1246, Page #598; Tax Parcel #0021-07 017*. Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Coffey, Inscoe, Rainey, Peace-Jenkins, Simmons, Daye, and Kearney. NO: Daeke. ABSTAIN: None. ABSENT: None. (See Resolution Book 4, p 99)

Amending the 2014 City Council Meeting Schedule. (Reference: CAF 14-103; Resolution 14-74)

City Manager Griffin explained normally the second meeting of the month of December is canceled due to the close proximity to the holiday. He said if Council wishes, the December 22nd meeting can remain on the calendar or Council may cancel the meeting by approving this Resolution.

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

Motion was made by Council Member Inscoe to approve Resolution 14-74, *Amending the 2014 City Council Meeting Schedule*. Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons, Daye, Kearney and Coffey. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 4, p 95)

Authorizing FY14-15 Financing with SunTrust Equipment Finance & Leasing Corp., in the Amount of \$149,711.45 for Five (5) Vehicles: Three (3) 2014 Ford Interceptor Utility Vehicles – Two for the Fire Department and One for the Police Department; and Two (2) 2014 V8 Dodge Chargers with Police Packages for the Police Department. (Reference: CAF 14-73; Resolution 14-47)

Finance Director Brafford obtained quotes from two banking institutions for the above purchases which were approved in the FY14-15 budget. The total interest from SunTrust Equipment Finance & Leasing Corp. is \$5,927.45 which is \$2,972.90 less than the quote from BB&T. Ms. Brafford said allocations to the Fire and Police departments for these purchases falls well within the budgeted amounts.

Council Member Inscoe asked if the prices include extended warranties. Ms. Brafford responded yes. Mr. Inscoe asked if the Drug Asset Forfeiture Fund monies have been depleted. City Manager Griffin said the Fund is well on its way to depletion and said this process begins the transition to ease away from using the forfeiture money. Mr. Inscoe then asked for a report showing the balance of the Asset Forfeiture Account. Mr. Griffin said he would be happy to provide this information.

Council Member Rainey asked if only two institutions were contacted. Ms. Brafford said she only contacted BB&T and SunTrust as the City, along with other municipalities, has had good experiences with both institutions. Mr. Rainey then asked the last time the Fire Department received vehicles. Ms. Brafford responded 3-4 years ago.

With no further discussion, Mayor O'Geary now called for Council's pleasure.

Motion was made by Council Member Daeke to approved Resolution 14-47, *Authorizing FY14-15 Financing with SunTrust Equipment Finance & Leasing Corp., in the Amount of \$149,711.45 for Five (5) Vehicles: Three (3) 2014 Ford Interceptor Utility Vehicles – Two for the Fire Department and One for the Police Department; and Two (2) 2014 V8 Dodge Chargers with Police Packages for the Police Department*. Motion seconded by Council Member Daye, and APPROVED by the following vote: YES: Rainey, Peace-Jenkins, Daeke, Simmons, Daye, Kearney, Coffey and Inscoe. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 4, p 41)

CONSENT AGENDA

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

Amending General Fund Revenues and the Capital Outlay >\$5,000 Expenditure Line Item for the Information Systems Departmental Budget. (Reference: CAF 14-101, Ordinance 14-45. BA #11) This action re-appropriates funds in the current fiscal year to allow an upgrade to the City's Information Systems servers. (See Ordinance Book 9, p 175)

Amending the Water Fund to Appropriate Fund Balance and Insurance Proceeds to Offset the Cost of Repairs to a Wrecked Service Truck in the Customer Service Department. (Reference: CAF 14-107; Ordinance 14-46 Budget Amendment #10) Meter Reader R. Hawkins was involved in two accidents within weeks of each other near the end of FY14. Proceeds from the first accident (\$2,000) were received in FY14; however, the proceeds from the second accident (\$900) were not received until FY15. This action appropriates the funds for both accidents to the proper line item to help offset the cost of the repairs.(See Ordinance Book 9, p 177)

Tax Releases and Refunds from Vance County for the Month of August 2014. (Reference: CAF 14-100) Below are the tax releases and refunds which were found to be in order by the Finance Director for the month of August 2014.

August 2014 Tax Releases			
Name	Reason	Tax Year	Amount
Real & Personal Property Releases			
Parker, Polly Heirs	Taxes Lost to Foreclosure	2003	19.34
Parker, Polly Heirs	Taxes Lost to Foreclosure	2004	277.79
Parker, Polly Heirs	Taxes Lost to Foreclosure	2005	21.24
Parker, Polly Heirs	Taxes Lost to Foreclosure	2006	21.24
Parker, Polly Heirs	Taxes Lost to Foreclosure	2007	21.24
Orr, Jack W Jr/Judy	Taxes Lost to Foreclosure	2008	46.69
Parker, Polly Heirs	Taxes Lost to Foreclosure	2008	26.05
Orr, Jack W Jr/Judy	Taxes Lost to Foreclosure	2009	176.38
Parker, Polly Heirs	Taxes Lost to Foreclosure	2009	26.97
Orr, Jack W Jr/Judy	Taxes Lost to Foreclosure	2010	176.38
Parker, Polly Heirs	Taxes Lost to Foreclosure	2010	26.97
Orr, Jack W Jr/Judy	Taxes Lost to Foreclosure	2011	176.38
Orr, Jack W Jr/Judy	City Demolition Fee Lost to Foreclosure	2011	3,734.64
Parker, Polly Heirs	Taxes Lost to Foreclosure	2011	26.96

August 2014 Tax Release & Refunds Continued

Orr, Jack W Jr/Judy	Taxes Lost to Foreclosure	2012	40.35
Orr, Jack W Jr/Judy	Solid Waste Fee Lost to Foreclosure	2012	250.00
Parker, Polly Heirs	Taxes Lost to Foreclosure	2012	26.96
Sneed, Elizabeth	Taxes Lost to Foreclosure	2012	(146.25)
Hernandez, Marisol	Personal Property Billed in Error	2013	36.86
Navarro, Roberto	Personal Property Billed in Error	2013	36.86
Orr, Jack W Jr/Judy	Taxes Lost to Foreclosure	2013	42.76
Parker, Polly Heirs	Taxes Lost to Foreclosure	2013	28.58
Aiken, Kirby Glenn	Reg. Veh. Billed in Error	2014	250.36
Allgood, Benjamin F Heirs	Taxes Lost to Foreclosure	2014	94.43
Ayscue, Christopher Ray	Correct Value	2014	79.11
B B & T	Personal Property Billed in Error	2014	641.38
B W & Company Properties, LLC	Taxes Lost to Foreclosure	2014	70.22
Beyond Fantasy	Discoveries	2014	69.24
Butler, Anthony O	Taxes Lost to Foreclosure	2014	22.62
Cava, Ron/Shirley	Correct Ownership	2014	(1,332.74)
Cobbler Bench & Discount Shoes	Personal Property Billed in Error	2014	50.31
Community Partners of Hope	Charitable-LW/MD	2014	361.47
Davis, Amanda Heirs	Taxes Lost to Foreclosure	2014	30.98
Davis, Georgia S. Heirs	Taxes Lost to Foreclosure	2014	22.88
Davis, Queen Esther, Heirs	Taxes Lost to Foreclosure	2014	81.57
Dean Transportation, Inc.	Personal Property Billed in Error	2014	76.63
Divine Habitation	Discovery	2014	(136.74)
Faison, Bobby	Correct Ownership	2014	(265.50)
Faucette Properties, LLC	Remove Elderly Exemption	2014	(294.49)
Fogg, Jean Mciver	Correct Ownership	2014	110.50
Garden Walk Villas	Correct Value	2014	551.72
Granville County Habit for Hum	Charitable-LW/MD	2014	51.98
Hernandez, Sergio	Personal Property Billed in Error	2014	41.06
Hill, George L	Taxes Lost to Foreclosure	2014	62.55
James, Raymond N	Taxes Lost to Foreclosure	2014	99.19
Jenkins, Sondra J & Others	Taxes Lost to Foreclosure	2014	32.24
Jettyme, LLC	Personal Property Billed in Error	2014	155.92
Jones, Virginia H Heirs	Taxes Lost to Foreclosure	2014	177.07
Lewis, Fellow F	Taxes Lost to Foreclosure	2014	200.27
Leyland, Thomas R.	Taxes Lost to Foreclosure	2014	207.08
Manning, William	Taxes Lost to Foreclosure	2014	18.60
Marrow, Walter, Heirs	Taxes Lost to Foreclosure	2014	21.70
Martin, Joyce B	Taxes Lost to Foreclosure	2014	29.31
McDougal, Nezzie	Taxes Lost to Foreclosure	2014	32.24
Melvin, Thomas Clavon	Taxes Lost to Foreclosure	2014	30.50
Merritt, James S.	Taxes Lost to Foreclosure	2014	256.12
Moorefield, Janis I	Taxes Lost to Foreclosure	2014	26.62

August 2014 Tax Release & Refunds Continued

Orr, Jack W Jr/Judy	Taxes Lost to Foreclosure	2014	42.76
Parker, Polly Heirs	Taxes Lost to Foreclosure	2014	28.58
Perez, Karina Ramirez	Correct Ownership	2014	(37.20)
Ragland, Anna R Heirs	Remove Elderly Exemption	2014	(155.00)
Ramsey, Geraldine	Correct Ownership	2014	37.20
Stevenson, Lawrence E	Correct Ownership	2014	(431.93)
Stevenson, Walter Maco	Correct Ownership	2014	431.93
Stewardson, R. Ashley	Correct Ownership	2014	1,332.74
Toth, Albert A	Correct Ownership	2014	(709.52)
Variety Stores	Correct Value	2014	41.74
Voegeli, Becky L	Taxes Lost to Foreclosure	2014	126.28
White, Mary S	Correct Ownership	2014	709.52
Williamsboro Rentals	Taxes Lost to Foreclosure	2014	247.84
Total R&P Property Releases			8,685.73
Real & Personal Property Refunds			
Owen, E. Gupton Roofing	Correct Value	2011	96.51
Barnett, Charles Mason	Correct Value	2012	506.34
Owen, E. Gupton Roofing	Correct Value	2012	96.51
Owen, E. Gupton Roofing	Correct Value	2013	102.28
Barnett, Charles Mason	Correct Value	2014	1,951.83
Barnett, Charles Mason	Less Discoveries	2014	(1,566.37)
Barnett, Charles Mason	Correct Value	2014	385.41
Total R & P Property Refunds			1,572.51
Total R&P Prop. Rel. & Ref.			\$ 10,258.24
Vehicle Releases			
Blackwell, Valerie Lavette	Pro-Rate	2013	11.53
Greenway, Tracy Stuart	Pro-Rate	2013	10.91
Harris, Tashan Jarrel	Pro-Rate	2013	26.68
Total Vehicle Releases			49.12
Vehicle Refunds			
Faulkner, Roy Hurst	Pro-Rate	2013	3.06
Total Vehicle Refunds			3.06
Tot. Veh. Rel. & Ref.			\$ 52.18
Total All Releases & Refunds			\$ 10,310.42

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

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

City Clerk McCrackin advised one citizen wished to address Council.

Mr. Leonard Thomas (Tom) Englehart, 225 White Oak Drive. Mr. Englehart came before Council to express concern regarding the drainage in the White Oak area. He feels the drain is badly in need of maintenance and provided photographs for the Assistant City Manager.

Mayor O'Geary thanked Mr. Englehart and asked the City Manager to look into this matter which Mr. Griffin said he would do and a report will be brought back to Council and Mr. Englehart.

REPORTS

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

b) City Manager

Mr. Griffin and the Mayor met with Representative Baskerville and Mr. Jim Crawford, NCDOT Board Member, on Friday to discuss Council's concerns regarding the I-85 construction project. Mr. Griffin said these gentlemen were surprised to learn of the DOT plans and expressed their support to help mitigate the situation.

Mr. Griffin also shared the applicants for the Recreation and Parks Director position have been reduced to seven and interviews will begin shortly.

Council Member Inscoe asked if the City has had any response from the County regarding the City's request for the County to take over this department. Mr. Griffin responded the County Manager indicated this request is being considered at what he called a *snail's pace* and did not think a decision would be made in the near future.

c) City Attorney

Attorney Satterwhite shared City Attorney Zollicoffer broke his leg while on vacation and will be working from home during his final days as city attorney.

d) City Clerk

- i. Reminder of Kerr-Tar COG Annual Banquet Sept 25
- ii. Reminder of Recycling Day Sept. 27
- iii. Reminder of Crime Stoppers Banquet October 2

OTHER

Council Member Coffey asked if anything can be done to alleviate traffic problems at the Farmers Marker. She said people are missing the entrance and the configuration at the exit road is not user friendly. Mr. Griffin said a letter can be sent from the City to the highway department asking for the removal of the “porkchop” dividing the road. He will keep Council updated.

Council Member Peace-Jenkins asked if Council could discuss the youth protection ordinance. Mr. Griffin said he would add this discussion to a future Work Session.

Council Member Daeke thanked the City for its assistance with the Ducky Derby on Saturday. He said without assistance from the Fire Department, Police Department, Street Department and Public Services the Derby would not happen. He added this was the biggest year ever and thanked everyone for their help.

Council Member Inscoe asked for a status report at the next Council meeting regarding the Chavasse Avenue and Beckford Drive projects.

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

CLOSED SESSION

Council Member Daeke moved for Council to convene in closed session pursuant for the following matters: *a*) Pursuant to G.S.§143-318.11 (a)(3) regarding Attorney/Client Privilege Matters; *b*) Pursuant to G.S.§143-318.11 (a)(6) regarding two Personnel Matters and *c*) Pursuant to G.S.§143-318.11 (a)(4) regarding an EDC Matter. Motion seconded by Council Member Peace-Jenkins and unanimously approved.

Council Member Daeke moved for Council to convene in open session. Motion seconded by Council Member Daye and unanimously approved.

Mayor O’Geary asked the City Manager Griffin to report on two of the Close Session items.

Consideration of Approval of Resolution 14-75, Amendment #1 to the Contract with Stainback, Satterwhite & Zollicoffer, PLLC as it Pertains to City Attorney Service. (CAF 14-104)

City Manager Griffin said a contract was entered into on 28 September 2008 for legal services to the City from the above law firm which designated John H. Zollicoffer, Jr. as the primary attorney to the City. With the retirement of Attorney Zollicoffer, Jr., his name will be replaced with D. Rix Edwards becoming the City’s primary attorney. Also, this amendment removes the attorney from the City’s payroll as a part-time employee and now the City will be billed monthly for all legal services provided by the law firm.

Mayor O'Geary asked if there were any questions. There were no further questions so he called for Council's pleasure.

Motion was made by Council Member Rainey to approved Resolution 14-75, *Amendment #1 to the Contract with Stainback, Satterwhite & Zollicoffer, PLLC as it Pertains to City Attorney Service*. Motion seconded by Council Member Peace-Jenkins, and APPROVED by the following vote: YES: Daeke, Simmons, Kearney, Coffey, Inscoe, Rainey and Peace-Jenkins. NO: None. ABSTAIN: None. ABSENT: Daye. (*See Resolution Book 4, p 41*)

(*Clerk's Note: Council Member Daye joined the Work Session at 7:32 p.m.*)

Submission of Retirement Notice

City Manager Griffin said it is with difficulty that he has submitted his notice of retirement from the City, effective 1 November 2014. He then read his retirement notice which is incorporated by reference and hereby made part of these minutes. Mr. Griffin said as City Manager he will take a piece of this community with him and is very proud of the accomplishments made by staff even as they have had less to work with over the years.

Mayor O'Geary said it has been a pleasure to work with Mr. Griffin who has been a hard worker and challenged the City to do its best. The Mayor said he appreciated everything Mr. Griffin has done, thanked him for his dedication and wished him the very best.

With no further comments, Mayor O'Geary asked if Council is prepared to adjourn and go into the Work Session

ADJOURNMENT

Council Member Daeke moved for adjournment. Motion seconded by Council Member Daye, and unanimously approved. The meeting adjourned at 7:37 p.m.

James D. O'Geary
Mayor

ATTEST:

Esther J. McCrackin
City Clerk