



## **AGENDA**

**Henderson City Council Special Called Meeting**  
**Monday 25 September 2017, 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. Inscoe  
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. PRESENTATION**

- a) Introduction of Downtown Development Part-Time Executive Director Kaine Riggan

### **IV. PUBLIC HEARING**

- a) Consideration of Approval of Ordinance 17-35, Amending the Zoning Ordinance Article 900, Section 906: Regarding Extending a Special Use Permit. (CAF 17-89)  
*[See Notebook Tab 1]*
- Ordinance 17-35

## V. NEW BUSINESS

a) Consideration of Approval of Resolution 17-77, Authorizing Approval of a Grant/Loan Application to NC Drinking Water State Revolving Fund (DWSRF) for the Kerr Lake Regional Water System Plant Improvement Project. (CAF 17-88) [See Notebook Tab 2]

- Resolution 17-77

b) Consideration of Approval of 1) Resolution 17-72, Accepting the NC Department of Commerce, Rural Infrastructure Authority Grant for a Water & Sewer Project for ROBCO Manufacturing Located in the Bear Pond Community, in the Amount of \$217,272; 2) Resolution 17-73, Awarding an Engineering Contract to AECOM in the Amount of \$34,800 for the Design and Construction Administration of the ROBCO Manufacturing Water and Sewer Line Extension Project; and 3) Ordinance 17-36, FY18 BA #3 Establishing the Budget for the ROBCO Water and Sewer Line Extension Project. (CAF 17-92) [See Notebook Tab 3]

- Resolution 17-72
- Resolution 17-73
- Ordinance 17-36

## VI. ADJOURNMENT

**City Council Minutes**  
**Special Called Meeting**  
**25 September 2017**

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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, and Fearldine A. Simmons

**ABSENT**

Council Member George M. Daye

**STAFF PRESENT**

City Manager Frank Frazier, Deputy City Clerk Patricia S. Pearson, Assistant to City Manager Paylor Spruill, Development Services Director Corey Williams, Kerr Lake Regional Water Director Christy Lipscomb, Engineering Director Clark Thomas, Finance Director Joey Fuqua, Fire Chief Steve Cordell, Human Resources Technician Joyce Howard-Fritz.

**CALL TO ORDER**

The 25 September 2017 Special Called Meeting of the Henderson City Council was called to order by Mayor Eddie Ellington at 6:00 p.m. in the R. G. "Chick" Young, Jr. Council Chambers, Municipal Building, 134 Rose Avenue, Henderson, NC.

**ROLL CALL**

The Deputy City Clerk called the roll and advised Mayor Ellington a quorum was present.

**PRESENTATION**

City Manager Frazier introduced the new Downtown Development part-time executive director, Kaine Riggan, to Council. Mr. Frazier mentioned Mr. Riggan is a native of Henderson and after spending several years in other areas has returned to his hometown where his vast experience in a variety of areas will be beneficial in his role as the Downtown Development Director. Mr. Frazier stated he has seen Mr. Riggan walking the streets in the downtown area and familiarizing himself with the merchants and residents. He then asked Mr. Riggan to say a few words. Mr. Riggan thanked everyone for the opportunity to work with the Downtown Development Association. He expects to help make any necessary improvements to the downtown area and hopefully get some grants to assist with that endeavor.

## **PUBLIC HEARING**

### **Amending the Zoning Ordinance Article 900, Section 906: Regarding Extending a Special Use Permit. (Reference: CAF 17-89, Ordinance 17-35)**

City Manager Frazier said this hearing has been properly noticed and added that the Special Use Permit currently allows a two-year period to begin construction on a business. Ordinance 17-35 would allow the zoning administrator to grant a one-year, one-time extension of a special use permit. He then asked Development Services Director Corey Williams to step forward. Mr. Williams reiterated that it is often difficult for construction to begin within a two-year period and the business owner and/or engineer has to reapply if the deadline is not met. This extension would assist them by allowing them a longer window to develop. This is currently being used by other communities and seems to be of benefit to the developers and the communities. The Mayor asked the Council if they had any questions regarding this and they did not.

At this time, Mayor Ellington opened the Public Hearing by asking if anyone was present to speak in favor of this amendment. No one came forward so he then asked if anyone was present to speak in opposition to this amendment. No one came forward so Mayor Ellington closed the public hearing and asked Council how it wished to proceed.

Council Member Elliott moved the approval of Ordinance 17-35, *Amending the Zoning Ordinance Article 900, Section 906: Regarding Extending a Special Use Permit*. Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Williams, Coffey, Inscoe, Rainey, Elliott, Daeke, Simmons. NO: None. ABSTAIN: None. ABSENT: Daye. (See Ordinance Book 9, p 473)

## **NEW BUSINESS**

### **Authorizing Approval of a Grant/Loan Application to DWSRF for the Kerr Lake Regional Water System Plant Improvement Project. (Reference: CAF 17-88; Resolution 17-77)**

City Manager Frazier began by saying that the City of Henderson and the KLRWS Partners received a loan of \$19,893,000 for Phase I of the 20MGD improvement project to the KLRWS plant. The KLRWS Advisory Board met and discussed the possibility of applying for another \$20,000,000 to make further improvements. He then asked KLRW Plant Director Christy Lipscomb and City Engineer Clark Thomas to step forward and elaborate further. Ms. Lipscomb began by saying the \$19,893,000 will cover the improvements to the front end of the plant to 20 MGD, and if Council approves the application and it is awarded, the additional \$20,000,000 will complete the improvements throughout the plant. Mr. Thomas added that now is the time to apply for this larger grant/loan, as there are more small projects being applied for at this time. He also stated that up to \$3,000,000 of this could be a grant and the remainder in a loan. Mr. Frazier stated that we currently have \$1.4 million in reserve and that \$192,000 in debt will be coming off the books in 2019. The City Engineer said it might be possible to obtain a larger customer base that would offset some of the costs.

Council Member Daeke inquired further about how to pay off the debt. Mr. Thomas stated there have been several options discussed during many meetings and those options will be looked at in the future if the application is accepted. He also stated that the city could withdraw the

application any time before the acceptance is received without penalty. He and Ms. Lipscomb stated that if the full \$20,000,000 is not necessary, the unused portion could be returned without penalty.

Mayor Ellington commended Ms. Lipscomb, Mr. Thomas, City Manager Frazier and Council Member Inscoe, as KLRWS Advisory Board Chair, for the many hours they have put into discussions regarding these improvements and possible funding options. Mr. Frazier added that currently there is \$5.4 million in reserve and an opportunity of receiving \$500,000 in a grant from the Golden Leaf Foundation is being explored. He also mentioned that Oxford is approaching its capacity.

There were no further questions. Mayor Ellington then asked Council how it wished to proceed.

Council Member Elliott moved the approval of Resolution 17-77, *Authorizing Approval of a Grant/Loan Application to DWSRF for the Kerr Lake Regional Water System Plant Improvement Project*. Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Coffey, Inscoe, Rainey, Elliott, Daeke, Simmons, Williams. NO: None. ABSTAIN: None. ABSENT: Daye. (See Resolution Book 5, p 323)

**Accepting the NC Department of Commerce, Rural Infrastructure Authority Grant for a Water & Sewer Project for ROBCO Manufacturing Located in the Bear Pond Community, in the Amount of \$217,272; Awarding an Engineering Contract to AECOM in the Amount of \$34,800 for the Design and Construction Administration of the ROBCO Manufacturing Water and Sewer Line Extension Project; and Establishing the Budget for the ROBCO Water and Sewer Line Extension Project.** (Reference: CAF 17-92; Resolution 17-72 and 73, Ordinance 17-36, Budget Amendment #5)

City Manager Frazier stated Council authorized the application of a grant from the NC Industrial Development Fund in April to assist with the funding of a water and sewer main extension for ROBCO Manufacturing. Due to low staffing issues in the engineering department, it is being recommended that one of our on-call engineering firms, AECOM, be use to assist with the design and to oversee the construction of this project. The grant is for \$217,272 and the cost of using AECOM would be \$34,800.

Council Member Daeke asked if the \$34,800 was part of the \$217,272 or in addition to the full amount, and Mr. Thomas said it was part of that amount.

There were no further questions. Mayor Ellington then asked Council how it wished to proceed.

Council Member Daeke moved the approval of Resolution 17-72, *Accepting the NC Department of Commerce, Rural Infrastructure Authority Grant for a Water & Sewer Project for ROBCO Manufacturing Located in the Bear Pond Community, in the Amount of \$217,272*; Resolution 17-73, *Awarding an Engineering Contract to AECOM in the Amount of \$34,800 for the Design*

*and Construction Administration of the ROBCO Manufacturing Water and Sewer Line Extension Project; and Ordinance 17-36, FY18, BA #3, Establishing the Budget for the ROBCO Water and Sewer Line Extension Project. Motion seconded by Council Member Simmons, and APPROVED by the following vote: YES: Inscoe, Rainey, Elliott, Daeke, Simmons, Williams and Coffey. NO: None. ABSTAIN: None. ABSENT: Daye. (See Resolution Book 5, p 313 and 315; Ordinance Book 9, p 475)*

## **CLOSED SESSION**

Council Member Daeke moved for Council to convene in closed session pursuant to G.S. §143-318.11(a)(6) for an Attorney-Client Matter. Motion seconded by Council Member Rainey and unanimously approved.

Mayor Ellington said there would be no announcement(s) following this closed session.

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

## **UPDATE:**

City Manager Frazier mentioned that he and City Engineer Thomas have been receiving some responses regarding the sewer connection letters that went out to inside city water customers who are not currently connected to the city sewer. In almost all cases, the concern was the timeframe to connect and pay the tap fee. Mr. Frazier stated Council might want to consider a one-time tap fee reduction in these cases.

Council Member Daeke asked the Manager to bring something back regarding a fee reduction at the next council meeting.

Mr. Frazier said in case Council is asked, the leaf collection season does not start until mid to late October and until then leaves should be bagged and not just placed on the side of the curb. In addition, he congratulated Ms. Elliott on receiving an award at the Crime Stoppers Banquet and reminded Council of the COG banquet on Thursday.

## **OTHER**

Ms. Coffey informed Council that a resident of Hollister NC, Brooke Simpson, has been on "The Voice", a national talent TV show and would be on again tonight. Ms. Simpson has received four "chair turns" on this show, which is very rare and will move on in the competition.

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

**ADJOURNMENT**

Council Member Rainey moved for adjournment. Motion seconded by Council Member Inscoe, and unanimously approved. The meeting adjourned at 7:08 p.m.

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Eddie Ellington  
Mayor

***ATTEST:***

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Patricia S. Pearson  
Deputy City Clerk

