



AGENDA

**Henderson City Council Work Session
Monday, 25 November 2013 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. Inscoe
Councilmember D. Michael Rainey

Councilmember Brenda G. Peace—Jenkins
Councilmember Garry D. Daeke
Councilmember Vernon L. Brown
Councilmember George M. Daye

Councilmember-Elect Fearldine Simmons

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. ADJUSTMENTS TO AND/OR APPROVAL OF THE AGENDA

IV. REGULAR WORK SESSION

- a)* Consideration of Approval of Ordinance 13-64, Relative to Handicap Parking and Loading/Unloading Zone on Chestnut Street. (CAF 13-113) [See Notebook Tab 16]
 - Ordinance 13-64
- b)* Consideration of Approval of Resolution 13-04, High Service Pump Bid Award. (CAF 13-06) [See Notebook Tab 17]
 - Resolution13-04
- c)* Consideration of Approval of Resolution 13-81, A Resolution Making Appointments to the Henderson-Vance Human Relations Commission. (CAF 13-123) [See Notebook Tab 18]
 - Resolution13-81

d) Consideration of Approval of Resolution 13-65, Dissolving the 2005 David Street Community Development Advisory Committee and Establishing a City Wide Community Development Advisory Committee; and 2) Resolution 13-78, Establishing a Flint Hill Neighborhood Advisory Committee Relative to the CDBG Talent Enhancement Grant. (CAF 13-98) [See Notebook Tab 19]

- Resolution 13-65
- Resolution 13-78

e) Consideration of Approval of Resolution 13-80, Developing a Demolition Contract for Partnerships with Non-Profit Organizations/Churches for the Demolition of Abandoned Structures and Abatement Projects. (CAF 13-122) See Notebook Tab 20]

- Resolution13-80

e) Consideration of Approval of Ordinance 13-60, Amending Zoning Ordinance Section 408 Relative to Off Premises Advertising. (CAF 13-105) [See Notebook Tab 21]

- Ordinance 13-60

f) Main Street Manager Update. (CM 13-30) [See Notebook Tab 22]

g) Code Enforcement Update. (CM 13-31) [See Notebook Tab 23]

V. ADJOURNMENT

City Council Minutes
Work Session
25 November 2013

PRESENT

Mayor James D. O'Geary, Presiding; and Council Members James C. Kearney, Sr., Sara M. Coffey, Michael C. Inscoc, D. Michael Rainey, Brenda Peace-Jenkins, Garry Daeke, Vernon L. Brown and George M. Daye.

ABSENT

None.

STAFF PRESENT

City Manager Ray Griffin, City Clerk Esther McCrackin, Finance Director Kathy Brafford, Planning and Community Development Director Erris Dunston, Main Street Manager Pam Hester, Code Compliance Director Corey Williams, Interim Police Chief Marcus Barrow and Engineering Director Peter Sokalski.

CALL TO ORDER

The 25 November 2013 Work Session of the Henderson City Council was called to order by Mayor James D. O'Geary at 7:17 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. City Manager Griffin asked that *Consideration of Approval of Ordinance 13-60, Amending Zoning Ordinance Section 408 Relative to Off Premises Advertising* be discussed first as input may be necessary from the City Attorney who normally does not attend the Work Session. City Clerk McCrackin said with Council's Permission staff would like to present an update regarding the 2" *Water Line*. With those changes, it was the consensus of Council to accept the adjusted agenda.

WORK SESSION ITEMS

Consideration of Approval of Ordinance 13-60, Amending Zoning Ordinance Section 408 Relative to Off Premises Advertising. (CAF 13-112-A; Ordinance 13-60)

City Manager Griffin asked Planning and Development Director Erris Dunston to give Council an update on the Planning Board's recommendation as requested from the last Council meeting.

Ms. Dunston said the Planning Board met on 18 November. The recommendation includes two options regarding off premise advertising signs. All signs would need to meet Council's approval. The first option would allow a business to be a sponsor of a program with uniform signage for a set duration. The second option would be permanent honoring someone or some event such as having a plaque placed at the bottom of a flag pole.

As a reminder, Ms. Dunston said this came about with the desire to create partners for some of the projects that need to be upgraded and/or completed within the City and specifically mentioned the planters on Garnett Street. The first option, mentioned above, would allow sponsorship for a year with uniform signs placed in the planter. She added whatever the project, the signage would be size appropriate meaning what is the correct size for a planter would be not the correct size for a ball field.

Council Member Rainey, a member of the Planning Board, added in layman's terms, there are two styles under consideration. One was permanent recognition. The other is advertising. Council would determine which style is appropriate.

Council Member Coffey asked who would determine the cost. Ms. Dunston said it would be determined by the project.

City Attorney Zollicoffer, Jr. said an annual fee could be charged for signage in the planters which would cover the City's costs for maintaining the sign. Individuals would not maintain the signs. The Attorney said the thought is for the general project to be approved by the Council and then administration would be completed by the City.

Council Member Kearney said he thought this sounds like a good idea and asked if an ordinance could be created to provide that each program director would bring to Council a plan for review. He does not want to create something that is all inclusive which will limit possibilities.

Council Member Daeke agreed with Mr. Kearney's concept and added the City needs to deal with existing signs. So he asked that whatever is decided is concise. His main concern is size, materials, appropriateness to the area/locale and length of time. He also suggested that the Land Planning Committee might be the appropriate venue to review the project before coming to Council.

Mayor O'Geary asked if there were any further questions.

City Manager Griffin said with permission, this issue will be brought back to Council as a Work Session item in December.

Handicap Parking and Loading/Unloading Zone on Chestnut Street. (*Reference: CAF 13-113; Ordinance 13-64*)

City Manager Griffin said this is just one of the routine requests that comes in from time to time. It is recommended that this be put on the next meeting for approval.

Council Member Kearney pointed out there is a small cost involved. Mr. Griffin said it is part of maintaining the signs.

Mayor O'Geary called for the consensus of Council. The consensus to bring this item forward to the next meeting was as follows: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Brown and Daye.

High Service Pump Bid Award. (*CAF 13-06; Resolution 13-04*)

City Manager Griffin asked Engineering Director Peter Sokalski to summarize this award. Mr. Sokalski said bids were opened last Thursday; however, the review process will not be completed. He said EE&T is currently verifying the bidder's qualifications and will be presented at the next Council meeting. Mr. Griffin asked Mr. Sokalski to prepare an interim memo to keep Council abreast of the process before the next meeting.

Mayor O'Geary called for the consensus of Council. The consensus to bring this item forward to the next meeting was as follows: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Brown and Daye.

Appointments to the Henderson-Vance Human Relations Commission. (*Reference: CAF 13-123; Resolution 13-81*)

City Manager Griffin asked Boards and Commissions Committee Chairperson Council Member Daeke to present this item. Mr. Daeke said the Boards and Commissions Committee met on 21 November and considered three (3) applications. All three applicants are unanimously brought to Council for two year appointments to the Human Relations Commission for terms expiring 30 June 2015. The committee is working hard to involve more of the younger population and Mr. Daeke encouraged Council Members to look within and outside their individual wards for possible candidates.

Mayor O'Geary called for the consensus of Council. The consensus to bring this item forward to the next meeting was as follows: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Brown and Daye.

Dissolving the 2005 David Street Community Development Advisory Committee and Establishing a City Wide Community Development Advisory Committee; and Establishing a Flint Hill Neighborhood Advisory Committee Relative to the CDBG Talen Enhancement Grant.*(Reference: CAF 13-98; Resolution 13-65 and Resolution 13-78)*

City Manager Griffin asked Planning and Community Development Director Erris Dunston to present this issue. Ms. Dunston explained that one of the requirements of the Capacity Building Grant is for the City to have a Community Development Advisory Committee and also a Neighborhood Advisory Committee.

Ms. Dunston said the 2005 David Street Community Development Advisory Committee has been inactive since 2009 when the project closed. So, to prevent any confusion, it is recommended this committee be dissolved and a new city-wide Community Development Advisory Committee be established. It is also recommended that at this time the Neighborhood Advisory Committee be specific to the Flint Hill community.

Ms. Dunston added that the Boards and Commissions Committee met on 24 October to review and establish guidelines for both committees which will be recommending bodies to the Council regarding community development.

Council Member Kearney asked if a Council Member could be added as an ad hoc member. Mr. Griffin responded it would be at the discretion of Council as a whole.

Council Member Coffey asked how soon before these committees would be established. Ms. Dunston responded as soon as the committees are approved, applications will be considered.

Council Member Inscoc said he did not want to be the bearer of bad news but shared the grant monies are minimal for this type of project and with the combining of the Rural Center with the Department of Commerce, things are not going smoothly. Mr. Griffin said he felt it was important to establish these committees now so the City will be prepared for future possibilities.

Council Member Kearney added the city has committed to the grant and that the scope will need to be refocused to make whatever improvements are possible.

Council Member Peace-Jenkins felt even if there are no dollars, the Flint Hill community will feel they are being reached out to and not being ignored.

Mayor O'Geary then called for the consensus of Council. The consensus to bring this item forward to the next meeting was as follows: YES: Kearney, Coffey, Inscoc, Rainey, Peace-Jenkins, Daeke, Brown and Daye.

Developing a Demolition Contract for Partnerships with Non-Profit Organizations/ Churches for the Demolition of Abandoned Structures and Abatement Projects.
(Reference: CAF 13-122; Resolution 13-80)

The City Manager asked Code Compliance Director Corey Williams to come forward to present this contract. Mr. Williams said permission has been requested by non-profits to demolish abandoned structures within the Flint Hill community. Given the lack of resources, Mr. Williams sees partnerships such as this an invaluable tool which will benefit both the City and community. He added each time the city enters into an agreement, the contract will be reviewed by the City Attorney.

Council Member Peace-Jenkins asked if the contract is *set in stone* or if it is flexible, according to circumstances. Mr. Williams said each individual case would be considered by the City Attorney and City Manager and brought before Council.

Council Members Rainey liked the concept and asked if the process of giving City owned property to developers to tear down structures for redevelopment is still being used. Mr. Williams said not really and went on to say that this particular item comes more from a mission standpoint than wanting to develop the property.

Council Member Inscoe and Kearney agreed that the City should not place the entire burden on the non-profit. Mr. Kearney asked about the City's liability.

Council Member Daeke mentioned the possibility of the County reducing the land fill costs.

Mayor O'Geary then called for the consensus of Council. The consensus to bring this item forward to the next meeting was as follows: YES: Kearney, Coffey, Inscoe, Rainey, Peace-Jenkins, Daeke, Brown and Daye.

Main Street Program and H-VDDC Update. (Reference: CM 13-30)

City Manager Griffin asked Main Street Director Pam Hester to provide this update. Ms. Hester gave a brief PowerPoint presentation which reviewed its four-point approach (organization, promotions, design and economic restructuring) and summarized a retreat that focused on the basics of being a successful Main Street and developing a management system. Ms. Hester noted that Henderson needs a brand to build on; an updated vision and the H-VDDC needs to develop a mission statement. She then reviewed events of the year such as *Merchant Meet and Greet*s, free art lessons for seniors, sidewalk sales, Ducky Derby Merchant Coupons, Trick or Treat, and *Damsels in Defense*. Ms. Hester shared 16 students from Eaton Johnson Ambassadors have volunteered 136 hours. She said the Christmas parade has approximately 20 more entries than last year. She also reviewed the economic structure of downtown Henderson and summarized by saying although the H-VDDC lost focus, it is now heading in the proper direction and is working hard to complete a strategic plan and to be back in proper compliance.

Council Member Inscoe asked if loans were still available from the H-VDDC. Ms. Hester responded yes. He then asked if the County and the EDC could provide more exposure for

properties that are for sale. Mr. Inscoe also asked about a Paint Main Street Program offered by Benjamin Moore Paints. Ms. Hester said she looked into the program which is closed for this year but hopes to apply next year.

Council Member Daeke appreciated the work of the H-VDDC and asked about the County's involvement. He suggested she share this presentation at a County Commissioner's meeting.

City Manager Griffin asked the Mayor if Council would like to recognize Mr. Phil Hart, Chairman of H-VDDC. Mr. Hart came forward and said Mr. Terry Garrison, from the County is one of the H-VDDC members.

Mayor O'Geary said he looks forward to Mr. Hart's leadership.

Minimum Housing and Enforcement (430 and 432 Chavasse Avenue). (*Reference: CM 13-31*)

City Manager Griffin asked Code Compliance Director Corey Williams to come forward. Mr. Williams gave a brief PowerPoint presentation to paint a picture of the issues faced by the Code Compliance Department. He began by referencing the structure at 430/432 Chavasse Avenue due to the recent publicity and said he had been thinking in general about this problem within the City. It is Mr. Williams desire to focus Council on the blighted issues that exist and how to resolve these problems. He said the normal action has been aggressive code enforcement but feels more should be done with minimum housing to avoid structures getting to the point of needing demolition.

City Manager Griffin asked Mr. Williams to explain the timeframe of enforcement on the Chavasse Avenue property. Mr. Williams said the complaint and notice began the process in July. Then there was 45 days for issuing the findings and then a review was completed and the entire process was completed in October which is when the *Charlotte News & Review* publicized the problem.

He said abandoned structures have been the focus for a long time and since 2004 approximately 300 structures have been removed. However, Mr. Williams feels the focus should now turn to minimum housing to avoid the need for demolition. He showed a map of the City with 289 active abandoned structures and also a map showing historical data regarding over 700 cases of minimum housing since 2007.

Mr. Williams then showed a house that looks fine from the street but upon further inspection, had a leaking roof, exposed panel box inside, rotted boards, subfloor exposed and peeling paint -- things that are not always visible from the street.

There was a lengthy discussion regarding issues such as landlords, tenants that create problems for landlords, obligations of the City, the need to "put more teeth" into existing ordinances, a two person department and ultimately it was decided to bring this issue to the Strategic Planning Retreat for further consideration.

2" Water Line Update

City Manager Griffin asked Engineering Director Peter Sokalski to update this project. Mr. Sokalski said the good news is that work should start in December for replacing 1,300 ft. of water line. The work is being done by H. G. Reynolds, a local company and should be completed by mid-summer.

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

ADJOURNMENT

Council Member Peace-Jenkins moved for adjournment. Motion seconded by Council Member Daye and unanimously approved. The meeting adjourned at 8:53 p.m.

James D. O'Geary
Mayor

ATTEST:

Esther J. McCrackin, City Clerk