



## AGENDA

Henderson City Council Regular Meeting  
Monday 13 January 2014, 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, Jr.  
Councilmember Sara M. Coffey  
Councilmember Michael C. Inscoc  
Councilmember D. Michael Rainey

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

### City Officials

A. Ray Griffin, Jr., City Manager  
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 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. ADJUSTMENTS TO AND/OR APPROVAL OF THE AGENDA**

**VI. APPROVAL OF MINUTES**

- a) 9 December 2013 Regular Meeting [See Notebook Tab 1]

**VII. PRESENTATIONS AND RECOGNITIONS**

- a) Recognition of Retiree Patricia M. Jackson  
b) Recognition of Newly Appointed Police Chief Marcus Barrow

**VIII. PUBLIC HEARING**

- a) Conduct a Public Hearing for the Purpose of Receiving Initial Citizen Comments Relative to Ordinance 14-03, Requiring Various Certificates and Permits Have the Same Legal Entity Name. (CAF 14-04) [See Notebook Tab 2]
- Public Hearing
  - Ordinance 14-03

**IX. PUBLIC COMMENT PERIOD ON AGENDA ITEMS**

Citizens may only speak on non-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.<sup>3</sup>

**X. NEW BUSINESS**

- a) Consideration of Approval of Resolution 14-01, Receiving the Comprehensive Annual Financial Report for FY Ending 30 June 2013. (CAF 14-01) [See Notebook Tab 3]
- Resolution 14-01

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<sup>3</sup> **Citizen Comment Guidelines**

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.

- b) Consideration of Approval of 1) Resolution 14-03, Approving the Bid Award for the Henderson Police Department Training Center Repair Project to Highland Company of Eastern NC, LLC, and 2) Ordinance 14-01, FY14 BA #22, Amending the Project Budget to Include Additional Repairs. *(CAF 14-02) [See Notebook Tab 4]*
- Resolution 14-03
  - Ordinance 14-01
- c) Consideration of Approval of Resolution 14-10, Authorizing an Agreement Between the Embassy Cultural Center Foundation and the City of Henderson for the Use of City Owned Parking Lot and Approving Terms of a Temporary Construction Easement Allowing Use of City Owned Parking Spaces by Variety Wholesalers, Inc. *(CAF 14-19) [See Notebook Tab 5]*
- Resolution 14-10
- d) Consideration of Approval of Resolution 14-05, Providing for the Disposition of Jointly Held Property by the City and Country Otherwise Identified as 514 High Street Tax Parcel #0008 01033. *(CAF 14-11) [See Notebook Tab 6]*
- Resolution 14-05
- e) Consideration of Approval of Ordinance 14-09, FY14 Budget Amendment #23, Amending the Water Fund to Use Contingency Funds to Appropriate Additional Legal Fees Within the Water Distribution Department. *(CAF 14-16) [See Notebook Tab 7]*
- Ordinance 14-09

## **XI. 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 14-04, FY14 Budget Amendment #20, Authorizing the Transfer of Contingency Funds to Engineering in the CIP Regional IBT Project. *(CAF 14-05) [See Notebook Tab 8]*
- Ordinance 14-04
- b) Consideration of Approval of Resolution 14-08, Awarding of Departmental Handgun and Badge to Retiree Lieutenant Marshall Perry. *(CAF 14-14) [See Notebook Tab 9]*
- Resolution 14-08

- c) Consideration of Approval of Tax Releases and Refunds from Vance County for the Months of November and December 2013. (CAF 14-07) [See Notebook Tab 10]

## **XII. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS**

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## **XIII. REPORTS**

- a) Mayor/Mayor Pro-Tem
- b) City Manager
  - i. Perry Memorial Library, Inc. Audit Report [See Notebook Tab 11]
- c) City Attorney
- d) City Clerk
  - i. Meeting and Events Calendar [See Notebook Tab 12]
  - ii. Fire Department Report

## **XIV. WORK SESSION**

- a) Consideration of Approval of 1) Resolution 14-07, Authorizing the Execution of Change Order #2 for the Henderson Water Reclamation Facility Project to Devere Construction Company, Inc. in the Amount of \$33,080, and 2) Ordinance 14-08, Amending the FY14 Budget to Authorize the Use of the Contingency Funds to the Henderson Water Reclamation Facility Project for Change Order #2. (CAF 14-13) [See Notebook Tab 13]

- Resolution 14-07
- Ordinance 14-08

## **XV. ADJOURNMENT**

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