



AGENDA

Henderson City Council Regular Meeting

Monday 9 April 2018, 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 Eddie Ellington, Presiding

Councilmember Marion B. Williams
Councilmember Sara M. Coffey
Councilmember William Burnette
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. 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) 19 March 2018 Regular Meeting *[See Notebook Tab 1]*

VII. PRESENTATIONS & RECOGNITIONS

- a) Leadership Vance Class of 2018

VIII. PUBLIC HEARING

- a) Consideration of 1) Holding a Public Hearing on the Question of Seven (7) Annexations, Pursuant to North Carolina General Statute 160-A-31, and 2) Consideration of Approval of Ordinance 18-13, 1) Extending the Corporate Limits of the City of Henderson, North Carolina; 2) Assignment of Newly Annexed Areas Wards 2 and 4, and 3) Directing the City Attorney to Record Annexation with Vance County Board of Elections, Vance County Register of Deeds and the North Carolina Secretary of State. *(CAF 18-13-B) [See Notebook Tab 2]*

- Ordinance 18-13

IX. 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.³

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.

X. OLD BUSINESS

- a)* Consideration of Approval of Resolution 18-22, Approving a Contract with Dewberry Engineering for Landscape Architectural Services in Support of the Pavilion (Special Use Permit #23840) and 2) Ordinance 18-15, FY18 BA #17, Transferring Funds from General Reserve to the Outdoor Pavilion CIP Budget in the Amount of \$10,000. (CAF 18-35) [See Notebook Tab 3]
- Resolution 18-22
 - Ordinance 18-15
- b)* Consideration of Approval of Resolution 18-23, Authorizing a Contract with Dewberry Engineers to Assist with Establishing a Stormwater Utility, Ordinance and Associated Rate Structure. (CAF 18-37) [See Notebook Tab 4]
- Resolution 18-23

XI. NEW BUSINESS

- a)* Consideration of Approval of Resolution 18-18, Establishing a Written Policy for Pre-Audit and Electronic Disbursement of Funds. (CAF 18-30)[See Notebook Tab 5]
- Resolution 18-18
- b)* Consideration of Approval of Resolution 18-20, Approving a Contract Between the City of Henderson and Thompson, Price, Scott, Adams & Co., P.A. to Conduct the Annual Audit for Fiscal Year 2017-2018. (CAF 18-32) [See Notebook Tab 6]
- Resolution 18-20
- c)* Consideration of Approval of Resolution 18-21, Amending the Agreement with T-Mobile for Additional Ten (10) Year Lease. (CAF 18-34) [See Notebook Tab 7]
- Resolution 18-21
- d)* Consideration of Approval of Ordinance 18-14, Amending Article IV, Section 16-61 Sidewalks of the City Code and Adding Section 16-69 to Include Downtown Sidewalk Café Regulations. (CAF 18-36) [See Notebook Tab 8]
- Ordinance 18-14

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 18-17, Approving FY 18-19 Budget Review Calendar and Scheduling of Special Council Budget Work Sessions. (CAF 18-29) [See Notebook Tab 9]
 - Resolution 18-17
- b) Consideration of Approval of Resolution 18-16, Declaring the Opioid Crisis a Public Nuisance. (CAF 18-33) [See Notebook Tab 10]
 - Resolution 18-16
- c) Tax Releases and Refunds from Vance County for the Month of February 2018. (CAF 18-31) [See Notebook Tab 11]

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.⁴

XIV. REPORTS

- a) Mayor/Mayor Pro-Tem (No Report)
- b) City Manager (No Report)
- c) Staff Reports (Community Outreach Update)
- d) City Attorney (No Report)
- e) City Clerk
 - i. Meeting and Events Calendar [See Notebook Tab 12]
 - ii. E-911 Monthly Report
 - iii. Fire Department Monthly Report

XV. CLOSED SESSION

- a) Pursuant to G.S.§143-318.11 (a)(3) regarding Attorney/Client Privilege

⁴ Citizen Comment Guidelines for Non-Agenda Items

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XVI. WORK SESSION

a) Consideration of Approval of Ordinance 18-36 Establishing a No Parking Zone on Zeb Robinson Road. (CAF 18-38)[*Materials to be Distributed During the Meeting*]

- Resolution 18-16

XVII. ADJOURNMENT