

# **City Council Minutes**

## **Regular Meeting**

### **June 11, 2018**

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#### **PRESENT**

Mayor Eddie Ellington, Presiding; and Council Members Marion B. Williams, Sara M. Coffey, William Burnette, D. Michael Rainey, Melissa Elliott, Garry D. Daeke, and George M. Daye

#### **ABSENT**

Council Member Fearldine Simmons (*Clerk's Note: Unable to attend, as she was feeling unwell.*)

#### **STAFF PRESENT**

City Manager Frank Frazier, City Attorney D. Rix Edwards, City Clerk Esther J. McCrackin, Finance Director Joseph Fuqua, Police Chief Marcus Barrow, Fire Chief Steve Cordell, Assistant Fire Chief Curtis Tyndall, Assistant to City Manager Paylor Spruill, Engineering Director Clark Thomas, Human Resources Director Elgin Lane, Development Services Director Corey Williams, Henderson Water Reclamation Facility Director Lamont Allen, Public Works Director Andy Perkinson and Kerr Lake Regional Director Christy Lipscomb

#### **CALL TO ORDER**

The 11 June 2018 Regular Meeting of the Henderson City Council was called to order by Mayor Eddie Ellington at 6:04 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 Ellington a quorum was present.

#### **INVOCATION AND PLEDGE OF ALLEGIANCE**

Council Member Elliott led those present in a prayer and the Pledge of Allegiance.

#### **OPENING COMMENTS**

Mayor Ellington extended a warm welcome to the citizens in attendance and he thanked them for their willingness to share their thoughts.

## **ADJUSTMENTS TO/APPROVAL OF AGENDA**

Mayor Ellington asked if there were any adjustments to the Agenda. City Clerk McCrackin asked Council for approval to add one item to the New Business Section of the Agenda (*Consideration of Approval of Ordinance 18-27 FY18 BA #24, Transferring Funds to CIP Regional Water to Perform the Financial Study with Stantec.*) Council Member Burnette moved to accept the Agenda as adjusted. Motion seconded by Council Member Daye, and unanimously approved.

## **APPROVAL OF MINUTES**

Mayor Ellington asked for any corrections to and/or approval of the minutes. Council Member Elliott moved the approval of the 14 May 2018 Regular Meeting minutes, 15 May 2018 Budget Work Session #1 minutes, 17 May 2018 Budget Work Session #2 minutes and 21 May 2018 Public Hearing minutes as presented. Motion seconded by Council Member Burnette, and unanimously approved.

## **PRESENTATIONS/RECOGNITIONS**

Mr. Frazier congratulated the Kerr Lake Regional Water Department for receiving the North Carolina Department of Labor Certificate of Safety Achievement award. He also shared two of the employees in this department have received scholarships for AWWA classes.

## **PUBLIC HEARING**

**Amending the Zoning Map to Rezone Property from R8 (Moderate to High Density) to OI (Office and Institutional) 1.5 +/- acres 817, 823 and 829 Dabney Drive, 125 Feet Dabney Drive and 1423 Perry Avenue; Vance County Tax Parcel 0014 05008, 0014 05009, 0014 05010, 0014 05007 and 0014 05011.** (*Reference: CAF 18-55, Ordinance 18-23*)

City Manager Frazier asked Development Services Director Corey Williams to review this rezoning request.

Mr. Williams displayed a map of the area and explained this area is currently zoned R8 and the request is to rezone the area to OI which is a mixed use. He said during the Planning Board meeting that there was concern expressed regarding possible traffic issues and property values and there was discussion regarding the 2030 Comprehensive Plan that was adopted in 2010.

Council Member Burnette asked for verification that the area under consideration is currently zoned R8. Mr. Williams said that is correct. Council Member Daeke asked what the zoning is for the properties across Dabney Drive from this area. Mr. Williams responded OI.

Council Member Elliott inquired about the projected use of the area and Mr. Williams explained that projected use could not be considered during this discussion, as that would constitute contract zoning. Council Member Williams asked about exceptions and Mr. Williams said exceptions would need Special Use Permits and administrative review. The Clerk distributed a copy of the acceptable uses in an OI district.

With no further discussion, Mayor Ellington opened the Public Hearing by asking anyone in favor of this rezoning to come forward.

**Jim Wrenn, Hicks, Wrenn Law Firm** – Attorney Wrenn represents the property owners that have requested these five parcels be rezoned. He reviewed the zoning requirements and the mixed use as described in the 2030 Plan. He encouraged Council to approve this request.

There was a short discussion by Council regarding what the 2030 plan includes, current on-going studies by the State regarding traffic issues on Dabney Drive, and turn lanes (both existing and needed). Mr. Frazier reminded Council that Dabney Drive is a State road so any new site plans regarding development would need to be approved by the DOT.

**Charles Bowman, 145 Forest Hills Drive**- As the property owner, Mr. Bowman said he has no specific plans for the properties at this time. He chose to request this rezoning because of the options allowed.

Council Member Coffey asked how long Mr. Bowman has owned the properties. He said he recently purchased the Peace Street property but the others have been in his family for many years.

Mayor Ellington asked if anyone else would like to speak in favor of this rezoning. No one came forward so he then asked if anyone would like to speak against this rezoning.

**Bill Grissom, 1412 Peace Street** Mr. Grissom's concern pertained to traffic issues and asked Council to make its decision based on what is best for the neighborhood, traffic and the city.

**Keith Nunnery, 1025 Dabney Drive**- Mr. Nunnery said he has nothing against Mr. Bowman but sees no advantage to allowing possibly more businesses on an already too busy road. He felt there was no reason for more businesses in this area.

**Jonathan Care, 1708 Peace Street** - As an attorney, Mr. Care came before Council previously regarding the rezoning of other properties on Dabney Drive and encouraged Council to look at the possible usages. He said it is important to protect residential areas and that more residential areas are needed. He read sections of the Zoning Code Article 100 and asked Council to reject this rezoning request.

**Dennis Lambert, 1437 Peace Street** – Mr. Lambert's concern was property values. Although in favor of growth, he sees no value in rezoning these properties and mentioned that the properties behind the OI on the opposite side of Dabney are warehouses where the properties behind this request are residential.

**Mary Jo Wilson, 1432 Peace Street (speaking as POA for her mother, Dorothy Lassiter)** – Ms. Wilson's concern is additional traffic and the safety issues they create, especially for older drivers.

**Jim Populorum, 1517 Peace Street** – Mr. Populorum's concern focused on the incredible amount of existing traffic and property values.

**Tommy Roberson, Parker and Peace** – Mr. Roberson said the minimum width of Peace Street barely allows two school buses to pass and expressed concern about the possibility of additional traffic using Peace Street.

Mayor Ellington asked if anyone else would like to speak in opposition to this rezoning. No one came forward so the Mayor closed the Public Hearing and the Mayor asked Council how it wished to proceed.

Council Member Elliott moved to DENY Ordinance 18-23, *Amending the Zoning Map to Rezone Property from R8 (Moderate to High Density) to OI (Office and Institutional) 1.5 +/- acres 817, 823 and 829 Dabney Drive, 125 Feet Dabney Drive and 1423 Perry Avenue; Vance County Tax Parcel 0014 05008, 0014 05009, 0014 05010, 0014 05007 and 0014 05011.* Motion seconded by Council Member Daeke and the denial was APPROVED by the following vote: YES: Williams, Coffey, Burnette, Rainey, Elliott, Daeke and Daye. NO: None. ABSTAIN: None. ABSENT: Simmons. (See Ordinance Book 9, p 539)

## **PUBLIC COMMENT PERIOD ON AGENDA ITEMS**

City Clerk McCrackin advised one citizen wished to address Council.

**Manekial Patel, 1940 Ferguson Loop, Chesapeake, VA 23322** – Mr. Patel wished to address Council regarding 200 Parham Road which is an *Old Business* agenda item. Mayor Ellington asked him to hold his comments until Council reached the agenda item.

## **OLD BUSINESS**

**Adoption of the FY18-19 Budget and FY2018-19 Annual Fee Schedule.** (Reference: CAF 18-19; Ordinance 18-19)

City Manager Frazier said he was pleased with the FY19 budget and thanked Council for its consideration during the budget work sessions. He said he felt it was a good working budget and then reviewed the changes made to the recommended budget. The FY19 budget has a 5% rate increase for Regional Water and Water; the property tax rate remains the same and no Sewer increase was included. The Health insurance deductible will remain at \$1,250 per employee; however, prescriptions will be limited to specific providers. Mr. Frazier did say one error in the Fire Department's budget was discovered but it has been corrected with no change to the bottom line; however, it will need to be monitored closer throughout the year. It was also noted that sales tax revenue has increased and the tax collection rate has improved. The City has been successful in lowering its Workers' Comp rates, while addressing Phase V of the pay class study.

There was no discussion so Mayor Ellington asked Council how it wished to proceed.

Council Member Burnette moved the approval of Ordinance 18-19, *Adoption of the FY18-19 Budget and FY2018-19 Annual Fee Schedule.* Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Coffey, Burnette, Rainey, Elliott, Daeke, Daye and Williams. NO: None. ABSTAIN: None. ABSENT: Simmons. (See Ordinance Book 9, p 531)

**Order of Demolition for 200 Parham Road, Former Kerr Lake Inn Hotel.** (*Reference: CAF 18-61; Ordinance 18-26*)

City Manager Frazier reminded Council that this structure has been abandoned and without utilities since 2013. The taxes have not been paid since 2013 and the owner, Narayankrypa Corporation, currently owes \$9,647.32 in city/county taxes. Development Services Director Corey Williams explained that proper enforcement procedures have been followed in accordance with section 21A of the City Code and North Carolina General Statutes.

Mr. Patel came forward with his attorney, Jim Wrenn, and stated he would like to do the demolition himself if Council is willing to allow him a little more time. When asked how much time he is requesting he said the work would be completed within four (4) months. Mr. Patel said he did not receive notification as the City did not have his correct address. Mr. Williams stated that the information was properly placed on the door as required and mail was sent by both Regular and Certified USPS mail; however, the Certified was returned.

City Attorney Edwards said the Corporation failed to properly register with the State and therefore had no resident agent as required. Attorney Wrenn asked about the time allowed when an order is issued. Mr. Williams explained the order has already been issued and it expired on June 4. Mr. Frazier said Council could authorize a “stay” to allow Mr. Patel to complete the work if they so desire.

Council discussed the cost of this demolition (thought to be more than \$130,000 as the asbestos abatement costs are currently unknown), and whether four months is too long to complete the work. Council Member Elliott felt the structure should be demolished as soon as possible for the safety of the citizens. Council Member Williams asked if the structure could be demolished immediately and then the debris removed later. The Manager said that should be left to the owner’s discretion but felt it would be more expedient to complete the project at one time. Council Member Coffey asked if the City currently had funds to do this work and the Manager stated that this demolition has no funds allocated in either the current or upcoming year’s budget.

On the recommendation of Attorney Edwards, Council agreed to a stay so Mr. Patel can complete the demolition within four months but Council also agreed that an agreement needed to be signed with a timeline for the completion of this work. Some immediate work needed includes grass cutting, securing the pool area and barricading the driveway for safety and to prevent dumping. It was also agreed that Mr. Patel would provide a bond for completion of this work. City Manager Frazier and Development Services Director Williams will meet with the City Attorney to have this agreement in place by the end of this week.

With no further discussion, Mayor Ellington asked Council how it wished to proceed.

Council Member Daeke moved the approval of Ordinance 18-26, *Order of Demolition for 200 Parham Road, Former Kerr Lake Inn Hotel* with the caveats discussed included in the agreement created by the City Attorney. Motion seconded by Council Member Burnette, and APPROVED by the following vote: YES: Burnette, Rainey, Elliott, Daeke, Daye, Williams and Coffey. NO: None. ABSTAIN: None. ABSENT: Simmons. (*See Ordinance Book 9, p 545*)

## NEW BUSINESS

**Approving an Amendment to the CDM Smith Contract Relative to the Kerr Lake Regional Water Treatment Plant Expansion for Additional Geophysical Subsurface Investigations, and Transferring Funds from the Contingency Line Item of the 20 MGD CIP Project to the Engineering Line Item of the 20 MGD CIP Project.** (*Reference: CAF 18-56; Resolution 18-25, Ordinance 18-24, Budget Amendment #23*)

City Manager Frazier said additional work needs to be performed as it is apparent rock may create a problem with this project and this will help with the design, as well as costing out the project.

There was no discussion so Mayor Ellington asked Council how it wished to proceed.

Council Member Rainey moved the approval of Resolution 18-25, *Approving an Amendment to the CDM Smith Contract Relative to the Kerr Lake Regional Water Treatment Plant Expansion for Additional Geophysical Subsurface Investigations, and 2) Ordinance 18-24, FY18 BA #23, Transferring Funds from the Contingency Line Item of the 20 MGD CIP Project to the Engineering Line Item of the 20 MGD CIP Project.* Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Rainey, Elliott, Daeke, Daye, Williams, Coffey and Burnette. NO: None. ABSTAIN: None. ABSENT: Simmons. (*See Resolution Book 6, p 77; Ordinance Book 9, p 541*)

**Acceptance of a Grant Through Franklin-Vance-Warren Opportunity, Inc., Community Services Block Grant funding from the Department of Health and Human Services in the Amount of \$50,000 for the Employment of Youth in a Summer Youth Employment Development Program.** (*Reference: CAF 18-58; Resolution 18-41*)

City Manager Frazier explained this is an opportunity for the City to hire summer help and asked Recreation and Parks Director Kendrick Vann to explain the details. Mr. Vann said normally in the summer his department hires 8-10 youth. In an effort to find options to allow more youth to be hired, this grant, if approved will allow the hiring of perhaps 25 youth. He has discussed with other departments how these youth might be exposed to the work place and said the grant will allow the city to hire five (5) adult supervisors also. Youth accepted into this program will be required to follow all the city's applicable guidelines, including drug testing.

There was no discussion so Mayor Ellington asked Council how it wished to proceed.

Council Member Elliott moved the approval of Resolution 18-41, *Acceptance of a Grant Through Franklin-Vance-Warren Opportunity, Inc., Community Services Block Grant funding from the Department of Health and Human Services in the Amount of \$50,000 for the Employment of Youth in a Summer Youth Employment Development Program.* Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Elliott, Daeke, Daye, Williams, Coffey, Burnette and Rainey. NO: None. ABSTAIN: None. ABSENT: Simmons. (*See Resolution Book 6, p 109*)

**Issuance of Certificate of Sufficiency from the City Clerk Following Investigation of Sufficiency of Four Annexation Petitions; and 2) Fixing Date of Public Hearing on Question of Annexation of 408 Birch Street; 416 Bobbitt Street; 424 Bobbitt Street and 425 Bobbitt Street.** (*Reference: CAF 18-53, Resolution 18-38*)

City Manager Frazier said this is a continuation of annexations on Birch and Bobbitt streets. He said about 10-12 parcels remain to be annexed.

Council Member Daeke asked what specific issues that were keeping these other parcels from wanting to be voluntarily annexed. Mr. Frazier said he was not aware of any issues and thought people were more interested as they have seen the work happening. Mr. Frazier reminded Council that letters were sent to all the property owners regarding this work and their opportunity for voluntary annexation.

City Clerk McCrackin explained to Council that the Investigation of Sufficiency, normally done in a separate step has been combined with this step in voluntary annexations as the investigation has always been done before bringing any request to Council and this shortens the process while complying with State requirements.

There was no discussion so Mayor Ellington asked Council how it wished to proceed.

Council Member Rainey moved the approval of Resolution 18-38, *Issuance of Certificate of Sufficiency from the City Clerk Following Investigation of Sufficiency of Four Annexation Petitions; and 2) Fixing Date of Public Hearing on Question of Annexation of 408 Birch Street; 416 Bobbitt Street; 424 Bobbitt Street and 425 Bobbitt Street.* Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Daeke, Daye, Williams, Coffey, Burnette, Rainey and Elliott. NO: None. ABSTAIN: None. ABSENT: Simmons. (*See Resolution Book 6, p 103*)

**Authorizing Execution of Final Change Order #2 for the Elmwood Sanitary Sewer Project in the Amount of \$15,183 with a Final Adjustment of the Contract to \$1,523,043.09 Based on the Final Adjustment to Unit Items within the Contract.** (*Reference: CAF 18-59; Resolution 18-42*)

City Manager Frazier said all the work associated with this project has been completed. This change order will allow payments to be properly made so the final contract price can be determined and the project can be closed out.

There was no discussion and Mayor Ellington asked Council how it wished to proceed.

Council Member Daeke moved the approval of Resolution 18-42, *Authorizing Execution of Final Change Order #2 for the Elmwood Sanitary Sewer Project in the Amount of \$15,183 with a Final Adjustment of the Contract to \$1,523,043.09 Based on the Final Adjustment to Unit Items within the Contract.* Motion seconded by Council Member Elliott, and APPROVED by the following vote: YES: Daye, Williams, Coffey, Burnette, Rainey, Elliott and Daeke. NO: None. ABSTAIN: None. ABSENT: Simmons. (*See Resolution Book 6, p 111*)

**Authorizing the Grant Application from the NC Industrial Development Relative to Funding Assistance for a Water and Sewer Main Extension for Mast Operations, LLC; and 2) Resolution 18-40, Authorizing an Agreement with Kerr Tar Regional Council of Governments (COG) for Assistance with the Grant Application.** (*Reference: CAF 18-57; Resolution 18-04 and 18-40*)

City Manager Frazier explained that Mast Operations, on Ross Mill Road, is experiencing growth and is looking to possibly enlarge its current facility that will increase staffing by an additional 10-20 employees over the next five years. To facilitate this growth, water and sewer needs to be extended even though this business is located just outside corporate limits. He said the anticipated cost is \$386,780; however, if approved one of the on-call engineers will be contracted for design and this will be brought back to Council for consideration. In addition, this will create a new customer and the possibility of another voluntary annexation. The Manager noted that this project will also move the City closer to providing the loop line to the water main installed for the KARTS facility.

Council Member Williams asked about the \$5,000 compensation fee. Mr. Frazier said that was for the COG to administer the grant and noted the COG would not be paid if the grant is not awarded.

With no further discussion, Mayor Ellington asked Council how it wished to proceed.

Council Member Rainey moved the approval of Resolution 18-04, *Authorizing the Grant Application from the NC Industrial Development Relative to Funding Assistance for a Water and Sewer Main Extension for Mast Operations, LLC*; and 2) Resolution 18-40, *Authorizing an Agreement with Kerr Tar Regional Council of Governments (COG) for Assistance with the Grant Application*. Motion seconded by Council Member Elliott, and APPROVED by the following vote: YES: Daye, Williams, Coffey, Burnette, Rainey, Elliott and Daeke. NO: None. ABSTAIN: None. ABSENT: Simmons. (*See Resolution Book 6, p 35 and 107*)

**Amending Section 7-49 of the Henderson City Code Declaring: a) Lone Street from Hamilton Street to Pearl Street and b) Young Street From Garnett Street to Chestnut Street “One-Way” Streets.** (*Reference: CAF 18-60; Ordinance 18-25*)

City Manager Frazer said concerns have been expressed regarding traffic issues on Lone Street. Between Hamilton Street and Pearl Street, Lone Street is only 11 feet wide and for comparison, the average car is 6 feet wide. If Lone Street is declared one-way, it would become safer for travel and for residents.

Suggestions have been made, due to the renovations of the Fire Station #2 and former city hall, that Young Street become one-way to allow parking on both sides of the street. The Manager has discussed this with some of the businesses on Young Street and a favorable response was received. It is believed this will help market the renovated property, be safer for vehicle traffic and the ordinance will not go into effect until all the proper signs/markings are installed.

Council Member Daeke expressed his thoughts saying that this is a good idea. There was no discussion so Mayor Ellington asked Council how it wished to proceed.



Council Member Rainey moved the approval of Ordinance 18-25, Amending Section 7-49 of the Henderson City Code Declaring: a) Lone Street from Hamilton Street to Pearl Street and b) Young Street From Garnett Street to Chestnut Street “One-Way” Streets. Motion seconded by Council Member Elliott, and APPROVED by the following vote: YES: Williams, Coffey, Burnette, Rainey, Elliott, Daeke and Daye. NO: None. ABSTAIN: None. ABSENT: Simmons. (See Ordinance Book 9, p 543)

**Transferring Funds to CIP Regional Water to Perform the Financial Study with Stantec.** (Reference: CAF 18-62, Ordinance 18-27, Budget Amendment #24)

Mr. Frazier said this came before Council at its last meeting and at that time, it was thought the study could be completed before the end of the fiscal year. However, it does not seem like this will happen in the current year so this is a housekeeping matter of transferring the funds to the CIP for the coming year.

There was no discussion. Mayor Ellington asked Council how it wished to proceed.

Council Member Daeke moved the approval of Ordinance 18-27, *Transferring Funds to CIP Regional Water to Perform the Financial Study with Stantec.* Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Williams, Coffey, Burnette, Rainey, Elliott, Daeke and Daye. NO: None. ABSTAIN: None. ABSENT: Simmons. (See Ordinance Book 9, p 547)

## CONSENT AGENDA

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

**Approving a Memorandum of Understanding (MOU) with Vance-Granville Community College for the Use of the Law Enforcement Training Center.** (Reference: CAF 18-50, Resolution 18-36) Since 1997, the City has had a formal agreement with the College, allowing the Training Center to be used for law enforcement training, according to NC Administrative Code 12 NCAC 09B.0201(E). This agreement has an annual renewal option and this action renews the MOU, effective July 1, 2018. (See Resolution Book 6, p 99)

**Authorizing the City to Enter into a Memorandum of Understanding (MOU) with the Embassy Cultural Center in Regards to the Henderson-Vance Rec Players.** (Reference: CAF 18-51; Resolution 18-37) This action transitions the Rec Players from the Recreation and Parks Department to the Embassy Cultural Center Foundation. Not only will this alleviate restrictions imposed by City and State requirements, it will also allow the Rec Players to utilize the performing arts center more fully. (See Resolution Book 6, p 101)

**Ratifying the Submission of an Application to the Bureau of Justice Assistance Office for the FY18 Bulletproof Vest Program Grant for the Police Department.** (Reference: CAF 18-54; Resolution 18-39) The closing date for this grant was May 29, 2018. If approved, the City will receive \$7,985.39, which is half the cost to purchase 18 bulletproof vests. The other half of the funds needed is included in the FY19 budget. (See Resolution Book 6, p 105)

**Close Out the 20 MGD – Phase 1A CIP Account and Transfer Balance to KLRW Improvement Project.** (Reference: CAF 18-26; Ordinance 18-09) This project was established via Ordinance 16-05 in the amount of \$33,000 for CH2M Hill to prepare applications for the NC Connect Fund and Drinking Water State Revolving Fund, along with a Level 1 Detailed Cost Estimate.. The project is now complete and the remaining balance of \$3,289 will be moved to the KLRW Improvement Phase I budget.

**Tax Releases and Refunds from Vance County for the Month of April 2018.** (Reference: CAF 18-52) The Finance Director has reviewed the following releases/refunds and found them to be in order. This action approves the tax releases and refunds for April 2018.

April 2018 Tax Releases & Refunds			
Name	Reason	Tax Year	Amount
<b>Real &amp; Personal Property Releases</b>			
Harris, Blanche	Lost To Foreclosure	2013-2016	\$ 229.30
Coppock, Gary	Personal Property Billed In Error	2017	\$ 66.14
Nickels, David	Corrected Value	2017	\$ 420.30
Seward, Shamikka	Personal Property Billed In Error	2017	\$ 47.61
<b>Real &amp; Personal Property Releases - Total</b>			<b>\$ 763.35</b>
<b>Real &amp; Personal Property Refunds</b>			
Williams, Bobby	Corrected Value	2016	\$ 282.59
Wickford Associates	Corrected Value	2017	\$ 677.64
<b>Real &amp; Personal Property Refunds - Total</b>			<b>\$ 960.23</b>
<b>Audit Discoveries</b>			
Kerr Lake Cornhole		2018	\$ 1,285.20
<b>Audit Discoveries - Total</b>			<b>\$ 1,285.20</b>
<b>Total Refunds &amp; Releases</b>			<b>\$ 3,008.78</b>

Mayor Ellington asked if anyone wished to remove an item from the Consent Agenda. There were no requests. Mayor Ellington asked for a motion to approve the consent Agenda

Council Member Elliott moved the approval of the Consent Agenda as presented. Motion seconded by Council Member Burnette and APPROVED by the following vote: YES: Burnette, Rainey, Elliott, Daeke, Daye, Williams and Coffey. NO: None. ABSTAIN: None. ABSENT: Simmons.

**PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS**

City Clerk McCrackin advised one citizen wished to address Council.

**Edythe Thompson** – Ms. Thompson shared information regarding a tentative commitment that she has received from the Growth Initiative and she came before council to “plead” for a memorandum of understanding from the City.

The City Manager said this will be reviewed during the Land Planning Meeting scheduled for this Thursday. Ms. Thompson asked if her request would be approved at that time. Mr. Frazier

said depending on the recommendation of the Committee, a special meeting could be called or separate correspondence from the Manager for feedback from the Council may be required.

## REPORTS

- a) Mayor/Mayor Pro-Tem – Events the Mayor attended were the Torch Run, Health Fair, Town and State dinner, Vance Charter School ground breaking, and welcoming Ms. North Carolina and Ms. Henderson at Chick-fil-A. He also mentioned the US Attorney’s press conference and an event Member Elliott invited him to and she gave a little background on the event.

Ms. Elliott said Henderson has been selected as a pilot site for envision city and she will be attending a training session in July. She is excited about the possibilities this program will bring to Henderson.

In regard to the press conference, Police Chief Barrow mentioned that often the perception is that his officers are not doing their job and that actually the cases mentioned have all been brought to the US Attorney’s office by his department.

- b) City Manager - Mr. Frazier reported on the following:

- i. The sanitary sewer repair work continues. Due to the immediate need to have this work completed, he will be bringing the cost before Council in the near future.
- ii. A demo knuckleboom truck has been brought in for use and possible purchase. The purchase price (including all warranties) is \$12,000 less than a new truck. This is similar to how the street sweeper was purchased.
- iii. Duke Energy is looking to relocate the electrical lines at the HWRF due to trees are potential problems in causing power outages. Mr. Frazier asked Council if they had any comments regarding a change in this easement and no objections were voiced.
- iv. Paylor Spruill gave a brief presentation showing the plans for the pavilion. This will be discussed further during the Land Planning meeting on Thursday.
- v. Meetings are being scheduled as the State Dept. of Transportation begins studying the Dabney Drive corridor as part of the TIP program.

- c) City Attorney - (No Report)

- d) City Clerk – Ms. McCrackin mentioned another ribbon cutting that the Chamber recently added. She also reminded Council of the JCPC breakfast on June 21. Information was distributed regarding a Universal Life Insurance plan that includes long-term care benefits, along with a meeting schedule that Council is eligible to participate.

At this time, Mayor Ellington asked if Council was prepared to go into Closed Session.

## CLOSED SESSION

Council Member Burnette moved for Council to convene in closed session pursuant to G.S. §143-318.11(a)(3) for a Client-Attorney Matter. Motion seconded by Council Member Rainey, and unanimously approved.

Council Member Burnette moved for Council to convene in open session. Motion seconded by Council Member Rainey, and unanimously approved.

Mayor Ellington asked if there was anything further or if Council was prepared to adjourn.

**ADJOURNMENT**

Council Member Rainey moved for adjournment. Motion seconded by Council Member Elliott, and unanimously approved. The meeting adjourned at 8:20 p.m.

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Eddie Ellington  
Mayor

***ATTEST:***

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Esther J. McCrackin, City Clerk