



AGENDA

Henderson City Council Regular Meeting

Monday 10 September 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) 13 August 2018 Regular Meeting *[See Notebook Tab 1]*
- b) 23 August 2018 Mid-Year Retreat

VII. PRESENTATIONS/RECOGNITIONS

- a) Economic Development Update (Economic Development Director Dennis Jarvis)

VIII. 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

IX. NEW BUSINESS

- a) Consideration of Approval of Resolution 18-57, Amending the Customer Service Policy to Rename the Reconnect Fee to Non-Payment Fee and Other Administrative Changes. (CAF 18-95) *[See Notebook Tab 2]*
 - Resolution 18-57
- b) Consideration of Approval of Ordinance 18-50, Approving the Renewal of the Franchise Agreement with Public Service Company of North Carolina (PSNC) for a Period of Thirty Years. (CAF 18-100) *[See Notebook Tab 3]*
 - Ordinance 18-50

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.

- c) Consideration of Approval of Resolution 18-59, Authorizing a Grant/Loan Application to Drinking Water State Revolving Fund (DWSRF) for Various Water Main Extensions and Replacement Within the City of Henderson Water Distribution System. *(CAF 18-98) [See Notebook Tab 4]*
 - Resolution 18-59
- d) Consideration of Approval of 1) Resolution 18-51, Approving Change Order #1 and the Final Adjusting Change Order to North State Water and Sewer Inc. for the ROBCO Manufacturing Water and Sewer Line Extension Project; and 2) Ordinance 18-48, FY19 BA #11, Transferring \$2,000 from ROBCO CIP Contingency Line to the Construction Line Item. *(CAF 18-99) [See Notebook Tab 5]*
 - Resolution 18-51
 - Ordinance 18-48
- e) Consideration of Approval of Ordinance 18-47, Amending Section 10-20 of the City Code Relative to Noise Violations. *(CAF 18-97) [See Notebook Tab 6]*
 - Ordinance 18-47
- f) Consideration of Approval of Ordinance 18-49, FY19 BA #13, Authorizing the Use of Reserve Funds for Replacement of a 20 Ton HVAC Unit at the Operations Center. *(CAF 18-101) [See Notebook Tab 7]*
 - Ordinance 18-49
- g) Consideration of Approval of Resolution 18-58, Approving an Agreement with Duke Energy Progress to Allow the Installation of Banners and Necessary Hardware on the Power Poles within the City. *(CAF 18-96) [See Notebook Tab 8]*
 - Resolution 18-58

X. 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 18-46, FY19 BA #12, Authorizing the Closeout of the Sandy Creek Pump Station CIP Project Budget. *(CAF 18-94) [See Notebook Tab 9]*
 - Ordinance 18-46

b) Consideration of Approval of Resolution 18-30, Ratifying the Submission of an Application to the Bureau of Justice for the FY18 Edward Byrnes Justice Assistance Grant (JAG) and Approving the Memorandum of Understanding Between the City of Henderson and Vance County for Dispersion of the Grant Funds. (CAF 18-93) [See Notebook Tab 10]

- Resolution 18-30

c) Tax Releases and Refunds from Vance County for the Month of July 2018. (CAF 18-92) [See Notebook Tab 11]

XI. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

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XII. REPORTS

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

XIII. ADJOURNMENT

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