

City Council Minutes

Regular Meeting

October 8, 2018

PRESENT

Mayor Eddie Ellington, Presiding; and Council Members Marion B. Williams, Sara M. Coffey, William Burnette, Melissa Elliott, Garry D. Daeke, and Fearldine A. Simmons

ABSENT

Council Members D. Michael Rainey and George M. Daye

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, Engineering Director Clark Thomas, Development Services Director Corey Williams, Customer Service Manager Shay Bennett, Kerr Lake Regional Water Director Christy Lipscomb and Henderson Water Reclamation Facility Director Lamont Allen

CALL TO ORDER

The 8 October 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 a quorum was present.

INVOCATION AND PLEDGE OF ALLEGIANCE

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

OPENING COMMENTS

Mayor Ellington thanked everyone for attending, including Boy Scout Troop 605. The Mayor invited the boy scouts to come forward to lead the meeting attendees in the Pledge of Allegiance.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor Ellington asked if there were any adjustments to the Agenda. Council Member Daeke moved to accept the Agenda as presented. Motion seconded by Council Member Simmons, and unanimously approved.

APPROVAL OF MINUTES

Mayor Ellington asked for any corrections to and/or approval of the minutes. Council Member Coffey moved the approval of the 10 September 2018 Regular meeting and the 27 September Special Called meeting minutes, as presented. Motion seconded by Council Member Burnette, and unanimously approved.

PRESENTATIONS/RECOGNITIONS

City Manager Frazier recognized City Clerk Esther McCrackin who was named Outstanding Clerk to the Board by the Kerr-Tar Council of Governments at its annual banquet last week.

Fair Housing Impediments Public Meeting

Engineering Director Clark Thomas explained that to comply with the CDBG Grant requirements, the City is required to do an analysis of impediments to Fair Housing. A survey has been placed on the city's webpage and copies were distributed to various locations throughout the city. The meeting was then opened to hear citizen comments:

Edythe Thompson, 117 Church Street – Ms. Thomson said she has worked and is very familiar with the requirements of Fair Housing. She expressed concern that not enough minorities would be aware of the survey so she took it upon herself to distribute copies to places such as churches, barber/beauty shops, and the library. Ms. Thompson said 48 responses were received but she felt more time is needed and asked for 30-day extension of time.

Council Member Burnette asked if there was a deadline for completing the survey. Mr. Frazier and Mr. Thomas said they were unaware of a specific deadline. The Manger added that CDBG grants require a lot of monitoring and a person may be needed to monitor future CDBG grants. In the past, when the City obtained CDBG grants, the City had a CDBG specialist that was very familiar with the requirements and ensuring the City was in compliance.

Helen Evans, 506 Charles Street Pastor Evans said the survey is a great thing because it gives hope. However, she would like to know what the benefits will be and how soon benefits would be seen.

Mayor Ellington said the benefits could only be determined when the survey is concluded, and the results analyzed.

City Attorney Rix Edwards noted no vote was necessary on the extension of time for the survey, as this was an administrative matter.

PUBLIC COMMENT PERIOD ON AGENDA ITEMS

City Clerk McCrackin advised no citizen wished to address Council.

OLD BUSINESS

Approving the Renewal of the Franchise Agreement with Public Service Company of North Carolina (PSNC) for a Period of Thirty Years. *(Reference: CAF 18-100-A; Ordinance 18-50)*

City Manager Frazier reminded Council that since this is a franchise agreement, a second reading and vote is required for approval. This action was unanimously approved at the first reading during the September 10 meeting.

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

Council Member Burnette moved the 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*. Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Williams, Coffey, Burnette, Elliott, Daeke and Simmons. NO: None. ABSTAIN: None. ABSENT: Rainey and Daye. *(See Ordinance Book 9, p 593)*

NEW BUSINESS

Amending the CIP General Fund and Establish a CIP Project to Establish a Storm Water Utility Ordinance and Associated Fee. *(Reference: CAF 18-105; Ordinance 18-51 Budget Amendment #14)*

City Manager Frazier said in 2017, Council approved a proposal for Dewberry Engineers to help establish a stormwater utility ordinance. It was thought the work could be completed before the end of FY18; however, there was a delay in completing the work prior to the end of FY18. The work has begun and it is now necessary to establish a CIP project to pay for the engineering services. The cost to perform this work is approximately \$35,500.

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

Council Member Elliott moved the approval of Resolution 18-51, *Amending the CIP General Fund and Establish a CIP Project to Establish a Storm Water Utility Ordinance and Associated Fee*. Motion seconded by Council Member Williams, and APPROVED by the following vote: YES: Coffey, Burnette, Elliott, Daeke, Simmons and Williams. NO: None. ABSTAIN: None. ABSENT: Rainey and Daye. *(See Ordinance Book 9, p 595)*

Amending Section 7-49 of the Henderson City Code Declaring Court Street from Young Street to Montgomery Street a “One-Way” Street. (*Reference: CAF 18-107; Ordinance 18-52*)

City Manager Frazier explained with the completion of the renovation project for the old municipal building and Fire Station #2 on Garnett Street, staff suggested, and Council approved one-way parking on Young Street from Garnett Street to Chestnut Street. To further improve traffic flow, staff now proposes reversing the one-way traffic flow on Court Street as well. The change would allow traffic to move from Young Street to Montgomery Street and in doing so would direct traffic to streets with traffic lights for safer access to both Garnett and Chestnut streets. However, after staff spoke with several property owners, staff feels this change need further study, particularly as it relates to the Bowers and Burrows parking lot. Mr. Frazier suggested tabling this item until the November meeting to allow time for further investigation by staff.

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

Council Member Daeke moved the TABLE Ordinance 18-52, Motion seconded by Council Member Burnette, and APPROVED by the following vote: YES: Burnette, Elliott, Daeke, Simmons, Williams and Coffey. NO: None. ABSTAIN: None. ABSENT: Rainey and Daye. (*See Ordinance Book 9, p 597*)

Authorizing an Additional Interim Sewer Tap Fee of \$500. (*Reference: CAF 18-108, Resolution 18-63*)

City Manager Frazier reminded Council that in 2017, an interim sewer tap fee was provided for those homes not connected to city sewer and said approximately 20 homes took advantage of this reduced fee. Council is now being asked to consider doing another interim fee for the 60 or so homes that are still unconnected.

Council Member Daeke felt before letters are mailed to homeowners currently unconnected, Council needed to agree upon enforcement steps so those could be included in the letter. He commented that perhaps action should be delayed until after the holidays and felt people not connected could be creating a health issue.

Council Member Elliott said the letter should be positive to encourage people to connect and felt mention of the health issues should be included.

Council Member Williams also had concerns about health issues. Moreover, both Ms. Williams and Council Member Coffey expressed concerns about the renter paying for connecting. Ms. Williams asked how many of the unconnected homes are rental. The Manager said he would find out and bring the numbers back at the next meeting but did state that it was a mixture of rental and property owners.

Overall, Council felt a second chance should be offered but would like more information regarding how many rental properties are still unconnected and what the enforcement measures should be before moving forward with this project and suggested this item be tabled until the next meeting. The manager stated that he would consult with the City Attorney on reinforcement options.

Mayor Ellington asked Council how it wished to proceed.

Council Member Elliott moved to TABLE Resolution 18-63, *Authorizing an Additional Interim Sewer Tap Fee of \$500*. Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Elliott, Daeke, Simmons, Williams Coffey and Burnette. NO: None. ABSTAIN: None. ABSENT: Rainey and Daye. (See Resolution Book 6, p 153)

Accepting the 2018 BJA Grant in the Amount of \$17,752 and Establishing the 2018 BJA Grant Project Budget. (Reference: CAF 18-109; Resolution 18-64, Ordinance 18-53, Budget Amendment #15)

City Manager Frazier explained that as in years past, this grant shares funding with the County. Notice has been received that this grant has been awarded and the City's portion is \$10,615.20 and the Sheriff's Department will receive the remaining \$7,100.80.

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

Council Member Williams moved the approval of Resolution 18-64, *Accepting the 2018 BJA Grant in the Amount of \$17,752*, and Ordinance 18-53, *Establishing the 2018 BJA Grant Project Budget*. Motion seconded by Council Member Elliott, and APPROVED by the following vote: YES: Elliott, Daeke, Simmons, Williams, Coffey and Burnette. NO: None. ABSTAIN: None. ABSENT: Rainey and Daye. (See Resolution Book 6, p 155, Ordinance Book 9, p 599)

CONSENT AGENDA

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

Removing Former Executive Assistant Patricia Pearson as Deputy City Clerk and Reaffirming Assistant City Manager Paylor Spruill as Deputy City Clerk. (Reference: CAF 18-102; Resolution 18-60) This is a routine housekeeping matter since Ms. Pearson retired as of September 28, 2018. (See Resolution Book 6, p 157)

Establishing Rules, Procedures and Guidelines for the Henderson, North Carolina City Council. (Reference: CAF 18-103; Resolution 18-61) A written policy has been developed to provide citizens with a better understanding of how Council meetings are conducted. It was noted this policy may be amended by resolution at any time. (See Resolution Book 6, p 149)

Tax Releases and Refunds from Vance County for the Month of August 2018. (Reference: CAF 18-104) 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 August 2018.

August 2018 Tax Releases & Refunds			
Name	Reason	Tax Year	Amount
Real & Personal Property Releases			
Woodard, Betty	Personal Property Billed in Error	2012	\$ 395.18
NC Assoc. of Professional	Personal Property Billed in Error	2016	\$ 144.36
Faulkner, Edward	Personal Property Billed in Error	2017	\$ 6.23
Beltz, Aaron	Corrected Value	2018	\$ 36.09
Heitman, William	Corrected Value	2018	\$ 42.07
Adcock, Daniel	Personal Property Billed in Error	2018	\$ 84.31
Arias, Balem	Personal Property Billed in Error	2018	\$ 46.20
Barajas, Mariel	Personal Property Billed in Error	2018	\$ 71.80
Bobbitt, Gean	Corrected Value	2018	\$ 388.32
Bowman, Christopher	Personal Property Billed in Error	2018	\$ 58.67
Burnette, William	Personal Property Billed in Error	2018	\$ 4.81
Cisco Systems	Corrected Value	2018	\$ 43.15
Cox, Keith	Personal Property Billed in Error	2018	\$ 42.10
Cruz, Armando	Personal Property Billed in Error	2018	\$ 56.72
Dean, Allen	Personal Property Billed in Error	2018	\$ 53.12
Drewery Vol. Fire	Real Property Billed in Error	2018	\$ 76.32
Eastside Baptist Church	Adjusted Value	2018	\$ 6,457.82
Edwards, Bennie	Personal Property Billed in Error	2018	\$ 91.73
Elking, Gerald	Remove Late List	2018	\$ 13.93
Fleming, Sandy	Personal Property Billed in Error	2018	\$ 46.53
Gill, Betty	Real Property Billed in Error	2018	\$ 144.75
Glaser, Dan	Personal Property Billed in Error	2018	\$ 120.96
Guerrant, Jerry	Personal Property Billed in Error	2018	\$ 14.31
Hawkins, Johuntas	Corrected Value	2018	\$ 429.30
Hawkins, John	Corrected Value	2018	\$ 210.31
Jones, Peggy	Corrected Value	2018	\$ 487.51
Keeton, Marshall	Personal Property Billed in Error	2018	\$ 420.53
McGhee, Patsy	Corrected Value	2018	\$ 252.14
Mitchell, Helen	Corrected Value	2018	\$ 2,620.28
Moore, Kenneth	Personal Property Billed in Error	2018	\$ 62.45
Murphy, Shannon	Corrected Value	2018	\$ 552.26
Nickels, David	Corrected Value	2018	\$ 429.30
Osborne, John	Corrected Value	2018	\$ 169.62
P&P Services	Corrected Value	2018	\$ 79.13
Ptasinski, Alec	Corrected Value	2018	\$ 147.59
QL Titling Trust LTD	Corrected Value	2018	\$ 1,416.21
Shearin, Marian	Corrected Value	2018	\$ 18.55
Shepherd, Kelly	Personal Property Billed in Error	2018	\$ 43.50
Smith, Brenda	Remove Late List	2018	\$ 12.79
Sollod, Steven	Corrected Value	2018	\$ 21.46
Stainback, Eric	Personal Property Billed in Error	2018	\$ 83.96
Twisdale, Louise	Personal Property Billed in Error	2018	\$ 35.30
Watkins, Sidney	Personal Property Billed in Error	2018	\$ 104.08
Wilson, Raymond	Personal Property Billed in Error	2018	\$ 53.12
Wovoris, Robert	Personal Property Billed in Error	2018	\$ 2.86
Real & Personal Property Releases - Total			\$ 16,091.73
Real & Personal Property Refunds			
			\$ -
Real & Personal Property Refunds - Total			\$ -
Audit Discoveries			
Ayscue, Trent	Discovery	2018	\$ 16.29
Hayes, Jeffrey	Discovery	2018	\$ 2.14
Holland, Jonathan	Discovery	2018	\$ 71.20
Saleh, Abdo	Discovery	2018	\$ 22.64
Wheeler, Henry	Discovery	2018	\$ 2.14
Wilkerson, Lisa	Discovery	2018	\$ 28.48
Wilkins, Larry	Discovery	2018	\$ 8.37
Williams, James	Discovery	2018	\$ 7.12
Audit Discoveries - Total			\$ 158.38
Total Refunds & Releases			\$ 16,250.11

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

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

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

City Clerk McCrackin advised one citizen wished to address Council.

Taiwanicas Kearney, 292 Ellington Road, Manson Ms. Kearney came before Council because she would like help finding a building suitable for the community center for youth that she would like to establish.

Mayor Ellington asked the City Manager to offer Ms. Kearney any suggestions possible.

REPORTS

- a) Mayor/Mayor Pro-Tem – Events attended by the Mayor were the Crime Stoppers Banquet, the dedication of the new fire truck and the old municipal building and fire station, and the downtown Gala. He thanked Council Member Elliott for presenting a proclamation at the Domestic Violence event.

Mayor Pro-Tem Daeke also attended the Gala and said he heard many comments about possibilities for the newly renovated municipal building. Mr. Daeke attended the Kerr-Tar Council of Governments annual banquet and said although this Council knows it has the best Clerk, it was good to see her recognized at the banquet. He concluded by saying he sees a lot of positive things happening in Henderson.

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

- i. Crews continue to work on the Orange Street parking lot and hope to finish the work by end of the week.
- ii. Businesses on Industry Drive are once again asking for water extension and this will be discussed during a committee meeting soon.
- iii. Has one proposal in hand for the pavilion and is still waiting for two more.
- iv. Staff is watching Hurricane Michael carefully and at this time, wind and rain is expected toward the end of the week.

- c) City Attorney - (No Report)

- d) City Clerk – Reminded Council that the meeting next month will be on the third Monday as the second Monday is the Veteran’s Day holiday.

With no further reports, Mayor Ellington asked if Council was prepared to go into Closed Session and stated there would be no report following the session.

CLOSED SESSION

Council Member Daeke moved for Council to convene in closed session pursuant to G.S. §143-318.11(a)(3) for an Attorney-Client Privilege Matter and G.S. §143-318.11 (a)(6) regarding a Personnel Matter. Motion seconded by Council Member Coffey, and unanimously approved.

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

WORK SESSION

Henderson Welcome Sign Design

Police Chief Marcus Barrow gave a short PowerPoint presentation showing Council the faded, outdated signage currently in place both within the City and on I-85. The Chief also showed signs from other communities such as Zebulon, Conover, Smithfield and Wake County. He made the analogy of when you shop you do not purchase the box that is damaged but you look for the best on the shelf. The Chief said the same is true when it comes to representation of the City of Henderson. Mr. Frazier put together a team to look at possible new signage that the Chief showed Council. There were several different signs; some to be placed on the interstate, others to be used within the City limits.

There was some discussion about the signs and Council asked the City Manager to meet with the NCDOT to discuss upgrading signs on I-85. They also asked for a cost estimate. Manager Frazier said he would bring this information back to Council at the November meeting.

With no further business, Mayor Ellington asked if Council was prepared to adjourn.

ADJOURNMENT

Council Member Elliott moved for adjournment. Motion seconded by Council Member Coffey, and unanimously approved. The meeting adjourned at 7:48 p.m.

Eddie Ellington
Mayor

ATTEST:

Esther J. McCrackin, City Clerk