



## AGENDA

Henderson City Council Regular Meeting  
Monday 10 January 2019, 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 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 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) 10 December 2018 Regular Meeting. [See Notebook Tab 1]*

**VII. PRESENTATIONS/RECOGNITIONS**

- a) Introduction - New Managers of the Henderson-Oxford Airport*

**VIII. PUBLIC HEARING**

- a) Consideration of Approval of 1) Resolution 19-05, Adoption of the Public Hearing Minutes to Close-Out the CDBG Project; and 2) Ordinance 19-04, FY19 BA #25, Amending the Budget for the CDBG Infrastructure Project 14-I-2658 (Newton Dairy Road/Birch and Bobbitt Street Sewer Extension Project) to Move Funds from Rate Stabilization Back into the Project Budget to Cover Wetland Mitigation. (CAF 19-08) [See Notebook Tab 2]*

- Resolution 19-05
- Ordinance 19-04

**NOTE:** Minutes for the above Public Hearing will be approved at this time.

- b) Consideration of Approval of Ordinance 19-01, Amending the Zoning Map to Rezone 1337 Dabney Drive (Parcel 0013 03052; 1343 Dabney Drive (Parcel 0013 03001) and 1511 Lynne Avenue (Parcel 0013 03002) from OIA (Office Institutional “A”) District and R-8 (Moderate to High Density Residential) District to B-4 (Neighborhood Commercial) District. (CAF 19-05) [See Notebook Tab 3]*

- Ordinance 19-01

- c) Consideration of Approval of Ordinance 19-02, Amending Zoning Ordinance Article 310A Permitted Use to Remove Section 5.17, Night Clubs, Taverns and Lounges in RA (Residential Agricultural) District to Correct an Error. (CAF 19-06) [See Notebook Tab 4]*

- Ordinance 19-02

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

Citizens may only speak on 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 19-02, Authorizing a Request for Funding Assistance from Golden LEAF Foundation for a Water and Sewer Main Extension for Mast Operations, LLC. *(CAF 19-07) [See Notebook Tab 5]*
  - Resolution 19-02
  
- b)** Consideration of Approval of Resolution 19-03, Issuance of Certificate of Sufficiency; and Establishing the Date of a Public Hearing on Question of Annexation of Property Owned by Kerr Area Transportation Authority (KARTS), Pursuant to NCGS §160A-31. *(CAF 19-03) [See Notebook Tab 6]*
  - Resolution 19-03
  
- c)** Consideration of Approval of Resolution 19-04, Authorizing the Sale of a City Owned Property Located at 412 Thomas Street and Identified in the Vance County Registry at Book 126 Page 0007, Assigned PIN #0021 01021 and to Advertise for Upset Bids Per North Carolina General Statute 160A-269. *(CAF 19-04) [See Notebook Tab 7]*
  - Resolution 19-04
  
- d)** Consideration of Approval of Resolution 19-06, Temporarily Suspending the Leaf Collection Fee Through February 2, 2019. *(CAF 19-09) [See Notebook Tab 8]*
  - Resolution 19-06

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### <sup>3</sup> **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.

- e) Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of November 2018. (CAF 19-01) [See Notebook Tab 9]

## **XI. PUBLIC COMMENT PERIOD ON NON-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>4</sup>

## **XII. REPORTS**

- a) Mayor/Mayor Pro-Tem (No Report)
- b) City Manager (No Report)
- c) City Attorney (No Report)
- d) City Clerk
  - i. Meeting and Events Calendar [See Notebook Tab 10]
  - ii. E-911 Monthly Report
  - iii. Fire Department Monthly Report
  - iv. Recreation and Parks Monthly Report

## **XIII. CLOSED SESSION**

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

## **XIV. ADJOURNMENT**

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