



## **AGENDA**

### **Henderson City Council Regular Meeting**

**Monday 8 April 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) 11 March 2019 Regular Meeting. *[See Notebook Tab 1]*

**VII. PUBLIC HEARING**

- a) 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-A) [See Notebook Tab 2]*

- Ordinance 19-01

**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.<sup>3</sup>

**VIII. NEW BUSINESS**

- a) Consideration of Approval of Resolution 19-16, Confirming the City’s Desire to Continue Services with Waste Industries, Inc., Relative to the Contracting of Sanitation Services. *(CAF 19-26) [See Notebook Tab 3]*

- Resolution 19-16

- b) Consideration of Approval of Resolution 19-18, Authorizing the Demolition of 813 Andrews Avenue, 210 Chestnut Street and 435 Chestnut Street Alley. *(CAF 19-28) [See Notebook Tab 4]*

- Resolution 19-18

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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.

- c) Consideration of Approval of Ordinance 19-13, FY18-19 BA #29, Approval to Purchase Property at the Corner of Beckford Drive and Andrews Avenue Further Identified as Parcel No. 0104 03001 for the Purpose of Redevelopment. (CAF 19-31) [See Notebook Tab 5]
- Ordinance 19-13
- d) Consideration of Approval of Resolution 19-19, Approving a Contract Between the City of Henderson and Thompson, Price, Scott, Adams and Co., P.A. to Conduct the Annual Audit for Fiscal Year 2018-2019. (CAF 19-32) [See Notebook Tab 6]
- Resolution 19-19
- e) Consideration of Approval of Ordinance 19-15, Approving a Small Cell Wireless Facility Ordinance. (CAF 19-34) [See Notebook Tab 7]
- Ordinance 19-15
- f) Consideration of Approval of Ordinance 19-14, FY19 BA #30 Establishing a CIP Project for the Replacement of the Generator at the Martin Creek Pump Station FY2018-2019 Budget Amendment #30. (CAF 19-33) [See Notebook Tab 8]
- Ordinance 19-14

## **IX. CONSENT AGENDA**

All matters listed under the Consent Agenda are considered to be routine or have been previously discussed, and can be approved in one motion, unless a Council Member asks for separate consideration of an item.

- a) Consideration of Approval of Resolution 19-09-A, 1) Issuance of Certificate of Sufficiency; 2) Fixing Date of Public Hearing on Question of Annexation of 429 Birch Street and 432 Bobbitt Street Pursuant to N.C.G.S. §160A-31. (CAF 19-16-A) [See Notebook Tab 9]
- Resolution 19-09-A
- b) Consideration of Approval of Resolution 19-17, Approving FY19-20 Budget Review Calendar and Scheduling of Special Council Budget Work Sessions. (CAF 19-27) [See Notebook Tab 10]
- Resolution 19-17
- c) Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of February 2019. (CAF 19-30) [See Notebook Tab 11]

## **X. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS**

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## **XI. 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 12*]
  - ii. E-911 Monthly Report
  - iii. Fire Department Monthly Report
  - iv. Recreation and Parks Monthly Report

## **XII. WORK SESSION**

- a)** Consideration of Ordinance 19-12, Amending Elmwood Cemetery City Code Article II. Section 4-12, Cemetery Maintenance and Operation and Article IV. Section 4-18, Plants, Flowers, Etc., and Section 4-22, Other Rules and Regulations Enumerated (CAF 19-29) [*See Notebook Tab 13*]
- b)** Consideration of Ordinance 19-07, Amending Section 10-34 of the City Code Relative to Peddlers, Solicitors, Park Concessions and Food Trucks. (CAF 19-13) [*See Notebook Tab 14*]

## **XIII. ADJOURNMENT**

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