



AGENDA

Henderson City Council Regular Meeting

Monday 13 May 2019 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) 8 April 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-B) [See Notebook Tab 2]*

- Ordinance 19-01

- b) Consideration of 1) Holding a Public Hearing on the Question Annexing 429 Birch Street and 432 Bobbitt Street Pursuant to NCGS §160A-31, and 2) Consideration of Approval of Ordinance 19-16, 1) Extending the Corporate Limits of the City of Henderson, North Carolina; 2) Assignment of Newly Annexed Areas to Ward 4, and 3) Directing the City Attorney to Record Annexation with Vance County Board of Elections, Vance County Register of Deeds and the North Carolina Secretary of State. *(CAF 19-16-B) [See Notebook Tab 3]*

- Ordinance 19-16

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

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.

IX. NEW BUSINESS

- a)** Consideration of Approval 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 4]*
- Ordinance 19-12
- b)** Consideration of Approval of 1 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 5]*
- Ordinance 19-07
- c)** Consideration of Approval of Ordinance 19-20, Amending Section 7-48 of the Henderson Code of Ordinances Relative to Specific Streets. *(CAF 19-40) [See Notebook Tab 6]*
- Ordinance 19-20
- d)** Consideration of Approval of Ordinance 19-19, FY19 BA #32, Approving a Budget Amendment to Make Repairs at Red Bud and Industrial Park Pump Stations. *(CAF 19-39) [See Notebook Tab 7]*
- Ordinance 19-19

X. 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 19-21, Authorizing the Submission of an Application to the Bureau of Justice Assistance Office for the FY19 Bulletproof Vest Program Grant for the Police Department. *(CAF 19-38) [See Notebook Tab 8]*
- Resolution 19-21
- b)** Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of March 2019. *(CAF 19-36) [See Notebook Tab 9]*

XI. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

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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
 - v. Public Services Monthly Report

XIII. CLOSED SESSION

- a)* Pursuant to G.S.§143-318.11 (a)(6) regarding a Personnel Matter

XIV. WORK SESSION

- a)* Consideration of Stormwater Utility Ordinance. (*No Materials*)
- b)* Consideration of Beckford Drive Widening Project. (*No Materials*)

XV. PROPOSED FY20 BUDGET PRESENTATION (*To be Distributed at Meeting*)

XVI. ADJOURNMENT

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