



AGENDA

Henderson City Council Regular Meeting

Monday, 8 August 2011, 7:00 p.m.

R. G. (Chick) Young, Jr. Council Chambers, Municipal Building

134 Rose Avenue

Henderson, North Carolina

Mayor and City Council Members

Mayor James D. O'Geary, Presiding
Councilmember James C. Kearney, Sr.
Councilmember Sara M. Coffey
Councilmember Michael C. Inscoc
Councilmember D. Michael Rainey

Councilmember Brenda G. Peace—Jenkins
Councilmember Garry D. Daeke
Councilmember Lonnie Davis, Jr.
Councilmember George M. Daye

City Officials

A. Ray Griffin, Jr., City Manager
John H. Zollicoffer, Jr., 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) 25 July 2011 Short Regular Meeting *[See Notebook Tab #1]*
- b) 25 July 2011 Work Session
- c) 4 August 2011 Special Called Meeting

VII. PUBLIC HEARINGS

Citizens may only speak on public hearing items at this time. Citizens do not need to sign-up in order to speak at a public hearing. When recognized by the Mayor, come forward to the podium, *clearly* state your name, address and if you are a city resident. Please review the Citizen Comment Guidelines that are provided on the last page of this Agenda.³

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, and identify the Agenda Item about which you wish to speak on the sign up sheet. Please review the Citizen Comment Guidelines that are provided on the last page of this Agenda.³

IX. NEW BUSINESS

- a) Consideration of Approval of the following:
 - 1) Resolution 11—70, A Resolution Amending the current Practice of Turning off Water Service for Delinquent Utility Accounts;
 - 2) Ordinance 11—08, An Ordinance Amending Section 15.33 of the Henderson City Code Establishing Utility Security Deposits;
 - 3) Ordinance 11—53, An Ordinance Amendment to the Annual FY 11-12 Fees and Charges Schedule – Budget Amendment FY 12 #7. *(CAF 11—A—16) [Notebook Tab # 2]*
 - Resolution 11—70
 - Ordinance 11—08
 - Ordinance 11—53

- b) Consideration of Approval of Resolution 11—71, Authorizing the Execution of a Utility Agreement with the North Carolina Department of Transportation Relative to a Water Main Relocation in Conjunction with a Bridge Replacement Project and Budget Ordinance 11—48. *(CAF 11—97) [Notebook Tab # 3]*
 - Resolution 11—71
 - Ordinance 11—48

- c) Consideration of Approval of Resolution 11—74, A Resolution of Intent Pursuant to NCGS 160A-102, Amending the City Charter to Provide for Redistricting of the city Electoral Districts in Accordance with the 2010 Census and Setting a Public Hearing on the Same. *(CAF 11—A—101)[Notebook Tab # 4]*
 - Resolution 11—74
- d) Consideration of Approval of Resolution 11—80, Accepting Bennett Perry Home for Museum. *(CAF 11—102) [Notebook Tab # 5]*
 - Resolution 11—80
- e) Consideration of Approval of Resolution 11—75, Amendments to City Administrative Policy 6.11, Harassment Policy. *(CAF 11—103) [Notebook Tab # 6]*
 - Resolution 11—75
- f) Consideration of Approval of Resolution 11—52, FY 11-12 Budget Amendment #6, Amending the CIP Sewer Budget for the Newton Dairy Road Pump Station Elimination Project. *(CAF 11—108) [Notebook Tab # 7]*
 - Resolution 11—52
- g) Consideration of Approval of Resolution 11—77, Authorizing Corporate Resolution Update for First Citizens Bank and Increasing Credit Limit from \$7,500 to \$15,000. *(CAF 11—107) [Notebook Tab #8]*
 - Resolution 11—77
- h) Consideration of Resolution 11—81, Awarding of Bid for Operation Center Repairs and Budget Ordinance 11—54. *(CAF 11—109) [Notebook Tab # 9]*
 - Resolution 11—81
 - Ordinance 11—54

X. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

Citizens may only speak on non-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 on the last page of this Agenda.³

³ **Citizen Comment Guidelines**

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.

XI. REPORTS

- a) Mayor/Mayor Pro-Tem**
- b) City Manager**
- c) City Attorney**
- d) City Clerk**
 - i. Calendar Notes and Schedule Update *[See Notebook Tab # 10]*
 - ii. Various Departmental Reports *[See Notebook Tab # 11]*
 - a) Code Compliance Department
 - b) Henderson-Vance County 911
 - c) Henderson Fire Department

XVI. ADJOURNMENT

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- 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.