



AGENDA

Henderson City Council Regular Meeting

Monday, 10 October 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. Inscoe
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) 26 September 2011 Short Regular Meeting *[See Notebook Tab #1]*
- b) 26 September 2011 Work Session

VII. PROCLAMATIONS AND RECOGNITIONS

- a) Presentation by Mr. Charles E. Powell regarding the Corbitt Truck Show and Reunion

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 Resolution 11—104, Authorizing the Donation of 24 Obsolete Portable Radios and 8 Obsolete Mobile Radios to the Vance-Granville Basic Law Training Program. *(CAF 11—135) [See Notebook Tab #2]*
 - Resolution 11—104
- b) Consideration of Approval of Resolution 11—105 , Accepting an Offer of \$5,000 for a Former Pump Station Lot Off of US 1 Bypass, Plat Book “X”, Page 910, Vance County Registry. *(CAF 11—A—114) [See Notebook Tab #3]*
 - Resolution 11—105
- c) Consideration of Approval of Resolution 11—107, Approving Change Order No. 1 to the Contract for the Ultraviolet Disinfection Equipment Installation with H. G. Reynolds Company of Henderson, North Carolina in the Amount of \$71,124. *(CAF 11—96) [See Notebook Tab #16 – Please note this tab number is out of sequence]*
 - Resolution 11—107

X. CONSENT AGENDA

All matters listed under the Consent Agenda have either been previously discussed by City Council during a previous meeting and/or are considered in the ordinary course of business by the City Council and will be enacted-on by one motion and a roll call vote in the form listed. If discussion is desired by either the Council or the Audience, the item in question will be removed from the Consent Agenda and considered separately after the revised consent agenda has been approved.

- a)* Consideration of Approval of Ordinance 11—45, FY12 Budget Amendment #15, Adjustment and Close Out of 2009 BJA JAG Grant. *(CAF 11—A—100) [See Notebook Tab #4]*
 - Ordinance 11—45
- b)* Consideration of Approval of Ordinance 11—56, Preventing a House Which has been Cited to be in Violation of the Minimum Housing Code to be Re-Occupied Until Passing an Inspection and After the Water has been Turned On to Service the Premises. *(CAF 11—A—122) [See Notebook Tab #5]*
 - Ordinance 11—56
- c)* Consideration of Approval of Ordinance 11—61, FY12 Budget Amendment #16, Adjustment and Close Out of 2007 Governor's Crime Commission Gang Violence Prevention Grant. *(CAF 11—132) [See Notebook Tab #6]*
 - Ordinance 11—61
- d)* Consideration of Approval of Resolution 11—102, A Resolution of the Henderson City Council Ratifying the Mayor's Signature on North Carolina Rural Economic Development Center Contract 2010-227-40101-112, Amendment No. 2. *(CAF 11—133) [See Notebook Tab #7]*
 - Resolution 11—102
- e)* Consideration of Approval of Resolution 11—100, Accepting Two North Carolina League of Municipalities Safety Grants for Purchase of ANSI II Safety Clothing and Equipment; and Approval of Ordinance 11—60, FY12 Budget Amendment #14, Establishing the NC League of Municipalities Grant Budget for the Above Mentioned Grants. *(CAF 11—130) [See Notebook Tab #8]*
 - Resolution 11—100
 - Ordinance 11—60

- f) Consideration of Approval of Resolution 11—89, Transferring Municipal Court Dockets from 7 June 1927 through 30 June 1949 to the North Carolina Department of Cultural Resources. (CAF 11—119) [See Notebook Tab #9]

- Resolution 11—89

XI. WORK SESSION ITEM (This section has been added due to the cancellation of the 24 October Work Session)

- a) Consideration of Resolution 11—106, Authorizing an Investigation into the Efficacy of Developing a Dabney Drive—Corbitt Road One-Way Pair from South Garnett Street to Interstate 85. (CAF 11—136) [See Notebook Tab #10]

- Resolution 11—106

- b) Consideration of Resolution 11—103, Approving an Exemption to the Mini Brooks Act Relative to Engineering Services Needed in Conjunction with Improvements at the Henderson Water Reclamation Facility. (CAF 11—134) [See Notebook Tab #11]

- Resolution 11—103

- c) Consideration of Ordinance 11—59, Amending Portions of Chapter 29 Relating to Parks and Recreations and the FY 11-12 Annual Fee Schedule Regarding Rentals and Clean Up at Fox Pond Park Covered Picnic Shelters, FY 11-12 Budget Amendment #17. (CAF 11—128) [See Notebook Tab #12]

- Ordinance 11—59

- d) Consideration of CM 11—18, Discussion Regarding Implementation Date of New Utility Disconnect and Security Deposits Policies. [See Notebook Tab #15 – ***Please note this tab number is out of sequence***]

XI. 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.

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;

XII. REPORTS

- a)** Mayor/Mayor Pro-Tem
- b)** City Manager
- c)** City Attorney
- d)** City Clerk
 - i. Calendar Notes and Schedule Update *[See Notebook Tab #13]*
 - ii. Various Departmental Reports *[See Notebook Tab #14]*
 - National Domestic Violence Awareness Month
 - Henderson-Vance County 911
 - Code Compliance Department
 - Henderson Fire Department

XIII. CLOSED SESSION

- a)** Pursuant to GS 143-318.11(a)(3) Attorney-Client Matter

XVI. ADJOURNMENT

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- 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.