



AGENDA

**Henderson City Council Short Regular Meeting
Monday 22 September 2014, 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 James D. O'Geary, Presiding

Councilmember James C. Kearney, Jr.
Councilmember Sara M. Coffey
Councilmember Michael C. Inscoe
Councilmember D. Michael Rainey

Councilmember Brenda Peace-Jenkins
Councilmember Garry D. Daeke
Councilmember Fearldine A. Simmons
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) 4 September 2014 Special Called Meeting *[See Notebook Tab 1]*
- b) 8 September 2014 Regular Meeting

VII. PRESENTATIONS/RECOGNITIONS

- a) North Carolina Chapter AWWA- WEA Water Environment Award

VIII. 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.³

IX. NEW BUSINESS

- a) Consideration of Approval of 1) Resolution 14-19-B, Authorizing Change Order #2 for Additional Areas for Water Main and Services Replacement to the 2" Water Main and Services Replacement Project Subject to Approval from DWSRF and Availability of Remaining Funds and: 2) Ordinance 14-47, FY15 Budget Amendment #12, Amending 2" Water Line Replacement Project. (CAF 14-26-B) *[See Notebook Tab 2]*
 - Resolution 14-19-B
 - Ordinance 14-47
- b) Consideration of Approval of Resolution 14-76, Providing for the Disposition of Jointly Held Property by the City and County Identified as 469 Merriman Street and Further Identified in Vance County Register of Deeds Book #1246, Page #598; Tax Parcel #0021-07-017. (CAF 14-105)*[See Notebook Tab 3]*
 - Resolution 14-76

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.

- c) Consideration of Approval of Resolution 14-74, Amending the 2014 City Council Meeting Schedule. (CAF 14-103) [See Notebook Tab 4]

- Resolution 14-74

- d) Consideration of Approval of Resolution 14-47, Authorizing FY14-15 Financing with SunTrust Equipment Finance & Leasing Corp. in the Amount of \$149,711.45 for Five (5) Vehicles: Three (3) 2014 Ford Interceptor Utility Vehicles (Two for the Fire Department and One for the Police Department); and Two (2) 2014 V8 Dodge Chargers with Police Packages for the Police Department. (CAF 14-73) [See Notebook Tab 5]

- Resolution 14-47

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 14-45, FY15 Budget Amendment #11, Amending General Fund Revenues and the Capital Outlay >\$5,000 Expenditure Line Item of the Information Systems Departmental Budget. (CAF 14-101) [See Notebook Tab 6]

- Ordinance 14-45

- b) Consideration of Approval of Ordinance 14-46, FY15 Budget Amendment #10, Amending the Water Fund to Appropriate Fund Balance and Insurance Proceeds to Offset the Cost of Repairs to a Wrecked Service Truck in the Customer Service Department. (CAF 14-107) [See Notebook Tab 7]

- Ordinance 14-46

- c) Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of August 2014. (CAF 14-100) [See Notebook Tab 8]

XI. PUBLIC COMMENT PERIOD ON NON-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.⁴

XII. REPORTS

- a)** Mayor/Mayor Pro-Tem
- b)** City Manager
- c)** City Attorney
- d)** City Clerk
 - i. Meeting and Events Calendar *[See Notebook Tab 9]*
 - ii. Monthly Reports
 - Henderson Police Department August Report
 - Henderson Fire Department August Report
 - Proclamation for Henrietta H. Clark's 100th Birthday

XIII. CLOSED SESSION

- a)** Pursuant to G.S.§143-318.11 (a)(6) regarding two (2) Personnel Matters
- b)** Pursuant to G.S.§143-318.11(a)(3) regarding Attorney/Client Privilege
- c)** Pursuant to G.S.§143-318.11(a)(4) regarding an EDC Matter

XIV. ADJOURNMENT

⁴ **Citizen Comment Guidelines for Non-Agenda Items**

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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.



City Council Minutes Special Called Meeting 4 September 2014

PRESENT

Mayor James D. O'Geary, Presiding; and Council Members James C. Kearney, Sr., Sara M. Coffey, Michael C. Inscoe, D. Michael Rainey, Brenda Peace-Jenkins, Fearldine A. Simmons and George M. Daye.

ABSENT

Council Member Garry D. Daeke (*Clerk's Note: Due to a prior work engagement, Mr. Daeke was unable to be present*)

STAFF PRESENT

City Manager Ray Griffin, City Attorney John H. Zollicoffer, Jr., City Clerk Esther J. McCrackin, Assistant City Manager Frank Frazier, and Engineering Director Clark Thomas.

CALL TO ORDER

The 4 September 2014 Special Called Meeting of the Henderson City Council was called to order by Mayor James D. O'Geary at 6:00 p.m. in the R. G. "Chick" Young, Jr. Council Chambers, Municipal Building, 134 Rose Avenue, Henderson, NC.

ROLL CALL

The City Clerk called the roll and advised Mayor O'Geary a quorum was present.

NEW BUSINESS

Consideration of Approval of Resolution 14-63, Conceptual Logical Growth Corridor and Developing Plans for Water Main Extensions Inside This Corridor. (*Reference: CAF 14-82-A*)

City Manager Griffin said this was deferred from the last Council meeting so Council could have time to more fully consider this matter. He reminded everyone that Mr. Tommy Hester came

before Council, not on behalf of the County nor in any official capacity but with County staff to ask the City to give consideration to providing water service to the western area of the County near the Granville County line. The City Engineer and Assistant City Manager have since reviewed the area and worked on identifying the geographic area, how the area relates to the current City water grid, and where it is logically for the City to serve and where the County to provide water. There is a clause in the Water Sales Contract for Phase 2A and 2B that refers to who will provide service within 1,000 ft. of existing city water mains.

Mr. Griffin has spoken to the County Manager who met yesterday with its Water Committee. County Manager Ayscue said it is interested in further discussion so tonight's discussion should focus on an analysis of potential service, where City/County should serve and why, cost estimates and perhaps a generic discussion on whether the city has interest in extending service into the ETJ, among other issues.

Assistant City Manager Frazier and Engineering Director Thomas presented a more detailed map from what Mr. Hester presented and began by identifying the areas in question and provided some history on existing lines in the area. Council had numerous questions from this point on which included, but are not limited to:

- Cost/potential revenue
- Liabilities of investment
- Is the ETJ the responsibility of the City or County
- Could County sell lines to City since County is eligible for grants where the City is ineligible
- What is City's future role for providing water service
- Size of existing pipes
- Size necessary for new lines
- Growth potential in the area – residential and industrial
- Distance between existing lines
- Potential hook-ups
- Grant status that the City has applied for which includes a portion of this area
- Percentage of hook-ups to justify putting in a new line
- What is logical for City lines/County lines
- Service limitations on pipe size

Engineering Director Thomas pointed out the area under discussion incorporates approximately 5,000 acres with a potential of 204 new hook-ups where the lines are currently being proposed in comparison to the 5,500 acres within City limits which has 6,800 existing hook-ups.

In conclusion, everyone agreed that this area is deserving of water service. Council did feel a liaison/committee should be formed with the County to begin discussions between the two entities to determine the best direction for not only the two governmental agencies but also the area.

Mayor O'Geary asked for the consensus of Council to form a City/County committee with the response as follows: YES: Kearney, Coffey, Inscue, Rainey, Peace-Jenkins, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: Daeke.

City Manager Griffin said this discussion has provided good direction. He will speak with County Manager Ayscue and also draft a letter for the Mayor's approval to be sent to County Commissioner Brown so discussions can begin in the near future.

Council Member Kearney said he would be happy to serve on this committee.

Mayor O'Geary then asked if Council was prepared to adjourn.

ADJOURNMENT

Council Member Coffey moved for adjournment. Motion seconded by Council Member Kearney, and was unanimously approved. The meeting adjourned 7:06 p.m.

James D. O'Geary
Mayor

ATTEST:

Esther J. McCrackin
City Clerk

City Council Minutes

Regular Meeting

8 September 2014

PRESENT

Mayor James D. O'Geary, Presiding; and Council Members James C. Kearney, Sr., Sara M. Coffey, D. Michael Rainey, Brenda Peace-Jenkins, Fearldine A. Simmons, and George M. Daye.

ABSENT

Council Members Michael C. Inscoe and Garry D. Daeke.

STAFF PRESENT

City Manager A. Ray Griffin, Jr., City Attorney John H. Zollicoffer, Jr., City Clerk Esther J. McCrackin, Assistant City Manager Frank Frazier, Finance Director Kathy Brafford, Engineering Director Clark Thomas, Police Chief Marcus Barrow, Code Compliance/Interim Planning Director Corey Williams, Interim Recreation and Parks Director Steve Osborne, Fire Chief Danny Wilkinson and Youth Services Director Donna Stearns.

CALL TO ORDER

The 8 September 2014 Regular Meeting of the Henderson City Council was called to order by Mayor O'Geary at 6:06 p.m. in the R. G. "Chick" Young, Jr. Council Chambers, Municipal Building, 134 Rose Avenue, Henderson, NC.

ROLL CALL

The City Clerk called the roll and advised Mayor O'Geary a quorum was present.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Rainey led those present in a prayer and the Pledge of Allegiance.

(Clerk's Note: Council Member Peace-Jenkins arrived at 6:10 p.m. and Council Member Simmons arrived at 6:15 p.m.)

OPENING COMMENTS

Mayor O'Geary articulated his pleasure in seeing so many present this evening and specifically mentioned former Mayor Robert "Chick" Young and his wife, Shirley, Mr. Ed Wyatt, former Interim City Manager, former employees Sherry Moss and Erris Dunston, along with Attorneys Stainback and Satterwhite. He also recognized Mrs. Martha Zollicoffer and thanked them all for coming this evening as Council recognizes retiring City Attorney John H. Zollicoffer, Jr.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor O'Geary asked if there were any adjustments to the Agenda. The City Clerk asked for Council's permission to add the following item was added to the agenda: *Resolution 14-64, Authorizing the Acceptance of the Stormwater Agreement and Covenants Between Duke Energy and the City of Henderson for their Facility Located at 602 Raleigh Road.* Council Member Rainey moved to accept the Agenda as adjusted. Motion seconded by Council Member Daye, and unanimously approved.

APPROVAL OF MINUTES

Mayor O'Geary asked for any corrections to and/or approval of the minutes. Council Member Coffey moved the approval of the 25 August Short Regular and 25 August Work Session Minutes, as presented. Motion seconded by Council Member Daye, and unanimously approved.

PRESENTATIONS/RECOGNITIONS

Mayor O'Geary asked City Attorney John H. Zollicoffer, Jr. to come forward. The Mayor then read a resolution which is incorporated by reference and hereby made part of these minutes. He said *thank you* in no way expresses how much the City and staff have benefited from Attorney Zollicoffer's dedication, integrity and strong work ethic over his 42 years of service. The Mayor also presented a token of appreciation from the Council, Mayor, City Manager and Staff.

Attorney Zollicoffer, Jr. commented how much he has enjoyed working with the City. He said he has worked with some wonderful staff and Council members, including the current Council that he has found good to work with. He added he is proud of what has been accomplished over the years and appreciate opportunity to serve.

At this time Mayor O'Geary asked for a motion to recess for a short reception to wish Attorney Zollicoffer, Jr. the very best as he begins a new journey into retirement. Motion was made by Council Member Kearney; seconded by Council Member Coffey and unanimously approved.

After a short recess, Mayor O'Geary called the meeting back into session and asked the City Clerk to proceed.

PUBLIC COMMENT PERIOD ON AGENDA ITEMS

The City Clerk advised the Mayor and Council Members that no citizen wished to speak to Council on agenda matters.

NEW BUSINESS

Appointments to the Henderson-Vance Human Relations Commission, Henderson Planning Board, Henderson-Vance Economic Development Commission and the Perry Memorial Library Board; and Requesting the City Attorney's Recommendations Regarding Changes to the Henderson-Vance Human Relations Commission By-Laws. (CAF 14-94; Resolution 14-69)

City Clerk McCrackin said the Boards and Commissions Committee met 19 August 2014 to review applications received for re-appointment. After discussion, the Committee unanimously voted to bring all five applicants before Council for approval. The applicants and the terms are as follows: Geraldine Champion and Evelyn Mitchel for full three-year terms to the Henderson-Vance Human Relations Commission; Arthur Henderson for a full three-year term to the Henderson Planning Board; Andrea Harris for a full three-year term to the Henderson-Vance Economic Development Commission and Martha Zollicoffer for a full three-year term to the Perry Memorial Library Board.

The Committee also discussed the need to update the 1983 By-Laws of the Human Relations Commission and specifically focused on the section which states the Human Relations Commission may enter into contracts/agreements without specific approval of its Governing Bodies. The Committee would like Council's consent for the City Attorney to review this portion which will then be taken before both the City Council and County Commissioners for final approval. City Attorney Zollicoffer, Jr. indicated he would prepare this before the October meeting.

There was no discussion so Mayor O'Geary asked for Council's pleasure.

Council Member Rainey moved the approval of Resolution 14-69, *Appointments to the Henderson-Vance Human Relations Commission, Henderson Planning Board, Henderson-Vance Economic Development Commission and the Perry Memorial Library Board; and Requesting the City Attorney's Recommendations Regarding Changes to the Henderson-Vance Human Relations Commission By-Laws*. Motion seconded by Council Member Coffey and APPROVED by the following vote: YES: Kearney, Coffey, Rainey, Peace-Jenkins, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: Inscoe and Daeke. (See Resolution Book 4, p 85)

Council Member Rainey asked about the status of the Planning Board. City Manager Griffin said the Planning Board, along with the Board of Adjustment will continue to meet as necessary. City Attorney Zollicoffer, Jr. said issues brought before the Planning Board must be brought before Council for approval and Interim Planning & Community Development Director Corey Williams added a meeting is scheduled for October.

Providing for the Disposition of Jointly Held Property by the City and County Otherwise Identified as 777 Parkway Drive Tax Parcel #0104 02015; Vance County Deed Book 01271 Page 1145. (Reference: CAF 14-22-A; Resolution 14-14-A)

City Manager Griffin explained the sale of this property was approved by Council in January 2014. However, when the County realized the purchaser owed back taxes, the sale was voided.

The County has received a new offer to purchase from a different purchaser and it is recommended that Council approve this action with the understanding the proceeds will be shared on a pro-rata basis.

There was no discussion. Mayor O'Geary asked for Council's pleasure.

Council Member Coffey moved the approval of Resolution 14-14-A, *Identified as 777 Parkway Drive Tax Parcel #0104 02015; Vance County Deed Book 01271 Page 1145*. Motion seconded by Council Member Peace-Jenkins, and APPROVED by the following vote: YES: Coffey, Rainey, Peace-Jenkins, Simmons, Daye and Kearney. NO: None. ABSTAIN: None. ABSENT: Inscoe and Daeke. (*See Resolution Book 3, p 293-A*)

Authorizing the Mayor to Sign and Submit an Application to the State Grant Program for a Technical Assistance Grant to Perform a Sanitary Sewer Evaluation Study and Develop a Sanitary Sewer Model. (*Reference: CAF 14-99; Resolution 14-72*)

City Manager Griffin said no action is expected on this item which is being brought before Council this evening for informational purposes. City Engineer Thomas explained that due to time constraints the Technical Assistant Grant (TAG) cannot be applied for this October but will be brought back to Council for action in the Spring. The TAG typically is in the amount of \$50,000 but often can be leveraged with a city matching a portion.

Council Member Rainey asked if this type of study has been done previously and if so, when. Assistant City Manager Frazier responded a study of this type was last done in 2008 and substantial changes have occurred since then. Mr. Rainey asked if this study will pinpoint existing problems or new problems. Mr. Frazier said both.

Council Member Coffey asked who does the study --- the City or a consultant. Engineering Director Thomas said parts can be done by city staff but hiring a consultant with expertise would be prudent.

There was no further discussion so Mayor O'Geary now called for a consensus that this is the direction Council wishes to pursue with the following response: YES: Kearney, Coffey, Rainey, Peace-Jenkins, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: Inscoe and Daeke.

(Clerk's Note: Council Member Simmons left the meeting at 6:49 p.m.)

Relaying Concerns Relative to the Closing of Ramps in Conjunction with Improvements to I-85 (I-0914BA). (*CAF 14-102; Resolution 14-73*)

Assistant City Manager Frazier explained plans and design for major improvements to the north and south bound lanes of I-85 are being finalized and there is concern regarding the closing of the ramps as designed by the NC Department of Transportation. He said outcome from previous meetings with the NCDOT which included area fire/police/rescue representatives gleaned concerns and good suggestions regarding the project. Two main concerns are the economic loss to the City and County along with public safety response needs as the NCDOT plans to close traffic completely to certain access ramps for an anticipated 60-90 days.

Mr. Frazier said Ms. Helen Shyu, PE, the Project Design Engineer of the North Carolina Department of Transportation Work Zone Traffic Control – Central Region Division is present to answer any questions/concerns Council.

There was a lengthy discussion as to why the NCDOT could not allow crossover traffic to keep the ramps open; the DOT's responsibility for damage to City streets used for traffic detours; concern that Dabney Drive, already pinpointed by the DOT as overused, would be a major problem; what the requirements are for keeping ramps open during construction; how industry and businesses will be affected with ramp closures and the project timeframe were all concerns expressed by Council.

Ms. Shyu stated the NCDOT began reaching out to the City/County as soon as it could to make officials aware of the project. She said she was unsure why there was no discussion with the community before the plans were finalized other than there are time constraints on the project. She also distributed a map showing the three (3) phases of the project.

Mr. Frazier said the NCDOT has been asked to look at traffic signals in the detour areas as this project will create big changes, including school bus schedules and emergency vehicle movements for starters.

Overall Council opposed the project due to the financial impact to the City and the businesses/industries located within the project area.

Mayor O'Geary now asked for the pleasure of Council.

Council Member Kearney moved the approval of Resolution 14-73, *Relaying Concerns Relative to the Closing of Ramps in Conjunction with Improvements to I-85 (I-0914BA)*. Motion seconded by Council Member Peace-Jenkins, and APPROVED by the following vote: YES: Rainey, Peace-Jenkins, Daye, Kearney and Coffey. NO: None. ABSTAIN: None. ABSENT: Inscoe, Daeke and Simmons. (See Resolution Book 4, p 93)

Authorizing the Acceptance of the Stormwater Agreement and Covenants Between Duke Energy and the City of Henderson for their Facility Located at 602 Raleigh Road. (Reference: CAF 14-83, Resolution 14-64)

Engineering Director Thomas explained Duke Energy is consolidating its operations into one facility. The current facility complies with the State and City standards and as part of the City standards, this agreement is needed to comply with the Stormwater Best Management Practices which permits the City to inspect the wet detention pond.

There was no discussion. Mayor O'Geary asked for Council's pleasure.

Council Member Rainey moved the approval of Resolution 14-64, *Authorizing the Acceptance of the Stormwater Agreement and Covenants Between Duke Energy and the City of Henderson for their Facility Located at 602 Raleigh Road*. Motion seconded by Council Member Peace-Jenkins, and APPROVED by the following vote: YES: Peace-Jenkins, Daye, Kearney, Coffey

and Rainey. NO: None. ABSTAIN: None. ABSENT: Inscoc, Daeke and Simmons. (*See Resolution Book 4, p 75*)

CONSENT AGENDA

The City Clerk read the Consent Agenda, summarized as follows:

Acceptance of 2014 NC Governor's Crime Commission VIPER/MDT Upgrade Grant for the Henderson Police Department and FY15 Budget Amendment #6, Establishing the Budget for Said Grant. (*Reference: CAF 14-21-A; Resolution 14-13-A, Ordinance 14-05*) This grant application was approved by Resolution 14-13 in January 2014 for the purchase of new mobile data terminals and VIPER radios in the amount of \$31,876. The grant was approved at 75% (\$23,907) and the remaining 25% (\$7,969) was budgeted from the Asset Forfeiture Fund. (*See Resolution Book 3, p 291-A and Ordinance Book 9, p 73*)

Amending and Closing Out the 2013 NC Governor's Highway Safety Program Grant, FY 14 Budget Amendment #7. (*CAF 14-96; Ordinance 14-42*) This action officially closes out Fund 55-205 which was awarded to assist the Police Department with the purchase of traffic enforcement equipment. (*See Ordinance Book 9, p 169*)

Amending Fund 46: CIP Regional Water Fund, FY14-15 Budget Amendment #8. (*Reference: CAF 14-98; Ordinance 14-43*) This action transfers \$38,000 from 64: Regional Water to 46: CIP Regional Fund to provide additional funding for the inter-basin transfer (IBT) of water project. The funds were adopted as part of the FY15 but an offsetting amendment was not done at that time. (*See Ordinance Book 9, p 171*)

Acceptance of the 2014 BJA Bullet Proof Vest Partnership Grant in the amount of \$3,829.38 and FY15 Budget Amendment #9, Amending Fund 55: Establishing Budget for Above Mentioned Grant. (*Reference: CAF 14-49-A; Resolution 14-29-A, Ordinance 14-44*) Notice of the award of this grant has been received and this action accepts the conditions of the grant. This year's allocation is \$3,829.38.

Mayor O'Geary asked if anyone wished to remove an item from the Consent Agenda. There were no requests. Mayor O'Geary asked for a motion to approve the consent Agenda

Council Member Rainey moved the approval of the Consent Agenda as presented. Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Daye, Kearney, Coffey, Rainey and Peace-Jenkins. NO: None. ABSTAIN: None. ABSENT: Inscoc, Daeke and Simmons.

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

City Clerk McCrackin advised no citizen wished to address Council.

REPORTS

a) Mayor/Mayor Pro-Tem

- i. Mayor Pro-Tem thanked City Attorney Zollicoffer, Jr. for all he has done for the City and shared how enjoyable it has been working with Mr. Zollicoffer over the years.

b) City Manager

- i. Mr. Griffin recognized the Henderson Water Reclamation Facility (HWRF) staff for an excellent FY14 Annual Report. Given the on-going construction they have all done a very fine job staying in compliance.
- ii. Mr. Griffin also extended, in German, his expression of appreciation to City Attorney Zollicoffer by saying *My friend, you are a good man!*

c) City Attorney

- i. Attorney Zollicoffer, Jr. said he has enjoyed working with the City and was happy to report Council has made his job enjoyable.

d) City Clerk (No Report)

With no further discussion, Mayor O'Geary asked if Council was prepared to adjourn.

ADJOURNMENT

Council Member Peace-Jenkins moved for adjournment. Motion seconded by Council Member Rainey, and unanimously approved. The meeting adjourned at 7:34 p.m.

James D. O'Geary
Mayor

ATTEST:

Esther J. McCrackin
City Clerk



A RESOLUTION HONORING

City Attorney John Hilliard Zollicoffer, Jr.

WHEREAS, John Hilliard Zollicoffer, Jr. was born in Henderson, North Carolina: *and*

WHEREAS, in 1954, John Hilliard Zollicoffer, Jr. graduated High School in Henderson and won a Morehead Scholarship to the University of North Carolina at Chapel Hill where he graduated with high honors; *and*

WHEREAS, John Hilliard Zollicoffer, Jr. entered Duke University School of Law where he was honored as a Regional Scholar and a member of the Law Review and received his JD (Juris Doctor) in 1961; *and*

WHEREAS, upon graduation from Duke University, John Hilliard Zollicoffer, Jr. chose to carry on a longstanding family tradition and joined the Zollicoffer Law Firm which was founded by his grandfather, Allison Caulaincourt Zollicoffer in 1881; and continued on with his uncle Jere Perry Zollicoffer joining the firm in 1912; his father, John H. Zollicoffer joining the firm in 1924 and his cousin, Algernon Augustus Zollicoffer, Jr. joining the firm in 1950; *and*

WHEREAS, in 2008 the Zollicoffer Firm merged into Stainback, Satterwhite, Burnette & Zollicoffer, PLLC, better known today as Stainback, Satterwhite and Zollicoffer, PLLC; *and*

WHEREAS, the Zollicoffer family has had strong ties with the City of Henderson for many decades with J.P. and J.H. Zollicoffer serving as City Attorneys in the 1930's; John H. Zollicoffer, Sr. serving as City Attorney from 1945 to 1968 and John H. Zollicoffer, Jr. serving 35 years as City Attorney from 1972 to 2007 and again from 2008 to 2014; *and*

WHEREAS, John H. Zollicoffer, Jr. has served the City well in his 42 years as City Attorney; *and*

WHEREAS, John H. Zollicoffer, Jr. has provided legal counsel to the City Council and Staff without displaying political bias, and has aided the City in:

- *the creation and formation of the Kerr Lake Regional Water System*
- *re-writing the Henderson City Code*
- *successfully defending the City's election format with the U.S. Supreme Court*
- *establishing four year staggered terms for Council; and*

WHEREAS, John H. Zollicoffer, Jr. has served this community and the State of North Carolina on numerous committees, including the North Carolina Bar Association, North Carolina Local Government Commission, the Henderson Vance Chamber of Commerce, Maria Parham Hospital Association and the Perry Memorial Library Foundation; *and*

WHEREAS, through a strong work ethic, compassion, dedication, and quick wit, John H. Zollicoffer, Jr. has earned the respect and admiration of his peers and will be greatly missed by the Mayor, City Council, City Manager and all City staff: *and*

WHEREAS, John H. Zollicoffer, Jr., advised the Mayor and City Council of his retirement as City Attorney during its 25 August 2014 meeting, with said retirement to be effective 30 September 2014.

NOW THEREFORE, be it resolved that the resignation of the Honorable John H. Zollicoffer, Jr. as City Attorney is hereby accepted, with regret, and much appreciation for his loyal, faithful and distinguished service to the Mayor, City Council, City Manager and Staff; *and*

BE IT FURTHER RESOLVED, by virtue of the authority vested in me as Mayor and on behalf of Henderson's City Council Members and citizens, we thank John H. Zollicoffer, Jr. for his many years of dedication and service to this City and wish him many wonderful years of retirement with his wife, Martha and their family.

James D. O'Geary, Mayor

D. Michael Rainey, Mayor Pro-Tem

Sara M. Coffey, Council Member

Garry Daeke, Council Member

George M. Daye, Council Member

Michael C. Inscoc, Council Member

James C. Kearney, Sr., Council Member

Brenda Peace-Jenkins, Council Member

Fearldine A. Simmons, Council Member

A. Ray Griffin, City Manager

September 8, 2014

City Council Action Form

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252.430.5701



Agenda Item: _____

Council Meeting: 22 Sept 14 Short Reg Meeting

16 September 2014

TO: The Honorable Mayor James D. O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: CAF: 14-26-B

Consideration of Approval of 1) Resolution 14-19-B, Authorizing Change Order #2 for Additional Areas for Water Main and Services Replacement to the 2" Water Main and Services Replacement Project Subject to Approval from DWSRF and Availability of Remaining Funds and; 2) Ordinance 14-47 FY 15 Budget Amendment #12 Amending 2" Water Line Replacement Project

Ladies and Gentlemen:

Council Goals Addressed By This Item:

- **KSO 5** – Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems.
- **KSO 8** – Provide Sufficient Funding for Municipal Services.

Recommendation:

Approval of:

- Resolution 14-19-B, Authorizing Change Order #2 for Additional Areas for Water Main and Services Replacement to the 2" Water Main and Services Replacement Project Subject to Approval from DWSRF and Availability of Remaining Funds.
- Ordinance 14-47 FY 15 Budget Amendment #12 Amending 2" Water Line Replacement Project

Executive Summary

The original contract is approximately 98% complete with water main replacement and a majority of the changeover has been completed. The project cost to date is approximately \$1,264,892, which is 65% of the total project cost. City Staff has been in contact with NCDENR Drinking Water State Revolving Fund about the additional streets listed below and has received approval to proceed dependent on existing funding.

The following streets were approved to be added to the project via Resolution 14-19 on 24 February 2014. Change order #2 will include these streets as well as Orchard Street.

Zollicoffer Avenue:	1,885 LF	\$ 255,082
Cedarwood Drive:	1,210 LF	\$153,381
Crestwood Drive:	1,440 LF	\$125,903
Lynn Avenue:	385 LF	\$68,565

CAF 14-26-B: 22 September 2014 Work Session

Page 1 of 10

Orchard Street	330 LF	\$ 37,697
Total		\$640,628

Engineering has been completed, approval has been obtained by the funding agency and all regulatory agencies and the contractor has submitted pricing for the streets listed above. The Orchard Street water line would eliminate a 2-inch galvanized water line that connects Red Bud Circle to Orchard Street by passing through a private wooded lot.

The City Staff recommends that City Council approve Change Order #2 to continue improving the water system using the approved funding until exhausted. Change Order #2 would be to HG Reynolds in the amount of \$640,628 to for the streets listed above.

Based on the unit prices that have been quoted as part of Change Order #2 there will be approximately \$27,018.00 remaining in the construction budget subject to council approving all of the funds to be moved to the construction line item. If funds are available once this work is completed, it is staff's recommendation to continue construction on the following streets; Eaton Street, Vicksboro Road, Montgomery Street, Walnut Street and Mulberry Street that were previously approved by the Council via Resolution 14-19-A on 9 June 2014. Staff would also like consider the addition of a Beckford Drive portion from Andrews Avenue to Parrish Mill Road which will replace the 6-inch asbestos cement water main that has experienced multiple leaks over the years. These streets will be brought back to Council as funding is determined.

Enclosures:

1. Resolution 14-19-B
2. Ordinance 14-47
3. Resolution 14-19-A
4. Resolution 14-19

RESOLUTION 14-19-B

RESOLUTION 14-19-B, AUTHORIZING CHANGE ORDER #2 FOR ADDITIONAL AREAS FOR WATER MAIN AND SERVICES REPLACEMENT TO THE 2" WATER MAIN AND SERVICES REPLACEMENT PROJECT

WHEREAS, the Henderson City Council (Council) identified eight Key Strategic Objectives (KSO) at its 2014 Strategic Planning Retreat; *and*

WHEREAS, two of the Key Strategic Objectives are addressed by this request as follows: **KSO 5: To Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems; and KSO 8: To Provide Sufficient Funds for Municipal Operations and Capital Outlay Necessary to Meet the Needs of Citizens, Customers and Mandates of Regulatory Authorities; and**

WHEREAS, the Federal Safe Drinking Water Act Amendments of 1996 and the NC Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of drinking water system improvements, *and*

WHEREAS, the City received an offer and accepted the loan for a water system project (project number WIF-1694) and in the amount of \$1,726,000 per Resolution 12-62; *and*

WHEREAS the City Council approved to accept an additional loan amount to increase the overall project cost from \$1,726,000 to \$1,898,571; *and*

WHEREAS, DWSRF approved the additional loan amount totaling \$1,898,571 for the 2-Inch Watermain & Services Project; *and*

WHEREAS, the City wants to utilize 100% of the loan amount or close thereof including the use of contingency funds; *and*

WHEREAS, the City council previously approved Resolution 14-19 for water main and service replacements that includes the following: Orchard Road; Zollicoffer Avenue, Cedarwood Drive, Crestwood Drive and Lynn Avenue.

NOW THEREFORE BE IT RESOLVED, BY THE HENDERSON CITY COUNCIL THAT IT HEREBY APPROVES Change Order #2 to HG Reynolds to make water system improvements to the following roads; adding Orchard Road; Zollicoffer Avenue, Cedarwood Drive, Crestwood Drive and Lynn Avenue subject to DWSRF approval and availability of remaining project funds including contingency; *and*

BE IT FURTHER RESOLVED THAT The Mayor is authorized to sign all agreements and documents necessary to effect said Agreement.

The foregoing Resolution 14-19-B introduced by Council Member ** and seconded by Council Member ** on this the * day of *, and having been submitted to a roll call vote, was *** by the following votes: YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney
(Reference: *Minute Book 42*, p. **.)

**STATE OF NORTH CAROLINA
CITY OF HENDERSON**

I, Esther J. McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the foregoing is a true and exact copy of *Resolution 14-19-B*, adopted by the Henderson, City Council in Regular Session on * 2014 (*See Minute Book 43*, p. **). This Resolution is recorded in *Resolution Book # 4*, pp. **.

Witness my hand and corporate seal of the City, this ** day of *** 2014.

Esther J. McCrackin
City Clerk
City of Henderson, North Carolina

ORDINANCE 14-47

AN AMENDMENT TO THE FY 2014-2015 BUDGET BUDGET AMENDMENT #12 AMENDING THE 2" WATER LINE REPLACEMENT PROJECT

WHEREAS, the City Council of the City of Henderson (Council), on 11 June 2014, adopted its FY 14-15 Operating Budget; *and*

WHEREAS, the Council has created and uses a Capital Improvements Fund for active capital projects related to the Water Fund, said fund referred to as 43: CIP Water Fund; *and*

WHEREAS, it is necessary to amend the various revenue and expense accounts of the annual operating and capital improvements budgets from time-to-time, said amendment incorporated in this Ordinance.

NOW THEREFORE BE IT ORDAINED by the City Council of The City of Henderson, that the following Budget Ordinance Amendment be approved and said Ordinance shall be effective immediately upon approval of the City Council:

FUND: 43: CIP Water Fund			Ordinance 14-47 FY 14-15 Budget Amendment #12			
43: CIP WATER FUND REVENUES			Approved 9-Jan-12	Current Budget	Amendment	Revised
Department	Line Item	Code				
850: 2" Line Replace	State Revolving Loan	43-850-458100	\$ -	\$ 1,898,571	\$ -	\$ 1,898,571
850: 2" Line Replace	Trans from: 30 Water Fund	43-850-369030	\$ 39,000	\$ 39,000	\$ -	\$ 39,000
			\$ -	\$ -	\$ -	\$ -
Total			\$ 39,000	\$ 1,937,571	\$ -	\$ 1,937,571
						\$ 1,937,571
43: CIP WATER FUND EXPENDITURES			Approved 9-Jan-12	Current Budget	Amendment	Revised
Department	Line Item	Code				
850: 2" Line Replace	Legal/Admin	43-850-510200	\$ -	\$ 5,800	\$ -	\$ 5,800
850: 2" Line Replace	Engineering Design	43-850-510301	\$ 32,000	\$ 36,000	\$ -	\$ 36,000
850: 2" Line Replace	Construction	43-850-510400	\$ -	\$ 1,732,940	\$ 83,660	\$ 1,816,600
850: 2" Line Replace	Construction/Admin	43-850-510800	\$ -	\$ -	\$ -	\$ -
850: 2" Line Replace	SRF Admin/Closing Fee	43-850-504514	\$ -	\$ 37,971	\$ -	\$ 37,971
850: 2" Line Replace	Contingency	43-850-999010	\$ 5,000	\$ 83,660	\$ (83,660)	\$ -
850: 2" Line Replace	Permit Fees	43-850-461001	\$ 2,000	\$ 2,200	\$ -	\$ 2,200
850: 2" Line Replace	Trans to: 30 Water Fund	43-850-561030	\$ -	\$ 39,000	\$ -	\$ 39,000
Total			\$ 39,000	\$ 1,937,571	\$ -	\$ 1,937,571
						\$ 1,937,571
Variance					\$ -	
Reference:			Notes:			
CAF 11-118; Res 11-88; 26 Sept 11 Meeting			Council approved application for \$3M in funding for various water & sewer projects, with one being the replacement of various 2" water mains located in various locations throughout the City with larger mains as well as replacing service lines and meters that were connected to existing 2" or smaller mains.			
1 Dec 11; Letter from NCDENR			City advised NCDENR is considering application section for 2" water line replacement which, if funds are awarded, will result in a \$1.726M project.			
CAF: 12-91; Ordinance 12-50; BA#7; 13 Aug 12 Meeting			On 17 July 2012, the City received notification that a DWSRF loan in the amount of \$1.726M had been approved for the replacement of 2" water lines with 6" water lines. This serves to amend the original project budget; transferring the \$39,000 which was originally budgeted to cover preliminary engineering costs, back to the Water Fund, as those costs are included within the scope of the \$1.726M budget.			
CAF: 13-65; Ordinance 13-36; BA#11; 9 Sept 13 Meeting			To re-align project budget based on actual expenditures and final construction costs, which involves using \$54,900 of contingency funds.			
CAF: 14-26; Ordinance 14-14; BA#26; 24 February 14 Meeting			To update project budget based on notification from NCDENR dated November 26, 2013 that the DWSRF loan amount and corresponding project budget have been increased from the initial approved amount of \$1,726,000 to \$1,898,571 to allow for the replacement of an additional 13,000 linear feet of existing 2" or smaller water mains with larger mains.			
CAF: 14-26-B; Res 14-19B; Ord 14-47; BA#12; 22 Sept 14 Mtg			To update project budget based on Change Order #2. The remaining contingency funds are being transferred to the construction line item to allow for the replacement of water lines on additional streets.			

The foregoing Ordinance 14-47, upon motion of Council Member ** and second by Council Member ***, and having been submitted to a roll call vote and received the following votes and was *** on this the 22 day of September 2014: YES: ***. NO: **. ABSTAIN: **. ABSENT: **.

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

*Reference: Minute Book 42 p. ***; CAF 14-26-B*

**STATE OF NORTH CAROLINA
CITY OF HENDERSON**

I, Esther J. McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the attached is a true and exact copy of Ordinance 14-47 adopted by the Henderson, City Council in Regular Session on 22 September 2014 (*Minute Book ** p.***). This Ordinance is recorded in *Ordinance Book ***, p. ***.

Witness my hand and corporate seal of the City, this *** day of September 2014.

Esther J. McCrackin
City Clerk
City of Henderson, North Carolina

Reviewed by: _____ Date: _____
Katherine C. Brafford, Finance Director

Reviewed by: _____ Date: _____
A. Ray Griffin, Jr., City Manager

RESOLUTION 14-19-A

AUTHORIZING ADDITIONAL AREAS FOR WATERMAIN AND SERVICES REPLACEMENT TO BE ADDED TO THE 2" WATER MAIN AND SERVICE REPLACEMENT PROJECT SUBJECT TO APPROVAL FROM DWSRF AND AVAILABILITY OF REMAINING FUNDS

WHEREAS, the Henderson City Council (Council) identified eight Key Strategic Objectives (KSO) at its 2014 Strategic Planning Retreat; *and*

WHEREAS, two of the Key Strategic Objectives are addressed by this request as follows: **KSO 5: To Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems; and KSO 8: To Provide Sufficient Funds for Municipal Operations and Capital Outlay Necessary to Meet the Needs of Citizens, Customers and Mandates of Regulatory Authorities; and**

WHEREAS, the Federal Safe Drinking Water Act Amendments of 1996 and the NC Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of drinking water system improvements, *and*

WHEREAS, the City received an offer and accepted the loan for a water system project (project number WIF-1694) and in the amount of \$1,726,000 per Resolution 12-62; *and*

WHEREAS the City Council approved to accept an additional loan amount to increase the overall project cost from \$1,726,000 to \$1,898,571; *and*

WHEREAS, DWSRF has approved the additional loan amount totaling \$1,898,571 for the 2-Inch Watermain & Services Project; *and*

WHEREAS, the current contractor, H.G. Reynolds Inc., is steadily working on the project with the potential for substantial savings to the project; *and*

WHEREAS, the City wants to utilize 100% of the loan amount or close thereof; *and*

WHEREAS, the City staff has reviewed additional areas that meet the original project scope for watermain and service replacements that includes the following: Orchard Road; Railroad Street; Vicksboro Road; Eaton Street; Walnut Street; Mulberry Street; Montgomery Street.

NOW THEREFORE BE IT RESOLVED, BY THE HENDERSON CITY COUNCIL THAT IT HEREBY:

1. Approves adding Orchard Road, Railroad Street, Vicksboro Road, Eaton Street, Walnut Street, Mulberry Street and Montgomery Street subject to DWSRF approval and availability of remaining project funds; *and*

2. Approves to proceed with the design work for the above listed streets, including obtaining permits and other approvals, through DENR and DWSRF.
3. The Mayor is authorized to sign all agreements and documents necessary to effect said Agreement.

The foregoing Resolution 14-19-A introduced by Council Member Daeke and seconded by Council Member Daye, on this the 9th day of June 2014, and having been submitted to a roll call vote, was APPROVED by the following votes: YES: Daeke, Simmons, Daye, Kearney, Coffey, Inscoe, Rainey and Peace-Jenkins. NO: None. ABSTAIN: None. ABSENT: None.

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney

(Reference: Minute Book 43, p 253)

**STATE OF NORTH CAROLINA
CITY OF HENDERSON**

I, Esther J. McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the foregoing is a true and exact copy of *Resolution 14-19-A*, adopted by the Henderson, City Council in Regular Session on 9 June 2014 (*See Minute Book 43, p 253.*). This Resolution is recorded in *Resolution Book #3, p 303-A*.

Witness my hand and corporate seal of the City, this 10th day of June 2014.

Esther J. McCrackin
City Clerk
City of Henderson, North Carolina

RESOLUTION 14-19

AUTHORIZING ADDITIONAL AREAS FOR WATERMAIN AND SERVICES REPLACEMENT TO BE ADDED TO THE 2" WATER MAINS AND SERVICES REPLACEMENT PROJECT SUBJECT TO APPROVAL FROM DWSRF AND AVAILABILITY OF REMAINING FUNDS

WHEREAS, the Henderson City Council (Council) identified eight Key Strategic Objectives (KSO) at its 2014 Strategic Planning Retreat; *and*

WHEREAS, two of the Key Strategic Objectives are addressed by this request as follows: **KSO 5: To Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems; and KSO 8: To Provide Sufficient Funds for Municipal Operations and Capital Outlay Necessary to Meet the Needs of Citizens, Customers and Mandates of Regulatory Authorities; and**

WHEREAS, the Federal Safe Drinking Water Act Amendments of 1996 and the NC Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of drinking water system improvements, *and*

WHEREAS, the City received an offer and accepted the loan for a water system project (project number WIF-1694) and in the amount of \$1,726,000 per Resolution 12-62; *and*

WHEREAS the City Council approved to accept an additional loan amount to increase the overall project cost from \$1,726,000 to \$1,898,571; *and*

WHEREAS, DWSRF has approved the additional loan amount totaling \$1,898,571 for the 2-Inch Watermain & Services Project; *and*

WHEREAS, the current contractor, H.G. Reynolds Inc., is steadily working on the project with the potential for substantial savings to the project; *and*

WHEREAS, the City wants to utilize 100% of the loan amount or close thereof; *and*

WHEREAS, the City staff has reviewed additional areas that meet the original project scope for watermain and service replacements that includes Zollicoffer Avenue, Crestwood Drive, Cedarwood Drive and Lynn Avenue.

NOW THEREFORE BE IT RESOLVED, BY THE HENDERSON CITY COUNCIL THAT IT HEREBY:

4. Approves adding the streets Zollicoffer Avenue, Crestwood Drive, Cedarwood Drive and Lynn Avenue to the 2-Inch Watermain & Services Replacement Project, subject to DWSRF approval and availability of remaining project funds, *and*

5. Approves to proceed with the design work for the above listed streets, including obtaining permits and other approvals, through DENR and DWSRF.
6. The Mayor is authorized to sign all agreements and documents necessary to effect said Agreement.

The foregoing Resolution 14-19 introduced by Council Member Peace-Jenkins and seconded by Council Member Daye on this the 24th day of February 2014, and having been submitted to a roll call vote, was APPROVED by the following votes: YES: Peace-Jenkins, Daeke, Daye, Kearney and Inscoe. NO: None. ABSTAIN: None. ABSENT: Coffey and Simmons.

D. Michael Rainey, Mayor Pro-Tem

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney

(Reference: Minute Book 44, p 128)

**STATE OF NORTH CAROLINA
CITY OF HENDERSON**

I, Esther J. McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the foregoing is a true and exact copy of *Resolution 14-19*, adopted by the Henderson, City Council in Regular Session on 24 February 2014 (*see Minute Book 43, p 128*). This Resolution is recorded in *Resolution Book # 3*, p 303.

Witness my hand and corporate seal of the City, this 25th day of February 2014.

Esther J. McCrackin
City Clerk
City of Henderson, North Carolina

City Council Action Form

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252.430.5701



Agenda Item: _____

Council Meeting: 22 Sept 14 Short Reg. Meeting

8 September 2014

TO: The Honorable Mayor James D. O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: CAF: 14-105

Consideration of Approval of Resolution 14-76, Providing for the Disposition of Jointly Held Property by the City and County Identified as 469 Merriman Street and Further Identified in Vance County Register of Deeds Book #1246 Page # 598: Tax Parcel # 0021-07 017

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

- CV 9:(Core Values) We value a good working relationship with the County of Vance and believe that by working together in a cooperative effort we can better address the strategic challenges and opportunities facing our community.

Recommendation:

- Approval of Resolution 14-76, Providing for the Disposition of Jointly Held Property by the City and County Identified as 469 Merriman Street and Further Identified in Vance County Register of Deeds Book #1246 Page # 598: Tax Parcel # 0021-07 017

Executive Summary:

Vance County Tax Department received interest from a private buyer to bid on and purchase the property located at 469 Merriman Street. The offer to purchase is for \$750. The property assessed tax value for 469 Merriman Street is \$12,227. Prior to tax foreclosure the unpaid County taxes totaled \$1752.71 and the unpaid City taxes totaled \$816.87 for a total of \$2,569.58.

The City has no liens against this property for weed abatement, therefore it is requested Council approve the transfer of these properties to Vance County with the understanding upon the sale, the proceeds will be shared on a pro-rata basis.

Enclosure:

1. Resolution 14-76
2. Vance County Request
3. Property Photo

RESOLUTION 14-76

A RESOLUTION PROVIDING FOR THE DISPOSITION OF A JOINTLY HELD PROPERTY BY THE CITY AND COUNTY IDENTIFIED AS 469 MERRIMAN STREET AND FURTHER IDENTIFIED AS IN VANCE COUNTY REGISTER OF DEEDS BOOK #1246 PAGE # 598: TAX PARCEL # 0021-07 017

WHEREAS, the Henderson City Council (Council) conducted its Annual Planning Retreat in 2014, and during said Retreat identified eight Key Strategic Objectives (KSO) and Goals; *and*

WHEREAS, this Resolution addresses one Core Value as follows: CV 9: maintain a good working relationship with the County of Vance; *and*

WHEREAS, the City of Henderson (City) and County of Vance (County) have previously discussed the possibility of disposing jointly owned properties acquired through the tax foreclosure process; *and*

WHEREAS, the process to dispose of jointly held properties is cumbersome; *and*

WHEREAS, there is a potential buyer for the previously mentioned property and both the County and City administrations believe it appropriate for the City to transfer its interest in said property to the County in order that it might be more expeditiously sold; *and*

WHEREAS, once sold, the City would receive its pro-rata share of the proceeds from the County.

NOW THEREFORE BE IT RESOLVED by the Henderson City Council that it does hereby authorize the following:

1. The City Attorney to work with the County Attorney to expeditiously prepare the necessary agreements and documents to effect the transfer of the aforementioned property from the City of Henderson to the County of Vance.
2. Said transfer of interests in property is predicated upon and conditioned by the appropriate pro-rata division of any net proceeds from the eventual sale of said properties, either individually or collectively, between the City and County.
3. The Mayor or his appointee is authorized to sign any such agreements and documentation as prepared and approved by the City Attorney to effect the transfer of said property to the County of Vance.

The foregoing Resolution 14-76, upon motion of Council Member**and second by Council Member ** and having been submitted to a roll call vote received the following votes and was APPROVED on this the ** day of -----2014: YES:. NO:. ABSTAIN: ABSENT:

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney

NORTH CAROLINA

VANCE COUNTY

OFFER TO PURCHASE
COUNTY OWNED PROPERTY

Roger M. Silva, (hereafter referred to as "Buyer"), hereby offers to purchase from Vance County, North Carolina (hereafter referred to as the "Seller"), in accordance with the following terms and conditions, all that tract, lot or parcel of land together with any improvements located thereon, in Vance County, North Carolina, being known as and more particularly described as follows:

Vance County Register of Deeds Book 1246 Page 598 :

Street Address: 469 Merriman St., Henderson NC 27536

1. **The Purchase Price:** The purchase price is \$ 750.00, plus the cost of publication as required by NCGS 160A-269, and shall be paid as follows:

a. \$ 750.00, (the greater of \$750 or 5% of the purchase price) in cash, cashier's check or certified funds as a deposit, with the delivery of this offer, to be held by the Vance County Attorney until the sale is closed at which time it will be credited to Buyer, or this agreement is otherwise terminated as herein provided.

b. \$ 750.00, plus the cost of publication, the balance of the purchase price, in cash, cashier's check or certified funds upon delivery of the Deed and the closing of this transaction.

2. **Conditions.**

a. Title will be delivered at closing by **Non-Warranty Deed**. Title to the property hereinabove described is subject to the following exceptions: liens, encumbrances, ad valorem taxes, assessments, zoning regulations, restrictive covenants, access, utility and or conservation easements, rights of others in possession, and other matters of record.

b. This offer is conditioned upon there being no proper upset bid submitted within a ten (10) day period after notice of Buyer's offer has been published in a local newspaper in accordance with N.C.G.S. § 106A-269, and final acceptance of this offer by the Board of Commissioners following the upset bid period.

c. Other Conditions: The buyer represents that all Ad Valorem Property Taxes owed by the buyer, or any business entity the buyer or the buyer's shareholders or members have an ownership interest in have been paid in full. The Board of County Commissioners reserves the right to reject all bids, including yours, in the resolution.



3. **Closing.** Each party hereby agrees to execute any and all documents or papers that may be necessary in connections with the transfer of title. Final settlement shall be made on or before 30 days following the resolution approving the final bid at a place designated by Seller with the Non Warranty Deed made out to _____.
4. **Possession.** Buyer takes the property subject to all then existing leases and rights of others in possession, if any, or other matters or exceptions to title.
5. **Deposit.** In the event this offer is not accepted, or in the event that any of the conditions hereby are not satisfied, or in the event of a breach of this contract by Seller, then the deposit shall be returned to the Buyer, and such return shall be the extent of Buyers remedies. In the event that Buyer withdraws this offer and fails to proceed with the execution of this agreement according to its terms for any reason, the Buyer hereby agrees to forfeit the deposit held by the County in Section 1 of this agreement. Said forfeiture shall not affect any other remedies available to Seller for such breach.
6. **New Loan.** Buyer shall be responsible for all charges made to Buyer with respect to any new loan obtained by Buyer, and Seller shall have no obligation to pay any discount fee or other charge in connection therewith unless specifically set forth in this contract.
7. **Closing Expenses.** Buyer shall pay for the first required legal advertisement for upset bids. At closing, Buyer shall pay for the preparation and recording of a deed, and for preparation and recording of all instruments required to secure the balance of the purchase price unpaid at closing. In addition, Buyer may have prepared, at Buyer's option and sole expense, an appraisal, a survey of the property, the title examination and title opinion, or a termite inspection. The property shall be made available at reasonable times for Buyer to perform or to have performed the above-mentioned inspections.
8. **Assignments.** This offer may not be assigned without the written consent of all parties, but if the same is assigned by agreement, then the same shall be binding on the assignee and his/her heirs.
9. **Termination of Offer.** This offer shall be terminated if not acted upon by the Board of Commissioners within ninety (90) days of the date of this offer or upon being upset by a proper bid in accordance with N.C.G.S. § 160A-269. Seller reserves the right to reject this offer at any time.
10. **Condition of Improvements and Premises:** Seller makes no warranties or guarantees regarding the condition of the improvements on the property. Buyer takes the premises in "**AS IS**" condition without warranty from the Seller. Buyer stipulates that Buyer has had full opportunity to inspect the premises and Buyer stipulates that Buyer is accepting the improvements in "as is" condition. After title has been conveyed to Buyer, Buyer shall hold Seller harmless for any claims, suits, damages or causes of action resulting from an occurring on the property as a result of the condition of any of the improvements.

11. **Environmental:** Seller makes no representation of the presence or disposal, except as in accordance with applicable law, within the buildings or on the Property of hazardous or toxic waste or substances, which are defined as those substances, materials, and wastes, including, but not limited to, those substances, materials and wastes listed in the United States Department of Transportation Hazardous Materials Table (49 CFR Part 172.101) or by the Environmental Protection Agency as hazardous substances (40 CFR Part 302.4) and amendments thereto, or such substances, materials and wastes, which are or become regulated under any applicable local, state or federal law, including, without limitation, any material, waste or substance which is (i) petroleum, (ii) asbestos, (iii) polychlorinated biphenyls, (iv) designated as a Hazardous Substance pursuant to Section 311 of the Clean Water Act of 1977 (33 U.S.C. §1321) or listed pursuant to Section 307 of the Clean Water Act of 1977 (33 U.S.C. §1317), (v) defined as a hazardous waste pursuant to Section 1004 of the Resource Conservation and Recovery Act of 1976 (42 U.S.C. §6903) or (vi) defined as a hazardous substance pursuant to Section 101 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. §9601). Seller has no actual knowledge of any contamination of the Property from such substances as may have been disposed of or stored on neighboring tracts. The purchaser shall be responsible for all environmental issues that may arise after the consummation of this contract, and further agrees to indemnify the Seller for all expenses arising out of any attempts by others to enforce any requirements of remediation or clean upon this seller. This duty shall survive the closing.
12. **Parties:** This contract shall be binding and shall inure to the benefit of the parties and their heirs, successors and assigns. As used herein, words in the singular shall include the plural.
12. **Terminology.** As used herein, words in the singular include the plural and the masculine includes the feminine and neuter genders, as appropriate.
13. **Entire Agreement.** Buyer hereby acknowledges that he has inspected the above-described property, that no representation or inducements have been made other than those expressed herein, and that this contract contains the entire agreement between all parties hereto. All charges, additions, or deletions hereby must be in writing and signed by all parties.
14. **Counterparts.** This offer may be executed in two counterparts with an executed counterpart being retained by each party hereto.
15. **Governing Law & Forum.** This Agreement shall be deemed to have been made in the State of North Carolina, and its validity, construction and effect shall be governed by the laws of the State of North Carolina. The parties hereto agree that any action brought by either party to enforce the terms of this Agreement shall be filed in the Superior Court of Vance County, State of North Carolina.

Date of Offer: Sept. 2, 2014.

Roger M. Silva
Buyer

Buyer

Acknowledgment of Receipt of Deposit:

I, Kelly H. Grissom, County Clerk or her designee, hereby acknowledge receipt of the deposit in the amount of \$ 750.00 as set forth herein in accordance with the terms hereof.

Date: 9-2-2014

Kelly H. Grissom
Title Clerk to Board

Acknowledgment of Receipt of Deposit from County Clerk

I, Jonathan S. Care, County Attorney, hereby acknowledge receipt of the herein above referenced deposit in the amount of \$ 750.00 from the County Clerk, and shall hold the same in my Trust Account in accordance with the terms hereof.

This the 3 day of September, 2014.

Jonathan S. Care
Jonathan S. Care, County Attorney

Accepted by the Vance County Board of County Commissioners by vote in open session on

Vance County Board of County Commissioners

Chairman

1246
0598

BK 1246PG0598

FILED FOR RECORD
VANCE COUNTY, N.C.
CAROLYN R. PECORA
REGISTER OF DEEDS
RECORDED Jun 22, 2012
AT 02:29 pm
BOOK 01246
START PAGE 0598
END PAGE 0599
INSTRUMENT # 02431
EXCISE TAX \$9.00

Prepared by and return to: N. Kyle Hicks, a North Carolina Licensed Attorney,
P.O. Box 247, Oxford NC 27565

Delinquent taxes, if any, to be paid by the closing attorney to the Vance
County Tax Collector upon disbursement of closing proceeds.

STATE OF NORTH CAROLINA

COMMISSIONER'S DEED

COUNTY OF VANCE

THIS DEED, made and entered into this the 21 day of June, 2012, by and
between N. KYLE HICKS, acting as Commissioner as hereinafter stated, Party of
the First Part, and the CITY OF HENDERSON (42.79%) and VANCE COUNTY (57.21%),
Party of the Second Part, whose mailing address is 122 Young St., Suite E,
Henderson NC 27536;

W I T N E S S E T H:

THAT WHEREAS, in that certain Tax Foreclosure Proceeding entitled "Vance
County and City of Henderson, Plaintiffs vs. American Realestate, LLC., et al,
Defendants", File No. 11-CVD-998, in the office of the Clerk of Superior Court
of Vance County, brought and pending before the District Court of Vance
County, North Carolina, a Judgment was made by said Court appointing N. Kyle
Hicks as Commissioner to sell at public sale, subject to the confirmation of
the Court, hereinafter described lands; and,

WHEREAS, said N. Kyle Hicks, acting as Commissioner as aforesaid, after
due advertisement as required by law and said order of the Court, offered said
lands for sale at public auction at the Courthouse door on May 10, 2012, when
and where no bidders were present; and,

WHEREAS, said N. Kyle Hicks filed a Notice of Postponement of Sale,
postponing said sale until May 15, 2012; and,

WHEREAS, said N. Kyle Hicks offered the lands for sale on May 15, 2012,
at which time the City of Henderson (42.79%) and Vance County (57.21%) became
the last and highest bidder, bidding the sum of \$4,485.00; and

WHEREAS, said N. Kyle Hicks reported said sale to the Court on May 15,
2012; and,

WHEREAS, the bid remained open for ten (10) days and no upset bids were
placed; and,

WHEREAS, on June 6, 2012, said Court entered an Order approving and
confirming said sale and directing said N. Kyle Hicks as Commissioner to make,
execute and deliver to said City of Henderson (42.79%) and Vance County
(57.21%) a good and sufficient deed for said lands upon the payment to him of
the said purchase price; and

{A0087900.DOC}

HOPPER, HICKS & WRENN, PLLC, 111 GILLIAM ST., OXFORD NC 27565

WHEREAS, said purchase price has been fully paid;


NOW, THEREFORE, said N. Kyle Hicks, acting as Commissioner as aforesaid, and under authority of said Order of Court and in consideration of the purchase prices listed below, has bargained and sold and by these presents, does hereby bargain, sell and convey unto the Party of the Second Part, its successors and/or assigns, all of that certain tracts or parcels of land lying and being situate in the City of Henderson, Vance County, North Carolina, and more particularly described as follows:

Begin at an existing iron pipe on the south side of Merriman Street, said iron pin being South 04° 54' 32" West 22.50 feet from that point of the centerline of Merriman Street which is 635 feet from the intersection of the centerlines of Merriman Street and Orange Street as measured down the centerline of Merriman Street, said iron pipe being the common corner for George E. Vass and the herein described lot as shown on plat hereinafter referred; run thence South 04° 54' 32" West 124.99 feet to an existing pipe, corner for George E. Vass and the herein described lot in the line of Charles R. Frazier, Jr.; run thence North 84° 51' 47" West 60.18 feet to an existing iron pipe, common corner for William Thomas, Jr., Charles R. Frazier, Jr., Lee Roy Marable and the herein described lot; run thence North 04° 57' 17" East 123.37 feet to an existing iron pipe; run thence South 86° 24' 28" East 60.04 feet to the point and place of beginning, containing 0.17 acre as shown on plat entitled "Property of Florence B. Hicks" as surveyed by Cawthorne and Bobbitt, Registered Land Surveyor, P.a., and dated November 6, 1981, to which plat reference is made for further and more complete description.

For further reference, see Deed of record in Book 1097, Page 93, Vance County Registry.

TO HAVE AND TO HOLD the aforesaid tracts or parcels of land and all privileges and appurtenances thereunto belonging unto it, the said Party of the Second Part, its successors and/or assigns, in as full and ample a manner as said N. Kyle Hicks, acting as Commissioner as aforesaid, is authorized and empowered to convey the same.

IN TESTIMONY WHEREOF, the said Party of the First Part, N. Kyle Hicks acting as Commissioner as aforesaid, has hereunto set his hand and seal, this the day and year first above written.


N. Kyle Hicks, Commissioner (SEAL)

STATE OF NORTH CAROLINA; COUNTY OF GRANVILLE

I, the undersigned Notary Public for the County of Vance and State of North Carolina, do hereby certify that N. Kyle Hicks, acting as Commissioner herein, either (x) personally known to me or () proven by satisfactory evidence (said evidence being _____), personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by him for the purposes stated therein. Witness my hand and notarial seal, this the 21 day of June, 2012.




Bridget A. Harris, Notary Public
My Commission Expires: 11/28/2015



City Council Action Form

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252.430.5701



Agenda Item: _____

Council Meeting: 22 Sept. Reg. Meeting

4 September 2014

TO: The Honorable Mayor James D. O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: CAF: 14-103

Consideration of Approval of Resolution 14-74, Amending the 2014 City Council Meeting Schedule.

Ladies and Gentlemen:

Council Goals Addressed By This Item:

- KSO 1-1: Implement Process Improvements.

Recommendation:

- Approval of Resolution 14-74, Amending the 2014 City Council Meeting Schedule.

Executive Summary

As part of the annual meeting planning efforts, a schedule for all regular council meetings and work sessions in 2014 was approved on 25 November 2013. The second meeting in May was cancelled as it conflicted with the Memorial Day holiday, and the first meeting in October is cancelled as it conflicts with the Annual NCLM Conference.

The second meeting in December is routinely cancelled as well, as it is in close proximity to the Christmas Holidays. However, it was overlooked in the planning for the 2014 Council Meetings. It is being recommended that this meeting be considered for cancellation at this time, to allow Council and Staff time to enjoy the Holidays with family and friends.

Special meetings will be noticed as needed during the remainder of the year.

Enclosures:

1. Resolution 14-74

RESOLUTION 14-74

AMENDING THE 2014 CITY COUNCIL MEETING SCHEDULE

WHEREAS, the Henderson City Council (City) identified eight Key Strategic Objectives (KSO) at its 2014 Strategic Planning Retreat; *and*

WHEREAS, this Resolution addresses one of the Key Strategic Objectives as follows: KSO 1-1: Implement Process Improvements; *and*

WHEREAS, as part of the annual meeting planning efforts, a schedule for all regular council meetings has been prepared; *and*

WHEREAS, the second meeting in May, as well as the first meeting in October are recommended for cancellation since they conflict with Memorial Day and the NCLM Conference, respectively; *and*

WHEREAS, the second meeting in December is in close proximity to the Christmas Holiday schedule, therefore, is recommended for cancellation as well; *and*

WHEREAS, special meetings will be noticed as needed during the remainder of the year.

NOW, THEREFORE, BE IT RESOLVED, by the Henderson City Council that the Official 2014 Henderson City Council Meeting Schedule (*See Attachment A*) be amended to include the cancellation of the second meeting in December, 2014.

The foregoing Resolution 14-74, upon motion of Council Member _____ and second by Council Member _____, and having been submitted to a roll call vote received the following votes and was _____ on this the ____th day of _____ 2014:
YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney

*Reference: Minute Book 43, pp. ***; CAF 14-103*

***City Council Meetings are held in the City Council Chambers at the
City Municipal Building, 134 Rose Avenue, Henderson NC***

City Council Meeting	2014 Schedule		Special Notes
Regular Meeting	Jan. 13, 2014	6:00 PM	
Short Business Meeting	Jan. 27, 2014	6:00 PM	
Workshop Session	Jan. 27, 2014	Immediately Following Short Business Meeting	
Regular Meeting	Feb. 10, 2014	6:00 PM	
Short Business Meeting	Feb. 24, 2014	6:00 PM	
Workshop Session	Feb. 24, 2014	Immediately Following Short Business Meeting	
Regular Meeting	Mar. 10, 2014	6:00 PM	
Short Business Meeting	Mar. 24, 2014	6:00 PM	
Workshop Session	Mar. 24, 2014	Immediately Following Short Business Meeting	
Regular Meeting	Apr. 14, 2014	6:00 PM	
Short Business Meeting	Apr. 28, 2014	6:00 PM	
Workshop Session	Apr. 28, 2014	Immediately Following Short Business Meeting	
Regular Meeting	May 12, 2014	6:00 PM	
Short Business Meeting	May 26, 2014	*****Cancelled due to Holiday*****	<i>Memorial Day May 26</i>
Workshop Session	May 26, 2014	*****Cancelled due to Holiday*****	<i>Memorial Day May 26</i>
Regular Meeting	Jun. 09, 2014	6:00 PM	
Short Business Meeting	Jun. 23, 2014	6:00 PM	
Workshop Session	Jun. 23, 2014	Immediately Following Short Business Meeting	
Regular Meeting	Jul. 14, 2014	6:00 PM	
Short Business Meeting	Jul. 28, 2014	6:00 PM	
Workshop Session	Jul. 28, 2014	Immediately Following Short Business Meeting	
Regular Meeting	Aug. 11, 2014	6:00 PM	
Short Business Meeting	Aug. 25, 2014	6:00 PM	
Workshop Session	Aug. 25, 2014	Immediately Following Short Business Meeting	
Regular Meeting	Sep. 08, 2014	6:00 PM	
Short Business Meeting	Sep. 22, 2014	6:00 PM	
Workshop Session	Sep. 22, 2014	Immediately Following Short Business Meeting	
Regular Meeting	Oct. 13, 2014	***Cancelled due to NCLM Annual Conference***	<i>NCLM Conf. Oct 12-14 Greensboro</i>
Short Business Meeting	Oct. 27, 2014	6:00 PM	
Workshop Session	Oct. 27, 2014	Immediately Following Short Business Meeting	
Regular Meeting	Nov. 10, 2014	6:00 PM	
Short Business Meeting	Nov. 24, 2014	6:00 PM	
Workshop Session	Nov. 24, 2014	Immediately Following Short Business Meeting	
Regular Meeting	Dec. 08, 2014	6:00 PM	
Short Business Meeting	Dec. 22, 2014	*****Cancelled due to Holiday*****	<i>Christmas Holidays</i>
Workshop Session	Dec. 22, 2014	*****Cancelled due to Holiday*****	<i>Christmas Holidays</i>

Please note that the City Council may schedule special meetings in addition to the ones listed above and/or cancel meetings as circumstances warrant.

City Council Action Form

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252.430.5701



Agenda Item:

Council Meeting: 22 Sept 14 Short Reg. Meeting

16 September 2014

TO: The Honorable Mayor James D. O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: **CAF 14-73:**

Consideration of Approval of Resolution 14-47 Authorizing FY 14-15 Financing with SunTrust Equipment Finance & Leasing Corp. in the Amount of \$149,711.45 for Five(5)Vehicles: Three (3) 2014 Ford Interceptor Utility Vehicles, Two for the Fire Dept. and One for the Police Dept.; and Two (2) 2014 V8 Dodge Chargers with Police Packages for the Police Dept.

Ladies and Gentlemen:

Recommendation:

- Approval of Resolution 14-47 Authorizing FY 14-15 Financing with SunTrust Equipment Finance & Leasing Corp. in the Amount of \$149,711.45 for Five(5)Vehicles: Three (3) 2014 Ford Interceptor Utility Vehicles, Two for the Fire Dept. and One for the Police Dept.; and Two (2) 2014 V8 Dodge Chargers with Police Packages for the Police Dept.

Executive Summary

Finance Director Kathy Brafford requested quotes from two (2) banking institutions that participate in municipal financing for the purchase of the above-referenced vehicles. The City Council approved the purchase of these vehicles in the FY 14-15 budget that was adopted on June 11, 2014. The quotes are as follows:

Vehicles	Banking Institution	Rate	Banking Institution	Rate	Amount	Term of Loan	
Three (3) 2014 Ford Interceptor Utility Vehicles	BB&T	2.39%	SunTrust	1.98%	\$94,523.67	5	
Two (2) 2014 V8 Dodge Chargers	BB&T	2.39%	SunTrust	1.98%	\$55,187.78	5	

The total interest that would be paid over the term of the proposed lease with BB&T would be \$8,900.35. The total interest that would be paid over the term of the proposed lease with SunTrust Equipment Finance & Leasing Corp. would be \$5,927.45, a difference of \$2,972.90.

The annual payment under the terms of the Sun Trust proposal totals \$31,127.78 to be allocated between Police (\$18,054.11) and Fire (\$13,073.67). The total included in the FY 2015 Budget for these lease purchases was \$19,000 for Police and \$15,000 for Fire, with both departments falling well within budget for these lease payments.

Enclosures

1. Resolution 14-47

RESOLUTION 14-47

AUTHORIZING FINANCING WITH SUNTRUST EQUIPMENT FINANCE & LEASING CORP. IN THE AMOUNT OF \$149,711.45 FOR FIVE(5)VEHICLES: THREE (3) 2014 FORD INTERCEPTOR UTILITY VEHICLES, TWO FOR THE FIRE DEPT. AND ONE FOR THE POLICE DEPT.; AND TWO (2) 2014 V8 DODGE CHARGERS WITH POLICE PACKAGES FOR THE POLICE DEPT.

WHEREAS, the City of Henderson, North Carolina (City) has previously approved in its budget for the Police and Fire departments to purchase five vehicles which they have identified as necessary to carry on the operations of each of their respective departments and the Finance Officer has now presented a proposal for the financing of such equipment.

NOW THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT:

1. The City hereby determines to finance the purchase through SunTrust Equipment Finance & Leasing Corp. ("SunTrust"), in accordance with the proposal dated September 12, 2014. The amount financed shall not exceed \$149,711.45, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.98%, and the financing term shall not exceed five (5) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust, as SunTrust may request.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under

the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The City intends that the adoption of this resolution will be a declaration of the City's official intent to reimburse expenditures for these purchases that are to be financed from the proceeds of the SunTrust financing described above. The City intends that funds that have been advanced, or that may be advanced, from the City's General Fund, or any other City fund related to these purchases, may be reimbursed from the financing proceeds.
6. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

The foregoing Resolution 14-47, upon motion of Council Member ** and second by Council Member **, and having been submitted to a roll call vote and received the following votes and was **** on this the 22nd day of September 2014: YES: . NO: None. ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther McCrackin, City Clerk

Approved to Legal Form:

John H. Zollicoffer, Jr., City Attorney

City Council Action Form

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252.430.5701



Agenda Item: _____

Council Meeting: 22 Sept 13 Short Reg. Meeting

12 September 2014

TO: The Honorable Mayor Pete O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: CAF: 14-101

Consideration of Approval of Ordinance 14-45, FY 15 Budget Amendment #11, Amending General Fund Revenues and the Capital Outlay >\$5,000 Expenditure Line Item of the Information Systems Departmental Budget

Ladies and Gentlemen:

Recommendation:

- Approval of Ordinance 14-45, FY 15, Budget Amendment #11 Amending the General Fund Revenues and the Capital Outlay >\$5,000 Expenditure Line Item of the Information Systems Departmental Budget

Executive Summary

On 7 May 2014 a Purchase Order was approved and issued to NCOL.NET, Inc. in the amount of \$6,179 plus taxes for the purchase of equipment necessary to upgrade the City's servers. Due to the order being placed so close to the end of the City's fiscal year, 30 June 2014 this transaction did not get completed prior to the end of the fiscal year. The funds which had been approved will, therefore, be closed into fund balance as part of the fiscal year-end close-out process. This Budget Amendment serves to re-appropriate those funds in the current fiscal year, FY 2015, so that the server upgrade can be completed.

Enclosures

1. Ordinance 14-45

O R D I N A N C E 14-45

FY 2014 -- 2015 BUDGET AMENDMENT #11

AMENDING GENERAL FUND REVENUES AND THE CAPITAL OUTLAY >\$5,000 EXPENDITURE LINE ITEM OF THE INFORMATION SYSTEMS DEPARTMENTAL BUDGET

WHEREAS, the City Council of the City of Henderson (Council), on 11 June 2014, adopted its FY 14-15 Operating Budget; *and*

WHEREAS, it is necessary to amend the various revenue and expense accounts of the annual operating budget from time-to-time, said amendment incorporated in this Ordinance; *and*

NOW THEREFORE BE IT ORDAINED by the City Council of The City of Henderson, that the following Budget Ordinance Amendment be approved and said Ordinance shall be effective immediately upon approval of the City Council:

Fund: 10: General			Ordinance 14-45			
			FY 14-15 Budget Amendment #11			
REVENUES			Approved	Current		
Department	Line Item	Code	1-Jul-14	Budget	Amendment	Revised
	Fund Balance	10-990-490999	\$ -	\$ -	\$ 6,000	\$ 6,000
	Appropriation		\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
	Total		\$ -	\$ -	\$ 6,000	\$ 6,000
						\$ 6,000
EXPENDITURES			Approved	Current		
Department	Line Item	Code	1-Jul-14	Budget	Amendment	Revised
Information Serv	Capital Outlay >\$5,000	10-450-507405	\$ 1,200	\$ 1,200	\$ 6,000	\$ 7,200
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
	Total		\$ 1,200	\$ 1,200	\$ 6,000	\$ 7,200
						\$ 7,200
variance					\$ -	
Reference:			Notes:			
CAF 14-101; Ordinance 14-45; BA #11			This serves to amend the budget for the Information Systems Department. A Purchase Order for a Server Upgrade was submitted and approved in FY 2014; however the equipment order was not filled prior to the end of that fiscal year. The funds, which were available at the time the purchase was approved, will, therefore, be closed into Fund Balance as part of the year-end close-out process. This amendment appropriates those funds to allow for the purchase of this equipment in FY 2015.			

The foregoing Ordinance 14-45 upon motion of Council Member ** and second by Council Member ***, and having been submitted to a roll call vote and received the following votes and was *** on this the 22 day of September 2014: YES: ***. NO: **. ABSTAIN: **. ABSENT: **.

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

*Reference: Minute Book *** p. ****

**STATE OF NORTH CAROLINA
CITY OF HENDERSON**

I, Esther J. McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the attached is a true and exact copy of Ordinance 14-45 adopted by the Henderson, City Council in Regular Session on 22 September 2014 (*Minute Book *** p.***). This Ordinance is recorded in *Ordinance Book 9*, p. ***.

Witness my hand and corporate seal of the City, this *** day of September 2014.

Esther J. McCrackin
City Clerk
City of Henderson, North Carolina

City Council Action Form

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252.430.5701



Agenda Item: _____

Council Meeting: 22 Sept 14 Short Reg. Meeting

12 September 2014

TO: The Honorable Mayor Pete O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: **CAF: 14-107**

Consideration of Approval of Ordinance 14-46, FY 15 Budget Amendment #10, Amending the Water Fund to Appropriate Fund Balance and Insurance Proceeds to Offset the Cost of Repairs to a Wrecked Service Truck in the Customer Service Department

Ladies and Gentlemen:

Recommendation:

- Approve Ordinance 14-46, FY 15, Budget Amendment #10 Amending the Water Fund to appropriate fund balance and insurance proceeds to offset the cost of repairs to a wrecked truck within the Customer Service Department

Executive Summary

One of the service trucks driven by Meter Reader R. Hawkins was involved in two wrecks within weeks of each other near the end of FY 2014. Insurance proceeds from the first incident were received in FY 2014 and proceeds from the second incident were received in FY 2015. Repairs were not made until the current fiscal year (2015); therefore the insurance proceeds received in FY 2014 will be closed into fund balance as part of the FY 2014 year-end close-out process. We are requesting to appropriate those funds (\$2,000) as well as the funds received earlier this fiscal year (\$900), to help offset the cost of the repairs to the service truck.

Enclosures

1. Ordinance 14-46

O R D I N A N C E 14-46

FY 2014 -- 2015 BUDGET AMENDMENT #10 AMENDING THE WATER FUND TO USE FUND BALANCE AND INSURANCE PROCEEDS FOR REPAIRS TO WRECKED SERVICE TRUCK

WHEREAS, the City Council of the City of Henderson (Council), on 11 June 2014, adopted its FY 14-15 Operating Budget; *and*

WHEREAS, it is necessary to amend the various revenue and expense accounts of the annual operating budget from time-to-time, said amendment incorporated in this Ordinance; *and*

NOW THEREFORE BE IT ORDAINED by the City Council of The City of Henderson, that the following Budget Ordinance Amendment be approved and said Ordinance shall be effective immediately upon approval of the City Council:

FUNDS: 30: Water Fund			Ordinance 14-46 FY 14-15 Budget Amendment #10			
30: WATER FUND REVENUES			Approved 1-Jul-14	Current Budget	Amendment	Revised
Department	Line Item	Code				
	Insurance Proceeds	30-300-456000	\$ -	\$ -	\$ 900	\$ 900
	Fund Balance Appropriation	30-990-490999	\$ -	\$ -	\$ 2,000	\$ 2,000
		Total	\$ -	\$ -	\$ 2,900	\$ 2,900
						\$ 2,900
30: WATER FUND EXPENDITURES			Approved 1-Jul-14	Current Budget	Amendment	Revised
Department	Line Item	Code				
Customer Service	M & R Automotive	30-725-501700	\$ -	\$ -	\$ 2,900	\$ 2,900
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
		Total	\$ -	\$ -	\$ 2,900	\$ 2,900
						\$ 2,900
		Variance			\$ -	
Reference:			Notes:			
CAF# 14-107; Ordinance #14-46; BA#10 22 September 2014 Council Meeting			To appropriate insurance proceeds that were received in FY 2014 (\$2,000) and additional insurance proceeds received in FY 2015 (\$900) for damages to the service truck driven by Meter Reader R. Hawkins. Repairs were not made to the truck until FY 2015; therefore the funds received in FY 2014 will be added to Fund Balance during the year-end close-out process. Additionally, those insurance proceeds received in FY 2015 are being used to offset the remaining cost of the repairs to the service truck. There were two separate incidents which occurred within weeks of each other toward the end of FY 2014.			

The foregoing Ordinance 14-46 upon motion of Council Member ** and second by Council Member ***, and having been submitted to a roll call vote and received the following votes and was *** on this the 22 day of September 2014: YES: ***. NO: **. ABSTAIN: **. ABSENT: **.

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

*Reference: Minute Book ** p. ****

**STATE OF NORTH CAROLINA
CITY OF HENDERSON**

I, Esther J. McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify the attached is a true and exact copy of Ordinance 14-46 adopted by the Henderson, City Council in Regular Session on 22 September 2014 (*Minute Book ** p.***). This Ordinance is recorded in *Ordinance Book ***, p. ***.

Witness my hand and corporate seal of the City, this *** day of September 2014.

Esther J. McCrackin
City Clerk
City of Henderson, North Carolina

City Council Action Form

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252-430-5701



Agenda Item: _____

Council Meeting: 22 Sept. 14 Reg. Meeting

10 September 2014

TO: The Honorable Mayor James D. O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: CAF 14-100

Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of August 2014.

Ladies and Gentlemen:

Recommendation:

- Approval of tax releases and refunds from Vance County for the month of August 2014.

Executive Summary

The Vance County Tax office submitted the following tax releases and refunds to the Finance Department for the month of August 2014. These releases and refunds are found to be in order and are being recommended for approval.

August 2014 Tax Releases			
Name	Reason	Tax Year	Amount
Real & Personal Property Releases			
Parker, Polly Heirs	Taxes Lost to Foreclosure	2003	19.34
Parker, Polly Heirs	Taxes Lost to Foreclosure	2004	277.79
Parker, Polly Heirs	Taxes Lost to Foreclosure	2005	21.24
Parker, Polly Heirs	Taxes Lost to Foreclosure	2006	21.24
Parker, Polly Heirs	Taxes Lost to Foreclosure	2007	21.24
Orr, Jack W Jr/Judy	Taxes Lost to Foreclosure	2008	46.69
Parker, Polly Heirs	Taxes Lost to Foreclosure	2008	26.05
Orr, Jack W Jr/Judy	Taxes Lost to Foreclosure	2009	176.38
Parker, Polly Heirs	Taxes Lost to Foreclosure	2009	26.97
Orr, Jack W Jr/Judy	Taxes Lost to Foreclosure	2010	176.38
Parker, Polly Heirs	Taxes Lost to Foreclosure	2010	26.97
Orr, Jack W Jr/Judy	Taxes Lost to Foreclosure	2011	176.38
Orr, Jack W Jr/Judy	City Demolition Fee Lost to Foreclosure	2011	3,734.64
Parker, Polly Heirs	Taxes Lost to Foreclosure	2011	26.96

August 2014 Tax Release & Refunds Continued


Orr, Jack W Jr/Judy	Taxes Lost to Foreclosure	2012	40.35
Orr, Jack W Jr/Judy	Solid Waste Fee Lost to Foreclosure	2012	250.00
Parker, Polly Heirs	Taxes Lost to Foreclosure	2012	26.96
Sneed, Elizabeth	Taxes Lost to Foreclosure	2012	(146.25)
Hernandez, Marisol	Personal Property Billed in Error	2013	36.86
Navarro, Roberto	Personal Property Billed in Error	2013	36.86
Orr, Jack W Jr/Judy	Taxes Lost to Foreclosure	2013	42.76
Parker, Polly Heirs	Taxes Lost to Foreclosure	2013	28.58
Aiken, Kirby Glenn	Reg. Veh. Billed in Error	2014	250.36
Allgood, Benjamin F Heirs	Taxes Lost to Foreclosure	2014	94.43
Ayscue, Christopher Ray	Correct Value	2014	79.11
B B & T	Personal Property Billed in Error	2014	641.38
B W & Company Properties, LLC	Taxes Lost to Foreclosure	2014	70.22
Beyond Fantasy	Discoveries	2014	69.24
Butler, Anthony O	Taxes Lost to Foreclosure	2014	22.62
Cava, Ron/Shirley	Correct Ownership	2014	(1,332.74)
Cobbler Bench & Discount Shoes	Personal Property Billed in Error	2014	50.31
Community Partners of Hope	Charitable-LW/MD	2014	361.47
Davis, Amanda Heirs	Taxes Lost to Foreclosure	2014	30.98
Davis, Georgia S. Heirs	Taxes Lost to Foreclosure	2014	22.88
Davis, Queen Esther, Heirs	Taxes Lost to Foreclosure	2014	81.57
Dean Transportation, Inc.	Personal Property Billed in Error	2014	76.63
Divine Habitation	Discovery	2014	(136.74)
Faison, Bobby	Correct Ownership	2014	(265.50)
Faucette Properties, LLC	Remove Elderly Exemption	2014	(294.49)
Fogg, Jean Mciver	Correct Ownership	2014	110.50
Garden Walk Villas	Correct Value	2014	551.72
Granville County Habit for Hum	Charitable-LW/MD	2014	51.98
Hernandez, Sergio	Personal Property Billed in Error	2014	41.06
Hill, George L	Taxes Lost to Foreclosure	2014	62.55
James, Raymond N	Taxes Lost to Foreclosure	2014	99.19
Jenkins, Sondra J & Others	Taxes Lost to Foreclosure	2014	32.24
Jetty, LLC	Personal Property Billed in Error	2014	155.92
Jones, Virginia H Heirs	Taxes Lost to Foreclosure	2014	177.07
Lewis, Fellow F	Taxes Lost to Foreclosure	2014	200.27
Leyland, Thomas R.	Taxes Lost to Foreclosure	2014	207.08
Manning, William	Taxes Lost to Foreclosure	2014	18.60
Marrow, Walter, Heirs	Taxes Lost to Foreclosure	2014	21.70
Martin, Joyce B	Taxes Lost to Foreclosure	2014	29.31
McDougal, Nezzie	Taxes Lost to Foreclosure	2014	32.24
Melvin, Thomas Clavon	Taxes Lost to Foreclosure	2014	30.50
Merritt, James S.	Taxes Lost to Foreclosure	2014	256.12
Moorefield, Janis I	Taxes Lost to Foreclosure	2014	26.62

August 2014 Tax Release & Refunds Continued

Orr, Jack W Jr/Judy	Taxes Lost to Foreclosure	2014	42.76
Parker, Polly Heirs	Taxes Lost to Foreclosure	2014	28.58
Perez, Karina Ramirez	Correct Ownership	2014	(37.20)
Ragland, Anna R Heirs	Remove Elderly Exemption	2014	(155.00)
Ramsey, Geraldine	Correct Ownership	2014	37.20
Stevenson, Lawrence E	Correct Ownership	2014	(431.93)
Stevenson, Walter Maco	Correct Ownership	2014	431.93
Stewardson, R. Ashley	Correct Ownership	2014	1,332.74
Toth, Albert A	Correct Ownership	2014	(709.52)
Variety Stores	Correct Value	2014	41.74
Voegeli, Becky L	Taxes Lost to Foreclosure	2014	126.28
White, Mary S	Correct Ownership	2014	709.52
Williamsboro Rentals	Taxes Lost to Foreclosure	2014	247.84
Total R&P Property Releases			8,685.73
Real & Personal Property			
Refunds			
Owen, E. Gupton Roofing	Correct Value	2011	96.51
Barnett, Charles Mason	Correct Value	2012	506.34
Owen, E. Gupton Roofing	Correct Value	2012	96.51
Owen, E. Gupton Roofing	Correct Value	2013	102.28
Barnett, Charles Mason	Correct Value	2014	1,951.83
Barnett, Charles Mason	Less Discoveries	2014	(1,566.37)
Barnett, Charles Mason	Correct Value	2014	385.41
Total R & P Property Refunds			1,572.51
Total R&P Prop. Rel. & Ref.			\$ 10,258.24
Vehicle Releases			
Blackwell, Valerie Lavette	Pro-Rate	2013	11.53
Greenway, Tracy Stuart	Pro-Rate	2013	10.91
Harris, Tashan Jarrel	Pro-Rate	2013	26.68
Total Vehicle Releases			49.12
Vehicle Refunds			
Faulkner, Roy Hurst	Pro-Rate	2013	3.06
Total Vehicle Refunds			3.06
Tot. Veh. Rel. & Ref.			\$ 52.18
Total All Releases & Refunds			\$ 10,310.42

Meetings and Events Calendar

All Regular City Council Meetings Held 2nd & 4th Monday at 6:00 P.M.

Date	Time	Event	Location
Sept 26 th	10:00 AM	Henderson-Vance E-911 Advisory Board Meeting	E-911 Operations Center
Oct 6 th	3:30 PM	Henderson Planning Board	City Council Chambers
Oct 7 th	3:30 PM	Henderson Zoning Board of Adjustments	City Council Chambers
Oct 9 th	12:00 PM	Henderson-Vance Parks & Recreation Commission	Aycock Recreation Center
Oct 13 th	9:30 AM	KLRWS Advisory Board Meeting	City Hall Large Conference Room
Oct 13 th	CANCELLED	City Council Regular Meeting CANCELLED	CANCELLED DUE TO NCLM CONFERENCE
Oct 14 th	3:00 PM	Henderson Appearance Commission <i>(Meeting dates now held quarterly)</i>	City Council Chambers
Oct 16 th	7:00 PM	Human Relations Commission	City Council Chambers
Oct 27 th	6:00 PM	City Council Meeting Work Session to Follow	City Council Chambers
Nov 3 rd	3:30 PM	Henderson Planning Board	City Council Chambers
Nov 4 th	3:30 PM	Henderson Zoning Board of Adjustments	City Council Chambers
Nov 10 th	5:00 PM	Library Advisory Board Meeting	Perry Memorial Library
Nov 10 th	6:00 PM	City Council Regular Meeting	City Council Chambers
Nov 13 th	12:00 PM	Henderson-Vance Parks & Recreation Commission	Aycock Recreation Center
Nov 24 th	6:00 PM	City Council Meeting Work Session to Follow	City Council Chambers
Nov 27 th & Nov 28 th	CITY HALL CLOSED	 HAPPY THANKSGIVING 	CITY HALL CLOSED
Dec 1 st	3:30 PM	Henderson Planning Board	City Council Chambers
Dec 2 nd	3:30 PM	Henderson Zoning Board of Adjustments	City Council Chambers
Dec 8 th	9:30 AM	KLRWS Advisory Board Meeting	City Hall Large Conference Room
Dec 8 th	6:00 PM	City Council Regular Meeting	City Council Chambers
Dec 11 th	12:00 PM	Henderson-Vance Parks & Recreation Commission	Aycock Recreation Center

Last Updated 12 September 2014



**HENDERSON POLICE DEPARTMENT
MONTHLY REPORT
AUGUST 2014**

CHIEF OF POLICE MARCUS W. BARROW

"AIN FORTITUDO ET IUSTITIA"

Chief Marcus W. Barrow

We have been challenging the leaders of our community and neighborhoods to please “take a step outside.” To look around their neighborhoods and try to build relationships and partnerships with others to deal with issues such as crime, poverty, littering, metal thefts and the general attitude of citizens toward their city.

Also, I and our command staff have begun to encourage citizens to also “reach out” and get to know the officers that work in their areas and get to know the younger men and women now responsible for policing the City in the same way that they knew the officers that came before them and have now retired.

In August the Police Department conducted several neighborhood based projects and also moved in to the next phase of efforts to secure and maintain a safe neighborhood in the area of the new Henderson Collegiate School on Old Epson Road. Patrol Officers, Detectives, Captains, and myself walked this area on foot and handed out information that let residents know the areas designation as a “school zone” would make penalties for speeding, drug sales and weapon possession much higher and the Police Department would be working closely with the school on community projects.

Sir Robert Peel, the “Father of Modern Policing” said: *“Police, at all times, should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police; the police being only members of the public who are paid to give full time attention to duties which are incumbent on every citizen in the interests of community welfare and existence.”* This holds as true today as when Peel wrote them in 1829.

Operations Division



Captain S.T. Vaughn

Patrol Activity Summary by Patrol Section August 2014

Section #	Incidents	Persons Arrested	Collisions Investigated	Citations	*Warrants Served	Warrants** Attempted
Section 1	79	21	22	50	12	7
Section 2	89	21	24	20	5	4
Section 3	121	42	26	54	13	12
Section 4	80	57	28	92	23	36
CID	NA	NA	NA	NA	8	1
Totals	369	141	100	216	61	60

**Warrants – This is a count of the number of occasions when a Warrant for Arrest, an Order for Arrest or a Criminal Summons were listed as the sole type of arrest for the person arrested and the date arrested was not the same as the date on the warrant. Each person is only counted once per arrest occasion, regardless of the number of warrants served.*

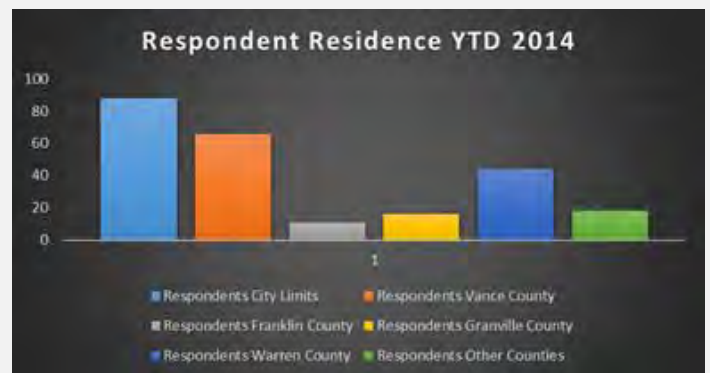
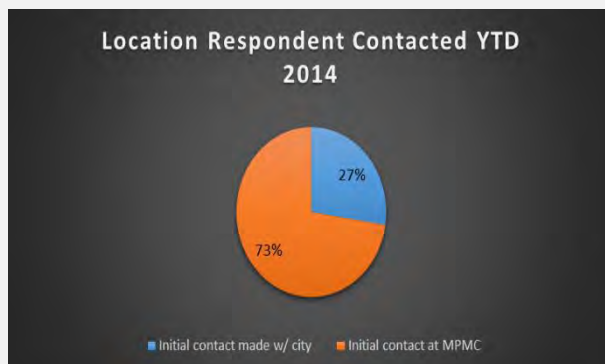
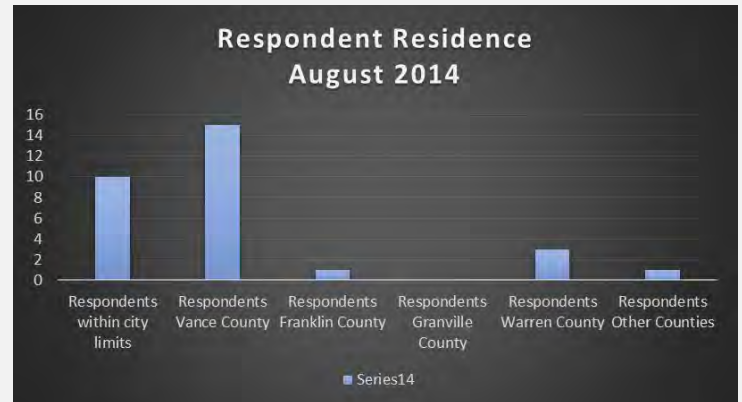
Active Warrants on file by Section as of August 2014 (Including Criminal Investigations)

Zones	Warrants	OFA	Worthless Check	Criminal Summons	Warrant for Child Support	Fugitive
Zone 1	54	100	0	18	2	0
Zone 2	18	32	1	11	1	0
Zone 3	44	81	0	14	2	0
Zone 4	26	93	0	12	0	0
CID	26	7	0	0	0	0
Total	168	313	1	55	5	0

As this chart shows the warrants received by the Department for “Order for Arrest” (meaning the wanted person did not show in court or violated a court appearance order or has a true bill of indictment) is almost twice the number of original warrants on file by the department. The number of persons wanted for missing court cases remains very high despite the issuance of bonds in some cases.

Committed Time – Mental Patients

Month	Calls For Service	Incident Reports	Monthly Hours	Hours at MPMC	Respondents within city limits	Respondents Vance County	Respondents Franklin County	Respondents Granville County	Respondents Warren County	Respondents Other Counties	Initial contact made w/ city	Initial contact at MPMC	Total Wages for Coverage
2013													
September	50	30	720	637.5									\$9,798.37
October	41	26	744	331.5									\$5,096.51
November	37	24	720	421.5	8	12	1	1	1	1	3	21	\$6,480.18
December	41	20	744	453.25	9	6	0	3	1	1	7	13	\$6,968.31
2014													
January	44	27	744	474.5	11	7	1	1	4	3	24	3	\$7,295.01
February	40	23	672	632	5	5	1	2	8	1	5	18	\$9,716.43
March	48	33	744	601	12	6	2	3	8	2	6	27	\$9,239.83
April	44	33	720	593.5	13	6	0	2	7	5	7	25	\$9,124.52
May	53	35	744	551.5	13	11	1	3	7	0	7	28	\$8,478.81
June	56	30	720	636	14	5	2	5	2	2	8	22	\$9,777.92
July	47	33	720	453.5	10	11	3	0	5	4	9	24	\$6,972.15
August	52	31	744	572	10	15	1	0	3	1	3	28	\$8,793.98
September													
October													
November													
December													
Total	553	345	8736	6357.75	88	66	11	16	44	18	79	209	\$97,742.02



Criminal Investigations Division**Captain Vance W. Johnson**

Case Status	
Cases Received	48
Cases Suspended	0
Cases Cleared	13
Unfounded Reports	3
Interviews	
Witnesses Interviewed	64
Victims Interviewed	51
Suspects Interviewed	11
Charges	
Warrants Obtained	9
Warrants Attempted	9
Warrants Served	5
Search Warrants	
Search Warrants Obtained	2
Search Warrants Executed	3
Property	
Property Recovered	5

The Criminal Investigations Section investigated a homicide/shooting that occurred on Sunday, August 24, 2014. The investigation eventually covered three separate areas of the City as part of the overall “crime scene”. An arrest on Murder and other charges was made within three (3) days.

Juvenile Investigations

Juvenile petition – unrelated	2
Assault	2
Property Damage	1
Runaway	2
Possess Firearm/Stolen Property	1
Other Contacts	2



Special Operations Section

Felony Arrests	10
Misdemeanor Arrests	2
Warrants	17
Court Hours	12
Training Hours	80
Marijuana Seized	47.5 grams
Cocaine	0 grams
Crack Cocaine Seized	0.03 grams
Heroin Seized	9 “bricks”, 4 bundles and 7 bindles
Prescription Drugs	305 dosage units
Search Warrants	5
Firearms Seized	11
US Currency	\$4,174.00

One (1) Police Officer was transferred from the Operations Division to the Special Operations Section in August.

Detectives located and turned over a suspect to the US Marshall’s Service on Federal Probation Violation.

Detectives spent 13.5 hours assisting the Criminal Investigations Section with a Homicide/Shooting Investigation.

Property/Evidence Section

Number of items collected for the month:	302 items
Total amount of U.S. Currency collected:	\$7,364
Total amount of firearms collected:	17
Total amount of marijuana seized:	319.69 grams
Total amount of cocaine seized:	26.85 grams
Total amount of heroine seized:	764 units/.04 grams
Total number of pills and prescription meds seized:	310 dosage units
Total number of items returned to owner by court order:	0 items
Total number of evidence turned over to other agencies:	0 items
Total number of items returned to owner by officer request:	103 items
Total amount of U.S. Currency turned over to school board:	\$0
Total number of items destroyed by court order:	471 items
Total number of video cd made/copied:	4 CD/DVD
Total number of in car videos copied to CD:	0 CD/DVD
Total number of copies of evidence (paperwork) for investigation:	8 items
Total number of evidence packages sent to SBI lab	15 sent
Total number of evidence packages sent to the SBI returned	31
Crime Scenes Processed:	1
Vehicles Processed:	2
Total of items processed/seized at HPD:	2/39
Call Outs	2
Search Warrants Executed	3
Meetings	13

Services Division



Captain Perry L. Twisdale

Staff Inspections Conducted	0	Line Inspections Reports Received	0
Equipment Repair Requests	21	Equipment Repairs Completed	14
Background Investigations Completed	0	Employment Applications Received	3
Current Sworn Vacancies	6	New Employees Hired	1
Current P/T Civilian Vacancies	0	Current F/T Civilian Vacancies	1 (Frozen)

Final construction and clean-up of the repairs and replacement building at the Training Center due to the fire several months ago continued in July and were completed in early August. Final payment to the contractors on that portion of the Training Center Project is was made in August. The demolition of an old and hazardous mobile classroom has been completed as well. Several areas of further improvement at the Training Center have been identified and will continue through the remainder of 2014.

The retirement ceremony for Lieutenant I.W. Robinson, Jr. was held on 08/01/2014 at the Henderson Police Department Training Center. The event included the presentation of Lt. Robinson with his department duty weapon as well as a “shadow box” of badges and awards from his years of service with the agency.

With the start of the Basic Law Enforcement Training Program (BLET) at Vance Granville Community College the Henderson Police Department issued sponsorships for two (2) students in the school who have also submitted applications for hire. Services Division Staff will continue to monitor these two sponsored students and if they appear that they will be successful in the BLET program then further hiring processing steps will be conducted.

The Command Staff met in August to review the agency's Hiring and Recruitment Plan and policies as well as discussing how to work to fill the current vacancies within the department. The agency has been successful in the last year in keeping the department at full staffing but recent retirements, promotions, transfers and departures of employees has resulted in several vacancies at one time. At the time of this report one (1) sworn candidate was issued a Conditional Offer to continue in the hiring process. The Services Division has reviewed applications received from candidates with no BLET training to consider requesting to hire several candidates at the end of the calendar year to attend the BLET program in January of 2015.

Two (2) new grants applied for by the Police Department were approved in August. The 2014 NC Governor's Crime Commission Grant will allow the department to purchase three (3) new VIPER mobile radios for police vehicles and eight (8) replacement mobile data computer terminals for marked patrol vehicles. The 2014 BJA Justice Assistance Grant will allow the department to purchase mobile video cameras. Due to massive cuts in federal funding for highway funds in NC the Governor's Highway Safety Program was not able to approve the agency's grant for in-car cameras.

Community Services



Sergeant D.E. Pitman

Sergeant D.E. Pitman transferred in August to the new position of Community Services Sergeant. Pitman was previously the Section Sergeant on Patrol Section 2 and prior to that worked in the Criminal Investigations Division as Court Liaison Officer. Sergeant Pitman recently headed up the Henderson Police Department's efforts with other groups to hold the first St. Baldrick's Day event to raise funds for pediatric cancer research. Pitman has also been the department's coordinator for the assignment of warrants and legal processes through the NCAWARE warrant system and has also been the monitor for the agency's activities in dealing with the service of Involuntary Commitment orders as well as the time spent by officers sitting with mental patients at Maria Parham Medical Center.

Sergeant Pitman has already begun to work on the upcoming "Cops on Top" fundraiser which raises money for the NC Special Olympics. He has been visiting the Community Watch meetings to be introduced and get familiar with the Watch leaders and is scheduled to receive National Certification in September on Crime Prevention through Environmental Design (CPTED).

A Community Services Patrol Officer position still remains vacant until vacancies can be filled in the Operations Division Patrol Sections.

Crime Analysis and Records

As in July there were only two areas of Part I Crimes within Henderson that have shown an increase in comparing with the same period of 2013 while other areas remain lower. These were Aggravated Assaults and Breaking and Entering. (While the chart below shows an increase in Motor Vehicle Thefts this percentage is misleading due to the low number of such calls reported. There was only one (1) more reported theft of a motor vehicle in Henderson in 2014 for August as compared to 2013).

Despite the shooting (which was eventually upgraded to a homicide) at the end of August the City's homicide and rape rates remain lower than this point last year. There has also been a 39.2% reduction in Robbery despite the summer being one of the primary seasons for robbery reports.

Crime Analysis also shows that Burglary (which is Breaking and Entering in NC) increased over this point in 2013 by 11.3% but this remained steady from July which also showed an 11.3% difference. Breaking and Entering includes both Breaking and Entering to businesses as well as residential B&E's but almost all of breaking and entering reports seen over the past months have been residential. While the HPD's "enhanced business checks" can assist with preventing or making early detections of business breaking and entering the majority of residential breaking and entering cases are difficult to detect by officers even when patrolling in residential neighborhoods. While we continue to analyze if there is a pattern to the residential breaking and entering cases geographically ***the best prevention for B&E's continues to be vigilant neighbors and citizens as well as property owners taking precautions to make their residences or rental property as "crime proof" as possible.*** As part of the changes being made to the HPD's Community Services Section, providing citizens with more access to officers with specialized training in Crime Prevention through Environmental Design (CPTED) to make recommendations to individuals and citizens groups on how to make private residences more secure.

An area of Larceny that did show an increase in August (as opposed to Shoplifting, which remains lower...) was "All Other". This includes the current trend of stealing any type of metal available to be taken out of the county to "scrap yards" and sold. Agency personnel have met with local rental property owners (who have seen the largest number of thefts from rental and vacant houses) and the Vance County Sheriff's Office in order to work together to find a way to prevent these crimes or to identify the persons committing the crimes. Unfortunately, metal theft is a national problem in many agencies and a very large problem in North Carolina.

Overall, Violent Part I Crimes are 1.8% below this same time in 2013 (with the only increase in Aggravated Assaults) while Property Crime is 3.5% below 2013. This equals to an overall reduction of 3.2% in the most serious crimes from 2013 through the end of August 2014.

HENDERSON POLICE DEPARTMENT

Part I Crimes

Month-to-Month and Annual Comparison

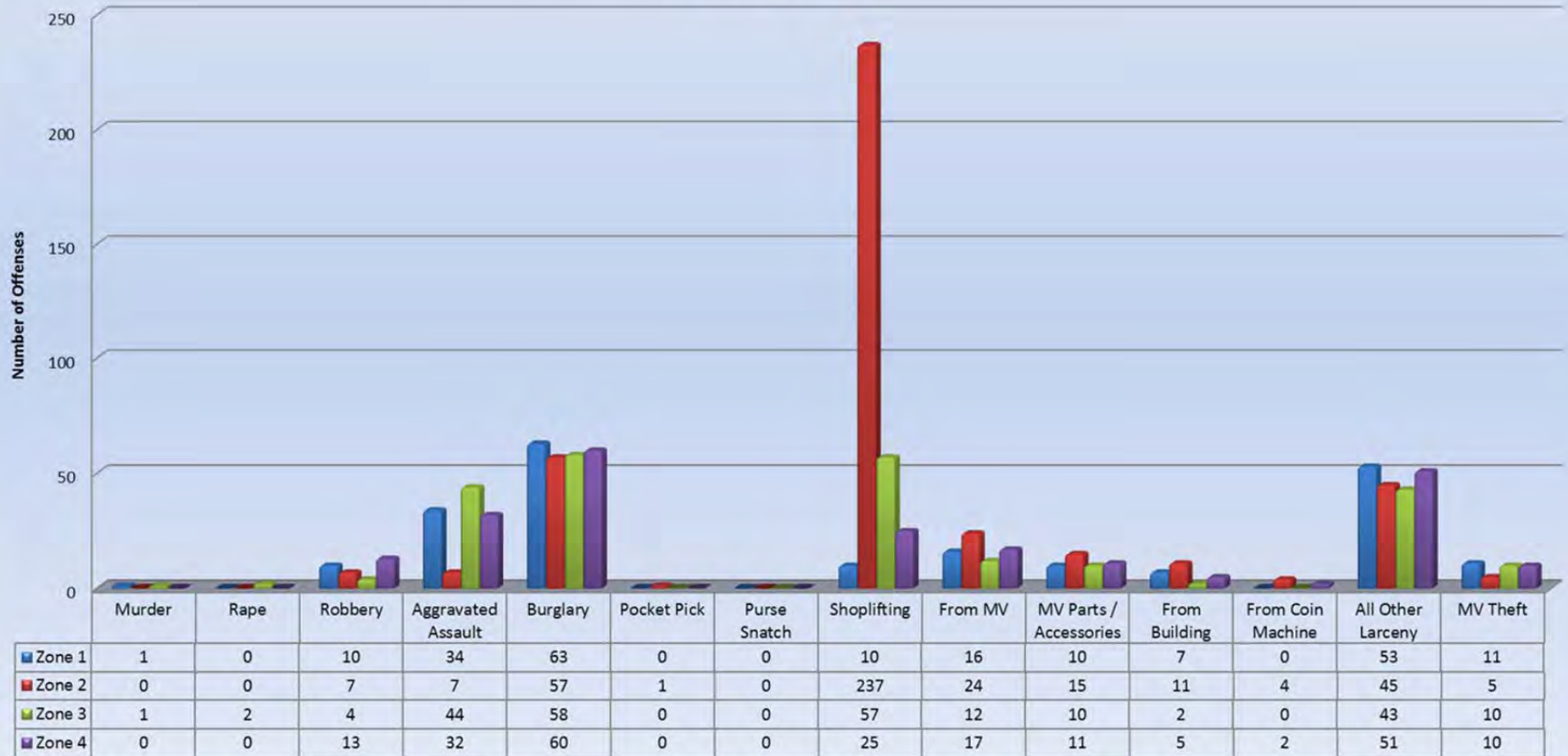
	Jan		Feb		Mar		Apr		May		Jun		Jul		Aug		Sep		Oct		Nov		Dec		TOTAL		Change
	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014	
Murder			3			1			1						1										4	2	-50.0%
Rape			1		1				1			2	2												5	2	-60.0%
Robbery	5	1	9	6	9	8	9	3	4	4	7	3	3	5	10	4									56	34	-39.3%
Agg Assault	11	12	14	7	7	11	18	25	15	22	15	11	11	16	7	18									98	122	24.5%
VIOLENT TOTAL	16	13	27	13	17	20	27	28	21	26	22	16	16	21	17	23	0	0	0	0	0	0	0	0	163	160	-1.8%
Burglary	53	31	18	20	20	32	23	44	24	37	21	31	35	24	18	17									212	236	11.3%
Larceny (Theft)																											
Pocket Pick								1																	0	1	NC
Purse Snatch																									0	0	NC
Shoplifting	56	25	32	22	45	25	66	34	52	61	51	51	47	67	36	45									385	330	-14.3%
From MV	11	10	5	6	9	9	11	6	15	14	20	8	10	8	4	8									85	69	-18.8%
MV Parts	6	2	4	3	7	7	11	11	7	9	7	4	5	5	6	7									53	48	-9.4%
From Building	3	2	4	4	8	5	5	6	5	3	7	1	8	3	1	1									41	25	-39.0%
From Coin Machine		1	1	1						1		1		2											1	6	500.0%
All other	14	22	23	19	21	17	16	26	19	27	27	23	24	24	23	35									167	193	15.6%
Larceny (Theft) Total	90	62	69	55	90	63	109	84	98	115	112	88	94	109	70	96	0	0	0	0	0	0	0	0	732	672	-8.2%
MV Theft	3	1			1	5	11	4	2	5	7	9	5	6	6	7									35	37	5.7%
PROPERTY TOTAL	146	94	87	75	111	100	143	132	124	157	140	128	134	139	94	120	0	0	0	0	0	0	0	0	979	945	-3.5%
TOTAL INDEX OFFENSES	162	107	114	88	128	120	170	160	145	183	162	144	150	160	111	143	0	0	0	0	0	0	0	0	1142	1105	-3.2%

Note: The preparer does not recommend public release of this data until verified and published by the State Bureau of Investigation. The figures and percentages represented here will change in coming weeks and months due to quality control revisions and other changes in crime classification, case status and case dispositions.

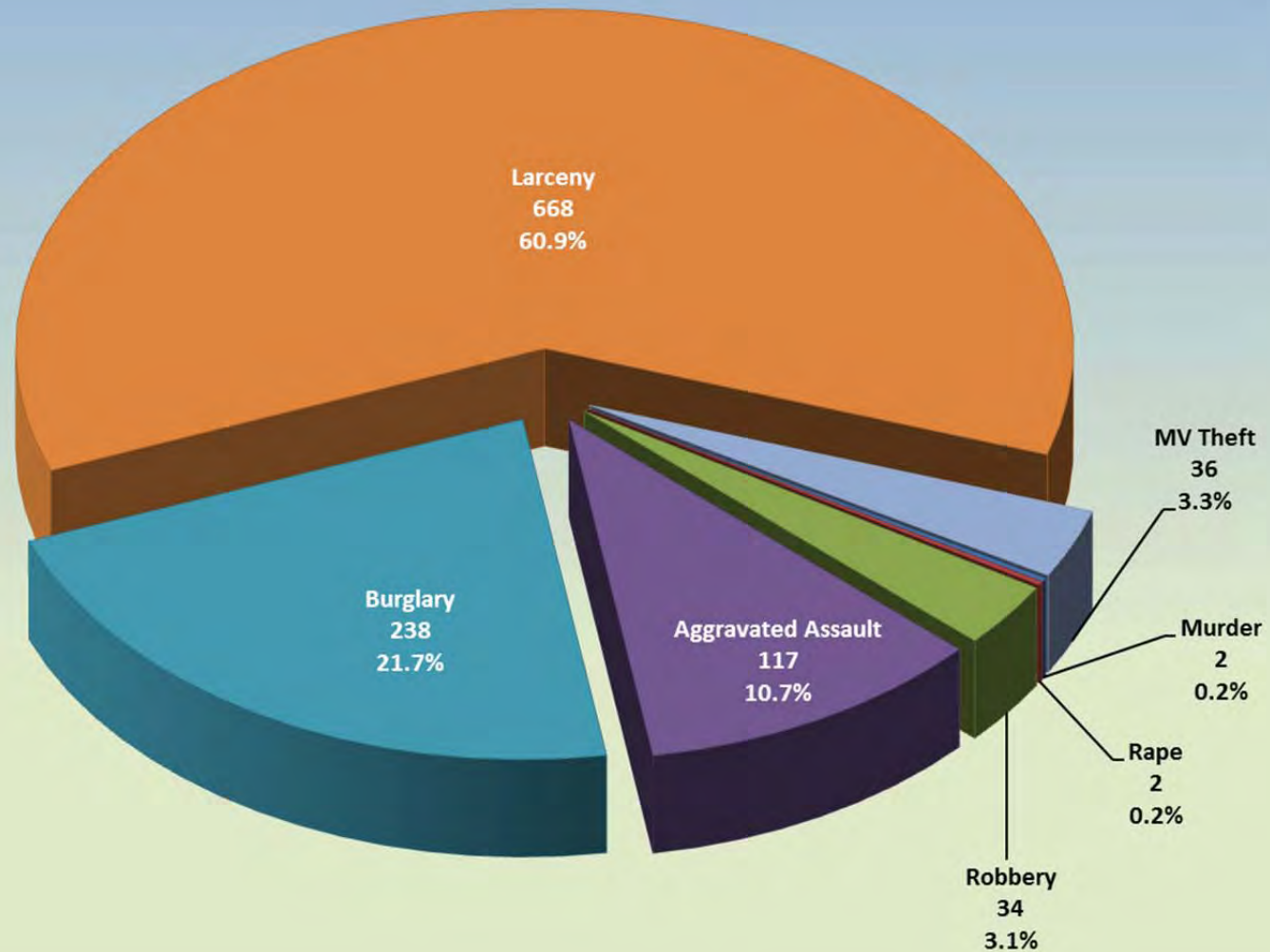
HENDERSON POLICE DEPARTMENT

2014 Year-To-Date Index (Part I) Offenses by Zone

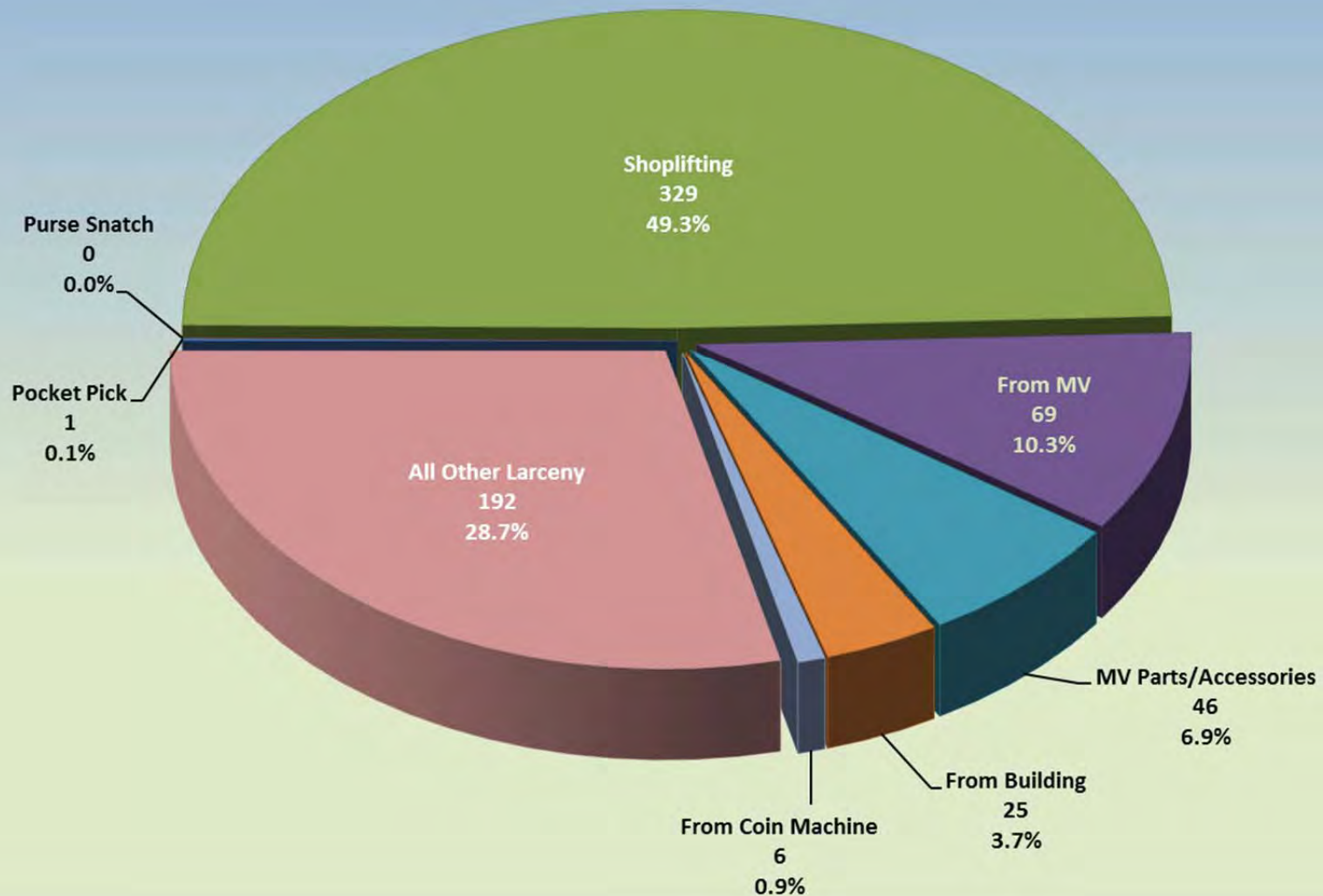
Through August



Henderson Police Department
2014 Part I (Index) Crimes Distribution by Category
Year-To-Date Through August



Henderson Police Department
2014 Nature of Larceny-theft - Offenses by Sub-Category
Year-To-Date Through August



Henderson Police Department

2014 Violent Index Offenses by Zone

Through August

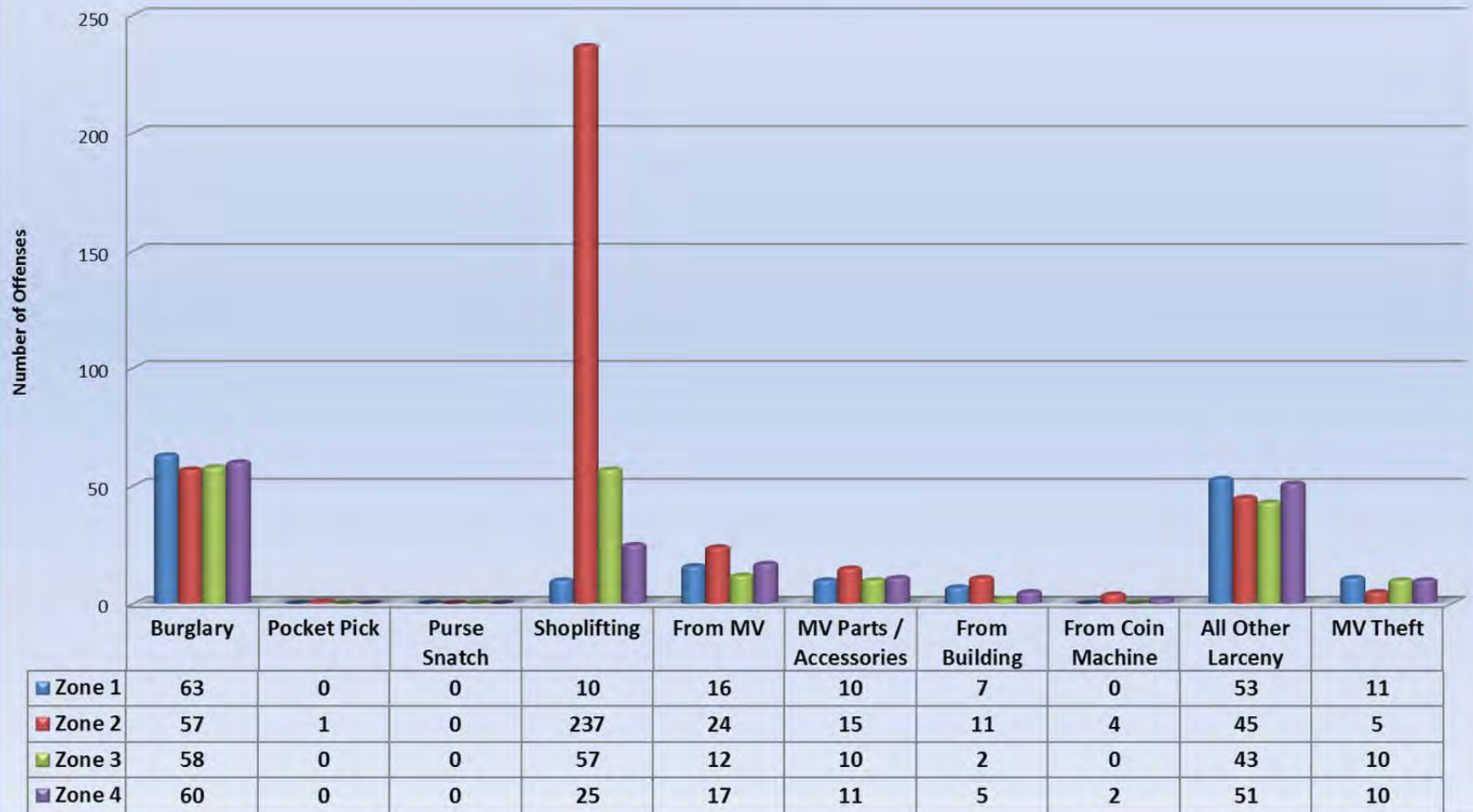


	Zone 1	Zone 2	Zone 3	Zone 4
■ Murder	1	0	1	0
■ Rape	0	0	2	0
■ Robbery	10	7	4	13
■ Aggravated Assault	34	7	44	32

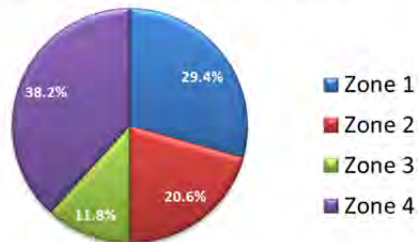
HENDERSON POLICE DEPARTMENT

2014 Year-To-Date Property Offenses by Zone

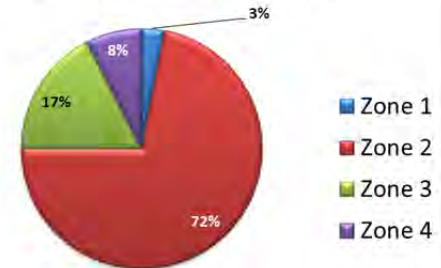
Through August



Robbery
Percent of Offenses By Zone
2014 Year-to-Date Through August



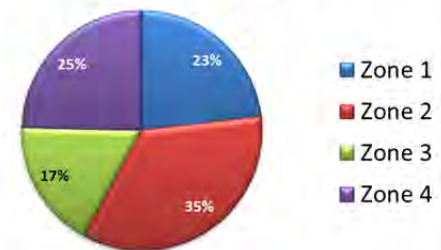
Shoplifting
Percent of Offenses By Zone
2014 Year-to-Date Thru August



Aggravated Assault
Percent of Offenses By Zone
2014 Year-to-Date Through August



Theft from Motor Vehicles
Percent of Offenses By Zone
2014 Year-to-Date Through August



Burglary
Percent of Offenses By Zone
2014 Year-to-Date Thru August





Henderson Fire Department

211 Dabney Drive
Henderson, North Carolina 27536
Phone: (252) 438-7315
Fax: (252) 438-1460

Daniel E. Wilkerson
Fire Chief

TO: RAY GRIFFIN, CITY MANAGER
FROM: DANIEL E. WILKERSON, FIRE CHIEF
DATE: 9/4/14

FIRE SUPPRESSION AND RESCUE ACTIVITY REPORT FOR: August 2014

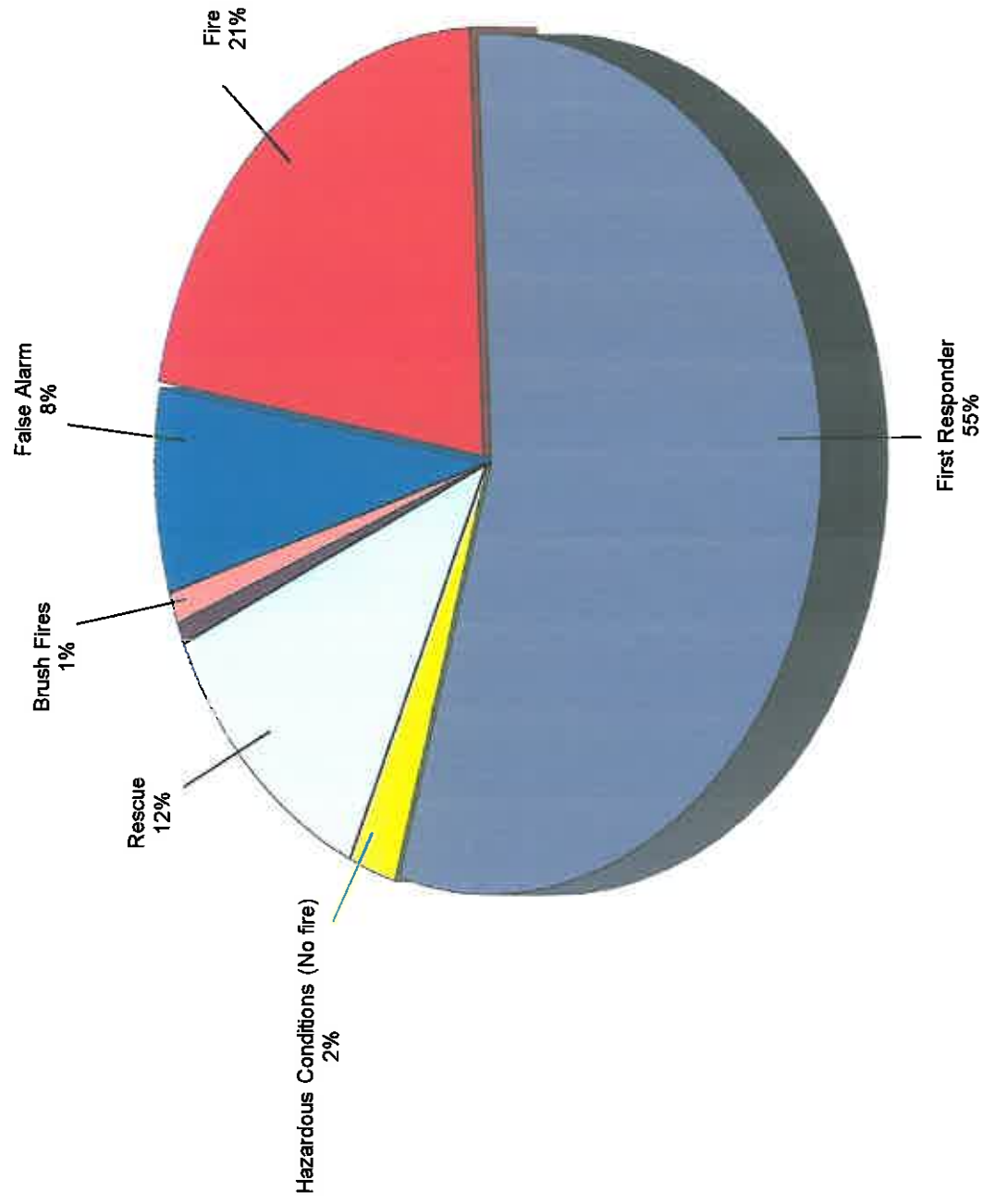
TYPE OF CALL	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
PRIVATE DWELLINGS (1 or 2 Family), Including Mobile Homes	22	31	170
APARTMENTS (3 or More Families)	4	2	16
HOTELS AND MOTELS	0	0	2
ALL OTHER RESIDENTIAL (Dormitories, Boarding Houses, Tents, etc.)	1	0	2
PUBLIC ASSEMBLY (Church, Restaurant, Clubs, etc.)	2	4	11
SCHOOLS AND COLLEGES	1	0	2
HEALTH CARE AND PENAL INSTITUTIONS (Hospitals, Nursing Homes, Prisons, etc.)	2	1	12
STORES AND OFFICES	7	3	21
INDUSTRY, UTILITY, DEFENSE, LABORATORIES, MANUFACTURING	1	0	8
STORAGE IN STRUCTURES (Barns, Vehicle storage Garages, General Storage, etc.)	3	0	7
OTHER STRUCTURES (Outbuildings, Bridges, etc.)	0	0	0
WORKING STRUCTURE FIRE	5	4	19
FIRES IN HIGHWAY VEHICLES (Autos, Trucks, Buses, etc.)	3	0	12
FIRES IN OTHER VEHICLES (Planes, Trains, Ships, Construction or Farm Vehicles)	0	1	1

FIRE OUTSIDE OF STRUCTURES WITH VALUE INVOLVED, BUT NOT VEHICLES (Outside Storage, Crops, Timber, etc.)	0	0	3
FIRES IN BRUSH, GRASS, WILD LAND (Excluding Crops and Timber) With No Value Involved	2	2	21
FIRES IN RUBBISH, INCLUDING DUMPSTERS (Outside structures), With No Value Involved	0	6	31
ALL OTHER FIRES	0	7	20
RESCUE	30	29	159
FIRST RESPONDER	144	135	1119
FALSE ALARM RESPONSES (Malicious or Unintentional False Calls, Malfunctions, Bomb Scares)	20	12	107
MUTUAL AID OR ASSISTANCE RESPONSES	2	8	29
HAZARDOUS MATERIALS RESPONSES (Spills, Leaks, etc.)	1	1	15
OTHER HAZARDOUS RESPONSES (Arcing wires, Bomb Removal, Power Line Down, etc.)	5	3	42
ALL OTHER RESPONSES (Smoke Scares, Lock-Outs, Animal Rescues, etc.)	6	8	36
TOTALS	261	257	1865

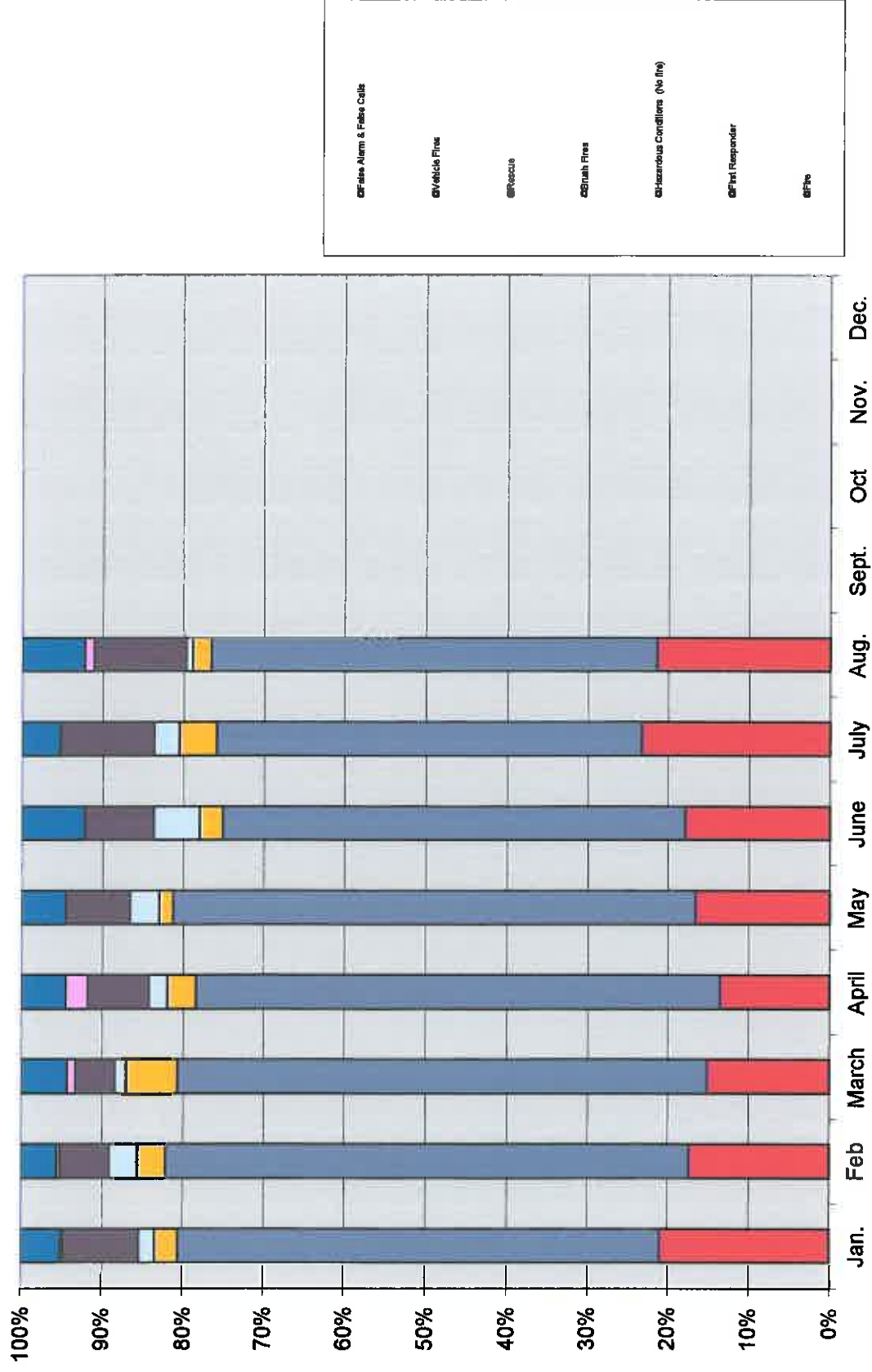
	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
Total Fire Incidents With Property and/or Contents Loss	9	7	51
Total of Property and Contents Value Saved	\$ 156,840.00	\$ 2,005,413.00	\$ 3,581,895.00

	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
FIRE CASUALTIES FIREFIGHTER-DEATH	0	0	0
FIRE CASUALTIES FIREFIGHTER - INJURIES	0	0	0
FIRE CASUALTIES CIVILIAN - DEATH	0	0	0
FIRE CASUALTIES CIVILIAN - INJURIES	0	0	0

Incident Summary For August



YEAR TO DATE SUMMARY BY MONTH FOR 2014



INSPECTION ACTIVITIES REPORT FOR:
August, 2014

INSPECTIONS	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
ASSEMBLY	7	17	62
BUSINESS	10	23	160
EDUCATIONAL	0	0	0
HAZARDOUS	0	0	0
INDUSTRIAL	1	0	3
INSTITUTIONAL	1	0	22
MERCANTILE	4	17	47
RESIDENTIAL	5	2	38
STORAGE	4	0	14
DAY CARE	0	3	0
HOME CARE	0	0	0
FOSTER CARE	0	0	0
VACANT	0	3	2
TOTALS	32	65	348

	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
CODE VIOLATIONS	17	92	220
FOLLOW UP INSPECTIONS	9	19	86

FIRE PREVENTION ACTIVITY REPORT FOR YEAR OF: 2014

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	TOTALS
Service Calls to Residents	10	15	5	4	40	20	18	10					122
Home Inspections / Door Hanger Follow Ups	2	4	0	0	6	15	10	10					47
Smoke Alarms Installed	5	6	2	2	9	20	15	21					116
Batteries Installed in Smoke Alarms	5	9	3	2	15	30	20	30					114
Fire Extinguisher Classes	2	0	3	4	3	1	2	1					16
School / Daycare Presentations	0	3	1	3	2	1	0	1					11
Community / Civic Group Presentations	1	3	1	0	4	0	1	2					12
Station Tours	2	1	3	1	0	2	1	0					10
Total Participants in Fire & Life Safety Programs	500	600	300	450	1,000	1800	1000	2000					7,650
Community / Business Displays	0	1	2	1	4	3	1	2					14
Child Safety Seat Clinics	0	0	1	1	1	1	0	0					4
Child Safety Seats Inspected	1	4	3	5	3	6	3	5					30
Child Safety Seats Distributed	0	0	0	0	0	0	0	0					0
Shift Coverage Hours	8	8	0	16	16	32	8	32					112
Fire Inspections	15	47	43	23	18	16	40	25					227

MONTHLY CITATION REPORT FOR THE MONTH OF: AUGUST 2014

LOCATION	CURRENT MONTH FIRE LANE	CURRENT MONTH HANDICAPPED	LAST MONTH FIRE LANE	LAST MONTH HANDICAPPED	YEAR TO DATE
Cardinal Plaza					0
Compare Foods					0
Crossroads Shopping Center					0
Dabney Shopping Center					0
Dabney West Mall					0
Golden Corral					0
Guardian Care					0
Henderson Mall					0
Henderson Square					0
Lowe's	0	0	1	0	2
Maria Parham Hospital					0
Market Place					0
Northside Plaza					0
Oak St					0
Rose's Norlina Rd					0
Staples					0
Vance County Courthouse					0
Vance Medical Arts Bldg					0
Vance Square					0
Village Square					0
Wal Mart	0	0	1	1	2
Walgreens					0
TOTALS	0	0	2	1	4

TRAINING DIVISION PRODUCTIVITY - AUGUST 2014

Henderson Fire Department

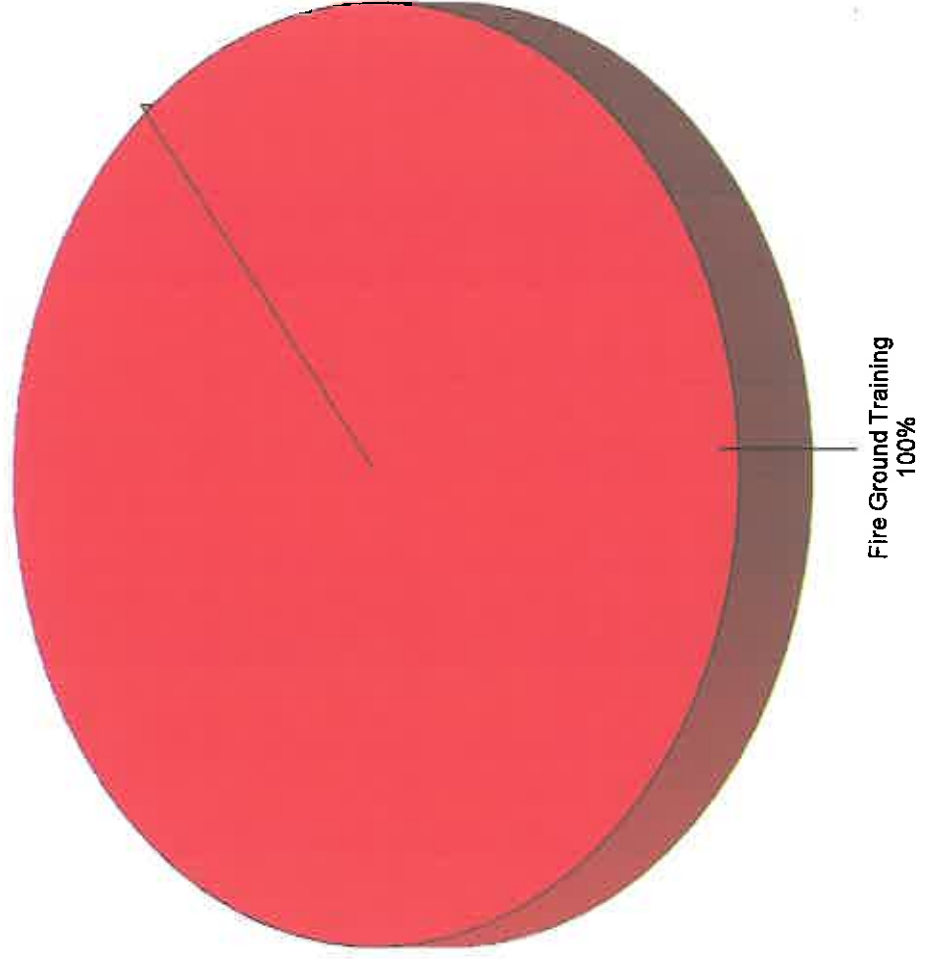
Types of Courses Taught	Course Hours Taught	Man-hours of Training
Fire Ground Training	205	976.5
EMS / Rescue Training	0	0
Special Training	0	0

Totals	205	976.5
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	Course Hours Taught	Man-hours of Training
PREVIOUS MONTH TOTAL	282.5	1325

YEAR - TO - DATE TOTAL	1585.25	8992.5
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Training Hours by Category - August 2014



Fire Department Regulatory Compliance

The Fire Department has met all regulatory compliance items for the month of August 2014



AGENDA

Henderson City Council Work Session
Monday, 22 September 2014 Immediately Following Regular Session
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 Peace-Jenkins
Councilmember Garry D. Daeke
Councilmember Fearldine A. Simmons
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. ADJUSTMENTS TO AND/OR APPROVAL OF THE AGENDA

IV. REGULAR WORK SESSION

- a)* Update on Request for Proposals from Environmental Firms with Respect to Two Projects:
1) Brownfield Assessment Grant and; 2) Inactive Landfill Assessment Grant. *(CM 14-31)*
[See Notebook Tab 11]
- b)* Installation of Water Spray Park. *(CM 14-28) [See Notebook Tab 12]*
- c)* Off Premise Advertisement Sign Ordinance. *(CM 14-30) (See Notebook Tab 13)*

V. ADJOURNMENT

City Council Memo

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252.430.5701



Agenda Item: _____

Council Meeting: 22 Sept 2014 Work Session

16 September 2014

TO: The Honorable Mayor James D. O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: **CM: 14-31**

Update on Request for Proposals from Environmental Firms with Respect to Two Projects: 1) Brownfield Assessment Grant and; 2) Inactive Landfill Assessment Grant

Ladies and Gentlemen:

Executive Summary:

Brownfield

The City of Henderson has solicited environmental firms for a Request for Proposal (RFP) for an EPA Brownfield Grant. The RFPs are due on September 22, 2014 at 2:00 pm and thus far two firms have expressed interest.

The EPA program has Four Million Dollars allotted to this program where the typical grant is \$200,000. Therefore typically 20 grants are awarded for the entire United States during each funding cycle and competition is aggressive. The program is relatively new with two previous funding cycles in 2010 and 2013. The current funding cycle is described as the 2015 cycle. Vance County has submitted applications for the previous two cycles but, was unable to secure a grant. A good amount of the sites identified in the Vance County applications were within the city limits of Henderson. The competition for these funds is keen and one of the main criteria used in the selection of a potential grant recipient is "do you have a catalyst project". A catalyst project is defined as a one that brings industry and jobs to a contaminated site and has other financial commitments with respect to cleanup and economic vibrancy.

The City staff has identified a couple of properties that are publically owned as potential Brownfield sites and they are being studied further. The Brownfield Program could provide a significant value to Henderson's economy and social fabric by identifying and assisting in the clean-up of contaminated sites, thus promoting industry. Industries looking to move into the area are looking for affordable facilities, with the required infrastructure readily available and full disclosure of known contamination. Henderson has the infrastructure and available work force that would make it a prime candidate.

Inactive Landfill Site (Former Public Works Facility)

The City of Henderson met with a Consultant (Cardno) working for North Carolina Department of Environment and Natural Resources (NCDENR's) Pre-Regulatory Landfill Unit at Henderson's inactive landfill at the end of Ramsey Street on August 27, 2014. The consultant has an office in Raleigh, NC and sent three individuals to the site to ask Assistant City Manager Frank Frazier and City Engineer Clark Thomas about current and past uses of the former Public Works Facility which hasn't been used as a landfill prior to Public Works using the facility. Cardno agents performed on-site investigations, gathered information from the Court House records, register of deeds and local residents. Mr. Matt Cash, PLS with Cardno is in the process of composing a report for NCDENR's Pre-regulatory Landfill Unit. The results of this report will permit NCDENR to prioritize the environmental risk this site poses to existing and downstream populations. NCDENR is interested in assessing and cleaning up these sites for future generations and are not looking to police or penalize municipalities for unregulated landfill sites.

The North Carolina Department of Environment and Natural Resources – Division of Solid Waste – Inactive Hazardous Site Branch – Superfund Section - Pre-Regulatory Landfill Unit runs a grant program to assist municipalities with assessment and mitigation of these sites. The grant program is funded by a \$2 tax on every ton of waste that is disposed of in active landfills, where \$1 of this tax goes directly towards assessment and mitigation of Pre-Regulatory landfills.

City Staff will keep the Council up to date on any new developments with respect to this site. The Pre-Regulatory program is a positive environmental and economic course of action for this site. Once NCDENR ranks the site and only if it is a high priority site will NCDENR develop a remediation plan. The old public works facility is on the same stream as Henderson's Water Reclamation Facility. The WRF has performed periodic toxicity tests on this stream and tests indicate that the ecology of the stream is healthy and they have not identified any contamination issues. As of this time there are no financial or regulatory obligations imposed on the City of Henderson, therefore staff will stay in touch with the Pre-regulatory Landfill Unit to understand the priority ranking and the report findings of this site.

City Council Memo

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252.430.5701



Agenda Item: _____

Council Meeting: 25 Aug 14 Work Session

21 August 2014

TO: The Honorable Mayor James D. O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: **CM: 14-28-A**

Subject: Installation of Water Spray Park

Ladies and Gentlemen:

Interim Recreation and Parks Director has researched the viability of establishing a spray park for the City of Henderson and Vance County. Enclosed you will find a study that was developed by the University of Georgia. In this study they include the County Populations, County Median Household Incomes, Admission Fees, Funding Methods, Construction Costs, Annual Revenue (approx.), Average Number of visitors, No. of Employees to staff the facility, and the facility capacity (approx.). The average construction cost was \$301,000 with \$725,000 at the highest end and \$145,000 at the lowest. This information can be found on page 13 of their study.

He also received information from the City of High Point, North Carolina. Their construction cost were considerably lower and the quotes they received when constructing their spray park ranged from \$90,000 to \$150,000 depending on the size of the splash park.

Information was also received from the City of Greensboro, North Carolina. Their construction cost was around \$600,000.

While developing the Master Plan for the Henderson/Vance Recreation and Parks Department the Recreation Commission prioritized Capital/Facilities they felt were most needed. These include in no particular order:

- Additional public tennis courts
- Outdoor basketball courts
- Partnering with the animal shelter for a community dog park
- Soccer/Football Multiuse Complex
- Event supervision/security

Several community meetings were held during the Master Plan development and the following list summarizes facility needs most commonly brought forward by citizens of Henderson and Vance County:

- Open space preservation
- Park expansions
- Add and expand multipurpose fields

While a spray park is not addressed in the Master Plan please keep in mind that the Master Plan is a guideline. If the need arises and the funds are available for a special project such as a spray park, we could certainly deviate from the Master Plan and then get back to it after the special project is finished.

The Recreation Commission is scheduled to review this matter during its October Meeting. The purpose of this memo is to provide Council with background information during this interim period.

Enclosures:

1. University of Georgia Study
2. City of High Point Information
3. City of Greensboro Information



Best Practices for Public Splash Pads

Case studies from Georgia and Florida

9/5/2013

UGA Archway Partnership

Taha Hameduddin and Megan LePere-Schloop

Grady County Archway Professional: Sharon Liggett

This report describes best practices for the development and management of public splash pads. Information included in this report is based on interview research and phone interviews with public administrators responsible for the operation of local splash pads. Case studies include splash pads in Americus, Dalton, Dublin, Athens, Alpharetta, and Savannah, Georgia, as well as Alachua, Florida.

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Executive Summary

This report presents case studies of publicly owned and operated splash pads in Georgia and Alachua, Florida, as well as best practices gleaned from this research. The information included in this report is intended to inform and empower small local governments in the southeastern United States interested in developing or improving public splash pads.

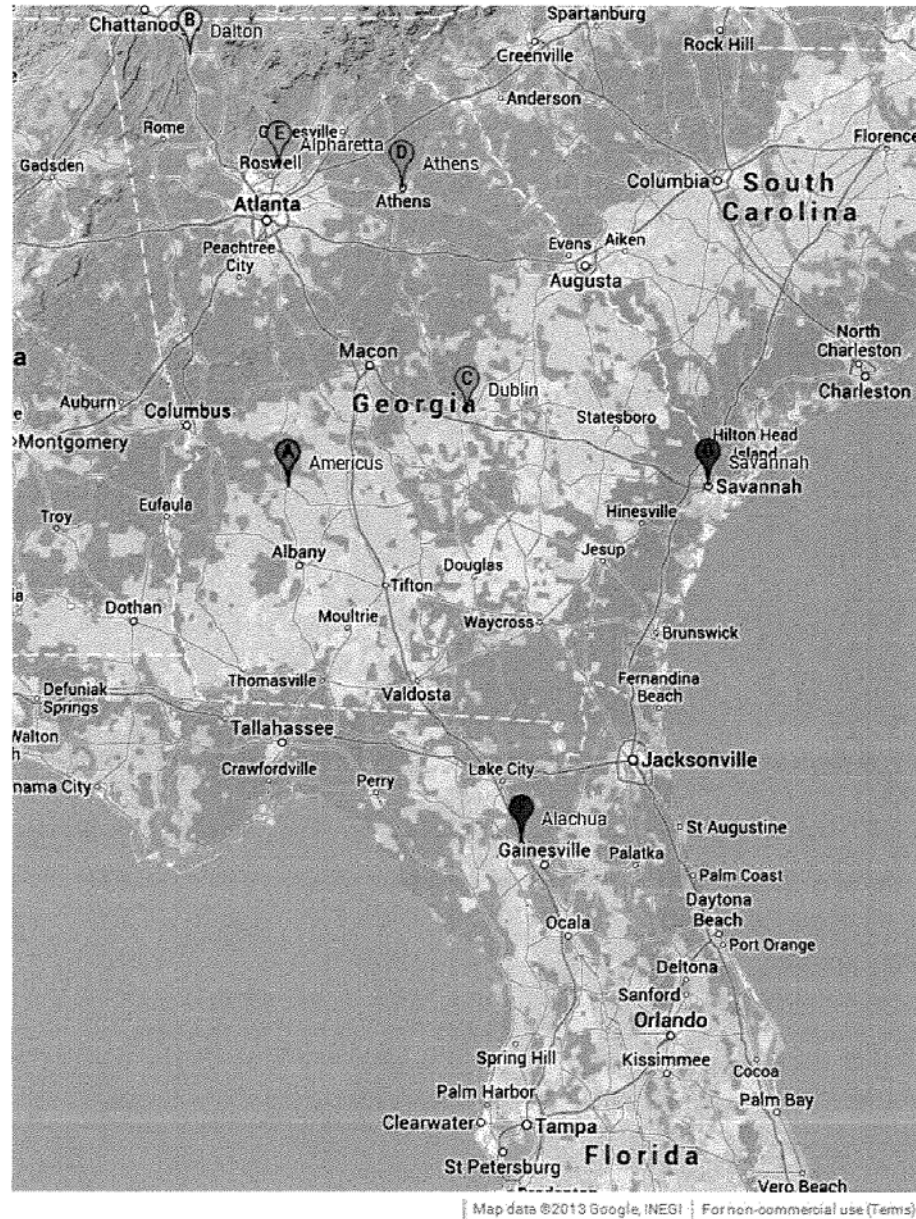
Case studies included in this report were developed based on internet research and phone interviews with representatives of seven publicly owned and operated splash pads. Research and interviews took place from May to August 2013. The appendices section of this report includes transcripts of interviews with public administrators responsible for operating the splash pads in the following communities:

- Americus, GA (Sumter County)
- Dalton, GA (Whitfield County)
- Dublin, GA (Laurens County)
- Athens, GA (Clarke County)
- Alpharetta, GA (Fulton County)
- Alachua, FL (Alachua County)
- Savannah, GA (Chatham County)

A full list of best practices and lessons learned is provided on page ten of this report. During the development phase, this report recommends that public officials define project goals, consider different funding options, plan for expansion and new features, explore opportunities to develop splash pad in close proximity to other public amenities, and ensure adequate seating and shade for adults supervising splash pad users. When considering how best to manage a public splash pad, the report recommends that officials provide adequate time to pilot operation of the splash pad before opening it to the public; explore options for supervision of the splash pad; set aside a percentage of splash pad revenue to pay for maintenance, upgrades and expansions; allow private rentals of the facility to increase revenue; and foster continued interest in splash pad by changing spray pattern, swapping above ground water features, adding lights and sound.

A majority of communities included within this report had only been operating their splash pad for a short period of time. For further insight into the longer-term ramifications of owning and operating a public splash pad, it may be beneficial to keep in touch with public administrators from the communities included in this report. Additionally, for a general overview of Splash Pad Practices, it might be useful to consult Recreation Management Magazine's feature on Splash pads, which can be found at the following link: <http://www.recmanagement.com/201204fe01.php>.

CASE STUDIES



Americus, GA Splash Pad

Sumter County



Source: <http://americustimesrecorder.com/sports/x489071939/Splash-Pad-open-ready-for-summer-fun>

Admission: \$3 for children 12 and under, and \$3 per visit with \$5 membership fee

The Americus (Sumter Co.) splash pad is located at The Columns at Boone Park Community Center and was opened in June 2009. It is open 2-6 PM Tuesday to Sunday and is designed mainly for children 8 and under.

The impetus for the splash pad came from the 2007 city master plan, and was funded by a SPLOST. Construction of the splash pad cost \$250,000 and started December 2008 and ended in June 2009. All the above ground features of the splash pad have been designed for children between the ages of 3 and 8, and the risk of drowning is extremely low since there is very little standing water. The facility has been designed so that users have to enter through the community center to access the splash pad. This makes it easier to manage the number of people using the splash pad.

The splash pad operates successfully, and most of that can be attributed to its central location, low running cost and ease of maintenance. The system recycles almost all of the water used (some evaporates), thereby reducing water costs. Running the splash pad requires minimal supervision (one paid staff member) since the whole system is automatic. It is managed by the Sumter County Parks and Recreation Department, which has a certified pool operator that operates the splash pad.

Dalton, GA Splash Pad

Whitfield County



Source: <http://www.cityofdalton-ga.gov/index.php/other-links/16-city-clerk-latest/413-splash-pad>

Admission: \$2 per person

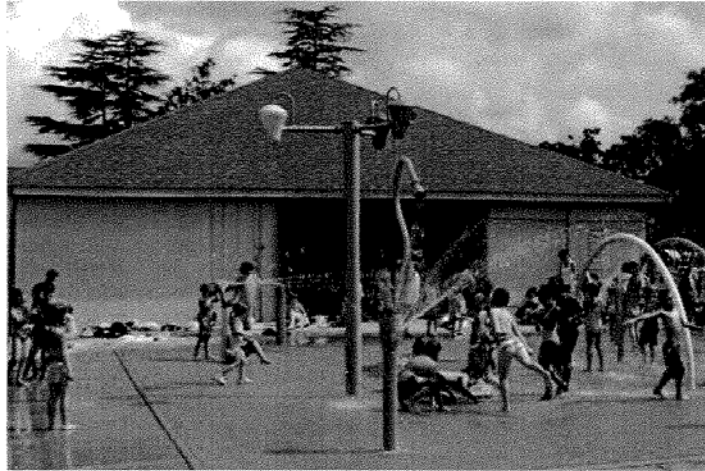
The Dalton Community Center became part of the Dalton Parks and Recreation Department in 1966 and underwent renovations in September of 2008 and in January of 2012. As part of the redevelopment process, a series of public meetings were held during which the community ultimately opted to build a splash pad instead of renovating an existing pool. The splash pad was paid for using general funds, and bids for the splash pad and adjacent playground were capped at \$725K.

The splash pad is publicly owned and operated. A city employee who works inside the community center is responsible for opening and closing the splash pad each day and collecting admission fees; water quality is checked by a different city employee who is also responsible for maintenance; and 1-2 certified life guards on duty supervise use of the splash pad. Although the City is not required to have life guards on duty, they have chosen to station them there for public safety.

The splash gives residents an alternate outdoor aquatic activity other than going to a pool, which is especially important for children who do not swim. It has also become a popular site for special events like birthday parties. The proximity of the splash pad to the community center gives the public easy access to rest rooms, changing rooms, and concessions inside the Center. The public employees interviewed for this report were extremely satisfied with the new splash pad; they anticipate that the new facility will be profitable even though revenue generation was not a goal for the new development. In retrospect, they would have issued two separate RFP's for the splash pad and the adjacent playground, and made the splash pad even larger. Discussions are already underway to strategize how best to keep the splash pad relevant for regular visitors.

Southern Pine Splash Pad – Dublin, GA

Laurens County



Source: <http://www.dlcra.org/news/splash-pad>

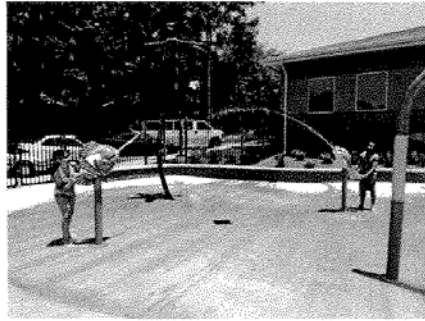
Admission: \$1 per child, \$100/2 hour rental fee

The Southern Pine Splash Pad is located at the Southern Pines Regional Park, in Dublin, Ga. It is managed by the Dublin-Laurens County Recreation Authority. The impetus for the splash pad came after the Recreational Authority had to close down three swimming pools after running them for many years at a loss. The county faced rising costs because of lack of use of swimming pools and the cost of renovation. As such, there was little opposition to closing down the swimming pools. After visiting several splash pads, it was decided that citizens needed a place where children could play in the water without having the risk of drowning.

The splash pad was constructed on land that already belonged to the county, and funded using a SPLOST, which passed with much public support. The complete cost of the project (including a picnic shelter) was \$300,000, while the splash pad itself cost \$175,000. Much of the success of the splash pad is due to its central location, ease of maintenance, and low running costs. Electricity costs are very low because of the use of solar panels to power the splash pad system, and most of the water is recycled. Since running costs are low, the county makes a small profit by operating the splash pad.

Athens, GA Splash Pads

Clarke County



Source: <http://www.athensclarkecounty.com/index.aspx?NID=5431>

Admission: \$1 per person inside fenced-in area

The Athens-Clarke County Leisure Services Department recently opened two new splash pads in East Athens Community Park and Rocksprings Park. The initial idea for the splash pads emerged during community planning sessions leading up to passage of a recent SPLOST.

The splash pad is managed by the Department of Leisure Services. Public employees take care of basic maintenance on a daily basis; a different public employee collects admission fees and monitors both the water quality and safe use of the splash pad by the public. After benchmarking the operation of similar facilities in Roswell, GA, the county decided not to post certified life guards on duty.

The splash pads had only been open a couple of months at the time of the interviews, but had already proven very popular with individual residents and group fieldtrips and parties; the East Athens Community Park splash pad receives approximately 300 visitors each day. The public employees interviewed for this report credit some of this popularity to the design and layout of the splash pad itself and the other facilities located in close proximity; the splash pad is located next to a pavilion with picnic tables, a playground, and an assortment of adult fitness equipment. This arrangement makes it easy for families to come to the park and spend time together while enjoying a variety of activities.

Among the challenges mentioned by the interviewees was the steep learning curve in operating a new filtration system and some of the other equipment. In retrospect they believe it would have been beneficial to extend the trial operation period to a full month prior to the public opening.

Splash Pad at Wills Park Pool – Alpharetta, GA

Fulton County



Source: <http://www.alpharetta.ga.us/index.php?p=215>

Admission: Free with pool admission, which is \$3 per person, \$1 for senior citizens (50 and older), free for kids 3 years and younger.

The original idea for the splash pad came from Jodie Gilfillan, a Recreation Supervisor with the City of Alpharetta. The baby pool at Wills Park Pool had become outdated, which prompted Gilfillan to think about alternative ways to serve the pre-swim population. After discussing the idea of a splash pad with colleagues, Gilfillan approached the City's grant administrator and asked her to keep an eye out for possible funding sources. In the end, the City applied for and received a \$100K matching grant from the Federal Land Water Conservation Fund Program that paid for development of the new splash pad.

It made the most sense to manage the splash pad in-house because it is located within the fenced-in pool area managed by Wills Park Pool staff. Initially, a designated life guard was placed on duty to supervise the splash pad, but now the life guard stationed at the shallow end of the pool supervises the splash pad as well.

The splash pad has been a successful addition to the Wills Park Pool facility; the baby pool was hardly utilized in the past, while the splash pad has attracted people to the pool. It also serves the 3-6 year-old population that could not use the old baby pool, and as a result, the facility has seen increased family participation. All of the splash pad equipment is manufactured by Vortex, which makes it easy to switch, move, and install new above-ground features. The splash pad also has a Bollard activator which turns the water features on when a user pushes a button and then automatically shuts them off after 15 minutes. This makes the splash pad more interactive for kids and reduces water waste when the splash pad is not being used.

In retrospect, it would have been better to get flooring that was not painted sand because it causes more abrasions when children fall. Different flooring is available and would have made for an even better experience for users.

Alachua, FL Splash Pad

Alachua County



Source: <http://cityofalachua.com/index.php/photo-gallery/42-splash-park/detail/1626-water-park-7#>

Admission: \$0

The Alachua Splash pad has a capacity of 30 users, and is located in the City of Alachua, Florida. It was built in 2008 at a cost of \$145,000. After running swimming pools at a loss for quite some time, the city's recreational authority decided to build a less expensive, kid-friendly alternative. The splash pad was funded through a combination of City and County funds, as well as a state grant (Florida Recreation Development Assistance Program).

The splash pad is managed by the city, but serves as a recreational activity for the entire county. Because of high demand, the city keeps the splash pad open 7 days a week from 9 am to 6 pm, and is currently expanding the splash pad's capacity. Since the city does not charge for admission to the splash pad, costs are recuperated through rental fees for private parties (\$3000 per year). Thus, the splash pad revenues and expenditures break even, making it a continued success.

Initially, the city struggled with managing the splash pad's system because of debris and foreign particulates clogging the motor, causing it to malfunction and overheat. After a trial and error process of burning a few motors and replacing many filters, the city manager figured out how to run the system efficiently. The recreational authority found that placing the splash pad system in a cemented and shaded area away from trees and grass would have avoided much of their initial operational woes.

Savannah, GA

Chatham County



Admission: \$0

The Savannah Splash pad is located in Ellis Square Park, and is unlike the other splash pads within this study. As part of a comprehensive downtown revitalization plan, an existing parking structure was razed and rebuilt as an underground parking structure with a public park on top. Because this splash pad was part of a much larger downtown development project, it makes for a unique case study. The splash pad is heavily used by tourists and Savannah-area residents as well.

Work on the project started in 2005, while the actual splash pad was developed between April 2009 and November 2010. The park project cost \$2.3 million and was financed using a SPLOST. Exact figures for only the splash pad are difficult to come by since it was part of a larger project. Unlike other splash pads within this study, this splash pad is located in the downtown of a fairly large metropolitan area. As such, the splash pad is not the only draw for residents, and the city does not charge special reservation fees to offset costs of running the splash pad. Additionally, unlike other projects within this report, the splash pad was not developed as a result of closing down public swimming pools.

Water quality is managed by staff from the Savannah Buildings & Grounds Department, while mechanical and electrical components of the splash pads are managed by the Savannah Park and Tree Department. Managing the splash pad is a high maintenance affair, with high replacement, refurbishment and cleaning costs of water jets and other equipment.

Background information on the Ellis Square Park project can be found at the following link:
<http://savannahga.gov/Facilities/Facility/Details/Ellis-Square-174>

10

Best Practices & Lessons Learned

Development

- Clearly define the goals of the project (i.e. public health, revenue generation, community asset, etc.) and frame public discussions, budget numbers and designs in terms of stated goals.
- Consider various options for funding initial development (SPLOST revenue, general funds, grants, etc.).
- Design the splash pad so that capacity aligns with projected use and revenue goals. Bear in mind that most of the communities interviewed for this project cap users at a much lower number than the official capacity of their splash pad for safety.
- Ensure access issues such as parking are considered early in the design process.
- Plan for expansion and new features (i.e. install more ground sprays than will initially be used and buy water features that can be replaced or exchanged).
- Explore opportunities to develop splash pads in close proximity to other public amenities such as parks, pools, picnic areas and community centers.
- Ensure adequate seating in shaded areas for adults supervising splash pad users.
- Install mechanical and electrical equipment on concrete surfaces and insulated from dust and dirt.

Management

- Provide adequate time to pilot operation of the splash pad before opening it to the public.
- Evaluate options for supervision of the splash pad, either through a certified pool operator or city staff.
- Develop a plan for general maintenance that captures economies of scale by using staff from other municipal and county departments.
- Set aside a percentage of splash pad revenue to pay for maintenance, regular upgrades and expansions.
- Allow private rentals of the facility for special events to increase revenue.
- Designate specific times or spaces for different age groups to maintain a safe atmosphere.
- Foster continued interest in splash pad by changing spray pattern, swapping out water features and adding lights and sound.

APPENDICES

General Comparison of Public Splash Pads

Information presented in order to compare admission fees, features, and location of publicly owned and operated splash pads.

Splash Pad	County Population	County Median Household Income	Admission Fee	Funding Method	Construction Costs	Annual Revenue (approx.)	Average Number of Visitors	No. of Employees	Facility Capacity (approx.)
Americus, GA Splash Pad (Sumter County)	32,819	\$32,430	\$3 with \$5 membership, \$125/hr rental	SPLOST	\$246K	Break-even	1400 yearly	1	75
Dalton, GA Splish Pad (Whitfield County)	103,359	\$42,379	\$2 per person	General Funds	\$725K including adjacent playground	N/A (recently opened)	N/A	3 (2 of whom have other duties in the Community Center)	100 but cap at 85
Southern Pine Splash Pad – Dublin, GA (Laurens County)	48,434	\$38,280	\$1 per child, \$100/2 hr rental fee	SPLOST	\$175K	Break-even	4000-5000 yearly	1	100
Athens, GA Splash Pads (Clarke County)	120,266	\$34,151	\$1 per person	SPLOST	N/A	N/A (recently opened)	300	2	N/A
Splash Pad at Willis Park Pool – Alpharetta, GA (Fulton County)	977,773	\$57,582	\$3 per person, \$1 for senior citizens (50 and older), free for kids 3 years and younger	Federal matching grant; General funds	\$214K	N/A (recently opened)	450	1	35
Alachua, FL Splash Pad (Alachua County)	247,336	\$41,373*	0	City, County & State Grant	\$145K	\$3,000	N/A	1	30
Savannah, GA Splash Pad (Chatham County)	271,544	\$44,928	0	SPLOST	N/A	0	N/A	N/A	N/A

Note: All figures are based on the 2010 Census, unless otherwise noted *Source U.S. Census Bureau: State and County Quick Facts

Americus, GA Splash Pad

Sumter County

1. To start with, would you please confirm your name, title, phone number and e-mail in case I have any follow up questions?

Tim Estes

Director

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2. How did plans for the splash pad initially develop? What was the initial impetus for the city/county to develop a splash pad (e.g. citizen or government official proposed the idea, approached by private developer)?

A splash pad was included in the 2007 Master plan. At that time we were an authority funded by city. The citizens of the county wanted a splash pad/aquatic area which didn't have drowning risks associated with it.

3. How do you manage the splash pad (in-house, private contractor, etc.)? What factors did you consider when you were deciding on this approach? How have you addressed the liability inherent in running a splash pad?

The splash pad is managed by the county department. We really haven't considered contracting out management because we already had a certified pool operator so it was easy to transition that position to operating the splash pad.

There really aren't any liability issues in operating the splash pad. Nevertheless, we addressed any liability issues by designing all the above ground features of the splash pad to be accessible mainly for children between the ages of 3 and 8.

4. Looking back, what would you say were your greatest successes in developing and managing a splash pad? Is there anything that caught you off guard or that you would have done differently in retrospect?

Our location at the columns at the Boone Park Community Center is really central to the citizens and really helps with the splash pad's popularity. Also the facility has been designed so that users have to come through the building to go to the splash pad. That way we keep track of the number of people entering and exiting.

Moreover, the cost of operating the splash pad is very minimal. Since the splash pad has very little standing water, there is no risk of drowning, and as such we don't have to hire a life guard, but we still do during the peak summer time.

Our operating costs are low because we can run the facility with just one person, on minimum wage. Also, the cost of utilities (electricity and water) is very low since water is mostly recycled into a 500 gallon tank under the splash pad.

In hindsight we would have constructed more shaded areas, especially for parents watching their kids play.

5. **What strategies did you use to finance the development of the splash pad? What were the original start-up capital costs and how was the project financed? Did you already have land for the splash pad or did you have to acquire some?**

We used a SPLOST to fund the construction, which was budgeted at a cost of \$250,000. Since the splash pad was being built on park land, there was no cost associated with acquiring land for construction. It turned out that we had over-budgeted \$4000, so the construction actually cost around \$246,000. The balance \$4000 went back to the SPLOST administration. SPLOSTs have been successful in this community, and this was the third SPLOST which was passed.

6. **If possible, please give me a sense of revenues and expenses for the splash pad for the past few years. Are you satisfied with the return on investment? Why or why not?**

During the first year, our operating cost was \$2500, and our revenues were about \$4000, which were captured mostly during the summer. But recently, the public works department installed new water meters that measure water usage using satellites and the cost of the new meters has been passed down to customers, including us. So, we are currently breaking even.

7. **What has the public's reaction been throughout the process?**

The public supported us wholeheartedly throughout the whole process. The area of town where we were building the splash pad wasn't well developed, so the splash pad acted as a catalyst for economic development in the surrounding area.

Follow-up Questions

1. **What is the current capacity of the Splash Pad?**

Our current capacity for the SPLASH PAD is 75 persons.

2. **When did construction for the splash pad begin and end?**

The construction began in December 2008 and opened in June 2009.

3. **In your estimation, how many people use the splash pad within a given year?**

Our annual usage averages 1,400 people (Memorial Day – Labor Day).

4. **What was the name of the recreation authority before it became a county authority?**

Formerly Americus-Sumter County Parks & Recreation Authority / Currently: Sumter County Parks and Recreation Department.

5. **You indicated that the splash pad was included in the 2007 Master Plan. Was this a city master plan or a county master plan?**

This was a Master plan conducted & funded by the Americus-Sumter County Parks & Recreation Authority

6. Was there a public debate about building a splash pad?

There were public hearings regarding all SPLOST projects. We had no debate or opposition to the SPLASH Pad.

Dalton, GA Splash Pad

Whitfield County

1. To start with, would you please confirm your name, title, phone number and e-mail in case I have any follow up questions?

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Community Center Manager
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Note: Mr. Card has city-wide responsibilities and was more intimately involved in the development of the splash pad in the Parks and Recreation Department while Mr. Pinson is better positioned to speak to the daily operations of the splash pad in Dalton.

2. How did plans for the splash pad initially develop? What was the initial impetus for the city/county to develop a water park (e.g. citizen or government official proposed the idea, approached by private developer)?

The City previously owned and operated a pool but it was in bad need of repairs. As part of the process of developing community needs and preferences for recreational services a series of public meetings were held to decide what to do about the old pool. Over the course of these public meetings, the community opted to build a splash pad rather than renovate the pool. The proximity of the splash pad to the community center works very well because the public has easy access to rest rooms, changing rooms and concessions inside of this facility.

3. How do you manage the splash pad (in-house, private contractor, etc.)? What factors did you consider when you were deciding on this approach? How have you addressed the liability inherent in running a splash pad?

We manage the splash pad in-house. To my knowledge there was no real discussion about contracting out these services. I am a full-time city employee and I manage the splash pad and the community center located just next to the splash pad. One of my staff members who works inside the Center is responsible for opening and closing the splash pad each day and collecting admission fees. The splash pad water chemistry is checked by a different city employee who is also responsible for maintenance. Finally we have 1-2 certified life guards on duty to supervise use of the splash pad. Even though the splash pad is zero-depth and we are not required to have life guards on duty we have chosen to station them there for public safety. All of the employees that I just mentioned including myself are part of the Parks and Recreation Department.

The splash pad is covered under the City of Dalton's liability policy.

4. **Looking back, what would you say were your greatest successes in developing and managing a splash pad? Is there anything that caught you off guard or that you would have done differently in retrospect?**

Successes: Our residents now have another option for outdoor aquatic fun other than going to a pool. This is great, especially for kids who don't swim. The splash pad had also been a popular site for special events like birthday parties.

Challenges: In retrospect I think we actually should have made the splash pad even bigger. Technically our capacity is 100 but we cap it at 85 people because we want to be able to see what is happening inside of the splash pad. We meet this capacity at least 3-4 times each week. I also wish that we would have added more water features to the pad.

5. **What strategies did you use to finance the development of the splash pad? What were the original start-up capital costs and how was the project financed? Did you already have land for the splash pad or did you have to acquire some?**

This is a question that Steve Card, the Director of the City of Dalton Parks and Recreation Department, would be better equipped to answer.

6. **If possible, please give me a sense of revenues and expenses for the splash pad for the past few years. Are you satisfied with the return on investment? Why or why not?**

Personnel and chemical costs are pretty much our only expenses. We use the same chemicals as we would to treat a pool. Steve Card would be able to give you a better sense of exact figures. I will say that when the splash pad was first built we were hoping that we would break even, but it has actually generated some revenue for the City.

7. **What has the public's reaction been throughout the process?**

The public's reaction to the splash pad has been very positive from the moment the splash pad first opened. We have people come in to Dalton from all over the county and even from neighboring counties to use the splash pad. The only kind of complaint that I have heard is that we should have done this sooner.

1. To start with, would you please confirm your name, title, phone number and e-mail in case I have any follow up questions?

Steve Card
Director
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Note: Mr. Card has city-wide responsibilities and was more intimately involved in the development of the splash pad in the Parks and Recreation Department while Mr. Pinson is better positioned to speak to the daily operations of the splash pad in Dalton.

2. How did plans for the splash pad initially develop? What was the initial impetus for the city/county to develop a splash pad (e.g. citizen or government official proposed the idea, approached by private developer)?

Several years ago the Parks and Recreation Department facilitated a series of strategic planning meetings with citizens from Dalton to determine how best to use tax payer funds earmarked for renovations to an existing community center to meet the needs of residents. The Dalton Community Center was originally established in 1954 by a group of citizens, and became part of Parks & Rec in 1966.

The community discussion originally focused on building a new pool, but we also shared information about splash pads. Once the public became aware of the difference in cost of operating a splash pad as opposed to a pool, the splash pad became the more attractive option. We then presented some options and got input from the public on the type of water features that might be included in the splash pad. From there we hired an Architect to begin to formalize ideas and produce the renderings that ultimately sold the public on the concept of a playground and splash pad as opposed to a pool.

The Center underwent renovations in September of 2008 and in January of 2012 it reopened operations in a completely new facility. This new facility provides space for recreation as well as community collaborations and features two full sized air-conditioned gymnasiums, a 1/8 mile indoor walking track, a soccer/football complex with synthetic turf, a state of the art computer lab, weight room, aerobics room, numerous dance classes, arts and crafts studios, meeting rooms, picnic shelters, a playground, and a splash pad for children. It also houses a Walk-In Health Clinic and a satellite WIC (Women, Infants and Children) Center. The Art's Guild, North Georgia Regional Library, Dalton Police Dept., Dalton State College, and other organizations offer services at this facility.

3. How do you manage the splash pad (in-house, private contractor, etc.)? What factors did you consider when you were deciding on this approach? How have you addressed the liability inherent in running a splash pad?

There was never really any conversation about contracting out the operation of the splash pad because it was designed to be part of the community center, and because of the type of certification we felt personnel would need in order to ensure public safety. We also wanted to maintain control of the decision of whether or not to close the splash pad in inclement weather.

Although we are not required to staff our splash pads with life guards, we prefer to do so for the time being. It is still less expensive to operate a splash pad with life guards than it is to operate a pool since a pool may require 4-8 life guards but a splash pad the size of ours only needs 1-2. Having certified life guards on hand is just good for managing and staffing the splash pad, although we may go a different direction in the future.

4. Looking back, what would you say were your greatest successes in developing and managing a splash pad? Is there anything that caught you off guard or that you would have done differently in retrospect?

In terms of successes, the splash pad hasn't even been open for an entire summer yet but never the less the response from local citizens and the increase in local tourism has been huge. It is a new and exciting activity for parents and kids, and because of the way that it was designed and the water features we chose to include in the plan it can cater to many different age groups (from toddlers to teens). The splash pad has also become very popular for party rentals.

In terms of challenges, I think something that we will need to grapple with in the future is figuring out strategies to keep the pad relevant to users who come on a regular basis; as people come more frequently they will probably want more or different water features. We have already started to think about this including how to provide seating for people who are supervising kids and need to sit and watch. We also found that while the capacity of the splash pad is technically 100, in reality, we want to cap it at 85 based on the space we have allocated for the different features.

5. What strategies did you use to finance the development of the splash pad? What were the original start-up capital costs and how was the project financed? Did you already have land for the park or did you have to acquire some?

All of the monies used to build out the splash pad came from general funds; they were not SPLOST revenue. It is actually difficult for me to come up with exact costs for the splash pad in isolation because it was included in the larger community center build out. The cap for the playground and splash pad request for proposal cost was set at \$725K. I will say that one thing we would do differently in regards to the build-out process is the request for proposal (RFP) process; we chose to lump together the playground and the splash pad but they actually require two different kinds of expertise, so in the future I would separate the two RFP's.

6. If possible, please give me a sense of revenues and expenses for the pad for the past few years. Are you satisfied with the return on investment? Why or why not?

We charge a \$2 admission fee per person and I would estimate that last year we grossed \$7000 in 5 weeks, and in the five weeks the pad has been open this this year we have grossed about \$3500. These figures are difficult to compare because we have had so much rain this year. Overall we expect that the splash pad will be a revenue generator; this was not a goal, but is a bonus.

Most of our expenditures have to do with personnel as opposed to operational costs. Materials cost are about 10% what they would be if we were operating a pool (approximately \$500-700). If you check back in with my in October I should have a much better estimate of both revenue and expenses.

7. What has the public's reaction been throughout the process?

See Question 4

Southern Pine Splash Pad – Dublin, GA

Laurens County

1. **To start with, would you please confirm your name, title, phone number and e-mail in case I have any follow up questions?**

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2. **How did plans for the splash pad initially develop? What was the initial impetus for the city/county to develop a splash pad (e.g. citizen or government official proposed the idea, approached by private developer)?**

We talked about the need of having a recreation facility with water. We didn't want a swimming pool, because we already closed a few due to rising maintenance costs, liability issues, and personnel issues which made pools less profitable.

3. **How do you manage the splash pad (in-house, private contractor, etc.)? What factors did you consider when you were deciding on this approach? How have you addressed the liability inherent in running a splash pad?**

We manage the splash pad in house, and didn't really think about contracting out because the splash pad is very simple to operate, needing very little supervision. We hire one person to supervise it. Also, there aren't many liability issues involved with running the splash pad. The system has a failsafe, which cuts off water when it reaches a certain level. Our splash pad system is designed by Vortex which we felt was the best manufacturer. Everything is made of stainless steel, which unlike fiberglass, does not wear out and disintegrate.

4. **Looking back, what would you say were your greatest successes in developing and managing a splash pad? Is there anything that caught you off guard or that you would have done differently in retrospect?**

Whenever you undertake a project, there are always things you could have done differently. We built the splash pad in-house and hired some sub-contractors to do the works, and things turned out well. Our building turned out to be larger than anticipated, but we currently use it as a picnic shelter.

The designer did not allow enough square footage in the splash pad, so water would spill out. So, we solved to problem by building pavement, which brings back excess water to the splash pad.

5. **What strategies did you use to finance the development of the splash pad? What were the original start-up capital costs and how was the project financed? Did you already have land for the splash pad or did you have to acquire some?**

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We used a SPLOST, which was passed with good support from the community. The complete cost of the project was \$300,000, but the picnic shelter was a large portion of that. The splash pad itself cost \$175,000. We had to add another 60 yards to have compliance with federal money. The land belonged to the county so we didn't have to purchase any land.

6. If possible, please give me a sense of revenues and expenses for the splash pad for the past few years. Are you satisfied with the return on investment? Why or why not?

We currently are at break even, and sometimes make a little profit. A German solar company moved in and we used their solar panels to power the splash pad. Thus we spend about 80% less on electricity costs. The splash pad is a very seasonal facility and we have more people that come in during the summer. We open in April and close on Labor Day. I am very satisfied with return on investment.

7. What has the public's reaction been throughout the process?

The splash pad has turned out to be quite popular in the community. It has met our expectations, and has done a lot for the community. Since we closed down three swimming pools because of liability issues/maintenance issues, we had to build something else. Some citizens do want swimming pools, but pools are big items early in the summer season and their attendance dwindles down, making them expensive to run.

Follow-up Questions

1. What is the current capacity of the Splash Pad?

Approximately 100

2. When did construction for the splash pad begin and end?

June 2009 - Completed August 2009

3. In your estimation, how many people use the splash pad within a given year?

4000 to 5000

4. How many swimming pools were closed before the splash pad was constructed?

3

5. If possible, could you give me a sense of the revenues and expenses of the splash pad?

Does the splash pad make profit, loss or break-even?

Makes small profit after expenses

6. Was there a public debate about closing the swimming pools and building a splash pad? Where did the original idea for the splash pad come from?

Pretty much lack of use plus cost of updating and renovations - there was really no public debate -we provided swimming lessons for several years at a rented facility. We

had heard of splash pads and went to visit several - liked what we saw & heard and began the concept of developing.

Athens, GA Splash Pads

Clarke County

1. To start with, would you please confirm your name, title, phone number and e-mail in case I have any follow up questions?

Ben Nyquist

Athens-Clarke County Leisure Services Department

Safety & Aquatics Specialist

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Note: Mr. Nyquist manages the two public splash pads while Mr. Jones manages East Athens Community Park where one of the splash pads is located.

2. How did plans for the splash pad initially develop? What was the initial impetus for the city/county to develop a water park (e.g. citizen or government official proposed the idea, approached by private developer)?

The plan was actually already in place before I came on board, so I was not involved in the selection of the features or the development of the design. I am also unsure as to where the idea originally came from. I believe that the basic concept was developed and the specific features to be included in the design before the project was put out for bid.

3. How do you manage the splash pad (in-house, private contractor, etc.)? What factors did you consider when you were deciding on this approach? How have you addressed the liability inherent in running a splash pad?

The splash pad is managed in-house (Department of Leisure Services) by myself and a number of other staff including our Certified Pool Operators. I don't believe that there was much discussion about contracting out splash pad operations because the Department already had five certified pool operators on staff, so there was no need. Every day we wash down the splash pad, check the filters and the chemistry, and do any necessary maintenance before opening it up to the public. We also have staff stationed next to the splash pads in order to collect the admission fee and monitor both the water chemistry and the safe usage of the splash pad by the public. We charge \$1 a person for anyone entering the gated area surrounding the splash pad.

In terms of managing liability, we have clear rules based on the Health Department guidelines. We have signage that articulates these rules, for example requiring children to wear swim diapers, etc. We do not require adult supervision of small children but we strongly encourage it, for example we will talk to parents of 2-3 year-old children and suggest that they go in the gated area with their children. I am not sure, but I would assume that the splash pad is covered by the ACC Unified Government's liability policy. We do not have certified life guards on duty. Before the splash pad opened I spoke with

Roswell and benchmarked their services, and we have followed their model of not using certified life guards to monitor public use of the splash pads.

4. **Looking back, what would you say were your greatest successes in developing and managing a splash pad? Is there anything that caught you off guard or that you would have done differently in retrospect?**

Successes: We only opened the splash pads this summer, but already their greatest success has been their popularity. Our attendance numbers have consistently surpassed attendance at our public pools. I think this popularity has a lot to do with the design and layout of the splash pad itself and the other facilities located in close proximity; the splash pad is located next to a pavilion with picnic tables, a playground, and an assortment of adult fitness equipment. This arrangement makes it easy for families to come to the park and spend time together while enjoying a variety of activities.

Challenges: In Athens, the public pools are older, so this is the first time that our staff is working with some of the newer filtration systems and other equipment. There has been a learning curve. Although we started operating the splash pad two weeks before it opened to the public to make sure that we were familiar with the equipment, in retrospect it would have been beneficial to extend this trial period to a full month prior to the public opening.

5. **What strategies did you use to finance the development of the splash pad? What were the original start-up capital costs and how was the project financed? Did you already have land for the pad or did you have to acquire some?**

The development of the splash pad was paid for entirely through SPLOST funds. I am unfamiliar with the exact cost of the build-out. Since this is our first summer in operation, we will not know our average operational costs until summer or later.

6. **If possible, please give me a sense of revenues and expenses for the splash pad for the past few years. Are you satisfied with the return on investment? Why or why not?**

As I mentioned earlier, we charge \$1 per person to enter the gated area around the splash pad. Since it has opened we have been averaging about 300 visitors per day where the weather is nice. We have already had birthday parties at the site, but we have not rolled out birthday packages yet. This means that people rent the pavilion and pay the regular admission for their guests. We hope to actually have birthday packages in the future.

7. **What has the public's reaction been throughout the process?**

People rave about the splash pad. We have a Facebook page and people are always commenting on how nice the facility is. We have even had people from North Carolina comment on the page and say that it was worth the trip down to Athens. There has not been much negativity if any.

1. To start with, would you please confirm your name, title, phone number and e-mail in case I have any follow up questions?

Will Jones

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Program Specialist

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Note: Mr. Nyquist manages the two public splash pads while Mr. Jones manages East Athens Community Park where one of the splash pads is located.

2. How did plans for the splash pad initially develop? What was the initial impetus for the city/county to develop a splash pad (e.g. citizen or government official proposed the idea, approached by private developer)?

The process the Athens-Clarke County (ACC) Unified Government typically uses to identify and select SPLOST projects is to hold a series of public meetings where community members can weigh in on potential projects. In this case, the Leisure Services Department worked with the SPLOST Administrator to identify potential projects and facilitate the public meetings. Over the course of a series of meetings the public was asked to prioritize projects and the idea for splash pads in public parks was one of the ideas that one out.

East Athens Community Park opened eight years ago. The original acquisition of the land and development of the sports fields was the first phase of the SPLOST-funded work in the park. We are currently in the second phase of the SPLOST-funded work in the park which included the development of the splash pads, playgrounds and shelter. I am actually not sure how many more phases of SPLOST-funded projects in the park there will be, but that is what we have done so far.

3. How do you manage the splash pad (in-house, private contractor, etc.)? What factors did you consider when you were deciding on this approach? How have you addressed the liability inherent in running a splash pad?

All of the design and construction for the park project was bid out but the management has always been in-house. As the various projects described above were completed and handed over to ACC Government, they have come under local government's liability policy.

4. Looking back, what would you say were your greatest successes in developing and managing a splash pad? Is there anything that caught you off guard or that you would have done differently in retrospect?

Successes: Public appreciation for the park has been the greatest success. We have people coming out every day to utilize the facility.

Challenges: There are moving parts in the splash pad and we had a few glitches with these parts as well as water chemistry when we first opened. This is our first year of operation so we're still learning what to look out for in order to trouble shoot; we're trying to keep good information so we can manage the splash pad even better in following years.

5. **What strategies did you use to finance the development of the splash pad? What were the original start-up capital costs and how was the project financed? Did you already have land for the pad or did you have to acquire some?**
All of the facilities that I have been describing were developed using SPLOST funds. During phase one of the development of the East Athens Community Park, local government purchased the land for the park.
6. **If possible, please give me a sense of revenues and expenses for the splash pad for the past few years. Are you satisfied with the return on investment? Why or why not?**
Ben is better positioned to answer this question.
7. **What has the public's reaction been throughout the process?**
They love it. This is June 4th and there have already been 51 birthday parties in the pavilion since the splash pad opened earlier this summer. The combination of the playground, shelter, and splash pad has been very well received in the community.

Splash Pad at Wills Park Pool – Alpharetta, GA

Fulton County

1. To start with, would you please confirm your name, title, phone number and e-mail in case I have any follow up questions?

Jodie Gilfillan
Recreation Supervisor
Recreation and Parks Department
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2. How did plans for the splash pad initially develop? What was the initial impetus for the city/county to develop a water park (e.g. citizen or government official proposed the idea, approached by private developer)?

Actually the idea for the splash pad originally came from me. We used to have a baby pool at one of our sites, and with the new ADA laws we were going to have to install a lift or a ramp in the pool. This issue prompted me to start to think about alternative solutions, and I came up with the idea of installing a splash pad on the site of the old baby pool. At that point I reached out to the City's grant administrator and asked her to keep an eye out for possible funding sources for this type of project.

3. How do you manage the splash pad (in-house, private contractor, etc.)? What factors did you consider when you were deciding on this approach? How have you addressed the liability inherent in running a water park?

From the get go we knew we wanted to manage the splash pad in-house because it is located within the fenced-in pool area managed by our staff. There was really no discussion of contracting out management of the facility to someone else.

The splash pad is covered by City's umbrella insurance policy. We actually did have a designated life guard on duty to supervise the splash pad when we first opened this summer, but we phased this out over time. We are not worried about drowning because there is no standing water. Most injuries are scrapes from people falling down on the ground. We came to realization that we don't need someone watching the splash pad constantly; we have a life guard stationed at the shallow end of the pool that keeps an eye on the splash pad as well.

4. Looking back, what would you say were your greatest successes in developing and managing a splash pad? Is there anything that caught you off guard or that you would have done differently in retrospect?

Successes: The splash pad has been a great addition to our aquatic facility; the baby pool hardly utilized in the past, while the splash pad has actually attracted people to the

pool. People driving by can see the splash pad from road; they come in to our facility for the first time and end up purchasing a pool pass for the season.

The splash pad also serves a population that was not being well served in the past; the shallow end of our pool is 4 feet deep so participation is really limited for 3-6 year-old kids who can't yet touch the bottom of the pool. In the past these kids also didn't want to use the baby pool because they are not babies anymore. Because the splash pad caters to this age group, we have seen more family participation than in the past. In fact, sales of pool passes have doubled.

We were also smart when we were deciding how we wanted to build our splash pad; we made sure that we had the capacity to add two more features when we had more disposable funds in the future, and are now planning to add two water cannons before the end of the summer. All of our equipment is Vortex so we can switch it out, move it around, purchase new features, etc. We also have a Bollard activator which turns the water features on when a user pushes a button and then automatically shuts them off after 15 minutes. This makes the splash pad more interactive for kids, and saves us money when no one is using the pad. We also have a system that automatically shuts down the splash pad during swim lessons and at the end of the day.

Challenges: In retrospect, I wish that we could have gotten flooring that was not painted sand because it does cut you if you fall. Different flooring is available and would make a difference.

5. **What strategies did you use to finance the development of the splash pad? What were the original start-up capital costs and how was the project financed? Did you already have land for the pad or did you have to acquire some?**

We researched grants to pay for the splash pad. In the end we applied for and received a \$100K matching grant from the Federal Land Water Conservation Fund Program. Our grant administrator found other ones too but we selected this one because it required less paperwork on the backend, and we had gotten this same grant about 15 years ago and had a good experience then.

During the bidding process we made it clear that the project could not cost more than \$200K, and we asked bidders to show us what they could do for that price tag. The City already owned the 2000 ft² designated for the splash pad, and we knew that we wanted a pump house as part of the build out, but other than that we were open. We did ultimately end up going over budget by about \$14K because we encountered some drainage and fencing issues.

6. **If possible, please give me a sense of revenues and expenses for the splash pad for the past few years. Are you satisfied with the return on investment? Why or why not?**

Our expenses for the splash pad are much less than they were for the baby pool because it takes about a quarter of the chlorine. We kept the same personnel as before because we built the splash pad inside of an existing aquatic facility.

We have sold a lot more passes. Just as an example, last year we sold 35 thirty day passes, and this season we have already sold 91. Also, the season has been rainy so I can't imagine what it will be like in future.

7. What has the public's reaction been throughout the process?

The splash pad has been very popular. Our Director and others have all complimented us on this idea and its implementation. I have also had about three other communities contact me to get advice about companies who build splash pads. It actually makes our entire pool area look more open and bright because we were able to remove the sun awning that used to hang over the baby pool. I really can't think of any negative comments besides some parents complaining that we should warn kids about wearing shoes. I think we need to think about doing another stand-alone splash pad in one of our parks. We also have had dog owners ask about putting a splash pad one in one of our dog park.

For my own professional growth this has also been a wonderful experience. This was the first time I was part of a grant application process from beginning to end, as well as my first experience putting a project out for bid, and it has been a fantastic learning experience for me. The build out was incredibly fast; we had a 90 day construction period with about 20 days of rain.

Alachua, FL Splash Pad

Alachua County

1. To start with, would you please confirm your name, title, phone number and e-mail in case I have any follow up questions?

Hal Brady
Recreation Director
City of Alachua, FL
hbrady@cityofalachua.com
(386) 462-1610

2. How did plans for the splash pad initially develop? What was the initial impetus for the city/county to develop a splash pad (e.g. citizen or government official proposed the idea, approached by private developer)?

About five years ago we were debating about what to do with the swimming pool, since we couldn't afford to maintain it with rising maintenance costs. We decided that a splash pad was a less expensive, kid friendly alternative.

3. How do you manage the splash pad (in-house, private contractor, etc.)? What factors did you consider when you were deciding on this approach? How have you addressed the liability inherent in running a splash pad?

We really didn't consider contracting out since we already had someone that could look after the splash pad on a daily basis. If anything goes wrong, we have two people that know how to fix things. There is very little liability in running the splash pad since there is no risk of drowning. We also wash the surface daily, to reduce slipperiness, and to make it a healthy environment.

4. Looking back, what would you say were your greatest successes in developing and managing a splash pad? Is there anything that caught you off guard or that you would have done differently in retrospect?

It's a mistake to think that the system will run all by itself and we've found that running a splash pad is as time-consuming as running a swimming pool. It took us a while to figure out how to run the splash pad system efficiently. But things were good once we learned how to do it. We found that debris can be a big problem, especially if the motor is close to sand, trees or even grass. In the beginning we went through a lot of filters and were burning up motors. We would have to constantly clean filters because of debris getting into the system. In hindsight, we should have constructed the system on a cemented platform, away from trees, under shade, so it does not over heat. The system has an automatic display which shows you the chlorine levels and other information, which helps is monitor the system.

We've seen that alternating two groups of kids, 5 and below, and 6 and up, keeps the splash pad in good shape. Also, pre-schools that can't afford insurance for swimming pools can come in groups to use the splash pad without insurance. The splash pad is

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free, except when we have requests for special parties. I think a lot of the success of the splash pad comes down to its size. People don't realize that bigger is not better. Making things bigger makes them less manageable.

5. **What strategies did you use to finance the development of the splash pad? What were the original start-up capital costs and how was the project financed? Did you already have land for the splash pad or did you have to acquire some?**

Financing came from a combination of City of Alachua, Alachua County money and a FRDAP (Florida Recreation Development Assistance Program) grant.

The City of Alachua runs the splash pad, and we already had the land for the splash pad. The budget for the project was \$145,000, which turned out to be on target.

6. **If possible, please give me a sense of revenues and expenses for the splash pad for the past few years. Are you satisfied with the return on investment? Why or why not? Operating/Startup costs and personnel hired.**

We break even each year. Since we don't charge anything for the splash pad, the only money we make is through private parties, which comes to about \$3000 a year. Yes, I am very satisfied with the return on investment. The splash pad has been a continued success, and we are always overwhelmed by the number of people that use it. Because of the public demand, we keep it open 7 days a week 9 am – 6 pm, and are actually expanding the splash pad to increase its current capacity of 30.

7. **What has the public's reaction been throughout the process?**

The county and media has been supportive of it, and we have been rated the number 1 summer activity for children 5 and under in the region.

Follow-up questions

1. **In your estimation, how many people use the splash pad within a given year?**

It is estimated that approximately 19,600 use the splash pad in addition to approximately 4,000 for private parties. We have successfully rented it out 52 separate times this year alone.

2. **How many swimming pools were closed before the splash pad was constructed?**

Alachua does not have any swimming pools. The closest pool is in Gainesville, a 15 minute drive from Alachua.

3. **Was there a public debate about closing the swimming pools and building a splash pad? Where did the original idea for the splash pad come from?**

We never had a pool and the city staff recommended to the commission the splash pad was an affordable option for a small town. We went over the ideas for a splash pad for five years before applying for grant money

4. When did construction for the splash pad begin and end?

Construction began in 2008

5. What will be the new capacity of the expanded splash pad? And, how will the expansion be funded? (SPLOST, General Revenue Fund, State grant?)

Expansion of splash pad will be grant funded with the city matching the funds. We anticipate the capacity will be 60 to 100 children.

Savannah Splash Pad

Chatham County

1. **To start with, would you please confirm your name, title, phone number and e-mail in case I have any follow up questions?**

Jerry Flemming,
Director of Park and Tree Department,
City of Savannah, GA
E-mail address: Jerry_flemming@savannahga.gov
Ph: 912-651-6610

2. **How did plans for the splash pad initially develop? What was the initial impetus for the city/county to develop a splash pad (e.g. citizen or government official proposed the idea, approached by private developer)?**

The splash pad was part of a larger project to revitalize the area. It used to be a parking garage, and was converted to a 4 story underground parking garage, with a park on top of it. It is open from 10 am to 10 pm.

3. **How do you manage the splash pad (in-house, private contractor, etc.)? What factors did you consider when you were deciding on this approach? How have you addressed the liability inherent in running a splash pad?**

The City runs the splash pad. Multiple employees from different departments address the needs of the splash pad. Water quality is managed by the buildings and grounds department, the fountain is managed by mechanics in the park and tree department, while electrical work is also done by our department. The City already has some sort of liability insurance because of the other pools in Savannah, so the liability of running a splash pad would have been addressed

4. **Looking back, what would you say were your greatest successes in developing and managing a splash pad? Is there anything that caught you off guard or that you would have done differently in retrospect?**

The splash pad we have is very high maintenance. The jets can get jammed and have to be replaced frequently because children might drop rocks down them. There is a cost associated with cleaning heads and replacing them. We also clean it every morning.

5. **What strategies did you use to finance the development of the splash pad? What were the original start-up capital costs and how was the project financed? Did you already have land for the splash pad or did you have to acquire some?**

Land for the splash pad was already owned by city. The finance department would know about how it was financed.

6. If possible, please give me a sense of revenues and expense for the splash pad for the past few years. Are you satisfied with the return on investment? Why or why not?
Operating/Startup costs and personnel hired.
It is a free public splash pad, so we don't generate any revenue from it.
7. What has the public's reaction been throughout the process?
The public has been supportive of it and it has always been frequently used. It has water and lights, which can create a good experience.
8. How many swimming pools were closed before the splash pad was constructed?
None.
9. When did construction for the splash pad begin and end?
2008/2009

1. **To start with, would you please confirm your name, title, phone number and e-mail in case I have any follow up questions?**

David Maxwell
Finance Director
City of Savannah, GA
Ph: 912-651-6434
E-mail address: dmaxwell@savannahga.gov

2. **How did plans for the splash pad initially develop? What was the initial impetus for the city/county to develop a splash pad (e.g. citizen or government official proposed the idea, approached by private developer)?**

One of our former assistant managers was familiar with that idea of a splash pad because he saw it in other cities, so he included it in the design of the park.

3. **What strategies did you use to finance the development of the splash pad? What were the original start-up capital costs and how was the project financed? Did you already have land for the splash pad or did you have to acquire some?**

The park project was financed by SPLOST. As far as I know, the water fountains cost \$500,000, and the entire park project cost was \$2.3 million. We would have to look at the final report from the contractor to see how much the splash pad itself cost. To my knowledge, the budget was close to the estimates, so we didn't have any troubles financing the project.

4. **If possible, please give me a sense of revenues and expense for the splash pad for the past few years. Are you satisfied with the return on investment? Why or why not? Operating/Startup costs and personnel hired.**

The park is free of charge, so there really isn't any way of knowing whether it's running at a loss or not. Since the splash pad is heavily used, it is serving its purpose well.

5. **What has the public's reaction been throughout the process?**

The SPLOST didn't pass by an overwhelming majority, but it passed nonetheless. Ever since it has opened, the splash pad has been very popular and has been used a lot. The park itself is most popular for residents and tourists.

6. **When did construction for the splash pad begin and end?**

The contract was executed in April 2009, which was after one year of planning and concepts. November 2010 was the last payment to the contractor, so the construction took about a year and a half.

About the Authors

Megan LePere-Schloop

Megan LePere-Schloop is a PhD candidate and Scholar of Excellence in the field of Public Administration at The University of Georgia (UGA). She earned an undergraduate degree from Oberlin College and a Master of Public Administration from UGA. Her research interests include the co-production of public services, cross-sector collaboration, and management of non-profit organizations, particularly those engaged in international and community development. Before returning to school to earn her MPA, Megan served as the Director of Programs at Mosaic Youth Theatre of Detroit, an internationally acclaimed youth development organization that has performed with artists such as Maya Angelou, Aretha Franklin, and Sweet Honey in the Rock. While at Mosaic, Megan grew satellite program participation from 230 to more than 1000 youth served each year, and represented Mosaic in an inter-agency collaboration recognized as a model for collaborative youth arts programming. In 2009, Megan was selected to represent Mosaic as the organization's Emerging Leader at a nine-month Neighborhood Excellence Initiative Program sponsored by the Bank of America Foundation.

Taha Hameduddin

Taha Hameduddin is an MPA candidate at The University of Georgia. In 2012, he earned two Bachelor of Science degrees in Economics and Statistics, with a Classical Humanities minor, from the University of Missouri (Mizzou). While at Mizzou, Taha's involvement with student organizations and the community at-large earned him the Chancellor's Excellence Award for Emerging Leadership in April 2011 and the Chancellor's Excellence Award for Multicultural Leadership in April 2012. As a summer intern at the Islamic Development Bank, Taha assisted country managers and economists with mid-term business reports and economic development research. During his second month at The University of Georgia, Taha's team earned first place in the 2013 Georgia Students for Public Administration Policy Competition. The policy problem centered on housing policy, and incorporated issues of nonprofit governance, financial management, and public-private-nonprofit collaboration. Taha's interests are in the areas of public policy & management, economic & community development and organizational theory. After graduating with an MPA, Taha plans to pursue a PhD in Public Administration.

Osborne, Steve

From: Newlin, Lauren
Sent: Tuesday, September 09, 2014 1:53 PM
To: Osborne, Steve
Subject: FW: Splash Pad

Lauren Newlin
Aquatics Director
Henderson-Vance Recreation and Parks Department
Phone 252-438-3160

From: CHAD MERRITT [<mailto:chad.merritt@highpointnc.gov>]
Sent: Tuesday, September 09, 2014 1:45 PM
To: Newlin, Lauren
Subject: Splash Pad

Lauren,

See response in red.

Our city council is interested in finding out information about splash pads to hopefully see if they would be successful in our city.

Construction cost? We got quotes recently and they were \$90,000 to \$150,000. They can go much higher depending on the size and features you want.

Operation Cost? Depends on the turnover rate and if it has a surge tank or not. You want to have the turnover rate less than 30 minutes or you will have a nightmare keeping it balanced and clear. Which means you will spend tons of money on chemicals.

Insurance Cost? Depends on if your municipality is self-insured or not.

General information about your splash pad:

How big it is? We looked at 5,000 to 10,000 gallons. My previous Splash Pad was about 5,000 gallons. Again, depends on if you want it to be an addition to an existing aquatic facility (which I recommend), or a stand alone facility.

How many people can use it at once? Depends on the layout and features. Generally 15-20 people is a packed house. You are better off making it a self-contained splash pad where you don't have a surge tank, instead the water used is pulled from a shallow wading pool (6-12 inches of water). Like the picture below. Then people can just sit and cool off in the shallow water. Plus a surge tank is water in the ground that occupies space in the ground. Why not use that space with water above ground so the patrons can use it?



Do you charge to use it? Will there be a pool with it? Mine were always part of an outdoor aquatic complex with a pool, so we just raised admission by a dollar and let it be all inclusive. I would recommend you charge even if it is a stand alone because the City of Greensboro has one at Barber Park that was free or like a \$1/person and it is a money pit. I believe they recently changed to charging more.

Do you keep staff onsite for emergencies? You will need someone to collect money and work it for sure. You have to keep the chemicals balanced just like a pool. The health department will check the PH and FC levels on it as well.

Any pros or cons that you think are valuable? Pros, it is a nice feature to have for a wide variety of people to enjoy, and it is an additional attraction to your aquatic complex if it is with an existing pool. The colorful features really attract people to the facility. It is safer than a deep pool for kids. Doesn't need lifeguards, but it wouldn't hurt to have staff trained as shallow water lifeguards at least.

Cons, it can be a nightmare to maintain chemistry wise and financially if no revenue is generated. The more moving parts the features have the more maintenance they require, avoid solenoids because they burn up and cost about \$400 each to replace. The spray nozzles clog up if debris gets by the filter, and it requires you to take them apart so they spray correctly (happens more than you would think). Depending on the size, it can be limited space.

Hope that helps you some. I looked at adding a Splash Pad this year to one of my pools, but I decided against it. I may be able to share some of the bid information with you if you like. Feel free to contact me if you have more questions about my input. Good luck.

Chad Merritt
AFO, CPO, MS

CITY OF HIGH POINT
Special Facilities Division Manager, Parks and Recreation

3409 N. Centennial St, High Point, NC 27265
336.883.3487 | fax: 336.883.3510

chad.merritt@highpointnc.gov | www.highpointnc.gov

Osborne, Steve

From: Newlin, Lauren
Sent: Wednesday, September 10, 2014 3:19 PM
To: Osborne, Steve
Subject: FW: Keeley Park Splash Pad Info.

Lauren Newlin
Aquatics Director
Henderson-Vance Recreation and Parks Department
Phone 252-438-3160

From: Greeson, Cliff [<mailto:Clifton.Greeson@greensboro-nc.gov>]
Sent: Wednesday, September 10, 2014 3:12 PM
To: Newlin, Lauren
Subject: Keeley Park Splash Pad Info.

Ms. Newlin,

Keeley Park opened in May of 2012 and operates from Memorial Day until Labor Day. The Splash pad facility building was built with bathrooms, storage rooms, concession stand, pump room, chemical room and an attached shelter. We had a local fencing contractor install a nice decorative fence around the facility to help keep the younger children contained to the splash pad and away from the parking lot and neighboring lakes.

- Construction cost around \$600,000
- Operation cost around \$17,500 for the 2013-2014 fiscal year. This amount is expected to increase for the 2015 fiscal as the attendance increased almost 7,000 people for the season.
- Insurance cost – The city is self insured. So I am not sure about the cost of insurance .
- Splash pad measures 140' x 80'
- Occupancy- can accommodate around 225 people. Although attendance greater than 175-200 is not recommended. Any more than this I feel becomes a safety issue. We had a day where two school groups came at the same time and we ended up with 225 people on the deck all at once. It is difficult for 2 staff members watch over that many people.
- We had around 25,000 people visit the spray pad this year
- We have 20 picnic tables with umbrellas and 24 deck chairs
- No entry fee
- We keep 2 staff members on site for emergency issues, to enforce the rules, keep the water tested, clean the facility and empty all trash cans. They are not on site to sit with the children. Visitors are responsible for the children and actions.
- We operate 7 days a week Memorial Day until Labor Day, Monday – Saturday 11:00 -6:00 and Sunday 1:00 -6:00
- Visitors are allowed to bring their own food and drinks to the splash pad this making revenue minimal at the concession stand
- We lease the concession stand out to a private group for a percentage of their profit. I think it is 10%
- We had a great success offering private party before or after hour rentals the past 2 years. We offered a rental the mornings from 9:30 – 11:00 and in the afternoon from 6:00- 7:30. This season we had 70 private parties \$125.00 generating around \$8,500.

If you have any further questions please feel free to give me call. Also if you would like to schedule a day that you can visit our facilities, I would be happy to accompany you. This may give you some ideas of things you either like or do not like.

Thank you,

Cliff Greeson

Keeley Park Assistant Manager

Parks and Recreation Department

City of Greensboro

Phone: 336-373-4547 Cell: 336-804-7214

4150 Keely Rd, Mcleansville, NC 27301

clifton.greeson@greensboro-nc.gov

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City Council Memo

Office of City Manager
P. O. Box 1434
Henderson, NC 27536
252.430.5701



Agenda Item: _____

Council Meeting: 22 Sept 14 Work Session

2 September 2014

TO: The Honorable Mayor James D. O'Geary and Members of City Council

FR: A. Ray Griffin, Jr., City Manager

RE: CM: 14-30
Off Premise Advertisement Sign Ordinance

Ladies and Gentlemen

The question of governmental signs placed throughout the city limits has arisen. Zoning Code Section 408, Exempt Signs states: "*The Zoning Code shall not apply to any governmental sponsored signs or signs placed pursuant to a governmental sign program which has been approved by the City Council*". Some organizations such as Franklin-Granville-Vance Partnership for Children (Smart Start) are governmental sponsored therefore have the right to place a sign with City Council approval while other non-governmental sponsored groups must comply with all the provisions of the Zoning Code.

In an effort to meet the needs of the community and to provide a better interpretation of Section 408, Exempt Signs, the City Attorney is currently drafting an ordinance re-writing portions of Section 408 of the Zoning Code that will require advisement from the Planning Board prior to City Council approval of an ordinance amending section 408 of the Zoning Code. This item is scheduled to go before the Planning Board for at the 6 October 2014 meeting.