



AGENDA

Henderson City Council Regular Meeting

Monday 11 May 2015, 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, 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

Edward A. Wyatt, Interim City Manager
D. Rix Edwards, City Attorney
Esther J. McCrackin, City Clerk

I. CALL TO ORDER

II. ROLL CALL

III. INVOCATION AND PLEDGE OF ALLEGIANCE

IV. OPENING REMARKS

In order to provide for the highest standards of ethical behavior and Transparency in Governance as well as provide for good and open government, the City Council has approved Core Values regarding Ethical Behavior¹ and Transparency in Governance². The Mayor now inquires as to whether any Council Member knows of any conflict of interest, or appearance of conflict, with respect to matters before the City Council. If any Council Members knows of a conflict of interest, or appearance of conflict, please state so at this time.

¹ **Core Value 4: Ethical Behavior:** We value the public trust and will perform our duties and responsibilities with the highest levels of integrity, honesty, trustworthiness and professionalism.

² **Core Value 10: Transparency in Governance:** We value transparency in the governance and operations of the City.

V. ADJUSTMENTS TO AND/OR APPROVAL OF THE AGENDA

VI. APPROVAL OF MINUTES

- a) 27 April 2015 Short Regular Meeting and Work Session [*See Notebook Tab 1*]

VII. PUBLIC COMMENT PERIOD ON AGENDA ITEMS

Citizens may only speak on Agenda items at this time. Citizens wishing to address the Council must sign-in on a form provided by the City Clerk prior to the beginning of the meeting. The sign-in form is located on the podium. When recognized by the Mayor, come forward to the podium, state your name, address and if you are a city resident. Please review the Citizen Comment Guidelines that are provided below.³

VIII. NEW BUSINESS

- a) Consideration of Approval of Resolution 15-30, Proposal to Accept a Negotiated Offer for a Portion of Said Parcel of Land Referred to as the Old City Garage Property and to Advertise for Upset Bids Per North Carolina G.S. §160A-269. (CAF 15-49) [*See Notebook Tab 2*]
- Resolution 15-30
- b) Consideration Approval of Resolution 15-37, Authorizing Change Order #1 for the High Service Pump Replacement Project in the Amount of \$15,329.70 to Dellinger Inc., for the Regional Water System, and 2) Ordinance 15-26, FY 15 Budget Amendment #28, Authorizing the Transfer of Contingency Funds for said Project. (CAF 15-63) [*See Notebook Tab 3*]
- Resolution 15-37
 - Ordinance 15-26
- c) Consideration of Approval of Resolution 15-20, Authorizing the Dedication and Acceptance of Sewer Mains Serving Building #10 on Vance Granville Community College Campus. (CAF 15-28) [*See Notebook Tab 4*]
- Resolution 15-20

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.

- d) Consideration of Approval of Resolution 15-38, Appointing the City Clerk as City Tax Collector for the Collection of Outstanding Privilege License Fees. (CAF 15-65) [See Notebook Tab 5]

- Resolution 15-38

IX. 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 15-09, FY15 Budget Amendment #27, Including the Amended Fee Schedule to Include Fire Hydrant Meter Usage Fees Relative to the Policy for the Usage of Fire Hydrant Meters. (CAF 15-26) [See Notebook Tab 6]

- Ordinance 15-09

- b) Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of April 2015. (CAF 15-64) [See Notebook Tab 7]

X. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

Citizens may only speak on Non-Agenda items at this time. Citizens wishing to address the Council must sign-in on a form provided by the City Clerk prior to the beginning of the meeting. The sign-in form is located on the podium. When recognized by the Mayor, come forward to the podium, state your name, address and if you are a city resident. Please review the Citizen Comment Guidelines that are provided below.⁴

⁴ Citizen Comment Guidelines for Non-Agenda Items

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- 2) Comments should be presented in a civil manner and be non-personal in nature, fact-based and issue oriented. Except for the public hearing comment period, citizens must speak for themselves during the public comment periods;
- 3) Citizens may not yield their time to another person;
- 4) Topics requiring further investigation will be referred to the appropriate city official, Council Committee or agency and may, if in order, be scheduled for a future meeting agenda;
- 5) Individual personnel issues are confidential by law and will not be discussed. Complaints relative to specific individuals are to be directed to the City Manager;
- 6) Comments involving matters related to an on-going police investigative matter and/or the court system will not be permitted; and
- 7) Citizens should not expect specific Council action, deliberation and/or comment on subject matter brought up during the public comment section unless and until it has been scheduled as a business item on a future meeting agenda.

XI. REPORTS

- a)** Mayor/Mayor Pro-Tem
 - i. Discussion regarding City Parks
- b)** City Manager
 - i. Solar Farms (*CM 15-08*)[*See Notebook Tab 8*]
- c)** City Attorney
- d)** City Clerk
 - i. Meeting and Events Calendar [*See Notebook Tab 9*]
 - ii. E-911 Monthly Report
 - iii. Fire Department Monthly Report

XII. ADJOURNMENT

City Council Minutes - DRAFT
Short Regular Meeting and Work Session
27 April 2015

PRESENT

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

ABSENT

Council Members James C. Kearney, Sr. and Sara M. Coffey.

STAFF PRESENT

Interim City Manager Edward A. Wyatt, City Attorney D. Rix Edwards, City Clerk Esther J. McCrackin, Assistant City Manager Frank Frazier, Finance Director Kathy Brafford, Engineering Director Clark Thomas, Public Services Director Mike Ross, Assistant Finance Director Michelle Daniels, Recreation and Parks Director Kendrick Vann, Development Services Director Corey Williams and Kerr Lake Regional Water Director Christy Lipscomb.

CALL TO ORDER

The 27 April 2015 Short Regular Meeting of the Henderson City Council was called to order by Mayor James D. O'Geary at 6:03 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 Peace-Jenkins led those present in a prayer and the Pledge of Allegiance.

OPENING COMMENTS

Mayor O'Geary said it was a pleasure to welcome so many citizens. He said it is always good to see citizens in attendance.

ADJUSTMENTS TO/APPROVAL OF AGENDA

Mayor O'Geary asked if there were any adjustments to the Agenda. Council Member Rainey moved to accept the Agenda as presented. 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 Daeke moved the approval of the 13 April Regular Meeting minutes as presented. Motion seconded by Council Member Peace-Jenkins, and unanimously approved.

PUBLIC HEARING

Holding a Public Hearing on the Question of Annexation of Toyota Lane Pursuant to North Carolina General Statute 160A-31. (CAF 15-09-B)

Interim City Manager Wyatt said this annexation is exciting as annexations have been made difficult by the State.

With no discussion, Mayor O'Geary opened the Public Hearing by asking if anyone was present who wished to speak in favor of this annexation. No one came forward so Mayor O'Geary then asked if anyone was present who wished to speak in opposition to the annexation. No one came forward.

Mayor O'Geary then closed the Public Hearing and asked for Council's pleasure.

Council Member Rainey asked if this was for the new dialysis center. Assistant City Manager Frazier responded the annexation is for the dialysis center only (Toyota Lane was used to designate the area of the dialysis center).

Council Member Rainey moved the approval of *Annexation of Toyota Lane Pursuant to North Carolina General Statute 160A-31*. Motion seconded by Council Member Peace-Jenkins, and APPROVED by the following vote: YES: Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: Kearney and Coffey.

Holding a Public Hearing on the Question of Annexation for Carey Chapel Village Pursuant to North Carolina General Statute 160A-31. (CAF 15-46-B)

Interim City Manager Wyatt said this is a great opportunity as this development will improve the population and meet housing needs.

With no discussion, Mayor O'Geary opened the Public Hearing by asking if anyone was present who wished to speak in favor of this annexation... No one came forward so Mayor O'Geary then asked if anyone was present who wished to speak in opposition to the annexation. No one came forward.

Mayor O'Geary then closed the Public Hearing and asked for Council's pleasure

Council Member Peace-Jenkins moved the approval of *Annexation of Carey Chapel Village pursuant to North Carolina General Statute 160A-31*. Motion seconded by Council Member Daye, and APPROVED by the following vote: YES: Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: Kearney and Coffey.

PUBLIC COMMENT PERIOD ON AGENDA ITEMS

The City Clerk advised the Mayor and Council Members that no citizen wished to address Council at this time.

NEW BUSINESS

Allowing Vance County Relay for Life to Place a Banner Across the Charles Street Overpass. (*Reference: CAF 15-59, Resolution 15-34*)

Interim City Manager Wyatt explained according to Section 16-11 of the City Code, approval by Council is necessary to place this banner across the Charles Street Overpass. The purpose of the sign is to inform citizens of the upcoming Relay for Life event.

Council Member Daeke inquired about safety issues and asked that the sign be checked weekly to insure it is properly attached. Development Services Director Williams said part of the permit process is to require proper attachment.

There were no other questions. Mayor O'Geary asked for the pleasure of Council.

Council Member Rainey moved the approval of Resolution 15-34, *Allowing Vance County Relay for Life to Place a Banner Across the Charles Street Overpass*. Motion seconded by Council Member Inscoe, and APPROVED by the following vote: YES: Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: Kearney and Coffey. (*See Resolution Book 4, p 209*)

Approval of Tax Releases and Refunds from Vance County for the Month of March 2015.
(Reference: CAF 15-53)

March 2015 Tax Releases & Refunds			
Name	Reason	Tax Year	Amount
Real & Personal Property			
Releases			
Noel, William W III	Personal Prop Billed in Error	2011	\$ 10.53
Noel, William W III	Personal Prop Billed in Error	2012	\$ 10.53
Vanegas, Jose	Personal Prop Billed in Error	2012	\$ 34.78
Noel, William W III	Personal Prop Billed in Error	2013	\$ 12.27
Vanegas, Jose	Personal Prop Billed in Error	2013	\$ 73.72
Cooper, Sandra	Correct Ownership	2014	\$ 68.27
Noel, William W III	Personal Prop Billed in Error	2014	\$ 12.28
Turner, Rowland G Jr.	Correct Ownership	2014	\$ (68.27)
Vance Construction Co.	Correct Situs	2015	\$ 8,110.46
Total R&P Prop. Releases			\$ 8,264.57
Real & Personal Property			
Refunds			
None			\$ -
Total R&P Prop. Refunds			\$ -
Total R&P Prop. Rel. & Refunds			\$ 8,264.57
Registered Vehicle Releases			
None			\$ -
Total Releases			\$ -
Registered Vehicle			
Refunds			
None			\$ -
Total Reg Veh Refunds			\$ -
Total Reg Veh Releases			
& Refunds			\$ -
Total All Releases & Refunds			\$ 8,264.57

Interim City Manager Wyatt said this is a routine housekeeping matter.

Council Member Daeke asked for a definition of *Correct Situs*. Finance Director said it means it was credited to the wrong position (i.e., it was credited to the City and should have been credited to the County).

There were no further questions so Mayor O'Geary asked for the pleasure of Council.

Council Member Simmons moved the approval of *Tax Releases and Refunds from Vance County for the Month of March 2015*. Motion seconded by Council Member Daeke, and APPROVED by the following vote: YES: Rainey, Peace-Jenkins, Daeke, Simmons, Daye and Inscoe. NO: None. ABSTAIN: None. ABSENT: Kearney and Coffey.

Financial Report – 1st Nine Months FY 2015. (Reference: CM 15-05)

Finance Director Brafford summarized the report pointing out specifically the sales tax amount represents seven of the twelve months. The garage sales are lower than anticipated at this time because repairs have been less; however, the next few months could significantly change this number.

Council Member Daeke asked when the State will send the beer/wine tax. Ms. Brafford said that normally comes once a year in May.

Council Member Inscoe asked if Ms. Brafford is aware if any of the extended warranties, purchased on new vehicles, have been reached. Ms. Brafford said she did not know but would be happy to follow up and will send a memo to Council with her findings.

Update on Several Projects. (Reference: CM 15-06)

Assistant City Manager Frazier said staff is aggressively trying to complete these projects and mentioned specifically Chavasse Avenue project which is scheduled for bid openings on May 13. The other projects in the report were: 1) Beckford Drive which will be brought before Council at the May 11 Council meeting; 2) HWRP construction which anticipates diversion into the new plant around the first or second week in May; 3) Sandy Creek Pump Station pumps are scheduled for delivery this week with construction resuming in May; 4) The new pump was delivered and is scheduled to be completely installed by mid-May for the Kerr Lake Regional Water Pump Replacement project; and 5) Staff is continuing to secure the remaining easements for the Elmwood Cemetery Sewer project.

PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

City Clerk McCrackin advised several citizens wished to address Council at this time.

Geraldine Champion, 309 Arch Street Henderson - Ms. Champion asked Council to reconsider the current no parking restrictions on Arch and William streets. She would like to see parking available on one side of the street as many homes do not have adequate driveway parking. She has spoken to the Police and also to Assistant City Manager Frazier about this issue.

Mayor O'Geary and Interim City Manager Wyatt both felt this was an issue that should be responded to in a timely manner. Mayor O'Geary said Ms. Champion should expect a response within the next few days.

Angela Hyson, 412 Keats Road, Manson - Ms. Hyson's concern regarded the IBT process. She was dismayed at what she called a lack of public hearings and asked Council to reconsider this process. She stated water is a valuable asset and said she is proud that the KLRWS shares water with Granville County, Warren County and Vance County. She specifically felt water should not be shared with Franklin County. Ms. Hyson also said tourism would diminish if the KLRWS draws more water from the Lake.

Jim Populorum, 1517 Peace Street, Henderson – Mr. Populorum said he does not understand this process and asked Council to delay its decision.

Deborah Ferruccio, 297 Davis-Hyman Road, Norlina – Ms. Ferruccio felt the parties involved are fast tracking this process largely to help Franklin County. She said she has spoken to Senator Bryant and Representative Baskerville, along with the NAACP. Ms. Ferruccio asked Council to rethink its decision in light of HB 795 which is currently being considered by the General Assembly. She felt as a Tier 1 community, this process will rob the region of potential resources.

Elissa Yount, 216 Chavasse Avenue, Henderson – Ms. Yount asked if Council has considered the long term repercussions and verified all aspects of the agreement. She felt a water authority with experienced engineers is needed to oversee the KLRWS. Ms. Yount added she did not want to see water going to Raleigh or Youngsville.

John Hyson, 412 Keats Road, Manson – Mr. Hyson agreed with all the prior comments. He felt the methods utilized were inappropriate citing the lack of official notice in the *Daily Dispatch*. He said although the drawdown is insignificant, it will have a cumulative effect, and he felt Council is missing the math. Mr. Hyson mentioned an alternative would be to reduce the flow over the dam which would reduce hydroelectricity and lastly asked Council not to provide water to Franklin County.

Leslie James, 1268 David Avenue, Henderson – Ms. James said she is in opposition to the permit as currently established. She asked what this will mean long-term and what is being done to market this community. Ms. James sees no reason to promote other counties. She believes Council wishes to do what is best for the community but asked Council to reconsider.

Suzanne O'Hatnick, 159 Oak Tree Lane, Manson – Ms. O'Hatnick agreed with the previous comments but said her heart breaks at the thought of what will be lost at the Lake where her extended family has resided since the mid-50's. She also asked about the economic impact to the area.

Mayor O'Geary thanked each citizen for expressing their concerns. He said there seems to be some misconceptions and assured everyone that Council will be open and honest about all aspects of this permit and the process.

REPORTS

a) Mayor/Mayor Pro-Tem (No Report)

b) Interim City Manager – Mr. Wyatt said he was heartened when a Council member came to him with a concern regarding “double taxation” regarding the E-911 agreement with the County.

Also, Raleigh is looking into establishing a method for municipalities to raise funds in lieu of lost privilege license fees so he feels there may be “some light” at the end of the tunnel.

c) City Attorney (No Report)

d) City Clerk – Ms. McCrackin thanked Council for the opportunity to attend the excellent Regional Clerk's Academy last Friday. She also reminded Council of a Business Before Hours event and a Business After Hours event coming up in the next week.

OTHER

Council Member Simmons praised the Police Department because of the compassion and concern she observed two officers show for a homeless person in distress. She said actions such as this goes a long way toward improving the community.

Mr. Wyatt said under the leadership of the Chief, cultural changes are happening. The Chief practices what he preaches and Ms. Simmons comments will be greatly appreciated.

With no further discussion, Mayor O'Geary asked if Council was prepared to go into Closed Session and stated there would be no report following the session.

CLOSED SESSION

Council Member Rainey moved for Council to convene in closed session pursuant to G.S. §143-318.11(a)(6) for a Personnel Matter. Motion seconded by Council Member Daye, and unanimously approved.

Council Member Rainey moved for Council to convene in open session. Motion seconded by Council Member Inscoe, and unanimously approved.

WORK SESSION

Amended Fee Schedule to Include Fire Hydrant Meter Usage Fees Relative to the Policy for the Usage of Fire Hydrant Meters. (Reference: CAF 15-26, Ordinance 15-09)

Public Services Director Ross said over the years the policy has been to allow temporary use of a fire hydrant meter to obtain potable water that cannot be regularly metered or is not immediately available on a construction site. However, it is time to regulate and place a value on the timeframe that the hydrant meter is used and the amount of water consumed. The proposed fees are consistent with other nearby municipalities and a \$5,000 fee is proposed for improper use of a hydrant. Mr. Ross added that regulating the use of hydrant meters will also help reduce damage to the hydrant as the policy includes proper assembly steps.

Council Member Daeke asked if a fine of \$5,000 is sufficient. Mr. Frazier said it will be impossible to stop all misuse but it is hoped the fine will be a deterrent.

Council Member Inscoe asked how the penalty will be enforced. There was a brief discussion and the City Attorney was asked to look into the possibility of making misuse of a hydrant a felony.

Mr. Frazier clarified that this policy does not deter voluntary fire departments from using the hydrants to put out fires.

Mayor O'Geary asked for a consensus of Council to carry this policy forward to the next meeting. The consensus was as follows: YES: Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: Kearney and Coffey.

Authorizing the Execution of a Construction Contract for the Mason Street and Reservoir Street Storm Sewer Replacement Project in the Amount of \$23,005 with H. G. Reynolds Co., Inc. (Reference: CAF 15-61, Resolution 15-36)

Interim City Manager Wyatt felt this storm sewer replacement project could be handled administratively as the funds are available.

There was no discussion so Mayor O'Geary asked for the consensus of Council. The consensus to handle this administratively was as follows: YES: Inscoe, Rainey, Peace-Jenkins, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: Kearney and Coffey.

With no further business Mayor O'Geary asked if Council was prepared to adjourn

ADJOURNMENT

Council Member Inscoe moved for adjournment. Motion seconded by Council Member Rainey, and unanimously approved. The meeting adjourned at 7:40 p.m.

James D. O'Geary
Mayor

ATTEST:

Esther J. McCrackin
City Clerk

City Council Action Form

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



Council Meeting: 11 May 15 Regular Meeting

6 May 2015

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

FR: Ed Wyatt, Interim City Manager

RE: CAF: 15-49

Consideration of Approval of Resolution 15-30, Proposal to Accept a Negotiated Offer for a Portion of said Parcel of Land Referred to as the Old City Garage Property and to Advertise for Upset Bids Per North Carolina G.S. §160A-269.

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

Recommendation:

- Approval of Resolution 15-30, Proposal to Accept a Negotiated Offer for a Portion of said Parcel of Land Referred to as the Old City Garage Property and to Advertise for Upset Bids Per North Carolina G.S. §160A-269.

Executive Summary:

The Land Planning Committee has met several times to discuss an offer to purchase from Mr. Cameron Mitchell for what is known as the old City Garage at 220 Gupton Street. After discussions with staff, the Land Planning & Development Committee agreed it would be beneficial for the City to retain a portion of this parcel that the City currently uses for storage of rock, excavated concrete and earthen material.

Staff met with Mr. Mitchell to review the amount of property he would need in conjunction with purchase of the building and a map is attached showing the approximate length and width of the property to be sold. The acreage would be approximately .960 acres depending on a final survey.

It is suggested that the property be sold "as is" and that the successful bidder be required to provide the survey as well as a chain link fence along the new eastern and southern property line to connect to existing fencing.

Mr. Mitchell is agreeable to purchase a portion of the total tract (which is 5.48 acres). The amount of offer to purchase is \$10,000. There are certain procedures and guidelines that localities must follow in accordance with North Carolina General Statutes, when property is being sold. Mr. Mitchell filled out a request to purchase this property several months ago and placed earnest money with the City Clerk. It is the recommendation of the Land Planning Committee to approve a Resolution of Intent to sell and to proceed with advertising for upset bids in accordance with North Carolina G.S. §160A-29.

Attachments:

1. Resolution 15-30
2. Map of Proposed Parcel

R E S O L U T I O N 15-30

PROPOSAL TO ACCEPT A NEGOTIATED OFFER FOR A PORTION OF SAID PARCEL OF LAND REFERRED TO AS THE OLD CITY GARAGE PROPERTY AND TO ADVERTISE FOR UPSET BIDS PER G.S.§160A-269

WHEREAS, the Henderson City Council (Council) conducted its Annual Planning Retreat in January 2015, and during said Retreat identified eight Key Strategic Objectives (KSO) and Goals; *and*

WHEREAS, the City of Henderson owns a tract of land including the parcel of property described as PIN: 0097 03 008; Vance County Deed Book 200-464; *and*

WHEREAS, Mr. Cameron Mitchell has offered to purchase a portion of said parcel “*As Is*” for the sum of \$10,000 payable in cash, and has deposited with the City Clerk the sum of \$500, representing a good faith deposit; *and*

WHEREAS; the City of Henderson proposes to accept said bid or offer pursuant to the provisions of G.S. §160A-269.

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

- 1) That a notice be advertised in accordance with G.S. §160A-269 that the City Council of the City of Henderson proposes to accept the above offer and advertise said parcel of land for upset bids within the 10 day period provided by the Statute.
- 2) That the City Clerk is hereby authorized to receive upset bids on said parcel of land within said 10 day period upon compliance by the proposed Purchaser with the General Statutes and depositing with the Clerk the sum of five percent (5%) of its bid, which deposit shall be forfeited if the bid is withdrawn. Any person placing an upset bid must raise the preceding bid by an amount not less than 10 percent (10%) of the first \$1,000 of the preceding bid plus five percent (5%) of the excess of the preceding bid over the sum of \$1,000.
3. City Council reserves the right at any time to reject any and all offers.
4. The sale shall be closed at a mutually agreeable date within 20 days after the City accepts an offer or upset bid, at which time the balance purchase price (after application of the deposit on the same) shall be paid in cash and a “Non-Warranty” Deed delivered to the Purchaser by the City conveying the parcel in fee simple.

The foregoing Resolution 15-30, 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 11th day of May 2015: YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

D. Rix Edwards, City Attorney

*Reference: Minute Book 43, pp. **, CAF 15-49*



City Council Action Form

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



Council Meeting: 11 May 15 Regular Meeting

5 May 2015

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

FR: Ed Wyatt; Interim City Manager

RE: **CAF: 15-63**

Consideration Approval of 1) Resolution 15-37, Authorizing Change Order #1 for the High Service Pump Replacement Project in the Amount of \$15,329.70 to Dellinger Inc., for the Regional Water System, and 2) Ordinance 15-26, FY 15 Budget Amendment #28, Authorizing the Transfer of Contingency Funds for said Project

Ladies and Gentlemen:

Council Goals Addressed By This Item:

- KSO-5: Provide Reliable, Dependable and Environmentally Compliant Infrastructure System
- KSO-8: Provide Financial Resourcing: To Provide Sufficient Funds for Municipal Operations and Capital Outlay Necessary to Meet the Needs of Citizens, Customers and Mandates of Regulatory Authorities.

Recommendation:

Approval of:

- Resolution 15-37, Authorizing Change Order #1 for the High Service Pump Replacement Project in the Amount of \$15,329.70 to Dellinger Inc., for the Regional Water System.
- Ordinance 15-26, FY 15 Budget Amendment #28, Authorizing the Transfer of Contingency Funds for said Project

Executive Summary

The City Council approved, by Resolution 12-59, the acceptance of the 0% interest loan from the State to replace an existing 700Hp Finished water pump with a new 750Hp Finished water pump in order to ensure redundancy and efficiency of pumping capacity. The contract was issued to Dellinger, Inc., Monroe, North Carolina, for the construction services to replace the High Service

CAF 15-63: 11 May 2015 Council Meeting

Pump in accordance with the plans. The pump will be variable frequency drive which will provide better pumping efficiency and reliability.

This change order is to rectify a situation with the size of the conduit that was intended to be used which was found to be too small to house the wiring for the VFD and Pump. The original design did not include a larger conduit therefore, it was not included in the original bid; thus the reason for the change order in the amount of \$15,329.70.

Attachments:

- 1. Resolution 15-37**
- 2. Ordinance 15-26**

RESOLUTION 15-37

APPROVING THE AUTHORIZING CHANGE ORDER FOR THE HIGH SERVICE PUMP REPLACEMENT TO DELLINGER, INC., FOR THE REGIONAL WATER SYSTEM

WHEREAS, the Henderson City Council conducted its Annual Planning Retreat in January 2015, and during said Retreat identified eight Key Strategic Objectives (KSO) and Goals; *and*

WHEREAS, this Resolution addresses two of the Key Strategic Objectives KSO 5, Provide Reliable, Dependable and Environmentally Compliant Infrastructure System, and KSO 8: Provide Financial Resources: 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 City Council previously approved the acceptance of the loan for the High Service Pump Replacement by Resolution 12-59; *and*

WHEREAS, the City Council previously approved the award of the contract to Dellinger, Inc. with Resolution 12-59, *and*

WHEREAS, the City Staff recommends a change order to Dellinger, Inc., contract, subject to approval of the Division of Water Resources, Loans and Grants Section.

NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY APPROVE the awarding of the change order to Dellinger, Inc., for the High Service Pump Replacement project in the amount of \$15,329.70, and being more fully articulated in “**Attachment A**” to this Resolution.

The foregoing Resolution 15-37, upon motion of Councilmember **** and seconded by Councilmember*** and having been submitted to a roll call vote received the following votes and was *****on this day 11th day of May 2015: YES: *** NO: ***. ABSTAIN: ABSENT:

.

James D. O’Geary, Mayor

ATTEST:

Esther McCrackin, City Clerk

Approved to Legal Form:

D. Rix Edwards, City Attorney

ORDINANCE 15-26

FY 2014 – 2015 BUDGET AMENDMENT #28 AN AMENDMENT TO THE CIP REGIONAL WATER FUND AUTHORIZING TRANSFER OF CONTINGENCY FUNDS FOR THE KLRWP HIGH SPEED EFFICIENCY PUMP 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 regional water treatment system, said fund referred to as 46: CIP Regional 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: 46: CIP - Regional			Ordinance 15-26			
PROJECT: 939: Replacement of KLRWP High Speed Service Pump			FY 14-15 Budget Amendment #28			
Project Budget Created: 23 July 2012			Amending Capital Project 46-939: Replacement of KLRWP High Speed Service Pump - Amendment #2 to this project			
REVENUES			Approved	Current		
Department	Line Item	Code	23-Jul-12	Budget	Amendment	Revised
	State Revolving Loan	46-939-458100	\$ 1,129,000	\$ 1,129,000	\$ -	\$ 1,129,000
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
		Total	\$ 1,129,000	\$ 1,129,000	\$ -	\$ 1,129,000
						\$ 1,129,000
EXPENDITURES			Approved	Current		
Department	Line Item	Code	23-Jul-12	Budget	Amendment	Revised
	Legal/Admin	46-939-510200	\$ 9,000	\$ 9,000	\$ -	\$ 9,000
	Engineering Design	46-939-510301	\$ 67,000	\$ 67,000	\$ -	\$ 67,000
	Construction	46-939-510400	\$ 895,000	\$ 915,000	\$ 15,330	\$ 930,330
	Construction/Admin	46-939-510800	\$ 46,000	\$ 46,000	\$ -	\$ 46,000
	SRF Admin/Closing Fee	46-939-504514	\$ 22,580	\$ 22,580	\$ -	\$ 22,580
	Contingency	46-939-509900	\$ 89,420	\$ 69,420	\$ (15,330)	\$ 54,090
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
		Total	\$ 1,129,000	\$ 1,129,000	\$ -	\$ 1,129,000
						\$ 1,129,000
		Variance			\$ -	
Reference:			Notes:			
City Council Mtg 7/11/2012; CAF: 12-88; Ord 12-48; BA #2			On 26 September 2011, Council, via Resolution 11-88, approved the application for a loan/grant to the NCDENR for various projects with one being the replacement of a high speed service pump at the KLRWP.			
			On 11 July 2012, the City received notification that a DWSRF loan had been approved for the replacement of the high speed pump.			
			This amendment establishes the project budget.			
City Council Mtg 12/09/2013; CAF: 13-06; Ord 13-71; BA #21			This amendment serves to transfer funds from the contingency line item in this project to the Construction line item as a result of the bid awarded to Dellinger, Inc. at the City Council meeting on 12/09/2013.			
City Council Mtg 5/11/2015; CAF: 15-63; Ord 15-26; BA #28			This amendment serves to transfer funds from the contingency line item in this project to the Construction line item to revise the contract awarded to Dellinger, Inc. to incorporate a change order in the amount of \$15,329.70. The reason for the change order is to rectify a situation with the size of the conduit (currently too small) needed to house the wiring for the VFD and pump.			

The foregoing Ordinance 15-26, 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 11 day of May 2015: YES: ***. NO: **. ABSTAIN: **. ABSENT: **.

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

*Reference: Minute Book 42 p. ***; CAF 15-63*

**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 15-26 adopted by the Henderson, City Council in Regular Session on 11 May 2015 (Minute Book 42 p.**). This Ordinance is recorded in Ordinance Book **, p. ***.

Witness my hand and corporate seal of the City, this *** day of May 2015.

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

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

Reviewed by: _____ Date: _____
Edward A. Wyatt, Interim City Manager

CHANGE ORDER

Order No. 01

Date: May 5, 2015

Agreement Date: April 16, 2014

NAME OF PROJECT: KERR LAKE REGIONAL WATER SYSTEM TREATMENT PLANT
HIGH SERVICE PUMP SYSTEM REPLACEMENT (WIF #1692)

OWNER: CITY OF HENDERSON, NORTH CAROLINA

CONTRACTOR: DELLINGER, INC.

The following changes are hereby made to the CONTRACT DOCUMENTS:

The Contractor shall furnish and install 3-inch conduit for the new medium-voltage cable required for the project. A copy of the Contractor's Change Order Request is enclosed and includes a cost breakdown.

Liquidated damages are not being assessed on the Contractor as the reasons for the project being over the Contract Time at this point were beyond his control.

Justification:

The new medium-voltage cable cannot be installed in the existing 2-inch conduit and requires installation in a 3-inch conduit to comply with applicable codes and standards.

Change to the CONTRACT PRICE: \$ 15,329.70

Original CONTRACT PRICE: \$ 914,886.00

Current CONTRACT PRICE adjusted by previous CHANGE ORDER \$ 914,886.00

The CONTRACT PRICE due to this CHANGE ORDER will be (increased) (decreased) by:
\$ 15,329.70

The new CONTRACT PRICE including this CHANGE ORDER will be \$ 930,215.70

The CONTRACT TIME will be (increased) (decreased) by 0 calendar days.

The date for completion of all work will be ^{June} January 11, 2015

Requested by: (Contractor) _____ Date _____

Recommended by: (Design Engineer) _____ Date _____

Accepted by: _____ Date _____

CO #01 - 1



Alabama
Florida
Georgia
North Carolina
Tennessee

Proposed Change Order Cost Analysis

Final Pricing	Calculated (%)	Calculated (\$)
Database Material (Extension)		\$ 5,328.50
Quoted Material (Extension)		\$ -
Quoted Material		\$ -
Material Sub-Total		\$ 5,328.50
Material Tax	6.75%	\$ 359.67
Material Total		\$ 5,688.17
Direct Labor		\$ 6,650.81
Incidental Labor		\$ 217.12
Labor Factoring		\$ 272.68
Indirect Labor		\$ 133.02
Labor Tax		\$ -
Labor Total		\$ 7,273.63
Subcontractors		\$ -
General Expenses		\$ 974.29
Equipment		\$ -
Total Cost		\$ 13,936.09
Total Markup - Overhead & Profit	10.00%	\$ 1,393.61
Total Markup - Profit	10.00%	\$ 1,352.97
Proposed Change Order Value		\$ 10,862.67 15,329.70

ref: Set 01250/1.2/C/7/d

GW 5/5/2015

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Phone: 919/362-0711
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Proposed Change Order Cost Analysis Worksheet

Material and Labor Take Off	Quantity	Net Cost	Labor	LU	Total Material	Total Hours
3" GRC CUT & THREAD	8	-	118.500	C	\$ -	9.480
3" GRC 90 DEG FIELD BEND	6	-	2.700	E	\$ -	16.200
3" ARC (AL)	120	578.27	17.100	C	\$ 693.92	20.520
3" ARC MYERS HUB	7	1,061.05	52.500	C	\$ 74.27	3.670
3" ARC COUPLING	16	1,717.63	50.000	C	\$ 274.82	8.000
3" ARC ERICKSON CPLG	2	11.38	225.000	C	\$ 22.76	4.500
3" LB AL BODY, CVR, GASKET	2	38.92	3.600	E	\$ 77.84	7.200
3" C AL BODY, CVR, GASKET	2	35.44	3.600	E	\$ 70.88	7.200
3" ARC 90 DEG ELBOW	7	7,039.18	120.000	C	\$ 492.74	8.400
3" ARC 45 DEG ELBOW	2	7,039.18	120.000	C	\$ 140.78	2.400
3" AL LOCKNUT	18	995.80	6.000	C	\$ 179.24	1.080
3" AL GRD BUSHING	7	6.18	42.000	C	\$ 43.26	2.940
3" x12" ARC NIPPLE	2	4,565.93	90.000	C	\$ 91.32	1.800
3" AL CHASE NIPPLE	2	4.88	21.000	C	\$ 9.76	0.420
3" ARC STRAP	24	2.60	20.100	C	\$ 62.40	4.820
3" AL STRUT CLAMP	24	2.60	18.900	C	\$ 62.40	4.540
3" LT FLEX	8	958.10	30.750	C	\$ 76.65	2.460
3" LT STRAIGHT CONN	2	6,915.35	52.500	C	\$ 138.31	1.050
#6 BARE COPPER	12	314.60	15.300	M	\$ 3.78	0.180
#1/1C-5KV MC CBL NO-SHLD 133%	30	29.84	88.800	M	\$ 895.20	2.660
#2 MECH LUG	4	138.60	12.000	C	\$ 5.54	0.480
3" FIELD CUT KO	6	-	0.900	E	\$ -	5.400
8"x8" WIREWAY 4' PC	2	224.64	0.900	E	\$ 449.28	1.800
P-1000 1 5/8 STRUT	50	638.32	16.500	C	\$ 319.16	8.250
3/8-16x 2 1/4 WEDGE ANCHOR	58	115.50	18.000	C	\$ 66.99	10.440
3/8 PLATED T-ROD	12	120.13	4.500	C	\$ 14.42	0.540
3/8 DRILL & TAP FOR SCREW	6	-	0.230	E	\$ -	1.380
3/8-16 HEX NUT - S/S	24	11.64	3.000	C	\$ 2.79	0.720
3/8 FLAT WASHER - S/S	24	5.94	1.500	C	\$ 1.43	0.360
3/8x 1 1/4 FENDER WASHER - S/S	24	13.80	1.500	C	\$ 3.31	0.360
3" DIAM CORE 6" THICK FLOOR	1	650.00	2.000	E	\$ 650.00	2.000
3" DIAM CORE 6" THICK WALL	1	400.00	3.000	E	\$ 400.00	3.000
TY-RAP-7" INDOOR	25	0.21	0.050	E	\$ 5.25	1.250
Sub-Totals					\$ 5,328.50	145.500
Cost Per Hour						\$ 45.71
Totals					\$ 5,328.50	\$ 6,650.81

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~ | ~

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Proposed Change Order Cost Analysis Worksheet

Incidental Labor

		<u>Hours</u>
JOB SETUP		2.500
JOB SCHEDULING		1.500
VERIFICATION		0.500
AS BUILT DRAWINGS		0.250
Sub-Totals		4.750
Cost Per Hour		\$ 45.71
Totals		\$ 217.12

Labor Factoring

	<u>Factor</u>	<u>Hours</u>
WORK CONDITIONS	1.00%	1.455
JSA/SAFETY	3.10%	4.511
Sub-Totals	4.10%	5.966
Cost Per Hour		\$ 45.71
Totals		\$ 272.68

Indirect Labor

	<u>Lab %</u>	<u>Hours</u>
DIRECT SUPERVISION	2.00%	2.910
Sub-Totals	2.00%	2.910
Cost Per Hour		\$ 45.71
Totals		\$ 133.02

General Expenses

	<u>Total</u>
TOOLS, SAFETY, VEHICLES	\$ 814.43
CONSUMABLES	\$ 159.86
Totals	\$ 974.29

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City Council Action Form

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



Council Meeting: 11 May 15 Regular Meeting

4 May 2015

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

FR: Edward A. Wyatt, Interim City Manager

RE: CAF: 15-28

Consideration of Approval of Resolution 15-20, Authorizing the Dedication and Acceptance of Sewer Mains Serving Building #10 on Vance Granville Community College.

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

- KSO 5 – Provide Reliable, Dependable Infrastructure: *To provide reliable, dependable and environmentally compliant infrastructure systems.*

Recommendation:

- Approval of Resolution 15-20, Authorizing the Dedication and Acceptance of Sewer Mains Serving Building #10 on Vance Granville Community College.

Executive Summary

Chandler Engineering has worked with Vance Granville Community College and the City of Henderson to install a new sanitary sewer and services to provide sewer to Building #10 on the west side of Poplar Creek Road for the prescribed distances: Building #10; 925 feet, 8-inch.

The sewer mains were inspected and constructed in accordance to the City's construction standards. All testing has been performed and deemed acceptable on the sewer mains listed above. Approval from DENR has been obtained and the sewer system can be put into service when the Community College rehabilitates the building for classroom space.

A one year warranty will be placed on the system as a condition for acceptance by the City.

Enclosures

1. Resolution 15-20
2. Map of Area

RESOLUTION 15-20
AUTHORIZING THE DEDICATION AND ACCEPTANCE OF
SEWER MAINS SERVING BUILDING #10 ON VANCE
GRANVILLE COMMUNITY COLLEGE

WHEREAS, the Henderson City Council (Council) conducted its Annual Planning Retreat in January 2015, and during said retreat identified eight Key Strategic Objectives (KSO) and Goals and 12 Core Values; *and*

WHEREAS, this Resolution addresses one of the Key Strategic Objectives as follows: **KSO 5:** To Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems; *and*

WHEREAS, Vance Granville Community College is converting a commercial facility into a classroom designated as Building #10; *and*

WHEREAS, approximately 680 LF of 8" sewer main, service laterals with associated appurtenances were constructed; in accordance to City standards; *and*

WHEREAS, all testing of the sewer mains have been performed with acceptable results and approval from regulatory agencies (NC DENR) have been received for use of the sewer mains; *and*

WHEREAS, the sewer mains are located within properly recorded easement(s) Plat Book X Page 358 and/or public right-of-ways.

NOW THEREFORE BE IT RESOLVED by the Henderson City Council that it does hereby authorize the execution of the Sewer Main Conveyance and Dedication form, (*See Attachment A to this Resolution*), for City acceptance of the Sewer Mains Serving Building #10 on Vance Granville Community College.

The foregoing Resolution 15-20, 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 ** day of *** 2015: YES: . NO: ABSTAIN: . ABSENT:

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk
Approved to Legal Form:

D. Rix Edwards, City Attorney
*Reference: Minute Book 43, pp. ***

**STATE OF NORTH CAROLINA
COUNTY OF VANCE**

**SEWER MAIN
CONVEYANCE AND DEDICATION**

THIS AGREEMENT, made and entered into this _____ day of _____, 2015 by and between Vance-Granville Community College referred to hereinafter as "Grantors", and the City of Henderson, a municipal corporation, hereinafter referred to as "Grantee".

WITNESSETH:

WHEREAS, Grantor has installed 8 inch sewer main(s) in a permanent easement and/or street right-of-ways which are shown on the record drawings entitled Sewer Main Serving Building #10 Vance Granville Community College as prepared by Chandler Engineering, PA and on file in the Engineering Department of the City of Henderson and on the plat recorded in Plat Book(s) X Page(s) 358 of the Vance County Register of Deeds.

WHEREAS, the Grantor is desirous of conveying all of its right, title and interest in said water main to the Grantee within the easement and/or right-of-ways with the understanding that the Grantee will repair and maintain said 8 inch sewer main(s) and connecting equipment; and

NOW THEREFORE, The parties hereto do agree as follows:

1. Grantor does hereby dedicate and convey to Grantee the rights-of-way as shown on the aforesaid plat, including that certain 8 inch sewer main(s) within the designated easement and rights-of-ways, and manholes, taps and all other equipment and materials installed in relation to the water and sewer mains, within the right-of-way, and the Grantor's

respective interest in the various properties on which the same are located within the right-of-ways on the above plat.

2. Grantee does hereby accept said sewer main as property of the Grantee, and does hereby covenant to repair and maintain same, at its sole cost, beginning one year from and after the date hereof of acceptance. Grantor does certify to the Grantee a one year warranty by the contractor and or payment to the City for repair work performed by the City within one year period of acceptance.

IN TESTIMONY WHEREOF, the parties hereto have caused this instrument to be executed in duplicate originals, this the day and year first above written.

Vance-Granville Community College

By: _____ (SEAL)
(TITLE)

STATE OF NORTH CAROLINA
County of _____

I, the undersigned Notary Public of the County of _____ and State aforesaid, certify that _____ personally came before me this day and acknowledged that he/she is the _____ of _____, a North Carolina _____ and that by authority duly given and as the act of such entity, he/she signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

Notary Public

Notary's Printed or Typed Name

My Commission expires: _____ (Affix Seal)

CITY OF HENDERSON

CITY of Henderson

(SEAL)

By: _____
James O'Geary, Mayor

ATTEST:

Esther McCrackin, CITY CLERK

STATE OF NORTH CAROLINA

County of Vance

I, the undersigned Notary Public of the County of _____ and State aforesaid, certify that Esther McCrackin personally came before me this day and acknowledged that she is the City Clerk of the CITY of Henderson, a North Carolina Municipal Corporation, and that by authority duly given and as the act of such entity, the foregoing instrument was signed in its name by its Mayor, sealed with the Municipal Corporate Seal and attested by the City Clerk.

Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

Notary Public

Notary's Printed or Typed Name

My Commission expires: _____ (Affix Seal)

Approved as to legal form:

CITY Attorney

Date

City Council Action Form

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



Council Meeting: 11 May 2015 Council Meeting

7 May 2015

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

FR: Ed Wyatt, Interim City Manager

RE: CAF: 15-65

Consideration of Approval of Resolution 15-38, Appointing the City Clerk as City Tax Collector for the Collection of Outstanding Privilege License Fees.

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

Recommendation:

- Approval of Resolution 15-38, Appointing the City Clerk as City Tax Collector for the Collection of Outstanding Privilege License Fees.

Executive Summary:

For collecting outstanding privilege license fees, it is recommended by the City Attorney that Council appoint the City Clerk as the City's Tax Collector for outstanding Privilege License Fees. The State requirement is for the governing body to appoint any appointive or elective officer, (other than a governing body member) who meets the personal and bonding requirements established by Section 105-349(e) of the North Carolina Statutes. The City Clerk, City Attorney and City Manager are the only appointed officials of the City of Henderson.

Attachments:

1. Resolution 15-38

R E S O L U T I O N 15-38

A RESOLUTION APPOINTING THE CITY CLERK AS CITY TAX COLLECTOR FOR OUTSTANDING PRIVILEGE LICENSE FEES IN ACCORDANCE WITH NORTH CAROLINA G.S. §105-349.

WHEREAS, the City has an existing agreement with the County of Vance to collect property taxes; *and*

WHEREAS, the City wishes to collect outstanding privilege license fees which is not part of the existing agreement with Vance County; *and*

WHEREAS, North Carolina G.S. §105-349 allows municipalities to appoint tax collectors; *and*

WHEREAS, North Carolina G.S. §105-349(b) requires the tax collector to be a person of character and integrity whose experience in business and collection work is satisfactory to the governing body, and states the office of tax collector may be held concurrently with any position; *and*

WHEREAS, Council wishes to appoint the City Clerk as Tax Collector to collect outstanding privilege license fees for the City of Henderson; *and*

WHEREAS, North Carolina G.S. §105-349(e) states the governing body may appoint as tax collector any appointive or elective officer who meets the personal and bonding requirements established by this section; *and*

WHEREAS North Carolina G.S. §105-349(g) requires each tax collector to take the oath required by Article VI § 7 of the North Carolina Constitution with the following phrase added to it: *“that I will not allow my actions as tax collector to be influenced by personal or political friendships or obligations”*.

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

- 1) Appointing the City Clerk as the City Tax Collector for the collection of outstanding Privilege License Fees; *and*
- 2) The appointment will be for an unlimited term; *and*

BE IT FURTHER RESOLVED that this resolution shall be a full and sufficient authority to direct, require, and enable the City of Henderson, and its City tax collector, to levy on and sell any real or personal property of such taxpayers.

The foregoing Resolution 15-38, 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 *** day of ***** 2015: YES: . NO: . ABSTAIN: . ABSENT: .

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk

Approved to Legal Form:

D. Rix Edwards, City Attorney

*Reference: Minute Book 43, pp. **, CAF 15-65*

City Council Action Form

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



Council Meeting: 11 May 15 Council Meeting

6 May 2015

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

FR: Edward A. Wyatt, Interim City Manager

RE: CAF: 15-26

Consideration of Approval of Ordinance 15-09, FY 15 Budget Amendment #27, including the Amended Fee Schedule to Include Fire Hydrant Meter Usage Fees Relative to the Policy for the Usage of Fire Hydrant Meters.

Ladies and Gentlemen:

Council Retreat Goals Addressed By This Item:

- KSO 5: Provide Reliable, Dependable and Environmentally Compliant Infrastructure Systems.
- KSO 8: Provide Sufficient Funds for Municipal Operations and Capital Outlay Necessary to Meet the Needs of Citizens, Customers and Mandates of Regulatory Authorities.

Recommendation:

- Approval of Ordinance 15-09, Amending the Annual Fee Schedule to include Fire Hydrant Metering Fee as well as accepting a new policy for Fire Hydrant Usage and Metering.

Executive Summary

It is the current policy of the Public Services Department to allow for the temporary use of a Fire Hydrant Meter in order to obtain potable water that cannot be regularly metered or is not immediately available on a construction site, etc. This policy has worked well in many ways, however, it does not regulate nor place a value on the timeframe that the hydrant meter is used whether there is consumption of water or not. The proposed fees are consistent with comparisons from other nearby cities. In addition, these fees further strengthen the city's policy as well as promote a positive revenue growth.

The City Staff recommends an amendment to the Annual Fee Schedule to reflect the correct prices for the rental as well as the usage of Fire Hydrant Meters to be used in conjunction with the new Hydrant Meter Usage policy to be placed in force immediately. This policy will establish procedures and regulations regarding the usage and metering of water from the City of Henderson's fire hydrants for the purchase of bulk water by any person(s), firm(s), or corporation(s) other than the City of Henderson on a regular or occasional basis.

It is requested that this change be implemented immediately and the revised fees be added to the annual fee schedule. The Policy is attached for informational purposes.

Hydrant Meter Fees:

Fire Hydrant Meter Deposit Fee	
(95% refundable if returned in good condition)	\$1,000.00
*Refundable Deposit for 3" Hydrant Meter	\$1,500.00
*Refundable Deposit for 5/8" Hydrant Meter	\$ 300.00
Daily Hydrant Meter Rental Rate	\$ 20.00/Day
Weekly Hydrant Meter Rental Rate	\$ 100.00/Week
Monthly Hydrant Meter Rental Rate	\$ 300.00/Month
6 Month Hydrant Meter Rental Rate	\$1,300.00/6 Months
Yearly Hydrant Meter Rental Rate	\$2,000.00/Year

*Includes a \$50.00 non-refundable Application Fee

Enclosures:

1. Ordinance 15-09, Budget Amendment #5
2. Fire Hydrant Metering and Use Policy
 - A) Hydrant Meter Policy
 - B) Hydrant Air Gap Instruction
 - C) Monthly Water Usage Report
 - D) Hydrant Use Letter for Fire Departments other than COH
 - E) Hydrant Meter Use Permit

ORDINANCE 15-09

FY 2014-15 BUDGET AMENDMENT #27 AMENDING THE ANNUAL FEE SCHEDULE PROVIDING FOR HYDRANT METER FEE REVISIONS.

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

WHEREAS, the Public Services Department has identified a need to update the Policy relative to the use of existing fire hydrants and meters, for bulk water purchases.

WHEREAS, it is the intent of Staff for all water to be appropriately billed and accounted for and to correctly state all fees in a consistent manner and therefore it is proposed to amend the Fee Schedule for FY 14-15 to reflect the Annual Fee Schedule as provided below:

Hydrant Meter Fees;

Fire Hydrant Meter Deposit Fee

(95% refundable if returned in good condition)	\$1,000.00
*Refundable Deposit for 3" Hydrant Meter	\$1,500.00
*Refundable Deposit for 5/8" Hydrant Meter	\$ 300.00
Daily Hydrant Meter Rental Rate	\$ 20.00/Day
Weekly Hydrant Meter Rental Rate	\$ 100.00/Week
Monthly Hydrant Meter Rental Rate	\$ 300.00/Month
6 Month Hydrant Meter Rental Rate	\$1,300.00/6 Months
Yearly Hydrant Meter Rental Rate	\$2,000.00/Year

*Includes a \$50.00 non-refundable Application Fee

BE IT FURTHER ORDAINED that the foregoing Ordinance shall be in full force and effective on 1 May 2015.

The foregoing Ordinance 15-09, 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 27th day of April 2015:
YES:. NO:. ABSTAIN:. ABSENT:.

James D. O'Geary, Mayor

ATTEST:

Esther J. McCrackin, City Clerk
Reference: Minute Book*p.***; CAF 15-09



City of Henderson

Public Services Department

Post Office Box 1434

900 S. Beckford Drive

Henderson, NC 27536-1434

Phone: (252) 431-6030 FAX: (252) 431-0124

Fire Hydrant Metering and Use Policy

I. Purpose

To establish procedures and regulations regarding the usage and metering of water from fire hydrants for purchase of bulk water by any person(s), firm, or corporation.

II. Policy

This policy shall apply to any person or entity other than the City of Henderson desiring to use water from a City of Henderson fire hydrant on a regular or occasional basis.

III. Definitions

Hydrant Meter – a meter designed to measure water flowing from a fire hydrant.

IV. Procedure

All customers will be required to complete a hydrant meter service application as seen in appendix A (attached) in person at the City of Henderson's Operations Center at 900 South Beckford Drive for the use of the hydrant metering device. This application must be accompanied by a refundable deposit of \$1,500.00 for a 3" meter or \$300.00 for a 5/8" meter plus the rental for the first timeframe period depending upon the required usage time at the time of application.

- a) Hydrant meter assemblies are subject to availability.
- b) Customers will be billed on a monthly cycle by the Utility Billing office for all water usage at the current applicable outside City commercial rate per 100 Cubic Feet (CCF) (748 gallons).

- c) Upon return of the hydrant meter assembly and associated equipment to the City of Henderson's Operations Center, deposits shall be returned less the \$50.00 application fee within thirty (30) days, providing the following has occurred:
 - a. Hydrant meter assemblies have been returned in good working condition, with no excessive wear or damage.
 - b. Customer has paid for any damaged and/or missing equipment.
 - c. All outstanding water usage and rental charges for the hydrant meter assemblies have been paid in full.

Customers may apply for temporary water sales through the City's hydrant meter program. Temporary is generally defined as less than one (1) year; however, certain construction sites (residential sub-divisions, etc.) may require a hydrant meter for longer than one (1) year and will revert back to a monthly rate after one (1) year. All appropriate permits and fees must be paid by the contractor in accordance with City of Henderson policy.

Customers will be allowed to rent the hydrant meter assemblies by the day, week, month, 6-month, or year timeframes. Non-refundable rental rates for the hydrant meter and backflow preventer assemblies are as follows:

- | | |
|--------------------------------------|--------------------|
| a. Daily Hydrant Meter Rental Rate | \$ 20.00/Day |
| b. Weekly Hydrant Meter Rental Rate | \$ 100.00/Week |
| c. Monthly Hydrant Meter Rental Rate | \$ 300.00/Month |
| d. 6 Month Hydrant Meter Rental Rate | \$1,300.00/6 Month |
| e. Yearly Hydrant Meter Rental Rate | \$2,000.00/Year |

These rates will be in effect for the duration of the time the meter is in the custody of the customer in addition to the water usage charged at the prevailing outside commercial rate for actual water consumed by the customer. Meter readings shall be performed by City staff and the periodic billing for rental and usage (consumption) charges shall be billed monthly or at the end of the rental, whichever comes first.

No hydrant meter shall be used unless the temperature is 35 degrees Fahrenheit or above and rising. When the temperatures fall to 35 degrees Fahrenheit, the hydrant shall be closed and the hydrant meter shall be

disconnected from the hydrant. City staff will provide training and written instructions to all applicants on the proper operation of fire hydrants and the proper techniques for connecting and removing of the hydrant meter assembly.

V. Hydrant Meter Usage

The customer is responsible for the following procedures and may be held liable for repairs, and be subject to other enforcement actions for not adhering to these procedures. The customer is responsible for teaching the proper hydrant operation procedures to all hydrant users. This includes water truck drivers or any other employee of the company that may need to operate a hydrant for any reason. The guidelines are as follows:

- 1. Safety First** – Prior to operation, the customer shall verify that the hydrant is in good working order. This means that the hydrant is not movable. In the event that the hydrant is unstable, damaged, leaking, or unsafe for any reason, the permittee will not use said hydrant. They should call the City Of Henderson office at 252-431-6030 during normal business hours or call Vance County Emergency Services (911) at 252-492-0202 after hours and on weekends to report an unsafe hydrant, and a crew leader will be dispatched to inspect the unsafe hydrant.
- 2. The City of Henderson requires backflow protection in all instances either in the form of an air gap that is 2x the diameter of the fill pipe (minimum of 2”), or the preferred method which is an approved and tested RPZ (Reduced Pressure Zone assembly) on all tanker trucks and/or water tanks.**
- 3. The customer shall:**
 - a.** Use an approved fire hydrant wrench specifically designed and manufactured to open and close a fire hydrant. **Do not use a pipe wrench, crescent wrench, etc.**
 - b.** Not use any additional torquing devices (cheater bar) to open or close a fire hydrant.

- c. Before installing hydrant meter, open hydrant slowly and let water flow for approximately 30 seconds to clear the line of debris.
- d. When opening a hydrant, turn the hydrant wrench slowly counterclockwise until the wrench stops turning, then back-off ¼ turn. When closing the hydrant, turn the hydrant wrench clockwise slowly until the wrench stops turning, then back-off a ¼ turn.
- e. Make sure to replace and tighten all hydrant caps hand tight after use.
- f. Make sure to regulate the water flow by turning your hydrant meter's gate valve, **NOT** by partially opening hydrant or adjusting the ball valves on either of the backflow.
- g. **Do not** leave any hoses or appurtenances connected to a fire hydrant when not in use or the customer's representative is not in sight of the hydrant.
- h. **A gate valve assembly MUST be attached to the pumper nozzle. The gate valve assembly must be closed prior to turning the hydrant off.**

4. ***The customer must operate a fire hydrant by SLOWLY (7 seconds per revolution) opening the hydrant to a FULLY open position when in use, and to SLOWLY close the hydrant to a completely closed position when not in use.*** A hydrant operated in a partially opened or closed position will cause water to blow out from the hydrant's drain or weep holes into the bedding material supporting the hydrant, thus causing possible damage to the fire hydrant and creating a safety hazard. **The customer will be held accountable for damages to fire hydrants due to improper operation.**

5. The customer is liable and responsible for any property damage, damage to hydrants, and/or damage to the infrastructure due to the misuse and/or improper operation of the hydrant.

6. The customer is responsible for submitting a monthly water usage report to the City of Henderson Public Services Department, Utilities Division, P. O. Box 1434, Henderson, N.C. 27536 by the 5th of each month.

Note: If readings are not received by the 5th day of each month, accounts with 5/8" hydrant meters will be charged for 25 CCF and the larger hydrant meter accounts will be billed for 100 CCF. When the accurate reading are acquired, and if the usage is under, there will be a credit adjustment; if the

usage is over, the customer will be billed for the difference. Failure to report readings for two consecutive months will result in a \$50.00 per month penalty to be deducted from the deposit at the end of the rental period. Continued failure to report meter readings in a timely manner for billing or accounts that are not paid in full will result in penalties, the loss of hydrant meter privileges, forfeiture of hydrant meter deposits and the permanent closing of the hydrant meter account with the City of Henderson.

Deposit: Refunds will be applied to the final bill. The cost of repairs or replacement for the hydrant meter, backflow assembly, and any missing or damaged accessories will be deducted from deposit prior to any refund being processed.

VI. Penalties

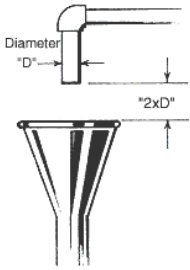
Only the City of Henderson hydrant meters with approved backflow assemblies can be used to obtain water from a fire hydrant in the City of Henderson service area. The use of any other hydrant meter assembly other than those approved by the City of Henderson will be subject to the issuance of Civil Penalties.

Continued use of hydrant meter, when usage readings are not being registered will be considered a violation of Henderson City Code and will be subject to civil penalties in the amount of \$500.00 per day for the 1st violation and \$1,000.00 per day for any subsequent violations. It is the responsibility of the customer to notify the City of Henderson Public Services Department, Utilities Division when the meter is not registering/recording the water usage.

Individuals using City water that is unmetered and unauthorized by the Public Services Director are subject to a civil penalty of \$500.00 per day for first offense and \$1,000.00 per day for any subsequent offenses plus applicable water consumption charges.

VII. Water Restrictions

All hydrant meters may be subject to immediate recall/return in the event of the implementation of any Water Restrictions.



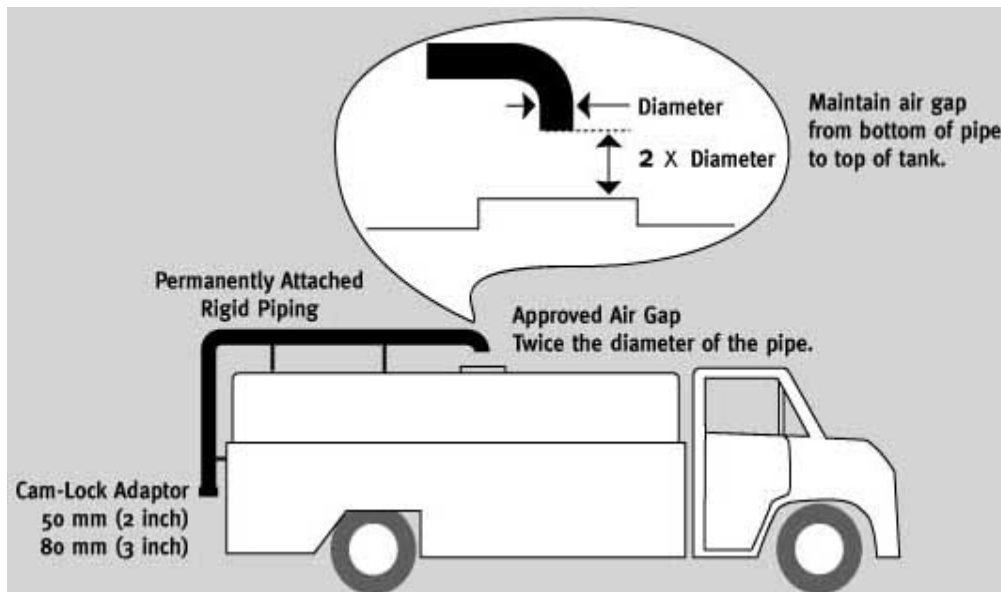
Air Gap Backflow Prevention

An Air Gap is a physical separation between the free flowing discharge end of a potable water supply pipeline and an open or non-pressure receiving vessel. An approved air gap shall be at least double the diameter of the supply pipe measured vertically above the overflow rim of the vessel and in no case should be less than 2 inches.

Unlike other backflow prevention assemblies, an air gap is a totally non-mechanical means of backflow prevention.

An Air Gap is considered the maximum protection available against back pressure backflow or back-siphonage, but unfortunately is not always practical and can easily be bypassed.

The general configuration of an approved Air Gap is illustrated here



City of Henderson Public Services
P. O. Box 1434
Henderson, North Carolina 27536
252-431-6030 – Phone 252-431-0124 - FAX

Monthly Water Usage Report

Name of Customer _____

Mailing Address _____

It is the responsibility of the permit holder to notify City of Henderson Public Utilities of water usage by the 5th of each month.

Rate:

Outside City-\$14.27 per service connection up to 500 gallons included then \$.010 cents per gallon over 500.

Date	Location of Hydrant	Amount (Gallons)	Total Amount
Total Gallons Used			

To Whom It May Concern:

It has come to our attention that Fire Departments located outside the City of Henderson's fire districts have been using the City's hydrants to draw water for purposes not approved by the City. Unauthorized use of the City's fire hydrants is considered tampering with a public water supply; tampering is a Federal Offense. Our department must maintain records and documents as to its operation and water usage. These records are reviewed by the State of North Carolina and the Federal Government. ALL water used throughout the water distribution system must be accounted for; this includes water sold, flushing to maintain water quality, fire fighting, leaks, water used by fire departments, etc.

The City of Henderson Public Utilities (COHPU) has established formal guidelines governing the use of the City of Henderson's owned fire hydrants (Fire Hydrant Use Permit).

North Carolina General Statute 130A-315; 130A-317; P.L. 93-523 states that – No person shall fill special use tanks or tankers containing pesticides, fertilizers, other toxic chemicals or their residues from a public water system except at a location equipped with an over-the-rim free discharge of water or an approved reduced pressure backflow preventer properly installed on the public water supply. No supplier of water shall permit the filling of such special use containers except at location so equipped.

ONLY permitted vehicles will be allowed to fill from fire hydrants owned by the City of Henderson. Persons desiring to obtain water from such hydrants will have to obtain a Fire Hydrant Use Permit from the City of Henderson Public Utilities. **This includes fire departments located outside the City of Henderson's fire districts.** The cost of a Fire Hydrant Use Permit is \$50.00 per calendar year. Permits will only be issued to haulers with an Approved Air Gap (AAG) or an approved and tested Reduced Pressure Zone Assembly (RPZ). Failure to obtain a permit prior to getting water from a fire hydrant may result in criminal and/or civil charges.

When obtaining your Fire Hydrant Permit, please read the Fire Hydrant Use Procedure carefully. The customer is responsible for any property damage, and/or damages to the County hydrants or infrastructure due to misuse or improper operation of the hydrant. The customer is responsible for submitting a monthly water usage report (enclosed) to WCPU by the 5th of each month.

Water tankers and/or water tanks, hydrant wrench, and gate valves will need to be inspected when permit is issued. Please call our office to schedule your inspection.

Sincerely,

Andy Perkinson
Operations Division Manager

Enclosures

City of Henderson Public Services
P. O. Box 1434
Henderson, North Carolina 27536
252-431-6030– Phone
252-431-0124 - FAX

Hydrant Meter Permit

**** EXPIRES: 1 YEAR FROM THE DATE OF
ISSUANCE ****

****PERMIT NOT VALID UNTIL VEHICLE IS INSPECTED BY COHPS****

The permit fee is \$50.00 per calendar year. **Each hydrant location** MUST be listed on the permit. Customer must update their permit if there is a change in hydrant locations. Monthly usage reports must be turned in to our office no later than the **5th of each month**. **The City of Henderson Public Services requires backflow protection in the form of an approved air gap that is two times the diameter of the fill pipe, or and approved and tested RPZ (reduced pressure zone assembly) on all tanker trucks and water tanks.**

Check one:

☐ New Permit ☐ Renewal ☐ Update

Billing Name _____

Mailing/Billing Address _____ ZIP: _____

Physical Address _____ ZIP: _____

Contact Name _____ Phone #'s _____

Make and Type Vehicle _____ Color _____ License No. _____

Make and Type Vehicle _____ Color _____ License No. _____

Make and Type Vehicle _____ Color _____ License No. _____

Proposed Hydrant Locations (cross streets)
(Volunteer Fire Department must list the district
they serve and provide current list of volunteer
firefighter on the roster)

Employee Name _____ Employee Drivers License # _____

Employee Name _____ Employee Drivers License # _____

Employee Name _____ Employee Drivers License # _____

Nature of Job (construction, landscaping, etc.) _____

Estimated quantity to be used per month _____

(Take last year's total and divide by number of months)

Signature releases the City of Henderson from any liability and the applicant agrees to hold harmless and defend the City of Henderson from any claims from any and all liability and losses for personal injury or property damage resulting from applicant's use of a fire hydrant. This form becomes the permit upon signature by the applicant and assignment of a billing account by the City of Henderson Public Services personnel. The permit holder MUST keep a copy of the permit in the vehicle used to withdraw the water. The Permit holder is liable for any property damage and/or damages to the hydrant or infrastructure due to misuse or improper operation of the hydrant. PERMIT IS ONLY VALID FOR PERMIT HOLDER(S) AND/OR EMPLOYEES LISTED ON APPLICATION.

I hereby authorize the City of Henderson Public Services to inspect my water carrier/container, the hydrant use permit, and hook-up and/or backflow prevention assemblies. I have read the Fire Hydrant Use Procedure and understand that failure to comply will result in a penalty issued by the Public Services Director of up to one thousand (\$1,000.00) dollars per violation and/or an immediate suspension of privileges and closure of any account issued to the person in violation.

Signature Requirements: *This permit must be signed by an authorized representative of the Applicant as described herein. For a corporation, this permit shall be signed by a responsible corporate officer. A responsible corporate officer means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation. For a partnership or sole proprietorship, this permit shall be signed by a general partner or the proprietor, respectively.*

In signing, I certify that I am an authorized representative of the Applicant:

Applicant Signature

Date

For Office Use Only			
Date Issued		<u>INSPECTION</u>	
Meter Size	N/A	Backflow Prevention _____	<input type="checkbox"/> Inspected by _____
Meter #	N/A	GV for Hydrant _____	<input type="checkbox"/> Date Inspected _____
Start Read	N/A	GV for Tanker _____	<input type="checkbox"/> Comments:
Final Read	N/A	Regulation Hydrant Wrench _____	<input type="checkbox"/>
Return Date	N/A	Training administered by _____	<input type="checkbox"/>

City of Henderson Public Services – Signature

Date Issued

City Council Action Form

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



Council Meeting: 11 May 15 Regular Meeting

5 May 2015

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

FR: Ed Wyatt, Interim City Manager

RE: **CAF 15-64**

Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of April 2015.

Ladies and Gentlemen:

Recommendation:

- Approval of tax releases and refunds from Vance County for the month of April 2015.

Executive Summary

The Vance County Tax office submitted the following tax releases and refunds to the Finance Department for the month of April 2015. These releases and refunds are found to be in order and are being recommended for approval.

The NCDMV now collects taxes on motor vehicles; therefore you will be seeing fewer tax releases and/or refunds for vehicles on these monthly reports from the County. Occasionally, there may be a transaction from previous years to report.

Column1	Column2	Column3	Column4
April 2015 Tax Releases & Refunds			
Name	Reason	Tax Year	Amount
Real & Personal Property			
Releases			
Dailey, Mary L	Pers. Prop. Billed in Error	2010	34.78
Dailey, Mary L	Pers. Prop. Billed in Error	2011	31.62
Dailey, Mary L	Pers. Prop. Billed in Error	2012	34.78
Dailey, Mary L	Pers. Prop. Billed in Error	2013	36.86
Carolina Quality Rent	Correct Ownership	2014	(282.01)
Vick, Jeffery Lee	Correct Ownership	2014	282.01
Williams, Robert W	Correct Value	2014	124.29
Total R&P Property Releases			\$ 262.33
Real & Personal Property			
Refunds			
None			-
Total R & P Property Refunds			\$ -
Total R&P Prop. Rel. & Ref.			\$ 262.33

CAF 15-64: 11 May 15 Council Meeting

Page 1 of 1

City Council Memo

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



Council Meeting: 11 May 15 Reg. Meeting

May 8, 2015

TO: The Honorable Mayor James D. O'Geary and Members of City Council
FR: Edward A. Wyatt, City Manager
RE: CM: 15-07

Subject: Solar Farms

Ladies and Gentlemen

On February 23, 2015, the City Council requested that the Planning Board draft or develop supplementary regulations regarding solar farms. The planning board after two public hearings and a special workshop session has agreed with a draft ordinance. The draft ordinance features landscape screening, fencing, definition, decommissioning plan, security bond between property owner and developer, along with some other requirements that governs the I1, I2, I3 and RA zoning jurisdictions. During the meeting, the Planning Board requested and recommends that solar farms as a use be eliminated from the RA zoning district. The RA district is Residential Agriculture with a minimum lot size of 40,000 square feet in area (approximately less than one acre in size). Solar farms as a use was approved by City Council on June 11 2012 (see ordinance 12-B-06)

On June 8, 2015, the City Council will have a public hearing on the following:

1. Recommendation by Planning Board to rezone properties from R-20 (Low Density Residential) to R-A (Residential/Agricultural Use) Zoning District located at 456 Spring Valley Road, 60.70+/- acres, (PIN #'s: 0207 01008, 0207 01005, 0207 02002A). *This item was tabled by City Council on February 23, 2015.*
2. Recommendation by Planning Board to approve Ordinance 15-19, supplementary regulations for solar farms
3. Recommendation by Planning Board to eliminate Solar farms as a use with a Special Use Permit in the RA district.

A complete executive summary and report along with draft ordinances will be a part of the City Council packet for the June 8 City Council meeting.

Meetings and Events Calendar

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

Date	Time	Event	Location
May 14 th	12:00 PM	Henderson-Vance Parks & Recreation Commission Meeting	Aycock Recreation Center
May 18 th	6:00 PM	Special Called Meeting for FY 15-16 Proposed Budget Presentation	City Council Chambers
May 18 st	2:30 PM	Human Relations Commission Meeting	City Council Chambers
May 19 th	6:00 PM	FY 15-16 Proposed Budget Work Session #1	City Council Chambers
May 21 st	6:00 PM	FY 15-16 Proposed Budget Work Session #2	City Council Chambers
May 25 th	Council Meeting Cancelled	HAPPY DAY  MEMORIAL	City Hall Closed
May 29 th	10:00 AM	Henderson-Vance 911 Advisory Board Meeting	E-911 Operations Center
Jun 1 st	3:30 PM	Henderson Planning Board Meeting	City Council Chambers
Jun 1 st	6:00 PM	FY 15-16 Proposed Budget Work Session #3 (If Needed)	City Council Chambers
Jun 2 nd	3:30 PM	Henderson Zoning Advisory Board Meeting	City Council Chambers
Jun 2 nd	6:00 PM	FY 15-16 Proposed Budget Work Session #4 (If Needed)	City Council Chambers
June 4 th	6:00 PM	FY 15-16 Proposed Budget Work Session #5 (If Needed)	City Council Chambers
Jun 8 th	6:00 PM	City Council Regular Meeting	City Council Chambers
Jun 9 th	6:00 PM	FY 15-16 Proposed Budget Work Session #6 (If Needed)	City Council Chambers
Jun 11 th	12:00 PM	Henderson-Vance Parks & Recreation Commission Meeting	Aycock Recreation Center
Jun 11 th	6:00 PM	FY 15-16 Proposed Budget Work Session #7 (If Needed)	City Council Chambers
Jun 15 th	6:00 PM	Special Called Meeting / Budget Hearing	City Council Chambers
Jun 16 th	6:00 PM	FY 15-16 Proposed Budget Work Session #8 (If Needed)	City Council Chambers
Jun 18 th	7:00 PM	Human Relations Commission Meeting	City Council Chambers
Jun 18 th	6:00	FY 15-16 Proposed Budget Work Session #9 (If Needed)	City Council Chambers
Jun 22 nd	6:00	City Council Short Regular Meeting Work Session to Immediately Follow	City Council Chambers
Jul 3 rd	City Hall Closed	Independence Day Celebration	City Hall Closed

Last Updated 8 May 2015

HENDERSON-VANCE COUNTY 911

NUMBER OF CALLS REPORT BY COMPLAINT (ALL UNITS)

TIME PERIOD: 03/21/2015 09:00:00 Through 04/20/2015 23:59:59

TOTAL

5,809

DEPARTMENT	COMMENT	TOTAL	COUNTY	CITY	STATE	OTHER
DATA WITH NO DEPARTMENT		131				131
AFTON VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	2	2			
AMERICAN RED CROSS	Other Dispatch	5				5
BEARPOND VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	41	41			
BERTIE AMBLANCE SERVICE	City & County Dispatch-actual	6	6			
COKEBURY VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	18	18			
CSX RAILROAD	Other Dispatch	1				1
DREWRY VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	14	14			
EMBARQ	Other Dispatch	0				0
EPSOM VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	9	9			
HENDERSON FIRE DEPARTMENT-STA 1	City Dispatch	282		282		
HENDERSON FIRE DEPARTMENT-STA 2	City Dispatch	140		140		
HENDERSON POLICE DEPARTMENT	City Dispatch	2,851		2,851		
HENDERSON STREET DEPT	City Dispatch	4		4		
HENDERSON WATER DEPARTMENT	City Dispatch	18		18		
HICKSBORO VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	22	22			
KITTRELL VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	25	25			
NORTH CAROLINA DEPT OF PARKS	State Dispatch	3			3	
NORTH CAROLINA DEPT OF TRANSPORTATION	State Dispatch	8			8	
NORTH CAROLINA DIVISION OF MOTOR VEHICLES	State Dispatch	0			0	
NORTH CAROLINA FORESTRY SERVICE	State Dispatch	8			8	
NORTH CAROLINA MAGISTRATE OFFICE	State Dispatch	0			0	
NORTH CAROLINA MEDICAL EXAMINER	State Dispatch	0			0	
NORTH CAROLINA PROBATION & PAROLE	State Dispatch	0			0	
NORTH CAROLINA STATE HIGHWAY PATROL	State Dispatch	35			35	
NORTH CAROLINA WILDLIFE	State Dispatch	0			0	
PROGRESS ENERGY	Other Dispatch	11				11
PUBLIC SERVICE GAS	Other Dispatch	3				3
RIDGEWAY VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	0	0			
TOWNSVILLE VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	17	17			
VANCE COUNTY AMBULANCE SERVICE (EMS)	City & County Dispatch-actual	523	249	269		5
VANCE COUNTY ANIMAL CONTROL	County Dispatch	88	88			
VANCE CO DEPT OF SOCIAL SERVICES	County Dispatch	3	3			
VANCE COUNTY EMERGENCY MANAGEMENT	City & County Dispatch	3	3			
VANCE COUNTY FIRE DEPARTMENT	County Dispatch/FIRE	125	125			
VANCE COUNTY RESCUE SQUAD	County Dispatch	51	51			
VANCE COUNTY SHERIFF DEPARTMENT	County Dispatch	2,265	2,265			
WAKE ELECTRIC COOPERATIVE	Other Dispatch	0				0
WATKINS VOLUNTEER FIRE DEPARTMENT	County VFD Dispatch	16	16			
TOTALS		6,728	2,954	3,564	54	156

Signature:

Prepared by: Carey D. Thompson, 911 Database Coordinator

Signature:

Reviewed by Brian K. Short, Director
04/27/2015

HENDERSON-VANCE CO 911

Number Of Calls Report by Complaint

Jurisdiction: HEN-VAN

First Date: 03/21/2015

Last Date: 04/20/2015

<i>Complaint</i>		<i>Number</i>
911HU	911 HANG UP CALL	42
ABAND	ABANDONED OR JUNKED CARS	1
ABDOM-EMD	ABDOMINAL PAIN OR PROBLEMS	15
ABNV	ABANDONED VEHICLE	1
ACC-PD	ACCIDENT PROPERTY DAMAGE	82
ACC-PI	ACCIDENT PERSONAL INJURY	29
ALARM	ALARM RESIDENCE OR BUSINESS	277
ALARMFALSE	ALARM FALSE	106
ALARMMED	ALARM MEDICAL	15
ALLERG-EMD	ALLERGIC REACTION / ENVENOMATIC	4
ANIMAL-EMD	ANIMAL BITE / ATTACK	4
ANIM	ANIMAL COMPLAINT/VISCIOUS ANIMAL	78
ARMED SUSP	ARMED SUSPECT (MAN WITH A GUN)	6
ASAG	ASSIST OTHER AGENCY	24
ASMO	ASSIST MOTORIST	53
ASSAULIP-EMD	ASSAULT OR SEXUAL ASSAULT - IN PI	4
ASSAULT-EMD	ASSAULT OR SEXUAL ASSAULT	55
BACKPAIN-EMD	BACK PAIN (NON-TRAUMATIC)	7
BE MV	BREAKING AND ENTERING TO A MOTOR	7
BOATING	BOATING ACCIDENTS	1
BON	BONDING	2
BREATH-EMD	BREATHING PROBLEMS	73
BURG-IP	BURGLARY/B&E IN PROGRESS	3
BURGLARY	BURGLARY	48
CAR	CARELESS AND RECKLESS DRIVER	75
CARDIAC-EMD	CARDIAC/RESPIRATORY ARREST OR I	1
CHASE	CHASE	5
CHESTPAI-EMD	CHEST PAIN	61
CHILD-ABU	CHILD ABUSE OR NEGLECT	3
CIVDIS	CIVIL DISPUTE	94
COMTHR	COMMUNICATING THREATS	7
CONTROLBURN	CONTROLLED BURN	2
CONVULS-EMD	CONVULSIONS / SEIZURES	24
DIABETIC-EMD	DIABETIC PROBLEMS	14
DIRTRF	DIRECTING TRAFFIC/TRAFFIC CONTRI	5
DISO	DISORDERLY PERSON	98
DOMEIP/W	DOMESTICE DISPUTE - IN PROGRESS	5
DOM-PROB	DOMESTIC PROBLEM	83
DRUGALC	DRUG OR ALCOHOL COMPLAINT	51
DRUNKDRIV	DRUNK DRIVER	5
DVO	DOMESTIC VIOLENCE ORDER	7
EMERG TRANS	EMERGENCY TRANSPORT	2
ESCO	ESCORT	171
EVICTON	EVICTON CARRIED OUT	25
FALLS-EMD	FALLS (SUBJECT FALLEN)	57
FIGHT	FIGHT	26
FIGHT-IP/W	FIGHT IN PROGRESS/W-WEAPONS	2
FIRE AL	FIRE ALARM	39
FIRE BRU	BRUSH/GRASS FIRE	14
FIRE DUMP	DUMPSTER FIRE	1
FIRE ELEC	ELECTRICAL FIRE	4
FIRE SMOKE	SMOKE REPORT	5

HENDERSON-VANCE CO 911

Number Of Calls Report by Complaint

Jurisdiction: HEN-VAN

First Date: 03/21/2015

Last Date: 04/20/2015

<i>Complaint</i>		<i>Number</i>
FIRE STRUC	STRUCTURE FIRE	15
FIRE VEHI	VEHICLE FIRE	5
FRAUD	FRAUD/FORGERY	30
FUELSPI	FUEL SPILL	1
GASLEA	GAS LEAK	5
HARR	HARRASSMENT/THREATS	51
HEADACHE-EMD	HEADACHE	8
HEART-EMD	HEART PROBLEMS - AICD	2
HEMORR-EMD	HEMORRHAGE / LACERATION	10
HOMEINV	HOME INVASION	1
HRPD	HIT & RUN PD	18
HRPI	HIT & RUN PI	1
ILL-DUMP	ILLEGAL DUMPING	2
INDEXPO	INDECENT EXPOSURE	5
INSPECTION	FIRE INSPECTION	38
INTPERS	INTOXICATED PERSON	10
INVE	INVESTIGATE ----- AT	905
IPV	IMPROPERLY PARKED VEHICLE	35
JUV	JUVENILE PROBLEMS	46
LARC	LARCENY - ALREADY OCCURRED	156
LIVEST	LIVESTOCK IN ROADWAY	3
LOIT	LOITERING COMPLAIN	16
LOST	LOST PROPERTY	5
LOUD	LOUD MUSIC	75
MEDICAL	MEDICAL	3
MEN	MENTAL SUBJECT	58
MISS	MISSING PERSON	12
OPEN	OPEN DOOR/WINDOW	12
OVERDOSE-EMD	OVERDOSE / POISONING (INGESTION)	4
PDAMG	PROPERTY DAMAGE ALREADY OCCUR	75
PDMGIP	PROPERTY DAMAGE IN PROGRESS	1
PREGNANT-EMD	PREGNANCY/CHILDBIRTH/MISCARRIA	4
PROW	PROWLER	22
RAPE	RAPE	1
RECPI	RECOVERED/FOUND PROPERTY	18
ROBARM	ROBBERY ARMED	1
RUN	RUNAWAY	9
SHOP	SHOPLIFTER	17
SHOTS	SHOTS FIRED	70
SICK-EMD	SICK PERSON	103
STABBING-EMD	STABBING / GUNSHOT / PENETRATING	8
STOLV	STOLEN VEHICLE	9
STROKE-EMD	STROKE (CVA)	16
SUBINCUS	SUBJECT IN CUSTODY	23
SUICIDE-EMD	SUICIDE / PSYCHIATRIC / ABNORMAL	2
SUMMONS	CIVIL / CRIMINAL SUMMONS	7
SUPSUB	SUSPICIOUS SUBJECT	63
SURR	SURRENDER	9
SUSVEH	SUSPICIOUS VEHICLE	101
TEST	TEST CALL	81
TRAFFIC STOP	VEHICLE STOP	596
TRAUMA-EMD	TRAUMATIC INJURY (SPECIFY IN NARI	4

HENDERSON-VANCE CO 911

Number Of Calls Report by Complaint

Jurisdiction: HEN-VAN

First Date: 03/21/2015

Last Date: 04/20/2015

<i>Complaint</i>		<i>Number</i>
TREEDWN	TREE DOWN	5
TRES	TRESPASSING SUSPECT	80
UNAUTHVEH	UNAUTHORIZED USE VEHICLE	10
UNCONC-EMD	UNCONCIOUS / FAINTING OR NEAR	28
UNKNOWN-EMD	UNKNOWN PROBLEM (MAN DOWN)	4
WARRANT	WARRANT	1070
WATER	WATER RELATED PROBLEM	17

Report Total: 5809

HENDERSON-VANCE CO 911

Number Of Calls Report by Department (All Units)

First Date: 03/21/2015

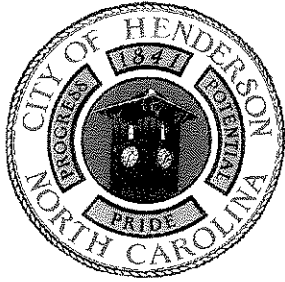
Jurisdiction: HEN-VAN

Last Date: 04/20/2015

	<i>Department</i>	<i>Number</i>
1	Data with no Department.	131
2	data error, blank in Department	2
3	AFTO	2
4	ARC	5
5	BERT	6
6	BVFD	41
7	CSX	1
8	CVFD	18
9	DOT	8
10	DSS	3
11	DVFD	14
12	EM	3
13	EMS	523
14	EVFD	9
15	FOR	8
16	GAS	3
17	HFD1	282
18	HFD2	140
19	HPD	2851
20	HVFD	22
21	KVFD	25
22	PARK	3
23	PE	11
24	SHP	35
25	STRE	4
26	TVFD	17
27	VCAC	88
28	VCFD	125
29	VCR	51
30	VCSO	2265
31	WATE	18
32	WVFD	16

Total: 5809

A call with multiple Departments assigned will be counted in the group total for each of these Departments, therefore such calls will be counted more than once. For this reason, the total number of calls may not equal the sum of the group totals



Henderson Fire Department

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

Daniel E. Wilkerson
Fire Chief

TO: ED WYATT, INTERIM CITY MANAGER
FROM: DANIEL E. WILKERSON, FIRE CHIEF
DATE: May 5, 2015

FIRE SUPPRESSION AND RESCUE ACTIVITY REPORT FOR: April 2015

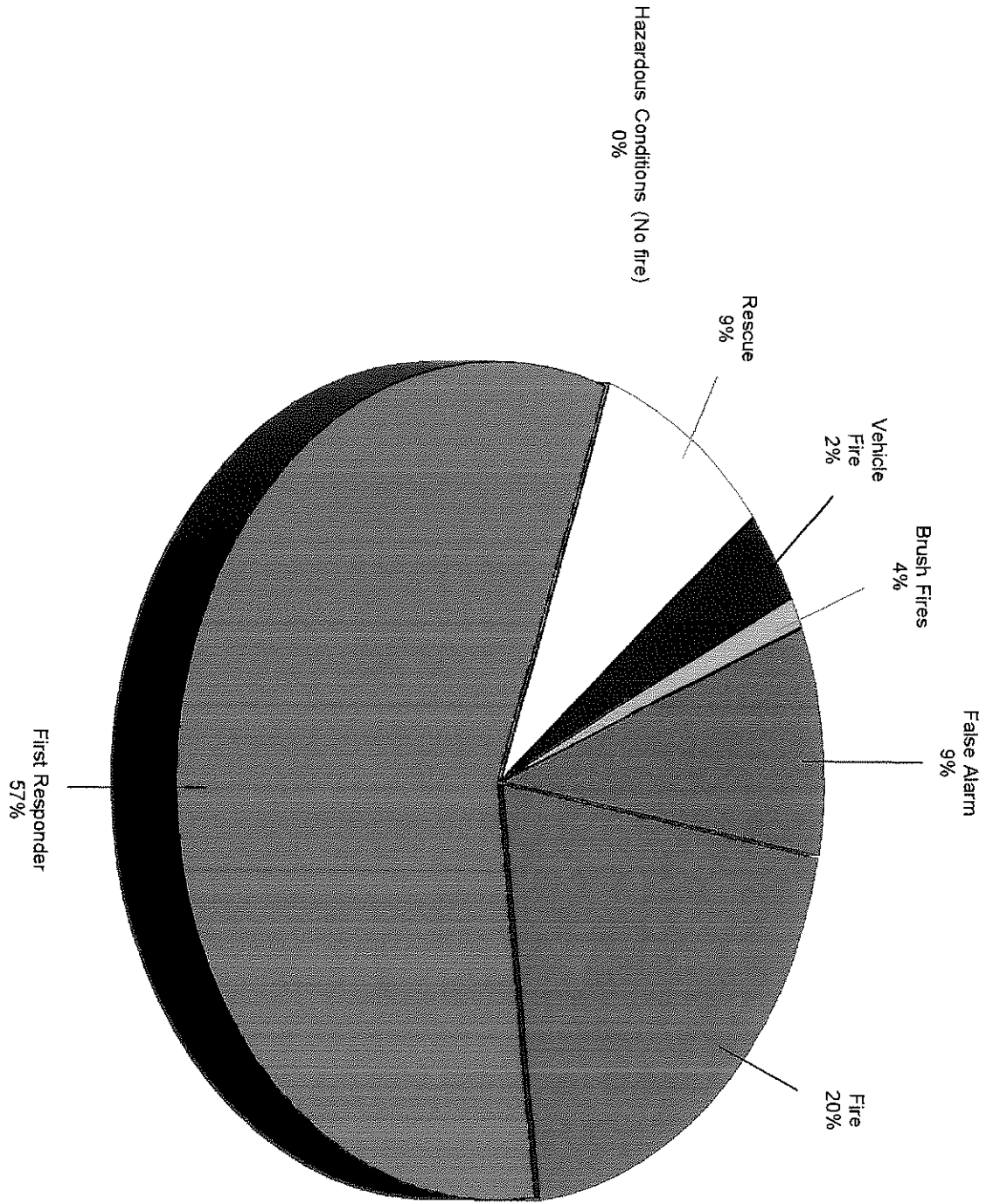
TYPE OF CALL	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
PRIVATE DWELLINGS (1 or 2 Family), Including Mobile Homes	32	16	102
APARTMENTS (3 or More Families)	0	1	5
HOTELS AND MOTELS	1	0	4
ALL OTHER RESIDENTIAL (Dormitories, Boarding Houses, Tents, etc.)	0	0	0
PUBLIC ASSEMBLY (Church, Restaurant, Clubs, etc.)	0	2	9
SCHOOLS AND COLLEGES	0	0	0
HEALTH CARE AND PENAL INSTITUTIONS (Hospitals, Nursing Homes, Prisons, etc.)	2	1	9
STORES AND OFFICES	2	6	17
INDUSTRY, UTILITY, DEFENSE, LABORATORIES, MANUFACTURING	0	0	2
STORAGE IN STRUCTURES (Barns, Vehicle storage Garages, General Storage, etc.)	1	0	1
OTHER STRUCTURES (Outbuildings, Bridges, etc.)	0	0	0
WORKING STRUCTURE FIRE	2	4	15
FIRES IN HIGHWAY VEHICLES (Autos, Trucks, Buses, etc.)	3	2	9
FIRES IN OTHER VEHICLES (Planes, Trains, Ships, Construction or Farm Vehicles)	0	0	0

FIRE OUTSIDE OF STRUCTURES WITH VALUE INVOLVED, BUT NOT VEHICLES (Outside Storage, Crops, Timber, etc.)	0	0	0
FIRES IN BRUSH, GRASS, WILD LAND (Excluding Crops and Timber) With No Value Involved	3	1	9
FIRES IN RUBBISH, INCLUDING DUMPSTERS (Outside structures), With No Value Involved	6	2	10
ALL OTHER FIRES	0	3	6
RESCUE	22	18	98
FIRST RESPONDER	144	146	571
FALSE ALARM RESPONSES (Malicious or Unintentional False Calls, Malfunctions, Bomb Scares)	22	11	64
MUTUAL AID OR ASSISTANCE RESPONSES	6	1	19
HAZARDOUS MATERIALS RESPONSES (Spills, Leaks, etc.)	0	4	13
OTHER HAZARDOUS RESPONSES (Arcing wires, Bomb Removal, Power Line Down, etc.)	4	4	24
ALL OTHER RESPONSES (Smoke Scares, Lock-Outs, Animal Rescues, etc.)	1	2	8
TOTALS	251	224	1086

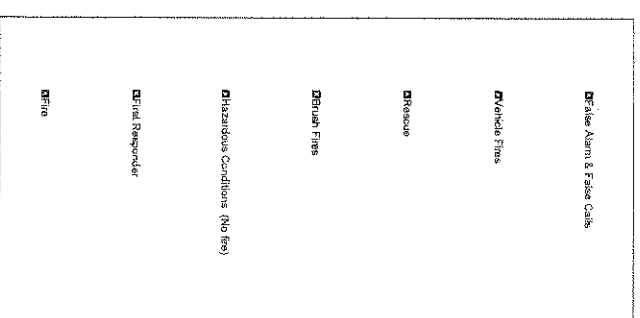
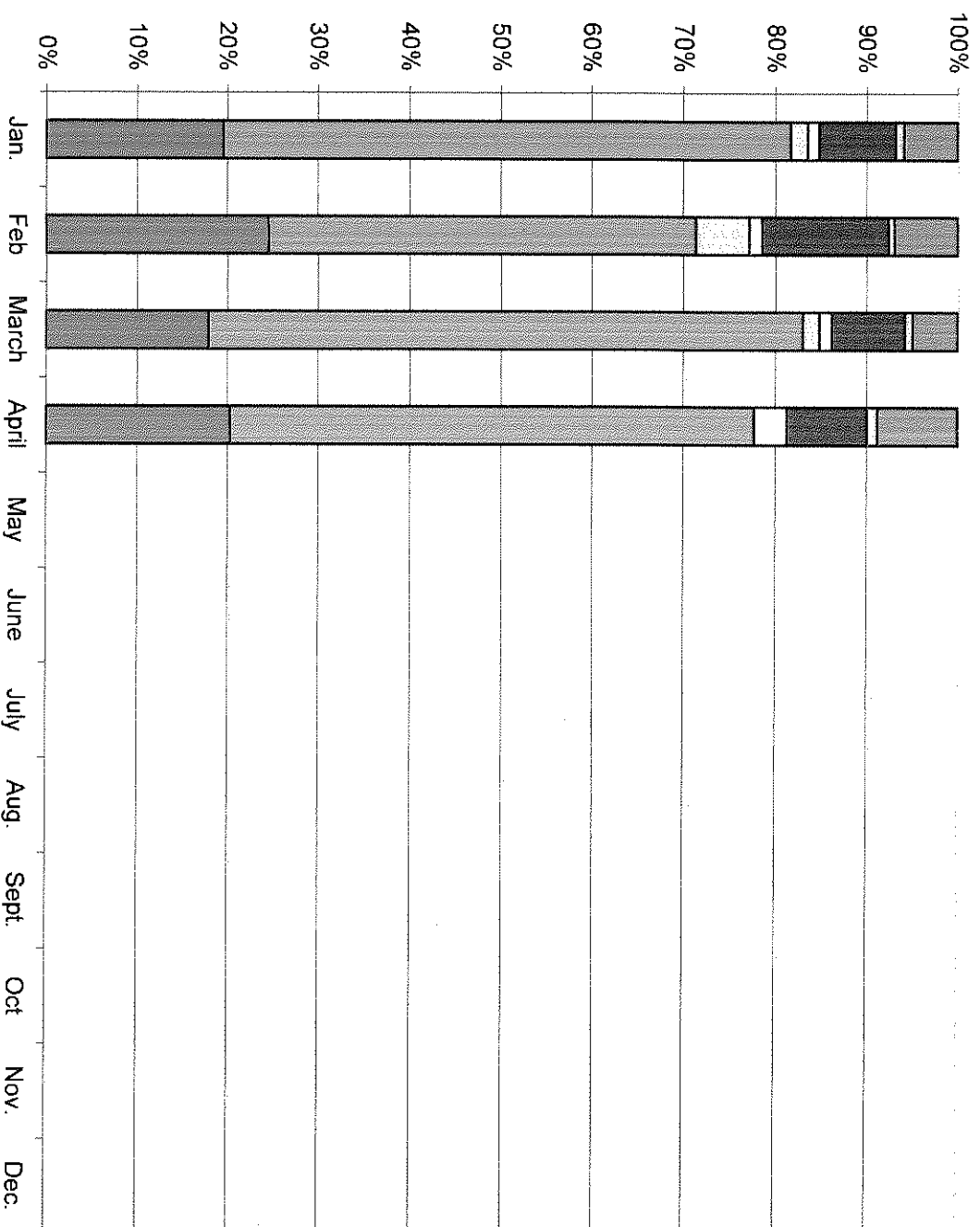
	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
Total Fire Incidents With Property and/or Contents Loss	9	8	38
Total of Property and Contents Value Saved	\$ 1,332,455.00	\$ 479,543.00	\$ 4,008,121.00

	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 April



YEAR TO DATE SUMMARY BY MONTH FOR 2015



INSPECTION ACTIVITIES REPORT FOR:
April, 2015

INSPECTIONS	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
ASSEMBLY	4	7	21
BUSINESS	13	10	58
EDUCATIONAL	0	0	0
HAZARDOUS	0	0	0
INDUSTRIAL	0	0	3
INSTITUTIONAL	1	6	12
MERCANTILE	10	10	40
RESIDENTIAL	2	5	17
STORAGE	1	2	3
DAY CARE	0	0	0
HOME CARE	0	0	0
FOSTER CARE	0	0	0
VACANT	0	0	0
TOTALS	31	40	154

	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
CODE VIOLATIONS	24	17	87
FOLLOW UP INSPECTIONS	9	5	31

FIRE PREVENTION ACTIVITY REPORT FOR YEAR OF: 2015

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	TOTALS
Service Calls to Residents	20	10	15	8									53
Home Inspections / Door Hanger Follow Ups	2	0	0	0									2
Smoke Alarms Installed	11	5	3	4									23
Batteries Installed in Smoke Alarms	9	5	12	4									30
Carbon Monoxide Alarms Installed	0	0	1	2									3
School / Daycare Presentations	1	2	1	1									5
Community / Civic Group Presentations	0	3	2	1									6
Station Tours	1	0	1	3									5
Total Participants in Fire & Life Safety Programs	200	400	350	450									1,400
Community / Business Displays	1	0	1	0									2
Fire Extinguisher Training	0	2	1	0									3
Child Safety Seats Inspected	6	3	2	5									16
Health Fair/Fire Prevention Week	0	0	0	0									0
Shift Coverage Hours	48	0	24	16									88
Fire Inspections	24	45	0	0									69
Safe Kids Events/Meetings	1	1	0	1									3

MONTHLY CITATION REPORT FOR THE MONTH OF: APRIL 2015

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					1
Dabney West Mall					1
Golden Corral					0
Guardian Care					0
Henderson Mall					0
Henderson Square					0
Lowe's	2		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		2	0		1
Walgreens					0
TOTALS	2	2	0		5

TRAINING DIVISION PRODUCTIVITY - APRIL 2015

Henderson Fire Department

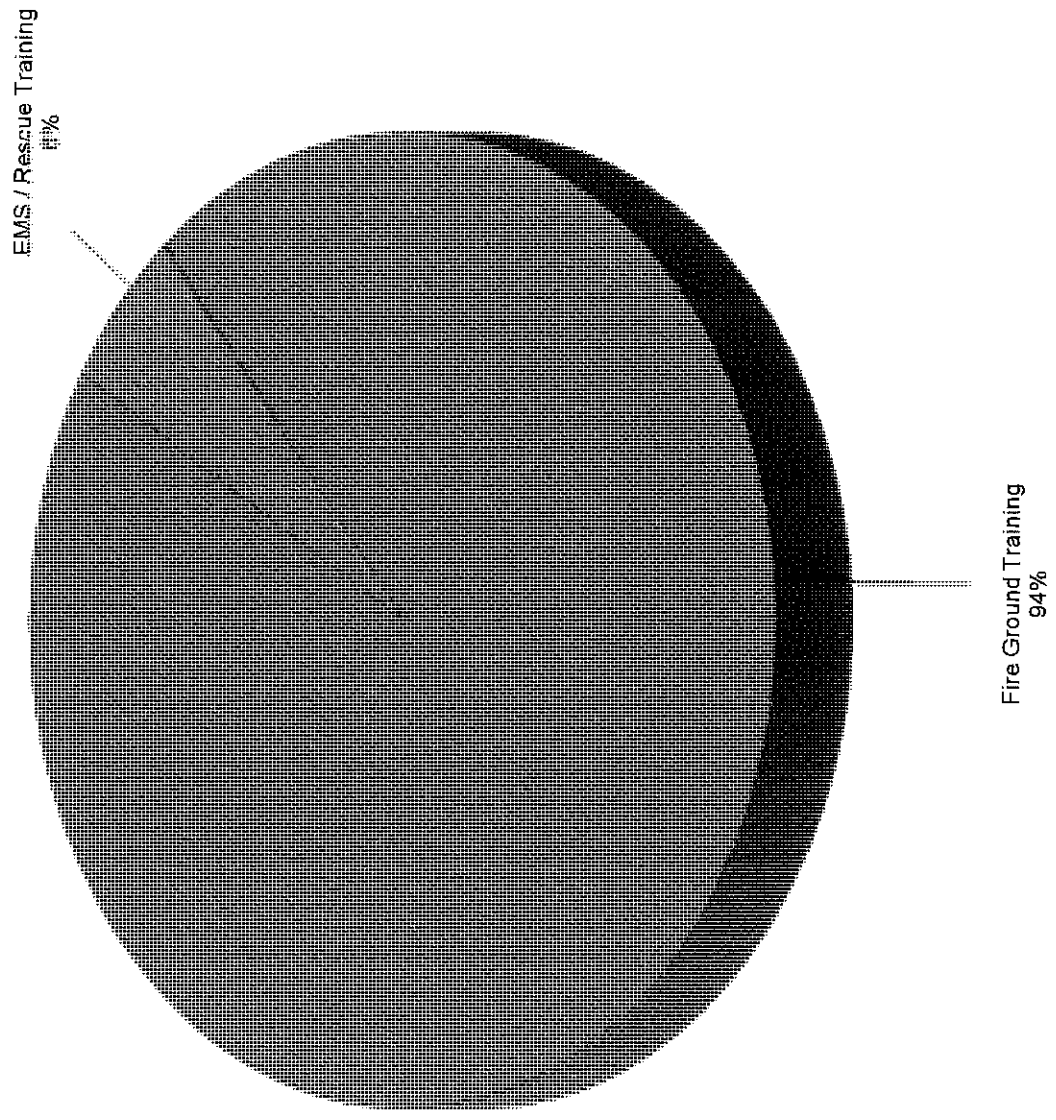
Types of Courses Taught	Course Hours Taught	Man-hours of Training
Fire Ground Training	205.5	1272
EMS / Rescue Training	12	132
Special Training	0	0

Totals	217.5	1404
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	Course Hours Taught	Man-hours of Training
PREVIOUS MONTH TOTAL	136	989.5

YEAR - TO - DATE TOTAL	628.5	3815.5
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Training Hours by Category - April 2015



Fire Department Regulatory Compliance

The Fire Department has met all regulatory compliance items for the month of April 2015