



## **AGENDA**

### **Henderson City Council Regular Meeting**

**Monday 8 February 2016, 6:00 p.m.**

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

**134 Rose Avenue**

**Henderson, North Carolina**

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#### **Mayor and City Council Members**

Mayor Eddie Ellington, Presiding

Councilmember Marion B. Williams  
Councilmember Sara M. Coffey  
Councilmember Michael C. Inscoe  
Councilmember D. Michael Rainey

Councilmember Melissa Elliott  
Councilmember Garry D. Daeke  
Councilmember Fearldine A. Simmons  
Councilmember George M. Daye

#### **City Officials**

Frank Frazier, City Manager  
D. Rix Edwards, City Attorney  
Esther J. McCrackin, City Clerk

#### **I. CALL TO ORDER**

#### **II. ROLL CALL**

#### **III. INVOCATION AND PLEDGE OF ALLEGIANCE**

#### **IV. OPENING REMARKS**

In order to provide for the highest standards of ethical behavior and Transparency in Governance as well as provide for good and open government, the City Council has approved Core Values regarding Ethical Behavior<sup>1</sup> and Transparency in Governance<sup>2</sup>. 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.

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<sup>1</sup> **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.

<sup>2</sup> **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) 11 January 2016 Regular Meeting and Work Session. [See Notebook Tab 1]*
- b) 27-28 January 2016 Annual Strategic Planning Retreat*

## **VII. PRESENTATIONS/RECOGNITIONS**

## **VIII. PUBLIC HEARINGS**

- a) Consideration of Approval of Ordinance 16-02, Amending the Zoning Map to Rezone the Properties Located on St. Matthews Street from B2A (Highway Commercial) to R8M (Moderate to High Density Residential-HUD Code). (CAF 16-08) [See Notebook Tab 2]*
  - Ordinance 16-02
- b) Holding a Public Hearing on the Question of Annexation for Henderson Collegiate, Inc. Pursuant to North Carolina General Statute 160-A-31; and Consideration of Approval of Ordinance 16-04, 1) Extending the Corporate Limits of the City of Henderson, North Carolina; 2) Assignment of Newly Annexed Area known as Henderson Collegiate, Inc. to Ward 4 and 3) Directing the City Attorney to Record Annexation with Vance County Board of Elections, Vance County Register of Deeds and the North Carolina Secretary of State. (CAF 16-03-A) [See Notebook Tab 3]*
  - Ordinance 16-04

## **IX. PUBLIC COMMENT PERIOD ON AGENDA ITEMS**

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

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### <sup>3</sup> 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.

## **X. NEW BUSINESS**

- a)* Consideration of Approval of Resolution 16-15, Receiving the Comprehensive Annual Financial Report for FY Ending 30 June 2015. (CAF 16-20) [See Notebook Tab 4]

  - Resolution 16-15
- b)* Consideration of Approval of Resolution 16-10, Supporting Connect NC Bond to Provide Funding for Projects to Further Economic Development in the State. (CAF 16-25) [See Notebook Tab 5]

  - Resolution 16-10
- c)* Consideration of Approval of Resolution 16-16, Authorizing the Dedication and Acceptance of a Water Main Serving the Henderson Collegiate Charter School Located on Old Epsom Road. (CAF 16-06) [See Notebook Tab 6]

  - Resolution 16-16
- d)* Consideration of Approval of Resolution 16-14, Declaring Intent to Close a Dedicated but Unopened Street Referred to as Berry Street. (CAF 16-10) [See Notebook Tab 7]

  - Resolution 16-14
- e)* Consideration of Approval of Resolution 16-12, Authorizing an Application to the North Carolina State Department of Environmental Quality Resources for a technical Assistance Grant Relative to Asset Management and Sanitary Sewer Modeling. (CAF 16-13) [See Notebook Tab 8]

  - Resolution 16-12
- f)* Consideration of Approval of Resolution 16-13, Authorizing a Request for Proposal for a 3-year On Call Engineering Service Agreement. (CAF 16-17) [See Notebook Tab 9]

  - Resolution 16-13
- g)* Consideration of Approval of Resolution 16-11, Authorizing the Acceptance and Support of a Grant from the NC Industrial Development Fund Relative to Funding Assistance for a Water and Sewer Main Extension for a Henderson-Vance Industrial Park Property. (CAF 16-26) [See Notebook Tab 10]

  - Resolution 16-11

- h) Consideration of Approval of Resolution 16-17, Council Committee Appointments. (CAF 16-07) [See Notebook Tab 11]*

- Resolution 16-17

## **XI. 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 16-01, FY16 BA #15 to Close-Out the KLRWS Containment Wall Project. (CAF 16-11) [See Notebook Tab 12]*

- Ordinance 16-01

- b) Consideration of Approval of Ordinance 16-03, FY16 BA #16 to Close Out Phase 1 of the 20MGD Expansion Project Budget. (CAF 16-09) [See Notebook Tab 13]*

- Ordinance 16-03

- c) Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of December 2015. (CAF 16-28) [See Notebook Tab 14]*

## **XII. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS**

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

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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;
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- 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.

### **XIII. REPORTS**

- a)* Mayor/Mayor Pro-Tem (No Report)
- b)* Interim City Manager (No Report)
- c)* City Attorney (No Report)
- d)* City Clerk
  - i. Meeting and Events Calendar *[See Notebook Tab 15]*

### **XIV. CLOSED SESSION**

- a)* Pursuant to G.S. §143-318.11 (a)(3) regarding Attorney/Client privilege.
- b)* Pursuant to G.S. §143-318.11 (a)(6) regarding a Personnel matter.

### **XV. ADJOURNMENT**

# **City Council Minutes - DRAFT**

## **Regular Meeting**

### **11 January 2016**

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#### **PRESENT**

Mayor Eddie Ellington, Presiding; and Council Members Marion B. Williams., Sara M. Coffey, Michael C. Inscoe, D. Michael Rainey, Melissa Elliott, Garry D. Daeke, Fearldine A. Simmons, and George M. Daye.

#### **ABSENT**

None.

#### **STAFF PRESENT**

City Manager Frank Frazier, City Attorney D. Rix Edwards, City Clerk Esther J. McCrackin, Assistant to City Manager Paylor Spruill, Police Chief Marcus Barrow, Fire Chief Steve Cordell, Engineering Director Clark Thomas, Henderson Water Reclamation Director Tom Spain, Development Services Director Corey Williams, Recreation and Parks Director Kendrick Vann, Public Services Director Mike Ross and Kerr Lake Regional Water Director Christy Lipscomb.

#### **CALL TO ORDER**

The 11 January 2016 Regular Meeting of the Henderson City Council was called to order by Mayor Eddie Ellington at 6:00 p.m. in the R. G. “Chick” Young, Jr. Council Chambers, Municipal Building, 134 Rose Avenue, Henderson, NC.

#### **ROLL CALL**

The City Clerk called the roll and advised Mayor Ellington a quorum was present.

#### **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

#### **OPENING COMMENTS**

Mayor Ellington greeted everyone and said it did his heart good to see so many citizens present for his first full, official meeting.

## **ADJUSTMENTS TO/APPROVAL OF AGENDA**

Mayor Ellington asked if there were any adjustments to the Agenda. The City Clerk asked for Council's permission to make changes to the agenda as follows: 1) Remove the *Closed Session*; 2) Remove the *Consideration of Approval of Ordinance 16-02, Amending the Zoning Map to Rezone the Properties Located on St. Matthews Street from B2A to R8M* and 3) Add *Consideration of Approval of Resolution 16-09, Permanent Conservation Easements*. Council Member Inscoe moved to accept the Agenda as adjusted. Motion seconded by Council Member Rainey and unanimously approved.

## **APPROVAL OF MINUTES**

Mayor Ellington asked for any corrections to and/or approval of the minutes. Council Member Daeke moved the approval of the 14 December 2015 Regular Meeting minutes as presented. Motion seconded by Council Member Simmons, and unanimously approved.

## **PRESENTATIONS & RECOGNITIONS**

Mayor Ellington asked Mr. Tommy Haithcock to come forward. Mr. Haithcock, along with Hope Howard and Heidi Owen have established a group called *Citizens Aligned to Take Back Henderson, NC*. They each respectfully expressed their concerns and shared their goal to "Create a better environment for education in our public schools, and to improve the quality of life in the image of the City of Henderson by having all abandoned and dilapidated buildings, both residential and commercial removed." A notebook was presented to each Council Member, showing properties in need of rehabilitation/demolition. The notebook also included many positives that Henderson has to offer and asked that Council put procedures in place to prevent Henderson from facing this problem (blight) in the future. Ms. Howard spoke to the need for a better environment. Ms. Owen addressed citizen fears by stressing how vacant structures, blighted neighborhoods lead to crime; and Mr. Haithcock said he has heard Henderson described as a third world country. Overall, they asked Council to consider borrowing the money to eliminate all the abandoned and/or dilapidated buildings within the City. They also recognized that it may take raising taxes to help pay back the loan and they would support this.

At the conclusion of the presentation, Mayor Ellington thanked them for their passionate comments and said this issue will be considered further during the upcoming Strategic Planning Retreat.

## **PUBLIC COMMENT PERIOD ON AGENDA ITEMS**

Several citizens wished to address Council regarding the Citizens Aligned to Take Back Henderson presentation.

**Tony Norwood, 313 Epsom Rocky Ford Road** Mr. Norwood owns Magnolia Management which holds 45 properties within the city limits. He supports the group 100%.

**Students** Several elementary students held up a sign that read *We Deserve the Best*, while two of them read letters they had written expressing their concern about the health and welfare hazards created by blight.

**Ardis Crews, 424 Hamilton Street** Ms. Crews said improvements are being made but it is time to think outside the box. She mentioned options such as burning dilapidated buildings by a fire department, fraternities and church groups becoming more involved.

**Larry Leach, 305 Burwell Avenue** Mr. Burwell said he chose to move to Henderson to restore an old home. He supports this group and asked that Council support them also.

**Ms. Faye Guin, 2593 Poplar Creek Road** Ms. Guin thanked the group for their actions. She addressed Council regarding the economic development side by saying she understands it will take a large amount of money to take care of this problem. She said if the funds are not obtained now, it will cost much more in the future and tax values will continue to erode. She commended the city regarding the demolition on the agenda this evening. Ms. Guin thanked Council for their consideration of this matter.

There was an approximate 5-6 minute recess to allow citizens to leave Council Chambers. The meeting resumed at 6:55 p.m.

## **NEW BUSINESS**

### **Authorizing the Application for a FEMA Grant by the Henderson Fire Department in the Amount of \$182,300. (Reference: CAF 16-01; Resolution 16-01)**

City Manager Frazier asked Fire Chief Steve Cordell to come forward and explain how the department plans to use the funds, if awarded. Chief Cordell said the grant funding will allow the department to purchase a Muni Unicus Air Compressor/Cascade system (\$45,000); upgrade the air system on Rescue One (\$12,300); replace 15 Self Contained Breathing Apparatus (\$112,500); and five Positive Pressure Ventilation Fans (\$12,500). The fans are approximately 20-26 years old and the compressor is 26 years old. He explained there is a match of \$8,680 that will be included in the FY16-17 Fire budget.

Council Member Rainey asked if this is a grant that is applied for yearly. Chief Cordell said it was not applied for last year and the last awarded grant was in 2013.

Council Member Inscoe asked for verification that the necessary matching funds will be included in the FY16-17 budget. Chief Cordell confirmed the funds will be included.

With no further questions, Mayor Ellington asked how Council wished to proceed.

Council Member Rainey moved the approval of Resolution 16-01, *Authorizing the Application for a FEMA Grant by the Henderson Fire Department in the Amount of \$182,300*. Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Williams,



Coffey, Inscoe, Rainey, Elliott, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None. (*See Resolution Book 5, p 1*)

**Authorizing a Water Tower Lease Agreement with Cellco Partnership D/B/A Verizon Wireless.** (*Reference: CAF 16-02; Resolution 16-02*)

City Manager Frazier said he is pleased to bring a revenue item before Council. He said the City Attorney has reviewed the proposed lease from Verizon that proposes an initial term of five years with an annual rental of \$27,000 or \$2,250 monthly. The annual rent will increase 2.75% each year and the City will receive \$1,000 for signing this agreement.

Council Member Inscoe asked if the revenue could go into the General Fund as the tower is no longer in use. Mr. Frazier said it could go into the General Fund but he would like to clear this with the auditors.

There were no other questions so Mayor Ellington asked how Council wished to proceed.

Council Member Elliott moved the approval of Resolution 16-02, *Authorizing a Water Tower Lease Agreement with Cellco Partnership D/B/A Verizon Wireless* with the understanding the revenue will go into the General Fund. Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Coffey, Inscoe, Rainey, Elliott, Daeke, Simmons, Daye and Williams. NO: None. ABSTAIN: None. ABSENT: None. (*See Resolution Book 5, p 3*)

**Temporarily Suspending the Leaf Collection Fee Through January 29, 2016.** (*Reference: CAF 16-21; Resolution 16-05*)

City Manager Frazier said the leaf crew has done an excellent job of picking up loose leaves this year. He explained collections have been impacted recently by the wet weather experienced in December and staff feels extending the collection date to the end of January is appropriate. Mr. Frazier said after the end of January, citizens can continue to bag the leaves but there will be a \$75.00 fee for loose leaf collection after this date.

Council Member Inscoe asked if consideration would be given a day or two after January 29. Mr. Frazier said if the crew is unable to collect the small amount of leaves before then, consideration may be given.

Council Member Rainey asked about the leaves on Cameron Drive. Public Services Director Ross said this area is near the golf course and it will take all three trucks to remove those leaves at the end of the season.

There were no further questions so Mayor Ellington asked how Council wished to proceed.

Council Member Rainey moved the approval of Resolution 16-05, *Temporarily Suspending the Leaf Collection Fee Through January 29, 2016*. Motion seconded by Council Member Daeke, and APPROVED by the following vote: YES: Inscoe, Rainey, Elliott, Daeke, Simmons, Daye, Williams and Coffey. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 5, p 9)

**Issuance of Certificate of Sufficiency and Fixing Date of Public Hearing on Question of Annexation Pursuant to NCGS 160A-31 for Henderson Collegiate, Inc. (Reference: CAF 16-03; Resolution 16-03)**

City Manager Frazier said this is a procedural item which sets the date of the public hearing for the annexation of the school.

Council Member Daeke asked if he was correct that there will be a loss of revenue in water/sewer when they become part of the City and that schools are not taxed. Mr. Frazier said that is correct.

Mayor Ellington asked how Council wished to proceed.

Council Member Coffey moved the approval of Resolution 16-03, *Issuance of Certificate of Sufficiency; and Fixing Date of Public Hearing on Question of annexation Pursuant to NCGS 160A-31 for Henderson Collegiate, Inc.* Motion seconded by Council Member Williams, and APPROVED by the following vote: YES: Rainey, Elliott, Daeke, Simmons, Daye, Williams, Coffey and Inscoe. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 5, p 5)

**Authorizing the Demolition of 311 Booth Street. (Reference: CAF 16-19; Resolution 16-04)**

City Manager Frazier explained this property is City/County owned and has been recently vacated. Staff have inspected the home and determined the cost to bring this structure up to code will far exceed the assessed value of \$9,008. A letter has been sent to the County Manager requesting their approval for demolition and as always, any cost and/or sale of the property will be shared according to the City /County agreement.

Council Member Inscoe's understanding is that eight (8) structures are ready for demolition. He asked Development Services Director Williams how soon this will happen. Mr. Williams said demolition should start in the next week or two.

Council Member Daeke asked if the structures are City/County owned. The response was yes and Mr. Williams added the County provides some funds toward demolition.

Council Member Coffey said she wished there was more understanding about how the process works. She felt citizens could do more to help clean up their neighborhoods and mentioned the lengthy process when heirs are involved.

Council Member Rainey asked how many structures on the list of dilapidated properties are City owned. Mr. Williams said there are currently 30 City owned properties.

Council Member Elliott asked for clarification regarding the notification process. Mr. Williams said it begins with certified letters, then public notices, posting the property and often the process is repeated numerous times.

Council Member Williams asked why this structure became a priority as many others look much worse. Mr. Williams said it is non-conforming and Council Member Simmons added sometimes the outside gives a false picture of the inside is like.

City Manager Frazier added if it is not demolished now, the City will need to purchase liability insurance for the property.

Council Member Inscoe asked how many structures have already been demolished. Mr. Williams said approximately 345 since 2002, including 108 at Beacon Light.

There was no further discussion. Mayor Ellington asked how Council wished to proceed.

Council Member Daeke moved the approval of Resolution 16-04, Authorizing the Demolition of 311 Booth Street. Motion seconded by Council Member Coffey, and APPROVED by the following vote: YES: Elliott, Daeke, Simmons, Daye, Williams, Coffey, Inscoe and Rainey. NO: None. ABSTAIN: None. ABSENT: None. (*See Resolution Book 5, p 7*)

**Providing for the Disposition of 152 S. Bullock Street Further Identified in Vance County Register of Deeds Book #01294, Page #0808; Tax Parcel #0085 01011.** (*Reference: CAF 16-22; Resolution 16-06*)

City Manager Frazier explained Vance County has received an offer to purchase this property for \$9,550. The assessed tax value is \$58,623 and prior to foreclosure, the unpaid taxes amounted to \$5,694 (County taxes plus interest totaled 3,527 and City taxes, plus interest totaled \$2,167). The foreclosure process includes attorney fees of \$2,265 for a grand total of \$7,959 owed. The City has no liens against the property for unpaid utility bills and/or weed abatement and it is understood that when the sale is finalized, the proceeds will be shared on a pro-rate basis.

Council Member Daeke asked what the potential buyer's intent is for the property. Council Member Coffey said it was her understanding from previous discussion that the City cannot restrict what the buyer does with the property other than comply with code.

Council Member Elliott asked why the sale price is so low. Council Member Inscoe responded it was the last and final bid offered on the foreclosed property.

Mayor Ellington now asked Council how it wished to proceed.

Council Member Rainey moved the approval of Resolution 16-06, *Providing for the Disposition of 152 S. Bullock Street Further Identified in Vance County Register of Deeds Book #01294, Page #0808; Tax Parcel #0085 01011.* Motion seconded by Council Member Simmons, and APPROVED by the following vote: YES: Simmons, Daye, Williams, Coffey, Inscoe, Rainey and Elliott. NO: Daeke. ABSTAIN: None. ABSENT: None. (*See Resolution Book 5, p 11*)

**Authorizing an Application to the NC Governor's Crime Commission in the Amount of \$36,109.** (Reference: CAF 16-12, Resolution 16-08)

City Manager Frazier asked Police Chief Barrow to summarize this request. Chief Barrow said this is a technical grant which will allow the department to stay up-to-date for accessing state and federal criminal justice databases such as DCI/NCIC, CJLEADS, NCAWARE, NC AOC. It will also provide funding for expanded data storage, updating mapping and management software. Chief Barrow said the matching portion of the grant will be provided for from the Asset Forfeiture account.

Council Member Daeke asked for the balance in the Asset Forfeiture account. City Manager Frazier said it is less than \$100,000.

Council Member Inscoe asked if there are plans to replace any police vehicles this year and the cost. Chief Barrow said he tried to keep the cost as low as possible and the current range is \$22,000 to \$35,000. Chief Barrow added there will be no more sharing of Asset Forfeiture funds from the Federal government and the State may share \$8,000 - \$10,000 a year with the City. Council Member Inscoe also asked about using the Asset Forfeiture funds for overtime. Chief Barrow said he is very careful with overtime.

Council Member Williams asked about the need to replace all this equipment. Chief Barrow said most computers/software are outdated in five years.

Council Member Coffey felt the police need all the tools possible to fight crime and supported this request.

With no further discussion, Mayor Ellington asked how Council wished to proceed.

Council Member Coffey moved the approval of Resolution 16-08, *Authorizing an Application to the NC Governor's Crime Commission in the Amount of \$36,109*. Motion seconded by Council Member Rainey, and APPROVED by the following vote: YES: Simmons, Daye, Williams, Coffey, Inscoe, Rainey, Elliott and Daye. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 5, p 15)

**Authorizing the Sale of a Parcel of City Owned Land on Southerland Mill Road in Warren County and to Advertise for Upset Bids Pursuant to North Carolina General Statute 160A-269.** (Reference: CAF 16-24; Resolution 16-07)

City Manager Frazier said the Land Planning Committee has considered an offer by Caymus Properties, LLC to purchase this property for \$41,000. It is the Committee's recommendation that this resolution be approved contingent upon the general statute and authorizing advertisement for upset bids pursuant to NCGS 160A-269. It was emphasized that Council has the right to refuse any offer at any time. Once the upset process is complete, this offer will be brought back before Council for final approval or rejection.

Council Member Elliott asked why the property is being considered for sale at less than \$1,000 an acre. Council Member Inscoc said the City has held onto the property since the 1970's and will never use as it is in Warren County.

City Manager Frazier said it is anticipated there will be upset bids as has happened in the past.

Council Member Coffey asked if the property is usable as there is no water or sewer to the property and also asked if the proceeds will go into the General Fund. Council Member Inscoc, who is Chairperson of the Land Planning Committee said when this comes back for final approval, it is the recommendation of the Committee that Council request the funds go into the General Fund.

Mayor Ellington asked how Council wished to proceed.

Council Member Rainey moved the approval of Resolution 16-07, *Authorizing the Sale of a Parcel of City Owned Land on Southerland Mill Road in Warren County and to Advertise for Upset Bids Pursuant to North Carolina General Statute 160A-269*. Motion seconded by Council Member Inscoc, and APPROVED by the following vote: YES: Daye, Williams, Coffey, Inscoc, Rainey, Elliott, Daeke and Simmons. NO: None. ABSTAIN: None. ABSENT: None. (See Resolution Book 5, p 13)

**Permanent Conservation Easements.** (Reference: Resolution 16-09)

City Manager Frazier explained this is an economic development tool that will provide a way to help with future stormwater projects. The City owns approximately 1.97 acres on Ross Mill Road which can be used for permanent conservation measures. Mr. Frazier said more information will be forthcoming.

Council Member Daeke said this is a good use for the property and Council Member Inscoc said it will make the city more business friendly.

Mayor Ellington asked how Council wished to proceed

Council Member Inscoc moved the approval of Resolution 16-09, *Permanent Conservation Easements*. Motion seconded by Council Member Daye, and APPROVED by the following vote: YES: Williams, Coffey, Inscoc, Rainey, Elliott, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None.

**PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS**

City Clerk McCrackin advised no citizens wished to address Council at this time.

## REPORTS

- a) Mayor/Mayor Pro-Tem - Mayor Ellington said he appreciates Council's patience as he conducts these meetings.
- b) City Manager – Mr. Frazier shared information about the Point and Pay program, saying the collection office has completed a trial run and the on-line bill paying software should be up and running by the end of January.
- c) City Attorney (No Report)
- d) City Clerk – Ms. McCrackin reminded Council of ribbon cuttings, the Chamber Banquet and said she and Deputy Clerk Patricia Pearson will be out of the office on January 20 to attend Clerk's Academy.

## WORK SESSION

### **Submission of an Application to the Division of Environmental Quality (DEQ) for a Technical Assistance Grant. (Reference: CM 16-01)**

City Manager Frazier asked Engineering Director Thomas to explain this application. Mr. Thomas said this is an opportunity for the City to explore looking into ways to create a model for I&I (inflow and infiltration) problems in the same way that was done previously for the water system. He said he is asking for Council's permission to look into this grant further.

Council Member Inscoe asked for the submission due date. Mr. Thomas said April 29 and that no match is required; however, cities score better if they are willing to match a portion of the grant funds.

City Manager Frazier said the water system model has been an excellent tool and feels this would do the same for sewer.

Council Member Inscoe recommended Mr. Thomas proceed with this opportunity and report back at a future meeting.

It was the consensus of Council to proceed with this application, as follows: YES: Williams, Coffey, Inscoe, Rainey, Elliott, Daeke, Simmons and Daye. NO: None. ABSTAIN: None. ABSENT: None.

With no further business Mayor Ellington asked if Council was prepared to adjourn

## **ADJOURNMENT**

Council Member Coffey moved for adjournment. Motion seconded by Council Member Rainey, and unanimously approved. The meeting adjourned at 7:53 p.m.

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Eddie Ellington  
Mayor

***ATTEST:***

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Esther J. McCrackin, City Clerk

**HENDERSON CITY COUNCIL  
ANNUAL STRATEGIC PLANNING RETREAT - DRAFT  
Henderson Country Club  
January 27, 2016**

**PRESENT:** Mayor Eddie Ellington, Council Members Marion Brodie Williams, Sara M. Coffey, Michael C. Inscoe, D. Michael Rainey, Melissa Elliott, Garry D. Daeke, Fearldine A. Simmons, and George M. Daye

**STAFF PRESENT:** City Manager Frank Frazier and City Clerk Esther J. McCrackin

**FACILITATOR:** Madeline Henley, Walking Stick Associates

**GUEST:** Sara Mansur, *Daily Dispatch*

Mayor Ellington opened the meeting at 6:15 p.m. and the invocation was given by Council Member Elliott.

**OPENING REMARKS:**

Mayor Ellington then turned the meeting over to Ms. Henley.

**GETTING STARTED**

Ms. Henley began by asking each member why they ran for office. Comments were positive with everyone saying they look forward to working together, better times are ahead, desire to bring facts to the citizens, show citizens “we” care, looking forward to great things in the future, and to not become discouraged by challenges.

Ms. Henley asked that everyone participate fully in this day and a half retreat. It was also agreed that discussion would be specific to the issue being discussed.

**OBJECTIVES:**

Next, Ms. Henley asked for what objectives Council would like to see come out of this Retreat. The objectives agreed upon by the Board were:

1. Develop Board Unity on vision and mission
2. Clear plan of action with not more than 4 major goals
3. Find ways to show who we are
4. Be Pro-active
5. Serve as one body
6. Be mindful of individual communities



7. Help City
8. Work together as a team with all ideas welcome
9. Accomplish good things even with constraints
10. Be a force not a face

## **ROLES AND RESPONSIBILITIES:**

Discussion began with a review of the Council's needs and expectations of other Council Members. There was a brief discussion and Council agreed no changes were needed with *City Council's Needs & Expectations of Other Council Members*

### **Under City Council's Needs & Expectations of Other Council Members**

There was a brief discussion but when Ms. Henley asked if Council could agree and meet the expectations as presented everyone was in agreement.

### **Under City Council's Needs and Expectations of Mayor**

Again, there was a brief discussion about existing items such as reminding Mayor Ellington that he has a Mayor Pro-Tem to rely on and that other Council Members are willing to step in so he does not overdo or burn himself out. Council asked the Mayor to consider creating a quarterly report to citizens (i.e., State of the City). When Ms. Henley asked the Mayor if he could agree to these needs and expectations, he confirmed he could and would.

### **Under Council's and Mayor's Needs and Expectations of City Manager**

Council did not make any changes to the expectations but did compliment Mr. Frazier for his ability to relate to citizens and staff in his personable manner. City Manager Frazier confirmed he could meet the expectations as they are currently listed.

### **Under Manager's Need and Expectations of Mayor and City Council**

Mr. Frazier said he would welcome any additions Council may suggest. The discussion revolved around agenda issues and Council should not hesitate to call Mr. Frazier to discuss an item prior to the meeting. Ms. Henley summarized the discussion by complimenting members desire to protect their peers from embarrassment and what she called the "gotcha" syndrome when someone springs something on the group. Her suggestion was to call for a 5 minute recess so other members during a meeting are not caught off guard and also so the entire board is seen as functioning as a unit.

## **PURPOSE, MISSION AND VISION STATEMENTS**

Council reviewed the existing Vision, Mission and Purpose Statements and it was the consensus to make no changes.

## **KEY CUSTOMERS**

Ms. Henley asked the Board to review the Key Customers and Key Customer Expectations. The consensus was that there were no changes to the Key Customers.

There was some discussion about KCE 3 – Fair Treatment. It was the consensus that you cannot have a set of rules for each individual/issue even though implementation may be seen as unfair.

## **CORE VALUES AND PRINCIPLES THAT GUIDE OUR WORK**

Discussion here centered on several core values, the first being

CV 3: Fairness: Ms. Henley said the Mayor sets the moral compass and leadership comes into play to provide fairness. Discussion revolved around the importance of listening and understanding policy and to be consistent yet understanding there may be gray areas.

Other core values that elicited discussion were CV 9 – Good Working Relationship with Vance County and CV 12 – Data Based Decision Making. Both are seen as necessary.

## **DISCUSSION ITEMS:**

Ms. Henley now turned the discussion to the survey results. One item for Thursday's discussion had already been determined and that was the housing/demolition issue. She asked Council to review the results from their questionnaire and determine what three items they felt were the top three items for discussion on Thursday.

After a short period of discussion it was determined that the order of discussion on Thursday should be:

1. Budget – review of mid-year revenues
2. Housing/Demolition
3. Economic Development Initiatives
4. Crime and Public Safety

Another item of concern was updating the city ordinance regarding animal control and it was determined this could be discussed during a work session.

*(Clerk's Note: At this time, due to other commitments, Council Members Daeke and Elliott left the meeting.)*

Ms. Henley clarified the agenda for Thursday, January 28 and asked if Council had anything else it would like to discuss.

City Manager Frazier said if time allowed, Council has the opportunity to tour the new performing arts center on Thursday at the conclusion of the Retreat. The consensus was Council would like to do this.

Since time allowed, Ms. Henley asked Council's permission to go through the *Board Communications and Process Review* which was originally scheduled for Thursday morning. Ms. Henley asked City Manager Frazier for his preference on how he would like Council to deal with staff. Mr. Frazier said it is preferable to channel most items through him. She then asked Council for their input.

Council Member Coffey asked who to contact after hours for issues such as a broken water main. Mr. Frazier said although he is happy to take calls from Council at any time it would be best to call 911 as they know who is on call.

Council Member Simmons asked who to call when power lines are down. Calling 911 is best.

This portion of the Retreat ended with Council Member Williams thanking Council for its patience with the newly elected members.

With no further business, Mayor Ellington recessed the Retreat until Thursday, January 28 at 8:30 a.m. when the meeting will move to the Henderson Police Station's Roll Call Room.

**Henderson Police Station Roll Call Room  
Thursday, January 28, 2016**

**PRESENT:** Mayor Eddie Ellington, Council Members Marion Brodie Williams, Sara M. Coffey, Michael C. Inscoe, Melissa Elliott, Garry D. Daeke, and Fearldine A. Simmons

**ABSENT:** Council Members Daye and Rainey

**STAFF PRESENT:** City Manager Frank Frazier and City Clerk Esther J. McCrackin

**FACILITATOR:** Madeline Henley, Walking Stick Associates

**GUEST:** Sara Mansur, *Daily Dispatch*

The meeting began at 8:30 a.m. with Ms. Henley reviewing Council's objectives that were set Wednesday evening and she also re-verified that the four major issues for discussion today.

She then turned the meeting over to City Manager Frazier to begin the discussion regarding the budget schedule and its current revenues.

## DISCUSSION ITEMS

### Budget

Mr. Frazier first presented the timeline for completing the FY16-17 budget. He then reviewed the current revenue status of the General Fund, and the Water, Sewer and Regional funds.

General Fund – There was discussion about whether the City receives any monies from motel tax (only the County receives motel tax dollars); how the lower fuel costs and the salary from unfilled positions (Finance Director) will increase anticipated revenues and if any unexpected expenses have occurred (none to date). Mr. Frazier did say the cost of snow removal has yet to be calculated and most of the salt/sand supplies have been depleted and will need to be replaced.

Council Member Daeke requested information regarding how the current revenue compares to the revenue received during the same time in FY15-16. Mr. Frazier stated this was not immediately available but he would be glad to supply this information at a later date.

Council Member Inscoe added debt payoffs such as final payments for the Aycock Center and City Hall in FY15-16 will provide additional revenue.

Water – Mr. Frazier said the Water Fund revenue seems to be on target. He added Kittrell seems to be slightly lower than anticipated and the meters are currently being checked.

Council Member Williams asked for more details to better understand the need for processing more water.

Council Member Daeke asked how many new users there has been in regard to water taps. Mr. Frazier said he was not sure of the exact number but mentioned it was much less than previously. He mentioned the new development of 40-50 single family homes at Carey Chapel Crossing that which is much more than we have had in a long time.

Council Member Inscoe mentioned that according to the consultants, the cost of running the new plant should include a reduction in the current cost for chemicals. Mr. Frazier added the current \*\*\*\*\* included a reduction of approximately \$250,000.

Regional Water – Mr. Frazier said revenue is on target and mentioned the addition of Middleburg customers and Council Member Inscoe added the City paid Warren County for the rights to add Middleburg to the system.

Ms. Henley asked if Council is comfortable and understands the financial system. She then asked Mr. Frazier to explain how the re-valuation will affect property values. Following the explanation, Ms. Henley asked Council what they would prefer --- to raise utility rates or taxes, if needed.

Council Member Coffey preferred to raise rates because many citizens are not homeowners. Council Member Elliott preferred to raise taxes because she felt many citizens are already struggling to pay their utility bill. There were no other specific responses.

Before moving on to the second most important issue, Ms. Henley asked if there were any other concerns/comments.

Council Member Inscoe mentioned Regional Water is looking into a \$20-25M expansion of the water plant which led to a discussion as to why this is important (additional water capacity). It was mentioned that our partners were in need of additional water.

Council Member Daeke asked for the unassigned fund balance which Mr. Frazier said he would research and provide. Mr. Frazier mentioned the unassigned fund balance is approaching 40%. Further information will be forthcoming with the audit presentation at the February Council meeting.

**KSOs** - Ms. Henley now directed Council to review the existing KSO's and suggested new items. She said some of the KSO's contain action items that are really work philosophies and suggested Council may wish to make those changes. She also suggested re-formatting the KSO's so they are expanded for more legibility and tracking. The City Clerk will present a draft to Council for its approval. This issue was discussed in more detail later in the meeting.

Ms. Henley suggested a break at this time, after which the Directors and City Attorney joined the meeting which was around 10:00 a.m.

**Staff Introductions** - At this time, Ms. Henley asked each Director to introduce themselves to Council. Some of the highlights were the length of service to the City by the Directors which ranged from 3 months to 35 years; 32 of the Henderson police officers were born/raised in Henderson, involvement in the community with reading to and/or mentoring students; and the pro-active actions being taken to improve services to the citizens of Henderson such as the institution of a citizen academy for the Fire Department, initiatives to provide better fire protection which will ultimately reduce homeowners insurance costs; reduction in *use of force* by the police department and an upgraded sewer plant. Human Resources Director Brown distributed a handout of accomplishments which is incorporated by reference and hereby made part of these minutes.

Council was thanked many times for their foresight, planning and support.

Council had questions of some of the Directors such as how/where fire hydrants are located; and how drinking water is determined safe (i.e. lead contaminates).

City Attorney Rix Edwards gave Council a brief summary of his background and why he chose to return to Henderson, where he was born and raised.

Ms. Henley thanked the Directors for sharing and said the next item to be discussed would be the housing/demolition issue. The Directors were advised they were free to stay or if duties required, they were free to return to their department.

### **Housing/Demolition**

City Attorney Edwards began the discussion by providing general information on the due process required legally relating to abandoned/uninhabitable structures. He then turned the discussion over to Mr. Corey Williams, Development Services Director.

Mr. Williams presented Council with a handout outlining the general procedures for the repair, closing or demolition of hazardous and uninhabitable dwellings and abandoned structures which is incorporated by reference and hereby made part of these minutes. Mr. Williams summarized each step to give Council an understanding of the time and steps needed to complete this process. He showed a map of the City where various abandoned structures exist, indicated which ones are city/county owned and where structures have already been demolished. He said there is definitely room to work smarter and better.

There was a general discussion regarding the need for county involvement, the inability of the fire department being able to use structures for fire training (most do not meet State requirements), how many houses could be rehabilitated (approximately 30%), how to find occupants for structures that can be rehabilitated, the appeal process, what areas should take priority and the costs for demolition/rehabilitation

There was discussion about establishing a housing lottery that the City Attorney said he would look into. There was also discussion about creating incentives for rehabilitation, the need for stabilization of renters.

Mayor Ellington suggested a joint task force with the County.

There was also discussion about how the ETJ should be incorporated into this problem.

In summary, the consensus was to create a three point plan with the County and other partners to find ways to finance a five year plan by developing preventive measures, upgrading existing facilities, if possible, with home ownership and to work on job development. The goal is to turn this problem into an asset by creating taxable property which might include selling vacant lots to adjacent property owners, establishing a mow to own program, creating mini-parks, and neighborhood gardens.

It was also agreed that the City Land Planning Committee should meet with the County Commissioner or their designated group to formulate a plan to work together on this issue. After meeting with the County, and possibly working out an agreement, a clear plan of action will be established by the City Manager and the Development Services department with an anticipated completion date of July 1, 2016.

Ms. Henley reminded Council of its tight timeframe to discuss its priorities and asked if they were ready to move on to the next discussion regarding the EDC.

*(Clerk's Note: Council Members Coffey and Daeke left the meeting at this time due to prior commitments.)*

## **EDC**

Council Member Inscoe said the EDC is the *engine that drives the City*. He explained Council has two seats on the EDC. Mr. Inscoe felt industry does not hire people as they use to as automation is quickly replacing people. He feels Downtown Development will be important in helping the City and County grow. He said currently there are 21 empty storefronts on Garnett Street alone. Mr. Inscoe suggested the key to growth will be creativity to provide reasons for businesses to come into the City. He then mentioned a conversation he had with USDA Rural Development staffer, Mr. Garland Barnett, regarding the possibility of obtaining a loan to repair the old city hall (back of Fire Station #2 on Garnett Street) where a business incubator could be established, utilizing private/government partnerships and creating a toolbox for the Downtown Development Commission (DDC). The toolbox would allow the DDC to make certain decisions without having to consult with the City/County.

Council Member Williams asked for details regarding the loan and the discussion led to the conclusion it could lead to the DDC becoming self-sustaining. The possibility of a business incubator in the old downtown city hall, overseen by the DDC, would lead to jobs in the downtown area. There would be a time limit on how long start-up businesses could reside in the incubator with the anticipation they would locate downtown permanently.

The new DDC office will be adjacent to the fire station on Garnett Street and is currently being rehabilitated by a private local construction company. This led to a discussion about the fire station being the oldest active station in North Carolina which was unknown to many of the Council members.

There was a general discussion about the new part-time executive director of the DDS, Carolyn Powell who is actively showing space downtown and the need to do something with the old bank building.

The establishment of a toolbox was suggested so the DDC and EDC can work cohesively without having to receive approval from the city/county for each step in the necessary process.

Mr. Paylor Spruill, Assistant to the City Manager, suggested looking into a TIF (Tax Incremental Financing) that freezes tax values and does not require bond public hearings to be held. He discussed development of a master redevelopment plan and provided a handout of action items and possible initiatives which is incorporated by reference and hereby made part of these minutes. Two areas have been looked at for redevelopment including an area off of Andrews Avenue into the downtown area and an area in South Henderson where there is a good amount of vacant property.

The discussion then moved to one-stop permitting and it was suggested a TRC meeting be set to review and set a process for Council's consideration. Council Member Inscoe distributed a suggested format in hopes it will expedite the process.

Mr. Spruill also addressed Council about the possibility of creating a rollerblade/skate park and also establishing within the downtown area a bicycle/electric cart hub in conjunction with the master plan. There were no objections voiced and the plan appeared to be well received. There is a great amount of work to be done; however, it is anticipated a fully developed master plan will be presented to Council in December 2016.

As facilitator, Ms. Henley asked if Council was prepared to move onto the issue of crime and public safety.

### **Crime/Public Safety**

Police Chief Barrow began this conversation by saying the Business Watch listed on KSO 2 is on-going with modifications. He has found setting meeting times for groups of business owners unsuccessful; however, emails and other forms of community watch to keep businesses up to speed with crime and ways to avoid crime have been successful. He also added he is chair of the DDC's safety committee.

Chief Barrow said the Faith Based Community Partnerships on the KSO has not been as successful as he would like. Council Member Elliott felt this could be partly because so many pastors live out of town. It was suggested the Mayor mention the need for churches to become active and involved in his quarterly newsletter.

In summary Council agreed to retile this action plan to *Faith and Community Based Partnerships*.

Council Member Elliott felt Re-entry Transition and Substance Abuse were both issues of importance that should be discussed. She presented information regarding grants for programs such as the Felon to Work program that would cost the City nothing. She volunteered to work with staff in writing the grant(s) and asked for Council's support for the re-entry transition issue. It was the consensus of Council to move forward if no funds were necessary from the City.

Regarding the substance abuse issue, Ms. Elliott felt an advisory committee should be formed to brain storm ways to un-stigmatize the issue. Council Member Williams asked Ms. Elliott for data regarding the depth of this issue in Henderson.

There was a brief discussion about graffiti. Chief Barrow said he would prepare an amendment to the existing ordinance to include enforcement of anti-graffiti in the ETJ areas.

Ms. Elliott thanked Council for allowing her to express her passion and how she sees this as a Council matter.



Council Member Williams said there is a group within the city that is currently working with felons to help them learn farming and the Police Chief added there are several businesses within the city limits that currently hire ex-felons.

**KSO's** - The discussion then moved to each KSO. Some of the suggestions are below. A new format will be created to show all the goals/objectives and will be approved by Council.

KSO 1 – Implement Process Improvement was removed as it has been implemented and is on-going

KSO 2 – Faith Based Community Partnerships was re-worded to *Faith and Community Based Partnerships*

Re-entry Transition was added

Substance Abuse was added

KSO 3 Develop Comprehensive Land Use was removed as it has been implemented

KSO 4 - Redevelop Flint Hill was removed

KSO 5 – Replace 2" water lines was removed as it has been completed

Infrastructure Upgrades were added (i.e., roadway improvements)

KSO 6 - Career Development & Training Plan was removed as it has been implemented and is on-going

KSO 7 - No changes/additions were suggested

KSO 8 - Evaluation of Joint Programs was removed

## **OTHER**

At this time, Ms. Henley asked if there was anything else of concern that needed to be addressed.

Council Member Williams asked if there was a process for Ward meetings. Council Member Simmons suggested neighborhood watch meetings. City Clerk McCrackin said there is a Resolution for Ward meetings call Listening Post meetings which she will forward to Ms. Williams.

Police Chief Barrow said he will be implementing a program in the spring called Walk the Beat in downtown. This program allows citizens to walk with police officers, morning, noon and/or afternoon in a set downtown area and the purpose is to promote better relationships with the police.

Council Member Simmons expressed concern regarding salaries and the need to keep good workers by continuing to implement the pay plan. City Manager Frazier echoed this by stating the City currently has good staff and the need to properly compensate the City's workforce.

City Manager Frazier then asked if Council would like to tour the new Performing Arts Center immediately following this meeting. The remaining Council and several staff members took the tour, led by Mr. John Wester.

## **RETREAT CRITIQUE AND WRAP UP:**

To conclude the meeting, Ms. Henley asked Council if there is better board unity and a clearer vision for the coming year(s). The overwhelming response was yes.

Ms. Henley asked if the objectives of the Retreat were met. The response was yes; the meeting went above/exceeded the objectives. It promoted pro-active actions.

No suggestions were made regarding locations and/or food.

With no further discussion, Ms. Henley thanked Council for allowing her to facilitate this Retreat and looks forward to working with Council in 2017, if appropriate.

## **ADJOURNMENT:**

It was the consensus of Council to adjourn at 3:50 p.m.

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Eddie Ellington  
Mayor

***ATTEST:***

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Esther J. McCrackin  
City Clerk

## **STRATEGIC RETREAT – KSO**

### **HUMAN RESOURCES**

#### **KSO 6: DEVELOP AND MAINTAIN A QUALIFIED MUNICIPAL WORKFORCE**

The Human Resources Department along with the Leadership Team completed all of the established Action Plans for KSO 6 which included to Perform a Pay Classification Study, Update the Personnel Policy/Procedures Manual, institute a Career Development & Training Plan and provide Sensitivity and Diversity Training.

In 2014, the MAPP Group completed a comprehensive pay/class study for the City of Henderson; it was a five year phase-in plan. Phase I was funded and implemented FY2014. The Council also approved the funding for the implementation of Phase II of the pay study which was effective October 8, 2015. FY 2015 the Human Resources department and the Leadership Team successfully managed the implementation of Phase II. The cost to the City was approximately \$195,000.

#### **Action Plan 6-2b: Update Personnel Policy and Procedures Manual**

Completed, reviewed and published on-line to be available to all employees with computer access. Each department has a hard copy which is available to all employees.

#### **Action Plan 6-3 Career Development & Training Plan**

Career development/training plan developed for the following departments

Fire Dept	Regional Water (Operators)
Police Dept	Water Reclamation (Operators & Mechanics)

#### **Action Plan 6-4 Sensitivity and Diversity Training**

Diversity and Inclusion Instruction was presented by Nellie Riley of the Office of State Personnel – training held on-site. Day and half training/interaction.

#### **Additional Achievements**

- Sponsored a successful Health and Wellness Program
- Improved employee morale –
  - Public recognition of retiring employees
  - Holiday luncheon
  - Service Award Banquet
- WIA – Workforce Initiative – federally funded program which is administered by VGCC to serve disadvantaged youths between the ages of 16-21. The HR

## **Page 2 Human Resources**

- Department sponsored 2 (two) youth for the City of Henderson. Director serves on the WIA Board.
- Processed in 30 (thirty) **new** employees in FY2015. There were 29 (twenty-nine) full-time employees which separated from the City.
- Leadership Changes and Impact
  - \*City Manager (interim for half of the year)
  - \*Fire Chief retired
  - \*Finance Director resigned
  - \*Newly hire Recreation Director
- **Compliance**
  - \*ACA (Affordable Care Act) requires virtually all individuals to have health insurance provide "minimum essential coverage" or pay a penalty. The employer mandate requires larger employers (over 50 FTE) provide "minimum essential coverage" or pay a penalty. To comply, employers must report to the IRS the health coverage status of "all" employees. The first federal reporting is due this year 2016.
  - \*FLSA (Fair Labor Standard Act). Compliance preparation for major federal regulation changes. Exempt vs Non-exempt status with minimum salary requirement of \$50,400.

### **Goals for FY17**

Performance Management Training in FY17.  
Successful Compliance with FLSA  
Successful compliance of Affordable Care Act reporting  
Expansion of development opportunities for Staff  
Implementation of Phase III of the Pay Class Study

## **GENERAL PROCEDURES FOR THE REPAIR, CLOSING, OR DEMOLITION OF HAZARDOUS AND UNINHABITABLE DWELLINGS AND ABANDONED STRUCTURES**

Section 160A-441 of the North Carolina General Statutes (NCGS) (Statute) address both dwellings unfit for human habitation and abandoned structures which meet certain criteria. As permitted by this statute, Henderson already has enacted ordinances providing for the repair, closing or demolition such structures. These ordinances are provided in Chapter 21 and 21A of the City Code.

Under the Statute, unfitness may be based on dilapidation, defects increasing the hazards of fire, accidents or other calamities, lack of ventilation, light or sanitary facilities, or due to other conditions rendering the structures unsafe or unsanitary, or dangerous to or detrimental to the health, safety, moral, and general welfare of city residents.

Abandoned structures under the Statute, likewise, are subject to action if they create health or safety hazards as the result of the attraction of insects or rodents, conditions creating a fire hazard, dangerous conditions constituting a treat to children or frequent use by vagrants as living quarters in the absence sanitary facilities.

Be they dwellings unfit for human habitation or abandoned structures, the processes to be used to address remediation are the same.

**Average time to complete process is six to nine months.**

### **Investigation Phase**

Structures are identified by code compliance inspectors, as well city officials such as law enforcement officers, fire fighters, social workers, and the general public. City staff will:

- Identify and list violations for structure.
- Document and determine if structure meets requirements of ordinance.

Search property for ownership and property interests is accomplished by an independent attorney.

*(Two weeks)*

Revised Jan. 2016

### **City Attorney Review**

The City Attorney reviews adequacy of title work and proposed procedures to ensure compliance with NCGS and Constitutional due process requirements.

*(One Week)*

### **Notice of Complaint and Hearing Phase**

- Notice of Complaint and Hearing: The purpose of the notice of complaint and hearing is to notify property owner(s) and parties of interest that a hearing is scheduled for the purpose to answer complaint.
- Affidavit of Publication for Notice of Complaint and Hearing: A legal ad is published in Daily Dispatch newspaper.
- A copy of Notice of Complaint and Hearing posted to the property / structure.
- Hearing: the purpose of hearing allows owners and or parties of interest to answer complaint, submit testimony and additional evidence. The information will be used to issue and determine Findings of Fact and Order.

*(Hearing is to be held within 10 to 30 days of notice.)*

### **Findings of Fact of Order**

- Following hearing and issuance of written findings by the Inspector, the owner is given notice of decision. If the structure is found not to meet city ordinance requirements, the owner is given notice of the decision and is allowed up to 90 days to comply with by repair, alter, improve, close, or demolition of structure.
- Affidavit of Publication for Findings of Fact and Order is a legal ad published in Daily Dispatch newspaper.
- A copy of Findings of Fact and Order posted to property / structure.
- Lis Pendens: Will allow enforcement procedures to continue even if the owners or parties of interest sell the property or transfer to another party. Lis Pendens must be filed with Vance County Clerk of Courts Office. A Lis Pendens can be filed at any time within the enforcement procedure

*(Ninety days is given to owner to effect compliance.)*

Revised Jan. 2016

### **Appeals**

- An Owner may appeal after the initial order of the Inspector. Appeals are heard by Zoning Board of Adjustment.

*(Appeals must be made within ten days of decision. Reasonable time given for hearing of appeals and decisions on them. Injunctions to stop enforcement must be filed with Superior Court within thirty days of an Inspector or Board decision).*

### **Failure to Correct**

- If issues are not corrected, two avenues are available to effect compliance:
  - Inspector submits ordinance to City Council which orders the Inspector to repair or demolish structure, as recommended by the Inspector in his findings.  
Inspector submits to City Council a resolution which directs the City Attorney to petition Superior Court for an order requiring compliance.  
First option has been used most frequently.

*(Thirty days)*

### **Final Phase**

- The Code Compliance Director shall seek the most responsible and competent contractor or contractors to repair or remove structure.
- After work is completed, a bill with all charges, fines, and administration fees shall be mailed to owner and parties of interest.
- If not paid in 30 days, a lien shall be placed on the property.

*(Sixty days or until City budget is sufficient to pay for repair or removal demolition)*

Revised Jan. 2016

## **OPENING A NEW BUSINESS OR RELOCATING A BUSINESS**

1. What Type business are you going to open?  
Commercial \_\_\_\_\_  
Industrial \_\_\_\_\_  
What is the nature of your business? Example retail, restaurant, office etc. \_\_\_\_\_

2. Are you locating in an existing building or new construction.  
Existing: \_\_\_\_\_ What is the address? \_\_\_\_\_  
New Construction: \_\_\_\_\_ What is the address? \_\_\_\_\_  
If you need to establish a new address, the City will assist you in this with E-911.

3. Check for Zoning Compliance with the Planning and Zoning Department.  
The City staff will determine if you need a Special Use Permit for your business.  
Zoning Permits applications are available at the planning and zoning Department at the City Of Henderson building on Rose Ave. Telephone number \_\_\_\_\_.  
Zoning permit application cost is \$ \_\_\_\_\_  
Special Use Permits cost is \$ \_\_\_\_\_

NOTE: If the business that you are going to open is a Change in Occupancy Classification for an existing building you may be required to upgrade certain elements of the building to comply to local, State and Federal codes such as handicap accessibility etc.

If you are a restaurant or business that has a commercial kitchen facility you will be required to have a grease trap. The cost of this permit is \$ \_\_\_\_\_. Your business will be subject to annual inspection for compliance.

4. You will be required to submit a zoning application with a too scale site plan for zoning approval That shows the building location as to set backs, drive way entrances and exits, etc.
5. SIGN APPROVAL: You may apply for a new sign permit when you apply for a zoning permit. The city staff will help you determine the permitted location and size permitted for your business. THE COST OF THE SIGN PERMIT IS \$ \_\_\_\_\_. You may be required to provide elevation drawing of the structure that shows location and size of signage. If you have a pedestal sign you will need to show the size and location of the sign on the site plan.
6. If your business is located in the City of Henderson you will be required to have the building Inspected by the City Of Henderson Fire Marshall for fire code compliance. The Fire Marshall will be checking fire extinguishers, emergency lighting, exit signs, sprinkler systems alarm systems etc. The cost for this inspection is \$ \_\_\_\_\_. You can contact the Fire Marshall at 252 \_\_\_\_\_. You will also be asked for emergency contact names and telephone numbers. If your building is located outside the city limits you will need to contact the County of Vance Fire Marshall at 252-\_\_\_\_\_, for fire safety compliance.



7. If your business is located outside the City Limits , the County of Vance, Fire Marshall will inspect you facility. You will need to provide the County with a copy of your approved zoning permit to schedule this inspection.
8. If you are installing a new sign for your building you will also need to obtain a permit to erect the sign from the County of Vance Inspection Department. They can be reached at 252\_\_\_\_\_. Drawing may be required by a Licensed Professional Engineer for sign erection.
9. Establish water, sewer and waste disposal service at the City of Henderson Finance department You will be required to supply a copy of your lease if you do not own the facility and a deposit will be required at the time you apply for service. You will need to apply in person to establish these services.
10. Be sure to list your property each year with the Vance County Tax Office. 252\_\_\_\_\_.
11. Obtain sales tax, employer tax and income information from the North Carolina Department of Revenue. 919-733-3661.

**NOTE: THE RELOCATION OF AN EXISTING BUSINESS IS REQUIRED TO FOLLOW THE SAME GUIDE LINES AS A NEW BUSINESS.**

**IT IS RECOMMENDED THAT IF YOU PLAN TO LEASE AN EXISTING BUILDING, DO NOT SIGN A LEASE UNTIL YOU HAVE MADE CONTACT WITH ALL OF THE APPROPRIATE DEPARTMENTS. IN DOING SO YOU WILL KNOW UP FRONT WHAT THE PROJECTED COST ARE AND WHAT IS NECESSARY IN ORDER TO OPERATE YOUR BUSINESS IN THE CITY OF HENDERSON.**

If your business is located outside the City of Henderson but in the ETJ district, you are still required to obtain a zoning permit and a sign permit from the city to present to the county inspection department for approvals required by the county enforcement department.

The county will require you to fill out an application for your relocated business or for new construction of a new facility or renovation of an existing structure. You will be required to provide detailed plans and specifications for all commercial and industrial projects. The county has a code review process to make sure all element s of the new construction or remodeling complies to all building and safety codes.

**COST :**

City of Henderson Redevelopment Discussion 28 Jan 2016

<u>Short Range Objectives</u>	<u>projected by "date"</u>	<u>Longer Range Objectives</u>	<u>projected by "date"</u>
County/City cooperation talks	ongoing	Identify bridge loan sources	2017, 1 <sup>st</sup> Q
Roundtable discussions begin	February	Project engineering	2017, 1 <sup>st</sup> Q
(Kerr-Tar Regional Council; UNC School of Government; HV Downtown Dev. Comm.; Elected officials; Public stakeholders; Private developers)			
Identify and prioritize blighted areas	April	Identify code and overlay district changes	2017, 1 <sup>st</sup> Q
Identify redevelopment funding sources	May	Receive grants and issue debt as needed	2017, 2 <sup>nd</sup> Q
Designate redevelopment areas	June	Phased acquisition of redevelopment property	2017, 3 <sup>rd</sup> Q
Proposed land use changes	June	Phased construction public infrastructure	2018, 1 <sup>st</sup> Q
Statement of estimated cost	August	Transfer of land to private developers	2018, 1 <sup>st</sup> Q
Proposed methods of financing	September	<u>Ancillary Objectives</u>	
Public hearing	October	bicycle, electric cart paths to the central business district (CBD)	
Redevelopment plan revisions	October	regional storm water BMP systems	
Identify redevelopment partners	November	City entryway and corridor landscaping	
City master redevelopment plan adoption	December	Southeast High Speed Rail train station	
		urban homesteading, residential incentives for the CBD	
		City, County alignment of permits- one stop process	
		rollerblade & skateboard park	

## City Council Action Form

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



**Council Meeting:** 8 Feb 16 Regular Meeting

---

27 January 2016

**TO:** The Honorable Mayor Eddie Ellington and Members of City Council

**FR:** Frank Frazier, City Manager

**RE: CAF: 16-08**

**Consideration of Approval of Ordinance 16-02, Amending the Zoning Map to Rezone the Properties Located on St. Matthews Street from B2A (Highway Commercial) to R8M (Moderate to High Density Residential-HUD Code).**

**Ladies and Gentlemen:**

**Council Retreat Goals Addressed By This Item:**

- **KSO 3:** Revise and align land use and sign ordinance

**Recommendation:**

- Approval of Ordinance 16-02, Amending the Zoning Map to rezone properties located on St. Matthews Street from B-2A (Highway Commercial) to R-8M (Moderate to High Density Residential-HUD Code).

### **Executive Summary:**

The Zoning Board of Adjustment recommended the Planning Board study rezoning all the properties located on St. Matthews Street. The current Zoning District is B-2A "Highway Commercial A"; however, the properties are either residential or formerly residential but now vacant. B-2A is normally for business uses that have a minimum lot requirement of 15,000 SF. The average size lot on St. Matthews Street is 8,000 to 10,000 SF.; therefore, B-2A zoning designation creates an issue of nonconformity and could have a negative impact on residential development for the St Matthew Street area.

This issue was brought before the Board of Adjustment, which involved a special use permit, and a variance request by Oakwood Homes to replace a dwelling deemed uninhabitable by fire with a 1344 square foot mobile home located at 2135 St Matthews Street. The Board approved the request on the grounds that the home was destroyed by fire within the last 365 days.

CAF 16-08: 8 February 2016 Council Meeting: Public Hearing

The Planning Board held a public hearing on December 7, 2015, regarding rezoning the properties on St. Matthews Street. Residents of the area expressed concerns of abandoned and burned out homes but had no problem with rezoning the properties from B-2A to R-8M Moderate to High Density Residential.

The Planning Board approved this recommendation with a unanimous vote during its December 7, 2015 meeting.

**Attachments:**

1. Ordinance 16-02
2. Planning Board Minutes
3. Proposed Rezoning Map
4. List of Adjacent Land Owners (Table)

## ORDINANCE 16-02

After receiving the recommendation of the Planning Board and after a duly advertised public hearing on the same, Council Member \_\_\_\_\_ introduced the following Ordinance which was seconded by Council Member \_\_\_\_\_ and read:

AN ORDINANCE REZONING ALL PROPERTIES LOCATED ON ST. MATTHEWS STREET FROM B-2A (HIGHWAY COMMERCIAL) TO R-8M (MODERATE TO HIGH DENSITY RESIDENTIAL-HUD CODE).

The City Council of the City of Henderson, North Carolina doth ordain:

Section 1: That the official zoning map of the City of Henderson (incorporated by reference in City Code) is hereby amended by rezoning the following properties located on St. Matthews Street from B-2A to R-8M.

Physical Address	Vance County Parcel ID	Lot Size / Acres
125 FT ST. MATTHEWS	0066 04015	0.57
2265 ST. MATTHEWS ST	0067 01010	0.19
200 FT ST. MATTHEWS ST.	0065 04002	0.32
2269 ST. MATTHEWS ST.	0067 01011	0.21
ST. MATTHEWS ST.	0066 04012	0.30
100 FT. RALEIGH ROAD	0066 04014	0.42
50FT ST. MATTHEWS	0067 01006	0.17
50FT ST. MATTHEWS	0067 01007	0.17
2215 ST. MATTHEWS ST	0066 05005	0.23
50 FT. ST. MATTHEWS	0066 05006	0.12
2221 ST. MATTHEWS ST	0066 05007	0.26
2125 ST MATTHEWS ST	0065 04003	0.26
2132 ST. MATTHEWS ST	0066 04016	0.33
ST MATTHEWS ST.	0065 02006	0.14
ST. MATTHEWS ST.	0065 04001	0.44
ST MATTHEWS ST	0065 03001	0.10
ST MATTHEWS ST	0065 03009	0.30
2261 ST MATTHEWS ST	0067 01009	0.18
2275 ST. MATTHEWS ST	0067 01013	0.22
ST MATTHEWS ST	0066 04011	0.22
2227 ST MATTHEWS ST.	0067 01001	0.14
ST MATTHEWS ST.	0067 01002	0.14
ST. MATTHEWS ST.	0065 02001	0.66
2130 ST MATTHEW ST	0066 04017	0.09

2129 ST MATTHEWS ST	0066 05001	0.27
2135 ST. MATTHEWS ST	0066 05002	0.20
RALEIGH ROAD	0066 04018	0.09
55FT ST. MATTHEWS	0067 01015	0.22
ST. MATTHEWS ST.	0067 01004	0.15
2271 ST. MATTHEWS ST	0067 01012	0.20
2243 ST.MATHEWS ST.	0067 01005	0.37
2277 ST. MATTHEWS	0067 01014	0.46
181 FT. ST. MATTHEWS	0066 05003	0.37
ST. MATTHEWS ST.	0066 05004	0.38
2229 ST MATTHEWS ST	0067 01003	0.29
2257 ST MATTHEWS ST	0067 01008	0.18
2126 ST MATTHEWS ST	0065 03008	0.33

Section 2. The foregoing Ordinance shall be in full force and effect from and after the date of its passage.

The foregoing Ordinance 16-02 \_\_\_\_\_, upon motion of Council member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, and having been submitted to a roll call vote and received the following votes and was **APPROVED/DISAPPROVED** on this the \_\_\_\_ day of \_\_\_\_\_, 2016: YES: \_\_\_\_ . NO: \_\_\_\_ . ABSTAIN: \_\_\_\_ . ABSENT: \_\_\_\_

\_\_\_\_\_  
Eddie Ellington, Mayor

***ATTEST:***

\_\_\_\_\_  
Esther J. McCrackin, City Clerk

Approved to Legal Form:

\_\_\_\_\_  
D. Rix Edwards, City Attorney

*Reference: Minute Book 4\*\*, p. \*\*.*



## City of Henderson

### Planning and Community Development Department

Post Office Box 1434 / 134 Rose Avenue / Henderson, NC 27536-

1434

Phone: (252) 430-5722

FAX: (252) 492-7935

**DRAFT MINUTES  
HENDERSON PLANNING BOARD  
MONDAY DECEMBER 7, 2015 – 3:30 P.M.  
CITY HALL – COUNCIL CHAMBERS**

**Members Present** – Michael Rainey, Jimmie Ayscue, Keith Coffey (Alternate), Phil Walters, Arnold Bullock.

**Members Absent** – Rick Easter, Arthur Henderson, Horace Bullock, Marguerite Anduze

**Staff Present** – Development Service Director: Corey Williams (Development Service Director), Robert Harris (Planner), Karen Foster: Zoning Administrator, City Attorney: Rix Edwards.

- **CALL TO ORDER** – Meeting was called to order by Chairman M Rainey. Roll was called. A quorum was present.
- **APPROVAL OF MINUTES**: Minutes were approved for October 12, 2015 by a vote of 5-0. The motion was made by Mr. Jimmie Ayscue and seconded by Mr. Phil Walters.
- **PUBLIC HEARING**
  - **Case (PB12-15): Public Hearing: Recommendation to rezone all properties located on St Matthews Street from B2A (Highway Commercial) to R8M (Moderate to High Density Residential-HUD Code).**

Mr. Robert Harris (Planner) introduced the item and explained to the Planning Board the history of the property. The Zoning Board of Adjustment recommended to the Planning Board to study rezoning all properties located on St. Matthews Street. The current Zoning District is B2A "Highway Commercial". This zoning designation creates an issue of nonconformity and could have a negative impact on any future projects. For example, if you decided one day to expand your primary residence, the planning department cannot issue a zoning permit because of the nonconformity.

This issue was brought to light due to a case the Board of Adjustment approved which involved a special use permit and a variance by Oakwood Homes to replace a dwelling deemed uninhabitable by fire with a 1344 square foot mobile home located at 2135 St Matthews Street. The surrounding properties on Hawkins Drive, Yancey Lane, Lincoln Avenue, and Nicholas Street are currently zoned R8M (Moderate to High Density Residential-HUD Code).

To remove the non-conformity, the Zoning Board of Adjustment recommended to the Planning Board to rezone all of St. Matthews Street to a residential district.

Mr. Rainey opened the public hearing for comments concerning this matter.

Mr. Corey Williams (Development Services Director) explained to the general public the purpose of rezoning St. Matthews Street and why you received a letter. The citizens communicated with Mr. Williams on their concerns. The concerns were: the city's intention with regard to dilapidated housing, the affect rezoning will have on the property value and taxes, and the ability of city staff to expand this new designation to include additional parcels located on Elise and Center Streets.

Mr. Rainey explained to the citizens the Planning Board is trying to protect the landowners from commercial development and the current zoning will not allow the property owner to construct a residential dwelling. The rezoning change will allow the property owner to construct a residential dwelling on their property.

No one spoke for or against the rezoning request. However, those in attendance collectively agreed to support the rezoning.

Mr. Rainey closed the public hearing.

A motion was made by Mr. Jimmie Ayscue and second by Mr. Arnold Bullock to approve the rezoning. It was a unanimous vote.

January 11, 2016 is when the City Council will take action on the rezoning case. Mr. Williams communicated with the citizens and explained the role of the Planning Board and the City Council.

- The 2016 Planning Board Schedule was the next item discussed. Mr. Williams explained starting next year the City Council will only meet the second Monday of each month. The Planning Staff changed the meeting date to the third Monday of the month to meet City Council request.

### **ADJOURNMENT:**

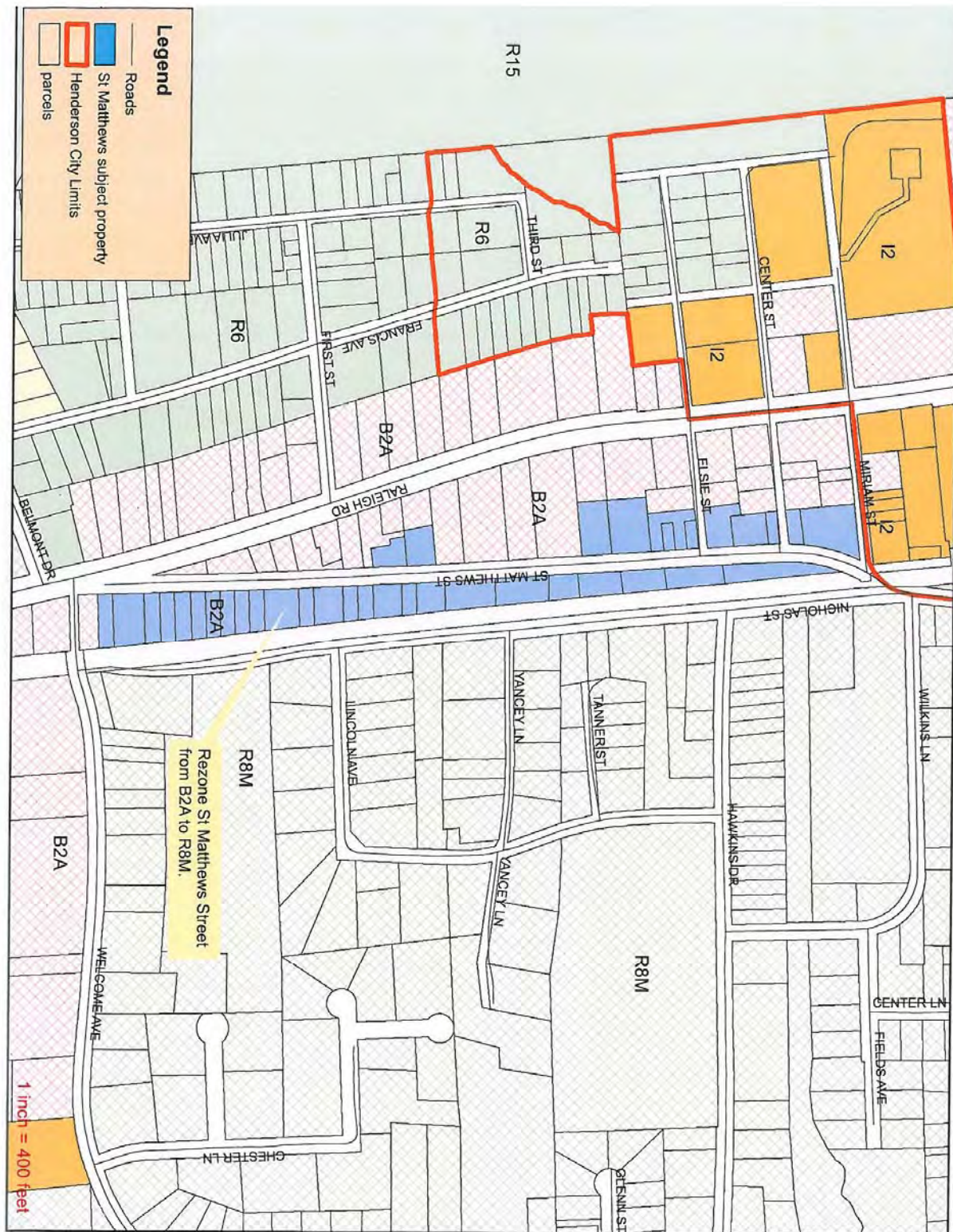
At 4:00 PM a motion to adjourn the meeting was made by Mr. Keith Coffey and second by Mr. Jimmie Ayscue. The motion was carried.

**NEXT MEETING: Tuesday, January 19, 2016 @ 3:30 PM**

Minutes respectfully submitted by  
Robert Harris  
Planner



Proposed Rezoning Map



# List of Adjacent Property Owners

ST MATTHEWS ST Adjacent Property Owners					
OWNNAME1	OWNNAME2	OWNADD1	OWNADD2	CITY	STATE ZIP
ADCOX STEVEN R SR		1633 BOBBITT RD		KITTELL	NC 27544
BAKER JANE N		1821 RALEIGH RD		HENDERSON	NC 27536
BROOKS CHRISTOPHER	BROOKS DESIREE	1915 RALEIGH ROAD		HENDERSON	NC 27536
BROOKS DEBORAH		1815 RALEIGH ROAD		HENDERSON	NC 27536
BROWN CAGER MIKE	BROWN KATHERIN	168 LAKEWOOD NEW EGYPT RD		LAKEWOOD	NJ 08701
BURNETTE DEBORAH SHARPE	BURNETTE DONALD R JR	1729 RALEIGH RD		HENDERSON	NC 27536
BURWELL CLARENCE D		119 CENTER ST		HENDERSON	NC 27536
BLOSS RICHARD		851 STATE ST		HENDERSON	NC 27536
BROOKS CHAPEL AME ZION CHURCH		PO BOX 1056		HENDERSON	NC 27536
COUSIN LAWRENCE	COUSIN MARY	C*O VICKIE BROWNSON	510 HAWKINS DR	HENDERSON	NC 27536
DAVIS WILLIAM T. HEIRS		% JAN GRAVES	5408 CHILLUM PLACE, N. E.	WASHINGTON	DC 20011
DRAKEFORD FREDDIE	DRAKEFORD BARBARA	25 CLARE DR		HENDERSON	NC 27537
EATON GEORGE T JR		336 LINCOLN AVE		HENDERSON	NC 27536
FOSTER JOHN HOMES INC		P O BOX 1208		HENDERSON	NC 27536
GUPTON ALVIN D		324 S GARNETT ST		HENDERSON	NC 27536
HOWARD GERALDINE		900 WEST END AVE.,APT. 8D		NEW YORK	NY 10025
MF8TE LLC		P O BOX 1208		HENDERSON	NC 27536
FEARNEY CAROLYN V		1925 RALEIGH RD		HENDERSON	NC 27536
FEARNEY HAROLD		1948 JULIA AVE.		HENDERSON	NC 27536
LANDIS WARREN B.		632 HIGH VIEW LN		CHATHAM	VA 24531
MARROW ARTHANIEL JR		PO BOX 122		HENDERSON	NC 27536
MITCHELL BRIAN J	MITCHELL JOSEPH	1715 RALEIGH ROAD		HENDERSON	NC 27537
NELSON SUSIE		119 CENTER ST		HENDERSON	NC 27536
NEW REPUBLIC SAVINGS BANK		P.O. BOX 700		ROANOKE RAPIDS	NC 27870
HERRY CONNIE		306 YANCEY LANE		HENDERSON	NC 27537
ROYSTER HAROLD A	ROYSTER BARBARA	334 CEDAR ROCK LN		HENDERSON	NC 27537
UBIO NAZARIO		1727 RALEIGH RD.		HENDERSON	NC 27536
THOMAS ROBERT L JR	THOMAS MABEL	1809 NICHOLAS ST		HENDERSON	NC 27536
TURNER PORTIA WILLIAMS		77 FOXFIRE DR		HENDERSON	NC 27537
ANCE COUNTY		122 YOUNG ST STE B	208 WILKINS LANE	HENDERSON	NC 27536
VEREEN IDELLA HEIRS		% DAVID D. VEREEN, JR.		HENDERSON	NC 27536
WATSON PATTIE G	C*O RICHARD CLOSS	851 STATE ST		HENDERSON	NC 27536
WESTWARD PROPERTIES LLC		PO BOX 963		HENDERSON	NC 27536
WILLIAMS KITTIE M.		1923 NICHOLAS ST.		HENDERSON	NC 27536



## City Council Action Form

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



**Council Meeting:** 8 Feb 16 Regular Meeting

---

15 January 2016

**TO:** The Honorable Mayor Eddie Ellington and Members of City Council

**FR:** Frank Frazier, City Manager

**RE: CAF: 16-03-A**

**1) Holding a Public Hearing on the Question of Annexation for Henderson Collegiate, Inc. Pursuant to North Carolina General Statute 160-A-31; and**  
**2) Consideration of Approval of Ordinance 16-04, 1) Extending the Corporate Limits of the City of Henderson, North Carolina; 2) Assignment of Newly Annexed Area known as Henderson Collegiate, Inc. to Ward 4 and 3) Directing the City +Attorney to Record Annexation with Vance County Board of Elections, Vance County Register of Deeds and the North Carolina Secretary of State.**

**Ladies and Gentlemen:**

### **Recommendation:**

- Holding a Public Hearing on the Question of Annexation for Henderson Collegiate, Inc. Pursuant to North Carolina General Statute 160-A-31: *and*
- Approval of Ordinance 16-04 1) Extending the Corporate Limits of the City of Henderson, North Carolina; 2) Assignment of Newly Annexed Area known as Henderson Collegiate, Inc. to Ward 4 and 3) Directing the City Attorney to Record Annexation with Vance County Board of Elections, Vance County Register of Deeds and the North Carolina Secretary of State.

### **Executive Summary**

The City Council approved Resolution 16-03 that fixed a date for a Public Hearing to be held at the February 08, 2016 meeting for the purpose of receiving public input regarding the annexation of Henderson Collegiate, Inc. The Notice of Public Hearing was advertised and it is recommended that Council receive public input and consider such input as it continues with the annexation process.

Upon approval by Council this annexation will become effective on February 8, 2016. Any necessary charges to the water and sewer assessment billing will be accomplished by April 1, 2016.

### **Attachments:**

1. Ordinance 16-04
2. Resolution 16-03
3. Certificate of Sufficiency
4. Maps of Area

CAF 16-03-A: 8 February 2016 Council Meeting

## ORDINANCE 16-04

### EXTENDING THE CORPORATE LIMITS OF THE CITY OF HENDERSON, NORTH CAROLINA (CITY)

**WHEREAS**, the Henderson City Council (Council) has been petitioned under North Carolina General Statute (G.S.) §160A-31 to annex the area described below: *and*

**WHEREAS**, the Council by resolution directed the City Clerk to investigate the sufficiency of the petition: *and*

**WHEREAS**, the Clerk certified the sufficiency of the petition and a public hearing on the question of annexation was held in Council Chambers, City Hall, 134 Rose Avenue, Henderson, North Carolina on February 8, 2016, after due notice by publication on January 27, 2015; *and*

**WHEREAS**, the Council finds that the petition meets the requirements of G. S. §160A-31.

**NOW THEREFORE, BE IT ORDAINED** by the Council that:

Section 1: By virtue of the authority granted by G. S. §160A-31, the following described territory, as currently recorded in the Vance County Registry of Deeds office, is hereby annexed and made part of the City as of February 8, 2016:

**All the area as shown on the plat entitled Recombination Plat for property of Henderson Collegiate, Inc., as prepared by Bobbitt Surveying, P.A., dated November 10, 2015. A map prepared by City staff is also attached for clarity of the area being annexed.**

The property hereinabove described is contained in the deed, recorded in Book 1252, page 0955, and also described in the deed recorded in Book 1302, pages 318 and 321.

A map showing the above described property also is recorded in Plat Book Y, page 204 and 559.

Section 2: Upon and after April 15, 2016, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Henderson and shall be entitled to the same privileges and benefits as other parts of the City of Henderson. Said territory shall be subject to municipal taxes according to G.S. §160A-58.10.

Section 3: The Mayor of the City shall cause to be recorded in the office of the Vance County Register of Deeds, and in the office of the North Carolina Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall be delivered to the Vance County Board of Elections as is required by G.S. §163-288.1.

Section 4: Notice of adoption of this ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation within the City.

Adopted this \*\*\* day of \*\*\*\*.

The foregoing Ordinance 16-04, upon motion of Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, and having been submitted to a roll call vote and received the following votes and was **APPROVED/DISAPPROVED** on this the 8<sup>th</sup> day of February 2016: YES: . NO: . ABSTAIN: . ABSENT: .

\_\_\_\_\_  
Eddie Ellington, Mayor

***ATTEST:***

\_\_\_\_\_  
Esther J. McCrackin, City Clerk

Approved to Legal Form:

\_\_\_\_\_  
D. Rix Edwards, City Attorney

*Reference: Minute Book 44, p \*\*\*; CAF 16-03-A*

## RESOLUTION 16-03

### ISSUANCE OF CERTIFICATE OF SUFFICIENCY AND FIXING PUBLIC HEARING DATE OF ANNEXATION OF HENDERSON COLLEGIATE PROPERTY PURSUANT TO N.C.G.S. 160A-31

**WHEREAS**, the City Council (Council) conducted its Annual Planning Retreat in 2015 and identified eight Key Strategic Objectives (KSOs) and Goals; *and*

**WHEREAS**, this Resolution addresses KSO-3: Enhanced Economic Development; *and*

**WHEREAS**, a petition requesting annexation of an area described herein has been received; *and*

**WHEREAS**, the Henderson City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; *and*

**WHEREAS**, certification by the Henderson City Clerk as to the sufficiency of the petition has been made (*see Attachment A to this Resolution*).

**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL THAT IT DOES HEREBY APPROVE a public hearing on the question of annexation of the area described herein which will be held at City Hall, Council Chambers, 134 Rose Avenue on February 8, 2016 at 6:00 p.m.**

**Section 1. The area proposed for annexation is described as follows:**

**All that 30.89 acres as shown on plat entitled, survey for Henderson Collegiate, Inc.” in Henderson Township as prepared by Bobbitt Surveying, P.A., dated October 2, 2012 and recorded in Plat Book “Y”, Pge 204, Vance County Registry.**

The property hereinabove described is contained in the deed, recorded in Book 1252, page 0955.

A map showing the above described property also is recorded in Plat Book Y, page 204.

**Section 2. Notice of the public hearing shall be published in *The Daily Dispatch*, a newspaper having general circulation in the City of Henderson at least ten (10) days prior to the date of the public hearing.**

The foregoing Resolution 16-03, introduced by Council Member Coffey and seconded by Council Member Williams, on this the 11<sup>th</sup> day of January 2016, and having been submitted to a roll call vote, was **APPROVED** by the following votes: YES: Rainey, Elliott, Daeke, Simmons, Daye, Williams. NO: None. ABSTAIN: None. ABSENT: None.

---

Eddie Ellington, Mayor

***ATTEST:***

---

Esther J. McCrackin, City Clerk

Approved to Legal Form:

---

D. Rix Edwards, City Attorney

*Reference: Minute Book 44, p 5; CAF 16-\*\**

## CERTIFICATE OF SUFFICIENCY

To the City Council of the City of Henderson, North Carolina:

I, Esther J. McCrackin, the duly appointed, qualified City Clerk of the City of Henderson, do hereby certify that I have investigated the attached petition and hereby make the following findings:

I further find that the area meets the standards for a noncontiguous area as specified in G.S. 160A-58.1(b), in that:

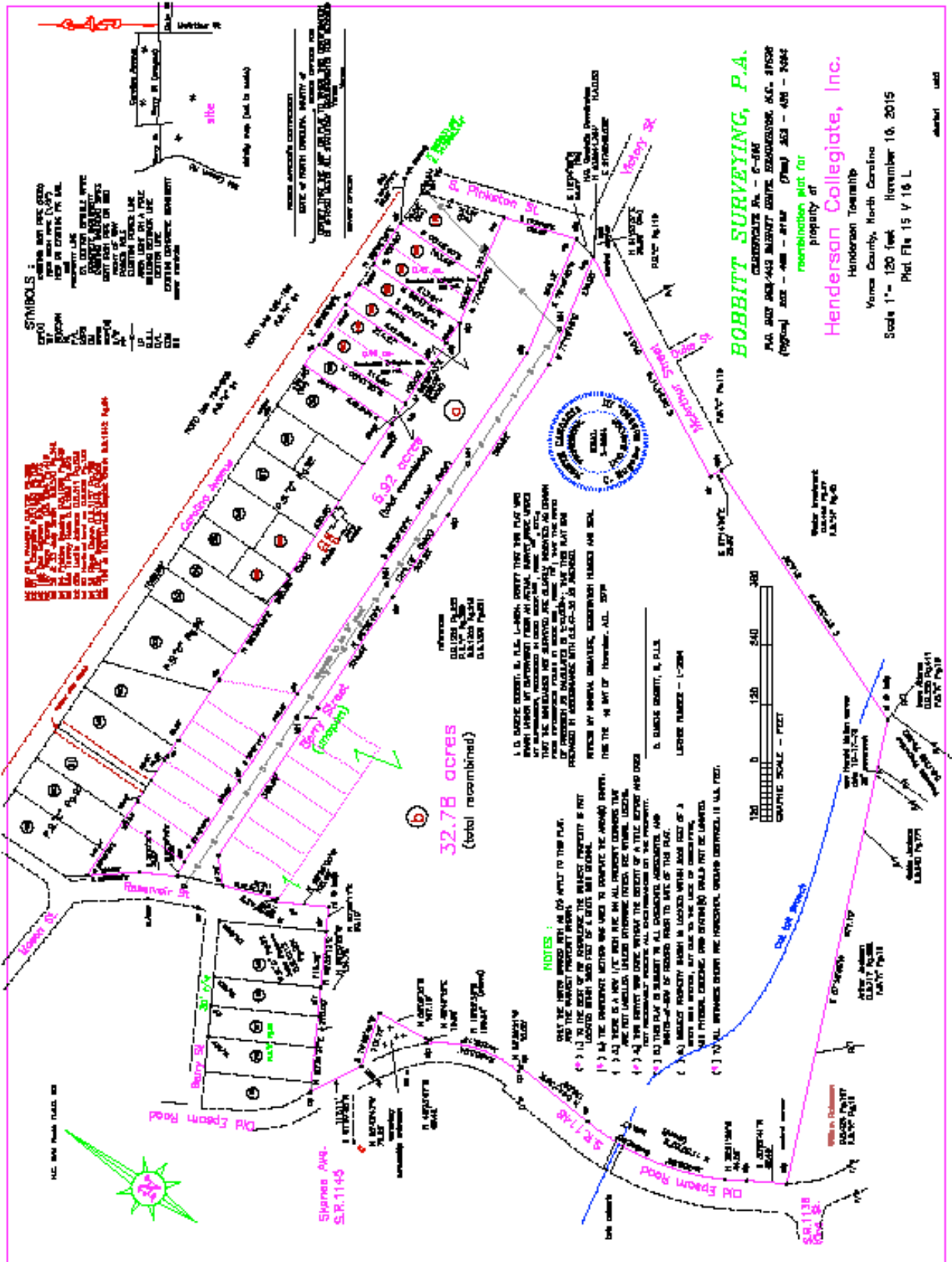
- a) The petition includes a metes and bounds description of the area proposed for annexation and has attached a map showing the proposed satellite area in relation to the primary corporate limits;
- b) The petition includes the names and addresses of all owners of real property lying in the area described therein;
- c) The petition includes the signatures of all owners of real property lying in the area described therein;
- d) The nearest point on the proposed satellite corporate limits is no more than three (3) miles from the primary corporate limits of the City of Henderson;
- e) No point on the proposed satellite corporate limits is closer to the primary corporate limits of any municipality other than the City of Henderson;
- f) The satellite area is so situated that the City of Henderson will be able to provide the same services as are provided within its primary corporate limits;
- g) To the extent that the proposed satellite area contains any portion of a subdivision, the entire subdivision is included;
- h) The area with the proposed satellite corporate limits, when added to the area within all other satellite corporate limits of the City of Henderson, does not exceed ten percent (10%) of the area within the primary corporate limits of the City of Henderson.

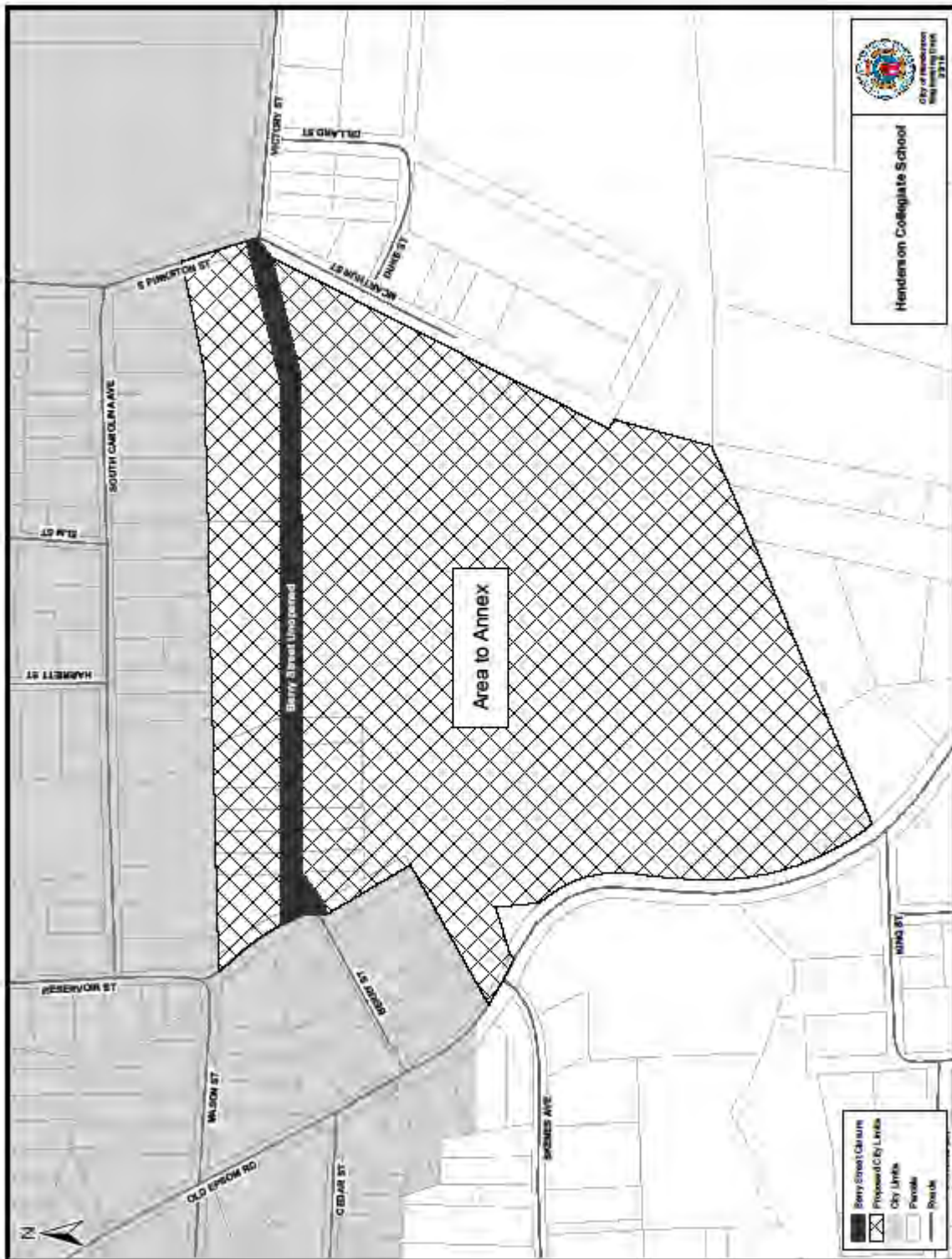
In witness whereof, I have hereunto set my hand and affixed the seal of the City of Henderson, North Carolina, this 8<sup>th</sup> day of December 2015.

---

Esther J. McCrackin  
City Clerk  
Henderson, North Carolina







## City Council Action Form

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



**Council Meeting:** 8 Feb 16 Regular Meeting

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6 January 2016

**TO:** The Honorable Mayor Eddie Ellington and Members of City Council

**FR:** Frank Frazier, City Manager

**RE:** CAF: 16-20

**Consideration of Approval of Resolution 16-15, Receiving the Comprehensive Annual Financial Report for FY Ending 30 June 2015.**

**Ladies and Gentlemen:**

### **Recommendation:**

- Approval of Resolution 16-15, Receiving the Comprehensive Annual Financial Report for FY Ending 30 June 2015.

### **Executive Summary**

William L. Stark and Company and their staff have completed the audit of the basic financial statements of the City of Henderson and will give a report on the general highlights of the Comprehensive Annual Financial Report (CAFR) which are as follows:

- a. The General Fund Balance (excluding Powell Bill, Federal Asset Forfeitures, Reserved by State Statute, and Assigned for Subsequent Year's Expenditures) totaled \$5,304,725, an increase of \$1,633,374 over last year's total. This "unassigned" fund balance represents 41.2% of the fiscal year expenditures. This is the City's "conservative" fund balance percentage.
- b. Total net position in the Water, Sewer and Regional Water Fund increased from the prior year by \$1,371,736, \$918,143 and \$1,860,427 respectively.

### **Attachments:**

1. Resolution 16-15

**RESOLUTION  
16-15**

**RECEIVING THE COMPREHENSIVE ANNUAL FINANCIAL REPORT  
FOR FY ENDING JUNE 30, 2015**

**WHEREAS**, the Henderson City Council (Council) conducted its Annual Planning Retreat in 2015 and during said Retreat identified eight Key Strategic Objectives (KSO) and 12 Core Values and Principals That Guide Our Work; *and*

**WHEREAS**, this Resolution addresses CV 10: Transparency in Governance; *and*

**WHEREAS**, Mr. Curtis Averette, Certified Public Accountant with William L. Stark and Company has conducted the audit of the basic financial statements of the City of Henderson; *and*

**WHEREAS**, the Comprehensive Annual Financial Report for FY ending June 30, 2015 has been prepared; *and*

**WHEREAS**, the FY15 Audit has been submitted to and approved by the North Carolina Local Government Commission.

**NOW, THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY RECEIVE** the Comprehensive Annual Financial Report for FY ending June 30, 2015

The foregoing Resolution 16-15, 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 8<sup>th</sup> day of February 2016: YES: . NO: . ABSTAIN: . ABSENT: .

---

Eddie Ellington, Mayor

**ATTEST:**

---

Esther J. McCrackin, City Clerk

Approved to Legal Form:

---

D. Rix Edwards, City Attorney

*Reference: Minute Book 44, pp. \*\*.*

## City Council Action Form

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



**Council Meeting:** 8 February 2016

---

15 January 2016

**TO:** The Honorable Mayor Eddie Ellington and Members of City Council

**FR:** Frank Frazier, City Manager

**RE:** **CAF: 16-25**

**Consideration of Approval of Resolution 16-10, Supporting Connect NC Bond to Provide Funding for Projects to Further Economic Development in the State.**

**Ladies and Gentlemen:**

### **Recommendation:**

- Approval of Resolution 16-10, Supporting Connect NC Bond to Provide Funding for Water and Sewer Projects and Recreation and Parks Projects.

### **Executive Summary:**

The NC General Assembly authorized a bond package during the 2015 Legislative Session. If approved by the voters, the bonds will provide \$2 billion dollars in funding to update state facilities and enhance further economic development in the State. The bond would provide millions of dollars for investments including the University of North Carolina System, Department of Agriculture and Consumer Services, state parks, the State's National Guard, and Department of Public Safety.

Allocations in the above mentioned bond include \$309.5 million for statewide upgrades to water and sewer projects through the Division of Environmental Quality, \$3 million in funds for the local Parks and Recreation Trust Fund for adaptations to parks that are accessible to children and veterans with disabilities, and \$350 million for Community Colleges. As proposed, the bond should not lead to a tax increase.

Out of the funds mentioned above, Vance-Granville Community College is targeted to receive \$7,611,910 in funding for new constructions, repairs and renovations and Kerr Lake State Park is targeted to receive \$3,750,000.

The North Carolina League of Municipalities endorses the Connect NC Bond initiative.

It is appropriate to show our concern and to support the proposed Connect NC Bond by adopting this resolution.

### **Attachments:**

1. Resolution 16-10
2. Overview

**RESOLUTION 16-10**  
**SUPPORTING CONNECT NC BOND TO PROVIDE FUNDING FOR PROJECTS**  
**TO FURTHER ECONOMIC DEVELOPMENT IN THE STATE.**

**WHEREAS**, the Connect NC bond was approved by the North Carolina General Assembly and Governor McCrory during the 2015 legislative session; *and*

**WHEREAS**, if approved by the voters of North Carolina in the primary election to be held on March 15, 2016, the Act would generate \$2 billion through the sale of bonds to assist further economic development in the State; *and*

**WHEREAS**, the bond will fund \$350 million in projects for the North Carolina Community College System; *and*

**WHEREAS**, the Vance-Granville Community College contributes immeasurably to Vance County and the City of Henderson as well as the surrounding region by producing a skilled workforce to attract new business and industry and provides citizens the opportunity to increase their earning potential and their quality of life through continuing education classes; *and*

**WHEREAS**, the bond will fund other projects for state parks and attractions, local parks, infrastructure, National Guard, agriculture, and public safety; *and*

**WHEREAS**, Kerr Lake State Park is one of the most viable tourist attractions for our region as well as providing beautiful home sites for our residents and potential residents and is targeted to receive Connect NC Bond funding; *and*

**WHEREAS**, these infrastructure investments will improve education, quality of life and economic development across the state.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Henderson supports the Connect NC Bond Act of 2015 and education and advocacy efforts for the statewide voter referendum in March 2016.

The foregoing Resolution 16-10, upon motion of Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_ and having been submitted to a roll call vote received the following votes and was \_\_\_\_\_ on this the \_\_\_\_ day of \_\_\_\_\_ 2016: YES: NO: ABSTAIN: ABSENT:

\_\_\_\_\_  
Eddie Ellington, Mayor

**ATTEST:**

\_\_\_\_\_  
Esther J. McCrackin, City Clerk

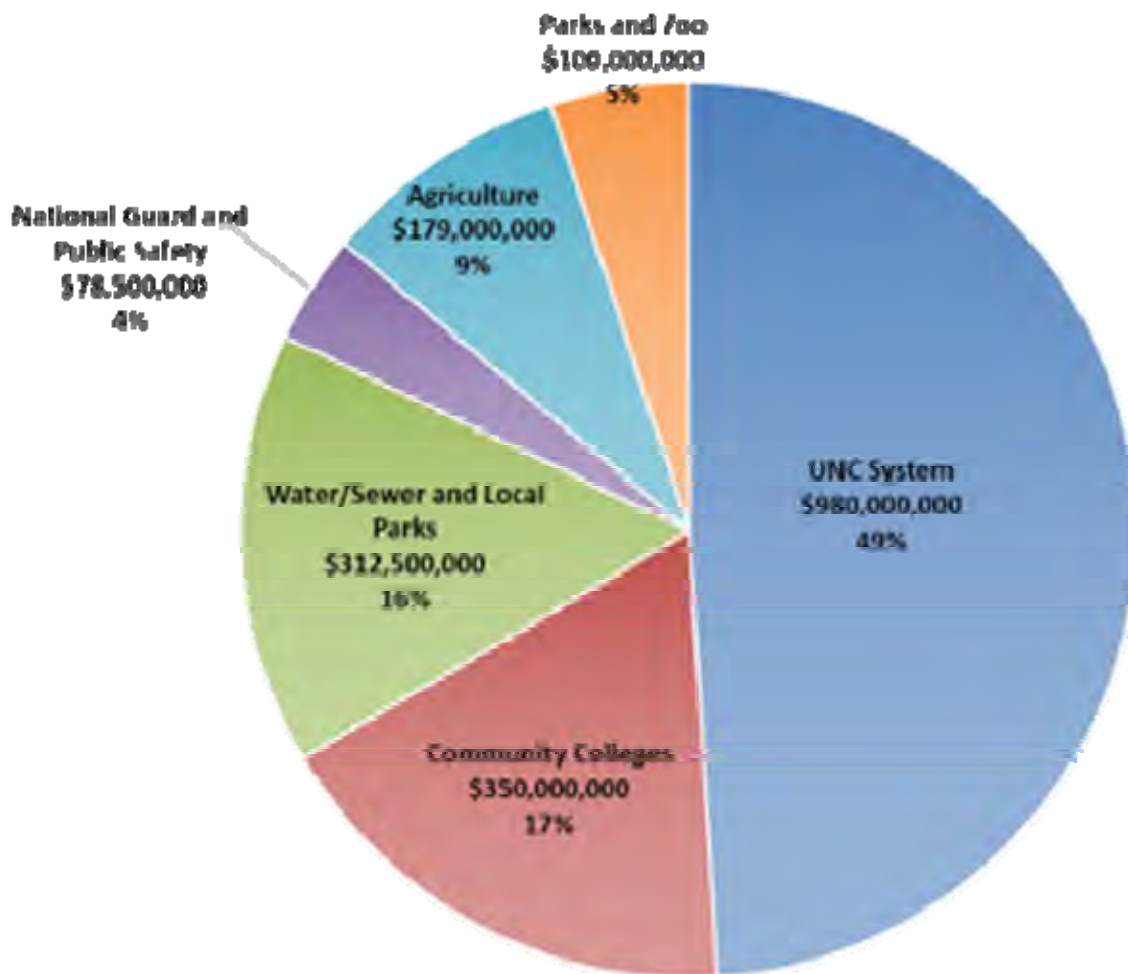
Approved to Legal Form:

\_\_\_\_\_  
D. Rix Edwards, City Attorney



# Overview

- \$2 billion of targeted, long-term investments
- Projects in 76 counties
- Infrastructure investments are vital to NC's competitiveness
- Connect NC will pay for assets that will last for 50 years
- Interest rates are historically low
- Connect NC will not jeopardize our strong credit ratings
- There will be no new taxes or tax increases because of Connect NC



## City Council Action Form

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



**Council Meeting:** 8 Feb 16 Reg. Meeting

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4 Feb 2016

**TO:** The Honorable Mayor Eddie Ellington and Members of City Council

**FR:** Frank Frazier, City Manager

**RE:** CAF: 16-06

**Consideration of Approval of Resolution 16-16, Authorizing the Dedication and Acceptance of a Water Main Serving the Henderson Collegiate Charter School Located on Old Epsom Road**

**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 16-16, Authorizing the Dedication and Acceptance of a Water Main Serving the Henderson Collegiate Charter School Located on Old Epsom Road

### Executive Summary

Stock Engineering has worked with Henderson Collegiate Charter School and the City of Henderson to install a new water main for the Henderson Collegiate Charter School. The water line runs in the shoulders of Reservoir Street and Old Epsom Road and terminates at the meter vault and fire hydrants on campus. The prescribed distance is 1,590 feet of 6-inch ductile iron water line.

The water main was inspected and constructed in accordance to the City's construction standards. All testing has been performed and deemed acceptable on the water mains listed above. Approval from NCDEQ- Public Water Supply has been obtained and the water system has been in service since the Henderson Collegiate Charter School opened. A one year warranty has been in placed on the system as a condition of acceptance by the City.

### Attachments:

1. Resolution 16-16



**RESOLUTION 16-16**  
**AUTHORIZING THE DEDICATION AND ACCEPTANCE OF**  
**WATER MAINS SERVING HENDERSON COLLEGIATE**  
**CHARTER SCHOOL**

**WHEREAS**, the Henderson City Council (Council) conducted its Annual Planning Retreat in January 2016, 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**, Henderson Collegiate Charter School is constructing a new middle school grades 4-8; *and*

**WHEREAS**, approximately 1600 LF of 6" water main, service laterals with associated appurtenances were constructed; in accordance to City standards; *and*

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

**WHEREAS**, the water mains are located within properly recorded easement(s) and/or public right-of-way.

**NOW THEREFORE BE IT RESOLVED** by the Henderson City Council that it does hereby authorize the execution of the Water Main Conveyance and Dedication form, (*See Attachment A to this Resolution*), for City acceptance of the Water Mains Serving Henderson Collegiate Charter School.

The foregoing Resolution 16-16, upon motion of Council Member \*\*\* and second by Council Member \*\*\*, and having been submitted to a roll call vote received the following votes and was APPROVED on this the \*\* day of \*\*\* 2015: YES: . NO: ABSTAIN: . A

BSENT:

\_\_\_\_\_  
Eddie Ellington, Mayor

**ATTEST:**

\_\_\_\_\_  
Esther J. McCrackin, City Clerk

Approved to Legal Form:

\_\_\_\_\_  
D. Rix Edwards, City Attorney

*Reference: Minute Book 44, pp. \*\**

STATE OF NORTH CAROLINA  
COUNTY OF VANCE

WATER MAIN  
CONVEYANCE AND DEDICATION

THIS AGREEMENT, made and entered into this 7<sup>th</sup> day of Jan  
2016 by and between Henderson Collegiate Charter School referred to  
hereinafter as "Grantors", and the City of Henderson, a municipal corporation, hereinafter referred to as  
"Grantee".

WITNESSETH:

WHEREAS, Grantor has installed 6 inch Water main(s) in a permanent easement and/or  
street right-of-ways which are shown on the record drawings entitled Henderson Collegiate  
Charter School as prepared by Stock Engineering, PA and on file in the Engineering  
Department of the City of Henderson and on the plat recorded in Plat Book(s)          Page(s)           
         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 6 inch Water 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 6 inch Water 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 Water 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.

Henderson Collegiate Charter School

By: [Signature] (SEAL)  
(TITLE)

STATE OF NORTH CAROLINA  
County of Vance

I, the undersigned Notary Public of the County of Vance and State aforesaid, certify that \_\_\_\_\_

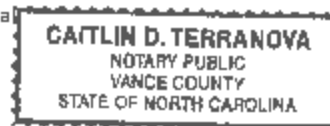
Eric E. Sanchez personally came before me this day and acknowledged that he/she is the  
Executive Director of Henderson Collegiate, a North Carolina public charter school  
and non profit and that by authority duly given and as the act of such entity, he/she signed the foregoing  
instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 7th

\_\_\_\_ day of January, 2016.

Caitlin D. Terranova  
Notary Public

Caitlin D. Terranova  
Notary's Printed or Typed Name

My Commission expires: October 12, 2020 (Affix Seal)



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WATER MAIN CONVEYANCE AND DEDICATION  
HENDERSON COLLEGIATE SCHOOL

CITY OF HENDERSON

\_\_\_\_\_  
CITY of Henderson

(SEAL)

By: \_\_\_\_\_

Eddie Ellington, 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:** 8 Feb 16 Regular Meeting

---

28 January 2016

**TO:** The Honorable Mayor Eddie Ellington and Members of City Council

**FR:** Frank Frazier, City Manager

**RE: CAF: 16-10**  
**Consideration of Approval of Resolution 16-14, Declaring Intent to Close a Dedicated but Unopened Street Referred to as Berry Street**

**Ladies and Gentlemen:**

**Recommendation:**

- Approval of Resolution 16-14, Declaring Intent to Close a Dedicated but Unopened Street Known as Berry Street

**Executive Summary**

The City received a petition from Henderson Collegiate Charter School to permanently close a dedicated but unopened street referred to as Berry Street.

The street was originally to be extended from Reservoir Street to McArthur Street; however, it was never built. The Henderson Collegiate Charter School has purchased the entire tract surrounding the unopened Berry Street and has constructed a new elementary school with intentions of constructing a middle school with a bus parking lot and pick up area meeting NCDOT requirements. There is an existing sanitary sewer main which would have to remain in place and existing cover maintained to protect the integrity of the pipe.

Even though the city has no immediate plans to build the street, the staff does feel it would be a better internal facility for school bus traffic and/or school traffic rather than utilizing other existing city streets such as Carolina Avenue, which is not designed for heavy traffic. NCDOT is reviewing the plans for the proposed addition to the existing school and should be included as a part of the final recommendations.

**Attachments:**

1. Resolution 16-14
2. Street Closing Application & Attachments
3. NC General Statute 160A-299
4. Map of Area

## RESOLUTION 16-14

### DECLARING INTENT TO CLOSE AN UNOPENED STREET REFERRED TO AS BERRY STREET

**WHEREAS**, the City of Henderson (City) received from Henderson Collegiate Charter School, a petition to close an unopened street named Berry Street, a dedicated right of way, which is under the control and jurisdiction of the City but not a street accepted for maintenance by the city; *and*

**WHEREAS**, Berry Street, designated on the attached map entitled recombination plat for property of Henderson Collegiate, Inc., beginning at Reservoir Street and extending in a westerly direction to the right of way of McArthur Street; *and*

**WHEREAS**, there is an existing sanitary sewer main which would have to remain in place; therefore retaining a 30-0 ft. width easement (15 ft. on each side of the centerline); *and*

**WHEREAS**, the City proposes to permanently close this street in accordance with and following the procedures required by North Carolina General Statute §160A-299.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Henderson hereby declares its intention to permanently close the unopened Berry Street following publication and posting of this resolution and giving notice, by certified mail, return receipt requested, to the owners of land abutting the street, and after conducting a public hearing on the closures, this hearing to be held at 6:00 p.m. on the 14<sup>th</sup> of March 2016, at the regular meeting of the City Council at the City Council Chambers in City Hall on Rose Avenue in Henderson, North Carolina, at which anyone desiring to be heard may be present.

The foregoing Resolution 16-14 was heard on this the \_\_\_\_<sup>th</sup> day of \_\_\_\_\_ and upon a motion by Council Member \*\*\* and seconded by Council Member \*\*\* was \_\_\_\_\_ by the following vote: YES: . NO: ABSTAIN: . ABSENT: .

\_\_\_\_\_  
Eddie Ellington, Mayor

**ATTEST:**

\_\_\_\_\_  
Esther J. McCrackin, City Clerk

Approved as to Legal Form:

\_\_\_\_\_  
D. Rix Edwards, City Attorney  
(Reference: Minute Book 44, p )

**STREET CLOSING APPLICATION**  
**CITY OF HENDERSON PLANNING/ENGINEERING DEPARTMENT**

(For Office Use)

Received by: \_\_\_\_\_  
City or County Clerk/Staff                      Date

Case SC: \_\_\_\_\_ (Assigned by Planning/Engineering Staff)

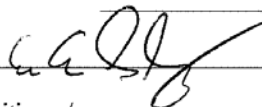
Date Received: \_\_\_\_\_

City Council Action: \_\_\_\_\_  
Date

**I. Basic Information:**

Name of Petitioner/s: \_\_\_\_\_ Henderson Collegiate Charter School  
Address: \_\_\_\_\_ 1071 Old Epsom Road, Henderson, NC  
Phone: \_\_\_\_\_ (252) 598-1038  
Fax: \_\_\_\_\_ (252) 598-1037  
Email: \_\_\_\_\_ info@HendersonCollegiate.org  
Signature: \_\_\_\_\_

Owners of property contiguous to that portion of the (street/alley/road) requested to be closed: (List every owner whose land abuts the right-of-way to be closed and following information).

1. Name of Petitioner/s: \_\_\_\_\_ Same As Above  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
Email: \_\_\_\_\_  
Signature: 

2. Name of Petitioner/s: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
Email: \_\_\_\_\_  
Signature: \_\_\_\_\_

3. Name of Petitioner/s: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
Email: \_\_\_\_\_  
Signature: \_\_\_\_\_

(Include Additional Owners if Necessary on Separate Sheet)

Name of Street proposed for closing: Berry Street

Tax Map Number 0090 01002

Location of street/alley/road to be closed: Henderson City Vance County

Length to be closed: Approximately 1,560 LF

Area to be closed (in square feet): 78,000 SF

All plats or deed book reference(s) where dedicated as a public street: PB H Page 91

Existing condition of street/alley/road to be closed:

           paved                                 gravel surface  
           dirt                                X           unopened (unconstructed-paper street)

Check which of the following, to the best of petitioner's knowledge, is applicable.

That portion of Berry Street proposed for closing:  
Street/Alley/Road Name

- X           has been accepted by neither the North Carolina Department of Transportation nor the City of Henderson for maintenance.  
           has been accepted by the North Carolina Department of Transportation and the City of Henderson for maintenance.  
           has been accepted by the City of Henderson for maintenance, but not by the North Carolina Department of Transportation.

## II. Reasons for Closing and Special Information

Check which is applicable:

- The street/alley/road proposed for closing is currently open. (Complete A and C below)  
          X           Development activity is planned within the right-of-way proposed for closing. (Complete A and B below)

If either above is checked, a meeting with Planning Department staff is required at the time of application.

### A. ALL APPLICANTS:

1. Give detailed reasons for the requested street/alley/road closing and any specific plans for use of the site.

Henderson Collegiate Charter School owns both sides of the proposed unopened portion of ROW and needs to construct a Bus Parking Lot and Pick up for the proposed Henderson Collegiate Middle School to meet NCDOT requirements for Bus Access to the School Facility.



B. IF DEVELOPMENT ACTIVITY IS PROPOSED WITHIN THE RIGHT-OF-WAY TO BE CLOSED:

1. Give all available details on proposed development activity.

Henderson Collegiate Charter School owns both sides of the proposed unopened portion of ROW and needs to construct a Bus Parking Lot and Pick up for the proposed Henderson Collegiate Middle School to meet NCDOT requirements for Bus Access to the School Facility. There is an existing sewer line that currently runs up the unopened portion of ROW. Upon closing of the street, Henderson Collegiate will grant a 20' wide Sewer Easement for the existing sewer line to be located 10 feet on either side of the line.

2. Describe development on adjacent properties, or submit photos or maps.

All adjacent properties are owned by Henderson Collegiate and are currently wooded / vacant.

3. Describe how your proposed developments would be compatible with adjacent properties and well buffered if buffering is appropriate.

The proposed use of the property would be an expansion of the existing Henderson Collegiate School located on Old Epsom Road. A Special use Permit for the proposed school has already been obtained by Henderson Collegiate.

4. List below any City/County approvals required for this development (e.g. subdivision plat, site plan, rezoning, Board of Adjustment, etc.).

The proposed development would require a Site Plan to be approved by the City of Henderson.

C. IF RIGHT-OF-WAY IS CURRENTLY OPENED AND MAINTAINED:

1. Describe in detail why this closing is proposed, including any relevant background and general benefits to the public that would result.
2. Describe in detail what specific uses of the right-of-way would be made, including any construction activity, public or private use, required public approvals, etc. Staff will not process street closing application until all development review approvals are received.
3. Signed consent of all adjacent property owners will be required (if shown on a subdivision plat, consent of owners of all lots in subdivision may be required).

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**INSTRUCTIONS AND MATERIALS REQUIRED FOR FILING A  
STREET/ALLEY/ROAD CLOSING APPLICATION**

1. A fully complete application form, including special details required if either:
  - 1) development is proposed on the Right of Way (ROW), or:
  - 2) the ROW is currently open or maintained;
  - 3) there are any utilities (water, sewer, gas, electricity, telephone, cable) within the ROW.

If either of these apply, a meeting with Planning or Engineering staff shall also be required to be held at the time of the application submittal.

2. A filing fee of \$400.00 per street/alley/road. All checks should be made payable to the "City of Henderson". (an additional fee for recordation of the street/alley/road closing will be required once the governing body has approved the request).
3. A fee of \$400.00 for notification regarding the proposed street closing. This includes newspaper advertisement, letter notification to applicable land owners and posting of signs. This fee and the filing fee can be included in one check. (Both filing fee and advertisement fee must be submitted with the application).
4. Written legal metes and bounds description of the proposed street/alley/road to be closed unless shown on a furnished recorded plat.
5. Four (4) prints of the proposed street/alley/road closing map prepared by a licensed surveyor if required.

**§ 160A-299. Procedure for permanently closing streets and alleys.**

(a) When a city proposes to permanently close any street or public alley, the council shall first adopt a resolution declaring its intent to close the street or alley and calling a public hearing on the question. The resolution shall be published once a week for four successive weeks prior to the hearing, a copy thereof shall be sent by registered or certified mail to all owners of property adjoining the street or alley as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along the street or alley. If the street or alley is under the authority and control of the Department of Transportation, a copy of the resolution shall be mailed to the Department of Transportation. At the hearing, any person may be heard on the question of whether or not the closing would be detrimental to the public interest, or the property rights of any individual. If it appears to the satisfaction of the council after the hearing that closing the street or alley is not contrary to the public interest, and that no individual owning property in the vicinity of the street or alley or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to his property, the council may adopt an order closing the street or alley. A certified copy of the order (or judgment of the court) shall be filed in the office of the register of deeds of the county in which the street, or any portion thereof, is located.

(b) Any person aggrieved by the closing of any street or alley including the Department of Transportation if the street or alley is under its authority and control, may appeal the council's order to the General Court of Justice within 30 days after its adoption. In appeals of streets closed under this section, all facts and issues shall be heard and decided by a judge sitting without a jury. In addition to determining whether procedural requirements were complied with, the court shall determine whether, on the record as presented to the city council, the council's decision to close the street was in accordance with the statutory standards of subsection (a) of this section and any other applicable requirements of local law or ordinance.

No cause of action or defense founded upon the invalidity of any proceedings taken in closing any street or alley may be asserted, nor shall the validity of the order be open to question in any court upon any ground whatever, except in an action or proceeding begun within 30 days after the order is adopted. The failure to send notice by registered or certified mail shall not invalidate any ordinance adopted prior to January 1, 1989.

(c) Upon the closing of a street or alley in accordance with this section, subject to the provisions of subsection (f) of this section, all right, title, and interest in the right-of-way shall be conclusively presumed to be vested in those persons owning lots or parcels of land adjacent to the street or alley, and the title of such adjoining landowners, for the width of the abutting land owned by them, shall extend to the centerline of the street or alley.

The provisions of this subsection regarding division of right-of-way in street or alley closings may be altered as to a particular street or alley closing by the assent of all property owners taking title to a closed street or alley by the filing of a plat which shows the street or alley closing and the portion of the closed street or alley to be taken by each such owner. The plat shall be signed by each property owner who, under this section, has an ownership right in the closed street or alley.

(d) This section shall apply to any street or public alley within a city or its extraterritorial jurisdiction that has been irrevocably dedicated to the public, without regard to whether it has actually been opened. This section also applies to unopened streets or public alleys that are shown on plats but that have not been accepted or maintained by the city, provided that this section shall not abrogate the rights of a dedicatory, or those claiming under a dedicatory, pursuant to G.S. 136-96.

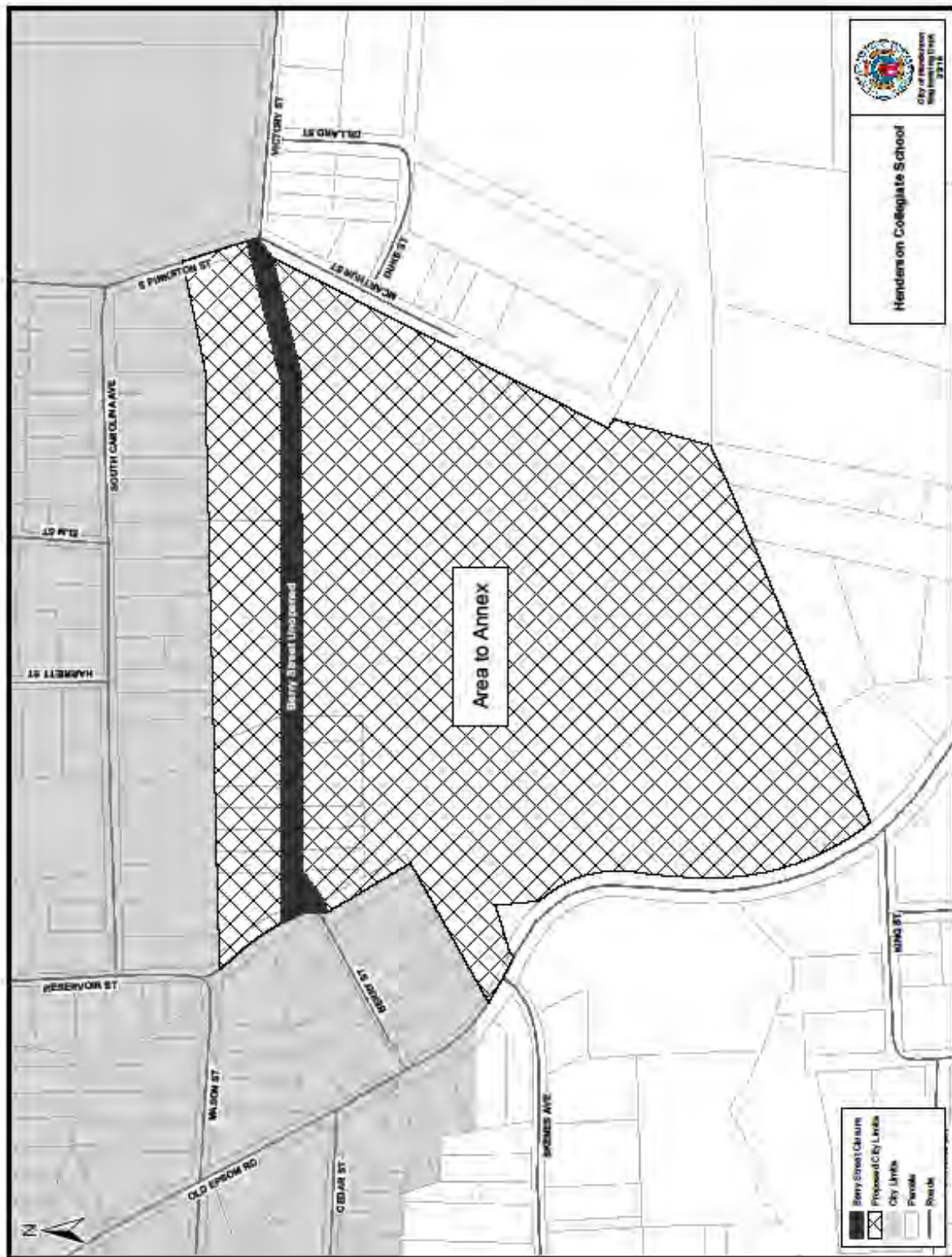
(e) No street or alley under the control of the Department of Transportation may be closed unless the Department of Transportation consents thereto.

(f) A city may reserve its right, title, and interest in any utility improvement or easement within a street closed pursuant to this section. Such reservation shall be stated in the order of closing. Such reservation also extends to utility improvements or easements owned by private utilities which at the time of the street closing have a utility agreement or franchise with the city.

(g) The city may retain utility easements, both public and private, in cases of streets withdrawn under G.S. 136-96. To retain such easements, the city council shall, after public hearing, approve a "declaration of retention of utility easements" specifically describing such easements. Notice by certified or registered mail shall be provided to the party withdrawing the street from dedication under G.S. 136-96 at least five days prior to the hearing. The declaration must be passed prior to filing of any plat or map or declaration of withdrawal with the register of deeds. Any property owner filing such plats, maps, or declarations shall include the city declaration with the declaration of withdrawal and shall show the utilities retained on any map or plat showing the withdrawal. (1971, c. 698, s. 1; 1973, c. 426, s. 47; c. 507, s. 5; 1977, c. 464, s. 34; 1981, c. 401; c. 402, ss. 1, 2; 1989, c. 254; 1993, c. 149, s. 1.)



## Handerson Collegiate School



## City Council Action Form

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



**Council Meeting:** 8 February 16 Regular Meeting

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22 January 2016

**TO:** The Honorable Mayor Eddie Ellington and Members of City Council

**FR:** Frank Frazier, City Manager

**RE: CAF: 16-13**

**Consideration of Approval of Resolution 16-12, Authorizing an Application to the North Carolina State Department of Environmental Quality Resources for a Technical Assistance Grant Relative to Asset Management and Sanitary Sewer Modeling.**

**Ladies and Gentlemen:**

### **Council Goals Addressed By This Item:**

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

### **Recommendation:**

Approval of Resolution 16-12, Authorizing an Application to the North Carolina State Department of Environmental Quality Resources for a Technical Assistance Grant Relative to Asset Management and Sanitary Sewer Modeling.

### **Executive Summary**

The State has increased the funding levels of the Technical Assistance Grant from \$50,000 to \$150,000 to stimulate municipalities to implement long range asset management programs to identify infrastructure needs and began the systematic approach of funding and replacing this failing infrastructure.

Henderson's sanitary sewer collection and conveyance system has historically experienced sanitary sewer overflows due to inflow and infiltration. A large portion of the collection system is comprised of terracotta clay pipe which, is very resistant to the corrosive gases inherent in

sewer collection systems but is extremely susceptible to infiltration and root intrusion. A Technical Assistance Grant (TAG) will permit the city to work in conjunction with a consultant to collect and input this data into a sewer model as well as our new asset management software to allow us to surgically identify and correct problems and identify future work that can be placed on our 10 year Capital Improvement Plan. The intent of the assessment is to identify improvements that can tighten the system and convey the wastewater to the wastewater treatment plant, as well as provide a working model of the collection system to provide alternative scenarios with respect to identifying and resolving bottle necks in the collection system.

NCDEQ's Division of Water Infrastructure's goal is to identify high quality projects that provide the most improvement while holding costs down and to place these projects on a 10 year capital improvement plan. Selection will be based on a municipality's need, financial ability to implement a CIP without grant funding, positive environmental benefits and management tools in place. Henderson is well positioned to become a successful applicant but, a consultant can better align our application to receive funding. The application is due April 29, 2016 which would allow adequate time to prepare the grant application and selection of an engineering firm to assist in the preparation of the application.

There is a current action to be considered by Council which may help expedite the process of selecting a consultant through on call services.

Since our original discussion, we have been informed that a 10% match is required due to changes in how the program is administered. The match is determined by how well the Local Government Unit (LGU) unit scores. LGU's that would score 5 out of 5 would have a very small match and the LGU's that score lower than 4 would have a much higher match. It appears that we would score 4 out of 5, which would require a 10% match or \$15,000. This would be budgeted in the 2016-2017 budget, if approved.

**Attachments:**

1. Resolution 16-12
2. CM 16-01

## RESOLUTION 16-12

### **AUTHORIZING AN APPLICATION TO THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY RESOURCES FOR A TECHNICAL ASSISTANCE GRANT RELATIVE TO ASSET MANAGEMENT AND SANITARY SEWER MODELING**

**WHEREAS**, the Henderson City Council (Council) identified eight Key Strategic Objectives (KSO) at its 2015 Strategic Planning Retreat; *and*

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

**WHEREAS**, the North Carolina Department of Environmental Quality's Division of Water Infrastructure has increased Technical Assistance Grants to a \$150,000 cap to encourage municipalities to develop Asset Management Programs to evaluate infrastructure and roll this information into a 10 year Capital Improvement Plan; *and*,

**WHEREAS** the City Council approves the submittal of an application to NCDEQ for the 2017 funding cycle in the amount of \$150,000 with at 10% match required; *and*

**WHEREAS**, the City staff will assist a Consultant with the preparation of the Application.

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

1. Authorizes the submittal of a NCDEQ-DWI Technical Assistance Grant Application for Asset Management with respect to the Sanitary Collection and Conveyance System.
2. Approves the use of an Engineering Consultant to assist in the preparation of the Application.
3. Authorizes the Mayor to sign all agreements and documents necessary to effect said Agreement.

The foregoing Resolution 16-12 introduced by Council Member \*\* and seconded by Council Member \*\* on this the \* day of \*, and having been submitted to a roll call vote, was \*\*\* by the following votes: YES: . NO: . ABSTAIN: . ABSENT: .

---

Eddie Ellington, Mayor

**ATTEST:**

---

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

---

D. Rix Edwards, City Attorney

(Reference: Minute Book 43, p. \*\*.)



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



**Council Meeting:** 11 Jan 2016 Work Session

---

6 January 2016

**TO:** The Honorable Mayor Eddie Ellington and Members of City Council

**FR:** Frank W. Frazier, City Manager

**RE: CM: 16-01**

**Consideration of Approving the Submission of an Application to the Division of Environmental Quality (DEQ) for a Technical Assistance Grant**

**Ladies and Gentlemen:**

**Council Goals Addressed By This Item:**

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

**Executive Summary:**

**Technical Assistance Grant**

The City of Henderson has performed numerous studies on inflow and infiltration ( I&I) into the sewer collection system. The result of these studies in conjunction with sewer rehabilitation projects has led to significant reductions in sanitary sewer overflows (SSO), especially in the Sandy Creek Basin. The studies have identified over 40 million dollars in rehabilitation work and led to a dedicated crew in the public service department to review and address the inflow and infiltration issues. The previous rehabilitation work targeted large segments of the collection system versus a surgical approach to these problems. The city was able to reduce the number of SSOs through a combination of sewer replacement and point repairs, where the largest portions of the I&I was removed through point repairs (i.e. removing rain gutters tied to the collection system, inserting pans in the top of manholes and isolating storm sewer connections to the sanitary sewer.)

The State has appropriated money to permit municipalities the opportunity to begin the process of implementing an asset management system and developing technical systems to better manage these systems. The Engineering department has begun the process of inputting data into the asset

management system and into a sewer model but have only completed a small portion of this work. Work that needs to be added to the asset management software includes when the sewer was constructed, the materials used and a current assessment of the condition of the system. The engineering department has begun the process of data input into the model but on a very limited scale. The input data includes sewer main size, grade of sewer, top of manholes, installation dates, condition of sewer based on old records, rainfall data, and flow monitoring data to name a few of the attributes of interest. A Technical Assistance Grant (TAG) will permit the city to work in conjunction with a consultant to collect and input this data into a sewer model as well as our new asset management software to allow us to surgically identify and correct the problems and identify future work that can be placed on our Capital Improvement Plan. The intent of the assessment is to identify improvements that can tighten the system and convey the wastewater in an efficient manner to the wastewater treatment plant, as well as provide a working model of the collection system to provide alternative scenarios with respect to identifying and resolving bottle necks in the collection system.

The state has placed a priority on this type of work and has increased the available funding from the previous \$50,000 cap to a new \$150,000 cap on these grants. The Division of Water Infrastructure's goal to identify high quality projects that provide the most bang for the buck" and to place these projects on a 10 year capital improvement plan. Selection will be based on municipalities with low income with a priority given to those communities that have been willing to accept loans for infrastructure projects over communities that rely 100% on grants. This type of rating system will significantly improve Henderson's chances of securing funding for this grant. The grant application is due April 29, 2016. There is no match required by the city; however, it will improve our ranking with respect to other applicants.

It is recommended that the City Council authorize staff to proceed with an application for this funding. At this time an engineer has not been selected to help with the application and associated work; however, this will be brought back to Council in the near future for further consideration regarding an on-call services contract for engineering services.

## City Council Action Form

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



**Council Meeting:** 8 Feb 16 Regular Meeting

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22 January 2016

**TO:** The Honorable Mayor Eddie Ellington and Members of City Council

**FR:** Frank Frazier, City Manager

**RE: CAF: 16-17**

**Consideration of Approval of Resolution 16-13 Authorizing a Request for Proposal for a 3-year On Call Engineering Services Agreement**

**Ladies and Gentlemen:**

### **Council Goals Addressed By This Item:**

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

### **Recommendation:**

Approval of Resolution 16-13 Authorizing a Request for Proposal for a 3-year On Call Engineering Services Agreement.

### **Executive Summary**

Council has voiced their concerns of the diversification of Engineering Firms with respect to Henderson's Capital Improvement Projects. Various delivery systems have been reviewed to secure Engineering Services for small to medium sized capital improvement projects and it has been determined that a pool of Consultants selected based on their technical expertise would provide the City the most cost effective system for Engineering Services.

Historically, municipalities have aligned themselves with one Engineering Firm which, acted as adjunct staff to review conditions and assist city staff with their Engineering needs in the form of projects and grant applications. As municipalities began hiring professional engineers to address their immediate needs the historical model became ineffective and only the bigger and more complex engineering tasks were needed by municipalities. Municipalities realized that there were other Engineering firms with specific skill sets that were better equipped to innovate and design solutions that were more cost effective to their problems. This approach has led to the "Request

for Proposals” (RFP) process that is been in place for the last decade and used by many municipalities. This method would replace the city’s existing policy.

Currently City staff exhausts time and resources on advertising, reviewing and awarding project specific “Engineering Request for Proposals” on the small to medium sized projects. Consultants that continually submit to this type of delivery system either submit a boiler plate RFQ stating what projects they have worked on with little attention given to project understanding or providing innovative solutions that let municipalities know they are aligned with the needs and solutions of their potential client. Consultants that submit clear, concise, innovative and thoughtful insight to a municipality’s project specific RFQ will experience submittal fatigue if they do not secure a project after a couple of submittals and will stop submitting. This process leads to a very narrow field of consultants that may not have the expertise in the field required and will not fulfill Henderson’s Section 3 and Section 504 hiring mandates that are dictated by the acceptance of the latest CDBG funding.

Henderson staff would solicit a “Request for Proposals” from engineering firms requesting specific engineering expertise and use of local and under-utilized businesses. Staff will then review these proposals via committee and will make a selection of three to six firms based on qualifications and a scoring system. The selected engineering firms will then be placed on the city’s pre-qualified list to perform Engineering Services on individual projects the City Council has approved to fund. Once a project is identified then the committee will select the Engineering firm out of the pool with the best qualifications and availability. The On-Call delivery system is being incorporated by many municipalities to secure Engineering Services to address emergencies and long term Capital Improvement Projects.

Staff proposes an on-call engineering agreement in which the design fee does not exceed \$200,000 per project, which generally covers small to medium sized projects. Large infrastructure projects like the Kerr Lake Regional Water Treatment Plant Upgrade will still go through a project specific Engineering Contract Selection and Award Process. The Council would still have to approve the specific contract for the project; however, the contract would be shortened as a result of having the standard language already approved.

Staff hopes to utilize this delivery method for Engineering Services for the following upcoming projects, if further approved by Council; 1) Technical Assistance Grant (State Funding Grant); 2) Asbestos Cement Water Line Replacement (DWSRF); 3) Knoll Terrace Mobile Home Park Water Line Replacement (DWSRF). If these projects are deemed fundable, then staff will bring them back before council for approval with a recommended Consultant from the approved list.

It is the staff’s recommendation that Council approve the “On-Call Engineering Services” delivery method and staff solicit RFPs for these services. There are local firms that may qualify for this as well.

**Attachments:**

1. Resolution 16-13

## RESOLUTION 16-13

**AUTHORIZING A REQUEST FOR PROPOSAL FOR A 3-YEAR ON CALL  
ENGINEERING SERVICES AGREEMENT TO DIVERSIFY AND DISTRIBUTE THE  
TECHNICAL ENGINEERING EXPERTISE REQUIRED FOR MEDIUM SIZE  
PROJECTS NEEDED BY THE CITY TO FIRMS THAT MAY BE LOCAL OR HAVE  
THE EXPERTISE TO ADDRESS THE PROJECTS SPECIFIC ISSUE**

**WHEREAS**, the Henderson City Council (Council) identified eight Key Strategic Objectives (KSO) at its 2015 Strategic Planning Retreat; *and*

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

**WHEREAS**, the City has identified an alternative delivery method for Engineering Services that will provide the City with the best suited engineering services for the small and medium sized projects in which the fee could be up to \$200,000; *and*

**WHEREAS**, the City will utilize a Committee containing an odd number of delegates in conjunction with a scoring system to select the consultants best suited for future projects; *and*

**WHEREAS**, the City is not obligated to pay a retainer for these services or utilize any Consultant for any specific project; *and*

**WHEREAS**, the City Council must approve funding of all projects which the fee is in excess of \$30,000; *and*

**WHEREAS**, the City will make every effort to solicit and comply with Section 3 and Section 504 of the Fair Housing Act and Equal Employment Opportunity Act adopted by City Council.

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

1. Approves the Solicitation of a 3-Year On-Call Engineering Services Agreement via a Request for Proposals from the Engineering Community at large; *and*
2. Approves Staff to form a committee to review RFPs and score each consultant according to the specific expertise each firm exhibits as well as a wide range of other metrics that provides the committee an objective means of scoring the consultant; *and*
3. The Mayor is authorized to sign all agreements and documents necessary to effect said Agreement with firms; however, said agreement does not represent any individual contract or project, nor does it approve any fees for any individual contract of monetary value.

The foregoing Resolution 16-13 introduced by Council Member \*\* and seconded by Council Member \*\* on this the \* day of \*, and having been submitted to a roll call vote, was \*\*\* by the following votes: YES: . NO: . ABSTAIN: . ABSENT: .

---

Eddie Ellington, Mayor

***ATTEST:***

---

Esther J. McCrackin, City Clerk

Approved to Legal Form:

---

D. Rix Edwards, City Attorney  
(Reference: Minute Book 43, p. \*\*.)

## City Council Action Form

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



**Council Meeting:** 8 February 2016

---

15 January 2016

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

**FR:** Frank Frazier City Manager

**RE: CAF: 16-26**

**Consideration of Approval of Resolution 16-11, Authorizing the Acceptance and Support of a Grant from The NC Industrial Development Fund Relative to Funding Assistance for a Water and Sewer Main Extension for a Henderson-Vance Industrial Park Property**

**Ladies and Gentlemen:**

**Council Goals Addressed By This Item:**

- KSO 3, Enhance Economic Development- To create new jobs and investment, expand the tax base and increase the per capita income.

**Recommendation:**

Approval of:

- Approval of Resolution 16-11, Authorizing the Acceptance and Support of a Grant from The NC Industrial Development Fund Relative to Funding Assistance for a Water and Sewer Main Extension for Henderson-Vance Industrial Park Property.

### **Executive Summary**

On September 28, 2015 via Resolution 15-62, Council authorized the Acceptance and Support of a Grant from The NC Industrial Development Fund Relative to Funding Assistance for a Water and Sewer Main extension which would have served as an expansion for Jerry's Artarama.

Since that time Jerry's Artarama shelved their plans to expand. However, the NC Rural Industrial Development Fund is still willing to offer assistance to construct the above mentioned water main and sewer extension to enhance the marketability of the Henderson -Vance Industrial park, but require we revise our Resolution reflecting it is for Henderson-Vance Industrial Park. There is no match required for this project and the city has the potential to receive additional water and sewer revenues as a result of this project, once a new facility is constructed on the property.

Enclosures:

1. Resolution 16-11
2. Resolution 15-62

CAF 16-26: 8 February 2016 Council Meeting

Page 1 of 14

## RESOLUTION 16-11

### **AUTHORIZING THE ACCEPTANCE AND SUPPORT OF A GRANT FROM THE NORTH CAROLINA INDUSTRIAL DEVELOPMENT FUND RELATIVE TO FUNDING ASSISTANCE TO EXTEND A WATER AND SEWER MAIN FOR A HENDERSON-VANCE INDUSTRIAL PARK PROPERTY**

**WHEREAS**, the Henderson City Council (Council) conducted its Annual Planning Retreat in January 2016 and during said Retreat identified twelve Core Values and Principles and eight Key Strategic Objectives (KSO) and Goals; *and*

**WHEREAS**, this Resolution addresses **KSO 3: Enhanced Economic Development - To create new jobs and investment, expand the tax base and increase the per capita income;** *and*

**WHEREAS**, the County of Vance (County) and the City of Henderson (City) approved an Inter-Local Agreement in June 2009 that established the Henderson-Vance Economic Development Commission (EDC) as a joint governmental agency; *and*

**WHEREAS**, the EDC is the primary local organization dedicated for the economic growth and development of the city and county; *and*

**WHEREAS**, the City and County reached a consensus for the Kerr Tar Regional Council of Governments (COG) to apply for a North Carolina Industrial Development Grant on their behalf; *and*

**WHEREAS**, the City received notice of the initial reservation of funds in the amount of \$165,356 to assist in paying for the cost of a water main extension to serve the needs of the a Henderson-Vance Industrial Park property; *and*

**WHEREAS**, this grant will be administered in accordance with the rules and regulations of the NC Industrial Development Fund by the COG on behalf of the City, via a Technical Services Agreement with the City; *and*

**WHEREAS**, this grant will be monitored quarterly to assure compliance with this proposal and the NC Industrial Development Fund; *and*

**NOW THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY APPROVE** acceptance of funds as stated in the pre-application (See *Attachment A*), with the NC Industrial Development Fund for the purpose of using the \$165,356 to defray utility extension costs for water and sewer for a Henderson-Vance Industrial Park property.

**BE IT FURTHER RESOLVED THAT** the Mayor is authorized to sign all documents necessary to accept and execute said grant.



The foregoing Resolution 16-11, upon motion of Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_ and having been submitted to a roll call vote received the following votes and was \_\_\_\_\_ on this the \_\_\_\_<sup>th</sup> day of \_\_\_\_\_ 2016: YES: NO: ABSTAIN: ABSENT:

\_\_\_\_\_  
Eddie Ellington, Mayor

***ATTEST:***

\_\_\_\_\_  
Esther J. McCrackin, City Clerk

Approved to Legal Form:

\_\_\_\_\_  
D. Rix Edwards, City Attorney

*Reference Minute Book 44; p; CAF 16-26*

## **Application for Utility Account Financing**

Under Chapter 143B-472A (b1), North Carolina General Statutes

North Carolina Industrial Development Fund  
North Carolina Department of Commerce  
Utility Account Project Assistance

Applicant: City of Henderson

County Vance Tier Number 1

Date of Application: 12-22-2015

Signature, Mayor or Chairman  
of Board of Commissioners: \_\_\_\_\_

Amount of IDF Funds Applied For: \$165,356

Date Application Received in DOC: \_\_\_\_\_

Federal Tax ID Number: 56-6001-241

Construction Starting Date: March 2016

Construction Ending Date: May 2016

Facility Code: E (Select appropriate choice from the list below.)

A: Out-of-state firm making new investment in NC

D: State firm expanding in NC

B: Out-of-state firm expanding in NC

E: Undesignated

C: State firm making new investment in NC

F: Pass through to another State agency

### **Application Review** (for DOC use only)

This project will be a      Grant      Loan

Initial Review By: \_\_\_\_\_

Committee Review By: \_\_\_\_\_

Comments By: \_\_\_\_\_

## **Applicant Information**

Chief Elected Officer  
Signing the Application:

Name Mayor Eddie Ellington

Business Address Henderson City Hall 134 Rose Avenue (PO Box 1434)  
Henderson, NC 27536

Telephone Number (252)430-5700

Chief Contact for Information  
and Administration of Project:

Name Will Brooks, Kerr-Tar COG

Business Address 1724 Graham Ave. (PO Box 709) Henderson NC, 27536

Telephone Number (252) 436-2040

Please indicate that the unit of government has formally authorized this project by its elected board, under specific resolution and applicable State Statute. Attach a copy of the executed resolution.

## Project Description

1. Indicate type of utility expenditure proposed

a) Water	<u>X</u>
b) Sewer	<u>X</u>
c) Gas	<u>      </u>
d) Electric	<u>      </u>
Utility Lines	<u>      </u>

2. Describe the project in detail

**Henderson-Vance Industrial Park requires a watermain extension that will support planned expansions of existing industry and enhance site capacity for prospective industry. The expansion requires a 12" water main and sewer extension from an existing water/sewer line and along the public ROW. Funds will be used to run the infrastructure up to the property line. A 12" water main extension will allow for additional water capacity for future expansions or development. Expected project timeline is three to four months. Increased water capacity availability to the facility will expedite and simplify future expansion phases.**

3. Describe how the proposed expenditure of Utility Account funds will directly result in the creation of new jobs. If this application is to primarily benefit an existing firm, or a new firm, please list name and address.

**The City of Henderson is addressing anticipated requests for additional water demand and increased sewer capacity needs for a planned expansion of the existing Henderson-Vance Industrial Park.**

4. Include a statement that addresses any environmental concern, impact, no impact, etc. associated with this project.

**No significant environmental impacts are expected to result from this project.**

5. Describe any personal or business relationships existing between the parties: the firm or employers, property owner, contractor, or local governing board.

**The Henderson-Vance Industrial Park Board is an advisory group appointed by the Henderson City Council and Vance County Commissioners.**

6. Include an engineering report (PER) including map(s) of the project.

**Attached**

## PROJECT SOURCE AND USE FORM

1 Local Government Applicant: <u><b>City of Henderson</b></u>	2 Project Name: <u><b>HVIP Water &amp; Sewer Extension</b></u>
3 Project Business (if applicable) <u> </u>	4 Submitted with original application <input checked="" type="radio"/> Amended subsequent to award <input type="radio"/>

5 Sources of Project Funds:

<b>A. IDF: Grant/Loan Amount Requested</b>	<b>\$ <u>165,356</u></b>
Other (Non-IDF) project resources:	
B. <b>City of Henderson</b>	\$ <u> </u>
C. <u> </u>	\$ <u> </u>
D. <u> </u>	\$ <u> </u>
E. <u> </u>	\$ <u> </u>
F. <u> </u>	\$ <u> </u>
G. <u> </u>	\$ <u> </u>
Total Non-IDF: \$	<u>0</u>
<b>TOTAL PROJECT RESOURCES:</b>	<b>\$ <u>165,356</u></b>

6 Use of Project Funds	A. Utility Account	B. <b>City of Henderson</b>	C.	D.	E.	F.	G.
Water	101,355						
Sewer	23,915						
Gas							
Electric							
Rail							
Acquisition							
Construction/Rehab	12,527						
Machinery/Equip.							
Engineering	15,032						
Other <u>Contingency</u>	12,527						
<b>Total</b>	<b>165,356</b>						

## **Administration**

*(Performed by Department of Commerce)*

**Phase 1** - The North Carolina Department of Commerce will disburse Industrial Development Utility Account funds to Applicant after expenditures have been incurred, based upon a Requisition for Funds statement.

*(Completed by Applicant)*

**Phase 2** - The Applicant proposes to account and to expend Utility Account funds as follows (how and by whom):

**All funds will be expended and accounted by the City of Henderson Finance Department**

*(Performed by Applicant)*

**Phase 3** - One year after receipt of utility account funds, the Applicant will advise the Department of Commerce in writing how the Utility Account funds have assisted in the creation of new jobs: or if the project is incomplete, give a status report and projected completion date.

## **Environmental Compliance**

No project subject to the Environmental Policy Act, Article 1 of Chapter 113A of the General Statutes, shall be funded unless the Secretary of Commerce finds that the proposed project will not have a significant adverse effect on the environment. The Secretary of Commerce shall not make this finding unless the Secretary has first received a certification from the Department of Environment and Natural Resources that concludes, after consideration of avoidance and mitigation measures, that the proposed project will not have a significant adverse effect on the environment.

The applicant will contact the Regional Office of DENR and obtain any required Water and Air permits that are required for this project and forward copies to the Commerce Finance Center. If none are required, this should be stated and likewise included in the application document.

**No Water and Air Permits are required for this project.**



**CERTIFICATION**  
**Copy of NCUI 101 Required**

1. The employer creating these jobs will certify that the successful financing of this project will not result in the abandonment of another facility located in a North Carolina community, or that such abandonment is because of obsolescence, site limitations, or lack of available labor.
2. Additionally, the employer will certify that he will carry out the project as described and scheduled in the application; that his firm accepts liability for immediate repayment of these funds, whether a grant or loan, if the actual jobs creation accomplishment does not reach 90% of the goal stated on the project commitment form.
3. (A) A company with one plant in North Carolina must provide the NC Department of Commerce with a copy of its Employer's Quarterly Tax and Wage Report (Form NCUI 101), that is filed with the NC Employment Securities Commission. A company with multiple plants in North Carolina must provide the NC Department of Commerce with a copy of its Multiple Worksite Report (Form BLS 3020) that is filed with the NC Employment Securities Commission. (The appropriate form will be used to verify job creation over time.) An existing North Carolina company that is expanding must provide the NC Department of Commerce with a copy of its most recent quarterly NC Employment Security Commission report prior to the expansion in addition to quarterly reports thereafter. A new North Carolina company must provide to the NC Department of Commerce a copy of its quarterly NC Employment Security Commission report as it begins to file them.  
  
(B) See Page 10 for Waiver of Confidentiality.  
  
(C) The above procedure terminates when the project is closed out.

## RESOLUTION 15-62

### **AUTHORIZING THE ACCEPTANCE AND SUPPORT OF A GRANT FROM THE NORTH CAROLINA INDUSTRIAL DEVELOPMENT FUND RELATIVE TO FUNDING ASSISTANCE FOR A WATER AND SEWER MAIN EXTENSIONS FOR JERRY'S ARTARAMA**

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

**WHEREAS**, this Resolution addresses **KSO 3: Enhanced Economic Development** - To create new jobs and investment, expand the tax base and increase the per capita income; *and*

**WHEREAS**, the County of Vance (County) and the City of Henderson (City) approved an Inter-Local Agreement in June 2009 that established the Henderson-Vance Economic Development Commission (EDC) as a joint governmental agency; *and*

**WHEREAS**, the EDC is the primary local organization dedicated for the economic growth and development of the city and county; *and*

**WHEREAS**, the City and County reached a consensus for the Kerr Tar Regional Council of Governments (COG) to apply for a North Carolina Industrial Development Grant on their behalf; *and*

**WHEREAS**, the City received notice of the initial reservation of funds in the amount of \$90,955 to assist in paying for the cost of a water main extension to serve the needs of Jerry's Artarama; *and*

**WHEREAS**, there is also a need for a small sanitary sewer extension of which funding is available; *and*

**WHEREAS**, the total estimated cost for the water main extension and sanitary sewer extension is \$165,356; *and*

**WHEREAS**, this grant will be administered in accordance with the rules and regulations of NC Industrial Development Fund by the COG on behalf of the City, via a Technical Services Agreement with the City; *and*

**WHEREAS**, this grant will be monitored quarterly to assure compliance with this proposal and the NC Industrial Development Fund; *and*

**NOW THEREFORE BE IT RESOLVED BY THE HENDERSON CITY COUNCIL THAT IT DOES HEREBY APPROVE** acceptance of funds as stated in the pre-application (See *Attachment A*), with the NC Industrial Development Fund for the purpose of using the \$165,356 to defray utility connection costs for water and sewer for Jerry's Artarama's new facility located on Peter Gill Road.

**BE IT FURTHER RESOLVED THAT** the Mayor is authorized to sign all documents necessary to accept and execute said grant.

The foregoing Resolution 15-62, upon motion of Council Member Inscoe and seconded by Council Member Kearney and having been submitted to a roll call received the following votes and was APPROVED on this the 28<sup>th</sup> day of September 2015: YES: Inscoe, Rainey, Peace, Daeke, Simmons, Daye and Kearney. NO: None. ABSTAIN: None. ABSENT: Coffey.

---

James D. O'Geary, Mayor

***ATTEST:***

---

Esther J. McCrackin, City Clerk

Approved to Legal Form:

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D. Rix Edwards, City Attorney



## City Council Action Form

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



**Council Meeting:** 8 Feb 16 Regular Meeting

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February 4, 2016

**TO:** The Honorable Mayor Eddie Ellington and Members of City Council

**FR:** Frank Frazier City Manager

**RE:** CAF 16-07, Consideration of Approval of Resolution 16-17, Council Committee Appointments.

**Ladies and Gentlemen:**

**Recommendation:**

- Approval of Resolution 16-17, Council Committee Appointments.

**Executive Summary**

After Council submitted their committee appointment requests, the Mayor and Mayor Pro-Tempore met on February 4, 2016, to review the requests submitted and have developed a recommended appointments list.

After reviewing the requests for service on various committees, appointments were made in an effort to honor requests to the extent feasible. The recommendations are presented on Attachment A to Resolution 16-17.

Enclosure:

1. Resolution 16-17

# RESOLUTION 16-17

## ESTABLISHING CITY COUNCIL COMMITTEE APPOINTMENTS AND APPOINTMENT OF SERGEANT-AT-ARMS

**WHEREAS**, the City Council reorganizes itself during the first meetings after the biennial installation of newly elected officials; *and*

**WHEREAS**, newly elected officials were installed at the December 8, 2015, City Council meeting and as part of the reorganization, the City Council appointed Council Member D. Michael Rainey as Mayor Pro-Tempore and reappointed City Manager Frank Frazier, City Attorney D. Rix Edwards and City Clerk Esther J. McCrackin; *and*

**WHEREAS**, another function of reorganization for the new City Council is to consider the appointment of Council Members to various committees and boards and commissions; *and*

**NOW, THEREFORE, BE IT RESOLVED**, by the City of Henderson City Council that it approves its current committee structure to provide for the City Council to serve as the Committee of the Whole; said committee will continue to operate in the Work Session environment and the Mayor shall serve as its Chairman and the Mayor Pro-Tempore as its Vice Chairman; *and*

**BE IT FURTHER RESOLVED** that the Regional Water System will be re-named *Regional Water System/Utility Committee*.

**BE IT FURTHER RESOLVED** that each committee Chairman and Vice Chairman will serve in such capacity for the entire term.

**BE IT FURTHER RESOLVED**, that the appointments recommended by the Mayor and Mayor Pro-Tempore, are approved, said appointments being more fully articulated in *Attachment A*.

The foregoing Resolution 16-17, introduced by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_ on this the 8<sup>th</sup> day of February 2016, and having been submitted to a roll call vote, was \*\*\* by the following votes: YES: NO: ABSTAIN: ABSENT:

\_\_\_\_\_  
Eddie Ellington, Mayor

**ATTEST:**

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

\_\_\_\_\_  
D. Rix Edwards, City Attorney

**Resolution 16-17**  
**Attachment A**

**Appointment Recommendations**  
**2015-2017**

	Mayor		Williams		Coffey		Inscoc		Rainey		Elliott		Daeke		Simmons		Daye	
	Appt	Chair	Appt	Chair	Appt	Chair	Appt	Chair	Appt	Chair	Appt	Chair	Appt	Chair	Appt	Chair	Appt	Chair
Mayor Pro-Tem									X									
Chaplain											X				X			
Committee of Whole	X	C	X		X		X		X		X		X		X		X	
Public Safety	X		X		X	C					X	VC					X	
Human Resources	X								X	C			X		X	VC	X	
Land Planning & Development	X						X	C	X	VC			X		X			
Boards & Commissions	X		X		X	VC					X		X	C				
Chamber of Commerce	X																	
Downtown Development	X																	
H-V Industrial Park	X																	
Economic Dev. Partnership																		
Fireman's Supplemental Retirement					X										X			
High Speed Rail			X															
H/V Economic Dev. Commission													X					
H-V 911 Board					X						X							
Regional Water System/ Utilities							X	C										
Regional Transportation																	X	
City Liaison							X											
Vance County Coop. Ext.													X					
Sergeant-at-Arms = Police Chief or his designee																		
KEY: C=Chair; VC = Vice Chair, X = Committee Member																		
Committee Members will serve a full two year term to correspond with elections																		
According to Resolution 14-09, no appointments will be made to the Economic Development Planning Partnership until the Partnership finds it necessary to reconvene.																		

## City Council Action Form

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



**Council Meeting:** 8 Feb 16 Regular Meeting

---

January 25, 2015

**TO:** The Honorable Mayor Eddie Ellington and Members of City Council  
**FR:** Frank Frazier, City Manager  
**RE: CAF: 16-11**  
**Consideration of Approval of Ordinance 16-01, FY16 BA #15 to Close-Out the KLRWS Containment Wall Project**

**Ladies and Gentlemen:**

### **Council Retreat 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 Ordinance 16-01, FY16 BA #15 to Close-Out the KLRWS Containment Wall Project

### **Executive Summary:**

This project was created from an action item in the 20MGD upgrade. The concrete containment wall around the bulk chemical tanks was raised per NCDEQ, a new bulk chemical tank for Caustic was added and both the Alum and Caustic outside chemical lines are wrapped as to be protected against the weather.

Remaining funds in this account will be transferred to the Regional Reserve account.

### **Attachments:**

1. Ordinance 16-01



# ORDINANCE 16-01

## FY 2015-2016 BUDGET AMENDMENT # 15 AN AMENDMENT TO THE CIP REGIONAL WATER FUND CLOSING OUT PHASE I OF THE 20 MDG EXPANSION PROJECT BUDGET

**WHEREAS**, the City Council of the City of Henderson on 22 June 2015 adopted the FY 15-16 Annual Operating Budget; *and*

**WHEREAS**, the Council has created and uses a Capital Improvements Fund for active capital projects related to the Sewer Fund, 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;

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

Fund: 46: CIP REGIONAL WATER FUND			Ordinance 16-01			
			FY 15-16 Budget Amendment #15			
REVENUES			Approved	Current		
Department	Line Item	Code	22-Jun-15	Budget	Amendment	Revised
	TRANSFER FROM:	46-940-461064	\$ 144,000.00	\$ 144,000.00	\$ (144,000.00)	\$ -
	64 REGIONAL WATER					\$ -
			\$ -	\$ -	\$ -	\$ -
		<b>Total</b>	\$ 144,000.00	\$ 144,000.00	\$ (144,000.00)	\$ -
						\$ -
EXPENDITURES			Approved	Current		
Department	Line Item	Code	22-Jun-15	Budget	Amendment	Revised
	CONSTRUCTION	46-940-510400	\$ 144,000.00	\$ 144,000.00	\$ (144,000.00)	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
		<b>Total</b>	\$ 144,000.00	\$ 144,000.00	\$ (144,000.00)	\$ -
						\$ -
		<i>variance</i>			\$ -	
Reference:			Notes:			
CAF #16-11; Ordinance #16-01; BA #15			TO CLOSE OUT THE KLRWS CONTAINMENT WALL PROJECT BUDGET			
8 FEBRUARY 2016 COUNCIL MEETING						

The foregoing Ordinance 16-01, upon motion of Council Member Inscoc and second by Council Member Daye, and having been submitted to a roll call vote and received the following votes and was **APPROVED** on this the \_\_\_<sup>th</sup> day of \_\_\_\_\_ 2016: YES: NO: ABSTAIN: ABSENT: .

\_\_\_\_\_  
Eddie Ellington, Mayor

***ATTEST:***

\_\_\_\_\_  
Esther McCrackin, City Clerk

*Reference: Minute Book 43, p \*\*\*; CAF 16-11*

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_  
Lisa Boyd, Assistant Finance Director

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_  
Frank Frazier, City Manager

## City Council Action Form

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



**Council Meeting:** 8 Feb 16 Regular Meeting

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25 January 2016

**TO:** The Honorable Mayor Eddie Ellington and Members of City Council

**FR:** Frank Frazier, City Manager

**RE: CAF: 16-09**

**Consideration of Approval of Ordinance 16-03, FY16 BA #16 to Close Out Phase 1 of the 20MGD Expansion Project Budget**

**Ladies and Gentlemen:**

### **Council Retreat 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 Ordinance 16-03, FY16 BA #16 to Close Out Phase 1 of the 20MGD Expansion Project Budget**

### **Executive Summary:**

Phase I of the 20 MGD project was started in 2000. The original set of plans for the 20 MGD upgrade was paid for out of this phase of the project.

Reworks on the plans were done for the High Service Pump Replacement Project, Construction of the New Warren County Meter Vault and Upgrading of the Chemical Building and Containment Wall. These three components that were pulled out of the 20 MGD plans are now completed.

The Actiflo-Carb Pilot Study, which is a new treatment technique that Regional Water is looking to incorporate in the 20 MGD upgrade, was done out of this account.

Due to the time that has lapsed from the beginning of this project, until present, and upon consulting with the City's auditors, it would be advantageous to close out this first phase of the project and create a new project phase with the actual start of the 20 MGD project.

Attachments:

1. Ordinance 16-03

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

The foregoing Ordinance 16-03, upon motion of Council Member Inscoe and second by Council Member Daye, and having been submitted to a roll call vote and received the following votes and was **APPROVED** on this the \_\_\_<sup>th</sup> day of \_\_\_\_\_ 2016: YES: NO: ABSTAIN: ABSENT: .

\_\_\_\_\_  
Eddie Ellington, Mayor

***ATTEST:***

\_\_\_\_\_  
Esther McCrackin, City Clerk

*Reference: Minute Book 43, p \*\*\*; CAF 16-09*

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_  
Lisa Boyd, Assistant Finance Director

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_  
Frank Frazier, City Manager

## City Council Action Form

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



Council Meeting: 8 February 2016

19 January 2016

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

**FR:** Frank Frazier, City Manager

**RE:** **CAF 16-28**

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

**Ladies and Gentlemen:**

### Recommendation:

- Approval of tax releases from Vance County for the month of December 2015.

### Executive Summary

The Vance County Tax office submitted the following tax releases to the Finance Department for the month of December 2015. These releases are found to be in order and are being recommended for approval. There were no refunds reported.

Column1	Column2	Column3	Column4
Dec 2015 Tax Releases & Refunds			
Name	Reason	Tax Year	Amount
<b>Real &amp; Personal Property Releases</b>			
A Bail Bondsman	Discovery	2015	12.50
Genlyte Thomas Group	Correct Value	2015	929.56
M Chael's Property MG	Correct Ownership	2015	(49.43)
Tarheel Regional Community	Correct Value	2015	47.37
Vance Charter School	Government	2015	9,326.31
Zolliham, LLC	Correct Value	2015	49.43
<b>Total R&amp;P Property Releases</b>			<b>10,315.74</b>
<b>Real &amp; Personal Property Refunds</b>			
NONE	NONE		-
<b>Total R &amp; P Property Refunds</b>			-
<b>Total R&amp;P Prop. Rel. &amp; Ref.</b>			<b>10,315.74</b>

# Meetings and Events Calendar

All Regularly Scheduled Council Meetings are held on the 2<sup>nd</sup> Monday of the Month

<b>Date</b>	<b>Time</b>	<b>Event</b>	<b>Location</b>
Feb 11 <sup>th</sup>	12:00 PM	<b>Henderson-Vance Parks &amp; Recreation Commission Meeting</b>	Aycock Recreation Center
Feb 15 <sup>th</sup>	3:30 PM	<b>Henderson Planning Board Meeting</b>	City Council Chambers
Mar 1 <sup>st</sup>	3:30 PM	<b>Henderson Zoning Adjustment Board Meeting</b>	City Council Chambers
Mar 10 <sup>th</sup>	12:00 PM	<b>Henderson-Vance Parks &amp; Recreation Commission Meeting</b>	Aycock Recreation Center
Mar 14 <sup>th</sup>	5:00 PM	<b>Perry Memorial Library Advisory Board Meeting</b>	Perry Memorial Library
Mar 14 <sup>th</sup>	6:00 PM	<b>City Council Regular Meeting</b>	City Council Chambers
Mar 21 <sup>st</sup>	3:30 PM	<b>Henderson Planning Board Meeting</b>	City Council Chambers
<b>Mar 25<sup>th</sup></b>	<b>City Hall Closed</b>	<b>Good Friday</b>	<b>City Hall Closed</b>
Apr 5 <sup>th</sup>	3:30 PM	<b>Henderson Zoning Adjustment Board Meeting</b>	City Council Chambers
Apr 11 <sup>th</sup>	9:30 AM	<b>KLRWS Advisory Board Meeting</b>	City Hall Large Conference Room
April 11 <sup>th</sup>	6:00 PM	<b>City Council Regular Meeting</b>	City Council Chambers
April 14 <sup>th</sup>	12:00 PM	<b>Henderson-Vance Parks &amp; Recreation Commission Meeting</b>	Aycock Recreation Center
April 18 <sup>th</sup>	3:30 PM	<b>Henderson Planning Board Meeting</b>	City Council Chambers
May 3 <sup>rd</sup>	3:30 PM	<b>Henderson Zoning Adjustment Board Meeting</b>	City Council Chambers
May 9 <sup>th</sup>	5:00 PM	<b>Perry Memorial Library Advisory Board Meeting</b>	Perry Memorial Library
May 9 <sup>th</sup>	6:00 PM	<b>City Council Regular Meeting</b>	City Council Chambers
May 12 <sup>th</sup>	12:00 PM	<b>Henderson-Vance Parks &amp; Recreation Commission Meeting</b>	Aycock Recreation Center
May 16 <sup>th</sup>	3:30 PM	<b>Henderson Planning Board Meeting</b>	City Council Chambers
May 27 <sup>th</sup>	10:00 AM	<b>Henderson-Vance E-911 Advisory Board Meeting</b>	E-911 Operations Center
June 7 <sup>th</sup>	3:30 PM	<b>Henderson Zoning Adjustment Board Meeting</b>	City Council Chambers
June 9 <sup>th</sup>	12:00 PM	<b>Henderson-Vance Parks &amp; Recreation Commission Meeting</b>	Aycock Recreation Center
June 13 <sup>th</sup>	9:30 AM	<b>KLRWS Advisory Board Meeting</b>	City Hall Large Conference Room
June 13 <sup>th</sup>	6:00 PM	<b>City Council Regular Meeting</b>	City Council Chambers
June 20 <sup>th</sup>	3:30 PM	<b>Henderson Planning Board Meeting</b>	City Council Chambers
July 11 <sup>th</sup>	5:00 PM	<b>Perry Memorial Library Advisory Board Meeting</b>	Perry Memorial Library
July 11 <sup>th</sup>	6:00 PM	<b>City Council Regular Meeting</b>	City Council Chambers
July 12 <sup>th</sup>	3:30 PM	<b>Henderson Zoning Adjustment Board Meeting</b>	City Council Chambers
July 14 <sup>th</sup>	12:00 PM	<b>Henderson-Vance Parks &amp; Recreation Commission Meeting</b>	Aycock Recreation Center

*Last Updated 21 January 2015*





# Henderson Fire Department

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

Steve F. Cordell  
Fire Chief

TO: FRANK FRAZIER, CITY MANAGER  
FROM: STEVE CORDELL, FIRE CHIEF  
DATE: FEBRUARY 4, 2016

*SFC*

## FIRE SUPPRESSION AND RESCUE ACTIVITY REPORT FOR: January 2016

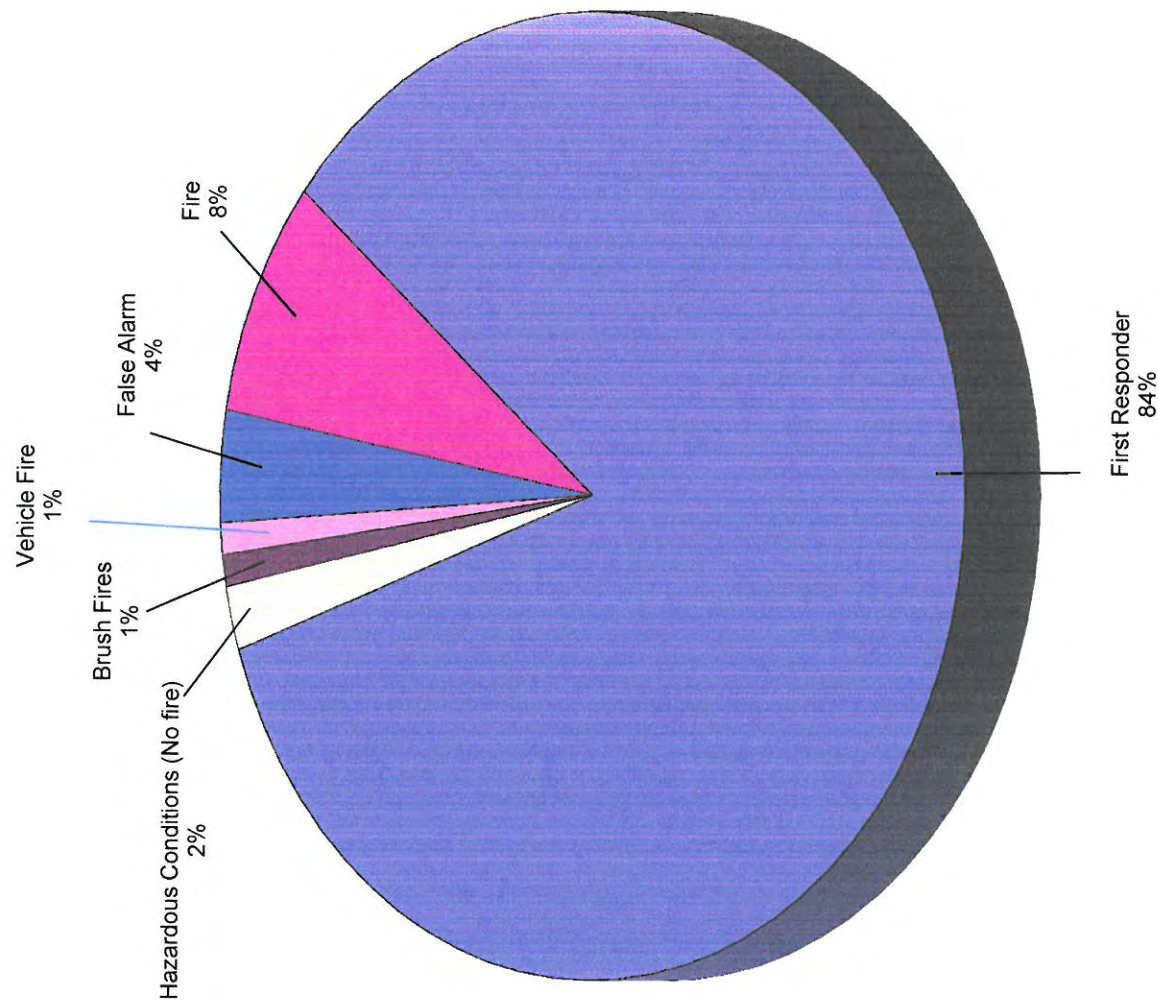
TYPE OF CALL	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
PRIVATE DWELLINGS (1 or 2 Family), Including Mobile Homes	3	0	3
APARTMENTS (3 or More Families)	1	0	1
HOTELS AND MOTELS	0	0	0
ALL OTHER RESIDENTIAL (Dormitories, Boarding Houses, Tents, etc.)	0	0	0
PUBLIC ASSEMBLY (Church, Restaurant, Clubs, etc.)	0	0	0
SCHOOLS AND COLLEGES	0	0	0
HEALTH CARE AND PENAL INSTITUTIONS (Hospitals, Nursing Homes, Prisons, etc.)	0	0	0
STORES AND OFFICES	1	0	1
INDUSTRY, UTILITY, DEFENSE, LABORATORIES, MANUFACTURING	0	0	0
STORAGE IN STRUCTURES (Barns, Vehicle storage Garages, General Storage, etc.)	0	0	0
OTHER STRUCTURES (Outbuildings, Bridges, etc.)	0	0	0
WORKING STRUCTURE FIRE	5	0	5
FIRES IN HIGHWAY VEHICLES (Autos, Trucks, Buses, etc.)	2	0	2
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	1	0	1
FIRES IN RUBBISH, INCLUDING DUMPSTERS (Outside structures), With No Value Involved	1	0	1
ALL OTHER FIRES	3	0	3
RESCUE	0	0	0
FIRST RESPONDER	158	0	158
FALSE ALARM RESPONSES (Malicious or Unintentional False Calls, Malfunctions, Bomb Scares)	7	0	7
MUTUAL AID OR ASSISTANCE RESPONSES	0	0	0
HAZARDOUS MATERIALS RESPONSES (Spills, Leaks, etc.)	3	0	3
OTHER HAZARDOUS RESPONSES (Arcing wires, Bomb Removal, Power Line Down, etc.)	1	0	1
ALL OTHER RESPONSES (Smoke Scares, Lock-Outs, Animal Rescues, etc.)	2	0	2
<b>TOTALS</b>	<b>188</b>	<b>0</b>	<b>188</b>

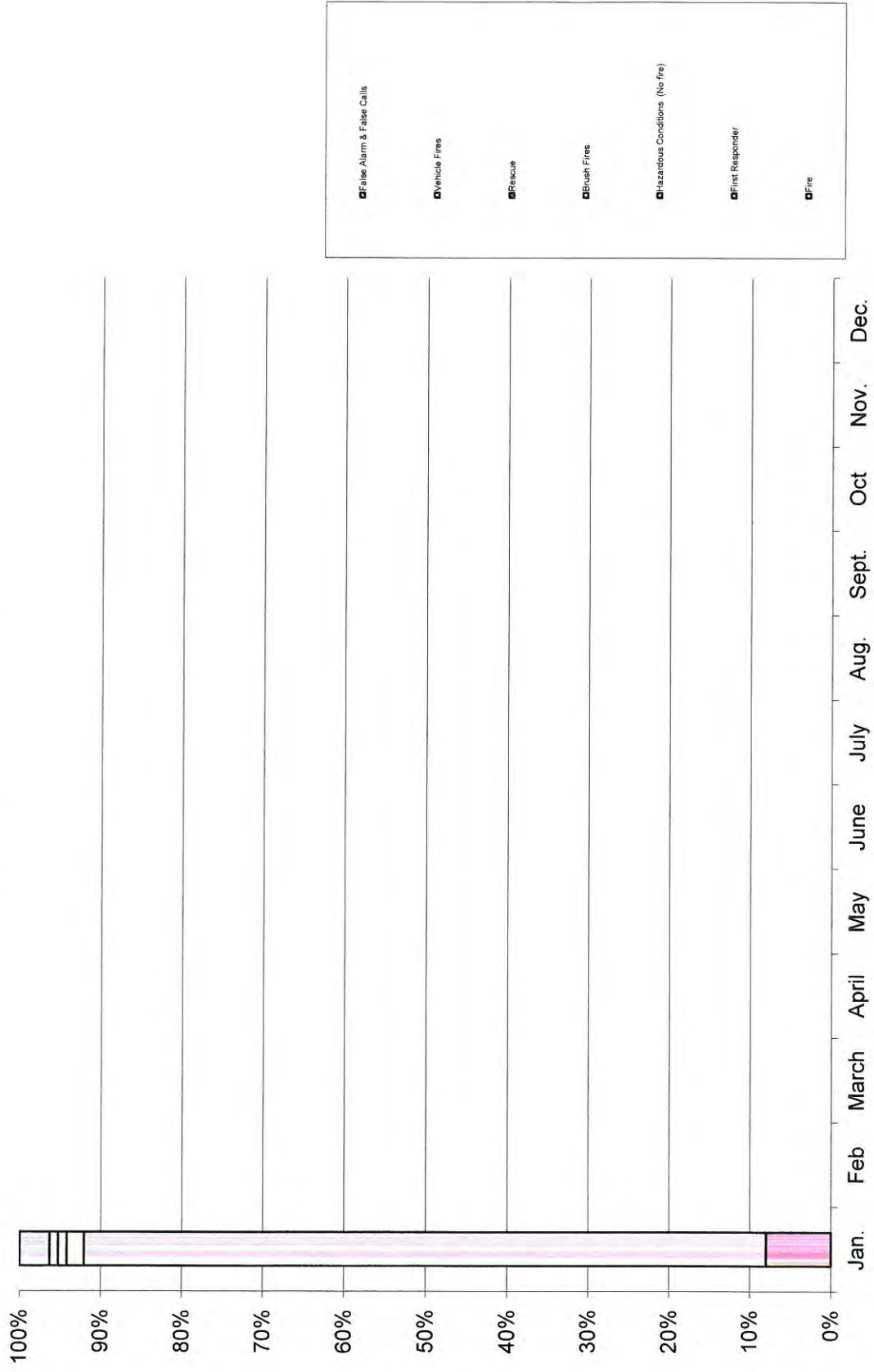
	PRESENT MONTH	PREVIOUS MONTH	YEAR-TO-DATE
<b>Total Fire Incidents With Property and/or Contents Loss</b>	6		6
<b>Total of Property and Contents Value Saved</b>	\$ 32,761.00		\$ 32,761.00

	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 January



# YEAR TO DATE SUMMARY BY MONTH FOR 2016



**INSPECTION ACTIVITIES REPORT FOR:      January, 2016**

<b>INSPECTIONS</b>	<b>PRESENT MONTH</b>	<b>PREVIOUS MONTH</b>	<b>YEAR-TO-DATE</b>
ASSEMBLY	3	0	3
BUSINESS	12	0	12
EDUCATIONAL	0	0	0
HAZARDOUS	0	0	0
INDUSTRIAL	0	0	0
INSTITUTIONAL	0	0	0
MERCANTILE	4	0	4
RESIDENTIAL	2	0	2
STORAGE	2	0	2
DAY CARE	3	0	3
HOME CARE	0	0	0
FOSTER CARE	1	0	1
VACANT	0	0	0
		0	0
<b>TOTALS</b>	<b>27</b>	<b>0</b>	<b>27</b>



## FIRE PREVENTION ACTIVITY REPORT FOR YEAR OF: 2016

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	TOTALS
Service Calls to Residents	8												8
Home Inspections / Door Hanger Follow Ups	0												0
Smoke Alarms Installed	5												5
Batteries Installed in Smoke Alarms	3												3
Carbon Monoxide Alarms Installed	1												1
Prevention Campaigns / Seasonal Safety	2												2
Community / Civic Group Presentations	1												1
Station Tours	0												0
School / Daycare Presentations	5												5
Community / Business Displays	1												1
Fire Extinguisher Training	0												0
Child Safety Seats Inspected	2												2
Safe Kids / Educational Programs	1												1
Injury Prevention Programs	5												5
Total Participants in Fire & Life Safety Programs	300												300
Shift Coverage / Priority Call Backs	26												26

## MONTHLY CITATION REPORT FOR THE MONTH OF: JANUARY 2016

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

## TRAINING DIVISION PRODUCTIVITY - JANUARY 2016

Henderson Fire Department

Types of Courses Taught	Course Hours Taught	Man-hours of Training
Fire / Rescue Training	80	469.5
EMS	8	84
Special Training		

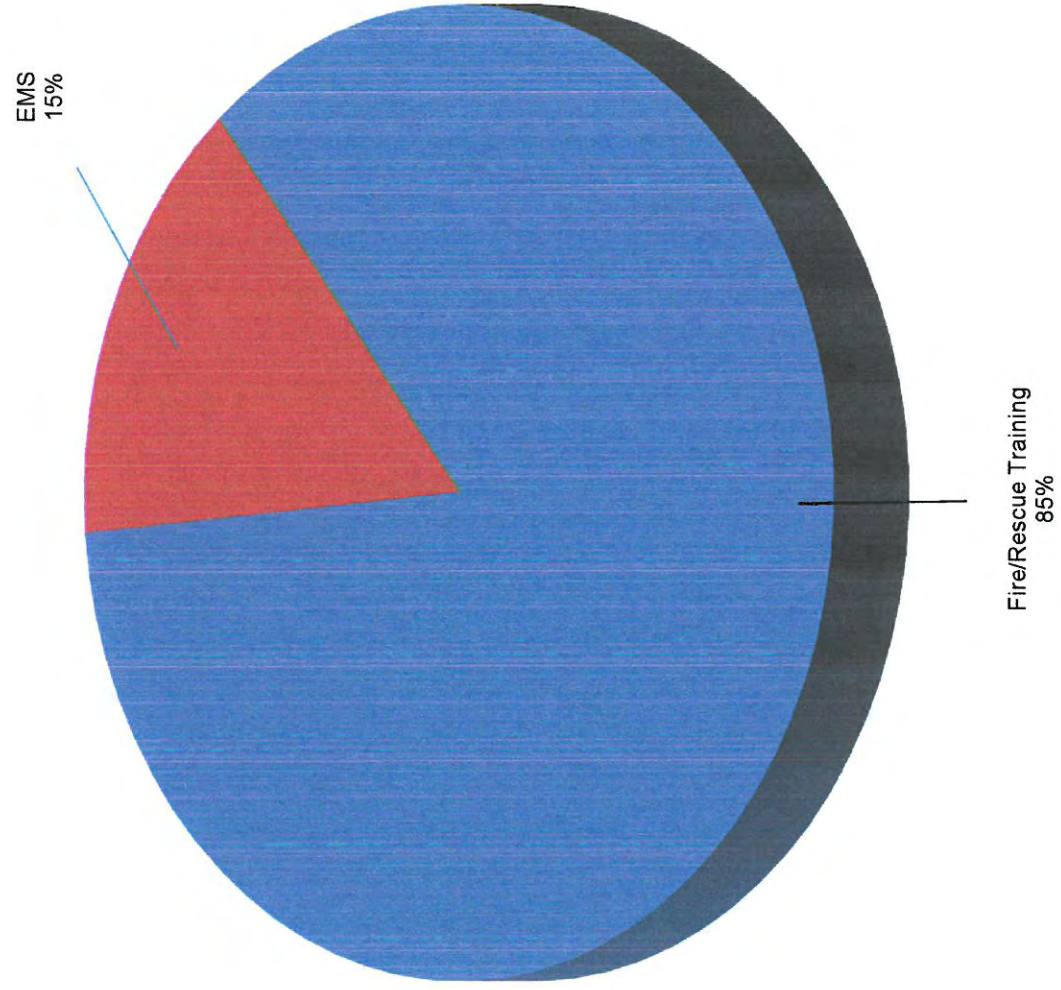
<b>Totals</b>	<b>88</b>	<b>553.5</b>
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	Course Hours Taught	Man-hours of Training
PREVIOUS MONTH TOTAL	0	0

YEAR - TO - DATE TOTAL	88	553.5
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## Training Hours by Category - January 2016



## **Fire Department Regulatory Compliance**

The Fire Department has met all regulatory compliance items for the month of January 2016