



AGENDA

Henderson City Council Regular Meeting

Monday 9 March 2020, 6:00 p.m.

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

134 Rose Avenue

Henderson, North Carolina

Mayor and City Council Members

Mayor Eddie Ellington, Presiding

Councilmember Marion B. Williams

Councilmember Sara M. Coffey

Councilmember William Burnette

Councilmember D. Michael Rainey

Councilmember Melissa Elliott

Councilmember Garry D. Daeke

Councilmember Fearldine A. Simmons

Councilmember Jason A. Spriggs

City Officials

E. Terrell Blackmon, City Manager

D. Rix Edwards, City Attorney

Esther J. McCrackin, City Clerk

I. CALL TO ORDER

II. ROLL CALL

III. INVOCATION AND PLEDGE OF ALLEGIANCE

IV. OPENING REMARKS

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

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

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

V. ADJUSTMENTS TO AND/OR APPROVAL OF THE AGENDA

VI. APPROVAL OF MINUTES

- a)* 10 February 2020 Regular Meeting *[See Notebook Tab 1]*
- b)* 26 February 2020 Strategic Planning Retreat

VII. PRESENTATIONS/RECOGNITIONS

- a)* Leadership Vance 2020 Class Recognition

VIII. PUBLIC HEARING

- a)* Consideration of Approval of Ordinance 20-12, Amending the Zoning Ordinance to Prohibit the Establishment of Electronic Gaming Operations in All Districts of the City. *(CAF 20-28) [See Notebook Tab 2]*

- Ordinance 20-12

- b)* Consideration of Approval of Ordinance 20-11, Amending the Zoning Ordinance to Allow Residential Duplexes in the R-20 (Low Density Residential) District. *(CAF 20-27) [See Notebook Tab 3]*

- Ordinance 20-11

- c)* Consideration of Approval of Ordinance 20-10, Amending the Zoning Map to Rezone 1852 Highway 39 South, Vance County Tax Parcel 0094 02026 from B-4 (Neighborhood Commercial District) to R-8M (Moderate to High Density Residential-HUD Code Home District). *(CAF 20-13) [See Notebook Tab 4]*

- Ordinance 20-10

IX. PUBLIC COMMENT PERIOD ON AGENDA ITEMS

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

IX. NEW BUSINESS

- a)** Consideration of Approval of 1) Resolution 20-20, Dewberry Task Order for Engineering and Bidding the High Service Replacement For Regional Water; *and* 2) Ordinance 20-16, FY20 BA #17, Establishing a Budget for Replacement of High Service Pump. (CAF 20-33) [See Notebook Tab 5]

- Resolution 20-20
- Ordinance 20-16

- b)** Consideration of Approval of Resolution 20-18, Charles Street Traffic Island Landscaping Enhancements. (CAF 20-26) [See Notebook Tab 6]

- Resolution 20-18

- c)** Consideration of Approval of Resolution 20-12, Providing for the Disposition of a Jointly Owned Property by the City and County Identified as 416 Harriett Street, Recorded in Vance County Tax Deed Book 01275 Page 0994, Further Identified as PIN #0091 04024. (CAF 20-23) [See Notebook Tab 7]

- Resolution 20-12

- d)** Consideration of Approval of Resolution 20-17, Providing for the Disposition of a Jointly Owned Property by the City and County Identified as 695 Adams Street, Recorded in Vance County Tax Deed Book 1221, Page 0046, Further Identified as PIN #0069 05008. (CAF 20-24) [See Notebook Tab 8]

- Resolution 20-17

³ Citizen Comment Guidelines for Agenda Items

The Mayor and City Council welcome and encourage citizens to attend City Council meetings and to offer comments on matters of concern to them. Citizens are requested to review the following public comment guidelines prior to addressing the City Council.

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

- e) Consideration of Approval of Ordinance 20-14, Authorizing the Removal or Demolition of 224 Red Bud Circle for Failure to Comply with Abandoned Structures Code (Chapter 21A). (CAF 20-30) [See Notebook Tab 9]

- Ordinance 20-14

- f) Consideration of Approval of Ordinance 20-13, Directing the Code Compliance Director to Demolish the Structure at 327 West Rockspring Street for Failure to Comply with Abandoned Structure Code Chapter 21A.(CAF 20-29) [See Notebook Tab 10]

- Ordinance 20-13

X. CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine or have been previously discussed, and can be approved in one motion, unless a Council Member asks for separate consideration of an item.

- a) Consideration of Approval of Resolution 20-22, Transferring Ownership of Canine (K-9) Nero to Charlene Macialek, Widow of Senior Police Officer Jeffery D. Macialek, through Contractual Agreement. (CAF 20-35) [See Notebook Tab 11]

- Resolution 20-22

- b) Consideration of Approval of Resolution 20-19, Approving the Bundling of City-Owned Real Estate for Offers Under Requests for Proposals. (CAF 20-31) [See Notebook Tab 12]

- Resolution 20-19

- c) Consideration of Approval of Ordinance 20-15, Establishing Two Reserved Parking Spaces in the Orange Street Parking Lot for Visitors to the Henderson-Vance County Economic Development Commission Offices. (CAF 20-32) [See Notebook Tab 13]

- Ordinance 20-15

- d) Consideration of Approval of Resolution 20-21, Adopting the Financial Model Developed by Stantec for the Kerr Lake Regional Water System. (CAF 20-34) [See Notebook Tab 14]

- Resolution 20-21

- e) Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of January 2020. (CAF 20-25) [See Notebook Tab 15]

XI. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS

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XII. REPORTS

- a) Mayor/Mayor Pro-Tem (No Report)
- b) City Manager (No Report)
- c) City Attorney (No Report)
- d) City Clerk
 - i. Meeting and Events Calendar *[See Notebook Tab 16]*
 - ii. E-911 Monthly Report
 - iii. Fire Department Monthly Report
 - iv. Public Services Monthly Report
 - v. Recreation and Parks Monthly Report
 - vi. Downtown Development Monthly Report

XII. WORK SESSION

- a. Consideration of Resolution 20-23, Proposed Henderson Pavement Overlay Project 2020. (CAF 20-36) *[See Notebook Tab 17]*

XIII. ADJOURNMENT

⁴ Citizen Comment Guidelines for Non-Agenda Items

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