

**MINUTES
BREVARD CITY COUNCIL
Regular Meeting
May 16, 2011 – 7:00 PM**

The City Council of the City of Brevard met in regular session on Monday, May 16, 2011 at 7:00 PM in the Council Chambers of City Hall with Mayor Jimmy Harris presiding.

The following were present: Mayor Jimmy Harris, Council Members Larry Canady, Rodney Locks, Mack McKeller, Mayor Pro Tem Mac Morrow and Dee Dee Perkins; City Manager Joe Moore, City Attorney Mike Pratt, and City Clerk Desiree Perry.

Staff: Fire Chief Craig Budzinski, Assistant Planning Dir. Brad Burton, Planner Daniel Cobb, Planning Dir. Josh Freeman, Bldg & Grounds Dir. Lynn Goldsmith, Police Chief Phil Harris, Public Service Dir. David Lutz, HR Dir. LeAnn McCraw, Executive Assistant Jeanette Owen, and Finance Dir. Terry Scruggs.

Press: Derek McKissock, Transylvania Times

Welcome - Mayor Harris called the meeting to order, welcomed those present and introduced council members and staff.

Invocation and Pledge – Pastor Stephen Moore, Calvary Baptist Church, offered an invocation. Mayor Harris led in the Pledge of Allegiance.

Certification of Quorum – The City Clerk certified a quorum present.

Agenda – Mayor Harris recommended adding Human Relations Committee presentation, as Special Presentation Item #1, and to add the April 18th draft Minutes for approval consideration to the agenda.

Mayor Pro Tem Morrow recommended, pursuant to NCGS 14-234(d1)(1), Resolution 09-2011 allowing the City to continue to do business with Harris Hardware and Farm Supply, be added to the Consent Agenda.

Attorney Pratt advised Mayor Harris to remove himself from discussion and action and to have Mayor Pro Tem Morrow to lead in these actions; Mayor Harris did as advised.

Mr. McKeller moved, seconded by Mayor Pro Tem Morrow, the Agenda be amended as recommended and approved. Motion carried unanimously.

Mr. Canady moved the **Consent Agenda** be amended to add item #3, Resolution 09-2011 as recommended, and that the three Consent Agenda items be approved as presented. Motion was seconded by Ms. Perkins and passed unanimously.

Consent Item #1 – Fire Department Staff Report.

Consent Item #2 – Reappointed Ms. Michelle L. Harvey to the Human Relations Council with the term to expire May, 2014.

Consent Item #3 – **Resolution No. 09-2011** Authorizing the City to continue doing business with Harris Hardware and Farm Supply, Inc.

RESOLUTION 09-2011

A RESOLUTION AUTHORIZING THE CITY TO CONTINUE DOING BUSINESS WITH HARRIS HARDWARE & FARM SUPPLY, INC.

NOW COMES THE CITY COUNCIL for the City of Brevard, and says:

Whereas, the City Attorney has informed Council that the General Statutes, Section 14-234(d1)(1), authorizes cities with populations of under 15,000 residents, which includes Brevard, to do up to \$40,000.00 in business over a twelve month period, with a business owned by an elected official;

Whereas, prior to 2009, the limit was \$25,000.00, and there has been no need to exceed the former limit until now; and

Whereas, Mayor Jimmy Harris is the owner or one of the owners of HARRIS HARDWARE & FARM SUPPLY, INC.;

Whereas, pursuant to the statue referenced above, Mayor Jimmy Harris stepped down as chairman of the meeting so as to remove himself from input of any kind or deliberation with regard to this matter, and Mayor Pro Tem Mac Morrow chaired such part of the meeting during which this matter was discussed and this Resolution voted on;

Whereas, after due discussion and deliberation, Council has determined that it is in the best interest of the City of Brevard that the City be allowed to continue to do business with HARRIS HARDWARE & FARM SUPPLY, INC., until the limit of \$40,000.00 is reached in a twelve month period.

BE IT NOW, THEREFORE, RESOLVED THAT:

1. Pursuant to the statute referenced above, the City is hereby authorized to do up to \$40,000.00 in business with HARRIS HARDWARE & FARM SUPPLY, INC., during any twelve month period.
2. Mayor Pro Tem Mac Morrow is authorized to sign this Resolution on behalf of the City, in lieu of signature by Mayor Jimmy Harris.
3. This Resolution shall be effective immediately upon adoption by City Council.

Adopted this the 16th day of May, 2011.

Mayor Harris returned to lead the meeting.

Approval of Minutes – Ms. Perkins moved, seconded by Mr. Canady, the April 18th and May 2nd Minutes be approved as presented. Motion carried unanimously.

Certificates and Awards – Mayor Harris recognized and presented to Planner Daniel Cobb the Community Development Academy Course Certificate of Completion. Recognized and presented to Assistant Planning Director Brad Burton the Municipal Administration Course Certificate of Completion.

Special Presentations – Item #1 - Mayor Harris recognized Ms. Fay Walker. Mayor Harris and Human Relations Committee Chairman, Maurice Jones, expressed their appreciation to Ms. Walker for her many contributions to our community and presented her with a Certificate of Appreciation plaque as she has been named, "Human Relations Committee Person of the Year". Several HRC members were in attendance in recognition of Ms. Walker.

Item #2 – Mayor Harris presented a Proclamation designating May 21, 2011 as "Power of Purple Day" in Brevard, to Ms. Sandy Blackman, Coordinator for this year's Relay for Life of Transylvania County.

Item #3 – Mayor Harris presented a Proclamation designating May 15-21, 2011 as "Public Works Week" in the City of Brevard. Council and those present in the audience applauded the Public Service Department for their dedication and hard work. Present representing the City's Public Service Department were: PS Director David Lutz, Administrative Service Manager Letha Cox, Distributions-Collections ORC Anthony Coward, Streets Division Crew Leader Roland Owens and Streets Division Maintenance Leader Barry Conley.

Item #4 – Mayor Harris presented a Proclamation designating May 15-21, 2011 as "Law Enforcement Officers Week" in the City of Brevard. Council and those present in the audience applauded the Police Dept. for their dedication and hard work. Present representing the Police Department were: Police Chief Phil Harris, Officer Aaron Whitmire, Officer Jason Page, Sgt. Bruce Blackwell and Lt. Shawn Miller.

The following Special Presentation was on Agenda under Public Participation:

Report from the Transylvania County Veterans Service Officer, Frank A. Pearsall, Master Sergeant, US Marine Corps (Retired). Mr. Pearsall explained fifty-five percent (55%) of the veterans served in Transylvania County are citizens within the City of Brevard, and therefore feels it is appropriate and important to share with the City the same annual report he provided to the Transylvania Board of Commissioners. In the providing of various benefits to veterans, the Veterans Administration provides 13 million dollars into this County every year. There are 3,641 veterans in our County receiving benefits; 793 use the VA Hospital; and disability payments received in the County are over 7 million dollars per year.

Public Hearings – None

Public Participation – Prior to the meeting the following person(s) signed-up to speak:

Mr. Pete Peters, 111 Park Avenue. He requested the City give serious consideration to offer recycling pickup for commercial businesses. Expressed concern over the City

allowing people and businesses to place various obstacles upon the downtown sidewalks rather than to allow pedestrians the ability to walk along or use more easily to get into businesses. He recalled at a recent Council meeting he asked that an item be removed from the Consent Agenda for discussion, and believed it was inappropriate for him to have been asked "why" he made the request.

Mayor Harris explained he recalls the meeting and that it was not his intention to offend Mr. Peters when he asked him "why".

Mr. McKeller and Attorney Pratt explained Consent Agenda items are considered routine and non-controversial. Whenever a council member or citizen requests an item be removed for discussion, it will be done – as it was when Mr. Peters made his request. It is customary in respect to the person making the request, for Council to seek to know what it is they want to have discussed in order to be sure to include in their discussion.

Ms. Sarah Pooser, representing The Haven. Ms. Pooser explained she has come tonight on behalf of The Haven to request financial assistance as they were not aware they should have come in March during the budget hearing (input session). Requested consideration for \$4,700 to be used to pay the remaining fees they owe to the City for water and sewer tap and impact fees. Receiving of the requested money might be the difference in the hiring of a Director for The Haven.

~~ 8:11 PM Mayor Harris called for a 10 minute break with the meeting continuing at 8:21 PM. ~~

Unfinished Business – None

New Business

Item M-1 - City Manager Submits FY 2011-2012 Budget to Council

Mr. Moore explained tonight marks the official recommendation of staff to Council for the FY 2011-2012 budget. The basis for the budget recommendations are:

- (1) Sustainability
 - a. Prepare for economic growth
 - b. Re-invest in infrastructure
 - c. Access our natural and cultural resources
- (2) Diversification
 - a. Reduce reliance and risk on property tax
 - b. Find alternate means to access market
- (3) Focus
 - a. Provide services our citizens want
 - b. Cut services our citizens do not want
- (4) Vision
 - a. What principles do we establish today that will guide future policies, projects, and programs to assure a high quality of life for residents, businesses and visitors?

Summary of Recommendations:

1. Fund the water capacity options evaluation
2. Adopt policies to improve bond rating: Debt policy; Capital Improvement Plan; Financial Management Plan
3. Maintain all infrastructure on annual basis
4. Replace outdated equipment at sewer plant
5. Replace water meters throughout system
6. Address inflow and infiltration more aggressively
7. Fund Bracken Mountain: Internal trail, forest interconnect
8. Fund Downtown Master Plan West End as second gateway to Pisgah National Forest
9. Investigate options to fund: Bike/Hike completion; City connection to Bracken and Brevard Music Center
10. Recover sanitation and recycling costs
11. Charge for Special Events
12. Recover some loss through privilege license; Investigate gross-receipts based privilege license
13. Investigate the use of Special Tax Districts: Enhance different "markets" throughout the City; Increase property values and receipts; Increase sales transactions
14. Investigate other forms of revenue generation: Occupancy tax; Prepared meals tax; Special legislation on sales tax referendum
15. Recommended Services to fund to be those agencies traditionally funded; Recommended conduct economic development workshop and to conduct a recreation workshop
16. Recommended conduct a vision workshop as lead-in to develop scope and tasks for Brevard Community Plan inclusive of land use, community development and economic development

Summary of Expenditures

1. Operating Budget
 - a. General Fund: \$8,145,000; No new positions; 3% COLA
 - b. Utility Fund Change: \$4,037,500; Capital Investments (Reservoir, Wastewater Plant)
2. Capital Budget: \$360,000 directed from General Fund; \$315,000 directed from Utility Fund
3. Capital Plan: Long-term revenue and expenditure resolution required
4. General Capital Budget
 - a. Annual Stormwater Projects – South Broad, Eastview
 - b. Annual Street Improvements – Cashiers Valley, Colwell Drive, Floyd Alley, Peace Drive and Hazel Court
 - c. Annual Sidewalks – Elm Bend and Caldwell Street
 - d. City Hall – Generator, foyer, Police Dept. entrance and Fire Dept. kitchen
 - e. Bracken Mountain – Internal trail; Trail interconnect and Parking facility
5. Utility Capital Budget: Annual waterline maintenance, water meters; Brushy Creek Wastewater line replacement; Reservoir replacement; Water Capacity alternative analysis; Wastewater plant upgrades; and, Septage Pretreatment Station

Summary of Revenues

1. Utility Rate increase 5%
2. Sanitation and Recycling to \$20
3. Privilege License tax base increase to \$50
4. Special Events base increase to \$100
5. Septage Treatment increase to \$75/load
6. Property tax – no increase
7. Impact fees – no increase

A complete copy of the power-point outline and recommended budget is on file and available for public inspection in both the City Clerk's and City Manager's Office.

Budget Schedule:

1. Budget Workshop, May 25, 2011 at 5:30 PM, Council Chambers
2. Budget Public Hearing, June 6, 2011 at 7:00 PM, Council Chambers (adoption possible)
3. Budget Workshop (if necessary), June 13, 2011 at 5:30 PM, Council Chambers
4. Budget Adoption, June 20, 2011 at 7:00 PM, Council Chambers

Discussion / Comments from Council:

- Has consideration to outsource the maintenance of Franklin Pool and Baseball fields been done? Check into the costs and possibility to outsource.
- Near term increase based on consumer price index? Would like to see a curve on revenue and projected outlay.
- How does the budget compare to last year? Would like to see percent of increase information provided at the May 25th work session.

Remarks by Officials

Mayor Harris encouraged participation in Rise and Shine's auction scheduled for May 27th; Gallery Walk scheduled for May 27th; and coming White Squirrel Festival and Memorial Day Service that will be held on Saturday morning (May 28th).

Ms. Perkins encouraged attendance at Brevard High School's production of "Fiddler on the Roof" scheduled for May 20th and 21st. In celebration of our County's 150th, Davidson River School students have made baseball uniforms like those worn in the 1860's and will play a baseball game to the rules of the 1860's on May 20th at 1:30 PM, Little League field – please come!

Mr. Locks provided an update on the State's recent discussions on annexation reform that has passed two readings.

Mr. Moore encouraged attendance at the Gallimore Road bike/hike path Grand Opening/Ribbon Cutting ceremony scheduled for Friday, May 20, at 1:30 PM.

Adjourn - There being no further business before Council, Mr. Locks moved, seconded by Mr. McKeller the meeting be adjourned. Motion carried unanimously. Meeting adjourned at 9:37 PM.

Desiree D. Perry
City Clerk

Jimmy Harris
Mayor

Minutes Approved: June 6, 2011