

**MINUTES
BREVARD CITY COUNCIL
Regular Meeting
June 6, 2011 – 7:00 PM**

The City Council of the City of Brevard met in regular session on Monday, June 6, 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, and Mayor Pro Tem Mac Morrow; City Manager Joe Moore, City Attorney Mike Pratt, and City Clerk Desiree Perry.

Staff: Fire Chief Craig Budzinski, Planning Dir. Josh Freeman, Bldg & Grounds Dir. Lynn Goldsmith, Police Chief Phil Harris, Planner Sarah Lutz-Pietersen, HR Dir. LeAnn McCraw, Executive Assistant Jeanette Owen, Finance Dir. Terry Scruggs and PS Sr. System Operator Wesley Shook.

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 – Dr. Chuck Campbell, Transylvania Baptist Association, offered the invocation. Mayor Harris led in the Pledge of Allegiance.

Certification of Quorum – The City Clerk noted the absence of Council member Dee Dee Perkins and certified a quorum present.

Agenda – Mr. Morrow moved, seconded by Mr. Canady, the Agenda be approved as presented. Motion carried unanimously.

Minutes – Mr. Locks moved, seconded by Mr. McKeller, the May 16, 2011 meeting Minutes be approved as presented. Motion carried unanimously.

Public Hearing #1– “The Cottages at Brevard” Community Development Block Grant (CDBG) Housing Development application to the NC Department of Commerce.

At 7:11 PM Mayor Harris opened the properly advertised and noticed public hearing to receive comments on the proposed CDBG application submittal, and read aloud the guidelines one is asked to follow if they desire to speak at the hearing. No one had signed up to speak.

S. Lutz-Pietersen presented the planning staff report. The developer of “The Cottages at Brevard” project has asked that the City apply for a CDBG to help with the projects infrastructure costs. In keeping with the CDBG requirements, two public hearings are required. On June 20th, a second public hearing will be held that will be specific to the project infrastructure request.

Public Hearing Closed – No comments from the public or Council members were offered. Mayor Harris closed the hearing at 7:16 PM.

Public Hearing #2 – Proposed Fiscal Year 2011-2012 Budget for the City of Brevard.

At 7:16 PM Mayor Harris opened the properly advertised and noticed public hearing to receive comments on the proposed FY 2011-12 Budget, and read aloud the guidelines one is to follow if they desire to speak at the hearing. Nine people had signed up to speak.

City Manager Joe Moore presented the recommended budget for public comment. Power point slides were projected providing an overview of the budget process, budget recommendations and the basis for the recommendations. Presentation also included a summary of expenditures and revenues. A copy of the presentation slides are on file.
(Following Council’s May 16th meeting, the proposed budget was delivered to the County

Library, Brevard College Library, placed upon the City's website and copies were made available for public review in the Manager and Clerk's offices.)

Included within the recommendations were suggested workshops to consider recreation, policies to improve bond ratings, and to begin work on a Brevard Community Plan (land use, water demands, community and economic development), investigate funding options for the bike/hike completion and other projects, investigate gross receipt system for Privilege Licenses, and to investigate other funding sources like occupancy and prepared meal tax, and special tax districts. Recommended fee increases to the Privilege License tax (double), recycling (from \$1 to \$3), sanitation (from \$13.75 to \$17), a 5% utility rate increase, charge for department services used during Special Events (max \$1,000 per department used), and septage treatment increase to \$75 per load. No increases to property tax or impact fees are proposed.

Mr. Moore emphasized the need and importance to have a workshop to discuss the City's Water Plant and whether we should upgrade the water plant system, connect to another community for increased water capacity, or build a new water plant. Discussion should begin in the near future as all three options take several (10+) years to complete.

Council Comments:

- Mr. McKeller: County is considering a tax increase, if decided to do so, what impact will that have upon the City's budget as proposed?
 - Mr. Moore: A tax increase would take effect next year, and therefore, adjustments could be made in this proposed budget. The greater impact would be on the following year's budget.
- Mr. Locks: The second budget workshop is planned for June 13th, with the target budget adoption date of June 20th. When would questions that arise at the 13th meeting be answered? Would there be time to schedule another meeting?
 - Mr. Moore and Ms. Perry: Budget is to be adopted by June 30th. Yes, if an additional or continued meeting is needed, there is sufficient time to do so.
- Mr. Canady: Costs for the Probart Street sidewalk?
 - Mr. Moore: Estimated at 2.3 million dollars.
- Mr. Locks: If we have 2.3 million to spend, need to question if we want to spend it upon a sidewalk, or, to consider another form of transportation. (Future workshop discussion.)
- Mr. Locks: If we are going to look at the water plant, we should also look at the potential of selling bottled water. (Future workshop discussion.)

Public Hearing Public Participation – Mayor Harris called upon those who signed up to speak in the order of their signing.

Madrid Zimmerman, Executive Director of Heart of Brevard (HOB). She read aloud a brief report that included an overview of the history of the Heart of Brevard, a non-profit organization created over twenty years ago, which focuses on promotion of the community through marketing, special event and community projects. Requested the City's continued funding so that the HOB can continue to provide services and revenue that benefit the entire community. A copy of the report is on file. She concluded by asking Council's consideration to not adopt the proposed special event charges.

Mr. Wes Dixon, 231 Wilson Drive. Expressed his appreciation for and is pleased with the bike/hike paths and the new Pickelsimer Park, and asked that the City continue with expanding the bike/path system and Bracken Mountain project as doing so will greatly expand what the City has to offer its citizens and visitors.

Ms. Diana Zerby, 82 Jordan Road. Stated she has come to again voice her concerns over the situation of people within her neighborhood frequently place large items (trash/debris/old appliances or fixtures) in their front yards or at the curb, and have them remain for weeks or months. Although the City Manager has been responsive to her calls to have the items picked up, in order for him to do so requires weeks if not months (to meet legal requirements) before it can be accomplished. Asked Council to consider not charging citizens the \$30 large pick-up fee but rather to increase the water rates by twenty-five cents (\$.25) per month which would provide the amount of revenue the City has been collecting for the special pickups. Public Services could then pick up items placed at the curb without the owner or tenant having to pay a special pickup fee.

Mr. John Felty, 246 Morningside Drive. Stated he understands nothing is for free and in terms of the proposal to charge for special events; however, concerned over the proposal to charge and suggested to try and quantify the return to the City, and, evaluate to see if some of those services (provided by City departments) could be provided by another. Believes the tangible benefits of the festivals outweigh the financial impact to the City, and charging the fees may jeopardize the ability to have events like the White Squirrel in the future.

~~ At 8:30 PM Mayor Harris called for a 10 minute break, the meeting continued at 8:41 PM. ~~

Mr. Jay Coan, 32 East Jordan Street. He thanked the City for their assistance with the recent Assault on the Carolina's event that had 750 participants including 33 who were from Transylvania County. Local vendors were used for the event and visitors enjoyed shopping, meals and lodging. Their survey showed 289 people stayed two nights in our County during the event. This Pisgah Forest Rotary sponsored event raised \$36,000 which was awarded as grants to non-profits such as Rise and Shine, Boys and Girls Club and others. Stated he is concerned a \$4,000 special event charge would make it too difficult to have an event, and, suggested City staff establish clearer instructions for the special event permit process.

Mr. Pete Peters, 111 Park Avenue. Stated he feels it is not wise to charge for Special Events as is proposed; suggested City allocate funds to provide for sidewalks to Franklin Park, and, recommended the City grant \$15,000 to the Brevard Rescue Squad. *(Note: Brevard Rescue Squad did not submit to the City a request for funding consideration.)*

Ms. Ann Hollingsworth, 187 East Main Street. (First) Stated as recognized by the Outdoor Recreation and Task Force, there is a huge cycling industry. Carmichael Training Systems (cycling coaching, training, etc.) are moving from Asheville to a unit within their (Hollingsworth's) commercial building in downtown Brevard. (Second) Stated the proposed special event charges is not a good idea. The revenue brought into the City during the events is a huge benefit to the entire community. The County offers no support to the Heart of Brevard, and, the City is doing less and less for the downtown businesses – who are now planting flowers, pulling weeds, etc., in the downtown rather than by City staff.

County Commissioner Larry Chapman. Commissioner Chapman suggested joint planning sessions between the City and County to talk about consolidation of services such as Recreation and property maintenance, as well as, look at other areas where the City and County can come together to improve services at reduced costs, and to see if there are services that private sectors could do as well at less costs. We can't keep looking to raise fees and taxes.

Mr. Skip Hirsch, (no address provided). Hopes the bike/hike path connecting the downtown to the Brevard Music Center and/or sidewalk system that has been in the plans for years will be funded to provide safety for the students and citizens, and, it seems illogical to charge non-profits the proposed special events charges.

Public Hearing Closed – No further comments were offered and Mayor Harris closed the hearing at 9:08 PM.

Mr. Moore stated at this time staff is open to receive any direction from Council members in preparation for the second Budget Work Session scheduled for Monday, June 13th at 5:30 PM.

No comments or directions were stated by Council.

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

Mr. Pete Peters, 111 Park Avenue. He has noticed that the Brevard ABC Store's parking lot pavement and stripping are in poor condition and suggested the City get a message to the store Manager to have it repaired.

Consent Agenda – Consent Agenda items are considered routine and are enacted by one motion. Mayor Harris read aloud the three (3) items listed and asked if Council desired to remove for discussion or add any items to the Consent Agenda. Mr. McKeller recommended the Consent Agenda be amended to add New Business Item #M-1 CDBG Application. Mr. Canady moved, seconded by Mr. Morrow the Consent Agenda be approved as amended. Motion carried unanimously. The following four items were approved:

Consent Item #1 – Public Services Department Staff Report.

Consent Item #2 – **Resolution No. 11-2011** Awarding Contract for Auditing of the City of Brevard Financial Statements and Accounts for Year Ending June 30, 2011.

RESOLUTION NO. 11-2011

A RESOLUTION AWARDING CONTRACT FOR THE AUDITING OF THE CITY'S FINANCIAL STATEMENTS AND ACCOUNTS FOR THE YEAR ENDING JUNE 30, 2011

WHEREAS, the City of Brevard conducts an annual independent audit of its financial statements and accounts in accordance with the North Carolina Local Government Budget and Fiscal Control Act, as amended; and

WHEREAS, the city desires to award contract for the performance of the audit of its financial statements and accounts ending June 30, 2011 to the firm of Gould Killian CPA Group, P.A.;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA:

Section 1. The firm of Gould Killian CPA Group, P.A. is hereby awarded contract for the performance of the city's annual audit of its financial statements and accounts for the fiscal year ending June 30, 2011 for the contract price of \$32,000. This audit shall be performed under the single audit basis.

Section 2. The Mayor, City Manager and Finance Officer are hereby authorized and directed to execute the standard Local Government Commission contract with Gould Killian CPA Group, P.A. for said audit.

Section 3. After execution by the auditor and city, said contract for the city's audit shall be forwarded to the North Carolina Local Government Commission for its approval and execution as prescribed by law.

Section 4. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this the 6th day of June, 2011.

Consent Item #3 – Appointment of Michael P. Young to the Brevard Board of Adjustment as an alternate member filling the unexpired term formerly held by Dr. Allen Delzell, who is now serving as a regular member. Term will expire November 2013.

Consent Item #4 (M-1) – **Resolution No. 10-2011** Authorizing Submittal of an Application for Community Development Block Grant Funds for The Cottages at Brevard.

RESOLUTION NO. 10-2011

A RESOLUTION AUTHORIZING THE APPLICATION FOR COMMUNITY DEVELOPMENT GRANT FUNDS FOR THE COTTAGES AT BREVARD

WHEREAS, the City of Brevard supports the development of affordable housing units within the jurisdiction of the City of Brevard, in order to serve the housing and economic needs of the Citizens of the City of Brevard; and,

WHEREAS, The Cottages at Brevard (DEVELOPER) has been issued preliminary master plan approval by the City of Brevard and, once constructed, shall provided 48 affordable housing units with the City of Brevard; and,

WHEREAS, the DEVELOPER seeks funds to augment its resources in the construction of said affordable housing and such funds shall be applied towards the construction of public infrastructure,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA, THAT:

Section 1. The City Manager is hereby authorized to act on behalf of the City to apply for, accept, and administer any and all grants for the construction of a public infrastructure improvements associated with The Cottages at Brevard project.

Section 2. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this the 6th day of June, 2011.

Unfinished Business – None

New Business:

Item M-2 - Septage Treatment Contract Supplement – Council to consider a supplement to the Septage Treatment Agreement (December 14, 1987), and whether the provided supplementary Agreement provided by staff, in cooperation with the City Attorney, adequately addresses issues associated with building and maintain a new pretreatment facility.

Mr. McKeller commented this is an example of one of those synergies Commissioner Chapman mentioned as it is less expensive for the County to provide this service in cooperation with the City rather than for the County to construct a facility to provide this service.

Mr. Morrow moved, seconded by Mr. Canady, the Septage Treatment Contract Supplement as presented be forwarded to the Board of County Commissioners. Motion carried unanimously.

Remarks by Officials

Mayor Harris shared the White Squirrel Festival was a great success and commended members of the community and the various organizations for their hard work and contributions, and, that Mr. Lincoln Stone has been commissioned to construct the artwork on the Library property. Lots of good things are taking place in our community.

Mr. Canady, Mr. Morrow, Mr. McKeller and Mr. Locks concurred with the Mayor.

Mr. Locks stated regarding special events, he would like to know how to quantify the impact vs the costs that the City provides, as Mr. Felty suggested earlier. We know how much it costs the City to put on or help with the event – would like to know what the economic impact is on our community. This is all economic development. And, he is open to Commissioner Chapman's suggestion of a joint meeting.

Commisisoner Chapman commended and expressed appreciation to the City and the Heart of Brevard for the emphasis place upon the Memorial Day remembrance celebrated at the kickoff of the White Squirrell Festival event.

Adjourn - There being no further business before Council, Mr. Morrow moved, seconded by Mr. McKeller, the meeting be adjourned. Motion carried unanimously. Meeting adjourned at 9:26 PM.

Desiree D. Perry
City Clerk

Jimmy Harris
Mayor

Minutes Approved: June 20, 2011