MINUTES
BREVARD CITY COUNCIL
Regular Meeting
July 18, 2011 – 7:00 PM

The City Council of the City of Brevard met in regular session on Monday, July 18, 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 Attorney Mike Pratt, City Finance Director and Acting City Manager, Terry Scruggs, and City Clerk Desiree Perry. City Manager Joe Moore is out of town on vacation.

Staff: Planner Daniel Cobb, Fire Dept. Rep. Bradley Elmore, Planning Dir. Josh Freeman, Bldg & Grounds Dir. Lynn Goldsmith, Police Detective Steve Woodson, Public Service Rep. Anthony Coward, HR Dir. LeAnn McCraw, and Executive Assistant Jeanette Owen.

Others: Land-of-Sky Regional Council Executive Director Joe McKinney, Land-of-Sky Regional Council Sr. Planner (Transportation) Carrie Runser-Turner and Land-of-Sky Regional Council Housing Specialist John Connell.

Press: Derek McKissock, Transylvania Times, and Leigh Kelley, Hendersonville Times News

Welcome - Mayor Harris called the meeting to order, welcomed those present and introduced council members and staff. He then welcomed and introduced the Land-of-Sky Regional Council representatives who were present.

Invocation and Pledge – Pastor Lee Ray Greene, Glady Branch Baptist Church, offered an invocation. Mayor Harris led in the Pledge of Allegiance.

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

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

Approval of Minutes – Mr. McKeller asked that page five of the June 20th draft Minutes be corrected to read, "Mr. McKeller *asked* if there….", he then moved the June 13th and June 20th meeting Minutes be approved as presented with the one noted correction. Mr. Locks seconded the motion which carried unanimously.

Certificates and Awards – Mayor Harris, accompanied by Human Relations Council Chair Maurice Jones, presented a Certificate of Appreciation to Michelle Lynn Harvey for her service on the Human Relations Council.

Mayor Harris read aloud the Certificate of Appreciation prepared for Daniel J. Scallen for his service on the Asheville Regional Housing Consortium. Unfortunately Mr. Scallen was not able to be in attendance therefore his Certificate will be mailed to him.

Special Presentations – None

Public Hearing - Application for Community Development Block Grant (CDBG) for "The Cottages at Brevard" Housing Project. Public Hearing #2

At 7:14 PM the properly advertised and noticed public hearing to receive comments on the CDBG Application for The Cottages at Brevard project began. Mr.

Freeman explained the project is a 48-unit housing development and the grant will assist with the project infrastructure (water, sewer, stormwater, sidewalk) costs. This is the second public hearing. Mr. Connell is present to answer any questions Council or the public may have.

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

Public Participation – No one signed up to speak.

Consent Agenda – Mayor Harris explained Consent Agenda items are considered routine and are enacted by one motion. He read aloud the two (2) items listed and asked if Council desired to remove a listed item for discussion, or add an item to the Consent Agenda. Mr. Morrow moved, seconded by Mr. McKeller, the Agenda be amended to include New Business Item M-2, and that the three items be approved as presented. Motion carried unanimously. The following three items were approved:

Consent Item #1 – Public Services Department Staff Report.

Consent Item #2 – **Resolution No. 14-2011** Appointing the Planning Director to Represent the City of Brevard on the Board of Directors of the Asheville Regional Housing Consortium.

RESOLUTION NO. 14-2011
A RESOLUTION APPOINTING THE
PLANNING DIRECTOR TO REPRESENT
THE CITY OF BREVARD ON THE BOARD OF DIRECTORS OF
THE ASHEVILLE REGIONAL HOUSING CONSORTIUM

WHEREAS, the City of Brevard is a member of the Asheville Regional Housing Consortium (hereafter, "Consortium"); and

WHEREAS, the purpose of the Consortium is to improve the quality and increase the supply of affordable housing for low-and very low-income people within the jurisdictions of the units of local government located in Buncombe, Henderson, Madison, and Transylvania Counties, and the goals of the Consortium are:

(a) To expand the supply of decent, safe, sanitary and affordable housing for low-income and very low-income residents;

(b) To strengthen the abilities of local governments to design and implement strategies for achieving adequate supplies of decent, affordable housing;

(c) To provide both financial and technical assistance to participating jurisdictions, including the development of model programs for affordable housing;

(d) To extend and strengthen partnerships among all levels of government and the private sector, including for-profit and nonprofit organizations, in the production and operation of affordable housing;

(e) To implement affordable housing programs which are consistent with and eligible under Title II (the Home Investment Partnerships Act) of the Cranston-Gonzalez National Affordable Housing Act of 1990.

WHEREAS, the City of Brevard is entitled to appoint one representative to serve on the Board of Directors of the Consortium.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BREVARD, MEETING IN REGULAR SESSION AND WITH A MAJORITY OF THE COUNCIL MEMBERS VOTING IN THE AFFIRMATIVE, HEREBY RESOLVES THE FOLLOWING:

Section 1. The Planning Director is hereby appointed to represent the City of Brevard on the Board of Directors of the Consortium.

Section 2. The Planning Director is directed to select an alternate to represent the City of Brevard on the Board of Directors of the Consortium in the Planning Director's absence.

Section 3. Representation on the Board of Directors of the Consortium shall be a permanent and ongoing responsibility of the Planning Director, and the term of this appointment shall be indefinite.

Section 4. The Planning Director is directed to provide a report of the Consortium's programs and activities, to the City Manager, Brevard City Council and the City of Brevard Planning Board on an annual basis.

Section 5. The City Clerk is directed to notify the consortium of these appointments.

Section 6. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this the 18th day of July, 2011.

Consent Item #3 (M-2) – Approved Brevard College's request to modify the content of the City of Brevard's "Welcome To" signs to contain (add) the following: "Home of Brevard College Collegiate Mountain Bike National Champions 2009 & 2010"

Unfinished Business – None

New Business

Item M-1 – **Resolution No. 15-2011** Endorsing the Western North Carolina Livable Communities Initiative and engaging the City of Brevard as a participating member of the Livable Communities Initiative Consortium.

Ms. Carrie Runser-Turner provided a power-point presentation describing the WNC Livable Communities Initiative as a 3-year project to develop regional and local strategies for sustainable development economic prosperity, and quality growth. A consortium of local governments, residents, and organizations in Buncombe, Haywood, Henderson, Transylvania and Madison Counties will draw on existing plans and strategies to develop a plan to foster economic prosperity through a regional vision that identifies implementable projects and actions. Project funding is provided by the US Department of Housing and Urban Development (HUD). Land-of-Sky Regional Council is the coordinating agency.

Council members noted that representation from municipalities is not included upon the Steering Committee.

Mr. Joe McKinney stated some other municipalities have also expressed municipal involvement should be included on the Steering Committee and suggested if Council does too that they forward a letter stating so.

Council thanked Ms. Runser-Turner for coming and making the presentation.

Mr. Locks moved, seconded by Mr. Morrow, Council adopt **Resolution No. 15-2011** endorsing the WNC Livable Communities Initiative and engaging the City as a participating member. Motion carried unanimously.

RESOLUTION NO. 15-2011

A RESOLUTION ENDORSING THE WESTERN NORTH CAROLINA LIVABLE COMMUNITIES INITIATIVE AND ENGAGING THE CITY OF BREVARD AS A PARTICIPATING MEMBER OF THE LIVABLE COMMUNITIES INITIATIVE CONSORTIUM

WHEREAS, The US Department of Housing and Urban Development has awarded the Land-of-Sky Regional Council a $1.6 Million grant for the Western North Carolina Livable Communities Initiative (hereafter, "Initiative"); and,

WHEREAS, The Initiative is a 3-year project to develop strategies at the local and regional level to:

(a) Enhance economic competitiveness, including expanding sustainable and diverse employment options that pay a "living wage."
(b) Provide more transportation choices, including developing and expanding the region's clean, efficient and affordable transportation choices.
(c) Promote equitable, affordable housing.
(d) Support existing communities.
(e) Coordinate and leverage federal policies and investment.
(f) Value communities and neighborhoods.

(g) Preserve our natural and cultural resources.
(h) Expand and utilize more local, renewable energy sources.

WHEREAS, Land-of-Sky Regional Council has invited the City of Brevard to endorse and engage in the Initiative as a participating member of the Initiative Consortium; and,

WHEREAS, the City Council of the City of Brevard desires to endorse and support the Initiative by engaging as a member of the Initiative Consortium.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BREVARD, MEETING IN REGULAR SESSION AND WITH A MAJORITY OF THE COUNCIL MEMBERS VOTING IN THE AFFIRMATIVE, HEREBY RESOLVES THE FOLLOWING.

Section 1. The City Manager is hereby directed execute a Consortium Agreement with Land-of-Sky Regional Council, thereby engaging the City of Brevard as an Initiative Consortium member.

Section 2. The Planning Director is hereby directed to offer himself for service to the initiative as a participating member of Initiative workgroups, and the Initiative's Steering Committee.

Section 3. The Planning Director is hereby directed to provide such technical support as may be necessary to carry out the purposes of the Initiative, including but not limited to the execution of public involvement activities and the provision of technical support to Land-of-Sky Regional Council Staff.

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

Adopted and approved this the 18th day of July, 2011.

Remarks by Officials

Mayor Harris and Council Members did not offer any closing remarks.

Closed Session - Mr. Pratt recommended Council convene a closed session to discuss a potential acquisition of property and advised it would be appropriate to do so by motion, second and vote pursuant to **GS § 143-318.11. (a)(5)** to discuss negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange or lease.

Upon motion by Mr. Canady, seconded by Mr. Locks, and unanimously passed a closed session to discuss potential property acquisition was called at 7:46 PM and to convene upon the clearing Council Chambers. Authorized to remain in closed session with the City Attorney and Council members were: Finance Director Terry Scruggs, Planning Director Josh Freeman and City Clerk Desiree Perry.

A five (5) minute recess took place in order to allow all who were not authorized to remain to leave Council Chambers.

No official action was taken in closed session and Minutes of the Closed Session are authorized to be sealed.

<u>Adjourn Closed Session to Regular Session</u> – At 8:04 PM Council resumed the meeting in regular session.

Adjourn - There being no further business before Council, Mr. Locks moved, seconded by Ms. Perkins, the meeting be adjourned. Motion carried unanimously. Meeting adjourned at 8:04 PM.

Desiree D. Perry
City Clerk

Jimmy Harris
Mayor

Minutes Approved: <u>August 1, 2011</u>