

**MINUTES
BREVARD CITY COUNCIL
Regular Meeting
March 19, 2012 – 7:00 PM**

The City Council of the City of Brevard met in regular session on Monday, March 19, 2012 in the Council Chambers of City Hall with Mayor Jimmy Harris presiding.

Present: Mayor Jimmy Harris, Mayor Pro Tem Mac Morrow, Council Members Rodney Locks, Charlie Landreth, Wes Dickson and Maurice Jones.

Staff Present: City Manager Joe Moore, City Attorney Mike Pratt, Asst. Planning Dir. Brad Burton, Fire Dept. Bradley Elmore, Finance Director Jim Fatland, Planning Dir. Josh Freeman, Bldg & Grounds Dir. Lynn Goldsmith, Police Chief Phil Harris, Dir. of Engineering Jay Johnston, Public Service Dir. David Lutz, HR Dir. LeAnn McCraw, Executive Assistant Jeanette Owen and City Clerk Desiree Perry.

Press: Derek McKissock of Transylvania Times

Welcome – Mayor Harris called the meeting to order, welcomed those present then introduced Council members, City Attorney, Manager and Clerk. Mayor Harris recognized and extended a welcome to the Schenck Job Corps Student Government Association students who were present.

Invocation - Pastor Lee Ray Greene, Gladys Branch Baptist Church, offered an invocation.

Pledge of Allegiance to Flag – Mayor Harris led in the Pledge of Allegiance to the Flag.

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

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

Minutes - Mr. Landreth moved, seconded by Mr. Morrow the February 20, 2012 Minutes be approved with the following corrections: Pg. 1 "Landers" to "Landreth"; Pg. 2, bullet #22 "Proposed" to "Proposal"; Pg. 3, "8:27 to 8:37"; and, Pg. 8 "both Option 1 and Option 2". Motion carried unanimously.

Public Participation - Regular Session

Ms. Leslie Chepenik, 12 Paisley Lane, Pisgah Forest, extended an invitation to the "Raise Your Hand And Voice For Public Education" forum sponsored by the Coalition in Support of Public Education, scheduled for Tuesday, April 24, 2012 at 7:00 p.m., in the Brevard High School Auditorium.

Mr. Tad Fogel stated he has asked North Carolina Cycling to select Brevard as the host for the "Mountain to Coast" event in September 2012. If selected, Brevard College is willing to help host the event by allowing cyclists to camp (tents) overnight upon their campus, will allow some to sleep overnight in the College gym, and allow a few temporary trailers to be staged to provide shower facilities. The trailers would need to be connected to the City's water and sewer. If Brevard is selected, he will request Council's consideration towards the event expenses such as utilities, special event permit costs, etc.; however, at this time he does not have an estimate of the dollar amount.

Ms. Agatha Westerhoff, 168 Eagle View Drive, member of Women's Business Exchange, stated start up costs for small businesses and entrepreneurs are a hardship. Asked Council to consider allowing installment payments, rather than one-time lump sum payment, of City permit and impact fees.

City Manager Moore explained to Ms. Westerhoff the City has in place the ability for one to pay fees in installments and suggested she contact the Planning Department for complete details.

Ms. Westerhoff stated Brevard needs a small civic or convention center to accommodate businesses or organizations to hold venues. The Woman's Business Exchange is willing to gather a task force to see what they could do to help promote such a center, and are willing to come to a future Council meeting to share their findings.

Mr. Don Richardson asked Council to adopt the "Proposed Resolution to Eliminate Corporate Personhood" he presented at the March 5th meeting.

Public Participation - Budget Public Input Session

No one signed up to speak or offered comment.

There are three ways in which citizens may have input in the upcoming budget: (1) Public participation at Council meeting; (2) City hotline 885-5609; and (3) Submit comments/concerns via the City website.

Consent Agenda – Mayor Harris explained Consent Agenda items are considered routine and are enacted by one motion. He read aloud the four items listed and asked if Council desired to remove the item for discussion, or, add an item(s) to the Consent Agenda.

Mr. Locks moved, seconded by Mr. Jones, the Consent Agenda be approved as presented. Motion carried unanimously.

Consent Item K-1 – Police Staff Report (on file)

Consent Item K-2 - Finance Report (on file)

Consent Item K-3- Public Service Report (on file)

Consent Item K-4 - **Resolution No. 2012-07 Recognizing March 29th as Opal C. Hahn Day**

RESOLUTION NO. 2012-07

**A RESOLUTION RECOGNIZING MARCH 29th AS OPAL C. HAHN DAY
WITHIN THE CITY OF BREVARD**

WHEREAS, Opal C. Hahn served the City of Brevard with distinction and extreme dedication for over thirty-six years as City Clerk, Interim City Manager and ultimately as Mayor; and,

WHEREAS, it is befitting the memory of such a distinguished individual to permanently and perpetually remember the contributions for which Opal C. Hahn offered to the City and the legacy which remains from her time shared with our fine community; and,

WHEREAS, to accord such remembrance, on June 20, 1988 the Brevard City Council designated March 29th of each year to remember Mayor Opal C. Hahn.

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

Section 1. In memory and honor of Mayor Opal C. Hahn, it is hereby declared and proclaimed that March 29, 2012 be known as "OPAL C. HAHN DAY" within the City of Brevard.

Section 2. The City Clerk of the City of Brevard is hereby authorized and directed to record this Resolution within her official records.

Section 3. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this the 19th day of March, 2012.

New Business

NB Item M-1 - Retreat Follow-up, Part One

Mr. Moore stated economic development was a topic Council identified for further discussion at the Retreat. He asked Council, in light of recent actions of other independent organizations who are moving on different aspects of economic development, does Council desire to wait for the independent activities of others to progress before initiating a work session, or, do they prefer to proceed as stated at the Retreat. If so, he would like to arrange for some speakers; however, it is not likely he could coordinate by Council's April 16th meeting.

Council affirmed they desire to proceed with an economic development primer work session.

Economic Development Workshop Scheduled - Mr. Morrow moved, seconded by Mr. Landreth, an economic development workshop be scheduled for April 30, 2012 beginning at 5:30 p.m. Motion carried unanimously.

Remarks by Officials

Mayor Harris congratulated Chief Harris for being invited to join the NC Justice Academy Training Board.

Mr. Jones shared he attended the Women's Business Exchange meeting and was glad to see their presence represented at tonight's meeting.

Mr. Landreth shared it will be helpful to keep record of specific topics, like Brevard's need for civic or conference center space, as we move forward with discussions on economic development.

Mr. Dickson shared he enjoyed attending the Band Film Festival held at Brevard College, hearing Dr. David Joyce, and that the event was a great opportunity for connection between the community and College.

Mr. Locks shared it was good to have Schenck Job Corp student government representatives in attendance. He announced the City is sponsoring the Mountain Resource Commission event scheduled for April 20th at the County Library's Rogow Room. The Commissions primary purpose is to preserve natural resources.

Closed Session

Mayor Harris asked City Attorney if it would be appropriate to convene two closed sessions for the purpose to first discuss a **potential litigation**, and a second to discuss a **personnel** matter. City Attorney advised it would be appropriate pursuant to **GS § 143-318.11. (a)(3)** along with the appropriate motion second and vote, to discuss a potential litigation matter. Following the first closed session Council is to reconvene the regular meeting and then by an appropriate motion go into the second closed session to discuss a **personnel** matter pursuant to **GS § 143-318.11. (a)(6)**.

At 7:51 p.m. Mr. Locks moved, seconded by Mr. Landreth, Council go into closed session to discuss potential litigation and a personnel matter. Motion carried unanimously. {A nine 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 the Minutes of the Closed Session are authorized to be sealed.

Adjourn Closed Session to Regular Session – At 8:31 PM Council resumed the meeting in regular session.

The City Manager and City Clerk were excused. The City Attorney will provide minutes of the second closed session.

Adjourn - There being no further business before Council, a motion to adjourn was made by Mr. Locks, second offered by Mr. Landreth and the meeting was adjourned. Meeting adjourned at 10:15 p.m.

Jimmy Harris, Mayor

Desiree D. Perry, City Clerk

Minutes Approved: April 16, 2012