

MINUTES
BREVARD CITY COUNCIL
Regular Meeting
October 1, 2012 – 7:00 PM

The City Council of the City of Brevard met in regular session on Monday, October 1, 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, Wes Dickson, Maurice Jones and Charlie Landreth.

Staff Present - City Manager Joe Moore, City Attorney Mike Pratt, City Clerk Desiree Perry, Public Service Rep. Anthony Coward, Planner Aaron Bland, Planning Director Josh Freeman, Finance Director Jim Fatland, Police Chief Phil Harris, Firefighter Adam Hughey and Executive Assistant Jeanette Owen.

Press - Derek McKissock, Transylvania Times

Call to Order and Welcome - Mayor Harris called the meeting to order, welcomed those present and introduced Council members, City Attorney, Manager and Clerk.

Invocation and Pledge of Allegiance - Pastor Brad Snipes, Brevard Community Church, offered an invocation. Mayor Harris led in the Pledge of Allegiance to the Flag.

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

Approval of Agenda - Mr. Landreth moved, seconded by Mr. Dickson, the Agenda be adopted as presented. Motion passed unanimously.

Approval of Minutes - Mr. Landreth moved, seconded by Mr. Jones, the September 17th Minutes be approved as presented. Motion passed unanimously.

Certificates / Awards / Recognition - The City Clerk administered the Oath of Office to Planner Aaron H. Bland.

State of North Carolina
County of Transylvania
City of Brevard

I, Aaron Nelson Bland, solemnly swear (or affirm) that I will support and defend the Constitution and laws of the United States and the Constitution and laws of North Carolina, not inconsistent therewith, and that I will faithfully discharge the duties as Planner for the City of Brevard, North Carolina and that I will not allow my actions to be influenced by personal or political friendships or obligations, so help me God.

s/Aaron Nelson Bland

Special Presentation

2012 Fire Safety Month - Brevard Firefighter Adam Hughey shared during the month of October in recognition of Fire Safety Month they will be talking with nearly 1000 children about fire safety and this year's fire prevention theme, "Have Two Ways Out" along with teaching children to, "Stop, Drop, Cover Your Face, and Roll".

Imagine Brevard - Heart of Brevard Executive Director Michael Trufant and Imagine Brevard volunteer Susan Evans presented an update report. Imagine Brevard is a community listening initiative of Heart of Brevard, and in the 42 days since introducing "Imagine Brevard" much has been accomplished. The citizen-volunteer forum meetings have resulted in identifying seven issues: (1) Enhancing the Downtown Consumer Experience; (2) One Stop Shop for Information; (3) Business Cultivation; (4) Green Initiatives; (5) Parks & Pathways; (6) Year Round Community; and, (7) Youth

Connections. Citizens are welcome to any and all forum sessions. Participants will further refine and develop topics within these issues and suggest opportunities for the ultimate benefit of our community leaders to consider. Focus will be County wide and not only within the City of Brevard. Visit www.brevardisready.com for forum meeting schedules and additional information.

Council extended their appreciation for the report and recognized "Imagine Brevard" has mobilized a key source and resource within our Community.

Public Hearing - To receive citizen input regarding a proposed amendment to Community Development Block Grant (CDBG) #10-C-2209, Cottages at Brevard. The purpose of the proposed grant amendment is to move \$64,328.50 from the Public Sewer Improvements line item and \$61,214.50 from the Public Water Improvements line items into the Street Improvements line item.

At 7:52 p.m. the properly advertised and noticed public hearing to receive comments on the proposed CDBG amendment began. Planning Director Josh Freeman introduced Mr. John Connell, Land of Sky Regional Council. Mr. Connell explained the purpose of the public hearing is to receive comment for the proposed amendment to budget line items within the CDBG project that would shift monies from one line item to another. Original quotes that came in were unusually high, largely due to topography of the property. It is hoped that by moving more infrastructure funds into one line item may allow for more flexibility and negotiation on the project. This action will also require amending the CDBG grant application, slowing down the project by about one month.

Public Hearing - Public Participation Comments: None

Public Hearing Closed – With no questions or comments from Council or the public, Mayor Harris closed the hearing at 7:59 p.m.

Public Participation

Ms. Valerie Naylor, 1150 Seven Springs, Pisgah Forest. Came representing Friends of Ecusta Trail whose mission is to promote a rail-trail from Brevard to Hendersonville. She extended an invitation to Council and family, staff and citizens to attend the "Swamp Rabbit Trail" event on October 13th in Travelers Rest, SC. Encouraged participation in the breakfast followed by a time where local officials and business leaders will share the economic and community benefits they have gained from the Swamp Rabbit Trail, followed by an enjoyable ride or walk on the trail.

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

Mr. Morrow moved, seconded by Mr. Locks, the Consent Agenda be approved as presented. Motion carried unanimously. The following three (3) items were approved:

Consent Item K-1 - (a) August Financial Statement; (b) Public Services Department Staff Report; and (c) Public Sculpture Installation and Maintenance Summary. (On file.)

Consent Item K-2 - Appointment to ABC Board. Mr. Brian P. Philips, PA was appointed to serve on the ABC Board filling the vacancy from former member Jason Lefler. Term will expire July 2015.

Consent Item K-3 - Appointment of Voting Delegates for the NC League of Municipalities Conference. Appointed Council Member Charlie Landreth as voting delegate, and, appointed Council Member Rodney Locks as alternate voting delegate.

Unfinished Business - None

New Business - None

Remarks by Officials

Mayor Harris shared we received a letter of thanks from the City of Charlotte for Brevard's Police officers coming to offer aid during the Democratic National Convention. Mayor asked Police Chief Harris to briefly share about the event.

Chief Harris shared Brevard sent eleven officers who worked 12 to 15 hours shifts along with the Charlotte Police, Federal Secret Service and FBI officers. It was a good experience as they worked together while having opportunity to meet several elected officials, and even a few celebrities who were attending the Convention.

Mayor Harris expressed appreciation for Mr. Tad Fogel's work and input that brought Cycle NC to Brevard. It was a great event bringing lots of excitement to town and to the Brevard College Campus, and, was an economic impact for businesses in Brevard.

Mayor Harris encouraged participation in this Friday's "Terry Scruggs Memorial Scholarship" kickoff at Brevard Sr. High School at 8:30 a.m.

Mac Morrow shared last week he, Rodney Locks and Joe Moore hosted a delegation from Moldavia (formerly part of Romania) who came asking lots of municipal service questions (water, sewer, transportation, economic development, etc.) and expressed an interest in establishing a partnership, like Sister City we have with the Community of Pietroasa in Bihor County, Romania.

Motion: Mr. Morrow moved, seconded by Mr. Locks, if the Moldavian Mayor contacts the City of Brevard and solicits to be a partnership, like a Sister City, that would we would be in favor of consideration. Motion carried unanimously.

Mr. Locks asked if Council is interested in having staff look into possibilities of offering public transportation, and to perhaps report at Council's retreat. Hendersonville uses WCCA, here Transylvania County pays for staff and vehicles with a van system, what would it take for Brevard to offer public transportation in the City of Brevard?

Motion: Mr. Landreth moved, seconded by Mr. Jones, Council request staff to study the needs of public transportation in the City of Brevard and corresponding levels of service to meet that need.

Discussion: Retreat may be too close a time frame to study. Understood. No date for completion of the staff study and report to Council was made.

Vote on Motion: Ayes: Mr. Landreth, Mr. Jones, Mr. Dickson and Mr. Locks.
Nay: Mr. Morrow. Motion carried by majority vote.

Mr. Landreth reported lots of good comments were shared at the recent County meeting commending the efforts of City staff, in particular, City Planning Department. There is interest in the City's coming workshop on water and sewer (October 15); folks were encouraged to come and hear about the complexities of water and sewer and economic development.

Mr. Dickson shared he's been quite active participating in various biking events; thanked staff for their work on the events and for making all feel welcome; and shared he met one who came from Colorado to participate and the individual shared the word is out that Brevard "gets it" by understanding the need and value of promoting outdoor events and it's positive impact on the whole community.

Mr. Jones extended appreciation to the Heart of Brevard and Imagine Brevard, and reminded everyone that October is National Breast Cancer Awareness month and to please support.

Mr. Moore reported last Friday a blood drive was held in support of a City employee and thanked the Red Cross and Fire Department for all of their efforts, and employees for their support and blood donations.

Closed Session- Mayor Harris asked City Attorney if it would be appropriate to convene two closed sessions for the purpose to discuss two **potential litigation** matters. City Attorney advised it would be appropriate pursuant to **GS § 143-318.11. (a)(3)** and instructed a motion, second and vote would be required to discuss the first matter, Council would then need to return to regular session, and then offer a second motion, second and vote to enter into a second closed session. Separate minutes of the closed sessions are to be written.

At 8:36 p.m. Mr. Jones moved, seconded by Mr. Landreth, Council go into closed session to discuss a potential litigation matter. Motion carried unanimously. Authorized to remain for the closed session with Council and the Attorney were the Manager, City Clerk, and Josh Freeman. {A two minute recess took place in order to allow anyone not authorized to remain to leave Council Chambers.}

Adjourn Closed Session to Regular Session – At 9:15 p.m. Council resumed the meeting in regular session. No official action was taken in closed session and the Minutes of the Closed Session are authorized to be sealed.

At 9:15 p.m. Mr. Landreth moved, seconded by Mr. Dickson, Council go into a second closed session to discuss potential litigation. Motion carried unanimously. Authorized to remain with Council and the Attorney were the Manager, City Clerk and Josh Freeman.

Adjourn Closed Session to Regular Session – At 9:36 p.m. Council resumed the meeting in regular session. No official action was taken in closed session and the Minutes of the Closed Session are authorized to be sealed.

Adjourn - There being no further business before Council, Mr. Locks moved, seconded by Mr. Landreth, the meeting be adjourned. Motion carried. Meeting adjourned at 9:36 p.m.

Jimmy Harris
Mayor

Desiree D. Perry, NCCMC
City Clerk

Minutes Approved: November 5, 2012