

AGENDA
REGULAR MEETING
BREVARD CITY COUNCIL
MONDAY, **MAY 20**, 2013 – 7:00 P.M.
CITY COUNCIL CHAMBERS

- A. Welcome and Call to Order
- B. Invocation
- C. Pledge of Allegiance
- D. Certification of Quorum
- E. APPROVAL OF AGENDA
- F. APPROVAL OF MINUTES
 - 1) **Regular Council Meeting (4/15/13)**
- G. CERTIFICATES / AWARDS / RECOGNITION
 - 1) **Brevard College Art Display at City Hall**
 - 2) **Terrell Scruggs Scholarship Award winners**
 - 3) **Recognition of Police Department Promotions**
 - 4) **Fire Chief James P. Aiken Fallen Firefighter Memorial**
- H. SPECIAL PRESENTATION(S)
 - 1) **Transylvania Partnership Inc. Grant Report**
 - 2) **Manager's Recommended Budget and Fee/Rate Schedule for Fiscal Year 2014**
- I. PUBLIC PARTICIPATION
- J. PUBLIC HEARING(S) and PUBLIC FORUM(S)
 - 1) **Brenton Conditional Zoning District and Amendment to Official Zoning Map**
- K. CONSENT and INFORMATION AGENDA:
 - 1) **Staff Reports**
 - a. **Finance: Monthly Revenues and Expenditures Report**
 - b. **Public Services: Monthly Report**
 - c. **Planning: Monthly Status Report on the "Cottages at Brevard"**
 - 2) **Advisory Board Appointments:**
 - a. **Community Appearance**
 - b. **Board of Adjustment**
 - 3) **Rules and Procedure Amendments: Audio/Visual/Digital Presentations to Council**
 - 4) **Records Retention Schedule**
 - 5) **Traffic Schedule Amendment: Parking on Elm Bend Road**
- L. UNFINISHED BUSINESS
- M. NEW BUSINESS:
 - 1) **Resolution Supporting the Schenk Job Corps**
 - 2) **North Carolina General Assembly Legislative Update**
 - 3) **Budget Adjustment for Fire Grant Award**
 - 4) **Comprehensive Plan: Economic Development Workshop Follow-Up**
 - 5) **Recycling Program Recommendation**
 - 6) **Declaration of Perpetual Land Use Restrictions upon the City's Former Landfill**
- N. REMARKS BY OFFICIALS
 - 1) **Recognizing Land of Sky Regional Council Elections:**
 - a. **Charlie Landreth, Secretary**
 - b. **Mike Hawkins, Member at Large**
 - c. **Rodney Locks, Standing Member**
- O. CLOSED SESSION(S): Requested
- P. ADJOURN

Mayor
Father Andrew Nowak
Mayor
City Clerk

MEMORANDUM

TO: Mayor and City Council

CC: Staff Management Team

FROM: Joseph M. Moore, II, PE, City Manager

SUBJECT: City Manager's Comments for May 20, 2013 City Council Meeting

Enclosed are summary comments to assist you in preparing for your meeting. The details of each agenda item are included in the attached Staff Reports. An Agenda preview meeting is held with the Mayor at 9:00 a.m. on the day of the Council Meeting. Please route any questions regarding the Agenda to myself or the Mayor before the Agenda preview meeting.

F. APPROVAL OF MINUTES

1) Regular Council Meeting (4/15/13)

G. CERTIFICATES / AWARDS / RECOGNITION:

1) Brevard College Art Display at City Hall

For the second consecutive year, City Hall serves as the "summer home" to select pieces from Brevard College's annual Art Exhibition. The partnership between the City of Brevard and Brevard College allows students the opportunity to display their work, creates another art venue in the community, and mutually fulfills the respective missions of each organization (i.e. "cultivate community" and "encourages personal growth and inspires artistic, intellectual, and social action"). Dr. Anne Chapin will share information regarding the annual exhibit.

2) Terrell Scruggs Scholarship Award Winners

Chief Phil Harris will relay the process and results of selecting this year's recipients of the Terrell Scruggs scholarship.

3) Recognition of Police Department Promotions

Chief Phil Harris will introduce the officers who have recently been promoted.

4) Fire Chief James P. Aiken Fallen Firefighter Memorial

Acting Fire Chief James P. Aiken, who died in the line of duty on August 25, 1909, was recently inducted into the North Carolina Fallen Firefighters Memorial. Chief Budzinski will summarize the City of Brevard's participation in this memorial.

H SPECIAL PRESENTATION(S):

(Special Presentation is a time where Staff, Staff's contractors, or organizations appointed or contracted by the City, can provide detailed information on operations, topics furthering a Council policy, or responding to a Council directive. These presentations are only intended to provide Council information and do not require action. Speakers are limited to a maximum of fifteen (15) minutes.

1) Transylvania Partnership, Inc. Grant Report

Brevard City Council budgeted \$5,000 towards Transylvania Partnership, Inc.'s grant assistance program as a means to further the City's economic development goals. A representative from the Partnership will relay the details of a project that not only advances the nascent biotechnology industry within our community, but also creates a partnership with Brevard College to further the practical training opportunities for their students.

2) Manager's Recommended Budget and Fee/Rate Schedule for FY 2014

In accordance with the Local Government Budget and Fiscal Control Act (G.S. 159), the City Manager must submit the budget, together with a budget message, no later than June 1. The budget message contains a concise explanation of the governmental goals fixed by the budget for the budget year, explains important features of the activities anticipated in the budget, sets forth reasons for changes from previous year's program goals, and explains any major changes in fiscal policy. The budget will be placed on file with the City Clerk, with copies available for public inspection at the Transylvania County Public Library and Brevard College Library after the presentation to Council.

I PUBLIC PARTICIPATION

(Public Participation is a statutorily (G.S. 160A-81.1) mandated time reserved during Regular Council Meetings for speakers to speak on any topic unless the topic is a public hearing item. The protocol for this time is detailed in Council's Rules of Procedure. Generally, this time is reserved for Speakers to share comments with Council within a three (3) minute period, but it is not established as a question and answer session between the Speaker and Council. Should Council hear a topic of interest for further consideration they may have the topic placed as a future agenda item by following steps listed under the "Citizen Request through Public Participation" section of the Rules of Procedure.).

J. PUBLIC HEARING(S) and PUBLIC FORUM(S)

1) Brenton Conditional Zoning District & Official Zoning Map Amendment

The property owner is seeking an expansion of allowable uses to the property. The allowable uses requested by the applicant and the allowable uses recommended by Staff are enclosed in the attached Staff Report.

K. CONSENT and INFORMATION AGENDA

(All items listed below are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests.)

1) Staff Reports

Staff reports are periodic departmental summaries to give insight to operational duties and emerging trends.

a) Finance: Monthly Revenues and Expenditures Report

- + At nine months into the fiscal year, we're generally looking for receipts and expenditures to be centered on 75%.
- + Sweepstakes Privilege Licenses fees are pushing the revenue up.
- + Sales receipts look slow because the State reports them late and resultantly does not reflect the upward trend as our camp and tourism industries gear up.
- + Water revenue is down 8%. At this point we think the wet winter and spring has affected irrigation demand. It's unlikely this diminished demand is the result of any conservation message, but it is important to understand that successful conservation programs do reduce water demand and revenue.

b) Public Services: Monthly Report

- + The Kings Creek Basin Sewer Rehabilitation project is nearing completion. We're currently lining up paving contracting to initiate once pipe installation is complete.
- + Elm Bend sidewalk construction is well underway. The general contractor completed grading and curb work, and Public Services Staff is constructing the sidewalk.

c) Planning: Monthly Status Report on the "Cottages at Brevard"

The monthly report is a requirement of the Community Development Block Grant and offers a good review of progress to date.

2) Advisory Board Appointments:

a. Community Appearance

Council considers the reappointments of Bud Holland, Drew Dean, and Ann Hollingsworth.

b. Board of Adjustment

Council considers the application of Josh Burdette

3) Rules and Procedure Amendments: Audio/Visual /Digital Presentations to Council

Staff recommends a procedure and protocol to follow when receiving audio/visual presentations during Council meetings.

4) Records Retention Schedule

Staff recommends a retention schedule for a variety of public documents.

5) Traffic Schedule Amendment: Parking on Elm Bend Road

Staff recommends restricting parking along Elm Bend Road with the completion of the recent sidewalk.

L. UNFINISHED BUSINESS: None

M. NEW BUSINESS:

1) Resolution Supporting the Schenk Job Corps

In response to the Department of Labor's request for comments concerning the evaluation of Job Corps Centers throughout the United States, Council directed Staff to develop a Resolution of support for the Schenk Job Corps. This resolution highlights areas of success not considered in the DOL's study.

2) North Carolina General Assembly Legislative Update

In response to concerns over pending legislation in the General Assembly, Council directed Staff to summarize the details, fiscal impact, and local response to the most pressing legislation.

3) Budget Adjustment for Fire Grant Award

Chief Budzinski will highlight the successful efforts of securing a federal grant for equipment. Formally recognizing the grant amount and dedicating the funds to the appropriate account are also requirements of the Local Government Budget and Fiscal Control Act (G.S. 159).

4) Comprehensive Plan: Economic Development Workshop Follow-Up

Planning Director, Josh Freeman, will summarize the comments of Council's recent work-session and relay how this conversation will form the basis of policies and projects moving forward.

5) Recycling Program Recommendation

In response to a variety of citizen requests and a mail-in survey, Finance Director, Jim Fatland, and Public Services Director, David Lutz, will relay proposed changes to the City's recycling program to include the use of roll-out carts and bi-weekly pickup.

6) Declaration of Perpetual Land Use Restrictions upon the City's former Landfill

The North Carolina Department of Environment and Natural Resources (NCDENR), Division of Waste Management, proposes to grade, cap and seal the City of Brevard's former landfill, which is located off Illahee Road Extension. However, NCDENR requires that the City adopt a "Declaration of Perpetual Land Use Restrictions" (attached), which will limit future uses of the property and certain site-disturbing activities.

N. REMARKS BY OFFICIALS:

Recently, Councilman Charlie Landreth was elected Secretary of the Land of Sky Regional Council of Government's Executive Board, and was joined by Commissioner Chair, Mike Hawkins as At-Large Member. Councilman Rodney Locks is an At-Large member of the Council.

O. CLOSED SESSION(S): Requested

Public bodies are permitted to meet in closed session for a variety of reasons (G.S 143-318.11).

P. ADJOURN