

**MINUTES
BREVARD CITY COUNCIL
Regular Meeting
June 15, 2015 – 7:00 PM**

The Brevard City Council met in regular session on Monday, June 15, 2015, at 7:00 p.m. in the Council Chambers of City Hall with Mayor Jimmy Harris presiding.

Present - Mayor Jimmy Harris, Mayor Pro Tem Mac Morrow, Council Members Maurice Jones, Ann Hollingsworth, Wes Dickson and Charlie Landreth.

Staff Present - Interim City Manager and Finance Director Jim Fatland, City Attorney Mike Pratt, City Clerk Desiree Perry, HR Specialist/Deputy Clerk Jill Murray, Public Works Director David Lutz, Planner Aaron Bland, Assistant Planning Director Daniel Cobb, Parks & Property Management Director Lynn Goldsmith, Planning Director Josh Freeman, Fire Chief Craig Budzinski and Police Chief Phil Harris.

Press - Jeremiah Reed, Transylvania Times

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

B. Invocation - Pastor Dema Barishnikov, Destiny Christian Fellowship, offered an Invocation.

C. Pledge of Allegiance - Mayor Harris led in the Pledge of Allegiance.

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

E. Approval of Agenda - Mr. Landreth moved, seconded by Mr. Morrow, the Agenda be approved as presented. Motion carried unanimously.

F. Approval of Minutes - Mr. Morrow moved, seconded by Ms. Hollingsworth, the January 29 & 30 Retreat, May 18 Regular Meeting, and May 26, 2015, Budget Work Session meeting Minutes be approved subject to the following corrections: Jan. 30, Pg. 6, change Mr. Harris to Chief Harris, and, May 18, pg. 93 correct spelling of Dr. Riecke's name. Motion carried unanimously.

G. Certificates, Awards and Recognition

Terrell Scruggs Scholarship Recipients - The following 2015 Scholarship recipients were recognized and presented a Certificate: Jon Miller (not present), Mary Grace Morrow-Johnson, Hannah Sanders, Elizabeth Bailey (not present), Yahir Galarza, Meleah Owens, Hailey Putnam, and Suzannah Palumbo. Mayor Pro Tem signed and presented the Certificate to his granddaughter, Mary Grace Morrow-Johnson.

Brevard Cares - Certificates of Appreciation were presented to the following in recognition of their time and support of the 2015 Brevard Cares Clean-up: Destiny Christian Fellowship Church, The Church of Jesus Christ of Latter-Day Saints, Unitarian Universalists of Transylvania County, Brevard High School National Honor Society, Chairperson Jill Chapman of Transylvania County Abandoned Cemeteries, Phil and Nancy Davis, Nicola Karesh, Cindy Hyder, Joshua Freeman, Daniel Cobb, Aaron Bland, Janice Pinson, and Kerry Lindsay. (Not all of the above individuals were able to be in attendance.)

Certificate of Appreciation to Mr. Milton Tynch for his eight years of service on the Brevard ABC Board. (Mr. Tynch was not able to be in attendance.)

Recognition of Aaron Bland – Mayor Harris and Council recognized and congratulated Planner Aaron Bland for his May 11, 2015, achievement of entry into the American Institute of Certified Planners (AICP).

Arts and Culture Week Proclamation – Mayor Harris read aloud and presented the 2015 Arts and Culture Week Proclamation to Transylvania Community Arts Council Director Tammy Hopkins.

**Proclamation No. 2015-06
Arts and Culture Week
June 20 – July 4, 2015**

WHEREAS, the community of Brevard and Transylvania County is one of the most vibrant centers of arts and culture in WNC with 30+ arts organizations and 265+ art events a year and home to the Transylvania Community Arts Council, Brevard Music Center, The Porter Center for Performing Arts, Brevard Little Theatre, Brevard Philharmonic, Brevard Lumber Arts District, 13 downtown art galleries, 19 award winning sculptures, the Brevard 4th Friday Gallery Walks, The Fine Art & Craft Trail on Scenic 276 South - Potters Row, Brevard Community Band, Transylvania Art Guild, Conneestee Art League, Transylvania County Handcrafters' Guild, Transylvania Choral Society, Land of Waterfalls Camera Club, Transylvania County Library, Silvermont, Cradle of Forestry Historic Site, Allison-Deaver House and the Transylvania Heritage Museum; and

WHEREAS, these arts and cultural centers attract tourism with art events and music concerts that have a positive economic impact on the city and county; and

WHEREAS, artists can make a living to support their families and community through their creative work; and

WHEREAS, residents and visitors have abundant opportunities to enjoy music, dance, literature, storytelling, theatre, and visual arts and crafts; and children and adults alike may learn through participation in the arts; and

WHEREAS, diverse cultures are celebrated through art programs in the Transylvania County Schools, Rise and Shine, Boys and Girls Club, Transylvania County Library, The Transylvania Heritage Museum, and the Transylvania Community Arts Council; and

WHEREAS, the arts add beauty to our lives and community, therefore being an intrinsic component to our quality of life;

NOW, THEREFORE, I, JIMMY HARRIS, Mayor of the City of Brevard, NC, do hereby proclaim June 20-July 4, 2015 as **ARTS & CULTURE WEEK** within the City and call on all citizens to join me in recognizing and commending the Arts Organizations of Brevard and Transylvania County for providing artistic and cultural opportunities to the citizens and visitors of our community.

H. Public Hearing(s)

H-1. Galloway-Radford Historic Landmark Designation. Property located at 33 Deacon Lane, Brevard, and owned by Mark S. and Gay F. Case. (PIN 8585-68-8053-000) This public hearing was properly noticed and advertised on Monday, June 1, 2015.

Mayor Harris opened the public hearing at 7:42 P.M.

Transylvania County Planner, Mr. Chris Hnatin, explained the application process began in March 2014 and that the County has already held their required public hearing. He provided an overview of the application process for historic landmark designation, and he then described several unique features of the structure that supports the applicants request for historic landmark designation.

Public Hearing Public Participation – None

Public Hearing Closed – There being no questions or comments, Mayor Harris closed the hearing at 7:53 P.M.

H-2. City of Brevard Fiscal Year 2015-2016 Budget Ordinance and Fee Schedule. This public hearing was properly noticed and advertised on Monday, June 1st and 8th, 2015.

Mayor Harris opened the public hearing at 7:53 P.M.

Mr. Fatland stated that on May 18th he presented the Manager's proposed budget to Council. Review and discussion the proposed budget was done at the May 26th Budget Work Session. All funds combined total \$24,563,663. Proposed is a two cent (\$.02) tax increase; one cent for bike, pedestrian paths and sidewalk projects, and one cent for general revenue for daily operational expenses.

Public Hearing Public Participation

Mr. Rodney Locks, 187 South Rice Street, Brevard. Former City Council Member Mr. Locks stated he would appreciate it if the City would work towards making the budget smaller; asked what are the guidelines for use of the new proposed Mayor's discretionary funds; stated combining the manager, human resources and clerk departments into one department/account makes it hard to figure out the dollar amounts for each department; questioned why the utility reimbursement continues to rise; and, he asked if Council would consider not funding the Downtown Master Plan in order to reduce the need to raise taxes. He stated the City received a State PARTF Grant to fund land acquisition for Rosenwald Community Park, and asked, if there are plans for another State grant for park improvements? He expressed concern over lowering the utility minimum gallons rate as the increase in the utility bills will have a greater negative impact upon the people who are at the lower economic end and upon those who are on fixed incomes.

Mr. Fatland offered in reply to Mr. Locks' questions that Council approved a two cent tax increase for the Downtown Master Plan (DTMP) two years ago to pay for streetscape. The plan was to pledge this income toward debt for streetscape improvements. Proposed for this year is a two cent tax increase that would commit one cent for pedestrian paths and sidewalks and the other cent for General Fund (daily) operations. Council could consider deferring the DTMP improvement in lieu of a tax increase; however, staff prepared the budget with the direction that the DTMP improvements, pedestrian paths, and sidewalks are a priority.

The City in the past has raised rates, however, projected revenue has fallen short due to water consumption declining. The average customer uses 3,000 gallons. At the same time, the City will be undertaking more debt to address the water and sewer master plan projects. The debt this past year was \$340,000 and will increase to over 1 million dollars by FY 2018. In summary, raising rates 6% does not increase revenue by 6%. Lowering the minimum by 500 gallons raises approximately \$300,000. The impact on an individual customer reflects a monthly increase of \$7.50 per month for both water and sewer. We are aware of the negative impact upon some customers. We have been in contact with the UNC Chapel Hill School of Government who have developed an affordability model and how rates are compared to household incomes. They have also shared with staff what some cities have done to address this issue, such as, providing funds to local charities to administer a program for customers who cannot afford their utility bills. We will discuss programs such as this with the Public Works and Utility Committee. The goal of rate setting is to generate sufficient revenue to cover operations, debt service and capital improvements and at the same time be sensitive to our customers. That is why we review our rates using the affordability dashboard. It is extremely important to ensure we take on capital projects that are necessary and that our water and wastewater treatment plants, water distribution and sewer collection systems are run efficiently.

The City received a grant for \$447,000 for land acquisition. As of this date, we have not completed all the purchases. The State will not reimburse us until we complete the project. Yes, once this grant is closed out, the City will make an application for park improvements.

In reply to why the utility reimbursement continues to rise, the City has reimbursed only a portion of the General Fund costs provided by the Utility Fund. The proposed increase this year will bring us closer to the actual costs.

Fee Schedule – City Council members and staff reviewed the proposed fee schedule. Mr. Freeman offered it has been two years since the last significant changes to the City Planning Department fee schedule. Staff believes the increases are reasonable, and, will aid in cost recovery with the loss of Privilege License revenue.

Public Hearing Closed – There being no further questions or comments, Mayor Harris closed the hearing at 8:20 P.M.

H-3. Proposed UDO Text Amendment, Chapters 2, 3, and 5 to Establish Railroad Avenue Mixed-Use District Standards. This public hearing was properly noticed and advertised on Monday, June 1st and 8th, 2015.

Mayor Harris opened the public hearing at 8:20 P.M.

Mr. Freeman offered information from the staff report (on file) and explained last month Council held a public hearing to discuss the Railroad Avenue Mixed Use District map. Tonight the public hearing is to discuss the staff and Planning Board recommended text for the Railroad Avenue Mixed Use Zoning District (area as shown in purple on the map). In the fall of 2014 the Planning Board rendered a favorable recommendation for the proposed text amendments.

Included in the drafted Ordinance are a few other miscellaneous amendments unrelated to Railroad Avenue. These amendments are intended to clean up or clarify current City Code text.

Public Hearing Public Participation

Mr. Rodney Locks, 187 South Rice Street, Brevard. Former Council Member Mr. Locks asked if the proposed district (shown in purple) would allow for Tiny Houses.

Mr. Freeman replied, "Yes, as a secondary dwelling."

Ms. Susan Gilbert, 684 Probart Street, Brevard. Ms. Gilbert expressed concern with the recommendation to include Probart Street within the Railroad Avenue Mixed Use District. Probart Street is a residential street, and she does not want it changed to mixed use as it would allow for commercial uses. Probart already has its fair share of traffic and to encourage or allow businesses (mixed use) would just increase the traffic and would change the character of their residential neighborhood.

Mr. Jacob Dinkins, 500 West Probart Street, Brevard. Asked Council to not vote to accept the Plan as has been presented. He does not desire to have Probart Street included, and, believes to go from residential to mixed use zoning is too large a jump.

Public Hearing Closed – There being no further questions or comments, Mayor Harris closed the hearing at 8:49 P.M.

~~ At 8:50 P.M. Mayor Harris called for a ten minute break. ~~

H-4. Proposed UDO Text, Chapter 12 Signs, Amend Section 12.11.A.1 to Reduce the Separation Requirement and Amend Section 12.11.A.9 Providing a Sign Panel for All Tenants or Businesses. This public hearing was properly noticed and advertised on Thursday, June 4th and 11th, 2015.

Mayor Harris opened the public hearing at 9:01 P.M.

Mr. Cobb offered information from the staff report (on file) and explained Egolf Motors located on the Asheville Highway wants another ground sign; however, current

sign standards requires a minimum 500 foot separation between ground signs along the same street frontage. Egolf has requested the City's consideration to reduce the separate requirement to 300'. Doing so would allow them to place an additional sign to assist the public in knowing where their main business entrance is, as all too frequently folks are making entrance by means of the business delivery entrance. If adopted, this amendment would only be applicable to signage within a group development.

The second amendment would make provision to allow a sign panel for all tenants or businesses within the same development.

Planning Board recommended Council's approval at their May meeting.

Public Hearing Public Participation – None

Public Hearing Closed – There being no further questions or comments, Mayor Harris closed the hearing at 9:07 P.M.

I. Public Participation - None

J. Special Presentation(s)

J-1. South Mountains Regional Hazard Mitigation Plan – Mr. Kevin Shook, Transylvania County Communications Director and Addressing Coordinator, presented the Four-County Hazard Mitigation Plan. He explained this is the third edition of the Plan, with the first being adopted in 2005 and the second in 2011. In 2013, FEMA put out a bulletin explaining that grant dollars to update a Plan would require it to be a regionalized multi-county Plan. Proposed Plan consists of Transylvania, Henderson, Polk and Rutherford Counties. Adoption of the Plan will provide these Counties with the ability to apply for federal grants. He asked for City Council's formal adoption of the Plan.

K. Consent Agenda and Information - 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, to add an item(s) to the Consent Agenda. Mayor suggested New business Item M-1 Galloway-Radford House be added, M-2 UDO Text Amendments on Signs; and, M-6 Brevard Housing Authority appointment of Tamara Heinemann as recommended by the Brevard Housing Authority, be added to the consent agenda.

Mr. Morrow moved, seconded by Ms. Hollingsworth, the Consent Agenda be amended to add New Business Items M-1, M-2, M-6b, and M-8 Resolution to Adopt the South Mountain Regional Hazard Mitigation Plan, and the Consent Agenda be adopted as amended. Motion carried unanimously. Consent correspondence items were accepted as information only, no action. The following ten items were approved:

K-1. Resolution No. 2015-13 Establishing the City Council Public Safety (Police and Fire) Committee

RESOLUTION NO. 2015-13 RESOLUTION ESTABLISHING THE CITY COUNCIL PUBLIC SAFETY (POLICE AND FIRE) COMMITTEE

WHEREAS, the Brevard City Council initiated five new City Council Committees at their April 20, 2015, meeting. City Council Committees will operate as policy review and discussion arms of City Council, providing an opportunity to explore implications of policy alternatives and the policy development process while serving in an advisory capacity to Council as a whole; and

WHEREAS, Committees will review policy matters referred to them, inform and educate Council on existing City programs and issues, and review other related matters. City Council Committees will not become involved in City administration but instead are expected to anticipate the full range of considerations and concerns related to various policy questions. When participating on Committees, members are expected to temper their role as policy advocates in order to fully evaluate all alternatives; and

WHEREAS, each Committee shall be composed of two City Council members, one to serve as Chair and the other serving as Vice Chair, with the Mayor appointing the Chair and Vice-Chair of the Committee. The Mayor will serve ex officio. Although not required, each Committee may have citizen members appointed by City Council utilizing the same application appointment process as required for appointment to Citizen Advisory Boards or Committees.

WHEREAS, the initial appointment term of City Council members shall be from April 20, 2015, to December 31, 2015. Thereafter, appointed Council members will serve a two year term beginning January 1 following an election. Citizen members shall serve a two year term ending in May. City Directors and staff members (by position) are permanent Committee members; and

WHEREAS, the Brevard City Council approved establishing the "City Council Public Safety (Police and Fire) Committee", as one of the five Committees. The purpose of the Committee is to review and make recommendations to the City Council on major equipment and apparatus purchases, new facilities and/or renovations, staffing levels, community outreach, fire and police programs, and other matters in the Police and Fire Departments.

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

Section 1. Brevard City Council approved the appointment of Council Member Maurice Jones (Chair) and Mayor Pro Tem Mac Morrow (Vice-Chair) to serve on the City Council Public Safety (Police and Fire) Committee, along with Mayor Jimmy Harris as "ex officio", at their April 20, 2015, meeting. Their initial term to serve will be April 20, 2015 – December 31, 2015.

Section 2. The City Council Public Safety (Police and Fire) Committee will soon schedule its initial organizational meeting.

Section 3. The City Council Public Safety (Police and Fire) Committee shall consist of the following members and terms of office:

Two City Council Members	Two Year Term; Appointments in January
City Manager	Permanent
Police Chief	Permanent
Fire Chief	Permanent
Mayor	Ex Officio

Section 4. The City Council Public Safety (Police and Fire) Committee will fix a scheduled date and time to meet, or, will meet on an as needed basis. All meetings are subject to the Open Meeting laws and Notice requirements. Minutes shall be provided by a City staff member or their representative.

Section 5. Restriction on Quorum. This Committee shall not meet unless at least one of the City Council Members who are Committee members is present.

Section 6. Purpose. The purpose of this Committee is to help Council investigate and explore areas of need and future planning for the subject area of this Committee. It is expected that the Council members, rather than the Committee as a whole or by majority, will report back to Council with ideas and recommendations. One or both Council members shall serve as Committee Chair. Therefore, no votes shall be taken unless a motion is made by one of the Council members, in which event those Committee members present shall be entitled to vote on a motion made, once a second is offered.

Section 7. Citizen Committee Members are Optional. Citizen Committee members need not be appointed and if not, the Committee will serve as a full committee without them. If appointed, they may be re-appointed for up to three successive terms.

Approved and adopted this the 15th day of June, 2015.

K-2. Resolution No. 2015-14 Establishing the City Council Parks, Trails and Recreation Committee

**RESOLUTION NO. 2015-14
RESOLUTION ESTABLISHING THE CITY COUNCIL
PARKS, TRAILS AND RECREATION COMMITTEE**

WHEREAS, the Brevard City Council initiated five new City Council Committees at their April 20, 2015, meeting. City Council Committees will operate as policy review and discussion arms of City Council, providing an opportunity to explore implications of policy alternatives and the policy development process while serving in an advisory capacity to Council as a whole; and

WHEREAS, Committees will review policy matters referred to them, inform and educate Council on existing City programs and issues, and review other related matters. City Council Committees will not become involved in City administration but instead are expected to anticipate the full range of considerations and concerns related to various policy questions. When participating on Committees,

members are expected to temper their role as policy advocates in order to fully evaluate all alternatives; and

WHEREAS, each Committee shall be composed of two City Council members, one to serve as Chair and the other serving as Vice Chair, with the Mayor appointing the Chair and Vice-Chair of the Committee. The Mayor will serve *ex officio*. Although not required, each Committee may have citizen members appointed by City Council utilizing the same application appointment process as required for appointment to Citizen Advisory Boards or Committees; and

WHEREAS, the initial appointment term of City Council members shall be from April 20, 2015, to December 31, 2015. Thereafter, appointed Council members will serve a two year term beginning January 1 following an election. Citizen members shall serve a two year term ending in May. City Directors and staff members (by position) are permanent Committee members; and

WHEREAS, the Brevard City Council approved establishing the "City Council Parks, Trails and Recreation Committee", as one of the five Committees. The purpose of the Committee is to develop, recommend, and coordinate implementation of recreation and pedestrian plans and policies to City Council.

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

Section 1. Brevard City Council approved the appointment of Council Member Wes Dickson (Chair) and Council Member Ann Hollingsworth (Vice-Chair) to serve on the City Council Parks, Trails and Recreation Committee, along with Mayor Jimmy Harris as "*ex officio*", at their April 20, 2015, meeting. Their initial term to serve will be April 20, 2015 – December 31, 2015.

Section 2. The City Council Parks, Trails and Recreation Committee met on June 4, 2015, for its initial organizational meeting.

Section 3. The City Council Parks, Trails and Recreation Committee shall consist of the following members and terms of office:

Two City Council Members	Two Year Term; Appointments in January
City Manager	Permanent
Parks and Property Management Director	Permanent
Planning Director	Permanent
Four Citizen Appointments	Two Year Term; Terms end in May
Mayor	<i>Ex Officio</i>

Section 4. The initial four citizen appointments shall be those citizens who were appointed by Resolution No. 2014-15 to serve on the "Pedestrian Planning / Bicycle Task Force". They are: Jimmy Perkins, Colin Izzard, Ben Hardy and Dr. Marty Ingram.

Section 5. The Pedestrian Planning / Bicycle Task Force (Resolution 2014-15) is hereby dissolved.

Section 6. The City Council Parks, Trails and Recreation Committee will fix a scheduled date and time to meet, or, will meet on an as needed basis. All meetings are subject to the Open Meeting laws and Notice requirements. Minutes shall be provided by a City staff member or their representative.

Section 7. Restriction on Quorum. This Committee shall not meet unless at least one of the City Council Members who are Committee members is present.

Section 8. Purpose. The purpose of this Committee is to help Council investigate and explore areas of need and future planning for the subject area of this Committee. It is expected that the Council members, rather than the Committee as a whole or by majority, will report back to Council with ideas and recommendations. One or both Council members shall serve as Committee Chair. Therefore, no votes shall be taken unless a motion is made by one of the Council members, in which event those Committee members present shall be entitled to vote on a motion made, once a second is offered.

Section 9. Citizen Committee Members are Optional. Citizen Committee members need not be appointed and if not, the Committee will serve as a full committee without them. If appointed, they may be re-appointed for up to three successive terms.

Approved and adopted this the 15th day of June, 2015.

K-3. Resolution No. 2015-15 Establishing the City Council Finance and Human Resources Committee

**RESOLUTION NO. 2015-15
RESOLUTION ESTABLISHING THE CITY COUNCIL
FINANCE AND HUMAN RESOURCES COMMITTEE**

WHEREAS, the Brevard City Council initiated five new City Council Committees at their April 20, 2015, meeting. City Council Committees will operate as policy review and discussion arms of City Council, providing an opportunity to explore implications of policy alternatives and the policy development process while serving in an advisory capacity to Council as a whole; and

WHEREAS, Committees will review policy matters referred to them, inform and educate Council on existing City programs and issues, and review other related matters. City Council Committees will not become involved in City administration but instead are expected to anticipate the full range of considerations and concerns related to various policy questions. When participating on Committees, members are expected to temper their role as policy advocates in order to fully evaluate all alternatives; and

WHEREAS, each Committee shall be composed of two City Council members, one to serve as Chair and the other serving as Vice Chair, with the Mayor appointing the Chair and Vice-Chair of the Committee. The Mayor will serve *ex officio*. Although not required, each Committee may have citizen members appointed by City Council utilizing the same application appointment process as required for appointment to Citizen Advisory Boards or Committees; and

WHEREAS, the initial appointment term of City Council members shall be from April 20, 2015, to December 31, 2015. Thereafter, appointed Council members will serve a two year term beginning January 1 following an election. Citizen members shall serve a two year term ending in May. City Directors and staff members (by position) are permanent Committee members; and

WHEREAS, the Brevard City Council approved establishing the "City Council Finance and Human Resources Committee", as one of the five Committees. The purpose of the Committee is to review and make recommendations to the City Council on major financings, financial and accounting software upgrades, information technology upgrades, annual audited financial reports, employee medical program and benefits, personnel policies and other finance and human resources matters.

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

Section 1. Brevard City Council approved the appointment of Council Member Charlie Landreth (Chair) and Council Member Wes Dickson (Vice-Chair) to serve on the City Council Finance and Human Resources Committee, along with Mayor Jimmy Harris as "*ex officio*", at their April 20, 2015, meeting. Their initial term to serve will be April 20, 2015 - December 31, 2015.

Section 2. The City Council Finance and Human Resources Committee will soon schedule its initial organizational meeting.

Section 3. The City Council Finance and Human Resources Committee shall consist of the following members and terms of office:

Two City Council Members	Two Year Term; Appointments in January
City Manager	Permanent
Finance Director	Permanent
Human Resources Director	Permanent
Mayor	<i>Ex Officio</i>

Section 4. The City Council Finance and Human Resources Committee will fix a scheduled date and time to meet, or, will meet on an as needed basis. All meetings are subject to the Open Meeting laws and Notice requirements. Minutes shall be provided by a City staff member or their representative.

Section 5. Restriction on Quorum. This Committee shall not meet unless at least one of the City Council Members who are Committee members is present.

Section 6. Purpose. The purpose of this Committee is to help Council investigate and explore areas of need and future planning for the subject area of this Committee. It is expected that the Council members, rather than the Committee as a whole or by majority, will report back to Council with ideas and recommendations. One or both Council members shall serve as Committee Chair. Therefore, no votes shall be taken unless a motion is made by one of the Council members, in which event those Committee members present shall be entitled to vote on a motion made, once a second is offered.

Section 7. Citizen Committee Members are Optional. Citizen Committee members need not be appointed and if not, the Committee will serve as a full committee without them. If appointed, they may be re-appointed for up to three successive terms.

Approved and adopted this the 15th day of June, 2015.

K-4. Resolution No. 2015-16 Establishing the City Council Downtown Master Plan Committee

RESOLUTION NO. 2015-16
RESOLUTION ESTABLISHING THE CITY COUNCIL
DOWNTOWN MASTER PLAN COMMITTEE

WHEREAS, the Brevard City Council initiated five new City Council Committees at their April 20, 2015, meeting. City Council Committees will operate as policy review and discussion arms of City Council, providing an opportunity to explore implications of policy alternatives and the policy development process while serving in an advisory capacity to Council as a whole; and

WHEREAS, Committees will review policy matters referred to them, inform and educate Council on existing City programs and issues, and review other related matters. City Council Committees will not become involved in City administration but instead are expected to anticipate the full range of considerations and concerns related to various policy questions. When participating on Committees, members are expected to temper their role as policy advocates in order to fully evaluate all alternatives; and

WHEREAS, each Committee shall be composed of two City Council members, one to serve as Chair and the other serving as Vice Chair, with the Mayor appointing the Chair and Vice-Chair of the Committee. The Mayor will serve ex officio. Although not required, each Committee may have citizen members appointed by City Council utilizing the same application appointment process as required for appointment to Citizen Advisory Boards or Committees; and

WHEREAS, the initial appointment term of City Council members shall be from April 20, 2015, to December 31, 2015. Thereafter, appointed Council members will serve a two year term beginning January 1 following an election. Citizen members shall serve a two year term ending in May. City Directors and staff members (by position) are permanent Committee members; and

WHEREAS, the Brevard City Council approved establishing the "City Council Downtown Master Plan Committee", as one of the five Committees. The purpose of the Committee is to recommend to City Council policy and direction on the matters of the Downtown Master Plan, streetscape, redevelopment, economic development, parking, improved communication with partners for the improvement of the downtown, and other matters of the downtown.

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

Section 1. Brevard City Council approved the appointment of Council Member Ann Hollingsworth (Chair) and Council Member Charlie Landreth (Vice-Chair) to serve on the City Council Downtown Master Plan Committee, along with Mayor Jimmy Harris as "ex officio", at their April 20, 2015, meeting. Their initial term to serve will be April 20, 2015 – December 31, 2015.

Section 2. The City Council Downtown Master Plan Committee is scheduled to meet on Thursday, June 11, 2015 for its initial organizational meeting.

Section 3. The City Council Downtown Master Plan Committee shall consist of the following members and terms of office:

Two City Council Members	Two Year Term; Appoint in January
City Manager	Permanent
Planning Director (<i>or Dept. representative</i>)	Permanent
Two Heart of Brevard Executive Representatives	Permanent
Four Citizen Appointments	Two Year Term; term ends in May
Mayor	<i>Ex Officio</i>

Section 4. The City Council Downtown Master Plan Committee will fix a scheduled date and time to meet, or, will meet on an as needed basis. All meetings are subject to the Open Meeting laws and meeting Notice requirements. Minutes shall be provided by a City staff member or their representative.

Section 5. Restriction on Quorum. This Committee shall not meet unless at least one of the City Council Members who are Committee members is present.

Section 6. Purpose. The purpose of this Committee is to help Council investigate and explore areas of need and future planning for the subject area of this Committee. It is expected that the Council members, rather than the Committee as a whole or by majority, will report back to Council with ideas and recommendations. One or both Council members shall serve as Committee Chair. Therefore, no votes shall be taken unless a motion is made by one of the Council members, in which event those Committee members present shall be entitled to vote on a motion made, once a second is offered.

Section 7. Citizen Committee Members are Optional. Citizen Committee members need not be appointed and if not, the Committee will serve as a full committee without them. If appointed, they may be re-appointed for up to three successive terms.

Approved and adopted this the 15th day of June, 2015.

K-5. Public Works Department April 2015 Report**K-6. Finance Department May 2015 Report****K-7. Correspondence - No Action. (*Offered to Council as information only.*)**

- a. 2015 Municipal Election, Filing period July 6-17, 2015
- b. NCDENR Lead & Copper Sampling Audit (May 7, 2015)
- c. ABC Board Proposed 2016 Budget
- d. May 2015 Transylvania County Building Department Permit Activity.

K-8. (M-1) Ordinance No. 2015-11 Ordinance Designation As An Historic Landmark the Galloway-Radford House**ORDINANCE NO. 2015-11**

AN ORDINANCE DESIGNATING AS AN HISTORIC LANDMARK CERTAIN PROPERTY KNOWN AS THE GALLOWAY-RADFORD HOUSE AS IS MORE SPECIFICALLY DESCRIBED IN A DEED IN THE TRANSYLVANIA COUNTY REGISTER OF DEEDS OFFICE, IN DEED BOOK 326, AT PAGE 525, AND BEING DATED 2005, SAID PROPERTY BEING OWNED BY MARK S. AND GAY F. CASE. THE PARCEL OF LAND BEING ESPECIALLY DESIGNATED IS THE ENTIRE EXTERIOR OF THE HOUSE LOCATED ON THE LAND LISTED UNDER TAX PARCEL NO. 8585-68-8053-000 IN THE TRANSYLVANIA COUNTY TAX OFFICE, BREVARD, NORTH CAROLINA.

WHEREAS, all the prerequisites to the adoption of this Ordinance described in Chapter 160A, Article 19, as amended of the North Carolina General Statutes and Ordinance No. 1997-26 of the City of Brevard have been fully completed; and

WHEREAS, the City Council has taken into full consideration all statements and information presented during a public hearing held June 15, 2015, on the question of designating certain property known as the Galloway-Radford House as a historic landmark; and

WHEREAS, the Galloway-Radford House was built in or near the year 1905 as a residence; and

WHEREAS, the Galloway-Radford House possesses special significance in terms of its late Victorian/Queen Anne form with Colonial Revival architecture and includes three distinctive three bay windows topped with pedimented gables, a prominent wrap around porch supported by Tuscan columns, pebbledash finished exterior, and brick pilasters accenting the corners of the structure; and

WHEREAS, the Galloway-Radford House possesses special significance in terms of its prominent location at the end of East Main Street and being a said contributing parcel to the East Main Street National Historic District; and

WHEREAS, the property known as the Galloway-Radford House is presently owned by Mark S. and Gay F. Case;

NOW, THEREFORE, be it ordained by the City Council of Brevard, North Carolina:

1. That the property known as the Galloway Radford House (including the entire exterior of the building on the parcel listed under Tax parcel No. 8585-68-8053-000) is hereby designated as an historic landmark pursuant to Chapter 160A, Article 19, as amended, of the North Carolina General Statutes and Ordinance No. 1997-26 of the City of Brevard. The location of said landmark is hereby noted as being situated at 33 Deacon Lane, Brevard, North Carolina. The exterior features of the Galloway-Radford House are more completely described in the Application for Local Historic Landmark Status, dated October 29, 2013.

2. That said designated historic landmark may be materially altered, restored, moved or demolished only following the issuance of a Certificate of Appropriateness by the Joint Historic Preservation Commission. With regard to issuance of any Certificate of Appropriateness, the provisions of Ordinance No. 1997-26 of the City of Brevard shall control.

3. This Ordinance shall not be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature in the event that a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed or interpreted to prevent the owner of the historic landmark from making any use not prohibited by other statutes, ordinance or regulations, including the zoning ordinance of the City of Brevard.

4. A suitable sign may be posted on the property with the owners' permission or near the property in the city right-of-way, indicating that said property has been designated as an historic landmark, and containing any other appropriate information. Such sign must comply with the Sign Ordinance of the City of Brevard.

5. The owner of the historic landmark known as the Galloway-Radford House shall be given notice of this Ordinance as required by law, and a certified copy of this Ordinance shall be filed and indexed in the offices of the Transylvania County Register of Deeds and Brevard City Clerk.

6. The Galloway Radford House is hereby designated as an historic landmark, shall be subject to the provisions of Chapter 160A, Article 19, as amended, of the North Carolina General Statutes, as well as any subsequent amendments thereto, and Ordinance No. 1997-26 of the City of Brevard, as well as any subsequent amendments thereto.

This Ordinance shall be effective upon its adoption and approval.

Adopted and approved this 15th day of June, 2015.

K-9. (M-2) Ordinance No. 2015-12 UDO Text Amendment, Chapter 12 Signs, Group Developments, Add Section 12.11.A.9 and Amend Section 12.11.A.1

ORDINANCE NO. 2015-12

AN ORDINANCE AMENDING THE CITY OF BREVARD UNIFIED DEVELOPMENT ORDINANCE CHAPTER 12. SIGNS REGARDING GROUND SIGNS IN GROUP DEVELOPMENTS

WHEREAS, the City of Brevard Planning Board and Planning Department Staff have recommended that Brevard City Code, Unified Development Ordinance, Chapters 12. Signs, be amended to provide for additional flexibility in the proximity of ground signs in group developments, and that all tenants be represented on such signs; and,

WHEREAS, Brevard City Council finds that these proposed amendments are consistent with the City of Brevard Land Use Plan and other plans and policies of the City of Brevard; and,

WHEREAS, a public hearing was conducted on Monday, May 18, 2015 and Monday, June 15, 2015, by Brevard City Council, and, after hearing all persons wishing to comment, and upon review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard that Brevard City Code, Unified Development Ordinance, be amended as outlined below.

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

SECTION 01. Brevard City Code, Unified Development Ordinance, Chapter 12. Signs, Subsection 12.11.A.1 is hereby amended to read as follows:

No part of any ground sign shall be closer than 300 feet to any part of another ground sign within the same development along the same street frontage.

SECTION 02: Brevard City Code, Unified Development Ordinance, Chapter 12. Signs, Subsection 12.11.A.9 is hereby established and enacted and shall read as follows:

New ground signs shall be designed to provide a sign panel for all tenants or business units within the same development. When multiple ground signs are employed within the same development, the property owner may distribute tenant panels among the various signs at his or her discretion.

SECTION 03. As to any conflict between this Ordinance and any parts of existing Ordinances, the provisions of this Ordinance shall control.

SECTION 04. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 05. The enactment of this Ordinance shall in no way affect the running of any Amortization provisions or enforcement actions, or otherwise cure any existing zoning violations.

SECTION 06. This Ordinance shall be in full force and effect from and after the date of its adoption.

Adopted and approved this the 15th day of June, 2015.

K-10. (M-6b) Board and Committee Appointment – The Board of Commissioners of the Brevard Housing Authority recommended Ms. Tamara Heinemann be appointed to fill the unexpired term of Ron Rutherford. As recommended, City Council appointed Ms. Tamara M. Heinemann to serve on the Brevard Housing Authority with the term set to expire November 2020.

K-11. (M-8) Resolution No. 2015-17 To Adopt the South Mountain Regional Hazard Mitigation Plan

**RESOLUTION NO. 2015-17
A RESOLUTION TO ADOPT THE
SOUTH MOUNTAINS REGIONAL HAZARD MITIGATION PLAN**

WHEREAS, the City of Brevard is vulnerable to an array of natural hazards that can cause loss of life and damages to public and private property; and

WHEREAS, the City of Brevard desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and

WHEREAS, it is the intent of the Brevard City Council to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan; and

WHEREAS, it is also the intent of the Brevard City Council to fulfill its obligation under North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting the City of Brevard; and

WHEREAS, the City of Brevard, in coordination with Henderson County, Flat Rock, Fletcher, Hendersonville, Laurel Park, Polk County, Columbus, Saluda, Tryon, Rutherford County, Bostic, Chimney Rock Village, Ellenboro, Forest City, Lake Lure, Ruth, Rutherfordton, Spindale, Transylvania County and the Town of Rosman has prepared a multi-jurisdictional hazard mitigation plan with input from the appropriate local and state officials; and

WHEREAS, the North Carolina Division of Emergency Management and the Federal Emergency Management Agency have reviewed the South Mountains Regional Hazard Mitigation Plan for legislative compliance and has approved the plan pending the completion of local adoption procedures.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brevard, North Carolina, hereby:

Adopts the South Mountains Regional Hazard Mitigation Plan; and

Agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.

Approved and adopted on this the 15th day of June, 2015.

L. Unfinished Business - None

M. New Business

M-3. Drafted Ordinance No. 2015-_____ Amending the Official Zoning Map to Implement the Railroad Avenue Small Area Plan; and

M-4. Drafted Ordinance No. 2015-_____ UDO Text Amendment, Chapters 2, 3, and 5, To Establish Railroad Avenue Mixed-Use District Standards

Mayor Harris explained these two items upon the Agenda are closely connected/related to one another. This first one is for consideration of an ordinance establishing the Railroad Avenue Small Area Plan zoning map; and the next (M-4) is to consider an ordinance providing the zoning text/standards for the Railroad Avenue Small Area Plan.

Council members discussed both the map and drafted text.

Mr. Jones moved that both the Railroad Avenue Small Area Plan map ordinance (M-3) and the proposed text amendment ordinance (M-4), be tabled. Motion was seconded by Mr. Morrow.

Discussion on the Motion: Mr. Landreth suggested with the motion to table that Council describe their concerns in order to include some direction to the Staff and Planning Board.

Described were:

1. Prefer the Comprehensive Plan be completed first.
2. Probart Street – Residents of Probart Street in attendance at tonight's public hearing have asked that their street not be included in the Railroad Avenue Small Area Plan. Having heard their concerns, Council is inclined to agree.
3. Probart Street – Sensitive to the residents concern that to change to mixed use would allow commercial element to come into the neighborhood. Protection of neighborhood is fundamental to our Ordinances. Need to be careful to not change historical neighborhoods.
4. We already have mixed use district from Caldwell to Railroad Avenue. Would like to know the rational for, and what would be accomplished by, extending mixed use district to the city limits.
5. Better define the City's goals in the Railroad Avenue Small Area Plan. Are they to accomplish real estate value impact on the market? Provide for small scale industrial opportunities? Mixed use to bring about higher density?
6. West Loop. When the West Loop goes through, it will likely put more traffic pressure on Probart Street, and, could result in some changes to the character of the neighborhood. Important we have a pretty good idea conceptually what the impact of the West Loop will be. How do we use our zoning map to protect the residential character? Tendency for a road like the West Loop is to be commercial.

Vote on the Motion to table: Motion carried unanimously

M-5. Ordinance No. 2015-13 Fiscal Year 2015-2016 Budget Ordinance and Fee Schedule

Council reviewed and discussed the drafted Budget Ordinance and Fee Schedule and expressed concerns with the proposed increases in the Planning Department fee schedule. Discussed keeping the current (FY2014-15) planning department fee schedule while adopting the other proposed fee schedule changes (Franklin Park Pool, Leache, and utility minimum gallon). Briefly discussed the Special Event fees with Mr. Dickson suggesting the City consider adding the "Assault on the Carolinas" as a City sponsored special event, and, he asked if Council should wait until August to decide on whether or not to lower the water gallon rate as proposed in the Fee Schedule.

Mr. Fatland advised, if Council desires, a Resolution could be drafted to include the Assault on the Carolinas as a City sponsored special event for Council's consideration at their August meeting.

Mr. Morrow moved, seconded by Mr. Landreth, Council adopt the Budget Ordinance as presented and to adopt the Fee Schedule changes of the 2 cent tax increase, Franklin Park Pool fees, Leache fees and to lower the utility minimum gallons; however, not adopt the proposed Planning Department fee increases but rather have those fees remain as they exist today in the FY 2014-15 Fee Schedule.

Discussion: Revisit the Fee Schedule in August at Work Session or in September.

Vote on Motion: Unanimous

ORDINANCE NO. 2015-13

CITY OF BREVARD FY 2015-2016 BUDGET ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA:

Section 1. The following amounts are hereby appropriated in the General Fund for the operation of the City Government and its activities for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016 in accordance with the Chart of Accounts heretofore established for the City of Brevard:

	Budget
Governing Body	\$113,268.00
Administrative	\$607,656.00
Finance	\$689,998.00
Legal	\$63,000.00
Planning	\$696,276.00
Parks & Property	\$550,497.00
Police	\$2,538,171.00
Public Services	\$0.00
• Administration	\$320,938.00
• Garage	\$571,461.00
• Streets Local	\$659,217.00
• Streets Powel Bill	\$222,000.00
• Sanitation	\$722,024.00
• Total Public Services	\$0.00
Recreation	\$98,316.00
Non-Departmental	\$746,628.00
Economic Development	\$69,000.00
TOTAL EXPENDITURES	\$8,668,450.00

Section 2. It is estimated that the following revenues will be available to the General Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Taxes & Licenses/Permits	\$6,101,700.00
Inter-Government Revenues - NC	\$0.00
Refuse Collection Fees	\$877,000.00
Transfer from Other Funds	\$575,100.00
Contractual Fees	\$0.00
Charges to Utility Fund	\$395,000.00
ABC Revenue	\$125,000.00
Other Revenue	\$509,650.00
Fund Balance Appropriated - Capital Budget	\$85,000.00
TOTAL REVENUES	\$8,668,450.00

Section 3. The following amounts are hereby appropriated in the Water and Sewer Utility Fund for the operation of said utilities for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Water Plant Operations	\$894,422.00
Water Distrubution	\$492,974.00
Waste Water Treatment Plant Operations	\$1,244,896.00
Sewer Collection	\$771,332.00
Non-Departmental	\$1,115,207.00
Contingency	\$159,669.00
TOTAL EXPENDITURES	\$4,678,500.00

Section 4. It is estimated that the following revenues will be available to the Water and Sewer Utility Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Water Billings	\$2,350,000.00
Sewer Billings	\$2,120,000.00
Meter Fees	\$136,000.00
Other Revenues	\$72,500.00
TOTAL REVENUES	\$4,678,500.00

Section 5. The following amounts are hereby appropriated in the Heart of Brevard Municipal Service District Tax Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Contract Services	\$0.00
Transfer to General Fund	\$120,700.00
TOTAL EXPENDITURES	\$120,700.00

Section 6. It is estimated that the following revenues will be available to the Heart of Brevard Municipal Service District Tax Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Service District Tax - Current & Prior Years	\$120,700.00
Fund Balance Appropriated	\$0.00
TOTAL REVENUES	\$120,700.00

Section 7. The following revenues will be continued for the Capital Reserve Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Fund Balance Appropriated	\$0.00
Impact Fees & Interest Income	\$20,000.00
Transfer from Utility Funds	\$0.00
TOTAL REVENUES	\$20,000.00

Section 8. The following expenditures will be continued for the Capital Reserve Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Transfer to Utility Capital Projects Fund	\$0.00
Incorporate in Fund Balance	\$20,000.00
TOTAL EXPENDITURES	\$20,000.00

Section 9. The following amounts are hereby appropriated in the Bjerg Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Transfer to General Fund	\$100.00
TOTAL EXPENDITURES	\$100.00

Section 10. It is estimated that the following revenues will be available to the Bjerg Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Interest on Investments	\$100.00
TOTAL EXPENDITURES	\$100.00

Section 11. The following amounts are hereby appropriated in the Fire District Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Operations, Capital, & Debt Expenditures	\$648,530.00
TOTAL EXPENDITURES	\$648,530.00

Section 12. It is estimated that the following revenues will be available to the Fire District Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Transfer from General Fund	\$339,830.00
Fire District Tax	\$308,700.00
TOTAL REVENUES	\$648,530.00

Section 13. The following amounts are hereby appropriated in the Multi-Use Paths Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Pedestrian/Bike Path	\$90,000.00
Eng. & Construction (West Loop Phase 1)	\$107,000.00
Eng. & Construction (Railroad Ave.)	\$100,000.00
TOTAL EXPENDITURES	\$297,000.00

Section 14. It is estimated that the following revenues will be available to the Multi-Use Paths Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Transfer from General Fund	\$90,000.00
Fund Balance Appropriated	\$207,000.00
TOTAL REVENUES	\$297,000.00

Section 15. The following amounts are hereby appropriated in the Narcotics Task Force for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Operating Expenses	\$45,100.00
TOTAL EXPENDITURES	\$45,100.00

Section 16. It is estimated that the following revenues will be available to the Narcotics Task Force for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Transylvania County	\$15,000.00
Transfer from General Fund	\$15,000.00
State Controller Payments	\$10,000.00
Federal Asset Fund - Sheriff	\$0.00
Federal Asset Fund - Police	\$5,000.00
Interest in Investments	\$100.00
TOTAL REVENUES	\$45,100.00

Section 17. The following amounts are hereby appropriated in the Downtown Master Plan for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Clemson Park & Other Downtown Improv.	\$300,000.00
Design & Construction Costs	\$511,167.00
TOTAL EXPENDITURES	\$811,167.00

Section 18. It is estimated that the following revenues will be available to the Downtown Master Plan for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Fund Balance Appropriated	\$620,167.00
Heart of Brevard	\$11,000.00
Transfer from General Fund	\$180,000.00
TOTAL REVENUES	\$811,167.00

Section 19. The following amounts are hereby appropriated in the Rosenwald Revitalization Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Property Acquisition	\$240,000.00
TOTAL EXPENDITURES	\$240,000.00

Section 20. It is estimated that the following revenues will be available to the Rosenwald Revitalization Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Fund Balance Appropriated	\$16,500.00
State PARTF Grant	\$223,500.00
TOTAL REVENUES	\$240,000.00

Section 21. It is estimated that the following revenues will be available to the Other Post-Employment Benefits Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Transfer from General Fund	\$12,000.00
Transfer from Utility Fund	\$6,750.00
TOTAL REVENUES	\$18,750.00

Section 22. The following amounts are hereby appropriated in the Other Post-Employment Benefits Fund for Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Increase in Fund Balance	\$18,750.00
(Transfer to Irrevocable Trust)	
TOTAL EXPENDITURES	\$18,750.00

Section 23. The following revenue amounts are hereby appropriated in the Health Insurance Fund for Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Transfer from General Fund	\$839,812.00
Transfer from Utility Fund	\$264,688.00
Dental Dependent Premiums	\$55,000.00
Retiree Premiums	\$12,000.00
TOTAL REVENUES	\$1,171,500.00

Section 24. The following amounts are hereby appropriated in the Health Insurance Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Health Insurance Costs	\$1,171,500.00
TOTAL EXPENDITURES	\$1,171,500.00

Section 25. It is estimated that the following revenues will be available to the Utility Capital Project Fund for Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Transfer from Capital Reserve	
NCDENR Construction Grants & Loans	\$7,819,034.00
TOTAL REVENUES	\$7,819,034.00

Section 26. The following amounts are hereby appropriated in the Utility Capital Project Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Water & Sewer Design/Construction Costs	\$7,819,034.00
TOTAL EXPENDITURES	\$7,819,034.00

Section 27. It is estimated that the following revenues will be available to the Housing Trust Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Developer Loan Payment	\$13,332.00
TOTAL REVENUES	\$13,332.00

Section 28. The following amounts are hereby appropriated in the Housing Trust Fund for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016:

	Budget
Increase in Fund Balance	\$13,332.00
TOTAL EXPENDITURES	\$13,332.00

Section 29. It is estimated that the following revenue will be available to the Terrell L. Scruggs Scholarship Fund beginning July 1, 2015 and ending June 30, 2015:

	Budget
Contributions & Donations	\$11,500.00
TOTAL REVENUES	\$11,500.00

Section 30. The following amounts are hereby appropriated in the Terrell L. Scruggs Scholarship Fund beginning July 1, 2015 and ending June 30, 2016:

	Budget
Scholarships, Expenses, & Fund Balance Incr.	\$11,500.00
TOTAL EXPENDITURES	\$11,500.00

Section 31. The Revenues and Expenditures set forth in Section 1 through Section 30 of this Ordinance are hereby summarized as follows:

	Budget
General Fund	\$8,668,450.00
Water & Sewer Utility Fund	\$4,678,500.00
Utility Capital Projects Fund	\$7,819,034.00
Capital Reserve Fund	\$20,000.00
Heart of Brevard MSD Fund	\$120,700.00
Bjerg Fund	\$100.00
Fire District Fund	\$648,530.00
Multi-use Paths Fund	\$297,000.00
Narcotics Task Force Fund	\$45,100.00
Downtown Master Plan Fund	\$811,167.00
Rosenwald Revitalization Fund	\$240,000.00
Other Post-Employment Benefits Fund	\$18,750.00
Health Insurance Fund	\$1,171,500.00
Housing Trust Fund	\$13,332.00
Terrell L. Scruggs Scholarship Fund	\$11,500.00
TOTAL BUDGET APPROPRIATIONS	\$24,563,663.00

Section 32. There is hereby levied a tax at the rate of forty-seven and one-fourth cents (\$0.4725) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2015 for the purpose of raising the revenue listed as Taxes in the General Fund in Section 2 of this Ordinance. This rate is based on an estimated total valuation of property for the purposes of taxation of \$965,000,000 and an estimated collection rate of 99.6%.

Section 33. There is hereby further levied a tax at the rate of twenty-two and one-half cents (\$0.2250) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2015 within the boundaries of the Heart of Brevard Municipal Service District for the purpose of raising the revenue listed as Taxes in the Heart of Brevard Municipal Service District Tax Fund in Section 6 of this Ordinance. This rate is based on an estimated total valuation of property for the purposes of taxation of \$54,500,000 and an estimated collection rate of 99%.

Section 34. There is hereby further attached (Exhibit A) to said Ordinance a schedule of taxes, fees, and charges for the General and Utility Funds.

Section 35. The Budget Officer shall be authorized to reallocate departmental appropriations among the various line item expenditures of that department, as said officer believes necessary. The Budget Officer shall be authorized to effect interdepartmental transfers, in the same fund, provided that no departmental budget shall be reduced by more than ten percent without the prior approval of the City

Council. Any such transfers shall be reported to the City Council as its next regular meeting and shall be entered in the minutes.

Section 36. Copies of the Budget Ordinance shall be furnished to the Budget Officer and Finance Officer of the City to be kept on file by them for their direction in the collection and disbursement of funds. Said officials are hereby authorized to receive and expend funds as herein set forth in accordance with the Brevard City Code and the General Statutes of the State of North Carolina.

Adopted and approved this 15th day of June, 2015.

M-6. Board and Committee Appointments

ABC Board – Council asked Mr. Pratt if, in his opinion, they should consider returning to a three member ABC Board rather than remain at the present five member Board. Mr. Pratt replied he believes Council should keep the Board with five members.

When Council extended the terms of current ABC members Ms. Love and Mr. Tynch, it created a situation whereby all board members terms will expire at the same time, July, 2015. Therefore, in order to re-establish staggered terms, one reappointment will be for a two year term, one reappointment for a one year term, and the third appointment will be for a two year term.

Ms. Hollingsworth moved, seconded by Mr. Landreth, that Mr. Cameron Austin, Mr. Brian Philips be reappointed, and Dr. William Riecke be appointed to the ABC Board. Further move that the ABC Board make their recommendation to City Council as to who from the Board membership should serve as Chair, and, their recommendation for the term limits for Mr. Austin and Mr. Philips (one term expiring in one year; one term expiring in two years). Dr. Riecke's term will expire July 2017. Motion carried unanimously.

M-7. Ordinance No. 2015-14 Fiscal Year 2014-2015 Budget Amendment One

Mr. Jones moved, seconded by Mr. Morrow, that Ordinance No. 2015-14 FY 2014-15 Budget Ordinance Amendment One be adopted as presented. Motion carried unanimously.

ORDINANCE NO. 2015-14 AN ORDINANCE AMENDING THE FY2014-2015 BUDGET AMENDMENT NO. ONE

WHEREAS, the City Council of the City of Brevard has previously approved the annual budget (Ordinance No. 2014-13); and

WHEREAS, the City Council approved the Cherry Street Pedestrian/Bike Path Project Ordinance for \$92,000 at its regularly scheduled meeting on October 20, 2014; and

WHEREAS, the City Council approved the Burrell Mountain Tank Project Ordinance for \$2,669,457 at its regularly scheduled meeting on October 20, 2014; and

WHEREAS, the City Council approved Advanced Metering Infrastructure (Radio Read) Project Ordinance for \$1,405,500 at its regularly scheduled meeting on October 20, 2014; and

WHEREAS, the City Council approved Six Inch Sewer Upgrade Project for \$1,738,600 at its regularly scheduled meeting on October 20, 2014; and

WHEREAS, the City Council approved Kings Creek Sewer Phase III Project Ordinance for \$1,513,833 at its regularly scheduled meeting on October 20, 2014; and

WHEREAS, the City Council approved Kings Creek Sewer Phase II Project Ordinance for \$1,463,984 at its regularly scheduled meeting on October 20, 2014; and

WHEREAS, the City Council approved Caldwell Street Widening Improvement Project for \$362,000 at its regularly scheduled meeting on March 2, 2015; and

WHEREAS, the City Council approved I & I Mapping Project for \$55,750 at its regularly scheduled meeting on March 16, 2015; and

WHEREAS, the City Council approved Form Based Code Development Project for \$50,000 at its regularly scheduled meeting on March 16, 2015; and

WHEREAS, it is necessary to make amendments to the budgets to reflect additional revenue, appropriation of fund balance, and expenditures for Fiscal Year 2014-2015.

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

SECTION 01) General Fund Expenditures are hereby increased \$287,695 from \$8,454,450 to \$8,742,145 as shown below:

Finance, Information Technology & Tax Collections Department	\$24,000
Police Department	\$22,475
Planning Department	\$25,000
Building and Grounds Department	\$20,000
Public Services-Streets Department Powell Bill	\$10,745
Public Services-Streets Department Local	\$30,475
Non Departmental	\$155,000
TOTAL EXPENDITURES	\$287,695

SECTION 02) General Fund Revenue is hereby increased \$287,695 from \$8,454,450 to \$8,742,145 as shown below:

Property Taxes	\$24,000
Miscellaneous Revenue	\$16,000
Zoning Administration	\$12,000
Recycling Grant Revenue	\$60,375
Powell Bill	\$10,745
Sales Taxes	\$100,000
Beer & Wine State Tax Distribution	\$7,000
Refuse & Recycling	\$50,000
Sale of Fixed Assets	\$5,100
Donations to Police Department	\$2,475
Fund Balance Appropriated	0
TOTAL REVENUE	\$287,695

SECTION 07) Capital Reserve Revenue is hereby increased \$139,500 from \$296,868 to \$436,368 as shown as follows:

Fund Balance Appropriated	<u>\$139,500</u>
TOTAL REVENUE	\$139,500

SECTION 08) Capital Reserve Expenditures are hereby increased \$139,500 from \$296,868 to \$436,368 as shown as follows:

Transfer to Downtown Master Plan Fund	<u>\$139,500</u>
TOTAL EXPENDITURES	\$139,500

SECTION 11) Fire District Expenditures are hereby increased \$10,000 from \$620,058 to \$630,058 as shown below:

Operations, Capital & Debt Expenditures	\$10,000
---	----------

SECTION 12) Fire District Revenue is hereby increased \$10,000 from \$620,058 to \$630,058 as shown below:

Fund Balance Appropriated	\$10,000
---------------------------	----------

SECTION 13) Multi -Use Paths Fund Expenditures are hereby increased \$92,000 from \$207,000 to \$299,000 as shown below:

Cherry Street Pedestrian/Bike Path	<u>\$92,000</u>
TOTAL EXPENDITURES	\$92,000

SECTION 14) Multi-Use Paths Fund Revenue is hereby increased \$92,000 from \$207,000 to \$299,000 as shown below:

Transylvania County	\$29,000
Transylvania Tourism	\$25,000
Transfer from Capital Reserve	<u>\$38,000</u>
TOTAL REVENUE	\$92,000

SECTION 15) Narcotics Task Force Expenditures are hereby increased from \$17,757 from \$50,100 to \$67,857 as shown below:

Transylvania County Sheriff Asset Funds	<u>\$17,757</u>
TOTAL EXPENDITURES	\$17,757

SECTION 16) Narcotics Task Force Revenue is hereby increased \$17,757 from \$50,100 to \$67,857 as shown as follows:

Fund Balance Appropriated	<u>\$17,757</u>
TOTAL REVENUE	\$17,757

SECTION 17) Downtown Master Plan Expenditures are hereby increased \$162,000 from 720,167 to \$882,167 as follows as shown below:

Clemson Park, Downtown, and Caldwell Street Improvements	<u>\$162,000</u>
TOTAL EXPENDITURES	\$162,000

SECTION 18) Downtown Master Plan Revenue is hereby increased \$162,000 from \$720,167 to \$882,167 as shown below:

NCDOT (Easement)	\$22,500
Transfer from Capital Reserve	<u>\$139,500</u>
TOTAL REVENUE	\$162,000

SECTION 23) Health Insurance Fund Revenue is hereby increased \$250,000 from \$1,041,500 to \$1,291,500 as shown below:

Transfer from General Fund	\$125,000
Fund Balance Appropriated	<u>\$125,000</u>
TOTAL REVENUE	\$250,000

SECTION 24) Health Insurance Fund Expenditures are hereby increased \$250,000 from \$1,041,500 to \$1,291,500 as shown below:

Health Insurance Expenditures	<u>\$250,000</u>
TOTAL EXPENDITURES	\$250,000

SECTION 33) T.L. Scruggs Scholarship Fund Revenue is hereby increased \$6,000 from \$10,500 to \$16,500 as shown below:

Donations	<u>\$6,000</u>
TOTAL REVENUE	\$6,000

SECTION 34) T.L. Scruggs Scholarship Fund Expenditures are hereby increased \$6,000 from \$10,500 to \$16,500 as shown below:

Scholarships Awarded	\$3,500
Operation Expenditures	<u>\$2,500</u>
TOTAL EXPENDITURES	\$6,000

SECTION 35) That Revenue and Expenditures set forth in Sections 1 through Section 34 of the Ordinance Amendment have increased \$964,952 from \$23,947,624 to \$24,912,576 as follows:

General Fund	8,742,145
Water & Sewer Fund	4,672,500
Utility Capital Projects Fund	7,234,884
Capital Reserve Fund	436,368
Heart of Brevard MSD Fund	130,415
Bjerg Trust Fund	100
Fire District Fund	630,058
Multi-Use Paths Fund	299,000
Narcotics Task Force Fund	67,857
Downtown Master Plan Fund	882,167
Other Post- Employment Benefits Fund	18,750
Bracken Mountain Project Fund	30,000
Health Insurance Fund	1,291,500
Housing Trust Fund	13,332
T.L. Scruggs Scholarship Trust Fund	16,500
Rosenwald Revitalization Fund	447,000

TOTAL BUDGET APPROPRIATION	\$24,912,576

Adopted and approved this the 15th day of June, 2015

N. Remarks By Officials / Future Agenda Considerations

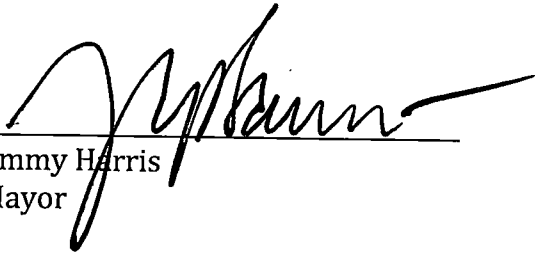
Mr. Morrow expressed concern with the number and location of signs that are ending up on utility posts at the intersection of Pisgah Forest, and, the Franklin Park shelter facility has not yet been cleaned up and picnic tables need to be installed soon.

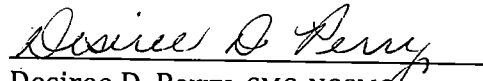
Mr. Jones announced he plans to run for re-election to City Council.

Ms. Perry expressed her appreciation for the opportunity to attend her first International Institute of Municipal Clerk (IIMC) Conference.

Mr. Fatland shared he is looking forward to working with Council and the Council Committees.

P. Adjourn – There being no further business, Mr. Jones moved, seconded by Mr. Dickson, the meeting be adjourned. Motion carried and the meeting was adjourned at 10:15 P.M.


Jimmy Harris
Mayor


Desiree D. Perry, CMC, NCCMC
City Clerk

Minutes Approved: August 17, 2015