

**MINUTES
BREVARD CITY COUNCIL
Regular Meeting
March 21, 2016 – 7:00 PM**

The Brevard City Council met in regular session on Monday, March 21, 2016, 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, and Gary Daniel. Charlie Landreth was not present.

Staff Present – City Manager and Finance Director Jim Fatland, City Attorney Mike Pratt, Deputy City Clerk Jill Murray, Special Project Director Josh Freeman, Assistant Fire Chief, Mark Norton, Planning Director Daniel Cobb, Planner Aaron Bland, Parks and Property Management Director Lynn Goldsmith, HR Director Derrick Swing and Police Chief Phil Harris.

Press – Kevin Fuller, Transylvania Times

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

B. Invocation – Pastor Rick Jennings, Joy Outreach Fellowship Church, offered an Invocation.

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

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

E. Approval of Agenda – Ms. Hollingsworth moved to approve the agenda as presented, seconded by Mr. Jones. Motion carried unanimously.

F. Approval of Minutes – Mr. Morrow moved, seconded by Ms. Hollingsworth, the February 15, 2016, meeting minutes be approved as presented. Motion carried unanimously.

G. Certificates, Awards and Recognition

Certificate of Appreciation – Mayor Harris explained that Sunshine Week is the week of March 13th-19th and its purpose is to express the importance of an open government and transparency. Mayor Harris also explained that he signed a proclamation and it has been accepted as part of the minutes.

H. Public Hearing(s)

H-1. CDBG Downtown Redevelopment Fund. This public hearing was properly noticed and advertised in the Transylvania Times and this is the second of two hearings.

Mayor Harris opened the public hearing at 7:11 P.M.

The purpose, Mr. Freeman stated, is to return vacant or underutilized buildings to economic use for used and expanding businesses and to eliminate urban blight. The City of Brevard has been approved and invited to apply for funding to support an upcoming downtown redevelopment project. The minimum available funding is \$300k and the maximum can be up to \$500k. The City of Brevard intends to apply for the \$500k grant to support renovation of 60 East Main Street. The total estimated project value is \$1.1 million. The developer of that project would be Jimmy and Dee Dee Perkins a/k/a AHP, LLC and Moose Tracks & D.D. Bullwinkle's Outdoors. The funds will be issued to the developer in the form of a 0% interest loan for 4 years. The funds will

be used to improve 60 East Main Street and to facilitate relocation and expansion of D.D. Bullwinkle's and Moose Tracks. That business will expand from their current location and it will allow them to expand the number of employees and the number of outdoor products offered. Currently areas of 60 East Main Street are limited in terms of their accessibility to the public and this project will expand that accessible area from 8000sqft to 15,000sqft. and to bring everything up to all applicable building codes. The purpose of this hearing to allow the citizens of Transylvania County and the City of Brevard to offer any comments in advance of submitting this application.

Public Hearing Public Participation – None

Public Hearing Closed – There being no further questions or comments, Mayor Harris closed the hearing at 7:17 P.M.

H-2. Traffic Schedule Amendment, Reduce Speed Limit Wilson Drive. This public hearing was properly noticed and advertised in the Transylvania Times

Mayor Harris opened the public hearing at 7:18 P.M.

Aaron Bland explained that in February, the City Manager received a letter from Marion Jones and it requested a change in the speed limit from 25mph to 15mph. Staff suggested 20mph and police and fire both support that change to 20mph especially with the amount of after school traffic and there is no sidewalk. The mayor stated that this is a good first step and we will find out if it's adequate. Ms. Hollingsworth asked if we've thought of using speed bumps as Chapel Hill has wide ones that are clearly marked. Mr. Bland said they had not discussed speed bumps. Mayor Harris stated that the snow messes that up a bit.

Public Hearing Public Participation - Marion Jones stated that the width in front of her house is 16 feet and if you put a car out there, then you only have 10 feet, therefore buses cannot pass and pedestrians cannot go on the street while a bus is coming by. She thought of speed bumps as well, but the Police said the same thing about the snow.

Kenneth Kolb stated that he could submit to add a sign like "congested area" or "speed limit lowered".

Public Hearing Closed – There being no further questions or comments, Mayor Harris closed the hearing at 7:47 P.M.

I. Public Participation –

General Public Participation – Mr. Snow spoke of an idea to hopefully increase business downtown by doing outside advertising. He feels we are lucky to have a radio station downtown and we could feed announcements downtown with outdoor speakers and for our festivals, we would have our own installed system. If you sell advertisements, it would pay for itself. Another idea is that he's trying to start a community theater. He would like a letter from Council to the high school to let him come in to measure so he can have a place to rehearse and produce theater productions and in return he'll donate the equipment to the high school.

Pre-Budget Public Participation –

Ms. Tammy Hopkins of TC Arts provided a Power Point showing everything that she's accomplished this year. She thanked Council for their \$10,000 support last year and requests the same for this year. Some things the money helps with is arts in schools, Brevard 4th Friday Gallery Walks, art exhibits, TVS are exhibit, faces of freedom, arts and culture celebration, fine arts and crafts showcase July 4th, duck race for Kreative Kids evening of July 4th, summer are camps, pottery camp at Transylvania County Arts presented by Mountain Roots, arts classes and workshops, number 7 arts

cooperative and filmbrevardnc.com. (Copy of TCARTS PowerPoint was provided to the Deputy Clerk and filed with meeting Agenda Packet.)

Ms. Leslie Logemann, Transylvania Farmers Market. Ms. Logemann provided a brief PowerPoint containing a recap of the Farmers Market 2015 season, Farmers Market 2016-17 Budget, and their 2016-17 Grant request. The Farmers Market growth included sales of \$348,000 (\$23,000 of which came back to the community in the way of sales tax) up from 250,000 last year. Each Saturday in 2015 brought between 600-800 customers with events drawing over 1,000 attendees. They are now open 52 Saturdays per year. The Market is also really helping some of our residents with their income. The highest one was \$40,000, some were making \$30,000, so it's really growing. On behalf of the Farmers Market, she thanked Council for their support and requested they fund the Market's FY 2016-17 grant request of \$17,000, the same amount as last year. (Copy of Farmers Market Report and Budget was provided to the Deputy Clerk and filed with meeting Agenda Packet.)

Mr. Heath Seymour from the Heart of Brevard thanked Council for their continued support. They have four working committees now – Promotions Committee which handles festivals, the website and the kiosk in front of OP Taylors; Organization Committee which works with organizations to improve our events and festivals; Economic Vitality Committee which you may have noticed 40-50 businesses that have expanded or opened in Brevard and we've tried to help with grants; Design Committee is trying to look for ways to connect downtown, into our trails system, working on improving other areas downtown and a flower program. Our request is to continue with what we've done which is \$30,000. We would like continued funding for 4th of July fireworks and request \$2,500. Lastly, the flower program, if the City could contribute \$1,200 again. The top level would be about \$12,000, but whatever you can do. The Mayor asked what the vacancy is in the building and Mr. Seymour stated about 97% occupied. We've got about 5 buildings that I can think of that are unoccupied and we have a waiting list for smaller office spaces.

Mr. Clark Lovelace from the Transylvania County Chamber of Commerce thanked Council for their partnership and past funding. He stated that their mission is to promote the economic well-being of the local business community and to be a catalyst for collaboration of businesses, local government and civic and community organizations in order to enhance the quality of life for all of its residents. The Chamber has over 500 members which is the highest it's been at year end; 18,632 visitors in the visitors center, 452 requests for relocation information; 1950 members attended our networking events; 222 attended our 9 workshops, 55 parade participants, and last year we did 20 ribbon cuttings. We are asking for the same \$10,000 from last year.

Mr. Lee McMinn from the Bread of Life of which he is the Chairman stated that they are the only operating soup kitchen in the County and serve 170 meals a day, roughly 42,000 a year. On Friday afternoon we take empty boxes from Ingles and we fill them with stuff for our patrons to take home with them as well. We have 400 volunteers that help us. Your donation will be used for things that are not donated such as supplies like napkins, dinner plates, dinnerware etc. We are asking Council to donate \$2,000.

Ms. Pat Childress from the Transylvania Heritage Museum asked Council to donate \$5,000 which is what the County is doing. They depend almost entirely on volunteers and them donating artifacts. She stated that she hopes the City can help them keep their doors open.

Jim Barrett, Executive Director of Pisgah Legal Services, explained that their services are free and are civil services. They work in 6 counties and help people meet basic needs. Twenty people will be getting money for wrongful conviction from the Rodeway Inn. They handle domestic violence cases, give people access to health insurance, help them increase their income and get out of poverty. The average income for clients is \$11,000 per year and 30% of children in this county are in poverty. There is less than 1% vacancy available in housing in Transylvania County. The County gives

us \$18,000. Our cases have increased 11% this year and we would love to have your support of \$10,000 if you can consider it.

Mayor suggested a ten minute break at 8:32pm.

Mayor began meeting again at 8:48pm.

J. Special Presentation(s)

J-1. Josh Leder, Brevard Lumberyard Art District

Mr. Leder introduced himself and wanted to give an update as to where the lumberyard is at and how things are progressing. He showed his website at <http://www.brevardlumberyard.com/>. He stated that he is not asking for money but rather wanted to talk about the space. They've made a large investment in the space and have a 5000sqft covered and 10,000sqft outdoor space, and a new restaurant will go there. We would like to identify the area and embrace what it is and make it part of the wayfinding signs. Property values have gone up 40% so he thinks they're sitting on a tremendous opportunity and it has become another leg for Brevard to stand on.

The Mayor asked Mr. Cobb when is a good time to consider updating our wayfinding signage and Mr. Cobb responded that they do not have a specific schedule, however, reviewing them on an annual basis is a good idea. The Mayor then said if it becomes known as something by the community, the most powerful thing could be people talking about it, however, there are many art galleries on Main Street. He asked for staff to look into it further and referred it to the Downtown Master Plan Committee.

J-2. Brevard Cares Cleanup

Police Chief, Phil Harris, showed a brief video of the Brevard Cares Cleanup day and gave a special thanks to Daniel Cobb, Shawn Miller, Debbie McCrary, Mark Burrows and Josh Freeman and said they had a great turnout.

J-3. Joint Historic Properties Commission Annual Report

Chairman, Ellen Harris presented a brief PowerPoint that talked about the purpose of the Commission and to give Council an invitation to their April 15th meeting. (Copy of the Joint Historic Commission PowerPoint was provided to the Deputy Clerk and filed with meeting Agenda Packet.)

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.

The Mayor suggested that Council consider moving both items M-1 and M-2 be moved to the consent agenda.

Mr. Morrow moved, seconded by Mr. Daniel, New Business Items M-1 and M-2 be added to the Consent Agenda, and that the Consent Agenda be approved as amended. Motion carried unanimously.

The following Consent Agenda items were approved:

K-1. Staff Reports:

- a. Public Works Department January 2016 Monthly Report
- b. Finance Report February 2016

K-2. Parks and Recreation Strategic Plan Workshop Meeting, April 25th
Council approved to schedule a joint work session with the Transylvania County Board

of Commissioners to review a draft Parks & Recreation Strategic Plan for the City of Brevard and Transylvania County.

K-3. Nuisance Abatement, Public Outreach Efforts

For informational purposes only, no action required.

K-4. Short-Term Rental Update

Staff gave an update and the Planning Board has not completed their review of the proposed amendments and therefore staff is unable to offer a specific recommendation at this time.

K-5. Resolution No. 2016-03 A Resolution Authorizing CDBG Downtown Redevelopment Fund Application.

RESOLUTION NO. 2016-03

A RESOLUTION AUTHORIZING SUBMITTAL OF A NORTH CAROLINA COMMUNITY DEVELOPMENT BLOCK GRANT, DOWNTOWN REDEVELOPMENT FUND APPLICATION, TO SUPPORT THE RENOVATION AND REDEVELOPMENT OF 60 EAST MAIN STREET, BREVARD, NORTH CAROLINA

WHEREAS, Brevard City Council intends to eliminate urban blight and expand economic opportunity within the City of Brevard by supporting efforts to return vacant and underutilized commercial buildings to productive commercial use; and,

WHEREAS, James F. and Delores D. Perkins (hereafter, "Perkins") intends to reduce urban blight, to preserve existing employment opportunities, and create new employment opportunities through the renovation, restoration, and redevelopment of 60 East Main Street, Brevard, North Carolina, and the relocation of their existing business, Moose Tracks & D.D. Bullwinkle's Outdoors, to same (hereafter, "the Project").

WHEREAS, Brevard City Council intends to support the Project through such relevant funding sources as may be identified and secured; and,

WHEREAS, the North Carolina Rural Infrastructure Authority (RIA) has preliminarily approved the City of Brevard's application for \$500,000 in funding via the North Carolina Community Development Block Grant, Downtown Redevelopment Fund, and has invited the City to submit a full application for the same; and,

WHEREAS, Brevard City Council conducted public hearings to receive public comment regarding the elimination of urban blight and the expansion of economic opportunity within the City of Brevard, generally, and Project, specifically, on March 14, 2016 and March 21, 2016.

NOW, THEREFORE, BE IT RESOLVED THAT:

Section 01. Brevard City Council hereby authorizes and directs the submittal of an application for \$500,000 in grant funding to the North Carolina Community Development Block Grant, Downtown Redevelopment Fund, and to disburse such funds in the form of a 0% interest, forgivable loan to James F. and Delores D. Perkins to facilitate the renovation, restoration, and redevelopment of 60 East Main Street, Brevard, North Carolina.

Section 02. Brevard City Council hereby authorizes the City Manager to accept the award of such funding on behalf of the City, and is authorized and directed to take all necessary actions to complete the Project, including all close out documents.

Section 03. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this the 21st day of March, 2016.

K-6. Ordinance No 2016-05 Ordinance Amending the Traffic Schedule and Brevard City Code to Lower the Speed Limit for the Entirety of Wilson Drive

ORDINANCE NO. 2016-05

**AN ORDINANCE AMENDING THE
TRAFFIC SCHEDULE AND BREVARD
CITY CODE TO LOWER THE SPEED LIMIT
FOR THE ENTIRETY OF WILSON DRIVE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD,

NORTH CAROLINA THAT THE TRAFFIC SCHEDULE AND THE BREVARD CITY CODE SHALL BE AMENDED AS FOLLOWS:

Section 1. Chapter 66, Article I, Section 66-5 of the Brevard City Code and the City's Traffic Schedules XVIII and XIX are hereby amended as described below:

a) The speed limit for the entirety of Wilson Drive shall be changed from 25MPH to 20MPH.

Section 2. The City Clerk of the City of Brevard is hereby authorized and directed to revise and amend the official records and the Brevard Traffic Schedule to reflect the change as set forth herein.

Section 3. The City Manager of the City of Brevard is hereby authorized and directed to cause the appropriate signs to be installed and enforcement of the foregoing provisions to be implemented.

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

Adopted and approved this 21st day of March, 2016.

L. Unfinished Business - None

M. New Business

N. Remarks by Officials / Future Agenda Considerations

Mayor Harris gave kudos to the staff and everyone involved in the South Broad Street construction.

Mr. Morrow had no comments.

Mr. Jones wanted to let everyone know that he is in the process of planning for the North Carolina Black Elected Officials who are doing their summer retreat in Brevard and stated that the date has been moved to the first week in August. He also gave special thanks for all those that volunteered in Brevard Cares.

Mr. Daniel said that hearing the reports from people serving in our community is really impressive and makes him feel good about being a citizen in Brevard. Also, he was a little surprised about the money requested by the Bread of Life, as it was only \$2000.

Ms. Hollingsworth had no comments.

Mr. Fatland had no comments.

O. Closed Session – Mayor Harris asked the City Attorney if it would be appropriate for Council to hold two closed sessions to discuss a matter of potential litigation and a potential property acquisition matter. City Attorney advised pursuant to **GS § 143-318.11. (a)(3) (4) (5)** it would be appropriate to convene provided separate closed sessions on the matters are held. Each closed session will require a separate motion, second and vote to discuss the matter. Council will enter and exit regular session for each closed session.

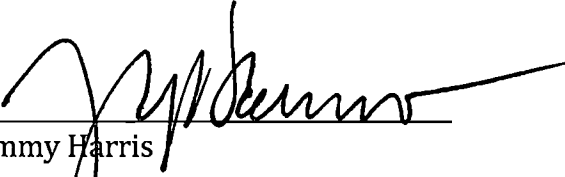
Closed Session #1 - At 9:37 p.m. Mr. Jones moved, seconded by Ms. Hollingsworth, Council go into closed session to discuss a potential property acquisition. Motion carried unanimously. (A four minute break was taken to allow Council Chambers to be cleared.)

Council Returned to Regular Session – At 10:09 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.

Closed Session #2 – At 10:10 p.m. Ms. Hollingsworth moved, seconded by Mr. Jones, Council go into a second closed session to discuss a potential litigation. Motion carried unanimously.

Council Returned to Regular Session – At 10:59pm 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.

P. Adjourn – There being no further business, Ms. Hollingsworth moved, seconded by Mr. Daniel, the meeting be adjourned. Motion carried unanimously. Meeting adjourned at 11:00 P.M.



Jimmy Harris
Mayor

Jill Murray
Deputy City Clerk

Minutes Approved: April 18, 2016

City of Brevard Minute Book #20 – Page intentionally left blank.