

**MINUTES  
BREVARD CITY COUNCIL  
Regular Meeting  
June 19, 2017 – 7:00 PM**

The Brevard City Council met in regular session on Monday, June 19, 2017, 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 Ann Hollingsworth, Gary Daniel, Charlie Landreth and Maurice Jones

**Staff Present** – City Manager and Finance Director Jim Fatland, City Attorney Michael Pratt, City Clerk Desiree Perry, Human Resources Director Kelley Craig, Fire Chief Craig Budzinski, Planning Director Daniel Cobb, Parks & Property Management Director Lynn Goldsmith, Public Works Director David Lutz, Police Chief Phil Harris and Staff Accountant Tom Whitlock.

**Press** – Matthew McGregor, 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 City Clerk.

**B. Invocation** – Pastor Richard 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 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** – Ms. Hollingsworth moved, seconded by Mr. Landreth, the May 15<sup>th</sup> and May 22<sup>nd</sup>, 2017, meeting minutes be approved as presented. Motion carried unanimously.

**G. Certificates / Awards / Recognition**

**G-1. Proclamation 2017-09 Arts and Culture Celebration** was presented to Transylvania Community Arts Council (TCArts) Representative Ms. Paula Wesley.

**Proclamation No. 2017-09  
Arts and Culture Celebration  
June 23 – July 4, 2017**

WHEREAS, the community of Brevard and Transylvania Count is one of the most vibrant centers of arts and culture in LWNC with 30+ arts organizations and 400+ 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, 14 downtown art galleries and studios, 19 award winning sculptures, the Brevard 4<sup>th</sup> 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, 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 and the City Council do hereby proclaim June 23-July 4, 2017 AS **ARTS & CULTURE CELEBRATION** within the City and call on all citizens to join us 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.

**G-2. Recognition of Terrell Scruggs Scholarship Recipients** - The following 2017 Scholarship recipients were recognized; however, some students were not able to be in attendance: Mary Ammons, Lisa Conforti, Robin Crowe, Hannah Gordon, Madison Graham, David Howell, Gavin Owen, Reesie Mae Owen, Tara Reid, Cady Suddeth, Halee Thomas, Cameron Wilson, and Kristen Zachry. Also present were Terrell Scruggs Scholarship Committee Members Betty Scruggs McGaha and Sue Fox, and Transylvania County Board of Education Superintendent Dr. Jeff McDaris.

## **H. Public Hearing**

**H-1. City of Brevard Fiscal Year 2017-2018 Budget Ordinance and Fee Schedule.** The public hearing was properly advertised on June 5<sup>th</sup> and 12<sup>th</sup>, 2017.

Mayor Harris opened the public hearing at 7:28 P.M.

Mr. Fatland reported on May 15<sup>th</sup> the draft budget was presented to Council and a budget workshop was held on May 22<sup>nd</sup>. His recommended budget includes a 1.5 cent tax increase that would generate \$135,000 in tax revenue; the reduction of the minimum gallons from 500 to 0 gallons that will generate \$300,000 in utility revenue; and, a 2% cost of living for employees.

Mr. Daniel stated he understands the revenue that will be received when users pay a fee to park in the new parking lot on Jordan and Caldwell will be used to pay back the debt on the lot. Suggested, after the debt has been paid, rather than automatically placing future revenue into the Downtown Master Plan funds that the City review and decide where the revenue should go.

### Public Participation

Ms. Sue Null, 69 Grove Circle, Brevard. Asked what the funds granted to the Farmers Market are for.

Mr. Fatland explained the grant money is used for operating expenses.

Public Hearing Closed – There being no further questions or comments, Mayor Harris closed the hearing at 7:48 P.M.

## **I. Public Participation**

Ms. Sue Null, 69 Grove Circle, Brevard, NC. Spoke in support of the creation of a Community Relations Board because it is important that Transylvania County and the City be seen as an open-minded, receptive, non-discriminatory community that welcomes all people. (A copy of her prepared statement has been placed on file with the Agenda Packet materials.)

Ms. Kathleen Barnes, NAACP Representative, urged Council to bring about a more inclusive community by reinstating a new Human Relations Council, which is somewhat different than the Community Relations Board.

#### **J. Special Presentation**

**J-2. Transylvania Regional Hospital Update by President/CNO Michele Pilon.** Ms. Pilon presented to Council a one-page handout describing the Emergency Department Expansion Plans, and, presented a power-point describing Transylvania Regional Hospital's facility and patient services, medical practices, Staff, quality recognitions, community investment, challenges and future plans.

Council thanked Ms. Pilon for her presentation and for the quality care and excellent services the Hospital provides our citizens.

**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. Mr. Morrow recommended the Consent Agenda be amended to add New Business Item M-4 Committee and Board Appointments and the reappointment of Ms. Sue Fox and Mr. Jimmy Perkins to the Terrell Scruggs Scholarship, and, Daniel Cobb to the Transportation Committee, and that the Consent Agenda be approved as amended. Motion was seconded by Mr. Landreth and carried unanimously.

#### **K-1. Staff Reports:**

- a. Finance Department Report, month ended May 2017
- b. Public Works Department Report, April 2017

**K-2. Ordinance No. 2017-12** An Ordinance Amending the FY2016-2017 Budget, Amendment No. Three

#### **ORDINANCE NO. 2017-12 AN ORDINANCE AMENDING THE FY2016-2017 BUDGET AMENDMENT NO. THREE**

**WHEREAS**, the City Council of the City of Brevard previously approved the Annual Budget (Ordinance No. 2016-18), Budget Ordinance Amendment No. One (Ordinance No. 2016-21), Budget Ordinance Amendment No. Two (Ordinance No. 2017-06); and

**WHEREAS**, it is necessary to make amendments to the budgets to reflect additional revenue, appropriation of fund balance, and expenditures for Fiscal Year 2016-2017.

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

**SECTION 01) General Fund** Revenue is hereby increased \$103,000 from \$9,499,991 to \$9,602,991 as shown as follows:

|                             |                  |
|-----------------------------|------------------|
| Additional Revenue:         |                  |
| Rentals (Cell Tower)        | \$ 5,000         |
| Miscellaneous Revenue       | \$ 15,000        |
| Zoning Administration       | \$ 12,000        |
| Sales Tax Revenue           | \$ 10,000        |
| Refuse Collection Fees      | \$ 10,000        |
| County Disposal Fees-Refuse | \$ 10,000        |
| Recycling Revenue           | \$ 15,000        |
| Bankruptcy Settlement       | \$ 6,000         |
| Sale of Fixed Assets        | <u>\$ 20,000</u> |
| <b>TOTAL REVENUES</b>       | <b>\$103,000</b> |

**SECTION 02) General Fund** Expenditures are hereby increased \$103,000 from \$9,499,991 to \$9,602,991 as shown as follows:

|                             |                  |
|-----------------------------|------------------|
| Finance Department          | \$ 23,000        |
| Parks & Property Management | \$ 50,000        |
| Police Department           | <u>\$ 30,000</u> |
| TOTAL EXPENDITURES          | \$103,000        |

**SECTION 03) Water & Sewer Fund** Revenue is hereby increased \$45,750 from \$16,960,934 to \$17,006,684 as shown as follows:

|                           |                  |
|---------------------------|------------------|
| Grant Revenue (TAG Grant) | <u>\$ 45,750</u> |
| TOTAL REVENUES            | \$ 45,750        |

**SECTION 04) Water & Sewer Fund** Expenditures are hereby increased \$45,750 from \$16,960,934 to \$17,006,684 as shown as follows:

|                                               |                    |
|-----------------------------------------------|--------------------|
| Waste Water Treatment Plant Cap. Outlay Other | \$ 138,228         |
| Contingency                                   | <u>\$ - 92,478</u> |
| TOTAL EXPENDITURES                            | \$ 45,750          |

**SECTION 09) Fire District Fund** Revenue is hereby increased \$13,637 from \$879,272 to \$892,909 as shown as follows:

|                                          |                  |
|------------------------------------------|------------------|
| Fire District Fund Balance Appropriation | <u>\$ 13,637</u> |
| TOTAL REVENUES                           | \$ 13,637        |

**SECTION 10) Fire District Fund** Expenditures are hereby increased \$13,637 from \$879,272 to \$892,909 as shown as follows:

|                       |                  |
|-----------------------|------------------|
| Maintenance & Repairs | <u>\$ 13,637</u> |
| TOTAL EXPENDITURES    | \$ 13,637        |

**SECTION 17) Health Insurance Fund** Expenditures are hereby increased \$232,985 from \$1,195,250 to \$1,428,235 as shown as follows:

|                   |                  |
|-------------------|------------------|
| Claims Paid       | <u>\$232,985</u> |
| TOTAL EXPENDITURE | \$232,985        |

**SECTION 18) Health Insurance Fund** Revenue is hereby increased \$232,985 from \$1,195,250 to \$1,428,235 as shown as follows:

|                                            |                  |
|--------------------------------------------|------------------|
| Health Insurance Fund Balance Appropriated | <u>\$232,985</u> |
| TOTAL REVENUES                             | \$232,985        |

**SECTION 19) Heart of Brevard Fund** Revenue is hereby increased \$15,000 from \$125,000 to \$140,000 as shown as follows:

|                   |                  |
|-------------------|------------------|
| Increased Revenue | <u>\$ 15,000</u> |
| TOTAL REVENUES    | \$ 15,000        |

**SECTION 20) Heart of Brevard Fund** Expenditures are hereby increased \$15,000 from \$125,000 to \$140,000 as shown as follows:

|                     |                  |
|---------------------|------------------|
| Contracted Services | <u>\$ 15,000</u> |
| TOTAL EXPENDITURES  | \$ 15,000        |

**SECTION 31)** That Revenues and Expenditures Section 1 through Section 30 of the Ordinance Amendment have increased \$410,372 from \$36,612,696 to \$37,020,068 as follows:

|                                     | Budget               |
|-------------------------------------|----------------------|
| General Fund                        | \$ 9,602,991         |
| Water & Sewer Utility Fund          | \$ 5,246,699         |
| Utility Capital Projects Fund       | \$ 17,006,684        |
| Capital Reserve Fund                | \$ 58,000            |
| Fire District Fund                  | \$ 892,909           |
| Terrell L. Scruggs Scholarship Fund | \$ 15,000            |
| Bjerg Fund                          | \$ 100               |
| Other Post-Employment Benefits Fund | \$ 18,750            |
| Health Insurance Fund               | \$ 1,428,235         |
| Heart of Brevard MSD Fund           | \$ 140,000           |
| Housing Trust Fund                  | \$ 26,600            |
| Multi-use Paths Fund                | \$ 1,103,000         |
| 911 Communications Fund             | \$ 64,000            |
| Narcotics Task Force Fund           | \$ 55,100            |
| Rosenwald Revitalization Fund       | \$ 134,000           |
| Downtown Master Plan Fund           | \$ 1,231,000         |
| <b>TOTAL BUDGET APPROPRIATIONS</b>  | <b>\$ 37,023,068</b> |

Adopted and approved this 19<sup>th</sup> day of June, 2017.

**K-3. Correspondence** (No Action. Offered as information only.)

- a. Brevard Police Department Agency Audit
- b. ABC Board FY 2017-18 Proposed Budget
- c. TCarts Appreciation Letter and Request
- d. Gallery Walk

**K-4. Board and Committee Appointments**

- a. Terrell Scruggs Scholarship Committee: Reappointed Sue Fox and Jimmy Perkins; terms will expire July 2020.
- b. Transylvania County Transportation Committee – Appointed Planning Director Daniel Cobb to fill the unexpired term of former City representative Josh Freeman. Term will expire May 2018

**L. Unfinished Business**

**L-1. South Alley Property Lease** – Mr. Fatland explained the Council Downtown Master Plan Committee discussed the feasibility of leasing the South Alley to a business owner who has expressed a desire to lease in order to allow customers to use the outdoor tables and be allowed to consume alcohol beverages within that public right-of-way. Matter was referred to Staff for review and consideration.

Mr. Pratt shared he has looked into the feasibility of a lease and has found there are lots of legal drawbacks of doing so and is therefore reluctant in recommending Council to take this course of action due to (a) State law requires that the area where alcohol is served to be observed by the establishment; (b) barrier is required; and, (c) liability to the City as it is still a public area.

Mr. Morrow moved, seconded by Mr. Daniel, the request to lease the South Alley be denied. Motion carried unanimously.

**L-2. Alcohol Consumption within Public Right-of-Ways** – Briefly discussed concept of expanded dining and allowing alcohol consumption onto City sidewalks (at eating establishments) and within right-of-ways; however, unlike Hendersonville, Brevard does not have wide enough sidewalks or plaza areas available for consideration to make it work. Recognizing this, Council, by consensus, decided to not forward to Planning Board.

~~ At 8:42 PM Mayor Harris called for a ten minute break; meeting resumed at 8:52 PM. ~~

**M. New Business**

**M-1. Ordinance No. 2017-13 City of Brevard FY 2017-2018 Budget Ordinance and Schedule of Fees and Taxes**

**ORDINANCE NO. 2017-13  
CITY OF BREVARD  
FY 2017-2018 BUDGET ORDINANCE**

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

Section 1. It is estimated that the following revenues will be available to the General Fund for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                                         | Budget              |
|-----------------------------------------|---------------------|
| Taxes & Licenses/Permits                | \$ 6,250,051        |
| Refuse Collection Fees                  | \$ 877,000          |
| Transfer from Other Funds               | \$ 620,100          |
| Franchise Sales Tax                     | \$ 600,000          |
| ABC Revenue                             | \$ 150,000          |
| Other Revenue                           | \$ 764,650          |
| Fund Balance Appropriated - Powell Bill | \$ 138,306          |
| Proceeds From Borrowing                 | \$ 220,000          |
| <b>TOTAL REVENUES</b>                   | <b>\$ 9,620,107</b> |

Section 2. 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, 2017 and ending June 30, 2018 in accordance with the Chart of Accounts heretofore established for the City of Brevard:

|                           | Budget              |
|---------------------------|---------------------|
| Governing Body            | \$ 113,968          |
| Administrative            | \$ 630,736          |
| Finance                   | \$ 711,990          |
| Legal                     | \$ 63,000           |
| Planning                  | \$ 592,451          |
| Parks & Property          | \$ 613,547          |
| Police                    | \$ 2,823,166        |
| Public Services           |                     |
| • Administration          | \$ 400,246          |
| • Garage                  | \$ 529,285          |
| • Streets Local           | \$ 711,126          |
| • Streets Powell Bill     | \$ 360,306          |
| • Sanitation              | \$ 986,905          |
| • Total Public Services   | \$ 2,987,868        |
| Recreation                | \$ 111,600          |
| Non-Departmental          | \$ 904,281          |
| Economic Development      | \$ 67,500           |
| Contingency               | 0                   |
| <b>TOTAL EXPENDITURES</b> | <b>\$ 9,620,107</b> |

Section 3. It is estimated that the following revenues will be available to the Water and Sewer Utility Fund for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                         | Budget              |
|-------------------------|---------------------|
| Water Billings          | \$ 2,700,000        |
| Sewer Billings          | \$ 2,350,000        |
| Meter Fees              | \$ 136,000          |
| Other Revenues          | \$ 72,500           |
| Proceeds From Borrowing | \$ 420,000          |
| <b>TOTAL REVENUES</b>   | <b>\$ 5,678,500</b> |

Section 4. 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, 2017 and ending June 30, 2018:

|                                        | Budget              |
|----------------------------------------|---------------------|
| Water Plant Operations                 | \$ 792,300          |
| Water Distribution                     | \$ 592,559          |
| Waste Water Treatment Plant Operations | \$ 1,647,142        |
| Sewer Collection                       | \$ 1,242,597        |
| Non-Departmental                       | \$ 1,346,625        |
| Contingency                            | \$ 57,277           |
| <b>TOTAL EXPENDITURES</b>              | <b>\$ 5,678,500</b> |

Section 5. It is estimated that the following revenues will be available to the Utility Capital Project Fund for Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                                    | Budget              |
|------------------------------------|---------------------|
| NCDENR Construction Grants & Loans | \$ 8,220,000        |
| <b>TOTAL REVENUES</b>              | <b>\$ 8,220,000</b> |

Section 6. The following amounts are hereby appropriated in the Utility Capital Project Fund for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                                         | Budget              |
|-----------------------------------------|---------------------|
| Water & Sewer Design/Construction Costs | \$ 8,220,000        |
| <b>TOTAL EXPENDITURES</b>               | <b>\$ 8,220,000</b> |

Section 7. The following revenues will be continued for the Capital Reserve Fund for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                               |          |
|-------------------------------|----------|
| Fund Balance Appropriated     |          |
| Impact Fees & Interest Income |          |
| <b>TOTAL REVENUES</b>         | <b>0</b> |

Section 8. The following expenditures will be continued for the Capital Reserve Fund for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                           |          |
|---------------------------|----------|
| Increase in Fund Balance  |          |
| <b>TOTAL EXPENDITURES</b> | <b>0</b> |

Section 9. It is estimated that the following revenues will be available to the Fire District Fund for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                                    | Budget              |
|------------------------------------|---------------------|
| FEMA Grant                         |                     |
| Transfer from General Fund         | \$ 374,303          |
| Fire District Tax                  | \$ 422,087          |
| Loan Proceeds - Heavy Rescue Truck | \$ 850,000          |
| Grant / Loan Air Packs             | \$ 389,250          |
| <b>TOTAL REVENUES</b>              | <b>\$ 2,035,640</b> |

Section 10. The following amounts are hereby appropriated in the Fire District Fund for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                                          | Budget              |
|------------------------------------------|---------------------|
| Operations, Capital, & Debt Expenditures | \$ 2,035,640        |
| <b>TOTAL EXPENDITURES</b>                | <b>\$ 2,035,640</b> |

Section 11. It is estimated that the following revenue will be available to the Terrell L. Scruggs Scholarship Fund beginning July 1, 2017 and ending June 30, 2018:

|                           | Budget    |
|---------------------------|-----------|
| Contributions & Donations | \$ 15,000 |
| TOTAL REVENUES            | \$ 15,000 |

Section 12. The following amounts are hereby appropriated in the Terrell L. Scruggs Scholarship Fund beginning July 1, 2017 and ending June 30, 2018:

|                                              | Budget    |
|----------------------------------------------|-----------|
| Scholarships, Expenses, & Fund Balance Incr. | \$ 15,000 |
| TOTAL EXPENDITURES                           | \$ 15,000 |

Section 13. It is estimated that the following revenues will be available to the Bjerg Fund for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                         | Budget |
|-------------------------|--------|
| Interest on Investments | \$ 100 |
| TOTAL EXPENDITURES      | \$ 100 |

Section 14. The following amounts are hereby appropriated in the Bjerg Fund for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                          | Budget |
|--------------------------|--------|
| Transfer to General Fund | \$ 100 |
| TOTAL EXPENDITURES       | \$ 100 |

Section 15. It is estimated that the following revenues will be available to the Other Post-Employment Benefits Fund for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                            | Budget    |
|----------------------------|-----------|
| Transfer from General Fund | \$ 12,000 |
| Transfer from Utility Fund | \$ 6,750  |
| TOTAL REVENUES             | \$ 18,750 |

Section 16. The following amounts are hereby appropriated in the Other Post-Employment Benefits Fund for Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                                 | Budget    |
|---------------------------------|-----------|
| Increase in Fund Balance        | \$ 18,750 |
| (Transfer to Irrevocable Trust) |           |
| TOTAL EXPENDITURES              | \$ 18,750 |

Section 17. The following revenue amounts will be available in the Health Insurance Fund for Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                            | Budget       |
|----------------------------|--------------|
| Transfer from General Fund | \$ 935,169   |
| Transfer from Utility Fund | \$ 281,080   |
| Dental Dependent Premiums  | \$ 55,000    |
| Retiree Premiums           | \$ 12,000    |
| TOTAL REVENUES             | \$ 1,283,249 |

Section 18. The following amounts are hereby appropriated in the Health Insurance Fund for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                        | Budget       |
|------------------------|--------------|
| Health Insurance Costs | \$ 1,283,249 |
| TOTAL EXPENDITURES     | \$ 1,283,249 |

Section 19. 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, 2017 and ending June 30, 2018:

|                                              | Budget     |
|----------------------------------------------|------------|
| Service District Tax - Current & Prior Years | \$ 134,000 |
| TOTAL REVENUES                               | \$ 134,000 |

Section 20. The following amounts are hereby appropriated in the Heart of Brevard Municipal Service District Tax Fund for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                           | Budget            |
|---------------------------|-------------------|
| Contract Services         | \$ 134,000        |
| <b>TOTAL EXPENDITURES</b> | <b>\$ 134,000</b> |

Section 21. It is estimated that the following revenues will be available to the Housing Trust Fund for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                        | Budget           |
|------------------------|------------------|
| Developer Loan Payment | \$ 19,934        |
| <b>TOTAL REVENUES</b>  | <b>\$ 19,934</b> |

Section 22. The following amounts are hereby appropriated in the Housing Trust Fund for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                           | Budget           |
|---------------------------|------------------|
| Increase in Fund Balance  | \$ 19,934        |
| <b>TOTAL EXPENDITURES</b> | <b>\$ 19,934</b> |

Section 23. It is estimated that the following revenues will be available to the Multi-Use Paths Fund for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                            | Budget            |
|----------------------------|-------------------|
| Miscellaneous Revenue      |                   |
| Transfer from General Fund | \$ 135,000        |
| Fund Balance Appropriated  | \$ 60,000         |
| <b>TOTAL REVENUES</b>      | <b>\$ 195,000</b> |

Section 24. The following amounts are hereby appropriated in the Multi-Use Paths Fund for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                                    | Budget            |
|------------------------------------|-------------------|
| Pedestrian/Bike Path               | \$ 90,000         |
| West Loop Phase 1                  | \$ 30,000         |
| Railroad Ave.                      | \$ 30,000         |
| Loan Reimbursement to General Fund | \$ 45,000         |
| <b>TOTAL EXPENDITURES</b>          | <b>\$ 195,000</b> |

Section 25. It is estimated that the following revenues will be available to the 911 Communications Fund for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                           | Budget           |
|---------------------------|------------------|
| 911 Communication Funding | \$ 40,163        |
| <b>TOTAL REVENUES</b>     | <b>\$ 40,163</b> |

Section 26. The following amounts are hereby appropriated in the 911 Communications Fund for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                           | Budget           |
|---------------------------|------------------|
| Operating Expenses        | \$ 40,163        |
| <b>TOTAL EXPENDITURES</b> | <b>\$ 40,163</b> |

Section 27. It is estimated that the following revenues will be available to the Narcotics Task Force for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                             |           |
|-----------------------------|-----------|
| Transylvania County         | \$ 15,000 |
| Transfer from General Fund  | \$ 15,000 |
| State Controller Payments   | \$ 10,000 |
| Brevard ABC Board           | \$ 10,000 |
| Federal Asset Fund - Police | \$ 5,000  |
| Interest in Investments     | \$ 100    |
| TOTAL REVENUES              | \$ 55,100 |

Section 28. The following amounts are hereby appropriated in the Narcotics Task Force for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                    |           |
|--------------------|-----------|
|                    | Budget    |
| Operating Expenses | \$ 55,100 |
| TOTAL EXPENDITURES | \$ 55,100 |

Section 29. It is estimated that the following revenues will be available to the Rosenwald Revitalization Fund for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                           |            |
|---------------------------|------------|
|                           | Budget     |
| Fund Balance Appropriated | \$ 111,191 |
| TOTAL REVENUES            | \$ 111,191 |

Section 30. The following amounts are hereby appropriated in the Rosenwald Revitalization Fund for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                             |            |
|-----------------------------|------------|
|                             | Budget     |
| Rosenwald Park Improvements | \$ 111,191 |
| TOTAL EXPENDITURES          | \$ 111,191 |

Section 31. It is estimated that the following revenues will be available to the Downtown Master Plan for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                                |            |
|--------------------------------|------------|
|                                | Budget     |
| Fund Balance Appropriated      | \$ 100,424 |
| Heart of Brevard               | \$ 11,000  |
| Transfer from General Fund     | \$ 180,000 |
| Jordan St. Parking Lot Revenue | \$ 51,840  |
| Proceeds From Borrowing        | \$ 400,000 |
| TOTAL REVENUES                 | \$ 743,264 |

Section 32. The following amounts are hereby appropriated in the Downtown Master Plan for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018:

|                              |            |
|------------------------------|------------|
|                              | Budget     |
| Clemson Plaza                | \$ 340,000 |
| Design & Construction Costs  | \$ 158,264 |
| Caldwell Street Improvements | \$ 200,000 |
| Debt Service                 | \$ 45,000  |
| TOTAL EXPENDITURES           | \$ 743,264 |

Section 33. The Revenues and Expenditures set forth in Section 1 through Section 30 of this Ordinance are hereby summarized as follows:

|                                     | Budget               |
|-------------------------------------|----------------------|
| General Fund                        | \$ 9,620,107         |
| Water & Sewer Utility Fund          | \$ 5,678,500         |
| Utility Capital Projects Fund       | \$ 8,220,000         |
| Capital Reserve Fund                | 0                    |
| Fire District Fund                  | \$ 2,035,640         |
| Terrell L. Scruggs Scholarship Fund | \$ 15,000            |
| Bjerg Fund                          | \$ 100               |
| Other Post-Employment Benefits Fund | \$ 18,750            |
| Health Insurance Fund               | \$ 1,283,249         |
| Heart of Brevard MSD Fund           | \$ 134,000           |
| Housing Trust Fund                  | \$ 19,934            |
| Multi-use Paths Fund                | \$ 195,000           |
| 911 Communications Fund             | \$ 40,163            |
| Narcotics Task Force Fund           | \$ 55,100            |
| Rosenwald Revitalization Fund       | \$ 111,191           |
| Downtown Master Plan Fund           | \$ 743,264           |
| <b>TOTAL BUDGET APPROPRIATIONS</b>  | <b>\$ 28,169,998</b> |

Section 34. There is hereby levied a tax at the rate of forty eight cents (\$0.4950) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2017 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 \$973,000,000 and an estimated collection rate of 99.93%.

Section 35. 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, 2017 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 \$59,500,000 and an estimated collection rate of 99%.

Section 36. There is hereby further attached (Exhibit A) to said Ordinance a schedule of taxes, fees, and charges for the General and Utility Funds.

Section 37. 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 at its next regular meeting and shall be entered in the minutes.

Section 38. 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 the 19<sup>th</sup> day of June, 2017.

**M-2. City of Brevard 150<sup>th</sup> Anniversary - Establish Task Force.** The City of Brevard was incorporated in 1868 and 2018 will mark our City's 150<sup>th</sup> anniversary. The Manager recommended a task force be created to recommend ways the City can recognize and celebrate this event throughout the coming year. Would like organizations such as TCarts and the County to participate on the task force.

Mr. Landreth moved, seconded by Mr. Morrow, the Manager's recommended 150<sup>th</sup> Anniversary Task Force be established. Motion carried unanimously.

**M-3. Resolution No. 2017-12 A Resolution Endorsing The Creation Of A Community Relations Board and Sponsoring The Same**

Mr. Jones moved Council adopt the Resolution in support of the creation and sponsoring a Community Relations Board; motion was seconded by Ms. Hollingsworth and carried unanimously.

**RESOLUTION NO. 2017-12  
A RESOLUTION ENDORSING THE CREATION OF A  
COMMUNITY RELATIONS BOARD AND SPONSORING THE SAME**

Whereas, City Council has a strong interest in fostering and supporting good relations between all persons in our community;

Whereas, City Council believes that in our community and throughout our nation, our differences and our diversity have always been and continue to be among our greatest strengths, and should be celebrated as a part of our local and national heritage;

Whereas, City Council believes that a Community Relations Board structured, empowered, operated and managed consistent with the Statement of Organization and Purpose attached hereto, will be a positive force in our community;

Whereas, City Council believes that the City of Brevard is an open and welcoming community which desires to embrace all who are living within it;

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1: City Council hereby endorses the creation of a Community Relations Board under the structure of the Statement of Organization and Purpose which is attached;

Section 2: City Council further agrees that the City of Brevard shall be and is hereby designated as a Sponsoring Entity for the Community Relations Board;

Section 3: City Council hereby calls on the Transylvania County Commissioners, the Board of Aldermen for the Town of Rosman, the Transylvania County School Board, the Brevard Police Department, the Transylvania County Sherriff's Office, the NAACP, the Brevard/Transylvania Chamber of Commerce, and El Centro, to also endorse this Community Relations Board and to be additional sponsoring entities, all with power to appoint members to the Board as per the Statement of Organization and Purpose;

Section 4: This Resolution shall be transmitted to each such organization along with a letter from the City Manager asking for their participation in this regard;

Section 5: This Resolution shall become effective upon its adoption and approval.

Adopted and approved this the 19<sup>th</sup> day of June, 2017.

**N. Remarks / Future Agenda Considerations**

Mayor Harris encouraged folks to come out and enjoy the many July 4<sup>th</sup> activities planned in downtown, and, to come join in on the Tuesday evening square dances that are held on East Main Street. He shared he intends to run for Mayor in the coming election. He affirmed his commitment to see the paving of roads take place now that many of the utility infrastructure projects are coming to completion; amenities like Clemson Park and picnic shelters at Franklin Park to continue; completion of Form Base Code, and desires to be a part of the City's 150<sup>th</sup> Celebration in the coming year.

Mr. Morrow shared it has been a privilege and pleasure to serve the citizens of Brevard and announced he intends to run for City Council in the coming election.

Mr. Morrow asked Staff to speak with the Forest Service folks and look into the situation of folks camping or living above the City's water plant, and, asked if there is something than can be done about those driving in and out of the forest with loud mufflers, etc. Folks coming to enjoy the peace and calm of the mountains find the noise quite disturbing.

Mr. Landreth provided Council members with a copy of City's UDO Chapter 2, Section 2.3 Density and dimensional requirements. Shared as a follow-up from last month's discussion led by Claudia Hawkins on the lack of workforce housing in Transylvania County and within the City, he's reviewed our current density and dimensional requirements. Explained he is not advocating specifically for work force housing but more for providing greater density so that our infrastructure can be best utilized. Questioned if the SUP standards as currently written are discouraging or making more difficult dense development than intended, and, suggested as the Form Base Code is being drafted to keep in mind the need to provide for greater density.

Consensus of Council was they are interested in both minimum and maximum density requirements as they go forward with the Form Base Code.

Mr. Landreth moved, seconded by Mr. Daniel, moved Staff and Planning Board evaluate and make recommendation to Council about removing the SUP requirement for density in the NMX and DMX districts, and, to allow 15 units per acre without a SUP. Motion carried unanimously.

Mr. Landreth shared the County Commissioners have adopted the Recreation Plan; however, they did not adopt the complete Plan as drafted. We have spent a lot of money on this Plan for the benefit of our citizens, and, Council ought to be in a collaborative position with the County. Need to revisit how the City works with the County on recreation matters; perhaps through an authority or other structure, in order to find what best suits our citizens with respect to programs, physical aspects, etc.

Mr. Daniel shared he agrees and added citizens need to hear our position on the Recreation Plan. He then thanked Chief Harris, Mr. Cobb and Mr. Fatland for their work and efforts as they met with people in his neighborhood to discuss long-range plans.

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

**O-1. Closed Session #1** - At 9:50 P.M. Ms. Hollingsworth moved, seconded by Mr. Landreth, Council go into closed session to discuss an economic development matter. Motion carried unanimously. (A six minute break was taken to allow Council Chambers to be cleared.)

Council Returned to Regular Session - At 10:14 P.M. Council resumed the meeting in regular session. The minutes of the closed session are authorized to be sealed.

**O-2. Closed Session #2** - At 10:14 P.M. Mr. Landreth moved, seconded by Mr. Morrow, Council go into closed session to discuss a potential litigation matter. Motion carried unanimously.

Council Returned to Regular Session - At 10:34 P.M. Council resumed the meeting in regular session. The minutes of the closed session are authorized to be sealed.

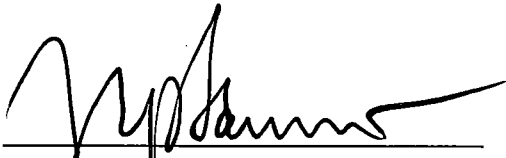
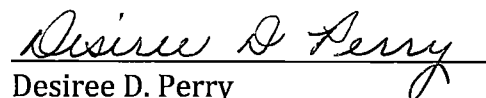
**O-3. Closed Session #3** - At 10:34 P.M. Mr. Daniel moved, seconded by Mr. Landreth, Council go into closed session to discuss a potential litigation matter. Motion carried unanimously.

Council Returned to Regular Session - At 10:47 P.M. Council resumed the meeting in regular session. The minutes of the closed session are authorized to be sealed.

**O-4. Closed Session #4** – At 10:47 P.M. Mr. Landreth moved, seconded by Mr. Morrow, Council go into closed session to discuss a property acquisition matter. Motion carried unanimously.

Council Returned to Regular Session – At 10:56 P.M. Council resumed the meeting in regular session. The minutes of the closed session are authorized to be sealed.

**P. Adjourn** – There being no further business, Mr. Landreth moved, seconded by Mr. Daniel, the meeting be adjourned. Motion carried unanimously. Meeting adjourned at 10:56 P.M.

  
\_\_\_\_\_  
Jimmy Harris  
Mayor  
\_\_\_\_\_  
Desiree D. Perry  
City Clerk

Minutes Approved: August 22, 2017