

**MINUTES
BREVARD CITY COUNCIL
Regular Meeting
August 22, 2017 – 7:00 PM**

The Brevard City Council met in regular session on Tuesday, August 22, 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, Planning Director Daniel Cobb, Deputy Clerk Jill Murray, Human Resources Director Kelley Craig, Staff Accountant Tom Whitlock, Public Works Director David Lutz and Police Chief Phil Harris.

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 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. Jones, the Agenda be amended by deleting Item J-2 Asheville Highway Art Sculpture Proposal and its associated M-3 Resolution, and the Closed Session; and to add M-5 Resolution Parks and Recreation and M-6 System Fees, and that the Agenda be approved as amended. Motion carried unanimously.

F. Approval of Minutes – Ms. Hollingsworth moved, seconded by Mr. Morrow, the June 19, 2017, meeting minutes be approved as presented. Motion carried unanimously.

G. Certificates / Awards / Recognition

G-1. Dr. Marty Ingram Certificate of Appreciation – A Certificate of Appreciation was prepared for Dr. Marty Ingram for her two years of service as a member of the County Parks, Trails and Recreation Committee. Dr. Ingram was not present and therefore the Certificate will be mailed to her.

G-2. Mr. Ben Hardy Certificate of Appreciation – A Certificate of Appreciation was prepared for Mr. Ben Hardy for his two years of service as a member of the County Parks, Trails and Recreation Committee. Mr. Hardy was not present and therefore the Certificate will be mailed to him.

G-3. Mr. Cameron Austin Certificate of Appreciation – Mayor Harris read aloud and presented a Certificate of Appreciation to Mr. Cameron Austin for his five years of service as a member of the Brevard ABC Board of Directors.

G-4. Proclamation No. 2017-11 Constitution Week, September 17-23, 2017. Proclamation was read aloud by Mayor Harris and presented to the following DAR representatives in attendance: Regent Sharon Jenkins, First Vice Regent Dayna Pollett, Second Vice Regent Nancy Davis, Recording Secretary Therese Zuccaro, Media Chair Ruth Anderson, and, Constitution Week Chair Portia Odell.

**Proclamation No. 2017-11
CONSTITUTION WEEK
September 17 – 23, 2017**

Whereas, September 17, 2017 marks the two hundred and thirtieth anniversary of the signing of the Constitution of the United States of America by the Constitutional Convention; and

Whereas, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

Whereas, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

Whereas, public law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;

NOW, THEREFORE, I, Mayor Jimmy Harris, and Brevard City Council of the City of Brevard, North Carolina do hereby proclaim September 17 through 23, 2017 to be

CONSTITUTION WEEK

in the City of Brevard, and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the City of Brevard on this 22nd day of August of the year of our Lord two thousand seventeen.

G-5. Proclamation No. 2017-10 Recognizing Parks and Property Management Director J. Lynn Goldsmith. A retirement reception was held on July 27, 2017, for Director Lynn Goldsmith, and at that time the following Proclamation was read aloud and presented to her:

**Proclamation No. 2017-10
Recognizing J. Lynn Goldsmith
City of Brevard, North Carolina**

Whereas, J. Lynn Goldsmith is retiring on August 1, 2017, after thirty four years of dedicated service to the City of Brevard; and

Whereas, during a long and distinguished career in public service that started on October 11, 1982, J. Lynn Goldsmith has displayed the highest example of character, ethics, morals and unselfish service; and

Whereas, J. Lynn Goldsmith has performed, of her own volition, many endeavors to benefit her fellow citizens, including improvements to the City's Sports Complex, Bracken Mountain Preserve, French Broad Community Center, Franklin Park and Pool, Girl Scout Hut, Hap Simpson Park, Clemson Park, Downtown Brevard, along with maintaining and making improvements to City Hall and other City facilities; and

Whereas, J. Lynn Goldsmith has provided professional and technical assistance while serving as a City Staff member upon the Brevard Tree Committee, Community Appearance Commission, Technical Advisory Committee, and the City Council Parks, Trails and Recreation Committee; and

Whereas, J. Lynn Goldsmith accomplished the professional achievements of becoming a North Carolina Licensed Landscape Contractor, obtained NC Pesticide License and Grade C Wastewater Certification, and, worked to insure the City maintained the designation of "Tree City USA" with 2017 being the 38th year to receive this honor; and

Whereas, J. Lynn Goldsmith in both her public and private life has served willingly and cheerfully, and has contributed immeasurably to the success of community endeavors and to the

betterment of the quality of life for many of Brevard's citizens. She has earned the admiration of those with whom she has come into contact, and the affection of her fellow public servants who are proud to call her "friend;" and

Now, therefore, I, Mayor Jimmy Harris, on behalf of Brevard City Council, City employees and our citizens, extend our respect, appreciation and gratitude to J. Lynn Goldsmith for her unselfish, devoted and invaluable service and contributions rendered to the City of Brevard and its citizens, and we extend our best wishes for many more happy and productive years in the future.

H. Public Hearing

H-1. Sunday Alcohol Sales, NC Senate Bill 155 The public hearing was properly advertised on August 7th and 14th, 2017.

Mayor Harris opened the public hearing at 7:27 P.M.

Mr. Fatland reported the State Legislature adopted House Bill 155 allowing a municipality to opt by local Ordinance to allow alcohol sales on Sundays beginning at 10:00 AM rather than waiting until 12 Noon. Council will take comment on the matter and a draft Ordinance has been prepared for Council's consideration (Item M-1).

Public Participation

Ms. Kristen Gentry, 645 Three Mile Knob, Pisgah Forest, NC, spoke on behalf of the C.A.R.E. Coalition. The Coalition is comprised of law enforcement, educational system personnel, health professionals and concerns citizens who are committed to an environment that is safe, healthy and nurturing for our young people. Research proves that any increase in availability of alcohol has an impact upon our youth. Invited Council to join the Coalition and to start a conversation on how we can support a healthy conversation for the youth in our community.

Mr. Trey Foster, 17 Stillwagon Lane, Cedar Mountain, NC, spoke in favor of Sunday alcohol sales. Stated he is the Executive Chef and General Manager of Dugan's Pub, and when he was in Florida when similar legislation as passed he saw an increase in sales. Asheville has already adopted Sunday alcohol sales. Requested Council adopt the ordinance to allow Sunday alcohol sales and shared Dugan's Pub will open for brunch if it is adopted.

Mr. Ron Gurtler, 29 W French Broad Street, Brevard, President of Dugan's Pub Corp., spoke in favor of Sunday alcohol sales. He offered this is an issue of choice of the restaurant, as well as, the customers. As a NC ABC License permit holder he is very aware and conscious of service that can and cannot be provided with respect to drinking age requirements and limits (not to overdrink).

Transylvania/Brevard Chamber of Commerce Executive Director Clark Lovelace stated he wants to convey a number of Chamber members have approached him expressing their hope that Council will adopt the Ordinance and to do so would be business friendly.

Public Hearing Closed – There being no further questions or comments, Mayor Harris closed the hearing at 7:36 P.M.

I. Public Participation - None

J. Special Presentation

J-1. Annual Tax Settlement Report – Ms. Jessica McCall, TC Tax Administrator, presented the annual Tax Settlement Report that provided the following: 2016 Collection Rates for the City of Brevard was 99.87%, and the Heart of Brevard was 100%. The collection total as of June 30, 2017 for the City was \$4,440,358.59. (A copy of the report is on file.)

City Council received the Tax Settlement Report as presented and thanked Ms. McCall and the Tax Administrator’s office Staff for the excellent job they do for the City.

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. Landreth recommended the Consent Agenda be amended to add New Business Item M-1 Ordinance-Sunday Alcohol Sales, and that the Consent Agenda be approved as amended. Motion was seconded by Mr. Morrow and carried unanimously.

K-1. Staff Reports:

- a. Parks & Property Management Report – May, June, July 2017
- b. Clerk’s Office July 2017 Report
- c. Year End Financial Report (Unaudited), June 30, 2017
- d. Public Works Monthly Report, May and June 2017

K-2. Ordinance No. 2017-14 FY 2016-2017 Budget Ordinance Amendment No.

Four

**ORDINANCE NO. 2017-14
FY2016-2017 BUDGET ORDINANCE
AMENDMENT NO. FOUR**

WHEREAS, the City Council of the City of Brevard has 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); Budget Ordinance No. Three (Ordinance No. 2017-12); and

WHEREAS, the FY2016-2017 Budget Ordinance Section 35 authorizes the Budget Officer to effect interdepartmental transfers, in the same fund, provided that no department budget shall be reduced by more than ten percent without prior approval of the City Council. Any such transfer shall be reported to the City Council at its next regular meeting and shall be entered into the minutes; and

NOW, THEREFORE BE IT RESOLVED THAT THE FOLLOWING INTERDEPARTMENTAL TRANSFERS BE MADE WITHIN THE GENERAL FUND. THE TOTAL GENERAL FUND EXPENDITURES REMAIN UNCHANGED.

SECTION 01) General Fund Expenditures by department are increased or decreased resulting in no increase to the total budget as shown below:

Parks & Property Management	\$ 10,000
Police Department	\$ 35,000
Public Services Administration	\$ 10,000
Public Services Sanitation	\$ 10,000
Recreation	\$ 15,000
Administration Department	\$ (25,000)
Streets-Local	\$ (55,000)
TOTAL EXPENDITURES	\$ -

SECTION 35) That Revenue and Expenditures set forth below remain unchanged as a result of inter departmental transfers.

	Budget
General Fund	\$ 9,602,991
Water & Sewer Utility Fund	\$ 5,467,449
Utility Capital Projects Fund	\$ 16,785,934
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
TOTAL BUDGET APPROPRIATIONS	\$ 37,023,068

APPROVED ON THE 30TH DAY OF JUNE 2017

APPROVED:

s/Jim Fatland

Jim Fatland, CPFO, NCCLGFO
City Manager & Finance Director

ATTEST:

s/Jill Murray

Jill Murray
Deputy City Clerk

NOTE: TO BE REPORTED TO THE BREVARD CITY COUNCIL AT THEIR NEXT REGULAR MEETING SCHEDULED FOR AUGUST 22, 2017.

Ordinance No. 2017-14 was reported to City Council at their August 22, 2017, meeting and approved by City Council as Consent Agenda Item K-2.

K-3. Ordinance No. 2017-15 An Ordinance Amending The FY2017-2018 Budget, Amendment No. One

**ORDINANCE NO. 2017-15
AN ORDINANCE AMENDING THE FY2017-2018 BUDGET
AMENDMENT NO. ONE**

WHEREAS, the City Council of the City of Brevard previously approved the Annual Budget (Ordinance No. 2017-13); and

WHEREAS, it is necessary to make amendments to the budgets to reflect additional revenue, appropriation of fund balance, and expenditures for Fiscal Year 2017-2018.

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 \$112,874 from \$9,620,107 to \$9,732,981 as shown as follows:

Additional Revenue:	
Loan Proceeds	\$ 51,250
Fund Balance Appropriated	<u>\$ 61,624</u>
TOTAL REVENUES	\$ 112,874

SECTION 02) General Fund Expenditures are hereby increased \$112,874 from \$9,620,107 to \$9,732,981 as shown as follows:

Streets – Local: Capital Equipment	\$ 61,624
Sanitation: Capital Equipment	<u>\$ 51,250</u>
TOTAL EXPENDITURES	\$ 112,874

SECTION 11) Terrell L. Scruggs Scholarship Fund Revenues are hereby increased \$5,000 from \$15,000 to \$20,000 as shown as follows:

Contributions and Donations	\$ 5,000
TOTAL REVENUE	\$ 5,000

SECTION 12) Terrell L. Scruggs Scholarship Fund Expenditures are hereby increased \$5,000 from \$15,000 to \$20,000 as shown as follows:

Scholarships, Expenses, & Fund Balance Increased	\$ 5,000
TOTAL REVENUES	\$ 5,000

SECTION 33) That Revenues and Expenditures Section 1 through Section 32 of the Ordinance Amendment have increased \$117,874 from \$28,169,998 to \$28,287,872 as follows:

	Budget
General Fund	\$ 9,732,981
Water & Sewer Utility Fund	\$ 5,678,500
Utility Capital Projects Fund	\$ 8,220,000
Capital Reserve Fund	\$ -
Fire District Fund	\$ 2,035,640
Terrell L. Scruggs Scholarship Fund	\$ 20,000
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
TOTAL BUDGET APPROPRIATIONS	\$ 28,287,872

Adopted and approved this 22nd day of August, 2017.

K-4. Resolution No. 2017-13 A Resolution Directing The City Clerk To Investigate The Sufficiency Of A Petition For An Annexation Pursuant To NCGS 160A-31, As Amended

RESOLUTION NO. 2017-13
A RESOLUTION DIRECTING THE CITY CLERK TO INVESTIGATE
THE SUFFICIENCY OF A PETITION FOR AN ANNEXATION PURSUANT TO
NCGS 160A-31, AS AMENDED

WHEREAS, a petition was received on July 24, 2017, requesting the annexation of a contiguous area described in said Petition as the John J. Brown, Trust, property located at 2085 Ecusta Road, Brevard, NC, 28712, consisting of 1.702 acres, be annexed into the City of Brevard. (Tax Property Identification Number: 8596-59-0493-000)

Metes and Bounds Property Description:

Beginning at 1.702 acres parcel of property as surveyed by Kevin D. Goldsmith, PLS, and shown on a plat dated December 1, 2016, and recorded in Plat File 16, Slide 963, Transylvania County Registry.

Subject to all easements, covenants, conditions, reservations, leases, and restrictions of record, all legal highways, all rights-of-way, all zoning, building, and other laws, ordinances and regulation, all rights of tenants in possession, and all real estate taxes and assessments not yet due and payable.

Being the same property conveyed by Deed recorded in Book 787, page 78-80, Transylvania County Registry.

No party dealing with the Trustees in relation to the property in any manner whatsoever and without limiting the foregoing, no party to whom the property or any part thereof or any interest therein shall be conveyed, contracted to be sold, leased or mortgaged by the Trustees shall be obliged (a) to see the application of any such money,

rent or money borrowed to otherwise advance on the property; (b) to inquire into the authority necessity or expediency of any act of the Trustees; or (c) be privileged to inquire into any of the terms of the Trust Agreement.

WHEREAS, said Petition has been received by the City Council of the City of Brevard, North Carolina; and

WHEREAS, NCGS 160A-31, as amended, provides that the sufficiency of the Petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Brevard deems it advisable to proceed in response to this request for annexation.

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

Section 1. The City Clerk is hereby directed to investigate the sufficiency of the above described Petition and to certify as soon as possible to the City Council the result of her investigation.

Section 2. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this the 22nd day of August, 2017.

K-5. Jordan Street Pay Parking Lot – The City-owned parking lot on West Jordan Street began charging for parking on August 1st. The rate is currently set at \$1 per hour, with a maximum of \$5 per day (meaning \$5 buys all-day parking). As of August 11, 2017, the parking lot kiosk has collected \$1,352.00 in revenue. Staff will monitor the usage and revenue from the parking lot and update Council in future. The success of this lot may lead to future recommendations for additional paid lots.

K-6. Correspondence *(No Action. Offered as information only.)*

- a. June and July 2017 City-County Building Permit Activity Report
- b. ABC Adopted Budget for FY2017-2018
- c. Chamber of Commerce July 26 letter on workforce housing.
- d. Fire Department New ISO Rating from 4 to 3
- e. Fire Department Receives FEMA Grant for Air Packs
- f. Franklin Park Shelter #2 by Volunteer Labor, Transylvania Times Article
- g. Letter of Thanks to Fire Department from NC Forest Supervisor
- h. Letter of Thanks to Fire Department from St. Philips Episcopal Church
- i. Transylvania Community Arts Council Gallery Walk
- j. C.A.R.E. Coalition – Transylvania CARES Campaign
- k. WNC Military History Museum Ribbon Cutting Ceremony

K-7. (M-1) Ordinance NO. 2017-16 An Ordinance Respecting Hours of Certain Sunday Alcohol Sales and Amending Chapter 42 Offenses and Miscellaneous Provisions, Article 1, Section 42-3 Consumption or Possession of Alcoholic Beverages in Public Place.

ORDINANCE NO. 2017-16

AN ORDINANCE RESPECTING HOURS OF CERTAIN SUNDAY ALCOHOL SALES AND AMENDING CHAPTER 42 OFFENSES AND MISCELLANEOUS PROVISIONS, ARTICLE 1, SECTION 42-3 CONSUMPTION OR POSSESSION OF ALCOHOLIC BEVERAGES IN PUBLIC PLACE.

WHEREAS, the General Assembly has pursuant to N.C.G.S. § 18B-1004(c) made it unlawful to sell or consume alcoholic beverages on any licensed premises from the time at which sale or consumption must cease on Sunday morning until 12:00 noon on that day; and

WHEREAS, the General Assembly has, since the adoption of the aforementioned prohibition, enacted N.C.G.S. § 160A-205.3, permitting a municipality to adopt an ordinance allowing for the sale of malt beverages, unfortified wine, fortified wine, and mixed beverages beginning at 10:00 a.m. on Sunday pursuant to the licensed premises' permit issued under N.C.G.S. § 18B-1001; and,

WHEREAS, the City Council considers it to be in the best interest of the health, safety and welfare of the City's residents, businesses and visitors to allow licensed premises to sell malt beverages, unfortified wine, fortified wine, and mixed beverages beginning at 10:00 a.m. on Sunday,

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

SECTION 1. ALCOHOLIC BEVERAGE RETAIL SALES ON SUNDAY – HOURS. The City Council hereby declares that sale of malt beverages, unfortified wine, fortified wine, and mixed beverages shall be allowed on premises having a valid and current license within the City beginning at 10:00 a.m. on Sunday pursuant to the licensed premises' permit issued under N.C.G.S. § 18B-1001.

Licensed Premises – See City of Brevard Code of Ordinances, Chapter 22 Businesses, Article II, Section 22-53 ABC License and Fee Schedule.

SECTION 2. AMEND BREVARD CODE OF ORDINANCES, CHAPTER 42, ARTICLE 1, SECTION 42-3 (3). Amend existing text to read as follows: The sales and consumption of malt beverages and unfortified wine, but no other alcoholic beverages, are authorized to begin at 10:00 a.m. and continue until 11:00 p.m. on Sundays, provided, however, that no such sales shall be allowed earlier or later than during the City permitted timeframe of the festival.

SECTION 3. SEVERABILITY. If any provision of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after the date of its adoption.

Approved and adopted this 22nd day of August, 2017.

L. Unfinished Business - None

M. New Business

M-2. NCDOT SPOT Project Prioritization – Mr. Cobb reported NCDOT uses a transparent, systematic, and data-driven process for prioritizing the major transportation in the state and making investment decisions. Projects are evaluated based on their merit through an analysis of the existing and future conditions, the benefits the project is expected to provide, the project's multi-modal characteristics and how the project fits in with local priorities. The outcome of the Strategic Prioritization process serves as input to the Draft State Transportation Improvement Program (STIP)

Every two years the Land-of-Sky RPO submits projects on behalf of the City into NCDOT's statewide prioritization program. This program is managed through the State's Strategic Planning Office of Transportation (SPOT). The outcome of this process are priorities that make their way into the STIP. At this point projects are then scored against projects from the region and across the state. Then they are scheduled for funding, construction, feasibility analysis and more. The Transylvania County TAC met on August 1, 2017, and recommended the following 10 projects for funding. These projects are ranked from highest priority (1) to lowest (10). All of the projects stem from the 2007 Transylvania County Comprehensive Transportation Plan and are exclusively road projects.

1. NC 280 – Convert 4-lane to divided highway with 17.5' median.
2. US 64 – Widen existing highway to 4-lane divided from Clement Road to NC 215
3. SR 1546 (Neely Road) – Upgrade roadway to 20' in width, add sidewalks
4. US 64 / Country Club intersection – Intersection improvements
5. SR 1512 (Ecusta Road) – Upgrade roadway with complete street standards
6. US 178 – Widen and realign, include climbing lanes
7. SR 1504 (Old 64) – Upgrade roadway with complete street standards
8. West Loop – Construct two-lane in new location

9. SR 1116 (North Country Club Road) – Upgrade roadway to 26' with curb and gutter
10. SR 1533 (Everett Farm Road) – Upgrade roadway to 22' with paved shoulder

Mr. Cobb concluded by stating Staff recommends Council consider accepting and supporting, by motion, the list of priorities as outlined above.

Motion - Following Council's review of the priority listing, Ms. Hollingsworth moved, seconded by Mr. Jones, Council support the NC SPOT as presented and recommended. Motion carried unanimously.

M-4. Board and Committee Appointments

Motion - Mr. Daniel moved, seconded by Mr. Landreth, Council make the following board/committee appointments. Motion carried unanimously.

Brevard Planning Board – Reappointed Mr. Jimmy Perkins to a second term; term to expire September 2020.

City Council Parks, Trails and Recreation Committee – Appointed Public Works Director David Lutz to fill the Staff vacancy from former (retired) Parks and Property Management Director Lynn Goldsmith. Permanent; no term expiration.

City Council Parks, Trails and Recreation Committee – Appointed Mr. J. Cody Owen to fill vacancy from former member Mr. Ben Hardy; term to expire May 2019.

Brevard Board of Adjustment – Mr. Kevin Jones, who has been serving as an alternate member, was appointed to serve as a regular member filling the unexpired term vacancy from former member Mr. Mike Young. Term will expire November 2018.

M-5. Resolution No. 2017-14 A Resolution The City of Brevard/Transylvania County Parks and Recreation Master Plan of September 2016.

Mr. Fatland shared the City Council Parks, Trails and Recreation Committee met on August 16th and have recommended Council adopt the drafted Resolution. The City will continue to own and maintain their existing recreation facilities, and look forward to opportunities to work together with the County on future recreation projects. Committee further recommends Council consideration to expand the Council Parks, Trails and Recreation Committee by adding a County ex-officio member.

Motion – Mr. Landreth moved, seconded by Mr. Morrow, Council adopt the Resolution as presented. Motion carried unanimously.

RESOLUTION NO. 2017-14 A RESOLUTION THE CITY OF BREVARD/ TRANSYLVANIA COUNTY PARKS & RECREATION MASTER PLAN OF SEPTEMBER 2016

WHEREAS, the City of Brevard seeks to partner with Transylvania County on Parks and Recreation opportunities for the betterment of the County and City residents; and

WHEREAS, City of Brevard residents are also citizens of Transylvania County; and

WHEREAS, the City of Brevard values outstanding parks and recreational opportunities and recognizes them as a vital component to economic development; and

WHEREAS, the City of Brevard owns and maintains many recreational assets such as Bracken Preserve, Sports Complex, the Estatoe Trail, Franklin Park and Pool and Hap Simpson Park, and intends to retain ownership of these assets; and

WHEREAS, the City of Brevard and Transylvania County governments shared the cost of preparing this master plan; and

WHEREAS, the City of Brevard Public Works department has assumed the role of Parks & Property Management and has increased manpower and equipment support to maintain service levels efficiently and effectively; and

WHEREAS, community members identified priorities for greenways for walking, hiking and biking, small family picnic areas and shelters, indoor swimming pool, outdoor swimming pools, and community parks; and

WHEREAS, among the least met needs citizens identified a dog park, indoor swimming pool, skateboard park, pickle ball court and disc golf courses; and

WHEREAS, the City of Brevard seeks to elevate the quality of recreational programs on a per project basis coordinating with Transylvania County; and,

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1: The City Council hereby acknowledges receipt of the Transylvania County / City of Brevard Parks & Recreation Master Plan of 2016.

Section 2: This plan represents citizens' priorities and will serve as a guide to achieve outstanding parks and recreational programs and facilities.

Section 3: The City will provide continued ownership, operation and maintenance of the City parks and trail system.

Section 4: The City agrees to send a representative to the County Parks and Recreation Committee meetings and the County will be invited to participate as an ex officio member of the Parks, Trails and Recreation Committee meetings to ensure improved communication and sharing of information.

Section 5: The City Council supports Transylvania County's efforts to develop an aquatic facility, community centers, and sports complex.

Section 6: This Resolution shall become effective upon its adoption and approval.

Adopted and approved this the 22nd day of August, 2017.

M-6. System Development Fees (Impact Fees) - Mr. Pratt explained Council is being asked to begin the process to have System Development fees that replace impact fees. To do so the City will need to retain a professional qualified in both engineering and financial to determine what system development fees are reasonable for local adoption. Statute further requires public input/comments prior to public hearing. There is a lot of work done prior to the public hearing on the matter.

Motion – Mr. Landreth moved, seconded by Mr. Daniel, Council direct the Manager and Staff to proceed and begin the process to establish system development fees by securing an appropriate qualified professional. Motion carried unanimously.

N. Remarks / Future Agenda Considerations

Mayor Harris expressed appreciation for Mr. C. J. Harris' desire and his organizing a community gathering at the Bethel A Baptist Church playground, and reported there was a great community turnout for the event. Shared the Military Museum ribbon cutting ceremony will be held on Friday and encouraged folks to attend. Reported folks from several states visited Brevard to experience the total solar eclipse, and that Brevard received 2,500 donated mini moon pies. Local businesses gave away the moon pies to customers during the eclipse. Downtown business owners decided, rather than ask customers to make a donation for a mini moon pie, that they as business owners will give a financial contribution to the local Sharing House.

Mr. Landreth expressed his thanks to Mr. Lutz for his working with a King Street business owner. He then shared, in light of what recently took place in Charlottesville, VA, and with this being the eve of school starting back tomorrow, it's an important day as it's a time for our teachers to teach our children that our world is a diverse world with different peoples, religions and cultures, and all these differences have to offer. There is a place for all of us in this creation, Country and City.

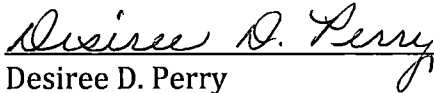
Mr. Jones shared it is good to be back and that he is recovering well from his recent surgery.

Mr. Pratt thanked Mr. Landreth for his heart felt and well shared comments, and, affirmed to Council there is no need to hold a closed session tonight.

O. Closed Session(s) – None

P. Adjourn – There being no further business, Mr. Morrow moved, seconded by Ms. Hollingsworth, the meeting be adjourned. Motion carried unanimously. Meeting adjourned at 8:21 P.M.


Jimmy Harris
Mayor


Desiree D. Perry
City Clerk

Minutes Approved: September 18, 2017