

**MINUTES
BREVARD CITY COUNCIL
Regular Meeting
June 21, 2021 – 5:30 PM**

The Brevard City Council met in regular session on Monday, June 21, 2021, at 5:30 p.m. in the Council Chambers of City Hall with Mayor Pro Tem Mac Morrow presiding.

Present – Mayor Pro Tem Mac Morrow, Council Members Maureen Copelof, Maurice Jones, Gary Daniel and Geraldine Dinkins.

Absent – Mayor Jimmy Harris

Staff Present – City Attorney Mack McKeller, City Manager and Finance Director Jim Fatland, City Clerk Jill Murray, Assistant Finance Director Tom Whitlock, Executive Assistant to City Manager Denise Hodsdon, Fire Chief Bobby Cooper, Police Chief Phil Harris, Deputy Police Chief Tom Jordan, Planning Director Paul Ray, Planner Leigh Huffman, Police Officer Greg Holden, Police Officer Rick Harbin, Assistant Public Works Director Wesley Shook, and Intern Erick Mendez.

Press – None

A. Welcome and Call to Order – Mayor Pro Tem Morrow called the meeting to order, welcomed those present and introduced Council members, Attorney and City Clerk.

B. Invocation – Victor Foster offered an invocation.

C. Pledge of Allegiance - Mayor Pro Tem Morrow led the pledge of allegiance.

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

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

F. Approval of Minutes – Mr. Jones moved, seconded by Mr. Daniel, the May 17, 2021 Regular Meeting Minutes be approved as presented. Ms. Copelof moved, seconded by Mr. Jones, the June 7, 2021 Budget Work Session Minutes be approved as presented. Motion carried unanimously.

G. Certificates/Awards/Recognition -

G-1. Terrell Scruggs Scholarship Recipients. The following 2021 Scholarship recipients were recognized Emma Slater Berry, Robert Allan Brown, Cassidee Leann Cali, Rachel Lynn Carnathan, Jia Li Emaus, Nathaniel David Mahoney, Lauryl Marie Meile, Brooklyn Lynette Myers and Robert Heath Sanders. Also present was Terrell Scruggs Scholarship Committee Founder Betty Scruggs and Human Resources Director Kelley Craig.

G-2. Recognition of Bahtle Griffin – Bahtle was unable to attend.

G-3. NAMI Police Officer of the Year-Greg Holden. Police Chief Phil Harris, NAMI Western North Carolina President Terri Harris and NAMI Western North Carolina Crisis Prevention Training Coordinator Beverly Dale all presented the award to him.

G-4. NAMI Police Officer of the Year-Rick Harbin. Police Chief Phil Harris, NAMI Western North Carolina President Terri Harris and NAMI Western North Carolina Crisis Prevention Training Coordinator Beverly Dale all presented the award to him.

G-5. NAMI Police Officer of the Year-Chris Brittain. Mr. Brittain was not in attendance at the Council meeting.

G-6. Recognition of Mary C. Jenkins Community Center Task Force Members. Council Member Maurice Jones thanked and recognized each of the members of the Mary C. Jenkins Community Center Task Force and presented a certificate to: Victor Foster, Edith Darity, Karen Darity, Randy Lytle, Susan Threlkel, Nicola Karesh, Denise Hodsdon, Gary Daniel, Jim Fatland, Michael Pratt, and Maurice Jones.

H. Special Presentation(s) –

H-1. Michele Pilon-Update on Transylvania Regional Hospital. Michele Pilon spoke and presented a brief PowerPoint (on file) and gave the highlights of the hospital for 2020-2021. She also mentioned that she will be hosting “business after hours” at the hospital on July 13th from 5:30p-7:00p.

H-2. Resolution No. 2021-21 Authorizing City of Brevard to Take Lead on Ecusta Trail in Securing Funding, Overseeing Design and Construction in Transylvania County.

Mr. Fatland explained that in 2019 Conserving Carolina was awarded a \$6.4 million dollar grant from the Federal Transportation Alternatives Program to acquire and rail bank the 19.4 mile rail corridor connecting Hendersonville and Brevard for the purpose of creating the proposed Ecusta Trail Greenway. Ecusta Rails 2 Trails, LLC (a subsidiary of Conserving Carolina) entered into a contract with Blue Ridge Southern Railroad to purchase the rail corridor for \$7.76 million in October, 2020 and the closing is planned to occur in July, 2021. Conserving Carolina contacted the City of Brevard to seek support for the Ecusta Trail by taking the lead on securing funding, overseeing design and construction. The City of Brevard is preparing a grant application to USDOT (RAISE) Grant. The grant application includes full funding for design and construction on the Brevard-Transylvania County portion of the 19.4 mile Ecusta Trail. Also included in the application is funding to complete the Estatoe Trail and Downtown Streetscape Improvements. The application deadline is July 12, 2021 and the anticipated date on the grant award is the end of this year and Mr. Fatland added that the County declined to take the lead on this. He explained there are two resolutions to consider.

- Resolution Authorizing the City of Brevard to Take Lead on Ecusta Trail in Securing Funding, Overseeing Design and Construction in Transylvania County.
- Resolution Supporting Application for a Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant for the Construction of Multiple Interconnected and Outstanding Transportation Infrastructure Projects.

Kieran Roe, Executive Director of Conserving Carolina and Chris Burns spoke some more about the project and showed a PowerPoint presentation (on file).

Ms. Dinkins moved, seconded by Ms. Copelof to approve the Resolution Authorizing the City of Brevard to Take Lead on Ecusta Trail in Securing Funding, Overseeing Design and Construction in Transylvania County. Motion carried unanimously.

Ms. Copelof moved, seconded by Mr. Morrow to approve the Resolution Supporting Application for a Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant for the Construction of Multiple Interconnected and Outstanding Transportation Infrastructure Projects. Motion carried unanimously.

RESOLUTION 2021-21

RESOLUTION AUTHORIZING CITY OF BREVARD TO TAKE LEAD ON ECUSTA TRAIL IN SECURING FUNDING, OVERSEEING DESIGN AND CONSTRUCTION IN TRANSYLVANIA COUNTY

WHEREAS, Conserving Carolina, a non-profit land conservation organization that works in Henderson, Transylvania and neighboring counties, has been working with partners including the non-profit Friends of the Ecusta Trail and local governments to create the proposed Ecusta Trail on the 19.4-mile rail corridor connecting Hendersonville and Brevard; and

WHEREAS, Ecusta Rails 2 Trail, LLC (a subsidiary of Conserving Carolina) has secured funding to acquire the rail corridor from Blue Ridge Southern Railroad and plans to close on the purchase in coming weeks; and

WHEREAS, Henderson County has agreed to enter into a Memorandum of Agreement and play a lead role in securing funding, overseeing construction and managing public use of the section of the future rail-trail in Henderson County; and

WHEREAS, the City of Brevard, in partnership with Conserving Carolina and others, has been actively developing and managing an expanding network of trails and greenways over the past several decades, including the City's Estatoe Trail System and Bracken Preserve; and

WHEREAS, the future Ecusta Trail will bring many recreational, public health and economic benefits to local residents and businesses within and beyond the City of Brevard, and

WHEREAS, Conserving Carolina and other project partners have requested that the City of Brevard play a lead role in securing funding, overseeing design, construction and managing public use of the section of the Ecusta Trail in Transylvania County; and

WHEREAS, the City of Brevard was selected as the 50th Blue Zone Community in North America; and

WHEREAS, the Brevard Blue Zone Project has adopted the Ecusta Trail as their "Marquee Project"; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Brevard agrees to work with Conserving Carolina, Friends of the Ecusta Trail, the Brevard Blue Zone Project and other partners to play a lead role in securing funding, overseeing construction and managing public use of the section of the Ecusta Trail in Transylvania County.

Adopted and approved this 21st day of June 2021.

RESOLUTION NO. 2021-22

A RESOLUTION SUPPORTING APPLICATION FOR A REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY (RAISE) GRANT FOR THE CONSTRUCTION OF MULTIPLE INTERCONNECTED AND OUTSTANDING TRANSPORTATION INFRASTRUCTURE PROJECTS

WHEREAS, The City of Brevard has long valued quality multi-modal transportation infrastructure to meet the needs of our citizens; and

WHEREAS, this value has expressed itself through numerous public input efforts and planning processes over many years of various studies; and

WHEREAS, the citizens of Brevard and the City have worked to cultivate their unique and innate assets, such as geographic position to the Pisgah National Forest, DuPont State Forest, Gorges State Park, Bracken Preserve, Blue Ridge Mountains, its unique downtown and its historic built environment; and

WHEREAS, the City of Brevard and its citizens have worked to develop these assets to transform their economy upon the closure of several large industries; and

WHEREAS, the City has invested in multiple transportation related plans and partnered with other regional entities to develop these plans, including the: Downtown Masterplan of 2002, 2012 and 2021, the FHWA supported Ecusta Rail Trail Planning Study and Economic Impact Analysis of 2012, the Comprehensive Transportation Plan of 2007 and 2025, the Brevard Bicycle-Friendly Community Improvement Plan of 2018, the Transylvania County Bicycle Plan of 2019, the Blue Ridge Regional Bike Plan, and the Brevard Comprehensive Pedestrian Plan of 2006 and 2018, to name a few; and

WHEREAS, these plans and investments confirm the interest to provide efficient alternative modes of transportation such as bike, transit, pedestrian and multi-use spaces in existence and coordination with traditional vehicular use corridors; and

WHEREAS, significant investments to implement these plans and interests have been made by the City, our government administration neighbors and other transportation related partners as opportunities and funding allow; and

WHEREAS, Brevard understands that a safe, reliable, affordable and accessible transportation system is essential to the quality of life of our residents and to the health of our economy; and

WHEREAS, the United States Department of Transportation has issued another round of its transportation infrastructure discretionary grant funding, now titled RAISE; and

WHEREAS, the 2021 RAISE grant is providing \$1 billion of funding for planning and capital investments in surface transportation infrastructure and are to be awarded on a competitive basis for projects that will have a significant local or regional impact; and

WHEREAS, RAISE funding can support roads, bridges, transit, rail, ports or intermodal transportation that include, implement or enhance safety, economic competitiveness, quality of life, environmental sustainability, state of good repair, innovation, and partnerships; and

WHEREAS, fifty percent of the 2021 RAISE Transportation grant is appropriated to support projects located in rural areas that deliver positive benefits for these communities: and

WHEREAS, Brevard is a rural community and has multiple transportation infrastructure needs, as outlined in the aforementioned plans, that require alternative funding sources to advance; and

WHEREAS, the RAISE grant program is a robust alternative funding source for transportation infrastructure needs, however it is also an extremely competitive nationwide program necessitating one to consider a robust funding match, a thorough and thoughtful application and demonstration of sound, strategic planning practices, past investments, commitment and capacity; and

WHEREAS, the 2021 RAISE grant allows award grantees until September 30, 2024, to obligate the grant funds via an authorized written grant agreement and provides grantees until September 30, 2029, to expend or liquidate the awarded grant; and

WHEREAS, the 2021 RAISE applications are due by July 12, 2021, at 5:00 pm and notification of awards is expected on or before November 22, 2021; and

WHEREAS, the City has prioritized certain transportation projects that are in varying stages of status and funding availability that, if implemented simultaneously, will significantly achieve our desire to provide interconnectivity.

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

SECTION 1. The City Manager is hereby authorized to apply for a RAISE grant and accept funding for the implementation of:

1. **ECUSTA TRAIL**-design and construction of the Transylvania County portion of the 19-mile regional trail system connecting to Henderson County
2. **ESTATOE TRAIL**-design and construction of the trail segment from the Mary C. Jenkins Community Center/Silversteen Park to Brevard High School and the construction of a pedestrian/bike tunnel in conjunction with the NCDOT Asheville Hwy Improvements Project near Allison Road, and
3. **DOWNTOWN MASTERPLAN STREETScape**- as outlined in the Downtown Master Plan of 2021 document adopted by the Brevard City Council on June 21, 2021: and

SECTION 2. The City Manager is hereby authorized to commit up to \$4,623,515 as a local match to support a RAISE grant request of approximately \$21.1 million to advance these projects.

SECTION 3. This Resolution shall become effective upon its adoption and approval.

Adopted and approved on 21st day of June 2021.

H-3. Resolution No. 2021-23 Establishing Rosenwald Community Advisory Board.

Mr. Fatland explained that the Mary C. Jenkins Community Center Task Force was established on January 25, 2018. On May 17, 2021, City Council approved the project ordinance for the new community center and awarded the construction contract to First Victory. The MCJCC Task Force has completed its mission and will be dissolved. On June 1, 2021, the MCJCC Task Force unanimously supported the recommendation to the City Council on establishing a Rosenwald Community Advisory Board. The committee would consist of 10 members. Randy Lytle spoke and said that the task force was an absolute blessing to create and thinks a resolution to form a permanent board is a great idea. Ms. Dinkins moved, seconded by Mr. Jones to approve

the Resolution Establishing Rosenwald Community Advisory Board. Motion carried unanimously.

RESOLUTION NO. 2021-23

**A RESOLUTION ESTABLISHING
ROSENWALD COMMUNITY ADVISORY BOARD**

WHEREAS, the City of Brevard City Council established The Mary C. Jenkins Community Center Task Force on January 25, 2018; and

WHEREAS, the Mary C. Jenkins Board of Directors donated the land to the City of Brevard for ownership and operation of a new community center; and

WHEREAS, the Bethel "A" Baptist Church Board of Trustees donated Silversteen Memorial Playground and adjacent parking to the City of Brevard; and

WHEREAS, the City of Brevard, Mary C. Jenkins Community Center Board of Directors and Bethel "A" Baptist Church Board of Trustees formed a unique partnership for the Revitalization of the Rosenwald Community; and

WHEREAS, the City of Brevard advertised for construction bids and bids were opened on April 29, 2021; and

WHEREAS, the City of Brevard City Council at its regularly scheduled meeting held on May 17, 2021 approved contract award and project budget ordinance for the new Mary C. Jenkins Community Center; and

WHEREAS, the Mary C. Jenkins Community Center Task Force has completed its work on site acquisition, preliminary and final design for a new community center; and

WHEREAS, the Mary C. Jenkins Community Center Task Force at its meeting held on June 1, 2021 unanimously approved the recommendation to form a permanent City Council Committee "Rosenwald Community Advisory Board" to provide recommendations to the Brevard City Council; and

NOW, THEREFORE, BE IT RESOLVED THAT:

SECTION 1. Brevard City Council appreciates the hard work and dedication of the Mary C. Jenkins Community Center Task Force for completion of its assigned tasks of site acquisition, preliminary and final design of a new community center; and

SECTION 2. Brevard City Council hereby dissolves the Mary C. Jenkins Community Center Task Force and establishes a permanent City Council Committee, hereafter referred to as the "Rosenwald Community Advisory Board"; and

SECTION 3. Membership shall consist of ten members; four from the City of Brevard and six from the Mary C. Jenkins Board of Directors; and

SECTION 4. City of Brevard Members shall be two City Council Members, City Manager and MCJCC Coordinator; and

SECTION 5. Mary C. Jenkins Board of Directors shall have six appointments and shall be appointed to a 2-year term, expiring in May; and

SECTION 6. The President of the Mary C. Jenkins Board of Directors and Brevard City Council Member shall serve as Co-Chairmen of the Rosenwald Community Advisory Board.

Approved this 21st day of June 2021.

H-4. Resolution No. 2021-24 Adopting a Downtown Master Plan and Streetscape within the City of Brevard.

Paul Ray explained that based on a recommendation from the Downtown Master Plan Committee, City Council voted unanimously on December 7, 2020 to retain Domokur Architects and Arbor Engineering to serve at the City's Downtown Master Plan and Streetscape Consultant. Stakeholder engagement was incorporated into the master planning process at multiple stages of the process guiding the overall direction of the plan and building consensus from the community for improvements needed. Melanie Spreen of Domokur Architects presented a PowerPoint presentation (on file), showing a breakdown of the stakeholder engagement process, overall plan and implementation of the plan. Staff's recommends approval of the Downtown Master

Plan as presented. Ms. Copelof moved, seconded by Ms. Dinkins to approve the Resolution. Motion carried unanimously.

RESOLUTION NO. 2021-24

A RESOLUTION ADOPTING A DOWNTOWN MASTER PLAN AND STREETScape WITHIN THE CITY OF BREVARD

WHEREAS, Brevard continues to strive to be an outstanding place to live, work, and play by finding ways to maintain, enhance, and build upon its distinctive small-town charm, and remain a livable community for everyone; and,

WHEREAS, Brevard continues planning for efficient and equitable infrastructure investments for a distinguished and attractive community where the form and function of all infrastructure, transportation, amenities, and utility systems play a significant role in defining Brevard's ability to take on new growth and development, as well as maintaining its quality of place; and,

WHEREAS, the City of Brevard City Council voted unanimously on December 7, 2020, to retain Domokur Architects, Inc. and Arbor Engineering, Inc. to serve as the City's Downtown Master Plan & Streetscape Consultant; and,

WHEREAS, the Blue Zone Project-Brevard and Blue Zones, LLC is hereby recognized for contributing their vision and knowledge of designing a healthier, resilient and more prosperous built environment and for their civic participation in master planning; and,

WHEREAS, this approval directed City Staff to work with the Downtown Master Plan Committee and community stakeholders to draft a Downtown Master Plan and Streetscape to serve as the foundation for all downtown master plan and streetscape documents; and,

WHEREAS, the City's Staff, Downtown Master Plan Committee and community stakeholders requested a modular plan which could be implemented in phases based on the City's available financial resources, while also meeting the criteria for more comprehensive funding through grant application submittals; and,

WHEREAS, it is the desire of the City of Brevard to formalize its commitment to master planning its central business district that captures the vision of the community's future, and outlines the steps necessary for implementation.

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

SECTION 1. The City of Brevard adopts the attached Downtown Master Plan and Streetscape.

SECTION 2. Effective application of this Downtown Master Plan will require the City to make annual budgetary commitments for segmental implementation while seeking grant opportunities for more comprehensive progress.

SECTION 3. Periodic evaluation and updating is recommended to ensure application of best practices and the most current design techniques are being applied within the City of Brevard.

SECTION 4. The City of Brevard will work with NCDOT and other agencies and partners as appropriate to incorporate the planning, design, and operation of this 2021 Downtown Master Plan.

Approved and adopted this the 21st day of June, 2021.

~~ At 7:21 PM Mayor Pro Tem Morrow called for a ten minute break. ~~

I. Public Hearing(s) –

I-1. Ordinance No. 2021-27 City of Brevard FY2021-2022 Budget Ordinance and Fee Schedule.

Mr. Fatland presented the FY22 Budget for all funds totaling \$35.2 million dollars and said the FY22 recommended budget for the general fund totals \$9,887,900 or 4.2% less than the FY21 budget of \$10,320,229.

Mr. Whitlock presented a PowerPoint presentation (on file) showing the proposed general fund tax rate to be \$0.4500 and the proposed Heart of Brevard tax rate is \$0.213. The sanitation fund proposed a \$3.00 per month increase for residents

and commercial garbage and a proposed rate increase of 4% for the utility fund. Under the water and sewer enterprise fund, the total cost of capital projects is \$15,179,807 and the American Rescue Plan Fund total is \$2,319,450 with a water and sewer fund rate increase of 4%.

Alvin Fuller of Summit Engineering gave a PowerPoint presentation (on file) explaining the over project needs and descriptions, as well as, the financial impacts of the Infrastructure Improvements Plan totaling \$7,775,000.00.

Public Hearing Public Participation – None

Public Hearing Closed – There being no further questions or comments, Mayor Pro Tem Morrow closed the hearing at 7:50 p.m.

I-2. Authorize Financing for Mary C. Jenkins Community Center.

Mr. Fatland explained that when the City borrows money, it requires Local Government Commission (LGC) approval. We have bids in hand and First Victory got the project. No down payment and a 15 year loan.

Public Hearing Public Participation – None

Public Hearing Closed – There being no further questions or comments, Mayor Pro Tem Morrow closed the hearing at 7:52 p.m.

I-3. Proposed Amendments to Unified Development Ordinance-Chapters 2 (District Provisions), 3 (Additional Use Standards), 4 (General Lot & Structure Provisions) and 19 (Definitions).

Leigh Huffman explained that this is a staff initiated text amendment that addresses several issues and cleanup items that staff has had pertaining to principal and accessory structures. The changes include the following:

- Changes the accessory structure setback requirements for General Industrial to match the setbacks for principal structures.
- Combines accessory and concomitant structures into one section, and moves it from UDO Chapter 3 to UDO Chapter 4.
- Adds the uses of “keeping domestic fowl” and “keeping bees” to the Use Matrix and UDO Chapter 3.
- Cleans up UDO Section 3.14 Dwelling.
- Simplifies language about the number of principal buildings per lot in UDO Section 4.3.E.
- Deletes the definition of concomitant structure, and splits the definition of accessory structure or use into two separate definitions.

Public Hearing Public Participation – None

Public Hearing Closed – There being no further questions or comments, Mayor Pro Tem Morrow closed the hearing at 7:57 p.m.

I-4. Proposed Amendments to Unified Development Ordinance-Chapter 10.3-Off Street Parking Requirements.

Leigh Huffman explained that Josh Hallingse of the Transylvania Economic Alliance is requesting an amendment to UDO Section 10.3 Off Street Parking Requirements. The Planning Board discussed the proposed text amendment at their May 25, 2021 meeting and directed staff to change the language to create a maximum parking requirement of 1 space per 500 square feet for the GI zoning district. The Planning Board unanimously voted to recommend approval with the following change: Replace the proposed language with language that creates maximum parking in GI at 1

space per 500 square feet, and that excess parking beyond this limit must control for storm water run-off generated by a 25 year, 24 hour rain event.

Josh Hallingse from the Transylvania Economic Alliance briefly spoke about it and said that he and Erik Caldwell have been working on this issue as well. Part of what we do is work with existing companies to try to understand how we promote quality job creation in our community and part of that is continuous improvement of our local codes and ordinances and this is one that came up from existing businesses asking why it is the way it is. From my perspective, I look at this issue from a parking standpoint. I think this ordinance was created to discourage large surface parking lots that are most notable in commercial developments like big box stores and strip centers. In commercial development, builders are trying to build a maximum number of parking spaces to entice customer demand, but manufacturers need parking mostly for their employees. From an economic development perspective, we are trying to promote job creation so when you're telling a specific industry that you're building too much parking, they're saying we need parking for our employees so it's kind of a mixed message. The storm water piece to me is not related. This isn't absolving manufacturers from complying with Chapter 6, so it's not a matter of controlling storm water, but it is discouraging their ability to accommodate their employment.

Public Hearing Public Participation – None

Public Hearing Closed – There being no further questions or comments, Mayor Pro Tem Morrow closed the hearing at 8:08 p.m.

I-5. Proposed Amendments to Unified Development Ordinance-Section 3.30, 4.5 & 19.3-Measuring Fence Height & Adding Diagrams Showing Site Triangles.

Paul Ray explained that this is a staff initiated text amendment to add language on measuring the height of fences and clarify existing provisions regarding the sight triangle. The Planning Board met to consider these amendments on May 25, 2021 and unanimously recommended approval of the amendments with the following change:

Remove "all walls and fences in the front yard and the side yard up to the front building line shall be materially similar to other walls and fences in the same block or general vicinity (line 2 of section (b) under Residential districts). This language will remain in effect for Commercial and Industrial districts. Staff recommends that Council approve the language as presented.

Public Hearing Public Participation – None

Public Hearing Closed – There being no further questions or comments, Mayor Pro Tem Morrow closed the hearing at 8:10 p.m.

I-6. Proposed Amendments to Unified Development Ordinance-Section 8.4 Buffers and Screening.

Paul Ray explained that the applicant, Tore Borhaug is requesting an amendment to the City's UDO Section 8.4D – Required Buffer Yards. Instead of requiring buffer yards based on the number of new lots created at the time of subdivision (existing language), staff and the applicant have collaborated to draft proposed language that considers uses listed in the table of permitted uses, specifically multifamily dwellings containing more than 4 dwelling units per building. Planning Board unanimously recommended approval of staff's recommendation at their May 25, 2021 meeting.

Public Hearing Public Participation – None

Public Hearing Closed – There being no further questions or comments, Mayor Pro Tem Morrow closed the hearing at 8:12 p.m.

J. Public Participation –

Travis Booker, who lives off of Gallimore Road, spoke and showed a banner that was signed and said that 100 people showed up to support what we're coining the Brevard Urban Trail (BUT), also known as the Estatoe Trail. He went over the timeline of phases of the Estatoe Trail. Our purpose is that we want construction to continue uninterrupted until the current plan and all phases are complete. This infrastructure is overdue and behind schedule and we need it now. In 2018, the City updated the Urban Trail Priority Plan with the intention of completing the trail by this month, but instead I understand the City has engaged alternate planning and designs for another study, but the 2018 plan is a good plan. Let's stop studying and start paving this thing. This is basic essential infrastructure. For the current citizens of the City, multi-use paths provide safer and more efficient routes for walking and biking and will improve quality of life with every neighborhood they connect with. We want safe walking and biking routes in Brevard and we want funding of this essential infrastructure to be an ongoing priority.

K. Consent and Information - Consent Agenda items are considered routine and are enacted by one motion. Mayor Pro Tem Morrow read aloud the items listed and asked if Council desired to remove any other items for discussion or add items to the consent agenda. Mr. Jones moved, seconded by Mr. Daniel to accept the consent items as presented.

K-1. Financial Report for month ending May, 2021.

K-2. Tax Settlement Report for month ending May, 2021.

K-3. Resolution No. 2021-25 Approving Property Tax Releases-May, 2021.

RESOLUTION 2021-25

A RESOLUTION APPROVING PROPERTY TAX RELEASES

WHEREAS, The City of Brevard has previously determined to collect property taxes for the City of Brevard and the Heart of Brevard and it is necessary to release the below shown amount from the city tax records.

BE IT NOW, THEREFORE, RESOLVED THAT:

The Tax Collector is hereby authorized to remove May 2021 property values from the tax scroll in the amount of:

2021: \$503.33

Adopted this the 21st day of June, 2021.

K-4. Ordinance No. 2021-24 Amending the FY2020-2021 Budget Amendment No. Seven.

ORDINANCE NO. 2021-24 AN ORDINANCE AMENDING THE FY2020-2021 BUDGET AMENDMENT NO. SEVEN

WHEREAS, the City Council of the City of Brevard previously approved the Annual Budget (Ordinance No. 2020-xx); Budget Ordinance Amendment No. 1 (Ordinance No.2020-14); Budget Ordinance Amendment No. 2 (Ordinance No. 2020-19); Budget Ordinance Amendment No. 3 (Ordinance No. 2020-28); Budget Ordinance

Amendment No. 4 (Ordinance No. 2020-xx); Budget Ordinance Amendment No. 5 (Ordinance No. 2021-xx); Budget Ordinance No. 6 and

WHEREAS, it is necessary to make amendments to the budgets to reflect additional revenue and expenditures for Fiscal Year 2020-21.

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

SECTION 1) General Fund Revenue is hereby increased \$182,500 from \$11,728,687 to \$11,911,187 as shown as follows.

Sale of Fixed Assets	-\$125,000
Fund Balance Appropriated	307,500
TOTAL REVENUES	\$182,500

SECTION 2) General Fund Expenditures are hereby increased \$182,500 from \$11,728,687 to \$11,911,187 as shown as follows.

Administration Department	\$20,000
Finance Department	\$16,500
Planning Department	\$20,000
Building & Grounds	\$8,000
Police Department	\$100,000
Public Works Administration	\$30,000
Public Works Garage	\$1,000
Public Works Recreation	\$15,000
Transfer to Rosenwald Fund	-\$125,000
Transfer to Rosenwald Fund	\$97,000
TOTAL EXPENDITURES	\$182,500

SECTION 3) Utility Fund Revenue is hereby increased \$150,000 from \$5,826,307 to \$5,976,307 as shown as follows.

Fund Balance Appropriated	\$150,000
TOTAL REVENUES	\$150,000

SECTION 4) Utility Fund Expenditures are hereby increased \$150,000 from \$5,826,307 to \$5,976,307 as shown as follows.

Water Treatment Plant Professional Services	\$20,000
Waste Water Treatment Professional Services	\$130,000
TOTAL EXPENDITURES	\$150,000

SECTION 9) Fire District Fund Revenue is hereby increased \$1,982 from \$1,523,021 to \$1,525,003 as shown as follows.

Additional Miscellaneous Revenue	\$532
Additional Fire Department Donations	\$1,450
TOTAL REVENUES	\$1,982

SECTION 10) Fire District Fund Expenditures are hereby increased \$1,982 from \$1,523,021 to \$1,525,003 as shown as follows.

Travel	\$532
Miscellaneous	1,450
TOTAL EXPENDITURES	\$1,982

SECTION 23) Multi-Use Path Fund Revenue is hereby increased \$4,740 from \$636,785 to \$641,525 as shown as follows.

Dog Park Donations	\$4,740
TOTAL REVENUES	\$4,740

SECTION 24) Multi-Use Path Fund Expenditures are hereby increased \$4,740 from \$636,785 to \$641,525 as shown as follows.

Dog Park Project	\$4,740
TOTAL EXPENDITURES	\$4,740

SECTION 29) Rosenwald Revitalization Fund Revenue is hereby increased \$67,000 from \$442,995 to \$509,995 as shown as follows.

Transfer From General Fund	-\$125,000
Transfer From General Fund	\$97,000
NCDEQ Norton Creek Grant	\$95,000
TOTAL REVENUES	\$67,000

SECTION 30) Rosenwald Revitalization Fund Expenditures are hereby increased \$67,000 from \$442,995 to \$509,995 as shown as follows.

Silversteen Memorial Playground	-\$125,000
Tannery Park Improvements	\$192,000
TOTAL EXPENDITURES	\$67,000

SECTION 33) That Revenues and Expenditures Section 1 through Section 32 of the Ordinance Amendment have increased \$406,222 from \$32,468,432 to \$32,874,654 as follows:

	Budget
General Fund	\$ 11,911,187
Water & Sewer Utility Fund	\$ 5,976,307
Utility Capital Projects Fund	\$ 6,864,813
Capital Reserve Fund	\$ 205,000
Fire District Fund	\$ 1,525,003
Terrell L. Scruggs Scholarship Fund	\$ 22,000
Bjerg Fund	\$ 100
Other Post-Employment Benefits Fund	\$ -
Health Insurance Fund	\$ 1,573,850
Heart of Brevard MSD Fund	\$ 158,499
Housing Trust Fund	\$ 2,610
Multi-use Paths Fund	\$ 641,525
911 Communications Fund	\$ 56,900
Narcotics Task Force Fund	\$ 10,000
Rosenwald Revitalization Fund	\$ 509,995
Downtown Master Plan Fund	\$ 2,641,583
Parking Fund	\$ 775,282
TOTAL BUDGET APPROPRIATIONS	\$ 32,874,654

Adopted and approved this 21st day of June 2021.

K-5. Resolution No. 2021-26 Directing City Clerk to Investigate the Sufficiency of a Petition for Annexation-Joshua Gaura.

RESOLUTION NO. 2021-26

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 May 6, 2021, requesting the annexation of a non-contiguous area described in said Petition as the Joshua Guara, 367 Hendersonville Highway, property located in Pisgah Forest, NC 28768, consisting of .849 acres, more or less, be annexed into the City of Brevard. (Tax Property Identification Number: 8597-64-5558);

Metes and Bounds Property Description:

Being all of that tract and described as containing .849 acres, more or less, as shown on plat of survey prepared by Kevin D. Goldsmith, PLS, dated November 12, 2020, as recorded in Plat File 21, Page 2, Transylvania County Register of Deeds to which plat reference is made for a

complete description of the subject real property.

Conveyed herewith is the right to use water from the spring located on Crane property near the intersection of Highway 64 and Deavor Road, subject to the obligation to pay a proportionate share of operation, maintenance, and repair expenses.

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 21st day of June, 2021.

K-6. Resolution No. 2021-27 Fixing a Date of Public Hearing on the Question of Annexation-Ronald White.

RESOLUTION NO. 2021-27 A RESOLUTION FIXING A DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION PURSUANT TO NCGS 160A-31, AS AMENDED

WHEREAS, a petition was received on April 16, 2021, requesting the annexation of a contiguous area described in said Petition as the Ronald White property located in Brevard, NC 28712 the street address of which has not yet been assigned, consisting of 0.337 of an acre, be annexed into the City of Brevard. (Tax Property Identification Number: 8586-65-2129; and,

WHEREAS, the Brevard City Council has by Resolution No. 2021-17 directed the City Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made.

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

Section 1. That a public hearing on the question of annexation of the contiguous area described below as requested by Ronald White, will be held at Brevard City Hall at 5:30 P.M. on the 16th day of August, 2021.

Section 2. The area proposed for annexation is described as follows:

Metes and Bounds Property Description:

Any and all of that certain piece, parcel or lot of land, together with any and all improvements located thereon, lying and being situate in the State of North Carolina, County of Transylvania, being all of Lot 1 of the subdivision of the S.F. Allison Tract as shown and described on a plat thereof prepared by Carolina Mountain Surveying, Firm License Number #F-1205, dated July 31, 2020 and recorded in Plat Book 20, Page 254, records of the Register of Deeds Office for Transylvania County, North Carolina, reference to which plat is hereby invited for a more complete and accurate description of the subject real property.

This is the identical property conveyed unto Jim M. Burgess and Sherri L. Burgess by Deed of Wesley Community Development Corporation recorded December 4th, 2015 in Document Book 748 at Page 479 records of the Register of Deeds Office for Transylvania County, North Carolina.

Section 3. Notice of said public hearing shall be published in the Transylvania Times, a newspaper having general circulation in the City of Brevard, at least ten (10) days prior to the date of said public hearing.

Section 4. This Resolution shall become effective upon its adoption and approval.
Adopted and approved this the 21st day of June, 2021.

**K-7. Resolution No. 2021-28 Requesting Permission from NCDOT Allowing
“Art in the Right-of-Way” for Traffic Signal Cabinet Wraps.**

RESOLUTION NO. 2021-28

**A RESOLUTION REQUESTING PERMISSION FROM NCDOT ALLOWING “ART IN THE RIGHT-OF-WAY”
FOR TRAFFIC SIGNAL CABINET WRAPS**

WHEREAS, the City of Brevard has long valued nurturing relationships with partner organizations such as the North Carolina Department of Transportation to holistically approach transportation planning to achieve mutual goals of moving vehicles, people and goods by ensuring that residents and visitors can easily use a variety of transportation choices; and

WHEREAS, the City desires to increase pedestrian wayfinding signs downtown in collaboration with NCDOT which is consistent with the overarching goals of the 2015 Comprehensive Plan of creating a balanced transportation system to help pedestrians navigate City sidewalks and safely cross State roads to reach their respective destinations; and

WHEREAS, the City Council has recognized a need to provide pedestrian wayfinding signs and wishes to achieve this artistically by utilizing surfaces on existing traffic signal cabinets to depict downtown maps, a list of shops and local images of Brevard and Transylvania County to reinforce the community’s sense of place, supporting tourism and local commerce; and

WHEREAS, the City will follow the rules set forth by NCDOT including displaying images not likely to be offensive or create a negative public reaction, and images displayed shall not be targeted toward private advertisements but shall provide general public outreach and education on cultural amenities, outdoor recreation and civic places within the City of Brevard and Transylvania County.

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

SECTION 1. The City Council of the City of Brevard is hereby requesting permission from NCDOT to utilize the vertical surfaces of four traffic signal cabinets located at; 1. South Caldwell Street and West Main Street. 2. East Main Street and North Broad Street. 3. East Main Street and South Johnson Street. 4. South Broad and West Jordan Street.

SECTION 2. The Cabinet wraps shall be non-reflective, vinyl or similar material with images of a downtown map and local cultural amenities and the artistic design shall not mimic traffic control devices such as traffic signs or signals or done in a way that is likely to cause confusion from drivers or pedestrians.

SECTION 3. The signal inventory number shall be present on the cabinets, easily visible from the roadway and not covered by graphics and the ventilation slots on the cabinets shall not be obstructed.

Adopted and approved upon first reading this the 21st day of June, 2021.

**K-8. Resolution No. 2021-29 Approving a Public Art Application Submitted
by Brevard Insurance Agency.**

RESOLUTION NO. 2021-29

**A RESOLUTION APPROVING A PUBLIC ART APPLICATION
SUBMITTED BY BREVARD INSURANCE AGENCY**

WHEREAS, the City of Brevard has long valued public art as an enhancement to public areas; and

WHEREAS, the City’s 2015 Comprehensive Land Use Plan identifies an objective to increase public art throughout the city and to encourage the expansion of the public art program to various media types beyond sculptures; and

WHEREAS, it is the policy of the City of Brevard to promote public art in order to enhance the quality of life for Brevard citizens, attract tourism, promote arts and culture, and encourage businesses to locate within the City; and

WHEREAS, in response to an application for public art filed by the Brevard Insurance Agency to located on the property described as PIN 8586-50-2644-000, the Downtown Master Plan Committee considered the application on June 17, 2021 and unanimously recommended approval; and

WHEREAS, the Brevard City Council finds that the proposed artwork meets the goals and guidelines set out in the Public Art Policy and Application Process.
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

- SECTION 1.** Council hereby approves the application to install the public art as described herein (Exhibit A).
- SECTION 2.** The installation and maintenance of the public art shall comply with a signed agreement between the property owner and the City of Brevard (Exhibit B).
- SECTION 3.** This Resolution shall become effective upon its adoption and approval.

Adopted and approved this the 21st day of June, 2021.

K-9. Water Treatment Plant Future Intake Engineering Study.

K-10. Ordinance No. 2021-25 Declaring a Road Closure for National Night Out.

ORDINANCE NO. 2021-25
AN ORDINANCE DECLARING A ROAD CLOSURE FOR NATIONAL NIGHT OUT

WHEREAS, Brevard City Council acknowledges National Night Out is an annual community-building campaign that promotes police-community partnerships and neighborhood camaraderie to make our neighborhoods safer, better places to live; and,

WHEREAS, Brevard City Council acknowledges this event provides an opportunity for an evening of family-oriented activities; and,

WHEREAS, Brevard City Council acknowledges this festival requires a portion of Main Street (US Highway 276) from Broad Street (US Highway 64) to Johnson Street to be closed for setup, activities, and cleanup; and,

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

SECTION 01. Pursuant to authority granted by G.S. 20-169 the City of Brevard hereby declares the following temporary road closures during the days and times set forth below on the following described portion of a State Highway System route:

Date:	Tuesday, August 3, 2021
Time:	5:00PM – 9:30PM
Route Description:	East Main Street (US 276) from Broad Street (US 64) to Johnson Street.

SECTION 02. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted and approved this the 21st day of June 2021.

K-11. Ordinance No. 2021-26 Declaring a Road Closure for Olde Time Street Dances.

ORDINANCE NO. 2021-26
AN ORDINANCE DECLARING A ROAD CLOSURE FOR OLD TIME STREET DANCES

WHEREAS, Brevard City Council acknowledges the tradition of public gatherings with traditional music and dancing for the pleasure and enjoyment of its citizens and visitors; and,

WHEREAS, Brevard City Council acknowledges these gatherings provide an opportunity for the celebration of our Appalachian heritage; and,

WHEREAS, the Brevard Old Time Street Dances have been a community tradition since the 1940s; and,

WHEREAS, Brevard City Council acknowledges these street dances require a portion of Main Street (US Highway 276) to be closed for setup, activities, and cleanup;

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

SECTION 01. Pursuant to authority granted by G.S. 20-169 the City of Brevard hereby declares the following temporary road closures during the days and times set forth below on the following described portion of a State Highway System route:

Dates: July 6th, July 13th, July 20th, July 27th, and August 3rd
Time: 5:30PM – 9:30PM
Description: East Main Street (US 276) from Broad Street (US 64) to Gaston Street

SECTION 02. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted and approved this the 21st day of June, 2021.

K-12. Mary C. Jenkins Community Center Task Force Minutes-April 20, 2021.

K-13. Council Parks, Trails and Recreation Committee Minutes-April 21, 2021.

K-14. Council Public Works & Utilities Committee Minutes-May 5, 2021.

K-15. Council Downtown Master Plan Committee Minutes-May 6, 2021.

K-16. Council Downtown Master Plan Committee Minutes-May 19, 2021.

K-17. Council Finance and Human Resources Committee Minutes-May 7, 2021.

K-18. Correspondence (No Action. Offered as information only.)

- a. Transylvania County Building Permit Activity, May, 2021.
- b. Letter from NCDEQ-Silversteen Park/Norton Creek Streambank

Restoration Project.

L. Unfinished Business -

M. New Business –

M-1. Ordinance No. 2021-27 City of Brevard FY2021-2022 Budget Ordinance. Ms. Copelof moved, seconded by Mr. Jones to approve the ordinance as presented. Motion carried unanimously.

ORDINANCE NO. 2021-27

**CITY OF BREVARD
FY 2021-2022 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, 2021 and ending June 30, 2022:

	Budget
Taxes & Licenses/Permits	\$ 7,274,806
Refuse Collection Fees	
Transfer from Other Funds	\$ 1,245,000
Franchise Sales Tax	\$ 585,000
ABC Revenue	\$ 200,000
Other Revenue	\$ 364,450
Fund Balance Appropriated	\$ 218,644
Proceeds From Borrowing	\$ -
TOTAL REVENUES	\$ 9,887,900

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, 2021 and ending June 30, 2022 in accordance with the Chart of Accounts heretofore established for the City of Brevard:

	Budget
Governing Body	\$ 112,366
Administrative	\$ 688,733
Finance	\$ 716,393
Legal	\$ 63,500
Planning	\$ 721,170
Building and Grounds	\$ 349,822
Police	\$ 3,207,453
Public Services	
• Administration	\$ 437,969
• Garage	\$ 467,999
• Streets Local	\$ 782,878
• Streets Powell Bill	\$ 209,000
• Sanitation	
Total Public Services	\$ 1,897,846
Recreation	\$ 208,050
Non-Departmental	\$ 1,834,882
Economic Development	\$ 87,685
Contingency	0
TOTAL EXPENDITURES	\$ 9,887,900

Section 3. It is estimated that the following revenues will be available to the Sanitation Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Transfer from General Fund	
Refuse and Recycling Collections	\$ 1,000,790
Loan Proceeds	
TOTAL REVENUES	\$ 1,000,790

Section 4. The following amounts are hereby appropriated in the Sanitation Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Operation, Capital and Debt Expenditures	\$ 1,000,790
TOTAL REVENUES	\$ 1,000,790

Section 5. It is estimated that the following revenues will be available to the Water and Sewer Utility Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Water Billings	\$ 2,941,737
Sewer Billings	\$ 2,732,445
Meter Fees	\$ 163,620
Other Revenues	\$ 150,000
Proceeds From Borrowing	\$ 117,000
TFR From Local Fiscal Recovery Act	\$ 765,453
Fund Balance Appropriated	\$ 154,279
TOTAL REVENUES	\$ 7,024,534

Section 6. 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, 2021 and ending June 30, 2022:

	Budget
Water Plant Operations	\$ 1,003,146
Water Distribution	\$ 624,867
Waste Water Treatment Plant Operations	\$ 1,662,087
Sewer Collection	\$ 837,923
Non-Departmental	\$ 2,896,511
TOTAL EXPENDITURES	\$ 7,024,534

Section 7. It is estimated that the following revenues will be available to the Utility Capital Project Fund for Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Transfer From Capital Reserve	\$ -
Grant/Loan: Gallimore Road Sewer Basin	\$ 2,234,845
Grant/Loan: King Street Water Line Upgrade	\$ 1,086,918
Grant/Loan: Burrell Mountain Water Tank	\$ 2,858,050
TFR from Local Fiscal Recovery Plan	\$ 1,553,997
TOTAL REVENUES	\$ 7,733,810

Section 8. The following amounts are hereby appropriated in the Utility Capital Project Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
WWTP Drying Beds Local Fiscal Control Act	\$ 147,000
Gallimore Road Sewer Basin	\$ 2,234,845
King Street Water Line Upgrade	\$ 1,086,918
Burrell Mountain Water Tank	\$ 2,858,050
Water & Sewer Projects	\$ 1,406,997
TOTAL EXPENDITURES	\$ 7,733,810

Section 9. The following revenues will be continued for the Capital Reserve Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Fund Balance Appropriated	\$ -
System Development Fees & Interest Income	\$ 90,000
TOTAL REVENUES	\$ 90,000

Section 10. The following expenditures will be continued for the Capital Reserve Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Increase in Fund Balance	\$ 90,000
TOTAL EXPENDITURES	\$ 90,000

Section 11. It is estimated that the following revenues will be available to the Fire District Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Transfer from General Fund	\$ 488,073
Fire District Tax	\$ 413,733
Loan Proceeds	\$ 675,000
TOTAL REVENUES	\$ 1,576,806

Section 12. The following amounts are hereby appropriated in the Fire District Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Operations, Capital, & Debt Expenditures	\$ 1,576,806
TOTAL EXPENDITURES	\$ 1,576,806

Section 13. It is estimated that the following revenue will be available to the Terrell L. Scruggs Scholarship Fund beginning July 1, 2021 and ending June 30, 2022:

	Budget
Fund Balance Appropriated	\$ 13,048
TOTAL REVENUES	\$ 13,048

Section 14. The following amounts are hereby appropriated in the Terrell L. Scruggs Scholarship Fund beginning July 1, 2021 and ending June 30, 2022:

	Budget
Scholarships, Expenses, & Fund Balance Incr.	\$ 13,048
TOTAL EXPENDITURES	\$ 13,048

Section 15. It is estimated that the following revenues will be available to the Bjerg Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Interest on Investments	\$ 100
TOTAL REVENUES	\$ 100

Section 16. The following amounts are hereby appropriated in the Bjerg Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Increase in Fund Balance	\$ 100
TOTAL EXPENDITURES	\$ 100

Section 17. It is estimated that the following revenues will be available to the Other Post-Employment Benefits Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Transfer from General Fund	\$ 20,400
Transfer from Utility Fund	\$ 9,600
TOTAL REVENUES	\$ 30,000

Section 18. The following amounts are hereby appropriated in the Other Post-Employment Benefits Fund for Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Increase in Fund Balance	\$ 30,000
(Transfer to Irrevocable Trust)	
TOTAL EXPENDITURES	\$ 30,000

Section 19. The following revenue amounts will be available in the Health Insurance Fund for Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Fund Balance Appropriated	\$ 91,095
Transfer from Other Funds	\$ 1,339,200
Dental Dependent Premiums	\$ 38,000
Employee Premiums	\$ 93,000
Retiree Premiums	\$ 33,000
TOTAL REVENUES	\$ 1,594,295

Section 20. The following amounts are hereby appropriated in the Health Insurance Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Health Insurance Costs	\$ 1,594,295
TOTAL EXPENDITURES	\$ 1,594,295

Section 21. 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, 2021 and ending June 30, 2022:

	Budget
Service District Tax - Current & Prior Years	\$ 165,000
Transfer from General Fund	\$ 11,000
TOTAL REVENUES	\$ 176,000

Section 22. The following amounts are hereby appropriated in the Heart of Brevard Municipal Service District Tax Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Contract Services	\$ 165,000
Transfer to Downtown Master Plan	\$ 11,000
TOTAL EXPENDITURES	\$ 176,000

Section 23. It is estimated that the following revenues will be available to the Housing Trust Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Developer Loan Payment	\$ 2,400
TOTAL REVENUES	\$ 2,400

Section 24. The following amounts are hereby appropriated in the Housing Trust Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Increase in Fund Balance	\$ 2,400
TOTAL EXPENDITURES	\$ 2,400

Section 25. It is estimated that the following revenues will be available to the Multi-Use Paths Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Miscellaneous Revenue	
Transfer from General Fund	\$ 868,644
NCDOT Kings Creek Bridge Reimbursement	\$ 800,000
Grant Pisgah Health Foundation	\$ 240,000
Fund Balance Appropriated	\$ 136,356
TOTAL REVENUES	\$ 2,045,000

Section 26. The following amounts are hereby appropriated in the Multi-Use Paths Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Estatoe Trail Project	\$ 1,000,000
Railroad Avenue Bridge Project	\$ 1,000,000
Loan Reimbursement to General Fund	\$ 45,000
TOTAL EXPENDITURES	\$ 2,045,000

Section 27. It is estimated that the following revenues will be available to the 911 Communications Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022.

	Budget
Fund Balance Appropriated	\$ 77,701
TOTAL REVENUES	\$ 77,701

Section 28. The following amounts are hereby appropriated in the 911 Communications Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Operating Expenses	\$ 77,701
TOTAL EXPENDITURES	\$ 77,701

Section 29. It is estimated that the following revenues will be available to the Narcotics Task Force for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

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

Section 30. The following amounts are hereby appropriated in the Narcotics Task Force for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Operating Expenses	\$ 10,000
TOTAL EXPENDITURES	\$ 10,000

Section 31. It is estimated that the following revenues will be available to the Rosenwald Revitalization Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Transfer from General Fund	\$ 180,000
Fund Balance Appropriated	\$ 95,713
Pisgah Health Foundation Grant	\$ 10,000
TOTAL REVENUES	\$ 285,713

Section 32. The following amounts are hereby appropriated in the Rosenwald Revitalization Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Mary C. Jenkins Center	\$ 180,000
Fund Balance Appropriated	\$ 95,713
Community Garden	\$ 10,000
TOTAL EXPENDITURES	\$ 285,713

Section 33. It is estimated that the following revenues will be available to the Downtown Master Plan for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Fund Balance Appropriated	\$ 556,815
Heart of Brevard	\$ 11,000
Transfer from General Fund	\$ 180,000
TOTAL REVENUES	\$ 747,815

Section 34. The following amounts are hereby appropriated in the Downtown Master Plan for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Clemson Plaza	\$ 350,000
Design & Construction Costs	\$ 191,000
Debt Service	
Caldwell Street Improvements	\$ 206,815
TOTAL EXPENDITURES	\$ 747,815

Section 35. It is estimated that the following revenues will be available to the Parking Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Jordan Street Parking Lot	\$ 50,000
Fund Balance Appropriated	\$ 600,000
TOTAL EXPENDITURES	\$ 650,000

Section 36. The following amounts are hereby appropriated in the Parking Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Off Street Parking	\$ 650,000
TOTAL EXPENDITURES	\$ 650,000

Section 37. It is estimated that the following revenues will be available to the Local Fiscal Recovery Plan Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Grant: American Rescue Plan	\$ 2,319,450
TOTAL REVENUES	\$ 2,319,450

Section 38. The following amounts are hereby appropriated in the Local Fiscal Recovery Plan Fund for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022:

	Budget
Transfer to Utility Fund	\$ 765,453
Capital Projects Fund	\$ 1,553,997
TOTAL REVENUES	\$ 2,319,450

Section 39. The Revenues and Expenditures set forth in Section 1 through Section 32 of this Ordinance are hereby summarized as follows:

	Budget
General Fund	\$ 9,887,900
Sanitation Fund	\$ 1,000,790
Water & Sewer Utility Fund	\$ 7,024,534
Utility Capital Projects Fund	\$ 7,733,810
Capital Reserve Fund	\$ 90,000
Fire District Fund	\$ 1,576,806
Terrell L. Scruggs Scholarship Fund	\$ 13,048
Bjerg Fund	\$ 100
Other Post-Employment Benefits Fund	\$ 30,000
Health Insurance Fund	\$ 1,594,295
Heart of Brevard MSD Fund	\$ 176,000
Housing Trust Fund	\$ 2,400
Multi-use Paths Fund	\$ 2,045,000
911 Communications Fund	\$ 77,701
Narcotics Task Force Fund	\$ 10,000
Rosenwald Revitalization Fund	\$ 285,713
Downtown Master Plan Fund	\$ 747,815
Parking Fund	\$ 650,000
Local Fiscal Recovery Plan	\$ 2,319,450
TOTAL BUDGET APPROPRIATIONS	\$ 35,265,362

Section 34. There is hereby levied a tax at the rate of forty five cents (\$0.4500) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2021 for the purpose of raising the revenue listed as Taxes in the General Fund in Section 1 of this Ordinance. This rate is based on an estimated total valuation of property for the purposes of taxation of \$1,214,012,397 and an estimated collection rate of 99.48%.

Section 35. There is hereby further levied a tax at the rate of \$0.2130 cents per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2021 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 19 of this Ordinance. This rate is based on an estimated total valuation of property for the purposes of taxation of \$65,700,000 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 21st day of June, 2021.

M-2. Resolution No. 2021-30 Approving Financing Terms for the Mary C. Jenkins Community Center. Mr. Daniel moved, seconded by Mr. Jones to approve the resolution as presented. Motion carried unanimously.

RESOLUTION NO. 2021-30

A RESOLUTION APPROVING FINANCING TERMS

WHEREAS: The City of Brevard ("City") has previously determined to undertake a project for purchasing capital equipment (the "Project") costing \$2,350,000 and the Finance Officer has now presented a proposal for the financing of such Project as listed below:

FUND	
Rosenwald Fund	Mary C. Jenkins Community Center

BE IT THEREFORE RESOLVED, as follows:

1. The City hereby determines to finance the Project through BB&T Bank Inc., in accordance with the proposal dated June 14, 2021. The amount financed shall not exceed \$2,350,000 for a fifteen-year loan, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.99%, and the financing term shall not exceed fifteen (15) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The City shall not take or omit to take any action, the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. The City intends that the adoption of this resolution will be a declaration of the City's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T Bank financing described above. The City intends that funds that have been advanced, or that may be advanced, from the City's general fund, or any other City fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately. Adopted and approved this 21st day of June 2021.

M-3. Resolution No. 2021-28 Amending the Unified Development Ordinance Chapters 2, 3, 4 & 19. Ms. Copelof moved, seconded by Mr. Morrow to accept the ordinance as presented. Motion carried unanimously.

ORDINANCE NO. 2021-28

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE CHAPTERS 2, 3, 4 AND 19

WHEREAS, the City of Brevard Planning Board and Planning Department Staff have recommended that Brevard City Code, Unified Development Ordinance, Chapters 2, 3, 4 and 19, be amended to restructure and revise language about principal and accessory structures; and,

WHEREAS, the City Council of the City of Brevard finds that the proposed amendment is consistent with the City of Brevard Comprehensive Plan, specifically the following sections:

ELEMENT 4: LIVABLE COMMUNITIES

OBJECTIVE 4.1: Increased efficiency of land uses to help stabilize and grow the City's tax base.

POLICY 4.1.A: Evaluate and amend development ordinances to facilitate infill development on vacant and under-developed parcels, as well as revitalization of developed parcels.

POLICY 4.1.G: Modify development ordinances and regulations to incorporate design standards and guidelines that respect existing community character while allowing greater residential density and intensity of nonresidential development within mixed use zoning areas.

and,

WHEREAS, a legislative public hearing was conducted on Monday, June 21, 2021, by Brevard City Council, and, after hearing all persons wishing to comment, and upon review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard that Brevard City Code, Unified Development Ordinance be amended as outlined below.

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

SECTION 01. Brevard City Code, Unified Development Ordinance Chapters 2, 3, 4 and 19 are hereby amended as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 02. As to any conflict between this Ordinance and any parts of existing ordinances, the provisions of this Ordinance shall control.

SECTION 03. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 04. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved upon this the 21st day of June, 2021.

M-4. Ordinance No. 2021-29 Amending the Unified Development Ordinance Chapter 10. First motion to approve by Ms. Dinkins failed. Ms. Dinkins moved, seconded by Mr. Daniel to send this back to the Planning Board for further discussion. Motion carried unanimously.

M-5. Ordinance No. 2021-30 Amending the Unified Development Ordinance Sections 3.30, 4.5 & 19.3. Mr. Daniel moved, seconded by Mr. Morrow to approve the ordinance as presented. Motion carried unanimously.

ORDINANCE NO. 2021-30

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE
SECTIONS 3.30, 4.5, AND 19.3**

WHEREAS, the City of Brevard Planning Board and Planning Department Staff have recommended that Brevard City Code, Unified Development Ordinance, Sections 3.30, 4.5, and 19.3, be amended to clarify measuring fence height and adding diagrams showing sight triangles; and,

WHEREAS, the City Council of the City of Brevard finds that the proposed amendment is consistent with the City of Brevard Comprehensive Plan, specifically the following sections:

ELEMENT 4: LIVABLE COMMUNITIES

OBJECTIVE 4.1: Increased efficiency of land uses to help stabilize and grow the City’s tax base.

POLICY 4.1.G: Modify development ordinances and regulations to incorporate design standards and guidelines that respect existing community character while allowing greater residential density and intensity of nonresidential development within mixed use zoning areas.

POLICY 4.1.I: Evaluate the City of Brevard’s current design review process to streamline procedures; clarify roles, responsibilities, and authorities of the various review boards; and improve the overall quality of new development.

and,

WHEREAS, a legislative public hearing was conducted on Monday, June 21, 2021, by Brevard City Council, and, after hearing all persons wishing to comment, and upon review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard that Brevard City Code, Unified Development Ordinance be amended as outlined below.

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

SECTION 01. Brevard City Code, Unified Development Ordinance Sections 3.30, 4.5, and 19.3 hereby be amended as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 02. As to any conflict between this Ordinance and any parts of existing ordinances, the provisions of this Ordinance shall control.

SECTION 03. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 04. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved upon this the 21st day of June, 2021.

M-6. Ordinance No. 2021-31 Amending the Unified Development Ordinance Section 8.4 Required Buffer Yards. Mr. Morrow moved, seconded by Mr. Jones to approve the ordinance as presented. Motion carried unanimously.

ORDINANCE NO. 2021-31

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE
SECTION 8.4 REQUIRED BUFFER YARDS**

WHEREAS, the City of Brevard Planning Board and Planning Department Staff have recommended that Brevard City Code, Unified Development Ordinance, Section 8.4, be amended to add requirements for multifamily development (more than 4 units/building) and remove requirements based on the number of lots; and,

WHEREAS, the City Council of the City of Brevard finds that the proposed amendment is consistent with the City of Brevard Comprehensive Plan, specifically the following sections:

ELEMENT 4: LIVABLE COMMUNITIES

OBJECTIVE 4.1: Increased efficiency of land uses to help stabilize and grow the City’s tax base.

POLICY 4.1.A: Evaluate and amend development ordinances to facilitate infill development on vacant and under-developed parcels, as well as revitalization of developed parcels.

POLICY 4.1.G: Modify development ordinances and regulations to incorporate design standards and guidelines that respect existing community character while allowing greater residential density and intensity of nonresidential development within mixed use zoning areas.

and,

WHEREAS, a legislative public hearing was conducted on Monday, June 21, 2021, by Brevard City Council, and, after hearing all persons wishing to comment, and upon review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard that Brevard City Code, Unified Development Ordinance be amended as outlined below.

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

SECTION 01. Brevard City Code, Unified Development Ordinance Section 8.4 hereby be amended as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 02. As to any conflict between this Ordinance and any parts of existing ordinances, the provisions of this Ordinance shall control.

SECTION 03. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 04. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved upon this the 21st day of June, 2021.

M-7. Board and Committee Appointment(s).

Mr. Jones moved, seconded by Mr. Daniel to reappoint Kevin Jones to the ABC Board. Motion carried unanimously.

N. Remarks/Future Agenda Considerations.

Mr. Jones thanked the Council members and citizens who came out to the groundbreaking and festivities this weekend. It was a great way to start the groundbreaking, a strong foundation was built. I'm looking forward to every step of this. I was beyond elated.

Ms. Dinkins said she is proud to be a part of a budget that contains the funding for the Mary C. Jenkins Community Center and I'm glad that we'll see this center built. I'm glad there's a million dollars in the budget going toward the urban trail. I received a letter from Sterling Beeson (sp) asking us to clarify recycling and what is being dumped and what is going into actual recycling. I think this would be a good time to explain once and for all what happens to the things that go in the blue bins. I think it would be a great small education campaign to tell people what happens to recycling and the do's and don'ts. Where does it go? I had the pleasure of walking some of the Tannery Park property downstream from the Tannery Skate Park with Jay McCarthy who is a local disc golf designer and he thought it would be a prime spot for a 9-hole disc golf. I would like for him to be on a future agenda to make a presentation. It doesn't take much upkeep and its cost effective. Fifteen thousand dollars will build the course. Its something that young and old can do together. I would like to look at one more thing to add to our urban trail.

Mr. Morrow thanked Tom Whitlock for all of his hard work on the budget.

Mr. Daniel said there's a lot of positive energy coming from this meeting and I echo Maurice's comments. Working with the Mary C. Jenkins Community Center Task Force has been a highlight of my career and I'm looking forward to the future.

Ms. Copelof agreed there was incredible positive energy tonight. I can't believe everything we accomplished tonight. I'm really happy that the City stepped up for the Ecusta Trail. Incredible budget Tom and Jim. Besides the wonderful celebration at Mary

C. Jenkins, we also had a team at Riverfest and our dog park team was there. We had a booth there. The team did a great job of promoting when we're gonna open in late July. I was glad to see Michele Pilon come and talk about the hospital as it's a critical service for our community. Gibbons will be coming in the middle of July as I've been insisting that we need a Town Hall meeting. Short term rentals. I've been checking with other towns in North Carolina and working with the NCSOG to see what legally we can do to try and better control short term rentals. We need to get a consensus vote on whether the attorney spends time on this. I'd like to make a motion to ask our attorney to work with the League on Municipalities and the School of Government on options that cities have under North Carolina to have more control over short term rentals. Is a moratorium possible for six months? Can we require conditional use permits with short term rentals? What are the options on terms of enforcement and would there would be a cost associated with doing this.

Mr. Daniel added that as we look at workforce housing, we need to look at what our constraints are and this is a step in that direction. Mr. Daniel seconded the motion.

Attorney McKeller said there have been some changes of late. There's been a lot of movements. I'm willing to do some research based on the most current information if it is a priority of Council. I just want to make sure Council is on board.

Motion carried unanimously.

Mr. Fatland thanked Council and the Committees and all City employees during COVID. We really pushed the pedal to the metal and this City is willing to make things happen. A lot was accomplished this evening. The Mary C. Jenkins Community Center, I want to thank Denise Hodsdon as she's been at all of these committee meetings and I'd like to thank Tom Whitlock for the work he did on the budget and working with all of the department heads, it's been remarkable. Thank you for your support.

O. Closed Session(s) – Mayor Pro Tem Morrow asked the City Attorney if it would be appropriate for Council to hold a closed session to discuss a matter of pending litigation. City Attorney advised pursuant to **GS § 143-318.11. (a)(3)** It would be appropriate to convene a closed session on the matter. 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.

Closed Session #1 - At 9:02 p.m. Ms. Copelof moved, seconded by Ms. Dinkins to enter into closed session to discuss pending litigation and clear Council Chambers. Motion carried unanimously. Authorized to remain for the closed session with Council and the Attorney were the City Manager and City Clerk.

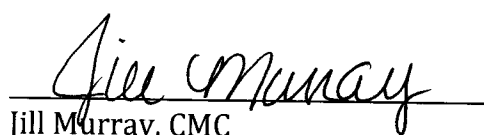
Closed Session #2 - At 9:20 p.m. Mr. Jones moved, seconded by Mr. Daniel to enter into closed session to discuss pending litigation. Motion carried unanimously. Authorized to remain for the closed session with Council and the Attorney were the City Manager, City Clerk Jill Murray and Planning Director Paul Ray.

Council Returned to Regular Session – at 9:35 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.

P. Adjourn – There being no further business, Mr. Jones moved, seconded by Ms. Dinkins, the meeting be adjourned. Motion carried unanimously. Meeting adjourned at 9:35 p.m.



Mac Morrow
Mayor Pro Tem



Jill Murray, CMC
City Clerk

Minutes Approved: August 16, 2021