

**MINUTES
BREVARD CITY COUNCIL
Regular Meeting
August 16, 2021 – 5:30 PM**

The Brevard City Council met in regular session on Monday, August 16, 2021, at 5:30 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 Maureen Copelof, Maurice Jones, Gary Daniel and Geraldine Dinkins.

Staff Present – City Attorney Mack McKeller, City Manager and Finance Director Jim Fatland, City Clerk Jill Murray, Assistant Finance Director Tom Whitlock, Police Chief Phil Harris, Deputy Police Chief Tom Jordan, Planning Director Paul Ray and Assistant Planning Director Aaron Bland

Press – Jeremiah Reed, Transylvania Times

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

B. Invocation – Reverend Hank Moffit offered an invocation.

C. Pledge of Allegiance - Mayor Harris led the pledge of allegiance.

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

E. Approval of Agenda – Mr. Fatland asked that a presentation of a check for LED street lights from Scott Kuba be added to the agenda as item H-4 under Special Presentations, as well as, a Resolution regarding mandatory vaccinations be added as item M-6 under New Business. Attorney McKeller asked that an authorization to execute a settlement agreement be added as item M-7 under New Business. Ms. Dinkins asked that a resolution to stop the spread of Covid-19 be added as item M-8 under New Business. Mr. Morrow moved, seconded by Mr. Jones to approve the agenda as amended. Motion carried unanimously.

F. Approval of Minutes – Mr. Morrow moved, seconded by Mr. Daniel, the June 21, 2021 Regular Meeting Minutes be approved as presented. Motion carried unanimously.

G. Certificates/Awards/Recognition -

G-1. Proclamation No. 2021-09 Constitution Week. Mayor Harris read aloud the proclamation and presented it to Portia Odell, Kathy Haehnel, Molly Tartt, Nancy Davis and Vickie Carpenter.

PROCLAMATION NO. 2021-09

WHEREAS, September 17, 2021, marks the 234th anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to 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, Jimmy Harris, by virtue of the authority vested in me as Mayor of the City of Brevard, North Carolina, do hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

AND urge all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Brevard, North Carolina, to be affixed this 16th day of August in the year of our Lord two thousand twenty-one.

G-2. Recognition of Michael Pratt, City Attorney – Mayor Harris thanked Mr. Pratt for his years of service with the City of Brevard and presented him with a desk clock.

G-3. Recognition of Leigh and Sean Trapp-Transylvania Times. Neither of them could attend due to a possible exposure to COVID-19. Rescheduled for the September City Council meeting.

G-4. Oaths of Office-Chrysal Hibbs, Sydney Fox and Samuel Hunnicutt. City Clerk Jill Murray swore in all three police officers in front of City Council, family and friends.

H. Special Presentation(s) –

H-1. City of Brevard Annual Tax Settlement Report-Tom Whitlock, Tax Collector. City Council accepted the 2020 Tax Collectors Settlement Report, dated August 16, 2021, as presented by Tom Whitlock, Tax Collector. Tom did an amazing job with the report showing a 98.86% collection rate for the City of Brevard and a 92.60% collection rate for Heart of Brevard. The Mayor and Council commended Tom for his excellent work and service to the City. Mr. Whitlock thanked his assistant Tina Tanner for her wonderful work.

H-2. King Street Waterline Upgrade and Resolution. Jim explained that in April, 2020, City Council approved a resolution authorizing grant and loan assistance for King Street water line replacement and Brown Consultants charged us \$5,000 and handled the application on behalf of the City. This project was in our master plan and is way overdue. In August, 2020, the City received notification from NCDEQ that our application was approved for funding and Council approved Brown Consultants' design engineering proposal. In June, 2021, NCDEQ sent a letter offering DWSRF Loan for \$1,086,918 of which (75%) \$815,189 is principal forgiveness and (25%) \$271, 729 in a twenty year 0% interest rate loan. When you get a loan like this, it has to be approved by the Local Government Commission. Tom Whitlock and I were on a Zoom call with them and the LGC had nothing but praise for the City and what we're doing on the water and sewer side and they unanimously recommended approval of this principal forgiveness. He asked Council to approve the Resolution Accepting Loan Offer for King Street Waterline Replacement Project and the Project Budget Ordinance.

Jeffrey Brown from Brown Consultants said that they worked with staff and put the application together and got the award for a little over a million dollars, 75% of which is forgiven at closing which is amazing. This project has a lot of undersized, old lines, some 4 inch, some 2 inch and we're replacing those with 6 inch ductal and tying it into the City's network.

Mr. Daniel asked if this project is similar to work that you've done in the past and is the fee you're charging for Brown Consulting. Do you do the construction administration? Mr. Brown said "yes to all of that". Mr. Daniel said considering this is similar work that you've done before, you're being paid each time and I was not aware of that. Mr. Brown said the City does pay me the money but it's part of the funding package. This is through the SRF Program (State Revolving Fund), they actually approve the project budget, and they approve my budget and my contract as well so those monies actually flow out of the SRF Loan. So to understand the flow of money, it comes from the EPA and goes to the State Revolving Fund and then they've awarded the town the money, so they write the checks to me and the contractor and then the SRF Program refunds the City.

Per Attorney McKeller, Council will vote on the resolutions under new business.

H-3. Burrell Mountain Finished Water Storage Tank and Resolution. This is the same story as the King Street Waterline Upgrade. We submitted it at the same time and we got 75% principal forgiveness on this project which is \$2,143, in principal forgiveness so our loan is \$714,000 over twenty years so its great news for the City. We have three tanks up at Burrell Mountain, two are fairly new and this is an old one.

Jeffrey Brown said this started years ago and we were looking at those old concrete tanks, I believe from 1950 or 1951 and the concrete caps on them have basically corroded. His last project replaced the 1 million gallon tank with a 2.75 million gallon tank. This project is going to replace the western original million gallon tank with another million gallon concrete tank and we will tie all three tanks together and they will be working simultaneously.

Mr. Daniel asked how long will both of these projects take? Mr. Brown said the Waterline project is in Raleigh right now and I just have to get a dual permit for that because we're going through public water supply and I have to get the SRF people to approve so its waiting on approval and when it comes back, we're going to bid it. The water tank project, the site survey is completed, I have some initial meetings with concrete specialists because it is a very submerged concrete tank so there's going to be some deep engineering on how that gets implemented. So that project, we are probably a year out on construction. The waterline project will probably be done by spring of 2022. The tank will hopefully get started in fall of 2022 and then could take 4-8 months to complete.

Mr. Daniel said the reason he is asking is because we're talking about \$700,000 in a years' time paid to your company and I think that's notable considering that we had an engineer on staff and I am sure we weren't paying him \$700,000 a year. I have some concerns about that.

H-4. Presentation by Scott Kuba. Scott Kuba, Brevard Lions Club Treasurer, presented a check in the amount of \$3,000 towards the LED Street Light Project. He said that 800 street lights have been converted so far and they are working hard to pay off the \$20,000 and with this check tonight, they have paid off \$10,000 so far. He is here tonight representing the Lions Club, PARI, the Sierra Club and Brevard Rotary. City Council thanked Mr. Kuba for his check and presentation.

I. Public Hearing(s) -

I-1. Azalea/Rhododendron Neighborhood Sewer Extensions (CDBG-I). This item was pulled from the agenda as we found out right before the meeting that the funding source had dried up and is no longer available. Instead of \$25 million, they're only giving \$5 million and they already have projects for that.

Public Hearing Public Participation - None

Public Hearing Closed - There being no further questions or comments, Mayor Harris closed the hearing at 6:39 p.m.

I-2. Voluntary Contiguous Annexation Petition-Ronald White. Ronald and Peggy White submitted a request for voluntary contiguous annexation of a vacant property located on Fisher Road. The property is currently within the City's ETJ and in close proximity to parcels already receiving full City services. Given the General Residential 4 zoning district and the small size of the parcel, it is assumed that the owner intends to develop the property with a single-family home. The Planning Board considered this request at their May meeting and unanimously recommended approval. Staff is also recommending approval of the proposed annexation.

Public Hearing Public Participation - None

Public Hearing Closed – There being no further questions or comments, Mayor Harris closed the hearing at 6:43 p.m.

I-3. Proposed Amendments to Code of Ordinances Section 58-5 (Containers) and the Unified Development Ordinance Sections 4.6 (Containment areas for trash & recyclables) & 8.6 (Parking Lot Screening). Leigh Huffman explained that this is a text amendment initiated by the Downtown Master Plan Committee as part of a trash collection pilot program on the block of Jordan Street between Broad Street and Caldwell Street. On June 3, 2021, the Committee directed Staff to draft language to allow sub-grade dumpsters and to allow them without screening. This text amendment removes the language in the City Code of Ordinances that prohibits underground dumpsters. It also adds language to exempt subgrade dumpsters from the screening requirements in the Unified Development Ordinance. The Planning Board unanimously recommended approval of these amendments at their July 27, 2021 meeting. Staff is also recommending approval of the text amendments.

Public Hearing Public Participation – None

Public Hearing Closed – There being no further questions or comments, Mayor Harris closed the hearing at 6:51 p.m.

J. Public Participation –

Mark Parker of Hart Road spoke about the Rails to Trails. He is a native resident of Transylvania County and said he opposes the furtherance for a grant to support the rails to trails. There are several property owners that live along that corridor that you do not own a right of way through. There is no right of way and there has never been one. If you look at 100 feet on each side, that's going to affect businesses and homeowners, in particular, some poor people. In the past, rails to trails has caused the people to pay rent to live on their own property. Also, once this is done, the county is not going to support this, mostly because of the private property rights. Also, who is going to take care of it? If you facilitate it, then the City should be the ones to take care of it. You can't expect the county taxpayers who voted no for it and then the City is imposing that upon us. Are you prepared for those people to have to move out of their homes? Are you prepared for some businesses to be affected? I was on the Planning Board for Transylvania County about 10 years ago and we had a joint meeting with the City's Planning Board and we talked about infrastructure of the water system and it appears to me that you wasted a \$21 million dollar grant on something that you could upgrade and it is the greatest natural resource that we have in Transylvania County and that would be water and you missed it. I'd ask you to reconsider what you've done.

Dee Dee Perkins of Park Avenue said that short term rentals are not a "black and white" issue and that the solution should not be an "all or nothing" approach. She is concerned about short term rentals for several reasons including the reduction in affordable and available housing, driving up the cost of rent, causing displacement or gentrification, driving away workforce and changing the dynamics of downtown neighborhoods. Without proper management, the growth of short term rentals could have "dire effects on a grand scale". She suggested using zoning to set restrictions on where short term rentals could be located and how they could operate. She also suggested the creation of a task force to better explore the issue and urged Council to be proactive in addressing short term rentals and to take a thoughtful and balanced approach during the exploratory process.

Lisa Presnell of Maple Street said my husband and I live on Maple Street with our two children, and we regularly rent our house on Airbnb when we are traveling. Recently, we purchased another house in the city that we are renovating and planning to rent on Airbnb as well. The income we get from short-term rentals, as well as the capital investment in these houses, is a substantial portion of income and net-worth. It is also an integral part of our family's financial plan for the college education of our kids as well as our retirement. As such, we have a significant concern with your consideration of changing the city's regulations of short-term rentals. We appreciate

the measured approach you are taking by first consulting with the city attorney to determine what options the city can legally undertake. We urge you to take a similarly measured approach in your evaluation of not just what you can legally do, but also what is ethically and morally responsible, and what is realistically achievable through enacting these regulations. We also urge you to consider the significant economic benefits to our community that short-term rentals provide, collectively and individually. It is our understanding that your interest in short-term rental regulation stems from the recent shortage of long-term rentals, as well as affordability of those that are available. We agree that renters are facing significant challenges, and don't dispute that conversion of long-term rentals to short-term rentals has contributed to that issue. We would like to also point out that conversion of long-term rentals to primary and secondary residences has also occurred. For what it's worth, neither of our houses were long-term rentals at any point in the past 30 years. I believe with a little research you will find that the vast majority of short-term rentals were not previously long-term rentals, either. Short-term rentals may be an easy target, but are not the root of the problem. Property values in Brevard have increased to the point that long-term rentals no longer make economic sense for many property owners. Restricting short-term rentals won't change this fact. If short-term rentals are restricted, most owners are not going to put them to the long-term rental market. Enacting such restrictions, regardless of the means, unjustly impacts some short-term rental owners, and enriches others. The council would effectively be choosing winners and losers, creating a windfall of income and wealth for the lucky chosen, and economic loss and hardship for others, but resulting in no net benefit to the community or those looking for a long-term rental. If the city council believes there is a collective community interest in addressing the rental problem, the burden of solving it should be placed on the community at large, not the owners of short-term rentals. We bear no more burden for the issue than those who sold their long-term rental, or the families who purchased houses that were previously long-term rentals, or people who moved to Brevard from other places that drove up demand and prices for homes. To lay the burden on a handful of unlucky owners would be completely unjust. Thank you for the opportunity to speak. Brevard is a wonderful community, and if the council can find a way to make it more accessible to a broader socio-economic mix of people, I would enthusiastically support those efforts. However, I respectfully ask that you only consider actions that actually achieve that goal, and equitably distribute the burden of implementing them.

~~ At 7:05 PM Mayor Harris called for a ten minute break. ~~

K. Consent 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 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 June, 2021.

K-2. Community Development Contracts (Signed).

a. Boys & Girls Club.

STATE OF NORTH CAROLINA
TRANSYLVANIA COUNTY

**Community Development Contract with the Boys & Girls
Club of Brevard/Transylvania County, Inc.**

THIS AGREEMENT, entered into this the ____ day of July, 2021, by and between the CITY OF BREVARD, NORTH CAROLINA, a municipal corporation organized and chartered under the laws of the State of North Carolina, hereinafter called "Brevard" and the **BOYS AND GIRLS CLUB OF BREVARD/TRANSYLVANIA COUNTY, INC.**, a 501(c)3 non-profit corporation organized and incorporated under the laws of the State of North Carolina, hereinafter called the "Boys & Girls Club";

W I T N E S S E T H

THAT, WHEREAS, Brevard's Mission (i.e. its role and purpose) is to "promote a high quality of life, support economic prosperity, and cultivate community while honoring its heritage and culture" through the provision of public

goods, services, and spaces, and the Boys & Girls Club’s mission is to try to meet the demand for our program and not have to turn away any children; and

WHEREAS, Brevard’s Vision (i.e. its goal and bearing) is to be “a safe, friendly, family-oriented community with small-town charm, outdoor recreation, arts and culture that bring investment opportunities, environmental consciousness, and economic diversity,” and the Boys & Girls Club vision is to invest in the lives of youth making a lifelong impact that shapes their futures and builds a sense of belonging and pride; and,

WHEREAS, Brevard may increase the impact of public expenditures by funding non-profit, such as Boys & Girls Club, to couple those funds with their additional donations, grants, and fundraising, to leverage their organized volunteer workforce, and utilize their expertise to provide specific programs or services; and,

WHEREAS, by virtue of the Boys & Girls Club Mission, Vision, and the services offered to Brevard City Council at their Regular City Council Meeting on June 21, 2021, it is mutually beneficial for Brevard to partner with the Boys & Girls Club.

- NOW, THEREFORE, it is agreed among the parties of this agreement as follows:
- 1. The Boys & Girls Club serves nearly 700 youth per year through after-school programs.
 - 2. The Boys & Girls Club awarded over \$28,000 in full or partial scholarships for 156 youths to attend the year-round programs. The scholarship program has allowed the Boys & Girls Club to never turn away a family for inability to pay.
 - 3. The Boys & Girls Club will report the results of the aforementioned efforts at Council’s Regularly Scheduled meetings in October 2021 and at the March, 2022 annual Budget Public Input Session. The table below is included as guidance only:

Reporting Data	Report Period
Number of children receiving full or partial scholarships.	October & March

- 4. Brevard has budgeted \$5,000 for the Boys & Girls Club efforts described above, and will distribute these funds quarterly.
- 5. This agreement will terminate at the end of the fiscal year of June 30, 2022.

b. Bread of Life.

**STATE OF NORTH CAROLINA
TRANSYLVANIA COUNTY**

Community Development Contract with Bread of Life

THIS AGREEMENT, entered into this the ____ day of July, 2021, by and between the CITY OF BREVARD, NORTH CAROLINA, a municipal corporation organized and chartered under the laws of the State of North Carolina, hereinafter called “Brevard” and the **BREAD OF LIFE**, a 501(c)3 non-profit corporation organized and incorporated under the laws of the State of North Carolina, hereinafter called the “Bread of Life”;

WITNESSETH

THAT, WHEREAS, Brevard’s Mission (i.e. its role and purpose) is to “promote a high quality of life, support economic prosperity, and cultivate community while honoring its heritage and culture” through the provision of public goods, services, and spaces. The Bread of Life is a free Community Kitchen whose mission is to fight the plague of hunger in the City of Brevard and Transylvania County by providing nutritious, hot meals in a safe, non-challenging, and secure environment, sharing our food with those in need; and,

WHEREAS, Brevard’s Vision (i.e. its goal and bearing) is to be “a safe, friendly, family-oriented community with small-town charm, outdoor recreation, arts and culture that bring investment opportunities, environmental consciousness, and economic diversity,” and Bread of Life’s Vision is to feed all who come to their door Monday through Friday at lunch and at supper on Sunday. Bread of Life works closely with partner organizations to garner fresh and non-perishable foods which we either incorporate into meals or offer to our patrons free of charge for preparation at their homes; and,

WHEREAS, Brevard may increase the impact of public expenditures by funding non-profit, such as Bread of Life, to couple those funds with their additional donations, grants, and fundraising, to leverage their organized volunteer workforce, and utilize their expertise to provide specific programs or services; and,

WHEREAS, by virtue of the Bread of Life’s Mission, Vision, and the services offered to Brevard City Council at their Regular City Council Meeting on June 21, 2021, it is mutually beneficial for Brevard to partner with Bread of Life.

- NOW, THEREFORE, it is agreed among the parties of this agreement as follows:
- 6. The Bread of Life serves the poor, the disadvantaged, and the food-insecure residents of the City of Brevard and Transylvania County in an accepting, open, and non-threatening environment. Since the Bread of Life is located on Caldwell Street and is near the center of the City, most of the patrons live in Brevard. Bread of Life serves over 45,000 meals a year and distributes approximately 1200 boxes of food for home preparation over the weekends. Bread of Life is the only regularly operating “soup kitchen” in Transylvania County and provides a service not otherwise available on a consistent, reliable basis. In cooperation with T.R.A.I.N, which provides a regular van service from Rosman, the Bread of Life is available to serve hungry residents from many of the populated parts of the City and County.

- 7. The Bread of Life will help Brevard diversify the revenue stream supporting public services by using funds from the City's grant to offset the Bread of Life's facility costs of utilities (water, electricity, phone and data services, and gas.) Reliable sources of revenue provide a degree of certainty to our funding stream, allowing more concentration to quality and service at the facility. Other funding will be used to purchase food items and consumables.
- 8. The Bread of Life will report the results of the aforementioned efforts at Council's Regularly Scheduled meetings in October 2021 and at the March 2022 annual Budget Public Input Session. The table below is included as guidance only:

Reporting Data	Report Period
A. Number of meals served	October & March
B. Number of food boxes distributed for home preparation	
C. Number of citizens served	
D. Number of community volunteers	

- 9. Brevard has budgeted \$5,000 for the Bread of Life's efforts described above, and will distribute these funds quarterly.
- 10. This agreement will terminate at the end of the fiscal year of June 30, 2022.

c. Heart of Brevard.

**STATE OF NORTH CAROLINA
TRANSYLVANIA COUNTY**

Community Development Contract with Heart of Brevard, Inc.

THIS AGREEMENT, entered into this the ____ day of July, 2021, by and between the CITY OF BREVARD, NORTH CAROLINA, a municipal corporation organized and chartered under the laws of the State of North Carolina, hereinafter called "City of Brevard" and the HEART OF BREVARD, INC., a 501 (c) (3) tax exempt corporation organized and incorporated under the laws of the State of North Carolina, hereinafter called "HOB";

W I T N E S S E T H

THAT, WHEREAS, the City of Brevard's Mission (i.e. its role and purpose) is to "promote a high quality of life, support economic prosperity, and cultivate community while honoring its heritage and culture" through the provision of public goods, services, and spaces, and the HOB's Mission is "creating a gathering place for the community, strengthening the economic vitality of the downtown district and preserving and sustaining our rich heritage"; and,

WHEREAS, the City of Brevard's Vision (i.e. its goal and bearing) is to be "a safe, friendly, family-oriented community with small-town charm, outdoor recreation, arts and culture that bring investment opportunities, environmental consciousness, and economic diversity", and the HOB's Vision is: "Historic Downtown Brevard, cradled by the Pisgah National Forest, is the vibrant, safe and walkable center of our community. Lined with diverse independent businesses, downtown serves as the crossroads to exceptional outdoor recreation and is a thriving hub for the arts";

WHEREAS, the City of Brevard's provision of public goods, services, and spaces through public expenditures, while an essential building block of community development, is only part of the foundation necessary in achieving the Vision for this community;

WHEREAS, the City of Brevard may increase the impact of public expenditures by funding non-profits, such as the Heart of Brevard, to couple those funds with additional donations, grants, and fundraising to leverage their organized volunteer work force, and utilize their expertise to provide specific programs or services; and,

WHEREAS, by virtue of Heart of Brevard's Mission, Vision, and the services offered to the City of Brevard's City Council at its Regular City Council Meeting on June 21, 2021, it is mutually beneficial for the City of Brevard to partner with Heart of Brevard in the year ahead.

NOW, THEREFORE, it is agreed among the parties of this agreement as follows:

1. The Heart of Brevard will assist the City of Brevard in achieving the Economic Development, Housing, Cultural Resources, and Land Use categories of the Comprehensive Plan chiefly by serving as the City of Brevard's representative member and liaison to North Carolina's Main Street Program by fulfilling all duties of membership, but notably by:

- a. Maintaining committees that are consistent with the Heart of Brevard Vision, and which effectively address the four major components of the NC Main Street Program; Design, Promotions, Economic Vitality and Organization.
- b. The Executive Director's attendance to the Annual Conference and when possible as many Board members in attendance as well.
- c. Membership participation in any of the Program's applicable events and classes.

2. As a member and participant in the North Carolina Main Street Program, the Heart of Brevard will help the City of Brevard expand its property tax base by filling in empty buildings as part of implementing the Economic Restructuring component of the Main Street Program, but notably by:

- a. Marketing available space through the provision of postings on HOB's and the City of Brevard's websites, and when possible scheduling direct showings.
- b. Target marketing through use of the City of Brevard's Retail Market Analysis and Strategy study (Arnett Muldrow, March 2014).

- c. Small Grants Program to incentivize new tenants.
 - d. Researching how to create a Building Rehabilitation Loan Program to create available space or adapt existing space to meet current fire and building codes.
3. As a member and participant in the North Carolina Main Street Program, the Heart of Brevard will help the City of Brevard diversify its revenue base by expanding the sales tax base as part of implementing the Promotions component of the Main Street Program, but notably by:
- a. Organizing and hosting at least three Special Events. Past examples being the White Squirrel Festive, July 4th Festival, Halloweenfest, and Twilight Tour, but recognizing Heart of Brevard needs latitude and room for change on the scope, number, and type of events to balance festivals with economic efforts.
 - b. Collaborating with TCart on “4th Friday Gallery Walk” and other mutually beneficial events and programs.
 - c. Collaborating with the Chamber to market downtown through TCT.
4. Heart of Brevard will report the results of the aforementioned efforts at Council’s October 2021 and at the March 2022 annual Budget Public Input Session. The table below is included as guidance only:

REVENUE DIVERSITY	DATA	COLLECTION POINTS	REPORT PERIODS
	Vendors at events	Each special events	Oct. & March
	Event attendance	Each special events	Oct. & March
	Profit/loss of event	Each special events	Oct. & March
ECONOMIC DIVERSITY	Store occupancy/vacancy	All store fronts	Oct. & March
	Office occupancy/vacancy	All offices	Oct. & March
	Residential occupancy/vacancy	All residences	Oct. & March
	Space creation or improvements	Value and number of building rehabilitation loans	Oct. & March
	Space improvements	Value and number of small grants	Oct. & March

5. Brevard has budgeted \$30,000 of which \$11,000 will be transferred from the City of Brevard General Fund to the Heart of Brevard Fund. The Heart of Brevard Fund will transfer \$11,000 to the Downtown Master Plan Fund. The \$19,000 will be distributed quarterly to the Heart of Brevard Municipal Service District.
6. This agreement will terminate at the end of the fiscal year on June 30, 2022.

d. Sharing House.

STATE OF NORTH CAROLINA
TRANSYLVANIA COUNTY

Community Development Contract with
Transylvania Christian Ministry, Inc. - Sharing House

THIS AGREEMENT, entered into this the ____ day of July, 2021, by and between the CITY OF BREVARD, NORTH CAROLINA, a municipal corporation organized and chartered under the laws of the State of North Carolina, hereinafter called “Brevard” and the **TRANSYLVANIA CHRISTIAN MINISTRY, INC. – SHARING HOUSE**, a 501(c)3 non-profit corporation organized and incorporated under the laws of the State of North Carolina, hereinafter called the “Sharing House”;

WITNESSETH

THAT, WHEREAS, Brevard’s Mission (i.e. its role and purpose) is to “promote a high quality of life, support economic prosperity, and cultivate community while honoring its heritage and culture” through the provision of public goods, services, and spaces, and the Sharing House’s mission is to assist low-income City residents who struggle to pay their bills; and,

WHEREAS, Brevard’s Vision (i.e. its goal and bearing) is to be “a safe, friendly, family-oriented community with small-town charm, outdoor recreation, arts and culture that bring investment opportunities, environmental consciousness, and economic diversity,” and Sharing House Vision is to help meet particular needs of low-income residents of the City of Brevard, by assisting in the paying of their City utility bill; and,

WHEREAS, Brevard may increase the impact of public expenditures by funding non-profit, such as Sharing House, to couple those funds with their additional donations, grants, and fundraising, to leverage their organized volunteer workforce, and utilize their expertise to provide specific programs or services; and,

WHEREAS, by virtue of the Sharing House Mission, Vision, and the services offered to Brevard City Council at their Regular City Council Meeting on June 21, 2021, it is mutually beneficial for Brevard to partner with Sharing House.

- NOW, THEREFORE, it is agreed among the parties of this agreement as follows:
- 11. The Sharing House serves the poor, the disadvantaged, and low-income City residents. Sharing House provides assistance for low-income residents who have difficulty paying for their City utility bills.
 - 12. The Sharing House will assist the City of Brevard by working with low-income residents and their inability to pay their City utility bills with the use of monies provided by the City.

13. The Sharing House will report the results of the aforementioned efforts at Council’s Regularly Scheduled meetings in October 2021 and at the March 2022 annual Budget Public Input Session. The table below is included as guidance only:

Reporting Data	Report Period
Number of households that have received crisis assistance payment for City utility bills, and total amount spent.	October & March

14. Brevard has budgeted \$12,500 for the Sharing House efforts described above, and will distribute these funds quarterly.
15. This agreement will terminate at the end of the fiscal year of June 30, 2022.

e. Transylvania Community Arts Council.

**STATE OF NORTH CAROLINA
TRANSYLVANIA COUNTY**

Community Development Contract with Transylvania Community Arts Council

THIS AGREEMENT, entered into this the ____ day of July, 2021, by and between the CITY OF BREVARD, NORTH CAROLINA, a municipal corporation organized and chartered under the laws of the State of North Carolina, hereinafter called “Brevard” and the TRANSYLVANIA COMMUNITY ARTS COUNCIL, a 501(c) 3 non-profit corporation organized and incorporated under the laws of the State of North Carolina, hereinafter called “TCarts”;

WITNESSETH

THAT, WHEREAS, Brevard’s Mission (i.e. its role and purpose) is to “promote a high quality of life, support economic prosperity, and cultivate community while honoring its heritage and culture” through the provision of public goods, services, and spaces, and Transylvania Community Arts Council “TCarts” Mission is “to enhance the quality of life in Transylvania County by celebrating the creative spirit of artist, youth, and individuals throughout the county”; and,

WHEREAS, Brevard’s Vision (i.e. its goal and bearing) is to be “a safe, friendly, family-oriented community with small-town charm, outdoor recreation, arts and culture that bring investment opportunities, environmental consciousness, and economic diversity,” and TCarts’ Vision is to create “a vibrant arts destination”, and,

WHEREAS, Brevard’s provision of public goods, services, and spaces while an essential building block of community development, is only part of the foundation necessary in achieving this Vision; and,

WHEREAS, Brevard may increase the impact of public expenditures by funding non-profit, such as TCarts, to couple those funds with their additional donations, grants, and fundraising, to leverage their organized volunteer workforce, and utilize their expertise to provide specific programs or services; and,

WHEREAS, by virtue of TCarts’ Mission/Vision and their services offered to Brevard City Council at their Regular City Council Meeting on June 21, 2021, it is mutually beneficial for Brevard to partner with TCarts in the year ahead.

NOW, THEREFORE, it is agreed among the parties of this agreement as follows:

16. TCarts will help Brevard diversify the revenue stream used to fund the provision of public goods, services, and spaces by expanding the sales tax base, and thereby lessen the over-dependence on a stagnant and geographically constrained property tax base; most notably by:
- a. Promoting up to 325 art based events throughout the year, including but not limited to, Arts and Culture Week and sponsoring the up to 50 art based events.
 - b. Hosting up to 6 in person or virtual art based exhibits known as “4th Friday Gallery Walk.”
 - c. Hosting the “Fine Arts and Crafts Showcase” in collaboration with the organizers of the annual “4th of July” festival. (cancelled in 2021)
 - d. Expanding the limits and definition of the local arts community, and introducing Brevard as a regional resource and destination for all of the arts of Brevard.
 - e. Collaborating with City of Brevard, Heart of Brevard, Farmer’s Market, Tourism Development Authority, Heritage Museum, Allison Deaver House (and other similar organizations), and Chamber of Commerce on mutually beneficial events.
17. TCarts will help Brevard diversity its economy by developing and strengthening the arts, culture, and other creative industries currently under discussion in the Economic Development and Cultural Resources categories of Brevard’s Draft Comprehensive Plan; and additionally noted in the North Carolina Jobs Plan (North Carolina Economic Development Board, December 2013) through promotion, mentorship, and clustering; but most notably by:
- a. Continuance of the “Arts in Schools” program to introduce students to the arts and help develop the skill sets needed in an economy that expects unique perspectives and tactile initiatives to solve problems.
 - b. Foster the cooperative of 28 local artists, known as “Number 7 Arts,” in running a business and making a living in art.
 - c. Showcase the work of local artists by hosting up to ten exhibits a year, and finding opportunities to showcase local artists at in person art events and virtually continuing to remind the public of Brevard as a top and vibrant arts destination.

- d. TCart

will help promote art organizations and art clusters in our region. Such as: Transylvania Art Guild, Connestee Art League, Land of waterfalls Camera Club, Transylvania Handcrafters Guild, Western NC Quilters, Fiber Group and Local woodworkers.
- e. Provides continuing education for local artists, art organizations and art businesses.

18. TCart will report the results of the aforementioned efforts at Council’s Regularly Scheduled meetings in October 2021 and at the March 2022 annual Budget Public Input Session. The table below is included as guidance only:

REVENUE DIVERSITY	DATA	COLLECTION POINTS	REPORT PERIOD
	Attendance at each Gallery Walk	(Red Wolf, Haen, & TCart galleries)	Oct. & March
	Estimated revenue from participating galleries during events.	Number 7 Arts 349 S. Caldwell Community Gallery	
	How many galleries participated and number of artist represented.	Local participating galleries.	Oct. & March
	Virtual reach and engagement communicating Brevard as vibrant arts destination.	IG, Facebook, email, website and You Tube channel.	-

ECONOMIC DIVERSITY	DATA	COLLECTION POINTS	REPORT PERIOD
	Weekly sales	Number 7 arts gallery	Oct. & March
	Number of vendors and vendor transition per week (dropped off or achieved independence)	Number 7 arts gallery	Oct. & March
	Diversity of artists participating in Community Gallery exhibits.	349 S. Caldwell St. Community Gallery	

19. Brevard has budgeted \$10,000 (from General Funds and Community Development) for the TCart efforts described above, and will distribute quarterly.
20. This agreement will terminate at the end of the fiscal year of June 30, 2022.

f. Transylvania Farmer’s Market.

STATE OF NORTH CAROLINA
TRANSYLVANIA COUNTY

Community Development Contract with Transylvania Farmers’ Market

THIS AGREEMENT, entered into this the ____ day of July, 2021, by and between the CITY OF BREVARD, NORTH CAROLINA, a municipal corporation organized and chartered under the laws of the State of North Carolina, hereinafter called “Brevard” and the TRANSYLVANIA FARMERS’ MARKET, a 501(c)3 non-profit corporation organized and incorporated under the laws of the State of North Carolina, hereinafter called the “Market”;

WITNESSETH

THAT, WHEREAS, Brevard’s Mission (i.e. its role and purpose) is to “promote a high quality of life, support economic prosperity, and cultivate community while honoring its heritage and culture” through the provision of public goods, services, and spaces, and the Market is “an organization founded with the goal to encourage and promote local agriculture, horticulture, value-added, and craft industries in Transylvania County, North Carolina; to provide local producers and starting businesses a site to market their goods directly to residents and visitors to the County; to provide consumers a site to obtain quality goods and healthy food options directly from local producers; and to foster an environment of healthy eating and lifestyle in a community gathering place”; and,

WHEREAS, Brevard’s Vision (i.e. its goal and bearing) is to be “a safe, friendly, family-oriented community with small-town charm, outdoor recreation, arts and culture that bring investment opportunities, environmental consciousness, and economic diversity,” and Brevard acted on this Vision through adopting the “Transylvania County Farmland Protection Plan” as policy, which established a goal of supporting the agricultural sector through the establishment of a permanent and structured farmers market; and,

WHEREAS, Brevard may increase the impact of public expenditures by funding non-profit, such as the Market, to couple those funds with their additional donations, grants, and fundraising, to leverage their organized volunteer workforce, and utilize their expertise to provide specific programs or services; and,

WHEREAS, by virtue of the Market’s Mission, Vision, and the services offered to Brevard City Council at their Regular City Council Meeting on June 21, 2021, it is mutually beneficial for Brevard to partner with Transylvania Farmers’ Market.

- NOW, THEREFORE, it is agreed among the parties of this agreement as follows:
- 21. The Market will establish a permanent farmers market and thereby help re-establish Brevard’s historic role as Transylvania County’s County Seat, where goods are brought to the market, and citizens and visitors gather to engage in business, interact socially, and promote a healthier lifestyle as discussed in the Economic Development, Cultural Resources, and Health categories of Brevard’s Draft Comprehensive Plan.
 - 22. The Market will help Brevard diversify the revenue stream supporting public services by expanding the sales tax base through increased and concentrated activities within the central business district, as discussed in the Economic Development category of Brevard’s Draft Comprehensive Plan, and specifically noted by:
 - a. Hosting Market Days.
 - b. Advertising and marketing Market Days to consumers.
 - c. Incorporating promotional events into the Market Days for consumers.
 - d. Collaborating with Heart of Brevard, TCarts, and Chamber on mutually beneficial events.
 - 23. The Market will help Brevard diversify its economy by developing and strengthening the agriculture value-added production businesses under discussion in the Economic Development category of Brevard’s Community Development Plan; and additionally noted in the North Carolina Jobs Plan (North Carolina Economic Development Board, December 2013) through promotion, mentorship, and clustering; but most notably by:
 - a. Coordinating specialized business classes through Blue Ridge Community College.
 - b. Developing a place for someone to market their home-grown and/or home-made products, and thereby developing the workforce skills to create, make, and build
 - c. Advertising and marketing Market Days to vendors.
 - 24. The Market will report the results of the aforementioned efforts at Council’s Regularly Scheduled meetings in October 2021 and at the March 2022 annual Budget Public Input Session. The table below is included as guidance only:

REVENUE DIVERSITY	DATA	COLLECTION POINTS	REPORT PERIOD
	Attendance	Market	Oct. & March
	Number of type of promotional events	Market	Oct. & March
	Advertising and marketing mediums and markets	Medium name (e.g. Transylvania Times) and market share (e.g. readership number and demographic	Oct. & March

ECONOMIC DIVERSITY	DATA	COLLECTION POINTS	REPORT PERIOD
	Annual sales	Market	Annually
	Number of vendors and vendor transition per week (dropped off or achieved independence)	Market	Quarterly

- 25. Brevard has budgeted \$20,000 for the Market’s efforts described above, as well as, starting the SNAP (Supplemental Nutrition Assistance Program) and will distribute these funds quarterly.
- 26. This agreement will terminate at the end of the fiscal year of June 30, 2022.

g. Rise & Shine.

**STATE OF NORTH CAROLINA
TRANSYLVANIA COUNTY**

Community Development Contract with Rise and Shine

THIS AGREEMENT, entered into this the ____ day of July, 2021, by and between the CITY OF BREVARD, NORTH CAROLINA, a municipal corporation organized and chartered under the laws of the State of North Carolina, hereinafter called “Brevard” and Rise and Shine, a 501(c)3 non-profit corporation organized and incorporated under the laws of the State of North Carolina, hereinafter called the “Rise and Shine”;

W I T N E S S E T H

THAT, WHEREAS, Brevard’s Mission (i.e. its role and purpose) is to “promote a high quality of life, support economic prosperity, and cultivate community while honoring its heritage and culture” through the provision of public goods, services, and spaces, and Rise and Shine’s mission is to try to meet the demand for our program and not have to turn away any children; and

WHEREAS, Brevard’s Vision (i.e. its goal and bearing) is to be “a safe, friendly, family-oriented community with small-town charm, outdoor recreation, arts and culture that bring investment opportunities, environmental consciousness, and economic diversity,” and Rise & Shine’s vision is to invest in the lives of youth making a lifelong impact that shapes their futures and builds a sense of belonging and pride; and,

WHEREAS, Brevard may increase the impact of public expenditures by funding non-profit, such as Rise and Shine, to couple those funds with their additional donations, grants, and fundraising, to leverage their organized volunteer workforce, and utilize their expertise to provide specific programs or services; and,

WHEREAS, by virtue of Rise and Shine, Vision, and the services offered to Brevard City Council at their Regular City Council Meeting on June 21, 2021, it is mutually beneficial for Brevard to partner with Rise and Shine.

- NOW, THEREFORE, it is agreed among the parties of this agreement as follows:
- 27. Rise and Shine, is a unique after-school program to enrich economically disadvantaged and racial minority children, empower parents, and encourage community membership.
 - 28. Rise and Shine Summer STEAM Program provides educational field trips, swimming, hiking and programming from SAFE focusing on healthy relationships via a Social Emotional Learning Tool Kit and scholars participate in weekly trauma informed yoga classes.
 - 29. Rise and Shine provides students with individual academic tutoring, digital literacy training, and group reading to deepen comprehension, strategic thinking and expand vocabulary.
 - 30. Rise and Shine provides students with experience in cultural and outdoor activities through weekly hikes in nearby Federal and State Forests and community gardens.
 - 31. Rise and Shine provides older students with skills to empower youth, peer mentoring and leadership training.
 - 32. Brevard has budgeted \$5,000 for Rise and Shine efforts described above, and will distribute these funds annually.
 - 33. This agreement will terminate at the end of the fiscal year of June 30, 2022.

h. Chamber of Commerce.

STATE OF NORTH CAROLINA
TRANSYLVANIA COUNTY

**Community Development Contract with Brevard/Transylvania
Chamber of Commerce**

THIS AGREEMENT, entered into this the ____ day of July, 2021, by and between the CITY OF BREVARD, NORTH CAROLINA, a municipal corporation organized and chartered under the laws of the State of North Carolina, hereinafter called "Brevard" and the BREVARD/TRANSYLVANIA CHAMBER OF COMMERCE, a 501(c) 6 non-profit corporation organized and incorporated under the laws of the State of North Carolina, hereinafter called the "Chamber";

WITNESSETH

THAT, WHEREAS, Brevard's Mission (i.e. its role and purpose) is to "promote a high quality of life, support economic prosperity, and cultivate community while honoring its heritage and culture" through the provision of public goods, services, and spaces, and The Chamber's Mission "... shall promote the economic well-being of the local business community and be a catalyst for the collaboration of businesses, local government, and civic and community organizations in order to enhance the quality of life for its residents"; and,

WHEREAS, Brevard's Vision (i.e. its goal and bearing) is to be "a safe, friendly, family-oriented community with small-town charm, outdoor recreation, arts and culture that bring investment opportunities, environmental consciousness, and economic diversity"; and,

WHEREAS, Brevard's provision of public goods, services, and spaces while an essential building block of community development, is only part of the foundation necessary in achieving this Vision; and,

WHEREAS, Brevard may increase the impact of public expenditures by funding non-profit, such as the Chamber, to couple those funds with their additional donations, grants, and fundraising, to leverage their organized volunteer workforce, and utilize their expertise to provide specific programs or services; and,

WHEREAS, by virtue of the Chamber's Mission and the services offered to Brevard City Council at their Regular City Council Meeting on June 21, 2021, it is mutually beneficial for Brevard to partner with the Chamber in the year ahead.

- NOW, THEREFORE, it is agreed among the parties of this agreement as follows:
- NOW, THEREFORE, it is agreed among the parties of this agreement as follows:
- 34. The Chamber will help Brevard diversify the revenue stream used to fund the provision of public good, services, and spaces and thereby lessen the over-dependence on a stagnant and geographically constrained property tax base by expanding the sales tax base through:
 - a. Hosting educational workshops for existing and potential businesses independently or in partnership with other business support organizations like Blue Ridge Community College, Heart of Brevard, Transylvania Economic Alliance, Transylvania County SCORE, and others
 - b. Protecting the economic viability of the community by engaging state legislators on relevant legislation through a forum with elected officials and/or during an annual legislative trip.
 - c. Serving as an informational resource by providing key news on local, state, and national issues and other important updates relevant to local businesses.

- d. Strengthening the local economy by promoting a “buy local” campaign designed to increase local use and support of businesses in Transylvania County.
- 35. The Chamber will help Brevard diversify its economy by developing and strengthening new business opportunities, particularly with the entrepreneurial community, through education and promotion by:
 - e. Engaging schools, colleges, and area non-profits to develop the workforce to initiate or support entrepreneurial businesses.
 - f. Supporting new businesses through educational workshops independently or in partnership with the above listed business support organizations.
 - g. Engaging key areas of the city and county, particularly those who are underserved, with a focus on creating a diverse business community with regard to geographic location, type of business, and demographics.
 - h. Promoting the economic viability of new businesses by engaging Council to initiate City Ordinance or Local Delegation on relevant legislation conducive to the development of these businesses.
- 36. The Chamber will report the results of the aforementioned efforts at Council’s Regularly Scheduled meetings in October 2020 and at the March 2021 annual Budget Public Input Session. The table below is included as guidance only:

37.

REVENUE DIVERSITY	DATA	COLLECTION POINTS	REPORT PERIOD
	Attendance at educational workshops	Members and non-members	Oct. & March
	Attendance at legislative forums and/or annual trip	Members and non-members	Oct. & March
	Details of communication to membership and community	Program Impact	Oct. & March
	Details of “buy local” program	Program Impact	Oct. & March

ECONOMIC DIVERSITY	DATA	COLLECTION POINTS	REPORT PERIOD
	Examples of engagement with key groups	Program Impact	Oct. & March
	Attendance at educational workshops	Members and non-members	Oct. & March
	Membership	Returning members and new members	Oct. & March

- 38. Brevard has budgeted \$3,685 for the Chamber’s efforts described above, and will distribute those funds quarterly.
- 39. This agreement will terminate at the end of the fiscal year of June 30, 2022.

K-3. Tax Settlement Report for month ending July, 2021.

K-4. Ordinance No. 2021-32 Amending the FY21-22 Budget Amendment No. 1.

**ORDINANCE NO. 2021-32
AN ORDINANCE AMENDING THE FY2021-2022 BUDGET
AMENDMENT NO. ONE**

WHEREAS, the City Council of the City of Brevard previously approved the Annual Budget (Ordinance No. 2021-xx); and

WHEREAS, it is necessary to make amendments to the budgets to reflect additional revenue and expenditures for Fiscal Year 2021-22.

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 \$121,000 from \$9,887,900 to \$10,008,900 as shown as follows.

Proceeds from Borrowing	\$37,000
Property Tax Revenue	\$84,000
TOTAL	\$121,000

SECTION 02) General Fund Expenditures are hereby increased \$121,000 from \$9,887,900 to \$10,008,900 as shown as follows.

Parks & Property Department	\$30,000
Recreation Department	\$7,000
Transfer to Pedestrian Path Fund	\$28,000

Transfer to Rosenwald Fund	\$28,000
Transfer to Downtown Master Plan Fund	\$28,000
TOTAL	\$121,000

SECTION 25) Multi-Use Paths Fund Revenue is hereby increased \$28,000 from \$2,045,000 to \$2,073,000 as shown as follows.

Transfer from General Fund	\$28,000
TOTAL	\$28,000

SECTION 26) Multi-Use Paths Fund Expenditures are hereby increased \$28,000 from \$2,045,000 to \$2,073,000 as shown as follows.

Estatoe Trail Project	\$28,000
TOTAL	\$28,000

SECTION 31) Rosenwald Fund Revenue is hereby increased \$2,378,000 from \$285,713 to \$2,663,713 as shown as follows.

Proceeds from Borrowing	\$2,350,000
Transfer from General Fund	\$28,000
TOTAL	\$2,378,000

SECTION 32) Rosenwald Fund Expenditures are hereby increased \$2,378,000 from \$285,713 to \$2,663,713 as shown as follows.

Mary C. Jenkins Community Center Project	\$2,350,000
Silversteen Park	\$28,000
TOTAL	\$2,378,000

SECTION 33) Downtown Master Plan Fund Revenue is hereby increased \$28,000 from \$747,815 to \$775,815 as shown as follows.

Transfer from General Fund	\$28,000
TOTAL REVENUES	\$28,000

SECTION 34) Downtown Master Plan Fund Expenditures are hereby increased \$28,000 from \$747,815 to \$775,815 as shown as follows.

DTMP Design	\$28,000
TOTAL EXPENDITURES	\$28,000

SECTION 37) Local Fiscal Recovery Fund Revenue is hereby increased \$206,545 from \$2,319,450 to \$2,525,995 as shown as follows.

American Rescue Plan Funds	\$206,545
TOTAL REVENUES	\$206,545

SECTION 38) Local Fiscal Recovery Fund Expenditures are hereby increased \$206,545 from \$2,319,450 to \$2,525,995 as shown as follows.

Transfer to Capital Projects Fund	\$206,545
TOTAL EXPENDITURES	\$206,545

SECTION 39) That Revenues and Expenditures Section 1 through Section 38 of the Ordinance Amendment have increased \$2,761,545 from \$35,265,362 to \$38,026,907 as follows:

	Budget
General Fund	\$ 10,008,900
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	\$ 2,073,000
911 Communications Fund	\$ 77,701
Narcotics Task Force Fund	\$ 10,000
Rosenwald Revitalization Fund	\$ 2,663,713
Downtown Master Plan Fund	\$ 775,815
Parking Fund	\$ 650,000
Local Fiscal Recovery Plan	\$ 2,525,995
TOTAL BUDGET APPROPRIATIONS	\$ 38,026,907

Adopted and approved this 16th day of August 2021.

K-5. Resolution No. 2021-35 Fixing a Date of Public Hearing on the Question of Annexation-Joshua Gaura.

**RESOLUTION NO. 2021-35
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 May 6, 2021, requesting the annexation of a non-contiguous area described in said Petition as the Joshua Gaura property located at 367 Hendersonville Highway, Pisgah Forest, NC 28768, consisting of .849 acres, be annexed into the City of Brevard. (Tax Property Identification Number: 8597-64-5558-000; and,

WHEREAS, the Brevard City Council has by Resolution No. 2021-26 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 Joshua Gaura, will be held at Brevard City Hall at 5:30 P.M. on the 20th day of September, 2021.

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

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, and 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.

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 16th day of August, 2021.

K-6. Designation of ABC Board Chair. Council approved Kevin Jones be designated as Board Chair to serve a one-year term from July 1, 2021-June 30, 2022.

K-7. R-5800 Roundabout Landscaping Design. Council approved staff's recommendation for hiring Mosaic Civic Studio to design a landscaping plan for three roundabouts for R-5800 and one roundabout for R-5605, and to get these betterments approved by NCDOT.

K-8. Ordinance No. 2021-33 Declaring a Road Closure for a Memorial Remembering the 20th Anniversary of the 9/11 Terror Attacks.

ORDINANCE NO. 2021-33

**AN ORDINANCE DECLARING A ROAD CLOSURE
FOR A MEMORIAL REMEMBERING THE
20TH ANNIVERSARY OF THE 9/11 TERROR ATTACKS**

WHEREAS, September 11, 2001, is a day that the world will forever remember as the worst terrorist attack on American soil, claiming nearly 3,000 lives at the World Trade Center in New York City, the Pentagon in Arlington, Virginia, and the Flight 93 crash site near Shanksville, Pennsylvania; and,

WHEREAS, in the twenty years since the attack the nation has honored, and will continue to honor, those who were victims of the attack, and the heroes of September 11th, including the fire fighters, police officers, EMTs, and other first responders; and,

WHEREAS, Brevard City Council acknowledges this remembrance event provides an opportunity for the community to remember and reflect upon this somber day of infamy that our nation will never forget; and,

WHEREAS, Brevard City Council acknowledges this event requires a portion of Main Street, from England Street eastwards for a distance of approximately 200 feet, 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:	Saturday, September 11, 2021
Time:	8:00AM – 9:00AM
Description:	West Main Street: beginning at England Street and extending eastwards for a distance of approximately 200 feet

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

Adopted and approved this the 16th day of August 2021.

K-9. Housing Trust Fund Selection Committee Minutes-May 12, 2021.

K-10. Council Parks, Trails & Recreation Committee Minutes-May 12, 2021.

K-11. Council Downtown Master Plan Committee Minutes-June 3, 2021.

K-12. Council Downtown Master Plan Committee Minutes-June 17, 2021.

K-13. Council Downtown Master Plan Committee Minutes-July 1, 2021.

- K-14. Correspondence (No Action. Offered as information only.)**
- a. ABC Board Adopted Budget FY2021-2022
 - b. Transylvania County Building Permit Activity, July, 2021.
 - c. City of Brevard Collections-System Performance Annual Report
 - d. Improving Health through Community Policy

Mr. Morrow moved, seconded by Mr. Jones that items M-2, M-3 and M-5 be moved to the Consent Agenda. Motion carried unanimously.

K-15. (M-2). Ordinance No. 2021-34 Extending the Corporate Limits-Voluntary Contiguous Annexation of Ronald White.

ORDINANCE NO. 2021-34

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS
OF THE CITY OF BREVARD, NORTH CAROLINA**

WHEREAS, the Brevard City Council has been petitioned under G.S. 160A-31, as amended, to annex the contiguous area described herein, and,

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

WHEREAS, the Brevard Planning Board reviewed the Petition at their meeting held on May 25, 2021 and recommend approval of the voluntary contiguous annexation; and,

WHEREAS, the City Clerk has certified the sufficiency of said petition (relying on the opinion of the City Attorney) and the City Council adopted Resolution No. 2021-27 fixing a date of public hearing. By authority granted by G.S. 160A-31, a public hearing on the question of this annexation was held at the Multipurpose Chambers at the County Administration Building at 5:30 P.M. on the 16th day of August, 2021, after due notice by publication on the 2nd day of August, 2021 and

WHEREAS, the City Council does hereby find as a fact that the petition meets the requirements of G.S. 160A-31, as amended.

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

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended, all of that property lying in Transylvania County, owned by Ronald D. White and Peggy M. White, as shown and being a part of that property described in the deed recorded in Document Book 748, Page 479, in the Transylvania County Registry and that certain annexation plat provided by the Petitioners to be duly recorded upon annexation is hereby annexed and made a part of the City of Brevard as of the 16th day of August, 2021.

Said property is more fully described as follows:

Location: Street address not yet assigned, Brevard, NC 28712. Transylvania County Tax Property Identification Number 8586-65-2129-000.

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 2. Upon and after the 16th day of August, 2021, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Brevard and shall be entitled to the same privileges and benefits as other parts of the City of Brevard. Said territory shall be subject to the municipal taxes according to G.S. 160A-31.

Also being all of that property described in a plat prepared by Carolina Mountain Surveying labeled Annexation Plat – Ordinance No. 2021-34, Ronald D. White and Peggy M. White dated February 25, 2021, and recorded in Plat File ____, Slide ____, of the Transylvania County Registry.

Section 3. Pursuant to 160AA-29 it shall be the duty of the Mayor of the City of Brevard to cause an accurate map of the annexed territory as described in Section 1 hereof, together with a duly certified copy of this Ordinance, to be recorded in the office of the Register of Deeds of Transylvania County, North Carolina, and in the office of the Secretary of State at Raleigh, North Carolina. Such a map shall also be delivered to the Transylvania County Board of Elections as required by G.S. 163.288.1.

Section 4. Notice of adoption of this Ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the City of Brevard.

Adopted and approved the 16th day of August, 2021.

K-16. (M-3). Ordinance No. 2021-35 Amending the Code of Ordinances Chapter 58 & Unified Development Ordinance Chapters 4 and 8.

ORDINANCE NO. 2021-35

AN ORDINANCE AMENDING THE CODE OF ORDINANCES CHAPTER 58 & UNIFIED DEVELOPMENT ORDINANCE CHAPTERS 4 and 8

WHEREAS, the City of Brevard Planning Board and Planning Department Staff have recommended that Brevard City Code, Code of Ordinances Chapter 58 and Unified Development Ordinance Chapters 4 and 8, be amended to regulate the installation of sub-grade dumpsters; 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 3: ENVIRONMENTAL HEALTH
OBJECTIVE 3.2: Reduction of the City’s carbon and ecological footprint.
POLICY 3.2.F: Continue to improve the City’s residential and commercial recycling programs.

and,

WHEREAS, a legislative public hearing was conducted on Monday, August 16, 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, Code of Ordinances Chapter 58 and Unified Development Ordinance Chapters 4 and 8 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 first reading this the 16th day of August, 2021.

K-17. (M-5). Board and Committee Appointment(s).

Reid Wood was appointed to her first three year term on the Planning Board and Carl Mooney, Jr. was appointed to serve his first three year term on the ABC Board.

K-18. (M-8). Resolution No. 2021-37 in Support of the CDC Guidelines for a Layered Approach to Stopping and Slowing the Spread of Covid-19 Delta Variant Through Vaccination, Indoor Masking, Social Distancing and Hand Hygiene. Ms. Dinkins presented and read the resolution aloud to Council.

RESOLUTION NO. 2021-37

RESOLUTION IN SUPPORT OF THE CDC GUIDELINES FOR A LAYERED APPROACH TO STOPPING AND SLOWING THE SPREAD OF COVID-19 DELTA VARIANT THROUGH VACCINATION, INDOOR MASKING, SOCIAL DISTANCING AND HAND HYGIENE

WHEREAS, the City of Brevard, located in Transylvania County, as all communities around the globe has been impacted by Covid-19 a potentially deadly pandemic virus, since its emergence in March of 2020; and

WHEREAS, to date, the Covid-19 pandemic has infected 207 million people globally, almost 40 million in the United States, 1.1 million in North Carolina and 2718 individuals in Transylvania County.

Over the past 17 months, Covid has been responsible for the deaths of 4.36 million globally, 621,000 in the United States, almost 14,000 in North Carolina and 33 individuals in Transylvania County. (Sources: World Health Organization, the Centers for Disease Control and Transylvania County Health Department); and

WHEREAS, the Delta Variant has been identified by the CDC as the most dominant strain of Covid-19 since mid-June, accounting for the majority of all new cases diagnosed in the United States. Studies show, the Delta Variant is two times more infectious, more aggressively affects children than Covid-19 and previous variants, and appears to lead to more severe symptoms and subsequent death in unvaccinated people than previous variants. It is believed to be transmissible by fully vaccinated people, who are symptomatic and suffer from rare break-through illness. It is unclear whether non-symptomatic vaccinated people can transmit the illness to others, according to the CDC; and

WHEREAS, the CDC has noted that the Delta Variant is responsible for a notable reversal in the steady downward trajectory seen since early 2021 when vaccines became available. In Transylvania County, according to TC Health, there has been a 34 percent increase in cases between Aug. 4 and Aug. 11, 23 percent of these cases were diagnosed in children ages 0-17, of these half were younger than 12 and not vaccinated; and

WHEREAS, Transylvania County as of Aug. 11, has a 21 percent positive case rate, which amounts to 125 new cases in 7 days and whereas TC health guidelines, in accordance with the CDC and the NCDHHS, recommend the following "layered strategies" to slow and stop the spread of Covid-19 Delta variant: Get vaccinated to avoid severe or fatal illness, mask indoors and in heavily-populated outdoor areas regardless of vaccination status. Social distance in crowded situations and always use good hand hygiene to combat this highly adaptable virus; and

WHEREAS, nationwide 51.2 percent of all Americans are vaccinated, while North Carolina and Transylvania County register at 44 and 44.5 percent, respectively. According to Dr. Anthony Fauci, Director of the National Institute of Allergy and Infectious Diseases, at least 75 percent of all people will have to be vaccinated, before the virus can be stopped.

NOW, THEREFORE, BE IT RESOLVED THAT:

Section 1. The City of Brevard, formally supports the guidelines set forth by the CDC, NCDHHS, and TC Health, and will encourage its citizens, employees and visitors to wear masks when indoors or in crowded places, social distance and use good hand hygiene whenever possible. This means City employees and representatives will be asked to conduct themselves as role models and wear masks when indoors or in crowded places.

Section 2. The City of Brevard will use all social media and other marketing avenues (banners, yard signs) to remind and encourage its citizens, employees and visitors to get vaccinated, wear a mask when indoors or in busy public places, use social distancing and proper hand hygiene to help slow the spread.

Section 3. The City of Brevard Council and Mayor vow to act as role models themselves within their elected and personal capacity to react nimbly as the disease's path develops. If emergency meetings to vote on emergency policy becomes necessary, Council and the Mayor will make it a priority to attend.

Section 4. The City of Brevard recognizes that the Covid-19 Pandemic has been taxing on its citizens, including its employees and business owners, who need support to enforce individual mask policies to keep businesses open, employees safe and Brevard's economy working. It is incumbent upon the City, to back individual businesses' decisions to quarantine for a certain number of days, or close early or limit patrons by numbers. None of these measures are made happily and most of our local stakeholders will need the City to speak with one voice, when they have to close doors or tell shoppers and patrons to come back another day.

Sections 5. The City of Brevard strongly encourages all organizations, places of work, worship, as well as schools, nurseries and preschools, to abide by the CDC guidelines to help protect our citizens, employees and visitors, as well as our local economy.

This resolution, while open-ended, aims to make the above stated measures temporary and they can be revoked when they are no longer necessary. If we follow the guidelines as a community, we can come out of this faster and with fewer losses of life or quality of life.

Approved and adopted this 16th day of August, 2021.

K-19. (M-9). Resolution No. 2021-33 Accepting Loan Offer for King Street Waterline Replacement Project.

RESOLUTION NO. 2021-33

**RESOLUTION ACCEPTING LOAN OFFER FOR
KING STREET WATERLINE REPLACEMENT PROJECT**

WHEREAS, the Safe Drinking Water Act Amendments of 1996 and the North Carolina Water Infrastructure Fund have authorized the making of loans and/or grants, as applicable, to aid eligible, drinking water system owners in financing the cost of construction for eligible, drinking water infrastructure; and

WHEREAS, the North Carolina Department of Environmental Quality has offered North Carolina Drinking Water State Revolving Fund (DWSRF) in the amount of \$1,086,918 for the construction of King Street Waterline Replacement Project; and

WHEREAS, the North Carolina Department of Environmental Quality has offered principal forgiveness totaling \$815,189 or 75% of the project cost; and

WHEREAS, the North Carolina Department of Environmental Quality has offered a State Revolving Loan Amount totaling \$271,729 for 20-years at 0% interest rate; and

WHEREAS, the City of Brevard, North Carolina intends to construct said Project in accordance with engineering plans and specifications that have been or will have been approved by the North Carolina Public Water Supply Section; and

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

Section 1. That the City of Brevard does hereby accept the State Revolving Loan Offer of \$1,086,918, which \$815,189 will be principal forgiveness and \$271,729 will be a 20-year loan at 0% interest rate; and

Section 2. That the estimated closing cost is \$21,738 or 2% of the final loan cost; and

Section 3. That the City of Brevard does hereby give assurance to the North Carolina Department of Environmental Quality that all items specified in the loan offer, Section II-Assurances will be adhered to; and

Section 4. That Jim Fatland, CPFO, City Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application; and

Section 5. That the City of Brevard has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Approved and adopted this 16th day of August, 2021.

K-20. (M-10). Resolution No. 2021-34 Accepting Loan Offer for Burrell Mountain Finished Water Tank Project.

RESOLUTION NO. 2021-34

**RESOLUTION ACCEPTING LOAN OFFER FOR
BURRELL MOUNTAIN FINISHED WATER TANK PROJECT**

WHEREAS, the Safe Drinking Water Act Amendments of 1996 and the North Carolina Water Infrastructure Fund have authorized the making of loans and/or grants, as applicable, to aid eligible, drinking water system owners in financing the cost of construction for eligible, drinking water infrastructure; and

WHEREAS, the North Carolina Department of Environmental Quality has offered North Carolina Drinking Water State Revolving Fund (DWSRF) in the amount of \$2,858,050 for the construction of Burrell Mountain Finished Water Tank; and

WHEREAS, the North Carolina Department of Environmental Quality has offered principal forgiveness totaling \$2,143,538 or 75% of the project cost; and

WHEREAS, the North Carolina Department of Environmental Quality has offered a State Revolving Loan Amount totaling \$714,512 for 20-years at 0% interest rate; and

WHEREAS, the City of Brevard, North Carolina intends to construct said Project in accordance with engineering plans and specifications that have been or will have been approved by the North Carolina Public Water Supply Section; and

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

Section 1. That the City of Brevard does hereby accept the State Revolving Loan Offer of \$2,858,050, which \$2,143,538 will be principal forgiveness and \$714,512 will be a 20-year loan at 0% interest rate; and

Section 2. That the estimated closing fee is \$57,161 based upon 2% of final loan cost; and

Section 3. That the City of Brevard does hereby give assurance to the North Carolina Department of Environmental Quality that all items specified in the loan offer, Section II-Assurances will be adhered to; and

Section 4. That Jim Fatland, CPFO, City Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application; and

Section 5. That the City of Brevard has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Approved and adopted this 16th day of August, 2021.

L. Unfinished Business -

M. New Business –

M-1. Resolution No. 2021-XX Azalea/Rhododendron Neighborhood Sewer Extension (CDBG-I). This item was removed from the agenda as right before the meeting we found out that the money was no longer available to fund this.

M-4. Short Term Rentals. Attorney Mack McKeller explained several months ago he began researching to see if the City could craft a statement on its positions related to short term rentals. Currently, the City's Unified Development Ordinance does recognize short term rentals as "any home rented out for less than 30 days and they are allowed in residential, residential mixed-use, neighborhood mixed-use and downtown mixed-use". That language was adopted in 2017. Under State statute, municipalities cannot enact moratoriums on issues dealing with residential use. The General Assembly also prohibits cities from requiring permits for short term rentals. He added that case law regarding legislation passed by cities targeting short term rentals has been a "mixed bag". He said the City could implement an additional tax on short term rentals but that tax would have to be approved at the State level. Also, residential use is strongly protected by the courts, as well as, the General Assembly and any ordinance pertaining to short term rentals would be thoroughly scrutinized and would have to show good ground to receive approval. There is also the issue of monitoring short term rentals, which would be a big undertaking and one that would probably require additional funding and staffing. The City currently does not have an accurate total of how many short term rentals are in Brevard and there are ways to go about that process but being that Planning is already weighed down with a lot of responsibility, the task would require either an additional hire or soliciting a third-party to create the inventory.

Ms. Copelof said we must clearly define the impacts that short term rentals have that the City is looking to mitigate by exploring what regulations other municipalities have in place related to short term rentals and then look at what tools the City of Brevard has at its disposal and decide which of those tools would most directly address the issues.

Ms. Dinkins suggested that Council create an ad hoc task force to dig deeper into short term rentals and the affect they have on the community.

After much discussion Ms. Copelof motioned, seconded by Ms. Dinkins that a short term rental task force be created with members to include Maureen Copelof, Geraldine Dinkins, Attorney Mack McKeller and a member of the Planning Department. Other members can be added at their first meeting. Motion carried unanimously.

M-6. Mandatory Vaccines for City Employees. Mr. Fatland requested that Mandatory Vaccinations for City Employees be enforced to stay ahead of the curve. He said that he already put a mandatory mask mandate in place in all indoor City public facilities and added that these measures are important as we navigate through the latest upswing in COVID numbers in Transylvania County. He is hoping for a target date of September 1, 2021. Mr. Morrow motioned, seconded by Mr. Daniel to require mandatory vaccines for all City employees. Motion carried unanimously.

M-7. Authorization to Execute Settlement Agreement. Attorney Mack McKeller asked for the record that he have authorization to execute a settlement agreement on behalf of the City that the City is involved in with CDM Smith. Mr. Daniel moved, seconded by Mr. Jones to allow Attorney McKeller to execute the settlement agreement with CDM Smith on behalf of the City. Motion carried unanimously.

N. Remarks/Future Agenda Considerations.

Mayor Harris said that he has been Mayor for 22 years and I am proud of all of our employees. We are in great hands and our City Manager and his department heads are exceptional. They didn't sit back and do nothing during Covid. If you look at our current agenda and the Kings Street waterline upgrade, Burrell Mountain finished water storage tank and projects that reflect continuing investment in our infrastructure. Just since Covid, the City has initiated the new Mary C. Jenkins Community Center Project, completed phase two of the Silversteen Park, completed the Estatoe Trail's missing link along Railroad Avenue between the Whitmire Street and McLean Road, led the contract for trail construction from Whitmire to Main Street, updated our Downtown Master Plan, began replacing our street lights with environmental conscious LEDs, updated the Personnel Policy, initiated City tax collections with incentives saving taxpayer money and generating much needed cash flow, initiated enterprise fund for sanitation for garbage and recycling, purchased and sold at a profit downtown property behind the courthouse to further our strategic plan, integrated police communications with Transylvania County, opened the new dog park, completed phase two and opened the Brevard Skate Park, began construction of Clemson Plaza, initiated a new Bicycle and Pedestrian Plan, became a major donor to the Sharing House and Transylvania Tomorrow Emergency Fund encouraging collaboration during Covid, initiated downtown outside dining and curbside pickup, initiated plans for a new community garden, initiated restoration of Brushy Creek, completed a new water intake and streambank restoration project on Cathey's Creek, initiated final steps to begin work on several line improvements in the Gallimore drainage area and taken the lead on Ecusta Trail securing funding, overseeing design and construction in Transylvania County and I am sure I probably left some things out. This City is well run and our department heads, their staff and our committees are busy. Their accomplishments keep coming day in and day out lead by professionals who take their commitment to public service seriously. We face challenges today across America in public health, housing, education and infrastructure. I'm proud of what our small town has been able to contribute to the well-being of our citizens especially during this pandemic. There is more work to be done but I am confident that we have the best team in place. Keep the faith, take a deep breath and be sure to thank a public servant any chance you get.

Ms. Copelof said that we had a very successful dog park opening on July 31st. The park has gotten so many positive responses. We also just held our second basketball tournament, a joint City and community event. We had the police department there giving out backpacks and fire was there spraying water for the kids. She thanked the City Manager for putting the mask mandate forward. Thank you for making hard decisions. I appreciate our staff the way they leverage outside funding. As a small municipality we only have so much funding, that's a real tribute to staff for going out and getting funding. I have a suggestion for looking at our City owned roads. The last time we had a survey done in 2019, that determined what City roads that we pave every year. I would suggest we do this again. I think we need to take a new look at the roads before we start projects. It seems to me that we need to take another serious look.

Mr. Fatland said that he would like to refer this to the Public Works Committee to review these streets.

Ms. Dinkins said that the Ecusta Trail community got to have their moment in the sun for the Ecusta Trail and I am really very excited. I am over the moon that we are moving forward on that trail and I just wanted to use my time to congratulate that group of people. I think it's a game changer.

Mr. Jones asked if Council would consider readdressing the times of which construction can be done in residential areas. I would like Council to revisit it.

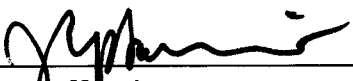
Mr. Morrow said tonight we implemented another committee (Short Term Rentals). The committees have done a heck of a job. When you look at the list that Jimmy talked about and what happened tonight, it extends to action items that happen and I don't think people have a clue what gets done. We are very fortunate.

Mr. Fatland thanked Council for their support in addressing the Covid issue and the employees being vaccinated. He also thanked them for allowing the forming of the committees. He thanked the City employees who have worked through the Covid pandemic.

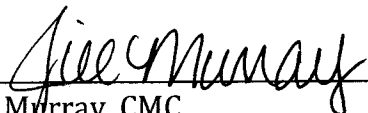
Mayor Harris added that he will not be here for the September meeting as he will be at a conference in Florida.

O. Closed Session(s) – None

P. Adjourn – There being no further business, Mr. Morrow moved, seconded by Mr. Jones, the meeting be adjourned. Motion carried unanimously. Meeting adjourned at 8:47 p.m.



Jimmy Harris
Mayor



Jill Murray, CMC
City Clerk

Minutes Approved: September 20, 2021