



AGENDA
BREVARD CITY COUNCIL – REGULAR MEETING
Monday, October 17, 2016 – 7:00 P.M.
City Council Chambers

A. Welcome and Call to Order

B. Invocation

Pastor Larry Davis, Bethel A Baptist Church

C. Pledge of Allegiance

D. Certification of Quorum

E. Approval of Agenda

F. Approval of Minutes

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I. Public Participation

J. Special Presentation(s) - None

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N. Remarks / Future Agenda Considerations

O. Closed Session(s)

P. Adjourn

To review Agenda materials, go to the City's website www.cityofbrevard.com. Select "Your Government" tab followed by "Council Agenda Packet" tab. Agenda packet materials are posted on Thursday afternoon prior to Council's Monday meeting.

Approval of Minutes

MINUTES
BREVARD CITY COUNCIL
Regular Meeting
September 19, 2016 – 7:00 PM

The Brevard City Council met in regular session on Monday, September 19, 2016, at 7:00 p.m. in the Council Chambers of City Hall with Mayor Jimmy Harris presiding.

Present - Mayor Jimmy Harris, Mayor Pro Tem Mac Morrow, Council Members Maurice Jones, Ann Hollingsworth and Gary Daniel

Absent – Council Member Charlie Landreth

Staff Present – City Manager and Finance Director Jim Fatland, City Attorney Mike Pratt, City Clerk Desiree Perry, Planning Director Daniel Cobb, Code Enforcement Officer Paul Ray, Police Chief Phil Harris, Fire Chief Craig Budzinski, Public Works Director David Lutz, Parks and Property Management Director Lynn Goldsmith, Accounting Technician Tom Whitlock, and 17 Brevard Fire Fighters.

Press – Kevin Fuller, Transylvania Times

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

Dr. Ephraim Brevard – Monument Dedication on September 24, 2016, in Charlotte, NC. Mayor Harris shared the City of Brevard was named after Dr. Ephraim Brevard, a Revolutionary War colonel and surgeon who drafted the Mecklenberg Declaration of Independence. He and Mayor Pro Tem Morrow will be attending the monument dedication and extended an invitation for others to attend.

B. Invocation – Pastor Ann Duncan, St. Timothy United Methodist Church offered an invocation.

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

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

E. Approval of Agenda – A few guests who desire to attend the Charles Merrill Retirement recognition were not yet in attendance; therefore, Mayor Harris recommended Item G-1 be moved to a later time in the meeting. Mr. Morrow moved, seconded by Mr. Jones, the Agenda be amended as recommended and approved. Motion carried unanimously.

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

H. Public Hearing(s)

H-1. Short Term Rentals. (Public Hearing continued from August 15, 2016, Meeting).

Mayor Harris opened the public hearing at 7:25 P.M.

Mr. Pratt explained just days before the Public Hearing was held on August 15th he and Staff learned legislation was being considered that would prohibit the City's ability to require permitting or registration of Air B&B's and Short Term Rentals. The State has done so {NCGS 160A-424(c)} and therefore, while the City can regulate these uses, it cannot require a permit or registration. The draft ordinance has been amended by removal of all references to the previously included permit/registration requirement.

Mr. Cobb explained all of the changes to the drafted ordinance were made in response to the changes in NC State Law. All references to require a permit or registration of a Short Term Rental (STR) have been removed; draft ordinance would allow STR's in all districts with the exception of the General Industrial District; no changes to parking ratios; and, amended definition to combine short-term rentals and homestays into a single category.

Public Hearing Public Participation

Ms. Jan Kuba, 273 West Main Street, spoke in favor of short term rentals (STR) and urged Council to vote to allow them as proposed, and, stated she does not feel special off-street parking requirement should be imposed on STR's.

Mr. Bill Christie, 8 Pintail Court. Prior to the start of the meeting Mr. Christie presented to Council members and the Clerk his written request for their consideration to, "...amend line 113 (10.5.G.4.a) to read "except those used for Short-Term Rental and Homestay uses, and those which are subject to...". A complete copy of his written comments and request is included within these Minutes by reference. (Exhibit A.)

Public Hearing Closed – There being no further questions or comments, Mayor Harris closed the hearing at 7:41 PM.

G. Certificates, Awards and Recognition

G-1. Charles Merrill Retirement Recognition – Chief Budzinski, Mayor Harris and Council expressed their appreciation to Charles Merrill for his 38 years of service on the Brevard Fire Department. During his 38 years serving he has held the positions

of Firefighter, Lieutenant, Captain, Assistant Chief, Training Officer and Safety Officer. Mr. Merrill was accompanied by his wife, Kathy, son, John, along with other family members, friends, and 18 members of the Brevard Fire Department.

Order of Long Leaf Pine - On behalf April Riddle, WNC Aide to Governor McCrory, who could not be in attendance as planned, Chief Budzinski and Mayor Harris presented to Mr. Merrill the Order of Long Leaf Pine for his service on the Fire Department and to the citizens of Brevard.

H. Public Hearing(s) - Continued

H-2. Proposed Code Amendment, Bee Hives. The public hearing was properly advertised on September 5th and 12th, 2016.

Mayor Harris opened the public hearing at 7:51 P.M.

Mr. Cobb presented the staff report and explained the proposed text amendment is recommended in order to be in keeping with recent changes to NC State law specific to the number of hives allowed on a single parcel of land, and, that hives are to be placed at ground level or securely attached to an anchor or stand. {NCGS 106-645(b)(1)(2)} The Planning Board met on August 16, 2016, and recommended approval of the amendments as presented.

Public Hearing Public Participation - None

Public Hearing Closed – There being no further questions or comments, Mayor Harris closed the hearing at 7:57 PM.

H-3. Proposed Code Amendment, Invasive Plant Species. The public hearing was properly advertised on September 5th and 12th, 2016.

Mayor Harris opened the public hearing at 7:57 P.M.

Mr. Cobb presented the staff report. Existing regulations on invasive exotic species are unclear and ambiguous under the current Code of Ordinances, and would be costly and difficult to enforce on private property. Staff recommends adoption of specific language in the Landscaping Chapter of the Unified Development Ordinance prohibiting the introduction of invasive exotic plant species, and encourages the use of landscaping with native plants. The eradication of existing invasive species would be encouraged but not required under the penalty of law. The administrator would be responsible for maintaining a current list of plants and trees commonly accepted to be “invasive exotic species”; site plans for development would continue to be reviewed by the Planning Department for landscape requirements; and, the use of invasive exotic tree and species would be strictly prohibited. The Planning Board met on August 16, 2016, and recommended approval of the amendments as presented.

Public Hearing Public Participation

Ms. Nina Shippen, 67 Hillcrest Avenue, spoke in favor of the proposed amendments. She first extended her appreciation to the City's Street Division for their taking and hauling off her large piles of branches. Explained she is a landscape designer with 11 years of service in Brevard, and she teaches about invasive plant removal at the Arboretum. She extended her appreciation to the City Planning Staff and Planning Board for addressing this important issue. Having read the drafted text amendments, she suggested: (a) Rather than reference the NC Cooperative Extension plant listing in the ordinance, to reference, "A Management Guide for Invasive Plants in Southern Forests," published by the United States Department of Agriculture Forest Services Southern Research Station, as it is applicable to the western North Carolina region and is the source used by the cooperative Extension office; (b) Listing of prohibited species in the draft ordinance are the common names and suggested the specific botanical name also be included; and, (c) Suggested the list be periodically reviewed and updated. She offered to assist Planning Staff by providing them with the botanical names.

Mayor Harris stated he would like for the botanical names to be included and extended his appreciation to Ms. Shippen for her willingness to assist Staff in doing so.

Ms. Jan Kuba, 273 West Main Street, explained as a consumer she may not know if a plant or tree is invasive. Some of the plants mentioned tonight (like periwinkle) are considered to be invasive and yet are still being sold at local stores and nurseries. Questioned what is going to prevent local stores and nurseries from continuing to sell the plants upon the list?

Public Hearing Closed – There being no further questions or comments, Mayor Harris closed the hearing at 8:16 P.M.

I. Public Participation

Mr. Roy Cowan, 95 Cambridge Drive, spoke in opposition to the proposed bypass (West Loop). He stated Brevard loves its churches and one of the bypass options would place a 60' ROW upon the Catholic Church property; proposed cost is astounding; he agrees with the Transylvania Times article that the road is not needed and the money could be better spent elsewhere; lots of letters have been written in opposition to the bypass; properties in Deer Lake have already lost value due to this proposal; and, he urged Council to communicate to NC DOT that we do not want or need the proposed bypass.

Mayor Harris announced Public Input Sessions will be held in the Rogow Room of the Transylvania County Library on September 28th at 10 AM, 2 PM and 6 PM on the subject of the West Loop and encouraged all to attend.

J. Special Presentation

WNC Military History Museum “Operation Armed Forces”. Mr. Emmett Casciato, Curator, invited all to come and see the collection of artifacts and exhibits that will honor our military men and women who served from WWI until present. Artifacts such as original newspaper articles, personal items, weaponry, uniforms, medals, etc., will be displayed. Museum will be at the Aethewold Hotel Lobby, 23 South Broad Street, Brevard, beginning October 22nd and ending November 11th, 2016, between 10:00 AM and 5:00 PM.

~~ At 8:33 PM Mayor Harris called for a ten minute break. ~~

K. Consent Agenda and Information - Consent Agenda items are considered routine and are enacted by one motion. Mayor Harris read aloud the eight items listed, and asked if Council desired to remove an item for discussion, or, to add an item(s) to the Consent Agenda. He recommended adding New Business Items M-1 Bee Hives amendment and M-2 Invasive Plant amendment, including the changes as suggested by Ms. Shippen, be added to the Consent Agenda.

Mr. Morrow moved, seconded by Mr. Jones, the Consent Agenda be amended and approved as presented. Discussion: Mr. Daniel reminded the invasive plant species is not limited to those upon the list and, as recommended by Ms. Shippen, the list will need to be revised and updated periodically. Motion carried unanimously.

K-1. Staff Reports:

- a. Parks and Property Management Monthly Report
- b. Public Works Department, July 2016 Report

K-2. Resolution No. 2016-18 A Resolution Authorizing The Purchase Of A Small Strip Of Land From First Citizens Bank For The West Jordan Street Public Parking Lot Improvement

**RESOLUTION NO. 2016-18
A RESOLUTION AUTHORIZING THE PURCHASE OF A SMALL STRIP OF LAND FROM FIRST
CITIZENS BANK FOR THE WEST JORDAN STREET PUBLIC PARKING LOT IMPROVEMENT**

WHEREAS, The City of Brevard owns a parcel of land located at the corner of West Jordan Street, and South Caldwell Street, identified as Transylvania County Parcel Pin 8586-40-7718-000, hereinafter called the parcel; and,

WHEREAS, The City of Brevard has previously approved the construction of a public parking lot off West Jordan Street on the parcel; and,

WHEREAS, The parcel abuts an existing twelve (12) foot public Right of Way on the northeast and a portion on the southeast side as illustrated on the attached Transylvania County Tax Map; and,

WHEREAS, The twelve (12) foot public Right of Way on southeast side does not connect to South Caldwell Street, creating a twelve (12) foot by ninety-one (91) foot strip of land totaling

approximately 1,092 square feet, that hinders the full development of the parcel for the public parking lot, hereinafter called the strip of land; and,

WHEREAS, The strip of land is owned by First Citizens Bank and is part of their land identified as Transylvania County Parcel Pin 8586-40-6635-000; and,

Whereas, The City desires to develop the public parking lot to its full potential by purchasing the strip of land from First Citizens Bank; and,

WHEREAS, First Citizens Bank has agreed to sell the City the strip of land for \$7.50 per square foot plus a \$5,000.00 legal fee, for an estimated total amount of \$13,190.00, subject to a survey to determine the exact square footage;

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

1. The strip of land be purchased from First Citizens Bank with the final purchase price subject to a survey with certified square footage.
2. The City Manager, upon receipt of the completed survey, is authorized to use funds from the parking lot project to purchase the strip of land.
3. The City Manager is authorized to sign appropriate legal instruments for the conveyance of the strip of land from First Citizens Bank to the City of Brevard.
4. The City Manager shall advise the Board periodically on the status of completion of the strip of land.
5. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this 19th day of September 2016.

K-3. Ordinance No. 2016-24 An Ordinance Fixing Compensation And The Other Terms Of Employment For City Manager Jim Fatland

**ORDINANCE NO. 2016-24
AN ORDINANCE FIXING COMPENSATION AND THE OTHER
TERMS OF EMPLOYMENT FOR CITY MANAGER JIM FATLAND**

WHEREAS, in accord with Chapter 2, Article III of the Brevard City Code, the compensation of the City Manager and other terms of his employment are to be fixed by ordinance; and

WHEREAS, Council now desires to set forth the terms of such employment in this Ordinance;

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

Section 1. RATIFICATION OF APPOINTMENT. Mr. Jim Fatland (herein after referred to as the "City Manager") was duly appointed to the Office and position of City Manager of the City of Brevard, effective as interim City Manager on April 1, 2015, and has served since that date, becoming permanent City Manager effective August 17, 2015.

Section 2. SALARY AND BONUS. The City Manager's base annual salary is hereby set at \$121,000.00, which includes a raise in the amount of \$5,000.000, retroactive to July 1, 2016. In addition, the Manager shall receive a one-time bonus in the amount of \$5,000.00, upon enactment of this Ordinance. This Ordinance will be effective until July 1, 2017, unless earlier terminated by Council.

Section 3. EQUIPMENT USE AND ALLOWANCES.

(a) MOTOR VEHICLE MAINTENANCE AND GAS ALLOWANCE. In addition to the City Manager's salary, the City of Brevard has been paying and shall continue to pay to him monthly the sum of \$200.00 as compensation for providing a vehicle for his use in connection with the conduct of his office. This payment shall be designated as a motor vehicle maintenance and gas allowance, and shall be paid in lieu of any reimbursement for actual mileage traveled in the course of the conduct of his office, except as mileage for attending those Professional Growth and Development meetings contemplated in Section 8, and other meetings or events job-related, outside of Transylvania County, which shall be subject to mileage reimbursement at the then-current rate paid by the City.

(b) STANDARD OFFICE EQUIPMENT. The City of Brevard has been providing and shall continue to provide, for the use of the City Manager, all standard and reasonably necessary office equipment, including but not limited to a cell phone and a laptop computer, which shall be provided for business use at no cost to the City Manager.

Section 4. NO RESIDENCE REQUIREMENT. The City Manager shall not be required to reside within the city limits of the City of Brevard or within the Extra-Territorial Jurisdiction of the City, provided that the City Council retains the right to change this requirement upon due notice to the City Manager.

Section 5. ANNUAL EVALUATION. The City Manager's ongoing job performance will be reviewed in 2017 prior to the establishing of the next fiscal year's budget. The evaluation shall include a written report and presentation by City Council to the City Manager.

Section 6. FUTURE INCREASES. The City Manager shall not qualify for or participate in any longevity pay raise or Cost of Living Adjustment (COLA) pay raise plan. Any salary raises will be individually considered by City Council and shall be based on performance, as well as other factors which are deemed relevant by City Council.

Section 7. PERSONNEL POLICY AND BENEFITS.

(a) 401K PLAN CONTRIBUTION. The City of Brevard shall contribute an amount equal to three percent (3%) of the City Manager's salary to his 401K plan, annually.

(b) VACATION. The City Manager shall accrue vacation as per the provisions of Section 7 of the Personnel Policy, but Section 8 thereof shall not apply to him, and he shall be entitled to

accumulate 320 vacation hours, instead of the limits imposed on employees pursuant to Section 8 of the Personnel Policy.

(c) OTHER BENEFITS. The City of Brevard Personnel Policy shall not apply to the City Manager. However, the Personnel Policy shall be followed for certain benefits to which he shall be entitled, to wit:

- Health Insurance/Health Savings Account for the City Manager and his family;
- Sick leave and payment therefor;
- Paid holiday schedule;
- Group life insurance, short term disability insurance and dependant life insurance.

Section 8. PROFESSIONAL GROWTH AND DEVELOPMENT. The City Manager shall be permitted, and is encouraged to attend appropriate professional and municipal functions, meetings, conferences, etc., as a legitimate travel expense in accordance with the travel policies of the City. These may include the North Carolina League of Municipalities, the International City Management Association, the North Carolina City and County Management Association, and other professional organizations.

Section 9. COMMUNITY INVOLVEMENT. The City Manager is encouraged to be active and involved in all positive and appropriate facets of the community, including in his discretion, participation in civic organizations, charitable events, speaking engagements and the like. Upon the request of the City Manager, City Council will consider an allowance for participation in civic organizations.

Section 10. STANDARDS FOR BEHAVIOR AND CONDUCT. The City Manager shall at all times, and in all locations, present himself in public and in the presence of others, in such manner as is appropriate to the person who is the primary spokesperson and manager for the City of Brevard. In this regard, his conduct shall at all times be that of a competent, truthful, ethical and moral individual, and shall be beyond reproach. Any conduct in violation of this provision, including but not limited to a criminal misdemeanor or felony conviction of any kind, shall be grounds for immediate dismissal.

Section 11. TERMINATION OF EMPLOYMENT.

(a) VOLUNTARY SEPARATION. In the event that the City Manager voluntarily terminates his employment, no severance of any kind shall be paid by the City of Brevard.

(b) INVOLUNTARY SEPARATION. City Council retains the absolute right to terminate the City Manager's employment at will. In the event that the City Manager's employment is terminated by act of City Council:

(1) He shall receive six (6) months' salary as severance pay in lieu of any other remaining salary. Severance pay shall be terminated immediately upon his acceptance of any other employment. Severance pay may be paid in lump sum or over the regularly scheduled pay days, in the discretion of City Council; and

(2) He shall receive an amount of money designed to allow him to keep his health insurance policy in effect during the six (6) month severance period, or until he becomes

insured by another employer, whichever occurs first. This provision could be fulfilled by continuing him on the current policy, if feasible; or by paying for another policy with similar benefits; or by paying him the funds Council determines to be appropriate to comply with this provision, whichever Council determines to be most appropriate at the time. This provision will be null and void if he is eligible for Medicare upon termination, and shall be voidable as of the date he becomes eligible for Medicare if within the six (6) months severance period.

(3) No other benefits shall be paid or continued in effect following termination except as may be required by law.

Section 12. RATIFICATION AND EFFECTIVE DATE. This Ordinance shall be retroactively effective as of July 1, 2016.

Adopted and approved this the 19th day of September, 2016.

K-4. Ordinance No. 2016-25 An Ordinance Declaring A Road Closure For 34th Halloweenfest

**ORDINANCE NO. 2016-25
AN ORDINANCE DECLARING A ROAD CLOSURE FOR 34th HALLOWEENFEST**

WHEREAS, Brevard City Council acknowledges a tradition of providing an annual Halloweenfest festival for the pleasure and enjoyment of its citizens and visitors; and,

WHEREAS, Brevard City Council acknowledges this festival provides an opportunity for day-long, family-oriented activities; and,

WHEREAS, Brevard City Council acknowledges this festival requires a portion of Main Street (US Highway 276) and Broad Street (US Highway 64) 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 closure during the day and time set forth below on the following described portion of a State Highway System route:

34th Halloweenfest

Date: Saturday, October 29, 2016

Time: 7:00AM – 6:00PM

Route Description: Main Street (US 276) from Caldwell Street to Gaston Street, and Broad Street (US 64) from French Broad Street to Morgan 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 19TH day of September, 2016.

K-5. Ordinance No. 2016-26 An Ordinance Declaring A Road Closure For Twilight Tour Festival

ORDINANCE NO. 2016-26
AN ORDINANCE DECLARING A ROAD CLOSURE FOR TWILIGHT TOUR FESTIVAL

WHEREAS, Brevard City Council acknowledges a tradition of providing an annual Twilight Tour Festival for the pleasure and enjoyment of its citizens and visitors; and,

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

WHEREAS, Brevard City Council acknowledges this festival requires a portion of Main Street (US Highway 276) and Broad Street (US Highway 64) 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 closure during the day and times set forth below on the following described portion of a State Highway System route:

Twilight Tour Festival

Date: Saturday, December 3, 2016

Time: 12:30PM – 9:00PM

Route Description: Main Street (US 276) from Caldwell Street to Johnson Street, and Broad Street (US 64) from Probart Street to Morgan 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 19TH day of September, 2016.

K-6. Fire Department Application for FEMA Assistance to Firefighters Grant – Council approved the Fire Department’s request to apply for the 2016 FEMA Assistance to Firefighters Grant Program to replace firefighter self-contained breathing apparatus (SCBA). Requested grant is in the amount of \$350,000. If awarded, the City match of \$17,500 will come from the Fire Department Special Revenue Fund Balance and Staff would prepare a budget amendment.

K-7. Agreement for Purchase of Real Property as 630 Ecusta Road. Council approved an Agreement for Purchase and Sale of Real Property. Property is located at 630 Ecusta Road containing approximately .51 acres. Land is being purchased from Harold and Thelma Siniard. Total purchase price is \$100,000. (Exhibit B)

K-8. (M-1). Ordinance No. 2016-27 An Ordinance Amending Brevard City Code Part II, Chapter 14, Animals And Fowl

**ORDINANCE NO. 2016-27
AN ORDINANCE AMENDING BREVARD CITY CODE
PART II – CHAPTER 14 – ANIMALS AND FOWL**

WHEREAS, the City of Brevard Planning Board and Planning Department Staff have recommended that Brevard City Code, Part II, Chapter 14, Article I, Section 14-9 be amended to update and comply with requirements of North Carolina General Statutes; and,

WHEREAS, Brevard City Council finds that while these proposed amendments are consistent with the City of Brevard Land Use Plan, Comprehensive Plan, and other plans and policies of the City of Brevard; and,

WHEREAS, a public hearing was conducted on Monday, September 19, 2016, 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, Part II, Chapter 14 be amended as outlined in Exhibit A which is included with this Ordinance.

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

SECTION 01. Brevard City Code, Part II, Chapter 14 is hereby amended as depicted in Exhibit A.

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 effect from and after the date of its adoption.

Adopted and approved this the 19th day of September, 2016.

K-9. (M-2). Ordinance No. 2016-28 An Ordinance Amending The City Of Brevard Code Of Ordinances And Unified Development Ordinance To Prohibit The Introduction Of Invasive Plant Species

**ORDINANCE NO. 2016-28
AN ORDINANCE AMENDING THE CITY OF BREVARD CODE OF ORDINANCES
AND UNIFIED DEVELOPMENT ORDINANCE**

TO PROHIBIT THE INTRODUCTION OF INVASIVE PLANT SPECIES

WHEREAS, the purpose of nuisance ordinances is to provide for the health, safety, and general welfare of the inhabitants of the city; and,

WHEREAS, the purpose of zoning regulations is to provide a comprehensive plan for the use of land and buildings in conditions of good health and safety and in conditions of orderly community development, these regulations shall apply to all land and structures within the respective zoning district; and,

WHEREAS, the City of Brevard Planning Board unanimously recommended approval on August 16, 2016; and,

WHEREAS, a public hearing was conducted on September 19, 2016, 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, Part II, Chapter 38, and Unified Development Ordinance, Chapter 8, be amended as outlined below; and,

WHEREAS, in accordance with North Carolina General Statute 160A-384, Brevard City Council finds the following:

1) That the proposed amendments are consistent with Element 3 – Environmental Health of the 2015 Comprehensive Plan:

Goals

Through appropriate conservation and preservation measures that protect the health and sustainability of the environment and our abundant natural resources, Brevard will:

- Successfully preserve our woods and water for future generations.
- Promote our world-class natural resources as an asset.
- Prevent development in environmentally sensitive and critical areas.
- Preserve farmland.

2) That the proposed amendments support the 2012 City of Brevard Vision Statement:

Foster economic diversity while enhancing the quality of life in an environmentally friendly way by creating an environment that promotes and encourages businesses, and business owners, attracted to and utilizing our natural assets of woods and water and our cultural/historic assets of music, arts, and outdoor recreation.

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

Section 1. Brevard City Code, Part II, Chapter 38 is hereby amended as depicted in Exhibit A.

Section 2. Brevard Unified Development Ordinance, Chapter 8 is hereby amended as depicted in Exhibit B.

Section 3. 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 3. Ordinance shall become effective upon its adoption and approval.

Adopted and approved this the 19th day of September, 2016.

K-10. Correspondence (No Action. Offered as information only.)

- a. Letter of Thanks from Sharing House
- b. West Loop Project Update
- c. North Carolina League of Municipalities, 2016 Annual Conference

L. Unfinished Business – Short Term Rental Ordinance

Mr. Jones moved, seconded by Ms. Hollingsworth, the drafted Short Term Rental Ordinance be sent back to the Planning Board for review and for their recommendation to be brought back to City Council at the annual retreat.

Discussion: Mayor Harris shared it is frustrating for both the citizens and Council as many of the regulations that had been proposed included registration and/or permits which are no longer allowed by State law.

Mr. Daniel shared more discussion is needed, due diligence is important, and the annual workshop/retreat would allow for such a discussion to take place.

Vote on Motion: Motion carried unanimously.

M. New Business – The two new business items were moved to the Consent Agenda and approved.

N. Remarks by Officials / Future Agenda Considerations

Mayor Harris extended his sympathy to the family and friends of Mr. Lloyd Fisher who passed away last night; service is scheduled for this Saturday at 3 PM at the Porter Center. Mayor extended his appreciation to the Manager Mr. Fatland, Mr. Freeman and Engineer Mr. Goforth for their work on the Probart Street project which looks great and has been done very quickly.

Mr. Jones shared some community members have spoken with him about Leob Drive stating that parking should only be allowed on one side of the road because

parking on both sides creates problems with trash collection. He asked that Staff look into it.

Ms. Hollingsworth shared Staff has received complaints on a few short term rentals with respect to parking. Council will be revisiting the matter at the Retreat; however, in the meantime, when complaints are received, we need to enforce the current Code.

O. Closed Session – Mayor Harris asked the City Attorney if it would be appropriate for Council to hold closed sessions to discuss matters of property acquisition, potential litigation and a personnel matter. City Attorney advised pursuant to **GS § 143-318.11. (a)(3) (5) (6)** it would be appropriate to convene provided separate closed sessions on the matters are held. Closed sessions will require a separate motion, second and vote to discuss the matter. Council will enter and exit regular session for each closed session.

O-1. Closed Session #1 - At 9:10 p.m. Mr. Jones moved, seconded by Ms. Hollingsworth, Council go into closed session to discuss a property acquisition matter. Motion carried unanimously. (A five minute break was taken to allow Council Chambers to be cleared.)

Council Returned to Regular Session – At 9:23 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.

O-2. Closed Session #2 – At 9:23 p.m. Mr. Jones moved, seconded by Mr. Morrow, Council go into closed session to discuss a potential litigation matter.

Council Returned to Regular Session – At 10:13 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.

O-3. Closed Session #3 – At 10:13 p.m. Council dismissed the City Clerk to hold a closed session to discuss a personnel matter. City Attorney will provide Minutes of the closed session, and will provide to the Clerk the record of Council's return to regular session and actions taken (if any) and adjournment.

Council Returned to Regular Session – At 10:30 p.m. Council resumed the meeting in regular session. Minutes of the closed session are authorized to be sealed.

P. Adjourn – There being no further business, Ms. Hollingsworth moved, seconded by Mr. Daniel, the meeting be adjourned. Motion carried unanimously. Meeting adjourned at 10:30 P.M.

Jimmy Harris
Mayor

Desiree D. Perry
City Clerk

Minutes Approved: _____

My Name is Bill Christie, and I live at 8 Pintail Court. I want to make a general comment about this ordinance and then review a suggestion I made last month.

I live in a neighborhood that has had a bad experience with a home stay. But despite that bad experience, we do not wish to ban short-term rentals and home stays altogether. This community has always – well, almost always been good at finding compromise solutions that we all can live with. The Council has an opportunity tonight to craft just such a compromise that will allow property owners to benefit financially from these rentals while at the same time protecting the character of the neighborhoods that we all value. As I have listened to others and reviewed our own neighborhood experience, I have come to the conclusion that parking is the principal concrete problem that can disrupt the character and appearance of a neighborhood. Solve that problem, and you will have an ordinance that everyone can live with.

As I mentioned last month, the recommended language in the ordinance is classic double-talk. If you will look at 3.34.B.3 on the first page of the proposed text, you will see that it says, "Parking requirements shall be provided for the type of dwelling unit, per Chapter 10 of this ordinance." The relevant portion of Chapter 10 is in section 10.5.G on the third page of the proposal. This section regulates the location of off-street parking. But if you look at the fine print in section 10.5.G.4, you see that these structures are exempt from the rules: "Single-family and duplex residential structures in GR, RMX and NMX districts, including those used for Short-Term Rental purposes." In other words, the rules require you to conform to Chapter 10, but Chapter 10 says you don't have to conform to the rules. Classic double-talk that makes no sense. (As for Section 2.3(E.2), that just deals with setback requirements for construction. It has nothing to do with parking.)

As written, the draft ordinance does nothing whatsoever to protect a neighborhood from abusive parking practices. People who want to line up cars in their front yard and make it look like a used car lot or a strip shopping center are perfectly free to do so without any regard to the character of the neighborhood. And please don't think that this just won't happen, that people will always respect their neighbors. I know better.

Last month I recommended a simple change in the text that would solve this very real problem. Simply

- Line 113 -

amend line 86 (10.5.G.4.a) to read "except those used for Short-Term Rental and Homestay uses, and those which are subject to"

This change would have no effect on property owners who are simply living in their homes. They would still be exempt from those regulatory provisions. All this says is that *people whose customers bring extra traffic into the neighborhoods would have to provide parking for them in conformity with Chapter 10*. This amendment also clarifies an ambiguity in the proposal since the current text does not mention homestays.

So when you take up this proposal later in the meeting, I hope that some member of the Council will move to amend the proposal as I just suggested. This will help us maintain some control over the appearance of our residential neighborhoods and reflect the kind of reasonable compromise solution that the community can all support.



AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY

THIS AGREEMENT, including any and all addenda attached hereto ("Agreement"), is by and between
Transylvania Economic Alliance and/or Assigns

a(n) 501c3 ("Buyer"), and
(individual or State of formation and type of entity)

Harold and Thelma Siniard
a(n) Individual ("Seller").
(individual or State of formation and type of entity)

FOR AND IN CONSIDERATION OF THE MUTUAL PROMISES SET FORTH HEREIN AND OTHER GOOD AND VALUABLE CONSIDERATION, THE RECEIPT AND SUFFICIENCY OF WHICH ARE HEREBY ACKNOWLEDGED, THE PARTIES HERETO AGREE AS FOLLOWS:

Section 1. Terms and Definitions: The terms listed below shall have the respective meaning given them as set forth adjacent to each term.

(a) "Property": (Address) 630 Ecusta Road Pisgah Forest, NC 28768
Approximately .51 acres on Ecusta Road

Plat Reference: Lot(s) _____, Block or Section _____, as shown on Plat Book or Slide
_____ at Page(s) _____, Transylvania County, consisting of .51 +/- acres.

If this box is checked, "Property" shall mean that property described on Exhibit A attached hereto and incorporated herewith by reference.

(For information purposes: (i) the tax parcel number of the Property is: 8597-31-8245-000 ;
and, (ii) some or all of the Property, consisting of approximately .51 +/- acres, is described in Deed Book
225, Page No. 750, Transylvania County.)

together with all buildings and improvements thereon and all fixtures and appurtenances thereto and all personal property, if any, itemized on Exhibit A.

\$ 100,000.00 (b) "Purchase Price" shall mean the sum of One Hundred Thousand Dollars,

payable on the following terms:

\$ 20,000.00 (i) "Earnest Money" shall mean Twenty Thousand Dollars
or terms as follows: Paid to Seller, to be applied as part payment of the
Purchase Price of the Property at Closing

Upon this Agreement becoming a contract in accordance with Section 14, the Earnest Money shall be promptly deposited in escrow with Seller (name of person/entity with whom deposited), to be applied as part payment of the Purchase Price of the Property at Closing, or disbursed as agreed upon under the provisions of Section 10 herein.



This form jointly approved by:
North Carolina Bar Association
North Carolina Association of REALTORS®, Inc.

Buyer Initials J Seller Initials H.S.

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Save Open and Associates, 6 East Main Street, Brevard, NC 28712
Jersey Owen

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Phone: (828)777-6006 Fax: (828)777-6606
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TBA

ANY EARNEST MONEY DEPOSITED BY BUYER IN A TRUST ACCOUNT MAY BE PLACED IN AN INTEREST BEARING TRUST ACCOUNT, AND: (check only ONE box)

ANY INTEREST EARNED THEREON SHALL BE APPLIED AS PART PAYMENT OF THE PURCHASE PRICE OF THE PROPERTY AT CLOSING, OR DISBURSED AS AGREED UPON UNDER THE PROVISIONS OF SECTION 10 HEREIN. (Buyer's Taxpayer Identification Number is: _____)

ANY INTEREST EARNED THEREON SHALL BELONG TO THE ACCOUNT HOLDER IN CONSIDERATION OF THE EXPENSES INCURRED BY MAINTAINING SUCH ACCOUNT AND RECORDS ASSOCIATED THEREWITH.

\$ _____ N/A (ii) Proceeds of a new loan in the amount of _____ Dollars for a term of _____ years, with an amortization period not to exceed _____ years, at an interest rate not to exceed _____ % per annum with mortgage loan discount points not to exceed _____ % of the loan amount, or such other terms as may be set forth on Exhibit B. Buyer shall pay all costs associated with any such loan.

\$ _____ N/A (iii) Delivery of a promissory note secured by a deed of trust, said promissory note in the amount of _____ Dollars being payable over a term of _____ years, with an amortization period of _____ years, payable in monthly installments of principal, together with accrued interest on the outstanding principal balance at the rate of _____ percent (_____ %) per annum in the amount of \$ _____, with the first principal payment beginning on the first day of the month next succeeding the date of Closing, or such other terms as may be set forth on Exhibit B. At any time, the promissory note may be prepaid in whole or in part without penalty and without further interest on the amounts prepaid from the date of such prepayment. (NOTE: In the event of Buyer's subsequent default upon a promissory note and deed of trust given hereunder, Seller's remedies may be limited to foreclosure of the Property. If the deed of trust given hereunder is subordinated to senior financing, the material terms of such financing must be set forth on Exhibit B. If such senior financing is subsequently foreclosed, the Seller may have no remedy to recover under the note.)

\$ _____ N/A (iv) Assumption of that unpaid obligation of Seller secured by a deed of trust on the Property, such obligation having an outstanding principal balance of \$ _____ and evidenced by a note bearing interest at the rate of _____ percent (_____ %) per annum, and a current payment amount of \$ _____. The obligations of Buyer under this Agreement are conditioned upon Buyer being able to assume the existing loan described above. If such assumption requires the lender's approval, Buyer agrees to use its best efforts to secure such approval and to advise Seller immediately upon receipt of the lender's decision. Approval must be granted on or before _____. On or before this date, Buyer has the right to terminate this Agreement for failure to be able to assume the loan described above by delivering to Seller written notice of termination by the above date, *time being of the essence*. If Buyer delivers such notice, this Agreement shall be null and void and Earnest Money shall be refunded to Buyer. If Buyer fails to deliver such notice, then Buyer will be deemed to have waived the loan condition. Unless provided otherwise in Section 3 hereof, Buyer shall pay all fees and costs associated with any such assumption, including any assumption fee charged by the lender. At or before Closing, Seller shall assign to Buyer all interest of Seller in any current reserves or escrows held by the lender, any property management company and/or Seller, including but not limited to any tenant improvement reserves, leasing commission reserves, security deposits and operating or capital reserves for which Seller shall be credited said amounts at closing.

\$ 80,000.00 (v) Cash, balance of Purchase Price, at Closing in the amount of Eighty Thousand Dollars.

Handwritten notes and signatures: "Remaining cash balance at closing will be \$30,000.00", "Remaining balance of F \$50,000.00 will be paid January 2, 2017", "STANDARD FORM 580-T", "Revised 7/2013", "© 7/2015 TEA", "Buyer Initials [Signature]", "Seller Initials [Signature]", "Page 2 of 8", "Sole price."

(c) "Closing" shall mean the date and time of recording of the deed. Closing shall occur on or before or 120 days after the Contract Date

(d) "Contract Date" means the date this Agreement has been fully executed by both Buyer and Seller.

(e) "Examination Period" shall mean the period beginning on the first day after the Contract Date and extending through through 11:59pm (based upon time at the locale of the Property) on 90 days after the Contract Date

TIME IS OF THE ESSENCE AS TO THE EXAMINATION PERIOD.

(f) "Broker(s)" shall mean: N/A ("Listing Agency"),
____ ("Listing Agent" - License # _____)
Acting as: Seller's Agent; Dual Agent
and N/A ("Selling Agency"),
____ ("Selling Agent" - License # _____)
Acting as: Buyer's Agent; Seller's (Sub) Agent; Dual Agent

(g) "Seller's Notice Address" shall be as follows:
139 Highland Road Brevard, NC 28712

except as same may be changed pursuant to Section 12.

(h) "Buyer's Notice Address" shall be as follows:
147 East Main Street Suite 301 Brevard, NC 28712

except as same may be changed pursuant to Section 12.

(i) If this block is marked, additional terms of this Agreement are set forth on Exhibit B attached hereto and incorporated herein by reference. (Note: Under North Carolina law, real estate agents are not permitted to draft conditions or contingencies to this Agreement.)

Section 2. Sale of Property and Payment of Purchase Price: Seller agrees to sell and Buyer agrees to buy the Property for the Purchase Price.

Section 3. Proration of Expenses and Payment of Costs: Seller and Buyer agree that all property taxes (on a calendar year basis), leases, rents, mortgage payments and utilities or any other assumed liabilities as detailed on attached Exhibit B, if any, shall be prorated as of the date of Closing. Seller shall pay for preparation of a deed and all other documents necessary to perform Seller's obligations under this Agreement, excise tax (revenue stamps), any deferred or rollback taxes, and other conveyance fees or taxes required by law, and the following:

Other Conditions:

The sellers preserve the right to enter the property to remove any articles or possessions prior to closing date.

Handwritten initials/signature

Buyer Initials JL Seller Initials AS

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Buyer shall pay recording costs, costs of any title search, title insurance, survey, the cost of any inspections or investigations undertaken by Buyer under this Agreement and the following:

Buyer shall pay for preparation of a deed and all other documents necessary to perform Sellers obligations under this Agreement and other Seller costs up to a maximum of \$1,500.

Each party shall pay its own attorney's fees.

Section 4. Deliveries: Seller agrees to use best efforts to deliver to Buyer as soon as reasonably possible after the Contract Date copies of all information relating to the Property in possession of or available to Seller, including but not limited to: title insurance policies (and copies of any documents referenced therein), surveys, soil test reports, environmental surveys or reports, site plans, civil drawings, building plans, maintenance records and copies of all presently effective warranties or service contracts related to the Property. Seller authorizes (1) any attorney presently or previously representing Seller to release and disclose any title insurance policy in such attorney's file to Buyer and both Buyer's and Seller's agents and attorneys; and (2) the Property's title insurer or its agent to release and disclose all materials in the Property's title insurer's (or title insurer's agent's) file to Buyer and both Buyer's and Seller's agents and attorneys. If Buyer does not consummate the Closing for any reason other than Seller default, then Buyer shall return to Seller all materials delivered by Seller to Buyer pursuant to this Section 4 (or Section 7, if applicable), if any, and shall, upon Seller's request, provide to Seller copies of (subject to the ownership and copyright interests of the preparer thereof) any and all studies, reports, surveys and other information relating directly to the Property prepared by or at the request of Buyer, its employees and agents, and shall deliver to Seller, upon the release of the Earnest Money, copies of all of the foregoing without any warranty or representation by Buyer as to the contents, accuracy or correctness thereof.

Section 5. Evidence of Title: Seller agrees to convey fee simple marketable and insurable title to the Property without exception for mechanics' liens, free and clear of all liens, encumbrances and defects of title other than: (a) zoning ordinances affecting the Property, (b) Leases (if applicable) and (c) matters of record existing at the Contract Date that are not objected to by Buyer prior to the end of the Examination Period ("Permitted Exceptions"); provided that Seller shall be required to satisfy, at or prior to Closing, any encumbrances that may be satisfied by the payment of a fixed sum of money, such as deeds of trust, mortgages or statutory liens. Seller shall not enter into or record any instrument that affects the Property (or any personal property listed on Exhibit A) after the Contract Date without the prior written consent of Buyer, which consent shall not be unreasonably withheld, conditioned or delayed.

Section 6. Conditions: This Agreement and the rights and obligations of the parties under this Agreement are hereby made expressly conditioned upon fulfillment (or waiver by Buyer, whether explicit or implied) of the following conditions:

(a) **New Loan:** The Buyer must be able to obtain the loan, if any, referenced in Section 1(b)(ii). Buyer must be able to obtain a firm commitment for this loan on or before N/A, effective through the date of Closing. Buyer agrees to use its best efforts to secure such commitment and to advise Seller immediately upon receipt of lender's decision. On or before the above date, Buyer has the right to terminate this Agreement for failure to obtain the loan referenced in Section 1(b)(ii) by delivering to Seller written notice of termination by the above date, *time being of the essence*. If Buyer delivers such notice, this Agreement shall be null and void and Earnest Money shall be refunded to Buyer. If Buyer fails to deliver such notice, then Buyer will be deemed to have waived the loan condition. Notwithstanding the foregoing, after the above date, Seller may request in writing from Buyer a copy of the commitment letter. If Buyer fails to provide Seller a copy of the commitment letter within five (5) days of receipt of Seller's request, then Seller may terminate this Agreement by written notice to Buyer at any time thereafter, provided Seller has not then received a copy of the commitment letter, and Buyer shall receive a return of Earnest Money.

(b) **Qualification for Financing:** If Buyer is to assume any indebtedness in connection with payment of the Purchase Price, Buyer agrees to use its best efforts to qualify for the assumption. Should Buyer fail to qualify, Buyer shall notify Seller in writing immediately upon lender's decision, whereupon this Agreement shall terminate, and Buyer shall receive a return of Earnest Money.

(c) **Title Examination:** After the Contract Date, Buyer shall, at Buyer's expense, cause a title examination to be made of the Property before the end of the Examination Period. In the event that such title examination shall show that Seller's title is not fee simple marketable and insurable, subject only to Permitted Exceptions, then Buyer shall promptly notify Seller in writing of all such title defects and exceptions, in no case later than the end of the Examination Period, and Seller shall have thirty (30) days to cure said noticed defects. If Seller does not cure the defects or objections within thirty (30) days of notice thereof, then Buyer may terminate this Agreement and receive a return of Earnest Money (notwithstanding that the Examination Period may have expired). If Buyer is to purchase title insurance, the insuring company must be licensed to do business in the state in which the Property is located. Title to the Property must be insurable at regular rates, subject only to standard exceptions and Permitted Exceptions.

(d) **Same Condition:** If the Property is not in substantially the same condition at Closing as of the date of the offer, reasonable wear and tear excepted, then the Buyer may (i) terminate this Agreement and receive a return of the Earnest Money or (ii) proceed to Closing whereupon Buyer shall be entitled to receive, in addition to the Property, any of the Seller's insurance proceeds payable on account of the damage or destruction applicable to the Property.

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(e) **Inspections:** Buyer, its agents or representatives, at Buyer's expense and at reasonable times during normal business hours, shall have the right to enter upon the Property for the purpose of inspecting, examining, performing soil boring and other testing, conducting timber cruises, and surveying the Property. Buyer shall conduct all such on-site inspections, examinations, soil boring and other testing, timber cruises and surveying of the Property in a good and workmanlike manner, shall repair any damage to the Property caused by Buyer's entry and on-site inspections and shall conduct same in a manner that does not unreasonably interfere with Seller's or any tenant's use and enjoyment of the Property. In that respect, Buyer shall make reasonable efforts to undertake on-site inspections outside of the hours any tenant's business is open to the public and shall give prior notice to any tenants of any entry onto any tenant's portion of the Property for the purpose of conducting inspections. Upon Seller's request, Buyer shall provide to Seller evidence of general liability insurance. Buyer shall also have a right to review and inspect all contracts or other agreements affecting or related directly to the Property and shall be entitled to review such books and records of Seller that relate directly to the operation and maintenance of the Property, provided, however, that Buyer shall not disclose any information regarding this Property (or any tenant therein) unless required by law and the same shall be regarded as confidential, to any person, except to its attorneys, accountants, lenders and other professional advisors, in which case Buyer shall obtain their agreement to maintain such confidentiality. Buyer assumes all responsibility for the acts of itself, its agents or representatives in exercising its rights under this Section 6(e) and agrees to indemnify and hold Seller harmless from any damages resulting therefrom. This indemnification obligation of Buyer shall survive the Closing or earlier termination of this Agreement. Buyer shall, at Buyer's expense, promptly repair any damage to the Property caused by Buyer's entry and on-site inspections. Except as provided in Section 6(c) above, Buyer shall have from the Contract Date through the end of the Examination Period to perform the above inspections, examinations and testing. **IF BUYER CHOOSES NOT TO PURCHASE THE PROPERTY, FOR ANY REASON OR NO REASON, AND PROVIDES WRITTEN NOTICE TO SELLER THEREOF PRIOR TO THE EXPIRATION OF THE EXAMINATION PERIOD, THEN THIS AGREEMENT SHALL TERMINATE, AND BUYER SHALL RECEIVE A RETURN OF THE EARNEST MONEY.**

Section 7. Leases (Check one of the following, as applicable):

If this box is checked, Seller affirmatively represents and warrants that there are no Leases (as hereinafter defined) affecting the Property.

If this box is checked, Seller discloses that there are one or more leases affecting the Property (oral or written, recorded or not - "Leases") and the following provisions are hereby made a part of this Agreement.

(a) A list of all Leases shall be set forth on Exhibit B;

(b) Seller shall deliver copies of any Leases to Buyer pursuant to Section 4 as if the Leases were listed therein;

(c) Seller represents and warrants that as of the Contract Date there are no current defaults (or any existing situation which, with the passage of time, or the giving of notice, or both, or at the election of either landlord or tenant could constitute a default) either by Seller, as landlord, or by any tenant under any Lease ("Lease Default"). In the event there is any Lease Default as of the Contract Date, Seller agrees to provide Buyer with a detailed description of the situation in accordance with Section 4. Seller agrees not to commit a Lease Default as Landlord after the Contract Date, and agrees further to notify Buyer immediately in the event a Lease Default arises or is claimed, asserted or threatened to be asserted by either Seller or a tenant under the Lease.

(d) In addition to the conditions provided in Section 6 of this Agreement, this Agreement and the rights and obligations of the parties under this Agreement are hereby made expressly conditioned upon the assignment of Seller's interest in any Lease to Buyer in form and content acceptable to Buyer (with tenant's written consent and acknowledgement, if required under the Lease), and Seller agrees to use its best efforts to effect such assignment. Any assignment required under this Section 7 shall be required to be delivered at or before Closing by Seller in addition to those deliveries required under Section 11 of this Agreement.

(e) Seller agrees to deliver an assignment of any Lease at or before Closing, with any security deposits held by Seller under any Leases to be transferred or credited to Buyer at or before Closing. Seller also agrees to execute and deliver (and work diligently to obtain any tenant signatures necessary for same) any estoppel certificates and subordination, nondisturbance and attornment agreements in such form as Buyer may reasonably request.

~~Section 8. Environmental: Seller represents and warrants that it has no actual knowledge of the presence or disposal, except as in accordance with applicable law, within the buildings or on the Property of hazardous or toxic waste or substances, which are defined as those substances, materials, and wastes, including, but not limited to, those substances, materials and wastes listed in the United States Department of Transportation Hazardous Materials Table (49 CFR Part 172.101) or by the Environmental Protection Agency as hazardous substances (40 CFR Part 302.4) and amendments therein, or such substances, materials and wastes, which are or become regulated under any applicable local, state or federal law, including, without limitation, any material, waste or substance which is (i) petroleum, (ii) asbestos, (iii) polychlorinated biphenyls, (iv) designated as a Hazardous Substance pursuant to Section 311 of the~~

Buyer Initials JE Seller Initials ES Page 4 of 8



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Clean Water Act of 1977 (33 U.S.C. §1321) or listed pursuant to Section 307 of the Clean Water Act of 1977 (33 U.S.C. §1317), (v) defined as a hazardous waste pursuant to Section 1004 of the Resource Conservation and Recovery Act of 1976 (42 U.S.C. §6903) or (vi) defined as a hazardous substance pursuant to Section 101 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. §9601). Seller has no actual knowledge of any contamination of the Property from such substances as may have been disposed of or stored on neighboring tracts:

Section 9. Risk of Loss/Damage/Repair: Until Closing, the risk of loss or damage to the Property, except as otherwise provided herein, shall be borne by Seller. Except as to maintaining the Property in its same condition, Seller shall have no responsibility for the repair of the Property, including any improvements, unless the parties hereto agree in writing.

Section 10. Earnest Money Disbursement: ~~In the event that any of the conditions hereto are not satisfied, or~~ in the event of a breach of this Agreement by Seller, then the Earnest Money shall be returned to Buyer, but such return shall not affect any other remedies available to Buyer for such breach. In the event this offer is accepted and Buyer breaches this Agreement, then the Earnest Money shall be forfeited, but such forfeiture shall not affect any other remedies available to Seller for such breach. NOTE: In the event of a dispute between Seller and Buyer over the return or forfeiture of Earnest Money held in escrow by a licensed real estate broker, the broker is required by state law to retain said Earnest Money in its trust or escrow account until it has obtained a written release from the parties consenting to its disposition or until disbursement is ordered by a court of competent jurisdiction, or alternatively, the party holding the Earnest Money may deposit the disputed monies with the appropriate clerk of court in accordance with the provisions of N.C.G.S. §93A-12.

Section 11. Closing: At or before Closing, Seller shall deliver to Buyer a general warranty deed unless otherwise specified on Exhibit B and other documents customarily executed or delivered by a seller in similar transactions, including without limitation, a bill of sale for any personalty listed on Exhibit A, an owner's affidavit, lien waiver forms (and such other lien related documentation as shall permit the Property to be conveyed free and clear of any claim for mechanics' liens) and a non-foreign status affidavit (pursuant to the Foreign Investment in Real Property Tax Act), and Buyer shall pay to Seller the Purchase Price. At Closing, the Earnest Money shall be applied as part of the Purchase Price. The Closing shall be conducted by Buyer's attorney or handled in such other manner as the parties hereto may mutually agree in writing. Possession shall be delivered at Closing, unless otherwise agreed herein. The Purchase Price and other funds to be disbursed pursuant to this Agreement shall not be disbursed until Closing has taken place.

Section 12. Notices: Unless otherwise provided herein, all notices and other communications which may be or are required to be given or made by any party to the other in connection herewith shall be in writing and shall be deemed to have been properly given and received on the date delivered in person or deposited in the United States mail, registered or certified, return receipt requested, to the addresses set out in Section 1(g) as to Seller and in Section 1(h) as to Buyer, or at such other addresses as specified by written notice delivered in accordance herewith.

Section 13. Entire Agreement: This Agreement constitutes the sole and entire agreement among the parties hereto and no modification of this Agreement shall be binding unless in writing and signed by all parties hereto. The invalidity of one or more provisions of this Agreement shall not affect the validity of any other provisions hereof and this Agreement shall be construed and enforced as if such invalid provisions were not included.

Section 14. Enforceability: This Agreement shall become a contract when signed by both Buyer and Seller and such signing is communicated to both parties; it being expressly agreed that the notice described in Section 12 is not required for effective communication for the purposes of this Section 14. The parties acknowledge and agree that: (i) the initials lines at the bottom of each page of this Agreement are merely evidence of their having reviewed the terms of each page, and (ii) the complete execution of such initials lines shall not be a condition of the effectiveness of this Agreement. This Agreement shall be binding upon and inure to the benefit of the parties, their heirs, successors and assigns and their personal representatives.

Section 15. Adverse Information and Compliance with Laws:

(a) **Seller Knowledge:** Seller has no actual knowledge of (i) condemnation(s) affecting or contemplated with respect to the Property; (ii) actions, suits or proceedings pending or threatened against the Property; (iii) changes contemplated in any applicable laws, ordinances or restrictions affecting the Property; or (iv) governmental special assessments, either pending or confirmed, for sidewalk, paving, water, sewer, or other improvements on or adjoining the Property, and no pending or confirmed owners' association special assessments, except as follows (Insert "None" or the identification of any matters relating to (i) through (iv) above, if any):

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Note: For purposes of this Agreement, a "confirmed" special assessment is defined as an assessment that has been approved by a governmental agency or an owners' association for the purpose(s) stated, whether or not it is fully payable at time of closing. A "pending" special assessment is defined as an assessment that is under formal consideration by a governing body. Seller shall pay all owners' association assessments and all governmental assessments confirmed as of the date of Closing, if any, and Buyer shall take title subject to all pending assessments disclosed by Seller herein, if any.
Seller represents that the regular owners' association dues, if any, are \$ N/A per _____.

(b) **Compliance:** To Seller's actual knowledge, (i) Seller has complied with all applicable laws, ordinances, regulations, statutes, rules and restrictions pertaining to or affecting the Property; (ii) performance of the Agreement will not result in the breach of, constitute any default under or result in the imposition of any lien or encumbrance upon the Property under any agreement or other instrument to which Seller is a party or by which Seller or the Property is bound; and (iii) there are no legal actions, suits or other legal or administrative proceedings pending or threatened against the Property, and Seller is not aware of any facts which might result in any such action, suit or other proceeding.

Section 16. Survival of Representations and Warranties: All representations, warranties, covenants and agreements made by the parties hereto shall survive the Closing and delivery of the deed. Seller shall, at or within six (6) months after the Closing, and without further consideration, execute, acknowledge and deliver to Buyer such other documents and instruments, and take such other action as Buyer may reasonably request or as may be necessary to more effectively transfer to Buyer the Property described herein in accordance with this Agreement.

Section 17. Applicable Law: This Agreement shall be construed under the laws of the state in which the Property is located. This form has only been approved for use in North Carolina.

Section 18. Assignment: This Agreement is freely assignable unless otherwise expressly provided on Exhibit B.

Section 19. Tax-Deferred Exchange: In the event Buyer or Seller desires to effect a tax-deferred exchange in connection with the conveyance of the Property, Buyer and Seller agree to cooperate in effecting such exchange; provided, however, that the exchanging party shall be responsible for all additional costs associated with such exchange, and provided further, that a non-exchanging party shall not assume any additional liability with respect to such tax-deferred exchange. Seller and Buyer shall execute such additional documents, at no cost to the non-exchanging party, as shall be required to give effect to this provision.

Section 20. Memorandum of Contract: Upon request by either party, the parties hereto shall execute a memorandum of contract in recordable form setting forth such provisions hereof (other than the Purchase Price and other sums due) as either party may wish to incorporate. Such memorandum of contract shall contain a statement that it automatically terminates and the Property is released from any effect thereby as of a specific date to be stated in the memorandum (which specific date shall be no later than the date of Closing). The cost of recording such memorandum of contract shall be borne by the party requesting execution of same.

Section 21. Authority: Each signatory to this Agreement represents and warrants that he or she has full authority to sign this Agreement and such instruments as may be necessary to effectuate any transaction contemplated by this Agreement on behalf of the party for whom he or she signs and that his or her signature binds such party.

Section 22. Brokers: Except as expressly provided herein, Buyer and Seller agree to indemnify and hold each other harmless from any and all claims of brokers, consultants or real estate agents by, through or under the indemnifying party for fees or commissions arising out of the sale of the Property to Buyer. Buyer and Seller represent and warrant to each other that: (i) except as to the Brokers designated under Section 1(f) of this Agreement, they have not employed nor engaged any brokers, consultants or real estate agents to be involved in this transaction and (ii) that the compensation of the Brokers is established by and shall be governed by separate agreements entered into as amongst the Brokers, the Buyer and/or the Seller.

Section 23. Attorneys Fees: If legal proceedings are instituted to enforce any provision of this Agreement, the prevailing party in the proceeding shall be entitled to recover from the non-prevailing party reasonable attorneys fees and court costs incurred in connection with the proceeding.

EIFS/SYNTHETIC STUCCO: If the adjacent box is checked, Seller discloses that the Property has been clad previously (either in whole or in part) with an "exterior insulating and finishing system" commonly known as "EIFS" or "synthetic stucco". Seller makes no representations or warranties regarding such system and Buyer is advised to make its own independent determinations with respect to conditions related to or occasioned by the existence of such materials at the Property.

Buyer Initials Seller Initials Page 7 of 8

STANDARD FORM 580-T
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BUYER:

Individual

Date: _____

Date: _____

Business Entity

Transylvania Economic Alliance

(Name of Entity)

By: [Signature]

Name: Joshua Matthews Hallingre

Title: Executive Director

Date: July 11, 2014

SELLER:

Individual

Date: 7-11-16

Date: 7-11-16

Business Entity

(Name of Entity)

By: _____

Name: _____

Title: _____

Date: _____

The undersigned hereby acknowledges receipt of the Earnest Money set forth herein and agrees to hold said Earnest Money in accordance with the terms hereof.

Harold and Thelma Siniard

(Name of Firm)

Date: 7-11-16

By: [Signature]

**MINUTES
BREVARD CITY COUNCIL
September 21, 2016 – 8:30 AM**

**Brevard City Council and Transylvania County Commissioners Tour of City and
County Recreational Facilities**

The City Council of the City of Brevard met on Wednesday, September 21, 2016, at 8:30 A.M. in the Council Chambers of City Hall with Mayor Jimmy Harris presiding.

The following Council Members were present: Mayor Jimmy Harris, Mayor Pro Tem Mac Morrow, Council Members Maurice Jones and Ann Hollingsworth.

The following Commissioners were present: Chairman Mike Hawkins

City/County Staff Present: City Manager/Finance Director Jim Fatland, County Manager Jamie Laughter, City Parks and Property Management Director Lynn Goldsmith, County Parks and Recreation Director Carleen Dixon, County Parks Manager Chad Owenby

Press Present: None

Welcome - Mayor Harris welcomed all present and called the meeting for the facilities tour to order. Purpose of the meeting is to tour several of the City and County Parks and Recreational facilities in preparation for the upcoming joint Commissioner-Council meeting scheduled for September 27, 2016, at 7:00 PM to receive the Transylvania County-City of Brevard Parks and Recreation Master Plan.

Certification of Quorum – City Clerk certified a quorum of Council present.

Agenda – Accepted as presented.

On-Site Visits – A 20-passenger trolley bus was used to transport all in attendance to the various facilities. Ms. Goldsmith provided a handout titled “City of Brevard Parks and Property Management Department Facilities Tour” and a copy of the Clemson Plaza design (Exhibit A), and, Ms. Dixon provided a handout listing of County and City facilities (Exhibit B). The facilities tour began at 8:30 AM at the City’s Clemson Plaza. At 8:43 AM those attending boarded the trolley and visited the following sites:

1. Silvermont Park
2. Franklin Park
3. Hap Simpson Park
4. Gallimore Path and Pickelsimer Park
5. Asheville Highway Bike/Hike Path
6. City Sports Complex
7. County Recreation Activity Center Park

8. Rosman Community Park
9. Tannery Park

Adjourn – Having completed the tour of the facilities, the trolley delivered everyone back to City Hall at 11:02 AM, and Council members agreed to adjourn their meeting at that time.

Jimmy Harris
Mayor

Desiree D. Perry, CMC, NCCMC
City Clerk

Minutes Approved: _____



**CITY OF BREVARD
PARKS AND PROPERTY
MANAGEMENT DEPARTMENT**

**FACILITIES TOUR
September 21, 2016**

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The Franklin Park Pool

Franklin Park:

Franklin Park was purchased in 1937 and is approximately 4.2 acres in area. It features the Franklin Swimming Pool, the “Big Play” playground, a natural area and the Girl Scout “Little House”.

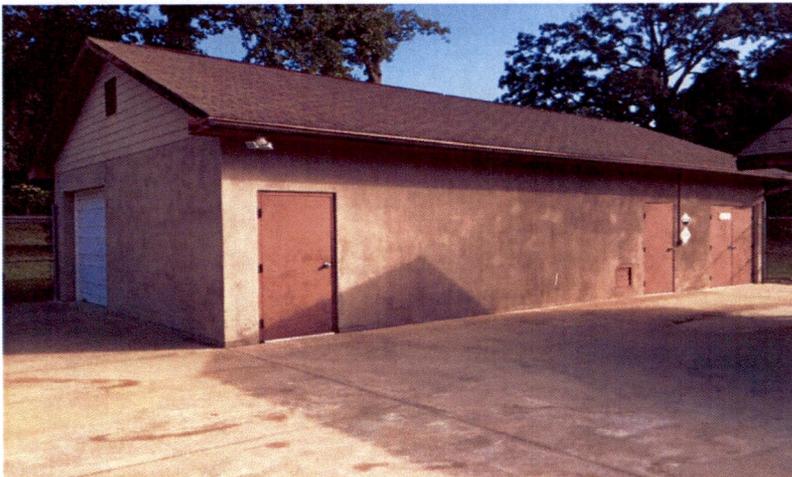


The pool was rebuilt with a PARTF Grant in the late 90’s and has been operating at optimum performance since that time, drawing people locally and from other counties in the area. The Big Play was also completed in the late 90’s with a community effort. The playground was designed by Leathers and Associates, a New York based company. It is used daily by locals as well as visitors from other counties and vacationers. The Girl Scout Little House is used exclusively by the Girl Scout organization.



The Girl Scout “Little House”

The City's role in the care of this park is three fold: Recreation, Grounds and Facilities Maintenance. The department considers the pool and playground under the heading of recreation and the grounds are taken care of by the departments' grounds crew. The facility houses three buildings: the Bath House, the Chemical/Pump Building, and the Girl Scout "Little House". There are also two picnic shelters. One is located inside the pool area and the other by the playground. They are maintained by the department facilities staff.



Pool Pump Building



**The "Big Play"
At Franklin Park**

Franklin Park has many amenities for the public to enjoy. Its hours of operation are from daylight until dusk.



Picnic Shelter

The section below is for your notes on this facility.

Bracken Preserve:

Bracken Mountain was once the City's watershed property and served the City's water needs until the Water Treatment Plant at Cathey's Creek came on line in the early 1980's. The property is approximately 400 acres in size. The City received a Clean Water Trust Fund Grant in 2010, putting the property under a Conservation Easement. Under the easement guidelines the property has some use and care specifications. The property is used by hikers and mountain bikers.

It's a source of exercise and enjoyment for locals as well as visitors to the area. Several organizations have special events on the property throughout the year that draw many participants. City forces and a forestry contractor maintain the area as required by the conservation easement.



Entrance to Bracken Preserve

The contracted forester has provided a management plan that meets the requirements of the conservation easement. Work is scheduled throughout the year as laid out in the management plan to achieve those goals.

The property is used throughout the year and has had interest from many groups and individuals from near and far. It is the stage for some organized bike and foot racing events.



Mountain Biker on Bracken Preserve

The section below is for your notes on this facility

Pickelsimer Park:

Pickelsimer Park was a small park that was installed by the City as the Gallimore path was constructed. The property was donated by the Medical Associates of Transylvania doctors group. City crews did the park installation. It has two benches and picnic tables for the public to enjoy.



Pickelsimer Park

The parks winding brick path, beautiful plantings and the view of the mountains across the French Broad Valley is inviting for park guest. This park is used by bike path users, school students and patrons of the medical facilities surrounding the area.

The section below is for your notes on this facility

Edna Glaze Playground:

Edna Glaze Playground is located at 142 Hillview Street. It is a small area about .15 of an acre and was built to service the Western Carolina Community Action (WCCA) daycare that sits across the street as well as the surrounding community. WCCA gave the City the playground after it was built in the early 2000's. It has a playground and a small picnic shelter and tables. The fence and sign were replaced last year.



Edna Glaze Playground

The section below is for your notes on this facility

Hap Simpson Park:

Hap Simpson Park is located just outside the City Limits on Highway #276 south. It was established in the late 1970's as a River Access point for boaters on the French Broad River. The Parks and Property Management Department cleared an additional section 20 years later that extended along the highway and to the river. The park has picnic tables, a fishing pier and a river access ramp. This park is used by locals, visitors, fishermen, boaters and some dog owners.



Boat Access Hap Simpson Park

There are six picnic areas for people to enjoy. It is enjoyed by folks coming from town to eat lunch, and people traveling through the area. Many people spend time with their dogs for exercise and training. Camps use the boat access for their river trips with campers. Outdoor clubs also use the park occasionally for small events.



Fishing Pier at Hap Simpson Park

The space below is for your notes on this park

Clemson Park:

Clemson Park is located at the corner of West Main and Caldwell Streets. It was established as a temporary planting in 1996 with the original plan to make an area for parking. It is a small pocket green space and has trees, shrubs and flowers. Currently it doesn't get much foot traffic, but it does have a lot of visual attention. This fall the plan is to schedule a renovation for the area with a walkway through the park to connect the parking lot with the West Main Sidewalk. It will feature nice plantings of shrubs and flowers along with a water feature. It will create a nice experience for the pedestrians using the area.



Clemson Park

The space below is for your notes on this park

Bike/Hike Path:

The 5.7 mile bike/hike path came on line in the early 2000's and has been one of the Cities most used recreational amenities. It's used by locals and visitors of all age groups in every season. It connects the Pisgah National Forest at Davidson River to the City ending at McClean Road. The most recent additions are Gallimore Path and the Cherry Street connector. The City plans to do more community connections to the bike path as time goes on.



Bike/Hike Path near Brevard Sports Complex

Many communities surround the bike path and enjoy connecting to it. Residents of all ages use the path on a regular basis. Some business and industrial employees in the area use the path during lunch and breaks. Some use it for relaxation and others use it for health and fitness. It is the City's most popular amenity.



Bike/Hike path near Cedar Hill Apartments on Hospital Drive

The space below is for your comments on this park

Brevard Sports Complex:

The Brevard Sports complex is approximately 20 acres and serves a large part of the City of Brevard's recreational needs. It has six baseball/softball fields and one soccer field. The bike/hike path also runs through the Complex and serves as an access point for path users. The Transylvania Little League leases the baseball/softball fields from the City. The baseball/softball fields are used by the Transylvania Little League, Brevard Middle School and Traveling Ball teams. The practices start for Brevard Middle School in early February and Little league starts in early March. The City drags and lines the fields Monday through Friday for every game that is played. Employees also clean the restrooms and empty many trash cans daily during the playing season. All baseball/softball fields are mowed three times per week during season and outer areas of the complex are mowed weekly. The soccer field is leased by Transylvania Youth Soccer Association and is used by their organization and the Brevard Middle school for games. During the off season the soccer field is mowed at the highest mower setting to allow the field to rejuvenate for the next season.



Soccer field with Brevard Middle School game

Fields are aerated, limed, fertilized and over-seeded twice per year. The department also winterizes the concession stand and also gets it prepared for use in the playing season. Field lighting and all building needs are also maintained by the department. Crews keep all of the complex facilities and grounds maintained well. The Parks and Property Management Facility is also located at the Sports Complex. The parking lot of the Complex serves the Baseball/softball fields, soccer fields and the bike /hike path. The Complex is used by many people and is always busy year round.

The section below is for your notes on this park.

French Broad Community Center:

The French Broad Community Center is located at 281 French Broad Street. The Community Center was donated by the Silversteen Family in 1955. The building today serves many organizations for meetings. Those organizations are: The Duplicate Bridge Club, Alcoholics Anonymous, The Eastern Star, Sylvan Squares and the Gideon's. The Parks and Property Management Department remodeled the inside of the building in 2011. This year money is budgeted for paving the parking lot, which has 10 spaces. The Parks and Property Management Department cleans the building five days a week.



The French Broad Community Center

The section below is for your notes

Facilities Tour

Part Two

Additional Information for the City of Brevard Parks and Property Management Department

This section contains information about the additional responsibilities of the City's Parks and Property Management Department. The Department accepted responsibilities for the City's recreational interest in 1996. The department is also responsible for grounds, facility and custodial care for all the City's facilities. It's also responsible for setting up rooms for meetings, for the downtown 16 block area of streetscape (electrical and landscape care), the street lighting in Straus Park Development and the Demo Block, cleaning the Public Restrooms during festivals and Holiday decorating of City facilities. The attached report will list the responsibilities under their respective headings.

**City of Brevard
Parks and Property Management Department**



**Parks and Property Management Department Employees
(Not Pictured: Mary Bowling Custodian)**

Department Employees: 6 Full Time and 1 Part Time

- Director 1 PT Custodian
- Facilities Technician
- Recreation Technician
- Horticulturist Technician

- 2 Grounds Technicians

Department Responsibilities:

- **Facilities:** The department maintains 10 city facilities. Maintenance includes: HVAC, electrical, plumbing, carpentry, painting, masonry and inspections.
- **Grounds:** The department maintains approximately 30 grounds projects. Some are small landscape areas and some large. Projects include: 4 parks, bike path, pump stations, the reservoir, 2 playgrounds, city hall complex, 18 sculptures, roadside beautification projects, and the 16 block downtown area. Maintenance includes: mowing, weed eating, mulching, pruning, planting, spraying, watering and fertilizing projects.
- **Recreation:** The department is responsible for the City's recreation interest. It manages and maintains the Sports Complex, which includes baseball/softball and soccer, the 5.7 mile bike/hike path, the Franklin Park Pool, the Big Play at Franklin Park and Edna Glaze Playground. The department is also responsible for maintenance on the Bracken Preserve.
- **Custodial:** The department is responsible for the custodial needs of the city. The City Hall complex, the French Broad Community Center and Public Restrooms are cleaned by the department daily.
- **Special events:** The department provides public restroom cleaning and electrical support for festivals and events. City facilities are also decorated by the department for the Christmas season. The department does room setup for city related events, as well as moving furniture and office setup

for other departments. The department also maintains the Tree City USA status and celebrates Arbor Day annually.

Department Location:

The Building and Grounds Department is located at 824 Ecusta Road at the City of Brevard Sports Complex facility.

Sites and Responsibilities of the Parks and Property Department:

Grounds List

- | | |
|-----------------------------|-------------------------------|
| Franklin Park (grounds) | Wilson Road Pump Station |
| Hap Simpson Park | Gallimore Road Pump Station |
| Reservoir | Neely Road Pump Station |
| Caldwell/Broad Intersection | Deer Lake Pump Station |
| East Main Intersection | Straus Park Pump Station |
| Elm Bend Road Intersection | East Main Parking Lot |
| Hwy#64/Old #64 Intersection | Sculptures 18 landscape sites |
| Sports Complex | Drivers Training Course |
| Bike/Hike Path 5.7 miles | Pickelsiemer Park |
| Clemson Park | Downtown (HOB District) |
| City Hall Complex | West Main Parking Lot |
| Edna Glaze (Grounds) | FBCB (grounds) |
| Bracken Preserve | Illahee Dump Site |
| Corner of Caldwell/Probart | Tannery Property |

Facilities List

- City Hall Complex (Admin., Planning, Police, Finance and Fire)**
- Pool (bath house and pump buildings)**
- Scout Hut**
- Public Services: Main Facility and Operations Center**

Sports Complex (PPM Facility and concession stand)

French Broad Community Center (FBCC)

Down town electrical (HOB District)

Street lights Downtown and Straus Park Development

Facility parking lots

Recreation List

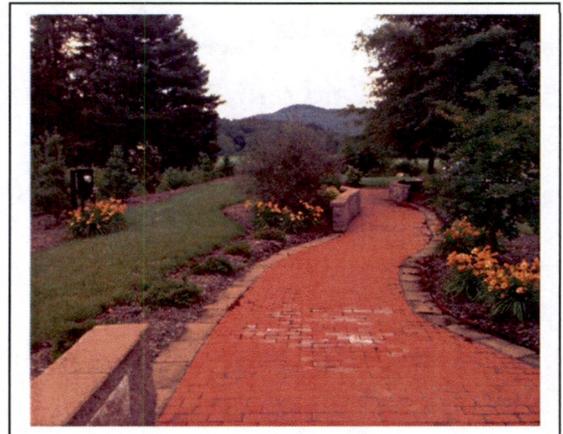
Sports Complex (6 baseball/softball fields and 1 soccer field)

Franklin Pool (Large pool and kiddie pool)

Big Play at Franklin Park

Edna Glaze Playground

Bike/Hike Path 5.7 miles



Custodial List

City Hall Complex (Police, Planning, Finance, Administration and Public Restrooms)

French Broad Community Center (FBCC)

Clemson Plaza

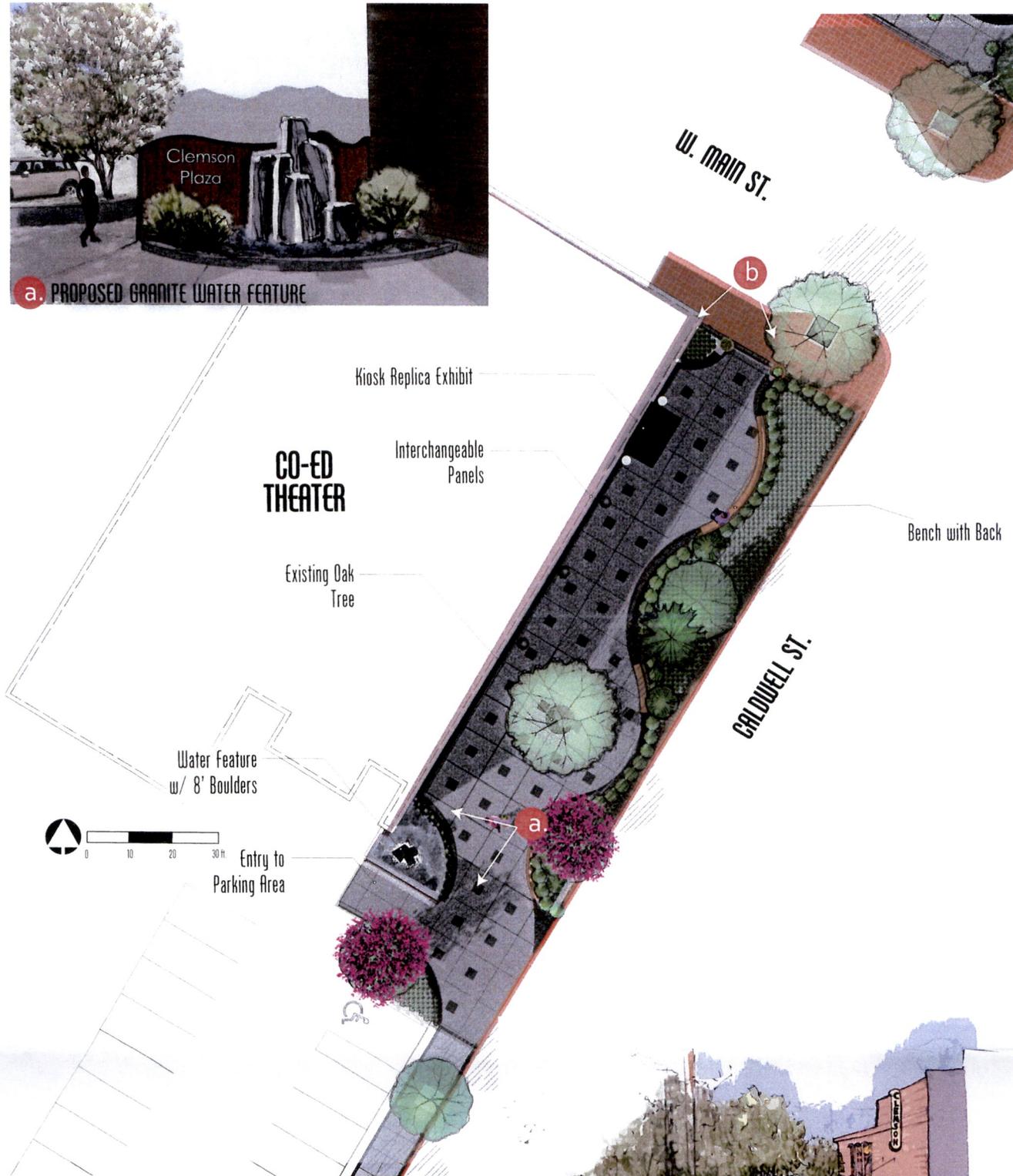


Exhibit B – Council Minutes
 September 21, 2016 Meeting
 Council-Commissioner Facilities Tour

Stop Order	PARKS	Page # in Master Plan	Outdoor Pool	Indoor Gym	Concession	Meeting Room	Adult Softball Field	Girls Softball Field	Baseball Field	Youth Baseball Field	Soccer Multi Use Field	Playground	Outdoor Basketball	Tennis Courts	Walking Path	Picnic Shelter/Gazebo	River Access	Restrooms	Benches	Arts	PARTF Received	WCF Received	
TRANSYLVANIA COUNTY			Page # in Master Plan																				
7th	Transylvania Activity Center (TAC) 1078 Ecusta Road Brevard, NC 28712	19	1	1	1	2				2	1		Adjacent					2	•	35.97	\$20,000		
	Connettee Falls Park Hwy 276 S. Brevard, NC 28712	19											1					Porta	•	2.62	\$325,650		
	Island Ford River Access Ford Rd. Brevard, NC 28712	19														1					0.6		
8th	Rosman Community Park Old Rosman Hwy. Rosman, NC 28772	19					1	1		2	1		1	1				1	•	22.45	\$181,350		
2nd	Silvermont Mansion & Park 364 E. Main St. Brevard, NC 28712	20			4						1	2	3	1	2			2	•	8.27		\$132,983	
	South Broad Park S. Broad St. Brevard, NC 28712	20											1						•	1.6		\$19,335	
	Walker Park (Pocket Park) 7 East Main St. Brevard, NC 28712	20																	•	0.1			
	Wilson Road River Access Wilson Rd. Pisgah Forest, NC 28768	20														1					0.38		
	TOTALS		1	1	1	5	2	2	1	4	4	3	4	3	4	2		5	•	71.69	\$527,000	\$152,318	
CITY OF BREVARD			Page # in Master Plan																				
	Brevard Greenway 832 Ecusta Rd., Brevard, NC 28712	21											7m						•	8.17			
	Bracken Preserve Pinnacle Rd., Brevard, NC 28712	24											6.4m						•	395.6			
6th	City Sports Complex 824 Ecusta Rd., Brevard, NC 28712	24					1	5	1				1	1				1	•	20			
1st	Clemson Plaza Caldwell St. Brevard, NC 28712	24																			0.1		
	Edna Glaze Park Hillview St. Brevard, NC 28712	24								1									•	0.15			
3rd	Franklin Park & Pool Lakeview Ave. Brevard, NC 28712	24	1								1		1	2				1	•	4.2	\$212,500	\$45,000	
	French Broad Community Center E French Broad St., Brevard, NC 28712	25			1													1			0.22		
4th	Hap Simpson Park 968 Greenville Hwy. Brevard, NC 28712	25											1			1			•	8.39			
5th	Pickelsimer Park Gallimore Rd., Brevard, NC 28412	25																	•	0.18			
10th	Tannery Park Brevard, NC 28712	25																			25		
	TOTALS		1		1		1	5	1	2			5	3	1	3			•	462	\$212,500	\$45,000	
TOWN OF ROSMAN			Page # in Master Plan																				
9th	Champion Park Main Street Rosman, NC 28772	19	1				1				1	1	1			1	Adjacent				3.97	\$40,000	\$111,423

Park names highlighted in green we will be visiting today.
 Park names highlighted in pink we will visit if we have time.

MINUTES
BREVARD CITY COUNCIL
Joint Transylvania County Board of Commissioners and
Brevard City Council Workshop
September 26, 2016 – 7:00 PM

The Brevard City Council met with the Transylvania County Board of Commissioners during the regular scheduled Commissioner meeting held on Monday, September 26, 2016, at 7:00 PM in the Board of Commissioners Chambers. Purpose of the workshop is to discuss the Transylvania County/City of Brevard Parks and Recreation Master Plan.

City Council Members Present – Mayor Jimmy Harris, Mayor Pro Tem Mac Morrow, Council Members Maurice Jones, Ann Hollingsworth, Charlie Landreth and Gary Daniel.

Board of County Commissioners Present – Chairman Mike Hawkins, Commissioners Kelvin Phillips, Larry Chapman, Page Lemel and Jason Chappell.

City Staff Present – City Attorney Michael Pratt, City Manager and Finance Director Jim Fatland, City Clerk Desiree Perry, Parks & Property Management Director Lynn Goldsmith.

Press Present – Derek McKissock, Transylvania Times

Welcome and Call to Order. Chairman Hawkins called the meeting to order at 7:00 PM. Commissioners and staff were introduced, Commissioner Chapman offered an invocation and the pledge to the Flag was led by Commissioner Lemel.

Mayor Harris thanked the Commissioners for inviting Council and then called the meeting of Brevard City Council to order at 7:04 PM.

Quorum – A quorum of City Council was present.

The Board of Commissioners conducted business as scheduled upon their Agenda.

Commissioners Agenda Item IX – Workshop/Joint Meeting with Brevard City Council. At 7:14 PM County Parks and Recreation Director Carleen Dixon introduced the Parks and Recreation Master Plan consultant team of Mr. Steve Fritz of Barge, Waggoner, Summer and Cannon, Mr. Leon Younger of Pros Consulting, and, Mr. Hunter Marks of Watermark Consulting.

Mr. Fritz and Mr. Younger presented a power-point describing: Goals, stakeholder input methods, efficient delivery recommendations, quality of existing parks, observations, recommendations for improving quality of existing parks, recommendations to acquire land/add new facilities, stakeholder desires and

recommendations for walking and biking trails and greenways, additional stakeholder desires and least met needs, level of service analysis, land acquisition recommendations, new park and facility recommendations, recommendation for blueways along French Broad river, planning costs, capital costs, cost recovery, vision and mission, implementation plan, and, recommended priorities. (Exhibit A)

Consultants presentation comments included:

1. Consolidate City and County Parks and Recreation – Maximize staffing; Supports greenway system throughout the County; Reduce duplication of services and perception of competition; Allows for one-stop shopping; Maximize marketing efforts and State and Federal grant opportunities; and, Memorandum of Understanding with County School System to share resources and design keeping both public recreation and school system needs in mind.
2. Community Centers – Leadership of community centers by the County is recommended.
3. Quality of Existing Parks – Due to the age of the facilities and design few elements of the City and County parks meet current standards, including ADA standards.
4. Master Plans – Recommend Master Plans for all parks; Create a joint City/County greenway master plan; Master plans to include detailed budgets and ADA evaluation.
5. City Sports Complex – Recommend combine City Complex with County Recreation and to then repurpose fields in a way to avoid loss of a playing season.
6. Indoor Pool and Multi-Generational Center – An indoor facility ranked high on the survey requests; County could partner with others like WCCA, TC Schools, hospital, colleges and City.
7. Parks and Green Spaces – Are key in quality of life and in attracting new families and professionals to the community.
8. Costs and Cost Recovery – Cost to complete recommendations is estimated at 32 million dollars. Park systems can generate revenue to help with cost recovery.
9. Next Steps – Recommended County and City to adopt the presented Master Plan.

Mayor Harris thanked the Commissioners for inviting Council to tonight's meeting and thanked the consultants for their presentation. He explained Council members have come tonight to officially receive the Plan and to pledge to consider its contents. Council received a copy of the Plan last Wednesday (9/21) and will need more time to review; therefore, they are not prepared to take adoption action tonight.

Commissioners and Council members briefly discussed the presentation and offered the following comments during the discussion:

1. Ms. Lemel – There is a 33% increase in child poverty in our County and the ability for our children to use park systems in very important.
2. Mr. Chapman – The needs presented are overwhelming. Will need to determine what the most pressing needs are and what will be the best use of available

financial resources. Finding the recommended additional 30 or 40 acres of land will be difficult.

3. Mr. Landreth - Suggested putting the Master Plan into the hands of a committee appointed by both the City and County. Committee would be charged with how to lay out the first 18-months of a City/County Recreation Plan, phasing, how money would be spent, how to fund, goals, milestones, how to grow, potential of transfer of funds between the city and county, etc.
4. Mr. Lemel – Suggested using the City/County Recreation Strategic Task Force membership as a starting place for a Committee.
5. Ms. Hollingsworth – Believes linking a greenway system to the City’s Sports Complex should be done; however, no mention of doing so is found within the Master Plan, and, implementation of the Plan would be a great step towards meeting the needs of the youth in our community.
6. Ms. Lemel – Striking amount of acreage needed to fill the needs of neighborhood parks. Interested in having Memorandums of Understanding (MOU) with school system and community centers for sharing of facilities and would help meet the needs of neighborhood parks throughout the County. Community center acreage may be opportunity for playground equipment to be installed like done at Silvermont.
7. Mayor Harris – Agrees with the suggested City/County Parks Strategic Committee and further suggested consideration be given to include other partners who would have a shared interest such as the Town of Rosman, TC Schools, Schenck Job Corp, Brevard College, Blue Ridge Community College, Transylvania Hospital and VFW. Believes the first step is to organize within.
8. Mr. Chapman – Asked the role of State and National Forest Services and if there are ways for the County and City to better partner with them.
9. Chairman Hawkins – Shared recalls playing on the VFW field and that keeping places like these would add up to some of the acreage needed. Can be creative and find other areas like this throughout the County.
10. Chairman Hawkins – Disappointed to be asked to adopt the Plan tonight while at the same time being told we clearly can’t afford it. Stated however he disagrees as Parks and Recreation is a cornerstone for our community and that despite the 32M cost estimate, he believes it is doable. Need to leverage our natural assets and tie them into a first rate recreational system and once done it will help pay for itself; believes it will cost less than estimated. Forest biking trails and paved trails both are needed in order to meet the needs of our youth and families. He desires to find a way to come as close as we can to fulfill the Master Plan. If the two Boards share this vision it will be up to our Staffs to come up with a path forward.
11. County Manager Laughter - The Plan is big and very complex and time is needed to review and to be sure all perspectives are brought into consideration. Operational consolidation is a complex issue that would need to be worked out between the County and City. Beyond that there are needs for partnerships for new facilities. Master plans are needed along with deciding which master plans to do first. Consultants have expressed ADA accessibility is an immediate need so that may be a starting point.

12. Mr. Chappell – Expressed the importance of having a clear eyed view of the matter and that a list of the pros and cons of the Plans recommendations needs to be made.
13. Mr. Phillips – Not everyone has had enough time to go through the entire Master Plan document. He needs additional time to review and suggested waiting until at least the next meeting in order to begin to determine what ideas we can all agree upon.
14. Ms. Lemel – Would like to get a joint committee together to talk about consolidation possibilities. That conversation is needed before we can Master Plan for both City and County parks. Money has been set aside in reserves; perhaps County could proceed to start on some Master Plans of County parks, while finding out consolidation possibilities.
15. County Manager Laughter - Two priorities by the consultant that can be done collectively are ADA evaluation of facilities, and the City-County greenway with a bike path going towards Mills River.
16. Mayor Harris - The City does not have a recreation department. Our commitment to recreation is rather passive, such as, Bracken Mtn., Hap Simpson Park, Franklin Park, etc. Where we get most involved in recreation is at the City Sports Complex. We are prepared to listen to any ways to improve efficiency and effectiveness for our residents. If not total consolidation, it makes sense in areas of overlap where both organizations are trying to do the same thing to explore for potential consolidation. Council looks forward to ways to work together as we proceed to review the presented Master Plan, while recognizing answers to some of the many recommendations in the Plan may be “No”.
17. Mr. Landreth – Earlier the question of what comes first or how to start was asked. He offered, “If we believe in the Plan then we build an organization to fulfill and support the Plan.” We at the City do not have the organization framework to deliver a Recreational program, so, there is no consolidation question on that point. We are offering auxiliary services.
18. Chairman Hawkins – Suggested, in taking into account Mr. Phillips request and while we review this Plan more thoroughly, the Commissioners direct Staff to begin to conceptualizing a path forward in terms in thinking about the question of how we can engage the City in a positive way to achieve a positive outcome in implementing the portions of the Plan that we think deserve to be implemented, and how do we move forward with consolidation and master plans. Perhaps not at the next Commissioner meeting but at the 2nd meeting in October (October 24th) that Staff will be able to present a report of a path forward.

Motion – Mr. Landreth moved that City Council adopt the County Commissioner’s recommendation to empower our City Staff to work with County Staff on the structure of a committee for implementation of the Plan. Motion was seconded by Mr. Morrow.

Discussion on the Motion:

- Mayor Harris asked if the motion includes expanding the committee membership to other entities.
- Mr. Landreth replied he is giving it to Staff for them to decide upon a recommended structure.
- City Manager Fatland offered Staff can put together a draft.
- Ms. Hollingsworth commented that when starting to read the document she thought, "What are we going to save by consolidation?" However, has come to see that it's not about saving it's about giving a higher level of parks and recreation service to the citizens we serve.

Vote on Motion: Motion carried unanimously.

Adjourn Workshop Portion of Meeting - At 8:39 p.m. Mr. Landreth moved, seconded by Mr. Jones, to adjourn Brevard City Council's workshop with the Board of Commissioners. Motion carried unanimously. Chairman Hawkins called for a brief pause in the meeting to allow City Council members to leave the meeting.

The Commissioners meeting continued with the next item upon their Agenda.

The official Minutes of the Board of Commissioners regular meeting can be found in the records of the Transylvania County Board of Commissioners.

Jimmy Harris
Mayor

Desiree D. Perry, CMC, NCCMC
City Clerk

Minutes Approved: _____

Certificates / Awards / Recognition



PROCLAMATION NO. 2016-11

BREAST CANCER AWARENESS MONTH
October 2016

WHEREAS, the City of Brevard joins our nation in recognizing October as Breast Cancer Awareness Month; and

WHEREAS, breast cancer is the most commonly diagnosed cancer among women in the United States, and is the second-leading cause of cancer deaths among women in North Carolina and our nation; and

WHEREAS, early detection can be an effective tool in combating breast cancer, with regular screenings preventing 15 to 30 percent of all deaths from breast cancer in women over 40; when diagnosed while still confined to the breast, the 5-year relative survival rate is more than 98 percent; and

WHEREAS, the City of Brevard encourages citizens to talk with their health care providers about regular screenings, examinations and mammograms, and to practice self-examination.

NOW, THEREFORE, I, Mayor Jimmy Harris and Brevard City Council, do hereby proclaim **October 2015**, as "**Breast Cancer Awareness Month**" in the City of Brevard, North Carolina, and call on all citizens to join us in recognizing and commend this observance to all citizens.

Adopted and approved this the 17th day of October, 2016.

Jimmy Harris
Mayor

ATTEST:

Desiree D. Perry, CMC, NCCMC
City Clerk

Public Hearing(s)

Public Participation

Special Presentation(s)

Consent and Information

STAFF REPORT

City Council, Monday, October 17, 2016

Public Works Monthly Staff Report

Council will receive the attached staff report for work performed during August, 2016. This information is submitted as information only and with no action requested.

Speaker:

From: David Lutz, Public Works Director
Prepared by: Letha Cox, Administrative Services Manager
Approved by: Jim Fatland, City Manager

Background

N/A

Staff Recommendation

N/A

Fiscal Impact

N/A



TO: Mayor Harris and City Council Members
FROM: Public Works Department
APPROVED: Jim Fatland, City Manager

Projects, services provided, and community assistance included a variety of work performed by the department during the month of August; and reflects departmental implementation of the City's vision as a "safe, friendly, family oriented city with small town charm, outdoor recreation, arts, and culture that bring investment opportunities, environmental consciousness and economic diversity."

Strategy: Foster Economic Development

Foster economic diversity while enhancing the quality of life in an environmentally friendly way by creating an environment that promotes and encourages businesses, and business owners, attracted to and utilizing our natural assets of woods and water and our cultural / historical assets of music, arts, and outdoor recreation.

1. We foster economic development by protecting our natural assets of woods and water that uniquely define Brevard.
 - The construction phase of the Neely Road Waste Water Improvements Project began on August 1, 2016 and the following progress is noted by CDM Smith by Wharton-Smith Inc. and Hall Contracting Corporation.
 - Pump Station and Equalization Tank
 - Erosion control measures were installed at the Waste Water Treatment Facility.

- Electrical conduit was installed for construction trailers.
- A utility pole damaged by a dump truck was repaired.
- Generators were delivered for temporary use during a utility pole relocation by Duke Energy.
- City personnel provided and spread clean stone to create a walkway in front of the construction trailers at the facility belonging to Wharton-Smith, Inc.
- Manholes were delivered for 24" pipe realignment.



Site preparations began with removal of demo material at the WWTP.



Utility pole damaged by dump truck.



Concrete and asphalt demo materials removed from site.



Sight preparation.

- **Force Main Replacement**

- Construction and detour signs were erected; and NCDOT inspected the detour installation for the project and along state roads.
- Detour began on Thursday, August 4, 2016 with traffic flow observed running smoothly by the Resident Project Representative, Calvin Parton.
- A construction trailer was located on the Taylor property on Neely Road.
- A survey crew began force main pipeline layout.
- Brush was cleared from the Waste Treatment Facility to the French Broad River along the section of force main route.

- City Collections personnel cut a 2" x 2" hole was cut in the pavement over a covered manhole #LO-063 on Neely Road to determine location. The location was marked prior to Hall Contracting Corporation who began using an asphalt zipper machine to mill asphalt on Neely Road towards Broadview Circle.



Detour signs were erected prior to the August 4th project start date.



Neely Road silt Fence installed by P and TL Silt Fence.



Hall Contracting asphalt zipper milling 1st 85 foot section of asphalt.



Asphalt millings on Neely Road.



Force main pipe lowered into trench box for installation.



Neely Road force main installation.

- Staff uncovered a 12" water valve on Neely Road that had been paved over during previous paving by the NC D.O.T.
- Water Distribution staff cut off a 2" valve to the water line serving the lift station on Neely Road at Broadview Circle for Hall Contracting.
- Sections of force main pipe were installed totaling 218 linear feet as of August 31, 2016.
- Kings Creek Phase III progressed during the month of August with Dillard Excavating replacing sewer mains as contracted.

- Placid Drive— 1,175' of 8" sewer main was installed between Jordan Road and Gallimore Road.
- Lakeview Avenue— 1,000' of 8" sewer main were replaced.
 - City personnel replaced 20' of 3/4" water service line damaged by Dillard Excavating during the sewer main replacement on Lakeview Avenue.
- To date 2,175' of pipe has been installed.



Damaged Lakeview Avenue water service line.

- Continuing Sewer Collections System inflow and infiltration elimination work included the following locations during August:

- An inflow site was discovered during a video inspection of a sewer main between North Broad Street and Railroad Avenue.
 - The inspection revealed a utility pole had been installed through a section of sewer main.
 - Public Works staff met with Duke Energy who agreed to schedule relocation of the utility pole.
 - After pole relocation was completed, Sewer Collections personnel will repair the damaged pipe.



Utility pole removal site restoration off N. Broad Street

- Two (2) additional inflow sites at Railroad Avenue, discovered during a video inspection, were eliminated by capping the abandoned 4" service lines.
- Dillard Excavating identified an obstruction in a newly installed section of 12" sewer main off N. Broad Street near Kings Creek. The contractor removed 8' of 12" pipe and replaced to correct this obstruction.



Video inspection screen shot of concrete pipe obstruction off N. Broad Street.

- Manhole repairs were made at the following locations:
 - A root was cut out of an invert inside manhole #KC-143 on North Broad Street for Dillard Excavating.
2. We foster economic development by ensuring our infrastructure is constantly maintained and replaced to serve existing and future business.
- Street infrastructure improvements during August included:
 - Cleaned off catch basins and drains on various City streets.
 - Cut grass along the ditches, banks and street edges of Cashiers Valley Road, Galloway Street, James Street, Rosenwald Lane, Silversteen Drive and West Main Street.
 - Trimmed grass along the utility strips on Broad Street, East Main Street, Franklin Street, Gaston Street, Greenville Highway, Jordan Street, Johnson Street, Oakdale Street, Probart Street and West Main Street.
 - Trimmed weeds around a way finding sign on Cashiers Valley Road near the intersection of Probart Street Extension.
 - Trimmed low hanging tree limbs along Country Club Road and Railroad Avenue.

- Due to washout, oversized stone was placed along sections of the road shoulder on Pine Mountain Trail. Cold patch mix was placed along the road edge where the asphalt had crumbled.
- Inspected a missing section of a curb along East Main Street; the area was filled with stone pending curb replacement.
- Replaced a 48' section of 19" concrete curb on Cambridge Drive.
- Inspected catch basins in the Cadence Point subdivision; sealed around all storm drain pipes and catch basin grates with hydraulic cement and surface mix.
- Inspected a sink hole on Placid Drive. It was determined that the hole near the customer's mailbox was caused during recent sewer line installations along the street by Dillard Excavating. The contractor restored the area when their installations were complete.



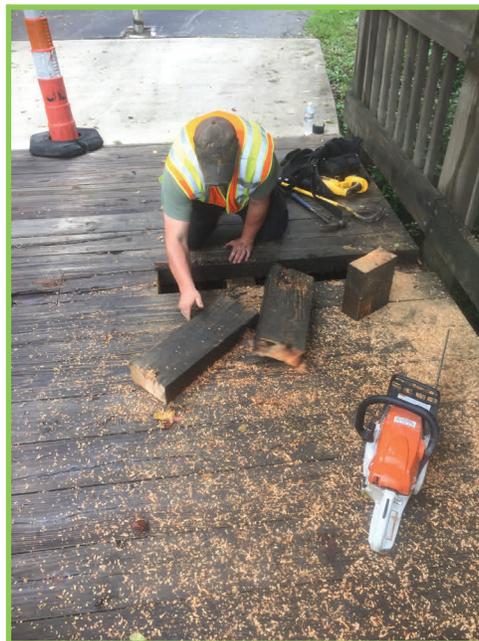
Cadence Point catch basin inspection.



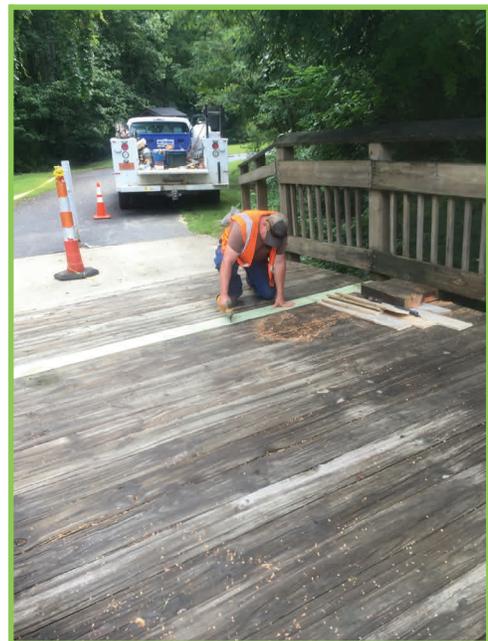
Placid Drive sinkhole inspection.

- Inspected for a report of a developed sink hole along the street edge of Laurel Village Drive and a sinking area at the catch basin. Repaired the catch basin with concrete; patched the street edge in front of the basin and used stone to fill the sink hole.
- Inspected a large sink hole/pothole at the entrance to the White Squirrel Carwash on the Asheville Highway. The hole was determined to be located off of the state right-of-way and the responsibility of the property owner to repair. Streets personnel placed two large barrels and traffic cones around the hole to alert pedestrians and vehicles until the repair can be made.

- Excavated a sink hole on Allison Road to determine the cause; no utility issues were found.
- Inspected and placed a traffic cone on a pothole in front of the K-Mart entrance near the EMS on Old Highway 64; the pothole was reported to the NC D.O.T for repair.
- Graded the edge of Green Acres Avenue to improve storm water drainage. The area was restored using grass seed and straw.
- Patched a sink hole in the street on Old Highway 64 at Highland Drive.
- Maintenance of pedestrian pathways included:
 - Inspected bike path sections and cut grass along pathways on Allison Road, Asheville Highway, Eastatoe Trail, Gallimore Road, McLean Road, Poplar Street, and at the Sports Complex.
 - Removed litter from a section of the bike path near Hospital Drive.
 - Replaced a 4' x 8' timber decking board at the Lambs Creek Bridge located on the Allison Road bike path.



Lambs Creek bridge decking removed for replacement.



8' Decking timber replacement.

- Bike Route symbols were painted on Railroad Avenue between Probart Street and the entrance to the bike path on McLean Road.



Railroad Avenue bike path directional symbol.

- Utility cuts and potholes were patched or leveled on Allison Road, Broadview Circle, Cadence Point, East French Broad Street, Franklin Street, Grove Street, Hillside Heights, Oakdale Street at South Caldwell Street, Old Highway 64, Park Avenue, Pisgah Highway, Railroad Avenue, Silversteen Drive, Temple Church Road and Whitmire Street.
- Additional utility cuts on various city streets were measured for proposed patching.
- Inspected a washed out utility cut on Old Highway 64; site was determined to be the location of a previous force main repair and will be scheduled for asphalt patching.
- Painted parking spaces along King Street.
- Designated and painted a new handicap parking space near Dugan's Pub on W. Appletree Street; Streets personnel core drilled the concrete sidewalk and installed a new *handicap parking* sign.
- Inspected a report of tree limbs entwined along the power lines on Hemphill Circle; no areas of concern were located.
- Replaced a 19' x 4' x 4' section of concrete sidewalk on Cambridge Drive; concrete forms were removed and the area was backfilled with dirt, grass seed and straw.
- Replaced brick pavers in a 20' x 4' sidewalk section due to utility installations near the intersection of North Caldwell Street and West Main Street.
- Sign maintenance included:
 - Replaced fallen *street name* signs at the corner of Railroad Avenue and Burrell Avenue.
 - Replaced one (1) damaged *stop* sign and post at the intersection of South Gaston Street and East Jordan Street.
 - Erected one (1) new *speed limit 25 mph* sign on North Johnson Street.



W. Appletree Street handicap space.

- Replaced a worn *handicap parking* space sign and post in the city parking lot off W. Jordan Street.
- In preparation of the Jordan Street Parking Lot project, Public Works personnel assisted with the following items:
 - Removal of four (4) large tree stumps from the site by Streets personnel; each of the four (4) holes were filled and the parking lot area was covered with ABC stone.
 - Materials for the storm drain installation were delivered to the site by Streets personnel.
 - Flagging of traffic for a Cason Builders Supply delivery truck to enable the unloading of block for the Jordan Street Parking Lot project.



Storm drain for Jordan Street parking lot installation.

- The Sanitation Division collected garbage, commercial recycling, brush and bagged yard waste during August.
 - Seven (7) commercial businesses requested containers and began participating in the recycle program. Carts or bins were provided for:
 - American Legion Post 88
 - Brevard Academy
 - Ecusta Brewing Company—East Main Street
 - Ecusta Brewing Company—Pisgah Highway
 - French Broad Community Center
 - Jaime’s Creole Brasserie
 - Transylvania County Rescue Squad

- The mulch storage pile was gauged for monthly temperature reading.
- Inspected for reported litter at the Wilson Road River Access. The Parks & Property Division was contacted in reference to the overflow of a trash can at the site. It was determined that the property is maintained by the Transylvania County Parks & Recreation Department who was notified of the concerns.
- Flower bins were emptied at the Gillespie-Evergreen Cemetery on Country Club Road.

August Sanitation Activities

- 18 Special trash pickups
- 8 Single item special trash pickup
- 6 Small electronic items collected
- 7 Large televisions collected
- 1 Small television collected
- 18 Residential recycle carts delivered
- 5 Residential recycle bins delivered
- 13 Commercial recycle carts delivered

- Collections System infrastructure maintenance consisted of the following noted items during August:
 - Video inspection of sewer mains and service lines were performed on a total of 2,434' to determine condition, verify location or depth, or in search of suspected inflow and infiltration sites including 1,311' for Dillard Excavating.
 - Replaced 13' of 12" sewer main between North Broad Street and Railroad Avenue following a sewer main pipe rupture caused by relocation of a utility pole by Duke Energy.
 - A total of 6,602' of sewer mains were cleaned in the areas of Brevard College, North Broad Street, Placid Drive and Jordan Road, Railroad Avenue and West Jordan Street.
 - Repaired a sewer service on West Jordan Street; replaced 12' of 4" sewer service line.

- A force main pipe rupture resulted in one (1) sewer discharge event at the Neely Road Pump Station during August.
 - Pumps were shut down on August 8, 2016 in order to repair the force main on Old Highway 64.
 - Personnel replaced 7.75' of 14" ductile iron pipe.
 - Pump and haul personnel and Mike's Septic Service captured 43,000 gallons from the lift station manhole and this amount was disposed of at the Waste Treatment facility.
 - A total of 36,800 gallons of discharged waste reached the surface waters of Lambo Creek during this spill event.
 - Site restoration included debris removal and cleanup around the lift station manhole and the utility cut on Old Highway 64 was patched.
 - A required press release and public notice were issued; NCDENR staff were also notified of this event.
- Inspected an additional reported leak or possible force main break on Old Highway 64, however, no issues were found.



Collections personnel inspects Old Highway 64 break.



Excavating begins to expose force main pipe.



Replacement pipe delivered to Old Highway 64 job site.



Excavation to expose pipe rupture.



7.75' of 14" Ductile iron pipe replace broken force main.

- Inspected manhole #KC-193 for inflow condition on McLean Road; a hole was located but no water was found entering into the manhole. The hole is scheduled for repair.
- Inspected manhole #LO-070 for an inflow condition on Broadview Circle; no issues were found.
- System personnel responded to nine (10) reported sewer line blockages during the month; five (5) of which were an actual blockage and were cleared on Brevard College Drive, Grandview Avenue, Pisgah Highway, Poplar Street and West Jordan Street.
- Replaced 10' of 4" sewer service line on Poplar Street.
- Assisted the Waste Water Treatment Facility by vacuuming out the front section of the RBC (Rotating Biological Contactor) at the facility on Wilson Road.
- Sewer lift station maintenance included:
 - Monthly inspection of facility buildings and safety equipment.
 - Emergency contact information signs were replaced at the Allison Creek, Bedford Place and Fish Camp lift stations.
- The Water Distribution maintenance and repair of the water system infrastructure included the following items in August:
 - There were eighteen (18) inspections for reported water leaks during August; eight (8) of which were actual water leaks. Seven (7) were repaired on Azalea Avenue, Johnson Street, Lakeview Avenue, McMinn Avenue, Placid Drive and Probart Street. One (1) on Park Avenue is scheduled for repair.



Johnson Street water service line repair.



Repaired leaking valve on Probart Street.

- Inspected the water pressure at a meter on Probart Street; pressure was found to be adequate; however, the water pressure dropped inside the residence.
- Water pressure was inspected at a meter on South Hill Drive and was found to be adequate. The customer was informed of the findings relative to the elevation of the property in relation to the reservoir tanks.
- Performed a well disconnect on First Street and installed a new 3/4" water meter.
- Installed a stellar clamp on a tee in preparation of a valve installation on South Broad Street at Morgan Street.
- Measured and placed an order for a 2" water main replacement on Harold Street.
- Hydro-excavation was performed to assist Jerry T. Whitmire Grading working at the Transylvania Regional Hospital campus. Personnel hydro-excavated a water main near Brevard Family Practice and a 6" x 4" tee near the hospital to verify the location and direction of lines and water flow.
- Water tank and pump station facility maintenance included:
 - Replaced emergency contact information signs at the Deerlake and Key Stone Camp Pump Stations.
 - Provided access to the Deerlake Water Tank facility for inspection of the water tank painting by Utilities Service Group.
- Meter and meter box maintenance included:
 - Replaced one (1) water meter box on East Main Street to accommodate a new water meter.



**Broken E. Main Street
water meter box.**



Meter box replacement .



Brick utility strip restoration.

- Additional inspections or modifications were made to accommodate Sensus meters on Forest Gate Drive, Holcombe Road, Oakdale Road, S. Oaklawn Avenue and Unity Drive.
- Replaced damaged meter boxes and / or lids Forest Gate Dive, Franklin Street, Maple Street, Oaklawn Street and Neely Road.
- Inspected size of the water meter serving the Brevard College Library building for proposed replacement on North Broad Street.
- A meter cable was inspected on Park Avenue to confirm replacement. It was verified that the cable had been installed and a signal reading was confirmed with the Finance Department.
- Excavated and prepared a 2" water meter for replacement on Elm Bend Road at Sapphire Manor Apartments. The meter was replaced with a new Sensus meter.
- Installed a water meter re-setter and replaced a 3/4" water meter on Asheville Highway.
- Installed a new 2" Sensus Omni C2 water meter on New Hendersonville Highway for the Brevard Academy.
- Replaced fire hydrant #15-06 on S. Broad Street at East Morgan Street which included excavation to a 6" water main, installation of a stellar clamp on a tee, and replacement of 6' of 6" ductile iron pipe. After the new fire hydrant was installed, the site was restored with grass seed and straw.



Excavation to expose fire hydrant for removal.



Preparation of site to enable 6" valve installation.



**New fire hydrant & piping
ready for installation.**



**Valve installation on
South Broad Street.**

3. We encourage investment when we appear well-run and well planned.

- **Public Works Facility and Operations Center maintenance included the following items during August:**
 - **MSDS books were updated with recent product safety data sheets.**
 - **Received and shelved Sewer Collections inventory items.**
 - **Completed a monthly inventory of all spare parts for the Collections System.**
 - **Trimmed weeds at the Operations Center facility.**
 - **Placed a delivery of 18" ductile iron pipe onto pipe storage racks at the Operations Center.**
 - **Inspected vehicle maintenance garage door safety stops.**



**Daily delivery of supplies
and materials are received.**

- **Appearance improvements throughout the city included Streets and Sanitation division work as follows:**
 - **Removal of broken glass at the intersection of Asheville Highway and Chestnut Street in front of the entrance to Wal-Greens.**
 - **Streets personnel assisted with the removal of buckets containing fire fighting foam and a porta-jon from the Waste Water Treatment Facility grounds. The items were delivered to the lower yard of the Public Works Facility for storage.**
 - **Inspected shrubs reportedly blocking the view at two (2) intersections of Old Highway 64. It was determined that the trimming of these shrubs would be the responsibility of the NC D.O.T. at both Cherry Street and Osborne Road intersections.**
 - **A total of forty (40) sidewalk trash cans were inspected on Main Street and Broad Street for condition and location verification. The cans were cleaned and will be inspected monthly by the Streets Division.**

Strategy: Enhance Quality of Life.

Encourage and enhance our family friendly and small town charm by bringing people of all ages together through physical connections within our community and to our natural assets of woods and water and personal connections to each other and to our cultural / historic assets of music, arts, and outdoor recreation.

1. We encourage and enhance our family friendly and small town charm by bringing people together through physical connections within our community.

- **Water Distribution personnel provided the following items:**
 - **Water service installations were completed in August to serve Brevard Academy’s new facility on New Hendersonville Highway.**
 - **To lower ph and turbidity, 2,700’ of new 10” water main was flushed and dechlorinated.**
 - **The water meter was turned on and the line was placed into service at the facility.**



Flushing process to lower ph and turbidity.

- Installed one (1) 6" water tap at the new Brookside Subdivision on Neely Road for Cantrell Construction.
- Installed one (1) 4" and one (1) 6" water tap at the Transylvania Regional Hospital on Hospital Drive.
- Installed one (1) new 2" water meter, one (1) new 2" water tap which included 10' of 2" water service line and one (1) meter box; implemented and installed pipe for new valve boxes for a new dormitory building located on Kings Creek Drive at Brevard College.



4" and 6" Water taps installed at Transylvania Regional Hospital.

- Installed a new 3/4" water tap on First Street. The installation included 20' of 3/4" pipe.
- Meetings attended by the Public Works Director during August included:
 - Agenda Preview Meetings
 - Brown Consultant Meetings:
 - Burrell Mountain 8" Sewer Line Installation.
 - City Wide 6" Sewer Line Upgrade Project Monthly Meeting.
 - City Wide 6" Sewer Line Upgrade Project Close-out Meeting.
 - Dog Park, Burrell Mountain Road Sewer and Hampton Road Drainage projects.
 - Hampton Road Drainage Improvements.
 - Kings Creek Fish Kill.
 - Kings Creek Phase II Pre-Construction Meeting.

- Kings Creek Phase III Monthly Construction Meeting.
 - North Broad Street Sewer Replacement.
 - Proposed Collections System Settlement Agreement.
 - Proposed Property Acquisitions and Easements.
 - Railroad Avenue 8" Water Line Hydraulics Analysis.
 - Wilson Road 8" Water Line Extension.
 - City Council Meeting.
 - JLS Paving reference proposed paving on Quail Run and West Jordan Street.
 - Jordan Street Parking Lot Design Meeting.
 - Neely Road Construction Project Site Manager Daily Meetings.
 - Neely Road Sewer Improvements Project Monthly Construction Progress Meeting.
 - Public Works & Utilities Committee Meeting.
 - Railroad Avenue Bridge Replacement Meeting.
 - Water & Sewer Utilities Meeting for Proposed Glen Cannon Development.
 - Weekly Staff Meetings.
- Administrative staff received a total of 991 telephone calls for the month of August. Calls consisted of general information, utility and street maintenance requests, sanitation and recycle service requests, vehicle maintenance appointments, preventive maintenance reschedules, staff and director issues, inter-departmental requests, and various engineers, surveyors and sales representatives.
 - Fifteen (15) utility locates for water and sewer lines in proposed excavation sites or other requirements were marked with flags or marking paint for other utility companies, building contractors or citizens.

Utility Locates

- All American Electric (1)
- Dillard Excavating (2)
- Hall Contracting (2)
- NC811 (1)
- Nick Ussery (1)
- PSNC (2)
- Rob Skeen (1)
- Southern Concrete (1)
- Summit Design (1)
- Sumter Utilities (2)
- Whitmire Grading (1)

2. We encourage and embrace our family friendly and small town charm by bringing people together through personal connection with each other.

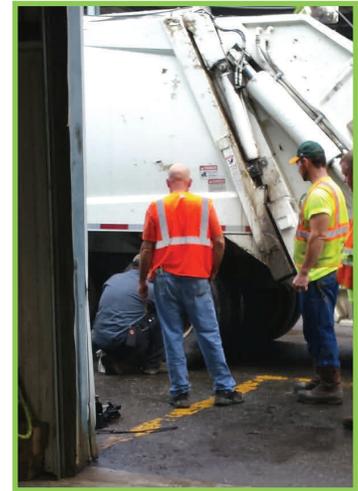
- Streets and Sanitation personnel removed trash and weeds along East Main Street prior to the Transylvania Heritage Museum Old Time Street Dance; the streets and handicap ramps at all intersections were cleaned each Monday prior to each of the two (2) August events.

- Streets personnel ran the street sweeper on East Jordan Street, Rice Street and S. Johnson Street prior to the *Annual Farm Fair* event.
- Street banners were erected or removed as scheduled for the following community events:
 - All Seasons Craft Group — *Craft Show & Sale*
 - Mountain Song Productions — *Mountain Song Festival*
 - The Brevard Music Center — *Brevard Music Festival*
 - The Haven — *Hoedown for the Haven*
 - Transylvania Economic Alliance — *Business Expansion Competition*
- Sewer Collections staff connected with the community with the following work noted:
 - Assisted Brian Center maintenance personnel with video inspecting 200' of 15" storm drain to verify the condition of a drainage pipe at the facility on Country Club Road.
 - Provided emergency assistance to Hemphill Concrete Finishing & Grading with pumping out a concrete form filled with water following a thunderstorm at the Transylvania Vocational Services.
- A water meter was installed by Water Distribution staff on a fire hydrant for a shower trailer to be used by campers attending the Cycle NC event at Brevard College; the hydrant was removed and a reading was obtained for billing purposes following the weekend event.
- Water Distribution personnel met with staff members at the Cardinal Drive-in to discuss tips upon conducting a search for possible water leaks or high water usage.
- A street light was inspected by Streets personnel in reference to a customer request for street light removal on Robinson Avenue. The light was located and determined to be used for security purposes on Brevard College property. Once notified, the customer was satisfied with the purpose of the light.

3. A safe community is one where residents know the city provides reliable and consistent service.

- Utility system supervisors met with customers reference proposed utility issues:
 - Grandview Avenue—reference sewer blockage issues
 - Old Highway 64—reference proposed utility taps and fees associated for each
 - Rosman Highway—reference relocation of an existing water meter

- Notices were issued regarding residential recycle schedules.
- A holiday notice regarding a sanitation schedule change was issued for the upcoming Labor Day Holiday.
- The Vehicle Maintenance Division serviced the city and county fleet with 208 vehicles or equipment items serviced or repaired during August. Preventive maintenance and/or repairs were on 144 city and 64 county assets.
- Employee activities and opportunities during August included:
 - Administrative staff met with the City Clerk reference the storage location of contract documents at City Hall.
 - Administrative personnel met with Brown Consultants reference new project information spreadsheet.
 - Annual Employee Appreciation Luncheon at Brevard Music Center. Streets personnel assisted the Wellness Committee with the setup of tables and chairs prior to the event.
 - Annual Hearing Exams
 - Annual Safety Training Classes
 - Post-Accident Review.
 - Safety Committee Meeting.
 - Water Distribution Certification Exams.



A tire is inspected by automotive technician.

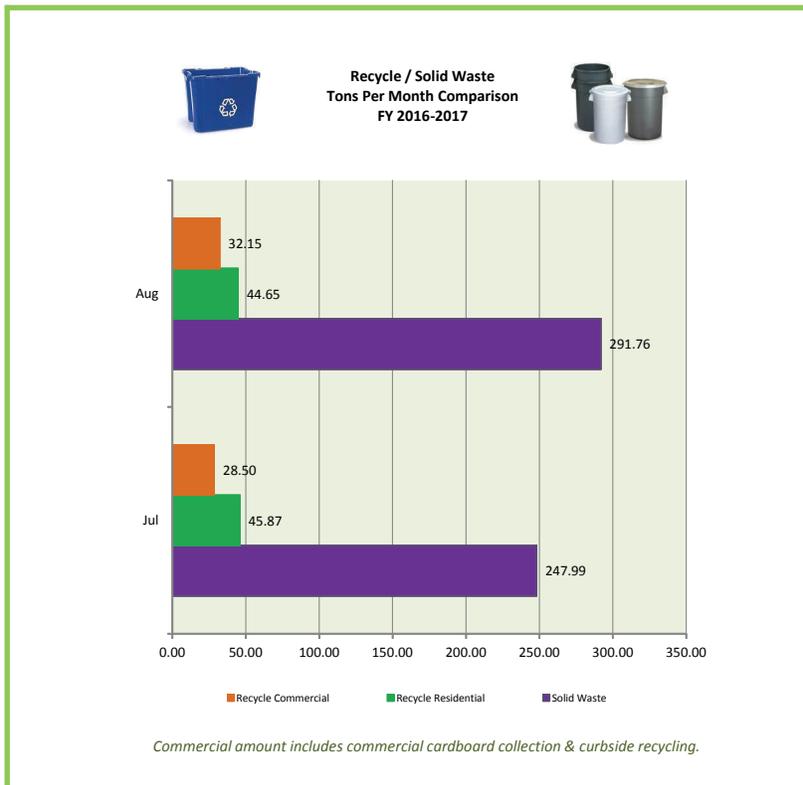
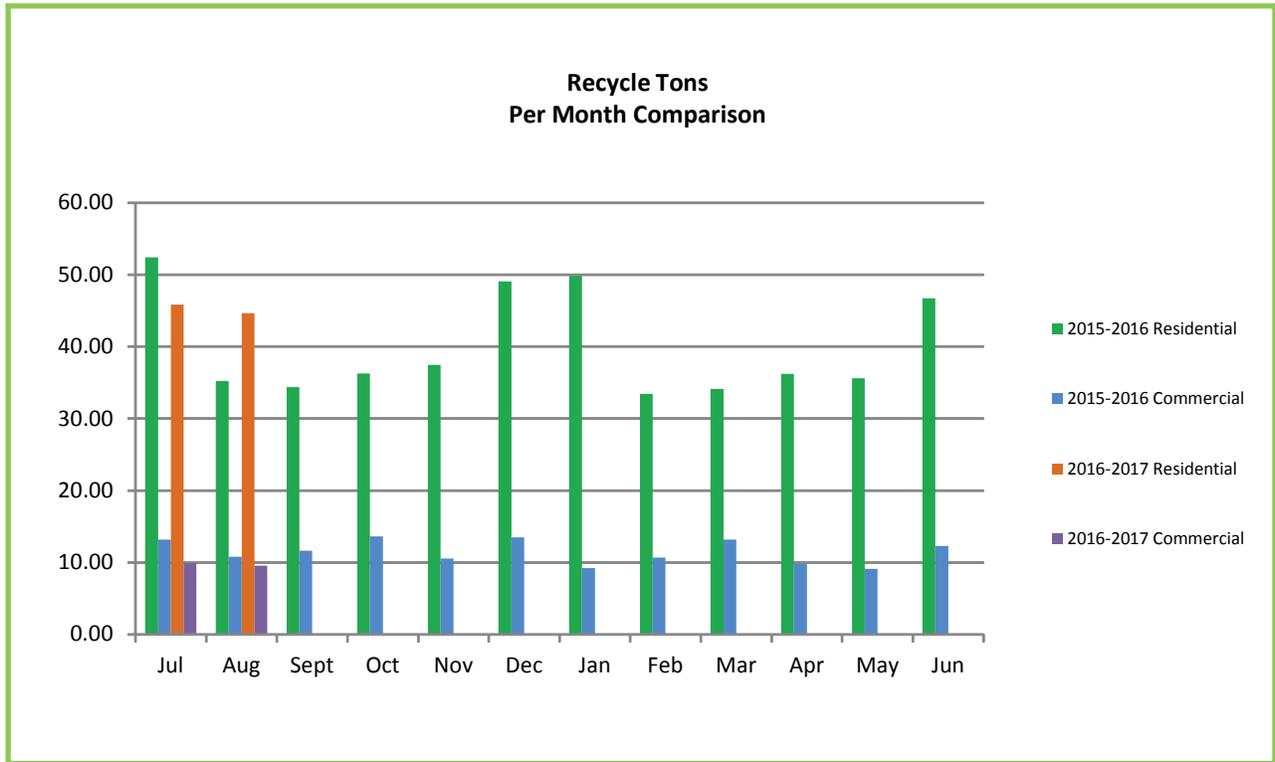
APPENDIX I: August Departmental Statistics

Service statistics are provided as indicators for Public Works performance and budgetary trends.

Item	Previous Month (July)	Current Month (August)	Year To Date (July - August)	Previous FY Year Total 2015-2016
Commercial Cardboard	18.58	22.59	41.17	206.25
Electronics	3	6	9	36
Recycle Bin Delivery Residential	1	5	6	32
Recycle Bin Delivery Commercial	0	0	0	10
Recycle Cart Delivery Residential	14	18	32	174
Recycle Cart Delivery Commercial	5	13	18	46
Commercial Recycling	9.92	9.56	19.48	135.28
Residential Recycling	45.87	44.65	90.52	470.56
Solid Waste Collection	247.99	291.76	539.75	2,871.99
Special Collections	9	18	27	156
Special Collection - Single Item	0	8	8	24
Television - Large (\$10)	1	7	8	46
Television - Small (\$5)	0	1	1	14
Barricade / Event Item Delivery	7	7	14	26
Street Banners	8	6	14	80
Potholes	2	17	19	104
Sidewalk Footage (Length)	43.00	19.00	62.00	341.00
Utility Cuts	10	8	18	84
Fleet Service - City	128	144	272	1,528
Fleet Service - County	68	64	132	810
I&I Video Inspection (Length)	3,211	4,025	7,236	24,329
Sewer Blockages	2	10	12	55
Sewer Tap New Commercial	0	0	0	6
Sewer Tap New Residential	0	0	0	10
Sewer Taps Repaired	0	1	1	31
Utility Locates	52	18	70	278
Water Leaks	13	18	31	156
Water Meter Boxes	82	7	89	82
Water Meters New	0	2	2	15
Water Meters Other	10	17	27	138
Water Tap New Commercial	0	4	4	14
Water Tap New Residential	1	1	2	11
Water Taps Repaired	0	0	0	28

APPENDIX II: August Sanitation Statistics

Sanitation statistics are provided as indicators for solid waste and recycling performance.



APPENDIX III: August Sanitation Statistics

Sanitation statistics are provided as indicators for city commercial cardboard collection performance.

- Revenue includes customer fees collected plus sale of cardboard to American Recycling of Candler, NC.
- Expense includes collection of commercial cardboard labor, fuel and vehicle maintenance during the month.

Revenue	\$7,733.68
Expense	\$7,003.29
Net Profit or Loss	\$730.39

APPENDIX IV: August Fuel Use Statistics

Fuel Use Statistics are provided as indicators for vehicle and equipment fleet fuel use by the city and county vehicle fleet.

- August fuel use increased 4.2% from the previous month of July gallons; and decreased by 2.7% in expense due to the drop in fuel price per gallon.
- Current Unleaded Fuel Price: \$ 1.416 / last purchase on August 31, 2016
- Current Diesel Fuel Price: \$ 1.586 / last purchase on August 31, 2016

Entity Comparison	Current Month Gallons	Previous Month Gallons	Monthly Gallons Difference	Current Month Expense	Previous Month Expense	Monthly Expense Difference	% of Gallons Difference	% of \$ Difference
City Vehicles	6,009.70	5,737.60	272.10	\$8,365.45	\$8,507.25	-\$141.80	4.7	-1.7
County Vehicles	9,132.60	8,799.20	333.40	\$12,477.25	\$12,912.28	-\$435.03	3.8	-3.4
Narcotics Task Force	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	#DIV/0!
Totals	15,142.30	14,536.80	605.50	\$20,842.70	\$21,419.53	-\$576.83	4.2	-2.7



CITY of BREVARD

The mission of the City of Brevard is to promote a high quality of life, support economic prosperity, and cultivate community while honoring its heritage and culture.

Finance Department
(828) 885-5600

FINANCE REPORT FOR MONTH ENDED SEPTEMBER 30, 2016

JIM FATLAND, CPFO, NCCLGFO, CITY MANAGER

CITY OF BREVARD				
FY17 APPROVED BUDGET				
GENERAL FUND				
REVENUE & EXPENDITURE REPORT				
FOR MONTH ENDED SEPTEMBER 30, 2016				
		APPROVED		
		FY17	THRU	PERCENT
		BUDGET	SEPTEMBER 30	TO DATE
BEGINNING FUND BALANCE			\$2,707,733	
REVENUE				
Property Taxes	\$4,545,352		\$263,138	5.8%
Privilege Licenses	\$0			
Interest Earned on Investments	\$5,000		\$1,668	33.4%
Rental Income	\$25,000		\$7,442	29.8%
Miscellaneous	\$6,000		\$3,198	53.3%
Zoning Administration	\$20,000		\$9,235	46.2%
Utilities Franchise	\$600,000			
Wine & Beer Tax	\$30,000			
Powell Bill	\$222,000		\$112,076	50.5%
Sales Taxes	\$1,325,000			
ABC Net Revenue	\$150,000			
Court Costs & Fees	\$2,500		\$547	21.9%
Parking Violation Penalties	\$1,500		\$715	47.7%
Refuse Collection & Recycling	\$877,000		\$227,693	26.0%
Recreation	\$18,000		\$8,790	48.8%
Grants-Police Dept	\$24,500			
County Vehicle Mtce	\$431,650		\$38,201	8.9%
Transfers from Other Funds				
Utility Fund	\$575,000		\$143,750	25.0%
Bjerg Trust Fund	\$100			
Fund Balance Appropriated				
Captial Budget	\$127,500			
Loan Proceeds	\$323,995			
TOTAL REVENUE	\$9,310,097		\$816,454	8.8%

CITY OF BREVARD			
GENERAL FUND			
FY17 APPROVED BUDGET			
REVENUE & EXPENDITURE REPORT			
FOR MONTH ENDED SEPTEMBER 30, 2016			
	APPROVED		
	FY17	THRU	PERCENT
	BUDGET	SEPTEMBER 30	TO DATE
EXPENDITURES			
Governing Board	\$97,968	\$26,829	27.4%
Administration	\$757,559	\$171,281	22.6%
Finance	\$660,291	\$169,215	25.6%
Legal	\$63,000	\$12,443	19.8%
Planning	\$566,779	\$169,623	29.9%
Parks & Property Management	\$620,423	\$175,370	28.3%
Police	\$2,706,421	\$664,033	24.5%
Public Services Administration	\$377,992	\$90,545	24.0%
Public Works Garage	\$536,030	\$92,839	17.3%
Streets-Local	\$750,988	\$148,859	19.8%
Streets-Powell	\$222,000	\$13,834	6.2%
Sanitation	\$952,777	\$181,224	19.0%
Recreation	\$101,316	\$45,448	44.9%
Non Departmental (Debt)	\$817,914	\$225,615	27.6%
Economic Development	\$72,500	\$24,250	33.4%
Contingency	\$6,139		
TOTAL EXPENDITURES	\$9,310,097	\$2,211,408	23.8%
ENDING FUND BALANCE		\$1,312,779	

CITY OF BREVARD				
UTILITY FUND				
FY17 APPROVED BUDGET				
REVENUE & EXPENDITURES REPORT				
FOR MONTH ENDED SEPTEMBER 30, 2016				
		APPROVED		
		FY17	THRU	PERCENT
		BUDGET	SEPTEMBER 30	TO DATE
BEGINNING FUND BALANCE			\$1,344,789	
REVENUE				
Miscellaneous Utility Fees			\$424	
Water Charges	\$2,527,000		\$640,814	25.4%
Sewer Charges	\$2,245,000		\$564,949	25.2%
Meter Charges	\$136,000		\$34,025	25.0%
Tap & Connection Fees-Water	\$10,000		\$9,042	90.4%
Tap & Connection Fees-Sewer	\$2,500		\$1,000	40.0%
Transfer From Capital Reserve				
Reconnection Fees	\$40,000		\$13,635	34.1%
Septage Pretreatment Facility	\$20,000		\$10,500	52.5%
Fund Balance Appropriated	\$124,000			
Loan Proceeds--New Equipment	\$142,199			
TOTAL REVENUE	\$5,246,699		\$1,274,390	24.3%
EXPENDITURES				
On Line/Credit Card Fees	\$20,000		\$5,666	28.3%
Reimbursement to General Fund	\$575,000		\$143,750	25.0%
Debt Service Payments	\$601,739		\$20,301	3.4%
OPEB Transfer	\$6,750		\$6,750	100.0%
Transfer to Utility Capital Projects Fund				
Transfer to Health Insurance Reserve Fund				
Water Treatment Plant	\$1,007,740		\$140,825	14.0%
Water Distribution	\$501,896		\$111,674	22.3%
Wastewater Treatment Plant	\$1,369,489		\$335,459	24.5%
Wastewater Collection System	\$971,607		\$187,613	19.3%
Transfer to Water & Sewer Capital Projects				
Contingency	\$192,478			
TOTAL EXPENDITURES	\$5,246,699		\$952,039	18.1%
ENDING FUND BALANCE			\$1,667,140	

CITY OF BREVARD			
WATER & SEWER CAPITAL PROJECTS FUND (31)			
FY17 APPROVED BUDGET			
REVENUE & EXPENDITURE REPORT			
FOR MONTH ENDED SEPTEMBER 30, 2016			
	APPROVED		
	FY17	THRU	PERCENT
	BUDGET	SEPTEMBER 30	TO DATE
BEGINNING FUND BALANCE	\$0	\$0	
REVENUE			
Transfer from Utility Fund			
Transfer from Capital Reserve Fund			
King Creek Sewer PH II Loan	\$1,435,784		
King Creek Sewer PH III Loan	\$1,484,150		
Radio Read Meter Loan	\$200,000		
Neely Rd. PS/FM/EQ TANK Loan	\$13,666,000	\$81,175	0.6%
TOTAL REVENUE	\$16,785,934	\$81,175	0.5%
EXPENDITURES			
Kings Creek Sewer Project Phase 2	\$1,435,784	\$33,594	2.3%
Kings Creek Sewer Project Phase 3	\$1,484,150	\$269,211	18.1%
AMR Purchase & Installation	\$200,000		
Neely Rd. PS/FM/EQ/ TANK Loan	\$13,666,000	\$734,155	5.4%
WWTP Rehab Project		\$120,882	
Brevard Academy		\$7,151	
TOTAL EXPENDITURES	\$16,785,934	\$1,164,994	6.9%
ENDING FUND BALANCE		-\$1,083,818	

CITY OF BREVARD			
CAPITAL RESERVE FUND (FUND 35)			
APPROVED FY17 BUDGET			
REVENUE & EXPENDITURE REPORT			
FOR MONTH ENDED SEPTEMBER 30, 2016			
	APPROVED		
	FY17	THRU	PERCENT
	BUDGET	SEPTEMBER 30	TO DATE
BEGINNING FUND BALANCE		\$511,983	
REVENUE			
Transfer From Utility Fund			
Interest on Investments			
Impact Fees--Water	\$10,000	\$13,375	133.8%
Impact Fees--Sewer	\$10,000	\$11,125	111.3%
Sidewalks In-Lieu			
Fees In Lieu of Infrastructure			
Contribution from Developer			
Fund Balance Appropriated	\$38,000		
TOTAL REVENUE	\$58,000	\$24,500	42.2%
EXPENDITURES			
Transfer to Multi Use Paths	\$38,000		
Increase in Fund Balance	\$20,000		
TOTAL EXPENDITURES	\$58,000		
ENDING FUND BALANCE		\$536,483	

CITY OF BREVARD			
FIRE DISTRICT FUND (FUND 40)			
APPROVED FY17 BUDGET			
REVENUE & EXPENDITURE REPORT			
FOR MONTH ENDED SEPTEMBER 30, 2016			
	APPROVED FY17 BUDGET	THRU SEPTEMBER 30	PERCENT TO DATE
BEGINNING FUND BALANCE		\$27,846	
REVENUE			
Misc. Revenue			
Fire District Taxes--County	\$333,594	\$83,399	25.0%
Transfer from City General Fund	\$371,678	\$92,920	25.0%
Sale of Fixed Assets			
Grant Revenue	\$40,000		
Fund Balance Appropriated	\$12,000		
Loan Proceeds	\$122,000	\$122,000	100.0%
TOTAL REVENUE	\$879,272	\$298,318	33.9%
EXPENDITURES			
Fire Department Operations & Debt	\$879,272	\$314,872	35.8%
TOTAL EXPENDITURES	\$879,272	\$314,872	35.8%
ENDING FUND BALANCE		\$11,292	

CITY OF BREVARD			
T.L. SCRUGGS SCHOLARSHIP FUND (FUND 50)			
APPROVED FY17 BUDGET			
REVENUE & EXPENDITURE REPORT			
FOR MONTH ENDED SEPTEMBER 30, 2016			
	APPROVED FY17 BUDGET	THRU SEPTEMBER 30	PERCENT TO DATE
BEGINNING FUND BALANCE		\$13,971	
REVENUE			
Fund Balance Appropriated			
Interest Earned on Investments			
Donations	\$15,000	\$15,465	103.1%
TOTAL REVENUE	\$15,000	\$15,465	103.1%
EXPENDITURES			
Scholarships Awarded	\$9,000		
Fund Raising Expenses	\$6,000	\$6,929	115.5%
TOTAL EXPENDITURES	\$15,000	\$6,929	46.2%
ENDING FUND BALANCE		\$22,507	

CITY OF BREVARD			
BJERG TRUST FUND (FUND 51)			
APPROVED FY17 BUDGET			
REVENUE & EXPENDITURE REPORT			
FOR MONTH ENDED SEPTEMBER 30, 2016			
	APPROVED FY17 BUDGET	THRU SEPTEMBER 30	PERCENT TO DATE
BEGINNING FUND BALANCE		\$60,203	
REVENUE			
Interest on Investments	\$100		
TOTAL REVENUE	\$100		
EXPENDITURES			
Transfer to General Fund	\$100		
TOTAL EXPENDITURES	\$100		
ENDING FUND BALANCE		\$60,203	

CITY OF BREVARD			
RESERVE FOR OPEB (FUND 52)			
APPROVED FY17 BUDGET			
REVENUE & EXPENDITURE REPORT			
FOR MONTH ENDED SEPTEMBER 30, 2016			
	APPROVED		
	FY17	THRU	PERCENT
	BUDGET	SEPTEMBER 30	TO DATE
BEGINNING FUND BALANCE		\$175,270	
REVENUE			
Transfer from Other Funds	\$18,750	\$18,750	100.00%
Interest on Investments		\$9	
TOTAL REVENUE	\$18,750	\$18,759	100.05%
EXPENDITURES			
Increase in fund balance	\$18,750		
TOTAL EXPENDITURES	\$18,750		
ENDING FUND BALANCE		\$194,029	

CITY OF BREVARD			
HEALTH INSURANCE RESERVE (FUND 53)			
APPROVED FY17 BUDGET			
REVENUE & EXPENITURE REPORT			
FOR MONTH ENDED SEPTEMBER 30, 2016			
	APPROVED		
	FY17	THRU	PERCENT
	BUDGET	SEPTEMBER 30	TO DATE
BEGINNING FUND BALANCE		\$256,957	
REVENUE			
Fund Balance Appropriated	\$12,000		
Dependent Dental & Retiree Premiums	\$67,000	\$14,842	22.2%
Department Charges for Group Medical	\$1,116,250	\$279,064	25.0%
Transfer from General Fund			
Transfer from Utility Fund			
TOTAL REVENUE	\$1,195,250	\$293,906	24.6%
EXPENDITURES			
Third Party Administrator	\$20,000	\$8,241	41.2%
Medical Insurance Broker	\$21,000		
Cobra Administrator	\$1,600		
Med Cost UR/PPO	\$6,800	\$5,673	83.4%
Aggregate Insurance Premiums	\$191,400	\$61,472	32.1%
Claims Paid	\$848,350	\$177,262	20.9%
Employee Assistance Program	\$3,900	\$3,977	102.0%
Wellness Programs	\$75,000	\$24,970	33.3%
Life AD & D	\$14,500	\$4,318	29.8%
Life Dependents	\$700	\$181	25.9%
Short Term Disability	\$12,000	\$3,312	27.6%
TOTAL EXPENDITURES	\$1,195,250	\$289,406	24.2%
ENDING FUND BALANCE		\$261,457	

CITY OF BREVARD			
HEART OF BREVARD (FUND 70)			
APPROVED FY17 BUDGET			
REVENUE & EXPENDITURE REPORT			
FOR MONTH ENDED SEPTEMBER 30, 2016			
	APPROVED FY17 BUDGET	THRU SEPTEMBER 30	PERCENT TO DATE
BEGINNING FUND BALANCE			
REVENUE			
Tax Penalties			
Dept. of Motor Vehicle Tax		\$63	
District Tax Collections	\$125,000	\$2,860	2.3%
Fund Balance Appropriation			
TOTAL REVENUE	\$125,000	\$2,922	2.3%
EXPENDITURES			
Contracted Services	\$125,000		
Transfer To General Fund			
TOTAL EXPENDITURES	\$125,000		
ENDING FUND BALANCE		\$2,922	

CITY OF BREVARD			
HOUSING TRUST FUND (FUND 76)			
APPROVED FY17 BUDGET			
REVENUE & EXPENDITURE REPORT			
FOR MONTH ENDED SEPTEMBER 30, 2016			
	APPROVED FY17 BUDGET	THRU SEPTEMBER 30	PERCENT TO DATE
BEGINNING FUND BALANCE		\$80,125	
REVENUE			
Interest on Investments			
Developer Loan Payment	\$26,600		
TOTAL REVENUE	\$26,600		
EXPENDITURES			
Increase in Fund Balance	\$26,600		
TOTAL EXPENDITURES	\$26,600		
ENDING FUND BALANCE		\$80,125	

CITY OF BREVARD			
MULTI USE PATHS (FUND 78)			
APPROVED FY17 BUDGET			
REVENUE & EXPENDITURES REPORT			
FOR MONTH ENDED SEPTEMBER 30, 2016			
	APPROVED FY17 BUDGET	THRU SEPTEMBER 30	PERCENT TO DATE
BEGINNING FUND BALANCE		\$747,955	
REVENUE			
Miscellaneous (Other Grants)	\$25,000	\$12,500	
SRTS Grant Reimbursement			
Transfer from Capital Reserve Donation			
Transfer Fees in Lieu C Reserve			
Transfer from General Fund	\$90,000		
Recreation Trails Grant			
Transfer Cap Reserve	\$38,000		
Transfer from DTMP			
Fund Balance Appropriated	\$950,000		
TOTAL REVENUE	\$1,103,000	\$12,500	1.1%
EXPENDITURES			
Pedestrian / Bike Path			
Pedestrian / Bike Improvements	\$953,000	\$312,469	32.8%
TOTAL Pedestrian / Bike Path	\$953,000	\$312,469	32.8%
West Loop Phase I			
Design & Construction	\$75,000	\$173	0.2%
TOTAL WEST LOOP	\$75,000	\$173	0.2%
Railroad Avenue Project Area			
TOTAL RAILROAD PROJECT AREA	\$75,000	\$9,560	12.7%
TOTAL EXPENDITURES	\$1,103,000	\$322,203	29.2%
ENDING FUND BALANCE		\$438,251	

CITY OF BREVARD			
E911 COMMUNICATIONS GRANT (FUND 80)			
APPROVED BUDGET			
REVENUE & EXPENDITURE REPORT			
FOR MONTH ENDED SEPTEMBER 30, 2016			
	APPROVED		
	FY 17	THRU	PERCENT
	BUDGET	SEPT. 30	TO DATE
BEGINNING FUND BALANCE		\$10,761	
REVENUE			
Miscellaneous Revenue			
Grant Received	\$64,000	\$3,347	5.2%
TOTAL REVENUE	\$64,000	\$3,347	5.2%
EXPENDITURES			
Expenditures	\$64,000	\$15,000	23.4%
TOTAL EXPENDITURES	\$64,000	\$15,000	23.4%
ENDING FUND BALANCE		-\$892	

CITY OF BREVARD			
NARCOTICS TASK FORCE (FUND 81)			
FY17 APPROVED BUDGET			
REVENUE & EXPENDITURE REPORT			
FOR MONTH ENDED SEPTEMBER 30, 2016			
	APPROVED FY17 BUDGET	THRU SEPTEMBER 30	PERCENT TO DATE
BEGINNING FUND BALANCE		\$155,055	
REVENUE			
Interest on investments	\$100	\$37	36.6%
Received from Transylvania County	\$15,000	\$5,070	33.8%
Received from Brevard Police Department	\$15,000		
Clerk of Court Funds			
Miscellaneous Revenue		\$1,225	
Federal Asset Funds-Police	\$5,000	\$3,633	72.7%
State Controller Payments	\$10,000	\$3,927	39.3%
Fund Balance Appropriated			
TOTAL REVENUE	\$45,100	\$13,892	30.8%
EXPENDITURES			
Expenditures	\$40,100	\$6,775	16.9%
DEA Fed Fund BPD	\$5,000		
TOTAL EXPENDITURES	\$45,100	\$6,775	15.0%
ENDING FUND BALANCE		\$162,172	

ROSENWALD REVITALIZATION (FUND 82)			
APPROVED FY17 BUDGET			
REVENUE & EXPENDITURE REPORT			
FOR MONTH ENDED SEPTEMBER 30, 2016			
	APPROVED FY17 BUDGET	THRU SEPTEMBER 30	PERCENT TO DATE
BEGINNING FUND BALANCE		\$127,906	
REVENUE			
Fund Balance Appropriated	\$134,000		
PARTF Grant			
Transfer from Capital Reserve			
Transfer from General Fund (Local Match)			
TOTAL REVENUE	\$134,000		
EXPENDITURES			
Environmental Cleanup & Park Improv.	\$134,000	\$16,387	
TOTAL EXPENDITURES	\$134,000	\$16,387	12.2%
ENDING FUND BALANCE		\$111,519	

CITY OF BREVARD			
DOWNTOWN MASTER PLAN (FUND 83)			
APPROVED FY17 BUDGET			
REVENUE & EXPENDITURE REPORT			
FOR MONTH ENDED SEPTEMBER 30, 2016			
	APPROVED FY17 BUDGET	THRU SEPTEMBER 30	PERCENT TO DATE
BEGINNING FUND BALANCE		\$182,252	
REVENUE			
Interest on Investments			
HOB	\$11,000	\$2,750	25.0%
Appropriated Fund Balance	\$540,000		
Transfer from Capital Reserve Fund			
Transfer from General Fund	\$180,000	\$90,000	50.0%
NCDOT - Caldwell			
Patton Donation			
TOTAL REVENUE	\$731,000	\$92,750	12.7%
EXPENDITURES			
DTMP Design	\$191,000	\$83,342	43.6%
Clemson Park & Downtown Improvements	\$340,000		
Caldwell Street	\$200,000		
TOTAL EXPENDITURES	\$731,000	\$83,342	11.4%
ENDING FUND BALANCE		\$191,660	

STAFF REPORT

City Council, October 17, 2016

Title: Planning Department Quarterly Update

This report provides an update on Planning Department activities for the period July 1, 2016 – September 30, 2016. No action is necessary.

From: Daniel Cobb, AICP, Planning Director

Prepared By: Daniel Cobb, AICP, Planning Director

Approved By: Jim Fatland, CPFO, City Manager

Background

This report summarizes the Planning Department’s permitting and code enforcement activities for the period July 1 – September 30, 2016. This report does not include long-term planning projects such as the land development code project (form-based codes). Such projects are updated individually as they progress.

A detailed breakdown of permitting activities is shown below.

Change of Use	6
Floodplain Development	2
Signs	36
Special Events	4
Special Use Permit / Variance	1/0
Temporary Use	3
Consistency Determination	0
Commercial Development	8
Residential Development	23
Subdivision/Recombination	3/7

Total Permits Issued (Jul.-Sep.): 93

Total Issued for Fiscal Year (Jul.-Sep.): 93

Total Permit Fees for Fiscal Year (Jul.-Sep): \$10,555

Total Permit Fees Collected for Fiscal Year (Jul.-Jun.): \$10,555

- Average review times for sign permits was five days
- Average review times for residential zoning permits was same day
- Average review times for commercial zoning permits was two days
- Average review times for change of use permits was seven days

The permit breakdown above equates to \$2,323,500 worth of investment for the reporting period.

In addition to standard residential and commercial additions, there are a number of noteworthy development projects underway at the moment, including:

- Brevard Place Phase II – grading is complete
- Oskar Blues – brewery expansion complete
- Gillespie Cottages – complete
- Brevard College Dorm – complete
- Brevard College Turf – complete
- Brookside Subdivision – three homes are under construction
- Triangle Stop – final plans under review
- Verizon Wireless – approved for construction

Code Enforcement

There have been a total of 22 complaints received, 12 have been abated as of the date of this report. The old Barnett's Machine shop was demolished after a traffic accident. This action was prompted after contact was made by our office to the property owner. The structure was unsafe and posed a danger to the public.

Additional Information

- 1) Staff recently attended the annual state chapter conference of the American Planning Association. In addition to maintaining professional certification and continuing education credits, these conferences provide an opportunity to discuss emerging issues with colleagues from across the state. This particular conference highlighted several changes in state law regarding land use regulations. Specifically, short-term rentals, signs, impact fees.
- 2) In addition to the state planning conference, one employee has completed the pre-requisite course work through the UNC School of Government to sit for the Certified Zoning Official exam which takes place next spring.
- 3) During the first week of November two employees will attending group facilitation training in Asheville. This training is designed specifically to manage small focus groups, reach consensus, and formulate strategies.
- 4) Also in November, two employees will attend a training workshop on subdivisions of land. The training is conducting through the UNC School of Government.

Staff Recommendation

Report submitted for informational purpose only, no action necessary.

Fiscal Impact

N/A.

**The Brevard Police Department
Quarterly Report for July 1st thru September 30, 2016**

Special events and Community contacts:

- Conducted traffic control and security at numerous community events including Mountain Song Festival and July 4th festival
- Made presentations on Crime Prevention to Brevard College, Brevard High School, and other organizations
- BPD and TCSO met twice with citizens to discuss police procedures, problem solving, and ways to improve communication
- Assisted with Chief’s Panel at the North Carolina Justice Academy at Edneyville for new police chiefs
- The Police Department’s third “National Night Out” to promote crime prevention in the community was held on East Main and was a huge success with approximately 600 people in attendance.
- Signed a new enforcement agreement with ABC with TCSO
- Presented at an Overdose Awareness community meeting
- The Police Department promoted Tim Rinehart to full time officer and reassigned Officer Ronnie Bickford to Animal Services officer
- Chief Harris continued to sit on the North Carolina Child Fatality Task Force.
- Chief Harris attended the NCPEA conference in Wilmington in July.
- The Police Department conducted four tours of the Police Department.

Training:

- Members of the department spent 460 hours in training.
- Employees attended the City’s yearly Safety In-Service training, and the Police Department’s yearly In-Service and firearms training.

Uniform Crime Report:

DATES	MURDER	RAPE	ROBBERY	AGG. ASSAULT	BURGLARY	LARCENY	MV THEFT	ARSON	TOTAL
July – Sept’15		1		2	11	51	2	1	68
July-Sept. ‘16		2	1	0	5	55		1	65
% CHANGE		+100%	+100%	-100%	-55%	+7%	-50%	0%	-4%

Year to date:

DATES	MURDER	RAPE	ROBBERY	AGG. ASSAULT	BURGLARY	LARCENY	MV THEFT	ARSON	TOTAL
Jan-Sept '11	0	4	5	16	63	123	2	0	216
Jan-Sept '12	0	1	4	9	26	152	4	0	196
Jan-Sept '13	0	1	0	7	50	167	9	0	234
Jan-Sept '14	0	0	1	6	35	164	4	2	212
Jan-Sept '15	0	2	2	6	24	133	5	2	174
Jan-Sept '16	0	2	4	5	18	132	3	1	165
% CHANGE from 2014 to 2015	0%	0%	+100%	-17%	-25%	-1%	-40%	+100%	-5%

STAFF REPORT

City Council, October 17, 2016, Meeting

Title: **Record Retention Schedule Activities – Disposal of Public Records**

Date: October 5, 2016

Prepared by: Desiree Perry, City Clerk

Approved by: Jim Fatland, City Manager/Finance Director

Background / Discussion:

The North Carolina Department of Cultural Resources Division of Archives and Records established the Records Retention and Disposition Schedule-Municipal, with the most recent revised Schedule on September 10, 2012. The City of Brevard adopted the revised Retention Schedule by Resolution No. 2012-22 on November 5, 2012, followed by adoption of the Administrative Value Schedule by Resolution No. 2013-11 on May 20, 2013. The Retention Schedule is an agreement between the City of Brevard and the State Archives of North Carolina indicating when (and if) records should be destroyed.

The NC Dept. of Cultural Resources Division of Archives recommends a report of records retention activities be made to Council and for the information to be entered into Council minutes.

For the record and in accordance to the adopted Retention Schedule, the City Clerk's office properly disposed of the attached listing (Exhibit A) of public records between the time period of January 2010 and December 2015.

EXHIBIT A

CITY CLERK'S OFFICE

RECORD RETENTION AND DISPOSITION

Below is listing of the Records Disposed of in accordance with the City of Brevard Retention Schedule adopted on June 15, 2009.

2010

- *Note: "Glenda" references electronic documents created by former City Clerk Glenda Sansosti that remained on the computer in the Clerk's Office following her retirement on Dec 31, 2009, by Resolution No. 22-2009.*

December 15, 2010

Spoke with Mr. Tom Vincent, Records Analyst (Raleigh), to ask what the retention period would be used for the copies of Demolition, temporary signs, and temporary political campaign sign permits that once had a check attached which served as either a bond or deposit (to insure cleanup and/or removal). He shared that although the City did not deposit the checks (as is the recommended practice) but rather returned them to the owner/contractor/candidate, the closest category would be within the Finance/Budget section of record retention related to paid checks, accounts payable, etc., and that for such records a THREE YEAR retention period is required.

Demolition, Temporary Signage and Political Candidate Signs & Bond/Deposits – 2002 thru 2006

From large expandable folder within the City Clerk's Office marked, "BONDS", the following records were removed and destroyed: Xerox copies of Planning & Zoning Department: Demolition Permits, Temporary Signage Permits, and Political Candidate Sign Permits that staff forwarded to the City Clerk's Office along with a check from the owner/contractor/candidates made payable to the City of Brevard that served as a "bond or deposit".

I, Desiree Perry, personally viewed all copies prior to destruction in order to verify that NO CHECKS remained attached; all records disposed of had already been marked showing the checks had been returned to the owner, contractor or candidates.

Note: Regardless of DATE, any permit/bond in the file that still had a check (even if outdated check) was not destroyed; they were turned over to City Finance Director Terry Scruggs.

Means of Disposal: American Security Shredding, Inc., locked box.

2011

- Means of Disposal: American Security Shredding, Inc., locked box, for paper and CD format. Electronic records destroyed by “delete” and then emptying of the “recycle bin” on the computer.

January 2011

- “Glenda” Electronic Files – Log of Council Chambers (log notes) – Dated 2007 and 2008
- Copies of Completed Demolition Permits, Temporary Signage and Temporary Political Sign Permits, etc., that were issued in 2007-2008, and filed in Glenda’s “Bond” file. (3-year retention was required, per T. Vincent NCDCCR on 12/15/2010, under the Acct-Paid Checks-Accts Payable standard.)
- Files found in metal base cabinet that is to be removed from office. File labels read:
 - 1 file - Bulletins – 1968-69
 - 1 file - Digitizer (office equipment) information – 2001
 - 1 file - Minority Business, general file – 1991
 - 1 file - Planning for Progress book (old – no date on file)
 - Associations & Organizations File, Standard 1, Item #5 (Destroy when Admin Value Ends)
 - 1 file - NCBEMO – 2005
 - 1 file - WCCA – General correspondence, appointment letters, etc. (no minutes in file) – 1983 – 1987
 - 1 file - Miscellaneous – 1984
 - 1 file - Good Neighbor Council (no minutes) – 1968
 - 1 file - Human Relations Council, General correspondence, appointment letters, etc. - 1974
 - 1 file - Transylvania Recreation, Misc. – 1980
 - 1 file - Brevard Redevelopment – 1980
 - 1 file - Brevard Theatre Council (no minutes) – 1981
 - 1 file - Region B Commission, General
 - 1 file - Web Page, General Information – 2000-2001
 - 1 file - Correspondence – 2005

2012

- Means of Disposal: American Security Shredding, Inc., locked box, for paper and CD format. Electronic records destroyed by “delete” and then emptying of the “recycle bin” on the computer.

January 2012

- LaserFiche Software - 3” Floppy Disks, Version 4.1A (outdated software update disks)
- “Glenda” electronic files: General Correspondence dated 2007
- “Glenda” electronic files: Massage Therapy files, General, copy of NCGS 90, Application form, etc., dated 2007
- “Glenda” electronic files: Log Notes from Council Meetings, 2008 & 2009

- Vending Cart - Donald E. Owens. File dated February 2009, and contains an Application for Vending Cart and associated information. Note from Glenda Sansosti in file reads, "Mr. Owen has received approval from City Council. Upon receipt of an updated Insurance Verification, an updated photo of the cart, payment of the \$50 Application fee and \$50 Privilege License fee, the License can be issued." As of January 2012 Mr. Owen has not been back in contact with the City on this matter. File Destroyed.
- **NOTE:** *NC Dept. of Cultural Resources Division of Archives and Records revised/updated the NC State Municipal Records Retention and Disposition Schedule on September 10, 2012. The revised/updated Schedule was adopted by Brevard City Council on November 5, 2012 (Resolution No. 2012-02). Brevard's adoption of the "administrative value ends" dates associated with the Schedule will be adopted in the near future. Desiree Perry, City Clerk*
- At training session it was recommended (not required) that reference to the Retention Schedule Section/Item or the Title used in the Retention Schedule be included with listing of disposed records.

December 2012

1. Minutes / Audio and Video Recording of Meetings, Pg. 2, S-1, 1-8 – For the Record (FTR) Log Notes of Council Meetings (electronic) , January thru December 2010, and, January thru December 2011

2013

- **Means of Disposal:** American Security Shredding, Inc., locked box, for paper and CD format. Electronic records destroyed by "delete" and then emptying of the "recycle bin" on the computer.
- **NOTE:** *"Administrative Value Ends" for the City of Brevard Municipal Records Retention and Disposition Schedule were established by Resolution No. 2013-11 adopted on May 20, 2013. (Amendment to Res No 2012-02)*

Sept. 27, 2013

1. Associations and Organizations File, Pg. 2, S-1, I-6 - Board & Committee Appointment Letters, electronic version. (GSansosti-mydocs), 2000-2010
2. Publications Received, Pg. 13, S-1, I-60 - Clerk's Office; Records Room box labeled "miscellaneous" (no date) and contained a few CD's along with miscellaneous old IIMC Clerk magazines, and a variety of outdated publications. CD's in box that were disposed of were labeled (Pg. 2, S-1, I-8):
 - i. March 2007 – LOS RPO Central Area Parking Inventory
 - ii. Land of Waterfalls, Come Discover Transylvania County (no date)
 - iii. Log Notes – 2009
 - iv. City Council meeting, March 16 and Dec 15, 2009
 - v. Surplus 2008, A-5
 - vi. City-County joint meeting 5/29/2008

3. Minutes / Audio and Video Recording of Meetings, Pg. 2, Standard 1, Item 8 – For the Record (FTR) Recordings - Log Notes (electronic) - Council Meetings, January thru December 2012.
4. Agenda Packets, Pg. 1, Standard1, Item 3 – Deleted the electronic copy of Council Agenda Packets that had been scanned using Laserfiche, 1991 – 2010.

2014

- Means of Disposal: American Security Shredding, Inc., locked box, for paper and CD format. Electronic records destroyed by “delete” and then emptying of the “recycle bin” on the computer.

February 14, 2014

1. Agenda & Meeting Packet File, Pg. 1, Standard 1, Item 3 - Clerk’s **hard copy** of Council Meeting Agenda Packets, Jan-July 2013. Note: Manager’s Office is official holder of these records.
2. Copies of Completed Demolition Permits, Temporary Signage and Temporary Political Sign Permits, etc., that were issued in 2009-2010, and filed in Glenda’s “Bond” file. (3-year retention was required, per T. Vincent NCDRC on 12/15/2010, under the Acct-Paid Checks-Accts Payable standard.)

May 20, 2014

1. Minutes (Staff Meetings) Pg. 10, S-1, I-45 – Minutes (Staff Meetings) Agendas – Agendas – Weekly (Tuesday 9:00 am) Management Team Meeting agenda and notes; Year 2010 and 2011
2. Mailing & Distribution Records “Sunshine List” Pg. 9, S-1, I-42 – Copies of the “add to sunshine list”, “remove from sunshine list” and “email address no longer valid” emails (hard copy). Years 2010, 2011 and 2012.

July 14, 2014

1. Conference & Workshops File, Pg. 4, S-1, I-21 - January 2010 Annual City & County Clerk’s School (Standard 1, Item 21)
2. Telephone Logs, Pg. 33, S-4, I-53 - Phone Message Books – Jan 2010 thru June 2011; and June 2011 thru April 2013
3. Calendars of Events and Appointments, Pg. 3, S-1, I-14 – Clerk’s 2012 desk calendar
4. Agenda & Meeting Packets File, Pg. 1, S-1, I-3 - Clerk’s office copy of Council Meeting Agenda Packets, Aug-Dec 2013. (*Manager Office is the official keeper of these records.*)

July 22, 2014

1. Audio & Video Recordings of Meeting, Pg. 2, S-1, I-8 – “Glenda” electronic (WORD) folder of “Minutes”; electronic version of Council meeting Minutes 2004, 2005, 2006, 2007, 2008 and 2009. (*Approved hard copy of Council Minutes are retained as permanent record.*)
2. Agenda & Meeting Packets, Pg. 1, S-1, I-3 – “Glenda-Archive” Laserfiche files that contained City Council meeting Agenda Packets from years Jan. 2005 – Dec. 2009.
3. News and Press Releases, Pg. 132, S-15, I-4

- a. "Glenda" electronic version of City Newsletters 2006-2009
- b. "Glenda" electronic version Press Releases –2006-2009
- 4. Minutes / Audio and Video Recording of Meetings, Pg. 2, S-1, 1-8 – For the Record (FTR) **Log Notes** of Council Meetings, January thru December 2013; electronic record
- 5. Correspondence & Memoranda, Pg. 5, S1, I-23 – Correspondence, General 2010 (Jan-Dec), 1 file
- 6. Correspondence & Memoranda, Pg. 5, S1, I-23 – Deleted electronic records of the following that had been scanned and stored in Laserfiche: "Correspondence-General" and "Correspondence-Mayor" dated 1998 through 2003; Deleted "City Manager Update Reports" dated 1997–2003; Deleted "City Newsletters" dated 2004-2007; and, "National League of Cities Correspondence" dated 1997, 1999 and 2007.

November 14, 2014 – Jeanette Owen's Records and/or Emails.

- Jeanette Owen retired on October 31, 2014. IT Contractor (Kirk Daniels) had her emails forwarded to me for a week or so until position was filled. There were very few current (2013-2014) emails in her system; however, there were some older "folders" I (Desiree Perry) deleted from Jeanette's email account:
 - Folders dated 2002 – 2004 Titled:
 - G. Sansosti
 - A. Cox
 - D. Owen
 - R. Howell
 - S. Rohrbaugh

December 16, 2014

- 1. Minutes / Audio and Video Recording of Meetings, Pg. 2, S-1, 1-8 – For the Record (FTR) Recordings - **Log Notes** (electronic) - Council Meetings, January thru December 2013, and, January 30, 2014 thru August 18, 2014.
- 2. Correspondence & Memoranda, Pg. 5, S1, I-23 - Deleted electronic records from the "My Documents-Glenda-Miscellaneous" Folder. Dozen or more documents dated 2004-2008 that included Focus 2020 documents, info used within City newsletters, and variety of documents titled "draft".

2015

April 24, 2015

- 1. Laserfiche – Deleted electronic copies of the Clerk Agenda Item Staff Reports to Manager, 2010-2012.

April 27, 2015

- 1. Tax Records - Privilege Licensing, Standard 20, Item 13 – **2010, 2011, 2012 Renewal Notices**. Returned by USPS or by the business owner who DID NOT renew; Inactivated License.
- 2. Tax Records – Privilege Licensing, Standard 20, Item 13 – **2011 Renewal Notice Contact Information Request Memo**. Memo asked Businesses to verify/update their mailing address, phone number, and contact person. Completed memo was returned with their Oct 2011 Renewal Notice.

April 29, 2015

1. Privilege License Applications, Pg. 175, Standard 20, Item-13, and, Pg. 11, Standard 1, Item 46. Destroyed Privilege License applications (issued and denied/not issued) dated between February 2, 2002, to April 2012. All were shredded because most included confidential information (SS#, Fed & State Tax ID #).

July 6, 2015

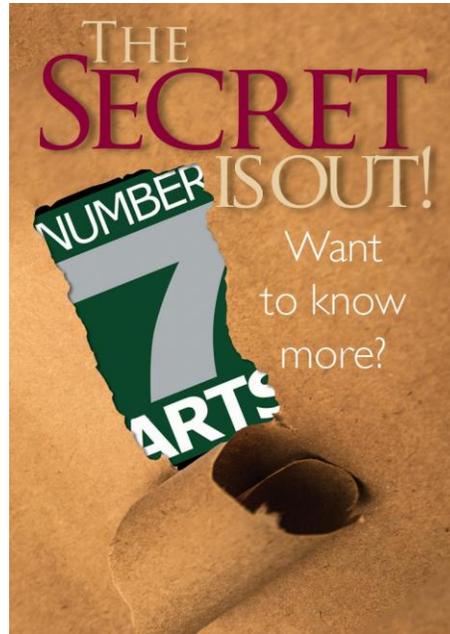
1. Calendars, Pg. 3, S1, I-14 – Deleted 2010-2011 emails of appointments, interoffice memos, etc., from inbox and outbox.
2. Correspondence & Memoranda, Pg. 5, S1, I-23 Correspondence, General-2011 (1 file)
3. One unmarked box of Clerk's Office records in Records room that contained some outdated publications, and the following files:
 - a. Going Out Of Business, Applications for License to Conduct Closing-Out Sale; 1989 – 2001
 - b. Massage Therapy Application, Brevard Wellness (J. Stempel) - 2005
 - c. Center for Dialogue, Correspondence – 2005 (3 yr. retention)
 - d. Auction and Disposal of Surplus Property, Oct. 9, 2004 (3 year retention)
 - e. Safety Committee – 2003-2004
 - f. Powell Bill, Report on Powell Bill Funds, Expenditures & Certified Statements – 1982-1997
 - g. Abstract of Municipal Votes – Nov. 4, 2003 (2 year retention period)
 - h. Vending Cart License Applications – 1997-2002
 - i. City Seal, Vendors and Pricing
 - j. Website Reports, Page Views by Section- 2004-2005
 - K. Census Information, 1995-2000 (3 yr. retention period)

September 29, 2015

1. Deleted electronic FTR Recordings and Log Notes of Council, BPB and BOA meetings that were on the laptop from years 2013, 2014 and up to May 2015. Retention Schedule provides recording may be deleted following adoption of Minutes; however, our practice is to retain recordings for at least 60-days following adoption should litigation be filed.

Desiree D. Perry
City Clerk

Transylvania Community Arts Council City Grant Update Report – October 2016



Number 7 Arts Gallery, a program of the Transylvania Community Arts Council, is celebrating 17 years in business in downtown Brevard and is excited to be moving and expanding. Number 7 Arts is moving to the White Squirrel Shop location. Renovations will begin the first week of November and the Number 7 Arts Gallery will open in the new location the first week of January. This new location will allow the business to grow and add jobs - from 28 artists to up to 40 artists.



Number 7 Arts Gallery and the Brevard 4th Friday Gallery Walks were mentioned in the Southern Living Magazine August 2016 edition.



TRAVEL • CULTURE | SUMMER'S LAST HURRAH

BREVARD, NC

MOUNTAIN GETAWAY

Stunning natural beauty, world-class performing arts, and outdoor adventure all come together in a town with fewer than 8,000 people

"I GOT HERE IN 1986 and thought I had landed in heaven," says basket artist Joe Bruneau, who manages Brevard's arts cooperative, **Number 7 Arts** (number7arts.com). "It's absolutely beautiful."

With pristine parklands and 250 waterfalls, Brevard and its surrounding Transylvania County beckon both outdoor adventurers and artists. Every summer, 400 promising young musicians are chosen for the annual **Brevard Music Center Summer Institute & Festival**, with some 80 concerts taking the stage from late June to early August. The BMC's artistic director is alumnus Keith Lockhart, principal conductor of the Boston Pops and the BBC Concert Orchestra in London. Lockhart's parents have lived in Brevard for 30 years, and his grandparents lived there as well. Each summer in the North Carolina mountains is a homecoming for the world-renowned maestro. "Every year is extraordinary," Lockhart says. "All these young people come from diverse backgrounds. They're unsure of themselves and where they fit in. Then we start to make music, and none of that matters anymore."

STAY

Sleep under the Stars
Go "glamping" in a whopping four-bed, four-season tent at **The Bike Farm**, where you can also book guided mountain bike rides. Tents from \$100 (extra charge for linens and tours); bikefarmpisgah.com



Bikers and hikers around Brevard flock to such parklands as the DuPont State Recreational Forest.



CLOCKWISE FROM LEFT: Live music is part of the draw at The Phoenix, where an eclectic menu includes fresh seafood and small plates. Join the outdoor crowd at The Hub—and its Pisgah Tavern—at the entrance to Pisgah National Forest.



Choose Indoor Accommodations

The Red House Inn: An 1851 house with additional cottages for rent. Rates from \$155 at the inn and from \$175 at the cottages; brevardbedandbreakfast.com
Bed and Breakfast on Tiffany Hill: Pretty B&B convenient to Brevard attractions. Rates from \$195; bbontiffanyhill.com
Rental properties: visitwaterfalls.com

EAT & DRINK

Everything is homemade at **Bracken Mountain Bakery** (brackenmountainbakery.com). Other favorites include **The Falls Landing Eatery** (thefallslanding.com), **The Phoenix** (thephoenixbrevard.com), and **Rocky's Grill & Soda Shop** (dabullwinkels.com). Stop by **Brevard Brewing Co.** (brevard-brewing.com) and **Oskar Blues Brewery** (oskarblues.com) for cold ones.

DO

Explore local parklands, including the **Pisgah** and **Nantahala National Forests**, **DuPont State Recreational Forest**, and **Gorges State Park**.

Check performance schedules at the BMC's terrific open-air **Whittington-Pfohl Auditorium**, which just added a new acoustic shell, and Brevard College's **Scott Concert Hall at the Paul Porter Center for Performing Arts**. brevardmusic.org; brevard.edu/fineartsevents

Shop for local art at **Fourth Friday Gallery Walks**, held downtown between April and December, or drive the 13-mile **Scenic 276 Arts Corridor**, with 10 galleries and markets. scenic276arts.com

The **French Broad River Paddle Trail** provides public access to over 140 miles of the river, along with campsites. riverlink.org; frenchbroadpaddle.com

Want a guide? **Headwaters Outfitters** offers guided (wade or float) fishing trips plus tubing, kayaking, or canoeing trips (headwatersoutfitters.com). **Davidson River Outfitters** has 15 professional fishing guides and access to 6 miles of private trout streams, as well as public parklands. (davidsonrjffishing.com)

For adventures on land—or a place to relax and chat up the locals—head for **The Hub**. Socialize at its **Pisgah Tavern**, and find anything you need for hiking or biking. The Hub sits at the entrance to the most popular area in **Pisgah National Forest**. thehubpisgah.com ☪

Monthly Sales for Number 7 Arts in 2016

Jan	Feb	March	April	May	June	July	Aug	Sept	TOTAL
6,939	8,922	2,814	12,981	7,090	5,690	16,893	7,847	7,757	76,933

Brevard 4th Friday Gallery Walks 2016

This is the 11th year of the Brevard 4th Friday Gallery Walks. The TC Arts Council organizes and promotes the event. Twenty seven local downtown businesses participate. **Galleries include:** TC Arts Council, Number 7 Arts, Red Wolf Gallery, The Haen Gallery, Art Works, Hollingsworth Gallery, Trade-Arama Folk Art & Antiques, Starfangled Press, Local Color, Gravy, and Gallery at 44. **Art and Music oriented businesses participating:** Underground Salvage, 185 King Street, Wine Down, The Phoenix, The Square Root, Steve Owen Associates with the Alana Merrell Gallery inside, Main Street Ltd., Theophilus, and D.D. Bulwinkel's. **Other participants include:** Oskar Blues Trolley, Rocky's Grill & Soda Shop, Broad Street Wines, Marco's, Market at 36, Jaime's Creole Brasserie, and Magpie Meat & Three.

Count for April 22 Gallery Walk

TC Arts Council 227

Red Wolf Gallery 190

Number 7 Arts 175

Steve Owen & Associates – Alana Merrell Gallery 186

Local Color 114

Count for May 27 Gallery Walk

TC Arts Council 85

Red Wolf Gallery 300+

Number 7 Arts 200+

Steve Owen & Associates – Alana Merrell Gallery 150+

Local Color 142

Haen Gallery 250

Count for June 24 Gallery Walk

TC Arts Council 118

Red Wolf Gallery 300

Number 7 Arts 200

Local Color 109

Haen Gallery 85

Count for July 22 Gallery Walk

TC Arts Council 150

Red Wolf Gallery 300+

Number 7 Arts 175+

Local Color 125

Haen Gallery 120

Count for August 26 Gallery Walk

TC Arts Council 157

Red Wolf Gallery 252

Number 7 Arts 199

Local Color 124

Haen Gallery 100

Count for September 23 Gallery Walk

TC Arts Council 125

Red Wolf Gallery 190

Number 7 Arts 140

Local Color 80

Haen Gallery 120



UPDATE

Film, TV and Photo activity from June to October 2016

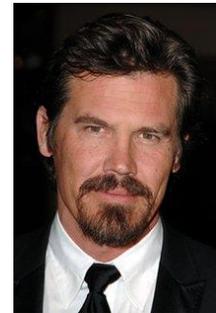
- **DIRTY DANCING** (3 part TV mini-series came back for a week for reshoots)
- Local artist James Stirling had his artwork featured in a scene on the TV show **PREACHER** on AMC.
- **TRAVEL CHANNEL** was here filming Extreme Swim Holes.
- **NC TOURISM** was here scouting for their next commercial.
- In September **SEVEN DAYS TILL MIDNIGHT** held a private screening of their feature film at the TC Arts Council to get local feedback.
- **HGTV HOUSE HUNTERS** aired their Brevard edition on September 22 featuring the owners of Brevard Brewing.
- **MASTERMINDS**, which shot all over WNC, opens in theatres October 1. We worked with their pre-location scout for two weeks.
- **BELK** held its fall photo shoot in Transylvania County renting out a camp and using local caterers.
- A Los Angeles “**ZOMBIE**” film crew was here scouting for the winter film – we looked at B & B’s and homes that could be used as a B & B.
- **WINN DIXIE** is here now scouting private homes for their Holiday Commercials.
- The feature film **SEVEN DAYS TILL MIDNIGHT** that shot here in April and May will be back in November for winter shots. More than 40 locals were used as extras, three local artists had their artwork used on set, three local businesses were used in the film and ten businesses partnered with the film – catering, housing, sponsoring props etc . . .

- The Josh Brolin movie that shot in Transylvania County entitled **THE LEGACY OF THE WHITE TAIL DEER HUNTER**, has announced that the film will hit theatres on Christmas 2017.
- Currently working with **AMERICAN PICKERS** (History Channel)

www.FilmBrevardNC.com



SEVEN DAYS TILL MIDNIGHT



JOSH BROLIN

AMERICAN PICKERS

MIKE AND FRANK ARE LOOKING FOR LARGE, RARE COLLECTIONS & THINGS THEY'VE NEVER SEEN BEFORE! TELL US THE INTERESTING STORY BEHIND YOUR STUFF!

TO BE CONSIDERED, PLEASE CONTACT US AT:
AMERICANPICKERS@CINEFLIX.COM
 or leave a voicemail at **1-855-OLD-RUST**

PLEASE LET US KNOW:
 · YOUR NAME, TOWN & STATE
 · PHONE NUMBER
 · WHERE YOUR COLLECTION IS LOCATED
 · A DESCRIPTION OF YOUR ITEMS

HISTORY
cineflix

Zach GALIFIANAKIS Owen WILSON Kristen WIIG AND Jason SUDEIKIS

MASTERMINDS

GET STUPID RICH

IN THEATERS AUGUST #MASTERMINDS

Added PR for the Arts & Brevard – Transylvania County

Tammy Tuesday Radio Shows in Brevard and Hendersonville, NC



**WSQL Radio - Tammy Tuesday the first Tuesday of the month at 12:30 pm
Art Update for that month. Then on the fourth Tuesday of the month
Tammy gives the Gallery Walk update for that week.**



**The Hendersonville Tourism office invites Tammy six times a year to do their
Tourism Events Radio Show on WHKP and WTZQ. These radio shows then air that
week on Tuesdays and Thursdays – getting us four actual spots in one week. Tammy
covers Film in Brevard and WNC, upcoming Art Events in Brevard and
Transylvania County and big street festivals and events.**



**WCQS Radio runs our art events that is provided to them
each month by Tammy at TC Arts.**

This month kicks-off Arts In Schools for the 2016 – 2017 School Year



The Transylvania Community Arts Council provides Arts In Schools Programming in all nine Transylvania County public schools. We book artists to visit each school for a one week artist in residence program. Art subjects that schools can choice from: sculpture, pottery, dance and movement, music, writing and journal making, murals, theatre, drawing, wood work, paper mache, basket making . . . we partner with the Transylvania County Schools, Brevard Philharmonic, Transylvania County Library, Porter Center at Brevard College and local artists.



Brought to you by the TC Arts Council & Number 7 Arts Gallery

Members of the TC Arts Council and Number 7 Arts Gallery will have “Art Attacks” around town over the next year. Watch for it!

Examples –

- Halloween Masks on the Sculptures for Halloweenfest
- Costumed characters walking around talking with visitors
- Added Flashmobs at Halloweenfest
- Winter gear on sculptures for Twilight Tour
- On good snow days – watch for snow sculptures around town

NEW AT THE TCARTS COUNCIL

We have been under renovations . . .



**The entire gallery was stripped and redone from painting to replacing gallery walls and flooring.
New heat and air was installed.**



**Our new
UP & COMING ARTIST GALLERY**



As you enter the TC Arts Building from the parking lot, we have added a small gallery to showcase young up and coming artists from Brevard College and our local high schools.



We installed a pottery kiln in the storage building out back and put in six pottery wheels in the classrooms. Pottery classes are now offered 3 days a week.



October 5, 2016

City of Brevard
95 West Main Street
Brevard, NC 28712

The Transylvania Farmers' Market would like to thank you for your continued support of our market.

The funding provided by the City of Brevard has been essential in our growth and development as a farmers' market and we are incredibly grateful for your continued support. In the attached report you will find an update on the Market's progress in 2016.

We hope you will contact us if we may answer any questions or provide any additional information. We look forward to continued success.

Thank you,

Leslie Logemann
Market Manager

October 2016

TRANSYLVANIA FARMERS' MARKET REPORT



2016 IN REVIEW

The Transylvania Farmers' Market has had a wonderful 2016. We have a great group of vendors selling local products (all within 60 miles), our customer base is growing with record crowds, and we are continuing to grow and develop the market in a continued effort to be an integral part of the community.

THE NUMBERS

**Vendors = 76 registered in 2015 (40-50+ in attendance each Saturday)
Now with an average waiting list of 10-12 businesses/individuals**

- Vendors are local and growing/producing products within 60 miles of Brevard
- Due to space constraints, we have a waiting list for the first time
- In 2016 we added more farm and food products in needed areas
- More items customers have requested, including handicap drop-off area

Sales Revenue

2014 = over \$250,000

2015 = \$348,000

2016 = to be determined at year end

We collected our vendors' sales revenue for the first time in 2014 and are excited to have a great increase in sales in 2015. Sales are projected to grow in 2016.

Customers - steadily growing!

In 2016, we have continued to grow with each Saturday during regular season bringing an estimated **600-800** customers with events drawing over **1,000** attendees. Our Annual Farm Fair over Labor Day weekend is estimated to have drawn at least **2,000** people from not just Transylvania County but also the surrounding counties.

Events

2015 = 12 Special Events

2016 = 13 Special Events

Special events are an important part of our market, drawing crowds with live music, activities for the whole family, healthy cooking demos, exercise classes, and more.

Sponsorships & Donations

2014 = \$6,500

2015 = \$8,400

2016 = We on track for \$10,000

In addition to the generous grant we receive from the City of Brevard and the vendor fees that we collect, as a 501(c)3, we actively solicit for business and personal sponsorships and donations.

Grants

We have also received **\$12,000 in funding for 2016-2017 from Transylvania County** and this will provide much needed dollars for our staffing needs.

Now 52 Saturdays Per Year

For the second year, the Farmers' Market will not end in December but will continue with a smaller winter market from December 2016 – April 2017, open on Saturdays from 10am to 12pm. The success of our Market has allowed our vendors to expand and many can now sell year-round, with two farmers having added a hoop house so that they can grow vegetables year-round.

PROGRAMS & AFFILIATIONS

NEW for 2016... Transylvania Regional Hospital

Transylvania Regional Hospital, a long-time sponsor of our farmers' market, has partnered up with us this year to provide healthy cooking demos and classes at our market as well as support us in health and wellness educational offerings.

New for 2016... Sierra Nevada Brewery Employee Wellness Program

We have teamed up with Sierra Nevada Brewing in Mills River to support their Employee Wellness Program. In 2016, they have purchased "market bucks" from us (**\$600 dollars worth to date**), which can be spent just like dollars at our market, and they give them to their employees as part of their Employee Wellness Program. We are hoping to expand this program to other area businesses.

Hunger Coalition of Transylvania County

For the second year, we have run a program with the Hunger Coalition of Transylvania County. Each Saturday morning, this organization drops off boxes and a cooler and our customers can purchase and donate produce and eggs. At the end of the morning, any vendor with excess produce may also donate. The Coalition picks up these donations at the end of Market and delivers them to one of 13 food pantries across our county.

This program has been very successful with most mornings providing numerous boxes and a very full cooler, stuffed full of produce and eggs, all going to feed our hungry neighbors.

"Growing Minds @ Market" Kids Corner

With support materials supplied through a grant from ASAP (Appalachian Sustainable Agriculture Project), we had a dedicated kids' corner at our Market that runs during the summer months. This booth provides kids with fun craft projects and activities that teaches them something about healthy eating, local food, farming, and nature -- What does a yellow cucumber taste like? Why are caterpillars important? What is exciting about a dragonfly? When are different types of produce in season in our area?

The booth has been very popular and we look forward to expanding it in the future.

Master Gardeners

The Transylvania Cooperative Extension Office has been one of our biggest supporters and often supplies staffing and activities for our events. For the second year, the Master Gardeners group has also joined our Market. Twice a month they set up a booth to provide our residents with free information on gardening, plants, soil testing, identifying problems with vegetation, and so much more.

United Way's Stuff The Bus

For a third year, we were proud to host United Way one Saturday as they stuffed a bus with much-needed school supplies for Transylvania County school children.

Blue Ridge Electronic Vehicle Club

For a third year, the Blue Ridge Electronic Vehicle Club participated in our Farm Fair event over Labor Day weekend 2016. In the two previous years, that participation has resulted in a Transylvania County resident purchasing an electronic vehicle after seeing one featured at our Market!

FFA (Future Farmers of America)

Both local chapters of FFA (Brevard and Rosman) continue to be vendors at our Market and we thoroughly enjoy watching these high school students learn about not only the business of agriculture but the business of selling and customer service.

Continuing Education and Resources for our Vendors

We continue to refer our vendors to resources such as the Chamber of Commerce, Blue Ridge Community College, and Mountain BizWorks as they plan and grow their businesses and need assistance with business plans, accounting, marketing, social media, and more. We help our vendors to make contacts with local businesses and restaurants that might be interested in becoming wholesale buyers of their produce and products. We work closely with our local Extension Office and other organizations that might have leads for grants and funding that will help our farmers and small business vendors grow.

Additional Organizations and Programs

From Brevard Ballet and the Earthshine Nature Program to a variety of businesses and nonprofits that participate in our events and support our efforts, we feel that we are truly building a Market that is an integral part of our community. We have great relationships with the Chamber of Commerce and the Heart of Brevard as well as TCArts and we appreciate the cross marketing and promotions these organizations do for us.

PLANNING FOR THE FUTURE

Additional funding will help with staffing so that we can continue with fundraising and a capital campaign

One of our biggest challenges as a market has been staffing. Volunteers, while wonderful, are hard to come by and not always consistent. For the first time this year, due to funding from both the City and the County, we were able to hire a part-time Market Assistant and a

part-time helper to assist with set-up and tear-down of the Market. We plan to expand this with the addition of an Assistant Market Manager who can take over some of the responsibilities of the Market Manager so that she can focus more of her time on big picture items like fundraising and a capital campaign.

As our mission statement states, we hope to establish future fundraisers, a capital campaign, and a long-term endowment fund that we hope will enable us continue to grow and become more self-sufficient in the future. With the addition of a volunteer that has made a career of guiding nonprofits in this arena, and the support of other individuals, we are feeling confident about future grant writing and fundraising.

2016-2017 BUDGET

EXPENSES	DETAILED AMOUNT	TOTAL AMOUNT
Dues, Insurance, Fees		\$ 981.00
Chamber of Commerce dues	\$105.00	
ASAP & Mountain Tailgate Market Assoc. dues	\$50.00	
Farm Bureau dues	\$26.00	
Liability insurance	\$300.00	
Bookkeeping expenses	\$500.00	
Permits		\$ 400.00
City of Brevard annual permitting	\$400.00	
Administrative		\$ 1,365.00
Post office box rental	\$65.00	
Office supplies (toner, paper, postage, etc.)	\$800.00	
Misc expenses	\$500.00	
Accountant		\$ 1,500.00
Conduct audit & file annual report	\$1,500.00	
Marketing		\$ 10,030.00
Website hosting & domain	\$200.00	
Constant Contact email newsletter system subscription	\$480.00	
Advertising in the Transylvania Times	\$4,500.00	

Advertising in the Land of the Waterfalls Guide	\$500.00	
Advertising with WSQL Radio	\$1,000.00	
Printing of rack cards	\$500.00	
Printing of posters	\$250.00	
Business Cards, market bucks, & misc printing	\$500.00	
Signage and banners	\$600.00	
City of Brevard – hang street banner downtown one week	\$200.00	
Market tote bags and bumper stickers	\$800.00	
Misc marketing expenses	\$500.00	
Market Manager		\$ 12,000.00
Part-time market manager with year-round responsibilities	\$12,000.00	
Part-time help		\$ 6,600.00
Market assistant (20 hours per month @ \$15/per)	\$3,600.00	
Tear down help and other part time help during regular season	\$3,000.00	
Events		\$ 3,600.00
Expenses for 12 events + Farm Fair	\$3,600.00	
Kids Corner		\$ 1,400.00
Expenses for Kids' activities (28 weeks)	\$1,400.00	
Weekly Music		\$ 4,200.00
28 weeks, April 23rd through end of October	\$4,200.00	
Capital Expenses		\$ 1,000.00
Repairs to market trailer, replacement of tents, additional seating, electrical upgrades	\$1,000.00	
TOTAL EXPENSES		\$ 43,076.00
PROJECTED REVENUE	DETAILED AMOUNT	TOTAL AMOUNT
Vendor Fees		\$ 5,700.00
40 reserved vendors (\$90 each)	\$3,600.00	

35 unreserved vendors (\$60 each)	\$2,100.00	
Sponsorships		\$ 10,000.00
Local businesses & individuals	\$10,000.00	
City of Brevard Grant		\$ 17,000.00
For fiscal year 2016-2017	\$17,000.00	
Funding from Transylvania County (TBD)		\$ 12,000.00
For fiscal year 2016-2017	\$12,000.00	
TOTAL REVENUE		\$ 44,700.00

THANK YOU!

We are incredibly thankful for the support the City of Brevard has shown our organization. If there are any questions or if you would like any additional information, please don't hesitate to contact Leslie Logemann, Market Manager at (828) 548-0660 or transylvaniafarmersmarket@gmail.com.

October 6, 2016

HOB Board

To the Brevard City Council,

Elected:

Martha Carlton
Richard Coadwell
Ea Dossey
Connie Edmands
Jaime Hernandez
Ann Hollingsworth
Ryan Olson
Jimmy Perkins
Katy Rosenberg
Melanie Spreen
Paul Wilander
Elizabeth Williams

We would like to thank you once again for your continued support for Heart of Brevard (HOB). As you know, we follow the national Main Street model for downtown economic development and revitalization. This is a long-term approach that works incrementally through four committees: Design, Economic Restructuring, Promotions, and Organization.

Each year we work to improve the business climate, and overall vitality, in the HOB district and our efforts are renewed each year with an annual retreat. We have recently completed our annual retreat for the 2016-17 year and have included some tasks we plan to pursue as a result of this meeting. However, there are many regular ongoing projects, and other projects, that require a great deal of time, and comments on these are included as well.

Appointed:

Mandi Bentley
Jimmy Harris

Our festivals and events are still an important part of what we do, and they have the potential to attract nearly as many people in a week of activity, as one of our main natural attractions (Sliding Rock) does in a year. The community festivals we produce are not only financially expensive, but we also expend a great deal of our time and energy producing them. We continue to spread out our workload with events so we can have more time for involvement in other important areas. Due to these efforts, downtown Brevard is the recipient of a large percentage of the state's allocated downtown investment dollars over the past two years.

Ex Officio:

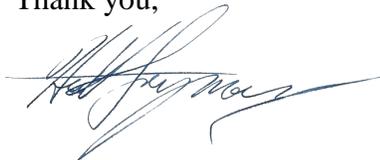
Mark Burrows
Josh Freeman
Clark Lovelace

Please see the following pages for examples of our current work, programs, and efforts.

Staff:

Nancy Coleman
Heath Seymour

Thank you,



Heath Seymour
Executive Director
Heart of Brevard

Promotions

Festivals & Events:

Our festivals have been the center of our efforts for many years now. However, there are other tasks we have improved on in recent years. We did not end any of our events, but we have cut back on our involvement in certain parts of each event. For instance, Transylvania County Schools now runs the Squirrel Box Derby and Brevard Academy runs the pumpkin roll. We have been able to start managing the overall event, and have gradually increased our focus on larger tasks, like helping existing and prospective property and business owners pursue grants and tax credits.

Late Hours:

There are other events we do, such as our Late Hours programs. Heading up to Christmas, and in the summer, many of our shops are staying open late until at least 8pm. They are sharing in costs for advertising this, but most important, they are all cooperating and working together – and neighboring towns like Hendersonville and Waynesville have not been able to get the same amount of participation from this sort of program.

Other Events:

We worked with Palmer Holland to save the downtown street dances this year, and they are also now scheduled to happen again next summer as well. The street dances may also expand with other new cultural activities next summer. We partnered with the Heritage Museum and Mountain Roots to combine their two events on the block where the museum is located. We are also working to bring other small events into downtown on Labor Day weekend as well.

Marketing:

This year we are working to produce a new rack card that will advertise to those staying in hotels and visiting the surrounding counties. Currently there is not much information about Brevard and the TDA aims their efforts toward getting people to come stay the night here, but not as much at those staying in the surrounding counties. The TDA did however help to fund our effort and we hope this will have an impact in the coming year.

Design

Flowers:

HOB and 35 Degree North continue to work with the City on the planters at the intersection of Broad and Main. These look great, but there are other improvements still needed in other areas, and we continue to work with the Downtown Masterplan Committee for ideas in those other areas.

Downtown Master Plan:

We have representatives that are meeting with the City's Downtown Master Plan Committee and together we are working on the future streetscape plans, along with other plans for alleys, open spaces, tree wells, and other issues. One of our key goals this year is to talk with other Cities to learn how they managed to acquire federal funds to make their streetscape projects happen. We hope to give guidance on what we find so that we may pursue funding in ways we haven't considered in the past.

Seasonal Decorations:

We work with High Country Tree Service to make sure the Christmas lights are up every year in the downtown. This year our design committee is looking at our wreaths and making plans to improve them, and maybe extend Christmas decorations further down West Main Street if possible. We think we can do this in an affordable and attractive way starting this year.

Kiosk:

We worked closely with the TDA on our new downtown directional kiosk. This new kiosk includes information about how to get around the county, and information about how to walk to our different downtown businesses.

West Loop:

Downtown property owners have an interest in the coming West Loop project, and we will be working to communicate concerns to and from the City and HOB property owners related to this future project.

Economic Restructuring

Business Retention, Expansion, and Recruitment:

During the past few years there have been approximately 50 businesses expansions, or openings in the HOB district, and have had a considerable net increase in downtown businesses. We are near capacity and there are business owners retiring, and others looking to enter the market. In the coming year, we are likely working to maintain, rather than to see any dramatic increase in the number of new businesses. As we filled up in the previous year, we guided some businesses to look at the Lumber Yard area, and that area has also started to fill in.

Main Street Solutions Grant:

We worked with the City to acquire a Main Street Solutions Grant of \$200,000 for the project at the corner of Broad and Jordan. This is the first of these grants Brevard has ever received, though they have been available for many years. This project is nearing completion and once closed out, Brevard will be in the running to compete again for these funds.

Downtown Development Fund:

We were the first in the state to apply and to receive this new forgivable loan. We helped D.D. Bullwinkel's secure this loan, which over time amounts to a grant, of \$500,000. This is only given within historic districts in Main Street communities, and we had our application in within 2 days of the announcement of the new program. We are within days of finalizing the grant, and the Perkins' expect to be in operation at the new location in Spring 2017.

Connections to Outdoor attractions:

We will continue to live up to our vision statement by being the crossroads to exceptional outdoor recreation. We are trying to discover new ways to brand ourselves as the outdoor recreation/mountain town that we are. The expansion of D.D. Bullwinkel's will go a long way toward improving that part of our brand. We will also be working with the City to find ways to communicate the locations of our outdoor amenities, and in particular our trail system.

Courthouse:

We gathered research and opinions from downtown business and property owners relating to the potential courthouse move, and delivered these comments to the county. It was our opinion that the issue needed further study, and that our downtown businesses & property owners didn't like the plans to move the function out of downtown. We also found research that suggested that the move would have an overall negative impact to the local economy. However, this decision is in the hands of the county government, and it is uncertain what the outcome may be.

STAFF REPORT

City Council, October 17, 2016

Title: Land Development Code (Form-Based Code) Update

Information provided for City Council's review. No action required.

From: Daniel Cobb, AICP, Planning Director

Prepared by: Daniel Cobb, AICP, Planning Director

Approved by: Jim Fatland, CPFO City Manager

Background

Staff has been working with Demetri Baches of the consulting firm Metrocology since June of 2015 on updating and revising the City's development standards. Brevard has had a zoning ordinance since May of 1946, which has been updated several times over the last several years. The current version is known as the Unified Development Ordinance, which was adopted in April 2006. This version of amendments will result in a code that is commonly referred to as a "Form-Based Code." To make a distinction between the current UDO and the new codes, Staff is referring to this ordinance as the *City of Brevard Land Development Code*.

Discussion

One of the main objectives of this project is to modify the existing regulations to more precisely fit Brevard. There have been challenges implementing the City's development standards over the last decade due to inherent conflicts with Brevard's built environment and overall development patterns which are slightly different than what the code requires. Many of these challenges are magnified because of Brevard's restricted growth areas due to topography, floodplain, and state law.

Beginning in June of this year Staff has been conducting public input sessions to gather feedback from the community. There were four meetings in June and four in August. Turnout was lower than expected, additional outreach efforts are scheduled for future meetings. Beginning in November there are several more input sessions scheduled, a list of those is included below. All meetings are to be held in the Rogow room at the Transylvania County Library:

- November 14, 2016 – 10:00AM and 6:00PM
- December 15, 2016 – 10:00AM and 6:00PM
- January 12, 2017 – 10:00AM and 6:00PM

In addition to the specific dates and times above, a Facebook page has been created to accept comments, as well as a website www.codebrevard.com. Visitors can also log on to www.cityofbrevard.com/formcodes for the same information.

A stakeholder group was formed at the onset of the project. As the project continues to evolve, the stakeholder group will continue to meet and review the draft ordinance. Staff anticipates presenting a draft of the new ordinance to the Planning Board in early 2017.

Once complete this ordinance will complement the City's 2015 Comprehensive Plan by codifying several policies and goals to make them a reality as development continues.

Policy Analysis

Form-based codes are an alternative form of zoning that use the physical form of development as the organizing principle for the code, as opposed to the traditional separation of uses, in order to emphasize predictable development. Form-based codes focus on the relationships between buildings and the public areas of a city, such as sidewalks. An individual site is viewed as a piece of the larger unified design of the district it is in, and the city as a whole. This ensures that development fits the desired character by regulating building height, placement, orientation, mass, and scale.

This project is directly related to several **Goals, Objectives, and Policies** in the 2015 Comprehensive Plan, specifically:

Element 1: Arts & Culture

Goal

With a diverse range of physical and programmatic cultural resources available to residents and visitors year-round, Brevard will:

- Have arts, culture, and creativity integrated into community life.
- Be a nationally recognized destination for arts, music, and cultural events.

OBJECTIVE 1.4: Increased public art throughout the City.

POLICY 1.4.B: Create flexibility within development ordinances to allow for murals and other forms of public art.

Element 2: Economic Health

Goal

With an environment that encourages private and public investment built through strategic partnerships and cultivation, Brevard Will:

- Be an economically viable community.
- Expand and strengthen its tax base.
- Support reinvestment in existing business as well as the establishment of new businesses.

Objective 2.1: Expand tax base. As the City of Brevard's primary source of financial capital, the City will take proactive measures to stabilize and grow the tax base.

Policy 2.1.A: Modify zoning regulations to encourage and allow greater density and intensities of land use within its jurisdiction.

Policy 2.1.B: Collaborate with partner organizations and developers to financially support the City's goals for infill development and redevelopment.

Policy 2.1.C: Prioritize transportation and utility investments within the corporate limits to support infill development. This includes evaluating the City's current water and sewer systems to identify gaps in service and under-served areas within the City, prioritizing these areas based upon their potential for supporting new development, and marketing these investments as incentive to attached new development.

Element 3: Environmental Health

Goal

Through appropriate conservation and preservation measures that protect the health and sustainability of the environment and our abundant natural resources, Brevard will:

- Successfully preserve our woods and water for future generations.
- Promote our world-class natural resources as an asset.
- Prevent development in environmentally sensitive and critical areas.
- Preserve farmland.

OBJECTIVE 3.1: Preservation of surrounding natural assets of mountains, farmlands, woods, and water for future generations.

POLICY 3.1.A: Continue using land development regulations and incentives to steer future development away from environmentally sensitive areas such as steep slopes and floodplains.

POLICY 3.1.B: Connect landowners and developers with local conservation organizations and encourage the permanent protection of farmlands, steep slopes, floodplains and other sensitive natural areas.

POLICY 3.1 C: Enforce stream buffer requirements for new development in order to protect the quality of water in our streams and rivers.

POLICY 3.1.D: Seek out and develop innovative solutions to protect water quality while reducing the cost of stormwater management to private developers.

POLICY 3.1.E: Revise development regulations to encourage and incentivize the use of Low Impact Design techniques to manage stormwater.

POLICY 3.1 F: Maintain and update as necessary dark skies protections within the City's development regulations.

OBJECTIVE 3.2: Reduction of the City's carbon and ecological footprint.

POLICY 3.2.A: Ensure development regulations continue to allow for homeowners, builders, and developers to incorporate wind and solar technology into development projects.

POLICY 3.2.C: Continue requiring landscaping in new development projects.

Element 4: Livable Communities

Goal

With a strong sense of community that supports livability for all, Brevard will:

- Foster efficient land use, support a mix of housing types, increase efficiency of public utilities and services, and accommodate multiple modes of transportation.
- Enjoy a network of complete neighborhoods that provide for all types of residents.

- Provide the services and amenities that allow residents to live happy, healthy, productive lives.

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.B: Continue to utilize Community Development Block Grants and other resources

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.H: Encourage residential development on upper floors within mixed use zoning areas, particularly the Central Business District.

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.

OBJECTIVE 4.2: Develop a system of “complete neighborhoods” throughout Brevard. (This is a multi-faceted objective that will rely on objectives and policies from other elements as well.)

POLICY 4.2.A: Modify zoning to increase allowable densities and the mixing of uses in appropriate areas.

POLICY 4.2.B: Connect neighborhoods to the greenway system with spur connections.

POLICY 4.2.C: Invest in new sidewalk construction and existing sidewalk repair within neighborhoods.

POLICY 4.2.D: Prohibit gated communities to foster community and maintain connectivity between neighborhoods.

POLICY 4.2.E: Collaborate with partners to increase the amount of available affordable and workforce housing, and to combat homelessness.

POLICY 4.2.F: Combat deteriorating property conditions through proactive code enforcement efforts

POLICY 4.2.G: Update the Minimum Housing Code to help ensure equity and quality of all housing options in Brevard.

POLICY 4.2.H: Promote and encourage renovation of existing housing stock to reduce utility and maintenance costs for owners and occupants, conserve energy, and reduce pollution.

POLICY 4.2.I: Develop recreational amenities at the neighborhood level, such as pocket parks.

POLICY 4.2.J: Collaborate with the Transylvania County Farmer’s Market

Element 5: Infrastructure

Goal

With a robust and balanced transportation system, Brevard will:

- Have interconnected neighborhoods with access to services and amenities via multiple modes of transportation.
- Enjoy safe and efficient travel around and through the City.

With modern and capable infrastructure, Brevard will:

- Be poised to support growth of both population and economic activity well into the future.
- Foster economic opportunities and capacity by ensuring availability of broadband internet.

OBJECTIVE 5.1: Increased safety and efficiency of vehicular traffic within and passing through Brevard.

POLICY 5.1.C: Maintain development regulations that require interconnected street systems between and within neighborhoods as part of new development.

OBJECTIVE 5.2: Increased connectivity of neighborhoods and key destinations through investments in cycling and pedestrian infrastructure and programs.

POLICY 5.2.C: Continue to require new sidewalks and parking for bicycles and motorcycles with new development.

OBJECTIVE 5.3: Develop sufficient potable water and wastewater production, treatment, and distribution capacity to accommodate planned growth.

POLICY 5.3.E: Evaluate the feasibility of establishing a stormwater utility enterprise fund to finance stormwater infrastructure investments and improvements.

The overall goal of this project is not to add or remove specific regulations, rather, it will tailor the standards to more appropriately fit Brevard. In some areas of town, like the Heart of Brevard, increased density may make sense, while prohibiting development in environmentally sensitive areas like floodplains and steep slopes may make sense as well. The current standards make this distinction difficult and lacks any incentive to encourage high density development in any particular area of town.

Staff Recommendation

Report submitted for informational purposes only, no action necessary.

Fiscal Impact

None at this time.

INFORMATON ITEM

DATE: October 17, 2016

TO: Mayor and City Council Members

SUBJECT: Status Report on Parks and Recreation Master Plan

PREPARED BY: Jim Fatland, CPFO, City Manager

BACKGROUND: The Brevard City Council and Transylvania County Board of Commissioners held a joint meeting on Monday September 26, 2016 to hear a presentation on the Parks and Recreation Master Plan. After the presentation, the Brevard City Council approved a motion to form a committee to evaluate the Park and Recreation Master Plan. City and County staff would meet to prepare committee structure.

On Wednesday October 5, 2016 the County Manager, County Parks Director and City Manager met at City Hall. It was decided to schedule a meeting with the Parks and Recreation Strategic Plan Task Force on October 20, 2016 to discuss next steps.

RECOMMENDATION: Information Only

STAFF REPORT

City Council, October 17, 2016

Title: **Pisgah Forest Small Area Plan**

Staff report presented for information only, no action required.

From: Daniel Cobb, AICP, Planning Director

Prepared by: Daniel Cobb, AICP, Planning Director

Approved by: Jim Fatland, CPFO City Manager

Background

In August, 2015, the City of Brevard contracted with Destination by Design (DbD), a planning and landscape architectural firm, to develop a plan for the portion of the Pisgah Forest community located within the jurisdiction of the City of Brevard. The plan is heavily focused upon identification of opportunities for redevelopment, as well as improvements to bicycle, pedestrian, and vehicular transportation infrastructure within the project area.

Discussion

The project began in September of 2015 with a kickoff meeting of key stakeholders; North Carolina Department of Transportation, the United States Forest Service, and Land-of-Sky Rural Planning Organization, to name a few.

Throughout the fall of 2015 the sub-consultants gathered field data (traffic counts) and prepared preliminary recommendations. In March 2016 these recommendations were presented to the public during a meeting at the Pisgah Forest Baptist Church. Following that meeting DbD made revisions to the plan and presented a draft document to the Planning Board in April 2016.

The Planning Board unanimously recommended approval of the plan with the following recommendations for City Council's consideration:

- 1) Mixed use is a vital part of this and all future plans for Brevard because of the limited developable land.
- 2) The need to connect to the downtown district, accessibility will be very important, pedestrian and bicycle connectivity.
- 3) It will be very important to have stringent design standards in place from the beginning.
- 4) There is a need to keep the demographics of our area and the large population of elderly citizens in mind when design standards are set, to allow for walkability, gradual entrances to buildings, places to eat and shop within walking distance for those who no longer drive.

- 5) Consider implications for the whole community, making sure that the downtown community stays intact while creating these several large communities or nodes. Keep the charm of what we have, the central meeting place.
- 6) Absolutely discourage large parking lots.
- 7) Bike lanes along roads for safety of cyclists.

Policy Analysis

The 2015 Comprehensive Plan that was adopted last year is a general plan for the entire city and looks at a 30-year planning horizon. Contrasting that, small area plans are much more detailed and focus on a specific geographic area of the city. Planning horizons for such plans are typically geared to five or 10 years. Because Pisgah Forest Small Area Plan is more specific than the Comprehensive Plan it is designed to achieve several Goals and Objectives from that plan. Below is an excerpt from the 2015 Comprehensive Plan and the specific measurables included in the small area plan:

Element 5: Infrastructure

Goal

With a robust and balanced transportation system, Brevard will:

- Have interconnected neighborhoods with access to services and amenities via multiple modes of transportation.
- Enjoy safe and efficient travel around and through the City.

With modern and capable infrastructure, Brevard will:

- Be poised to support growth of both population and economic activity well into the future.
- Foster economic opportunities and capacity by ensuring availability of broadband internet.

OBJECTIVE 5.1: Increased safety and efficiency of vehicular traffic within and passing through Brevard.

POLICY 5.1.C: Maintain development regulations that require interconnected street systems between and within neighborhoods as part of new development.

OBJECTIVE 5.2: Increased connectivity of neighborhoods and key destinations through investments in cycling and pedestrian infrastructure and programs.

POLICY 5.2.C: Continue to require new sidewalks and parking for bicycles and motorcycles with new development.

Staff Recommendation

Report submitted for informational purposes only, no action necessary. A full presentation and final draft of the document will be presented at the Council's regular meeting in November.

Fiscal Impact

None at this time.

STAFF REPORT

City Council, October 17, 2016

Title: **Brevard Elementary Bike Rodeo**
Staff report presented for information only, no action required.

From: Daniel Cobb, AICP, Planning Director
Prepared by: Daniel Cobb, AICP, Planning Director
Approved by: Jim Fatland, CPFO City Manager

Background

The City has been a participating partner in the Safe-Routes-to-School program since 2009. In addition to funding the program, staff has assisted with the planning and facilitation of an annual bike rodeo.

Discussion

This year's bike rodeo will take place at Brevard Elementary School on November 9th. This report is for information only.

Policy Analysis

While not specifically related to a Goal in the 2015 Comprehensive Plan, conducting these rodeos help to educate the public on bicycle safety and traffic laws. Over time this will provide for a safer community for everyone, as more and more residents are familiar with the proper ways to ride in town. This also helps achieve a goal of the City of completing a Bicycle Friendly Community designation from the League of American Bicyclists

Staff Recommendation

Report submitted for informational purposes only, no action necessary.

Fiscal Impact

None at this time.

Unfinished Business

New Business

STAFF REPORT

City Council, October 17, 2016, Meeting

Title: Board Appointments

Council will consider making an appointments to the Board of Adjustment, Brevard Housing Authority, Planning Board and Terrell Scruggs Scholarship Committee.

Date: October 5, 2016

Prepared by: Desiree Perry, City Clerk

Approved by: Jim Fatland, City Manager/Finance Director

Background / Discussion:

Board of Adjustment – Mr. Paul Welch was appointed to BOA in Aug. 2016 to fill an unexpired vacancy that ends Nov. 2016. He is a member in good standing and desires to continue to serve. If reappointed his first full term will expire Nov. 2019.

Mr. Tad Fogel was appointed to BOA in Nov. 2013 completing his first full term in Nov. 2016. He is a member in good standing and desires to continue to serve. If reappointed his second full term will expire Nov. 2019.

There are no applications on file for BOA appointment consideration.

<u>City Appointed</u>	<u>Term Expires</u>	<u>County Appointed</u>	<u>Term Expires</u>
Tad Fogel	11-2016	Judith Mathews, Chair	9-2018
Paul Welch	11-2016	Tom Tartt, Vice Chair	9-2017
Mike Young	11-2018	Coty Ferguson, Alt.	9-2018
Dr. Allen Delzell, Alt.	11-2018		
Kevin Jones, Alt.	11-2018		

Brevard Housing Authority – Mr. John Lampert was appointed to BHA in Nov. 2011 with the term expiring Nov. 2016. He is a member in good standing and desires to continue to serve. If reappointed his term will expire Nov. 2021.

There are no applications on file for BHA appointment consideration.

<u>City Appointed</u>	<u>Term Expires</u>
Carl Mooney, Chair	11-2017
John Lampert	11-2016
Judith West, Vice Chair	11-2018
Kathryn Thompson	11-2019
Tamara Heinemann	11-2020

Brevard Planning Board – Ms. Katie Thompson was appointed to BPB in Dec. 2013 completing her first full term in Sept. 2016. She is a member in good standing and desires to continue to serve. If reappointed her second full term will expire Sept. 2019.

There is one application on file for Planning Board appointment consideration. On July 30, 2015, Ms. Carol Dillingham submitted an application for appointment consideration. If Council should choose to appoint her to serve, rather than to reappoint Ms. Thompson, her term would expire Sept. 2019.

<u>City Appointed</u>	<u>Term Expires</u>	<u>County Appointed</u>	<u>Term Expires</u>
Demi Loftis, V-Chair	9-2018	Kimsey Jackson, Chair	12-2016
Katie Thompson	9-2016	Frank Porter	12-2017
Jimmy Perkins	9-2017	Chris Strassner	12-2016
Keenan Smith	9-2018		

Terrell Scruggs Scholarship Committee – Mr. Adam Hughey was appointed to TSSC in March 2013 completing his first full term in July 2016. He is a member in good standing and desires to continue to serve. If reappointed his second full term will expire July 2019.

There are two vacancies and there are no applications on file for TSSC appointment consideration.

<u>City Appointed</u>	<u>Term Expires</u>
Adam Hughey	7-2016
Betty Scruggs	7-2018
Jimmy Perkins	7-2017
Sue Fox	7-2017
Vacant	7-2016
Vacant	7-2018

Fiscal Impact: None

Staff Recommendation: Staff does not offer board or committee appointment recommendations. Council is asked to fill either by reappointment or appointment the vacancies on the Board of Adjustment, Brevard Housing Authority, Planning Board and Terrell Scruggs Scholarship Committee.

Remarks / Future Agenda Considerations

Closed Session(s)

North Carolina General Statute 143-318.11 Closed Sessions.

(a) Permitted Purposes. – It is the Policy of the State that closed sessions shall be held only when required to permit a public body to act in the public interest as permitted in this section. A public body may hold a closed session and exclude the public only when a closed session is required.