

# AGENDA

## CITY OF HENDERSONVILLE CITY COUNCIL – REGULAR MEETING

DECEMBER 1, 2016 – 5:45 P.M.

COUNCIL CHAMBERS – CITY HALL

1. **Call to Order**
2. **Invocation and Pledge of Allegiance**
3. **Public Comment Time:** *Up to 15 minutes is reserved for comments from the public for items not listed on the agenda*
4. **Consideration of Agenda**
5. **Consideration of Consent Agenda:** *These items are considered routine, noncontroversial in nature and are considered and approved by a single motion and vote.*
  - A. **Consideration of Minutes:**
    - i. November 3, 2016 Regular Meeting
    - ii. November 8, 2016 Continued Meeting
  - B. **Consideration of 2017 Regular Meeting Schedule**
  - C. **Consideration of Budget Amendments**
    - i. Downtown Lights TDA Grant & Bearfootin' Revenue
    - ii. N. Oak Street Widening
    - iii. Glenbrook Change Order
  - D. **Consideration of Bid Award for the U.S. Highway 64 Sidewalk Improvements Project**
  - E. **Consideration of Wastewater Asset Inventory and Assessment Project - Engineering Contract Award and Associated Budget Amendment**
  - F. **Consideration of Resolution Donating a Surplus Police Vehicle to Asheville-Buncombe Tech**
  - G. **Consideration of Staff Request to Waive Water & Sewer Billing Late Fees and Approve No Water Cut-offs During December**
  - H. **Consideration of Amendment to the Fee Schedule - Fire Inspection Fees Pertaining to Apartment Complexes**

- I. Consideration of a Policy Requiring Temporary Cemetery Markers
- J. Consideration of an Ordinance Repealing Article II of Chapter 32 of the Code of Ordinances Relating to Excessive False Alarms
- K. Consideration of a Resolution Accepting a Grant from the Governor's Crime Commission and Related Budget Amendment
- L. Consideration of Special Event Permit for New Year's Celebration/Apple Drop
- 6. **Recognition of Service Excellence MVPs**  
*Presenter: City Manager John Connet*
- 7. **Introduction of Police Officer**  
*Presenter: Police Chief Herbert Blake*
- 8. **Public Hearing - Consideration of a Request to Close a Portion of Market Street off of White Street -- Continue to December 1, 2016 Meeting**
- 9. **Public Hearing – Consideration of an Application from Pace Brothers Construction Co. Inc. requesting a rezoning of parcel #9578-24-7373 located between Central Street and Edney Street from R-15 Medium Density Residential to C-3 Highway Business**  
*Presenter: Development Assistance Director Susan Frady*
- 10. **Quasi-Judicial Public Hearing – Consideration of an Application from Housing Assistance Corporation for the Oklawaha Village located on North Main Street to amend a previously-approved special use permit for a reduction in the size of open space resulting from a donation of 5.67 acres of land adjacent to Mud Creek to the City**  
*Presenter: Senior Planner David Hazzard*
- 11. **Public Hearing – Consideration of an Amendment to Zoning Ordinance Section 6-5-2.5 to Extend Off-Street Parking Requirements Exemption in the 7th Avenue Municipal Services District to Encourage the Redevelopment and Revitalization of the Area**  
*Presenter: Development Assistance Director Susan Frady*
- 12. **Update on Drought Situation and Consideration of Associated Budget Amendment**  
*Presenter: Utilities Director Lee Smith*
- 13. **Consideration of Request for Proposals (RFP) for a Downtown Hotel Project**  
*Presenter: City Manager John Connet*
- 14. **Consideration of Fundraising/Sponsorship Naming Policy**  
*Presenter: City Manager John Connet*
- 15. **Comments from Mayor and City Council Members**
- 16. **Reports from Staff**
  - A. Contingencies Report
- 17. **Boards and Commissions: Announcement of Upcoming Vacancies**  
*Presenter: City Clerk Tammie Drake*

18. **New Business**

19. **Adjourn**



## City of Hendersonville

### 2017 Regularly Scheduled Monthly Meetings

All meetings are open to the public. Notice of special meetings is posted in accordance with North Carolina General Statutes

ABC Board	Board of Adjustment	Business Advisory Committee	City Council	Downtown Advisory Committee	Environmental Sustainability Board	Historic Preservation Commission	Planning Board	Seventh Ave Advisory Committee	Special Events Committee	Tree Board	Walk of Fame
Third Tuesday 10:00 a.m. ABC Office, 205 S. Church St.	Second Tuesday 1:30 p.m.*	Fourth Monday of odd-numbered months 11:30 a.m.*	First Thursday 5:45 p.m.**	Third Wednesday 9:00 a.m.*	Third Thursday 4:00 p.m.*	Third Wednesday 5:00 p.m.*	Second Monday 4:00 p.m.*	Second Monday 4:00 p.m., Historic Train Depot, Maple St.	Third Thursday 10:00 a.m.*	First Tuesday 3:00 p.m.*	Second Tuesday 10:30 a.m.**
				Community Character Subcommittee: second Tuesday, 9:00 a.m.*		Design Review Committee meets the first Wednesday 5:00 p.m. as	Policy & Text Committee meets fourth Monday at 4:00 p.m.***	Community Character Subcommittee: second Tuesday, 9:00 a.m.*			
				Infrastructure Subcommittee: first Monday at 4:00 p.m.*				Infrastructure Subcommittee: first Monday at 4:00 p.m.*			
				Events Subcommittee: first Thursday 9:00 a.m.*				Events Subcommittee: first Thursday 9:00 a.m.*			
January 17, 2017	January 10, 2017	January 23, 2017	January 5, 2017	January 18, 2017	January 19, 2017	January 18, 2017	January 9, 2017	January 9, 2017	January 19, 2017	January 3, 2017	January 10, 2017
February 21, 2017	February 14, 2017		February 9, 2017****	February 15, 2017	February 16, 2017	February 15, 2017	February 13, 2017	February 13, 2017	February 16, 2017	February 7, 2017	February 14, 2017
March 21, 2017	March 14, 2017	March 27, 2017	March 2, 2017	March 15, 2017	March 16, 2017	March 15, 2017	March 13, 2017	March 13, 2017	March 16, 2017	March 7, 2017	March 14, 2017
April 20, 2017	April 13, 2017		April 6, 2017	April 19, 2017	April 20, 2017	April 19, 2017	April 10, 2017	April 10, 2017	April 20, 2017	April 4, 2017	April 13, 2017
May 16, 2017	May 9, 2017	May 22, 2017	May 4, 2017	May 17, 2017	May 18, 2017	May 17, 2017	May 8, 2017	May 8, 2017	May 18, 2017	May 2, 2017	May 9, 2017
June 20, 2017	June 13, 2017		June 1, 2017	June 21, 2017	June 15, 2017	June 21, 2017	June 12, 2017	June 12, 2017	June 15, 2017	June 6, 2017	June 13, 2017
July 18, 2017	July 11, 2017	July 24, 2017	July 6, 2017	July 19, 2017	July 20, 2017	July 19, 2017	July 10, 2017	July 10, 2017	July 20, 2017	July 4, 2017	July 11, 2017
August 15, 2017	August 8, 2017		August 3, 2017	August 16, 2017	August 17, 2017	August 16, 2017	August 14, 2017	August 14, 2017	August 17, 2017	August 1, 2017	August 8, 2017
September 19, 2017	September 12, 2017	September 25, 2017	September 7, 2017	September 20, 2017	September 21, 2017	September 20, 2017	September 11, 2017	September 11, 2017	September 21, 2017	September 5, 2017	September 12, 2017
October 17, 2017	October 10, 2017		October 5, 2017	October 18, 2017	October 19, 2017	October 18, 2017	October 9, 2017	October 9, 2017	October 19, 2017	October 3, 2017	October 10, 2017
November 21, 2017	November 14, 2017	November 27, 2017	November 2, 2017	November 15, 2017	November 16, 2017	November 15, 2017	November 13, 2017	November 13, 2017	November 16, 2017	November 7, 2017	November 14, 2017
December 19, 2017	December 12, 2017		December 7, 2017	December 20, 2017	December 21, 2017	December 20, 2017	December 11, 2017	December 11, 2017	December 21, 2017	December 5, 2017	December 12, 2017

\*Operations Center, 305 Williams St., Hendersonville NC

\*\*City Hall, 145 Fifth Ave. E., Hendersonville, NC

\*\*\*Development Assistance Department, 100 N. King St., Hendersonville, NC

\*\*\*\*Denotes a change from the regular meeting schedule



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Brian Pahle

**Department:** Admin

**Date Submitted:** 11/15/16

**Presenter:** Brian Pahle

**Date of Council Meeting to consider this item:** 12/01/16

**Nature of Item:** Council Action

## Summary of Information/Request:

**Item #** 05c

Budget Amendment(s) - 3

- 1) Downtown Lights TDA Grant & Bearfootin' Revenue | Fund 20 | Increase \$23,790
- 2) N. Oak Street Widening | Fund 10 | Increase \$14,125 | Fund 60 | Increase \$7,875 | Fund 435 | Increase \$22,000
- 3) Glenbrook Change Order | Fund 440 | Increase \$172,200

**Budget Impact:** \$ See Description/Attachments Is this expenditure approved in the current fiscal year budget? N/A If no, describe how it will be funded.

Fund 20 Increase \$23,790 | Fund 10 Increase \$14,125 | Fund 60 Increase \$7,875 | Fund 435 Increase \$22,000 | Fund 440 Increase \$172,200

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move to approve the budget amendment(s) as presented.

**Attachments:**

See below...

BUDGET AMENDMENT

FUND:

ACCOUNT NUMBER		DESCRIPTION OF ACCOUNT	INCREASE	DECREASE
ORG	OBJECT			
204750	529900	Supplies & Materials	15,098.00	
200040	477060	Contribution from TDA	15,098.00	
209910	599100	Contingencies	8,692.00	
204755	443215	Bearfootin' Bear Sales	8,692.00	
		TOTAL REVENUES	23,790.00	-
		TOTAL EXPENDITURES	23,790.00	-

An amendment to the Main Street MSD Fund to increase the total budget as a result of new/unexpected revenues. First, the Bearfootin' event revenue came in \$8,692 higher than budgeted. Contingencies will be increased to match this increase in revenues. Second, the TDA has awarded a Product Development Grant to the district for enhanced holiday lighting. The grant is for up to \$20,000 with a \$5,000 match from the Main St. Fund. The total cost of the lights were \$20,098 so, the total contribution from the TDA will be \$15,098.

  
 CITY MANAGER

Date: 11-16-16

APPROVED BY CITY COUNCIL:

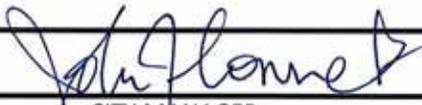
DATE:

**BUDGET AMENDMENT**

FUND: 20, 60, 435

ACCOUNT NUMBER		DESCRIPTION OF ACCOUNT	INCREASE	DECREASE
ORG	OBJECT			
609900	999435	Transfer to N. Oak St.	7,875.00	
600090	499200	Fund Balance Appropriation	7,875.00	
Fund 60		TOTAL REVENUES	7,875.00	
		TOTAL EXPENDITURES	7,875.00	
109900	999435	Transfer to N. Oak St.	14,125.00	
100090	499200	Fund Balance Appropriation	14,125.00	
Fund 10		TOTAL REVENUES	14,125.00	
		TOTAL EXPENDITURES	14,125.00	
4350000	998010	Transfer in from GF	14,125.00	
4350000	998060	Transfer in from WS	7,875.00	
4350000	559900	Capital Outlay - Other Improvements	22,000.00	
Fund 435		TOTAL REVENUES	22,000.00	
		TOTAL EXPENDITURES	22,000.00	

The N. Oak St. widening project will need its budget increased by approximately \$22,000. This is due to additional survey and design work performed on the site. This work is not associated with the "not to exceed" contract with the County.

  
 \_\_\_\_\_  
 CITY MANAGER

Date: 11/16/16

APPROVED BY CITY COUNCIL:

DATE: 12/1/2016

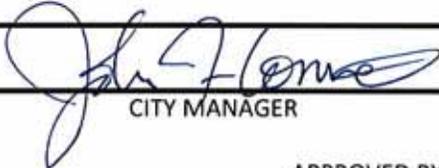
**BUDGET AMENDMENT**

FUND: 60, 440

ACCOUNT NUMBER		DESCRIPTION OF ACCOUNT	INCREASE	DECREASE
ORG	OBJECT			
4400000	559700	Capital Outlay - Line Upgrade	172,200.00	
4400000	998060	Transfer in from W/S	172,200.00	
Fund 440		<b>TOTAL REVENUES</b>	172,200.00	
		<b>TOTAL EXPENDITURES</b>	172,200.00	
607127	535250	R&M Lines		172,200.00
609900	999440	Transfer to Glenbrook Sewer	172,200.00	
Fund 60		<b>TOTAL REVENUES</b>	-	-
		<b>TOTAL EXPENDITURES</b>	172,200.00	172,200.00

An amendment to cover costs associated with a change order for the Glenbrook Sewer Project. The change order will be funded with existing repair and maintenance budget from Fund 60. Fund 440's budget will increase by \$172,200. Purpose of the Change Order

The inclusion of sidewalk along Blythe Street between 4th Ave. and 5th Ave. (part of the City's Sidewalk Plan) as well as the associated pavement replacement prompted staff to investigate the condition of the existing infrastructure in the area. In doing so, the existing 8" clay sewer line was found to be extremely worn, including: cracks in the piping; root penetrations; and broken joints. The water line was cast iron, lead joint pipe, installed in the 1920's. Due to the findings of this investigation, Staff felt that it would be best to replace the remaining water and sewer lines in this area.

  
 CITY MANAGER

Date: 11/18/16

APPROVED BY CITY COUNCIL: \_\_\_\_\_ DATE: 12/1/2016



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Brent Detwiler

**Department:** Engineering

**Date Submitted:** 11/18/16

**Presenter:** Brent Detwiler

**Date of Council Meeting to consider this item:** 12/1/16

**Nature of Item:** Council Action

## Summary of Information/Request:

**Item #** 05d

Bid Award for US Highway 64 Sidewalk Improvements Project

On October 18, 2016, formal bids were received for the US Highway 64 Sidewalk Improvements Project. Note that the scope of this project was reduced and rebid because all of the original bids were over the available grant funds. The project consists of 1,000 linear feet of new concrete sidewalk, curb and gutter, stormwater piping, asphalt pavement, curb ramps, pedestrian crosswalk and signals along US Highway 64. The engineer's estimate for this project is \$225,000. Four (4) bids were received with the following results.

- Trace and Company - \$188,535.75
- Patton Construction Group - \$233,860.00
- Graham County Land Company - \$264,591.00
- Armen Construction - \$268,749.00

City staff has reviewed each bid for completeness and accuracy. Unfortunately there was an error discovered in the Trace and Company bid, and this bidder was determined to be unresponsive. City staff therefore recommends the award of said project to the lowest responsive, responsible bidder Patton Construction Group, Inc. of Asheville, NC (NC Contractor License No. 66109), in the amount of \$233,860.00. The engineer's estimate as well as a bid tabulation showing all the bids and unit prices is attached for your reference. Please let me know if you have any questions or require additional information regarding this project.

**Budget Impact:** \$ 233,860.00 Is this expenditure approved in the current fiscal year budget?  Yes  No. If no, describe how it will be funded.

There has been a capital project fund established for this project. The project is funded through a Federal Transit Administration (FTA) New Freedom Grant.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move to authorize to award and the City Manager to award and execute the contract for the construction of the US Highway 64 Sidewalk Improvements Project to Patton Construction Group, Inc., the lowest responsive and responsible bidder, in the amount of \$233,860.00; as presented and recommended by staff.

## Attachments:

Engineer's Estimate, Bid Tabulation

City of Hendersonville  
 Engineering Department  
 305 Williams Street  
 Hendersonville, NC 28792

**OPINION OF PROBABLE COST**

**PROJECT:** US Highway 64 New Freedom Grant Sidewalk Infill Project. Value Engineering Option 1: Removal of project from Arby's and Burger King

**Estimate For:**  
 Preliminary Costs:   
 Design Costs:   
 Construction Costs:

**PREPARED BY:**  
 Brendan Shanahan, P.E.

Project No. NC57X01500 - 13007

**REVIEWED BY:**  
 Brent Detwiler, P.E.

ITEM	DESCRIPTION	EST. QUAN	UNIT	UNIT PRICE	TOTAL
<b>CONSTRUCTION</b>					
1	AGGREGATE BASE COURSE	188	TONS	\$92.00	\$17,270.99
2	ASPHALT CONCRETE SURFACE COURSE 2", S9.5B	12	TONS	\$375.00	\$4,444.00
3	ASPHALT CONCRETE BASE COURSE, B25.0C	30	TONS	\$230.67	\$6,935.38
4	4" CONCRETE SIDEWALK	407	SY	\$59.33	\$24,148.67
5	6" CONCRETE SIDEWALK	143	SY	\$73.33	\$10,486.67
6	1'6" CONCRETE CURB AND GUTTER	176	LF	\$27.33	\$4,810.67
7	2'6" CONCRETE CURB AND GUTTER	336	LF	\$27.33	\$9,170.33
8	CONCRETE CURB RAMPS	14	EACH	\$983.33	\$13,766.67
9	REMOVAL OF PAVEMENT MARKING LINES, 12"	10	LF	\$6.40	\$64.00
10	REMOVAL OF PAVEMENT MARKING LINES, 24"	253	LF	\$10.80	\$2,732.40
11	THERMOPLASTIC PAVEMENT MARKING LINES, 12", 120 MILS	11	LF	\$8.83	\$97.17
12	THERMOPLASTIC PAVEMENT MARKING LINES, 24", 120 MILS	1023	LF	\$14.53	\$14,867.60
13	INSTALLATION OF ALL PUSHBUTTON ACTIVATED LED SIGNAL HEADS AND PEDESTRIAN CROSSING INFRASTRUCTURE AND APPURTENANCES SHOWN IN CONTRACT DRAWINGS AND THE SIGNAL PLAN DESIGN PROVIDED BY NCDOT	1	LS	\$42,666.67	\$42,666.67
14	INSTALLATION OF DETECTABLE WARNING DOMES INTO PROPOSED CURBS RAMPS AS INDICATED ON PLANS	12	EACH	\$409.33	\$4,912.00
15	INSTALLATION OF DETECTABLE WARNING DOMES INTO EXISTING CURB RAMP	1	EACH	\$1,523.33	\$1,523.33
16	CONCRETE CURB AND GUTTER DEMOLITION, COMPLETE	512	LF	\$15.50	\$7,928.25
17	ASPHALT PAVEMENT & BASE DEMOLITION, COMPLETE INCLUDING ADDITIONAL EXCAVATION AS NECESSARY	221	SY	\$46.67	\$10,295.19
18	CONCRETE & BASE DEMOLITION, COMPLETE INCLUDING ADDITIONAL EXCAVATION AS NECESSARY	132	SY	\$79.00	\$10,462.76
19	REMOVE AND RESET EXISTING LID, GRATE, FRAME & HOOD, COMPLETE IN PLACE	5	EACH	\$456.67	\$2,283.33
20	REPLACE SPECIMEN DOGWOOD TREE, INCLUDING INSTALLATION OF TREE	1	EACH	\$751.67	\$751.67
21	REMOVE AND RESET ABOVE-GROUND INFRASTRUCTURE	7	EACH	\$317.67	\$2,223.67
22	TRAFFIC CONTROL IN NCDOT RIGHT-OF-WAY, COMPLETE	1	LS	\$21,924.00	\$21,924.00
23	BLOCK WALL: EXCAVATION, STONE, BEDDING, BACKFILL, WALL MATERIAL, INSTALLED COMPLETE	1	LS	\$10,916.67	\$10,916.67
	<b>Total Estimated Construction Cost (Rounded)</b>				<b>\$225,000.00</b>

20161018 - Hwy64 Sidewalk Extension bid tabulation.xlsx

CITY OF HENDERSONVILLE															
HIGHWAY 64 SIDEWALK EXTENSION															
BID DATE: 10/18/2016				3 BIDDERS		ARMEN CONSTRUCTION PO BOX 38630 CHARLOTTE, NC 28279		GRAHAM COUNTY LAND COMPANY 750 TALLULAH ROAD ROBBINSVILLE, NC 28771		PATTON CONSTRUCTION GROUP PO BOX 15054 ASHEVILLE, NC 28813		TRACE AND COMPANY PO BOX 1028 MOUNTAIN HOME, NC 28758		OVERALL	
TIME: 11:00 AM															
ITEM	DESCRIPTION	STD. ITEM NO.	SECTION #	QUANTITY	UNITS	TOTAL UNIT PRICE	AMOUNT	TOTAL UNIT PRICE	AMOUNT	TOTAL UNIT PRICE	AMOUNT	TOTAL UNIT PRICE	AMOUNT	AVERAGE UNIT PRICE	AMOUNT
1	AGGREGATE BASE COURSE		520	188	TONS	\$ 60.00	\$ 11,280.00	\$ 60.00	\$ 11,280.00	\$ 42.50	\$ 7,990.00	\$ 67.00	\$ 12,596.00	\$ 57.38	\$ 10,786.50
2	ASPHALT CONCRETE SURFACE COURSE 2", S9.5B		610	12	TONS	\$ 350.00	\$ 4,200.00	\$ 450.00	\$ 5,400.00	\$ 354.00	\$ 4,248.00	\$ 395.00	\$ 4,740.00	\$ 387.25	\$ 4,647.00
3	ASPHALT CONCRETE BASE COURSE, B25.0C		610	30	TONS	\$ 280.00	\$ 8,400.00	\$ 450.00	\$ 13,500.00	\$ 382.00	\$ 11,460.00	\$ 325.00	\$ 9,750.00	\$ 359.25	\$ 10,777.50
4	1'6" CONCRETE CURB AND GUTTER		846	176	LF	\$ 30.00	\$ 5,280.00	\$ 53.00	\$ 9,328.00	\$ 26.50	\$ 4,664.00	\$ 36.00	\$ 6,336.00	\$ 36.38	\$ 6,402.00
5	2'6" CONCRETE CURB AND GUTTER		846	336	LF	\$ 35.00	\$ 11,760.00	\$ 56.00	\$ 18,816.00	\$ 32.00	\$ 10,752.00	\$ 38.00	\$ 12,768.00	\$ 40.25	\$ 13,524.00
6	4" CONCRETE SIDEWALK		848	407	SY	\$ 65.00	\$ 26,455.00	\$ 84.00	\$ 34,188.00	\$ 72.00	\$ 29,304.00	\$ 54.00	\$ 21,978.00	\$ 68.75	\$ 27,981.25
7	6" CONCRETE SIDEWALK		848	143	SY	\$ 75.00	\$ 10,725.00	\$ 100.00	\$ 14,300.00	\$ 97.00	\$ 13,871.00	\$ 75.00	\$ 10,725.00	\$ 86.75	\$ 12,405.25
8	CONCRETE CURB RAMPS		848	14	EACH	\$ 950.00	\$ 13,300.00	\$ 2,200.00	\$ 30,800.00	\$ 1,185.00	\$ 16,590.00	\$ 1,350.00	\$ 18,900.00	\$ 1,421.25	\$ 19,897.50
9	REMOVAL OF PAVEMENT MARKING LINES, 12"		1205	10	LF	\$ 15.00	\$ 150.00	\$ 6.00	\$ 60.00	\$ 12.00	\$ 120.00	\$ 4.20	\$ 42.00	\$ 9.30	\$ 93.00
10	REMOVAL OF PAVEMENT MARKING LINES, 24"		1205	253	LF	\$ 15.00	\$ 3,795.00	\$ 11.00	\$ 2,783.00	\$ 6.00	\$ 1,518.00	\$ 8.50	\$ 2,150.50	\$ 10.13	\$ 2,561.63
11	THERMOPLASTIC PAVEMENT MARKING LINES, 12", 120 MILS		1205	11	LF	\$ 15.00	\$ 165.00	\$ 7.00	\$ 77.00	\$ 60.00	\$ 660.00	\$ 5.25	\$ 57.75	\$ 21.81	\$ 239.94
12	THERMOPLASTIC PAVEMENT MARKING LINES, 24", 120 MILS		1205	1023	LF	\$ 22.00	\$ 22,506.00	\$ 13.00	\$ 13,299.00	\$ 23.00	\$ 23,529.00	\$ 10.50	\$ 10,741.50	\$ 17.13	\$ 17,518.88
13	INSTALLATION OF ALL PUSHBUTTON ACTIVATED LED SIGNAL HEADS AND PEDESTRIAN CROSSING INFRASTRUCTURE AND APPURTENANCES SHOWN IN CONTRACT DRAWINGS AND THE SIGNAL PLAN DESIGN PROVIDED BY NCDOT			1	LS	\$ 65,000.00	\$ 65,000.00	\$ 38,000.00	\$ 38,000.00	\$ 41,532.00	\$ 41,532.00	\$ 8,000.00	\$ 8,000.00	\$ 38,133.00	\$ 38,133.00
14	INSTALLATION OF DETECTABLE WARNING DOMES INTO PROPOSED CURBS RAMPS AS INDICATED ON PLANS			12	EACH	\$ 550.00	\$ 6,600.00	\$ 330.00	\$ 3,960.00	\$ 445.00	\$ 5,340.00	\$ 400.00	\$ 4,800.00	\$ 431.25	\$ 5,175.00
15	INSTALLATION OF DETECTABLE WARNING DOMES INTO EXISTING CURB RAMP			1	EACH	\$ 1,250.00	\$ 1,250.00	\$ 450.00	\$ 450.00	\$ 800.00	\$ 800.00	\$ 1,100.00	\$ 1,100.00	\$ 900.00	\$ 900.00
16	CONCRETE CURB AND GUTTER DEMOLITION, COMPLETE			512	LF	\$ 14.00	\$ 7,168.00	\$ 24.00	\$ 12,288.00	\$ 7.00	\$ 3,584.00	\$ 17.00	\$ 8,704.00	\$ 15.50	\$ 7,936.00
17	ASPHALT PAVEMENT & BASE DEMOLITION, COMPLETE INCLUDING ADDITIONAL EXCAVATION AS NECESSARY			221	SY	\$ 55.00	\$ 12,155.00	\$ 14.00	\$ 3,094.00	\$ 18.00	\$ 3,978.00	\$ 66.00	\$ 14,586.00	\$ 38.25	\$ 8,453.25
18	CONCRETE & BASE DEMOLITION, COMPLETE INCLUDING ADDITIONAL EXCAVATION AS NECESSARY			132	SY	\$ 55.00	\$ 7,260.00	\$ 24.00	\$ 3,168.00	\$ 80.00	\$ 10,560.00	\$ 48.00	\$ 6,336.00	\$ 51.75	\$ 6,831.00
19	REMOVE AND RESET EXISTING LID, GRATE, FRAME & HOOD, COMPLETE IN PLACE			5	EACH	\$ 450.00	\$ 2,250.00	\$ 700.00	\$ 3,500.00	\$ 435.00	\$ 2,175.00	\$ 600.00	\$ 3,000.00	\$ 546.25	\$ 2,731.25
20	REPLACE SPECIMEN DOGWOOD TREE, INCLUDING INSTALLATION OF TREE			1	EACH	\$ 550.00	\$ 550.00	\$ 1,000.00	\$ 1,000.00	\$ 560.00	\$ 560.00	\$ 350.00	\$ 350.00	\$ 615.00	\$ 615.00
21	REMOVE AND RESET ABOVE-GROUND INFRASTRUCTURE			7	EACH	\$ 3,000.00	\$ 21,000.00	\$ 900.00	\$ 6,300.00	\$ 375.00	\$ 2,625.00	\$ 525.00	\$ 3,675.00	\$ 1,200.00	\$ 8,400.00
22	TRAFFIC CONTROL IN NCDOT RIGHT-OF-WAY, COMPLETE			1	LS	\$ 20,000.00	\$ 20,000.00	\$ 27,000.00	\$ 27,000.00	\$ 33,600.00	\$ 33,600.00	\$ 20,000.00	\$ 20,000.00	\$ 25,150.00	\$ 25,150.00
23	BLOCK WALL: EXCAVATION, STONE, BEDDING, BACKFILL, WALL MATERIAL, INSTALLED COMPLETE			1	LS	\$ 7,500.00	\$ 7,500.00	\$ 12,000.00	\$ 12,000.00	\$ 4,400.00	\$ 4,400.00	\$ 7,200.00	\$ 7,200.00	\$ 7,775.00	\$ 7,775.00
						\$ 268,749.00		\$ 264,591.00		\$ 233,860.00		\$ 188,535.75		\$ 238,933.94	



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Brent Detwiler

**Department:** Engineering

**Date Submitted:** 11/18/16

**Presenter:** Brent Detwiler

**Date of Council Meeting to consider this item:** 12/1/16

**Nature of Item:** Council Action

## Summary of Information/Request:

**Item #** 05e

Wastewater Asset Inventory and Assessment Engineering

At the November 2016 Meeting, Council accepted a State Grant offer in the amount of \$150,000.00 from the North Carolina Department of Environmental Quality's Division of Water Infrastructure for a Wastewater Asset and Inventory (AIA) project. Staff intends for the AIA project to be a significant portion of an overall wastewater master plan so that, once complete, the City will have both water and wastewater system master planning documents.

Staff had concurrently gone through the qualifications based selection process to obtain the services of an engineering consultant to complete the project. We are asking Council to allow the City Manager to execute an engineering agreement with Black and Veatch to complete Phase 1 of the Wastewater AIA project. Phase 1 will include a system inventory, flow/rain monitoring, model development and calibration and a condition assessment. This portion of the project will be completed in summer 2017. Please note that Phase 2 of the project will be scoped at a later date and will result in a wastewater master plan. We welcome any questions that you may have.

**Budget Impact:** \$ 302,000.00 Is this expenditure approved in the current fiscal year budget?  No If no, describe how it will be funded.

There were some funds set aside for this project as part of a Capital Project Ordinance. Please see the attached budget amendment to cover the remain amount.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move to approve the Phase 1 scope and fee from Black and Veatch for the Wastewater Asset Inventory and Assessment project and to authorize the City Manager to execute an agreement for said work; as presented and recommended by staff.

I further move to approve the attached budget amendment as presented.

## Attachments:

Black and Veatch Phase 1 scope and fee for Wastewater Asset Inventory and Assessment Budget Amendment

## **ATTACHMENT A SCOPE OF SERVICES**

**Owner: City of Hendersonville, North Carolina  
Engineer: Black & Veatch International Company  
Project: Sanitary Sewer Asset Inventory and Assessment**

### **PROJECT DESCRIPTION**

The City of Hendersonville's collection system consists of approximately 177 miles of sanitary sewer, 31 sewer pump stations, approximately 5,200 manholes over 9,500 service connections, and is tributary to a 4.8 MGD wastewater treatment plant. The City was awarded a grant from the NCDEQ Division of Water Infrastructure to partially fund this project.

The purpose of the Sanitary Sewer Asset Inventory and Assessment project is to conduct an analysis of the City of Hendersonville sanitary sewer system to assess system performance at current and future flow conditions. The Project will be conducted in phases:

#### **Phase 1:**

- Task 1: System Inventory - Part A
  - Data request and review
  - Data collection processes and database designs
  - Work plan, procedures and QC plan
  - Manhole elevations and missing attribute inventory
  - Pump station inventory and assessment
  - Compile Existing Data
  - Refine Data Management Tools
- Task 2: Flow/Rain Monitoring
- Task 3: Model Development and Calibration
- Task 4: Condition Assessment – Part A

#### **Phase 2:**

- Task 1: System Inventory – Part B
- Task 2: Condition Assessment – Part B
- Task 3: Flow Projections
- Task 4: Future Year Model Capacity Assessment and Project Identification
- Task 5: Risk-based Analysis and Asset Prioritization
- Task 6: Master Plan Documentation and Planning Tools
  - Capacity Assurance Tool
  - Model Training

### **Phase 3:**

- Condition Assessment of next priority basin(s)
- Update risk prioritization, iCIP, Master Plan

Goals for this project include:

- A well-documented, forward looking Master Plan
- An overall Assessment of the condition of the sewer system, as well as guidance for future repairs and maintenance
- Prioritization of recommended improvements in order to direct budgets to highest significance projects
- An expanded GIS database updated with missing data
- An interactive, easy to use planning tool

### **SCOPE OF SERVICES**

#### **General Project Administration**

1. Provide project management and administration for a 7 month project period to:
  - a. Correspond and consult with Owner,
  - b. Coordinate activities of the project team,
  - c. Develop and implement specific work plans, procedures and a quality control and quality assurance plan, and
  - d. Provide overall project direction to meet Owner's objectives.
2. Maintain a project filing system to document and retain project records.
3. Prepare monthly invoices and written status reports to document project progress.
4. Arrange for and participate in 7 monthly project status meetings with OWNER to review progress, budget, schedule and deviations from this scope of services and exchange ideas and information. Meetings will be a mix of in-person and conference call meetings.
5. Prepare and distribute the minutes for project meetings. Minutes for the project meetings will include a record of decisions made and actions assigned.
6. Provide administration and coordination of sub-consultants.
7. Prepare and submit data request(s) to obtain key data for the project.
8. Assist with grant administration and documentation

The following sections detail the proposed scope of work. Some activities can be performed concurrently with others. Specific tasks will likely evolve as additional data is obtained and alternative solutions are addressed.

## Phase 1:

### Task 1: System Inventory Part-A

1. Engineer will initiate the project by preparing for and conducting a kickoff meeting with key City of Hendersonville staff to review project goals and scope, establish lines of communication, and initiate the collection of data that will be needed to perform the project. A meeting summary will be prepared and distributed to Owner. The kick-off meeting will include discussion of the following items:
  - a. Project team introductions
  - b. Project goals
  - c. Communication points of contact
  - d. Data inventory and condition assessment considerations and drivers
  - e. Data management expectations and processes
  - f. Modeling standards
  - g. Procedures for dry weather flow modeling (e.g. weekday/weekend flow, constant GWI, and groundwater infiltration modeling)
  - h. Calibration goals
  - i. Wet weather hydrology (e.g. sewershed delineation, runoff volume/routing methods, and design storms).
  - j. Performance goals and design standards
  - k. Risk-based rehab/replacement assessment and prioritization considerations
  - l. CIP documentation and working tools
  - m. Master Plan report
2. Engineer will prepare a detailed data request that lists the system data and other information that will be needed to complete the Master Plan. The list will be organized by project task and prioritized to help the Owner focus on gathering the most important items first.
3. Through the kick-off workshop and follow-up discussions, Engineer (with assistance from Owner) will create a preliminary Information Management Plan (IMP) to serve as the foundation for the data investigation, compilation and assessment. The plan will lay out the road map to create a solid data repository to support near-term and ongoing informational needs. It will also standardize the data required for consistent and justified analysis, reporting and decision making. This IMP will be a “working” document that will evolve as the program advances.
4. Compile Existing Data: Prior to initial field investigations, existing data sources will be assessed for suitability to this project. Sources containing appropriate information will be used to compile a common data repository. The level of detail and data compilation processes will be determined during the initial data management planning discussions. The budget provides an estimate of assumed level of effort. Facility-related data sources will likely include the following:

- **GIS:** this is assumed to be the official repository of asset information. The Owner's GIS database will likely be enhanced to include additional fields, data domain tables, etc.
- **Cityworks:** assumed to be a data source for historical information such as work orders, customer complaints, SSO events, etc. It is assumed that no program-generated data will be directly added to Cityworks.
- **Prior Inspections:** CCTV videos and digital inspection databases can provide valuable information on the recent condition of the sewer system assets. This information can help screen assets for follow-up field assessment or for inclusion in the risk-based prioritization analysis.
- **As Built Drawings:** may need to be reviewed to obtain missing data, such as year installed, etc. It is assumed Owner shall provide this review and data collection.
- **Other Records:** to be determined.

Owner shall convert recent (approximately past 5 years) pipe inspection data from PipeLogic format to industry standard NASSCO (version 6.0.5 or later) MS Access database format. Conversion shall include only the most recent available inspection(s) for each asset. Owner with guidance by Engineer will import these data sets into the Inspection Tracker database. Hyperlinks to applicable CCTV videos, inspection reports, and digital image files will also be generated if suitable data is available.

Owner to provide Engineer suitable access to existing data sources as applicable. The GIS data should include sewer collection, water distribution, and storm sewer system data, as well as applicable land base background features. These additional datasets are often useful in identifying proximity issues, smoke testing interactions, construction-related issues, etc. Data access may include providing a versioned copy or direct online access (i.e., VPN). However, it is assumed the Owner will retain responsibility for the management and maintenance of the official GIS database.

5. **Refine Data Management Tools:** Through discussions with Engineer, Owner will refine applicable database designs, QC procedures, process descriptions and data management tools. Key components will likely include the GIS database (enhanced with missing attribute fields and values) and Engineer-developed Inspection Tracker database application (for compiling, QC reviews and managing inspection datasets).

Engineer will refine the Inspection Tracker database application as applicable. It is assumed the Owner's GIS and Inspection Tracker database application will both reside on appropriate Owner database servers. Please note that CCTV videos consume significant storage space. Advanced functionality, such as video streaming (direct link to specific defect points within a video) may not be available

outside a web environment. Engineer may assist Owner in evaluating alternative storage solutions.

6. Owner will conduct field inventory, initially focusing on the manholes included in the skeletonized model. Through Phase 1 and Phase 2, the Owner will inventory about 4,100 of the total 5,200 manholes to acquire missing elevation data and/or key attribute data. Assets will be prioritized based on findings from the review of existing data sources. Preference may also be given to larger diameter pipes or areas with historic SSO events. Scope assumes Owner will maximize the use of digital forms (such as in GPS and/or Esri's Collector application) to collect field data. This helps validate existing GIS data and eliminates manual data entry. Owner will then upload field-compiled data into their GIS database and make any necessary location adjustments.

Engineer will support the Field Inventory Task by:

- A. Providing field inventory and data compilation guidance as needed. .  
Additional field inventory support may be provided as an additional service, if requested.
- B. Reviewing the results of recent Pump Station inventory and assessments conducted by Owner. Engineer will also conduct visual observations of up to 10 pump stations to review asset condition, limited to pumps, piping, valves, and structure.

## **Task 2: Flow/Rain Monitoring**

1. Based on existing GIS data, Engineer will identify sub-sewershed basins suitable to support the proposed flow monitoring stations.
2. Review available previous reports and studies on the sewer system.
3. Review potential flow monitoring sites and the most current map of the wastewater collection system and identify potential flow meter installation sites for temporary flow monitoring locations as needed to support the work.
4. Work with Owner to prioritize flow monitoring sites and develop a plan for installation of up to 8 temporary meters throughout the collection system. Five (5) rain gauges will be installed in support of the temporary monitoring program. Data will be collected via conventional methods. Locations will consider the following issues:
  - a. Geographic coverage
  - b. Flow conditions at the monitoring locations
  - c. Re-development/in-fill and high growth areas
  - d. Ease of access
  - e. Site conditions
5. Develop a protocol for gathering data that is coordinated with rainfall gauge installations. Meters will be installed and serviced by the Engineer, including calibration, data collection, monitoring, redeployment if needed and troubleshooting. Data will be collected in 5-minute intervals. The monitoring period is scheduled for a 3 month period beginning February 2017 through April 2017. Preliminary monitoring data will be shared and reviewed monthly. If the

monitoring period has insufficient rainfall days with a wet weather response in the collection system, with Owner approval, the monitoring period will be extended as an Additional Service, until sufficient data is collected for wet weather events.

6. Review monthly monitoring data to verify that the meter is recording accurately. Develop scatterplots for QA/QC of each meter to compare meter data to ensure the meter is recording a predictable depth to velocity relationship. Meter balances will also be performed to make sure that the downstream meters are recording more flow than the upstream meter(s).
7. Verify that rain gauges are recording data accurately with respect to each other.

### **Task 3: Model Development and Calibration**

Engineer will utilize the updated sanitary sewer GIS from Owner as the basis for modeling efforts as described below.

#### **Task 3.1 Model Development and Dry Weather Calibration**

1. Develop a skeletonized hydraulic model of the collection system with the latest version of InfoSewer. The model will include sewers with diameters of 10-inches and larger.
2. Conduct GIS/data analysis to support the various project tasks. The results of these analyses will be furnished to the Owner for their future use. Engineer will perform the following analyses as a part of this task:
  - a. Develop a GIS network of the entire service area to establish the routing through the collection system in a GIS layer.
  - b. Establish the contributing areas and in-mile tabulation for every manhole including the ones not explicitly modeled and aggregating the non-modeled contributing areas to the modeled load points.
  - c. Identify and add selective 8-inch sewer mains located along outfalls and in areas of high growth for inclusion in the model.
  - d. Geocoding water consumption data for development of the dry weather flows in the existing collection system if not already geocoded by the Owner.
  - e. Owner will conduct field investigations and as-built review to collect missing information.
3. Develop dry weather flow magnitude and location for the existing collection service area. Dry weather flows will be separated into two components – groundwater infiltration (GWI) and base sanitary flow (BSF). The BSF is the portion of the observed dry weather flow that results from customer contributions (residential and non-residential). GWI is the portion of the observed dry weather wastewater flows that enters the sewers through defects in the system such as cracks. The BSF will be calculated by using wintertime geocoded water consumption data. A return factor will be applied to the water usage to estimate the actual customer loadings. The Owner will provide water billing information from the winter season (December 2016, January 2017, and February 2017) that is already geocoded, or that has the ability to be geocoded by an address field(s) or parcel IDs. The GWI will be calculated by comparing the BSF to the flow monitoring data. The difference is GWI. The GWI will be assumed

to be constant. Diurnal patterns will be established for each flow meter basin to simulate the daily variation in flow observed in collection system. The diurnal pattern will be applied to the BSF component only. Separate weekday and weekend base sanitary flow will be developed as well as weekday and weekend diurnal patterns.

4. Calibration Goals - At the start of the project, calibration goals will be established to set thresholds for agreement between the model and the monitoring data. Separate goals will be developed for dry weather, wet weather, and low flow conditions. The goals will generally require the following analyses:
  - a. Shape and timing of the collection system response
  - b. Peak flow
  - c. Average volume
  - d. Peak depth
  - e. Timing of peak flow/depth
5. Dry Weather Calibration - Engineer shall perform dry weather calibration to simulate base sanitary flow, groundwater infiltration, and average diurnal profiles. Dry weather flow calibration period(s) will be used to represent the system during weekday and weekend dry weather conditions. Results shall be provided to Owner for review and comment. Time series graphs for flow (hydrographs) and depths will be presented for each meter for the dry weather flow calibration period. Summary tables with error calculations (percent and/or absolute) and figures (scatter plots and histograms) will also be presented to show the model-meter agreement. The major focus of dry weather flow calibration will be to verify that the dry weather loads to the system and the routing of the flows through the collection system are accurate. If the simulated and measured values are within the calibration goals, the model will be considered calibrated, otherwise iterative adjustments in various parameters will be made until the desired match is achieved. For any locations where the calibration goal cannot be achieved, text and graphs shall be prepared to explain the discrepancies.

### **Task 3.2 Wet Weather Calibration**

1. The Engineer shall conduct a wet weather calibration simulating system performance during the monitoring period as well as for selected wet weather events. Comparisons between the model and monitoring data will be completed for three (3) selected rainfall events. The rainfall events will be selected after reviewing the monitoring data to choose events that had wet weather responses at the maximum amount of the monitoring locations as well as providing a variety of rainfall depths/intensities. Once the model has been calibrated to an initial observed rainfall event, the calibration will be checked and verified against two other rainfall events. The rainfall events will be chosen so that they differ in characteristics and so that the model can be tested under a range of events.
2. Following wet weather validation, a fourth rainfall event that was not used in the calibration will be analyzed. Agreement between the model and the monitoring data for this event will provide additional confidence for the use of the model for

subsequent tasks. Further adjustments to the calibration parameters may be required during this validation phase.

3. Calibration goals established will be used for comparisons of the model and monitoring data. Results shall be provided to Owner for review and comment. Time series graphs for flow (hydrographs) and depths will be presented for each meter for each wet weather event. Summary tables with error calculations (percent and/or absolute) and figures (scatter plots and histograms) will also be presented to show the model-meter agreement.
4. A technical memorandum will be prepared to summarize the flow monitoring, model development, and calibration. A workshop will be scheduled following completion of the draft technical memorandum to review the results and receive comments from the Owner. A final technical memorandum will be prepared and delivered to the Owner.

#### **Task 4: Condition Assessment – Part A**

##### **Task 4.1 Condition Assessment**

Engineer will prepare a detailed inspection plan that describes the phased approach for gathering field data on the priority segments. The inspection plan will include a description of the sub-consultant and technologies to be used, the methods for collecting data, and a safety plan. Engineer and Owner will then conduct targeted condition assessment activities based on the results of the review of existing data sources, field inventories, flow monitoring and discussions with Owner. The highest priority assets will be addressed first.

1. **Smoke Testing:** Once areas with apparent I&I issues have been identified by flow metering, smoke testing will help pinpoint the locations of I&I sources. Owner will develop a public notification plan and shall notify police, fire department, etc. of activities proposed for collection of data.

Engineer will conduct smoke testing of up to 20,000 linear feet of sanitary sewer. Owner may conduct an additional 20,000 LF of smoke testing using internal staff. The testing will locate surface smoke returns which may be indicative of I/I sources along the interceptor and connections. Test results will be field recorded with data that will be transferred by Owner to the Inspection Tracker database and Owner's GIS.

2. **CCTV Pipe Inspections:** Engineer, in coordination with Owner will evaluate the compiled existing data, the flow monitoring data, smoke testing data and manhole inspection results to determine the pipe segments with the highest I/I and/or degraded conditions. The priority of the segments for inspection with CCTV will be reviewed with the Owner prior to the inspection.

Owner will provide CCTV inspections using NASSCO PACP certified inspection methods and format, assumed at the rate of 15,000 LF/month and Owner will provide any cleaning required to pass the CCTV crawler through the sewer. Engineer will provide supplemental CCTV inspection as needed, also using

NASSCO PACP certified inspection methods and format on identified segments, on up to total of 15,000 LF of sanitary sewer.

#### **Task 4.2 Condition Assessment Data Management**

Field assessment activities will result in digital data formatted for upload to the two primary data repositories. Spatial data (such as smoke defect sites, manhole GPS values, and key asset attribute data) will be imported into the GIS. Inspection data (including smoke test logs and NASSCO manhole / pipe inspection database files) will be imported into the Inspection Tracker by Owner using the inspection uploading tools.

Engineer will QC review inspection data in the Inspection Tracker database tool. Owner will update data into the official GIS. Engineer will work with Owner to establish and maintain coordination of these two data sets.

#### **Task 4.3 Condition Assessment Results Review**

Engineer will schedule appropriate workshop(s) with the Owner to review the results of the field data collection. Engineer will prepare a Technical Memorandum to summarize the results and provide a condition assessment of the pipe evaluated in this phase. This will include a summary of available rehabilitation methods and an estimated cost.

**Phase 2** (The Scope for Phase 2 is provided to illustrate the project plan. A fee estimate and any Phase 2 scope revisions will be provided prior to the conclusion of Phase 1.)

**Task 1: System Inventory – Part B**

Owner will continue to conduct field inventory of remaining 4,100 of the total 5,200 manholes to acquire missing elevation data and/or key attribute data.

Similar to Phase 1, Engineer will support the Inventory Task by providing general field inventory and data compilation guidance as appropriate. Additional field inventory support may be provided if requested.

**Task 2: Condition Assessment – Part B**

Engineer to continue with targeted Conditions Assessment activities for the next highest priority assets. Actual activities, processes, and technologies may be refined based on the results of the prior Phase. For Phase 2 it is assumed the following amount of condition assessment will be performed:

- Acoustic Testing TBD between XX manholes
- Smoke Testing: up to TBD linear feet of sanitary sewer
- CCTV Inspections: up to TBD linear feet of sanitary sewer

**Task 3 Flow Projections**

1. Base Year Flows - Engineer will develop a base year flow by reviewing WWTP influent flow data. The base year flows will be the starting flows on which all the future population and employment flows and other flow contributions are built upon. The selection of the base year and resulting flow should reflect reasonably current collection system conditions and population and typical groundwater or rainfall impacts. This base year could be an actual recent calendar year or a synthesized annual flow derived from recent historical flows. The base year flow approach incorporates the present I/I in the collection system and accounts for it in the total flow.
2. Maximum Month Peaking Factors - Engineer will assemble recent years of WWTP influent flow and adjust to account for known bypass and diversion issues that impact total flow during excessive flow conditions. A maximum month peaking factor will be calculated for the WWTP and each year. The appropriate historical peaking factor will be selected that represents and incorporates a range of I/I conditions experienced over the recent past. Peaking factors higher than 3 to 3.5 will be communicated to the Owner for further evaluation.
3. Define Sanitary Sewer Service Area - Planning year sanitary sewer service area boundaries will be developed and used to define the extent of areas served by existing and future flows. If available, Engineer will incorporate planning areas defined by the Owner and County planning organizations.
4. Engineer in coordination with Owner will schedule, coordinate, and attend planning organization meetings and public meetings (assumes up to 3 meetings total). Engineer will review and exclude areas that are unlikely to be served (e.g. protected areas, large bodies of water, etc.).

5. Future Population and Employment Projections - Population and employment forecasts will be developed based the recently completed projections in the Water Master Plan. Traffic Analysis Zone (TAZ) data will be utilized to facilitate the GIS spatial allocation within the basin.
6. Review of Redevelopments, Package WWTP's and Septic Users - It is assumed that redevelopment population and employment projects are in the TAZ data. Engineer will review up to 5 redevelopments to confirm if the TAZ accounts for redevelopments. If redevelopment population and employment projections are not incorporated into the TAZ data, Engineer will add the redevelopment projections to the TAZ data. The Engineer will also identify developer driven package WWTP's and septic users within the service area.
7. Population and Employment Flow Projections - Future population and employment projections will be converted to flow using unit factors representative of state guidance or local experience. This may come from the projection developed in the Water Master Plan (provided by Owner), Owner design standards (e.g. population flow of 240 gallons per day (gpd) per 3 bedroom house) or persons per dwelling unit with a gpcd flow factor. Employment unit flows are typically more modest, e.g. 20 gpcd or less. Prospective employee unit rates incorporate assumptions due to a range of commercial property uses and discharge potential.
8. Review of Industrial Flows - Flow permits for the top 25 industrial contributors will be reviewed to understand major single point discharges for the purposes of capturing them in the hydraulic model. Permits of the top 25 and others also need to be reviewed to identify those permits which allow stormwater from the industrial site into the sanitary sewer. To support future flow projections, Engineer will review any trends with major wastewater dischargers to determine if flows will increase, decrease or remain the same in the future.
9. Final Flow Projections - Base Year and Maximum Month flow projections for the WWTP will be assembled based on a prescription that incorporates population and employment flow projections, external flows, and other flows that may enter the system during the planning horizon for each planning year.
10. A Final Future Flow Projections TM will be provided to the Owner. The TM will include the project year in which the WWTP will reach 80% of its flow capacity based upon maximum month flow expansion / wet weather treatment.
11. Final Future Flow Projections Workshop - A workshop will be conducted by Engineer to present the results of the future flow projection tasks.

#### **Task 4: Future Year Model Capacity Assessment and Project Identification**

1. Base Year Model Development - The calibrated model will be updated for projects completed after the monitoring period as well as projects that are nearing completion of design/construction to develop a base year model. The projects included in the model will be limited to significant sewer system extensions, sewers 10 inches or greater in diameter, and significant lift stations/force mains. The Owner will provide information for these projects including but not limited to GIS layers, record/design drawings, and design reports. If necessary, the dry weather flows from the calibrated model will be adjusted to match the annual

average flows. The adjustment will largely be limited to changing the GWI component only to reflect seasonal changes.

2. Black & Veatch will analyze the base year model under four (4) different design storms – 2-year, 5-year, 10-year, and 25-year. The design storms will be based on synthetic rainfall distributions such as the SCS Type II response. Black & Veatch will gather past, hourly rainfall data from a nearby weather station (50 year or more) and compare the historical record to the synthetic rainfall distributions to validate the appropriateness of the synthetic distribution for long-term capacity analysis. Conveyance improvements for each design storm will be incorporated into the model to address “trigger” criteria exceedances. System improvements will be sized to meet long term system performance “design” criteria. Using the unit costs, opinions of probable planning levels costs will be developed and graphed. The design storm where the planning level costs increase dramatically as compared to the more frequent storm event will be selected as the design event for subsequent analysis (“knee of the curve”). The selected design storm will be approved by the City prior to commencing with future improvement analysis.
3. Performance Criteria – Engineer will develop performance criteria for the collection system that define the operational goals for the various components under dry, peak wet weather, and low flow conditions. These goals include, but not limited, the level of service in the gravity sewers (depth of flow), force main velocity, and lift station operation. The performance goals will define “trigger” criteria when a capacity improvement should be implemented as well as “design” criteria establishing post implementation system performance goals. The “trigger” and “design” criteria may not necessarily be the same. A technical memorandum will be prepared by Engineer detailing the performance criteria.
4. Engineer will incorporate the future flow projections developed in Phase 2 - Task 3 into the hydraulic model for the selected alternative. The dry and wet weather loadings will also be updated for service area expansion.
5. Alternative Analysis – Engineer will develop alternatives through 2040 system improvements. The improvements will include different options of conveyance, rehabilitation, and/or storage to reduce overflows and optimize the performance of the tributary interceptors. A total of three alternatives will be developed. Each of the alternatives will use the performance criteria for conveying wet weather peak flows from the selected design storm. Opinions of probable planning level costs will be developed for each alternative using planning year flows using the unit costs as a basis for alternatives screening. A workshop will be scheduled with the Owner to develop the alternatives to be analyzed. It is assumed that the necessary performance criteria and design standards will be supplied by Owner or developed at the kickoff meeting.
6. Improvement Projects - Engineer will incorporate dry and wet weather loadings for service area expansion. The hydraulic system developed for the base year system under the selected design storm will be assessed and immediate improvements will be developed to meet the performance criteria. The base year 2017 system with the base year improvements will then be assessed under the planning year 2020 loading conditions and the selected design storm.

Improvements for the 2020 planning year will be developed to meet the performance criteria, and the improvements will only address capacity issues. The hydraulic system including the planning year 2020 improvements will then be assessed under the next planning year (planning years are 2020, 2025, 2040) with improvements sized to comply with the performance criteria. This process will be repeated for all of the planning years to develop the necessary improvements for each planning year. Each improvement will be sized to convey the peak flow for the ultimate planning year.

7. Future Treatment Needs – engineer will compare current treatment capacity to projected wastewater flows. Future treatment plant capacities will be identified based on 2040 average day and maximum month. In addition, a high level assessment of alternative locations for treatment will be provided and shall consider proximity to growth areas, cost to convey wastewater to treatment locations, and costs to construct treatment at the existing site or alternative locations. Costs shall be order of magnitude in nature for evaluation of alternatives.
8. Unit Costs - Engineer will review recent bid tabulations for sewer system improvement projects constructed in the Owner’s system to develop unit costs for improvements proposed in subsequent analysis. The bid tabulation data will be augmented with other construction data Engineer has developed for nearby areas to develop unit costs for a wide range of pipeline diameters and lift station capacities.
9. Capacity Driven Improvements – Engineer will prepare a list of improvements for the planning period through 2040. An overall system map and a spreadsheet containing the costs and timing for each improvement project will be provided. The improvements will address the level of service goals and performance criteria.
10. A technical memorandum of the recommended capacity driven improvement projects will be provided to the Owner. The technical memorandum will contain a summary of the required improvements (in tables and figures), the phasing year, and opinions of probable planning level cost. Following receipt of comments from the Owner, a final version of the technical memorandum will be delivered to the Owner.

#### **Task 5: Risk-based Analysis and Asset Prioritization**

Engineer will develop and build a risk-based prioritization analysis using data compiled during the prior tasks. The preliminary set of LoF and CoF criteria identified during the Phase 2 data planning workshop will be refined and used for rehabilitation / replacement and maintenance strategies. Prioritization for future inspections may also be identified. Output products will include sewer mains prioritization list, graphical scatter diagram and heat-map charts of results, and GIS pipe attributes providing pipes color-coded by risk scores and strategy groups. The use of standard cost look-up tables provides a preliminary (budgetary) cost calculation for the recommended actions.

Engineer will configure and provide Owner with the GIS-based iCIP Cost Estimating Tool. This tool allows users to review multiple scenarios to refine the costs and details of new, replacement and repair, and inspection projects by year. Results from the risk-based prioritization analysis will be loaded into the iCIP tool. Individual assets will be grouped into logical projects based on directives agreed to with Owner.

The prioritized CIP information will be incorporated into an MS Excel based CIP Spreadsheet Tool. The tool will list the recommended projects and include a description and notes about each project. The spreadsheet will also include the detailed cost calculations for each project. Owner staff will be able to use the tool to adjust cost assumptions and update the cost calculations in the future, if and as needed. The CIP Spreadsheet Tool will also include the project phasing as well as encumbrance and cash flow schedules for the CIP. The iCIP GIS Tool will synchronize any updates with the CIP Spreadsheet. Engineer will provide a User's Guide for iCIP and the CIP Spreadsheet Tool to describe features and functionality.

The CIP Spreadsheet Tool and iCIP will be delivered to the Owner electronically. Approximately two weeks following delivery of the tools to the Owner, a training session will be held to present the tools, work on the data management practices, and answer any questions.

#### **Task 6: Master Plan Documentation and Planning Tools**

Following completion of Task 5, project work efforts will be documented within a draft hydraulic model development, risk-prioritization, and overall Master Plan report.

The Master Plan report will include the following items:

- An Executive Summary
- Existing Conditions
- Flow Monitoring Data
- Documentation of the development and calibration of the hydraulic model
- Flow Projections
- System Analysis
- Future Conditions
- Findings of the Evaluation
- Condition Data and Analysis
- Recommended Improvements and project descriptions
- Documentation of the development and results of the risk-based prioritization
- Appendices

Tools:

- Hydraulic Model
- CIP Spreadsheet
- iCIP tool
- Asset Risk-Prioritization Model
- Capacity Assessment Tool

1. The draft report will be delivered to Owner for review and comment. Engineer will incorporate Owner's comments into the final report and provide 10 copies for Owner's records along with electronic files.
2. Improvement Project Descriptions – For each capacity driven improvement identified, an opinion of probable planning level cost will be developed. The cost will consider length, diameter, routing, stream and/or road crossing, and other site specific obstacles. A project description will be provided for each improvement project. A GIS layer will be provided to Owner with information regarding the improvement's location, diameter, planning level cost, and phasing year. A cash flow analysis will also be performed to detail when Owner should have funds available for the design and construction of each improvement.
3. Capacity Assessment Tool – A Capacity Assessment tool will be developed based on the model results. For modeled sewers, the tool will compare the available capacity in each pipe to the projected flow. The tool will allow for new development requests to be added on top of the existing flows in downstream sewers. The tool output will show the number of downstream sewers and whether there is available capacity. A GIS trace of the downstream sewers is also created.
4. Model Training – A focused training in a workshop environment for Owner staff using your model will be provided to gain familiarity with the updated model. Training will include background on how the model was constructed and calibrated, its planning applications, and examples of how the model can help solve real world issues. For example, the workshop may include a session on how to update the asset database as new information such as surveying is obtained, evaluate the performance and develop improvements for portions of the system under peak wet weather conditions, and adding new infrastructure like pump stations. Workshop agenda and training examples will be developed based on Owner input.
5. A model user manual will be provided with the final model (in *InfoSewer* format) during the workshop. These materials will provide a fully documented model and serve as a reference for current and future staff after the project. The model user's manual will document the technical details of the model construction within the modeling software platform such as the wet weather hydrology and how to update these parameters.

**Phase 3, Etc.** (Phase 3 is provided to illustrate the overall project plan. Actual scope and fee will be developed at a later date.)

**Task 1: System Inventory – Part C**

Owner will continue to conduct field inventory of remaining 4,100 of the total 5,200 manholes to acquire missing elevation data and/or key attribute data.

Similar to Phases 1 and 2, Engineer will support the Inventory Task by providing general field inventory and data compilation guidance as appropriate. Additional field inventory support may be provided if requested.

**Task 2: Condition Assessment – Part C**

Engineer to continue with targeted Conditions Assessment activities for the next highest priority assets. Actual focus, processes, and technologies may be refined based on the results of the prior Phase. For Phase 3 it is assumed the following amount of condition assessment will be performed:

- Acoustic Testing TBD between XX manholes
- Smoke Testing: up to TBD linear feet of sanitary sewer
- CCTV Inspections: up to TBD linear feet of sanitary sewer

**Task 3: Update Master Plan Documentation and Planning Tools**

Engineer shall provide update to Master Plan and planning tools to document results of the system inventory and condition assessment.

### **Unspecified Additional Services**

Unspecified Additional Services may be provided after authorization by Owner. Any work requested by the Owner that is not included in the Phases and Tasks as described herein will be considered an Additional Service to this Scope of Services and may be added to the Scope upon mutual agreement.

In addition to those items mentioned specifically in the Scope of Services, Additional Services may also include, but are not limited to:

- A. Additional model calibration or rework due to faulty or questionable data or unforeseen conditions.
- B. Any meetings with local, state or federal agencies or utilities or other affected parties in addition to those specifically noted.
- C. Appearances at more than 2 public meetings.
- D. Special consultants or independent professional associates requested by Owner.
- E. Any meetings in addition to those identified in the Scope of Services.
- F. Data hosting services
- G. Data acquisition or data conversion services beyond reasonable for task description.
- H. Any additional work authorized by Owner that exceeds the Allowance amount.

## ATTACHMENT B

**Owner: City of Hendersonville, North Carolina**  
**Engineer: Black & Veatch International Company**  
**Project: Sanitary Sewer Asset Inventory and Assessment**

### COMPENSATION

For the Scope of Services Phase 1 in Attachment A, Owner will compensate Engineer a fee not exceed \$302,000 unless authorized by the Owner in writing. Engineer will invoice Owner in accordance with the attached Budget Estimate, plus reimbursable expenses. The estimated cost of each phase of work is included in the Budget Estimate following this page. Owner agrees Engineer may alter the distribution of compensation between individual phases of the work noted herein to be consistent with services actually rendered, but not exceed the total amount unless approved in writing by the Owner. Standard hourly rates are subject to review and adjustment annually.

## ATTACHMENT C

Owner: City of Hendersonville, North Carolina  
Engineer: Black & Veatch International Company  
Project: Sanitary Sewer Asset Inventory and Assessment

### SCHEDULE

#### Phase 1: (December 2016 – July 2017)

- Task 1: System Inventory - Part A (December 2016 - April 2017)
  - Data request and review
  - Data collection processes and database designs
  - Work plan, procedures and QC plan
  - Manhole elevations and missing attribute inventory
  - Pump station inventory and assessment
  - Compile Existing Data
  - Refine Data Management Tools
- Task 2: Flow/Rain Monitoring (January 2017 – April 2017)
- Task 3: Model Development and Calibration (April 2017 – July 2017)
- Task 4: Condition Assessment – Part A (April 2017 – June 2017)

#### Phase 2: (July 2017 – February 2018 – To be refined at end of Phase 1)

- Task 1: System Inventory – Part B (On-going)
- Task 2: Condition Assessment – Part B (July 2017 – October 2017)
- Task 3: Flow Projections (July 2017 – August 2017)
- Task 4: Future Year Model Capacity Assessment and Project Identification (August 2017 – September 2017)
- Task 5: Risk-based Analysis and Asset Prioritization (October 2017 – December 2017)
- Task 6: Master Plan Documentation and Planning Tools (January 2018 – February 2018)
  - Capacity Assurance Tool
  - Model Training

#### Phase 3: (March 2018 - TBD)

- Condition Assessment of next priority basin(s)
- Update risk prioritization, iCIP, Master Plan

CLIENT NAME: City of Hendersonville  
 PROJECT NAME: Sanitary Sewer Asset Inventory and Assessment  
 PROJECT NUMBER:

PHASE/Task (Billing Rate, \$\$/Hr.)	PHASE	Project Manager M. Osborne	Clerical	Project Accountant	Technical Advisors Lackey	Technical Advisors Laplos	Sr. Planning Engineer Cook	SR Planning Engineer Weidner	Project Engineer Livingston	GIS Lend/Holmgren	Asset Inventory - Ginther													
		\$216.00	\$74.00	\$96.00	\$223.00	\$223.00	\$180.00	\$140.00	\$181.00	\$140.00	\$200.00													
<b>SSAIA Phase 1:</b>																								
<b>Administration &amp; Coordination (7 months)</b>																								
A Project Administration & Coordination (7 months)																								
B Status Meetings & Progress Reporting			24	12	14																			
C Grant Admin Assistance			16	8																				
D Coordinate Sub Consultants			8				4																	
<b>Subtotal, Hours</b>			72	28	14		4																	
<b>Subtotal, Billings</b>		\$ -	\$ 15,552	\$ 2,072	\$ 1,344	\$ -	\$ 720	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
<b>Task 1: System Inventory - Part A</b>																								
A Kickoff Meeting			8				4	16		12														
B Data Request				2			2	4	6	4		2												
C Data Management Plan									4	2	20	20												
D Compile Existing Data										6	48	8												
E Refine Data Management Tools			6							4	8	34												
F Pump Station Inventory and Assessment			8																					
<b>Subtotal, Hours</b>			22	2			2	8	26	40	82	64												
<b>Subtotal, Billings</b>		\$ -	\$ 4,752	\$ 148	\$ -	\$ -	\$ 446	\$ 1,440	\$ 3,640	\$ 7,240	\$ 11,480	\$ 12,800	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
<b>Task 2: Flow/Rain Monitoring</b>																								
A Data review, flow metering site selection, and meter install			2					10	40		8													
B Develop monitoring program plan and data collection protocol			2					4	8		4													
C Collect flow meter and rain gauge data								4	16		4										\$ 45,000	\$ 49,500	\$ 53,020	
D Data review and analysis			2					6	30		8													
E																								
<b>Subtotal, Hours</b>			6					24	94		24											\$ 45,000		
<b>Subtotal, Billings</b>		\$ -	\$ 1,296	\$ -	\$ -	\$ -	\$ -	\$ 4,320	\$ 13,160	\$ -	\$ 3,360	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 49,500	\$ 49,500	\$ 71,636

CLIENT NAME: City of Hendersonville  
 PROJECT NAME: Sanitary Sewer Asset Inventory and Assessment  
 PROJECT NUMBER:

PHASE/Task (Billing Rate, \$\$, Hr.)	PHASE	Project Manager	Clerical	Project Accountant	Technical Advisors Lackey	Technical Advisors Lapros	Sr. Planning Engineer Cook	SR Planning Engineer Weidner	Project Engineer Livingston	GIS Lendt/Holmgraen	Asset Inventory - Ginther		SUBTOTAL, hours	SUBTOTAL, Billings \$	Permit fee/ Auto / Travel	SUBTOTAL, EXPENSES	Frazier	SUBTOTAL, SUBCONTRACTS	TOTAL COST
		M. Osborne																	
		\$216.00	\$74.00	\$96.00	\$223.00	\$223.00	\$180.00	\$140.00	\$181.00	\$140.00	\$200.00								
<b>Task 3: Model Development and Calibration</b>																			
<b>Task 3.1: Dry Weather Calibration</b>																			
A Develop InfoSewer Model from GIS							24	100					124	\$ 18,320	\$ -	\$ -		\$ -	\$ 18,320
B Conduct GIS/data analysis							4	4		48	4		60	\$ 8,800	\$ -	\$ -		\$ -	\$ 8,800
C Develop dry weather flows							8	48					56	\$ 8,160	\$ -	\$ -		\$ -	\$ 8,160
D Prepare dry weather calibration		2				2	6	42					52	\$ 7,838	\$ -	\$ -		\$ -	\$ 7,838
<b>Task 3.2: Wet Weather Calibration</b>																			
A Perform wet weather calibration						2	12	225					239	\$ 34,106	\$ -	\$ -		\$ -	\$ 34,106
B Perform wet weather validation							12	40					52	\$ 7,760	\$ -	\$ -		\$ -	\$ 7,760
C Conduct Owner meetings/calibration workshop		8	2			4	8	24		4			50	\$ 8,128	\$ 1,000	\$ 1,000		\$ -	\$ 9,128
D Prepare Calibration Tech Memo		4	2			2	24	56		4			92	\$ 14,178	\$ -	\$ -		\$ -	\$ 14,178
<b>Subtotal, Hours</b>		-	14	4	-	-	10	98	539	-	56	4	725		\$ 1,000		\$ -		
<b>Subtotal, Billings</b>		\$ -	\$ 3,024	\$ 296	\$ -	\$ -	\$ 2,230	\$ 17,640	\$ 75,460	\$ -	\$ 7,840	\$ 800	\$ -	\$ 107,290	\$ 1,000	\$ 1,000	\$ -	\$ -	\$ 108,290
<b>Task 4: Condition Assessment - Part A</b>																			
A Develop inspection Plan		6			2					24	16	2	50	\$ 8,728	\$ -	\$ -		\$ -	\$ 8,728
B Conduct smoke testing of up to 20,000 LF of SS										32			32	\$ 5,792	\$ 1,500	\$ 1,500	\$ 7,000	\$ 7,700	\$ 14,992
C Evaluate flow monitoring data in combination with smoke testing data							2	4		16			22	\$ 3,816	\$ -	\$ -		\$ -	\$ 3,816
D Condition Assessment Data Management					4					16	40	4	64	\$ 10,188	\$ -	\$ -		\$ -	\$ 10,188
E Prepare Task TM		6	4		2					32	14	4	62	\$ 10,590	\$ -	\$ -		\$ -	\$ 10,590
F Conduct workshop		6	2							16	4	4	32	\$ 5,700	\$ 1,750	\$ 1,750		\$ -	\$ 7,450
<b>Subtotal, Hours</b>		-	18	6	-	8	-	2	4	136	74	14	262		\$ 3,250		\$ 7,000		
<b>Subtotal, Billings</b>		\$ -	\$ 3,888	\$ 444	\$ -	\$ 1,784	\$ -	\$ 360	\$ 560	\$ 24,616	\$ 10,360	\$ 2,800	\$ -	\$ 44,812	\$ 3,250	\$ 3,250	\$ 7,700	\$ 7,700	\$ 55,762
<b>Totals</b>																			
<b>Subtotal, Hours</b>		-	132	40	14	8	12	136	663	176	236	82	1,499		\$ 8,950		\$ 52,000		
<b>Subtotal, Billings</b>		\$ -	\$ 28,512	\$ 2,960	\$ 1,344	\$ 1,784	\$ 2,676	\$ 24,480	\$ 92,820	\$ 31,856	\$ 33,040	\$ 16,400	\$ -	\$ 235,872	\$ 8,950	\$ 8,950	\$ 57,200	\$ 57,200	\$ 302,022

**BUDGET AMENDMENT**

FUND: 60, 460

ACCOUNT NUMBER		DESCRIPTION OF ACCOUNT	INCREASE	DECREASE
ORG	OBJECT			
4600000	998060	Transfer in from W/S	129,500.00	
4600000	519000	Prof. Services	129,500.00	
Fund 460		<b>TOTAL REVENUES</b>	129,500.00	
		<b>TOTAL EXPENDITURES</b>	129,500.00	
609900	999460	Transfer to AIA	129,500.00	
600090	499200	Fund Balance Appropriated	129,500.00	
Fund 60		<b>TOTAL REVENUES</b>	129,500.00	
		<b>TOTAL EXPENDITURES</b>	129,500.00	

An amendment to provide funding for the full scope of the AIA wastewater master plan presented in this agenda item.

  
 \_\_\_\_\_  
 CITY MANAGER

Date: 11/18/19

APPROVED BY CITY COUNCIL: \_\_\_\_\_ DATE: 12/1/2016



## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Chief Herbert Blake

**Department:** Police

**Date Submitted:** 11-01-2016

**Presenter:** Chief Herbert Blake

**Date of Council Meeting to consider this item:** December 1, 2016

**Nature of Item:** Council Action

### Summary of Information/Request:

**Item #** 05f

Asheville-Buncombe Technical College has requested the donation of an old police vehicle. The vehicle will be used on campus in police pursuit training. This training will be free to all law enforcement agencies. The vehicle to be donated is coming off line from use and would have normally been placed for auction. The value of the vehicle is approximately \$4,700 according to the Kelley Blue Book.

Budget Impact: \$0 \_\_\_\_\_ Is this expenditure approved in the current fiscal year budget? <sup>N/A</sup> If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move Council to approve the resolution authorizing the donation of surplus property to Asheville-Buncombe Technical Community College pursuant to NCGS 160A-280 for police pursuit training.

### Attachments:

Resolution  
Letter from AB-Tech

Chief Herbert Blake

145 Fifth Avenue East

Hendersonville, NC 28792

Chief Blake, Asheville-Buncombe Technical Community College is starting a program called Pursuit Intervention Technique (PIT). This program allows officers to stop vehicle pursuits and reduces liability for our Law Enforcement Agencies who are involved by stopping the suspect/violator who flees. Because of these modifications to the vehicles, they will not be driven on any state roadways, only here at the Buncombe County Training Center Driving Track. I am requesting patrol vehicles that are being decommissioned and taken off line to use at the College for this training. We have an overwhelming response from other Western North Carolina agencies for this type of training. The increased devastation of vehicle pursuits has complicated our work in Law Enforcement to include media scrutiny, and public perception as to why we have not developed ways to stop these fleeing vehicles sooner. The PIT maneuver is a well known tool to help protect our citizens and community from those who decide to flee from Law Enforcement Officers. I personally have seen and taken this training first hand, and it provides a safe opportunity to end these devastating pursuits before they get out of control. I hope you will consider this request and be able to assist in this matter. We greatly appreciate and understand all you do for your Community to provide the best training possible for your Department. I want to thank you for your consideration and any assistance you can offer.

Robin Lyles

Law Enforcement Training Coordinator

Asheville-Buncombe Technical Community College

Woodfin Campus

24 Canoe Lane

Asheville, NC 28804

828-782-2319 (Office)

828-779-4319 (Cell)

**RESOLUTION AUTHORIZING THE DONATION OF SURPLUS PROPERTY TO  
ASHEVILLE-BUNCOMBE TECHNICAL COMMUNITY COLLEGE PURSUANT TO  
NCGS 160A-280 ENTITLED DONATIONS OF PERSONAL PROPERTY  
TO OTHER GOVERNMENTAL UNITS**

WHEREAS; The City of Hendersonville has in its possession a 2007 Dodge Charger, VIN 2B3KA43H17H770326, with 101,000 miles that has been declared surplus property; and

WHEREAS; The City of Hendersonville desires to donate such surplus property to Asheville-Buncombe Technical Community College to be used for vehicle pursuit training which is without cost to law enforcement and would help the college in that effort; and

WHEREAS; The City of Hendersonville is authorized to make such a donation pursuant to NCGS 160A-280 entitled "Donations of Personal Property to other Governmental Units" and

WHEREAS; The City of Hendersonville posted its intention to conduct such donation on November 1, 2016 in City Hall as well as on their website at [www.HendersonvilleNC.gov](http://www.HendersonvilleNC.gov).

BE IT RESOLVED THAT the City Council of Hendersonville, North Carolina seeks to donate and provide to Asheville-Buncombe Technical Community College the property listed below:

2007 Dodge Charger VIN 2B3KA43H17H770326 with a value of \$4,707 as determined by Kelley Blue Book at fair condition

Adopted this first day of December 2016.

\_\_\_\_\_  
Barbara G. Volk, Mayor

Attest:

\_\_\_\_\_  
Tammie K. Drake, MMC, City Clerk



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Lisa White

**Department:** Finance

**Date Submitted:** 11-4-16

**Presenter:** Lisa White

**Date of Council Meeting to consider this item:** 12-1-2016

**Nature of Item:** Council Action

## Summary of Information/Request:

**Item #** 05g

The Finance Customer Service Staff would like to again request that City Council waive the \$15.00 late fee and approve not cutting water off due to non-payment during the month of December in order to assist people in need during the holiday season. History of Late Fees on Water & Sewer Bills: City Council first approved the addition of Late Fees to past due Water/Sewer bills in the fiscal year 2016 Fee Schedule, prior to this fee the collection rate for Water & Sewer bills was extremely slow and our outstanding and un-collectible accounts receivable balances were very large. After several months of working with the new then two tiered fee, City Council then amended the Fee Schedule at the request of the Customer service staff in December of 2015 to reduce and simplify the late fee to \$15. \$15 was also adopted into the current FY17 fee schedule. In addition, during December 2015 staff requested and Council approved the waiver of the late fees charged to customer water/sewer bills during the month of December to provide a grace period during the holidays. With the late fee assessment, collection rates have greatly improved however many customers still struggle to pay their bills and the City has collected far more than expected or budgeted in late fees so staff has undertaken efforts to reduce the amount of late fees customers must pay. The Finance Customer Service staff has increased communication and outreach to educate customers on ways to avoid late fees and continuously works hard to provide information about other financial assistance available for those in need, including the following most recent efforts: Phone calls are made to all past due customers. Late Fee Letters - several months ago the Finance Customer Service staff began generating letters which are now sent to customers warning them that a late fee is pending and how to avoid it. Several times periodically throughout the year, (this month included) the Water & Sewer Bills contain information in the center panel concerning agencies that offer financial assistance with Utility bills. During October 2016 - a letter was sent to approximately 5,000 customers who have had late fees added to their account more than one time in the past 12 months to remind them that there are payment plan options available and also provided contact information for agencies that offer assistance with utility bills. November 2016 - a Customer Service brochure was mailed to all Water & Sewer customers which included information on our payment plans and other assistance.

**Budget Impact:** \$ 10,000 reduction in revenue  
budget? No

Is this expenditure approved in the current fiscal year

If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move that City Council waive the late fees charged to past due water/sewer bills and approve no water cut-offs due to non-payment during the month of December 2016.

## Attachments:

1 Sample Water Bill with agencies that provide assistance, 2 Balance Due reminder about late fees, 3 Letter sent to customers with late fees & info on how to avoid them, 4 Help Flyer distributed 5 Pamphlet mailed to all W&S customers with helpful contact info



145 5th Avenue East  
Hendersonville, NC 28792  
www.hvlnc.gov

**WHO TO CONTACT:**  
**BILLING QUESTIONS:**  
Office Hours Mon - Fri 8:00 AM – 5:00 PM  
(828)697-3052

**GARBAGE SERVICE**  
Office Hours Mon-Fri 7:00AM- 4:00PM  
(828)697-3084

BILL DATE	10/28/2016
BILL NUMBER	502701
ACCOUNT NUMBER	9072
CUSTOMER NUMBER	217019
PRIOR BALANCE	\$17.56
CURRENT CHARGES	\$3.70
ADJUSTMENTS	\$0.00
TOTAL AMOUNT DUE	\$21.26
DATE DUE	11/18/2016

SERVICE ADDRESS: Address DR

DATES OF SERVICE			10/14/2016 - 10/25/2016		
METER NUMBER	WATER METER READING PREVIOUS	CURRENT	TOTAL USAGE	DESCRIPTION	AMOUNT
74601412	1679	1679	0	RESIDENTIAL WATER OUTSIDE CITY	\$3.70

For more information on usage, please visit the following city webpage:  
<http://www.hendersonvillenc.gov/understanding-water-usage>

**Announcement: Local Assistance Programs**

Customers who need assistance with their utility bills are encouraged to contact any of the several excellent assistance agencies and organizations in our local community. Some of the assistance agencies customers most frequently utilize are listed below. Contact information and websites are provided. Please contact the respective agency about any assistance-related inquiries and requirements.

-Interfaith Assistance Ministries (IAM)

(828) 697-7029 [www.iamhendersoncounty.org](http://www.iamhendersoncounty.org)

-Salvation Army

(828) 693-4181 [www.salvationarmycarolinas.org/hendersonville](http://www.salvationarmycarolinas.org/hendersonville)

-Western Carolina Community Action (WCCA)

(828) 693-1711 [www.wcca.net](http://www.wcca.net)

\*The City of Hendersonville is not responsible for the content of any of the above websites.

**YOU HAVE A PAST DUE AMOUNT**  
**PAST DUE ACCOUNTS WILL BE**  
**SUBJECT TO LATE FEES AND**  
**DISCONNECTION. PAST DUE**  
**CHARGES ARE NOT SUBJECT TO**  
**THE CURRENT CHARGES DUE DATE**

The City of Hendersonville values its customers. If you are having difficulties paying your utility bill, please contact our customer service department at (828) 697-3052. We have several payment arrangement options available to help.

We reserve the right to process checks electronically, at first presentment and any re-presentments, by transmitting the amount of the check, routing number, account number and check serial number to your financial institution. Your checking account may be debited as soon as the same day we receive your payment. Re-presentments will automatically take place if your check is not honored at your banking institution.

PLEASE DETACH AND RETURN BOTTOM PORTION WITH YOUR PAYMENT IF PAYING BY MAIL

Change of information - billing address, phone number or email? Please call 828-697-3052, or email [customerservice@hvlnc.gov](mailto:customerservice@hvlnc.gov)



SERVICE ADDRESS			ADDRESS RIDGE DR		
CAT	BILL YR	BILL NBR	ACCOUNT NUMBER	DATE DUE	AMOUNT DUE
60	2017	502701	9072-217019	11/18/2016	\$21.26

Hendersonville Water & Sewer  
145 5th Avenue East  
Hendersonville, NC 28792

If you would like to make either a voluntary, one-time donation to the "H2O" program or sign up for a monthly contribution, please contact us during normal business hours at (828) 697-3052.

**\*\* YOU HAVE A PAST DUE BALANCE\*\***

FTTDDAADAATTDAFFFFTFFATATADDAFAADDDFFATDTFAANDFDITFAAFFFFTDDDDFFTAFF

1 1 AV 0.376

Sample



145 5th Avenue East  
Hendersonville, NC 28792  
www.hvln.gov

Account	10011
Customer ID	30016
Bill Number	475045
Outstanding Bill Amount	\$11.03
<b>Late Fee Will Be Applied On</b>	<b>11/07/2016</b>

## BALANCE REMINDER NOTICE

Customer Service (828) 697-3052

October 26, 2016

Account Service Location: Address RD

Sample

Dear Customer,

Our records indicate that your account has a past due bill or balance on it (the bill number is provided above). Please be advised that if the above mentioned bill is not paid before the late fee date, listed above, then a late fee will be applied to your account on the next available business day. Please be advised, if you do have a bill or any portion of your balance that is sixty (60) days or more past due you may receive a separate disconnection notice. Disconnections carry their own fee(s) separate from late fees.

To avoid the late fee from being applied to your account or if you are having difficulty paying your Water/Sewer Bill, please contact the Customer Service Team at (828) 697-3052 or customerservice@hvln.gov to discuss payment options available.

If a payment or payment arrangement has already been made, please disregard this notice.

The Customer Service Team | City of Hendersonville, NC  
(828) 697-3052 | customerservice@hvln.gov



Hendersonville Water & Sewer  
145 5th Avenue East  
Hendersonville, NC 28792

Account	10011
Customer ID	30016

Sample FLETCHER, NC  
28732

Please remit and make checks payable to:

CITY OF HENDERSONVILLE  
PO BOX 603068  
CHARLOTTE NC 28260-3068  
AFTATAD:AD:DAWF:FDX:TF:AAADT:AF:TTTAD:DTAF:DDTD:DAFF:FAFF:DF:DF:ATDADAA

60201700475045000000000011034

CITY COUNCIL:  
BARBARA G. VOLK  
Mayor  
RON STEPHENS  
Mayor Pro Tem  
STEVE CARAKER  
JERRY A. SMITH, JR.  
JEFF MILLER

# CITY OF HENDERSONVILLE

*The City of Four Seasons*

## WATER AND SEWER DEPARTMENT CUSTOMER SERVICE (828)697-3052

OFFICERS:  
JOHN F. CONNET  
City Manager  
SAMUEL H. FRITSCHNER  
City Attorney  
TAMMIE K. DRAKE  
City Clerk

Dear Water/Sewer Customer:

### NOTICE REGARDING LATE FEES:

As a valued customer, you are being sent this letter because we have noticed that late fees have been applied to your account multiple times. We would like to make sure you are aware of the different options available to you to help prevent any future late fee charges on your account.

### Options Available:

If you cannot pay your full bill amount - We offer **Payment Arrangements** – call us at (828)697-3052 before the past due date and we will set up a payment arrangement to spread the bill out over time. This arrangement will exempt your account from the assessment of late fees for as long as you keep to the payment arrangement.

If you need more time to pay your bill - **Time Extensions** can be granted by calling or emailing Customer Service at (828)697-3052 or [customerservice@hvlnc.gov](mailto:customerservice@hvlnc.gov) before the past due date to notify us of a future payment or the need for “more time”. This notification will exempt your account from late fees as long as the payment is received as promised.

If you need financial assistance to pay your bill the City has arrangements with several non-profit groups to provide assistance to customers. The following assistance programs coordinate with the city to help arrange payment of utility bills:

**Interfaith (828)697-7029**  
**Salvation Army (828)693-4181**

If you have a tendency to get busy and overlook your bill, we offer **Automatic Bank Draft** free of charge for our customers. You may apply online at <http://www.hendersonvillenc.gov/automatic-bank-draft> or call our customer service team if you are unable to complete online.

The City does not wish to cause undue hardship on our customers with the applying of late fees to past due bills so please give us a call to discuss the options to help you prevent additional assessments of late fees. Our friendly Customer service department is open M-F 8 a.m. to 5 p.m. and can be reached at (828)697-3052 or by email at [customerservice@hvlnc.gov](mailto:customerservice@hvlnc.gov). We would be happy to help in any way we can and look forward to hearing from you.

Sincerely,

Tammy Holland

Tammy Holland  
Revenue Accounting Supervisor, City of Hendersonville



Many or maybe all of us, are or have, faced a crisis or maybe just need a helping hand. Many households are struggling to make ends meet. **There is good news ... there are many places you can turn to if you need help.**

The City of Hendersonville values all of our customers. We want you to avoid paying late fees on your Water & Sewer bill. If you are having difficulties paying your utility bill, or if you might be late in paying your bill, please contact our **customer service department at (828) 697-3052 before your bill is past due.** We have several payment arrangement options available to help and maybe able to help you avoid additional fees if you call before the due date.

In addition, there are several agencies locally that offer financial assistance. We encourage you to contact any of the several excellent assistance agencies and organizations in our local community. Some of the assistance agencies customers most frequently call are:

Interfaith Assistance Ministries (IAM) - ask about the Helping Hand Outreach H <sub>2</sub> O	(828) 697-7029	<a href="http://www.iamhendersoncounty.org">www.iamhendersoncounty.org</a>
Salvation Army	(828) 693-4181	<a href="http://www.salvationarmycarolinas.org/hendersonville">www.salvationarmycarolinas.org/hendersonville</a>
Western Carolina Community Action (WCCA)	(828) 693-1711	<a href="http://www.wcca.net">www.wcca.net</a>

Please contact the agency directly about any assistance-related inquiries and requirements.

**WATER & SEWER  
SERVICES  
CUSTOMER SERVICE**

**828-697-3052**

*Fax: 828-697-5894*

*Email: [CustomerService@hvlnc.gov](mailto:CustomerService@hvlnc.gov)*

*Website: [www.hvlnc.gov](http://www.hvlnc.gov)*

*City Hall*

*145 Fifth Avenue East*

*Payments: 1st Floor*

*New Service/Stop/Transfer Service: 3rd Floor*

**How do I pay my water/sewer/garbage bill?**

**In person** - City Hall, corner of King St. and Sixth Ave. Free parking behind City Hall. Pay inside at the payment windows on the 1st floor or drop your payment off at the drop boxes located in the parking lot or on the 1st floor lobby.

**By mail** - Mail with payment stub to: City of Hendersonville, PO Box 603068, Charlotte, NC 28260. Bank bill-pay use City of Hendersonville, 145 5th Ave East, Hendersonville, NC 28792.

**Pay By phone** - 828-697-3052 for electronic check, debit or credit card (Visa, Mastercard, and Discover). Processing fee of \$2.95 applies.

**Automatic Bank Draft** - Payments are drafted on the due date of the bill. You may enroll online or you may download and print the form to mail or hand deliver to us; or you may phone 828-697-3052 to have a form mailed to you.

**Online payments** - [www.hvlnc.gov](http://www.hvlnc.gov)

**Seasonal residents** - To turn water on/off contact us at 828-697-3052.

**Water Leaks or Sewer Backup:**

**Monday-Friday 8AM-5PM 828-697-3073**

**Emergency After 5PM and Weekends**

**828-891-7779**

**GARBAGE &  
RECYCLING  
PUBLIC WORKS**

**828-697-3084**

305 Williams St

[www.hendersonvillenc.gov/public-works](http://www.hendersonvillenc.gov/public-works)

Services include garbage, recycling, bulky waste, yard waste, business waste services, and multi-family dwelling garbage services.

**NEED HELP PAYING  
YOUR BILL ?**

**Payment Arrangements and or an extension of payment due dates can be granted by calling the Customer Service Team before the due date:**

**828-697-3052**

**[customerservice@hvlnc.gov](mailto:customerservice@hvlnc.gov)**

**ASSISTANCE ORGANIZATIONS**

The following organizations may be able to help:

Interfaith 828-697-7029

Salvation Army 828-693-4181

**OTHER SEWER PROVIDERS:**

Henderson County/Cane Creek Sewer  
Billing- 828-694-5014

Septic questions - Henderson County  
Environmental Health Division  
828-692-4228

**FIRE DEPARTMENT**

Fire Inspections (replaces business license/  
registration)  
828-697-3024

**PROPERTY  
TAXES  
CITY TAX COLLECTOR**

**828-233-3203**

*Fax: 828-697-5894*

*Email: [Tax@hvlnc.gov](mailto:Tax@hvlnc.gov)*

*Website: [www.hvlnc.gov](http://www.hvlnc.gov)*

*City Hall*

*145 Fifth Avenue East*

*3rd Floor Room 311*

**Contact the City Tax Collector for:**

- Information about City tax rates
- City Property tax billing questions
- Request for Statement of taxes due (also available on-line)
- Vendor permits for Special Events/Festivals
- Beer & Wine permits and questions

**Henderson County Tax Office:**

**For questions concerning property tax assessed values or to change your mailing address for all types of City or County property taxes:**

**Call 828-697-4870**

**OTHER HELPFUL NUMBERS:**

Duke Energy 800-777-9898

PSNC 877-776-2427

NC811 "Call Before You Dig" 811

NCDMV 828-692-6915

NC Tag Office 828-692-0648

NC DOT Highway Maintenance 828-694-7971



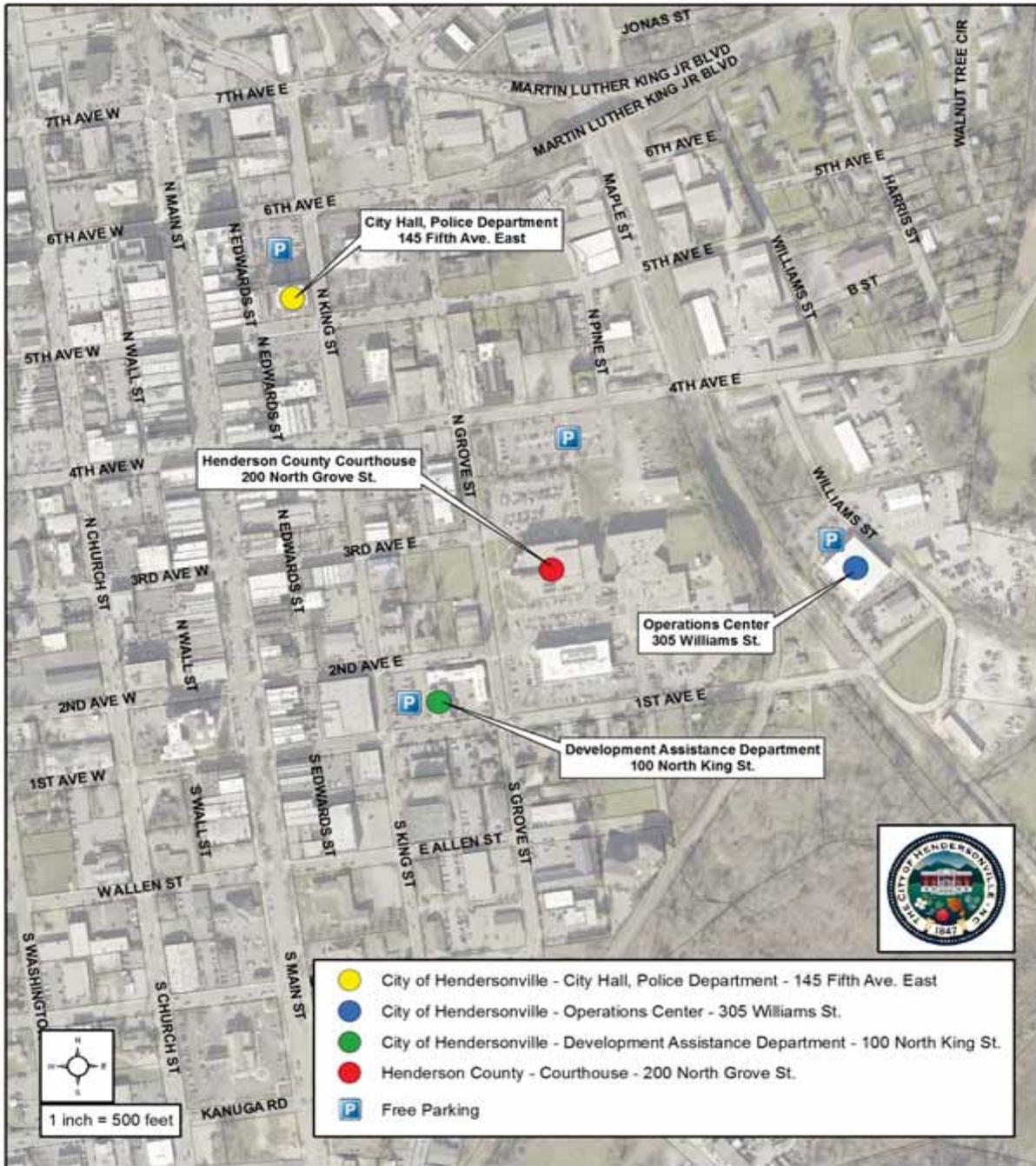
## CITY OF HENDERSONVILLE

145 Fifth Avenue East  
Phone: 828-697-3052

Fax: 828-697-5894

Email: [CustomerService@hvlnc.gov](mailto:CustomerService@hvlnc.gov)

Website: [www.hvlnc.gov](http://www.hvlnc.gov)





# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** J.M. Vindigni, Fire Chief

**Department:** Fire

**Date Submitted:** 11/8/2016

**Presenter:** J.M. Vindigni, Fire Chief

**Date of Council Meeting to consider this item:** 12/01/2016

**Nature of Item:** Council Action

## Summary of Information/Request:

**Item #** 05h

Amendment to the City's adopted Fee Schedule for fiscal year 2016-17.

1) Effective January 1, 2017 the City of Hendersonville Fire Department will be conducting annual fire inspections for all qualified businesses and apartment complexes within the City of Hendersonville. These inspections are required according to North Carolina General Statute 160A-411 for the purpose of identifying and eliminating unsafe, unsanitary, or otherwise hazardous or unlawful conditions present within buildings or structures within the City of Hendersonville.

The City Council adopted the fire inspection fee schedule on June 2, 2016 but the fee schedule did not include how apartment complexes would be charged. According to the North Carolina Fire Code apartment complexes are considered R-2 occupancies and are defined as residential occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature. Apartment houses are included in this definition and the proposed fees for these types of occupancies are based on the number of units per address (These fees are highlighted in yellow below).

**Budget Impact:** \$0 Is this expenditure approved in the current fiscal year budget? <sup>N/A</sup> If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move to approve the amendments to the fee schedule as presented.

**Attachments:**

revised fee schedule

**CITY OF HENDERSONVILLE FEE SCHEDULE**  
**ADOPTED BY BUDGET ORDINANCE FOR FISCAL YEAR 2016 - 2017**

PUBLIC HEARING REQUIRED FOR ITEMS DENOTED WITH ASTERIK

DESCRIPTION	COST/CHARGE/FEE
<b>ADMINISTRATION</b>	
Application for Certificate of Public Convenience & Necessity (taxicab)	\$60.00
CDs	\$1.00
<b>Copy Charges (per page)</b>	
Black	\$0.15
Color	\$0.25
<b>Special Event Vendors: (per day)</b>	
Food Vendors	\$30.00
Non-Food Vendors	\$15.00

<b>DEVELOPMENT ASSISTANCE</b>	
Administrative Review	No Charge
Annexation Waiver, Voluntary (contiguous or satellite)	\$26.00
Comprehensive Plan (per page)	
Black	\$0.15
Color	\$0.25
Conditional Use	\$200.00
Copy Charges (per page)	
Black	\$0.15
Color	\$0.25
Large Format Copy	\$10.00
Demolition Admin Fee	\$100.00
Floodplain Development Permit	\$300.00
Non-Conforming Use	\$100.00
Nuisance Fee (Admin. Cost Doubles for each Offense within a Year)	Cost + \$100 Admin. Cost
<b>Sign Permits (based on cost of sign)</b>	
Minimum	\$40.00
\$1,000	\$45.00
\$2,000	\$50.00
\$3,000	\$55.00
\$4,000	\$60.00
\$5,000	\$65.00
\$6,000	\$70.00
\$7,000	\$75.00
\$8,000	\$80.00
\$9,000	\$85.00
\$10,000	\$90.00
Over \$10,000	\$40.00 per \$1000 over \$10,000
<b>Site Plan Reviews &amp; Amendments</b>	
Commercial, Industrial or Institutional	
5,000 - 19,999 square feet in floor area	\$300.00
20,000 - 50,000 square feet in floor area	\$450.00
Minor Planned Residential Developments	
3 - 10 dwellings	\$300.00
11 - 50 dwellings	\$450.00
Special Use Reviews & Amendments	\$100/acre (\$500 minimum)

**AMENDED 12-01-16**



**CITY OF HENDERSONVILLE FEE SCHEDULE  
ADOPTED BY BUDGET ORDINANCE FOR FISCAL YEAR 2016 - 2017**

PUBLIC HEARING REQUIRED FOR ITEMS DENOTED WITH ASTERIK

DESCRIPTION	COST/CHARGE/FEE
<b>DEVELOPMENT ASSISTANCE</b>	
Street Closing Petition (\$1000 deposit)	Actual Cost
Subdivision Ordinance (per page)	\$0.15
Subdivision Plats	\$20/lot
Telecommunications Towers, Antennas and Equipment	
Basic Permit (C-3, I-1)	\$450.00
Special Use Permit	\$2500.00 <sup>1</sup>
Temporary Use Permit	\$60.00
Traffic Impact Analysis Study	\$1,000.00
Variance	\$75.00
Zoning Map	\$5.00
Zoning Ordinance (per page)	\$0.15
Zoning Ordinance Map Amendment (Legislative Rezoning)	
Commercial or Industrial	\$275.00
Residential < 3 acres	\$175.00
Residential > 3 acres	\$225.00
Zoning Ordinance Text Amendments	\$175.00
Zoning Permit	\$50.00

<sup>1</sup>Applicable only to applications required to meet the additional standards contained in Section 16-4-23.4.

Fees for towers proposed for siting in PCD or PID district are included in the fee for special use review.

<b>FIRE DEPARTMENT</b>	
<b>Operational Permits</b>	
ABC License Fee	\$50.00
Amusement Buildings	\$50.00
Carnival and Fairs	\$50.00
Covered Mall Buildings	\$50.00
Exhibits and trade shows (per event)	\$50.00
Explosives	\$100.00
Fire Hydrants and Valves	\$50.00
Flammable and Combustible Liquids	\$100.00
Fumigation and thermal insecticide fogging	\$100.00
Private Hydrants	\$50.00
Pyrotechnic special effects material	\$100.00
Spraying and Dipping	\$100.00
Temporary membrane structures, tents, and canopies (excludes special events)	\$50.00
<b>Construction Permits</b>	
Automatic fire extinguishing systems	\$100.00
Compressed gas	\$100.00
Fire alarm and detection systems and related equipment	\$100.00
Fire pumps and related equipment	\$100.00
Flammable and Combustible liquids	\$100.00
Hazardous Materials	\$100.00
Industrial Ovens	\$100.00
LP Gas	\$100.00
Private fire hydrant	\$100.00
Spraying and Dipping	\$100.00
Standpipe systems	\$100.00
Temporary membrane structures, tents, canopies (Fee per site) (excludes special events)	\$50.00

**AMENDED 12-01-16**



**CITY OF HENDERSONVILLE FEE SCHEDULE**  
**ADOPTED BY BUDGET ORDINANCE FOR FISCAL YEAR 2016 - 2017**

PUBLIC HEARING REQUIRED FOR ITEMS DENOTED WITH ASTERIK

DESCRIPTION	COST/CHARGE/FEE
<b>FIRE DEPARTMENT</b>	
<b>Construction Plans Review</b>	
Commercial hood suppression systems	\$100.00
Explosives and fireworks	\$100.00
Petroleum tanks and appurtenances	\$100.00
<b>Sprinkler systems and fire alarm systems:</b>	
1-50,000 square feet	\$50.00
50,001 to 75,000 square feet	\$100.00
75,001 to 100,000 square feet	\$150.00
100,001 to 150,000 square feet	\$200.00
150,001 square feet and over	\$300.00
Work without a permit	\$250.00
<b>Fire Inspection Fees</b>	
Minimum up to 1,000 square feet	\$50.00
1,001 - 5,000 square feet	\$100.00
5,001 - 10,000 square feet	\$150.00
10,001 - 25,000 square feet	\$200.00
25,001 - 50,000 square feet	\$250.00
50,001 - 100,000 square feet	\$300.00
100,001 - 200,000 square feet	\$350.00
Over 200,000 square feet	\$400.00
<b>R-2 Occupancies (Apartment Complexes, etc...)</b>	
1-20 Units	\$50.00
21-50 Units	\$100.00
51-100 Units	\$150.00
101-150 Units	\$200.00
151-200 Units	\$250.00
201-250 Units	\$300.00
251-300 Units	\$350.00
Over 300 Units	\$400.00
<b>Re-inspections</b>	
Re-inspection Fee (Follow-up) per re-inspection	\$100.00
<b>Hazardous Material Response Fees</b>	
Engine Company Response - per engine (per hr.)	\$150.00
Ladder/Truck Response - per ladder/truck (per hr.)	\$200.00
Chief Officer - per officer (per hr.)	\$75.00
Fire Marshal/Deputy Fire Marshal - per person (per hr.)	\$50.00
Materials/Supplies Used	Actual replacement cost
Off Duty/Call Back Personnel	Average hourly rate x 1.5
Site Assessment Fee	\$50.00
<b>FINANCE</b>	
Credit Card Processing Fee (per transaction) for Tax Payments	2.75%
Credit Card Processing Fee (per \$300) for Water & Sewer Bills	\$2.95
Returned item fee	\$25.00
Itinerant Merchant/Peddlers Fee	\$100.00
<b>POLICE</b>	
Fingerprinting	\$10.00
Precious Metals Dealer Background Check	\$75.00

**AMENDED 12-01-16**



**CITY OF HENDERSONVILLE FEE SCHEDULE  
ADOPTED BY BUDGET ORDINANCE FOR FISCAL YEAR 2016 - 2017**

PUBLIC HEARING REQUIRED FOR ITEMS DENOTED WITH ASTERIK

DESCRIPTION	COST/CHARGE/FEE
<b>POLICE</b>	
<b><u>Parking Fees, Fines &amp; Penalties:</u></b>	
All Other Parking Violations C.O. 50	\$25.00
Construction parking permit (per day)	\$5.00
Crosswalk	\$25.00
Fire Lane	\$100.00
Fire Hydrant	\$100.00
Habitual Offender (3 Tickets or more in 30 days)	\$100.00
Handicapped	\$250.00
Limited Zone (Same Block Parking)	\$50.00
Loading Zone/15 minute parking	\$25.00
Monthly Parking Space - G Permit Interior	\$40.00
Monthly Parking Space - G Permit Exterior	\$30.00
Monthly Parking Space - R Permit Interior	\$30.00
Monthly Parking Space - R Permit Exterior	\$20.00
Monthly Parking Space - S Permit Interior	\$20.00
Monthly Parking Space - S Permit Exterior	\$10.00
Overtime/Expired meter	\$25.00
Parking meter (per 1/2 hour)	\$0.50
Penalty after 15 days	\$25.00
Penalty after 30 days additional	\$50.00
Subsequent overtime	\$50 + Doubles each O/T
<b>PUBLIC WORKS</b>	
<b><u>Boyd Park Mini-Golf Admission</u></b>	
Adults	\$3.00
Children	\$2.00
<b><u>Miscellaneous</u></b>	
Backhoe (per hour)	\$80.00
Building Maintenance Fees (per hour)	\$45.00
Bush Hogs/Tractor Mowing (per hour)	\$80.00
Electrical Usage for Special Events - 20 Amps or Less	\$25/per day
Electrical Usage for Special Events - 21 Amps - 50 Amps	\$50/per day
Electrical Usage for Special Events - over 50 Amps	\$100/per day
Encroachment Permit Fee	\$10.00
Fleet Maintenance Fees (per hour)	\$45.00
Gas Utility Cuts (per 5' X 5' cut)	\$300.00
Water/Flusher Truck (per load)	\$100.00
Water/Sewer Utility Cuts	\$300.00
Weed Eater/Hedge Trimmer (per hour)	\$40.00
<b><u>Mulch/Composted Leaves</u></b>	
2.5 CY (small truck or small trailer)	\$10.00
10 CY (single axle dump truck or equivalent)	\$40.00
<i>We will sell to residents, non-residents and businesses. (2.5 CY = one scoop of backhoe loader front bucket.)</i>	
<b><u>Oakdale Cemetery Lots (per grave space)</u></b>	
City Resident	\$500.00
Out of City Resident	\$1,000.00

**AMENDED 12-01-16**



**CITY OF HENDERSONVILLE FEE SCHEDULE  
ADOPTED BY BUDGET ORDINANCE FOR FISCAL YEAR 2016 - 2017**

PUBLIC HEARING REQUIRED FOR ITEMS DENOTED WITH ASTERIK

DESCRIPTION	COST/CHARGE/FEE
<b>PUBLIC WORKS</b>	
<b>Operation Center Room Rental Rates</b>	
Large Assembly Room (8 a.m. - 5 p.m.)	\$50.00
Large Assembly Room (5 p.m. - 10 p.m.)	\$25.00
Small Assembly Room (8 a.m. - 5 p.m.)	\$10.00
Small Assembly Room (5 p.m. - 10 p.m.)	\$5.00
<b>Park Usage</b>	
Berkeley Park - Large Pavilion (May through September)	\$50/half day
Berkeley Park - Field Usage for Organized Groups (per player per season)	\$20.00
Patton Park - Small Pavilion	\$25/half day
Patton Park - Large Pavilion (May through September)	\$50/half day
Patton Park - Field Usage for Organized Groups (per player per season)	\$10.00
<b>Patton Pool</b>	
Daily Admittance Fee (adults)	\$5.00
Daily Admittance Fee (children) (3yrs or younger will be free with adult)	\$4.00
Daily Admittance Fee (non-swimmer)	\$2.00
Lap Swim	\$4.00
Punch Pass - Adult - City Resident (15 admissions)	\$38.00
Punch Pass - Adult - Non City Resident (15 admissions)	\$60.00
Punch Pass - Youth - City Resident (15 admissions)	\$30.00
Punch Pass - Youth - Non City Resident (15 admissions)	\$45.00
Season Pass - Family - City Resident	\$150.00
Season Pass - Family - Non City Resident	\$300.00
Season Pass - Individual Adult - City Resident	\$75.00
Season Pass - Individual Adult - Non City Resident	\$150.00
Season Pass - Individual Senior - City Resident	\$60.00
Season Pass - Individual Senior - Non City Resident	\$120.00
Season Pass - Individual Youth - City Resident	\$60.00
Season Pass - Individual Youth - Non City Resident	\$120.00
<b>Sanitation Services</b>	
<i>Commercial Services</i>	
Commercial Recycling Collection (up to four 65 gallon carts emptied once per week)	\$12.00
Commercial Recycling Collection (up to four 65 gallon carts emptied twice per week)	\$22.00
Commercial-Business refuse pickup per can (96-gal)	\$27.50
Commercial-Business refuse pickup per can (96-gal) (Actively Recycles)	\$24.00
<i>Residential Services</i>	
Residential - 96-gal container (non recycler)	\$22.00
Residential - 96-gal container (actively recycles)	\$18.50
Residential - 32-gal container (non recycler)	\$20.00
Residential - 32-gal container (actively recycles)	\$16.25
Small Special load (collected with pickup truck and city staff)	\$50.00
Special Loads (tipping fee added to special fee) (collected with knuckleboom using city staff)	\$150.00
Stolen/Damaged Cart Replacement Fee	\$100.00
<b>Stormwater Services</b>	
Stormwater Monthly Fee	\$2.00
Stormwater Permit Fee	\$500.00

**AMENDED 12-01-16**



**CITY OF HENDERSONVILLE FEE SCHEDULE**  
**ADOPTED BY BUDGET ORDINANCE FOR FISCAL YEAR 2016 - 2017**

*PUBLIC HEARING REQUIRED FOR ITEMS DENOTED WITH ASTERIK*

DESCRIPTION	COST/CHARGE/FEE
<b>WATER AND SEWER</b>	
Water Rate Schedule	
<b>Deposits</b>	
Water & Sewer Service Deposit <sup>1</sup>	\$100.00
<i>Inside City Limits</i>	
<b>Residential</b>	
Base Charge per Account	\$5.79 per month
Rate per 1,000 Gallons	
0 - 40,000 gallons	\$2.80 per 1000 gallons
> 40,000 gallons	\$3.08 per 1000 gallons
<b>Commercial/Industrial</b>	
Base Charge per Account	\$5.79 per month
Rate per 1,000 Gallons	
0 - 40,000 gallons	\$2.80 per 1000 gallons
40,000 - 200,000 gallons	\$2.14 per 1000 gallons
> 200,000 gallons	\$2.21 per 1000 gallons
<b>Irrigation</b>	
Base Charge per Account	\$6.26 per month
Rate per 1,000 Gallons	
0 - 40,000 gallons	\$3.08 per 1000 gallons
> 40,000 gallons	\$3.39 per 1000 gallons
<i>Outside City Limits</i>	
<b>Residential</b>	
Base Charge per Account	\$8.42 per month
Rate per 1,000 Gallons	
0 - 40,000 gallons	\$4.35 per 1000 gallons
> 40,000 gallons	\$4.78 per 1000 gallons
<b>Commercial/Industrial</b>	
Base Charge per Account	\$8.42 per month
Rate per 1,000 Gallons	
0 - 40,000 gallons	\$4.35 per 1000 gallons
40,000 - 200,000 gallons	\$3.28 per 1000 gallons
> 200,000 gallons	\$3.12 per 1000 gallons
<b>Municipal</b>	
Base Charge per Account	\$8.42 per month
Rate per 1,000 Gallons	
All Usage	\$2.83 per 1000 gallons
<b>Irrigation</b>	
Base Charge per Account	\$9.17 per month
Rate per 1,000 Gallons	
0 - 40,000 gallons	\$4.78 per 1000 gallons
> 40,000 gallons	\$5.26 per 1000 gallons
<b>Bulk Water Sales</b>	
Base Charge per Account	\$9.17 per month
Rate per 1,000 Gallons	
0 - 40,000 gallons	\$4.78 per 1000 gallons
> 40,000 gallons	\$5.26 per 1000 gallons

<sup>1</sup>Service deposits may be refunded, transferred, or credited in accordance with City procedures

**AMENDED 12-01-16**



**CITY OF HENDERSONVILLE FEE SCHEDULE**  
**ADOPTED BY BUDGET ORDINANCE FOR FISCAL YEAR 2016 - 2017**

*PUBLIC HEARING REQUIRED FOR ITEMS DENOTED WITH ASTERIK*

DESCRIPTION	COST/CHARGE/FEE
<b>WATER AND SEWER</b>	
<i>Water Fee Schedule</i>	
<b>Taps &amp; Connections</b>	
Water Tap, 5/8"	\$1,000.00
Water Tap, 1"	\$1,400.00
Water Taps > 1"	Cost plus 10%
Water - Stub Out	\$600.00
Irrigation Tee, 5/8"	\$600.00
<b>Meters</b>	
Turn On/Set Meter During Business Hours	\$40.00
Turn On/Set Meter After Business Hours	\$100.00
Meter Tampering Fee	\$250.00
Test Meter, at customer's request (<1-in.); if meter faulty - No Charge	\$45.00
Test Meter, at customer's request (>1-in.); if meter faulty - No Charge	Cost plus 10%
<b>Engineering Review Fees</b>	
Line Extensions	\$300.00
Pump Stations	\$75.00
Storage Tanks	\$75.00
<b>Miscellaneous Fees</b>	
Credit Card Processing Fee (per \$300)	\$2.95
Administrative Disconnection Fee	\$40.00
Reconnection for Non-Payment - After Business Hours	\$100.00
Reconnection of Service at Main	Cost plus 10%
Replace Removed Meter due to additional usage after non-payment cut-off	
During Business Hours	\$75.00
After Business Hours	\$100.00
Premise Visit	\$40.00
Fire Hydrant Installation	Cost plus 10%
Assist with Fire Hydrant Flow/Pressure Testing Conducted by Others	\$50.00
Illegal Use of Fire Hydrant/Tampering Fee	\$500 + Damages
Drill for Main Tap, Cost/Inch of Diameter	\$150.00
Chemical Analysis of Water	Cost plus 10%
<b>Water Conservation Incentives Program Rebate Schedule</b>	
Clothes Washer (\$75 min; \$150 max) - Limit one per account	15% of purchase price
High-Efficiency Toilet (\$25 min; \$100 max) - Limit 2 per residential account	15% of purchase price
Customer-Side Shut-Off Valve - Limit one per account	\$75.00
Weather-Based Irrigation System Controller - Limit one per account	**50% of purchase price or \$200, whichever is less
<i>Limited number of rebates offered annually.</i>	

**AMENDED 12-01-16**



**CITY OF HENDERSONVILLE FEE SCHEDULE  
ADOPTED BY BUDGET ORDINANCE FOR FISCAL YEAR 2016 - 2017**

PUBLIC HEARING REQUIRED FOR ITEMS DENOTED WITH ASTERIK

DESCRIPTION	COST/CHARGE/FEE
<b>WATER AND SEWER</b>	
Sewer Rate Schedule	
<b>All Customers - Inside</b>	
Base Charge per Account	\$6.47 per month
Rate per 1,000 Gallons	\$4.46 per 1000-gallons
Sewer Only - Flat Rate	\$29.00 per month
<b>All Customers - Outside</b>	
Base Charge per Account	\$9.50 per month
Rate per 1,000 Gallons	\$6.96 per 1000-gallons
Sewer Only - Flat Rate	\$44.00 per month
<b>Municipal</b>	
Base Charge per Account	\$9.50 per month
Rate per 1,000 Gallons	\$6.63 per 1000-gallons
<i>Note: These sewer rates are not applicable to the Cane Creek Sanitary Sewer District</i>	
Sewer Fee Schedule	
<b>Taps and Connections</b>	
Sewer Taps, 4" gravity sewer tap	\$1,500.00
Fee per 6" gravity sewer tap	\$1,800.00
Fee per 8" gravity sewer tap	\$2,000.00
<b>Surcharges</b>	
BOD (biochemical oxygen demand), per lb. in excess of 250-mg/l	\$0.25
TSR (total suspended residue), per lb. in excess of 250-mg/l	\$0.15
Ammonia nitrogen, per lb. in excess of 30-mg/l	\$1.50
<b>Engineering Review Fees</b>	
Line Extensions	\$300.00
Pump Stations	\$75.00
<b>Miscellaneous Fees</b>	
Premise Visit	\$40.00
Septic Tank Waste Disposal, per 1000-gallons	\$60.00
Septic Tank Waste Disposal Permit	\$75.00
Concrete Core Drill (manhole), Cost/Inch of Diameter	\$100.00
Drill for Main Tap, Cost/Inch of Diameter	\$100.00
Pretreatment Program	Cost of Program Per SIU
Nondischarge Permit Fee	\$300.00
Food Services Sewer Connection Application Fee	\$75.00
Equipment Usage (hourly rates)	
Rubber-Tired Backhoe, Small	\$33.00
Rubber-Tired Backhoe, Large	\$38.00
Mini-Excavator, 8,000-lb	\$18.00
Mini-Excavator, 12,000-lb	\$39.00
Excavator, 30,000-lb	\$65.00
Vac Truck	\$75.00
Dump Truck (single-axle), Small	\$20.00
Dump Truck (single-axle), Large	\$35.00
Dump Truck (triaxle)	\$65.00
Pick-Up Truck	\$14.00
Harben	\$25.00
Camera Truck	\$75.00
Air Compressor	\$20.00
Air Hammer/Pusher	\$0.65
Soil Tamp	\$20.00

**AMENDED 12-01-16**





# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Sam Fritschner

**Department:** Legal

**Date Submitted:** 3 November 2016

**Presenter:** Tom Wooten

**Date of Council Meeting to consider this item:** 1 December 2016

**Nature of Item:** Council Action

**Summary of Information/Request:**

**Item #** 05i

The public works department believes that in the interest of identifying new interments in the cemetery it is important to mark fresh graves upon the interment. The attached proposed amended ordinance requires the person arranging for the interment to place a marker upon the grave within 24 hours after interment.

**Budget Impact:** \$0 Is this expenditure approved in the current fiscal year budget? <sup>N/A</sup> If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move the Council to adopt the ordinance respecting placing temporary markers in the City cemetery.

**Attachments:**

Proposed amended ordinance

**AN ORDINANCE AMENDING SECTION 18-11 OF THE CODE OF ORDINANCES RESPECTING THE PLACEMENT OF TEMPORARY MARKERS AT GRAVE SITES**

**WHEREAS**, the City of Hendersonville operates a municipal cemetery for the welfare and convenience of the public, and

**WHEREAS**, the City deems it important to assure that new graves in its cemetery be properly designated,

**NOW, THEREFORE**, be it ordained by the City Council of the City of Hendersonville:

SECTION 1. Section 18-11 of the Hendersonville Code of Ordinances is hereby amended to read as follows:

Sec. 18-11. - Interment of human remains.

(a) No person shall inter a human corpse or the remains remaining from the cremation of a human corpse at any place or location within the city limits other than in a recognized and established cemetery or other area regularly dedicated for this purpose. No interment shall occur in the city cemetery unless the city public works director or his designee shall have been notified of the interment at least 48 hours earlier.

(b) No person shall cause to be built, installed or created any aboveground curbing, borders or fencing around any plot or grave, or multiple grave sites.

(c) No headstones, level stones or any other type of grave marker shall be wider than the width of two adjacent grave sites, or spaces, and shall not have a height, measured from ground level, more than four feet high.

(d) All interment shall be accomplished with the use of an approved container, and there shall be only one interment on each grave site, provided that more

than one cremated remains may be placed in a grave space, or site, upon the granting of permission for such second, or more, interment by the city official in charge of the cemetery is first obtained.

(e) After interment is completed, the top of any concrete box or vault used in such interment shall not be less than 24 inches below the ground level, and such concrete box or vault shall be covered with 24 inches of compacted soil.

(f) Prices, fees, charges and assessments representing the purchase price of burial rights in any cemetery lot or grave site, the opening and closing of graves, interment fees and any other services rendered by the city incidental to, or relative to, the use of the cemetery shall be determined by resolution of the city council, and a fee schedule listing the amount and nature of such fees shall be filed in the office of the city clerk.

(g) Within 24 hours after interment in a cemetery operated by the City the funeral director or other person arranging the interment shall cause to be placed at an appropriate place on the interment site a temporary marker designating at least the identity of the person interred. The marker shall remain for six months or until placement of a permanent identifying monument or other identifier, whichever is earlier. The temporary marker may be removed at the discretion of the public works department not earlier than six months after interment.

**SECTION 2. SEVERABILITY.** If any provision of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining provisions of this ordinance.

**SECTION 3. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this first day of December 2016.

---

Barbara Volk, Mayor

Attest:

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Tammie K. Drake, MMC, City Clerk

Approved as to form:

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Samuel H. Fritschner, City Attorney



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Sam Fritschner

**Department:** Legal

**Date Submitted:** 4 November 2016

**Presenter:** Sam Fritschner

**Date of Council Meeting to consider this item:** 1 December 2016

**Nature of Item:** Council Action

**Summary of Information/Request:**

**Item #** 05j

Article II of Chapter 32 of the Code of Ordinances establishes a mechanism whereby the City in essence fines business owners for excessive false alarms within a year. Though the idea is sound, administration has in the past proved cumbersome and the ordinance has proved difficult to enforce in court.

In addition, excessive false alarms have not constituted a serious problem to responder departments in recent years.

It is thought by the city manager, the city attorney, and the fire and police departments that if false alarms should become a significant problem at some future point, an improved ordinance may be called for, but that the current unnecessary and unenforceable ordinance currently does more harm than good.

**Budget Impact:** \$ \_\_\_\_\_ Is this expenditure approved in the current fiscal year budget? <sup>N/A</sup> If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move the City Council to adopt the ordinance repealing Article II of Chapter 32 of the Code of Ordinances.

**Attachments:**

Proposed ordinance.

Ordinance #16-\_\_\_\_\_

**AN ORDINANCE REPEALING ARTICLE II OF CHAPTER 32 OF THE CODE OF ORDINANCES RESPECTING PERMITS FOR EMERGENCY ALARMS**

**WHEREAS**, the Code of Ordinances provides for permits for the use of emergency alarms, and

**WHEREAS**, in the opinion of the City Council, being advised, the requirement to obtain such permits does not at present contribute significantly to the health, safety and welfare of persons within the City,

**NOW, THEREFORE**, be it ordained by the City Council of the City of Hendersonville:

**SECTION 1.** Article II of Chapter 32 of the Code of Ordinances entitled "Emergency Alarms" is hereby repealed in its entirety.

**SECTION 2. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this first day of December 2016.

---

Barbara Volk, Mayor

Attest:

---

Tammie K. Drake, MMC, City Clerk

Approved as to form:

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Samuel H. Fritschner, City Attorney



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Brian Pahle

**Department:** Admin

**Date Submitted:** 11/14/16

**Presenter:** Brian Pahle

**Date of Council Meeting to consider this item:** 12/01/16

**Nature of Item:** Council Action

**Summary of Information/Request:**

**Item #** 05k

A resolution and budget amendment accepting the Governor's Crime Commission grant for internet crimes against children (ICAC) investigations. The grant award is for \$38,955 and requires no match from the City.

**Budget Impact:** \$ 38,955 Is this expenditure approved in the current fiscal year budget?  No  Yes If no, describe how it will be funded.

This is a grant with no required match by the City. It will be held in a multi-year grant fund.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move to approve the attached resolution and budget amendment.

**Attachments:**

See below...

**RESOLUTION BY THE GOVERNING BODY OF THE CITY OF HENDERSONVILLE**

**WHEREAS,** the City is in receipt of a grant award from the Department of Public Safety Governor's Crime Commission in the amount of \$38,955, and

**WHEREAS,** the City Manager is the authorizing official for the grant, and

**WHEREAS,** the grant will assist the City in conducting online internet crimes against children (ICAC) investigations, to identify and apprehend individuals who trade, send, and receive child pornography and videos via the internet, and

**WHEREAS,** City of Hendersonville detectives conduct reactive investigations, forensic examinations, and assist in criminal prosecutions, and

**WHEREAS,** the City of Hendersonville intends to act and perform duties in accordance with the awarded grant,

**NOW, THEREFORE, BE IT RESOLVED BY THE HENDERSONVILLE CITY COUNCIL:**

That City of Hendersonville does hereby accept the Governor's Crime Commission Grant offer of \$38,955.00.

Adopted this the 1<sup>st</sup> day of December, 2016 at 145 5th Avenue East, Hendersonville, North Carolina.

---

Barbara G. Volk, Mayor

Attest:

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Tammie K. Drake, City Clerk

**BUDGET AMENDMENT**

FUND: 325

ACCOUNT NUMBER			INCREASE	DECREASE
ORG	OBJECT	DESCRIPTION OF ACCOUNT		
3250000	434991	Grant Revenue	38,955.00	
3250000	539400	Travel	32,235.00	
3250000	553000	Non-Capiatl Equipment	6,720.00	
TOTALS IN BALANCE			\$ 77,910.00	\$ -

A budget amendment establishing a fund for the Governor's Crime Commission Grant awarded to the City of Hendersonville for \$38,955 with not required match.

  
 \_\_\_\_\_  
 CITY MANAGER

Date: 11/14/16

APPROVED BY CITY COUNCIL:

DATE: 12/1/2016

11/14/2016 08:38  
 849lwhit

CITY OF HENDERSONVILLE  
 REPORT

P 1  
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FOR 2017 13

ORIGINAL APPROP	TRANS/ADJSMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	% USED
<u>325 GOV CRIME COMM CID-ICAC 16-17</u>						
3250000 434991	GRANT REVENUE -DPS	0.00	0.00	0.00	0.00	.0%
	0.00	<i>38,955.<sup>00</sup></i>				
3250000 539400	TRAVEL	0.00	0.00	0.00	0.00	.0%
	0.00	<i>32,235.<sup>00</sup></i>				
3250000 539500	TRAINING	0.00	0.00	0.00	0.00	.0%
	0.00	0.00				
3250000 553000	NON-CAPITAL EQUIPMENT	0.00	0.00	0.00	0.00	.0%
	0.00	<i>6,720.<sup>00</sup></i>				
TOTAL GOV CRIME COMM CID-ICAC 16-17		0.00	0.00	0.00	0.00	.0%
	0.00					
GRAND TOTAL		0.00	0.00	0.00	0.00	.0%
	0.00					

\*\* END OF REPORT - Generated by Lisa White \*\*



STATE OF NORTH CAROLINA  
**DEPARTMENT OF PUBLIC SAFETY**  
 GOVERNOR'S CRIME COMMISSION  
 1201 Front Street, Suite 200  
 Raleigh, NC 27609  
 Telephone:(919) 733-4564 Fax:(919) 733-4625  
 http://www.ncgccd.org

## GRANT AWARD

**Applicant:** City of Hendersonville  
**Project Name:** Hendersonville Police CID-ICAC  
**Authorizing Official:** John Connet  
 City Manager  
**Implementing Agency:** Hendersonville Police Department  
**Address:** 145 5th Ave East  
 Hendersonville, North Carolina 28792-4328  
**Project Director:** Mike Vesely  
 Lieutenant  
**Project Number:** PROJ012108  
**Vendor Number:** 566001242  
**Account Manager:** Eric Roy

**Grant Period:** 07/01/2016 - 06/30/2017

### Budgets

Period	Personnel	Contractual	Travel	Supplies	Equipment	Total
Year 1	\$0.00	\$0.00	\$32,235.00	\$0.00	\$6,720.00	\$38,955.00
<b>Grant Budget Total</b>						<b>\$38,955.00</b>

Source	State Grant #	CFDA #	% Funding	State Award
2015::HERO/ICAC	State 2015::HERO/ICAC		100%	\$38,955.00

In accordance with the laws and regulations of the United States and the State Of North Carolina, and on the basis of the grantee's application, the Department of Public Safety hereby awards to the foregoing grantee an award in the amount above.

This grant is subject to the conditions listed in the approved grant application as well as all applicable rules, regulations and conditions, as may described by the Department of Public Safety. Special conditions are attached to this award.

This grant shall become effective, as of the start date of the grant period listed, once this original grant award has been properly executed on behalf of the grantee and returned to the Governor's Crime Commission, attention of the Assistant Director. The grant award must be returned within 30 days of the date the award is mailed from the Governor's Crime Commission. No alterations of any kind may be made on this grant award.

### Authorizing Official

John Connet  
 Signature of Authorizing Official  
 Date: 11-01-16

John Connet, City Manager  
 Name and Title of Authorizing Official

### Governor's Crime Commission

L. David Huffman  
 Signature of Director  
 Date: 10/24/2016

L. David Huffman, Executive Director  
 Name and Title of Director

### Project Director

Mike Vesely  
 Signature of Project Director  
 Date: 11-01-16

Mike Vesely, Lieutenant  
 Name and Title of Project Director

This award is subject to the attached conditions, which must be signed by both the authorizing official and the project director, and returned along with this Grant Award. No alterations of any kind may be made on this grant award.



## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Susan G. Frady

**Department:** Development Asst Dept

**Date Submitted:** 11.17.16

**Presenter:** Susan Frady, Development Asst. Director

**Date of Council Meeting to consider this item:** 12.1.16

**Nature of Item:** Council Action

### Summary of Information/Request:

**Item #** 051

New Year's Celebration/Apple Drop

On November 17, 2016, the Special Events Committee met and reviewed an application from Henderson County Parks and Recreation sponsor of the New Year's Celebration/Apple Drop event. This is a new event.

The block in front of the Courthouse will be blocked from 10:00 P.M. to 12:30 A.M. on December 31, 2016. The Courthouse lawn will be used for the primary event area and the parking spaces and street will be used for spectators.

The Special Events Committee voted unanimously to recommend that Council approve the special event permit for the New Year's Celebration/Apple Drop event.

Budget Impact: \$ \_\_\_\_\_ Is this expenditure approved in the current fiscal year budget? <sup>N/A</sup> If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move that council approve the special event permit for the New Year's Celebration/Apple Drop.

Attachments:



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** John Connet  
**Date Submitted:** 11/9/2016  
**Date of Council Meeting to consider this item:** 12/1/16  
**Nature of Item:** Presentation Only  
**Department:** Administration  
**Presenter:** John Connet

## Summary of Information/Request:

**Item #** 06

For the July through September quarter, 24 MVP nominations were submitted. The Service Excellence Design Team selected those listed below as the quarterly winners. The quarterly nominees will have the opportunity to be selected as the Service Excellence Employee of the year.

Marcus Vance (Police) Water Customer Melissa Branks had come in to pay her water bill with 5 children and she was beside herself keeping them seated. Officer Marcus Vance came to the rescue with stuffed animals and police stickers and the children were content. A great example of customer service!!!

Pam Ludwig (Finance) During the staff meeting for September, Pam's principle was "Value Everyone". Working on this for several months prior, Pam presented each member of the team with three handmade cards. On one, she wrote what she valued about that person. The other two cards were for the team members to pass on to other City employees that they valued. This was a genuine and moving tribute to her co-workers and touched all levels of PROACTIVE.

Josh Hoard (Public Works) Tom Wooten received a letter from Lance Lumber Company that stated how helpful and polite Josh was while they were clearing limbs on a downtown property just prior to the Apple Festival. Josh was most helpful in seeing that the cutting debris did not end up on the sidewalk and that the lot was attractive for the Festival.

**Budget Impact:** \$ NA Is this expenditure approved in the current fiscal year budget? N/A If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

NA

**Attachments:**

None



## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Chief Herbert Blake

**Department:** Police

**Date Submitted:** 11/16/2016

**Presenter:** Chief Herbert Blake

**Date of Council Meeting to consider this item:** 12/1/2016

**Nature of Item:** Presentation Only

### Summary of Information/Request:

**Item #** 07

The Hendersonville Police Department is introducing a new Police Officer. Officer Michele Marie Hoyle started out as a Reserve Police Officer and was reclassified to full time as of November 5th.

She attending Basic Law Enforcement Training (BLET) at Blue Ridge Community College, graduating in May of this year. She has a Bachelor's Degree from Kaplan University.

Please join me in welcoming Michele to HPD!

Budget Impact: \$ \_\_\_\_\_ Is this expenditure approved in the current fiscal year budget?  N/A If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

Attachments:



# CITY OF HENDERSONVILLE

## AGENDA ITEM SUMMARY

**Submitted By:** Susan G. Frady

**Department:** Development Asst Dept

**Date Submitted:** 11.15.16

**Presenter:** Susan G. Frady, Development Asst Dept.

**Date of Council Meeting to consider this item:** 12.1.16

**Nature of Item:** Council Action

### Summary of Information/Request:

**Item #** 08

THIS ITEM WAS CONTINUED AT THE NOVEMBER 3, 2016, MEETING. Staff is waiting for an access agreement for the City's property. City Attorney Fritschner is working with Publix attorney to accomplish this. However, they are requesting the hearing again be postponed to the January 2017 meeting. This does not affect any other property owners other than the City.

The City has received an application from Halvorsen Development Corp. to close a portion of Market Street off of White Street. A map, survey and boundary description are included with this memorandum.

The Council adopted a Resolution of Intent to close this unopened right of way at their August 4, 2016 meeting. A copy of the Resolution of Intent was mailed to the adjoining property owners, notification of the proposed closing was posted on the property, and the Resolution of Intent and notice of the public hearing was advertised four times in the legal notice section of a local newspaper. General Statute 160A-299 has procedures for permanently closing streets and alleys. Any person may be heard on the question of whether or not the closing would be detrimental to the public interest or the property rights of any individual. If it appears to the satisfaction of City Council after the hearing that closing this street is not contrary to the public interest, and that no individual owning property in the vicinity of the street portion or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to their property, the City Council may adopt an order closing this street portion.

**Budget Impact:** \$ 0 Is this expenditure approved in the current fiscal year budget?  N/A If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move Council continue the public hearing until the January 5, 2017 meeting.

### Attachments:

Resolution of Intent  
Memo  
Order to Permanently Close  
Map  
Boundary Description

**RESOLUTION OF INTENT**

**A resolution declaring the intention of the City of Hendersonville City Council to consider the closing a portion of Market Street as shown on the attached right-of-way**

WHEREAS, NC General Statute (G.S.) 160A-299 authorizes the City Council to close public streets and alleys; and

WHEREAS, Halvorsen Development Corp., has petitioned the Council of the City of Hendersonville to close a portion of Market Street as shown on the attached survey; and

WHEREAS, the City Council considers it advisable to conduct a public hearing for the purpose of giving consideration to the closing of a portion of Market Street as shown on the attached survey.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville:

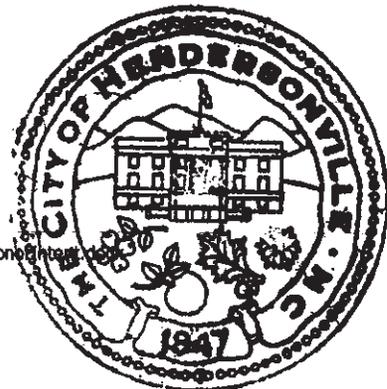
1. A meeting will be held at 5:45 p.m. on the sixth day of October, 2016, in the Council Chambers of City Hall to consider closing a portion of Market Street as shown on the attached survey.
2. The City Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks.
3. The City Clerk is further directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street a copy of the Resolution of Intent.
4. The City Clerk is further directed to cause adequate notices of the Resolution of Intent and the scheduled public hearing to be posted as required by G.S. 160A-299.

Adopted by the City Council at a meeting held on the fourth day of August, 2016, in the City Hall Council Chambers.

  
Barbara G. Volk, Mayor

ATTEST:

  
\_\_\_\_\_  
Tammie K. Drake, City Clerk (Seal)



## MEMORANDUM

**TO:** Honorable Mayor and Members of City Council

**FROM:** Susan G. Frady, Development Assistance Director

**SUBJECT:** Closing of a Street (File No. P16-22-SC)

**DATE:** September 21, 2016

The City has received an application from Halvorsen Development Corp. to close a portion of Market Street off of White Street. A map, survey and boundary description are included with this memorandum.

The Council adopted a Resolution of Intent to close this unopened right of way at their August 4, 2016 meeting. A copy of the Resolution of Intent was mailed to the adjoining property owners, notification of the proposed closing was posted on the property, and the Resolution of Intent and notice of the public hearing was advertised four times in the legal notice section of a local newspaper.

General Statute 160A-299 has procedures for permanently closing streets and alleys. Any person may be heard on the question of whether or not the closing would be detrimental to the public interest or the property rights of any individual. If it appears to the satisfaction of City Council after the hearing that closing this street is not contrary to the public interest, and that no individual owning property in the vicinity of the street portion or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to their property, the City Council may adopt an order closing this street portion.

**ORDER TO PERMANENTLY CLOSE A PORTION OF  
Market Street  
(Petition of Halvorsen Development Corp.)**

NORTH CAROLINA  
HENDERSON COUNTY

TO WHOM IT MAY CONCERN:

WHEREAS, North Carolina General Statute Section §160A-299 authorizes a city council to permanently close any street or public alley way within its corporate limits or area of extraterritorial jurisdiction and provides a procedure for the closing such streets or alleyways; and

WHEREAS, Halvorsen Development Corp., has petitioned the City of Hendersonville to close a portion of Market Street; and

WHEREAS, on the fourth day of August 2016, the Hendersonville City Council adopted a resolution expressing the intention of the municipality to close portions of these streets and setting the sixth day of October 2016, as the date of a public hearing regarding such closure; and

WHEREAS, the aforementioned resolution has been published once a week for four successive weeks prior to the public hearing in the Hendersonville Lightning (a newspaper of general and regular circulation in Hendersonville and Henderson County) and a copy thereof has been sent by certified mail to all owners of property adjoining the street as shown on the county tax records; and

WHEREAS, notice of the closings and of the public hearing has been posted in at least two places along the streets; and

WHEREAS, a public hearing was held in conformance with the aforementioned public notice on the sixth day of October 2016.

NOW, THEREFORE, the City Council of the City of Hendersonville does hereby make the following findings of fact:

1. The closing of the street portions hereafter described are not contrary to the public interest.
2. No individual owning property in the vicinity of the streets or in the subdivision in which it is located would be deprived by the closing of such streets of reasonable means of ingress and egress to his property.

IN CONSIDERATION THEREOF, IT IS HEREBY ORDERED:

1. The following portions of streets are permanently closed and no longer existent as of the effective date of this order:

Beginning at a an existing pinion gear at the intersection of the easterly margin of the right-of-way of Market Street (formerly Shepherd Avenue – 25' public right-of-way) with the southerly margin of the right-of-way of White Street (public right-of-way), said pinion gear being located North 76°40'01" West, a distance of 78.00 feet along the southerly margin of the right-of-way of White Street from a new nail at its intersection with the westerly margin of the right-of-way of Greenville Highway (US Highway 225), and runs thence from said beginning point with the easterly margin of the right-of-way of Market Street South 16°34'05" West a distance of 300.84 feet to an existing metal monument at the southwesterly corner of the Atha Plaza Inc. property as described in Deed Book 574, Page 585 of the Henderson County Public Registry, said monument also being the northwesterly corner of the Larry G. Baber property as described in Deed Book Page 715, Page 277 of said Registry; thence continuing along the easterly margin of the right-of-way of Market Street South 15°57'12" West a distance of 49.20 feet to an existing iron rod at the southwesterly corner of the Baber parcel as described in Deed Book 715, Page 277, a common corner with another parcel owned by Larry G. Baber as described in Deed Book 1214, Page 93, all of said Registry; thence continuing along the easterly margin of the right-of-way of Market Street South 16°30'42" West a distance of 50.99 feet to an existing spike; thence South 16°27'13" West a distance of 150.20 feet to an existing iron pipe at the southwesterly corner of the Baber property as described in Deed Book 1214, Page 93 of said Registry, a common corner with the City of Hendersonville property as described in Deed Book 1107, Page 172 of said Registry; thence with a new line crossing Market Street North 73°30'22" West a distance of 25.48 feet to a point on the westerly margin of the right-of-way of Market Street; thence with the westerly margin of the right-of-way of Market Street North 16°29'38" East a distance of 23.80 feet to an existing iron pin at the common corner between the City of Hendersonville property as referenced above and the Prosource Land Holdings, LLC property as described in Deed Book 1337 Page 234 of said Registry; thence continuing along the westerly margin of the right-of-way of Market Street North 16°29'38" East a distance of 175.39 feet to a new iron rod at the southwesterly corner of the Larry and Annette Baber property as described in Deed Book 1402, Page 223 of said Registry; thence continuing along the westerly margin of Market Street North 16°29'38" East, and passing a new iron rod at 257.67 feet, for a total distance of 350.04 feet to an existing pinion gear at the intersection of the westerly margin of the right-of-way of Market Street with the southerly margin of the right-of-way of White Street; thence with the southerly margin of the right-of-way of White Street, and crossing Market Street, South 77°59'52" East a distance of 25.40 feet to the point and place of Beginning.

2. The City Clerk shall forthwith cause a certified copy of this order to be filed in the Office of the Register of Deeds of Henderson County.

This order shall take effect the first day of December, 2016.

\_\_\_\_\_  
Barbara G. Volk, Mayor, City of Hendersonville

ATTEST:

\_\_\_\_\_  
Tammie K. Drake, City Clerk

Approved as to form:

\_\_\_\_\_  
Samuel H. Fritschner, City Attorney

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON

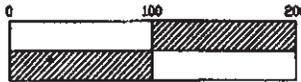
I, \_\_\_\_\_, a notary public in Henderson County, State of North Carolina, do hereby certify that Barbara G. Volk, in her capacity as Mayor of the City of Hendersonville, Tammie K. Drake, in her capacity as City Clerk, and Samuel H. Fritschner, in his capacity as City Attorney, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this \_\_\_\_\_.

My commission expires \_\_\_\_\_

I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DESCRIPTION RECORDED IN PLAT B-115A & PLAT 2-27); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION AS SHOWN ON THE FACE OF THE SURVEY; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:10,000+; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 58.1600).

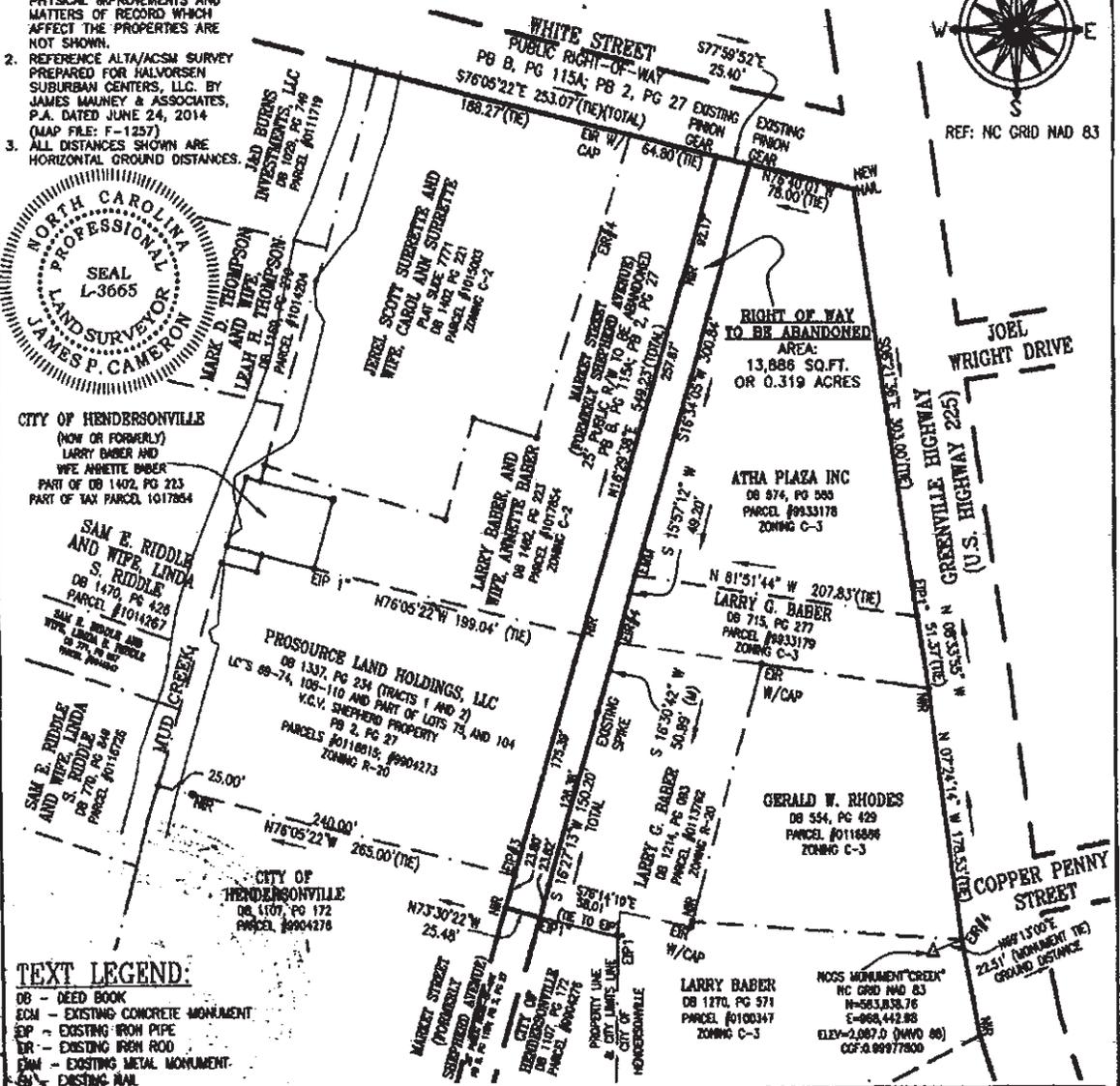
THIS 24TH DAY OF JULY, 2014.  
 REVISED 01/21/2015  
 REVISED 05/08/16 - MAP R/W  
 ABANDONMENT



SIGNED: *James P. Cameron*  
**JAMES MAUNEY & ASSOCIATES, P.A.**  
**PROFESSIONAL SURVEYORS**  
 6405 WILKINSON BOULEVARD, SUITE 11  
 BELMONT, NC 28012  
 LICENSE NO. C-2373  
 TEL: (704) 828-9623  
 FAX: (704) 828-9625

**NOTES:**

1. THE PURPOSE OF THIS SURVEY IS ONLY TO SHOW THE BOUNDS OF THE PORTION OF MARKET STREET TO BE ABANDONED. PHYSICAL IMPROVEMENTS AND MATTERS OF RECORD WHICH AFFECT THE PROPERTIES ARE NOT SHOWN.
2. REFERENCE ALTA/ACSM SURVEY PREPARED FOR HALVORSEN SUBURBAN CENTERS, LLC. BY JAMES MAUNEY & ASSOCIATES, P.A. DATED JUNE 24, 2014 (MAP FILE: F-1257)
3. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES.



- TEXT LEGEND:**
- DB - DEED BOOK
  - ECM - EXISTING CONCRETE MONUMENT
  - EIP - EXISTING IRON PIPE
  - ER - EXISTING IRON ROD
  - EMM - EXISTING METAL MONUMENT
  - EN - EXISTING NAIL
  - NOCS - NORTH CAROLINA SEDIMENT SURVEY
  - NR - NEW IRON ROD
  - NW - NEW NAIL
  - PB - PLAT BOOK
  - R/W - RIGHT-OF-WAY
  - SQ.FT. - SQUARE FEET

- LINE LEGEND:**
- PROPERTY LINE ————
  - PROPERTY LINE (NOT SURVEYED) - - - - -
  - RIGHT-OF-WAY ————
  - RIGHT-OF-WAY (NOT SURVEYED) - - - - -

SURVEY OF:  
 MARKET STREET RIGHT-OF-WAY TO BE ABANDONED  
 ALONG THE PROPERTY OF: ATHA PLAZA, INC.; PROSOURCE  
 LAND HOLDINGS, LLC; LARRY BABER & THE CITY OF  
 HENDERSONVILLE  
 CITY OF HENDERSONVILLE, HENDERSON COUNTY, NC  
 JOB NUMBER: 8868; SHEET 2 OF 2

**MARKET STREET RIGHT-OF-WAY TO BE ABANDONED**

**0.319 Acre**

**Along the Property of Atha Plaza Inc., Larry Baber, City of Hendersonville &  
Prosource Land Holdings, LLC  
Hendersonville, Henderson County, North Carolina**

Being a portion of the existing public right-of-way of Market Street (formerly Shepherd Avenue) lying and being in the City of Hendersonville, Henderson County, North Carolina, to be abandoned, said portion of Market Street to be abandoned being more particularly described as follows:

BEGINNING at an existing pinion gear at the intersection of the easterly margin of the right-of-way of Market Street (formerly Shepherd Avenue - 25' public right-of-way) with the southerly margin of the right-of-way of White Street (public right-of-way), said pinion gear being located North  $76^{\circ}40'01''$  West, a distance of 78.00 feet along the southerly margin of the right-of-way of White Street from a new nail at its intersection with the westerly margin of the right-of-way of Greenville Highway (U.S. Highway 225), and runs thence from said BEGINNING point with the easterly margin of the right-of-way of Market Street South  $16^{\circ}34'05''$  West a distance of 300.84 feet to an existing metal monument at the southwesterly corner of the Atha Plaza Inc. property as described in Deed Book 574, Page 585 of the Henderson County Public Registry, said monument also being the northwesterly corner of the Larry G. Baber property as described in Deed Book 715, Page 277 of said Registry; thence continuing along the easterly margin of the right-of-way of Market Street South  $15^{\circ}57'12''$  West a distance of 49.20 feet to an existing iron rod at the southwesterly corner of the Baber parcel as described in Deed Book 715, Page 277, a common corner with another parcel owned by Larry G. Baber as described in Deed Book 1214, Page 93, all of said Registry; thence continuing along the easterly margin of the right-of-way of Market Street South  $16^{\circ}30'42''$  West a distance of 50.99 feet to an existing spike; thence South  $16^{\circ}27'13''$  West a distance of 150.20 feet to an existing iron pipe at the southwesterly corner of the Baber property as described in Deed Book 1214, Page 93 of said Registry, a common corner with the City of Hendersonville property as described in Deed Book 1107, Page 172 of said Registry; thence with a new line crossing Market Street North  $73^{\circ}30'22''$  West a distance of 25.48 feet to a point on the westerly margin of the right-of-way of Market Street; thence with the westerly margin of the right-of-way of Market Street North  $16^{\circ}29'38''$  East a distance of 23.80 feet to an existing iron pipe at the common corner between the City of Hendersonville property as referenced above and the Prosource Land Holdings, LLC property as described in Deed Book 1337, Page 234 of said Registry; thence continuing along the westerly margin of the right-of-way of Market Street North  $16^{\circ}29'38''$  East a distance of 175.39 feet to a new iron rod at the southwesterly corner of the Larry and Annette Baber property as described in Deed Book 1402, Page 223 of said Registry; thence continuing along the westerly margin of the right-of-way of Market Street North  $16^{\circ}29'38''$  East, and passing a new iron rod at 257.67 feet, for a total distance of 350.04 feet to an existing pinion gear at the intersection of the westerly margin of the right-of-way of Market Street with the southerly margin of the right-of-way of White Street; thence with the southerly margin

of the right-of-way of White Street, and crossing Market Street, South  $77^{\circ}59'52''$  East a distance of 25.40 feet to the point and place of BEGINNING; containing 13,886 square feet or 0.319 acre, more or less, as shown on the attached survey prepared by James Mauney & Associates, P.A. dated July 24, 2014.



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Susan G. Frady

**Department:** Development Asst Dept

**Date Submitted:** 11.15.16

**Presenter:** Susan Frady, Development Assist. Director

**Date of Council Meeting to consider this item:** 12.1.16

**Nature of Item:** Council Action

## Summary of Information/Request:

**Item #** 09

The City is in receipt of an application, dated June 28, 2016, for a zoning map amendment. The applicant is William A. Pace, Jr. representing Pace Brother's Construction Co., Inc. The application is for parcel 9578-24-7373 which consists of 0.985 acres. This parcel is located between E. Central Street and Edney Street and the proposed rezoning is from R-15, Medium Density Residential to C-3, Highway Business.

**Budget Impact:** \$ \_\_\_\_\_ Is this expenditure approved in the current fiscal year budget?  N/A If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move the City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of parcel number 9578-24-7373 from R-15, Medium Density Residential to C-3, Highway Business, finding that the rezoning is consistent with the Comprehensive Plan, the rezoning is reasonable and in the public interest for the following reasons: [PLEASE STATE YOUR REASONS]

**Attachments:**

Memo  
Maps

## MEMORANDUM

**TO:** The Honorable Mayor and City Council

**FROM:** Susan Frady, Development Assistance Director

**RE:** Pace Brothers Construction Co., Inc.

**FILE #:** P16-19-Z

**DATE:** November 15, 2016

### PROJECT HISTORY

The City is in receipt of an application, dated June 28, 2016, for a zoning map amendment. The applicant is William A. Pace, Jr. representing Pace Brother's Construction Co., Inc. The application is for parcel 9578-24-7373 which consists of 0.985 acres. This parcel is located between E. Central Street and Edney Street.

### COMPREHENSIVE PLAN CONSISTENCY

According to N.C.G.S.160A-383, zoning map amendments shall be made in accordance with a comprehensive plan. As shown on the map located on page 8, the 2030 Comprehensive Plan's Future Land Use Map designates these parcels as High Intensity Neighborhood. The High Intensity Neighborhood future land use category is to encourage low maintenance, high density housing that supports Neighborhood and Regional Activity Centers and downtown and provides a transition between commercial and single-family development. The primary and secondary recommended land uses for the High Intensity Neighborhood land use category are as follows:

#### Primary

- Single-family attached and detached residential
- Planned Residential Developments
- Open space

#### Secondary

- Public and institutional
- Offices and retail along thoroughfares
- Recreational amenities

## PROPOSED ZONING CLASSIFICATION

This parcel is proposed to be rezoned to C-3, Highway Business Zoning District which is designed primarily to encourage the development of recognizable, attractive groupings of facilities to serve persons traveling by automobile and local residents.

## SURROUNDING LAND USE & ZONING CLASSIFICATION

The parcel in the proposed rezoning request is currently vacant. The parcels to the east and west are zoned R-15, Medium Density Residential and have residential dwellings on them. The property to the north is zoned R-15, Medium Density Residential and is vacant. The property to the south is zoned C-3, Highway Business and is occupied by a commercial building. Please note an existing land use map is located on page 7 and an existing zoning map is located on page 9.

## ANALYSIS

Listed in Table A is an outline of the dimensional requirements for the two zoning district classifications.

**Table A**

<b>Dimensional Req.</b>	<b>R-15</b>	<b>C-3</b>
Minimum Lot Area	15,000 Sq. Ft.	6,000 Sq. Ft.(residential) 10,000 (commercial)
Minimum Lot Width at Building Line	85 Feet	80 Feet
Minimum Front Yard	30 Feet	35 Feet
Minimum Side Yard	10 Feet	15 Feet
Minimum Rear Yard	15 Feet	20 Feet
Maximum Building Height	35 Feet	48 Feet

The C-3, Highway Business zoning district is designed primarily to encourage the development of recognizable, attractive groupings of facilities to serve persons traveling by automobile and local residents. The permitted and conditional uses for the C-3, Highway Business District are listed below.

### **C-3, Highway Business District**

#### **Permitted Uses:**

Accessory dwelling units  
Accessory uses & structures  
Animal hospitals & clinics  
Automobile car washes  
Automobile sales and service  
Automotive paint & body work  
Banks  
Bed & breakfast facilities  
Business services  
Congregate care facilities  
Construction trades facilities  
Convenience stores  
Cultural arts buildings  
Dance & fitness facilities  
Dry cleaning & Laundry  
Farm equipment sales & service  
Food pantries  
Food processing  
Funeral homes  
Golf driving ranges & par three  
Greenhouses & commercial nurseries  
Home occupations  
Hotels and motels  
Laundries, coin-operated  
Microbreweries  
Mobile home sales  
Music and art studios  
Newspaper offices & printing  
Parking lots & parking garages  
Parks  
Personal services

Planned residential developments  
Progressive care facilities  
Public & semi-public buildings  
Recreational facilities, indoors  
Recreational facilities, outdoors  
Religious institutions  
Repair services, miscellaneous  
Residential care facilities  
Residential dwellings, single  
Residential dwellings, two  
Rest homes  
Restaurants  
Restaurants, drive-in  
Retail stores  
Schools, business  
Schools, primary  
Service stations  
Signs  
Telecommunication antennas  
Telecommunications towers  
Theaters, indoors  
Wholesale businesses

#### **Conditional Uses:**

Animal boarding facilities  
Bus stations  
Child care centers  
Civic clubs  
Mini-warehouses  
Private clubs  
Public utility facilities

As is shown on the enclosed map, this parcel is currently zoned R-15, Medium Density Residential. This zoning classification is for areas in which the principal use of land is for medium-density single-family residences. It is expected that all dwellings in such district will have access to public water supplies or public sewage disposal facilities or a reasonable expectation of such service in the future. The permitted and conditional uses for the R-15, Medium-Density Residential District are listed below:

## **R-15, Medium Density Residential**

### **Permitted Uses:**

Accessory dwelling units  
Accessory structures  
Adult care homes  
Camps  
Child care homes  
Home occupations  
Parks  
Personal services  
Planned residential developments  
Religious institutions

Residential care facilities  
Residential dwellings, single-family  
Residential dwellings, two-family  
Signs  
Telecommunications antennas

### **Conditional Uses:**

Bed & breakfast facilities  
Cemeteries  
Public utility facilities  
Schools, primary and secondary

## **PLANNING BOARD RECOMMENDATION**

The Planning Board discussed this matter at its regular meeting of November 14, 2016. The Planning Board voted unanimously to recommend that City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of parcel number 9578-24-7373 from R-15, Medium Density Residential to C-3, Highway Business finding that the rezoning is consistent with the Comprehensive Plan and the rezoning is the best use of the property.

## **ZONING ORDINANCE GUIDELINES**

Per Section 11-4 of the City's Zoning Ordinance, the following factors shall be considered prior to adopting or disapproving an amendment to the City's Official Zoning Map:

1. Comprehensive Plan consistency. Consistency with the Comprehensive Plan and amendments thereto.
2. Compatibility with surrounding uses. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property.
3. Changed conditions. Whether and the extent to which there are changed conditions, trends or facts that require an amendment.
4. Public interest. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare.
5. Public facilities. Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment.
6. Effect on natural environment. Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands, and wildlife.

## **SUGGESTED MOTIONS**

I move the City Council adopt/not adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of parcel number 9578-24-7373 from R-15, Medium Density Residential to C-3, Highway Business, finding that the rezoning is consistent with the Comprehensive Plan, the rezoning is reasonable and in the public interest for the following reasons:

**[PLEASE STATE YOUR REASONS]**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF  
HENDERSONVILLE**

IN RE: FILE NO. P16-7-Z

Be it ordained by the City Council of the City of Hendersonville:

1. Pursuant to Article XI Amendments of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of parcel numbers 9578-24-7373 from City of Hendersonville R-15, Medium Density Residential to City of Hendersonville C-3, Highway Business.
2. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 1st day of December  
2016.

---

Barbara Volk, Mayor

ATTEST:

---

Tammie K. Drake, CMC, City Clerk

Approved as to form:

---

Samuel H. Fritschner, City  
Attorney

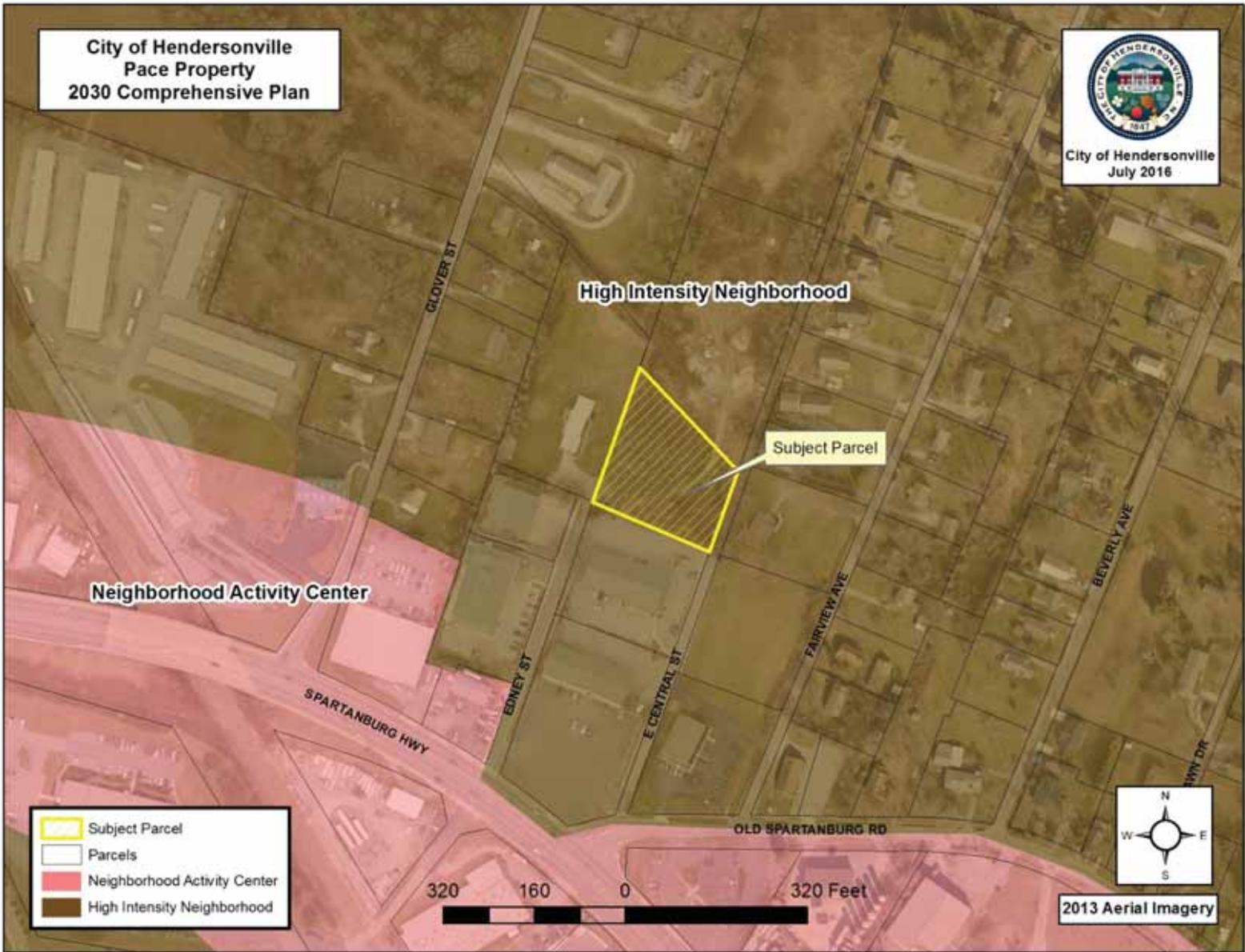
**City of Hendersonville  
Pace Property  
2030 Comprehensive Plan**

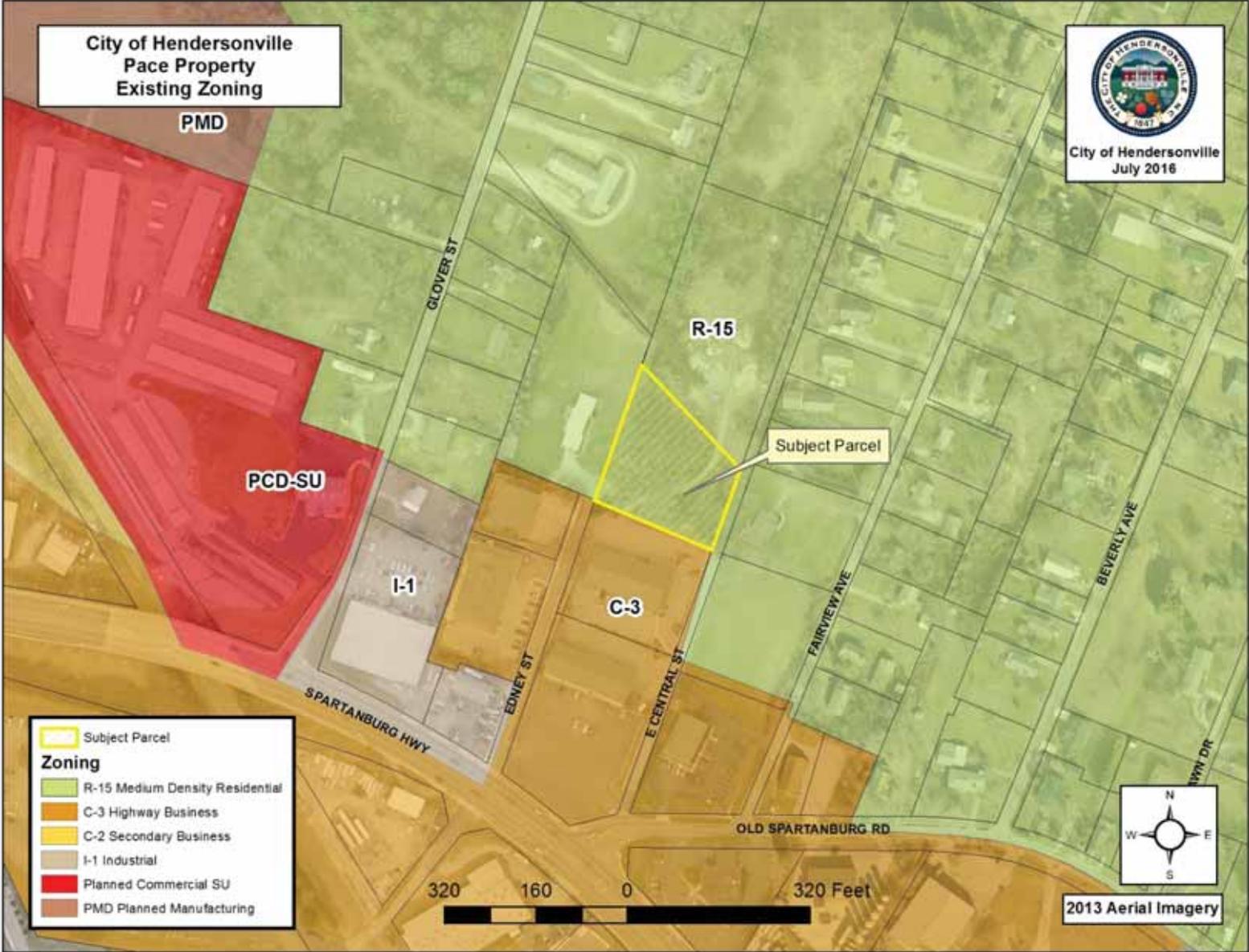


Subject Parcel  
 Parcels

**2013 Aerial Imagery**

City of Hendersonville  
Pace Property  
2030 Comprehensive Plan







# CITY OF HENDERSONVILLE

## AGENDA ITEM SUMMARY

**Submitted By:** Susan G. Frady

**Department:** Development Asst Dept

**Date Submitted:** 11.15.16

**Presenter:** David Hazzard, City Planner

**Date of Council Meeting to consider this item:** 12.1.16

**Nature of Item:** Council Action

### Summary of Information/Request:

**Item #** 10

The City is in receipt of an application to amend a Special Use Permit from Housing Assistance Corporation for the Oklawaha Village development located on North Main Street. This project was previously approved by City Council at the regular meeting on March 5, 2015 and an amended Special Use Permit was approved by City Council at their regular meeting on March 3, 2016.

The applicant has proposed to donate lot number 23 to the City. Lot 23 is approximately 5.57 acres and is located in the flood hazard area adjacent to Mud Creek as shown on the site plan as located on page 15 of the memorandum. This area is currently part of Oklawaha Village's required open space thus the applicant is requesting a variance to reduce the required open space. There are no proposed changes to the buildings, unit count, roads or parking from the previously approved site plans.

Generally, minor modifications to approved preliminary site plans are only subject to staff review and approval. Section 7-6 of the zoning ordinance does not allow staff to approve modifications that are a substantial change in the property boundary or amount of open space. Additionally, a variance is now necessary for the open space. Therefore, an amended Special Use Permit approved by City Council is required.

**Budget Impact:** \$ \_\_\_\_\_ Is this expenditure approved in the current fiscal year budget? <sup>N/A</sup> If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

Can be found on page 5 of the Memorandum

**Attachments:**

Memorandum

## MEMORANDUM

**TO:** City Council

**FROM:** Development Assistance Department

**RE:** Oklawaha Village

**FILE #:** P15-58-SUR

**DATE:** November 15, 2016

### PROJECT DESCRIPTION

The City is in receipt of an application to amend a Special Use Permit from Housing Assistance Corporation for the Oklawaha Village development located on North Main Street. This project was previously approved by City Council at their regular meeting on March 5, 2015 and an amended Special Use permit was approved by City Council at their regular meeting on March 3, 2016. The applicant has proposed to donate lot number 23 to the City. Lot 23 is approximately 5.67 acres and is located in the flood plain adjacent to Mud Creek as shown on the site plan located on page 15 of this memorandum. This area is currently part of Oklawaha Village's required open space thus the applicant is requesting a variance to reduce the required open space. There are no proposed changes to the buildings, unit count, roads, or parking from the previously approved site plans.

Generally, minor modifications to approved Preliminary Site Plans are only subject to staff review and approval. Section 7-6 of the Zoning Ordinance does not allow staff to approve modifications that are a substantial change in the property boundary or amount of open space. Additionally a variance is now necessary for the open space. Therefore, an amended Special Use Permit approved by City Council is required.

This parcel is now approximately 12.65 acres and will have a total of 78 multi-family units, 17 single family lots, a 2,214 ft<sup>2</sup> Office/Community Building and a 4,200 ft<sup>2</sup> Office/Support Building. The Final Subdivision Plat for the single family lots was previously approved by the City Council at their regular meeting on March 3, 2016.

The following parcels are part of this application.

9569-84-2437	9569-84-5809	9569-84-4409	9569-85-0280
9569-85-1371	9569-84-5729	9569-84-4610	9569-75-9397
9569-85-2234	9569-84-5649	9569-84-4701	9469-85-1339
9569-85-3107	9569-84-5650	9569-84-2985	
9569-85-3170	9569-84-5469	9569-85-2013	
9569-85-4043	9569-84-5337	9569-85-1151	

## **EXISTING LAND USE & ZONING**

The project is currently under construction. The parcels included in this application are largely vacant. A vacant single family residence did front on North Main Street and there were a couple of vacant accessory structures also located on the site. Surrounding zoning districts are shown on the “Zoning Map” on page 14.

The project site is currently zoned Planned Residential Development. The applicant is not seeking any changes to the existing zoning.

## **COMPREHENSIVE PLAN CONSISTENCY**

The parcels included in this application are classified as Medium Intensity Neighborhood and Natural Resource/Agricultural on the 2030 Comprehensive Plan’s Future Land Use Map. Surrounding parcels are classified as Medium Intensity Neighborhood and Natural Resource/Agricultural.

The goal of the Medium Intensity Neighborhood classification is to “provide a transition between High and Low-Intensity Neighborhood areas, while providing a wide range of housing formats and price points. Promote walkable neighborhood design that creates attractive and functional roadway corridors and multi-family residential neighborhoods.”

The goal of the Natural Resource/Agricultural classification is to “create an interconnected network of green infrastructure that preserves environmentally sensitive areas, protects water resources through low-impact stormwater management, provides floodwater storage, provides community open space and recreational opportunities, and preserves agricultural resources.”

## **PLAN REVIEW**

### **Buildings**

The site plans include the following:

- Six multi-family buildings with a total of 78 units and 90,654 ft<sup>2</sup>.
  - Building “A” has a total area of 13,782 ft<sup>2</sup> and is three stories
  - Building “B” (x2) has a total area of 15,108 ft<sup>2</sup> for each building and is three stories
  - Building “C” has a total area of 21,948 ft<sup>2</sup> and is three stories
  - Building “D” (x2) has a total area of 12,354 ft<sup>2</sup> for each building and is three stories
- 17 individual single-family lots.

- 2,214 ft<sup>2</sup> Office/Community Building including an office, community room, craft area, laundry and mail area.
- 4,200 ft<sup>2</sup> “Future” Office/Support Building located along N. Main Street at the entrance to the site.
- Park and Playground area.

The amended Preliminary Site plan and an elevation drawing are included with this memorandum. The elevation drawing shows proposed façades.

### Variance Requests

#### Open Space

**5-14-7.1 Open Space and Footprint Requirements.** Planned residential developments shall have a maximum footprint of 20% of the site and shall have, as a minimum, 60% of the site as open space. In addition, planned residential developments shall meet the common open space requirements of Section 6-16.

Due to the proposed donation of approximately 5.67 acres of land to the City the proposed open space is now approximately 52.3% (6.62 acres) and does not meet the minimum required 60%.

The applicant is requesting a variance from Section 5-14-7.1 to reduce the required open space from 60% to 52.3%. The application for this variance request is on pages 10 thru 12.

### **ANALYSIS**

Section 7-4-10.1 of the Zoning Ordinance states, “no special use permit shall be approved by City Council unless each of the following findings is made.”

- (A) The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.

**Staff has not identified any issues relating to public health, safety or general welfare.**

- (B) There are, or will be at the time they are required, adequate public facilities to serve the use or development as specified in Section 7-11.

**Water and sewer service is intended to be extended to the site.**

- (C) The use or development complies with all required regulations and standards of the Zoning Ordinance or with variances thereto, if any, granted pursuant to Section 7-4-14, and with all other applicable regulations.

**The applicant is requesting the following variance:**

**A variance from Section 5-14-7.1 to reduce the required open space from 60% to 52.3%.**

**Variance request applications and justifications begin on page 10.**

- (D) The use or development is located, designed, and proposed to be operated so as to be compatible with the particular neighborhood in which it is to be located.

**A neighborhood compatibility meeting concerning the application was held on October 26, 2016. Notice was provided by U.S. mail to the owners of record of all property situated within 400 feet of the subject property as required by Section 7-4-4.1 of the Zoning Ordinance.**

**Four people representing the general public attended the meeting. The following concerns were raised. A copy of the neighborhood compatibility report accompanies this memorandum.**

- **Traffic**
- **Donation of property**

- (E) The use or development conforms to the general plans for the physical development of the City as embodied in this Ordinance and in the *Comprehensive Plan* and the *Comprehensive Transportation Plan*.

**The 2030 Comprehensive Plan's Medium Intensity Neighborhood classification is intended to "provide a transition between High and Low-Intensity Neighborhood areas, while providing a wide range of housing formats and price points. Promote walkable neighborhood design that creates attractive and functional roadway corridors and multi-family residential neighborhoods."**

**The 2030 Comprehensive Plan's Natural Resource/Agricultural classification is intended to "create an interconnected network of green infrastructure that preserves environmentally sensitive areas, protects water resources through low-impact stormwater management, provides floodwater storage, provides community open space and recreational opportunities, and preserves agricultural resources."**

**No development is intended for the locations that are classified as Natural Resource/Agricultural. The applicant has mentioned that a trail may be**

**added to these locations in the future.**

**The Comprehensive Transportation Plan does not indicate any improvements to N. Main Street at this time.**

## **PLANNING BOARD**

The Planning Board took this matter up at its regular meeting of November 15, 2016. The planning board voted as follows:

### Variance

*Planning Board to recommend City Council approve a variance from Section 5-14-7.1 to reduce the required open space from 60% to 52.3%.  
The motion passed unanimously.*

### Amended Special Use Permit

*Planning Board to recommend City Council approve the application of Housing Assistance Corporation for an amended Special Use Permit based on the site plan submitted by the applicant and subject to the limitations and conditions stipulated on the published List of Uses and Conditions.  
The motion passed unanimously.*

## **SUGGESTED MOTIONS**

### **Variance Request**

I move City Council (approve / deny) a variance from Section 5-14-7.1 to reduce the required open space from 60% to 52.3%.

**[PLEASE STATE YOUR REASONS]**

### **Amended Special Use Permit**

I move City Council (approve / deny) the application of Housing Assistance Corporation for an amended Special Use Permit based on the site plan submitted by the applicant and subject to the limitations and conditions stipulated on the published List of Uses and Conditions.

**[PLEASE STATE YOUR REASONS AND ADD, IF APPLICABLE, "AND THE FOLLOWING ADDITIONAL CONDITIONS"]**

**IN RE: Oklawaha Village (File #P15-58-SUR)**

**List of Uses & Conditions**

**I. Stipulated Uses:**

**Only the following uses are authorized for the referenced development:**

Residential Dwellings Single- Family  
Residential Dwellings Multi-family  
Office  
Child Care Center  
Child Care Home  
Customary Accessory Uses  
Accessory Structures  
Park

**II. Conditions:**

- (1) Shall Be Attached to the Special Use Permit and Satisfied Prior to Issuance of Final Site Plan Approval:**

Not applicable.

- (2) Shall Be Attached to the Special Use Permit:**

A building height limitation exemption has been granted increasing the maximum building height for the apartment buildings from 35 feet to 37 feet.

Final plans for the project shall comply with approved plans, the conditions agreed to on the record of this proceeding and applicable provisions of the Zoning Ordinance.

Oklawaha Village

By: \_\_\_\_\_

Date: \_\_\_\_\_

Neighborhood Compatibility Meeting  
 Application for a Special Use Permit  
 Oklawaha Village amendment File #P15-58-SUR  
 Wednesday, October 26, 2016      2:00 p.m.

Dave Hazzard, Senior Planner, convened the compatibility meeting at 2:06 pm in the Assembly Room of the City Operations Center. The following were in attendance:

<b>Name</b>	<b>Address</b>	<b>Name</b>	<b>Address</b>
Don Daines (applicant)	602 Kanuga Road		
Sarah Grymes (applicant)	602 Kanuga Road		
Keith Jones	1831 Granite Street		
Billy & Janice Williams	216 Yon Hill Road		
Jere Hyder	1500 N. Main Street		
Dave Hazzard, Staff	100 N. King Street		
Susan Frady, Staff	100 N. King Street		
Terri Swann, Staff	100 N. King Street		

Mr. Hazzard opened the meeting explaining this is the first step in a three step process. The first step is Neighborhood Compatibility Meeting, next is the Planning Board and last it goes to City Council. This is an informal meeting to ask questions and get answers. Minutes of this meeting will be forwarded to Planning Board and City Council. The next Planning Board meeting will be November 14, 2016. If you received notice of this meeting you will also receive notice of the Planning Board and City Council meetings.

Mr. Hazzard stated this is previously approved project and nothing has changed as far as the development goes. The lower portion of the property is being donated to the City and this changes their open space requirement numbers because of the acreage changes and therefore it has to get approval.

Don Daines, Director of Residential Development for Housing Assistance Corporation stated the site development has gone through the Special Use process and has received approval for the 78 unit apartments and the 17 single family lots with a two-story office building located in the front of the property. They would like to give the City this part of the property to compliment the greenway and use it for public open space. They are taking 5.5 acres out of the development and giving it to the City which will cause them to have to recalculate the open space area by not including this portion.

Keith Jones, 1831 Granite Street stated he was not notified of the previous meetings concerning this project and he is concerned as to why they want to split this portion off now. Mr. Daines stated they wanted to own enough property to include a route for the sewer system and they felt better by acquiring all of this property but once they started working on the financing for the multi-

family the financing company didn't want this included in the multi-family part. Mr. Jones stated this part should not have been included the first time. Mr. Daines stated they felt this portion would be better used for public space rather than private space. This would be better suited to be used with the greenway for public use.

Mr. Hazzard stated the City determines who to notify by a state statute that says properties within 400 feet of the project get notified. The City determines the properties within 400 feet by the GIS mapping.

Mr. Jones has concerns about the traffic on North Main due to this project and stated that he did not live within the 400 feet but did live off of North Main Street. Mr. Hazzard stated a Traffic Impact Analysis (TIA) was done for this project. NCDOT looked at and approved a driveway entrance permit for the project. This was discussed at the previous approvals for the project. Mr. Hazzard stated he will include Mr. Jones on the mailing list for the Planning Board and City Council meetings.

Mr. Jones was concerned that a secondary outlet was needed for the project because of the traffic on North Main Street. Mr. Hazzard stated if he has concerns he can attend the Planning Board and City Council meetings and voice those concerns. He can also contact NCDOT because they are looking at North Main Street.

Jere Hyder, 1500 North Main Street stated he heard NCDOT was looking at widening North Main Street. He asked why the City would want that amount of open space or green space. He felt like the City could have approved a variance for the open space during the first approval. The City will not be building on this property and it will just remain the same. Mr. Hazzard stated yes it will remain open space as this property is almost impossible to develop. This property is located in the floodplain. The applicant had enough open space to meet the requirement and did not need a variance during the previous approval. Staff will take a look at how much open space they will have after they donate this portion to the City and at that time it will be determined if a variance will be needed or not. This property is zoned PRD, Planned Residential Development.

Mr. Daines stated the only thing that is changing is the open space. All of the uses are staying the same.

Mr. Hazzard stated staff can approve projects when the change is de minimis. The zoning ordinance does not allow staff approval when the City Council was originally the body that approved the Special Use Permit. Therefore this amendment has to go through the process again per the zoning ordinance.

Mr. Hyder stated he sees no problem with it.

Mr. Jones stated he feels like this is a waste of money. Why would they give this to the City? Mr. Daines stated they acquired the property without a cost to the original purchase price. This land has no value at all. When dealing with the financing, they did not want to have this unnecessary property and therefore they decided to donate it to the City.

Sarah Grymes with the Housing Assistance Corporation stated they did not pay for this land. No

matter who owns this property it will benefit the greenway and will not be developed.

Mr. Jones stated when you look at the payoff it does not look good. Mr. Hazzard stated this project has already been approved and donating this property to the City did not influence the approval in any way. The City has already approved the project.

Mr. Hazzard stated the City did post the site and notified the property owners within 400 feet of the project as the state statute requires.

Mr. Daines stated they knew that traffic was a concern and went ahead and had the traffic impact study done. They also added the right turn lane even though the count was not high enough that it was needed.

Mr. Jones stated with the other projects in the area it will affect the traffic on North Main. Mr. Hazzard stated at the time other projects were just vacant land and there is no way to forecast development in the area.

Mr. Daines stated they knew traffic would be an issue so he went ahead and had the TIA done. Mr. Hyder stated the total amount of green space will not change. Mr. Hazzard stated no, it will remain in its natural state.

Mr. Jones asked about parking spaces in the development for use of the public greenway. Mr. Daines stated the public open space will be for pedestrian access. He stated this access is within one mile of Patton Park. Mr. Jones asked where the parking would be for public street access. Mr. Daines stated this access is not designed for people driving to and parking at, it is designed for pedestrian access. Mr. Daines stated the only change is to the ownership.

Mr. Hazzard stated staff reviewed the open space requirements and parking requirements and the approved project exceed the minimum amount required in the zoning ordinance. Mr. Hazzard stated if anyone has any questions or would like to see the approved site plan, the Development Assistance Department is located at 100 N. King Street.

With no further comments or questions, Mr. Hazzard closed the meeting at 2:30 p.m.

Print Form



CITY OF HENDERSONVILLE  
DEVELOPMENT ASSISTANCE DEPARTMENT  
100 N. King St. ~ Hendersonville, NC ~ 28792  
Phone (828) 697-3010 ~ Fax (828) 697-6185  
www.cityofhendersonville.org

**APPLICATION FOR A VARIANCE WITH SPECIAL USE PERMIT**  
Section 7-4-14 City Zoning Ordinance

The following are required to constitute a complete application for a variance:  
~ This form including the property owner(s) signature(s).  
~ Special Use Permit Application  
~ Supporting documents, if applicable.  
~ Photographs, optional.

Date 11 NOV 2016 Project Name OKLAWAHA VILLAGE

Applicant HOUSING ASSISTANCE CORP

Address 602 KANUGA ROAD, HENDERSONVILLE, NC 28793

Phone 828-692-4744 Fax  Email

EXT. 101

If different from above:

Property Owner: Name

Address

**TO THE CITY COUNCIL:**

I, DONALD DAINES (OWNER/AGENT), hereby petition the City Council for a variance from the literal provisions of the Zoning Ordinance of the City of Hendersonville.

I request a variance from the following provisions of the ordinance (cite section numbers).  
SECTION 5-14-7.1 REDUCE REQUIRED OPEN SPACE FROM 60% TO 52.3%  
SECTION 6-16-3 ALLOW 52.3% COMMON OPEN SPACE TO OFFSET  
REDUCTION OF GENERAL OPEN SPACE.

Official Use:  
DATE RECEIVED: \_\_\_\_\_ BY \_\_\_\_\_

## Application for a Variance with Special Use Permit

Section 7-4-14 City Zoning Ordinance. The following are required to constitute a complete application for a variance: This form including the property owner(s) signature(s). Special Use Permit Application. Supporting documents, if applicable. Photographs, optional.

1 Page 1 2 Page 2

**FACTORS RELEVANT TO THE ISSUANCE OF A VARIANCE (Section 7-4-14):** For applications undergoing special use review, City Council may authorize variances in specific cases from the dimensional and improvement standards of the zoning ordinance upon finding that a literal enforcement of such standards will result in practical difficulty or unnecessary hardship and so long as the granting of such variance or variances will not result in a use or development which would violate the findings of fact required by Section 7-4-10. Variances may not be granted with regard to uses or to intensity.

**FINDINGS OF FACT (Section 7-4-10.1)** No special use permit shall be approved by City Council unless each of the following findings is made.

The burden of establishing these findings of fact shall lie upon the applicant. In addressing the issuance of compatibility, as required, the applicant must demonstrate compatibility with the particular neighborhood in which the development or use is to be located. The fact that a use is authorized as a special use within a zoning district classification shall not give rise to a presumption that such special use is compatible with other uses authorized in the zoning district classification.

**(A) The use or development is located, designed and proposed to be operated so as to maintain or promote the public health, safety and general welfare.**

The variances requested pertain to Open Space standards and requirements. The variances are necessitated because the "Site" will be reduced by the change in ownership of Lot 23, being 5.677 acres of flood plain open space. The remaining Site does not meet the standards for 'open space' and 'common open space' because the change in ownership. HAC believes that the change of ownership directly promotes the public health, safety and welfare by enhancing and adding to the Public Greenway

**(B) There are, or will be at the time they are required, adequate public facilities to serve the use or development as specified in Section 7-11.**

Granting the variances requested will have no effect upon the adequacy of public facilities because there will be no change in any of the uses previously approved and found by the City to be adequate as required by Section 7-11. The ownership of the Open Space is the only change which will in fact, better fulfill the goals of open space by vesting ownership and control in the City for the general public, including the residents of Oklawaha Village.

**(C) The use of development complies with all required regulations and standards of the Zoning Ordinance or with variances thereto, if any, granted pursuant to Section 7-4-14, and with all other applicable regulations.**

Since there will be no change in the uses previously approved by the City, all uses remain in compliance. The variances are necessitated because the "Site" will be reduced by Lot 23, leaving Lots 21 & 22 as a noncompliant. The ownership of the very same Open Space is the only change which HAC believes better serves and fulfills the intent, goals and purposes of open space by vesting ownership and control of Lot 23 in the City for the general public, including the residents of Oklawaha Village.

**(D) The use or development is located, designed and proposed to be operated so as to be compatible with the particular neighborhood in which it is to be located.**

Since there are no changes in the uses previously approved and found by the City to be compatible with the neighborhood, they remain compatible with the neighborhood as previously determined by the City

**(E) The use or development conforms with the general plans for the physical development of the City as embodied in this Ordinance and in the 2030 Hendersonville Comprehensive Plan.**

HAC is offering to dedicate and give this 5.677 acres of open space to the City so that it becomes Public Open space. The conveyance of Lot 23 to the City as open space created the need of the variances requested for the remaining site. HAC believes that the change of ownership of this Open Space from private to Public directly promotes the physical development of the city as embodied in the Ordinance and the 2030 Hendersonville Comprehensive Plan

Signature \*



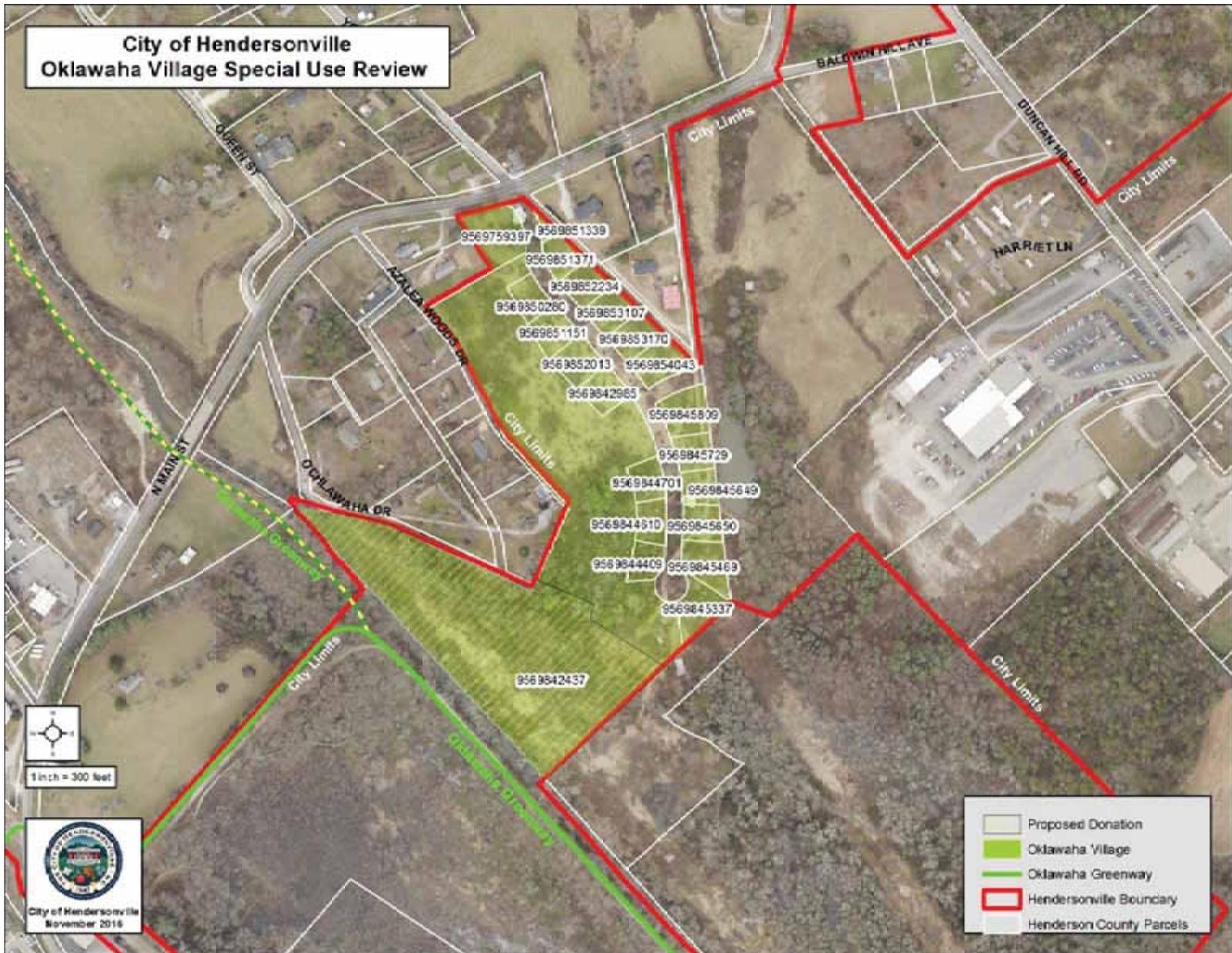
Printed Name: \*

Donald R Daines

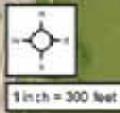
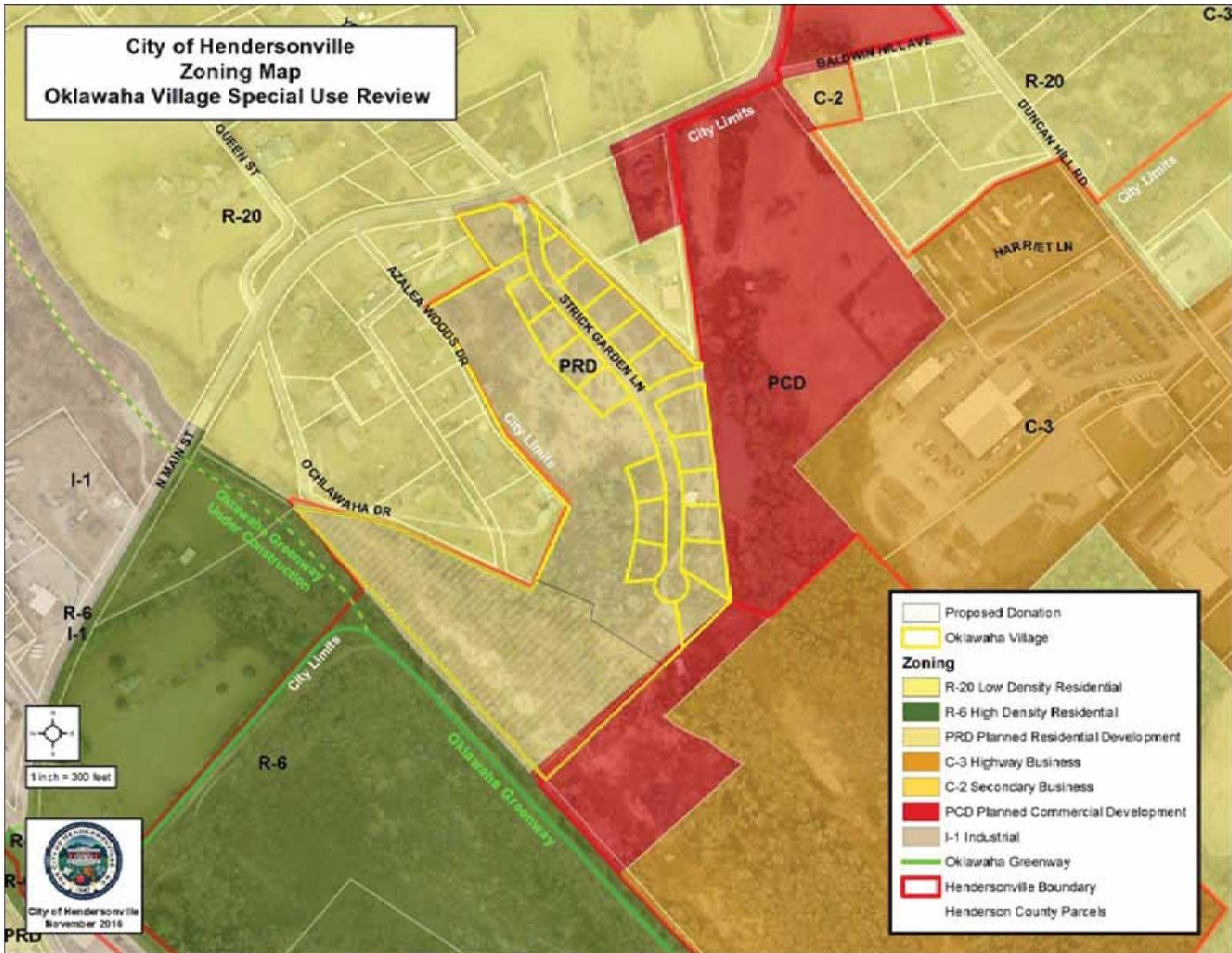
Back

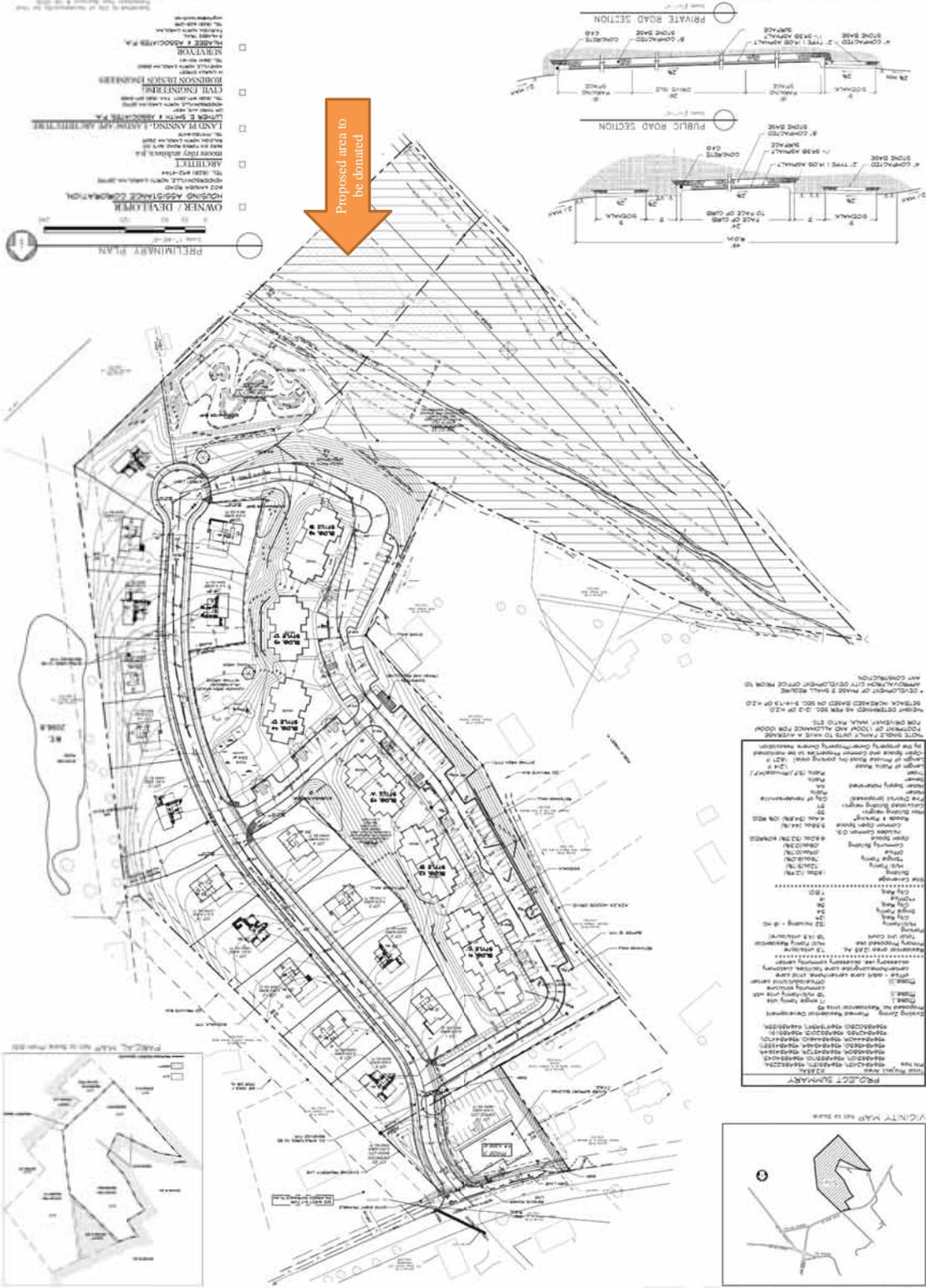
Submit

**City of Hendersonville  
Oklawaha Village Special Use Review**



**City of Hendersonville  
Zoning Map  
Oklawaha Village Special Use Review**

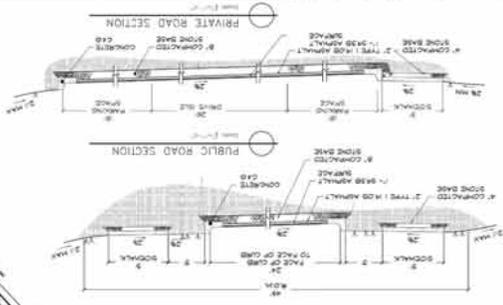




PRELIMINARY PLAN

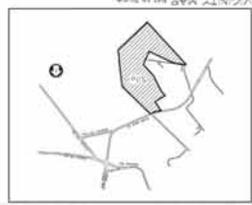
Scale: 1" = 40'

OWNER / DESIGNER: HOUSING ASSISTANCE CORPORATION  
 ARCHITECT: LANTIER & ASSOCIATES, P.A.  
 ENGINEER: ROBINSON DESIGN ENGINEERS  
 LANDSCAPE ARCHITECT: LANTIER & ASSOCIATES, P.A.



**PROJECT SUMMARY**

The project consists of the construction of 100 single-family detached units and 100 townhome units. The units are to be constructed on a 100-acre site located in the northern portion of the City of Oklawaha. The project is a Phase II development and is to be constructed in two phases. The first phase will consist of the construction of 50 single-family detached units and 50 townhome units. The second phase will consist of the construction of 50 single-family detached units and 50 townhome units. The project is to be completed within 24 months of the start of construction.

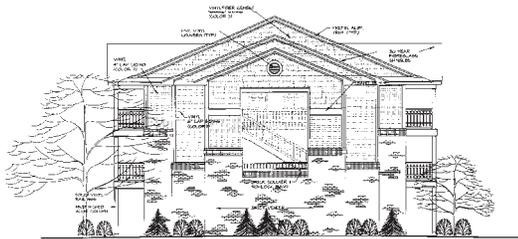




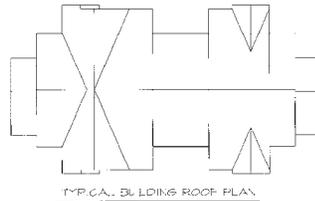
BUILDING 'A' REAR ELEVATION



BUILDING 'B' REAR ELEVATION

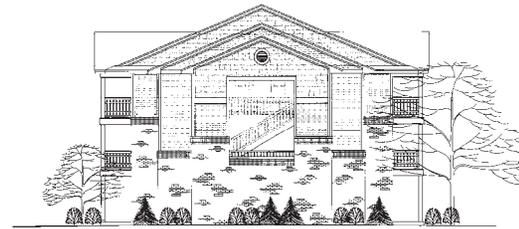


BUILDING 'A&B' LEFT SIDE ELEVATION



TYPICAL BUILDING ROOF PLAN

TYPICAL EXTERIOR COLORS  
 BRICK - DARTMOUTH RED  
 VINYL SIDING - WHITE  
 VINYL SIDING - LIGHT GRAY  
 VINYL SIDING - DARK GRAY  
 VINYL SIDING - GREEN  
 VINYL SIDING - BLUE GRAY  
 VINYL SIDING - LIGHT GRAY  
 VINYL SIDING - DARK GRAY  
 VINYL SIDING - LIGHT GRAY  
 VINYL SIDING - DARK GRAY  
 ROOF - SHINGLES - GRAY AND WHITE GRAY



BUILDING 'A&B' RIGHT SIDE ELEVATION



BUILDING 'A' FRONT ELEVATION



BUILDING 'B' FRONT ELEVATION

**moore riley** architects, p.a.  
 3022 S MAIN STREET, SUITE 100, ASHEBORO, NC 27814  
 oklawaha village apts., hendersonville, nc

comm. no.  
**2714**  
 date  
**1-7-15**  
 revision  
**1-16-15**

sheet no.  
**p1m4.1**

of:

## **APPEAL OF DEVELOPMENT DECISIONS**

Section 7-13 of the Zoning Ordinance outlines the process for appeal of development decisions by City Council. The following Sections of the Zoning Ordinance apply specifically to Special Use Review:

**Section 7-13-2 (b): Preliminary site plans.** Decisions of the City Council regarding appeals from development decisions concerning applications for preliminary site plan approval may be appealed to the Superior Court by any aggrieved party. Such appeals shall be in the nature of certiorari and must be filed within 30 days after the filing of the decision in the office of the City Clerk or after a written copy thereof is delivered to every aggrieved party who has filed a written request for such copy with the Clerk at the time of the hearing, whichever is later. The copy of the decision of the Council may be delivered to aggrieved parties either by personal service for by registered mail or certified mail return receipt requested.

**Section 7-13-2 (d): Special use review.** Judicial review of decisions regarding applications processed under the provisions of special use review, established in Section 7-4, above, require special treatment due to the fact that they involve two separate applications which, though processed simultaneously, require Council to make two separate decisions exercising two different types of decision-making authority. One application requests enactment of an ordinance amending the Official Zoning Map, and the other requests issuance of a special use permit. The first application involves a legislative decision on the part of Council, and the second a quasi-judicial decision. The quasi-judicial decision, that is, the one concerning the application for a special use permit, may be appealed to the Superior Court by any aggrieved party in the manner prescribed in paragraph b), above. Such appeal shall be in the nature of certiorari. The legislative decision, which is the one concerning the request for rezoning, may be contested, in accordance with NCGS Section 160A-364.1, by a cause of action commenced within two months of the date of the decision.

The validity of the ordinance may be challenged in accordance with North Carolina General Statute Section 160A-364.1.

### **§ 160A-364.1. Statute of limitations.**

A cause of action as to the validity of any zoning ordinance, or amendment thereto, adopted under this Article or other applicable law shall accrue upon adoption of the ordinance, or amendment thereto, and shall be brought within two months



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Susan G. Frady

**Department:** Development Asst Dept

**Date Submitted:** 11.15.16

**Presenter:** Susan Frady, Development Assist. Director

**Date of Council Meeting to consider this item:** 12.1.16

**Nature of Item:** Council Action

## Summary of Information/Request:

**Item #** 11

Section 6-5-2.5 of the zoning ordinance currently exempts off-street parking in the Seventh Avenue Depot Historic District. In order to encourage the redevelopment and revitalization of the Seventh Avenue Historic District we would like to expand the area that is exempt from the off-street parking requirement to include the entire boundary of the Seventh Avenue Municipal District. On June 4, 2015, the city expanded the 7th Avenue Municipal Service to include the map shown on page 5 of the memorandum.

The city will paint as many additional on-street parking spaces as possible within the district and in the future may have to purchase property for off-street parking. This will make the off-street parking requirements for the Seventh Avenue Historic District consistent with the requirements in the Downtown Historic District.

**Budget Impact:** \$ \_\_\_\_\_ Is this expenditure approved in the current fiscal year budget?  N/A If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move to recommend that City Council adopt an ordinance amending the City of Hendersonville Zoning Ordinance Section 6-5-2.5 Exemption to Off-Street Parking.

**Attachments:**

## MEMORANDUM

**TO:** The Honorable Mayor and City Council  
**FROM:** Development Assistance Department  
**RE:** Text Amendment of Section 6-5-2.5 Exemption to Off-Street Parking  
**FILE #:** P16-35-T  
**DATE:** November 15, 2016

### PROJECT HISTORY

Section 6-5-2.5 of the zoning ordinance currently exempts off-street parking in the Seventh Avenue Depot Historic District. In order to encourage the redevelopment and revitalization of the Seventh Avenue Historic District we would like to expand the area that is exempt from the off-street parking requirement to include the boundary of the Seventh Avenue Municipal Service District.

On December 30, 1975, the City of Hendersonville adopted a resolution that established the Municipal Service District. On April 9, 1998, the City of Hendersonville adopted a resolution to establish a second municipal service district in the Seventh Avenue area of downtown. On June 4, 2015, the city expand the 7<sup>th</sup> Avenue Municipal Service District to include the properties as shown on the map on page 5. Services that may be provided in this district include but are not limited to: improvements to utilities, decorative street lighting, improvements to sidewalks, tree planting, additional law enforcement, promotional activities and parking facilities both on-street and off-street.

The city will paint as many additional on-street parking spaces as possible within the district. This will make the off-street parking requirements for the Seventh Avenue Historic District consistent with the requirements in the Downtown Historic District.

Listed below are proposed changes to the Zoning Ordinance. Additions are underlined and deletions are ~~struck-through~~.

**Article VI General Provisions Section 6-5-2.5 Exemption to Off-Street Parking.** Off-street parking is not required in the ~~Seventh Avenue Depot Historic District~~ 7<sup>th</sup> Avenue Municipal Service District.

### TEXT & POLICY COMMITTEE

The Text and Policy Committee reviewed the proposed text amendment on Thursday, November 3, 2016. The Committee unanimously agreed with the text amendment.

### **ZONING ORDINANCE GUIDELINES**

Per Section 11-4 of the City's Zoning Ordinance, the following factors shall be considered by City Council prior to adopting or disapproving an amendment to the text of the City's Zoning Ordinance:

1. Comprehensive Plan consistency. Consistency with the Comprehensive Plan and amendments thereto.
2. Compatibility with surrounding uses. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property.
3. Changed conditions. Whether and the extent to which there are changed conditions, trends or facts that require an amendment.
4. Public interest. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare.
5. Public facilities. Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment.
6. Effect on natural environment. Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands and wildlife.

### **SUGGESTED MOTIONS**

#### **For Recommending Approval:**

I move that City Council adopt an ordinance amending the City of Hendersonville Zoning Ordinance Section 6-5-2.5 Exemption to Off-Street Parking.

**[PLEASE STATE YOUR REASONS]**

#### **For Recommending Approval With Modifications:**

I move that City Council adopt an ordinance amending the City of Hendersonville Zoning Ordinance Section 6-5-2.5 Exemption to Off-Street Parking with the following modifications.

**[PLEASE STATE THE MODIFICATIONS AND YOUR REASONS]**

**For Recommending Denial:**

I move that City Council not adopt an ordinance amending the City of Hendersonville Zoning Ordinance Section 6-5-2.5 Exemption to Off-Street Parking

**[PLEASE STATE YOUR REASONS]**

**AN ORDINANCE AMENDING ARTICLE VI GENERAL PROVISIONS SECTION 6-5-2.5 EXEMPTION TO OFF-STREET PARKING.**

**WHEREAS**, the General Assembly of the State of North Carolina has granted authority to municipalities to adopt, administer and enforce zoning and subdivision regulation ordinances, building codes, and minimum housing standards and other related measures, and

**WHEREAS**, the General Assembly of the State of North Carolina has granted authority to municipalities to amend, supplement, change, modify or repeal zoning regulation ordinances, and

**WHEREAS**, the City of Hendersonville understands the need to encourage redevelopment and revitalization of the community, and

**WHEREAS**, the City of Hendersonville supports the 7<sup>th</sup> Avenue Municipal Service District, and

**WHEREAS**, the City of Hendersonville desires to amend those regulations with regards to off-street parking requirements.

NOW, THEREFORE, be it ordained by the City Council of the City of Hendersonville:

1. Article VI General Provisions Section 6-5-2.5 exemption to off-street parking is hereby amended to include the following:

Add: Off-street parking is not required in the ~~Seventh Avenue Depot Historic District~~ 7<sup>th</sup> Avenue Municipal Service District.

2. Any person violating the provisions of this ordinance shall be subject to the penalties set forth in Section 9-8 of the Zoning Ordinance.
3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.
4. 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.
5. The enactment of this ordinance shall in no way affect the running of any amortization provisions or enforcement actions, or otherwise cure any existing zoning violations.
6. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2016

\_\_\_\_\_  
Barbara Volk, Mayor

Attest:

\_\_\_\_\_  
Tammie K. Drake, CMC, City Clerk

Approved as to form:

\_\_\_\_\_  
Samuel H. Fritschner, City Attorney



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Brian Pahle

**Department:** Admin

**Date Submitted:** 11/21/16

**Presenter:** Lee Smith

**Date of Council Meeting to consider this item:** 12/01/16

**Nature of Item:** Council Action

## Summary of Information/Request:

**Item #** 12

The flow of the Mills River has been below 65-cfs (cubic feet per second) for 44-consecutive days which coincidentally coincides with the last rainfall that we received. The last rain event was on October 7 (0.48-in.) October 8, 2016 (0.04-in.) which was a result of Hurricane Matthew. We are currently in Stage 1 of our water shortage response plan which requests that customers reduce their daily usage of water by 10%. As a result of this request, the daily average flowrate at the water treatment plant have been reduced from 7.885-MGD (million gallons per day) down to 7.157-MGD for a reduction of 9.24%, since implementation of Stage 1 on October 17, 2016.

According to NOAA (National Oceanographic and Atmospheric Administration) forecasts (see attached map), these drought conditions will persist through at least the end of January 2017. In an effort to anticipate conditions not improving over the next several months, staff has been developing a plan to have a temporary, emergency pumping system installed on our property along the French Broad River. These pumps would be connected to our 30-inch emergency raw water pipeline and would enable us to pump 7.0 to 9.0 million gallons per day. In order for us to begin pumping from the French Broad River there must be a state of emergency declared by the State in regards to the drought. Once this declaration has been issued by the State, staff will proceed with the installation of this emergency pumping system.

Staff respectfully requests your consideration and approval of the accompanying budget amendment necessary to fund the rental and operation of an emergency pumping system for a period of 3-months in the amount of \$330,000.

**Budget Impact:** \$ 330,000 Is this expenditure approved in the current fiscal year budget?  No  If no, describe how it will be funded.

An increase in budget of \$330,000 to be funded using appropriated fund balance.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move to approve the attached budget amendment as presented.

**Attachments:**

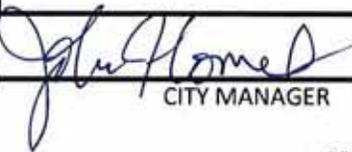
See below...

**BUDGET AMENDMENT**

FUND: 60

ACCOUNT NUMBER		DESCRIPTION OF ACCOUNT	INCREASE	DECREASE
ORG	OBJECT			
600090	499200	Fund Balance Appropriation	330,000.00	
607124	543900	Rent - Equipment	330,000.00	
		TOTAL REVENUES	300,000.00	
		TOTAL EXPENDITURES	300,000.00	

An amendment to provide emergency funding to rent a pump for the French Broad River Intake due to extreme draught conditions. This amendment will utilize fund balance for this emergency expenditure and covers a 3-month period. We will be billed per month.

  
 \_\_\_\_\_  
 CITY MANAGER

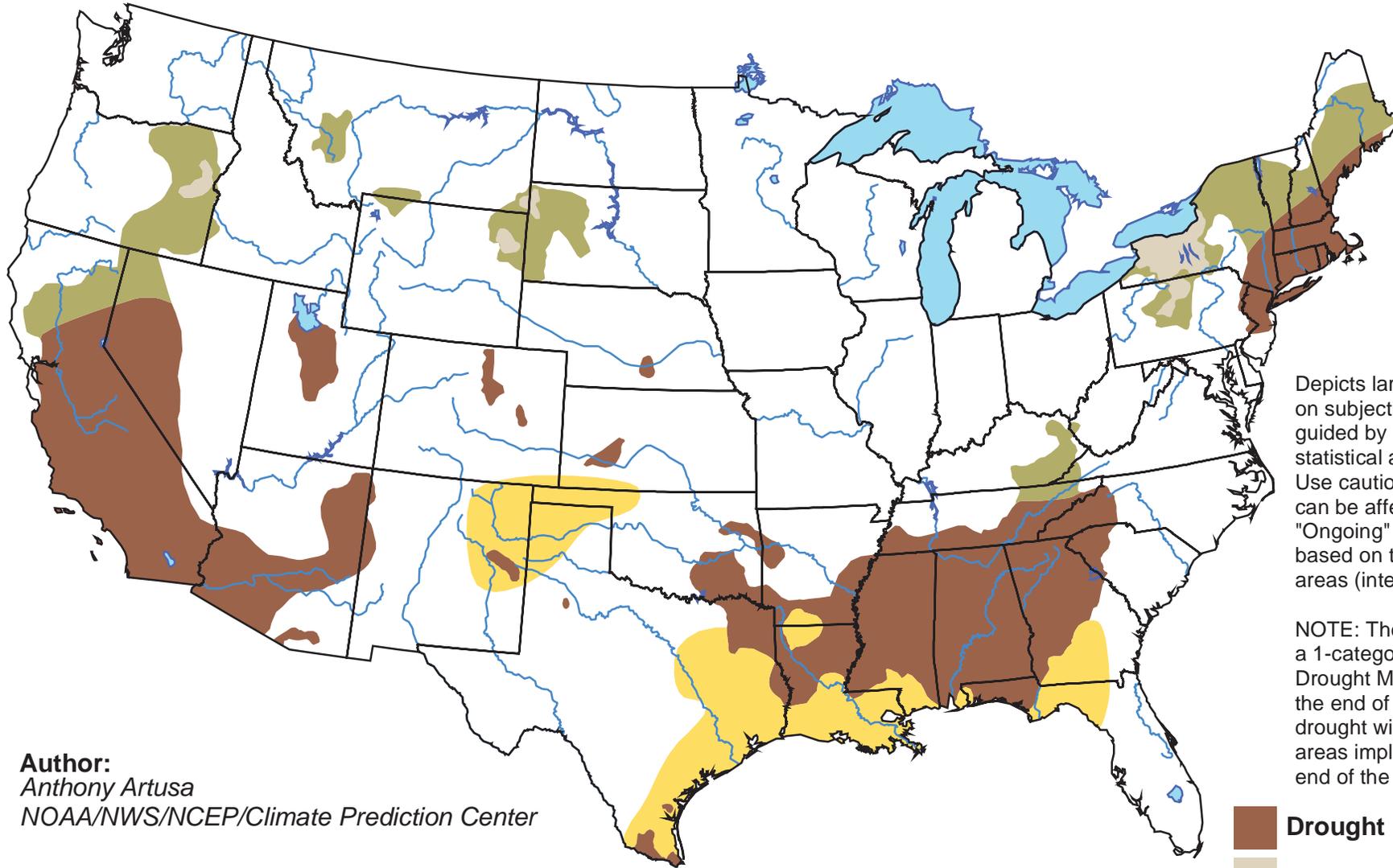
Date: 12-15-16

APPROVED BY CITY COUNCIL: \_\_\_\_\_ DATE: 12/1/2016

# U.S. Seasonal Drought Outlook

## Drought Tendency During the Valid Period

Valid for October 20 - January 31, 2017  
Released October 20, 2016

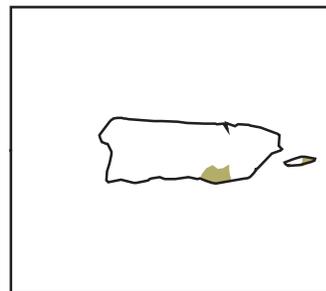
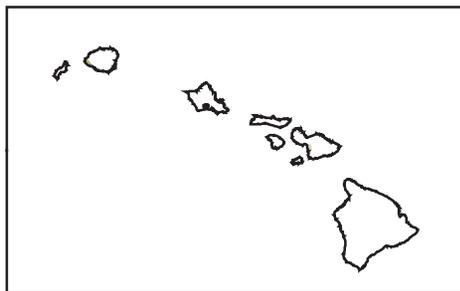
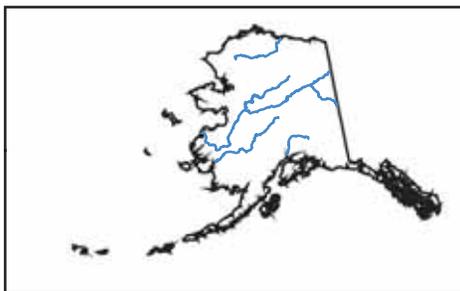


Depicts large-scale trends based on subjectively derived probabilities guided by short- and long-range statistical and dynamical forecasts. Use caution for applications that can be affected by short lived events. "Ongoing" drought areas are based on the U.S. Drought Monitor areas (intensities of D1 to D4).

NOTE: The tan areas imply at least a 1-category improvement in the Drought Monitor intensity levels by the end of the period, although drought will remain. The green areas imply drought removal by the end of the period (D0 or none).

**Author:**  
Anthony Artusa  
NOAA/NWS/NCEP/Climate Prediction Center

-  Drought persists
-  Drought remains but improves
-  Drought removal likely
-  Drought development likely



<http://go.usa.gov/3eZ73>

**From:** [Smith, Lee](#)  
**To:** [Pahle, Brian](#)  
**Subject:** RE: Emergency Pumping System - Expenditure Account  
**Date:** Monday, November 14, 2016 5:46:04 PM  
**Attachments:** [NOAA Drought Forecast Map\\_20161020 - 20170131.pdf](#)

---

Brian – Based on the attached forecast map, I would start with 3-months or \$330,000.

Lee Smith  
Utilities Director  
(828) 697-3073  
[lsmith@hvlnc.gov](mailto:lsmith@hvlnc.gov)  
305 Williams Street  
Hendersonville, NC 28792  
[www.hendersonvillenc.gov](http://www.hendersonvillenc.gov)



---

**From:** Pahle, Brian  
**Sent:** Monday, November 14, 2016 10:36 AM  
**To:** Smith, Lee  
**Subject:** RE: Emergency Pumping System - Expenditure Account

Appropriated fund balance makes sense. I can set up a budget amendment for December 1<sup>st</sup> and your funding will be available on the 2<sup>nd</sup>. How many months have you budgeted for?

Best,

Brian

---

**From:** Smith, Lee  
**Sent:** Monday, November 14, 2016 10:25 AM  
**To:** Pahle, Brian  
**Cc:** Connet, John; Reid, Ron; Kirchner, Keith; Fuller, Alvin  
**Subject:** Emergency Pumping System - Expenditure Account

Brian – The estimated monthly rental and operational costs for this system is going to be ~\$110,000. Any thoughts about how we need to set up an expense account and a funding source for these costs. Appropriated fund balance? THANKS!

Lee Smith  
Utilities Director

(828) 697-3073

[lsmith@hvlnc.gov](mailto:lsmith@hvlnc.gov)

305 Williams Street

Hendersonville, NC 28792

[www.hendersonvillenc.gov](http://www.hendersonvillenc.gov)





# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** John Connet

**Department:** Admin

**Date Submitted:** 11/21/2016

**Presenter:** John Connet

**Date of Council Meeting to consider this item:** 12/01/2016

**Nature of Item:** Council Action

## Summary of Information/Request:

**Item #** 13

UNC School of Government's Development Finance Initiative (DFI) has prepared a Request for Proposals for the recruitment of a hotel to downtown Hendersonville. Upon approval of the RFP we will move forward with the solicitation of proposals for a hotel development on Grey Hosiery Mill property.

**Budget Impact:** \$ TBD Is this expenditure approved in the current fiscal year budget? N/A If no, describe how it will be funded.

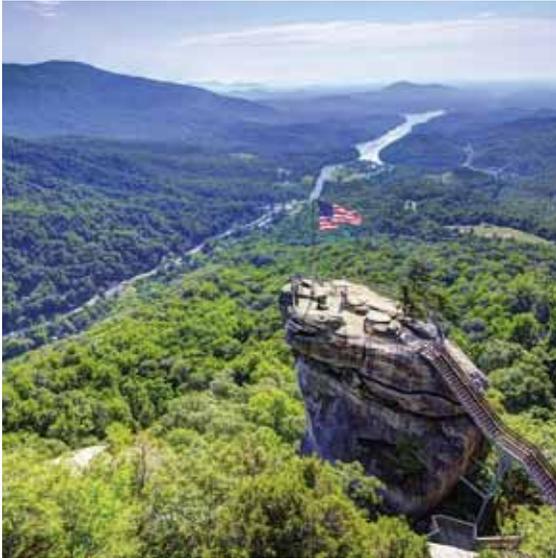
**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move that that City Council approval the Request for Proposals and move forward with the solicitation of proposals for a new hotel development on the Grey Hosiery Mill property.

## Attachments:

Draft Request for Proposals

# Hotel & Event Space Development Opportunity



## Grey Hosiery Mill

Hendersonville, NC

Winter 2016 / 2017



## About this Solicitation

This document is an invitation for experienced development teams to present conceptual plans for the redevelopment of the Grey Hosiery Mill in downtown Hendersonville, NC. The City of Hendersonville has engaged the UNC School of Government's Development Finance Initiative (DFI) to create a feasible redevelopment plan for the site that leverages public investment to induce private sector development. DFI will assist developers with understanding and responding to the City's requirements for the Mill's redevelopment. Once DFI and City staff have reviewed all proposals, they will be presented to Hendersonville's City Council with a recommendation for endorsement. While an endorsement by Council is not final approval, it will trigger an exclusive period of negotiation between the City and their selected partner for a development services agreement for the project.

The Development Finance Initiative (DFI) at the UNC School of Government partners with local governments in North Carolina to attract private investment for transformative projects by providing specialized finance and development expertise. DFI partners with communities on projects including building reuse, community development, downtown revitalization, economic development, and neighborhood redevelopment.

## The Opportunity



The Grey Hosiery Mill site in Hendersonville, NC offers a prime redevelopment and development opportunity for a downtown hotel and event space. The Mill is a city-owned historic structure ideally situated in the heart of downtown, two blocks east of Main Street between 4th & 5th Avenues. The City of Hendersonville is a thriving, regional tourism destination, but the lack of a full-service downtown hotel and event product is limiting the city's ability to absorb the growing demand. The City Council has identified this project as critical to the continued success of its local tourism market.

## Hendersonville, NC

Hendersonville, NC is located 22 miles south of the City of Asheville in a valley at the edge of the Blue Ridge Mountains. The Asheville Regional Airport is within 20 minutes of downtown Hendersonville, accessible via I26, with direct daily flights to Atlanta, Chicago, Newark and multiple Florida destinations.



Located within 20 miles of Pisgah National Forest and Dupont State Park, Hendersonville is a gateway to a variety of outdoor recreational activities. Visitors flock to the area for the natural resources and stay in the city for its vibrant, downtown retail and restaurant district. The district is listed on the National Register of Historic Places and cultural amenities such as the renowned Flat Rock Playhouse and Henderson Heritage Museum anchor the iconic, serpentine Main Street and its 16 blocks of specialty shops, art galleries, entertainment venues and casual-to-high-end restaurants. Downtown hosts several events year-round that attract thousands of visitors from North Carolina and beyond. The tourism industry is supported by the Henderson County Tourism Development Authority (TDA) and Downtown Hendersonville's Main Street Program which is dedicated to supporting the district's entrepreneurial spirit and maintaining its historic character.

## Grey Hosiery Mill

The Mill was built in 1915 and is the only historic early 20th century industrial building remaining in downtown Hendersonville. Additions to the building were made in 1919 and 1947. The 1915 structure sits closest to Main Street, abutting Grove St and 4th Avenue. The one-story brick building is listed in the National Register of Historic Places both for its architecture and industry. Dramatic multi-pane steel-sash windows, wood floors and elevated beadboard ceilings run the length of the original section creating a unique space for special events.

Operations in the single-story mill were halted in 1967 and since then the building has served various uses, including as the temporary home for the Henderson County Library. The City of Hendersonville purchased the 1.68 acre Mill site in 1990 and is in the process of acquiring the adjacent 0.4 acres to complete the development site.

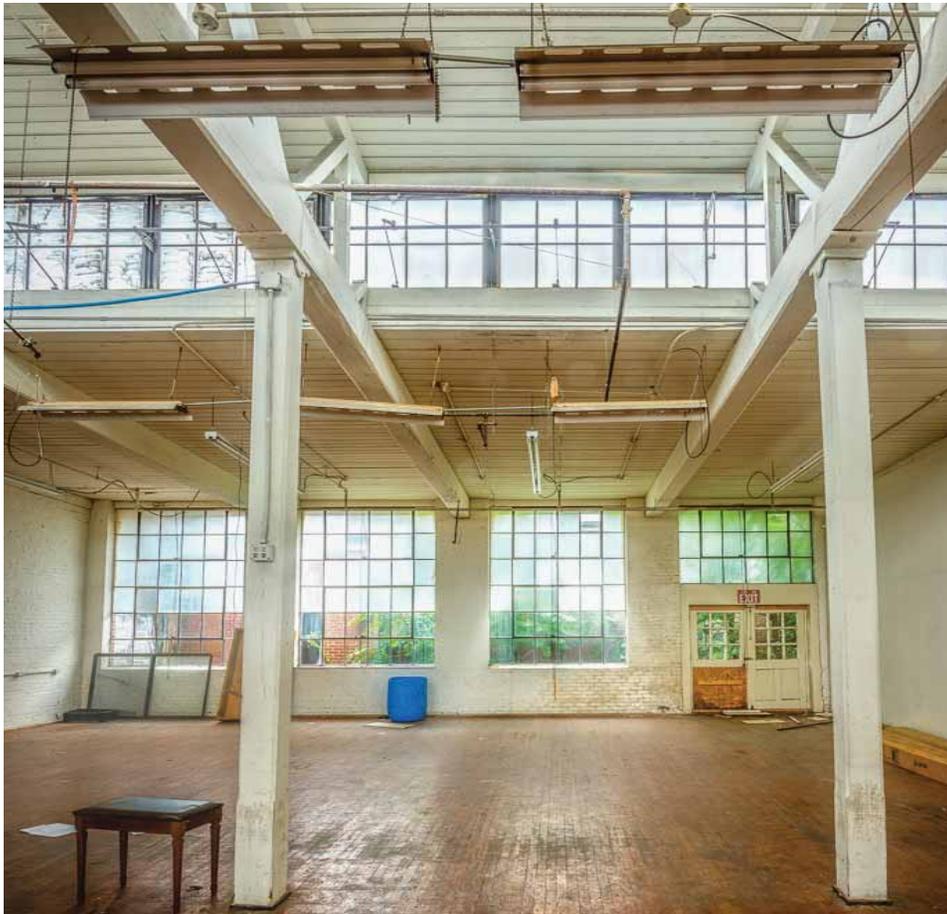


*Interior of 1915 portion of Grey Hosiery Mill. Credit: Walter Arnold*

## Project Development

The City of Hendersonville engaged the Development Finance Initiative (DFI) at the UNC School of Government to conduct predevelopment services for a hotel and event space in downtown Hendersonville and to determine feasibility for the redevelopment of the Grey Hosiery Mill. DFI has made recommendations to the City Council regarding public participation options and is currently soliciting interest from developers for the project.

Development project proposals are due March 1, 2017 and will begin the process for the selection of and negotiations with a development partner. The development is projected to break ground in the winter of 2017.



*Interior of 1915 portion of Grey Hosiery Mill Credit: Walter Arnold*

## Pre-Development Work Completed to Date

DFI performed a four-part assessment to arrive at the recommended redevelopment program, which included:

### Market Analysis

Evaluated supply and demand for multiple uses, but in particular hotel and event space. Studied comparable communities to identify the type of hotel product that could be supported by the market area. A comprehensive summary of the findings is available upon request.

### Site Planning

Identified site constraints and established the highest and best use of the site that met the City's public interests. Produced high-level conceptual plans to help partners understand public vision. A summary of the findings is available upon request.

### Financial Feasibility Analysis

Determined the financial feasibility of a private sector development and modeled options for public participation. DFI's detailed financial analysis is available upon request.

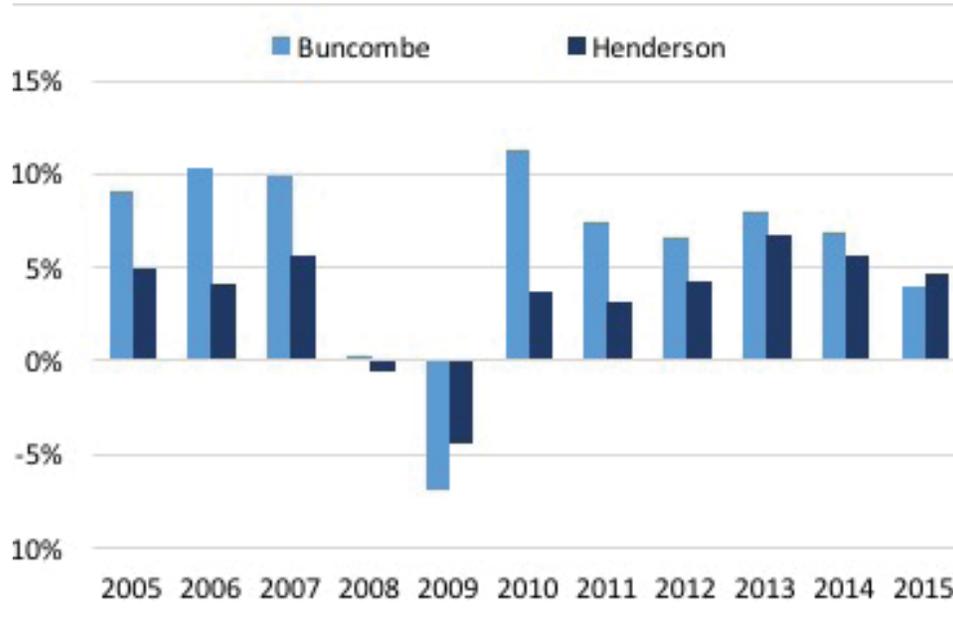
### Public Engagement

Engaged with stakeholders to learn more about their vision for downtown, identified and addressed any concerns, and more generally incorporated public interests into the final development.

## Market Overview

The City of Hendersonville is a well-established tourism destination experiencing strong year-over-year growth. In 2015, Henderson County was ranked 15th in tourism expenditures behind North Carolina's major hospitality and convention counties such as Mecklenburg and Wake, homes to Charlotte and Raleigh, respectively. Tourism spending in the county has increased at an annual average rate of 4.9% over five years, surpassing Buncombe County (Asheville) in growth in the last year.

*Year-over-year growth in tourism expenditures by county*



The market area extends through the Southeast; the top points of origin for overnight leisure visitors are Charlotte, NC; Atlanta, GA; Columbia, SC & Knoxville, TN. Visitors are typically older, upper middle-class, and well-educated couples, a demographic that is also driving the hospitality industry in nearby Asheville.

Pisgah National Forest and Dupont State Forest combined attract nearly five million visitors a year. Downtown Hendersonville hosts several events a year, including the NC Apple festival that alone draws over 275,000 visitors. Pivoting from the success of regional events, the downtown culinary and brewery scene is booming, increasing year-round activity.



*Hendersonville's NC Apple Festival*

The growth in visitation to the area and spending is occurring despite limited options for accommodation. Hendersonville has 690 existing hotel rooms that are primarily highway-oriented budget hotels or Bed & Breakfast options averaging 25 years in age. Henderson County has an additional 348 rooms under development - all outside the city limits. Despite growing demand, there is currently no option for a high-quality, full-service hotel located within a mile of downtown, limiting Hendersonville's ability to compete with the new higher-end products coming online in Asheville.

Additionally, current event venues in downtown Hendersonville are limited to 100 guests or less due to size. In 2010, the City of Hendersonville commissioned a feasibility study for a new convention center which concluded that due to the city's proximity to large population centers and transportation hubs, and its diversity of tourism activities, it could successfully attract business for a small to mid-sized convention center. The study indicated, however, that without additional full-service hotel rooms, such an event and convention industry could not be sustained. DFI's analysis of communities with comparable hospitality markets found that to meet existing demand Hendersonville needs a formal event space that can accommodate roughly 200 guests. The Grey Hosiery Mill redevelopment is a unique opportunity to capitalize on the growing demand for a full-service, unique hotel and event space in downtown Hendersonville.

## Preliminary Concept

Due to its proximity to Main Street and its historic character, a hotel on the Grey Hosiery Mill site is a prime opportunity within Hendersonville's thriving tourism industry.

DFI and the City have worked with Samsel Architects of Asheville, NC to develop a hotel program for the Grey Hosiery Mill. Based on this work and DFI's recommendations, the City Council has endorsed the following program for the site\*:

### Hotel Program

# of Rooms	130-135
Hotel (including rooms, amenities & operational facilities)	75,000 SF
Event (venue for 200 guests + conference room)	7,900 SF
Restaurant	5,000 SF
Retail (1 storefront)	3,800 SF

\*City Council's endorsement of this program should not preclude developers from submitting proposals with other intended uses for the site.

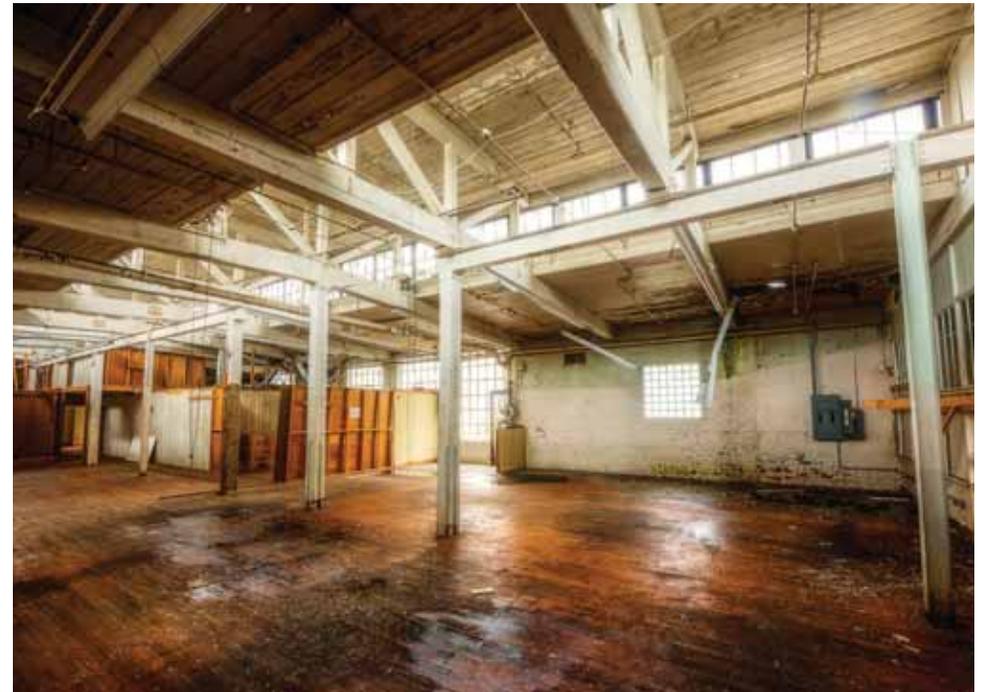
The program calls for the preservation of the 1915 portion of the Mill for reuse as an event space and restaurant, with adjacent new construction for the hotel rooms and facilities. The program also includes 115-118 surface parking spaces and assumes spillover use of the county lot across 4th Avenue. See the full conceptual plans in Appendix B.

## Revenue Projections

Based on DFI's analysis of local and comparable markets, revenue streams were projected based on an average daily rate of \$155 with a year-three stabilized occupancy rate of 65%.

### Stabilized Revenue Streams

Rooms	\$4,480,845
Food & Beverage	\$1,568,296
Other Operated Departments	\$179,234
Event Space Rental	\$134,425
Retail Lease (NNN)	\$47,555
Total Revenues	\$6,400,000
<Less> Operating Expenses	\$4,500,000
<b>Net Operating Income</b>	<b>\$1,900,000</b>



Interior of Grey Hosiery Mill. Credit: Walter Arnold

## Project Costs & Returns

### Development Costs

DFI estimates total development costs at \$24.7 million, including site acquisition:

#### *Development Costs*

Acquisition	\$1,000,000
Hard Costs	\$18,000,000
Soft Costs	\$4,700,000
Developer's Fee (4%)*	\$1,000,000
<b>Total Costs</b>	<b>\$24,700,000</b>

\*Includes 1.5% for DFI's "Development Services Fee" – see "Additional Information" section for more details

### Financial Sources

#### *Financial Sources*

Private Equity	\$6,400,000
Permanent Loan	\$17,300,000
City Loan for site acquisition	\$1,000,000
<b>Total Sources</b>	<b>\$24,700,000</b>

The Grey Hosiery Mill is eligible for Federal Historic Rehabilitation Tax Credits and State Mill Rehabilitation Tax Credits. The program endorsed by City Council does not apply the credits, but this solicitation does not preclude their use.

## Public Participation



The City of Hendersonville is prepared to work with a development partner to facilitate the redevelopment of the Grey Hosiery Mill and its connection to Main Street. City Council has endorsed the following public participation options:

- A city loan for the acquisition of the property
- Extension of Main Street streetscape improvements along 4th Avenue

Additional public participation options may be considered should proposals prove their necessity for a successful project.

## Project Returns

Using the above program and projected rents, DFI has modelled the project to determine overall feasibility and returns for the Developer and potential Equity Investor(s). Detailed versions of the financial assumptions, operating cash flows, and projected returns are available upon request. With the above outlined options for public participation, DFI estimates that the developer of this project can achieve market rate returns, and is currently estimating an **IRR of 16-18% and an annual yield of 6-8%**.

## Submission of Proposals

Developers shall organize their proposals in the format described below. Please submit the requested information in appropriate detail to allow adequate review and evaluation of qualifications and plans. Any information that a respondent requests remain confidential should be sent under a separate cover (see below Submission Procedure).

### 1. *Letter of Introduction*

Include a summary of the respondent's basic qualifications, experience, and reasons for interest in this opportunity. The letter should be signed by a principal or authorized officer for the entity.

### 2. *Proposal*

Program for site, including the mix and scale of uses, as follows:  
Hotel (number of keys, average room size and mix, total gross square footage, amenity package, event space square footage)  
Commercial (total gross square footage, intended use by square footage)  
Parking requirements

Design Schematics:

Illustrative sketches, including the following:

Overall site design showing how the Mill structure will be incorporated  
Preliminary plans for each floor  
Unit test fits

DFI and the City have worked through multiple iterations of a feasible project on the Project Site with Samsel Architects, Asheville, NC. For additional access to the concept plans appearing in this RFP, contact Nathan Bryant at [nathan@samselarchitects.com](mailto:nathan@samselarchitects.com).

Development Assumptions

Site acquisition price

Detailed development budget

Parking assumptions

Financing Assumptions:

- Expected amounts and sources of debt and equity
- Status of commitments from lenders and investors
- Expected average daily rate, occupancy rate, venue rental fee and commercial rents

### 3. *Development Team*

- Identification of up to three partner firms and roles, including co-developers, architects/designers, and general contractor.
- Overview for each firm on the team, including brief history of firm, past experience working with the developer, and relationship of the firm's parent company with the office responsible for this project, if applicable.
- Identification and resumes of lead staff (principals and project managers) that will be responsible for negotiating a development agreement with the City and completing the remainder of the preconstruction approval process.

### 4. *Management Team*

- Identification of hotel management partner or franchise, and event space management partner (if different from hotel).
- Overview of the management partner(s) including brief history and hotel portfolio, and experience working with the developer.
- Identification and resumes of lead staff.

### 5. *Experience & References*

Provide relevant development experience, particularly in developing hotel or event space projects, and historic rehabilitation. Provide information on at least three, and no more than five projects. Each comparable development should detail the following information:

- Location and name of project
- Name of hotel management partner
- Scope and scale of development program
- Photos/illustrations of completed project
- Total development budget by use
- Amounts and sources of debt and equity funds used to finance the project, including governmental sources.

Please provide a point of contact for each capital provider for the project.

- Contact information for a representative of the primary public agency partner in the project
- Developer's role in and ownership for each project (e.g., fee developer, equity investor, and/or property manager).

### 6. *Financial Capacity*

Provide evidence of sufficient financial strength to undertake and successfully complete a project of this scale. Please also identify any projects/financing on which the team collectively or individually has defaulted.

### 7. *Disclosures*

- Disclosure of any potential conflicts of interest that could be relevant to this project in any manner
- Disclosure of whether the developer or any officer, director, or owner thereof has had judgments entered against him or her within the past 10 years for the breach of contracts for governmental or nongovernmental construction or development
- Disclosure of whether the developer has been in substantial noncompliance with the terms and conditions of prior construction contracts with a public body
- Disclosure of whether any officer, director, owner, project manager, procurement manager, or chief financial official thereof has been convicted within the past 10 years of a crime related to financial fraud or to governmental or nongovernmental construction or contracting
- Disclosure of whether any officer, director, or owner is currently debarred pursuant to an established debarment procedure from bidding or contracting by any public body, agency of another state, or agency of the federal government

## Evaluation Criteria

The evaluation of developers responding to this solicitation will be undertaken in order to select a partner and plan that is viable, will best serve public interests, and can be completed in a reasonable time frame. The following evaluation criteria will be used to make that selection:

- Qualifications and experience of the development team, with preference given for experience with hotel development and historic rehabilitation.
- Experience of the hotel management partner, with preference given for downtown boutique hotel and event management.
- Quality of the proposed building design and its fit with the surrounding downtown fabric
- Demonstrated ability to secure funding to execute a project of similar scale and complexity in a reasonable timeframe
- Financial benefits to City from the proposed project
- List of active development projects and demonstration of current capacity.

## Submission Procedure

**Development Partner proposals are due at 5:00 p.m. EDT on March 1, 2017. Proposals should be submitted electronically in PDF format to [dowling@sog.unc.edu](mailto:dowling@sog.unc.edu).**

Proposals must be prepared in conformance with the guidelines described under “Submission of Proposals.” The email subject must be “Development Partner Proposal: Grey Hosiery Mill, Hendersonville, NC.”

All responses are subject to public disclosure under the North Carolina Public Records Law. DFI recognizes that respondents must submit information that it may deem confidential and proprietary in order to comply with the requirements of this solicitation. Respondents are entitled to request that certain information remain confidential, when permitted by law, as follows: (1) the respondent identifies the confidential proprietary portions of the response, (2) the respondent identifies as confidential and proprietary only those portions of the submittal that actually are confidential and proprietary, and (3) the respondent states why protection is necessary. Respondents shall not designate their entire response as confidential and proprietary, nor shall they so designate information that is already public.

Any information that the respondent would like to remain confidential should be e-mailed under separate cover to [dowling@sog.unc.edu](mailto:dowling@sog.unc.edu). The e-mail subject must be “PROTECTED: Development Partner Proposal: Grey Hosiery Mill, Hendersonville, NC.”

For information concerning the procedure for responding to this Solicitation for Development Partners or clarifications of the terms, conditions, and requirements of this SDP, please e-mail Rory Dowling, Project Manager, DFI, at [dowling@sog.unc.edu](mailto:dowling@sog.unc.edu).

## Selection Process

DFI will review all responses, contact references, and coordinate interviews as necessary. After a review of submitted proposals, clarifications may be requested. Unless requested by DFI, no additional information may be submitted by developers after the March 1, 2017 deadline. DFI will enter discussions with the developers having the most viable proposals before finalizing its recommendation of a partner to the Hendersonville City Council. An endorsement by Council of a development partner is not final approval. Rather, it will trigger an exclusive period of negotiations between the City and their selected partner for a development services agreement for the project. DFI will advise the City in the negotiation of a formal development agreement.

The next steps in the timeline for this development project are estimated as follows. The City reserves the right to extend or otherwise modify the following schedule. If and when such changes in the schedule occur, notice will then be provided:

## Project Timeline

Deliverable	Date
Development Partner Proposals Due	March 2017
Private Development Partner Chosen	April 2017
Memorandum of Understanding	May 2017
Development Agreement	July 2017
Site Plan Review and Permitting	End of Summer 2017
Project Breaks Ground	Winter 2017

## **Additional Information**

### *Consultant Fee*

DFI's predevelopment work thus far will benefit the private developer taking on the project by significantly reducing the time, effort, and expense required to move the project through the City's public planning process. The City has therefore agreed in a contract fully executed on December 1, 2015, to include a "Development Services Fee" contingent upon the execution of one or more agreements regarding any aspect of the Project or any portion thereof. The Development Services Fee shall be an amount equal to 1.5% of the total project costs. The terms of the fee are further described in Appendix A of this document.

### *Disclaimers*

All facts and opinions stated in this solicitation are based on available information and are believed to be accurate. Nevertheless, neither the City of Hendersonville nor the UNC School of Government, nor any of their officers, agents, or employees, shall be responsible for the accuracy of any information provided to any respondent as part of this solicitation or vetting process. All respondents are encouraged to independently verify the accuracy of any information provided. The use of any of this information in the preparation of a response to this request is at the sole risk of the respondent.

Those submitting responses to this solicitation assume all financial costs and risks associated with the submission. No reimbursement or remuneration will be made by the City or UNC to cover the costs of any submittal, whether or not such submittal is selected or utilized. The City reserves the right to reject any or all submittals at its sole and absolute discretion and accepts no responsibility for any financial loss by such action.

Any agreements that may be entered into between the developer(s) and the City, including but not limited to a Development Services Agreement, are subject to approval by the City Council. DFI does not act as a broker or agent of the City, and no representation made by DFI during the solicitation and vetting process shall be binding on the City.

The City reserves the right to waive irregularities or informalities in any submittal in the exercise of its sole and absolute discretion.

The City of Hendersonville is an equal opportunity employer. It encourages minority- and women-owned firms to respond to this and all other solicitations.

## Appendix A: Predevelopment Fee Agreement

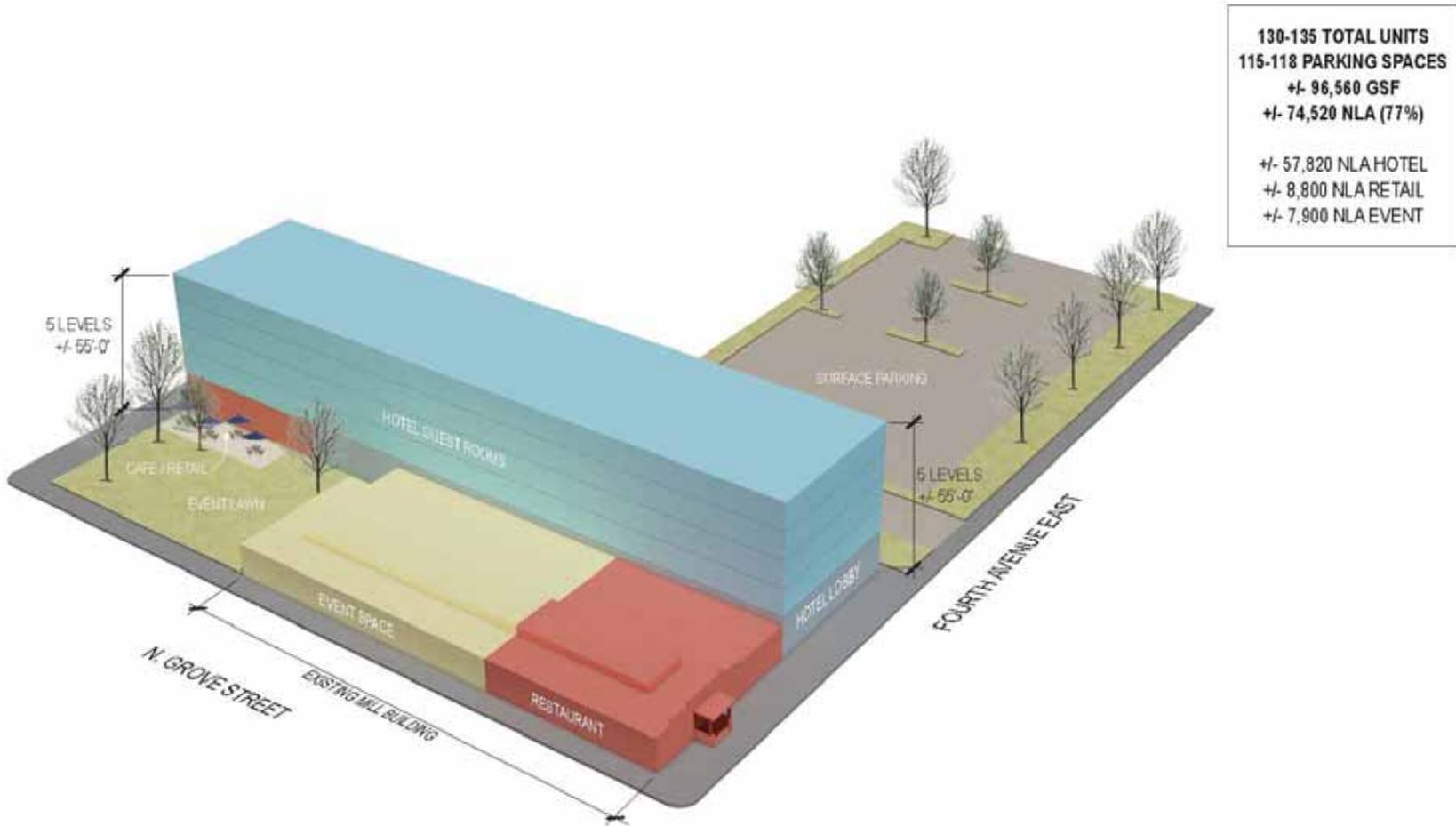
The conveyance or lease of the property described herein (the “Property”) to the successful bidder and its successors and assigns (the “Developer”) shall be conditioned upon the execution of an agreement (the “Development Services Agreement”) between the City and the Developer pertaining to the responsibilities of either the City or the Developer, or both, regarding any aspect of the development of the Property or any portion thereof (the “Project”). As part of the Development Services Agreement, the Developer shall agree to pay a fee to the City’s consultant (“SOG”) and its successors and assigns for predevelopment services provided to the City, and the Development Services Agreement shall provide that SOG is an intended third party beneficiary of the Development Services Agreement. The fee shall be an amount equal to 1.5% of the total costs of development of the Project as calculated by the Developer in the most recent version(s) of pro forma and other financial projections (the “Developer Financials”) prepared by the Developer and delivered to lenders and/or investors prior to the execution of the Development Services Agreement, and in the event of any inconsistencies in the projected total costs among different versions of the Developer Financials, the version of the Developer Financials showing the greatest total costs of development of the Project shall be used to calculate the Development Services Fee. The Development Services Fee shall be due and payable in full to SOG no later than 30 days following execution of the Development Services Agreement. An alternative payment schedule for payment of the Development Services Fee to SOG may be developed as mutually agreed in writing by Developer and SOG; by way of illustration only, such schedule of payments could be tied to the receipt of any developer fees by Developer. Developer’s obligation to pay Development Services Fee shall not be assignable by Developer to any other entity, nor shall any assignment relieve Developer of its obligation to pay Development Services Fee, except upon written consent of SOG.

# Appendix B: Conceptual Plans



MILL SITE - OPTIMIZED SITE DIAGRAM  
 HENDERSONVILLE SITE STUDY  
 08.31.2016

SAMSEL ARCHITECTS





# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** John Connet

**Department:** Admin

**Date Submitted:** 11/19/2016

**Presenter:** John Connet

**Date of Council Meeting to consider this item:** 12/01/2016

**Nature of Item:** Council Action

## Summary of Information/Request:

**Item #** 14

Several months ago City staff presented the idea of amending our existing Sponsorship Policy to allow for the solicitation of donations to fund improvements in our park facilities. Staff has revised the policy to allow for the solicitation of donations and will present it to the City Council for your approval. The Policy specifies that any donation over \$1,250 must be approved by the City Council.

**Budget Impact:** \$ TBD Is this expenditure approved in the current fiscal year budget? N/A If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

I move that the City Council approve the amended Sponsorship Policy to allow for the solicitation of donations to fund improvement in our park facilities.

**Attachments:**

Amended Sponsorship Policy



# *City of Hendersonville*

Policy Date: 04-09-09

Amended 04-04-13

Amended 01-05-17

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**Title:** *Sponsorship Policy*

## **I. Introduction**

The purpose of this policy is to allow the City of Hendersonville to seek sponsors that further its mission by providing monetary or in-kind support for City programs, facilities, services or other governmental functions. The City recognizes that the public trust and public perception of its impartiality may be called into question by sponsorships that are aesthetically displeasing, politically oriented, or offensive to segments of its citizenry. Loss of public trust or perceptions of partiality may impair the City's ability to govern. This policy presents tools to ensure that sponsorships do not weaken the public trust or present challenges to our impartiality in dealing with the business and non-profit community.

Wherefore, the City permits private sponsorship and/or donations for government programs or services in limited circumstances in order to generate funds for improving or expanding those programs and services. The City maintains its sponsorship program as a nonpublic forum and exercises its sole discretion over who is eligible to become a sponsor according to the terms of this policy.

Whenever possible, sponsorships should be appropriate to the specific activities, facilities, events, programs or publications. The City will neither seek nor accept sponsors that manufacture products, offer services or take positions materially inconsistent with local, state, or federal law or with City policies. The establishment of a particular sponsorship does not constitute the City's endorsement of any product or services or of any person or entity or point of view.

## **II. Sponsorship Defined**

For purposes of this policy, "Sponsorship" means the right of any person or entity other than the City or its agents acting in their governmental capacity to associate one or more names, products, or services, or any combination thereof, with the City's programs, facilities, services or name. Sponsorship is a business relationship in which the City of Hendersonville and the Sponsor exchange goods, services, donations and similar consideration for the right to display or offer the names, products and services as offered by the Sponsor on City property acknowledging private support.

## **III. Procedure**

The City retains the right to determine the appropriateness of a Sponsorship and may refuse any offer based on the above considerations or other similar considerations, and will be guided in its determination by the following:

1. The City Manager will refer any sponsorship proposal with a financial value greater than \$1,250.00 to the City Council for final approval, and may so refer any other sponsorship proposal.
2. A sponsorship agreement will be in writing and executed by both the City and the Sponsor. It will among other things specify the following information:
  - a. Activities, products and services offered by the Sponsor
  - b. Benefits to the City and the estimated value thereof
  - c. Benefits to the Sponsor and the estimated value thereof
  - d. Specifics of the sponsorship, including, in the case of any printed thing, the details of the appearance including content, duration if applicable, term of the engagement, and other pertinent information.
  - e. A statement, if requested by the City, that sponsorship does not constitute an endorsement of the Sponsor or any other person or entity or of their activities, goods or services.

The City will consider the following in deciding on a sponsorship:

1. The value of the Sponsorship to the Sponsor and to the City
2. Aesthetics of any proposed display, whether physical or otherwise
3. Relationship of the Sponsor and its message to the sponsored activity or program
4. Level of cooperation from other governmental units
5. Inconsistencies between City policies and purposes and the Sponsor's activities, products, services, policies, purposes and practices
6. Any activity, product, service, policy, purpose or practice of the Sponsor or any other person or entity that may, in the opinion of the City, cause the sponsorship to bring the City into disrepute
7. Any other factor that the City reasonably believes would cause a proposed sponsorship not to be in the best interests of the City

#### **IV. Limitations**

Because the City intends to maintain sponsorships as a nonpublic forum, it may make such decisions as, in its opinion, may be reasonably necessary to further the City's legitimate interests. The City's control may include the right to determine placement, content, appearance and wording of sponsorship messages. The City reserves the right to refuse sponsorships containing among other things, any of the following messages:

1. Promotion of the sale or consumption of alcoholic beverages
2. Promotion of establishments whose primary business is the sale or consumption of alcoholic beverages
3. Promotion of the sale or consumption of tobacco or tobacco products
4. Promotion of the sale of birth control products or services
5. Commentary, advocacy or promotion of issues, candidates and campaigns pertaining to political elections

6. Depiction of profanity or obscenity or promotion of sexually oriented products, activities or materials
7. Promotion of the sale or use of firearms, explosives, or other weapons, or the glorification of violent acts
8. Promotion or depiction of illegal products, or glorification or endorsement of illegal products, activities or materials
9. Suggestion of the City's endorsement or promotion of the Sponsor or its products or services

Sponsorship recognition messages may identify the sponsor but may not promote or endorse the organization or its products or services. Statements that advocate, contain price information or an indication of associated savings or value, request a response, or contain comparative descriptions of products, services or organizations will not be accepted. The City shall accept only the following content.

1. The legally recognized name of the Sponsor;
2. The Sponsor's organizational slogan if it identifies rather than promotes the organization or its products or services;
3. The Sponsor's product or service line, described in brief, generic, objective terms. Only one product or service line may be identified.
4. Brief contact information, such as phone number, physical address, or internet address, and only in such a manner that avoids the implication that the reader should take any action.
5. The City will not make any statement endorsing the sponsor or its products or services.

## **V. Miscellaneous**

Any sponsorship is prohibited unless approved by the City Manager in writing, with prior consent granted by the City Council, except that the City Manager need not obtain consent from the City Council for sponsorships determined by the City Manager to have a financial value of \$1,250.00 or less.

## **VI. PARKS FACILITIES NAMING RIGHTS POLICY**

The City Council may enter into an agreement that calls for a park facility to be named after a sponsor who has generously contributed to the construction or purchase of said facility. The City Council ultimately reserves the right to accept or reject any proposal as it deems fit. The City Council's decision shall be binding.

The City shall create and modify from time to time a list of naming opportunities that will serve as a guide for the City Council and prospective sponsors. This list shall serve as **minimum levels** of sponsorship to be considered for naming rights to a park facility.

All agreements of this nature shall be in the form of a signed letter of agreement and shall contain the **minimum** following criteria:

1. Amount of contribution to be in cash and/or in kind service.
2. A date by which the contribution must be received.
3. A starting date and ending date as to when the naming rights begin and end.

4. A first right of refusal to renew the agreement by the contributor should be included with a clause that the determination whether to extend the first right of refusal offer is exclusively reserved by the City at the conclusion of the naming rights agreement.
5. Provision for cancellation of naming rights in the event the entity ceases business operations or becomes involved in an activity that is deemed unsuitable by the City, shall retain all contributions in this provision.

The City will retain the right to change or delete all or any part of this policy at any time and from time to time.

Adopted by the City Council at a regular meeting held April 9, 2009, amended on April 4, 2013 and January 5, 2017.

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Barbara G. Volk, Mayor

Attest:

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Tammie K. Drake, MMC, City Clerk

g:\Clerk\Policies\Sponsorship Policy.doc



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Brian Pahle

**Department:** Admin

**Date Submitted:** 11/16/16

**Presenter:** Brian Pahle

**Date of Council Meeting to consider this item:** 12/01/16

**Nature of Item:** Presentation Only

## Summary of Information/Request:

**Item #** 16a

In accordance with State Statute 159-13 (b) (3) it is required that all expenditures resulting from a contingency appropriation budget adjustment be reported to the governing board at its next regular meeting and recorded in the minutes. Every month you will receive a staff report detailing the contingency appropriations made from the two months priors last Wednesday to the prior month's last Wednesday. For example for a December meeting you will receive a report of all contingencies appropriated from the last Wednesday in October to the last Wednesday in November. The following contingency appropriations were made:

- 1) Fund 20 | \$5,000 | Temp. Funding to Cover Light Enhancements on Main St.
- 2) Fund 430 | \$340,000 | Costs for New Design/Engineering

Budget Impact: \$0 Is this expenditure approved in the current fiscal year budget?  N/A If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

None.

**Attachments:**

See below...

**DEPARTMENT LINE ITEM BUDGET ADJUSTMENT**

FUND: 20

DEPARTMENT: 4750, 9910

EFFECTIVE DATE: 11/8/2016

ACCOUNT NUMBER				
* ORG	OBJECT	DESCRIPTION OF ACCOUNT	EXPENDITURE BUDGET INCREASE	EXPENDITURE BUDGET DECREASE
204750	553000	Non Capital Equipment	\$ 2,500.00	
204750	529900	Supplies & Materials	\$ 2,500.00	
209910	599100	Contingencies		\$ 5,000.00
<b>TOTAL ADJUSTMENT</b>			<b>\$ 5,000.00</b>	<b>\$ 5,000.00</b>

Increases & Decreases must equal

**DEPARTMENT - INSERT DETAIL EXPLANATION/REASON FOR BUDGET ADJUSTMENT:**  
 A temporary adjustment to cover the purchase of downtown light upgrades and a tool for sidewalk maintenance. Funds will be reimbursed when the City receives grant proceeds from the TDA.

**INSTRUCTIONS:**

Budget Adjustments may be used by to reallocate budgeted funds within in department between non-salary account line items.

Budget Adjustments may be completed and approved by department heads as long as all account lines are within the same department

Use whole dollar amounts - no cents.

Budget Adjustments may not contain salary or personnel related account numbers.

Budget Adjustments do not require Council approval.

Please contact the Budget Office for any budget transfers which contain salary or personnel related account numbers or transfers between departments or transfers related to appropriated fund balance as that would require City Manager and Council approval.

  
 DEPARTMENT HEAD APPROVAL SIGNATURE

Date: 11/9/2016

Lew Holloway  
 PRINT DEPARTMENT HEAD NAME

Send completed form to the City Budget Office for Posting.





# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Tammie Drake

**Department:** Admin

**Date Submitted:** 11.18.16

**Presenter:** Tammie Drake

**Date of Council Meeting to consider this item:** 12.01.16

**Nature of Item:** Presentation Only

**Summary of Information/Request:**

**Item #** 17

APPOINTMENTS: None

ANNOUNCEMENTS: There are vacancies on:

BOARD OF ADJUSTMENT (alternate position)

BUSINESS ADVISORY COMMITTEE: The resignation of Mr. Chuck Edwards has left a vacancy on this Committee.

TREE BOARD: The terms of three members on the Tree Board will expire in February 2017: Mac Brackett, Wes Burlingame, Judy Frank. These (re)appointments will be on your January agenda for consideration.

Budget Impact: \$ \_\_\_\_\_ Is this expenditure approved in the current fiscal year budget?  N/A If no, describe how it will be funded.

**Suggested Motion:** *To disapprove any item, you may allow it to fail for lack of a motion.*

**Attachments:**

board membership lists