

AGENDA

CITY OF HENDERSONVILLE CITY COUNCIL – REGULAR MEETING

FEBRUARY 4, 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:** December 3, 2015 Regular Meeting
 - B. **Consideration of Budget Amendment for the Downtown Fund for Grant Funds Received for the Azalea and Laughter Parking Lot Improvements**
 - C. **Consideration of Purchase of Property on N. Oak Street and Associated Budget Amendment** *(included in the Financial mid-year Report)*
 - D. **Consideration of Amendments to Chapter 54 Vehicles for Hire, Article III Horse-Drawn Carriages**
 - E. **Consideration of Endorsing the Grant Applications of the Housing Assistance Corporation and Homeward Bound of WNC for the Utilization of 2016-17 Home Consortium Funds**
 - F. **Consideration of a Bond as submitted by the Housing Assistance Corporation as sufficient security for the completion of Oklawaha Village**
 - G. **Consideration of Financial Mid-Year Report and Necessary Budget Amendments**
6. **Recognition – Quarterly Service Excellence MVPs**
Presenter: City Manager John Connet and Mayor Barbara Volk
7. **Recognition – Service Excellence MVP of the Year**
Presenter: City Manager John Connet and Mayor Barbara Volk

8. Consideration of a Resolution in Support of ConnectNC Bond Referendum

Presenter: City Manager John Connet

9. Consideration of an Ordinance Amending Section 36-87 of the City's Code of Ordinances Respecting Weapons on City-Owned or City-Maintained Property

Presenter: City Manager John Connet

10. Discussion of Special Use Permit Application Review/Planning Board/Legal Issues

Presenter: City Attorney Sam Fritschner

11. Comments from Mayor and City Council Members

12. Reports from Staff

A. Report on Contingencies

B. Reminder of Council Planning Retreat: February 11-12, 2016

13. Boards and Commissions:

A. Consideration of Establishing a City Council Liaison Position on the Seventh Avenue Advisory Committee

Presenter: City Manager John Connet

B. Consideration of (Re)Appointments

Presenter: City Clerk Tammie Drake

C. Announcement of Upcoming Vacancies

14. New Business

15. Staff Request for Closed Session

16. Adjournment





CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Brian Pahle

Department: Admin

Date Submitted: 01/28/16

Presenter: Brian Pahle

Date of Council Meeting to consider this item: 02/04/16

Nature of Item: Council Action

Summary of Information/Request:

Item # 05b

The City is in receipt of grant funding to be spent on Main Street/Downtown MSD projects.

This City will increase its Downtown Fund budget by \$96,000 (grant total).

Downtown Fund - Increase - \$96,000

Budget Impact: \$ 96,000 Is this expenditure approved in the current fiscal year budget? N/A If no, describe how it will be funded.

New Revenues

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.

Attachments:

See below...

BUDGET AMENDMENT

FUND: 20

ACCOUNT NUMBER		DESCRIPTION OF ACCOUNT	INCREASE	DECREASE
ORG	OBJECT			
204750	559900	Cap Outlay Otr Impr.	96,000.00	
200080	424900	Grant Revenue	96,000.00	
TOTALS IN BALANCE			\$ 96,000.00	\$ 96,000.00

A budget amendment to increase the Downtown budget for a grant received from the State's adopted budget in September.



 CITY MANAGER

Date: 1/28/16

APPROVED BY CITY COUNCIL:

DATE: 2/4/2016



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: John Connet

Department: Admin

Date Submitted: 01/25/2016

Presenter: John Connet

Date of Council Meeting to consider this item: 02/04/2015

Nature of Item: Council Action

Summary of Information/Request:

Item # 05c

Staff has been working with Pardee Regional Medical Center (Hospital) to acquire the two properties on N.Oak Street directly across from the medical transport/ non-ambulatory entrance of the Health Sciences Building. Two appraisals have been completed on the properties and the Hospital has reached an agreement with the property owners. The City's contribution will be the consist of the difference between the Hospital's appraisal and the City of Hendersonville's appraisal. The property will be utilized to widen the street, provide additional parking and green space associated with the new Health Sciences Building.

Budget Impact: \$ 67,000 Is this expenditure approved in the current fiscal year budget? No If no, describe how it will be funded.

A budget amendment for the \$67,000 is included in the mid-year report.

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

I move that the City Council direct the City Attorney to develop the necessary Inter-local Agreement to facilitate the joint purchase.

Attachments:

Budget Amendment included in Mid-Year report.



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Tammie Drake

Department: Admin

Date Submitted: 01.27.16

Presenter: Tammie Drake

Date of Council Meeting to consider this item: 02.04.16

Nature of Item: Council Action

Summary of Information/Request:

Item # 05d

Staff has found certain sections of the horse-drawn carriage ordinance are cumbersome and may over-burden the horse-drawn carriage operator and/or need revision for public protection, etc.

City Manager John Connet, City Clerk Tammie Drake and Police Lieutenant Chris Leroy met and reviewed the ordinance and are suggesting the amendments to the ordinance. The ordinance was also reviewed by City Attorney Sam Fritschner and Police Officer Kyle Thiel who inspects the carriages.

Please let us know if you have any questions or concerns about the proposed amendments.

Please see the attached ordinance to amend that section of the Code of ordinances.

Budget Impact: \$ n/a 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 City Council to approve an Ordinance amending Chapter 54 Vehicles For Hire, Article III - Operation of Horse-Drawn Carriages, of the City of Hendersonville Code of Ordinances.

Attachments:

ordinance



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: John Connet

Department: Admin

Date Submitted: 01/25/2016

Presenter: John Connet

Date of Council Meeting to consider this item: 02/04/2015

Nature of Item: Council Action

Summary of Information/Request:

Item # 05e

The City of Hendersonville is a member of the Asheville Regional Home Consortium. This Consortium is annually allocated grant funds to support programs for the development of low to moderate income housing in Buncombe and Henderson Counties. Regional non-profits may utilize these funds to support the development of housing or programs that support low to moderate income individuals. However, in order to apply for the funds, the non-profits must have the endorsement of one of Consortium members. The following non-profits have requested endorsement from the City of Hendersonville:

1. Housing Assistance Corporation - Additional construction funding for Oklawaha Village on N. Main Street -\$125,000
2. Homeward Bound - Rental assistance for chronically homeless population in Henderson County- \$25,000

Each of these non-profits have received an endorsement from the City of Hendersonville in previous years. Staff recommends support of these two applications.

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.*

I move that the City Council endorse the grant applications of the Housing Assistance Corporation and Homeward Bound of WNC for the utilization of 2016/17 Home Consortium Funds.

Attachments:

Project Descriptions

January 2016

Homeward Bound of Western North Carolina's Housing Programs

Rapid Re-housing: Homeward Bound began Hendersonville's first Rapid Re-housing program on January 1, 2013. Rapid Re-housing provides short- to medium-term tenant-based rental assistance with housing case management services to individuals and families experiencing homelessness until they can sustain on their own long-term. The agency housed 210 individuals (58 single individuals and 49 families with 66 adults and 86 children) from January 1, 2013 through December 31, 2015.

Permanent Supportive Housing: Homeward Bound began Hendersonville's first Permanent Supportive Housing program on April 1, 2014. Permanent Supportive Housing provides long-term tenant-based rental assistance with housing case management services for those individuals and families who have been chronically homeless (homeless for more than 12 months) with the head of household having a disability (mental health, substance use, physical health). The agency housed 36 individuals (12 single individuals and 8 families with 10 adults and 14 children) from April 1, 2014 through December 31, 2015.

Request

Homeward Bound of WNC requests continued support from Hendersonville for this housing work. We request \$75,000 in HOME funds from Henderson County/Hendersonville (\$50,000 from the county and \$25,000 from the city) through the regional HOME Consortium. This funding will continue to provide short- or medium-term tenant-based rental assistance to individuals or families experiencing homelessness in Homeward Bound's Rapid Rehousing program. Homeward Bound will pair the tenant-based rental assistance with case management services (funded from other sources) to help newly housed clients remain in permanent housing long-term. With \$75,000 in HOME funding, Homeward Bound will move 25 households from homelessness to permanent housing.

Please contact David Jacklin, Homeward Bound's Henderson County Director, with any questions at david@homewardboundwnc.org or (828)777-0800.



HOUSING ASSISTANCE

January 20, 2016

Mr. John F. Connet
City Manager
City of Hendersonville
145 Fifth Avenue E
Hendersonville, N.C. 28792-4328

Re: Request by The Housing Assistance Corporation (HAC) for City of Hendersonville approval to submit an application to the Asheville Regional Consortium seeking HOME 2016 funds

Dear City Manager Connet:

HAC will be submitting its CHDO application to the Asheville Regional Housing Consortium seeking an allocation of \$125,000 of the HOME 2016 Program for the 78 MF Mixed Income Apartments to be known as Oklawaha Village Apartments. These funds are needed for the following: (1) HAC was awarded \$50,000 less than requested out of the HOME 2014 & 2015; (2) \$25,000 for additional permit, approval and revised engineering plans to add one 12-unit building, and (3) \$50,000 for the incremental grading and excavating for the revision to the Site Plan to increase from 66 to 78 total units.

The Application Instructions state:

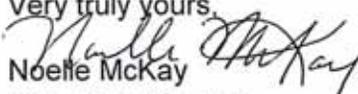
Projects in Consortium member jurisdictions other than Asheville require the approval of those jurisdictions prior to the general deadline for submittal of this application. You must contact the appropriate Consortium member to inform them of your proposed project and to determine their application submittal deadline.

Because the entire development, located at 1818 N Main St. will be within the City of Hendersonville if ultimately approved, the City of Hendersonville needs to approve HAC's application to the Consortium.

The Oklawaha Village Apartments is presently approved for 66 apartment units situated in five (5) 3-story buildings located on a single Lot of approximately 11.8 acres at a density of 5.6u/a. Had HAC been awarded 2015 LIHTC, then all 66 of these Apartments would have been rented to and occupied by families earning 60% or less of the Area's Median Income (AMI). However, HAC was not awarded LIHTC 2015 (fortunately, another development in Henderson County was); therefore, HAC is moving forward with these Apartments as Mixed Income which will create housing affordable to families earning 50%AMI up to no more than 115%AMI.

Accordingly, the City of Hendersonville is respectfully requested to grant its approval and endorsement of HAC's application to the Asheville Regional Consortium seeking an allocation of funds out of the 2016 HOME funds allotted to the Consortium by NCHFA.

Very truly yours,


Noelle McKay
Executive Director



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Sam Fritschner

Department: Legal

Date Submitted: 27 January 2016

Presenter: Sam Fritschner

Date of Council Meeting to consider this item: 7 February 2016

Nature of Item: Council Action

Summary of Information/Request:

Item # 05f

Pursuant to the City's subdivision ordinance The Housing Assistance Corporation as developer of Oklawaha Village is required to post security in a form acceptable to the City to guarantee the completion of its project. The Corporation originally intended to furnish the City with an irrevocable letter of credit but has since decided that it will offer a completion bond instead.

Before construction can commence the City Council must determine whether to accept the proposed security.

As of the time of posting of this memo Housing Assistance has not furnished the City with a copy of the proposed bond. If it does not do so in time for the city attorney to evaluate the bond and advise the Council on its sufficiency this item will be withdrawn from the agenda.

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 the City Council to approve the bond as submitted by The Housing Assistance Corporation as sufficient security for the completion of Oklawaha Village.

Attachments:

No attachments as of the time of the submission of this memo.



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Brian Pahle

Department: Admin

Date Submitted: 01/24/16

Presenter: N/A

Date of Council Meeting to consider this item: 02/04/16

Nature of Item: Council Action

Summary of Information/Request:

Item # 05g

The City has completed its mid-year budget report for fiscal year 15-16. Each year the City conducts this report to adjust/amend the City's budget as deemed necessary by the City Council. Many items in the report are minor and only require budget adjustments which are approved through the budget office. However, there are some items that require budget amendments which are approved by City Council. In the attached document you will find a list of major recommended changes with their respective budget amendments and adjustments.

This report has been reviewed with the City Manager, Finance Director, and Assistant to City Manager.

The following Funds will be impacted:

- General Fund 10 = Increase \$291,107
- Health & Wellness Fund 80 = Increase \$2,695
- Capital Reserve Fund 25 = Increase \$264,960
- Tracey Grove Fund 404 = Increase \$890,000
- Kennel Fund 160 = Increase \$6,005

All of these funds are in balance and all increases are well within the City's capacity to fund.

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

All funding is new revenue or a multi-year fund which does not require funding at this time

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

I move to approve the mid-year budget report and the attached budget amendments.

Attachments:

See below...

TO: JOHN CONNET, CITY MANAGER
CC: MAYOR AND CITY COUNCIL
RE: MID-YEAR BUDGET REPORT
DATE: 01/21/16
FROM: BRIAN PAHLE, ASSISTANT TO CITY MANAGER
LISA WHITE, FINANCE DIRECTOR

Attached is the Mid-Year revenue and expenditure report for the City of Hendersonville.

The report will include two Excel spreadsheets, one for revenues and one for expenditures, along with this document. This document will include a brief item by item overview of the financial issues in each fund including major recommended changes with expected outcomes. Minor changes will be addressed in the Excel documents and will be adjusted within the individual departments.

Each section is broken out by the following funds:

1. General Fund 10
2. Downtown Fund 20
3. 7th Avenue Fund 21
4. Water/Sewer Fund 60
5. Environmental Services Fund 68
6. Health and Wellness Fund 80
7. Other Multi-Year Funds

Major Recommended Changes Summary

GENERAL FUND

Revenues			Expenditures		
Description	Increase	Decrease	Description	Increase	Decrease
Sales Tax	\$ 295,000	\$ -	Escrow Payment	\$ 18,082	\$ -
Utilities Tax	\$ 259,375	\$ -	Legal Dues	\$ 3,000	\$ -
Powell Bill	\$ 80,080	\$ -	PW Pool Short	\$ 7,000	\$ -
Telecom Tax	\$ -	\$ 16,735	PW Bldgs. O/T	\$ 5,000	\$ -
NCDOT Reimb.	\$ -	\$ 120,000	PW Grounds O/T	\$ 5,000	\$ -
Fund Balance Approp.	\$ -	\$ 206,613	Pool Worker's Comp.	\$ 3,961	\$ -
Sub-Total	\$ 634,455	\$ 343,348	PW-Capital Improvements	\$ 65,500	\$ -
			Comp. Time	\$ 54,564	\$ -
			DFI Hotel	\$ 27,000	\$ -
			Property Purchase	\$ 67,000	\$ -
			Space Needs	\$ 10,000	\$ -
			Contingencies	\$ 25,000	\$ -
			Sub-Total	\$ 291,107	\$ -

DOWNTOWN FUND

Revenues			Expenditures		
Description	Increase	Decrease	Description	Increase	Decrease
No Change	\$ -	\$ -	Debt Prin.	\$ 735	\$ -
Sub-Total	\$ -	\$ -	Contingencies	\$ -	\$ 348
			Debt. Int.	\$ -	\$ 387
			Sub-Total	\$ 735	\$ 735

WATER & SEWER FUND

Revenues			Expenditures		
Description	Increase	Decrease	Description	Increase	Decrease
Late Fees	\$ 100,000	\$ -	Holiday Pay Accounts	\$ 3,000	\$ -
Turn On Svs Charge	\$ -	\$ 30,000	Contingencies	\$ -	\$ 3,000
Fund Balance Approp.	\$ -	\$ 70,000	Telephone Accounts	\$ 38,333	\$ -
Sub-Total	\$ 100,000	\$ 100,000	Contingencies	\$ -	\$ 38,333
			Worker's Comp. Accounts	\$ 9,780	\$ -
			Contingencies	\$ -	\$ 9,780
			Comp. Time	\$ 79,923	\$ -
			Sewer R&M-Lines	\$ -	\$ 79,923
			Supplies & Materials	\$ 10,000	\$ -
			Water R&M-Lines	\$ -	\$ 10,000
			Sub-Total	\$ 141,036	\$ 141,036

ENVIRONMENTAL SERVICES FUND

Revenues			Expenditures		
Description	Increase	Decrease	Description	Increase	Decrease
No Change	\$ -	\$ -	Worker's Comp.	\$ 516	\$ -
Sub-Total	\$ -	\$ -	Bank Service Charges	\$ -	\$ 516
			Telephone Account	\$ 1,544	\$ -
			Tipping Fees	\$ -	\$ 10,500
			Comp. Time	\$ 8,956	\$ -
			Debt Prin.	\$ 674	\$ -
			Debt Int.	\$ -	\$ 674
			Sub-Total	\$ 11,690	\$ 11,690

HEALTH & WELLNESS FUND

Revenues			Expenditures		
Description	Increase	Decrease	Description	Increase	Decrease
Turkey Trot Revenues	\$ 1,928	\$ -	Turkey Trot Expenditures	\$ 1,986	\$ -
Actiped Repayments	\$ 767	\$ -	Incentive Payments/Supplies	\$ 709	\$ -
Sub-Total	\$ 2,695	\$ -	Sub-Total	\$ 2,695	\$ -

General Fund

Revenues

Property/Motor Vehicle Taxes

Real Property Tax Collections are at 90% collected as of mid-year for the General Fund. This is a 10% higher collection rate than the same period in the prior year. This could be a sign of improved economic conditions which may have allowed taxpayers to pay more promptly. In addition, the City began using the new bank lockbox processing for tax payments this year which allows for faster processing and posting of payments.

Motor Vehicle Tax Collections have increased due to state Tax & Tag Collection process which forces the vehicle owner to pay their tax at the same time when they renew their tag.

Sales Tax Revenue

Sales tax revenues are coming in strong. The increase from FY13-14 to FY14-15 was nearly 10%. As a result of the manner that sales tax is collected and reported the budget for FY15-16 was recommended and approved prior to this positive result. The budget for sales tax in FY16-17 is \$2,537,900 a 3% increase over FY14-15 budget. However, the large 10% increase provided an actual collection in FY14-15 of \$2,698,658. Additionally, this year's (FY15-16) current collections are averaging approximately 12% over the prior year. We are expecting to see revenue collections for sales tax range between \$2,800,000 and \$3,000,000. We recommend a conservative increase of \$295,000 (5%) to a total sales tax collection of \$2,832,900 for FY15-16.

Utility Franchise Tax Revenues

These revenues are collected in four payments (Dec., April, June, Sep.) beginning in December of the fiscal year. A variety of changes made by the General Assembly in the way this revenue is collected and distributed have resulted in increased revenue for the City. Many are cautious of refunds and possible further changes in this collection method, therefore the stability of this revenue source is unknown. However, it is apparent that in the current year the budget will come in a substantial amount higher than the prior year. Much like sales taxes, the City does not fully collect and report last year's earnings before the next year's budget is recommended and adopted. This revenue source is difficult to predict. The City budgeted conservatively, \$640,625 collected for FY15-16. Last year's (FY14-15) collection came in very high at \$881,891. In order to account for this increase it is recommended that the City increase its budget by \$259,375, bringing the total revised budget to \$900,000.

Telecom Sales Tax

These revenues are intergovernmental and the collection and reporting during the current fiscal year is completed after the budget for the next fiscal year is recommended and adopted. This revenue, unlike the previous two intergovernmental revenues, is decreasing. This is partially due to the switch from landlines to cellular and mobile devices. It is recommended that this budget be decreased by \$16,735, bringing the total revised budget to \$269,673 for FY15-16.

Parking Meter Revenue

Parking meter revenue is 50% higher than the amount collected during the same period of the prior year due to the increase in the rate from .50 per hour to \$1.00 per hour. However, the current year actual revenue collected as of mid-year is only at 45% of budgeted revenue. We will continue to monitor this account to see if the budget estimate needs to be adjusted.

Sales & Services

Sales & Services revenues have increased in total over the prior year. Included in this category are Parking Meter Revenue, Patton Park Pool gate fees and concessions, Boyd Park revenues, Cemetery Lot sales, Facility Rent and Lease Income. Lease Income consists of rental income from billboard land that had previously been recorded in the water and sewer fund and now also includes the new revenue source from the Skyway cell tower lease income, which is contracted at an additional \$21,000 annually. During the current fiscal year we will collect six months of the new revenue source.

NCDOT Reimbursement

The City adopted a capital project ordinance for the repair/improvement of Old Tracey Grove Rd. Bridge. This is a state improvement project on the STIP and will be partially funded (80%) by the State. When budgeting the revenue (reimbursement from NCDOT) should have been budgeted in the capital project ordinance but was mistakenly budgeted in the General Fund. This budget will need to be decreased by \$120,000. Luckily, other revenues have come in higher than expected and can cover this decrease.

Powell Bill

After the conclusion of the General Assembly's budget in September extra funding was provided to the State's Powell Bill Fund. The City has received an additional \$80,080 for the Powell Bill. This will be added as new revenue.

Insurance Proceeds

Insurance settlements in the General Fund are high for the current year. These payments are received as a result of property damage claims, primarily vehicle accidents. This revenue is offset in the expenditure sections by the use of the settlement to repair the vehicle along with the insurance deductible costs so the increase in insurance proceeds should not be viewed as a revenue source.

Expenditures

Admin. Land/ROW/Land Improvement Account 104120-557000

The City purchased land for the joint medical center project in FY14-15. Part of the funding for the purchase was held in escrow until certain conditions were met. The conditions were met in FY15-16 and the City paid a remaining balance of \$18,082. This payment was not budgeted and it is recommended to be covered by increased unbudgeted revenues.

Legal Dues & Subscriptions Account 104150-549100

Dues and subscriptions for legal publications were not budgeted and the account is over budget by \$2,405. It is recommended that new revenues be utilized to cover this cost and future monthly payments (\$520 per month) increasing the budget by \$5,525.

Public Works Buildings Overtime Account 104270-512200

This account is at 87% used. The Public Works Director is requesting \$5,000 more for the remainder of the year. Overtime will continue to be a common issue since there has not been an effective policy governing compensatory time. Now that the policy is in place we should start seeing true reflections of the City's overtime needs.

Public Works Buildings Pool/Mini Golf Short/Over Account 104270-549300

This account was not budgeted and is currently \$3,846 over budget. These are losses incurred from the point of sale registers at Patton Pool. Last year \$3,056 was spent from May through the end of June. This account may need \$7,000 additional budget from new revenues. The Finance and Public Works Departments are working to address this issue. They are considering a point of sale system that will record inventory sold, who makes the sale, etc... These controls are aimed at addressing the issue.

Public Works Grounds Overtime Account 104760-512200

This account is at 93% used. The Public Works Director is requesting \$5,000 more for the remainder of the year. Overtime will continue to be a common issue since there has not been an effective policy governing compensatory time. Now that the policy is in place we should start seeing true reflections of the City's overtime needs.

Public Works Patton Pool Worker's Comp. Account 106170-518600

There were two worker's comp. claims for the Patton Pool Department this year which caused this account to go over budget by \$3,960. It is recommended that the budget be increased by \$3,961 utilizing new revenues.

Comp. Time Year-End Payout

The City has a policy that requires Comp. Time be paid out upon the end of the fiscal year. This is the first year the policy has been enacted and the following departments will require a budget increase in their overtime accounts:

- Finance 104130 = \$544
- City Engineer 104131 = \$1,043
- PW-Fleet 104250 = \$3,551
- PW-Bldgs. 104270 = \$7,126
- Police 104310 = \$5,944
- Fire 104340 = \$21,745
- Development Assistance 104370 = \$794
- PW-Admin. 104500 = \$33
- PW-Streets 104510 = \$5,850
- PW-Traffic 104520 = \$3,068
- PW-Grounds 104760 = \$4,866

The total payout in the General Fund is estimated to be \$54,564 and will be funded by new revenues.

DFI Hotel Development Account 104120-519000

This project was approved by City Council at their December meeting. The project consists of a study conducted by the DFI group out of the UNC School of Government. The project cost is estimated not to exceed \$27,000. We recommend increasing the Prof. Services account in the Administration Department by \$27,000, funded by new revenues.

Space Needs Study Account 104120-519000

The City is conducting a space needs study through ADW Architects. The project cost is not to exceed \$18,000. The City has already paid \$8,000 of the total cost utilizing contingencies. It is recommended that the Prof. Services account in the Administration Department be increased by \$10,000 to cover the remainder of the cost.

Public Works Capital Improvements

During the budget a large portion of public works capital improvement projects were cut from the budget to help balance. With unexpected strong revenue growth it is recommended that the following projects be reinstated and added to the budget for the remainder of the fiscal year:

- Patton Park Tennis Court Resurfacing 104760 = \$10,000
- Boyd Park Tennis Court Resurfacing 104760 = \$9,000
- Patton Park Basketball Court Resurfacing 104760 = \$10,500
- Fire Station 1 Gutters 104270 = \$8,000
- Railroad Depot. Wash/Paint 104270 = \$9,000
- Nitrogen Tire Filling Station 104250 = \$8,000
- Patton Park Light Pole Removal 104760 = \$11,000

Property Purchase Account 104120-557000

The City in a joint effort with Pardee Hospital is acquiring two properties adjacent to the new joint medical center in order to make further improvements to the adjoining street. The total cost is \$67,000. It is recommended that new revenues fund these purchases.

Contingencies Account 109910-599100

The City has utilized the majority of its contingencies account in the General Fund for the year. With an increased new revenue stream it is recommended the \$25,000 be added to the contingencies account to cover further unexpected expenditures.

Downtown Fund

Revenues

Property Taxes

Property Tax collection for the Downtown Fund, like the General Fund have been strong for the fiscal year and are at 92% collected as of December 31, 2015.

The Bearfootin' auction was a huge success this fall resulting in the highest revenue for bear sales to date, significantly exceeding the budgeted amount.

Expenditures

Salaries Wages/FICA/Retirement

The personnel account lines in this Department are estimated to go slightly over budget. This will require a minor adjustment totaling:

- Salaries & Wages Regular 512100 = \$4,125
- FICA Tax Expense 518100 = \$50
- Retirement Expense 518200 = \$1,460

The total estimated increase is \$5,635. It is recommended that this be monitored and corrected with excess budget at year end. No action is necessary at this time.

Supplies & Materials Account 204750-529900

This account has already required one budget adjustment to cover an overage. The increased costs associated with the new parking kiosks was not included in the original budget and may drive the need for additional funding later in the year. This budget has \$2,038 currently available, or 88% used. It is recommended that this account be monitored throughout the end of the fiscal year. No action is necessary at this time.

Debt Service Prin. Account 209621-570100

This account is on pace to go slightly over budget at year end. The total additional funding needed is estimated to be \$735. It is also estimated that \$348 will be available from the interest account line. So, the total additional funding needed is estimated to be \$348 for the Debt Service accounts. It is recommended that an adjustment be made allocating \$348 from contingencies

into the 570100 account and \$387 be allocated from the 570200 interest account to the 570100 principal account. No formal Council approval is required.

7th Avenue Fund

Revenues

Property Taxes

Property Tax collection for the expanded 7th Ave MSD has done well and is currently at 100% of the budgeted amount collected.

Expenditures

There has been minimal expenditures in the fund for the fiscal year. No major budget changes needed at this time.

Water & Sewer Fund

Revenues

Water Sales/Sewer Charges

Water & Sewer revenue has continued to increase and the collections of both are over 50% of budget as of mid-year.

Late Fees

This is the first year for the budget and collection of late fees for utility bills. The initial rate was set during the fiscal year budget at a \$10.00 fee after the bill was 5 days late and an additional \$15.00 after the bill was 15 days late. The fee structure was amended during the December Council meeting and now (effective January 1, 2016) just one fee of \$15.00 fee will be assessed after the bill is 15 days late. The collection of late fees during the first quarter of the fiscal year was very high but as customers became aware of the fees the assessment of late fees have been lowered. In addition, the customer service staff has now begun to send out a letter in addition to the automated telephone call warning customers that their bill is late and will accrue late fees if not paid promptly. The letter and phone call also offer payment plan options to customers. The late fees, letters and phone calls all appear to have had a very favorable result in the collection rate of the utility bills.

Tap Fees

Collections for both the Water and Sewer Tap Fee accounts continue to increase each year. This is a reflection of growth and new customer connections.

Turn On Services Charge

Previously customers who set up service in a residence where someone else had previously had service were charged the \$40.00 turn on fee. During the current year budget the customer service staff had requested that the fee be waived if the service was already on and the technician did not have to go out to the residence. Therefore during the current year collections for this account line are down \$11,000 compared to the mid-year of the previous year. Customer service feels like this change has improved customer satisfaction and the reduction of revenue should be sustainable. Staff recommends that the next year budget for this line be reduced by \$15,000 annually to \$30,000.

Expenditures

Holiday Pay Overages Account 512250

The following accounts/departments were not budgeted and will require a budget amendment, moving funds out of contingencies in the following amounts:

- Facilities Maintenance 607123 = \$1,000
- Shop Operations 607125 = \$250
- Water Maint. & Const. 607126 = \$750
- Sewer Maint. & Const. 607136 = \$1,000

The amendment will total \$3,000 and will be funded by available contingencies.

Telephone Overages Account 532100

A variety of new tablets and cell phones will require additional budget in various department telephone accounts. The following are the expected end-of-year amounts needed per department:

- Administration 607110 = \$583
- Facilities Maintenance 607123 = \$8,012
- Water Treatment Plant 607124 = \$2,274
- Shop Operations 607125 = \$15,677
- Water Maint. & Const. 607126 = \$4,402
- Sewer Maint. & Const. 607136 = \$7,385

It is recommended that the total \$38,333 be funded by available contingencies.

Worker's Compensation Insurance Overages Account 518600

Throughout the course of the year a Fund/Department may experience worker's compensation claims. The City pays a premium which is budgeted every year however, since you cannot budget based on guessing someone will file a worker's compensation claim we, you plan to pay for these claims retroactively. There are several accounts in the Water/Sewer Fund that are over budget and need a budget amendment to alleviate the overage. The following accounts need an amendment:

- Facilities Maintenance 607123 = \$2,800
- Water Treatment Plant 607124 = \$5,780
- Water Maint. & Const. 607126 = \$1,200

The amendment will total \$9,780 and will be funded by available contingencies.

Comp. Time Year-End Payout

The City has a policy that requires Comp. Time be paid out upon the end of the fiscal year. This is the first year the policy has been enacted and the following departments will require a budget increase in their overtime accounts:

- Administration 607110 = \$386
- Facilities Maintenance 607123 = \$6,443
- Water Treatment Plant 607124 = \$25,698
- Shop Operations 607125 = \$8,087
- Water Maint. & Const. 607126 = \$23,503
- Wastewater Treatment Plant 607134 = \$2,980
- Sewer Maint. & Const. 607136 = \$12,826

The total payout in the Water and Sewer Fund is estimated to be \$79,923 and will be funded by the Sewer R&M-Lines account (\$445,948 available).

Water Maint. & Const. Supplies and Materials Account 529900

The Supplies and Materials account in the Water Maintenance and Construction department has already exceeded its budget. It is recommended that an additional \$10,000 be added to this account from available funds in the Water R&M-Lines (535250) account.

Environmental Services Fund

Revenues

Waste Disposal Fees

Collections are currently over 50% of budget and showing an increase of over \$30,000 over the same mid-year period the prior year. This could be partially due to the more prompt recording of collections due to the implementation of the lockbox or could also be due to growth of service. More research will be done in this area.

The ESF base charge was increased from \$1.00 to \$2.00 per utility account, however the revenue collections, which would be expected to have doubled, are below that mark and are currently only at .47% collected. Additional research will be done to determine the cause of the below budgeted results.

Expenditures

Worker's Compensation Insurance Overage Account 518600

Throughout the course of the year a Fund/Department may experience worker's compensation claims. The City pays a premium which is budgeted every year however, since you cannot budget based on guessing someone will file a worker's compensation claim we, you plan to pay for these claims retroactively. The Worker's Comp. account for this Fund will need an amendment totaling \$516. It is recommended that this funding be provided from the Bank Service Charges account, \$2,746 available.

Telephone Account 532100

The Environmental Services Telephone account is projected to go over budget by \$1,544. It is recommended that an adjustment be made, providing funding from the Tipping Fees account of \$1,544. The account has \$10,500 available.

Debt Service Prin. Account 689621-570100

This account is on pace to go slightly over budget at year end. The total additional funding needed is estimated to be \$674. It is also estimated that \$1,062 will be available from the interest account line. It is recommended that an adjustment be made in the total of \$674 moving funding from the interest line to the principal line.

Comp. Time Year-End Payout

The City has a policy that requires Comp. Time be paid out upon the end of the fiscal year. This is the first year the policy has been enacted and the Environmental Services Fund will require an additional \$8,956 added to the overtime pay account. It is recommended that the remaining available funds from Tipping Fees be used to cover this cost.

Health & Wellness Fund

The Health and Wellness Fund is an Internal Service Fund. The purpose of Internal Service Funds are to measure the cost of services provided to employees and cover (or distribute) the costs of the services. The City is partially self-funded for the health insurance claims incurred by employees. The portion that the City is responsible for is covered by transfers into the Health & Wellness Fund from the fund that each employee's salary is paid from. These transfers are budgeted in the General Fund, Water & Sewer Fund, and Environmental Services Fund. In addition to insurance costs, the Health & Wellness Fund accounts for operational revenues and expenditures to operate the employee wellness program.

Revenues

Turkey Trot Revenues

The Turkey Trot event came in with revenues exceeding the budgeted amount of \$4,500. A budget amendment in the amount of \$1,928 will be added to the City Council agenda. An expenditure line item budget will also be increased in the respective amount.

Actipied Repayments

When an employee enters into the City's Wellness Program or loses a tracking device they purchase another through the City. The budget for this account was \$500 and will need to be increased by \$767. A budget amendment will be added to the City Council agenda. An expenditure line item budget will also be increased in the respective amount.

Expenditures

Turkey Trot Expenditures

Like the revenue account, the expenditure account also came in over budget. Utilizing new revenue, it is recommended that this budget be increased by \$1,986.

Other Multi-Year Funds

Capital Reserve – General

Operating Transfer to General Fund Account 498010

The annual operating transfer was inadvertently not budgeted in this Fund but was budgeted in the other appropriate funds. This is a necessary transfer and requires a budget amendment to fix the error. It is recommended that the budget for this account increase by \$264,960.

Fund Balance Approp. – G/F Account 499200

In addition to the transfer the fund balance appropriation budget must be amended as well. It is recommended that this account's budget be increased by \$264,960 to match the expenditure/transfer.

Old Tracey Grove Road Bridge Project (STIP) Fund 404

Allocating Complete Budget/Project Cost

This Fund is a multi-year project fund and will total approximately \$1,040,000. NCDOT will reimburse 80% of the project. The City has already allocated \$150,000 in the current Fund 404 budget. This amendment will total the rest of the budget costs to better reflect the total cost of the project. This City's General Fund has already transferred \$120,000 of the City's portion of the project costs and will transfer the remainder in future budgets. This fund is in balance and this amendment will just ensure that all possible costs are accounted for.

- NCDOT Reimbursements 447100 = \$832,000 (Revenue)
- Transfer in from G/F 998010 = \$58,000 (Revenue)
- Construction Contract 559850 = \$890,000 (Expenditures)

Kennel Fund 160

Donations/Contributions

This Fund has received \$6,005 in new revenue. It is recommended that the budget be amended to reflect that new revenue and increase the Fund's Supplies and Materials account by \$6,005.

BUDGET AMENDMENTS

REQUIRE CITY COUNCIL APPROVAL

BUDGET AMENDMENT

FUND: 10

ACCOUNT NUMBER		DESCRIPTION OF ACCOUNT	INCREASE	DECREASE
ORG	OBJECT			
100030	423000	Sales Tax	295,000.00	
100030	433400	Utility Sales Tax	259,375.00	
100040	447000	Powell Bill	80,080.00	
100030	433500	Telecom Sales Tax		16,735.00
100040	447100	State Reimbursements		120,000.00
100090	499200	Fund Balance Approp.		206,613.00
104120	519000	Prof. Services	55,082.00	
104150	549100	Dues & Subscriptions	3,000.00	
104520	512200	Salaries O/T	3,551.00	
104270	512200	Salaries O/T	12,126.00	
104130	512200	Salaries O/T	544.00	
104131	512200	Salaries O/T	1,043.00	
104310	512200	Salaries O/T	5,944.00	
104340	512200	Salaries O/T	21,745.00	
104370	512200	Salaries O/T	794.00	
104500	512200	Salaries O/T	33.00	
104510	512200	Salaries O/T	5,850.00	
104520	512200	Salaries O/T	3,068.00	
104760	512200	Salaries O/T	9,866.00	
104270	549300	Pool Short	7,000.00	
106170	518600	Worker's Comp Ins.	3,961.00	
104760	559900	Cap Outlay Otr Impr.	40,500.00	
104270	569000	Contracted Services	9,000.00	
104270	559900	Cap Outlay Otr Impr.	8,000.00	
104250	552000	Cap Outlay Equipment	8,000.00	
104120	557000	Land, ROW, Land Imp.	67,000.00	
109910	599100	Contingencies	25,000.00	
TOTALS IN BALANCE (REV/EXP)			\$ 291,107.00	\$ 291,107.00

Budget amendments from the City's mid year budget report for the General Fund. Total budget increase of \$291,107. All changes are detailed in the City's mid-year report. Budget is in balance.


 CITY MANAGER

Date: 2-25-16

APPROVED BY CITY COUNCIL:

DATE: 2/4/2016

BUDGET AMENDMENT

FUND: 60

ACCOUNT NUMBER		DESCRIPTION OF ACCOUNT	INCREASE	DECREASE
ORG	OBJECT			
600012	451150	Late Fees	100,000.00	
600050	452400	Turn On Svc Charge		30,000.00
600090	499200	Fund Balance Approp.		70,000.00
607123	512250	Holiday Pay	1,000.00	
607125	512250	Holiday Pay	250.00	
607126	512250	Holiday Pay	750.00	
607136	512250	Holiday Pay	1,000.00	
607123	518600	Worker's Comp.	2,800.00	
607124	518600	Worker's Comp.	5,780.00	
607126	518600	Worker's Comp.	1,200.00	
607110	512200	Sal O/T	386.00	
607123	512200	Sal O/T	6,443.00	
607124	512200	Sal O/T	25,698.00	
607125	512200	Sal O/T	8,087.00	
607126	512200	Sal O/T	23,503.00	
607134	512200	Sal O/T	2,980.00	
607136	512200	Sal O/T	12,826.00	
607126	535250	R&M-Lines		92,703.00
TOTALS IN BALANCE			\$ -	\$ -

Budget amendments from the City's mid year budget report for the Water and Sewer Fund. Total budget increase of \$0. All changes are detailed in the City's mid-year report. Budget is in balance.


CITY MANAGER

Date: 1-25-16

APPROVED BY CITY COUNCIL:

DATE:

2/4/2016

BUDGET AMENDMENT

FUND: 68

ACCOUNT NUMBER		DESCRIPTION OF ACCOUNT	INCREASE	DECREASE
ORG	OBJECT			
684710	518600	Worker's Comp.	516.00	
684710	575200	Bank Service Charges		516.00
684710	512200	Sal O/T	8,956.00	
684710	569300	Tipping Fees		8,956.00
		TOTALS IN BALANCE (REV/EXP)	\$ -	\$ -

Budget amendments from the City's mid year budget report for the Environmental Services Fund. All changes are detailed in the City's mid-year report. Budget is in balance.



 CITY MANAGER

Date: 1-25-16

APPROVED BY CITY COUNCIL: _____ DATE: 2/4/2016

BUDGET AMENDMENT

FUND: 25

ACCOUNT NUMBER		DESCRIPTION OF ACCOUNT	INCREASE	DECREASE
ORG	OBJECT			
250090	498010	Transfer to G/F	264,960.00	
250090	499200	Fund Balance Approp.	264,960.00	
		TOTALS IN BALANCE (REV/EXP)	\$ 264,960.00	\$ 264,960.00

Budget amendments from the City's mid year budget report for the Capital Reserve Fund. Total budget increase of \$264,960. All changes are detailed in the City's mid-year report. Budget is in balance.


 CITY MANAGER

Date: 1-25-16

APPROVED BY CITY COUNCIL:

DATE: 2/4/2016

BUDGET AMENDMENT

FUND: 404

ACCOUNT NUMBER		DESCRIPTION OF ACCOUNT	INCREASE	DECREASE
ORG	OBJECT			
4040000	447100	Reimbursements	832,000.00	
4040000	998010	Transfer in from G/F	58,000.00	
4040000	559850	Construction Contract	890,000.00	
		TOTALS IN BALANCE	\$ 890,000.00	\$ 890,000.00

A budget amendment to budget for the remainder of the Tracey Grove project. This is a multi-year fund and the transfer from the G/F will not occur until FY16-17. Fund is in balance. More detail in Mid-year report.


CITY MANAGER

Date: 1-25-16

APPROVED BY CITY COUNCIL:

DATE: 2/4/2016

BUDGET AMENDMENT

FUND: 160

ACCOUNT NUMBER		DESCRIPTION OF ACCOUNT	INCREASE	DECREASE
ORG	OBJECT			
1600000	498207	Donations/Contributions	6,005.00	
1600000	529900	Supplies & Materials	6,005.00	
		TOTALS IN BALANCE	\$ 6,005.00	\$ 6,005.00

Budget amendments from the City's mid year budget report for the Kennel Fund 160. Total budget increase of \$6,005. All changes are detailed in the City's mid-year report. Budget is in balance.



 CITY MANAGER

Date: 1-25-16

APPROVED BY CITY COUNCIL:

DATE: 2/4/2016

BUDGET ADJUSTMENTS

REQUIRE BUDGET OFFICE APPROVAL

DEPARTMENT LINE ITEM BUDGET ADJUSTMENT

FUND:

DEPARTMENT

ACCOUNT NUMBER		DESCRIPTION OF ACCOUNT	EXPENDITURE BUDGET INCREASE	EXPENDITURE BUDGET DECREASE
* ORG	OBJECT			
209621	570200	Debt Int.		\$ 387.00
209621	570100	Debt Prin.	\$ 735.00	
209910	599100	Contingencies		\$ 348.00
TOTAL ADJUSTMENT			\$ 735.00	\$ 735.00

Increases & Decreases must equal

DEPARTMENT - INSERT DETAIL EXPLANATION/REASON FOR BUDGET ADJUSTMENT:

An adjustment to fix debt service payments. More detail in the Mid-Year Report.

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 Finance Director 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: 1/24/2016

Brian Pahle
 PRINT DEPARTMENT HEAD NAME

Send completed form to City Budget & Management Analyst, Brian D. Pahle, for Posting.

DEPARTMENT LINE ITEM BUDGET ADJUSTMENT

FUND: 60

DEPARTMENT 7110, 7123, 7124, 7125, 7126,
7136, 9910

ACCOUNT NUMBER			EXPENDITURE BUDGET INCREASE	EXPENDITURE BUDGET DECREASE
* ORG	OBJECT	DESCRIPTION OF ACCOUNT		
609910	599100	Contingencies		\$ 38,333.00
607123	532100	Telephone	\$ 8,012.00	
607124	532100	Telephone	\$ 2,274.00	
607125	532100	Telephone	\$ 15,677.00	
607126	532100	Telephone	\$ 4,402.00	
607136	532100	Telephone	\$ 7,385.00	
607110	532100	Telephone	\$ 583.00	
607126	529900	Supplies & Materials	\$ 10,000.00	
607126	535250	R&M Lines		\$ 10,000.00
TOTAL ADJUSTMENT			\$ 48,333.00	\$ 48,333.00

Increases & Decreases must equal

DEPARTMENT - INSERT DETAIL EXPLANATION/REASON FOR BUDGET ADJUSTMENT:

An adjustment to fix telephone and supplies accounts. More detail in the Mid-Year Report.

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.

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DEPARTMENT HEAD APPROVAL SIGNATURE

Date: 1/24/2016

Brian Pahle

PRINT DEPARTMENT HEAD NAME



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: John Connet

Department: Administration

Date Submitted: 01/15/2016

Presenter: John Connet

Date of Council Meeting to consider this item: 2/4/16

Nature of Item: Presentation Only

Summary of Information/Request:

Item # 06

As part of our Service Excellence Program, we are recognizing three employees each quarter who have provided excellent customer service. These employees are selected from a group of nominations provided by other city employees and selected by members of our Service Excellence Design Team. The quarterly nominees will then have the opportunity to be selected as the Service Excellence Employee of the year.

Quarterly Nominees:

Randall West - Public Works Department

Anita Lockhart - Police

Nathan Smith - Police

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

Quarterly MVPs

Randall West Randall has taken ownership and shown teamwork by recognizing and assisting with the need of another employee. Public Works currently has a Temp employee who for a number of reasons is in financial straits. This employee through conversation stated that while here the pair of work boots he has come apart. Randall took it upon himself to find another pair of work boots for this employee and gave them to him and is currently trying to find him a winter coat to wear for working in the elements.

Anita Lockhart On Friday October 9th, Anita witnessed a reckless driver on 4 Seasons Blvd., the lady was driving on the wrong side of the road and went into the grass at 1st Citizens Bank and almost went into the bank. Once the lady stopped the car, Anita was able to put car into Park and retrieve the keys, keeping her from endangering the pedestrian and motoring public. EMS was called and they transported the lady to the hospital for medical evaluation.

Nathan Smith Starting a year ago, Nathan took on the task of organizing a Girl Scout badge workshop called Uncovering the Evidence. He organizes the event, staffing and activities. This has become a big hit with Girl Scouts interested in police/forensics work. There was a workshop in November with 12 girls participating and there will be another workshop January and I have a Troop coming from High Point to be part of it. Nathan has a great attitude with the girls and is very professional.

MVP of the Year

James Nitsche Officer (James) Nitsche responded to a disabled man that his wheelchair was inoperable. Not having success in fixing the problem, Officer Nitsche pushed this man home from Washington Street to Foster Circle. He made sure the gentleman was secure and that his chair was effectively charging before he cleared the call. He handled this call in a very professional manner. A job well done by Officer Nitsche."



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: John Connet

Department: Administration

Date Submitted: 01/25/2016

Presenter: John Connet

Date of Council Meeting to consider this item: 2/4/16

Nature of Item: Presentation Only

Summary of Information/Request:

Item # 07

The Service Excellence Team began the MVP program in May of 2015. Employees were encouraged to submit an MVP nomination for fellow employees who went above their routine duties. The MVP form was also filled out for employees when praise came from the general public. Each quarter, the three top MVPs were chosen by the Service Excellence Team and recognized by City Council. From this pool of names, the Team has selected an MVP of the Year, Officer James Nitsche. He will receive \$500 for this honor and his name on a plaque that will be displayed outside of the Police Department.

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

Quarterly MVPs

Randall West Randall has taken ownership and shown teamwork by recognizing and assisting with the need of another employee. Public Works currently has a Temp employee who for a number of reasons is in financial straits. This employee through conversation stated that while here the pair of work boots he has come apart. Randall took it upon himself to find another pair of work boots for this employee and gave them to him and is currently trying to find him a winter coat to wear for working in the elements.

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Nathan Smith Starting a year ago, Nathan took on the task of organizing a Girl Scout badge workshop called Uncovering the Evidence. He organizes the event, staffing and activities. This has become a big hit with Girl Scouts interested in police/forensics work. There was a workshop in November with 12 girls participating and there will be another workshop January and I have a Troop coming from High Point to be part of it. Nathan has a great attitude with the girls and is very professional.

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CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: John Connet

Department: Admin

Date Submitted: 1/27/2016

Presenter: Lindsay McCoy Middlesworth

Date of Council Meeting to consider this item: 2/4/2016

Nature of Item: Council Action

Summary of Information/Request:

Item # 08

The Governor and General Assembly have scheduled a bond referendum for March 15, 2016. The two billion dollar referendum includes funding for water and sewer infrastructure, Blue Ridge Community College, Western Carolina University and UNC-Asheville. Lindsay McCoy Middlesworth, with Connect NC Bond Campaign, will make a presentation regarding how the bonds will positively impact the region without a tax increase. Staff has developed a resolution of support for the bond initiative for your consideration.

Budget Impact: \$ None 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 adopt the Resolution of Support for the Connect NC Bond Referendum.

Attachments:

Proposed Resolution
List of Projects

**RESOLUTION
IN SUPPORT OF CONNECT NC BOND ACT**

- WHEREAS,** North Carolina has seen its population grow by 2 million people since 2000, and there is a need to expand and repair existing infrastructure to ensure we can meet the demands of our growing population, continue the development of new jobs, and grow our economy; and
- WHEREAS,** a primary driver of job creation is sound public infrastructure and competitive community colleges and universities; and
- WHEREAS,** \$1.25 billion dollars will be invested across the state in capital construction, repair and renovation; and
- WHEREAS,** beneficiaries will include regional universities, such as Western Carolina University and UNC-Asheville, together with investment in new construction, repairs, and renovations to all of the community colleges; and
- WHEREAS,** \$309 million in loans and grants will be invested in sewer and water projects statewide; and
- WHEREAS,** \$100 million will be invested in 48 state parks and the NC Zoo to repair and renovate, as well as update, facilities to make them accessible to citizens with disabilities; and
- WHEREAS,** \$180 million will be invested in agriculture, which contributes \$78 billion to the state's economy and accounts for 17% of the state's revenue; and
- WHEREAS,** \$70 million will be invested in modernizing National Guard facilities, which will also make the guard eligible for additional federal funding as North Carolina moves toward more centralized facilities;

NOW, THEREFORE, BE IT RESOLVED that the Hendersonville City Council supports the \$2 Billion Connect NC Bond that invests in North Carolina's future, and urges all North Carolinians to Vote Yes in the Tuesday, March 15, 2016 Primary General Election.

In witness whereof I have hereunto set my hand and caused the seal of the City of Hendersonville to be affixed.

Adopted this the 4th day of February, 2016.

BARBARA G. VOLK, MAYOR
CITY OF HENDERSONVILLE

ATTEST:

TAMMIE DRAKE , CITY CLERK



Title	Description	County	Amount
Appalachian State University	New Health Sciences Building	Watauga	\$70,000,000
East Carolina University	Life Sciences and Biotech Building	Pitt	\$90,000,000
Elizabeth City State University	Moore Hall- Complete Building Renovation	Pasquotank	\$8,500,000
	GR Little Library-Complete Building Renovation	Pasquotank	\$4,500,000
Fayetteville State University	Lyons Science Bldg Renovation	Cumberland	\$10,000,000
NC Central University	New Business School	Durham	\$30,000,000
NC State University	Engineering Building	Wake	\$75,000,000
NC A& T State University	Engineering Building	Guilford	\$90,000,000
UNC- School of the Arts	Old Library Renovation	Forsyth	\$8,000,000
	Performance Place Renovations	Forsyth	\$2,900,000
North Carolina School of Science and Math	NC School of Technology and Engineering	Burke	\$58,000,000
UNC- Asheville	Renovation and Addition to Owen Hall	Buncombe	\$21,000,000
UNC-Chapel Hill	Medical Education Bldg. Replacement	Orange	\$68,000,000
UNC-Charlotte	New Sciences Building	Mecklenburg	\$90,000,000
UNC-Greensboro	Nursing School Building	Guilford	\$105,000,000
UNC-Pembroke	New Business School	Robeson	\$23,000,000
UNC-Wilmington	Allied Health and Human Services/Nursing Building	New Hanover	\$66,000,000
Western Carolina University	Sciences/STEM Building	Jackson	\$110,000,000
Winston-Salem State University	Sciences Building	Forsyth	\$50,000,000

Title	Description	County	Amount
Alamance Community College	New Construction, Repairs, Renovations	Alamance	\$6,100,339
Asheville-Buncombe Technical Comm College	New Construction, Repairs, Renovations	Buncombe	\$5,487,535
Beaufort County Comm College	New Construction, Repairs, Renovations	Beaufort	\$6,557,819
Bladen Community College	New Construction, Repairs, Renovations	Bladen	\$6,533,125
Blue Rudge Community College	New Construction, Repairs, Renovations	Henderson	\$2,966,077
Brunswick Comm College	New Construction, Repairs, Renovations	Brunswick	\$2,857,328
Cape Fear Community College	New Construction, Repairs, Renovations	New Hanover	\$5,908,685
Caldwell Comm College and Technical Institute	New Construction, Repairs, Renovations	Watauga	\$5,629,337
Carteret Comm College	New Construction, Repairs, Renovations	Carteret	\$2,674,685
Catawba Valley Comm College	New Construction, Repairs, Renovations	Catawba	\$6,180,268
Central Carolina Comm College	New Construction, Repairs, Renovations	Harnett	\$6,307,085
Central Piedmont Comm College	New Construction, Repairs, Renovations	Mecklenburg	\$9,636,457
Cleveland Comm College	New Construction, Repairs, Renovations	Cleveland	\$5,467,357
College of the Albemarle	New Construction, Repairs, Renovations	Pasquotank	\$6,590,687
Coastal Carolina Comm College	New Construction, Repairs, Renovations	Onslow	\$6,973,103
Craven Comm College	New Construction, Repairs, Renovations	Craven	\$5,376,640
Davidson County Comm College	New Construction, Repairs, Renovations	Davidson	\$5,820,720
Durham Tech Comm College	New Construction, Repairs, Renovations	Durham	\$4,362,997
Edgecombe Comm College	New Construction, Repairs, Renovations	Edgecombe	\$7,277,875
Fayetteville Tech Comm College	New Construction, Repairs, Renovations	Cumberland	\$10,668,066
Forsyth Tech Comm College	New Construction, Repairs, Renovations	Forsyth	\$5,809,410
Gaston College	New Construction, Repairs, Renovations	Gaston	\$5,949,907
Guilford Tech Comm College	New Construction, Repairs, Renovations	Guilford	\$9,519,543
Halifax Comm College	New Construction, Repairs, Renovations	Halifax	\$6,519,080
Haywood Comm College	New Construction, Repairs, Renovations	Haywood	\$2,831,380
Isothermal Comm College	New Construction, Repairs, Renovations	Rutherford	\$6,803,668
James Sprunt Comm College	New Construction, Repairs, Renovations	Duplin	\$4,502,677
Johnston Comm College	New Construction, Repairs, Renovations	Johnston	\$3,701,470
Lenoir Comm College	New Construction, Repairs, Renovations	Lenoir	\$8,001,502
Martin Comm College	New Construction, Repairs, Renovations	Martin	\$6,566,722
Mayland Comm College	New Construction, Repairs, Renovations	Avery/Mitchell	\$4,668,043
McDowell Tech Comm College	New Construction, Repairs, Renovations	McDowell	\$4,598,981
Mitchell Comm College	New Construction, Repairs, Renovations	Iredell	\$3,218,011
Montgomery Comm College	New Construction, Repairs, Renovations	Montgomery	\$6,334,537
Pamlico Comm College	New Construction, Repairs, Renovations	Pamlico	\$4,193,233
Nash Comm College	New Construction, Repairs, Renovations	Nash	\$7,773,798
Piedmont Comm College	New Construction, Repairs, Renovations	Person	\$4,850,325
Pitt Comm College	New Construction, Repairs, Renovations	Pitt	\$8,376,397
Randolph Comm College	New Construction, Repairs, Renovations	Randolph	\$5,086,842
Richmond Comm College	New Construction, Repairs, Renovations	Richmond	\$7,229,431
Roanoke-Chowan Comm College	New Construction, Repairs, Renovations	Hertford	\$6,326,517
Robeson Comm College	New Construction, Repairs, Renovations	Robeson	\$7,296,568
Rockingham Comm College	New Construction, Repairs, Renovations	Rockingham	\$6,848,392
Rowan-Cabarrus Comm College	New Construction, Repairs, Renovations	Rowan	\$7,211,552

Title	Description	County	Amount
Sampson Comm College	New Construction, Repairs, Renovations	Sampson	\$4,774,533
Sandhills Comm College	New Construction, Repairs, Renovations	Moore	\$3,816,267
South Piedmont Comm College	New Construction, Repairs, Renovations	Anson/Union	\$3,189,221
Southeastern Comm College	New Construction, Repairs, Renovations	Columbus	\$6,861,620
Southwestern Comm College	New Construction, Repairs, Renovations	Jackson	\$7,170,597
Stanly Comm College	New Construction, Repairs, Renovations	Stanly	\$5,510,980
Surry Comm College	New Construction, Repairs, Renovations	Surry	\$7,222,184
Tri-County Comm College	New Construction, Repairs, Renovations	Cherokee	\$4,515,728
Vance-Granville Comm College	New Construction, Repairs, Renovations	Vance	\$7,611,910
Wake Tech Comm College	New Construction, Repairs, Renovations	Wake	\$12,595,127
Wayne Comm College	New Construction, Repairs, Renovations	Wayne	\$5,855,913
Western Piedmont Comm College	New Construction, Repairs, Renovations	Burke	\$5,099,649
Wilkes Comm College	New Construction, Repairs, Renovations	Wilkes	\$5,243,674
Wilson Comm College	New Construction, Repairs, Renovations	Wilson	\$6,938,426

Title	Description	County	Amount
DENR Parks	Children with disabilities and Veterans with disabilities local parks	Statewide	\$3,000,000
Department of Environmental Control	Water/Sewer Loans and Grants	Statewide	\$309,500,000
National Guard Facility	Improving National Guard Facility	Guilford	\$23,333,333
National Guard Facility	Improving National Guard Facility	Burke	\$23,333,333
National Guard Facility	Improving National Guard Facility	Wilkes	\$23,333,333
Agriculture	Plant Sciences building Ag/NCSU Partnership	Wake	\$85,000,000
Agriculture	Agriculture and Consumer Services	Wake	\$94,000,000
Department of Public Safety	Samarcand Training Academy	Moore	\$8,500,000

Title	Description	County	Amount
State Parks	Cravers Creek	Cumberland	\$5,700,750
State Parks	Eno River	Durham/Orange	\$2,830,500
State Parks	Goose Creek	Washington/Beaufort	\$1,477,500
State Parks	Hammocks Beach	Onslow	\$1,125,000
State Parks	Jockeys Ridge	Dare	\$751,500
State Parks	Kerr Lake State Recreation Area	Vance/Warren	\$3,750,000
State Parks	Lake James	Burke/McDowell	\$3,021,000
State Parks	Lake Norman	Iredell	\$2,307,000
State Parks	Mount Mitchell	Yancey	\$600,000
State Parks	Mountain-To-Sea/Other State Trails	Various	\$4,500,000
State Parks	Pilot Mountain	Surry/Yadkin	\$4,481,850
State Parks	Dismal Swamp	Camden	\$990,750
State Parks	Elk Knob	Watauga	\$900,000
State Parks	Falls Lake State Recreation Area	Durham/Wake	\$789,750
State Parks	Fort Fisher State Recreation Area	New Hanover	\$1,125,000
State Parks	Gorges	Transylvania	\$2,505,750
State Parks	Hanging Rock	Stokes	\$2,100,000
State Parks	Haw River	Guilford/Rockingham	\$1,500,000
State Parks	Jordan Lake State Recreation Area	Chatham/Wake	\$3,000,000
State Parks	Lake Waccamaw	Columbus	\$1,506,000
State Parks	Lumber River	Scotland/Hoke/Robeson/Columbus	\$2,628,750
State Parks	Mayo River	Rockingham	\$750,000
State Parks	Pettigrew	Tyrell/Washington	\$2,830,500
State Parks	South Mountain	Burke	\$2,250,000
State Parks	Stone Mountain	Alleghany/Wilkes	\$1,338,000
State Parks	William B. Umstead	Wake	\$1,725,000
State Parks	Yellow Mountain State Natural Area	Avery/Mitchell	\$2,250,000
State Parks	Beech Creek Bog State Natural Area	Watauga	\$600,000
State Parks	Carolina Beach	New Hanover	\$855,000
State Parks	Chimney Rock	Rutherford	\$1,500,000
State Parks	Cliffs of the Neuse	Wayne	\$692,400
State Parks	Crowders Mountain	Gaston	\$750,000
State Parks	Deep River State Trail	Chatham	\$1,281,000
State Parks	Fort Macon	Carteret	\$135,000
State Parks	Grandfather Mountain	Watauga	\$1,501,500
State Parks	Jones Lake	Bladen	\$651,750
State Parks	Lower Haw River State Natural Area	Chatham	\$203,250
State Parks	Medoc Mountain	Halifax	\$1,383,750
State Parks	Merchants Millpond	Gates	\$870,750
State Parks	Morrow Mountain	Stanly	\$1,537,500
State Parks	Mount Jefferson State Natural Area	Ashe	\$1,500,000
State Parks	New River	Ashe	\$675,000
State Parks	Raven Rock	Harnett	\$1,125,000
State Parks	Singletary Lake	Bladen	\$575,250

Title	Description	County	Amount
State Parks	Weymouth Woods State Natural Area	Moore	\$428,250
Zoo	Australasia Exhibit Complex/Replace Africa Pavilion and Related Projects	Randolph	\$25,000,000
Total			\$2,000,000,000

Title	Description
Alamance Community College	New Construction, Repairs, Renovations
State Parks	Stone Mountain
South Piedmont Comm College	New Construction, Repairs, Renovations
State Parks	Mount Jefferson State Natural Area
State Parks	New River
Mayland Comm College	New Construction, Repairs, Renovations
State Parks	Yellow Mountain State Natural Area
Beaufort County Comm College	New Construction, Repairs, Renovations
Bladen Community College	New Construction, Repairs, Renovations
State Parks	Jones Lake
State Parks	Singletary Lake
Brunswick Comm College	New Construction, Repairs, Renovations
Asheville-Buncombe Technical Comm College	New Construction, Repairs, Renovations
North Carolina School of Science and Math	NC School of Technology and Engineering
Western Piedmont Comm College	New Construction, Repairs, Renovations
National Guard Facility	Improving National Guard Facility
State Parks	South Mountain
State Parks	Lake James
State Parks	Dismal Swamp
Carteret Comm College	New Construction, Repairs, Renovations
State Parks	Fort Macon
Catawba Valley Comm College	New Construction, Repairs, Renovations
State Parks	Lower Haw River State Natural Area
State Parks	Deep River State Trail
State Parks	Jordan Lake State Recreation Area
Tri-County Comm College	New Construction, Repairs, Renovations
Cleveland Comm College	New Construction, Repairs, Renovations
Southeastern Comm College	New Construction, Repairs, Renovations
State Parks	Lake Waccamaw
Craven Comm College	New Construction, Repairs, Renovations
Fayetteville State University	Lyons Science Bldg Renovation
Fayetteville Tech Comm College	New Construction, Repairs, Renovations
State Parks	Cravers Creek
State Parks	Jockeys Ridge
Davidson County Comm College	New Construction, Repairs, Renovations
James Sprunt Comm College	New Construction, Repairs, Renovations
NC Central University	New Business School
Durham Tech Comm College	New Construction, Repairs, Renovations
State Parks	Eno River
State Parks	Falls Lake State Recreation Area
Edgecombe Comm College	New Construction, Repairs, Renovations
Winston-Salem State University	Sciences Building
Forsyth Tech Comm College	New Construction, Repairs, Renovations
Gaston College	New Construction, Repairs, Renovations
State Parks	Crowders Mountain
State Parks	Merchants Millpond

NC A& T State University	Engineering Building
UNC-Greensboro	Nursing School Building
Guilford Tech Comm College	New Construction, Repairs, Renovations
National Guard Facility	Improving National Guard Facility
State Parks	Haw River
Halifax Comm College	New Construction, Repairs, Renovations
State Parks	Medoc Mountain
Central Carolina Comm College	New Construction, Repairs, Renovations
State Parks	Raven Rock
Haywood Comm College	New Construction, Repairs, Renovations
Blue Rudge Community College	New Construction, Repairs, Renovations
Roanoke-Chowan Comm College	New Construction, Repairs, Renovations
Mitchell Comm College	New Construction, Repairs, Renovations
State Parks	Lake Norman
Western Carolina University	Sciences/STEM Building
Southwestern Comm College	New Construction, Repairs, Renovations
Johnston Comm College	New Construction, Repairs, Renovations
Lenoir Comm College	New Construction, Repairs, Renovations
Martin Comm College	New Construction, Repairs, Renovations
McDowell Tech Comm College	New Construction, Repairs, Renovations
UNC-Charlotte	New Sciences Building
Central Piedmont Comm College	New Construction, Repairs, Renovations
Montgomery Comm College	New Construction, Repairs, Renovations
Sandhills Comm College	New Construction, Repairs, Renovations
State Parks	Weymouth Woods State Natural Area
Department of Public Safety	Samarcand Training Academy
Nash Comm College	New Construction, Repairs, Renovations
UNC-Wilmington	Allied Health and Human Services/Nursing
Cape Fear Community College	New Construction, Repairs, Renovations
State Parks	Fort Fisher State Recreation Area
State Parks	Carolina Beach
Coastal Carolina Comm College	New Construction, Repairs, Renovations
State Parks	Hammocks Beach
UNC-Chapel Hill	Medical Education Bldg. Replacement
Pamlico Comm College	New Construction, Repairs, Renovations
College of the Albemarle	New Construction, Repairs, Renovations
Piedmont Comm College	New Construction, Repairs, Renovations
East Carolina University	Life Sciences and Biotech Building
Pitt Comm College	New Construction, Repairs, Renovations
Randolph Comm College	New Construction, Repairs, Renovations
Zoo	Australasia Exhibit Complex/Replace Africa Pavilion and Related Projects
Richmond Comm College	New Construction, Repairs, Renovations
UNC-Pembroke	New Business School
Robeson Comm College	New Construction, Repairs, Renovations
Rockingham Comm College	New Construction, Repairs, Renovations

State Parks	Mayo River
Rowan-Cabarrus Comm College	New Construction, Repairs, Renovations
Isothermal Comm College	New Construction, Repairs, Renovations
State Parks	Chimney Rock
Sampson Comm College	New Construction, Repairs, Renovations
State Parks	Lumber River
Stanly Comm College	New Construction, Repairs, Renovations
State Parks	Morrow Mountain
Various	Capital Repairs and Renovations
DENR Parks	Children with disabilities and Veterans with
Department of Environmental Control	Water/Sewer Loans and Grants
State Parks	Hanging Rock
Surry Comm College	New Construction, Repairs, Renovations
State Parks	Pilot Mountain
State Parks	Gorges
State Parks	Pettigrew
Vance-Granville Comm College	New Construction, Repairs, Renovations
State Parks	Kerr Lake State Recreation Area
State Parks	Mountain-To-Sea/Other State Trails
NC State University	Engineering Building
Wake Tech Comm College	New Construction, Repairs, Renovations
Agriculture	Plant Sciences building Ag/NCSU Partnersh
Agriculture	Agriculture and Consumer Services
State Parks	William B. Umstead
State Parks	Goose Creek
Appalachian State University	New Health Sciences Building
Caldwell Comm College and Technical Institute	New Construction, Repairs, Renovations
State Parks	Elk Knob
State Parks	Beech Creek Bog State Natural Area
State Parks	Grandfather Mountain
Wayne Comm College	New Construction, Repairs, Renovations
State Parks	Cliffs of the Neuse
Wilkes Comm College	New Construction, Repairs, Renovations
National Guard Facility	Improving National Guard Facility
Wilson Comm College	New Construction, Repairs, Renovations
State Parks	Mount Mitchell

County	Amount
Alamance	\$6,100,339
Alleghany/Wilkes	\$1,338,000
Anson/Union	\$3,189,221
Ashe	\$1,500,000
Ashe	\$675,000
Avery/Mitchell	\$4,668,043
Avery/Mitchell	\$2,250,000
Beaufort	\$6,557,819
Bladen	\$6,533,125
Bladen	\$651,750
Bladen	\$575,250
Brunswick	\$2,857,328
Buncombe	\$5,487,535
Burke	\$58,000,000
Burke	\$5,099,649
Burke	23,333,333.33
Burke	\$2,250,000
Burke/McDowell	\$3,021,000
Camden	\$990,750
Carteret	\$2,674,685
Carteret	\$135,000
Catawba	\$6,180,268
Chatham	\$203,250
Chatham	\$1,281,000
Chatham/Wake	\$3,000,000
Cherokee	\$4,515,728
Cleveland	\$5,467,357
Columbus	\$6,861,620
Columbus	\$1,506,000
Craven	\$5,376,640
Cumberland	\$10,000,000
Cumberland	\$10,668,066
Cumberland	\$5,700,750
Dare	\$751,500
Davidson	\$5,820,720
Duplin	\$4,502,677
Durham	\$30,000,000
Durham	\$4,362,997
Durham/Orange	\$2,830,500
Durham/Wake	\$789,750
Edgecombe	\$7,277,875
Forsyth	\$50,000,000
Forsyth	\$5,809,410
Gaston	\$5,949,907
Gaston	\$750,000
Gates	\$870,750

Guilford	\$90,000,000
Guilford	\$105,000,000
Guilford	\$9,519,543
Guilford	\$23,333,333
Guilford/Rockingham	\$1,500,000
Halifax	\$6,519,080
Halifax	\$1,383,750
Harnett	\$6,307,085
Harnett	\$1,125,000
Haywood	\$2,831,380
Henderson	\$2,966,077
Hertford	\$6,326,517
Iredell	\$3,218,011
Iredell	\$2,307,000
Jackson	\$110,000,000
Jackson	\$7,170,597
Johnston	\$3,701,470
Lenoir	\$8,001,502
Martin	\$6,566,722
McDowell	\$4,598,981
Mecklenburg	\$90,000,000
Mecklenburg	\$9,636,457
Montgomery	\$6,334,537
Moore	\$3,816,267
Moore	\$428,250
Moore	\$8,500,000
Nash	\$7,773,798
New Hanover	\$66,000,000
New Hanover	\$5,908,685
New Hanover	\$1,125,000
New Hanover	\$855,000
Onslow	\$6,973,103
Onslow	\$1,125,000
Orange	\$68,000,000
Pamlico	\$4,193,233
Pasquotank	\$6,590,687
Person	\$4,850,325
Pitt	\$90,000,000
Pitt	\$8,376,397
Randolph	\$5,086,842
Randolph	\$25,000,000
Richmond	\$7,229,431
Robeson	\$23,000,000
Robeson	\$7,296,568
Rockingham	\$6,848,392

Rockingham	\$750,000
Rowan	\$7,211,552
Rutherford	\$6,803,668
Rutherford	\$1,500,000
Sampson	\$4,774,533
Scotland/Hoke/Robeson/Columbus	\$2,628,750
Stanly	\$5,510,980
Stanly	\$1,537,500
Statewide	\$45,000,000
Statewide	\$3,000,000
Statewide	\$309,500,000
Stokes	\$2,100,000
Surry	\$7,222,184
Surry/Yadkin	\$4,481,850
Transylvania	\$2,505,750
Tyrell/Washington	\$2,830,500
Vance	\$7,611,910
Vance/Warren	\$3,750,000
Various	\$4,500,000
Wake	\$75,000,000
Wake	\$12,595,127
Wake	\$85,000,000
Wake	\$94,000,000
Wake	\$1,725,000
Washington/Beaufort	\$1,477,500
Watauga	\$70,000,000
Watauga	\$5,629,337
Watauga	\$900,000
Watauga	\$600,000
Watauga	\$1,501,500
Wayne	\$5,855,913
Wayne	\$692,400
Wilkes	\$5,243,674
Wilkes	\$23,333,333.33
Wilson	\$6,938,426
Yancey	\$600,000
	\$2,000,000,000

Region

Piedmont Triad
Northwest
Southwest
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South Central
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Title

State Parks
State Parks
State Parks
NC Central University
Durham Tech Comm College
State Parks
State Parks
Edgecombe Comm College
Central Carolina Comm College
State Parks
Johnston Comm College
Nash Comm College
UNC-Chapel Hill
Piedmont Comm College
Vance-Granville Comm College
State Parks
State Parks
NC State University
Wake Tech Comm College
Agriculture
Agriculture
State Parks
Wilson Comm College
Beaufort County Comm College
State Parks
State Parks
State Parks
Halifax Comm College
State Parks
Roanoke-Chowan Comm College
Martin Comm College
College of the Albemarle
East Carolina University
Pitt Comm College
State Parks
Mayland Comm College
State Parks
North Carolina School of Science and Math
Western Piedmont Comm College
National Guard Facility
State Parks
State Parks

Catawba Valley Comm College
Appalachian State University
Caldwell Comm College and Technical Institute
State Parks
State Parks
State Parks
State Parks
McDowell Tech Comm College
Wilkes Comm College
National Guard Facility
Alamance Community College
Davidson County Comm College
Winston-Salem State University
Forsyth Tech Comm College
NC A& T State University
UNC-Greensboro
Guilford Tech Comm College
National Guard Facility
State Parks
Randolph Comm College
Zoo
Rockingham Comm College
State Parks
State Parks
Surry Comm College
State Parks
Bladen Community College
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State Parks
Southeastern Comm College
State Parks
Fayetteville State University
Fayetteville Tech Comm College
State Parks
Montgomery Comm College
Sandhills Comm College
State Parks
Department of Public Safety
Richmond Comm College
UNC-Pembroke
Robeson Comm College
Sampson Comm College
State Parks
Brunswick Comm College
Carteret Comm College
State Parks

Craven Comm College
James Sprunt Comm College
Lenoir Comm College
UNC-Wilmington
Cape Fear Community College
State Parks
State Parks
Coastal Carolina Comm College
State Parks
Pamlico Comm College
Wayne Comm College
State Parks
South Piedmont Comm College
Cleveland Comm College
Gaston College
State Parks
Mitchell Comm College
State Parks
UNC-Charlotte
Rowan-Cabarrus Comm College
Stanly Comm College
State Parks
Central Piedmont Comm College
Various
DENR Parks
Department of Environmental Control
Asheville-Buncombe Technical Comm College
Tri-County Comm College
Haywood Comm College
Blue Ridge Community College
Western Carolina University
Southwestern Comm College
Isothermal Comm College
State Parks
State Parks

Description

Lower Haw River State Natural Area
Deep River State Trail
Jordan Lake State Recreation Area
New Business School
New Construction, Repairs, Renovations
Eno River
Falls Lake State Recreation Area
New Construction, Repairs, Renovations
New Construction, Repairs, Renovations
Raven Rock
New Construction, Repairs, Renovations
New Construction, Repairs, Renovations
Medical Education Bldg. Replacement
New Construction, Repairs, Renovations
New Construction, Repairs, Renovations
Kerr Lake State Recreation Area
Mountain-To-Sea/Other State Trails
Engineering Building
New Construction, Repairs, Renovations
Plant Sciences building Ag/NCSU Partnership
Veterinary, Food, Drug and Motor Fuels Lab
William B. Umstead
New Construction, Repairs, Renovations
New Construction, Repairs, Renovations
Dismal Swamp
Jockeys Ridge
Merchants Millpond
New Construction, Repairs, Renovations
Medoc Mountain
New Construction, Repairs, Renovations
New Construction, Repairs, Renovations
New Construction, Repairs, Renovations
Life Sciences and Biotech Building
New Construction, Repairs, Renovations
Pettigrew
Goose Creek
Stone Mountain
Mount Jefferson State Natural Area
New River
New Construction, Repairs, Renovations
Yellow Mountain State Natural Area
NC School of Technology and Engineering
New Construction, Repairs, Renovations
Improving National Guard Facility
South Mountain
Lake James

New Construction, Repairs, Renovations
New Health Sciences Building
New Construction, Repairs, Renovations
Elk Knob
Beech Creek Bog State Natural Area
Grandfather Mountain
Mount Mitchell
New Construction, Repairs, Renovations
New Construction, Repairs, Renovations
Improving National Guard Facility
New Construction, Repairs, Renovations
New Construction, Repairs, Renovations
Sciences Building
New Construction, Repairs, Renovations
Engineering Building
Nursing School Building
New Construction, Repairs, Renovations
Improving National Guard Facility
Haw River
New Construction, Repairs, Renovations

Australasia Exhibit Complex/Replace Africa Pavilion and Related Projects
New Construction, Repairs, Renovations
Mayo River
Hanging Rock
New Construction, Repairs, Renovations
Pilot Mountain
New Construction, Repairs, Renovations
Jones Lake
Singletary Lake
New Construction, Repairs, Renovations
Lake Waccamaw
Lyons Science Bldg Renovation
New Construction, Repairs, Renovations
Cravers Creek
New Construction, Repairs, Renovations
New Construction, Repairs, Renovations
Weymouth Woods State Natural Area
Samarcand Training Academy
New Construction, Repairs, Renovations
New Business School
New Construction, Repairs, Renovations
New Construction, Repairs, Renovations
Lumber River
New Construction, Repairs, Renovations
New Construction, Repairs, Renovations
Fort Macon

New Construction, Repairs, Renovations
New Construction, Repairs, Renovations
New Construction, Repairs, Renovations
Allied Health and Human Services/Nursing Building
New Construction, Repairs, Renovations
Fort Fisher State Recreation Area
Carolina Beach
New Construction, Repairs, Renovations
Hammocks Beach
New Construction, Repairs, Renovations
New Construction, Repairs, Renovations
Cliffs of the Neuse
New Construction, Repairs, Renovations
New Construction, Repairs, Renovations
New Construction, Repairs, Renovations
Crowders Mountain
New Construction, Repairs, Renovations
Lake Norman
New Sciences Building
New Construction, Repairs, Renovations
New Construction, Repairs, Renovations
Morrow Mountain
New Construction, Repairs, Renovations
Capital Repairs and Renovations
Children with disabilities and Veterans with disabilities local parks
Water/Sewer Loans and Grants
New Construction, Repairs, Renovations
New Construction, Repairs, Renovations
New Construction, Repairs, Renovations
New Construction, Repairs, Renovations
Sciences/STEM Building
New Construction, Repairs, Renovations
New Construction, Repairs, Renovations
Chimney Rock
Gorges

County	Amount	Region
Chatham	\$203,250	North Central
Chatham	\$1,281,000	North Central
Chatham/Wake	\$3,000,000	North Central
Durham	\$30,000,000	North Central
Durham	\$4,362,997	North Central
Durham/Orange	\$2,830,500	North Central
Durham/Wake	\$789,750	North Central
Edgecombe	\$7,277,875	North Central
Harnett	\$6,307,085	North Central
Harnett	\$1,125,000	North Central
Johnston	\$3,701,470	North Central
Nash	\$7,773,798	North Central
Orange	\$68,000,000	North Central
Person	\$4,850,325	North Central
Vance	\$7,611,910	North Central
Vance/Warren	\$3,750,000	North Central
Various	\$4,500,000	Statewide
Wake	\$75,000,000	North Central
Wake	\$12,595,127	North Central
Wake	\$85,000,000	North Central
Wake	\$94,000,000	North Central
Wake	\$1,725,000	North Central
Wilson	\$6,938,426	North Central
Beaufort	\$6,557,819	Northeast
Camden	\$990,750	Northeast
Dare	\$751,500	Northeast
Gates	\$870,750	Northeast
Halifax	\$6,519,080	Northeast
Halifax	\$1,383,750	Northeast
Hertford	\$6,326,517	Northeast
Martin	\$6,566,722	Northeast
Pasquotank	\$6,590,687	Northeast
Pitt	\$90,000,000	Northeast
Pitt	\$8,376,397	Northeast
Tyrell/Washington	\$2,830,500	Northeast
Washington/Beaufort	\$1,477,500	Northeast
Alleghany/Wilkes	\$1,338,000	Northwest
Ashe	\$1,500,000	Northwest
Ashe	\$675,000	Northwest
Avery/Mitchell	\$4,668,043	Northwest
Avery/Mitchell	\$2,250,000	Northwest
Burke	\$58,000,000	Northwest
Burke	\$5,099,649	Northwest
Burke	23,333,333.33	Northwest
Burke	\$2,250,000	Northwest
Burke/McDowell	\$3,021,000	Northwest

Catawba	\$6,180,268	Northwest
Watauga	\$70,000,000	Northwest
Watauga	\$5,629,337	Northwest
Watauga	\$900,000	Northwest
Watauga	\$600,000	Northwest
Watauga	\$1,501,500	Northwest
Yancey	\$600,000	Northwest
McDowell	\$4,598,981	Northwest
Wilkes	\$5,243,674	Northwest
Wilkes	\$23,333,333.33	Northwest
Alamance	\$6,100,339	Piedmont Triad
Davidson	\$5,820,720	Piedmont Triad
Forsyth	\$50,000,000	Piedmont Triad
Forsyth	\$5,809,410	Piedmont Triad
Guilford	\$90,000,000	Piedmont Triad
Guilford	\$105,000,000	Piedmont Triad
Guilford	\$9,519,543	Piedmont Triad
Guilford	\$23,333,333	Piedmont Triad
Guilford/Rockingham	\$1,500,000	Piedmont Triad
Randolph	\$5,086,842	Piedmont Triad
Randolph	\$25,000,000	Piedmont Triad
Rockingham	\$6,848,392	Piedmont Triad
Rockingham	\$750,000	Piedmont Triad
Stokes	\$2,100,000	Piedmont Triad
Surry	\$7,222,184	Piedmont Triad
Surry/Yadkin	\$4,481,850	Piedmont Triad
Bladen	\$6,533,125	South Central
Bladen	\$651,750	South Central
Bladen	\$575,250	South Central
Columbus	\$6,861,620	South Central
Columbus	\$1,506,000	South Central
Cumberland	\$10,000,000	South Central
Cumberland	\$10,668,066	South Central
Cumberland	\$5,700,750	South Central
Montgomery	\$6,334,537	South Central
Moore	\$3,816,267	South Central
Moore	\$428,250	South Central
Moore	\$8,500,000	South Central
Richmond	\$7,229,431	South Central
Robeson	\$23,000,000	South Central
Robeson	\$7,296,568	South Central
Sampson	\$4,774,533	South Central
Scotland/Hoke/Robeson/Columbus	\$2,628,750	South Central
Brunswick	\$2,857,328	Southeast
Carteret	\$2,674,685	Southeast
Carteret	\$135,000	Southeast

Craven	\$5,376,640	Southeast
Duplin	\$4,502,677	Southeast
Lenoir	\$8,001,502	Southeast
New Hanover	\$66,000,000	Southeast
New Hanover	\$5,908,685	Southeast
New Hanover	\$1,125,000	Southeast
New Hanover	\$855,000	Southeast
Onslow	\$6,973,103	Southeast
Onslow	\$1,125,000	Southeast
Pamlico	\$4,193,233	Southeast
Wayne	\$5,855,913	Southeast
Wayne	\$692,400	Southeast
Anson/Union	\$3,189,221	Southwest
Cleveland	\$5,467,357	Southwest
Gaston	\$5,949,907	Southwest
Gaston	\$750,000	Southwest
Iredell	\$3,218,011	Southwest
Iredell	\$2,307,000	Southwest
Mecklenburg	\$90,000,000	Southwest
Rowan	\$7,211,552	Southwest
Stanly	\$5,510,980	Southwest
Stanly	\$1,537,500	Southwest
Mecklenburg	\$9,636,457	Southwest
Statewide	\$45,000,000	Statewide
Statewide	\$3,000,000	Statewide
Statewide	\$309,500,000	Statewide
Buncombe	\$5,487,535	Western
Cherokee	\$4,515,728	Western
Haywood	\$2,831,380	Western
Henderson	\$2,966,077	Western
Jackson	\$110,000,000	Western
Jackson	\$7,170,597	Western
Rutherford	\$6,803,668	Western
Rutherford	\$1,500,000	Western
Transylvania	\$2,505,750	Western
	\$2,000,000,000	

Title	Description
Appalachian State University	New Health Sciences Building
East Carolina University	Life Sciences and Biotech Building
Elizabeth City State University	Moore Hall- Complete Building Renovation
	GR Little Library-Complete Building Renovation
Fayetteville State University	Lyons Science Bldg Renovation
NC Central University	New Business School
NC State University	Engineering Building
NC A& T State University	Engineering Building
UNC- School of the Arts	Old Library Renovation
	Performance Place Renovations
North Carolina School of Science and Math	NC School of Technology and Engineering
UNC- Asheville	Renovations and Addition to Owen Hall
UNC-Chapel Hill	Medical Education Bldg. Replacement
UNC-Charlotte	New Sciences Building
UNC-Greensboro	Nursing School Building
UNC-Pembroke	New Business School
UNC-Wilmington	Allied Health and Human Services/Nursing Building
Western Carolina University	Sciences/STEM Building
Winston-Salem State University	Sciences Building

County	Amount
Watauga	\$70,000,000
Pitt	\$90,000,000
Pasquotank	\$8,500,000
Pasquotank	\$4,500,000
Cumberland	\$10,000,000
Durham	\$30,000,000
Wake	\$75,000,000
Guilford	\$90,000,000
Forsyth	\$8,000,000
Forsyth	\$2,900,000
Burke	\$58,000,000
Buncombe	\$21,000,000
Orange	\$68,000,000
Mecklenburg	\$90,000,000
Guilford	\$105,000,000
Robeson	\$23,000,000
New Hanover	\$66,000,000
Jackson	\$110,000,000
Forsyth	\$50,000,000

Title	Description
Alamance Community College	New Construction, Repairs, Renovations
Asheville-Buncombe Technical Comm College	New Construction, Repairs, Renovations
Beaufort County Comm College	New Construction, Repairs, Renovations
Bladen Community College	New Construction, Repairs, Renovations
Blue Ridge Community College	New Construction, Repairs, Renovations
Brunswick Comm College	New Construction, Repairs, Renovations
Caldwell Comm College and Technical Institute	New Construction, Repairs, Renovations
Cape Fear Community College	New Construction, Repairs, Renovations
Carteret Comm College	New Construction, Repairs, Renovations
Catawba Valley Comm College	New Construction, Repairs, Renovations
Central Carolina Comm College	New Construction, Repairs, Renovations
Central Piedmont Comm College	New Construction, Repairs, Renovations
Cleveland Comm College	New Construction, Repairs, Renovations
Coastal Carolina Comm College	New Construction, Repairs, Renovations
College of the Albemarle	New Construction, Repairs, Renovations
Craven Comm College	New Construction, Repairs, Renovations
Davidson County Comm College	New Construction, Repairs, Renovations
Durham Tech Comm College	New Construction, Repairs, Renovations
Edgecombe Comm College	New Construction, Repairs, Renovations
Fayetteville Tech Comm College	New Construction, Repairs, Renovations
Forsyth Tech Comm College	New Construction, Repairs, Renovations
Gaston College	New Construction, Repairs, Renovations
Guilford Tech Comm College	New Construction, Repairs, Renovations
Halifax Comm College	New Construction, Repairs, Renovations
Haywood Comm College	New Construction, Repairs, Renovations
Isothermal Comm College	New Construction, Repairs, Renovations
James Sprunt Comm College	New Construction, Repairs, Renovations
Johnston Comm College	New Construction, Repairs, Renovations
Lenoir Comm College	New Construction, Repairs, Renovations
Martin Comm College	New Construction, Repairs, Renovations
Mayland Comm College	New Construction, Repairs, Renovations
McDowell Tech Comm College	New Construction, Repairs, Renovations
Mitchell Comm College	New Construction, Repairs, Renovations
Montgomery Comm College	New Construction, Repairs, Renovations
Nash Comm College	New Construction, Repairs, Renovations
Pamlico Comm College	New Construction, Repairs, Renovations
Piedmont Comm College	New Construction, Repairs, Renovations
Pitt Comm College	New Construction, Repairs, Renovations
Randolph Comm College	New Construction, Repairs, Renovations
Richmond Comm College	New Construction, Repairs, Renovations
Roanoke-Chowan Comm College	New Construction, Repairs, Renovations
Robeson Comm College	New Construction, Repairs, Renovations
Rockingham Comm College	New Construction, Repairs, Renovations
Rowan-Cabarrus Comm College	New Construction, Repairs, Renovations
Sampson Comm College	New Construction, Repairs, Renovations
Sandhills Comm College	New Construction, Repairs, Renovations

South Piedmont Comm College	New Construction, Repairs, Renovations
Southeastern Comm College	New Construction, Repairs, Renovations
Southwestern Comm College	New Construction, Repairs, Renovations
Stanly Comm College	New Construction, Repairs, Renovations
Surry Comm College	New Construction, Repairs, Renovations
Tri-County Comm College	New Construction, Repairs, Renovations
Vance-Granville Comm College	New Construction, Repairs, Renovations
Wake Tech Comm College	New Construction, Repairs, Renovations
Wayne Comm College	New Construction, Repairs, Renovations
Western Piedmont Comm College	New Construction, Repairs, Renovations
Wilkes Comm College	New Construction, Repairs, Renovations
Wilson Comm College	New Construction, Repairs, Renovations

County	Amount
Alamance	\$6,100,339
Buncombe	\$5,487,535
Beaufort	\$6,557,819
Bladen	\$6,533,125
Henderson	\$2,966,077
Brunswick	\$2,857,328
Watauga	\$5,629,337
New Hanover	\$5,908,685
Carteret	\$2,674,685
Catawba	\$6,180,268
Harnett	\$6,307,085
Mecklenburg	\$9,636,457
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Haywood	\$2,831,380
Rutherford	\$6,803,668
Duplin	\$4,502,677
Johnston	\$3,701,470
Lenoir	\$8,001,502
Martin	\$6,566,722
Avery/Mitchell	\$4,668,043
McDowell	\$4,598,981
Iredell	\$3,218,011
Montgomery	\$6,334,537
Nash	\$7,773,798
Pamlico	\$4,193,233
Person	\$4,850,325
Pitt	\$8,376,397
Randolph	\$5,086,842
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Hertford	\$6,326,517
Robeson	\$7,296,568
Rockingham	\$6,848,392
Rowan	\$7,211,552
Sampson	\$4,774,533
Moore	\$3,816,267

Anson/Union	\$3,189,221
Columbus	\$6,861,620
Jackson	\$7,170,597
Stanly	\$5,510,980
Surry	\$7,222,184
Cherokee	\$4,515,728
Vance	\$7,611,910
Wake	\$12,595,127
Wayne	\$5,855,913
Burke	\$5,099,649
Wilkes	\$5,243,674
Wilson	\$6,938,426

Title	Description	County	Amount
Agriculture	Plant Sciences building Ag/NCSU Partnership	Wake	\$85,000,000
Agriculture	Agriculture and Consumer Services	Wake	\$94,000,000



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: John Connet

Department: Admin

Date Submitted: 01/25/2016

Presenter: John Connet

Date of Council Meeting to consider this item: 02/04/2015

Nature of Item: Council Action

Summary of Information/Request:

Item # 09

The City Council requested that City staff review the City of Hendersonville's Concealed Weapons Policy. In addition, to the Concealed Weapons Policy staff has reviewed City Ordinances associated with weapons on public property. After several months of review and deliberation, staff would like to propose the following amendment to Chapter 36 of the City of Hendersonville Code of Ordinances. The amendment establishes the prohibition of firearms on City property and in City parks as allowed by the North Carolina General Statutes. In addition, it establishes a procedure by which City Council and staff may carry concealed weapons.

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.*

I move that the City Council approve the amendment to Article 36 of the City of Hendersonville Code of Ordinances.

Attachments:

Proposed Ordinance Amendment

Ordinance #16-_____

AN ORDINANCE AMENDING SECTION 36-87 OF THE CODE OF ORDINANCES RESPECTING WEAPONS ON CITY-OWNED OR CITY-MAINTAINED PROPERTY

WHEREAS, the City of Hendersonville City Council has, pursuant to statute, determined who should be permitted to carry certain weapons on City-owned and City-maintained property, and

WHEREAS the City Council deems it desirable to add City Council members to the list of those excepted from the restrictions contained in City Code Section 36-87,

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

SECTION 1. Section 36-87 of the Hendersonville Code of is hereby amended to read as follows

Sec. 36-87. - Weapons on city-owned or city-maintained property.

(a) Carry of certain weapons prohibited.

(1) Prohibited acts. Except as provided in subsection (b) of this section, all persons are prohibited from possessing firearms as defined in G.S. 14-269 14-415.10 in city-owned and/or maintained nonresidential buildings and property as defined in G.S. 14-54©, their appurtenant premises and parks City of Hendersonville government buildings and their appurtenant premises.

(2) Where posted, the carrying of a concealed handgun on City of Hendersonville government recreational facilities identified specifically as follows is hereby prohibited:

1. Berkeley Park Baseball Field including any appurtenant facilities such as restrooms, during an organized athletic event, if the field has been scheduled for use with the Hendersonville Department of Public Works;
2. Patton Park Athletic Fields including any appurtenant facilities such as restrooms, during an organized athletic event, if the fields have been scheduled for use with the Hendersonville Department of Public Works;
3. Patton Park Swimming pool, including any appurtenant facilities used for dressing, storage of personal items, or other uses relating to the swimming pool;
4. Boyd Park and Patton Park Tennis Courts during organized athletic events, if the courts have been scheduled for use with the Hendersonville Department of Public Works;
5. William H. King Park Baseball Field including any appurtenant facilities such as restrooms, during an organized athletic event, if the field has been scheduled for use with the Hendersonville Department of Public Works;
6. Sullivan Park Basketball Facility including appurtenant facilities such as restrooms, during an organized athletic event, if the facility has been scheduled for use with the Hendersonville Department of Public Works;
7. Whitmire Activity Center Shuffleboard Courts including appurtenant facilities such as restrooms, during an organized athletic event, if the courts have been scheduled for use with the Hendersonville Department of Public Works.

(b) Exceptions. This prohibition of subsection (a) of this section shall not apply to the following persons:

- (1) Officers and enlisted personnel of the armed forces of the United States when discharging their official duties as such and acting under orders requiring them to carry arms and weapons;
- (2) Civil officers of the United States while in the discharge of their official duties;
- (3) Officers and soldiers of the militia and the national guard when called into actual service;

- (4) Sworn law enforcement officers;
- (5) County animal control officers while in the discharge of their official duties as such and acting under orders requiring them to carry arms and weapons;
- (6) Employees of the city, a utility company, or a contractor to the city, may possess tools approved by their employer so long as such tools are not used as a weapon; and
- (7) Persons possessing a written permit from the chief of police to possess weapons for ceremonial purposes or funerals.
- (8) City Council members with a valid North Carolina Concealed Carry Permit and prior approval which may be granted by the City Manager in consultation with the Chief of Police in such places and under such circumstances as the City Manager may from time to time designate. The City Manager is hereby authorized and directed to draw up and keep current from time to time such policies for the carrying of concealed weapons as the City Manager, in consultation with the Chief of Police, may determine is in the interest of the health, safety and welfare of the City of Hendersonville.
- (9) City of Hendersonville employees with a valid North Carolina Concealed Carry Permit and prior approval which may be granted by the City Manager in consultation with the Chief of Police in such places and under such circumstances as the City Manager may from time to time designate. The City Manager is hereby authorized and directed to draw up and keep current from time to time such policies for the carrying of concealed weapons as the City Manager, in consultation with the Chief of Police, may determine is in the interest of the health, safety and welfare of the City of Hendersonville.

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 the seventh day of January 2016.

Barbara Volk, Mayor

Attest:

Tammie K. Drake, MMC, City Clerk

Approved as to form:

Samuel H. Fritschner, City Attorney



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: John Connet

Department: Admin

Date Submitted: 1/27/2016

Presenter: Sam Fritschner

Date of Council Meeting to consider this item: 2/04/2016

Nature of Item: Discussion/Staff Direction

Summary of Information/Request:

Item # 10

David Owens, Planning and Zoning Specialist at the UNC School of Government, has recently published an article regarding the potential constitutional problems with requiring special use permit applications to be reviewed by the Planning Board. City Attorney Sam Fritschner will review these potential problems and seek further direction from the City Council.

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.*

None at this time

Attachments:

David Owen's Article

Coates' Canons: NC Local Government Law



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Advisory Board Review of Quasi-judicial Decisions

This entry was posted on January 12th, 2016 and is filed under [General Local Government \(Miscellaneous\)](#), [Land Use & Code Enforcement](#), [Quasi-Judicial Decisions](#), [Zoning](#).



Acme Development Co. is proposing to build a 200-unit apartment project on a vacant lot. Under the city's zoning ordinance, this use of the site is allowed only if a special use permit is secured. The ordinance standards for the special use permit set out a variety of technical requirements and require the applicant to show the proposed use will be harmonious with the surrounding neighborhood and that it will not have significant adverse impacts on neighboring property values. Under the ordinance, the decision on this application will be made by the city council following a formal evidentiary hearing.

This will be a controversial project. The applicant has hired capable consultants who are sure all of the city standards can be met. On the other hand, residents of the neighboring single-family neighborhood have already raised concerns about traffic, congestion, noise, storm water runoff, and other negative impacts of the character of their neighborhood.

Before the city council takes up Acme's special use permit application, should it be sent to the planning board for review and comment?

No statutory mandate

The North Carolina statutes do not mandate a particular answer to this question.

If a rezoning was required for the proposed use, that would have to be referred to the planning board. The planning board must be given at least 30 days within which to comment on whether a rezoning would be consistent with adopted plans. The planning board may add any other comments it deems appropriate. The rationale for this mandated advisory review is that with a zoning map or text amendment the governing board is making a legislative decision and a more informed and thoughtful policy choice will be made if they have the considered advice of the planning board.

When a quasi-judicial decision is being made, as with the special use permit application in our case, the decision-making board is not making a policy choice. It is determining whether a particular application meets the standards already set out in the ordinance. A hearing is required as part of the decision-making process, but the sole purpose of the hearing is to gather evidence as to whether the standards are met, not to secure opinions or advice as to what would be in the best public interest. See this [post](#) for more on the differences between legislative and quasi-judicial decision-making.

So there is no requirement in the statutes for a quasi-judicial decision to be referred to an advisory board for review and comment. Nor is there a prohibition on referral.

Why is it done?

Under North Carolina zoning statutes, decisions on special use permits are quasi-judicial and can be assigned by the zoning ordinance to the governing board, planning board, or the board of adjustment. A 2005 SOG survey indicated 69% of jurisdictions have ordinances that assign these decisions to the governing board, 53% to the board of adjustment, and 4% to the planning board. The numbers add up to more than 100% because some jurisdictions send some special use permits to the governing board and others to the board of adjustment. Click [here](#) for that study. So it is the city council, the county board of commissioners, or the board of adjustment

About the author

David Owens



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making almost all of these decisions.

Somewhat surprisingly, a great many jurisdictions add a role for the planning board. 67% of the jurisdictions reported they send special use permit applications to the planning board for an advisory review.

Why are ordinances structured this way? Some of it may simply be confusion in drafting – conflating the process for reviewing a special use permit application with the process for a rezoning. After all, if the city council decides rezoning petitions and has to send those to the planning board, why not just do the same for special use permit applications decided by the city council? While that might explain how some jurisdictions initially put an advisory review for special use permits in their ordinance, it does not explain why so many jurisdictions continue to do this.

The rationale for advisory reviews that I hear most often is that it gives the applicants and neighbors an informal chance to present their cases and get feedback, as well as providing a chance for all involved to get a better sense of the issues that will be contentious when the case gets to the decision-making board. This allows for consideration of actions to address concerns that are raised, such as conditions that might be appropriate or potential modification of the application. In short, the advisory review can serve as dress rehearsal for the more formal evidentiary hearing and provides a chance to work out points of contention before the case gets to the city council or county board of commissioners. While this adds an extra step to the review process, many jurisdictions have concluded the benefits secured outweigh the burdens this imposes on the applicant, the neighbors, and the staff.

How this can be a legal problem?

All of this sounds well and good, but it is not without some potentially significant legal risks.

It is perfectly appropriate (as well as legally required) to have an advisory review of legislative decisions and policy choices that go to the city council or county board of commissioners. Special use permits, however, are not legislative decisions. The question before the decision-making board is not what the policies should be, not whether the project is popular with the public, and not even whether the planning board thinks it is a good project or not. The only question before the decision-making board is whether there is sufficient evidence in the record to establish that this particular application does or does not meet the standards already in the ordinance. See this [post](#) from Adam Lovelady on building a proper record for quasi-judicial decisions.

Furthermore, constitutional due process considerations and the zoning statutes require that the decision be made solely on the basis of competent, substantial, and material evidence that is properly presented to the decision-making board. This generally requires the evidence be presented at the decision-making board's evidentiary hearing by witnesses under oath and subject to cross-examination. Hearsay testimony, opinion evidence from non-expert witnesses, and evidence not presented at the hearing may not be considered. See this [post](#) for more on limits to use of evidence gathered outside the hearing.

This raises serious questions about the use the decision-making board can make of an advisory comment from the planning board. What if the planning board comment is based on evidence that was not presented formally to the governing board? Unless the evidence presented to the planning board is also presented at the evidentiary hearing, it cannot be used in making a decision. Is the planning board comment "evidence" that can be considered to resolve contested facts? Almost certainly not. Can the recommendation in and of itself be used to conclude the ordinance standards have been met? Highly unlikely.

What to do?

Given these limitations on the use of advisory comments for a quasi-judicial matter, some jurisdictions have simply eliminated this step altogether. If a planning board comment has such limited use, why put everyone to the time, trouble, and expense to go through the planning board prior to going to the decision-making board? In these jurisdictions the responsibility to hold an evidentiary hearing and make a decision on a special use permit is assigned to a single board and there are no advisory reviews. This is the safest course of action from a legal perspective and is quicker and simpler for applicants and neighbors concerned about the application.

For those jurisdictions that elect to continue with advisory reviews, some basic cautionary steps are in order.

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 state of emergency Voting Zoning

1. The planning board making the review should be clearly, explicitly, and constantly reminded that they are commenting on a quasi-judicial matter, not a legislative policy choice. A special use permit decision is not the same thing as a rezoning decision and all involved need to be keenly aware of the differences.
2. The planning board comment should be based only on substantial evidence that can properly be presented to the decision-making board. A planning board recommendation based on irrelevant evidence is not only legally useless, it can also mislead the parties and the decision-making board. One value the planning board can add to the process is the identification of evidence that needs to be considered but that was not presented to the planning board. This would give the applicant and neighbors a chance to get the right evidence, and the right quality of evidence, in time for presentation at the later evidentiary hearing.
3. The planning board needs to focus on the standards set out in the ordinance for a special use permit and how those standards apply to the particular application. The recommendation needs to be based on these standards, not members' personal opinions or public popularity or opposition to the proposal. Comments and suggestions on how the project does or does not meet a particular standard can contribute to the city council discussion and consideration of those points, while a simple conclusory statement that the planning board recommends approval or denial is of little value. For example, rather than simply concluding that the planning board found the project is not harmonious with the surrounding neighborhood, the comment should identify specific reasons the board found it to be inharmonious.

So should Acme's special use permit application be sent to the planning board for review and comment? In North Carolina cities and counties can opt to do so or can streamline the process by eliminating this advisory review. If the application for a quasi-judicial approval does get an advisory review, the planning board needs to carefully apply the points noted above to both add useful input to the decision and to avoid serious legal problems.

[«IRS Extends Affordable Care Act Reporting Deadlines](#)

[The "Government Speech" Doctrine and Local Government Meetings: Can the Government Take Sides?»](#)

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SUBMIT



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Brian Pahle

Department: Admin

Date Submitted: 12/14/15

Presenter: Brian Pahle

Date of Council Meeting to consider this item: 01/07/16

Nature of Item: Presentation Only

Summary of Information/Request:

Item # 12a

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) An increase in supplies & materials to pay for costs associated with new kiosks | \$5,000 Downtown Fund 20

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.*

N/A

Attachments:

None



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Tammie Drake

Department: Admin

Date Submitted: 01.29.16

Presenter: John Connet

Date of Council Meeting to consider this item: 02.04.16

Nature of Item: Presentation Only

Summary of Information/Request:

Item # 12b

Reminder of Council Planning Retreat

The Council will receive and discuss a financial update on Thursday, February 11, 2016, beginning at 6:00 p.m., with dinner, at City Hall.

The Council's retreat will continue on Friday, February 12, 2016, beginning at 8:00 a.m. at the Chamber of Commerce, 204 Kanuga Road.

Budget Impact: \$ N/A 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.*

N/A

Attachments:

none



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: John Connet

Department: Admin

Date Submitted: 01/25/2016

Presenter: John Connet

Date of Council Meeting to consider this item: 02/04/2015

Nature of Item: Council Action

Summary of Information/Request:

Item # 13a

The Downtown Advisory Committee has an established City Council Liaison on the Advisory Committee. Staff would to establish a City Council Liaison for the Seventh Avenue Advisory Board. This City Council member would represent the City Council at the Advisory Committee meetings and could provide information to the City Council about the Advisory Board activities. Staff would recommend the establishment of this position and the appointment of Mayor Pro Tem as the initial City Council Liaison. Ron Stephens currently services as Liaison to the Downtown Advisory Committee.

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.*

I move that the City Council establish the City Council Liaison position to the Seventh Avenue Advisory Committee and appoint Steve Caraker as its initial representative.

Attachments:

None



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Tammie Drake

Department: Admin

Date Submitted: 01.28.16

Presenter: Tammie Drake

Date of Council Meeting to consider this item: 02.04.16

Nature of Item: Council Action

Summary of Information/Request:

Item # 13b

APPOINTMENTS:

PLANNING BOARD: Mr. Michael Coggins resigned from the Planning Board leaving one vacancy. We have applications on file from Ian Edwards who is currently serving on the Environmental Sustainability Board and from Charles (Chuck) Kuester who currently serves on the Historic Preservation Commission. You may choose to delay the appointment in order to seek additional applications.

ANNOUNCEMENTS:

BOARD OF ADJUSTMENT: At your January meeting, I announced two vacancies on the Board of Adjustment due to April Thompson's and Mr. Benton's resignation. His position is a Henderson County appointee. I have no applications on file.

HISTORIC PRESERVATION COMMISSION: At your January meeting, I announced a vacancy on the HPC due to Jo Tyler's resignation. I have no applications on file at this time for the HPC.

ENVIRONMENTAL SUSTAINABILITY BOARD: There are five City resident positions and two of those are vacant.

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 nominate ... to fill an unexpired term on the Planning Board. This term will expire 12-01-17.

Attachments:

board membership lists



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: John Connet

Department: Admin

Date Submitted: 1/28/2016

Presenter: John Connet

Date of Council Meeting to consider this item: 02/4/2016

Nature of Item: Council Action

Summary of Information/Request:

Item # 15

I would like to request a Closed Session to consider the qualifications, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee as provided under NCGS 143-318 (a) (6).

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 that the City Council enter Closed Session in accordance with NCGS 143-318 (a) (6) to consider the qualifications, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee.

Attachments:

None