

# AGENDA

## CITY OF HENDERSONVILLE CITY COUNCIL – REGULAR MEETING

MAY 4, 2017 – 5:45 P.M.

### OPERATIONS CENTER – ASSEMBLY ROOM

1. **Call to Order**
2. **Invocation and Pledge of Allegiance**
3. **Public Comment Time:** *Up to 15 minutes is reserved for comments from the public for items not listed on the agenda*
4. **Consideration of Agenda**
5. **Consideration of Consent Agenda:** *These items are considered routine, noncontroversial in nature and are considered and approved by a single motion and vote.*
  - A. **Consideration of Minutes:**
    - i. February 24, 2017 Special Meeting
    - ii. April 6, 2017 Regular Meeting
  - B. **Consideration of Approval of Engagement Letter/Contract for the Audit of Fiscal Year 2017-18**
  - C. **Consideration of Budget Amendments:**
    - i. To Record Sale of Vehicle
    - ii. To Record Insurance Proceeds
  - D. **Consideration of Capital Project Ordinance for Streambank Restoration Project**

**E. Consideration of a Reimbursement Resolution for:**

- i. Eastside Transmission Main, Phase II Project**
- ii. Streambank Restoration Project**

**F. Consideration of Certificate of Sufficiency for the Contiguous Annexation of 101 and 103 Beverly Avenue Edney**

**G. Consideration of Special Event Permits for:**

- i. Apple Valley Model Railroad Club Silver Anniversary Event**
- ii. First Baptist Church - "Every Praise" video remake**

**H. Water Line Extension Requests:**

- i. Claystone Manufactured Home Park**
- ii. Laurel Spring Subdivision**

**I. Consideration of Special Appropriations Full Funding List**

**6. Recognitions**

**A. Introduction of Miss Hendersonville Pageant Queens: Kathlene Beam & Katelyn Ledbetter**  
*Presenter: Mayor Barbara Volk*

**B. Proclamation for Parkinson's Awareness**  
*Presenter: Mayor Barbara Volk*

**C. Recognition of Fire Chief Joseph Vindigni for Completion of the UNC School of Government Municipal Administration Course**  
*Presenter: City Manager John Connet*

**D. Recognition of Development Assistance Director Susan Frady for Receiving an Award from the NC Emergency Management and NC Association of Flood Plain Managers**  
*Presenter: City Manager John Connet*

**E. Recognition of Service Excellence Quarterly MVPs**

*Presenter: City Manager John Connet*

**7. Report on Compassionate Cities**

*Presenter: Ms. Pam Rogers*

**8. Public Hearing - Consideration of a Petition for Satellite Annexation from Dustin Beach for a 0.902-acre Parcel Located at 1398 Stanwood Lane**

*Presenter: Development Assistance Director Susan Frady*

**9. Quasi-Judicial Public Hearing – Consideration of an Application for a Special Use Permit from Henderson County to Construct a 225,000 Square Foot Building to be Used as the Hendersonville High School and to Rezone a Portion of the Property from R-6 High-Density Residential, C-3 Highway Business, and MIC Medical, Institutional, Cultural to PID Planned Institutional District**

*Presenter: Senior Planner Matt Champion*

**10. Consideration of an Order to Permanently Close a Portion of Ninth Avenue as Petitioned by Henderson County and the Henderson County Board of Public Education** *[The public hearing was held and closed at City Council's February 9, 2017 meeting. The Council postponed the vote on the closing of a portion of Ninth Avenue until the May 4, 2017 meeting so they could gather more information on the project.]*

*Presenter: Development Assistance Director Susan Frady*

**11. Public Hearing – Consideration of a Zoning Ordinance Text Amendment to Section 5-12-1 I-1, Industrial District Permitted Uses to Add Parking Lots and Garages**

*Presenter: Development Assistance Director Susan Frady*

**12. Comments from Mayor and City Council Members**

**13. Reports from Staff**

A. Investment Report

B. 1st Quarter 2017 Fire Department Statistical Report

**14. Boards and Commissions: Consideration of (Re)Appointments, Announcement of Upcoming Vacancies**

*Presenter: City Clerk Tammie Drake*

**15. New Business**

**16. Adjourn**





# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Lisa White

**Department:** Finance

**Date Submitted:** 4-24-17

**Presenter:** Lisa White

**Date of Council Meeting to consider this item:** 5-4-2017

**Nature of Item:** Council Action

## Summary of Information/Request:

**Item #** 05b

Attached is the Engagement Letter from Greene, Finney & Horton for the contract to audit the City of Hendersonville's financial statements for the fiscal year ending 6-30-17.

In addition, attached is an additional letter of required communications from the auditor to City Council.

**Budget Impact:** \$ 37,500 Is this expenditure approved in the current fiscal year budget? Yes  If no, describe how it will be funded.

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

I move that Council approve the Engagement with Greene , Finney & Horton, LLP for the audit of fiscal year ending 6-30-17 and acknowledge that all members of City Council have received a copy of the auditor's letter of required communication to Council.

## Attachments:

Cover Letter / Engagement Letter / Communication to Council



**Greene, Finney & Horton, LLP**  
CERTIFIED PUBLIC ACCOUNTANTS & CONSULTANTS

April 24, 2017

Ms. Lisa A. White, CPA, CGFO  
Finance Director  
City of Hendersonville  
145 Fifth Avenue E  
Hendersonville, NC 28792

Dear Lisa,

Attached is a copy of the engagement letter for the audit of the City of Hendersonville's ("City") financial statements for the year ended June 30, 2017 ("2017"). Please note that it is important that the City Manager and the Mayor review and sign the engagement letter. In addition, we have attached an additional letter of required communications with those charged with governance ("Council Letter") that should be provided to all members of City Council ("Council"). This Council Letter is required by auditing standards and is to create a more direct line of communication between the external auditors and Council.

As outlined in the attached engagement letter, the audit fee for the 2017 audit will be \$37,500 plus any cost associated with (a) implementing GASB #73 related to the City's Law Enforcement Officers Special Separation Allowance and (b) implementing GASB #74 related to the City's Other Post-Employment Benefit Plan. We look forward to starting the interim audit in June 2017.

If you have any questions, please do not hesitate to call me at (864) 232-5204.

Sincerely,

A handwritten signature in black ink that reads "David G. Phillips".

David G. Phillips  
Partner

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# Greene, Finney & Horton, LLP

CERTIFIED PUBLIC ACCOUNTANTS & CONSULTANTS

April 24, 2017

City of Hendersonville  
145 Fifth Avenue E  
Hendersonville, NC 28792

We are pleased to confirm our understanding of the services we are to provide to the City of Hendersonville (the "City") for the year ended June 30, 2017. We will audit the financial statements of the governmental activities, the business-type activities, the aggregately discretely presented component unit, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements, of the City as of and for the year ended June 30, 2017. Accounting standards generally accepted in the United States of America provide for certain required supplementary information ("RSI"), such as management's discussion and analysis ("MD&A"), to supplement the City's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Government Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist principally of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management's discussion and analysis.
2. Other post-employment benefit plan schedules.
3. Pension plan schedules.

We have also been engaged to report on supplementary information other than RSI that accompanies the City's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America, and will provide an opinion on it in relation to the financial statements as a whole:

1. Other budgetary comparison schedules – General Fund and Capital Reserve Fund.
2. Combining and individual fund financial schedules.
3. Property tax schedules.
4. Schedule of expenditures of federal and state awards.
5. Other supplementary information as may be required.

The following other information that is included in the Comprehensive Annual Financial Report ("CAFR") will not be subjected to the auditing procedures applied in our audit of the financial statements, and for which our auditor's report will not provide an opinion or any assurance on that other information:

1. Introductory section.
2. Statistical section.

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## Audit Objectives

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements taken as a whole. The objective also includes reporting on—

- Internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control over compliance related to major federal programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. Code of Federal Regulations (“CFR”) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (“Uniform Guidance”) and the State Single Audit Implementation Act.
- Internal control over compliance related to major state programs and an opinion (or disclaimer of opinion) on compliance with statutes, regulations, and the terms and conditions of state awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. Code of Federal Regulations (“CFR”) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (“Uniform Guidance”) and the State Single Audit Implementation Act.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will include a paragraph that states that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the result of that testing, and not to provide an opinion on the effectiveness of the entity’s internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity’s internal control and compliance. The Uniform Guidance and the State Single Audit Implementation Act reports on internal control over compliance will include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirement of the Uniform Guidance, the *Audit Manual for Governmental Auditors in North Carolina* (as applicable), and the State Single Audit Implementation Act. These reports will state that the report is not suitable for any other purposes.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; the provisions of the Uniform Guidance, the *Audit Manual for Governmental Auditors in North Carolina* (as applicable), and the State Single Audit Implementation Act and will include tests of accounting records, a determination of major program(s) in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. We will make reference to Carland & Anderson, Inc. audit of the City of Hendersonville Board of Alcoholic Control in our report on your financial statements. We will issue written reports upon completion of our Single Audit. Our reports will be addressed to the Mayor and Council of the City. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

## **Audit Procedures—General**

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We generally request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will also require certain written representations from you about the financial statements; schedule of expenditures of federal and state awards; federal and state award programs; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

## **Audit Procedures—Internal Controls**

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, the *Audit Manual for Governmental Auditors in North Carolina* (as applicable), and the State Single Audit Implementation Act, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal and state award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance, the *Audit Manual for Governmental Auditors in North Carolina* (as applicable), and the State Single Audit Implementation Act.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, Uniform Guidance, the *Audit Manual for Governmental Auditors in North Carolina* (as applicable), and the State Single Audit Implementation Act.

### **Audit Procedures—Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance, the *Audit Manual for Governmental Auditors in North Carolina* (as applicable), and the State Single Audit Implementation Act require that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with statutes, regulations, and the terms and conditions of federal and state awards applicable to major programs. Our procedures will consist of test of transactions and other applicable procedures described in the *OMB Compliance Supplement*, the *Audit Manual for Governmental Auditors in North Carolina* (as applicable), and the State Single Audit Implementation Act for the types of compliance requirements that could have a direct and material effect on each of the City's major programs. The purpose of these procedures will be to express an opinion on the City's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance, the *Audit Manual for Governmental Auditors in North Carolina* (as applicable), and the State Single Audit Implementation Act.

### **Other Services**

We will also assist the City in preparing (a) the financial statements (including closing and conversion entries) and notes, (b) schedule of expenditures of federal and state awards and notes, (c) pension and other postemployment benefit plan schedules, and (d) will provide other general accounting assistance ("nonaudit services") in conformity with U.S. generally accepted accounting principles, the Uniform Guidance, the *Audit Manual for Governmental Auditors in North Carolina* (as applicable), and the State Single Audit Implementation Act based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the nonaudit services in accordance with applicable professional standards. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

### **Management Responsibilities**

Management is responsible for (1) establishing and maintaining effective internal controls, including internal controls over federal awards, and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal and state awards, and all accompanying information in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations (including federal statutes) and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

Management is also responsible for making all financial records and related information available to us and for the accuracy and the completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance, (3) additional information that we may request for the purpose of the audit, and (4) unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence.

Your responsibilities also include adjusting the financial statements to correct material misstatements and confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the entity involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, granters, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws, regulations, contracts, agreements, and grants. Management is also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements, or abuse that we report. Additionally, as required by the Uniform Guidance, the *Audit Manual for Governmental Auditors in North Carolina* (as applicable), and the State Single Audit Implementation Act, it is management's responsibility to evaluate and monitor noncompliance with statutes, regulations, and the terms and conditions of federal and state awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan. The summary schedule of prior audit findings should be available for our review.

You are responsible for identifying all federal and state awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal and state awards (including notes and noncash assistance received) in conformity with the Uniform Guidance, the *Audit Manual for Governmental Auditors in North Carolina* (as applicable), and the State Single Audit Implementation Act. You agree to include our report on the schedule of expenditures of federal and state awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal and state awards. You also agree to include the audited financial statements with any presentation of the schedule of expenditures of federal and state awards that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal and state awards in accordance with the Uniform Guidance, the *Audit Manual for Governmental Auditors in North Carolina* (as applicable), and the State Single Audit Implementation Act; (2) you believe the schedule of expenditures of federal and state awards, including its form and content, is stated fairly in accordance with Uniform Guidance, the *Audit Manual for Governmental Auditors in North Carolina* (as applicable), and the State Single Audit Implementation Act; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal and state awards.

You are responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you

have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

With regard to using the auditor's report, you understand that you must obtain our prior written consent to reproduce or use our report in bond offering official statements or other documents. With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

You agree to assume all management responsibilities relating to the nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with the nonaudit services and that you have reviewed and approved the nonaudit services (i.e. financial statements and notes, schedule of expenditures of federal and state awards and notes, etc.) prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, who possesses suitable skill, knowledge, or experience; evaluate the adequacy and results of the services; and accept responsibility for them.

The City hereby promises that it will make every diligent effort to maintain proper books and records that accurately reflect its business activities, that it will be completely truthful with Greene, Finney & Horton, LLP ("GF&H") and that GF&H may rely upon both oral and written statements and responses to questions. The City further promises to immediately advise GF&H if it becomes aware of any inaccuracy in its record-keeping or dishonesty in any of its business dealings, including its statements to GF&H. The City acknowledges that the promises are the cornerstone of its relationship with GF&H, are made to induce GF&H to accept this audit engagement, and that GF&H would not accept this audit engagement without such promises.

### **Engagement Administration, Fees, and Other**

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal and state awards, summary schedule of prior audit findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after receipt of the auditors' reports or nine months after the end of the audit period.

We will provide copies of our reports to the City; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of GF&H and constitutes confidential information. However, subject to applicable laws or regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to a federal or state agency, or its designee, providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of GF&H personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties.

These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by a federal or state agency. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

We expect to begin interim audit work in June 2017 and our year-end audit work in September 2017. We expect to issue our report before October 31, 2017. David Phillips is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. Our fee for these services will be \$37,500 plus any cost associated with (a) implementing GASB #73 related to the City's Law Enforcement Officers Special Separation Allowance and (b) implementing GASB #74 related to the City's Other Post-Employment Benefit Plan. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you in advance and arrive at a new fee estimate before we incur the additional costs. Any services that you may require outside of those related to the audit discussed above will be billed at our hourly standard rate of Partners, \$190 per hour; Managers, \$140 per hour; Supervisors, \$110 per hour; Senior Staff, \$85 per hour; Staff, \$70 per hour. Our invoices for these fees will be rendered each month as work progresses and are payable upon presentation.

**Auditor's Expectations of Management**

Our fee is based upon certain expectations that we have of work that will be completed by the City, which is included in our interim and year-end client assistance packages.

**Conclusion**

*Government Auditing Standards* require that we provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract. Our 2014 peer review accompanies this letter.

We appreciate the opportunity to be of service to the City of Hendersonville and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

*Greene, Finney & Horton LLP*

Greene, Finney & Horton, LLP  
Certified Public Accountants

**RESPONSE:**

This letter correctly sets forth the understanding of City of Hendersonville.

Signature: \_\_\_\_\_  
Title: City Manager

Signature: \_\_\_\_\_  
Title: Mayor

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

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

I hereby certify that this contract has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.  
Finance Director: *[Signature]*

**A. Creig Odom, CPA, PA**  
Five Office Way, Second Floor  
PO Box 6098  
Hilton Head Island, SC 29938  
Telephone (843) 842-4021  
Fax (843) 842-6629

## System Review Report

June 19, 2014

To the firm of  
Greene, Finney & Horton, LLP  
And the Peer Review Committee of the  
South Carolina Association of Certified Public Accountants

I have reviewed the system of quality control for the accounting and auditing practice of Greene, Finney & Horton, LLP (the firm) in effect for the year ended May 31, 2014. My peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants. The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. My responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on my review. The nature, objectives, scope, limitations of, and the procedures performed in a System Review are described in the standards at [www.aicpa.org/prsummary](http://www.aicpa.org/prsummary).

As required by the standards, engagements selected for the review included an engagement performed under *Governmental Auditing Standards* and an audit of an employee benefit plan.

In my opinion, the system of quality control for the accounting and auditing practice of Greene, Finney & Horton, LLP, in effect for the year ended May 31, 2014, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Greene, Finney & Horton, LLP has received a peer review rating of *pass*.



A. Creig Odom, CPA, PA



# Greene, Finney & Horton, LLP

CERTIFIED PUBLIC ACCOUNTANTS & CONSULTANTS

April 24, 2017

Honorable Mayor and Members of City Council  
City of Hendersonville, North Carolina

We are engaged to audit the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Hendersonville ("City") for the year ended June 30, 2017. Professional standards require that we provide you with the following information related to our audit. Please feel free to contact us, as we would also be glad to meet with you to discuss this information.

Our Responsibility under U.S. Generally Accepted Auditing Standards, Government Auditing Standards, Uniform Guidance, and the State Single Audit Implementation Act.

As stated in our engagement letter dated April 24, 2017, our responsibility, as described by professional standards, is to express opinions about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles. Our audit of the financial statements does not relieve you or management of your responsibilities.

In planning and performing our audit, we will consider the City's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinions on the financial statements and not to provide assurance on the internal control over financial reporting. We will also consider internal control over compliance with requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with the Uniform Guidance and the State Single Audit Implementation Act.

As part of obtaining reasonable assurance about whether the City's financial statements are free of material misstatement, we will perform tests of its compliance with certain provisions of laws, regulations, contracts, and grants. However, providing opinions on compliance with federal and state provisions is not an objective of our audit. Also in accordance with the Uniform Guidance and the State Single Audit Implementation Act, we will examine, on a test basis, evidence about the City's compliance with the types of compliance requirements, as described in the U.S. Office of Management and Budget ("OMB") Compliance Supplement, the *Audit Manual for Governmental Auditors in North Carolina* (as applicable), and the State Single Audit Implementation Act, applicable to each of its major federal and state programs for the purpose of expressing opinions on the City's compliance with those requirements. While our audit will provide a reasonable basis for our opinions, it will not provide a legal determination on the City's compliance with those requirements.

Required Supplementary Information

Generally accepted accounting principles provide for certain required supplementary information ("RSI") to supplement the basic financial statements. Our responsibility with respect to management's discussions and analysis, the other post-employment benefit plan schedules, and the pension plan schedules, which supplement the basic financial statements, is to apply certain limited procedures in accordance with generally accepted auditing standards. However, the RSI will not be audited and, because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance, we will not express an opinion or provide any assurance on the RSI.

GFHLLP.COM • INFO@GFHLLP.COM

GREENVILLE, SC  
864.451.7381

MAULDIN, SC  
864.232.5204

MOUNT PLEASANT, SC  
843.735.5805

SPARTANBURG, SC  
864.232.5204

ASHEVILLE, NC  
828.771.0847

OPEN BY APPOINTMENT ONLY

### Supplementary Information

We have been engaged to report on other budgetary comparison schedules – General Fund and Capital Reserve Fund, combining and individual fund financial schedules, property tax schedules, the schedule of expenditures of federal and state awards, and other supplementary information as may be required, which accompanies the financial statements but are not RSI. Our responsibility for this supplementary information, as described by professional standards, is to evaluate the presentation of the supplementary information in relation to the financial statements as a whole and to report on whether the supplementary information is fairly stated, in all material respects, in relation to the financial statements as a whole.

### Other Information

We have not been engaged to report on the introductory section and the statistical section, which accompanies the financial statements, but are not RSI. Our responsibility with respect to this other information in documents containing the audited financial statements and auditor's report does not extend beyond the financial information identified in the report. We have no responsibility for determining whether this other information is properly stated. This other information will not be audited and we will not express an opinion or provide any assurance on it.

### Planned Scope and Timing of the Audit

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested.

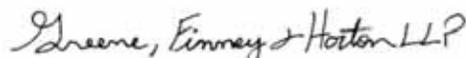
Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Material misstatements may result from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. We will generally communicate our significant findings at the conclusion of the audit. However, some matters could be communicated sooner, particularly if significant difficulties are encountered during the audit where assistance is needed to overcome the difficulties or if the difficulties may lead to a modified opinion. We will also communicate any internal control related matters that are required to be communicated under professional standards.

According to professional standards, a group audit is an audit of group financial statements which consists of more than one component. A component is any entity or business activity for which the group or component management prepares financial information that is required by accounting standards to be included in the group financial statements. Our audit of the City is a group audit as it not only includes the primary government but also includes the City of Hendersonville Board of Alcoholic Control – which is a component of the City. For each component, we have gained an understanding of the component auditor and we plan to make reference to their report in the group financial statements. We will review and/or evaluate the component's financial statements and component auditor's report and communications in accordance with professional standards.

We expect to begin our interim audit work in June 2017 and our year-end audit work in September 2017. We expect to issue our report by October 31, 2017. David Phillips is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it.

This information is intended solely for the use of the Mayor, City Council, and management of the City and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,



Greene, Finney & Horton, LLP  
Certified Public Accountants



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Brian Pahle

**Department:** Admin

**Date Submitted:** 04/24/17

**Presenter:** Brian Pahle

**Date of Council Meeting to consider this item:** 05/04/17

**Nature of Item:** Council Action

## Summary of Information/Request:

**Item #** 05c

Budget Amendment(s)

- 1) Sale of Toyota Camry | Fund 60 | Increase \$10,687
- 2) Insurance Proceeds | Fund 10 | Increase \$5,789

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

## Suggested Motion:

I move to approve the budget amendments as presented.

**Attachments:**

See below...







## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Brian Pahle

**Department:** Admin

**Date Submitted:**

**Presenter:** Brian Pahle

**Date of Council Meeting to consider this item:** 05.04.17

**Nature of Item:** Council Action

### Summary of Information/Request:

**Item #** 05d

In accordance with N.C.G.S 159-13.2 Project Ordinances I recommend the City establish a capital project ordinance for the acquisition, construction, and installation of the Streambank Restoration project. This project will be financed through a 0% interest state revolving loan fund debt issuance. This project is estimated to be completed by the end of FY18-19.

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

Establishing an ordinance to set up budget for this project in a multi-year fund. Project estimated cost = \$2,920,000

### Suggested Motion:

I move to adopt the capital project ordinance for the Streambank Restoration project as presented.

**Attachments:**

See below...

**CAPITAL PROJECT ORDINANCE FOR  
THE ACQUISITION, CONSTRUCTION AND INSTALLATION  
OF THE STREAMBANK RESTORATION PROJECT**

**BE IT ORDAINED** by the Governing Board of the City of Hendersonville, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

**Section 1:** The project authorized is a wastewater infrastructure project described as the Streambank Restoration Project.

**Section 2:** The following amounts are appropriated for the project:

Account Number		Account Name	Total Budget
3790000	519000	Professional Services	\$ 438,000
3790000	559850	Construction Contract	\$ 2,480,117
3790000	549750	Permits, License, & Fees	\$ 1,883
<b>Total Project Appropriation</b>			<b>\$ 2,920,000</b>

**Section 3:** The following revenues are anticipated to be available via state revolving loan fund proceeds for project expenses:

Account Number		Account Name	Total Budget
3790000	499100	Proceeds of Debt	\$ 2,920,000
<b>Total Project Revenue</b>			<b>\$ 2,920,000</b>

**Section 4:** The Finance Director is hereby directed to maintain within the capital project fund sufficient specific detailed accounting records to satisfy the disclosure requirements of all the contractual agreements, if applicable.

**Section 5:** Funds may be advanced from the Water and Sewer Fund as necessary for the purpose of making payments as due. Reimbursement requests shall be made in an orderly and timely manner.

**Section 6:** The Finance Director is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and Section 4.

**Section 7:** The Finance Director is further instructed to include a detailed analysis of past and future revenues and expenses during each annual budget submission made to the Governing Board.

**Section 8:** Copies of this capital project shall be furnished to the City Clerk, Finance Director and City Manager for direction in carrying out this project.

**ADOPTED** by the City Council of the City of Hendersonville, North Carolina, on this fourth day of May, 2017.

---

Barbara G. Volk, Mayor

ATTEST:

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Tammie K. Drake, City Clerk

Approved as to form:

---

Samuel H. Fritschner, City Attorney



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Brian Pahle

**Department:** Admin

**Date Submitted:** 04/24/17

**Presenter:** Brian Pahle

**Date of Council Meeting to consider this item:** 05/04/17

**Nature of Item:** Council Action

**Summary of Information/Request:**

**Item #** 05ei

A reimbursement resolution for the Eastside Transmission Main, Phase II project. This multi-year fund will be financed through a debt issuance. A reimbursement resolution will allow the City to reimburse itself for costs incurred prior to receiving the debt proceeds. This is standard practice for major project financings.

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

**Suggested Motion:**

I move to approve the resolution as presented.

**Attachments:**

See below...

**HENDERSONVILLE, NORTH CAROLINA  
DECLARATION OF OFFICIAL INTENT TO REIMBURSE**

**BE IT RESOLVED** by the Governing Board of the City of Hendersonville, North Carolina this declaration (the "Declaration") is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

The undersigned is authorized to declare the official intent of HENDERSONVILLE, North Carolina (the "Issuer") with respect to the matters contained herein.

**Expenditures to be Incurred.** The Issuer anticipates incurring expenditures (the "Expenditures") for THE ACQUISITION, CONSTRUCTION, AND INSTALLATION OF THE EASTSIDE TRANSMISSION MAIN, PHASE II PROJECT, ORDINANCE #15-0624 (the "Project").

**Plan of Finance.** The Issuer intends to finance the costs of the Project with the proceeds of debt to be issued by the Issuer (the "Borrowing"), the interest on which is to be excluded from gross income for Federal income tax purposes.

**Maximum Principal Amount of Debt to be Issued.** The maximum principal amount of the Borrowing to be incurred by the Issuer to finance the Project is **\$5,100,000.00**.

**Declaration of Official Intent to Reimburse.** The Issuer hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

**ADOPTED** by the City Council of the City of Hendersonville, North Carolina, on this fourth day of May, 2017.

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

ATTEST:

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



## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Brian Pahle

**Department:** Admin

**Date Submitted:** 04/24/17

**Presenter:** Brian Pahle

**Date of Council Meeting to consider this item:** 05/04/17

**Nature of Item:** Council Action

**Summary of Information/Request:**

**Item #** 05eii

A reimbursement resolution for the Streambank Restoration project. This multi-year fund will be financed through a state revolving loan fund financing. A reimbursement resolution will allow the City to reimburse itself for costs incurred prior to receiving the debt proceeds. This is standard practice for major project financings.

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

**Suggested Motion:**

I move to approve the resolution as presented.

**Attachments:**

See below...

**HENDERSONVILLE, NORTH CAROLINA  
DECLARATION OF OFFICIAL INTENT TO REIMBURSE**

**BE IT RESOLVED** by the Governing Board of the City of Hendersonville, North Carolina this declaration (the "Declaration") is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

The undersigned is authorized to declare the official intent of HENDERSONVILLE, North Carolina (the "Issuer") with respect to the matters contained herein.

**Expenditures to be Incurred.** The Issuer anticipates incurring expenditures (the "Expenditures") for THE ACQUISITION, CONSTRUCTION, AND INSTALLATION OF THE STREAMBANK RESTORATION PROJECT, ORDINANCE # \_\_\_\_\_ (the "Project").

**Plan of Finance.** The Issuer intends to finance the costs of the Project with the proceeds of debt to be issued by the Issuer (the "Borrowing"), the interest on which is to be excluded from gross income for Federal income tax purposes.

**Maximum Principal Amount of Debt to be Issued.** The maximum principal amount of the Borrowing to be incurred by the Issuer to finance the Project is **\$2,920,000.00**.

**Declaration of Official Intent to Reimburse.** The Issuer hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

**ADOPTED** by the City Council of the City of Hendersonville, North Carolina, on this fourth day of May, 2017.

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

ATTEST:

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



## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Susan G. Frady

**Department:** Development Asst Dept

**Date Submitted:** 4/12/17

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

**Date of Council Meeting to consider this item:** 5/4/17

**Nature of Item:** Council Action

### Summary of Information/Request:

**Item #** 05f

The City of Hendersonville has received a petition from Kyle Edney for contiguous annexation of parcel 9578-33-4840 containing 0.27 acres located at 101 and 103 Beverly Avenue. This annexation application is related to a sewer service request. Please refer to the attached maps for additional information.

Attached is the Clerk's Certificate of Sufficiency finding that the petition is valid. The next step in the annexation process is to accept the Clerk's certificate and set a date for the public hearing on the question of adoption of an ordinance of annexation.

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

### Suggested Motion:

I move Council to accept the City Clerk's Certificate of Sufficiency for the Kyle Edney petition and set June 1, 2017 as the date for the public hearing.

### Attachments:

Survey  
Legal Description  
Clerk's Certificate of Sufficiency

GRID NORTH  
N.A.D. 83/2011

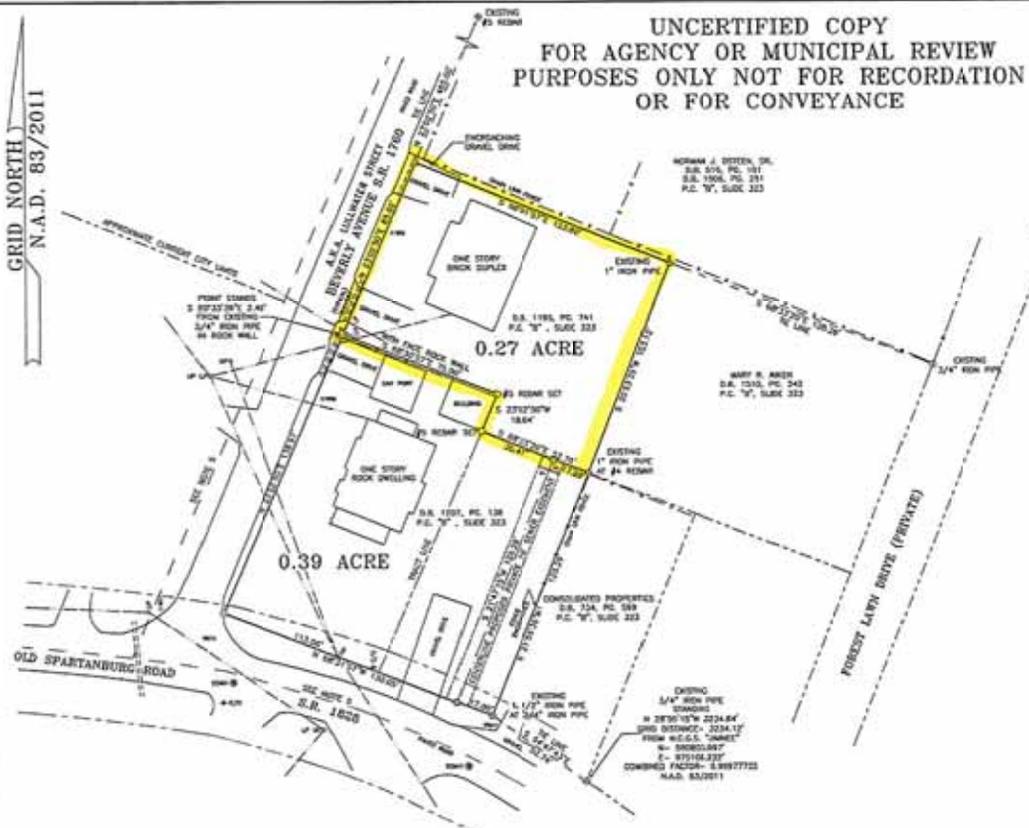
UNCERTIFIED COPY  
FOR AGENCY OR MUNICIPAL REVIEW  
PURPOSES ONLY NOT FOR RECORDATION  
OR FOR CONVEYANCE

PLAT OF SURVEY  
FOR  
**ROBERT D. EDNEY  
AND  
KYLE B. EDNEY**

BEING THE PROPERTIES  
DESCRIBED IN  
DEED BOOK 1207, PAGE 138  
AND DEED BOOK 1195, PAGE 741

HENDERSONVILLE TOWNSHIP  
HENDERSON COUNTY  
NORTH CAROLINA

SCALE: 1" = 30'  
FEBRUARY 7th, 2017



I, DAVID H. HILL, certify that this plat was drawn from an actual survey made under my supervision (and description recorded in Book 322, page 353) and that the boundaries and bearings are clearly marked as shown from information found in Book 1207, page 138, and Book 1195, page 741, and that the rules of practice or substance of the Standards of Practice for Land Surveying in North Carolina (21 NCAC 5A.1800) were followed. Witness my original signature, registration number and seal this 7th day of FEBRUARY, A.D., 2017.



- NOTES:
- 1- AREAS OF COORDINATE COMPUTATION.
  - 2- ALL AREAS SHOWN ARE SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD OR UNRECORDED THAT MAY DIRECTLY AFFECT ALL AREAS SHOWN.
  - 3- ALL DISTANCES ARE HORIZONTAL UNLESS OTHERWISE NOTED.
  - 4- THE PROPERTY SHOWN IS WITHIN AN AREA ZONED R15 BY THE CITY OF HENDERSONVILLE.
  - 5- 30' RIGHT OF WAY FOR BEVERLY HIGWAY SCALES FROM PLAT GRANT "B", SLICE 323, WESTERN WHICH 30' RIGHT OF WAY IS CURRENT HENDERSONVILLE CITY LIMITS, CENTERLINE OF OLD SPARTANBURG ROAD, S.A. 1828, IS CURRENT HENDERSONVILLE CITY LIMITS.
  - 6- THE CURRENT OWNERS OF RECORD ARE ROBERT D. GREY AND KYLE B. EDNEY.
  - 7- NOT FOR RECORDATION.

- LEGEND
- MONUMENT FOUND AS NOTED
  - MONUMENT SET AS NOTED
  - POINT NOT STAKED
  - P-PRD = PRIVATE PERSEAL
  - SP = SPLIT ROAD
  - IMP = IMPACT POLE
  - TRNG = TRANSFORM
  - TR-PRD = CABLE TV PERSEAL
  - WP = WOOD WEDGE
  - WV = WOOD WEDGE



DEED REFERENCES:	D.B. 1207, PG. 138 D.B. 1195, PG. 741 P.C. "B", SLICE 323
TRM REFERENCES:	8178-33-4700 8178-33-4848
PARTY CHECK:	DAW
REVISIONS:	

SURVEY BY  
**HILL AND ASSOCIATES  
SURVEYORS, P.A.**  
LICENSE NUMBER: C-1591  
DAVID H. HILL  
N.C.P.L.S. 3863  
403 WEST BLUE RIDGE ROAD  
EAST FLAT ROCK, NORTH CAROLINA 28719  
(828) 693-1409

CHECKED BY: DAW      DRAWING: 2017020  
DATE: FEBRUARY 7th, 2017      DRAWING NO.: 0201      P.L.S. 2017020



TRACT TWO:

BEGINNING at a stake in the northern margin of Old Spartanburg Highway, westernmost corner of Lot 1 of Forest Lawn Subdivision as shown on plat thereof recorded in the Office of the Register of Deeds for Henderson County, North Carolina in Map Book 4 at Page 65, and reindexed in Plat Cabinet B, Slide 323, Henderson County Registry and running thence from said Beginning point with the line of Tract One as above described, North 21 deg. 15 min. East 120 feet to a stake; thence South 88 deg. East 55 feet to a stake in the line of Lot 3 of said subdivision; thence with the line of said lot, South 21 deg. 15 min. West 120 feet to a stake, southwestern corner of Lot 3 in the northern margin of Old Spartanburg Highway; thence with the northern margin of Old Spartanburg Highway, North 68 deg. West 55 feet to the point and place of BEGINNING. Being Lots 1 and 2 as shown on Plat Cabinet B, Slide 323, Henderson County Registry, EXCEPT a 5 foot wide strip adjoining Lot 65.

## CERTIFICATE OF SUFFICENCY

**RE: Petition for Contiguous Annexation**  
**Kyle B. Edney**  
**File No. P17-16 ANX**

To the Honorable Mayor and members of the City Council of Hendersonville, North Carolina:

I, Tammie K. Drake, City Clerk, begin first duly sworn, hereby certify an investigation has been completed of the above referenced petition for the contiguous annexation of parcel 9578-33-4840 containing 0.27 acre located at 101 and 103 Beverly Avenue.

A. According to the Development Assistance Department, the area described in the petition meets all of the standards set out in G.S. 160A-58.1(b).

1. The petition follows the prescribed form.
2. The petition was signed by the owners of the subject property.
3. The subject property adjoins the present city limits line.

Having made the findings stated above, I hereby certify the petition for contiguous annexation presented by the Housing Assistance Corporation is valid.

In witness whereof, I have here unto set my hand and affixed the seal of the City of Hendersonville, this 12<sup>th</sup> day of April, 2017.

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



## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Susan G. Frady

**Department:** Development Asst Dept

**Date Submitted:** 4.21.17

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

**Date of Council Meeting to consider this item:** 5.4.17

**Nature of Item:** Council Action

### Summary of Information/Request:

**Item #** 05gi

On April 20, 2017, the Special Events Committee met and reviewed an application from Apple Valley Model Railroad Club for the Apple Valley Model Railroad Club Silver Anniversary to be held on Saturday, June 24, 2017, from 10 A.M. to 4 P.M. at the Train Depot. Maple Street will be closed from 7th Avenue to the bridge in order for antique vehicles to be parked in the street.

This event is a celebration of the Railroad Club being in the Hendersonville Train Depot for 25 years.

The Special Events Committee voted unanimously to recommend approval of a special event permit for the Apple Valley Model Railroad Club Silver Anniversary.

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

### Suggested Motion:

I move Council's approval of the special event permit for Apple Valley Railroad Club Silver Anniversary.

**Attachments:**



## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Susan G. Frady

**Department:** Development Asst Dept

**Date Submitted:** 4.21.17

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

**Date of Council Meeting to consider this item:** 5.4.17

**Nature of Item:** Council Action

### Summary of Information/Request:

**Item #** 05gii

On April 20, 2017, the Special Events Committee met and reviewed an application from First Baptist Church for the "Every Praise" video remake. The video will be filmed in front of the Historic Courthouse on Sunday, June 4, 2017, from 2 P.M. - 5 P.M. Main Street between First and Second Avenue will be closed from 2 P.M. - 5 P.M.

The businesses in this area have been notified of the street closure.

The Special Events Committee voted unanimously to recommend approval of a special event permit for the "Every Praise" video remake.

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:

I move Council's approval of the special event permit for the "Every Praise" video remake.

Attachments:



## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Rhonda Wiggins

**Department:** Utilities

**Date Submitted:** April 11, 2017

**Presenter:** Lee Smith

**Date of Council Meeting to consider this item:** May 4, 2017

**Nature of Item:** Council Action

### Summary of Information/Request:

**Item #** 05hi

Claystone (20 Hannah Grace Way) Water Extension

This is a request to extend water lines to serve an existing manufactured home park

The proposed water system consists of:  
405 LF of 6" C-900 DR-18 PVC  
720 LF of 2" SDR 13.5

This project is within the City Limits of Hendersonville.

Based on the above information, the Water and Sewer Department has the capacity to support this additional infrastructure and associated connections and hereby recommends approval of said project contingent upon final approval of construction plans and specifications by the Water and Sewer Department.

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

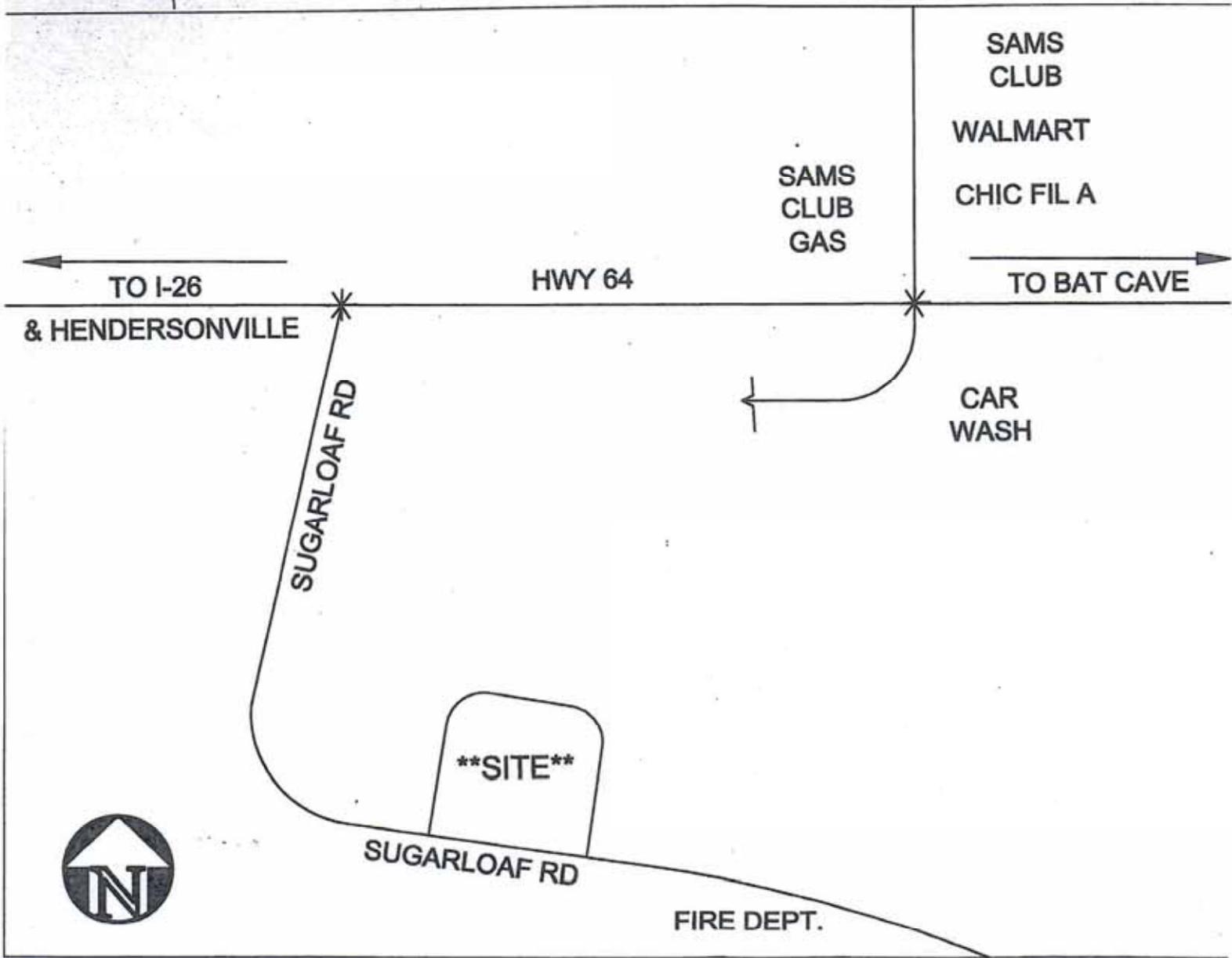
This project will be funded by Claystone, LLC.

### Suggested Motion:

"I move to accept this Utility Extension Project and to authorize the City Manager to execute the associated Water Utility Extension Agreement on behalf of the City."

**Attachments:**

# Claystone



VICINITY MAP



## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Rhonda Wiggins

**Department:** Utilities

**Date Submitted:** 4/25/2017

**Presenter:** Lee Smith

**Date of Council Meeting to consider this item:** May 4, 2017

**Nature of Item:** Council Action

### Summary of Information/Request:

**Item #** 05hii

Water Extension Request

Laurel Spring Subdivision, located near the intersection of Jordan Street and Seneca Blvd.

This project requires an extension of the City of Hendersonville's water system to provide service to a proposed single family subdivision serving a total of 8 homes.

The proposed water system consists of:  
500 LF of 2" SDR 13.5

Sewer service will be provided by a tap onto existing sewer which does not require extension.

This project is within the Zoning and Planning Jurisdiction of the City of Hendersonville.

Based on the above information, the Water and Sewer Department has the capacity to support this additional infrastructure and associated connections and hereby recommends approval of said project contingent upon final approval of construction plans and specifications by the Water and Sewer Department.

**Budget Impact:** \$ 0.00 Is this expenditure approved in the current fiscal year budget? *N/A* If no, describe how it will be funded.

This project will be funded by Laurel Spring, LLC of Hendersonville, NC.

### Suggested Motion:

"I move to accept this Utility Extension Project and to authorize the City Manager to execute the associated Utility Extension Agreement on behalf of the City."

**Attachments:**



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Brian Pahle

**Department:** Admin

**Date Submitted:** 04/26/17

**Presenter:** Brian Pahle

**Date of Council Meeting to consider this item:** 05/04/17

**Nature of Item:** Council Action

## Summary of Information/Request:

**Item #** 05i

Approval of Special Appropriations Full Funding List

Per the City's Special Appropriations Policy, each year prior to budget adoption the City Council may adopt a full funding list for special appropriations that will not be considered in their budget workshop discussions. The City Manager has a recommended list to go before the City Council, below. These appropriations are not approved with this action, that approval happens with the budget ordinance adoption in June. This is just to exempt certain requests from the adjustments made in the Budget Workshop. Please see the Special Appropriations Policy, attached, for reference.

The following are recommended to be considered for the full funding list:

Henderson County Economic Investment Fund: \$50,000	Fund 60
Henderson County Partnership for Economic Development: \$15,000	Fund 10
Henderson County Planning Department: \$136,868	Fund 10
Henderson County Rescue Squad: \$10,000	Fund 60
IAM - Leak Repair Program: \$15,000	Fund 60
Merchant's and Business Association: \$2,000	Fund 10
Mills River Partnership: \$70,000	Fund 60

**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:

I move to approve the full funding list as presented.

**Attachments:**

See below...

	<b>CITY OF HENDERSONVILLE</b>	<b>Policy Number:</b>	
		<b>Adopted by Resolution Number:</b>	
<b>Policy Name:</b>	Special Appropriations Policy	<b>Date Adopted by City Council:</b>	May 5 <sup>th</sup> , 2016

## **SECTION 1. Special Appropriations Overview**

A special appropriation is an allocation of funding to a specific outside agency. An agency may request for funding with the City each year during the budget process. City Council approves special appropriations based on applications submitted. This application provides general and specific information regarding the agency requesting funds and the purpose for how the funds will be used.

## **SECTION 2. Purpose**

The purpose of the City’s Special Appropriations Policy is to provide legal references and a general framework for the effective, efficient, and equitable distribution of City funds to outside agencies in the most financially prudent manner as possible while minimizing risk.

## **SECTION 3. Legal Considerations**

The North Carolina Constitution and General Statutes provide the legal framework under which local governments operate.

- 3.1 The three key legal limitations to the expenditures of public funds are (1) the expenditure be for a public purpose, (2) the activity supported be one in which the local government has the statutory authority to engage, and (3) the expenditure not be inconsistent with the laws or the constitution of the state or federal government.
- 3.2 The courts have used two guiding principles in determining whether a particular activity is for a public purpose: (1) whether it involves “a reasonable connection with the convenience and necessity of the [local government]”, and (2) whether it “benefits the public generally, as opposed to special interests or persons.”
- 3.3 A local government may contract with faith-based organizations as long as the contract (1) has a secular purpose, (2) has a primary effect of neither advancing nor inhibiting religion, and (3) does not create an excessive entanglement between the government and religion.

	<b>CITY OF HENDERSONVILLE</b>	<b>Policy Number:</b>	
		<b>Adopted by Resolution Number:</b>	
<b>Policy Name:</b>	<b>Special Appropriations Policy</b>	<b>Date Adopted by City Council:</b>	May 5 <sup>th</sup> , 2016

## **SECTION 4. Guidelines**

The City will abide by the following guidelines in the annual selection and disbursement of special appropriations.

- 4.1 The City Budget Officer shall be responsible for organizing, collecting, and submitting requests for special appropriations to the City Council for their approval in the City's budget process.
- 4.2 The date that special appropriation requests are due shall be published in the City's Budget Calendar each fiscal year at least 30 days prior to the due date.
- 4.3 During the process certain requests may be deemed necessary and shall be assigned to the "Full Funding List" by City Council any time prior to the adoption of the annual Budget Ordinance. Requests assigned to the Full Funding List will require a unanimous vote from the City Council each fiscal year. The "Full Funding List" does not guarantee the request will be approved and still must be adopted as part of the City's annual Budget Ordinance.
- 4.4 All requests not assigned to the Full Funding List shall be discussed at a normal Budget Workshop of the City Council. In addition to discussion, the City Council shall recommend appropriation levels for each request. The City Budget Officer shall provide a recommended total funding level for all requests not on the Full Funding List.
  - 4.4(a) The City Budget Officer will, to the best of his/her ability, identify and notify City Council of any requests that may violate the North Carolina Constitution and/or General Statutes.
- 4.5 Final approval of funding for special appropriations shall be made in the annual Budget Ordinance.
  - 4.5(a) Any request for funding outside of the normal special appropriations process may be heard at the City Council's discretion.
- 4.6 After funding has been approved the requesting agency shall agree to and sign a Special Appropriations Funding Agreement (attached, APPENDIX A) with the City of Hendersonville before any funds will be appropriated.

	<b>CITY OF HENDERSONVILLE</b>	<b>Policy Number:</b>	
		<b>Adopted by Resolution Number:</b>	
<b>Policy Name:</b>	<b>Special Appropriations Policy</b>	<b>Date Adopted by City Council:</b>	May 5 <sup>th</sup> , 2016

**ADOPTED** by the City Council of the City of Hendersonville, North Carolina, on this fifth day of May, 2016.

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

ATTEST:

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

## APPENDIX A

### SPECIAL APPROPRIATIONS FUNDING AGREEMENT

#### NORTH CAROLINA

#### CITY OF HENDERSONVILLE

This Agreement made and entered into the 1st day of July, [YEAR] by and between the City of Hendersonville, North Carolina, hereinafter referred to as the "CITY", and the [ORGANIZATION NAME], hereinafter referred to as the "AGENCY."

WHEREAS, the CITY has requested services from the AGENCY to carry out its programs and activities; and

WHEREAS, the CITY, through its City Council, has appropriated the sum of [DOLLAR AMOUNT] in funding for the fiscal year ending June 30, [YEAR] to support this purpose, subject to the terms hereof; and

WHEREAS, the terms and conditions for receiving said funds from the CITY set out herein are necessary to insure accountability for the expenditure of public funds by the CITY,

NOW, THEREFORE, in consideration of the following the parties hereto do mutually agree as follows:

1. The AGENCY agrees to use the funds appropriated by the CITY in a manner and for the purposes specified in their Application, a copy of which is attached hereto and incorporated by reference as if to set forth fully herein.
2. In consideration for the performance by the AGENCY of the services outlined in its application, the CITY agrees to pay the AGENCY up to the amount of money authorized in the CITY budget for the fiscal year. Payment of such amount shall be made in a manner determined by the CITY.
3. If the AGENCY violates any of the provisions of this Agreement, the CITY may terminate this Agreement (upon thirty (30) days written notice of the same to the AGENCY). In such event, all unexpended funds at the time of such termination, whether held by the AGENCY or the CITY, shall be the property of and be returned to (or remain with) the CITY.
4. The AGENCY shall not assign any interest in this Agreement and shall not transfer any interest in the Agreement without prior written consent of the CITY.
5. In connection with the performance of this Agreement, the AGENCY shall not discriminate against any employee, applicant for employment, or program participant because of race, religion, color, sex, age, handicap, or national origin, or on account of their limited English language proficiency.
6. The AGENCY shall maintain all accounts, books, ledgers, journals, and records in accordance with generally accepted accounting principles, practices and procedures.
7. Upon request of the CITY the AGENCY shall submit to the CITY a status report of all program activities including a summary of the accomplishment of stated goals and objectives.
8. Upon request of the CITY the AGENCY shall provide an accounting of CITY funds to the CITY to demonstrate that funds allocated to the AGENCY have been used for the purpose(s) specified herein. The accounting report shall be submitted to the CITY within 30 days of the request. Further, the CITY shall be entitled to audit the AGENCY's expenditure of CITY funds at the CITY's discretion. Any excess funds or funds not used for the expressed purpose(s) stated herein must be returned to the CITY within thirty (30) days of the CITY's request for said funds.
9. The CITY shall be entitled to conduct an evaluation of the AGENCY's programs and activities particularly as it relates to the accomplishments of established goals and objectives and the measurement of services being delivered.
10. All books and records shall be maintained by the AGENCY for a period of at least three years from the date of the final payment under this Agreement and shall be made available for audit or evaluation upon request during regular business hours of the AGENCY.





## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Tammie Drake for Tara Ledbetter

**Department:** Admin

**Date Submitted:** 04.04.17

**Presenter:** Mayor Volk

**Date of Council Meeting to consider this item:** 05.04.17

**Nature of Item:** Presentation Only

### Summary of Information/Request:

**Item #** 06a

The Miss Hendersonville Pageant Committee asked if it would be possible for Mayor Volk to recognize their two newly-crowned queens at the May Council meeting. Both young ladies will be representing the City of Hendersonville at the Miss North Carolina (Miss America Organization) Pageant in Raleigh on June 24. The queens are:

Kathlene Beam, Miss Hendersonville 2017, a native of Hendersonville, Kathlene currently attends Blue Ridge Community College. Her platform is Education on Anxiety Disorders.

Katelyn Ledbetter, Miss Hendersonville's Outstanding Teen 2017, a native of Hendersonville, Katelyn is an honors student at Hendersonville High School. Her platform is S.C.A.R. Self Confident And Remarkable – battling skin disorders and scaring.

"A Miss Hendersonville title has not been awarded for the previous 7 years and the committee is excited to bring back this Miss America Scholarship pageant to our City."- Jon Vance, Executive Director- Miss Asheville and Miss Hendersonville Scholarship Pageants

**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:

Attachments:



## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Tammie Drake

**Department:** Admin

**Date Submitted:** 04.26.17

**Presenter:** Mayor Barbara Volk

**Date of Council Meeting to consider this item:** 05.04.17

**Nature of Item:** Presentation Only

**Summary of Information/Request:**

**Item #** 06b

Mr. Doug Jarvis contacted Council member Stephens to request a proclamation for Parkinson's Awareness Month.

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:**

**Attachments:**

Proclamation

## **PROCLAMATION**

- Whereas, Parkinson's disease is a chronic, progressive neurological disease and is the second most common neurodegenerative disease in the United States; and
- Whereas, there is inadequate data on the incidence and prevalence of Parkinson's disease, but it is estimated to affect 1,000,000 people in the United States, and that number is expected to more than double by 2040; and
- Whereas, Parkinson's disease is the 14th leading cause of death in the United States according to the Centers for Disease Control and Prevention; and
- Whereas, there are millions of Americans who are caregivers, family members and friends greatly impacted by Parkinson's disease; and
- Whereas, it is estimated that the annual economic burden of Parkinson's disease is at least \$16.6 billion, and indirect costs to patients and family members total \$6.3 billion; and
- Whereas, research suggests the cause of Parkinson's disease is a combination of genetic and environmental factors, but the exact cause in most individuals is still unknown; and
- Whereas, there currently is no objective test, or biomarker, to diagnose Parkinson's disease; and
- Whereas, there is no known cure or drug to slow or halt the progression of the disease, and available treatments are limited in their ability to address patients' medical needs and remain effective over time; and
- Whereas, the symptoms of Parkinson's disease vary from person to person and can include tremors; slowness of movement and rigidity; gait and balance difficulty; speech and swallowing disturbances; cognitive impairment and dementia; mood disorders; and a variety of other non-motor symptoms; and
- Whereas, volunteers, researchers, caregivers and medical professionals are working to improve the quality of life of persons living with Parkinson's disease and their families; and
- Whereas, increased research, education and community support services are needed to find more effective treatments and to provide access to quality care to those living with the disease today.

NOW, THEREFORE, WE, THE CITY COUNCIL of the City of Hendersonville, do hereby proclaim May as

### **"Parkinson's Awareness Month"**

in Hendersonville, NC.

Given under my hand in these free United States in the City of Hendersonville, on this fourth day of May, twenty-seventeen, and to which I have caused the Seal of the City/State of to be affixed and have made this proclamation public.

---

Barbara G. Volk, Mayor

Attest:

---

Tammie K. Drake, MMC, City Clerk



## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** John Connet

**Department:** Admin

**Date Submitted:** 4/24/2017

**Presenter:** John Connet

**Date of Council Meeting to consider this item:** 5/4/2017

**Nature of Item:** Presentation Only

**Summary of Information/Request:**

**Item #** 06c

I would like to recognize FireChief Joe Vindigni for completing the UNC School of Government Municipal Administration Course.

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

**Suggested Motion:**

NA

**Attachments:**



## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** John Connet

**Department:** Admin

**Date Submitted:** 4/24/2017

**Presenter:** John Connet

**Date of Council Meeting to consider this item:** 5/4/2017

**Nature of Item:** Presentation Only

**Summary of Information/Request:**

**Item #** 06d

I would like to recognize Susan Frady for receiving a special award from the N.C. Emergency Management and the North Carolina Association of Flood Plain Managers.

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

**Suggested Motion:**

NA

**Attachments:**

Picture of award



*North Carolina Emergency Management*

# *Coordinator's Award*

*Presented on this day, April 25, 2017, to*

**Susan G. Frady, CFM**

*On behalf of North Carolina Emergency Management and the North Carolina National Flood Insurance Program:*

*We would like to recognize your diligent efforts on behalf of the City of Hendersonville to prevent damage due to flooding and effectively applying the City's development review and approval process to assure compliance with National Flood Insurance Program regulations. We appreciate your tireless support of the North Carolina Association of Flood Plain Managers as the long-serving and extraordinarily effective Treasurer. You have supported the Association's mission to promote sound floodplain management practices and policies to protect the natural and beneficial functions of floodplains. Thank you for your distinguished service to the citizens of Hendersonville and the State of North Carolina.*

A handwritten signature in black ink that reads "John D. Brubaker".

John D. Brubaker, PE, CFM, State Coordinator  
NC Flood Insurance Program

A handwritten signature in black ink that reads "Michael A. Sprayberry".

Michael A. Sprayberry, Director  
NC Division of Emergency Management



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** John Connet

**Department:** Administration

**Date Submitted:** 4/12/2017

**Presenter:** John Connet

**Date of Council Meeting to consider this item:** 5/4/2017

**Nature of Item:** Presentation Only

## Summary of Information/Request:

**Item #** 06e

For the January through March quarter, 35 MVP nominations were submitted. The Service Excellence Design Team selected those listed below as the quarterly winners.

Jay Heatherly, Water & Sewer Before the Council meeting on 01.05.17, Tammie Drake found that neither the computer (network drive) nor the sound equipment was working. Jay Heatherly assisted by trying everything he could to get it up and running before the Council Meeting started. While this is not his job, I appreciate all of his efforts and staying after hours to assist me. Jay routinely is "the guy" when it comes to the system and helps everyone who comes to him, often in a panick with a room full of people.

Lt. Mike Vesley, Police In December 2016, Lieutenant Mike Vesely coordinated and pulled off the 3rd Shop with a Hero program. He coordinated this with Henderson County Schools where 70 kids were allowed to shop for family members and themselves for Christmas with money provided by grants and donations from various businesses in Hendersonville. The program originally started out as Shop with a Cop, but Lieutenant Vesely changed it to Shop with a Hero so that firefighters and paramedics. This brought the attention of five media outlets to the event giving great PR to the City of Hendersonville.

Nick Galloway & Stephen Bell, Water & Sewer During the January snow, Nick Galloway, who lives in a remote area of Cedar Mountain, and co-worker Stephen Bell worked out a plan to use Stephen's cabin so he could stay in the area and work his shift at the Water Treatment Plant. It would have been more convenient to go home and let someone else stay over or attempt to come in, but he didn't. They worked together and Nick took care of his responsibility at the WTP.

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

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

NA

**Attachments:**

None



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Tammie Drake

**Department:** Admin

**Date Submitted:** 04.27.17

**Presenter:** Pam Rogers

**Date of Council Meeting to consider this item:** 05.04.17

**Nature of Item:** Presentation Only

## Summary of Information/Request:

**Item #** 07

Ms. Pam Rogers requested three minutes on the agenda to provide an update on Compassionate Cities.

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

## Suggested Motion:

Attachments:



## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Susan G. Frady

**Department:** Development Asst Dept

**Date Submitted:** 4.12.17

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

**Date of Council Meeting to consider this item:** 5.4.17

**Nature of Item:** Council Action

### Summary of Information/Request:

**Item #** 08

The City of Hendersonville has received a petition from Dustin Beach for a satellite annexation of 0.902 acres of the property identified as Parcel Identification Number 9568-41-6870 located at 1398 Stanwood Lane. This annexation application is related to a sewer service request. The map distance from the proposed satellite corporate limits is 425 feet from the primary corporate limits. The total area within the satellite corporate areas, including land involved in this petition, constitutes 3.6 percent of the area within the primary corporate limits. Please refer to the attached maps and survey for additional information.

At your meeting of April 6, 2017 you accepted the Clerk's Certificate of Sufficiency and recommended a public hearing for the May 4, 2017 City Council meeting.

At this public hearing, any person residing in or owning property in the area proposed for annexation and any resident of Hendersonville may appear and be heard on the questions of the sufficiency of the petition and the desirability of the annexation. If City Council then finds and determines that the area described in the petition meets all of the standards set out in N.C.G.S. 160A-31, Council may adopt an ordinance annexing the area described in the petition.

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

### Suggested Motion:

I move the City Council adopt an ordinance annexing the property included in the petition from Dustin Beach effective May 4, 2017.

### Attachments:

Map  
Certificate of Sufficiency  
Deed  
Ordinance

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE  
CITY OF HENDERSONVILLE, NORTH CAROLINA  
Dustin Beach**

WHEREAS, the City of Hendersonville has been petitioned, pursuant to North Carolina General Statutes (NCGS) 160A-58.1, as amended, to annex the area described herein; and,

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of said petition; and,

WHEREAS, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at City Hall, Hendersonville, N.C. at 5:45 p.m., on the fourth day of May 2017, after due notice by publication as by law provided; and,

WHEREAS, the City Council further finds the areas described therein meets the standards of N.C. G.S. 160A-58.1(b), to wit:

- a. All of the proposed satellite corporate limits are less than three miles from the primary corporate limits of Hendersonville. The map distance is 425 feet.
- b. No point on the proposed satellite corporate limit is closer to the primary corporate limits of another city than to the primary corporate limits of Hendersonville.
- c. The area is situated so that the City of Hendersonville, if City Council so determines, will be able to provide the same services within the proposed satellite corporate limits that it provides within its primary corporate limits.
- d. The area proposed for annexation is not a subdivision as defined in NCGS 160A-376.
- e. The area within the proposed satellite corporate limits when added to the areas within all other satellite corporate limits does not exceed 10 percent (10%) of the area within the primary corporate limits of the City of Hendersonville. The total area within the satellite corporate areas, including land involved in this petition, constitutes 3.6 percent of the area within the primary corporate limits.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina:

Section 1. By virtue of the authority granted by N.C.G.S. 160A-58.1, as amended, the following described area is hereby annexed and made part of the City of Hendersonville as of the fourth day of May 2017.

**DESCRIPTION OF PROPERTY**

Being located within the Hendersonville Township – Henderson County, North Carolina and being more particularly described as follows:

All that real property described in that deed recorded in Deed Book 1689 at page 13, Henderson County Registry.

Section 2. Upon and after the fourth day of May 2017, the above described territory, and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Hendersonville, and shall be entitled to the same privileges and benefits as other parts of the City of Hendersonville. Said territory shall be subject to municipal taxes according to NCGS 160A-31, as amended.

Section 3. The City Clerk of the City of Hendersonville shall cause to be recorded in the office of

the Register of Deeds of Henderson County and at the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1, hereof, together with a duly certified copy of this ordinance.

ADOPTED this fourth day of May 2017.

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

ATTEST:

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

APPROVED AS TO FORM:

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

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON

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

Witness my hand and notarial seal, this \_\_\_\_\_, 2017.

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



City of Hendersonville  
March 2017

# Dustin Beach Survey

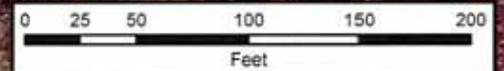
City of Hendersonville  
Total Area: 0.902 Acres

PIN # 9568-41-6870

City Limits

 Subject Area  
 Hendersonville Boundary

2015 Aerial Imagery



## CERTIFICATE OF SUFFICENCY

**Re: Petition for Satellite Annexation  
Dustin Beach – 1398 Stanwood Lane  
File No. P17-13**

To the Honorable Mayor and members of the City Council of Hendersonville, North Carolina:

I, Tammie K. Drake, City Clerk, begin first duly sworn, hereby certify an investigation has been completed of the above referenced petition for the satellite annexation of 0.902 acres at 1398 Stanwood Lane.

- A. According to the Development Assistance Department, the area described in the petition meets all of the standards set out in GS160A-58.1(b).
1. The map distance from the proposed satellite corporate limits is approximately 425 feet from the primary corporate limits.
  2. No point on the proposed satellite corporate limits is closer to the primary corporate limits of another city than to the primary corporate limits of Hendersonville.
  3. The area is situated so the City will, if City Council so determines, be able to provide the same services within the proposed satellite corporate limits that it provides within its primary corporate limits.
  4. The area proposed for annexation is not a subdivision as defined in GS 160A-376.
  5. The total area within the satellite corporate areas, including land involved in this petition, constitutes 3.6 percent of the area within the primary corporate limits.
- B. The petition bears the names, addresses, and signatures of all owners of the real property within the area proposed for annexation.
- C. A metes and bounds description is attached to the petition.
- D. A map showing the area proposed for annexation with relation to the primary corporate limits of Hendersonville is attached to the petition.

Having made the findings stated above, I hereby certify the petition for satellite annexation presented by Dustin Beach is valid.

In witness whereof, I have here unto set my hand and affixed the seal of the City of Hendersonville, this 20 day of March, 2017.

Tammie Drake  
Tammie K. Drake, MMC, City Clerk

This document presented and filed:  
12/01/2016 02:09:38 PMWILLIAM LEE KING, Henderson COUNTY, NC  
Transfer Tax: \$70.00

## NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$70.00

Parcel Identifier No. 01-06494 Verified by \_\_\_\_\_ County on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
By: \_\_\_\_\_

Mail/Box to: The Lyda Law Firm - 308 Martin Luther King Jr. Blvd., Hendersonville, NC 28792

This instrument was prepared by: JACK A. LYDA

Brief description for the Index: Stanwood Lane

THIS DEED made this 16<sup>th</sup> day of November, 2016, by and between

GRANTOR

GRANTEE

RAYMOND D. HILL  
And wife,  
CAROL J. HILL

DUSTIN BEACH

Address:

Address: 67 Brightwater Drive  
Hendersonville, NC 28739

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Henderson County, North Carolina and more particularly described as follows:

**BEING all of that property containing 0.902 acres, more or less, as shown on a Plat entitled "Plat of Survey for Dustin Beach" prepared by Kevin D. Goldsmith, P.L.S., dated October 19, 2016 and bearing Job No.: 16258 and recorded in the Office of the Register of Deeds for Henderson County, North Carolina at Plat Slide 10445; reference being made to said recorded Plat for a full and complete metes and bounds description of said tract, pursuant to North Carolina General Statutes Section 47-30(g).****SUBJECT to restrictions, easements and rights of way affecting the subject property as will appear by reference to the public records and any amendments thereto in the Henderson County, North Carolina Register of Deeds Office.****BEING a portion of that property conveyed in a deed from Kyle Howell and wife, Ruth Howell to Raymond D. Hill and wife, Carol J. Will recorded July 11, 2001 in Deed Book 1068, Page 355, in the Henderson County, North Carolina Register of Deeds Office.**

Title Insurance: Investors Title

The property being transferred by this Deed does \_\_\_ or does not x include the primary residence of either Grantor. (Per N.C.G.S. §105-317.2)

The property hereinabove described was acquired by Grantor by instrument recorded in Book 1068, page 355, Henderson County, North Carolina Register of Deeds Office.

A map showing the above described property is recorded in Plat Slide \_\_\_\_\_, Henderson County, North Carolina Register of Deeds Office.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

Henderson County ad valorem taxes for 2017, and subsequent years, which are a lien, but not yet due and payable, easements, rights of way, zoning and land use, statutes, regulations and restrictions of record.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written. Book 1689  
Page 14

\_\_\_\_\_  
(Entity Name) Raymond D Hill (SEAL)  
RAYMOND D. HILL.

By: \_\_\_\_\_  
Title: Carol J Hill (SEAL)  
CAROL J. HILL

By: \_\_\_\_\_  
Title: \_\_\_\_\_ (SEAL)

By: \_\_\_\_\_  
Title: \_\_\_\_\_ (SEAL)

SEAL-STAMP



State of North Carolina - County of Henderson

I, Dawn M. Westmoreland, the undersigned Notary Public of the County and State aforesaid, certify that **RAYMOND D. HILL and CAROL J. HILL**, Grantors, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial stamp or seal this 18<sup>th</sup> day of November, 2016.

My Commission Expires: 10/02/2021

Dawn M Westmoreland  
Notary Public

SEAL-STAMP

State of \_\_\_\_\_ - County of \_\_\_\_\_

I, \_\_\_\_\_, the undersigned Notary Public of the County and State aforesaid, certify that \_\_\_\_\_ personally came before me this day and acknowledged that he is the \_\_\_\_\_ of \_\_\_\_\_, a North Carolina or \_\_\_\_\_ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed.

Witness my hand and Notarial stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

The foregoing Certificate(s) of \_\_\_\_\_ is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof. \_\_\_\_\_ Register of Deeds for \_\_\_\_\_ County  
By: \_\_\_\_\_ Deputy/Assistant - Register of Deeds

## **EXHIBIT "A"**

**BEGINNING** at an existing iron rod control corner South 85° 11' 00" East 121.37 feet to and iron rod set; thence South 05° 10' 00" West 304.80 feet to an iron rod set; thence North 84° 13' 35" West 122.28 feet; thence 15 feet to an iron rod set; thence North 02° 30' 00" East 303 feet to the place of **BEGINNING**.

**SUBJECT** to restrictions, easements and rights of way affecting the subject property as will appear by reference to the public records and any amendments thereto in the Henderson County, North Carolina Register of Deeds Office.

**BEING** all of that property containing 0.902 acres, more or less, as shown on a Plat entitled "Plat of Survey for Dustin Beach" prepared by Kevin D. Goldsmith, P.L.S., dated October 19, 2016 and bearing Job No.: 16258 and recorded in the Office of the Register of Deeds for Henderson County, North Carolina at Plat Slide 10445; reference being made to said recorded Plat for a full and complete metes and bounds description of said tract, pursuant to North Carolina General Statutes Section 47-30(g).



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Susan G. Frady

**Department:** Development Asst Dept

**Date Submitted:** 4.13.17

**Presenter:** Matt Champion, Senior Planner

**Date of Council Meeting to consider this item:** 5.4.17

**Nature of Item:** Council Action

## Summary of Information/Request:

**Item #** 09

The City of Hendersonville has received an application for a Special Use Permit from Henderson County to construct a 225,000 ft<sup>2</sup> building to be used as the Hendersonville High School. As part of the project the applicant is requesting the parcel(s) to be rezoned from R-6 High-Density Residential, C-3 Highway Business, and MIC Medical, Institutional, Cultural to PID Planned Institutional District. The project is to be located on Parcels # 9569-60-9162 and 9569-70-0527, which is the former Boyd Automotive Dealership and the existing Hendersonville High School property respectively. The project's proposed off-site parking facility is located across Oakland Street on Parcel # 9569-60-4631. The preliminary site plan identifies the existing Stillwell Building to remain.

This application is for special use review. The preliminary site plan is subject to recommendation by the Planning Board and approval by City Council. The final site plan is subject to City staff approval.

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

## Suggested Motion:

Motions are shown on Page 8 of the Memorandum.

## Attachments:

Memorandum  
Maps

## **M E M O R A N D U M**

**TO:** Honorable Mayor and City Council  
**FROM:** Development Assistance Department  
**RE:** Hendersonville High School  
**FILE #:** P17-06-SUR  
**DATE:** May 4, 2017

### **PROJECT DESCRIPTION**

The City of Hendersonville has received an application for a Special Use Permit from Henderson County to construct a 225,000 ft<sup>2</sup> building to be used as the Hendersonville High School. As part of the project the applicant is requesting the parcel(s) to be rezoned from R-6 High-Density Residential, C-3 Highway Business, and MIC Medical, Institutional, Cultural to PID Planned Institutional District. The project is to be located on Parcel # 9569-70-0527, the former Boyd Automotive Dealership, and parcel # 9569-60-9162, the existing Hendersonville High School property. The project's proposed off-site parking facility is located across Oakland Street on Parcel # 9569-60-4631. The preliminary site plan identifies the existing Stillwell Building to remain.

This application is for special use review. The preliminary site plan is subject to recommendation by the Planning Board and approval by City Council. The final site plan is subject to City staff approval.

### **EXISTING LAND USE & ZONING**

Parcel # 9569-60-9162 is currently zoned R-6 High-Density Residential and contains the existing Hendersonville High School. Parcels to the west and southwest are zoned MIC Medical, Institutional, Cultural and contain residential, office, and medical uses. Parcels to the north and northwest are zoned C-3 Highway Business and contains the former Boyd Automotive Dealership and Pop's Diner. The parcel to the east is zoned C-2 Secondary Business and contains the City of Hendersonville Fire Department. Parcels to the south are zoned CMU Central Mixed Use and include retail, offices, residential uses, and a restaurant.

Parcel # 9569-70-0527 is currently zoned C-3 Highway Business and contains the former Boyd Automotive Dealership. The parcel to the south is zoned R-6 High-Density Residential and contains the current Hendersonville High School. Parcels to the east and north are zoned C-3 Highway Business and include retail and office uses. Parcels to the west are zoned MIC Medical, Institutional, Cultural and contain residential and medical office uses.

Parcel # 9569-60-4631 is currently zoned MIC Medical, Institutional, Cultural and contains

a vacant residential structure. Parcels to the north, east, and south are zoned MIC Medical, Institutional, Cultural and include residential and medical office uses. Parcels to the west are zoned MIC-SU Medical, Institutional, Cultural Special Use and contains medical offices.

Surrounding land uses are shown on the "Existing Land Use" map on page 18. An "Existing Zoning Map" can be found on Page 19.

### **COMPREHENSIVE PLAN CONSISTENCY**

Parcels # 9569-60-4631 and # 9569-60-9162 included in this application are classified as Urban Institutional on the 2030 Comprehensive Plan's Future Land Use Map. Parcels to the south, east, and west are also classified as Urban Institutional. The goal of the Urban Institutional classification is to "create a cohesive, well-defined urban campus for medical and educational institutions, with supportive office, service and residential uses that is integrated with Downtown." Parcels to the north are classified as Neighborhood Activity Center.

Parcel # 9569-70-0527, also included in this application, is classified as Neighborhood Activity Center on the 2030 Comprehensive Plan's Future Land Use Map. Parcels to the north, northwest, and northeast are also classified as Neighborhood Activity Center. The goal of the Neighborhood Activity Center classification is to "concentrate retail in dense, walkable, mixed-use nodes located at major intersections in order to promote a sense of community and a range of services that enhance the value of Hendersonville's neighborhoods." Parcels to the south, southeast, and southwest are classified as Urban Institutional.

The Urban Institutional classification lists public and institutional uses as a primary use. The Comprehensive Plan recommends that primary uses such as this one occupy the majority of acreage found within this classifications boundary. The Neighborhood Activity Center classification lists public and institutional uses as a secondary use. The Comprehensive Plans recommends that secondary uses such as this one may be permitted through the planned development and special use procedures. This project is a planned development and is being processed through a special use permit procedures.

The Comprehensive Plan's Future Land Use Map is located on Page 20.

### **PLAN REVIEW**

#### **Building**

The site plan includes a four-story building and a gymnasium for a total of 225,000 ft<sup>2</sup>. An existing 64,496 ft<sup>2</sup> building is to remain.

#### **Parking**

The site plan shows 215 parking spaces for the proposed 225,000 ft<sup>2</sup> project. The

minimum required by the Zoning Ordinance, based on number of ft<sup>2</sup>, is 202.

The applicant is proposing 93 parking spaces provided on-site and 122 parking spaces provided off-site. Section 6-5-3.2 of the Zoning Ordinance allows off-site parking to be used to meet the parking requirements provided that the lot is located within 200 feet of the use lot. The proposed off-site parking area is located approximately 165 feet from the subject area.

### **Buffer Plantings**

As per section 15-6 Bufferyards, buffers are not required if a street with right-of-way greater than 30 feet lies between two land uses that would require a bufferyard. The site is separated by right-of-ways greater than 30 feet and therefore does not require a buffer.

### **Setback Requirements**

The setback requirements for the PID Zoning District are 40 feet from the nearest right-of-way line for any street adjoining the site; provided, however, such setback may be reduced to 10 feet when parking is situated to the rear or side of the lot and screened from view from public right-of-way. Parking is proposed to the rear and/or side of the lot and screened from view from the public right-of-way to utilize the 10 foot setback allowance.

### **Parcel Recombination**

Prior to Final Site Plan approval, Parcel # 9569-60-9162 and Parcel # 9569-70-0527 shall be combined to reflect the Preliminary Site Plan boundary.

### **Stormwater**

The applicant will be providing stormwater management plans to the Engineering Department as part of the final site plan submittal requirements.

### **Traffic Impact Analysis (Section 6-19)**

A traffic impact analysis is required when a project exceeds either 1,000 trips per day or 100 trips per AM or PM peak hour. A Traffic Impact Analysis was completed by Mattern & Craig, Inc. for this project and submitted to the City for review on February 21, 2017.

According to the Traffic Impact Analysis and the Institute of Traffic Engineers *Trip Generation Manual*, the new Hendersonville High School is expected to generate 269 trips and 91 vehicles during the am and pm peak hours respectively.

The Traffic Impact Analysis has found that "the proposed Hendersonville High School expansion should not have an adverse impact on the surrounding roadway network with appropriate mitigation measures at certain intersections described below:"

### **Intersection of Oakland Street, 9<sup>th</sup> Avenue, and the proposed entrance to Hendersonville High School**

- Consider the installation of a traffic signal. A traffic signal is warranted during

peak periods.

#### **Intersection of US 25 Business and Oakland Street**

- An exclusive northbound right turn lane along Oakland Street with about 100' of storage is necessary in order to achieve acceptable levels-of-service under future conditions
- Re-stripe northbound Oakland Street with three 10' lanes at the intersection with US 25 Business. To accommodate the auxiliary right turn lane, the elimination of two parking spaces may be necessary.
- Due to low operating speeds at this location, 10' lane widths should be adequate to accommodate the expected traffic volumes.

#### **Intersection of US 25 Business and 9<sup>th</sup> Avenue/North Main Street**

- Modify the traffic signal to include a right-turn overlap phase along North Main Street to address the failing levels of service during the AM and PM Peak hours along that approach.

#### **Sidewalks and Pedestrian Crossings**

- At unsignalized intersections where pedestrians are expected, marked crosswalks with the appropriated warning signs should meet current ADA requirements and NCDOT standards.
- At signalized intersections where pedestrians are expected, marked crosswalks and pedestrian signals shall be provided in accordance with NCDOT standards.
- The pedestrian routes from the existing and proposed designated off-campus parking lot should be evaluated and all amenities/facilities be brought up to current NCDOT, City of Hendersonville, and ADA standards.

#### **Internal Storage for Pick-Up and Drop-Offs**

- According to NCDOT Municipal and School Transportation Assistance School Calculator, 585 feet of internal storage is needed to accommodate the expected enrollment. School traffic is planned to be routed through the parking lot to the student drop-off and pick-up area to prevent queueing onto Oakland Street. The proposed Hendersonville High School shows approximately 761 feet of internal storage.

#### **Additional Review and Analysis Forthcoming**

NCDOT and Kimley-Horn Engineering Firm reviewed the TIA completed by Mattern & Craig, Inc. and requested additional information to determine if any other roadway or site improvements are necessary. Development Assistance Department received a revised TIA from Mattern & Craig, Inc and discussions with NCDOT are being scheduled to address the revised findings.

### **ANALYSIS**

Section 7-4-10.1 of the Zoning Ordinance states, "no special use permit shall be approved

by City Council unless each of the following findings is made."

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

**Other than what is identified in the Traffic Impact Analysis, staff has not identified any other issues relating to public health, safety or general welfare.**

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

**Water and sewer service is available to the site.**

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

**No variances are requested.**

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

**A neighborhood compatibility meeting concerning the application was held on March 2, 2017. Notice was provided by U.S. mail to the owners of record of all property situated within 400 feet of the subject property as required by Section 7-4-4.1 of the Zoning Ordinance.**

**Approximately 59 people representing the general public attended the meeting. The public raised concerns about the following:**

- **Noise issues**
- **Parking**
- **Traffic problems**
- **Pedestrian and student safety**
- **Construction timeline**
- **Lighting**
- **Entrance to site**
- **Compatibility**
- **Fencing**
- **Existing structures on site.**

**A copy of the neighborhood compatibility report accompanies this memorandum.**

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

*Plan and the Comprehensive Transportation Plan.*

**The 2030 Comprehensive Plan's Urban Institutional classification is intended to "create a cohesive, well-defined urban campus for medical and educational institutions, with supportive office, service and residential uses that is integrated with Downtown."**

**The 2030 Comprehensive Plan's Neighborhood Activity Center classification is intended to "concentrate retail in dense, walkable, mixed-use nodes located at major intersections in order to promote a sense of community and a range of services that enhance the value of Hendersonville's neighborhoods."**

**The Urban Institutional classification lists public and institutional uses as a primary use. The Comprehensive Plan recommends that primary uses such as this one occupy the majority of acreage found within this classification's boundary. The Neighborhood Activity Center classification lists public and institutional uses as a secondary use. The Comprehensive Plan recommends that secondary uses such as this one may be permitted through the planned development and special use procedures.**

**This project is a planned development and is being processed through a special use permit procedure. Therefore, this proposed development is consistent with the 2030 Comprehensive Plan's Land Use and Development recommendations.**

**The Comprehensive Transportation Plan does not indicate any new improvements to US Highway 25.**

## **PLANNING BOARD**

The Planning Board took this matter up at its regular meeting on April 10, 2017. The Planning Board voted 5 to 3 recommending the following:

### **Rezoning**

That City Council not adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designations of Parcel # 9569-60-9162 from R-6 High Density Residential, Parcel # 9569-70-0527 from C-3 Highway Business, and Parcel # 9569-60-4631 MIC Medical, Institutional, Cultural to PID Planned Institutional Development, finding that the rezoning is consistent with the Comprehensive Plan, the rezoning is reasonable and in the public interest for the following reasons; this project as it is submitted is incompatible with the surrounding area for reasons of traffic, safety, neighborhood concerns and the site.

### **Special Use Permit**

That City Council not approve the application of the Hendersonville High School for a Special Use Permit based on the site plan submitted by the applicant and subject to the limitations and conditions stipulated on the published List of Uses and Conditions for the following reasons; safety and compatibility.

## SUGGESTED MOTIONS

### Rezoning

**For Recommending Approval:** I move that the City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designations of Parcel # 9569-60-9162 from R-6 High Density Residential, Parcel # 9569-70-0527 from C-3 Highway Business, and Parcel # 9569-60-4631 from MIC Medical, Institutional, Cultural to PID Planned Institutional Development, finding that the rezoning is consistent with the Comprehensive Plan, the rezoning is reasonable and in the public interest for the following reasons:

[PLEASE STATE YOUR REASONS]

**For Recommending Denial:** I move that the City Council not adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designations of Parcel # 9569-60-9162 from R-6 High Density Residential, Parcel # 9569-70-0527 from C-3 Highway Business, and Parcel # 9569-60-4631 from MIC Medical, Institutional, Cultural to PID Planned Institutional Development for the following reasons:

[PLEASE STATE YOUR REASONS]

### Special Use Permit

**For Recommending Approval:** I move that the City Council approve the application of the Hendersonville High School for a Special Use Permit based on the site plan submitted by the applicant and subject to the limitations and conditions stipulated on the List of Uses and Conditions.

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

**For Recommending Denial:** I move that the City Council not approve the application of the Hendersonville High School for a Special Use Permit.

[PLEASE STATE YOUR REASONS]

**IN RE: Hendersonville High School (File # P17-06-SUR)**

**List of Uses & Conditions**

**I. Stipulated Uses:**

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

Offices, business, professional and public  
Public & semi-public buildings

**II. Conditions:**

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

Recombination of all parcels or portions thereof included in this Special Use application.

Approval of street closure application for a portion of 9<sup>th</sup> Avenue between Oakland Street and Asheville Highway.

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

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

Hendersonville High School

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

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

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

IN RE: Hendersonville High School  
(File # P17-06-SUR)

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

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following:  
  
Rezone Parcel # 9569-60-9162 from R-6 High Density Residential, Parcel # 9569-70-0527 from C-3 Highway Business, and Parcel # 9569-60-4631 MIC Medical, Institutional, Cultural to PID Planned Institutional Development
2. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 4<sup>th</sup> day of May 2017.

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Barbara Volk, Mayor

ATTEST:

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Tammie K. Drake, CMC, City Clerk

Approved as to form:

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Samuel H. Fritschner, City Attorney

Planning Report  
 Neighborhood Compatibility Meeting  
 Application for a Special Use Permit  
 Henderson County/HHS File #P17-06-SUR  
 Thursday, March 2, 2017 2:00 p.m.

Susan Frady, Development Assistance Director convened the compatibility meeting at 2:00 pm in the Assembly Room of the City Operations Center. The following were in attendance:

<i>Name</i>	<i>Address</i>	<i>Name</i>	<i>Address</i>
Chad Roberson	301 College St	Jay Egolf	64 Cliff Dr
Sara Melanson	301 College St	Craig Franks, Pardee	800 N. Justice St.
Kathy Cyr	917 Oakland St.	N.S. Kimmey	P.O. Box 1580
Ed and Janice Jackson	1020 Patton St.	Sheldon Marne	704 Oakland St
Brenda Sparks McCleerey	1205 Forest Hill Dr.	Russ Burrell	1 Historic Courthouse Square
Will Buie	214 N. King St.	Alice L. Hunter	114 South Dr..
Bill Gardo	921 Oakland St	Bob Livingston	Whispering Hills Dr.
Carey O'Cain	148 Echo Ln. Laurel Pk	Charmian Dotson McCullough	213 Morris Lane
Tammi Neill	1328 Dawnview Dr	Cynthia Godehn	112 Finley St.
Walter Carpenter, Atty	Pardee Hospital	John Mitchell	100 N. King St.
Autumn Radcliff	100 N. King St.	Ken Fitch	1046 Patton St.
Carolyn Borman	507 Belvidere Ct.	Casey Silvers	1133 Oakland St.
Ty Hornsby	902 Fleming St.	Velma Middleton	113 Elden St.
Tim Watts	1040 Fleming St.	John Godehn	506 Park Hill Ct.
Amber McCleerey	716 9 <sup>th</sup> Ave West	Randall Terry	121 Rutledge Dr.
Diane Ruth King	155 Sunny Ridge Dr.	Jeff McCleerey	1205 Forest Hill Dr.
William Jackson	156 Poplar Loop Dr.	Stephanie Feagin	9191 Oakland St.
Kim King	WLOS	Jordon Powell	WLOS
David Berry	100 N. King St.	Donald R. Varner, Jr.	1032 Fleming St.
Caroline Long	620 Oakland St.	Karen Mathiesen	1616 Orleans Ave
Bill Orr	136 Derbyshire Dr.	Ben Maultsby	134 Fairlane Dr.
Maria Johnson	195 Tranquility Pl.	Kate Johnson	195 Tranquility Pl.
Tracy Cavagnan	722 Oakland St	Marvin Price	836 Greenwood Dr.
Don Cooper	900 Fleming St	Jim Hall	1008 Fleming St
John Bryant	HCPS	Bo Caldwell	HCPS
Trisha Miller	1025 Patton St	Joe Hope	P.O. Box 1827
Beth Livingston	1215 Ashby Lane	Sharon Alexander, Atty	3 <sup>rd</sup> Ave. West
Susan Frady, Staff	100 N. King St	Terri Swann, Staff	100 N. King St
Daniel Heyman, Staff	100 N. King St	Matt Champion, Staff	100 N. King St

Ms. Frady opened the meeting. She stated this is the Neighborhood Compatibility meeting for the Hendersonville High School project. This Neighborhood Compatibility meeting is the first step in the special use permit process, the next step is the Planning Board Meeting (tentatively

scheduled for (April 10<sup>th</sup>) and last it goes to City Council (tentatively scheduled for May 4<sup>th</sup>). If you received a letter for this meeting you will also receive a letter for the Planning Board and City Council meetings and the signs will be posted on the property as they were for this meeting. Following the developer's presentation, affected property owners and residents will be permitted to question the developer about points which remain unclear. Questioning shall center on the proposal's compatibility as presented, not the question of whether the site should be developed or its use changed. Minutes of this meeting will be forwarded to the Planning Board and City Council. This is not the public hearing for this project. The City Council will have a quasi-judicial public hearing on this project at their meeting. This is a time to ask the architects and engineers for the project questions about the project.

We will begin with a presentation on the project. Chad Roberson of CLARKNEXSEN is here to give a presentation. Also, Will Buie is here from WGLA Engineering and will be available to answer questions. Following their presentation you will be given an opportunity to ask questions about the project.

Chad Roberson, ClarkNexsen and Will Buie, WGLA were in attendance to present the project. Mr. Roberson showed the existing Stillwell building on the site plan that will remain. This is a new proposal to build a new high school on the old Boyd property. They plan to close 9<sup>th</sup> Avenue between the existing school and the old Boyd property. They will demolish the existing buildings but the Stillwell building will remain. Mr. Roberson pointed out the gym on the site plan and stated it will hold 1,000 people. He pointed out the football field that will remain in its original location. The Stillwell building will be separate from the new building. There will be safety measures on the facility and there will only be one main entrance. Mr. Roberson pointed out the main entrance on the site plan and explained the drop-off and bus location. The architectural features will be wood lattice and an articulation of brick. Mr. Roberson showed the overall view of the proposed campus. He pointed out the canopy space and the outdoor courtyard. This space will be confined as it is shown on the plan. Mr. Roberson pointed out the photo showing the front of the school and where the media center would be located. They plan to reuse the existing stone to define the outdoor space. Mr. Roberson pointed out the gym and classrooms. The main entry to the gym will come in off of Oakland Street. There will be balcony and stands in the new auditorium. The main entrance to the gym was pointed out. There will be a new concession stand built.

Ms. Frady stated if you would like to speak please come to the podium one at a time. Also, please give your name and address for the record. We will limit each speakers time to three minutes to give everyone an opportunity to speak.

Sheldon Marne, 704 Oakland Street stated he likes being able to use 9<sup>th</sup> Avenue and does not want to see it closed. This could be a disaster for his office. There is no parking available right now and Oakland Street has a two hour time limit for parking. He doesn't see the need for the street closure. Mr. Buie stated they will address any parking problems. There are 57 parking spaces currently for the existing school's entire campus. They plan to have 102 spaces on campus and 123 spaces off-site with parking to remain on the street as well. This project will increase the parking significantly.

Kathy Cyr, 917 Oakland Street stated her house is in front of Oakland Street and this school looks very large. She asked that someone show her what would be in front of her house. Mr. Roberson pointed out the public entrance off of Oakland Street, this will not be the primary entrance of the school.

Ty Hornsby, 902 Fleming Street stated he is an oral surgeon that has been in business for 22 years. He does not see how a separate parking lot will be compatible with the other properties on Fleming Street. This will make traffic challenging. He administers general anesthesia to his patients and needs access to emergency services and he believes the traffic will impact this need. He is concerned about his patients and the student's safety. There is a very narrow road (Patton Street) and he believes this road will be used as a cut-through and it is not large enough for that. This is just not compatible with the current neighborhood on Fleming Street. Mr. Buie stated they will speak with a traffic engineer and will study this section. They are looking to keep traffic off the side streets and he will talk with a traffic engineer about these concerns.

Marvin Price, 836 Greenwood Drive works with Mountain True and discussed using solar panels for this project. He asked the developers to consider this and gave out his business card and information to them.

Ken Fitch, 1046 Patton Street stated he didn't hear the response to Ms. Cyr. Mr. Roberson stated he pointed out on the plans what would be facing Ms. Cyr on Oakland Street. Mr. Fitch asked if the drop-off location would be inside of the campus now. Mr. Roberson started yes. Mr. Fitch asked if there would still be drop-off from Oakland Street. Mr. Roberson stated no. Mr. Fitch asked if there would be a delivery location on Oakland Street. Mr. Roberson stated no. Mr. Fitch asked if the students would have access off of Oakland Street. Mr. Roberson stated no. Mr. Fitch asked about the locations of the gym, band room, etc. Mr. Roberson pointed those out in the photos. Mr. Fitch asked about the height of the building. Mr. Roberson stated 50 feet is the average maximum height the building can be. Mr. Fitch asked about the height of the Boyd building and the issue being sound. The building served as a sound barrier for the traffic on Asheville Highway and now the sound from the traffic will deflect into the neighborhood across the street. The closure of 9<sup>th</sup> Avenue is not compatible with the neighborhood. Mr. Roberson stated they will be speaking with a traffic engineer and will add a drop lane. Mr. Fitch stated hundreds of cars use 9<sup>th</sup> Avenue and where will this traffic go. Mr. Roberson stated that traffic can still use Oakland Street and Bearcat Boulevard.

Joe Hope stated he has been in real estate for 32 years. He understands they will have parking on Fleming Street with 123 spaces and drop-off for the buses but other schools in the area have parents dropping off and picking up students and this causes a huge traffic back-up. What is the number of cars they expect to have with the students, teachers and admin staff? What is the expected traffic that is allowed for this neighborhood? Mr. Buie stated he is welcome to come up after the presentation and take a look at the proposed numbers. On-site as of today there are 57 parking spaces. They plan to have 102 on-site spaces. They will actually exceed the city's parking requirements. With 1,000 students, 54 classrooms and 10 offices, they need 202 parking spaces. The parking provided will be 102 on-site spaces and 123 off-site spaces so they will

have a total of 225 parking spaces. There will also be significant additional parking available. There will be a loop-through in the parking area that will serve as a drop-off.

Carey O'Cain, 148 Echo Lane, Laurel Park spoke. He stated the photo of the school facing Highway 25 shows children walking across the highway at 5 Points which is very unsafe. Charles Dobson was killed at this intersection. This project is too dense and there is not enough area for this size school. This is a 4 acre parcel of land and most schools this size have 40 to 50 acres. He does not believe they have enough green space. He referenced a state statute concerning the Board of Education and they should look at the Stillwell building by laws of the state of North Carolina. This is an old historic building that should be utilized into the design and not left abandoned. The parking across the street will have the students crossing traffic and he cannot understand why they have designed it that way. They need to get back to a more compatible, less expensive design. Mr. Buie stated yes off-street parking is provided and it is provided today. It would be ideal to have 50 or 60 acres but they do not have that. They will have pedestrian facilities and a traffic light at Oakland Street. There is no intent to have students crossing at 5 Points. Mr. Roberson stated the student's safety comes first. As of today there are multiple buildings located on the property with students going in and out during the day. This proposed plan shows one main building and the students will not have to go out between separate buildings, which will keep all the students safer. Green space is increased on campus by eliminating existing buildings. The Stillwell building will remain and it will be under control of the Board of Education. They will decide what the use will be. Mr. O'Cain stated there is a gateway facing Highway 25. Mr. Roberson stated this is an emergency exit only.

Velma Middleton, 113 Elden Street stated 25N has the most dangerous intersection in town. The intersection at Highway 25 and North Main Street is very dangerous and kids run across there all the time. The County Commissioners have ignored everything the tax payers are saying. No one wants this and the politicians will not listen to the public desire. Mr. Buie stated there will be a relocation plan for 9<sup>th</sup> Avenue after the street is closed. No one will be crossing Highway 25 to get to the school. They will also be speaking with the city about the utilities and that will be incorporated into the plan.

Amber McCleerey, 716 9<sup>th</sup> Avenue West stated the traffic already backs up on 9<sup>th</sup> Avenue for the middle school and elementary school. Where will all of this traffic go now? She believes the traffic will increase in this area if this project is approved. This will cause more people to be pushed into the neighborhood and she cannot back out of her driveway at certain times as it is now. Mr. Buie stated traffic will be taken and analyzed and projected over the next couple of years. Traffic signals have been proposed and improvements will be made. They do not believe traffic counts will be increased and the new improvements will help with the current traffic now.

Casey Silvers, 1133 Oakland Street is concerned about pedestrian safety. Kids go in and out of Hyman Heights all of the time and it is just not safe. Mr. Buie stated he will speak with Steve Cannon from NCDOT concerning the state roads. Mr. Cannon has attended some meetings and is aware of the pedestrian safety in the area. NCDOT has control over the state roads.

John Godehn, 212 Laurel Park Place is concerned about the parking lot that will have 123 spaces

on Fassifern and the narrow lane that leads to it. He feels the lane should be widened and he feels the slope there will not allow for it to be widened or to have a sidewalk installed. He also feels it is critical to decide the use of the Stillwell building upfront. Mr. Buie stated they are proposing an improvement to a section of the road and there will be two lanes on the narrow road. They will install lighting and sidewalks. He does not know what the slope is in that area but they will accommodate for it. Mr. Roberson stated the Stillwell building will be under the control of the Board of Education and they have accommodated measures for the new parking lot with the widening of the road and turn lanes and traffic signal improvements.

Donald Varner, Jr., 1032 Fleming Street stated his business is on the other side of the property and he has concerns about traffic coming through his lot in the morning and afternoons. He also does certain medical procedures in his office which require access to emergency services and he is not sure how this will work with 123 parking spaces. This could cause all three of his entrances to be blocked and traffic to bottleneck in this area. Do you have any idea the time it will take to empty this new parking lot? Mr. Buie stated this will not impede any businesses in the area. He will talk with the traffic engineer and get some answers for him.

Maria Johnson, 195 Tranquility Place was upset about the 2:00 pm time for this meeting. She was also concerned about there being no entry access from the parking lot to the school. Mr. Roberson could not address the meeting time but he showed the access point on the photos and stated it is similar to what is there now.

Jeff McCleerey, 1205 Forest Hill Drive asked who's professional opinion it was to locate the school at the lower end of the lot. Mr. Roberson stated they analyzed where to locate the school and this is where it was proposed to be located. This was the direction they were given.

Cynthia Godehn, 112 Finley Street stated it breaks her heart to see this happen. She hates to see the Stillwell building be used for anything other than the school. The street elevation up to the school needs to be widen and they really need more property to be able to build this. She is concerned about the drainage and the water run-off. She also feels like the new parking lot needs to be closed at night so the kids will not have another place to party. Mr. Buie stated sidewalks will be provided and they will provide landscaping as well. They will meet all requirements of the City of Hendersonville including stormwater. They plan to follow the existing grade. Mr. Roberson stated they will be eliminating the party spot.

A 10 minute recess was taken to remove cars from the adjacent business.

Stephanie Feagin, 919 Oakland Street stated she lives behind Dr. Hornsby's office and the narrow road that goes between Fassifern and Dr. Hornsby's office (Patton Alley) is a known party spot. Kids smoke pot at this location because it is so far removed from the campus. She feels like there is a parking problem now for the students and this will only increase with the new school. The student population is going up. The students now park on the side streets and walk across the street to get to school. This is a lot of cars in a small area. The right turn lane may help but it will only be a band aid and won't address the issues. She feels like the students will be zipping through Fassifern and it will be more traffic and more problems turning left. It will

be a nightmare. Mr. Buie stated concerning the party location they will talk with the school and address this with the school. There are 850 students today and this design build out is for 1,000 students. The parking will greatly improve because they will be adding more spaces on and off site. They will talk with a traffic engineer about the traffic on Oakland Street. The engineer will look at the counts today and the level of service and he will propose any improvements that need to be made.

Carolyn Borman, 507 Belvidere Court asked about the fencing around the property. Mr. Roberson stated there are two things. They plan to use old stones to build a wall around the courtyard area. They will expand the existing fence around the entire campus. Ms. Borman asked if the fence would be up Highway 25 and turn onto Bearcat Boulevard that turns into the Stillwell building. Mr. Roberson stated there will be a gate into the parking area and a fence around the entire campus. Ms. Borman asked if the green area around the Stillwell building is being used as green space. Mr. Roberson stated all of the land area around the building is being calculated into the area on the plan. Ms. Borman asked if there would be a parking area on Oakland and Bearcat. Mr. Roberson stated they are not doing any parking lots on Oakland or Bearcat.

Ben Maultsby, 134 Fairlane Drive stated no one wants the new school. It is a good-looking school but they should bring the Stillwell building up to date and use it. There are many reasons why this is unsafe. Kids crossing Highway 25, the congestion on Highway 25. His idea is to use the old Boyd used car lot and build a bridge across Highway 25 to keep the kids safe. Kids crossing 25 has been a problem for years. Mr. Roberson stated the Stillwell building can still be used. He feels that the problem with kids crossing Highway 25 will greatly improve with more parking. He will definitely get in touch with NCDOT about his concerns.

Bill Orr, 136 Derbyshire Drive stated he is a member of the Hendersonville High School Alumni Association and five options were presented at the previous meetings. Option 2 was to use the Stillwell building and over 300 people were in favor of this. It looked good and it met the needs of the students. The School Board voted for option two. The reason for the compatibility meeting is to come together without conflict on a solution. He doesn't understand how this can move forward when everyone has been against it from the start. The victim here is ClarkNexsen. Mr. Roberson stated there are people that have spoken in favor of the new school. There are some in this room as well. This will be a first class facility for the students. If anyone is interested in discussing and meeting with him after the presentation he will be happy to discuss the proposed project with them.

Trisha Miller, 1025 Patton Street stated the proposed project is beautiful and she wanted to know when construction would begin. Mr. Roberson stated construction would begin in spring 2018 and take about two years to complete.

Tammi Neill, 1328 Dawnview Drive asked if the parking on Oakland Street would remain. Mr. Roberson stated yes. Mr. Buie and Mr. Roberson explained the fencing and where the gates would be located. They also explained the entrance from the new parking lot. Ms. Neill asked if there would be a right hand turn lane onto Fleming Street, with more traffic that will add to the

already existing traffic problem. Mr. Buie stated the traffic study looked at this and did not recommend a right hand turn lane. It was not a significant traffic increase to warrant a turn lane. Mr. Buie stated there will be no changes to the traffic signals right now.

Don Cooper, 900 Fleming Street stated his office is on the corner of Fleming and 9<sup>th</sup> Avenue. He asked if the traffic study was done before or after the proposed new parking. Mr. Buie stated after the additional parking was incorporated.

Ms. Frady stated if there are no further questions the meeting would conclude but anyone can come up and take a look at the plans. The Planning Board meeting will be held in this room on April 10, 2017 at 4:00 pm. City Council will hold a quasi-judicial hearing on this project on May 4<sup>th</sup> at 5:45 pm. This will be a hearing to consider the proposed Special Use Permit application.

Mr. Godehn stated there are 4 properties they are planning to use for this project and it just doesn't make sense to close 9<sup>th</sup> Avenue in advance. This should be looked at as one project and incorporated all together. Ms. Frady stated the City Council continued the request for the 9<sup>th</sup> Avenue Street closing and all of this will be heard at the May 4<sup>th</sup> City Council meeting. All of the proposals will be scheduled to be heard that night.

Someone questioned the approval for lighting requirements. Ms. Frady stated this is a preliminary site plan and on the final site plan the things such as lighting will be shown and staff will review that. Ms. Frady stated these plans may change as they go through the review process so at Planning Board and City Council you will be seeing plans that have changes to them. Ms. Frady stated she cannot take questions for the staff because this is not a question time for the staff. Ms. Frady stated the Planning Board meeting will be their next opportunity to speak.

With no further comments or questions, Ms. Frady closed the meeting at 3:35 p.m.

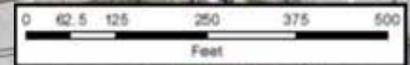


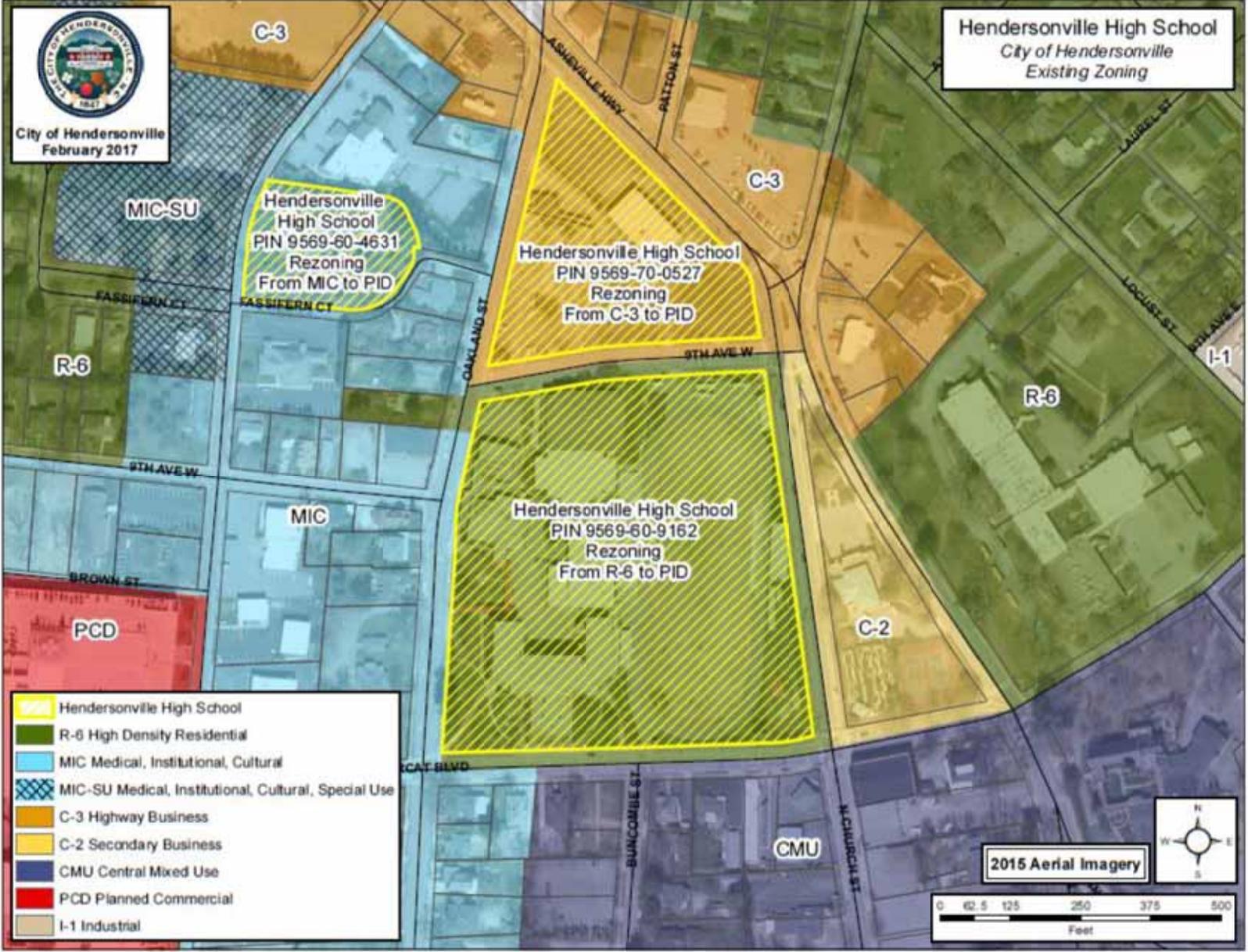
City of Hendersonville  
February 2017

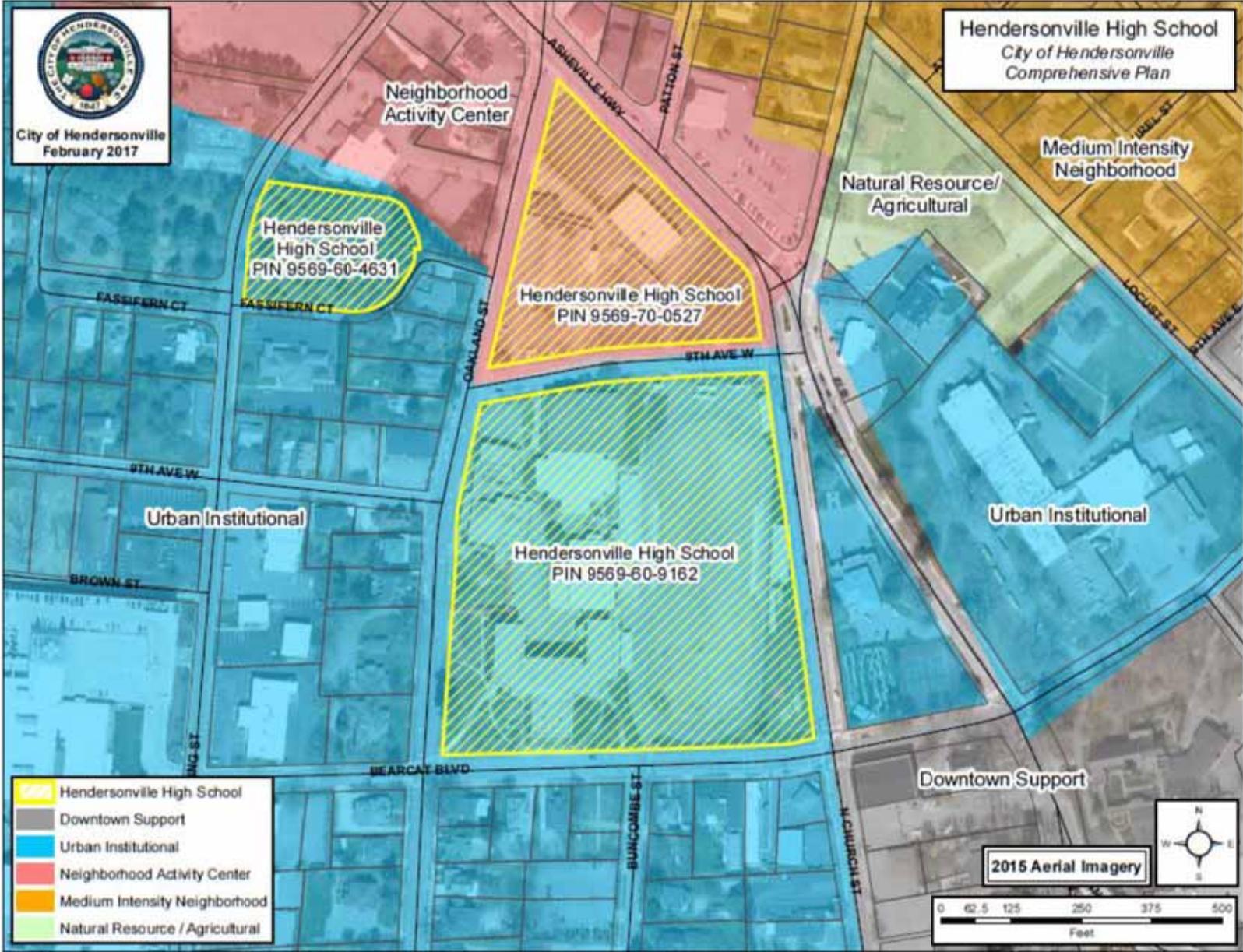


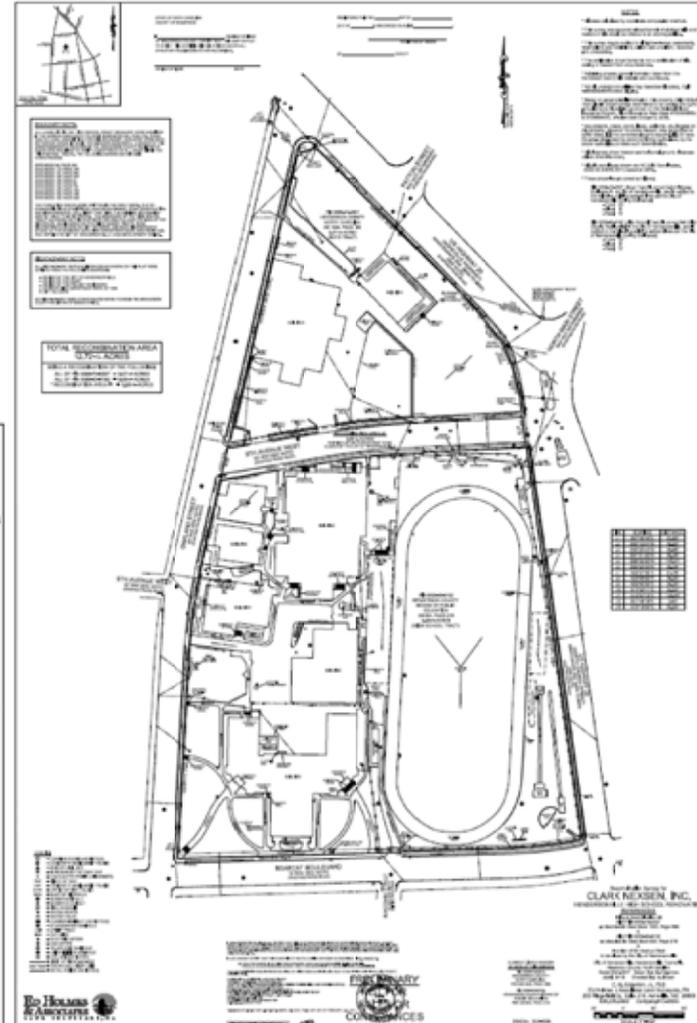
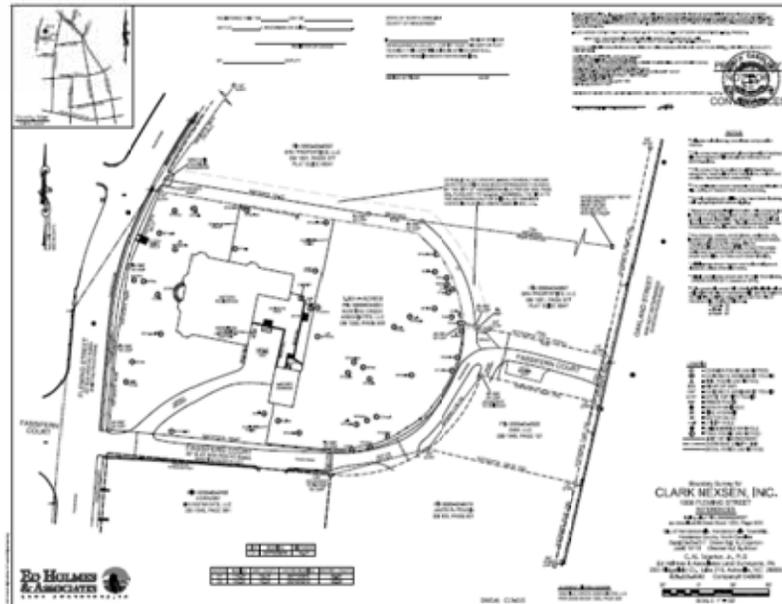
Hendersonville High School

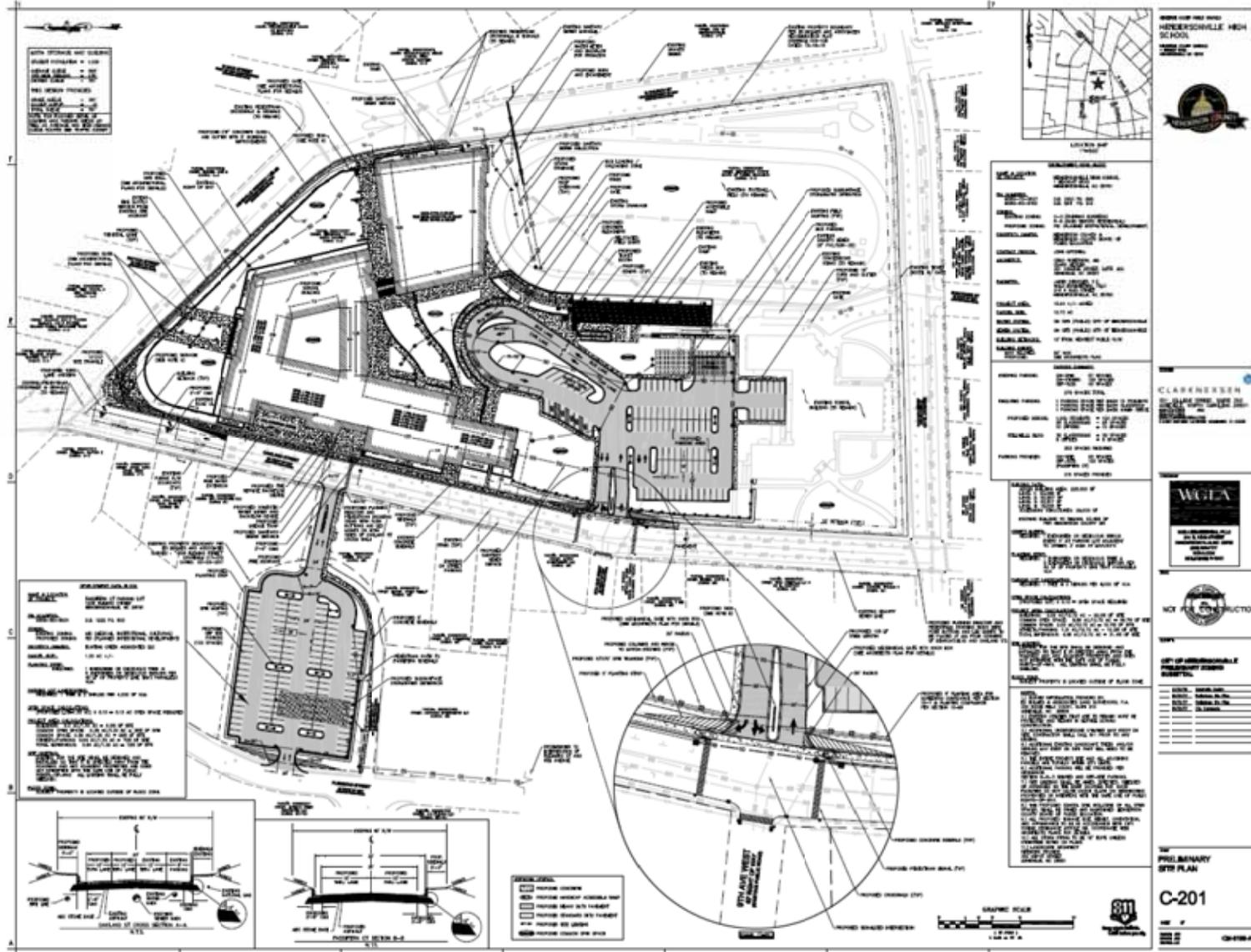
2015 Aerial Imagery











**GENERAL NOTES**

1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES.
2. ALL FINISHES ARE TO BE AS SHOWN ON THE FINISH SCHEDULE.
3. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE AS SHOWN ON THE SPECIFICATIONS.
4. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND REGULATIONS.
5. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE CITY ENGINEER AND THE ARCHITECT.
6. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
7. ALL WORK SHALL BE COMPLETED WITHIN THE BUDGET.
8. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
9. ALL WORK SHALL BE COMPLETED WITHIN THE BUDGET.
10. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

**FINISH SCHEDULE**

NO.	FINISH	LOCATION
1	CONCRETE	FOUNDATION, EXTERIOR WALLS
2	BRICK	EXTERIOR WALLS
3	GLASS	WINDOWS, DOORS
4	PAINT	INTERIOR WALLS, CEILING
5	CEILING	INTERIOR
6	FLOOR	INTERIOR
7	ROOF	ROOF
8	MECHANICAL	MECHANICAL
9	ELECTRICAL	ELECTRICAL
10	PLUMBING	PLUMBING
11	MECHANICAL	MECHANICAL
12	ELECTRICAL	ELECTRICAL
13	PLUMBING	PLUMBING
14	MECHANICAL	MECHANICAL
15	ELECTRICAL	ELECTRICAL
16	PLUMBING	PLUMBING
17	MECHANICAL	MECHANICAL
18	ELECTRICAL	ELECTRICAL
19	PLUMBING	PLUMBING
20	MECHANICAL	MECHANICAL

**CLARK KEENE**  
 ARCHITECTS  
 1000 W. MAIN ST., SUITE 200  
 HENDERSONVILLE, NC 28751  
 PH: 704.938.1100  
 WWW.CLARKKEENE.COM

**CITY OF HENDERSONVILLE  
 PUBLIC WORKS DEPARTMENT  
 SUBMITTAL**

**DATE:** 05/04/17

**BY:** [Signature]

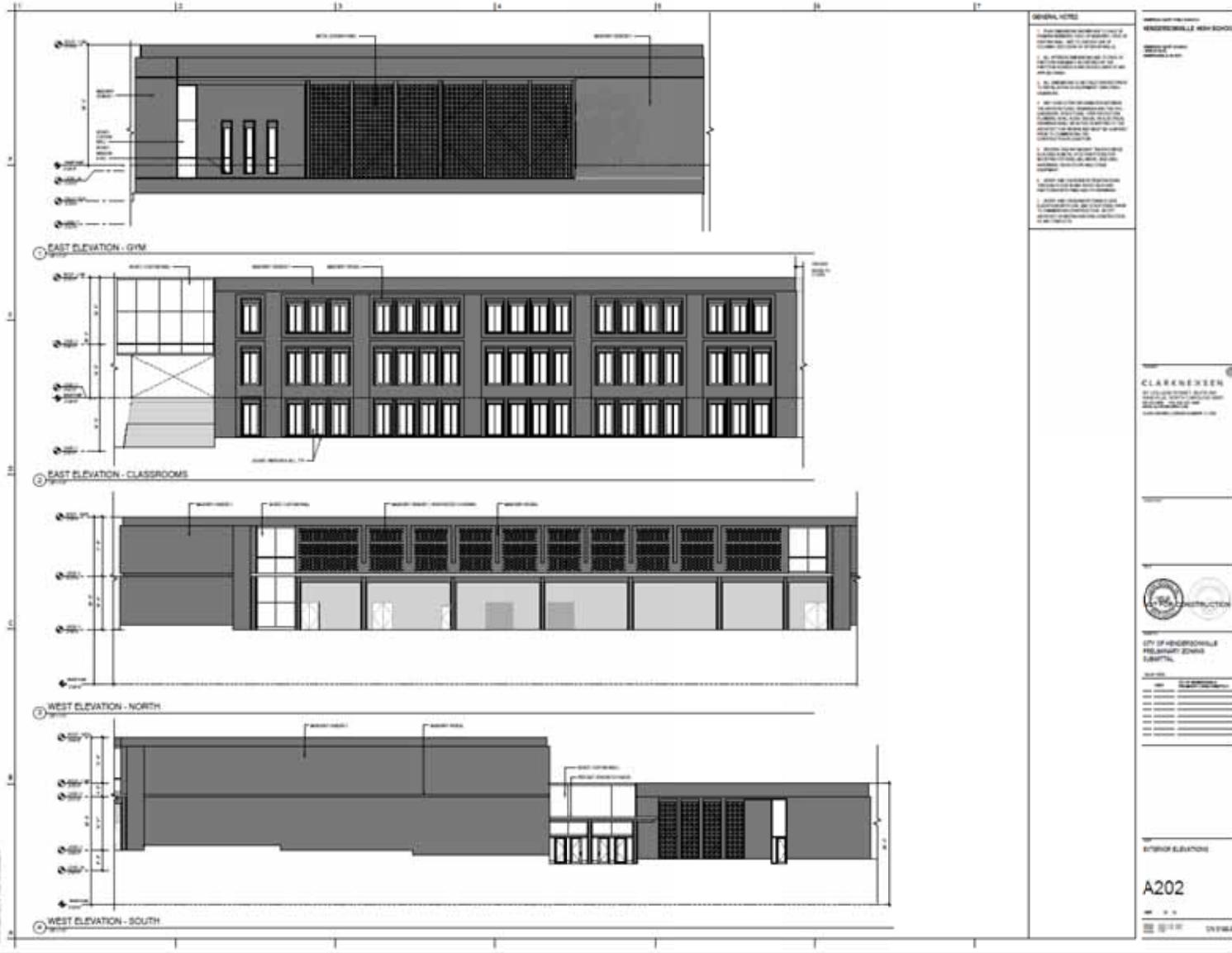
**FOR:** [Signature]

**STATION ELEVATIONS**

**A201**

**DATE:** 05/11/17

**DATE:** 05/11/17





## **APPEAL OF DEVELOPMENT DECISIONS**

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

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

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

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

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

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



## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Susan G. Frady

**Department:** Development Asst Dept

**Date Submitted:** 4.11.17

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

**Date of Council Meeting to consider this item:** 5.4.17

**Nature of Item:** Council Action

### Summary of Information/Request:

**Item #** 10

The City has received an application from Henderson County and the Henderson County Board of Public Education to close a portion of 9th Avenue West between North Church Street and Oakland Street. A map, survey and boundary description are included with this memorandum. As part of the description of the street to be closed, the City is reserving a utility easement. This description was drafted by the City Attorney.

City Council at its regular meeting of January 5, 2017, adopted a Resolution of Intent to close this street. A copy of the Resolution of Intent was mailed to the adjacent property owners, notification of the proposed closing was posted on the property, and the Resolution of Intent and notice of public hearing was advertised four times in the legal notice section of a local newspaper. General Statute 160A-299 has procedures for permanently closing streets and alleys. Any person may be heard on the question of whether or not the closing would be detrimental to the public interest or property rights of any individual. If it appears to the satisfaction of the City Council after the hearing that closing the street is not contrary to the public interest, and that no individual owning property in the vicinity of the street would thereby be deprived of reasonable means of ingress or egress to their property, the City Council may adopt an order closing the street.

The public hearing was held and closed at City Council's February 9, 2017 meeting. The Council postponed the vote on the closing of a portion of Ninth Avenue until the May 4, 2017 meeting so they could gather more information on the project.

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

### Suggested Motion:

I move Council to adopt the Order to Permanently Close a Portion of 9th Avenue West between North Church Street and Oakland Street as petitioned by Henderson County and the Henderson County Board of Public Education.

### Attachments:

Letter from Henderson County, Resolution, Map, Description, Order



1 Historic Courthouse Square • Suite 2 • Hendersonville, NC 28792  
Phone (828) 697-4809 • Fax (828) 698-6014 • [www.hendersoncountync.org](http://www.hendersoncountync.org)

**Steve Wyatt**  
County Manager

**Amy Brantley**  
Assistant County Manager

April 6, 2017

John Connet  
145 Fifth Avenue East  
Hendersonville, North Carolina 28792

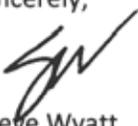
  
Dear Mr. Connet,

The question has been asked regarding the date necessary for the closing of Ninth Avenue which will become part of the new Hendersonville High School campus. Should the City Council so desire the street can certainly remain open up to the point that the contractor requires its closing for mobilization/safety purposes and subsequent construction. The date for that under the current plan is January 1, 2018.

Any date the city would see fit to establish as an effective date, prior to that, is workable. Certainly, that includes the immediate closure of the street should the city deem that preferable or necessary.

If you have any questions please do not hesitate to call.

Sincerely,

  
Steve Wyatt,  
County Manager

**RESOLUTION OF INTENT**

**A resolution declaring the intention of the City of Hendersonville City Council to consider the closing of a portion of 9<sup>th</sup> Avenue West between N. Church Street and Oakland Street.**

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

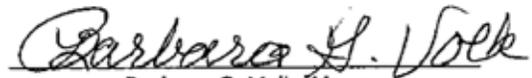
WHEREAS, Henderson County and the Henderson County Board of Public Education, have petitioned the Council of the City of Hendersonville to close a portion of 9<sup>th</sup> Avenue West between N. Church Street and Oakland Street; and

WHEREAS, the City Council considers it advisable to conduct a public hearing for the purpose of giving consideration to the closing of a portion of 9<sup>th</sup> Avenue West between N. Church Street and Oakland Street.

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

1. A meeting will be held at 5:45 p.m. on the ninth day of February, 2017, in the Council Chambers of City Hall to consider closing a portion of 9<sup>th</sup> Avenue West between N. Church Street and Oakland Street.
2. The City Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks.
3. The City Clerk is further directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street a copy of the Resolution of Intent.
4. The City Clerk is further directed to cause adequate notices of the Resolution of Intent and the scheduled public hearing to be posted as required by G.S. 160A-299.

Adopted by the City Council at a meeting held on the fifth day of January 2017.

  
Barbara G. Volk, Mayor

ATTEST:

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





City of Hendersonville  
April 2017

# 9th Avenue West Street Closure Request

Former Boyd Chevrolet Dealership

Hendersonville High School

OAKLAND ST

9TH AVE W

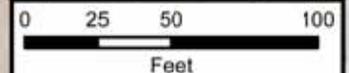
EVILLE HWY

N MAIN ST

N CHURCH



2015 Aerial Imagery



- Streets
- ▄▄▄▄ Portion Requested for Closure

## DESCRIPTION OF PORTION OF NINTH AVENUE WEST TO BE CLOSED

**BEGINNING** at a Control Corner, RRS Found N=590461.03906, E = 96677787092, said corner standing South 82° 29' 02" West from a ½ inch Existing Iron Pipe standing .4 feet above the ground, said corner also being located at the intersection of the northern boundary of the sidewalk on the northern side of 9<sup>th</sup> Avenue West and the eastern boundary of the sidewalk on the eastern side of Oakland Street in the City of Hendersonville, said corner also being the southwest corner of the tract conveyed to Henderson County North Carolina, as shown in deed recorded in Deed Book 1520, Page 496, Henderson County Registry; thence from said

**BEGINNING** and with the northern boundary of the sidewalk on the northern side of 9<sup>th</sup> Avenue West, North 80° 08' 39" East 94.00 feet to a point; thence continuing with the northern side of said sidewalk, North 81° 28' 39" East 124.00 feet to a point; thence continuing with the northern side of said sidewalk, North 85° 04' 27" East 94.11 feet to a ¾ inch existing iron pin; thence continuing with the northern side of said sidewalk, North 87° 01' 06" East 176.32 feet to an unmarked point, said point being the intersection of the western side of the sidewalk for US Highway 25 and 9<sup>th</sup> Avenue West; thence with the western boundary of US Highway 25, the following two courses and distances: South 06° 54' 25" East 30.07; South 06° 54' 25" East 30.07 to an unmarked point standing at the intersection of the southern side of the sidewalk of 9<sup>th</sup> Avenue West and the western boundary of US Highway 25 (North Church Street), said point also being the northeastern corner of the property of Henderson County Board of Public Education as shown in deed recorded in Deed Book 824, Page 216, Henderson County Registry, thence with the southern boundary of the sidewalk on the southern side of 9<sup>th</sup> Avenue West, South 87° 01' 06" West 179.42 feet to an unmarked point; thence continuing with the southern side of said sidewalk, South 85° 04' 27" West 91.21 feet to an unmarked point; thence continuing with the southern side of said sidewalk, South 81° 28' 39" West 121.42 feet to an unmarked point; thence continuing with the southern side of said sidewalk, South 80° 08' 39" West 118.59 feet to a point, said point being the intersection of the southern side of said sidewalk and the eastern side of the eastern sidewalk of Oakland Street; thence with the eastern boundary of Oakland Street the following two courses and distances: North 12° 59' 57" East 32.56 feet to an unmarked point; North 12° 59' 57" East 32.56 feet to the point anaplace of **BEGINNING** and containing .69 acres, according to a survey by Associated Land Surveyors & Planners, PC, dated November 1, 2013 and captioned "Map of ROW Abandonment For Henderson County Board of Public Education" and being further identified as Job No. S-13-191, as hereto attached for a more particular description.

Less and excepting the following:

(1) A sanitary sewer easement and right-of-way across the real property hereinabove described for the purpose of operating, maintaining, adding to or altering and replacing present or future sewer lines, manholes and other appurtenant facilities for the collection of sewage and its transmission through and across the said property, which easement is more particularly described as

An easement twenty feet in width having as its center line that sewer line running

more or less in the center of Ninth Avenue for about three-fourths of the length of Ninth Avenue from U.S. Highway 25, west toward Oakland Street, which sewer line bears slightly north away from the centerline of Ninth Avenue as the line approaches Oakland Street.

And in addition an easement twenty feet in width having as its center line that sewer line running from the aforementioned line at a point about 150 feet west of U.S. 25, south from the said point toward the Hendersonville High School athletic field.

(2) A water line easement and right-of-way across the real property hereinabove described for the purpose of operating, maintaining, adding to or altering and replacing present or future water lines, manholes and other appurtenant facilities for the distribution and transmission of water and through and across the said property, which easement is more particularly described as

An easement twenty feet in width having as its center line that water line running more or less in the center of Ninth Avenue for the length of Ninth Avenue from U.S. Highway 25, west toward Oakland Street, which sewer line bears slightly north away from the centerline of Ninth Avenue as the line approaches Oakland Street.

ORDER # \_\_\_\_\_

**ORDER TO PERMANENTLY CLOSE THE STREET OR ALLEY**

(Petition of Henderson County and the Henderson County Board of Public Education)

NORTH CAROLINA  
HENDERSON COUNTY

TO WHOM IT MAY CONCERN:

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

WHEREAS, Henderson County and the Henderson County Board of Public Education, has petitioned the City of Hendersonville to close 9th Avenue West between N. Church Street and Oakland Street; and

WHEREAS, on January 5, 2017, the Hendersonville City Council adopted a resolution expressing the intention of the municipality to close 9th Avenue West between N. Church Street and Oakland Street and setting February 9, 2017 as the date of a public hearing regarding such closure; and

WHEREAS, the aforementioned resolution has been published once a week for four successive weeks prior to the public hearing as required and a copy thereof has been sent by certified mail to all owners of property adjoining the street as shown on the county tax records; and

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

WHEREAS, a public hearing was held in conformance with the aforementioned public notice on the ninth day of February 2017.

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

1. The closing of 9th Avenue West between N. Church Street and Oakland Street hereafter described are not contrary to the public interest.
2. No individual owning property in the vicinity of the street or in the subdivision in which it is located would be deprived by the closing of such a street of reasonable means of ingress and egress to their property.

IN CONSIDERATION THEREOF, IT IS HEREBY ORDERED:

1. The following opened 9th Avenue West between N. Church Street and Oakland Street, is permanently closed and no longer existent as of the effective date of this order:

**BEGINNING** at a Control Corner, RRS Found N=590461.03906, E = 96677787092, said corner standing South 82° 29' 02" West from a ½ inch Existing Iron Pipe standing .4 feet above the ground, said corner also being located at the intersection of the northern boundary of the sidewalk on the northern side of 9<sup>th</sup> Avenue West and the eastern boundary of the sidewalk on the eastern side of Oakland Street in the City of Hendersonville, said corner also being the southwest corner of the tract conveyed to Henderson County North Carolina, as shown in deed recorded in Deed Book 1520, Page 496, Henderson County Registry; thence from said

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An easement twenty feet in width having as its center line that sewer line running more or less in the center of Ninth Avenue for about three-fourths of the length of Ninth Avenue from U.S. Highway 25, west toward Oakland Street, which sewer line bears slightly north away from the centerline of Ninth Avenue as the line approaches Oakland Street.

And in addition an easement twenty feet in width having as its center line that sewer line running from the aforementioned line at a point about 150 feet west of U.S. 25, south from the said point toward the Hendersonville High School athletic field.

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An easement twenty feet in width having as its center line that water line running more or less in the center of Ninth Avenue for the length of Ninth Avenue from U.S. Highway 25, west toward Oakland Street, which sewer line bears slightly north away from the centerline of Ninth Avenue as the line approaches Oakland Street.

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

This order shall take effect the fourth day of May 2017.

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

ATTEST:

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

Approved as to form:

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

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON

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

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

\_\_\_\_\_

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



## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Susan G. Frady

**Department:** Development Asst Dept

**Date Submitted:** 4.13.17

**Presenter:** Development Asst Director

**Date of Council Meeting to consider this item:** 5.4.17

**Nature of Item:** Council Action

### Summary of Information/Request:

**Item #** 11

This text amendment is requested by staff to remove what we feel is an oversight in the zoning ordinance. On December 1, 2016, the City Council amended the zoning ordinance to exempt properties within the 7th Avenue Municipal Services District from the off-street parking requirement. The plan is to provide more on-street parking or for the City or private property owners to develop parking lots. A portion of the 7th Avenue Municipal Services District is currently zoned I-1, Industrial. Currently, parking lots and garages are not a permitted use in the I-1, Industrial District. Additionally, the City has constructed small parking lots as an accessory to the Oklawaha Greenway that are within the I-1, Industrial District.

In order to permit parking lots and parking garages to be constructed on vacant lots in and around the 7th Avenue Municipal Services District staff recommends that the zoning ordinance be amended to permit parking lots and parking garages in the I-1, Industrial District.

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

### Suggested Motion:

I move the City Council adopt an ordinance amending the City of Hendersonville Zoning Ordinance Section 4-5 Classification of Uses Table to add parking lots and parking garages in the I-1, Industrial District and Section 5-12-1 I-1 Industrial Zoning District permitted uses to include parking lots and garages.

### Attachments:

Memorandum  
Maps  
Ordinance

## MEMORANDUM

**TO:** Honorable Mayor and City Council

**FROM:** Development Assistance Department

**RE:** Text Amendment of Section 4-5 Classification of Uses Table 4-5, Section 5-12-1 I-1, Industrial Permitted Uses to Include Parking Lots and Parking Garages

**FILE #:** P17-10-ZTA

**DATE:** April 13, 2017

### PROJECT HISTORY

This text amendment is requested by staff to remove what we feel is an oversight in the zoning ordinance. On December 1, 2016, the City Council amended the zoning ordinance to exempt properties within the 7<sup>th</sup> Avenue Municipal Services District from the off-street parking requirement. The plan is to provide more on-street parking or for the City or private property owners to develop parking lots. A portion of the 7<sup>th</sup> Avenue Municipal Services District is currently zoned I-1, Industrial. Currently, parking lots and garages are not a permitted use in the I-1, Industrial District. Additionally, the City has constructed small parking lots as an accessory to the Oklawaha Greenway that are within the I-1, Industrial District.

In order to permit parking lots and parking garages to be constructed on vacant lots in and around the 7<sup>th</sup> Avenue Municipal Services District staff recommends that the zoning ordinance be amended to permit parking lots and parking garages in the I-1, Industrial District.

Maps of the 7<sup>th</sup> Avenue Municipal Service District and I-1 Industrial District are included. Also, Table 4-5 that shows the districts that currently permit parking lots and garages is attached. Parking lots and garages are permitted in MIC, C-1, C-2, C-3, CMU, HMU and UV.

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

#### **Article IV Establishment of Districts Table 4-5**

Add "parking lots and parking garages" as a permitted use in the I-1, Industrial District.

#### **Article V Zoning District Classifications Section 5-12 I-1, Industrial Zoning District**

## **Classification**

**5-12-1 Permitted Uses.** The following use is permitted in the I-1 Industrial Zoning District Classification.

Parking lots and parking garages

### **PLANNING BOARD**

The Planning Board met on April 10, 2017 and voted unanimously to recommend approval of this text amendment.

### **ZONING ORDINANCE GUIDELINES**

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

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

## **SUGGESTED MOTIONS**

### **For Recommending Approval:**

I move the City Council adopt an ordinance amending the City of Hendersonville Zoning Ordinance Section 4-5 Classification of Uses Table to add parking lots and parking garages in the I-1, Industrial District and Section 5-12-1 I-1 Industrial Zoning District permitted uses to include parking lots and garages.

**[PLEASE STATE YOUR REASONS]**

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

I move the City Council adopt an ordinance amending the City of Hendersonville Zoning Ordinance Section 4-5 Classification of Uses Table to add parking lots and parking garages in the I-1, Industrial District and Section 5-12-1 I-1 Industrial Zoning District permitted uses to include parking lots and garages.

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

### **For Recommending Denial:**

I move the City Council adopt an ordinance amending the City of Hendersonville Zoning Ordinance Section 4-5 Classification of Uses Table to add parking lots and parking garages in the I-1, Industrial District and Section 5-12-1 I-1 Industrial Zoning District permitted uses to include parking lots and garages.

**[PLEASE STATE YOUR REASONS]**

**AN ORDINANCE AMENDING SECTION 4-5 CLASSIFICATION OF USES TABLE 4-5,  
SECTION 5-12-1 I-1 INDUSTRIAL PERMITTED USES,**

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

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

**WHEREAS**, the City of Hendersonville desires to amend those regulations with regards to parking lots.

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

1. Article IV Establishment of Districts Section 4-5 Classification of Uses Table 4-5 is hereby amended to include the following:

Add "parking lots and parking garages" as a permitted use subject to special requirements (SR) in the I-1 Zoning District.

2. Article V Zoning District Classifications, Section 5-12-1 I-1, Industrial is hereby amended to include the following permitted use:

Parking lots and parking garages

3. Any person violating the provisions of this ordinance shall be subject to the penalties set forth in Section 9-8 of the Zoning Ordinance.
4. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.
5. If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.
6. The enactment of this ordinance shall in no way affect the running of any amortization provisions or enforcement actions, or otherwise cure any existing zoning violations.

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

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2017

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

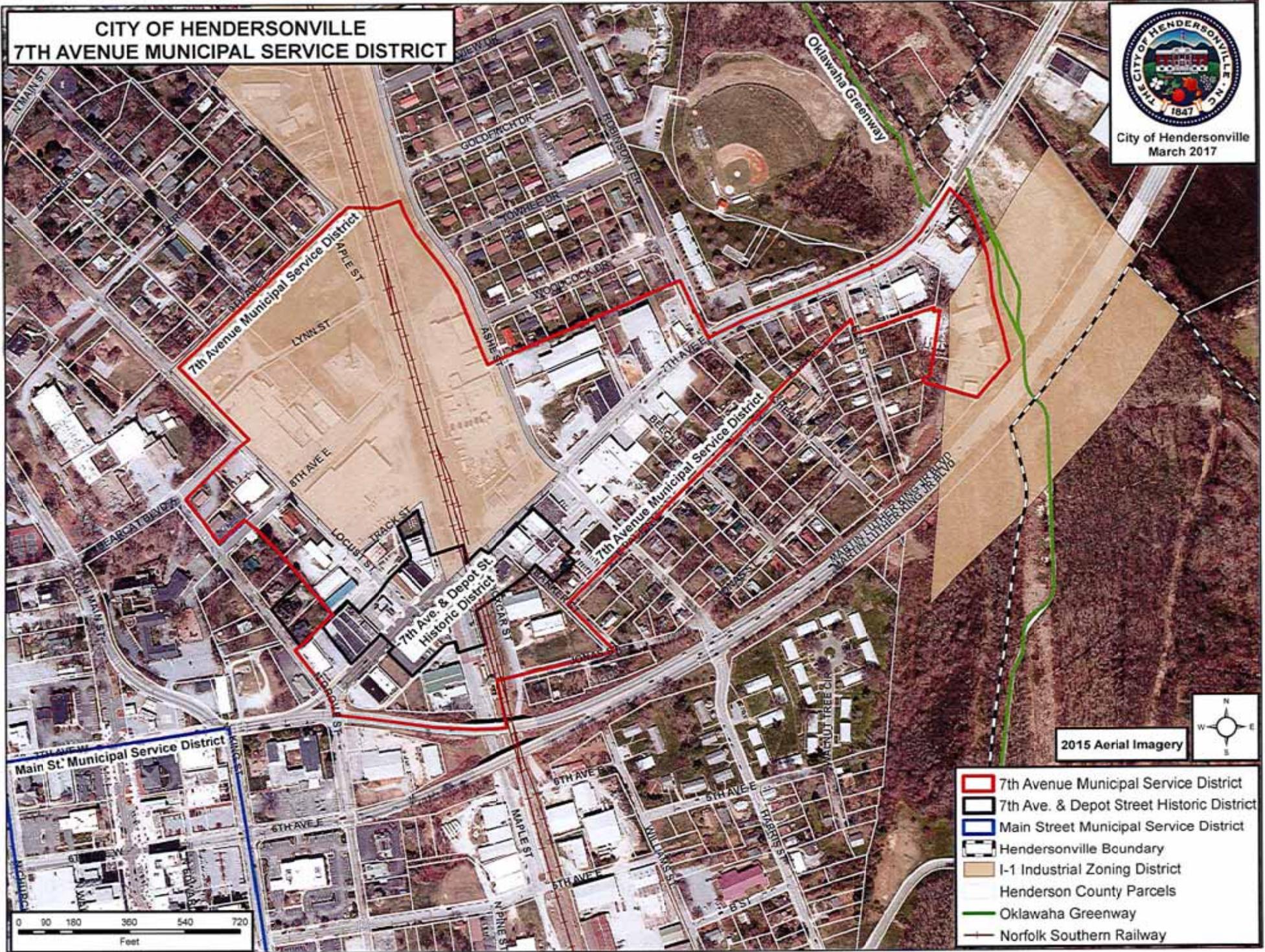
Attest:

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

Approved as to form:

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

**CITY OF HENDERSONVILLE  
7TH AVENUE MUNICIPAL SERVICE DISTRICT**



2015 Aerial Imagery

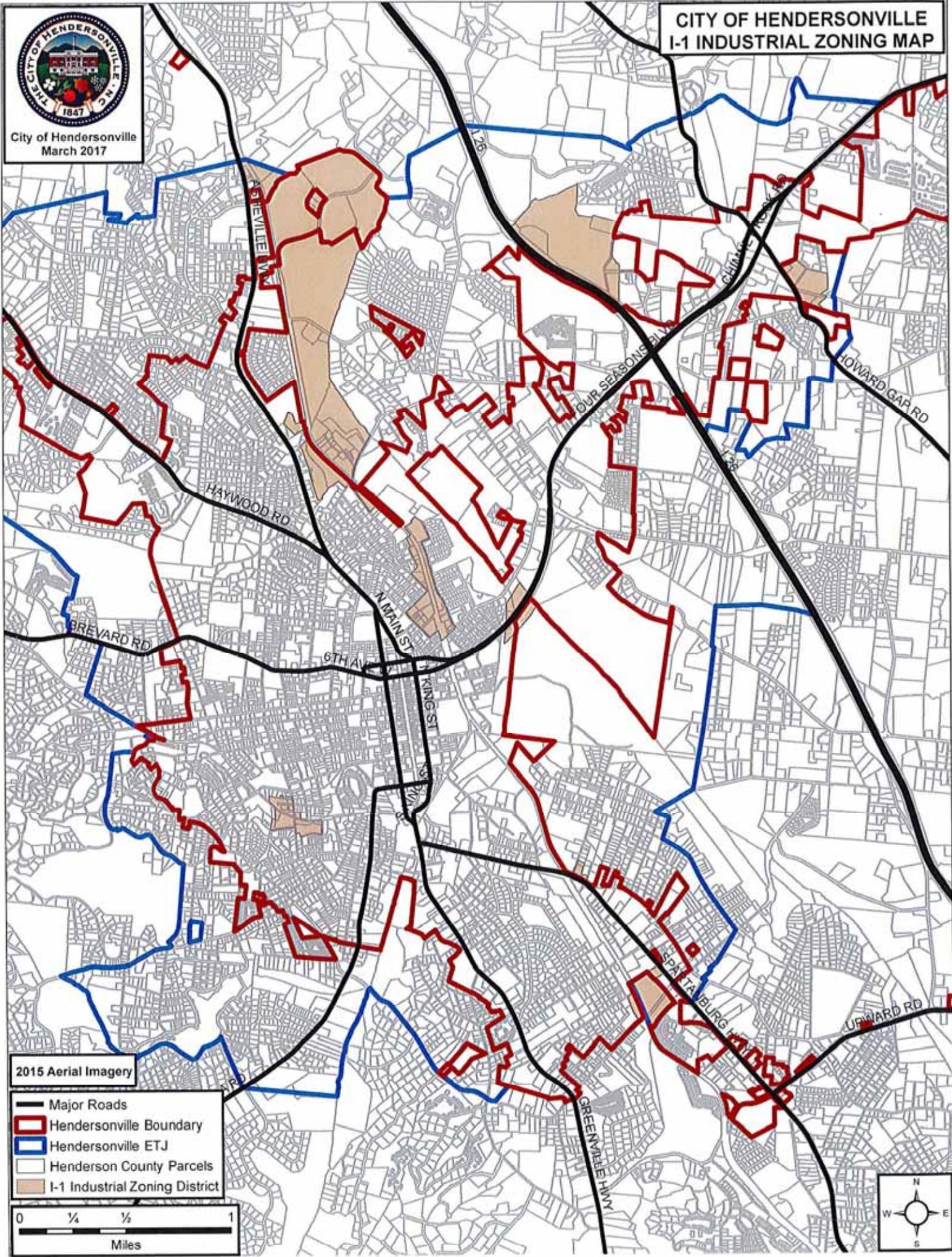


- 7th Avenue Municipal Service District
- 7th Ave. & Depot Street Historic District
- Main Street Municipal Service District
- Hendersonville Boundary
- I-1 Industrial Zoning District
- Henderson County Parcels
- Oklawaha Greenway
- Norfolk Southern Railway



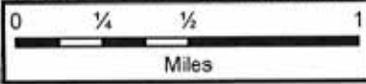
City of Hendersonville  
March 2017

# CITY OF HENDERSONVILLE I-1 INDUSTRIAL ZONING MAP



2015 Aerial Imagery

- Major Roads
- Hendersonville Boundary
- Hendersonville ETJ
- Henderson County Parcels
- I-1 Industrial Zoning District



USE	R-40	R-20	R-15	R-10	R-6	PRD	PMH	RCT	MIC	G-1	G-2	G-3	G-4	CMU	PCD	I-1	PMD	PID	GHMU	HMU	UV	UR	CHMU
<i>Amended 12-12-00, 07-12-01, 12-9-04, 01-06-05, 07-07-05, 03-03-11, 07-07-11, 11-03-11, 07-11-13, 12-05-13, 07-03-14, 01-08-15, 07-02-15, 09-03-15</i>																							
Nursing homes	-	-	-	-	-	S	-	-	SR	-	SR	SR	-	SR	S	SR	S	S	-	SR	-	-	SR
Offices	-	-	-	-	-	SR	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Offices, business, professional and public	-	-	-	-	-	-	-	SR	P	P	P	P	P	P	S	-	-	-	P	P	P	P	P
Parking lots & parking garages	-	-	-	-	-	-	-	-	P	P	P	P	-	P	S	-	-	S	-	P	P	-	P
Parks	P	P	P	P	P	S	S	P	P	P	P	P	P	P	S	P	S	S	P	P	P	P	P
Passenger transportation terminals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	S	-	-	-	-	-	-
Personal services	-	-	-	-	-	-	-	SR	SR	P	P	P	P	P	S	P	-	-	P	P	P	L	P
Planned residential development (minor)	SR	SR	SR	SR	SR	-	-	SR	SR	-	SR	SR	-	SR	-	SR	S	-	-	-	SR	-	-
Planned residential development (major)	-	-	-	-	-	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Private clubs	-	-	-	-	-	-	-	-	-	C	C	C	-	C	-	C	S	-	-	-	-	L	-
Progressive care facilities	-	-	-	-	-	S	-	-	SR	-	SR	SR	-	SR	S	SR	S	S	-	SR	-	-	SR
Public and private recreational facilities, indoor and outdoor, including uses accessory to the recreational facility such as snack bars, cabanas, etc.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-
Public & semi-public buildings	-	-	-	-	-	-	-	-	P	P	P	P	-	P	S	P	S	S	P	P	P	P	P
Public utility facilities	C	C	C	C	C	S	S	C	C	C	C	C	C	C	S	C	S	-	C	C	C	P	C
Publishing & printing establishments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	S	-	-	-	-	-	-
Radio & television broadcasting studios	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	S	-	-	-	-	-	-
Recreational facilities, indoors	-	-	-	-	-	-	-	-	-	P	P	P	-	P	S	P	S	-	-	P	P	-	P
Recreational facilities, outdoors, commercial	-	-	-	-	-	-	-	-	-	-	P	P	-	-	S	P	S	-	-	P	-	-	P
Recycling centers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	S	-	-	-	-	-	-
Religious institutions	SR	SR	SR	SR	SR	S	S	P	P	P	P	P	P	P	S	P	-	S	P	P	P	L	P
Repair services, miscellaneous	-	-	-	-	-	-	-	-	-	SR	P	P	-	P	S	P	S	-	-	P	P	-	P
Repair services, (non-automotive) miscellaneous, so long as the use is contained within an enclosed building	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	L	-
Research & development with or without outdoor storage and operations	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	S	-	-	-	-	-	P
Residential care facilities	-	-	-	-	C	-	-	C	SR	-	P	P	-	-	-	-	-	-	-	P	P	-	P
Residential dwellings, single-family	P	P	P	P	P	S	-	P	P	P	P	P	P	P	P	P	S	S	P	P	P	-	P



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Lisa White

**Department:** Finance

**Date Submitted:** 4-24-17

**Presenter:** Lisa White

**Date of Council Meeting to consider this item:** 5-4-2017

**Nature of Item:** Presentation Only

## Summary of Information/Request:

**Item #** 13a

Per the City Investment policy, the investment officer will provide the City Manager and City Council an investment report including a management summary that provides an analysis of the status of the current investment portfolio and a detail listing of the individual transactions executed. (detail is shown on the First Citizens Bank Statement attached).

### Investment Report/Management Summary:

As of March 31, 2017 the City investment portfolio, held by First Citizens Bank (Custodian) consists of the following investments which comply with the City Investment Policy and State Statute:

US Treasury Notes:	\$ 999,134.52
Government Agencies:	\$17,327,292.80
Municipal & NC:	\$ 3,849,891.45
Commercial Paper:	\$ 5,952,080.55
NCMT(Cash)	\$ 31,480.79
<b>Total Cost basis</b>	<b>\$28,159,880.11</b>

**Budget Impact:** \$ none Is this expenditure approved in the current fiscal year budget? No  If no, describe how it will be funded.

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

None

## Attachments:

Investment Report  
First Citizens Statement dated 3-31-17

Investment Name		Rating	Cusip	Price	Yield	Purchased Date	Issued Date	Maturity Date	Callable	Cost Basis
U.S. Treasury		Aaa/AA+	912828H94	99.913452	1.03%	3/12/2015	2/27/2015	2/15/2018	yes	999,134.52
<b>DIRECT GOVERNMENT SECURITIES</b>										
Federal National Mortgage Asso	FNMA	Aaa/AA+	3136G38B0	100%	1.38%	3/16/2016	3/16/2016	9/16/2019	yes	3,889,000.00
Federal National Mortgage Asso	FNMA	Aaa/AA+	3135G0520	100.04	1.75%	12/21/2016	12/30/2016	12/30/2019	yes	1,000,400.00
Federal National Mortgage Asso	FNMA	Aaa/AA+	3136G2GR2	100	1.50%	4/28/2015	4/28/2020	4/28/2020	YES	1,335,000.00
Federal Home Loan bank	FHLB	Aaa/AA+	3130A9FK2	100	0.68%	8/2/2016	12/22/2014	9/22/2017	NO	2,023,440.30
Federal Home Loan bank	FHLB	Aaa/AA+	3130A9FK2	100.4189	1.10%	9/15/2016	9/29/2016	3/29/2019	YES	1,000,000.00
Federal Home Loan bank	FHLB	Aaa/AA+	3130A88D-4	99.783	1.03%	1/30/2017	5/27/2016	6/29/2018	NO	1,746,202.50
Federal Home Loan Mort	FHLMC	Aaa/AA+	3134GAMD3	1.05	1.05%	9/28/2016	9/28/2016	9/28/2018	YES	2,125,000.00
Federal Home Loan Mort	FHLMC	Aaa/AA+	3134GAX33	1.5	1.50%	1/30/2017	1/30/2017	7/30/2019	YES	1,150,000.00
Federal Home Loan Mort	FHLMC	Aaa/AA+	3134GASE5	100	1.05%	10/18/2016	10/28/2016	10/26/2018	YES	450,000.00
Federal Home Loan Mort	FHLMC	Aaa/AA+	3134GA7D0	100	1.00%	3/21/2017	3/20/2017	9/20/2020	YES	1,610,000.00
					(Step - up see interest cash flow)					
Federal Farm Credit Bank	FFCB	Aaa/AA+	3133ECNY	99.825	1.09%	1/17/2017	5/8/2013	5/8/2018	YES	998,250.00
<b>GOVERNMENT AGENCIES</b>										
Toyota Motor Credit CP	CPDISC	A+/P1	89233GR0	99.285333	0.96%	7/27/2016	7/27/2016	4/21/2017	NO	992,853.33
Credit Suisse New York	CPDISC	A1/P1	2254EASC	99.0322	1.31%	8/17/2016	8/17/2016	5/12/2017	NO	1,980,644.44
Abbey National Treasury	ABNT	A1/P1	00280NT67	99.45	1.11%	12/9/2016	12/8/2016	6/6/2017	NO	994,530.56
Credit Suisse New York	CPDISC	A1/P1	2254EAT94	98.9652	1.40%	9/14/2016	9/14/2016	6/9/2017	NO	989,652.22
J.P. Morgan	JPM	A1/P1	46640PTC7	99.44	1.12%	12/13/2016	12/13/2016	6/12/2017	NO	994,400.00
<b>COMMERCIAL PAPER</b>										
Durham County, NC BABS	DUR	Aaa/AAA	266705C34	108.224	1.60%	5/4/2015	11/10/2010	11/1/2019	NO	205,625.60
High Point, NC- BABS	HPNC	Aa2/AAA	429749DE1	106.486	1.10%	6/25/2015	6/24/2010	11/1/2017	NO	324,782.30
Forsyth Cnty-C-BABS	MUNI	Aaa AAA	3466227Y3	108.41	1.65%	11/3/2015	2/2/2010	4/1/2020	No	716,489.40
Gaston County	GCNC	Aaa AAA	367298XK7	114.713	93.00%	5/24/2016	5/24/2016	2/1/2020	No	1,818,201.05
Gaston County	GCNC	Aaa AAA	367298XL5	118.014	1.05%	5/24/2016	5/24/2016	2/1/2021	No	784,793.10
<b>OTHER INVESTMENTS (MUNI/BABS/CASH)</b>										
<b>3,849,891.45</b>										
Total Securities										28,128,399.32
NC Capt Management	Cash									31,480.79
<b>Total Security - Cost Basis</b>										
<b>28,159,880.11</b>										

**Portfolio Allocation - by Security Type**

DIRECT GOVERNMENT SECURITIES TRES	\$	999,134.52	3.55%
Fannie Mae FNMA		6,224,400.00	22.13%
Federal Home Loan bank FHLB		4,769,642.80	16.96%
Freddie Mac FHLMC		5,335,000.00	18.97%
Federal Farm Credit Bank FFCB		998,250.00	3.55%
GOVERNMENT AGENCIES		17,327,292.80	61.60%
CP	\$	5,952,080.55	21.16%
MUNI/OTHER	\$	3,849,891.45	13.69%
	\$	28,128,399.32	100.00%

**Portfolio Allocation - by Maturity Date:**

2017	8,300,303.15	29.5%
2018	6,318,587.02	22.5%
2019	7,245,025.60	25.8%
2020	5,479,690.45	19.5%
2021	784,793.10	2.8%
	<b>\$ 28,128,399.32</b>	



SUMMARY OF ASSETS  
AS OF 03/31/17 PAGE 2

ACCOUNT NO. 71-0655-01-0

FIRST-CITIZENS BANK & TRUST COMPANY  
AS CUSTODIAN  
FOR THE CITY OF HENDERSONVILLE

	MARKET VALUE	COST BASIS	UNREALIZED GAIN/LOSS	CURRENT ACCRUAL
CASH	.00	.00	.00	.00
DIRECT GOVERNMENT SECURITI	999,570.00	999,134.52	435.48	1,243.09
GOVERNMENT AGENCIES	17,256,999.96	17,327,292.80	70,292.84-	29,048.02
COMMERCIAL PAPER	5,952,080.55	5,952,080.55	.00	37,504.13
OTHER INVESTMENTS	3,735,403.24	3,881,372.24	145,969.00-	38,377.06
TOTAL INVESTMENTS	27,944,053.75	28,159,880.11	215,826.36-	106,172.30
	27,944,053.75	28,159,880.11	215,826.36-	106,172.30



CASH RECONCILEMENT  
FOR PERIOD 03/01/17 THRU 03/31/17

PAGE 1

ACCOUNT NO. 71-0655-01-0

FIRST-CITIZENS BANK & TRUST COMPANY  
AS CUSTODIAN  
FOR THE CITY OF HENDERSONVILLE

BALANCES AT BEGINNING OF PERIOD			.00
RECEIPTS			
INCOME	SCHEDULE D	62,867.49	
SALES AND REDEMPTIONS	SCHEDULE G	3,090,660.69	
		-----	
TOTAL RECEIPTS			3,153,528.18
DISBURSEMENTS			
INCOME	SCHEDULE D	89.44-	
EXPENSES	SCHEDULE E	348.78-	
PURCHASES	SCHEDULE F	3,153,089.96-	
		-----	
TOTAL DISBURSEMENTS			3,153,528.18-
			-----
CASH BALANCE END OF PERIOD			.00



SCHEDULE A - STATEMENT OF ASSETS  
AS OF 03/31/17 PAGE 3

ACCOUNT NO. 71-0655-01-0

FIRST-CITIZENS BANK & TRUST COMPANY  
AS CUSTODIAN  
FOR THE CITY OF HENDERSONVILLE

UNITS/ CUSIP NUMBER	TICKER UNIT/MKT PRC	MARKET VALUE	COST BASIS	UNREALIZED GAIN/LOSS	CURRENT ACCRUAL
CASH					
CASH		.00	.00		.00
CASH		.00	.00	.00	.00
DIRECT GOVERNMENT SECURITIES					
1,000,000 912828-H9-4	UNIT18 99.957	999,570.00	999,134.52	435.48	1,243.09
UNITED STATES TREASURY NOTE DTD 02/17/15 1.000% DUE 02/15/2018					
DIRECT GOVERNMENT SECURITIES		999,570.00	999,134.52	435.48	1,243.09
GOVERNMENT AGENCIES					
2,015,000 3130A3-TK-0	FEDE17 100.061	2,016,229.15	2,023,440.30	7,211.15-	528.93
FEDERAL HOME LOAN BANK DTD 12/22/14 1.050% DUE 09/22/2017					
1,750,000 3130A8-BD-4	FEDE18 99.626	1,743,455.00	1,746,202.50	2,747.50-	3,913.19
FEDERAL HOME LOAN BANK DTD 05/27/16 0.875% DUE 06/29/2018					
1,000,000 3130A9-FK-2	FEDE19 99.157	991,570.00	1,000,000.00	8,430.00-	61.11
FEDERAL HOME LOAN BANK DTD 09/29/16 1.100% DUE 03/29/2019 CALLABLE 03/29/17 @ 100.00					
1,000,000 3133EC-NY-6	FEDE18 99.762	997,620.00	998,250.00	630.00-	3,773.60
FEDERAL FARM CREDIT BANK DTD 05/08/13 0.950% DUE 05/08/2018 CALLABLE 01/23/17 @ 100.00					
2,125,000 3134GA-MD-3	FEDE18 99.709	2,118,816.25	2,125,000.00	6,183.75-	185.93
FEDERAL HOME LOAN MORTGAGE CORP. DTD 09/28/16 1.050% DUE 09/28/2018 CALLABLE 03/28/17 @ 100.00					
450,000 3134GA-SE-5	FEDE18 99.681	448,564.50	450,000.00	1,435.50-	2,008.12
FEDERAL HOME LOAN MORTGAGE CORP. DTD 10/28/16 1.050% DUE 10/26/2018 CALLABLE 01/26/17 @ 100.00					
1,150,000 3134GA-X3-3	FEDE19 99.799	1,147,688.50	1,150,000.00	2,311.50-	2,922.91
FEDERAL HOME LOAN MORTGAGE CORP. DTD 01/30/17 1.500% DUE 07/30/2019 CALLABLE 01/30/18 @ 100.00					

ACCOUNT NO. 71-0655-01-0

FIRST-CITIZENS BANK & TRUST COMPANY  
AS CUSTODIAN  
FOR THE CITY OF HENDERSONVILLE

UNITS/ CUSIP NUMBER	TICKER UNIT/MKT PRC	MARKET VALUE	COST BASIS	UNREALIZED GAIN/LOSS	CURRENT ACCRUAL
1,610,000 3134GA-7D-0	FEDERAL HOME LOAN MORTGAGE CORP. DTD 03/20/17 DUE 03/20/2020 STEP COUPON BOND CALLABLE 09/20/17 @100.00 FEDE20 99.927	1,608,824.70	1,610,000.00	1,175.30-	491.93
1,000,000 3135G0-S2-0	FEDERAL NATIONAL MORTGAGE ASSOC. DTD 12/30/16 1.750% DUE 12/30/2019 CALLABLE 06/30/17 @ 100.00 FEDE19 100.030	1,000,300.00	1,000,400.00	100.00-	4,423.61
1,335,000 3136G2-GR-2	FEDERAL NATIONAL MORTGAGE ASSOC. DTD 04/28/15 1.500% DUE 04/28/2020 CALLABLE 04/28/17 @100.00 FEDE20 99.434	1,327,443.90	1,335,000.00	7,556.10-	8,510.62
3,889,000 3136G3-BB-0	FEDERAL NATIONAL MORTGAGE ASSOC. DTD 03/16/16 1.375% DUE 09/16/2019 CALLABLE 09/16/16 @100.00 FEDE19 99.164	3,856,487.96	3,889,000.00	32,512.04-	2,228.07
GOVERNMENT AGENCIES		17,256,999.96	17,327,292.80	70,292.84-	29,048.02
COMMERCIAL PAPER					
1,000,000 00280N-T6-7	ABBEY NATIONAL TREASURY DTD 12/08/16 DUE 06/06/2017 COMMERCIAL PAPER	994,530.56	994,530.56		3,452.77
2,000,000 2254EA-SC-8	CSFBNY COMMERCIAL PAPER DTD 08/16/16 DUE 05/12/2017	1,980,644.44	1,980,644.44		16,394.43
1,000,000 2254EA-T9-4	CREDIT SUISSE FIRST BSTN DTD 09/14/16 DUE 06/09/2017 COMMERCIAL PAPER	989,652.22	989,652.22		7,683.60
1,000,000 46640P-TC-7	JP MORGAN SECURITIES LLC DTD 12/13/16 DUE 06/12/2017 COMMERCIAL PAPER	994,400.00	994,400.00		3,359.99
1,000,000 89233G-RM-0	TOYOTA MOTOR CREDIT COMM. PAPER DTD 07/27/16 DUE 04/21/2017	992,853.33	992,853.33		6,613.34
COMMERCIAL PAPER		5,952,080.55	5,952,080.55	.00	37,504.13



SCHEDULE A - STATEMENT OF ASSETS  
AS OF 03/31/17 PAGE 5

ACCOUNT NO. 71-0655-01-0

FIRST-CITIZENS BANK & TRUST COMPANY  
AS CUSTODIAN  
FOR THE CITY OF HENDERSONVILLE

UNITS/ CUSIP NUMBER	TICKER UNIT/MKT PRC	MARKET VALUE	COST BASIS	UNREALIZED GAIN/LOSS	CURRENT ACCRUAL	
OTHER INVESTMENTS						
190,000 266705-C3-4	DURHAM COUNTY NORTH CAROLINA DTD 11/10/10 3.505% DUE 11/01/2019 BUILD AMERICA BONDS-DURHAM CNTY	103.877	197,366.30	205,625.60	8,259.30-	2,774.79
660,000 346622-7Y-3	FORSYTH COUNTY NORTH CAROLINA DTD 09/02/10 3.548% DUE 04/01/2020 BUILD AMERICA BOND - SER C	105.241	694,590.60	716,489.40	21,898.80-	11,708.40
1,585,000 367298-XK-7	GASTON COUNTY NORTH CAROLINA DTD 05/24/16 5.000% DUE 02/01/2020	110.337	1,748,841.45	1,818,201.05	69,359.60-	13,208.33
665,000 367298-XL-5	GASTON COUNTY NORTH CAROLINA DTD 05/24/16 5.000% DUE 02/01/2021	113.273	753,265.45	784,793.10	31,527.65-	5,541.66
305,000 429749-DE-1	HIGH POINT NC COMB ENTERPRISE SYS DTD 06/24/10 3.904% DUE 11/01/2017 REV - BUILD AMERICA BOND	101.593	309,858.65	324,782.30	14,923.65-	4,961.33
31,480.790 99936K-MI-4	NORTH CAROLINA CAP MANAGMNT FD#NCCMT	1.000	31,480.79	31,480.79		182.55
OTHER INVESTMENTS			3,735,403.24	3,881,372.24	145,969.00-	38,377.06
----- 27,760,480.790	NET ASSETS	1.007	27,944,053.75	28,159,880.11	215,826.36-	106,172.30
TOTAL ASSETS + ACCRUALS			28,050,226.05			



SCHEDULE D - INCOME  
 FOR PERIOD 03/01/17 THRU 03/31/17

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ACCOUNT NO. 71-0655-01-0

FIRST-CITIZENS BANK & TRUST COMPANY  
 AS CUSTODIAN  
 FOR THE CITY OF HENDERSONVILLE

DATE	DESCRIPTION	CASH
	INTEREST INCOME	
	BANK OF TOKYO MITSUBISHI COMM PAPER	
	DTD 09/16/16 DUE 03/15/2017	
03/15/17	INTEREST ON MATURITY OF 1,500,000	8,850.00
	FEDERAL HOME LOAN BANK	
	DTD 12/22/14 1.050% DUE 09/22/2017	
03/22/17	INT TO 03/22/17 ON 2,015,000	10,578.75
	FEDERAL HOME LOAN BANK	
	DTD 09/29/16 1.100% DUE 03/29/2019	
	CALLABLE 03/29/17 @ 100.00	
03/29/17	INT 09/29/16 TO 03/29/17 ON 1000000	5,500.00
	FEDERAL HOME LOAN MORTGAGE CORP.	
	DTD 09/28/16 1.050% DUE 09/28/2018	
	CALLABLE 03/28/17 @ 100.00	
03/28/17	INT 09/28/16 TO 03/28/17 ON 2125000	11,156.25
	FEDERAL HOME LOAN MORTGAGE CORP.	
	DTD 03/20/17 DUE 03/20/2020	
	STEP COUPON BOND	
	CALLABLE 09/20/17 @100.00	
03/22/17	ACCRUED INT TO 03/22/17 PAID ON	89.44-
	PURCHASE OF 1,610,000	
	FEDERAL NATIONAL MORTGAGE ASSOC.	
	DTD 03/16/16 1.375% DUE 09/16/2019	
	CALLABLE 09/16/16 @100.00	
03/16/17	INT TO 03/16/17 ON 3,889,000	26,736.88
	NORTH CAROLINA CAP MANAGMNT FD#NCCMT	
03/01/17	INT TO 02/28/17	45.61
	TOTAL INTEREST INCOME	62,778.05
	TOTAL INCOME	62,778.05



SCHEDULE E - DISBURSEMENTS  
FOR PERIOD 03/01/17 THRU 03/31/17

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ACCOUNT NO. 71-0655-01-0

FIRST-CITIZENS BANK & TRUST COMPANY  
AS CUSTODIAN  
FOR THE CITY OF HENDERSONVILLE

DATE	DESCRIPTION	CASH
	EXPENSES	
03/15/17	MONTHLY FEE TO 02/28/17	348.78-
	TOTAL EXPENSES	348.78-
	TOTAL DISBURSEMENTS	----- 348.78-



SCHEDULE F - PURCHASES  
 FOR PERIOD 03/01/17 THRU 03/31/17

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ACCOUNT NO. 71-0655-01-0

FIRST-CITIZENS BANK & TRUST COMPANY  
 AS CUSTODIAN  
 FOR THE CITY OF HENDERSONVILLE

DATE	SECURITY	DESCRIPTION	UNIT PRICE	BROKER COMMISSION	OTHER COSTS	TOTAL CASH
03/22/17	FIXED INCOME 3134GA-7D-0	PURCHASED 1610000 03/21/17 @ 100 FEDERAL HOME LOAN MORTGAGE CORP. DTD 03/20/17 DUE 03/20/2020 STEP COUPON BOND CALLABLE 09/20/17 @100.00	100.000	.00	.00	1,610,000.00-
		TOTAL FIXED INCOME				----- 1,610,000.00-
03/31/17	CASH EQUIVALENT 99936K-MI-4	PURCHASES (5) 03/01/17 TO 03/31/17 NORTH CAROLINA CAP MANAGMNT FD#NCCMT	1.000	.00	.00	1,543,089.96-
		TOTAL CASH EQUIVALENT				----- 1,543,089.96-
		TOTAL PURCHASES				----- 3,153,089.96-



SCHEDULE G - SALES AND REDEMPTIONS  
 FOR PERIOD 03/01/17 THRU 03/31/17

ACCOUNT NO. 71-0655-01-0

FIRST-CITIZENS BANK & TRUST COMPANY  
 AS CUSTODIAN  
 FOR THE CITY OF HENDERSONVILLE

DATE	SECURITY	DESCRIPTION	BROKER COMMISSION	PROCEEDS	COST	REALIZED GAIN/LOSS
		CASH EQUIVALENTS				
		BANK OF TOKYO MITSUBISHI COMM PAPER DTD 09/16/16 DUE 03/15/2017				
03/15/17	06538B-QF-3	RECD PROCEEDS ON MATURITY OF 1,500,000 PAR VALUE	.00	1,491,150.00	1,491,150.00-	.00
		NORTH CAROLINA CAP MANAGMNT FD#NCCMT				
03/31/17	99936K-MI-4	SALES (1) 03/01/17 TO 03/31/17	.00	1,599,510.69	1,599,510.69-	.00
		TOTAL CASH EQUIVALENTS		3,090,660.69	3,090,660.69-	.00
		TOTAL SALES AND REDEMPTIONS		3,090,660.69	3,090,660.69-	.00



SCHEDULE N - 5% TRANSACTIONS  
 FOR PERIOD 03/01/17 THRU 03/31/17

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ACCOUNT NO. 71-0655-01-0

FIRST-CITIZENS BANK & TRUST COMPANY  
 AS CUSTODIAN  
 FOR THE CITY OF HENDERSONVILLE

DESCRIPTION	NO. OF TRANS	COST	CASH	REALIZED GAIN/LOSS
BANK OF TOKYO MITSUBISHI COMM PAPER DTD 09/16/16 DUE 03/15/2017 RECD PROCEEDS ON MATURITY OF 1,500,000 PAR VALUE	*	1,491,150.00	1,491,150.00	.00
SALES	1	1,491,150.00	1,491,150.00	.00
FEDERAL HOME LOAN MORTGAGE CORP. DTD 03/20/17 DUE 03/20/2020 STEP COUPON BOND CALLABLE 09/20/17 @100.00 PURCHASED 1610000 03/21/17 @ 100	*	1,610,000.00	1,610,000.00	.00
PURCHASES	1	1,610,000.00	1,610,000.00	.00
NORTH CAROLINA CAP MANAGMNT FD#NCCMT PURCHASES	5	1,543,089.96	1,543,089.96	.00
SALES	1	1,599,510.69	1,599,510.69	.00
			9,344,900.65	

TRANSACTIONS NOTED BY A "\*" ARE IN THEMSELVES GREATER THAN 5%



MARKET VALUE RECONCILEMENT  
 FOR PERIOD 03/01/17 THRU 03/31/17

ACCOUNT NO. 71-0655-01-0

FIRST-CITIZENS BANK & TRUST COMPANY  
 AS CUSTODIAN  
 FOR THE CITY OF HENDERSONVILLE

MARKET VALUE BEGINNING OF PERIOD		28,033,896.90
INCREASES		
REALIZED GAINS/LOSSES	SCHEDULE G	.00
INCOME EARNED		
ENDING ACCRUAL		106,172.30
BEGINNING ACCRUAL		131,751.41
INCOME COLLECTED	SCHEDULE D	62,778.05
TOTAL INCOME EARNED		----- 37,198.94
TOTAL INCREASES		----- 37,198.94
DECREASES		
EXPENSES	SCHEDULE E	348.78-
MARKET DEPRECIATION		
END OF PERIOD		215,826.36-
BEGINNING OF PERIOD		195,305.35-
TOTAL MARKET DEPRECIATION		----- 20,521.01-
TOTAL DECREASES		----- 20,869.79-
MARKET VALUE END OF PERIOD		----- 28,050,226.05



## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Joseph Vindigni

**Department:** Fire

**Date Submitted:** 04-17-2017

**Presenter:** Joseph Vindigni

**Date of Council Meeting to consider this item:** 05-04-2017

**Nature of Item:** Presentation Only

### Summary of Information/Request:

**Item #** 13b

In an effort to keep City Council and City management informed about the fire department the Fire Chief has created a statistical report that will be published every quarter. The intention is to build off the first quarter and show data on call volume for both EMS and fire, automatic aid given & received, reliability/availability, as well as fire inspections data. In the future we will add even further information such as smoke alarm & car seat installations as well as public education and prevention activities.

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

### Suggested Motion:

N/A

### Attachments:

Fire Department 1st Quarter 2017 - Statistical Report



# Hendersonville Fire

Fire Chief's  
Statistical Report  
Jan-Mar 2017

## Hendersonville Fire Department Statistics – 1<sup>st</sup> Quarter 2017

### Operations Division

2017	Total Calls	Rescue/EMS	Fire	Automatic Aid Given	Automatic Aid Received	Overlapping Calls
January	409	310	99	24	8	147
February	367	269	98	15	16	132
March	422	309	113	22	18	179
<b>TOTAL</b>	<b>1198</b>	<b>888</b>	<b>310</b>	<b>61</b>	<b>42</b>	<b>458 (38.23%)</b>

Station 1 – 805 Calls

E-1 responded to 651 Calls

L-1 responded to 246 Calls

Station 2 – 393 Calls

E-2 responded to 432 Calls

\* In a continual process to improve reliability/availability of our resources we have implemented two operational changes this quarter:

- Operational Changes that went into effect January 1, 2017 - We no longer respond to immediate or urgent care facilities unless the patient is in Cardiac Arrest, Respiratory Arrest, Unconscious/Unresponsive, or if EMS requests. In 2016 we responded to these facilities approximately 155 times. This change should reduce that # significantly.
- Operational Changes that went into effect February 3, 2017 –Only one piece of apparatus will respond to Motor vehicle accidents with no reported injury, that involve pedestrians, and that are outside the City limits.

### Life Safety Division

2017	Total Inspections	Annual	Re-Inspections	Plans Review	Sprinkler & Fire Alarm	Consultations	Other
January	228	188	23	7	0	4	6
February	306	172	102	8	4	11	9
March	295	161	91	5	6	15	17
<b>TOTAL</b>	<b>829</b>	<b>521</b>	<b>216</b>	<b>20</b>	<b>10</b>	<b>30</b>	<b>32</b>

\* Other includes: ABC License, Final C/O, Hood and Duct, New Business, Occupancy Count, Complaint, and Foster Home Inspections.



# CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

**Submitted By:** Tammie Drake

**Department:** Admin

**Date Submitted:** 03.22.17

**Presenter:** Tammie Drake

**Date of Council Meeting to consider this item:** 05.04.17

**Nature of Item:** Council Action

## Summary of Information/Request:

Item # <sup>14</sup>

### BUSINESS ADVISORY COMMITTEE:

The City Council may consider an appointment to the Business Advisory Committee.

### ANNOUNCEMENTS/Reminders:

Vacancy on the BOARD OF ADJUSTMENT (alternate position).

Vacancy on the SEVENTH AVENUE ADVISORY COMMITTEE.

Vacancy on the DOWNTOWN ADVISORY COMMITTEE.

### Upcoming (Re)Appointments/Vacancy:

TDA: Selena Einwechter's appointment will expire 06-01-17.

WALK OF FAME: Dr. Amy Pace's term will expire 06-01-17.

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

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

Please see memo

### Attachments:

Memo with background info, board membership lists