

AGENDA

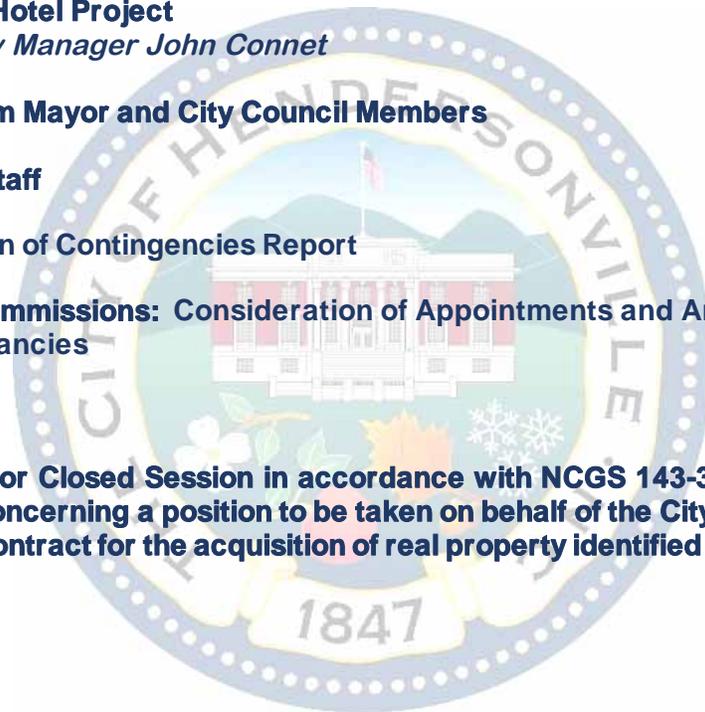
CITY OF HENDERSONVILLE CITY COUNCIL – REGULAR MEETING

SEPTEMBER 1, 2016 – 5:45 P.M.

COUNCIL CHAMBERS – CITY HALL

1. **Call to Order**
2. **Invocation and Pledge of Allegiance**
3. **Public Comment Time:** *Up to 15 minutes is reserved for comments from the public for items not listed on the agenda*
4. **Consideration of Agenda**
5. **Consideration of Consent Agenda:** *These items are considered routine, noncontroversial in nature and are considered and approved by a single motion and vote.*
 - A. **Consideration of Minutes: August 4, 2016 Regular Meeting**
 - B. **Consideration of Report on the Declaration of Surplus Property**
 - C. **Consideration of Budget Amendments (2):**
 - i. **Fire Community Fund**
 - ii. **General Fund and Water/Sewer Fund – for Purchase of Property**
 - D. **Consideration of Amendments to the System Development Charges Policy Relating Affordable Housing**
 - E. **Consideration of Special Event Permit for the Veteran’s Mural Dedication**
 - F. **Consideration of a Job Description for School Resource Officer**
 - G. **Consideration of a Utility Line Extension Agreement for Cedar Terrace**
 - H. **Consideration of Amendments to the Policy Governing Voluntary Annexations as a Result of Requests for Sewer Service**
6. **Public Hearing – Consideration of an Application from Mr. Joseph G. Walters for the Rezoning of Two Parcels Located at 461 and 303 Sugarloaf Road from R-15 Medium Density Residential to C-3 Highway Business District**
Presenter: Development Assistance Director Susan Frady

7. **Public Hearing – Consideration of an Application from Ms. Molly Herson for a Zoning Ordinance Text Amendment to Allow Equestrian Boarding Facilities as a Conditional Use in the R-15 Medium Density Residential District with Special Requirements**
Presenter: Development Assistance Director Susan Frady
8. **Consideration of Awarding the Bid for the U.S. Highway 64 Sidewalk Improvements Project**
Presenter: Engineering Director Brent Detwiler
9. **Presentation of N13aorth Main Street Sidewalk Recommendation**
Presenter: Engineering Director Brent Detwiler
10. **Discussion of Establishing a Naming and Donation Policy to Fund Public Improvements**
Presenter: City Manager John Connet
11. **Consideration of a Request to Refund System Development Charges and Tap Fees for Upward Road Hotel Project**
Presenter: City Manager John Connet
12. **Comments from Mayor and City Council Members**
13. **Reports from Staff**
 - a. **Presentation of Contingencies Report**
14. **Boards and Commissions: Consideration of Appointments and Announcement of Upcoming Vacancies**
15. **New Business**
16. **Staff Request for Closed Session in accordance with NCGS 143-318(a)(5) to establish or instruct staff concerning a position to be taken on behalf of the City Council in negotiating the price of a contract for the acquisition of real property identified as PIN 9569906270**
17. **Adjourn**





CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Brian Pahle

Department: Admin

Date Submitted: 08/17/16

Presenter: Brian Pahle

Date of Council Meeting to consider this item: 09/01/16

Nature of Item: Presentation Only

Summary of Information/Request:

Item # 05b

A report on the declaration of surplus by the City Manager under the authority granted by resolution #11-1051, A Resolution Delegating the Authority for Declaring Person Property Surplus. This City Manager has declared the following list of personal property, mostly IT equipment as surplus, to be sold and donated in accordance with GS 160A-266(1d) and GS 160A-280.

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

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

N/A

Attachments:

See below...

Brand	Description	ID (Service Tag)	Disposal Type
Dell	CPU	RC471AV	Donate to BRCC
Dell	CPU	7S9OXG1	Donate to BRCC
Dell	CPU	DHBVK81	Donate to BRCC
Dell	CPU	4N56CB1	Donate to BRCC
Dell	CPU	3N56CB1	Donate to BRCC
Dell	CPU	365RLD1	Donate to BRCC
Dell	CPU	2Q36CB1	Donate to BRCC
Dell	CPU	36WNDK1	Donate to BRCC
Dell	CPU	6Q36CB1	Donate to BRCC
Dell	CPU	C75RLD1	Donate to BRCC
Dell	CPU	VF558AV	Donate to BRCC
Dell	CPU	9LBRNM1	Donate to BRCC
Dell	CPU	BNBOXG1	Donate to BRCC
Dell	Laptop	6F9N8K1	Donate to Goodwill
Dell	Laptop	5F9N8K1	Donate to Goodwill
Dell	Laptop	1R7M831	Donate to Goodwill
Dell	Laptop	BNSJQM1	GovDeals
Dell	CPU	9LCRNM1	Donate to BRCC
Dell	CPU	9LFRNM1	Donate to BRCC
Dell	CPU	9LDSNM1	Donate to BRCC
Dell	CPU	9LBTNM1	Donate to BRCC
Dell	CPU	BJ5NDK1	Donate to BRCC
Dell	Laptop	19151HD1	GovDeals
Dell	Laptop	4851HD1	GovDeals
Dell	Laptop	J50RG1	GovDeals
Dell	Laptop	6851HD1	GovDeals
Dell	Laptop	84D41C1	GovDeals
Dell	Laptop	B851HD1	GovDeals
Dell	Laptop	H410RG1	GovDeals
Dell	Laptop	8F893F1	GovDeals
IBM	Laptop	4130-520-22	Donate to Goodwill
Cisco Systems	Firewall	4448030460	Donate to BRCC
Xerox	Scanner	29MHL30171	GovDeals
Xerox	Scanner	29MHL30292	GovDeals
Xerox	Scanner	22K96H0137	GovDeals
Epson	Scanner	SQWZ007911	GovDeals
Dell	Server PowerEdge 2900	G8758B1	GovDeals
Dell	Server PowerEdge 1900	F2029C1	GovDeals

The above inventory is deemed surplus and approved to be disposed of. In accordance with G.S. 160A-266(1d), the above property is deemed to have little to no value. A portion of the items listed above are being donated to public or non-profit agencies in accordance with G.S. 160A-280.



 City Manager



 Date



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Brian Pahle

Department: Admin

Date Submitted: 08/17/16

Presenter: Brian Pahle

Date of Council Meeting to consider this item: 09/01/16

Nature of Item: Council Action

Summary of Information/Request:

Item # 05c

Budget Amendments (2)

Fire Community Fund | Fund 170 | Increase \$3,714

Pace Property Purchase | Fund 10 | Increase \$20,000 | Fund 60 | Increase \$60,000

See descriptions attached...

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

Fund 170 Increase \$3,714 | Fund 10 Increase \$20,000 | Fund 60 Increase \$60,000

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

I move to approve the attached budget amendments as presented.

Attachments:

See below...

BUDGET AMENDMENT

FUND: 10 & 60

ACCOUNT NUMBER		DESCRIPTION OF ACCOUNT	INCREASE	DECREASE
ORG	OBJECT			
100090	499200	Fund Balance Approp.	20,000.00	
104120	557000	Land, ROW, Easement	20,000.00	
		TOTAL REVENUES	20,000.00	
		TOTAL EXPENDITURES	20,000.00	
		TOTALS IN BALANCE	-	-
600090	499200	Fund Balance Approp.	60,000.00	
607110	557000	Land, ROW, Easement	60,000.00	
		TOTAL REVENUES	60,000.00	
		TOTAL EXPENDITURES	60,000.00	
		TOTALS IN BALANCE	-	-

An amendment to provide funding for the purchase of property along N. Main St. The City Council approved \$80,000 for a property purchase in May of the prior fiscal year (FY15-16). The purchase of the property did not occur within that fiscal year and that funding rolled back into the City's fund balances. The purchase is expected to occur in the coming month and we need to re-approve budget for the property purchase in the current fiscal year (FY16-17).


CITY MANAGER

Date: 8/18/16

APPROVED BY CITY COUNCIL:

DATE: 9/1/2016



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: John Connet

Department: Admin

Date Submitted: 8/25/2016

Presenter: John Connet

Date of Council Meeting to consider this item: 9/1/2016

Nature of Item: Council Action

Summary of Information/Request:

Item # 05d

Several months ago City Council received a request for a waiver of system development charges for a mobile home park that the developer believed met the standard for affordable housing under our policy. After some research, we determined that the project did not meet this affordable housing standard and the request was denied. However upon further discussion, we felt that it would be appropriate to establish a definition for affordable housing in the policy. Staff has reviewed how the state and federal governments define affordable housing and consulted with two affordable housing developers (Housing Assistance Corporation and Flat Iron Partners). As a result of this research, we submit the following proposed amendment to your policy regarding Sewer Development Charges.

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

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

I move that the City Council approve the revised policy regarding System Development Charges.

Attachments:

Revised policy

**AN ORDINANCE OF THE CITY OF HENDERSONVILLE, NORTH CAROLINA
APPROVING AND ADOPTING WATER AND SEWER SYSTEM
DEVELOPMENT CHARGES AND RELATED POLICY**

WHEREAS, the North Carolina General Statutes, § 160A-314, provides for municipalities to enact public enterprise fees, including system development charges; and

WHEREAS, on September 5, 2013 the City Council discussed during a regularly scheduled meeting, after compliance with all legal prerequisites, consideration of new water and sewer system development charges to be imposed; and,

WHEREAS, the City Council hereby desires to adopt the water and sewer system development charges and related policy for the purpose of recovering all or a portion of the capital investment made by the City to provide sufficient capacity in its system to serve new users, which was considered at the September 5, 2013 meeting; and,

WHEREAS, the City Council hereby finds and determines that all legal prerequisites have been complied with.

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

Section 1: Inclusions

That all of the above premises are found to be true and correct and are incorporated into the body of this ordinance by this reference.

Section 2: Recovery of Future Capital Investments

It shall be the City's policy to recover, to the extent possible, the value or some portion of the value of those future capital projects named in its Water and Sewer Capital Improvements Plan, which are intended to enhance or expand overall system capacities and performance.

Section 3: Updating of System Development Charges

It is the intent of City Council that the structure of System Development Charges and the related policies contained herein will be reviewed, at least every third year after adoption, to insure that the asset value estimates and related calculations that form the basis of said System Development Charges remain relevant to Hendersonville and best serve the needs of the Customers and the Utility Systems.

Section 4: System Development Charge Schedule

A charge shall be applied against each lot or tract of land and the owner or tenant thereof whose water and/or sewer service shall be connected with any water line and/or sewer line owned by the City, and the charge shall be applied in accordance with the following rate schedule:

WATER

**System Development Charges (SDC) - New Customers (Residential and Commercial)		
Meter Size, Inches	Meter Equivalent	Cost
5/8"	1	\$1,430.00
1"	3	\$2,330.00
1-1/2"	5	\$4,650.00
2"	7	\$7,500.00
3"	10	\$14,930.00
4"	16	\$23,400.00
6"	40	\$46,730.00
8"	70	\$74,780.00
10"	100	\$107,480.00
**System Development Charges (SDC) - Existing (Residential Only)		
5/8"	1	\$950.00
1"	3	\$1,550.00
**Eligible for financing SDCs up to 36-months.		

SEWER

**System Development Charges (SDC) - New Customers (Residential and Commercial)		
Meter Size, Inches	Meter Equivalent	Cost
5/8"	1	\$1,280.00
1"	3	\$2,100.00
1-1/2"	5	\$4,200.00
2"	7	\$6,750.00
3"	10	\$13,500.00
4"	16	\$21,080.00
6"	40	\$42,080.00
8"	70	\$67,350.00
10"	100	\$96,830.00
**System Development Charges (SDC) - Existing (Residential Only)		
5/8"	1	\$850.00
1"	3	\$1,400.00
**Eligible for financing SDCs up to 36-months.		

Section 5: Schedule Amendments

The City shall from time to time amend the schedule of System Development Charges when it determines that such amendments are in the best interest of the City and consistent with the intent of this ordinance.

Section 6: Master Metering

- (a) If a master meter, defined as a meter serving multiple residential units or multifamily units all located on one or many parcels, is in place, each unit shall be assessed a system development charge, for those utilities available to the affected property or properties. The charges shall be calculated using the total number of units to be served by water and/or sewer multiplied by the applicable residential water and/or sewer system development charge, in accordance with *A Resolution Amending the Schedule of Fees/Charges for the City Water System; Implementing Fees/Charges for Master Water Meters*, so adopted by City Council on December 10, 1998.
- (b) The owner shall be required to execute a *Master Meter Agreement* and shall adhere to all requirements set forth in said *Agreement* prior to initiation of services, as so adopted in form by City Council on March 3, 2011.

Section 7: Increasing Size of Meter

If a customer requests an increase in meter size to an existing service, the customer shall pay the charge difference between the new level of service and the existing level of service as set out in the schedule of rates and fees currently in force at the time the larger meter is connected. The additional charge shall be paid prior to installation of the enlarged meter service.

Section 8: Water Service Relocations

When a customer applies to the City to move an existing non-residential water meter, along with system development charges previously paid in association with said service(s), to a new and different address for the same non-residential account, no system development charge will be assessed by the City, unless the requested meter size is increased over the size of the metered service at the previous location, in which case the cost difference shall be determined in accordance with the schedule of rates and fees currently in force. This service relocation process shall only be allowed to occur one time per non-residential account.

Section 9: Application Procedure

All future applicants or new connections to the City's water and/or sewer systems shall adhere to the City's procedures, as follows:

- a. The new customer shall make application for services as provided for in the City Code of Ordinances in Chapter 52, Section 10 *Application for service*.
- b. The applicant shall remit to the City payment for the prescribed system development charge(s) in accordance with the Schedule of Fees and Charges currently in force.

- c. The Applicant must demonstrate compliance with related policies and procedures inherent to the City's Utilities Extension and Capacity Allocation policies.
- d. In the event that the City finds that the applicant does not make the applied for connection to the City's water and/or sewer system or the City determines that said connection is not feasible due to insufficient system capacity to meet anticipated service demands, the City shall reimburse said system development charges to the applicant, upon request from the applicant.

Section 10: Payment of and Accounting for System Development Charge

The system development charge shall be fully paid in cash prior to the issuance of any building permit for the development and/or when application for water and/or sewer service is submitted to the City. New users may opt to pay system development charges owed to the City, upon connecting to the City's water and/or sewer systems, on a monthly basis for a period not to exceed 36 months.

Section 11: Use of System Development Charge Receipts

It shall be the policy of the City to deposit System Development Charges into reserve accounts created for the purpose of offsetting future capital costs related to maintaining and enhancing the overall capacity and performance of the City's water and sewer system infrastructures.

Section 12: Waiver

The City may waive the System Development Charge(s) or any portion thereof in circumstances when the connection by a prospective customer to the water and/or sewer systems provides demonstrated economic development benefits to the City, addresses a definitive health hazard, provides low-income housing in the City, or provides some other tangible benefit to the City, which in the City Council's opinion outweighs the value of the system capacity to be consumed by said prospective customer's connection or in accordance with the City's System Development Charge Waiver Policy, as so amended.

To obtain a waiver under the affordable housing provision the project has to meet all of the following standards:

- (1) A minimum of 20% of the units must be set aside for low to moderate income (LMI) families.
- (2) LMI for the purposes of this policy is defined as households with income that do not exceed 80% of area median income as defined by U.S. Department of Housing and Urban Development.
- (3) Rental Rates, including utilities, for the set aside units cannot exceed 30% of the household's median income.
- (4) The developer/owner must contractually agree to meet these standards for a minimum of 15 years.

Section 13: Authority of Political Subdivisions to Pay Charge

Political subdivisions and other government entities are subject to the system development charges imposed under this ordinance.

Section 14: Effect of this Ordinance

(1) This ordinance is subject to amendment by the City Council pursuant to its governmental and legislative power.

(2) This payment and collection of the system development charges shall not obligate the City to provide any specific capital improvement unless approved by the City Council and shall not guarantee any specific level or quality of capital improvement or facility expansion.

Section 15: Severability

If any section, article, paragraph, sentence, clause, phrase or word in this ordinance or application thereto any person or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 16: Repeal

All ordinances or any parts thereof in conflict with the terms of this ordinance are hereby repealed and of no force or effect to the extent of such inconsistency. In all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered in this ordinance.

Section 17: Effective Date

This ordinance shall be effective immediately from the date of passage and approval, and the full System Development Charges shall be collected as shown on the system development charge schedule currently in force.

The motion to adopt this ordinance was made by Councilman _____, seconded by Councilman _____, and passed by the City Council of Hendersonville, North Carolina on the 3rd day of October, 2013.

Mayor

(Attest)

This agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

By: _____

Jim Rudisill, Finance Director
City of Hendersonville, North Carolina

DRAFT



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

Submitted By: Susan G. Frady

Department: Development Asst Dept

Date Submitted: 8-19-16

Presenter: Susan G. frady

Date of Council Meeting to consider this item: 9-01-16

Nature of Item: Council Action

Summary of Information/Request:

Item # 05e

King Street Veteran's Mural Dedication

This event will be held Sunday, September 11, 2016 from 3:00PM - 6:00PM at the Veteran's Mural located on the building adjacent to the Spruce Parking lot.

The application is for 4th Avenue East to be closed between the alley and King Street from 3:00 PM - 6:00 PM. This permit is in conjunction with a parade permit to be issued by the Police Department for the procession.

Citizens will line King Street as the Hendersonville Police Department and Patriot Guard bring in families of fallen heroes to the mural. There will be a dedication from 4:00PM - 6:00PM. Parking for the families will be in the Azalea and Maple parking lots.

The Downtown Advisory Committee recommended approval of this event.

The Special Events Committee voted unanimously to recommend approval of a special event permit for the King Street Veteran's Mural Dedication.

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

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

I move Council's approval of the special event permit for the King Street Veteran's Mural Dedication.

Attachments:



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

Submitted By: Jennifer S. Harrell

Department: Administration

Date Submitted: 08/22/2016

Presenter: Jennifer S. Harrell

Date of Council Meeting to consider this item: 09/01/2016

Nature of Item: Presentation Only

Summary of Information/Request:

Item # 05f

The Police Department currently has Police Officers serving as School Resource Officers. The position requires further education and has historically not had a pay grade assigned to the specific position. A job description has been created and the position will now be assigned to pay grade 12.

Budget Impact: \$ _____ 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.*

I move to accept the job description as written and the assignment of the position to pay grade 12 in the City's Pay and Classification Schedule.

Attachments:

Job description

Pay and Classification Schedule

School Recourse Officer

General Statement of Duties

Performs general duty law enforcement work to protect life and property in the City.

Distinguishing Features of the Class

An employee in this class performs a full range of general law enforcement duties in addition to serving as a School Resource Officer. A School Resource Officer will create and maintain relationships with principals, parents, students and members of the community. An employee will work to prevent juvenile delinquency through close contact with students and school personnel. Work may include patrolling the City during an assigned shift in a police car or on foot; preventing, detecting and investigating disturbances and crime; performing traffic control work; apprehending suspects; and executing related assignments. Employees must exercise judgement, initiative and calm control when performing duties; more difficult problems are normally carried out under the direction of or in conjunction with a supervisor on duty assigned to the same shift. Work involves frequent public contact which requires tact, firmness and decisiveness. Work is performed in accordance with departmental policy and state and federal law, supplemented with specific directions from superior officers. Employees are subject to hazards associated with law enforcement work including working in both inside and outside environments, in extreme hot and cold weather, and exposure to various hazards such as dangerous persons, loud noises, and hazardous spills with fumes, oils, gases, or flammable liquids. Work is subject to the final OSHA standards on bloodborne pathogens. Work is performed under regular supervision and is evaluated through observation, monitoring radio traffic, discussion, and review of reports for adherence to laws, department procedures, and proper judgement.

Duties and Responsibilities

Essential Duties and Tasks

- To establish liaison with school principals, faculty and students.
- To establish and maintain liaison between school security personnel and other SROs assigned to school campuses.
- To inform the students of their rights and responsibilities as citizens.
- To provide liaison between students and social agencies that provide needed services.
- To act as a liaison resource to the principal in investigating criminal law violations occurring in the school or on school property.
- To assist administration and faculty in formulating criminal justice programs.
- To formulate educational crime prevention programs to reduce the opportunity for crimes against persons and property in the schools.
- To participate in the Parent-Teacher-Student Association meetings as requested.

To participate in campus activities, student organizations and athletic events when invited and feasible.

To be aware at all times of the responsibility to improve the image of the uniformed law enforcement officer in the eyes of the students and the community.

May patrol streets in a police car or on foot; checks doors and windows; examines premises of unoccupied residences or buildings; detects unusual conditions, may maintain surveillance and observation for stolen cars, missing persons, or suspects; report dangerous or defective streets, sidewalks, traffic lights, or other hazardous conditions.

Responds to calls for assistance, complaints, suspicious activity, domestic disputes, loud and disruptive behavior; completes calls by determining true nature of the situation and taking whatever legal or persuasive action is warranted.

Investigates traffic accidents; issues traffic citation; directs traffic and participates in other emergency operation activities.

Performs investigations of accidents or possible crimes through observation, questioning witnesses, and gathering physical evidence; performs investigative tasks, arrests and processes criminal suspects; presents findings in court.

Issues citations for violation of traffic regulations, serves warrants; apprehends and processes criminal suspects and transports to magistrate and/or County detention facilities.

Regulates and directs vehicular traffic at busy times at local schools and when traffic signal malfunctions or accidents require.

Operates a two-way radio to receive instructions and information from or to report information to police headquarters; maintains vehicle, weapons and other equipment in standards working order.

Prepares records and reports of activities.

Advises the public on laws and local ordinances; serves papers as needed.

Additional Job Duties

May act as dispatcher in receiving emergency and routine calls from citizens needing police assistance and operating a two-way radio to dispatch other officers on the shift to the call.

Assists stranded motorists; gives information and directions to visitors and the general public.

In order to assure the peaceful operation of school-related programs, SROs will, whenever possible, participate in or attend school functions.

Performs other related duties as required.

Recruitment and Selection Guidelines

Knowledge, Skills, and Abilities

Considerable knowledge of state and federal laws, local ordinances and policies of the police department, especially relating to search and seizure, traffic control, pursuit, and arrest.

Working knowledge of law enforcement principles, practices, methods and equipment.

Some knowledge of scientific crime detection and criminal identification methods and procedures.

Skill in the use of firearms and other police equipment and in the application of self-defense tactics.

Ability to act with sound judgement in routine and emergency situations.

Ability to communicate effectively in oral and written forms.

Ability to present effective court testimony.

Ability to prepare clear and concise activity reports.

Ability to build and maintain cooperative and effective public relations with the citizens.

Ability to establish and maintain effective working relationships with coworkers, supervisors, and other public officials.

Physical Requirements

Must be able to physically perform the basic life operational functions of standing, walking, hearing, kneeling, reaching, feeling, grasping, pushing, pulling, bending, climbing, crawling, fingering, and performing repetitive motions.

Must be able to perform medium work exerting up to 50 pound of force occasionally; 20 pounds frequently; and 10 pounds constantly.

Must possess the visual acuity to operate a police vehicle and distinguish details and differences when observing people, places, or things on patrol.

Desirable Experience and Education

Graduation from high school and completion of basic law enforcement training; possession of a Basic Law Enforcement Certificate; or an equivalent combination of education and experience.

Special Requirements

Before assignment to sworn duties, employees must possess a valid North Carolina driver's license and have completed at least the minimum requirements established by the North Carolina Justice Training and Standards Commission for certified law enforcement officers. Ability to obtain School Resource Officer training within twelve (12) months.

Hendersonville
2016

City of Hendersonville

Pay and Classification Schedule

Market Increase = 1% July 1st, 2016 - June 30th, 2017

GRADE	HIRING RATE	MIN	MID	MAX	Position
1	20,554.51	21,582.24	27,267.19	31,278.62	
2	21,585.53	22,664.81	27,214.78	32,844.04	
3	22,662.66	23,795.79	28,572.72	34,482.78	
4	23,794.27	24,983.99	30,000.34	36,206.40	Street Maintenance Worker I Environmental Services Worker I Property Maintenance Worker I
5	24,985.61	26,234.89	31,501.82	38,018.03	Street Maintenance Worker II Environmental Services Worker II
6	26,235.62	27,547.41	33,077.70	39,919.77	Line Maintenance Mechanic Equipment Service Attendant Facilities Maintenance Technician
7	27,546.41	28,923.73	34,731.11	41,915.81	Meter Maintenance Mechanic Administrative Support Specialist Customer Services Specialist Equipment Operator Police Support Specialist
8	28,924.26	30,370.47	36,467.82	44,011.39	Facility Maintenance Mechanic Police Telecommunicator Property Maintenance Crewleader Traffic Enforcement Officer Utility Locations Specialist Warehouse Specialist Senior Line Maintenance Mechanic Sr. Police Support Specialist Treatment Plant Operator I
9	30,370.21	31,888.72	38,293.07	46,215.94	Accounting Technician Building Maintenance Technician Equipment Mechanic Firefighter/EMT Lead Telecommunicator



City of Hendersonville

Pay and Classification Schedule

Market Increase = 1% July 1st, 2016 - June 30th, 2017

GRADE	HIRING RATE	MIN	MID	MAX	Position
10	31,888.45	33,482.88	40,204.24	48,520.03	Street Maintenance Crewleader
					Police Officer
					Parking Services Supervisor
					Senior Administrative Support Specialist
					Senior Accounting Technician
					Senior Facility Maintenance Mechanic
					Traffic Control Technician
					Utility Operations Support Specialist
					Telecommunications Supervisor
					Environmental Services Crew Leader
Treatment Plant Operator II					
11	33,483.19	35,157.35	42,215.48	50,947.76	Equipment Services Specialist
					Fire Engineer
					Line Maintenance Crewleader
					Zoning Code Enforcement Officer
					Property Maintenance Supervisor
					Inflow & Infiltration Technician
					Leak Detection Technician
					Traffic Control Supervisor
					Public Information Officer
					Promotions Coordinator
12	35,156.52	36,914.34	44,315.25	53,494.94	Utility Operations Support Supervisor
					Police Detective
					Laboratory Technician
					Environmental Services Coordinator
					School Resource Officer
					Budget & Management Analyst
					Payroll Benefits Coordinator
					Treatment Plant Operator III
13	36,916.80	38,762.64	46,544.42	56,172.05	Administrative Aide
					Building Maintenance Supervisor
					Fire Lieutenant
					Human Resources Coordinator
					Deputy Fire Marshal
					Fleet Maintenance Supervisor
					Meter Services Supervisor
					Police Sergeant
					Environmental Services Supervisor
					Street Maintenance Supervisor
GIS Analyst					
14	38,763.01	40,701.16	48,870.52	58,978.03	Collections & Distribution Systems Supervisor
					Police Communications & Technology Manager
					Laboratory Supervisor
					Treatment Plant Supervisor
					Quality Excellence Coordinator
					Paralegal



City of Hendersonville

Pay and Classification Schedule

Market Increase = 1% July 1st, 2016 - June 30th, 2017

GRADE	HIRING RATE	MIN	MID	MAX	Position
15	40,698.28	42,733.19	51,314.49	61,930.70	Fire Captain
					Investigations Lieutenant
					Police Lieutenant
					Planner
					Facility Maintenance Superintendent
					Accountant
					Engineering Technician
					Stormwater Quality Specialist Construction Inspector
16	42,734.13	44,870.84	53,879.48	65,024.83	Electrical and Instruction Technician
					City Clerk
					Police 1st Lieutenant
					Main Street / Economic Development Director
17	44,869.53	47,113.01	56,572.30	68,275.07	Fire Marshal
					Treatment Plant Superintendent
					Senior Accounting Supervisor
					Revenue Accounting Supervisor
					Senior Planner
18	47,113.90	49,469.59	59,402.91	71,691.92	Assistant Finance Director
					Police Captain
19	49,471.43	51,945.00	62,372.35	75,273.27	
20	51,943.16	54,540.32	65,489.52	79,035.88	Assistant Police Chief
					Assistant Public Works Director
					Deputy Fire Chief
					Technology and Metering Manager
21	54,540.64	57,267.67	68,766.49	82,992.34	Civil Engineer
					GIS Administrator
					Utilities Engineer
22	57,265.94	60,129.24	72,202.72	87,139.49	Assistant Utilities Director
					Human Resources Director
23	58,978.03	61,926.93	75,237.64	91,497.25	Information Technology Director
					Assistant to City Manager/Budget & Eval. Director
					Downtown Economic Development Director
24	63,136.71	66,293.54	79,604.83	96,072.95	Finance Director
					Public Works Director
					Police Chief
					Fire Chief
					City Engineer
					Development Assistance Director
25	66,296.84	69,611.69	83,585.39	100,873.93	
26	69,612.05	73,092.66	87,767.64	105,923.23	Utilities Director





CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Rhonda Wiggins

Department: Utilities

Date Submitted: August 23, 2016

Presenter: Lee Smith

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

Nature of Item: Council Action

Summary of Information/Request:

Item # 05g

Cedar Terrace (Corner of Lakewood Road and Francis Road) Water and Sewer Line Extension

This project will require an installation of a water and sewer system to serve 5 apartment buildings and a clubhouse.

The proposed water system consists of:

- 28 linear feet of 6" DIP
- 1,783 linear feet of 8" DIP
- 4 fire hydrants
- Associated meters and valves

The proposed sewer system consists of:

- 937 linear feet of 8" SDR 35 PVC

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.

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

Department: Admin

Date Submitted: 8/25/2016

Presenter: John Connet

Date of Council Meeting to consider this item: 9/1/2016

Nature of Item: Council Action

Summary of Information/Request:

Item # 05h

During the extensive debate associated with the Upward Road hotel issue, we heard the argument that at our annexation policy regarding sewer stated "annexation is required upon the extension of sewer service and not when the line was already in place". While staff does not agree that was the intent of the current policy or even what it actually says, we do feel that the policy can be updated to clarify that an annexation petition is required prior to the provision of sewer service. Therefore, we recommend the approval of the revised policy governing voluntary annexations as a result of sewer service request.

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

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

I move that the City Council approve the revised policy governing voluntary annexations as result of a sewer service request.

Attachments:

Revised policy

**POLICY GOVERNING VOLUNTARY ANNEXATIONS AS A RESULT
OF SEWER ~~SERVICE~~EXTENSION REQUESTS**

I. PURPOSE

It is the intent of this policy to provide direction in guiding annexation decisions as they pertain to sewer service ~~extension~~ requests.

II. APPLICABILITY:

This policy applies to all situations where a property outside the city limits applies for sewer service from the City of Hendersonville.

III. PROCEDURES:

From time to time, property owners outside of the City of Hendersonville may request sewer service from the City of Hendersonville.

A. It is a long-standing practice of the City of Hendersonville that sewer service shall not be extended to property owners outside of the city limits unless the property owner first petitions for annexation. When a property owner contacts the Utilities Department requesting sewer service and the property is located outside the city limits, the Utilities Department will first make a determination as to whether or not extension of sewer service is feasible. If service is feasible, the applicant will be referred to the ~~Development Assistance Department~~ Planning Department to begin the voluntary annexation process. If a petition for voluntary annexation is not filed, the request for sewer service ~~extension~~ will not be forwarded to the City Council for consideration.

B. If provision of sewer service is feasible and an annexation petition is filed, staff will conduct an analysis to determine if immediate annexation of the property is in the best interests of the city. Factors to be considered include geographic proximity to existing city limits and the cost or practicality of extending the full range of municipal services to the property. If annexation is deemed appropriate at this time and sewer service provision is feasible, the request for annexation and sewer ~~service extension~~ will be forwarded to the City Council for their consideration.

C. If sewer service is feasible but annexation is not recommended by staff, the request for sewer service ~~extension~~ will be forwarded to the City Council for their consideration with a stipulation that sewer service shall only be granted if the property owner executes a legally binding agreement granting the city permission to proceed with voluntary annexation of the property at any time in the future. The agreement will be in recordable form and will be recorded upon execution. The City Attorney shall be responsible for drafting and executing the necessary agreement.

D. At any time the city so chooses, properties which have been granted sewer service and which were party to an annexation agreement with the city may be annexed.

E. Nothing in this policy shall be construed to prohibit the Council from considering other factors relevant to their decision to approve or deny the extension of sewer service to a property outside the city. Satisfaction of the annexation requirements outlined in this policy shall not be considered binding on the Council to approve provision of sewer service.

F. In instances where industrial recruitment or expansion is facilitated by the extension of city sewer service, special consideration will be granted to the applicant when the conditions below are met:

- 1) To qualify as an industrial project, the applicant's primary business must be manufacturing as classified by the 2007 North American Industry Classification System (NAICS) where the first two digits of the applicants business classification code are 31, 32, or 33

- 2) Applicant agrees to comply with sections A through E of this policy (in consideration of conditions to be offered in section G)

G. Applicants who meet the conditions of section F shall be granted the following considerations:

- 1) Applicants will be eligible to sign a 10 year payment in lieu of annexation agreement, and shall remit an annual fee of \$250 to the City Hendersonville. The applicant's property may not be annexed while the agreement is in effect. Renewals of the payment in lieu of annexation agreement shall be at the discretion of the then-current City Council.
- 2) The legally binding agreement outlined in section C shall be modified for applicants who satisfy the conditions of section F. This modification shall restrict the City of Hendersonville from proceeding with voluntary annexation of the applicant's property until seventy-five (75) percent of the border of the property in question is adjacent to the contiguous border of the City of Hendersonville.

H. Applicants who execute an agreement pursuant to this policy and who construct a sewer extension which is later transferred to the City's ownership pursuant to the agreement shall be liable for any material defects or failures in the extended sewer section for a period of five years from the date of the agreement.

I. Addendum A of this policy describes the Upward Road Planning District, and includes properties that are believed to have a high potential for redevelopment. The district encompasses an important entry corridor for the City of Hendersonville, and therefore this policy places special conditions on properties identified in Addendum A.

- 1) It is the policy of the Hendersonville City Council that extending sewer service to these properties without exercising land use oversight would allow inconsistent development patterns. It is the stated desire of the City Council that these properties be developed in a consistent fashion that benefits both the property owners and the citizens of Hendersonville.
- 2) Properties identified in Addendum A will not be granted sewer ~~service extensions~~ until they apply for and complete the process to voluntarily annex into the City of Hendersonville and are zoned in accordance with GS 160A-381. For these properties, the option to sign an agreement for future voluntary annexation (as described in Sections C and D of this policy) shall not be applicable.
- 3) The decision to annex properties inside the Upward Road Planning Area and subsequently extend sewer service rests solely with the City Council. While this policy defines specific requirements for the properties in the Upward Road Planning Area, it should not be construed as a commitment from the City that these parcels will be voluntarily annexed at the owner's request.

[Additions of 03-03-11 underlined.]

Adopted this third day of March, 2011

Barbara G. Volk, Mayor

Attest:

Tammie K. Drake, MMC, City Clerk

ADDENDUM A: UPWARD ROAD PLANNING DISTRICT
Added by action of the City Council: March 3, 2011

A general description of boundaries of a new area established as the Upward Road Planning District (A district created by resolution of the Hendersonville City Council for the purposes of administering the Policy Governing Voluntary Annexations as a Result of Sewer Extension Requests)

Beginning at the common point of the boundaries of the William C. Justus property, PIN 9578-40-7866, the Spartan Ventures, Inc. property, PIN 9578-40-9582 and the Western Carolina Community Action, Inc. property, PIN 9578-40-6579, and proceeding thence southerly with the William C. Justus-Spartan Ventures, Inc. line about 489 feet to the southwesternmost point in the Spartan Ventures, Inc. property aforesaid, thence southeasterly with the northern and northeastern boundaries of The Housing Assistance Corporation property, PIN 9578-50-4224 line about 818.91 feet to the intersection of King Creek Boulevard and Spartanburg Highway (U.S. Hwy 176), thence crossing King Creek Boulevard on the south Spartanburg highway with the Foster New Bern, Inc. line, PIN 9577-59-5756 and with the current Hendersonville city limits line about 300 feet to a point on Spartanburg Highway directly or nearly directly across Spartanburg Highway from the westernmost point in the James C. Roberts property, PIN 9577-69-1777, thence crossing Spartanburg Highway with a perpendicular line to the said westernmost point of the James C. Roberts property, thence following the current Hendersonville City limits with the northern, eastern and southern boundaries of the James C. Roberts property, PIN 9577-69-1777 to the southernmost point thereof, thence northwestward with the current Hendersonville city limits along the James C. Roberts-Spartanburg Highway line to a point directly or nearly directly across Spartanburg Highway from the southeasternmost corner of the Foster New Bern, Inc. property aforesaid, and with the southeastern line of the Foster New Bern, Inc. property on the northern margin of the Spartan Heights road and following the boundary of the road and the Foster New Bern Inc. line about 312 feet to the southeasternmost point on the common boundary between the Foster New Bern, Inc. property aforesaid and the Foster New Bern, Inc. property PIN, 9577-59-4358, thence northwesterly with the said common line to the northernmost point of the said Foster New Bern, Inc. property, PIN 9577-59-4358, thence southwest with the northwestern line of the said property to the easternmost point of the Velma Justus property, PIN 9577-59-4407, thence northwesterly about 25 feet to the northernmost point of the said Velma Justus property, thence southwesterly with the northwest boundary of the said Velma Justus to its westernmost point, thence southerly along the common line of the Highland View Limited Partnership property PIN 9577-59-1327 and the western boundary of the Jose M. Martinez property, PIN 9577-59-3364 to the southernmost point of the said Highland View Limited Partnership property, and continuing on the same line to a point at or near the center of the Southern Railway right of way, thence southeasterly with or nearly with the center of the Southern Railway right-of-way and leaving the said railway line at its point closest to the northwesternmost point of the Rown LLC property PIN 9577-68 0217 at the northwesternmost point on the Rown LLC-M Realty Limited Partnership PIN 9577-58-8555 line, and thence southeasterly along the whole course of the said Rown LLC-M Realty Limited Partnership line and continuing southeasterly with the common line of the said Rown LLC property and the Meadow Garden Associates Limited Partnership PIN 9577-68-2497 line to the western margin of N Highland Lake Road SR 1783, thence northeasterly with the Meadow Garden Associates Limited Partnership southern boundary along North Highland Lake Road to the southeasternmost end of the common line of the aforesaid Meadow Garden Associates Limited Partnership property and the SCP 2007-C27-079 LLC property, commonly known as the Spartanburg Highway/ N. Highland Lake Rd. CVS property, PIN 9577-68-8508, thence with the Meadow Garden/ CVS line northwesterly along the length of the CVS line, to the westernmost point in the said CVS (SCP 2007-C27-079 LLC) property, thence generally northeasterly along the northwestern boundary of the CVS line, with the current Hendersonville City limits, to the western margin of Spartanburg Highway, thence with the western margin of Spartanburg Highway to the southwestern corner of the intersection of N Highland Lake Rd./Upward Road SR 1783 and Spartanburg Highway, thence directly across Spartanburg Highway to the southeastern corner of the intersection of Upward Road and Spartanburg Highway, thence northeasterly along the southeastern margin of Upward

Road with northwest boundary of the Lyndon B. Hill property, PIN 9577-78-2580 a self-service car wash, to the northeasternmost point on the said common boundary, thence southerly or southeasterly with the western line of the Morris Wayne Mullinax property PIN 9577-78-5687, to its southernmost point, thence northerly with the eastern line of the said Morris Wayne Mullinax property to the northern end of the said eastern line, at its terminus on the southern line of the ELP Real Estate LLC property, PIN 9577-79-6250, thence easterly with the said line to the common corner of the said ELP Real Estate LLC property, the Perri S. Smith property, PIN 9577-78-7694, the William Lee Pace property, PIN 9577-88-3870 and the Deitra Blythe Jones property, PIN 9577-78-8898, thence northeasterly with the northern boundary of the said northwestern line of the said William Lee Pace property along its common boundary with the aforesaid Deitra Blythe Jones property, the Spevines R. Jones property PIN 9577-88-0947, the Deitra Blythe Jones property, PIN 9577-89-2006 and the Spevines R. Jones property, PIN 9577-89-4161, and continuing along the southeastern boundary of the Spevines R. Jones property to the common point of the said southern boundary and the western margin of Old Spartanburg Road, thence south with the western margin of Old Spartanburg Road to a point directly across Old Spartanburg Road from the southern point of the Spevins R. Jones (or Spevines R. Jones) property, PIN 9577-89-6187, thence northeasterly along the southeast boundary of the said Spevins R. Jones (or Spevines R. Jones) property, PIN 9577-89-6187, about 210 feet to its northeastern terminus at the southwestern end of the southeastern boundary of the S.R. Jones property, PIN 9577-89-7580, thence northeasterly along the said line to its end and continuing with the southeastern line of the Vicki Diane Jones property, PIN 9577-89-9659, to the end of said line, and continuing along the same line to the end of the northwest boundary line of the William Barkley property, PIN 9577-99-1539, to the northernmost point in the said William Barkley property, thence southeast along the northeastern William Barkley line to the northwestern margin of Bell Ave., thence northeasterly along Bell Ave. with the southeastern boundary of the of the aforementioned Vicki Diane Jones property, thence continuing along the entirety of the southeastern boundary of the George Gregory Gosnell PIN 9577-99-3858 line and Bell Ave., thence continuing along the entirety of the southeastern boundary of the George Gregory Gosnell PIN 9577-99-4918 line and Bell Ave., to the point directly across Bell Ave. from the western corner of the Robert Calloway Property, PIN 9577-99-6916, thence crossing Bell Ave. to the said western corner of the Robert Calloway property and proceeding southeast along the southwestern line of the Robert Calloway property aforesaid, to the southernmost point thereof, thence northeast along the southeastern boundary of the said Robert Calloway property to the easternmost point of the said Robert Calloway property, at its junction with an unnamed road, thence southeast along the western margin of the said road to the intersection of said line with the western margin of Allen Rd., thence northward with the western margin of Allen Rd. to the point directly across Allen Road from the southwesternmost point in the E. Leland Johnson property, PIN 9588-00-4132, thence crossing Allen Road to the southwesternmost point of the said E. Leland Johnson property, and proceeding thence with the southern line of the said property, in common with the northern line of the Duke Energy Corp. property, PIN 9587-09-6735, to the easternmost point of the E. Leland Johnson property aforesaid, and continuing along the northern boundary of the Duke Energy Corp. property with the southern boundary of the E. Leland Johnson property, PIN 9588-00-7114, to the easternmost point of such common line at an unnamed tributary stream running along the eastern boundary of the said E. Leland Johnson property, PIN 9588-00-7114, thence with the center line of the unnamed tributary and the eastern boundary of the said E. Leland Johnson property, PIN 9588-00-7114, northward to the southern margin of Upward Road, thence eastward with the southern margin of Upward Road to the centerline of a stream called Bat Fork, thence southeast with the centerline of Bat Fork to the southernmost point of the Easler Family LLC property, PIN 9588-10-5167, thence with the line of the southeastern boundary of the Easler Family LLC property to the point that is the northwesternmost point of the Easler Family LLC property, PIN 9587-29-1846, thence easterly with the northern boundary of said Easler Family LLC property, PIN 9587-29-1846 to its eastern terminus, and continuing with the northern boundary of the Thomas P. Dunn Sr. property, PIN 9587-29-5854 at a point on the western margin of Commercial Boulevard, thence crossing Commercial Boulevard and proceeding south on the eastern margin of Commercial Boulevard with the western boundary of the Rhodes Lodging Group LLC property, PIN 9588-20-8029 to the southern terminus of the said western boundary of the Rhodes Lodging Group LLC property, and continuing easterly along the southern boundary of the said Rhodes Lodging Group LLC line along the full length of the common

boundary between the said property and the Rhodes Lodging Group LLC property PIN 9587-29-8934 to the eastern terminus of said common line, thence continuing along the northern boundary of the Fox Real Estate Limited Partnership property PIN 9587-39-3629 to the eastern terminus of the said line, at the western margin of the right of way of U. S. Interstate Highway 26, thence on a line segment directly from the eastern terminus of the northern boundary of the Fox Real Estate Limited Partnership property PIN 9587-39-3629 to the southwesternmost point of the J. Hall Waddell property, PIN 9588-40-1320, thence southward along the eastern margin of the right of way of US Interstate Highway 26, with the full length of the western boundary of the J. Hall Waddell property, PIN 9587-49-1888, thence continuing along the full length of the western boundary of the J. Hall Waddell property, PIN 9587-49-4644 to the southernmost point of the said J. Hall Waddell property, PIN 9587-49-4644, thence northward along the eastern boundary of the said J. Hall Waddell property, PIN 9587-49-4644 to the northernmost point along the said eastern boundary, thence eastward along the southern boundary of the J. Hall Waddell property, PIN 9587-49-4865 to the eastern end of said southern line, thence continuing along the same line, being the southern boundary of the Quattlebaum Properties F LLC property, PIN 9588-40-9182, to the easternmost point on the said southern boundary, thence continuing the line from the said easternmost point, along the northern and then the western margin of Education drive, and then with a perpendicular line crossing Upward Road to its northern margin, thence westward along the northern margin of Upward Road to the midline of S Orchard Rd, thence with the midline of S Orchard Rd, northward to the common point of the western margin of S. Orchard Rd., the Church of the Nazarene property, PIN 9588-60-2816 and the Campground Unlimited property, PIN 9588-61-5094, thence proceeding from the said point generally west and then northwest along the common line of the Church of the Nazarene property and the said Campground Unlimited property, to the northwesternmost point of the Campground Unlimited property, thence west with the northern line of the Church of the Nazarene property to the northwesternmost corner of the said Church of the Nazarene property, thence southward along the western line of the said Church of the Nazarene property to the intersection of the said line with the northern line of the Frederick Christian Jensen, Jr. property, PIN 9588-50-8506, thence with the Northern line of the Frederick Christian Jensen Jr. property westerly to the eastern end of the northern line of the Elizabeth Ann Henderson property, PIN 9588-50-4701, thence westward along the northern line of the said Elizabeth Ann Henderson property to the western terminus of said northern line, thence directly across Ballenger Road and northward along the western margin of Ballenger Road along the full length of the eastern boundary of the Karen C. Jarrell property, PIN 9588-41-8529, to the northeastern corner thereof, thence continuing northward along the western margin of Ballenger Road along the full length of the eastern boundary of the Ruby Jones King property, PIN 9588-41-7882, to the northeastern corner thereof, thence westward along the northern boundary of the said Ruby Jones King property to the northwestern corner thereof, thence continuing along the same line westward along the entire length of the northern boundary of the Ruby Jones King property, PIN 9588-41-2674 to a stream at the western end of said line, thence crossing the stream at the northeastern corner of the K-2 Properties LLC property, PIN 9588-31-8842 and proceeding westward along the entire length of the northern boundary of the said K-2 Properties LLC property to the northwestern corner thereof at McMurray Road, thence directly across McMurray Road to a point in the eastern boundary of the John A. Hudgens Jr. Family Limited Partnership property, PIN 9588-23-3651 and proceeding thence north along the western margin of McMurray Road the entire length of the said John A. Hudgens Jr. Family Limited Partnership property to its northernmost point along McMurray Road, and continuing along McMurray Road along the entire length of the eastern boundary of the McNutt Investments LLC property, PIN 9588-24-8424 to the northeastern corner thereof, thence westward along a lane to the northwest corner of the said McNutt Investments LLC property, and continuing along the lane westward along the northernmost boundary of the aforementioned John A. Hudgens Jr. Family Limited Partnership property to the western end of the said northernmost line, thence continuing along the lane westward along the entirety of the northern boundary of the John A. Hudgens, Jr. property PIN 9588-14-5445 to its northwestern corner, thence continuing along the line of the lane westward with the northern boundary of the Julianne K. Heggoy property, PIN 9588-14-4403 to the northwestern corner of the said real property at the eastern margin of the right of way of US Interstate Highway 26, thence directly across the right of way of US Interstate Highway 26 to the northernmost point on the eastern boundary of the Blue Ridge Community College property, PIN 9578-93-1758, thence southward along the western margin of the right of way of US

Interstate Highway 26 with the eastern boundary of the said Blue Ridge Community College Property, to East Campus Drive, thence crossing East Campus Drive continuing with the western margin of US Interstate Highway 26 along the entirety of the common line of such right of way and the eastern boundary of the Julianne K. Heggoy Trust property, PIN 9588-03-6779 with the western margin of S. Allen Rd, thence proceeding southward along the western margin of S. Allen Road the entire length of the common line of the western margin of South Allen Road and the eastern margins of the following properties: the Julianne K. Heggoy Trust property immediately aforesaid, thence the eastern boundary of the Blue Ridge Community College property aforesaid along its entire remaining length, along the way crossing the eastern terminus of College Drive, to the southeasternmost point of the said Blue Ridge Community College property, thence continuing along the western margin of S Allen Rd with the eastern boundary of the Partners in Health Condominium property, PIN 9588-02-6704 to the southernmost point of the eastern boundary of said property at a point along an unnamed tributary, thence crossing said unnamed tributary and continuing south along the western margin of S. Allen Road with the eastern boundary of the Hospice of Henderson County, Inc. property, PIN 9588-02-8484, thence continuing south along the western margin of S. Allen Road with the eastern boundary of the Hospice of Henderson County, Inc. property, PIN 9588-02-8194, thence leaving S Allen Road and proceeding along a lane or drive northwesterly along the northern boundary of the Anita W. Heatherly property, PIN 9588-01-9453 to the westernmost point of the said property, thence westward along a lane or drive and along the full length of the northern boundary of the E. Kendall Taylor property, PIN 9588-01-5324, to a point on the eastern margin of the Jeff Boyd Glover property, PIN 9578-91-7597, near the center line of Bat Fork, thence southerly with the eastern margin of the said Jeff Boyd Glover property, with or nearly with the center line of Bat Fork, on the common line of the Jeff Boyd Glover property with the aforementioned E. Kendall Taylor property to the northernmost point of the Thelma E. Anders property, PIN 9578-90-9831, and leaving Bat Fork and proceeding with the northern, northwestern and western line of the Thelma E. Anders property aforesaid, to the point where the said Thelma E. Anders property's western line adjoins the northeasternmost point of the Doris E. McCrain property, PIN 9578-90-9413, thence southwesterly with the entire length of the northwest line of the said Doris E. McCrain property to the point where such line adjoins the northeasternmost point of the Doris E. McCrain property, PIN 9578-90-8420, thence southwesterly with the entire length of the northwest line of the said Doris E. McCrain property to the point where such line adjoins the northeasternmost point of the James Herschel Moore property, PIN 9578-90-6361, thence southwest with the northwestern boundary of the said James Herschel Moore property along the entire length of such northwestern boundary to the northwesternmost point of the said property, at Gatebriar Lane, thence directly crossing Gatebriar Lane and proceeding along the western margin of Gatebriar Lane with the eastern boundary of the Luke S. Case property, PIN 9578-90-4397, to the northeasternmost corner of the said property, thence westward along the northern boundary of the said Luke S Case property along the entire length of the said northern boundary to the easternmost point of the northern line of the Mary Frances King property, PIN 9578-90-1278, thence westward along the entire length of the northern boundary of the Mary Frances King property to the westernmost point on said northern boundary at its intersection with Vine Rd, continuing the said line to the center point of Vine Rd, thence southwesterly with the centerline of Vine Rd., to the northern and eastern margin of Old Upward Rd., thence generally southwestward, along the northern margin of Old Upward Rd. to its point of intersection with Fairground Ave., thence crossing Fairground Avenue and continuing westward and thence northwestward along the northern and eastern margin of Old Spartanburg Rd. to the point where such line adjoins the westernmost point of the Leon V. Allison property, PIN 9578-51-9624, thence proceeding southerly along the line of the existing extraterritorial jurisdiction of the City of Hendersonville to the point of beginning of this description, as follows: crossing the following three real properties going from east to west, and including all parts of the said properties not currently within the City of Hendersonville's extraterritorial jurisdiction William R. King, PIN 9578-51-3284, Martha M. Morgan, PIN 9578-51-2170 and George R. Gosnell, PIN 9578-50-1952, to Spartanburg Highway, US Highway 176, thence crossing Spartanburg Highway to the northernmost point of the common line of Spartanburg Highway with the eastern boundary of the Spartan Ventures Inc. property, PIN 9578-40-9582, and along the northeastern boundary of the Spartan Ventures Inc. line with a stream to the point of BEGINNING of this description.

PLEASE NOTE ALSO:

There is excluded from this description and from inclusion in the *Upward Road Planning District* all points within the geographical limits of the territorial jurisdiction of the City of Hendersonville.

NOTE: References to properties by owner names contain only the name of the first owner listed by the Henderson County Tax office as of 18 August 2010. For more detailed information as to ownership consult with the Henderson County land listings as shown by the Henderson County Land Records office situated in the Henderson County Courthouse, 200 N. Grove Street, Hendersonville NC.

NOTE ALSO: Nothing in this listing is intended to give an opinion as to the quality or nature of the title of any property. Title opinions may be given only by attorneys licensed to practice law in North Carolina.

Property Identification Numbers (PIN) as used herein may be discovered by resort to the following sources: The Henderson County Land Records office situated in the Henderson County Courthouse, 200 N. Grove Street, Hendersonville NC, or the Henderson County GIS web site, <http://gisweb.hendersoncountync.org/GoMaps/map/Index.cfm>.

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CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Susan G. Frady

Department: Development Asst Dept

Date Submitted: 8-11-16

Presenter: Susan G. Frady

Date of Council Meeting to consider this item: 10-1-16

Nature of Item: Council Action

Summary of Information/Request:

Item # 06

The City is in receipt of two applications, both dated July 1, 2016, for a zoning map amendment. The applicant and property owner is Joseph Gregory Walters. The applications are for parcel numbers 9579-66-0497, which is approximately 1.73 acres and 9579-56-9342, which is approximately 0.82 acres. These parcels are located at 461 and 303 Sugarloaf Road. The requested change is from R-15, Medium Density Residential to C-3, Highway Business District.

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

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

I move the City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of parcel numbers 9579-66-0497 and 9579-56-9342 from R-15, Medium Density Residential to C-3, Highway Business District, finding that the rezoning is consistent with the Comprehensive Plan.

Attachments:

Memorandum
Maps

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Susan Frady, Development Assistance Director

RE: Joseph Gregory Walters Rezoning – 461 and 303 Sugarloaf Road

FILE #: P16-20-Z

DATE: August 11, 2016

PROJECT HISTORY

The City is in receipt of two applications, both dated July 1, 2016, for a zoning map amendment. The applicant and property owner is Joseph Gregory Walters. The applications are for parcel numbers 9579-66-0497, which is approximately 1.73 acres and 9579-56-9342, which is approximately 0.82 acres. These parcels are located at 461 and 303 Sugarloaf Road. The requested change is from R-15, Medium Density Residential to C-3, Highway Business District.

COMPREHENSIVE PLAN CONSISTENCY

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

Primary

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

Secondary

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

PROPOSED ZONING CLASSIFICATION

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

SURROUNDING LAND USE & ZONING CLASSIFICATION

The parcels in the proposed rezoning request are currently occupied by single-family dwellings. The parcel to the west is zoned C-3, Highway Business but currently has a single-family dwelling located on it. The property to the east was rezoned to PMH, Planned Manufactured Housing by City Council on August 4, 2016. This property is currently occupied by a mobile home park. The property to the north is zoned R-15, Medium Density Residential and is currently occupied by single-family dwellings. The property to the south is zoned C-2, Secondary Business and is vacant. Please note an existing land use map is located on page 7 and an existing zoning map is located on page 9.

ANALYSIS

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

Table A

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

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

C-3, Highway Business District

Permitted Uses:

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

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

Conditional Uses:

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

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

R-15, Medium Density Residential

Permitted Uses:

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

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

Conditional Uses:

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

PLANNING BOARD RECOMMENDATION

The Planning Board heard this matter at its regular meeting of August 8, 2016. The Planning Board voted 6 in favor and 1 against to recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of parcel numbers 9579-66-0497 and 95679-56-9342 from R-15, Medium Density Residential to C-3, Highway Business, finding that the rezoning is consistent with the Comprehensive Plan, the rezoning is reasonable and in the public interest for the following reasons: for public interest.

ZONING ORDINANCE GUIDELINES

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

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

SUGGESTED MOTIONS

For Recommending Approval:

I move the City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of parcel numbers 9579-66-0497 and 9579-56-9342 from R-15, Medium Density Residential to C-3, Highway Business District, 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 the City Council not adopt an ordinance rezoning parcel numbers 9579-66-0497 and 9579-56-9342.

[PLEASE STATE YOUR REASONS]

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

IN RE: FILE NO. P16-20-Z

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

1. Pursuant to Article XI Amendments of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of parcel numbers 9579-66-0497 and 9579-56-9342 from City of Hendersonville R-15, Medium Density Residential to City of Hendersonville C-3, Highway Business District.
2. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 1st day of September 2016.

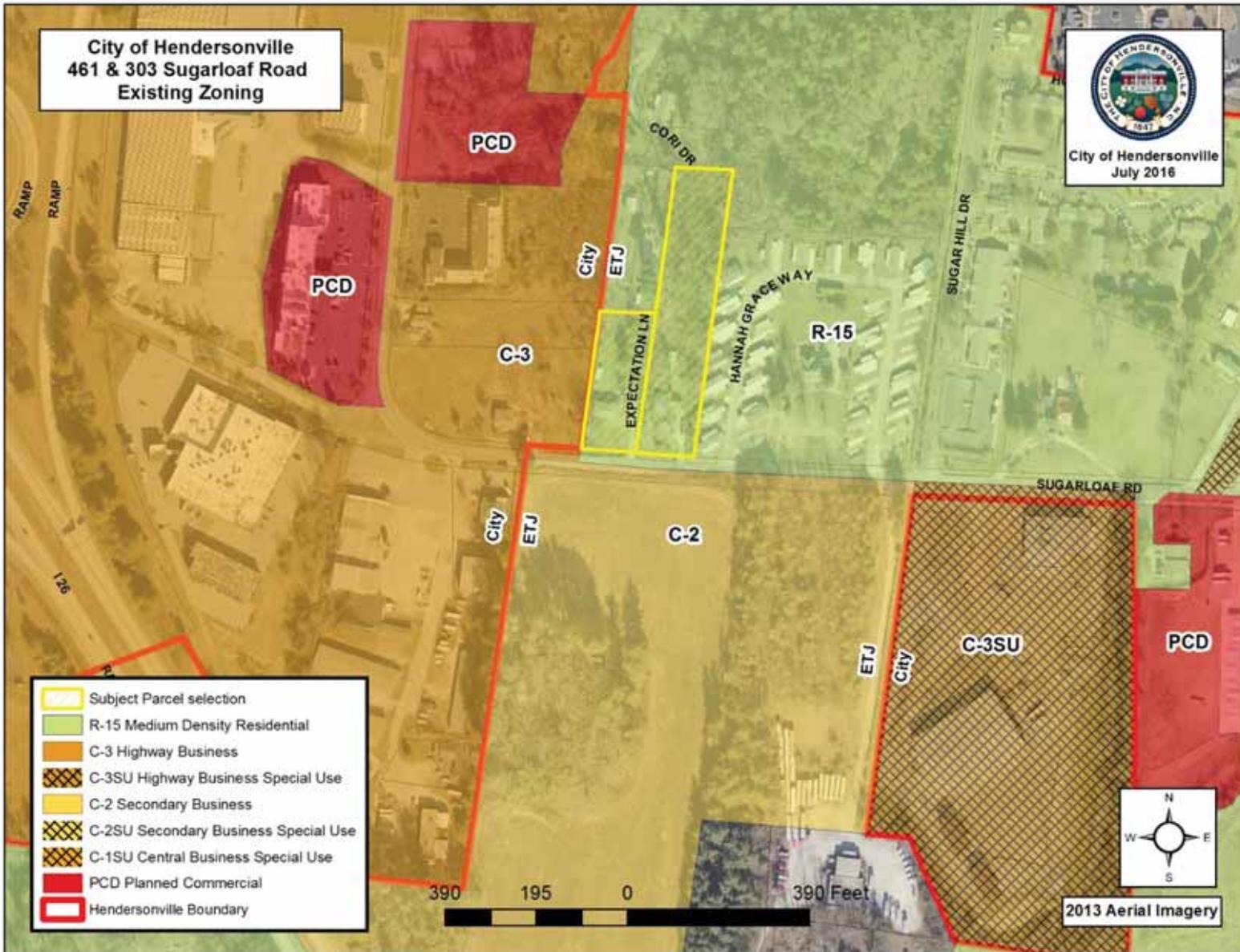
Barbara Volk, Mayor

ATTEST:

Tammie K. Drake, CMC, City Clerk

Approved as to form:

Samuel H. Fritschner, City Attorney





CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Susan G. Frady

Department: Development Asst Dept

Date Submitted: 9-11-16

Presenter: Susan G. Frady

Date of Council Meeting to consider this item: 10-1-16

Nature of Item: Council Action

Summary of Information/Request:

Item # 07

Zoning Text Amendment to allow Equestrian Boarding Facilities as a conditional use in the R-15, Medium Density Residential District with special requirements. Includes the addition of definitions to Section 12-2 of the zoning ordinance for equestrian boarding facilities and equestrian.

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

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

I move the City Council adopt an ordinance amending the City of Hendersonville Zoning Ordinance Section 4-5 Classification of Uses Table 4-5, Section 5-3-2 R-15 Medium Density Residential Conditional Uses, Article VI General Provisions Table 6-5-2 Parking, Section 12-2 Definition of Commonly Used Terms and Words and Article XVI Special Requirements for Certain Uses Section 16-4 Standards pertaining to equestrian boarding facilities.

Attachments:

- Memo
- Map

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Susan Frady, Development Assistance Director

RE: Text Amendment of Section 4-5 Classification of Uses Table 4-5, Section 5-3-2 R15, Medium Density Residential Conditional Uses, Article VI General Provisions Table 6-5-2 Parking, Section 12-2 Definition of Commonly Used Terms and Words and Article XVI Special Requirements for Certain Uses Section 16-4 Standards Pertaining to Equestrian Boarding Facilities

FILE #: P16-21-T

DATE: August 9, 2016

PROJECT HISTORY

In July of 2016, the Development Assistance Department received an application from Molly Hernon for an equestrian boarding facility to be located at 1019 State Street. This property is currently used and has been used for years to board horses. The Hendersonville Little Theatre also previously used this property for many years. The property is zoned R-15, Medium Density Residential. The property is approximately 6.61 acres.

To clarify, staff is suggesting to add a new zoning category called equestrian boarding facilities that will be an integral part of and developed in conjunction with residential developments, including horse ranches, boarding stables and including riding schools by appointment only.

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 "equestrian boarding facilities" as a conditional use subject to special requirements (SR) in the R-15, Medium Density Residential District.

Article V Zoning District Classifications Section 5-3 R-15 Medium Density Residential Zoning District Classification

5-3-2 Conditional Uses. The following use is permitted in the R-15 Medium Density Residential Zoning District Classification only upon issuance of a conditional use permit pursuant to Article X and shall be subject to special requirements contained in Section 16-4.

Equestrian boarding facilities; subject to special requirements contained in Section 16-4, below.

Article VI General Provisions

Table 6-5-2

USES	PARKING SPACE REQUIREMENT
Equestrian boarding facilities	1 per boarding stable

Article XII Definition of Terms

Section 12-2 Definition of Commonly Used Terms and Words

Equestrian: Of or related to horseback riding.

Equestrian boarding facilities: An integral part of and developed in conjunction with residential developments, including: horse ranches, boarding stables and riding schools by appointment only. Barns, stables, corrals and the like are considered accessory and incidental to the foregoing use.

Article XVI Special Requirements For Certain Uses

Section 16-4 Standards. As stated herein, the following standards apply to the indicated use when such use is either a special use, a conditional use or a permitted use subject to special requirements. These standards are in addition to other applicable development standards contained in this ordinance.

Section 16-4 Standards is hereby renumbered as follows:

- 16-4- ~~13~~ 14 Food Pantries
- 16-4- ~~44~~ 15 Golf Driving Ranges
- 16-4- ~~15-16~~ Microbreweries
- 16-4- ~~16~~ 17 Mini-Warehouses
- 16-4- ~~17~~ 18 Nursing Homes
- 16-4- ~~18~~ 19 Private Clubs
- 16-4- ~~19~~ 20 Progressive Care Facilities
- 16-4- ~~20~~ 21 Public Utility Facilities
- 16-4- ~~24~~ 22 Residential Care Facilities
- 16-4- ~~22~~ 23 Rest Homes
- 16-4- ~~23~~ 24 Restaurants
- 16-4- ~~24~~ 25 Schools, Primary & Secondary
- 16-4- ~~25~~ 26 Shelter Facilities
- 16-4- ~~26~~ 27 Telecommunications Towers and Antennas

Section 16-4 Standards is hereby amended as follows:

16-4-13 Equestrian boarding facilities.

- a) The parcel on which an equestrian boarding facility is located on must be a minimum of 5 acres.
- b) All stables, barns and related structures must be set back at least 200 feet from abutting residentially zoned property.
- c) All outdoor facilities shall be constructed to provide adequate drainage to prevent the accumulation of water, mud, debris, excreta or other materials.
- d) The applicant shall be required to establish procedures for the safe and sanitary removal and disposal of animal waste, food waste, and debris and must abide by such procedures.
- e) All areas of the facility must be kept in a clean and sanitary condition at all times.

Planning Board

The Planning Board discussed this matter at its regular meeting of August 8, 2016. The planning board voted as follows:

Recommend City Council adopt an ordinance amending the City of Hendersonville Zoning Ordinance Section 4-5 Classification of Uses Table 4-5, Section 5-3-2 R-15 Medium Density Residential Conditional Uses, Article VI General Provisions Table 6-5-2 Parking, Section 12-2 Definition of Commonly Used Terms and Words Article XVI Special Requirements for Certain Uses Section 16-4 Standards pertaining to equestrian boarding facilities. The Planning Board added an additional definition for equestrian. The vote was unanimous.

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 4-5, Section 5-3-2 R-15 Medium Density Residential Conditional Uses, Article VI General Provisions Table 6-5-2 Parking, Section 12-2 Definition of Commonly Used Terms and Words and Article XVI Special Requirements for Certain Uses Section 16-4 Standards pertaining to equestrian boarding facilities.

[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 4-5, Section 5-3-2 R-15 Medium Density Residential Conditional Uses, Article VI General Provisions Table 6-5-2 Parking, Section 12-2 Definition of Commonly Used Terms and Words and Article XVI Special Requirements for Certain Uses Section 16-4 Standards pertaining to equestrian boarding facilities with the following modifications.

[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 4-5, Section 5-3-2 R-15 Medium Density Residential Conditional Uses, Article VI General Provisions Table 6-5-2 Parking, Section 12-2 Definition of Commonly Used Terms and Words and Article XVI Special Requirements for Certain Uses Section 16-4 Standards pertaining to equestrian boarding facilities.

[PLEASE STATE YOUR REASONS]

AN ORDINANCE AMENDING SECTION 4-5 CLASSIFICATION OF USES TABLE 4-5, SECTION 5-3-2 R-15 MEDIUM DENSITY RESIDENTIAL CONDITIONAL USES, ARTICLE VI GENERAL PROVISIONS TABLE 6-5-2 PARKING, SECTION 12-2 DEFINITION OF COMMONLY USED TERMS AND WORDS, AND ARTICLE XVI SPECIAL REQUIREMENTS FOR CERTAIN USES SECTION 16-4 STANDARDS PERTAINING TO EQUSTRIAN BOARDING FACILITIES

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

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

WHEREAS, the City of Hendersonville understands the need to serve all members of the community, and

WHEREAS, the City of Hendersonville supports organizations that supply services to those in need, and

WHEREAS, the City of Hendersonville desires to amend those regulations with regards to equestrian facilities.

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 "equestrian boarding facilities" as a conditional use subject to special requirements (SR) in the R-15 Zoning District.

2. Article V Zoning District Classifications, Section 5-3-2 R-15 Medium Density Residential Conditional Uses is hereby amended to include the following permitted use:

Equestrian boarding facilities, subject to the special requirements contained in Section 16-4, below.

3. Article VI General Provisions Section 6-5 Off-Street Parking Table 6-5-2 is hereby amended to include the following parking requirements:

USES	PARKING SPACE REQUIREMENT
<u>Equestrian boarding facilities</u>	<u>1 per boarding stable, 1 per each 3 persons allowed in the exhibition area plus 1.5 per each dwelling unit.</u>

4. Article XII Definition of Terms Section 12-2 Definition of Commonly Used Terms and Words is hereby amended to include the following definition:

Equestrian: Of or related to horseback riding.

Equestrian Boarding Facilities: An integral part of and developed in conjunction with residential developments, including: horse ranches, boarding stables and riding schools by appointment only. Barns, stables, corrals and the like are considered accessory and incidental to the foregoing use.

Article XVI Special Requirements For Certain Uses Section 16-4 Standards is hereby renumbered as follows:

- 16-4- ~~13~~ 14 Food Pantries
- 16-4- ~~44~~ 15 Golf Driving Ranges
- 16-4- ~~45-16~~ 16 Microbreweries
- 16-4- ~~46~~ 17 Mini-Warehouses
- 16-4- ~~17~~ 18 Nursing Homes
- 16-4- ~~48~~ 19 Private Clubs
- 16-4- ~~49~~ 20 Progressive Care Facilities
- 16-4- ~~20~~ 21 Public Utility Facilities
- 16-4- ~~24~~ 22 Residential Care Facilities
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- 16-4- ~~24~~ 25 Schools, Primary & Secondary
- 16-4- ~~25~~ 26 Shelter Facilities
- 16-4- ~~26~~ 27 Telecommunications Towers and Antennas

5. Article XVI Special Requirements For Certain Uses Section 16-4 Standards is hereby amended to include the following uses and special requirements:

16-4-13 Equestrian Boarding Facilities.

- a) The parcel on which an equestrian boarding facility is located on must be a minimum of 5 acres.
 - b) All stables, barns and related structures must be set back at least 200 feet from abutting residentially zoned property.
 - c) All outdoor facilities shall be constructed to provide adequate drainage to prevent the accumulation of water, mud, debris, excreta or other materials.
 - d) The applicant shall be required to establish procedures for the safe and sanitary removal and disposal of animal waste, food waste, and debris and must abide by such procedures.
 - e) All areas of the facility must be kept in a clean and sanitary condition at all times.
8. Any person violating the provisions of this ordinance shall be subject to the penalties set forth in Section 9-8 of the Zoning Ordinance.
9. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.
10. 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.
11. 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.

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

Adopted this _____ day of _____, 2016

Barbara Volk, Mayor

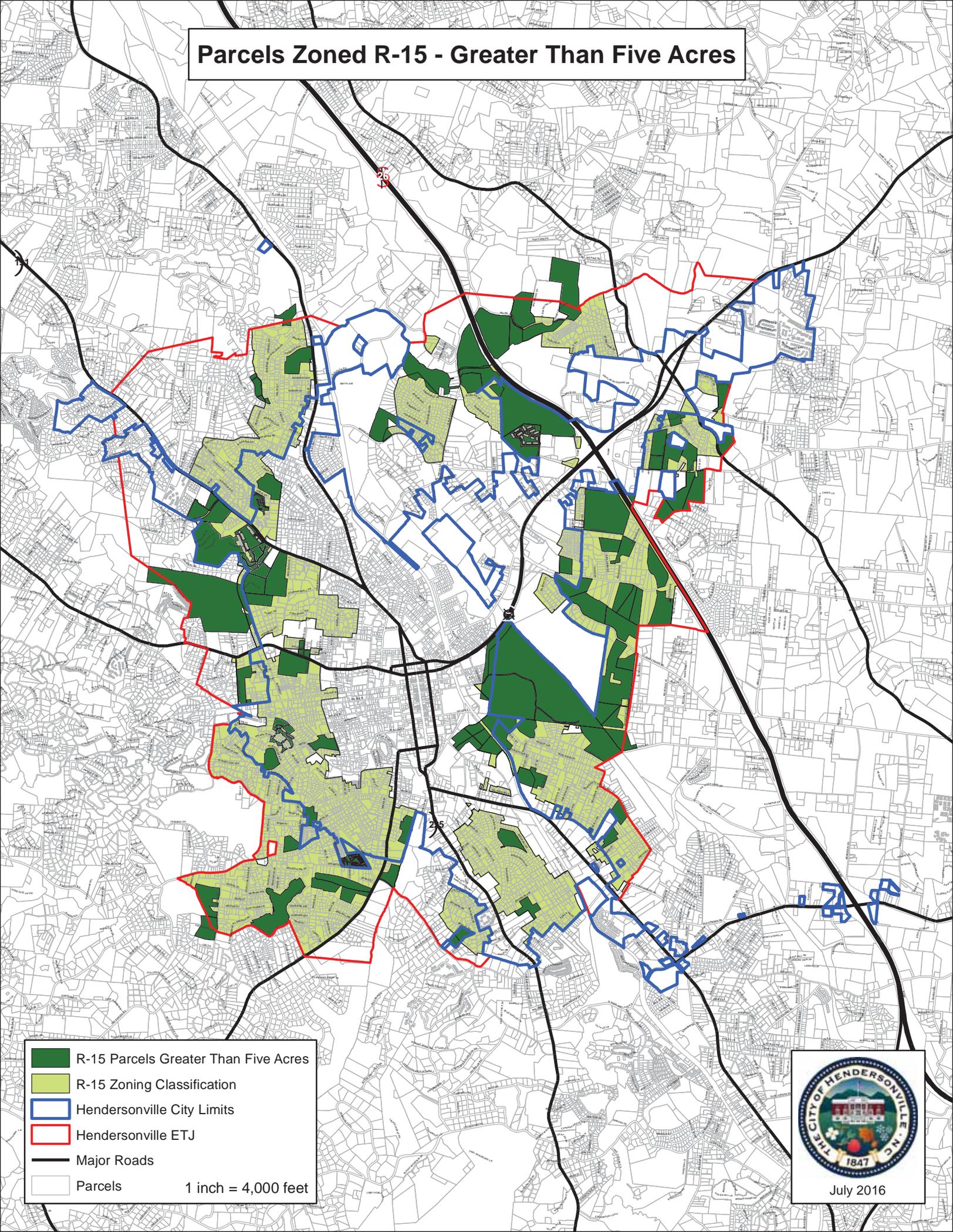
Attest:

Tammie K. Drake, CMC, City Clerk

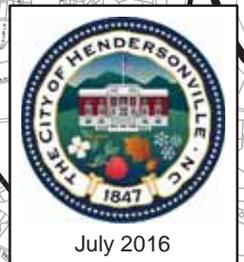
Approved as to form:

Samuel H. Fritschner, City Attorney

Parcels Zoned R-15 - Greater Than Five Acres



-  R-15 Parcels Greater Than Five Acres
 -  R-15 Zoning Classification
 -  Hendersonville City Limits
 -  Hendersonville ETJ
 -  Major Roads
 -  Parcels
- 1 inch = 4,000 feet





CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Brent Detwiler

Department: Engineering

Date Submitted: 8/24/16

Presenter: Brent Detwiler

Date of Council Meeting to consider this item: 9/1/16

Nature of Item: Council Action

Summary of Information/Request:

Item # 08

Bid Award for US Highway 64 Sidewalk Improvements Project

The Engineering Department is opening bids for the US Highway 64 Sidewalk Improvements Project, which is being funded through the FTA's New Freedom Grant. The work generally consists of the installation of approximately 1,000 linear feet of new concrete sidewalk, curb and gutter, stormwater piping and structures, asphalt pavement, curb ramps, street trees, retaining wall, pedestrian crosswalk and signals and all appurtenances, along US Highway 64.

The bid opening is scheduled for Friday, August 26. Since the bid opening is after the date when agenda items are due, City Staff will review each bid for completeness and accuracy, and make an award recommendation at the September 1, 2016 City Council Meeting. This information will be made available by August 30 for review prior to the Meeting. Please let me know if you have any questions or require additional information regarding this project.

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

There has been a capital project fund established for this project.

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

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

Attachments:

A Bid Tabulation will be provided at the City Council meeting



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Brent Detwiler

Department: Engineering

Date Submitted: 8/24/16

Presenter: Brent Detwiler

Date of Council Meeting to consider this item: 9/1/16

Nature of Item: Discussion/Staff Direction

Summary of Information/Request:

Item # 09

N Main Street Sidewalk Improvements - Preliminary Engineering Report Summary & Discussion

The N Main Street Sidewalk Improvements Preliminary Engineering Report was presented and discussed at the August 4, 2016 City Council Meeting. Staff was asked to review the options and estimates and provide a recommendation to Council. After reviewing the options and the advantages and disadvantages associated with each, staff offers the following recommendation:

- Installation of sidewalks on the west side of N Main Street from Ocain Court to the railroad tracks/greenway spur (Area 1, Option 1A in the report) and on the east side of N Main Street from Phase 3 of the Oklawaha Greenway to the Oklawaha Village development (Area 3, Options 2 in the report). This combination of segments totals 3,000 linear feet of sidewalk with a bridge over Mud Creek and is expected to cost approximately \$720,000. Please note that Area 2 is not recommended to be included in the project because of its relative lack of benefit to pedestrians. Also note that this will allow enough bond funding for the Blythe Avenue (from 3rd to 5th) sidewalk project. A map and cost estimate is attached for your reference.

If Council is in agreement, staff will have Mattern and Craig complete a detailed design and bid the construction project. Please let me know if you have any questions.

Budget Impact: \$ 720,000.00 Is this expenditure approved in the current fiscal year budget? Yes If no, describe how it will be funded.

Project is being funded as part of the 2008 Sidewalk Bond Fund.

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

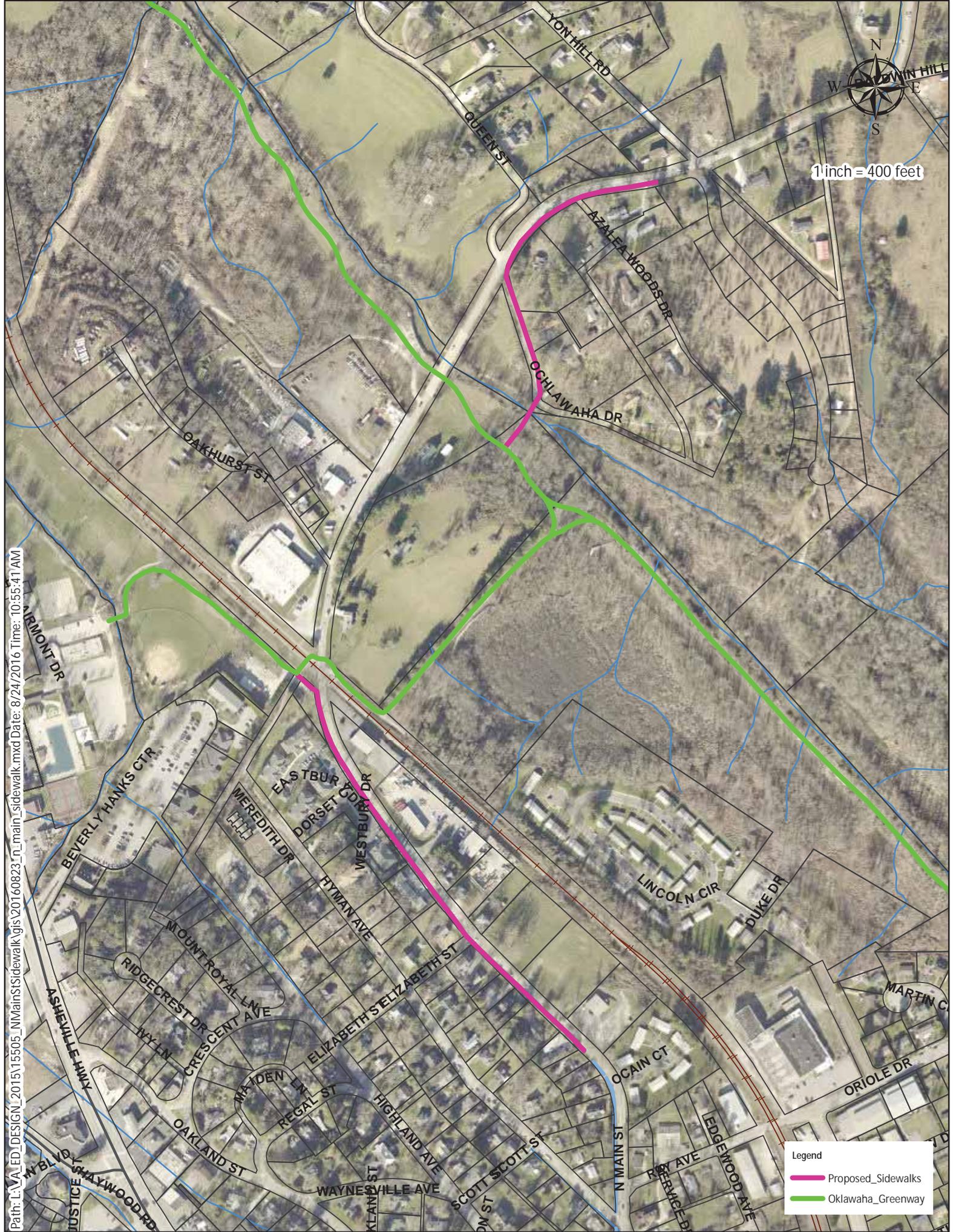
N/A

Attachments:

- Map of recommended N Main Street Sidewalk Improvements project.
- Project Cost Estimate



1 inch = 400 feet



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Legend

- Proposed Sidewalks
- Oklawaha Greenway

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

OPINION OF PROBABLE COST

PROJECT: N Main Street Sidewalk
 Improvements - Options

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

PREPARED BY:
 Brent Detwiler, PE

REVIEWED BY:
 Brent Detwiler, PE

Project No. 15505

	OPTION	DESCRIPTION	EST. QUAN	UNIT	TOTAL
Area 1 - Ocain Court to Railroad Tracks					
<input checked="" type="checkbox"/>	1A	West Side of N Main St, Functional, Grading/Retaining Walls, Pole Relocation, Storm Drainage (Figure 1)	1	LS	\$ 288,989.00
<input type="checkbox"/>	1B	West Side of N Main St, Extension up Elizabeth Street & Hyman Avenue, Steeper Grades, Pole Relocation (Figure 2)	1	LS	\$ -
<input type="checkbox"/>	2A	East Side of N Main St, Additional Pedestrian Crossing of N Main, Industrial/Commercial, Less Residential Connection, Tree Removal, Storm Drainage, Pole Relocation (Figure 3)	1	LS	\$ -
<input type="checkbox"/>	2B	East Side of N Main St, Additional Pedestrian Crossing of N Main, Less Residential Connection, Tree Removal (Figure 4)	1	LS	\$ -
<input type="checkbox"/>	3	Combination of 1A & 2A, East and West Side of N Main, Additional Pedestrian Crossing, Pole Relocation, Storm Drainage, Tree Removal (Figure 5)	1	LS	\$ -
Area 2 - Railroad Tracks to Oklawaha Greenway Phase 3					
<input type="checkbox"/>	1	West Side of N Main St, Industrial/Commercial, Wide Driveways, Grading/Retaining Walls, Storm Drainage (Figure 6)	1	LS	\$ -
<input type="checkbox"/>	2	East Side of N Main St, More Pleasant Pedestrian Experience, Grading/Retaining Walls, Storm Drainage (Figure 7)	1	LS	\$ -
<input type="checkbox"/>	3	Combination of 1 & 2, East & West Side of N Main St, Grading/Retaining Walls, Storm Drainage (Figure 8)	1	LS	\$ -
Area 3 - Oklawaha Greenway Phase 3 to Yon Hill Road					
<input type="checkbox"/>	1	250' Pedestrian Bridge, FEMA Stream Study/No Rise, Storm Drainage (Figure 9)	1	LS	\$ -
<input checked="" type="checkbox"/>	2	80' Pedestrian Bridge, CLOMR/LOMR Required, Storm Drainage (Figure 10)	1	LS	\$ 427,812.00
TOTAL PROJECT COST					\$ 716,801.00
TOTAL AVAILABLE SIDEWALK BOND FUNDS					\$ 915,000.00
<u>ESTIMATED BLYTHE STREET (3rd to 5th AVE) CONSTRUCTION COST</u>					\$ 100,000.00
TOTAL REMAINING FUNDS					\$ 98,199.00
Notes: <ul style="list-style-type: none"> Opinion of Probable Cost Estimates are based on recent unit prices provided by contractors and may not reflect actual bid prices. Unit prices can change significantly based on the scale of work and other factors. Quantity estimates were based on field measurements, to-scale aerial photography, CAD measurements and engineers' approximations. The precision of quantities should be considered an approximation and should be verified prior to issuing contracts with contractors. 					



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: John Connet

Department: Admin

Date Submitted: 8/24/16

Presenter: John Connet

Date of Council Meeting to consider this item: 9/1/2016

Nature of Item: Discussion/Staff Direction

Summary of Information/Request:

Item # 10

City staff has recently had a discussion with an individual who is interested in making a donation to the City of Hendersonville for the construction of the playground at Berkeley Mills Park. This individual asked if a plaque could be erected to recognize the contribution. In addition to this particular request, several of us have privately discussed the possibility of soliciting private donations to support the development of Berkeley Mills Park. I would like to have a discussion with the City Council regarding your feelings about the following:

1. Soliciting funds for the development of Berkeley Park
2. Establishing a naming policy to recognize individual contributors.

I have attached a couple of naming policies for your review.

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

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

Attachments:

Examples of Naming/Recognition Policies

DONOR RECOGNITION PLAN

FLAT ROCK PARK AND RECREATION FOUNDATION, INC.

Adopted FRPRF Board 2/19/15 (Executive) and 3/9/15 (Board)

Accepted by Village Council 3/30/15

Revised by FRPRF Board 7/13/15 (Section 2, Physical Forms of Signage)

BACKGROUND:

Donor Recognition Plans should include:

1. A statement of the basic philosophy of donor recognition opportunities consistent with the adopted park mission, purposes, and plans
2. Procedure for thanking different levels of donors
3. Hierarchy of donor levels and the appropriate recognition for each level
4. Forms and locations of in-park recognition
5. Forms of recognition that are appropriate to provide at events
6. Criteria for donor recognition boards, walls, plaques and displays in the park including the location, minimum thresholds for recognition and length of time the donor wall will be in place
7. Conditions under which donors/donations or partners will be recognized

Why do we need a donor recognition/acknowledgment plan?

- Make donors feel sincerely thanked for their generosity and support
- Provide our donors with the public recognition that they desire and value, with their approval
- Inspire these same donors to give again – at higher and higher levels of support
- Deepen donor commitment to and understanding of our mission and organization
- Encourage or challenge other donors or potential donors to match the giving of their peers
- Set benchmarks for giving to our organization
- Reinforce a culture of philanthropy, rather than setting a tone of quid pro quo

THE RECOGNITION PLAN:

Donors to FRPRF will be amply recognized for their support and generosity. Our recognition plan is based on the belief that every donor is a partner in helping make the dream of an extraordinary park possible, and deserves to be kept informed and engaged in the progress and development of the Park.

The FRPRF may accept donations from individuals, families, organizations, foundations, corporations, businesses, associations and other entities. FRPRF may accept donations of *cash*, securities (common stocks, preferred stocks, bonds), real property (land and improvements), or interests in real property, facilities, related use art and in-kind goods or services. All donations must be approved by the FRPRF.

FRPRF will undoubtedly receive estate and planned gifts as the Park is completed and the community becomes more aware and involved. The FRPRF will accept distributions from the estates of generous donors who will want the park to endure for years to come. The FRPRF may accept unrestricted bequests, and unless otherwise needed for park operations and maintenance, a minimum of 50% of the unrestricted bequest will be placed in the General Endowment, and unless otherwise authorized by the FRPRF Board, will only utilize the income as allowed by the Investment Policy of the Foundation. Restricted or special purpose endowment funds may be established by donors with a minimum gift of \$10,000; such funds will be managed as outlined in the Foundation's investment policy and income used annually as the fund's purpose indicates and as allowed by the Investment Policy.

The following provides a framework for publicly acknowledging donors to the FRPRF in an appropriate and tasteful, non-obtrusive and non-commercial manner consistent with the mission of the Park at Flat Rock and the Village of Flat Rock.

The Flat Rock Park and Recreation Foundation, Inc. donor recognition program includes the following:

1. Ongoing Donor Acknowledgement Activities

- Timely receipts and letters of acknowledgment for all donations received. All donations, regardless of amount, will receive a written acknowledgement of their gift normally within 48 hours of receipt. In addition, Electronic gifts may also be recognized with an electronic communication.
- Letters of acknowledgement may be sent from the President of the Foundation and, where advisable, the Mayor of the Village of Flat Rock and appropriate Foundation Board Members for major gifts and grants (\$1,000 or more).

- Publicity: news releases and articles in public media, and articles in FRPRF and VFR publications, to acknowledge major gifts and grants (\$2,500 or more), with the donor's permission.
- Special donor appreciation events (receptions, dinners, etc.) to acknowledge and thank donors either individually or in groups
- Mementos and certificates presented to donors for their own off-site display and enjoyment (\$?? or more) □ Publication of donors names in:
 - FRPRF and VFR publications (including annual reports, all donors) ○ Public print media (occasional recognition ads, donor \$10,000+)
 - Temporary Donor Wall listing corporate donors (\$2,500+) and individual donors (\$2,500+) to be displayed until the Donor Recognition Wall is completed ○ FRPRF and VFR Websites (donors of \$1,000+)
 - Programs at special public or campaign events (various levels depending on the event)

2. Physical Forms of Major Donor Recognition at The Park at Flat Rock

- Recognition of capital contributions for preservation, rehabilitation, or construction of park buildings/structures or sites may be provided by donor recognition plaques, on-site donor boards, or other forms of recognition, when circumstances warrant, as determined by the Park Manager. Generally, it will be desirable to focus donor recognition for capital projects at the welcome center. When on-site recognition is a key factor in successful project accomplishment, however, recognition of donors may be appropriate at both the project location and the welcome center. The duration and kind of on-site donor recognition (e.g. displaying a recognition plaque stating that the work done on the building was "made possible through a generous donation from XYZ") will be considered on a case-by-case basis. *It is recommended by the Foundation Board that permanent plaques and visible recognition of donor gifts be erected when gifts and pledges are fully completed and paid. Temporary marketing signage will be allowed.*
- Donor Recognition Wall at The Park at Flat Rock Or Welcome Center
A distinctive, non-obtrusive wall listing donors of significant gifts (the wall will be on display for a minimum of fifteen years), cumulative gifts of \$2,500 and higher. A strategic, highly visible location and design will be determined with the architect, Park Advisory Board and the FRPRF. (During the design and construction period there will be temporary signage displaying donors at these levels.)
Corporations, businesses, or foundations whose cumulative contributions to FRPRF exceed \$2,500 will receive 15 years' recognition (or for the life cycle of the facility, whichever is longer).

- Donor Recognition on facilities and trails: gift levels for naming have been established for facilities and trails within the Park (addendum #1). These names will remain on the specific locations for 15 years or the life cycle of the building whichever is longer. Plaques with a donors name will be placed in an appropriate location on the building near the entrance of specific facilities. The style, design of such plaques will be determined by the PAB and FRPRF. If consensus does not occur the Village Council will make the determination.
- Donor recognition on trails or trail segments will be placed at the beginning of the specific trail or trail intersections. These donor trail signs should be in keeping with the nature and purpose of the Park.

3. Special Event Recognition

FRPRF fundraising may include special public events that are underwritten by donors or sponsors. They would be acknowledged publicly at the events via such means as banners, posters, signs, printed T-shirts and attire, printed programs and flyers, and audiovisual presentations. *Such sponsorships or underwriting will be recognized in line with IRS requirements.* Donor logos and script would be invited for such recognitions. These events may occur on Park property

No form of product or service advertising or marketing, explicit or implied, would be permitted in any donor recognition. Donor logos and script would be permitted in some donor recognition articles and ads, but they will not be included in donor listings at the Park to include but not be limited to the donor wall, website, plaques etc. Donor logos and script will not be used where it could be inferred that the FRPRF is endorsing a company or product.

Requests by donors for anonymity would be respected in all cases.

Gift level	\$0-\$499	\$500-\$999	\$1,000-\$2,499	\$2,500-\$4,999	\$5,000-\$9,999	\$10,000-\$24,999	\$25,000-\$49,999	\$50,000+
Acknowledgement letter	x	x	x	x	x	x	x	x
Listing in Annual report	x	x	x	x	x	x	x	x
Newsletters/ e-newsletter	x	x	x	x	x	x	x	x
Handwritten Thank You note	x	x	x	x	x	x	x	x
Phone call from appropriate leadership			x	x	x	x	x	x
Listing on FRPRF and VRF website	x	x	x	x	x	x	x	x
Invite to Donor recognition events		x	x	x	x	x	x	x
Donor wall at park				x	x	x	x	x
Naming Ops within Park			x	x	x	x	x	x
Announcement in local paper			x	x	x	x	x	x

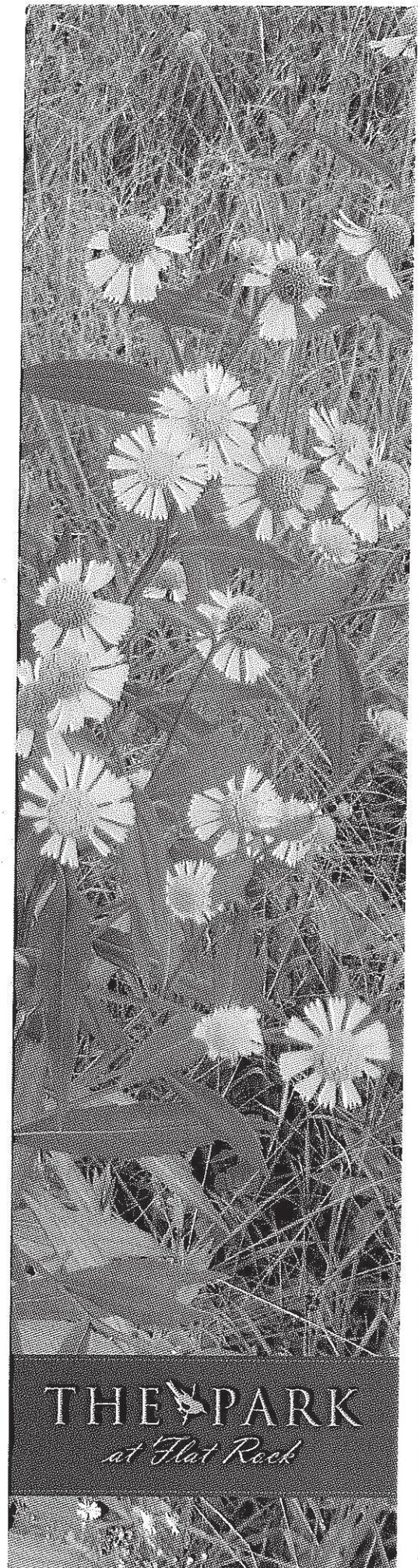
1/9/2015 Maureen Adams, Director of Development FRPRF v.1
1/10/2015 Myra Grant review and edits v.2
1/12/2015 Maureen Adams v.3
2/19/15 Executive Committee v.4
3/25/15 Mayor Bob Staton/Terry Hicks/Maureen Adams v. 5
3/30/15 Village Council acceptance v
7/13/15 Revised by FRPRF Board (Section 2, Physical Forms of Signage)

NAMING OPPORTUNITIES

Park	NOT AVAILABLE
Playground	\$150,000
Parking Court	\$50,000
Courtyard	\$100,000
Large Pavilion	\$75,000
Welcome Center	\$175,000
Welcome Center Terrace	\$35,000
Welcome Center Deck	TAKEN
Perimeter Trail	\$75,000
Small Pavilions (2) each	\$30,000
Amphitheater	TBD
Wetland Boardwalks (2) each	\$25,000
Marsh Boardwalk	\$25,000
Interpretive Center	\$40,000
New Entrance: sign, gate, rock feature, landscaping	TBD
Security System	\$50,000
Observation Deck (2) each	\$10,000
Small Shelter (3) each	\$10,000
Bridges (6) each	\$5,000
Information Kiosk	TAKEN
Street Lights (5) each	\$2,000
Flag Pole (1)	\$2,500
Bike Racks (4) each	\$1,000

Dedication/Memorial Options

Trail Section Identified	\$5,000-\$15,000
Courtyard Benches (30) each	\$2,500
Trail Benches	\$2,000
Picnic Tables (16) each	\$2,500
Plant A Tree	TBD



THE PARK
at Flat Rock



RECREATION & PARKS FACILITIES NAMING RIGHTS POLICY

The City Of Clinton will seek sponsors to further its mission by providing monetary or in-kind support for the city facilities. The City of Clinton recognizes that the public trust and perception of its impartiality may be damaged by sponsorships that are aesthetically displeasing, politically oriented, or offensive to segments of its citizenry. When the city loses public trust and public perception of impartiality, its ability to govern effectively in the interest of its citizens is impaired. Therefore, the City of Clinton permits private sponsorship of government programs or services in limited circumstances as a means to generate funds for improving or expanding those facilities and services. The City of Clinton maintains its sponsorship program as a nonpublic forum and exercises sole discretion over who is eligible to become a sponsor according to the terms of this policy.

Whenever possible, sponsorships should be linked to specific activities, events, programs, or facilities. The City of Clinton will not seek nor accept sponsors that manufacture products or take a position that is inconsistent with local, state, or federal law or with the City of Clinton policies, positions, or resolutions. The establishment of a sponsorship agreement does not constitute an endorsement by the City of Clinton of the sponsor's organization, products, or services.

Definition of Term

"Sponsorship" is the right of an external entity (for profit or non-profit) to associate its name, products, or services with the City of Clinton's programs, facilities, or name. Sponsorship is a business relationship in which the City of Clinton and the external entity exchange goods, services, and donations for the public display of a message on City property acknowledging private support.

A) Authority of Structure for Review and Approval

The City of Clinton possesses sole and final decision-making authority for determining the appropriateness of a sponsorship relationship and reserves the right to refuse any offer of sponsorship. Sponsorship agreement proposals will be reviewed according to the following procedures and guidelines:

- All sponsorships shall be approved in consultation with the Office of the City Attorney.
- Sponsorship agreements projected to generate **\$10,000** or more shall require the written approval of the City Council.

B) Criteria for Proposal Review



RECREATION & PARKS FACILITIES NAMING RIGHTS POLICY

Proposals for sponsorship of the City of Clinton programs or facilities shall be reviewed on the basis of a draft memorandum of understanding that clearly outlines the forms of support offered by the sponsor and the recognition to be given by the City of Clinton. A memorandum of understanding shall be created for each sponsorship relationship. It shall detail the following information at a minimum:

- Activities, products, and services of the private entity and its subsidiaries
- Benefits to be given to the proposed sponsor by the City of Clinton, and the estimated monetary value of those benefits
- Benefits to be given to the City of Clinton by the sponsor and the estimated monetary value of those benefits
- Prominence of the proposed public recognition of support
- Content of the proposed public recognition of support
- Duration of the proposed public recognition support
- Conditions under which the sponsorship agreement will be terminated

The City of Clinton recognizes that entering into a sponsorship agreement with an external entity does not constitute an endorsement of the entity or its services and products but does imply an affiliation. Such affiliation can affect the reputation of the City of Clinton among its citizens and its ability to govern effectively.

Therefore, any proposal for sponsorship of a City of Clinton program or facility in which the involvement of an outside entity compromises the public's perception of the City's neutrality or its ability to act in the public interest will be rejected. The City of Clinton shall consider the following criteria before entering into a sponsorship agreement:

- Extent and prominence of the public display of sponsorship
- Aesthetic characteristics of the public display of sponsorship
- Importance of the sponsorship to the mission of the City of Clinton
- Level of support provided by the sponsor



RECREATION & PARKS FACILITIES NAMING RIGHTS POLICY

- Cooperation necessary from other City of Clinton departments needed to implement sponsorship

The City of Clinton shall consider the following criteria before entering into a sponsorship agreement:

- Inconsistencies between the City of Clinton policies or practices of the potential sponsor
- Other factors that might undermine public confidence in the City of Clinton's impartiality or interfere with the efficient delivery of the City of Clinton services or operations, including, but not limited to, current or potential conflicts of interest between the sponsor and the City of Clinton employees, officials, or affiliates; and the potential for the sponsorship to tarnish the City's standing among its citizens or otherwise impair the ability of the City of Clinton to govern its citizens.

C) Permissible Sponsors and Message Content

Sponsorships on the City of Clinton property are maintained as a nonpublic forum. The City of Clinton intends to preserve its rights and discretion to exercise full editorial control over the placement, content, appearance, and wording of sponsorship affiliations and messages.

The City of Clinton may make distinctions on the appropriateness of sponsors on the basis of subject matter of a potential sponsorship recognition message. The City of Clinton will not deny sponsorship opportunities on the basis of the potential sponsor's viewpoint. Sponsorship from an organization that is engaged in any of the following activities, that has a mission of supporting any of the following subject matters, or that, in the sole discretion and judgment of the authorized representation of the City of Clinton, is deemed to be unsuitable for and contrary to community standards of appropriateness for government publications, shall be prohibited on any City of Clinton property.

- Promotion or the sale or consumption of alcoholic beverages, or promotion of establishments that are licensed to sell and primarily do sell alcoholic beverages, including bars, provided, however, that food service establishments or places of lodging may be authorized only when the selling of alcohol is incidental to providing food service or lodging.
- Promotion of the sale or consumption of tobacco products
- Promotion of the sale of birth control products or services



RECREATION & PARKS FACILITIES NAMING RIGHTS POLICY

- Commentary, advocacy, or promotion of issues, candidates, and campaigns pertaining to political elections
- Deception in any form of profanity or obscenity, or promotion of sexually oriented products, activities, or materials
- Promotion of the sale or use of firearms, explosives, or other weapons, or glorification of violent acts
- Promotion or depiction of illegal products, or glorification of illegal products, activities or materials

D) Permissible Recognition Messages

Sponsorship recognition messages may identify the sponsor but should not promote or endorse the organization or its products or services. Statements that advocate, contain price information or an indication of associated savings or value, request a response, or contain comparative or qualitative descriptions of products, services, or organizations will not be accepted. Only the following content will be deemed appropriate:

- The legally recognized name of the advertising organization.
- The advertiser's organizational slogan if it identifies rather than promotes the organization or its products or services.
- The advertiser's product or service line, described in brief, generic, objective terms. Generally, only one product or service line may be identified.
- Brief contact information for the advertiser's organization, such as phone number, address, or internet website. Contact information must be stated in a manner that avoids implication of urging the reader to action.

The City of Clinton will not make any statements that directly or indirectly advocate or endorse a sponsor's organization, products or services. No materials or communications including, but not limited



RECREATION & PARKS FACILITIES NAMING RIGHTS POLICY

to, print, video, internet, broadcast, or display items developed to promote or communicate sponsorship using the City of Clinton's name, marks, or logo, may be issued without the written approval from the City of Clinton, City Manager, and attorney.

E) Recognition for Naming Public Facilities in Whole or for a Portion Thereof:

Recognition for a group of individual donors to a public facility shall be, whenever possible, in the form of a single bronze plaque, displayed in an appropriate location as determined by staff. The policy recognizes that there may be occasions where multiple plaques may be required as well as the use of a different recognition material within the same facility due to the nature of the contributions or décor within the facility, such as meeting room, should be honored with a small bronze plaque adjacent or above the door jam or other similar location.

Recognition for park facilities may also be in the form of site signage. The decision concerning type, design and size of site signage shall rest with the City Manager and must blend with and compliment the park environment as well as adhere to all City of Clinton sign standards as found in the applicable Cities Subdivision Ordinance. The cost of naming the facility will be based on guidelines set further in this instruction and approved by City Council.

F) Appeals for Rejecting Suggested Naming of Public Facilities in Whole, for a Portion Thereof, or for Disagreement Regarding Appropriate Recognition:

Any person or organization whose application is denied by the staff may appeal the decision in writing to the City Council. The City Council's decision shall be binding.

G) Other Naming Alternatives

Public facilities that are donated to the City can be named by deed restriction by the donor. The naming and acceptance of real property is always subject to the approval of the City Council.

H) Process for Considering the Naming of Public Facilities in Whole or a Portion Thereof for Major Donors:

Staff shall first evaluate the prospective donor and make a recommendation to the City Council to accept or reject the proposal. Rejection of a proposal is subject to the Appeals Process in Section "F" above. If the recommendation is to accept, the staff shall provide the City Council a report that highlights the nature of the donation and a draft agreement that includes items found below.



RECREATION & PARKS FACILITIES NAMING RIGHTS POLICY

The City Council will then consider the agreement and reserves the right to accept or reject the agreement based on the terms of the agreement and/or based on the suitability of the proposed donor. The City Council ultimately reserves the right to accept or reject any proposal as it deems fit. The City Council's decision shall be binding.

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

1. Amount of contribution to be in cash and/or in kind service.
2. A date by which the contribution must be received.
3. A starting date and ending date as to when the naming rights begin and end.
4. A first right of refusal to renew the agreement by the contributor should be included with a clause that the determination whether to extend the first right of refusal offer is exclusively reserved by the City at the conclusion of the naming rights agreement.
5. Provision for cancellation of naming rights in the event the entity ceases business operations or becomes involved in an activity that is deemed unsuitable by the City, shall retain all contributions in this provision.

I) Rates

The proposed **rate and payment period** for naming rights to each site is as follows:

- Baseball Fields **\$80,000** each field for a period of 8 years (or **\$10,000/yr.**)
- Baseball Main Field (Stadium Field) **\$95,000** for a period of 8 years (or **\$11,875/yr.**)
- Baseball Complex **\$250,000** for a period of 8 years (or **\$31,250/yr.**)
- Soccer Fields **\$80,000** for a period of 8 years (or **\$10,000/yr.**)
- Soccer Main (Stadium) Field **\$100,000** for a period of 8 years (**\$12,500/yr.**)
- Soccer Complex **\$200,000** for a period of 8 years (or **\$25,000/yr.**)
- Regulation Tennis Courts **\$20,000** each set of courts (2 courts/set) for a period of 8 years (or **\$2,500/yr.**)
- U8 Tennis Courts **\$15,000** each set of courts (4 courts/set) for a period of 8 years (or **\$1,875/yr.**)
- Gymnasium **\$160,000** each for a period of 8 years (or **\$20,000/yr.**)



RECREATION & PARKS FACILITIES NAMING RIGHTS POLICY

- Walking trails **\$30,000** each trail leg for a period of 8 years (or **\$3,750/yr.**)
- Playgrounds **\$25,000** each playground for a period of 8 years (or **\$3,125/yr.**)
- Picnic Shelters **\$16,000** each shelter for a period of 8 years (or **\$2,000/yr.**)

J) Outfield Fence Signs

Scope of Operation: Utilization of field fencing to promote local businesses while improving the finances that will be used to enhance and develop the park/baseball/softball facilities.

- **Cost:**
 - **\$200** plus printing cost first year (reprinting due to vandalism will not be charged)
 - **\$150** plus printing cost second and subsequent years (reprinting due to vandalism will not be charged)
- **Sign Type:** Corrugated with white background
- **Text:** 3" and larger COPPERPLATE GOTHIC BOLD
- **Size:** 4' by 8'
- **Location/placement** along outfield fence
- **Verbiage:** No derogatory, offensive or profanity remarks or insults either direct or indirect
- **Restricting Businesses:** Tobacco, alcohol, and adult business advertising and promotion are prohibited. Promotion of political candidates, politician or campaigns is also prohibited.
- **Approval:** All wording, logos, color schemes, and pictures must be submitted for approval. City Council has the authority to refuse any of the criteria items without specific reasons.
- **Term:** April 1 through March 31 (each year). Signs may be removed and stored after each season to prevent wear and tear.
- **Renewal Period:** There will be a 7% renewal discount if full payment is made before the end of January within the same calendar year in which the advertisement period would start. All other payments in full must be received no later than the last business day prior to the start date. If payment is not received by the deadline, any advertisement not paid for will be removed on or soon after the next business day. If a sign is taken down, then the placement of the sign will be subject to be rented out to the next available or interested party. If the canceled client makes full payment, they will be placed on a waiting list or if their previous section is not taken, they may be placed back in the previous location.



RECREATION & PARKS FACILITIES NAMING RIGHTS POLICY

- **Vandalism** – The City agrees to replace any signage that has been vandalized. No additional cost will be required of the sponsor.

K) Park/Facility Naming Rights:

Naming Rights for Recreational Complexes:

- Payment in full = 10% discount
- Payment over 8 year time span = no discount
- Lifetime naming rights if paid in full
- Sign at the front of the Complex with name of Individual/Company

Naming Rights for Soccer Fields:

- Payment in full = 10% discount
- Over 8 year time span = no discount
- Lifetime naming rights if paid in full
- Name on Sponsor Board

Naming Rights for Baseball/Softball Fields:

- Payment in full = 10% discount
- Over 8 year time span = no discount
- Lifetime naming rights if paid in full
- Name on Sponsor Board
- Name on Back of Dugouts (if dugouts are brick) – Baseball/Softball ONLY
- Name on Scoreboard

Naming Rights for Tennis Court, Gym:

- Payment in full = 10% discount
- Over 8 year time span = No discount
- Lifetime naming rights if paid in full
- Name on Sponsor Board

Naming Rights for Benches:

- **\$250/year**
- 2 year commitment with first right of refusal
- Available at all sites and complexes
- Engraved Nameplates on Bench



RECREATION & PARKS FACILITIES NAMING RIGHTS POLICY

Naming Rights for Memorial Trees:

- Available at all sites and complexes
- Engraved Nameplate at base of tree 4" by 10"

Naming Rights for Walking Trails:

- Payment in full = 10% discount
- Over 8 year time span = No discount
- Lifetime naming rights if paid in full
- Post and Panel 12" by 18" Advertisement

Naming Rights for Playgrounds:

- Payment in full = 10% discount
- Over 8 year time span = No discount
- Lifetime naming rights if paid in full
- Post and Panel 3" by 6" Advertisement

Naming Rights for Picnic Shelters:

- Payment in full = 10% discount
- Over 8 year time span = No discount
- Lifetime naming rights if paid in full
- Engraved nameplate on shelter – 18" by 15"



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: John Connet

Department: Admin

Date Submitted: 8/25/2016

Presenter: John Connet

Date of Council Meeting to consider this item: 9/1/2016

Nature of Item: Council Action

Summary of Information/Request:

Item # 11

The City has received a request to refund sewer tap and system development charges from Carolina Specialties for the Upward Road Hotel Project. Your policy states that you can waive these fees for a demonstrated economic development benefit for the city.

Budget Impact: \$ 21,000 Is this expenditure approved in the current fiscal year budget? N/A If no, describe how it will be funded.

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

I move that the City Council approve the refunding of the sewer tap and system development fees as requested by Carolina Specialties.

Attachments:

Letter from Carolina Specialties

August 19, 2016

City of Hendersonville
145 5th Ave East
Hendersonville, NC 28792

RE: Fairfield Inn and Suites

Carolina Specialties Construction, LLC, would like to request a refund of the water and sewer fees paid to the City of Hendersonville for the Fairfield Inn and Suites project located at 836 Upward Road, Flat Rock, NC 28731 and still receive the enhanced city services.

We believe that our hotel project provides a demonstrated economic development benefit to the City by initiating hotel development on the southeast portion of the Upward Road corridor. Furthermore, we believe this development will encourage additional development on adjacent properties.

Sincerely,



Christopher Cormier
Manager Member



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

Submitted By: Brian Pahle

Department: Admin

Date Submitted: 08/17/16

Presenter: Brian Pahle

Date of Council Meeting to consider this item: 09/01/16

Nature of Item: Presentation Only

Summary of Information/Request:

Item # 13a

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

- 1) Fund 10 | \$2,832 | For Worker's Comp. Ins.
- 2) Fund 60 | \$25 | For Worker's Comp. Ins.
- 3) Fund 10 | \$10,000 | For Safelight, Inc. Special Appropriation
- 4) Fund 10 | \$20,000 | For Property Purchase (to be reimbursed)
- 5) Fund 60 | \$60,000 | For Property Purchase (to be reimbursed)
- 6) Fund 10 | \$9,187 | For Deputy Fire Chief moving expenses

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

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

N/A

Attachments:

See below...

DEPARTMENT LINE ITEM BUDGET ADJUSTMENT

FUND: 10, 20, 21, 60, 68

DEPARTMENT All - Obj. 518600

ACCOUNT NUMBER			EXPENDITURE BUDGET INCREASE	EXPENDITURE BUDGET DECREASE
* ORG	OBJECT	DESCRIPTION OF ACCOUNT		
	109910	599100	Contingencies	\$ 2,832.00
	104110	518600	Worker's Comp. Ins.	\$ 14.00
	104120	518600	Worker's Comp. Ins.	\$ 11.00
	104130	518600	Worker's Comp. Ins.	\$ 12.00
	104131	518600	Worker's Comp. Ins.	\$ 27.00
	104150	518600	Worker's Comp. Ins.	\$ 2.00
	104250	518600	Worker's Comp. Ins.	\$ 94.00
	104270	518600	Worker's Comp. Ins.	\$ 103.00
	104310	518600	Worker's Comp. Ins.	\$ 1,209.00
	104340	518600	Worker's Comp. Ins.	\$ 731.00
	104370	518600	Worker's Comp. Ins.	\$ 60.00
	104500	518600	Worker's Comp. Ins.	\$ 36.00
	104510	518600	Worker's Comp. Ins.	\$ 203.00
	104520	518600	Worker's Comp. Ins.	\$ 214.00
	104760	518600	Worker's Comp. Ins.	\$ 99.00
	106170	518600	Worker's Comp. Ins.	\$ 45.00
	209910	599100	Contingencies	\$ 25.00
	204750	518600	Worker's Comp. Ins.	\$ 25.00
	214751	559900	Cap Outlay-Other Improvements	\$ 2.00
	214751	518600	Worker's Comp. Ins.	\$ 2.00
	607127	518600	Worker's Comp. Ins.	\$ 1,475.00
	607110	518600	Worker's Comp. Ins.	\$ 41.00
	607113	518600	Worker's Comp. Ins.	\$ 70.00
	607114	518600	Worker's Comp. Ins.	\$ 58.00
	607123	518600	Worker's Comp. Ins.	\$ 156.00
	607124	518600	Worker's Comp. Ins.	\$ 251.00
	607125	518600	Worker's Comp. Ins.	\$ 201.00
	607126	518600	Worker's Comp. Ins.	\$ 215.00
	607134	518600	Worker's Comp. Ins.	\$ 222.00
	607136	518600	Worker's Comp. Ins.	\$ 217.00
	604250	518600	Worker's Comp. Ins.	\$ 44.00
	684720	559900	Cap Outlay-Other Improvements	\$ 418.00
	684250	518600	Worker's Comp. Ins.	\$ 8.00
	684710	518600	Worker's Comp. Ins.	\$ 374.00
	684720	518600	Worker's Comp. Ins.	\$ 36.00
TOTAL ADJUSTMENT			\$ 4,766.00	\$ 4,766.00

Increases & Decreases must equal

DEPARTMENT - INSERT DETAIL EXPLANATION/REASON FOR BUDGET ADJUSTMENT:
 An adjustment to fix small overages in Worker's Comp. Ins. Accounts. The final invoice for these costs comes after the budget is adopted and needs to be revised each year.

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

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

Use whole dollar amounts - no cents.

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

Budget Adjustments do not require Council approval.

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



DEPARTMENT HEAD APPROVAL SIGNATURE

Date: 8/1/2016



PRINT DEPARTMENT HEAD NAME

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



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Tammie Drake

Department: Admin

Date Submitted: 08.23.16

Presenter: Tammie Drake

Date of Council Meeting to consider this item: 09.01.16

Nature of Item: Council Action

Summary of Information/Request:

Item # 14

APPOINTMENTS:

ENVIRONMENTAL SUSTAINABILITY BOARD: The terms of three members on the ESB will expire in September: Geri Conley (City rep), and Kim Bailey and Richard Cagle (both outside-City reps). Ms. Conley is serving as secretary and would like to be reappointed as would Ms. Bailey. Mr. Cagle has enjoyed the Board but has declined reappointment. We have an application from Kristy Lapidus for an outside-City position.

WALK OF FAME: With the change in the Bylaws for this Committee, Mr. Wooten now serves as a non-voting ex-officio member of the Committee thus leaving a vacancy on the Steering Committee. Council must also appoint a member to the Walk of Fame Selection Committee that will review the nominations. We currently do not have any applications for this Committee.

ANNOUNCEMENTS: There are vacancies on:

BOARD OF ADJUSTMENT (alternate position)

WALK OF FAME (Steering Committee and Selection Committee)

HISTORIC PRESERVATION COMMISSION: Two members terms will expire in November: Marty Payton and Kristie Ogletree. Both would like to continue serving.

PLANNING BOARD: The terms of three members will expire December 1: Peter Hanley, Steve Johnson and Robert Hogan.

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

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

I nominate ...

Attachments:

board membership lists