



MINUTES

September 3, 2020

REGULAR MEETING OF THE CITY COUNCIL

ASSEMBLY ROOM - OPERATIONS CENTER | 305 WILLIAMS ST. 5:45 p.m.

Present: Mayor Barbara G. Volk, Mayor Pro Tem Jerry Smith, and Council Members: Jeff Miller, Dr. Jennifer Hensley, and Council Member Lyndsey Simpson

Staff Present: City Manager John F. Connet, City Attorney Angela Becker, Assistant City Manager Brian Pahle, City Clerk Angela Reece, Communications Manager Allison Nock, Interim Police Chief Bill Hollingsed, Community Development Director Lew Holloway, and Planner Daniel Heyman

1. Call to Order

Mayor Volk called the meeting to order at 5:45 p.m. and welcomed those in attendance. A quorum was established all members in attendance.

2. Invocation and Pledge of Allegiance to the Flag

The City Council observed a moment of silence for prayer or reflection followed by the Pledge of Allegiance to the Flag.

3. Public Comment *Up to 15 minutes is reserved for comments from the public not listed on the agenda.*

Public comments were submitted by Attorney Michael Edney on behalf of Ms. Media Waters, descendant of the late Mr. Carl Waters, asking City Council for assistance with locating Mr. Waters’ remains in the City Cemetery and prohibiting access of the Roseboro Funeral and Cremations Services to the Oakdale Cemetery until such time as they fully and openly cooperate in this matter. Mr. Hunter Jones of 600 Hebron Rd. Hendersonville addressed City Council requesting consideration for additional recreational opportunities and the trade of Berkley Park.

4. Consideration of Agenda

Manager Connet requested to remove Item 5K, Master-Planning Services Proposal & Agreement for Main, Church and King Streets and Item 10C, City Operations Center Safety Improvements Contract Award.

Council Member Jeff Miller moved to approve the agenda as amended removing items 5K, Master-Planning Services Proposal & Agreement for Main, Church and King Streets and 10C, City Operations Center Safety Improvements Contract Award. A unanimous vote of the Council followed. Motion carried.

5. Consent Agenda

- A. Adoption of City Council Minutes
 - i. August 6-7, 2020 Regular Session
- B. Tax Releases, Discoveries and Refunds - *Presenter: Jennifer Musselwhite, Revenue Supervisor*
- C. Clerks Certificate of Sufficiency-Group Ventures LLC, Universal at Lakewood Annexation
PIN 9579-29-2872 - *Presenter: Daniel Heyman, Senior Planner*
- D. Budget Amendments FY21- *Presenter: Adam Murr, Budget Analyst*
 - 1. Grant - Federal Coronavirus Aid, Relief, and Economic Security (CARES) Act Increase | \$483,730
 - 2. Police Department Headquarters Project Amendment Increase | \$191,624
 - 3. Northside Water Improvement Project Amendment NCDEQ Funding Match Increase | \$2,541,775
 - 4. Clear Creek Interceptor Project Amendment - Funding Source Change No Change | \$34,999
 - 5. Leased Vehicles Financing - Change in recording principles in FY19-20 Increase | \$521,479

E. Ratification of Sale of Service Weapon to Police Chief Herbert Blake - Presenter: John F. Connet, City Manager

Resolution #20-0569

**RESOLUTION TO RECOGNIZE THE DISTINGUISHED SERVICE
TO THE CITY OF HENDERSONVILLE AND THE TRANSFER OF SERVICE SIDEARM**

WHEREAS, North Carolina General Statutes 160A-266(c) authorizes the City of Hendersonville to adopt a policy delegating to a city official the authority to declare personal property valued at less than \$30,000 surplus and to dispose of such personal property by private sale; and

WHEREAS, on or about March 5, 2009, the Mayor and City Council adopted Resolution #09-31 authorizing the City Manager to declare surplus and convey by private sale any personal property valued at less than \$30,000; and

WHEREAS, in recognition of 12 years of distinguished service as Chief of Police, the City Manager declared surplus the service sidearm carried by Chief Herbert Blake and conveyed such sidearm to Chief Blake by private sale for the sum of \$409.00; and

WHEREAS, the Mayor and City Council, on behalf of the City of Hendersonville, also wish to recognize Chief Blake's 12 years of distinguished service as Chief of Police for the City of Hendersonville and its residents;

NOW THEREFORE, the City of Hendersonville hereby thanks Chief Herbert Blake for the distinguished service he has rendered to the City of Hendersonville and its residents and ratifies the private sale of Chief Blake's service sidearm to him in appreciation for his many years of service and dedication to the City of Hendersonville and its residents.

Adopted this 3rd day of September 3, 2020

/s/Barbara G. Volk, Mayor
Attest: /s/Angela L. Reece, City Clerk

F. 2020 Street Resurfacing Contract Award - Presenter: Tom Wooton, Public Works Director

Tarheel Paving was the low bidder at \$343,872.18. Staff intends to add additional paving to the contract with the intention of paving as much as possible but not to exceed the budget of \$600,000.

G. Fleet Maintenance Reclassification of Positions - Presenter: Tom Wooton, Public Works Director

The recommendation reclassifies all fleet maintenance positions and provides an equitable compensation plan. This plan does not create any new positions within the department.

H. Mudd Creek Interceptor Replacement Project SRF Application Resolution - Presenter: Adam Steurer, Utility Engineer

Resolution #20-0570

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL FOR A WASTEWATER
COLLECTION SYSTEM PROJECT LOAN REQUEST FOR THE MUD CREEK INTERCEPTOR
REPLACEMENT PROJECT**

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater collection systems; and

WHEREAS, The City of Hendersonville has need for and intends to construct a wastewater collection system project described as the Mud Creek Interceptor Replacement; and

WHEREAS, The City of Hendersonville intends to request state loan assistance for the project,

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

1. The City of Hendersonville, the Applicant, will arrange financing for all remaining costs of the project, if approved for a State loan award.
2. That the Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

3. That the governing body of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Hendersonville to make scheduled repayment of the loan, to withhold from the City of Hendersonville any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.
4. That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.
5. That John F. Connet, City Manager, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a loan to aid in the construction of the project described above.
6. That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.
7. That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this 3rd day of September 3, 2020

/s/Barbara G. Volk, Mayor

Attest: /s/Angela L. Reece, City Clerk

I. AquaResource Agreement for Water System Improvements - Presenter: Lee Smith, Utilities Director

The Water and Sewer Department would like to implement AquaResource, a SaaS offered by TecNXS, in order to better track, organize, and maintain backflow assemblies attached to our potable water system. The software as a service (SaaS), AquaResource, will track backflow testing, and alert customers when their BFA (backflow assemblies) need to be tested, or repaired. AquaResource will help increase the amount of BFA testing and repairs, and this service comes at no cost to City. By utilizing AquaResource, we will easily know what BFAs are installed, where they are installed, which BFAs have been tested or are due for testing, and those in need of maintenance/repair.

J. Multi-area Streambank Restoration Project Engineering Agreement Amendment-Wildlands Engineering - Presenter: Brent Detwiler, City Engineer

An on-call engineering agreement with Wildlands Engineering was executed in June 2017 for environmental design and permitting services. Three amendments to that agreement have been executed for the Multi-area Streambank Restoration Project - Phase 1 for preliminary design, Phase 2 to complete the final design, conservation easements, bidding and construction administration and Phase 3 to cover additional design and permitting work, letter of map revision (flood permitting) documentation and post-project monitoring. Because of various additions to the project, staff have asked Wildlands for an Amendment 4 to their Engineering Agreement to cover this additional work to close out the project. Please note that NC DEQ has approved this additional work as part of their project funding, and all engineering work is reimbursable with the SRF loan for the project.

L. Emergency FMLA Expansion Act Policy Revision -Presenter: Jennifer Harrell, Human Resources Director

Staff has revised the policy to ensure employees are able to use City Administrative Paid Sick Leave or Emergency Paid Sick Leave for the first ten days and supplement one-third of their pay for the remaining ten weeks of Emergency FMLA.

M. Emergency Paid Sick Leave Act Policy Revision -Presenter: Jennifer Harrell, Human Resources Director

Staff has revised the Paid Sick Leave Act Policy to ensure employees are able to supplement one-third of their pay with City Administrative Paid Sick Leave.

Council Member Dr. Jennifer Hensley moved to approve the items on the consent agenda as presented. A unanimous vote of the Council followed. Motion carried.

6. Administration of Oath of Office

A. City Attorney - Presenter: Barbara G. Volk, City of Hendersonville Mayor

Mayor Barbara G. Volk issued the Oath of Office to City Attorney Angela S. Beeker.

7. Presentations

A. Breastfeeding Family Friendly Community Proclamation - Presenters: Steven E. Smith, Henderson County Health Director, and Barbara G. Volk, City of Hendersonville Mayor

Steve Smith, Henderson County Health Director addressed City Council adding breastfeeding can reduce development of diabetes as much as 30 to 40% and said he appreciated the support of City Council and the community in creating the right environment and policies which improves the mother's health and the health of the infant. Mayor Barbara Volk and City Council proclaimed the City of Hendersonville as a Breastfeeding Family Friendly Community. By providing a supportive and welcoming environment, a breastfeeding friendly community safeguards the health of mothers and infants and encourages families of all races and ethnicities to continue breastfeeding.

B. Constitution Week Proclamation - Presenter: Barbara G. Volk, City of Hendersonville Mayor

Mayor Barbara Volk proclaimed the week of September 17 through 23, 2020 as Constitution Week in the City of Hendersonville and asked our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.

C. Oklawaha Greenway Pollinator Bed - Eagle Scout Project Request - Presenter: Nathan Lindsey, Troop 610 - Presentations

Nathan Lindsey of Troop 610 addressed City Council requesting consideration for installation of a pollinator bed along the Oklawaha Greenway.

Council Member Lyndsey Simpson moved that City Council hereby grant Nathan Lindsey permission to plant a pollinator bed on the Oklawaha Greenway for his Eagle Scout Project. A unanimous vote of the Council followed. Motion carried.

8. Public Hearings

A. 303 Chadwick Avenue Conditional Rezoning (PIN 9568-93-6593) - Presenter: Daniel Heyman, Senior Planner

Daniel Heyman, Senior Planner advised the City is in receipt of a Conditional Rezoning application from James Noble for the development of four single family dwellings on a 0.71-acre lot. The subject property is identified as parcel number 9568-93-6593 and is currently vacant. Mr. Heyman stated the applicant is requesting to rezone the subject property from C-3 SU, Highway Business Special Use to C-3 CZD, Highway Business Conditional Zoning District. Mr. Heyman noted the timeframe due to length of time that passed the applicant was required to have an additional neighborhood compatibility meeting. Mr. Heyman stated the Planning Board recommended 3-2 against approval at their August 10, 2020 meeting citing traffic concerns, density issues and additional flooding issues. Mr. Heyman stated since that meeting the developer has amended the plans by removing 1,257 square feet from one of the lots and adding circular driveways to alleviate these concerns.

Council Member Dr. Hensley clarified the current zoning is C-3 SU. Council Member Jeff Miller stated neighbors have concerns about the buffers and Mr. Heyman stated the landscaping is not a requirement in the zoning ordinance and said if Council wished to make this a condition then it would need to be well defined. Council Member Jerry Smith inquired of the existing code requirements for driveways and Manager Connet stated he has received communications from Public Works Director, Lee Smith who advised staff follows NCDOT policy for street access and said the proposed driveways do not meet NCDOT guidelines.

The public hearing was opened at 6:22 p.m.

The applicant/developer, James Noble addressed City Council asking for consideration of approval stating he believes the application meets all of the requirements for the request and stated he has revised the plan to address the additional concerns by neighbors.

Joseph and Sandra Williams 309 Chadwick Ave. Hendersonville addressed City Council electronically requesting City Council not approve the request citing concerns of compatibility and water runoff coming off of the property onto his property. Mr. Williams referred to a vegetative buffer along the property line expressing concerns of its removal or damage. Mrs. Williams addressed City Council expressing concerns that the density of the plan is too great for the neighborhood.

Lyn Williams of 309 Chadwick Ave. addressed City Council stating that she believes the flooded area is a blue line stream and asked for consideration of inclusion in the plan to maintain the stream buffer as well as an older tree located on the property. Ms. Williams asked consideration for lowering the speed limit of the street.

Ken Fitch of 1046 Patton Street Hendersonville addressed City Council stating projects to address affordable housing are of particular concern stating it is important to recognize that the applicant is a long-term Hendersonville resident and intends to reside on the property himself. Mr. Fitch stated the concerns being presented on stormwater are valid.

The public hearing was closed at 6:48 p.m.

Council Members discussed the buffer with Mr. Noble who stated it is located on his property and said he is willing to keep it there. Mr. Noble stated he has plans to reside on the lot and has no intentions to remove the vegetative buffers and stated his project is affordable housing. Council Member Dr. Hensley stated her main concern was driveway safety and said she feels this has been rectified with the addition of turnarounds in the plans. Council Member Hensley stated the applicant property is not in a flood plain but said there could be conversations regarding stormwater.

Council Member Jeff Miller stated he has concerns of stormwater and preserving the buffer. Council Member Miller also discussed concerns of there being a blue line stream located on this property. Daniel addressed the blue line stream and stated that some of the streams do not appear on the map

Council Member Lyndsey Simpson asked the developer if his project was feasible with three homes instead of four and Mr. Noble stated it will be but said it will not be affordable housing.

Council Member Jerry Smith asked the developer if he was willing to modify the plans to three houses with a specific buffer and any other conditions addressing water runoff.

Attorney Beeker asked City Council to state what the conditions would be as long as they are clearly stated and noted on the plan. Council Member Jeff Miller stated he will agree to approve the plan with three houses and the condition of a vegetative buffer remaining. Daniel Heyman, Senior Planner stated the blue line stream does not appear on the 2019 GIS map but stated the online website shows it is there. He stated the stream may have been piped but said the City Engineer would need to look at it. Mr. Heyman stated the current zoning ordinance does not require a buffer for a piped stream.

City Manager Connet recommended having the City Engineer investigate the blue line stream and having clear definitions of the vegetative buffer requirements. City Attorney Beeker concurred and added if City Council wishes to add additional conditions they may do so if the applicant is willing to agree in writing.

Council Member Jerry Smith moved to postpone the action on this item until the October 1, 2020 regular City Council meeting. A unanimous vote of the Council followed. Motion carried.

9. Unfinished Business

A. Downtown Historic District Expansion-Design/Aesthetic Regulation Discussion - Presenter: Daniel Heyman, Senior Planner

City Planner, Daniel Heyman recalled prior discussions of expanding the downtown historic district and presented alternative design standards such as implementation of zoning ordinances that regulate design. Mr. Heyman cited current examples such as requiring street trees or prohibiting reflective surfaces such as a mirror for a wall. He stated design standards for commercial buildings may be regulated to require certain colors and building materials and discussed form-based code building. Council Member Lyndsey Simpson clarified overlay districts could add additional design standards within a particular area. Council

Member Simpson encouraged Council to consider some of the options to preserve the character and feel of the downtown area and to maintain its “brand” through aesthetic consistency.

10. New Business

A. Ashe Street Neighborhood Improvements - *Presenter: John F. Connet, City Manager*

City Manager John Connet provided a project update and reminded everyone of the goals for improvement in the Ashe Street neighborhood which were derived from many years of conversations with stakeholders. The goals include a large public investment and City commitment; addressing safety concerns; property value stabilization; encouraging reinvestment by property owners and absentee landlord; providing opportunities for additional affordable housing; public infrastructure improvements; and conversion of vacant or blighted properties.

Manager Connet reminded everyone there are 64 lots in the Ashe Street neighborhood with 11 being occupied and the remainder being vacant and said property values were decreasing in the neighborhood while other areas in the City have increased. Manager Connet stated the project is an opportunity to convert the vacant or blighted property into a better use through a City commitment to invest \$11.5M in this neighborhood which includes a 24,000 square foot Police Headquarters Facility and public infrastructure improvements. Manager Connet clarified the process of property acquisition in the area stating the City owned three parcels and negotiated the purchase (at market value) of one owner occupied dwelling, allowing those residents to stay in the home rent free until their new home was constructed. Manager Connet stated staff negotiated additional offers to purchase one rental property from an absentee landlord, two vacant properties, and one vacant land tract, all at market rate. Manager Connet stated all the negotiations were friendly. Manager Connet stated there was only dwelling that the City had to use eminent domain on the last parcel that was acquired which was located on the corner of Ashe Street and Pace Street and said the dwelling was owned by an absentee landlord and used seasonally.

Manager Connet discussed water and sewer infrastructure improvements stating the existing sewer infrastructure is clay pipe and is highly susceptible to blockages and inflow and infiltration and said the water infrastructure consists of galvanized metal pipe which deteriorates over time. Manager Connet stated the City has obtained a \$2.6M loan to replace all the water and sewer in the neighborhood which will improve water quality and sewer capacity for the residents and reminded everyone the City will resurface the streets when the water/sewer improvements are finished.

Manager Connet discussed the Community Development Block Grant (CDBG) program stating the City has applied for \$750,000 which, if awarded, will include \$500,000 for new curb/gutter and sidewalks, \$200,000 for homeowner rehabilitation, and \$50,000 for administrative costs. Manager Connet recalled neighborhood meetings which allowed participants to vote on amenities that would be covered with grant funding and stated the priorities were established by the neighborhood. Manager Connet clarified the portion of grant funding for home rehabilitation may only be used for owned homes and not rented homes. Manager Connet clarified, if approved, the \$200,000 for homeowner rehabilitation will only cover three of four homes that have applied. Council Member Jerry Smith stated the grant requires total renovation of each residence and said all four applications can be funded with an additional \$26,000 contribution by City in the next budget. Council Member Smith clarified stipulations on the grant funding which requires it to be paid back in the event the home is sold or unoccupied by the owner for a period of five years. Manager Connet stated the administrative costs covers inspections and other related administrative costs and was originally \$75,000. He said Housing Assistance has agreed to forfeit a portion of their costs to fund the fourth application through a partnership with the City. Manager Connet stated there are other homes being funded through alternate programs and said there were funds available for workforce housing and reminded everyone the City has a minimum housing code that can be enforced on the vacant landlords to force them to bring their homes up to code to make them safe and inhabitable.

Manager Connet addressed neighborhood concerns about over policing and gentrification and recalled the grant is being used to rehabilitate the homes of long-time residents and reminded everyone that the multi family units are necessary for affordable housing and said this will also require strategies to incorporate mixed density and uses to get the price points on target for single family housing in the area. Manager Connet posed additional solutions such as re-examining the zoning for the entire area, discussing

reopening Cherry Street, working with Housing Assistance Corporation (HAC) to provide more affordable workforce housing units and housing rehabilitation grants, and continue to encourage the Hendersonville Police Department to develop partnerships with the neighborhood through education and preservation of the neighborhood history.

Manager Connet stated Council action would be necessary to cover the cost of the fourth homeowner rehabilitation project and to sell City property at the corner of Beech and Pace Street to HAC for affordable workforce housing units in the amount of \$30,000. City Attorney Beeker has prepared a resolution will add specific covenants and restrictions for income limits.

Council Member Dr. Jennifer Hensley inquired if HAC would be willing to contribute additional costs from their administration fees and Manager Connet clarified HUD allows 10% of the total grant to be recuperated in administrative fees. He reminded everyone that the more money HAC contributes reduces programs and services in other areas. Council Member Jerry Smith clarified HAC has agreed to contribute \$25,000 of their administrative costs.

The consensus of City Council was to seek additional sources of funding to cover the fourth home rehabilitation with their first preference being to reduce the grant funding from sidewalks and the second option to use funds from General Fund.

Council Member Jerry Smith moved that City Council adopt the Resolution accepting the Housing Assistance Corporation's offer to purchase for the lot at the corner of Beech Street and Pace Street in the amount of \$30,000 authorizing the sale by private sale. A unanimous vote of the Council followed. Motion carried.

Resolution #20-0572

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO ACCEPT OFFER TO PURCHASE AND AUTHORIZE THE CONVEYANCE BY PRIVATE SALE

WHEREAS, the City of Hendersonville has received an Offer to Purchase the lot at the corner of Beech and Pace Street, having a tax PIN number of 9569906270 (the "Real Property"), for \$30,000, from the Housing Assistance Corporation, a North Carolina nonprofit corporation, to build affordable workforce housing; and

WHEREAS, the City of Hendersonville acquired the Real Property by that deed recorded in Deed Book 1684 at Page 419 of the Henderson County Registry; and

WHEREAS, N.C.G.S. § 160A-279 authorizes the City of Hendersonville to convey real property by private sale to a nonprofit entity carrying out a public purpose; and

WHEREAS, the City Council for the City of Hendersonville wishes to accept the offer received from the Housing Assistance Corporation and authorize the conveyance by private sale;

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

1. The City Council accepts the Offer to Purchase received from the Housing Assistance Corporation to purchase the Real Property for the price of \$30,000.00.
2. The City Council authorizes the conveyance of the Real Property to the Housing Assistance corporation by private sale pursuant to a Special Warranty Deed, and pursuant to the procedures required by N.C.G.S. § 160A-279.
3. The Mayor, City Manager, City Clerk and City Attorney are authorized to carry out such actions as are necessary to effectuate the sale and conveyance of the Real Property as authorized by this Resolution.

Adopted this 3rd day of September 3, 2020

/s/Barbara G. Volk, Mayor

Attest: /s/Angela L. Reece, City Clerk

B. Community Development Department - Presenter: Lew Holloway, Community Development Department Director

Lew Holloway the City of Hendersonville's Community Development Department reflects the demands of our growing city and said over the years the City has included within its hierarchy, a planning department, a zoning department, a downtown economic development department, and a development assistance department. Mr. Holloway stated each has been a response to trends and opportunities within the community and said the reorganization of the City's Downtown Economic Development Department and the Development Assistance Department into the Community Development Department is a similarly responsive and forward-thinking effort. Mr. Holloway stated the three new positions for approval will allow the department to have full staff.

Council Member Dr. Jennifer Hensley moved that City Council adopt the job descriptions for Community Development Director, Downtown Division Manager, and Planning Division Manager as presented. A unanimous vote of the Council followed. Motion carried.

11. City Council Comments

Council Member Jeff Miller thanked Tom Wooton for the Dark Sky initiative and said he has set up a demonstration to view duke energy streetlights which operate at 3,000 watts and are dark sky compliant.

Council Member Lyndsey Simpson said she would like to see proposals to reduce speed on Chadwick Ave. to mitigate safety concerns.

Council Member Dr. Jennifer Hensley stated the MPO received an email regarding significant NCDOT project delays and said she has provided this to the City Manager. Manager Connet stated that all NCDOT projects but one will be delayed a minimum of one year and some will be delayed up to ten years. Manager Connet stated staff will give NCDOT the opportunity to announce but if not, then the City will make the information available to the public.

Council Member Hensley thanked city staff for the Clear Creek Connector Trail grant and said it was ranked #3 in the entire list of projects. Manager Connect stated this is a \$2M grant that will construct a greenway behind the Sam's club which will be for recreation and transportation. He said there was a PARTF grant of \$350,000 that may enhance this project.

12. City Manager Report - Presenter: John F. Connet, City Manager

A. Chief of Police Recruitment and Selection Process

City Manager John Connet discussed the Police Chief recruitment process and stated staff have received over 100 responses so far. Manager Connet outlined the timeline and process to solicit additional public input and buy in from public and staff before job ad is written. Manager Connet stated the process will consist of assessment centers and interviews from law enforcement professionals, local government managers, Hendersonville staff, and community members with a final interview being conducted with himself. Manager Connet noted if no candidates are successful then the process will start over.

Council Member Jeff Miller moved that City Council approve the contract with Developmental Associates LLC., to assist the City of Hendersonville with the recruitment and evaluating of candidates for the position of Police Chief. A unanimous vote of the Council followed. Motion carried.

B. Surplus Items

City Manager John Connet provided a list of items to City Council indicating they are surplus. The items include the former City Attorney's iPad which was sold to him at the market value of \$260 and the former Police K-9, Sunny which was deemed a dangerous dog. Manager Connet stated Sunny was donated to a police and military nonprofit in Texas for service animals where he will be retrained.

C. Cash and Investment Report

City Manager John Connet included the cash and investment report for Council information which outlines how the City is investing idle funds.

13. Closed Session as Permitted under NCGS §143-318.11(a)(4)(5)

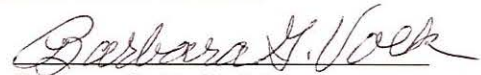
At 8:23 p.m. Council Member Jerry Smith moved that City Council enter into Closed Session to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations and to establish, or to instruct the public body's staff concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease per North Carolina General Statute §143-318.11(a)(4)(5). A unanimous vote of the Council followed. Motion Carried.

Council Member Jeff Miller moved that City Council return to open session at 9:22 p.m. A unanimous vote of the Council followed. Motion Carried.

There was no further business.

14. Adjourn

The meeting was adjourned at 9:22 p.m. upon unanimous assent of the Council.


Barbara G. Volk, Mayor

ATTEST:


Angela L. Reece, City Clerk