



CITY OF HENDERSONVILLE
CITY COUNCIL SECOND MONTHLY MEETING
City Hall 2nd Floor Chambers | 160 Sixth Ave. E. | Hendersonville NC 28792
Wednesday, May 26, 2021 – 4:00 PM

AGENDA

1. CALL TO ORDER

2. PRESENTATIONS

- A. Public Access Television Funding Request – *Bruce Macdonald*
- B. Dark Sky Ordinance Presentation – *Matthew Manley, Planning Manager*
- C. Update and Discussion Regarding Construction of New Fire Station 1 – *John Connet, City Manager, Brian Pahle, Assistant City Manager and James Miller, Fire Chief*

3. ADJOURN

The City of Hendersonville is committed to providing accessible facilities, programs and services for all people in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or an accommodation for this meeting please contact the City Clerk no later than 24 hours prior to the meeting at 697-3005.



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: Angela Reece, City Clerk **MEETING DATE:** May 6, 2021
AGENDA SECTION: PRESENTATION **DEPARTMENT:** Citizen Request
TITLE OF ITEM: Public Access Television Funding Request – *Bruce Macdonald*

SUGGESTED MOTION(S):

SUMMARY: Email request from Bruce Macdonald below:

Jerry Smith suggested I contact you regarding a project I am working on to bring public access television to Hendersonville and Henderson County. While there is currently a government access channel (Ch. 11) in Henderson County, there is no public access channel. The working group that has assembled to discuss this issue has concluded that the county would benefit greatly from such a channel.

A month ago I visited the public access station in Chapel Hill, [The People's Channel](#). Their executive director gave me a lot of information and I toured the station. They are doing great work in Chapel Hill, Carrboro and Durham. I encourage you to look at their website to see the possibilities here in Henderson County. Here is The People's Channel mission statement:

"For a democratic society to function properly, citizens must participate in their government, be educated to think critically and be able to freely communicate their ideas. The People's Channel and Durham Community Media's mission is to advance democratic ideals by ensuring that people have access to electronic media and by promoting effective communication through community use of media. The training and equipment available at The People's Channel help individuals and organizations to make cultural, informational, entertainment, or educational media productions of interest to our community."

I have also visited stations in [Greensboro](#), [Charlotte](#), and [Wake County](#). Last week I visited [Dare County](#) on the coast and learned about their collaborative model in which the county, six municipalities, school department and community college work together to bring programming to the community on their government and education channels. That is a model that we could replicate in Hendersonville and Henderson County.

This type of television is called "PEG" – for public, educational and government access. You can learn more about it [here](#). If you look at the websites for the stations I have visited, you will see that the stations are doing great work in their communities. I have no doubt that would happen here.

With the City of Hendersonville soon to receive money under the American Rescue Plan, I would like to suggest to the Mayor and City Council that an appropriate use of a small portion of those funds would be to invest in public access television. In that regard, I would appreciate the opportunity to address the Council at its next meeting and to formally apply for that funding. A non-profit corporation is being formed and tax-exempt status is

being sought for the purpose of starting this public access station. Once the station is up and running, there is funding available from the state which will essentially cover operating costs.

I would appreciate the opportunity to discuss this further with you at your earliest opportunity.

Thank you for your courtesy.

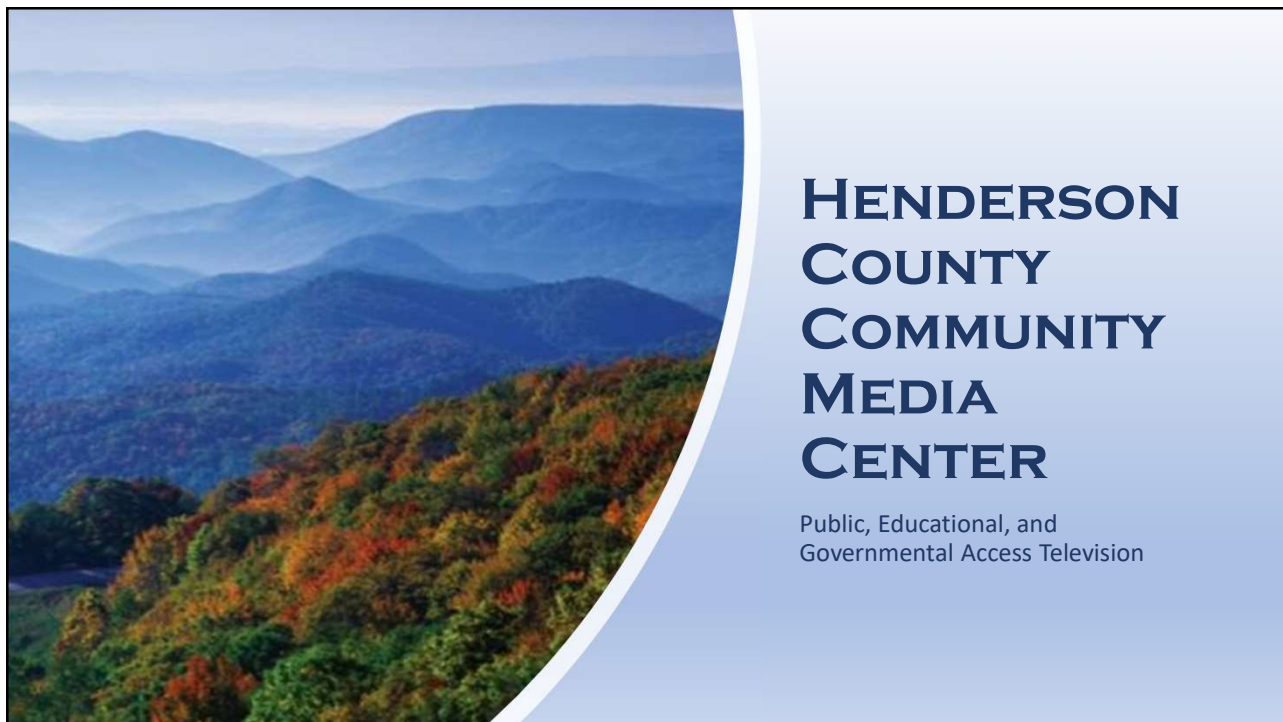
Bruce Macdonald

BUDGET IMPACT: N/A

Is this expenditure approved in the current fiscal year budget? N/A

If no, describe how it will be funded. N/A

ATTACHMENTS



P_{ublic}, E_{ducational}, and G_{overnmental} Access Television

Public: One or more channels on cable television that by law are reserved for noncommercial broadcasting by members of the public.

Educational: Channels used by educational institutions for educational and sports programming, typically allocated among local schools, colleges and universities.

Governmental: Channels used for programming by local governments, including cablecast of city council meetings, election programming, local emergency announcements, and other events and programs as valued by local government.

PEG Television Around the State . . .



Chapel Hill



Charlotte



PEG Steps Up To Help Communities During COVID-19

- ☐ Emergency Information and Local News
- ☐ Remote Meeting Capacity and Training
- ☐ Education and Distance Learning
- ☐ Social and Spiritual Connection to Prevent Isolation

Typical Dare County Programming

CURRENT TV KNOW DARE		Home	Video On Demand	Watch Live	Programs
8:30 am	Town of Southern Shores Programming				
9:28 am	This Month In Outer Banks History - North Carolina Became A Dry State May 2021				
9:31 am	Dare County Programming				
9:35 am	The Outer Banks Arboretum and Teaching Garden - Azaleas Presentation				
10:00 am	Manteo Town Commons Opening Celebration May 14, 2021				
10:24 am	Cape Hatteras Lighthouse Restoration Project				
10:28 am	Cape Hatteras Lighthouse in History				
10:44 am	Sea Turtles of Cape Hatteras National Seashore				
11:00 am	Dare County COVID-19 Update May 17, 2021 12:30pm				
11:16 am	North Eastern NC NCWorks Career Centers				
11:30 am	NCDOT Now May 21, 2021				
11:33 am	Town of Kill Devil Hills Programming				
12:00 pm	Town of Kitty Hawk Programming				
12:57 pm	This Month In Outer Banks History - North Carolina Became A Dry State May 2021				
1:00 pm	Cape Hatteras 150 Anniversary Lighting Ceremony December 16, 2020				
1:47 pm	Evolution of Beach Buggies - Bill Smith				
2:00 pm	Town of Manteo Programming				
2:30 pm	Town of Nags Head Programming				
3:00 pm	Town of Southern Shores Programming				
3:30 pm	Dare County Programming				
4:00 pm	Advice to Grow By - Live Oak May 7, 2021				

The Law . . .

- ☐ State Franchising of Cable Companies Replaced Local Franchising as of January 1, 2007. (G.S. 66-351)
- ☐ A Cable Service Provider Must Provide PEG Channel Capacity Upon the Written Request of a City or County. (G.S. 66-357)
- ☐ PEG Channel Operators are Entitled to Receive Their Share of the Video Programming Service Tax Fund (\$4M), which is \$26,315.80 per Channel in FY 2021. (G.S. 105-164.44I, 105.164.44J)

American Rescue Plan Act

Permitted Use of Coronavirus Local Fiscal Recovery Funds:

- ☐ “to respond to the public health emergency . . .or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel and hospitality.”
- ☐ “to make necessary investments in water, sewer, or broadband infrastructure.”

Proposed Henderson County Investment in PEG Channels

Government	Estimated ARP Amount	1% Investment in PEG	Year 1	Year 2
Henderson County	\$22,770,000	\$227,700	\$113,850	\$113,850
Hendersonville	\$4,140,000	\$41,400	\$20,700	\$20,700
Flat Rock	\$990,000	\$9,900	\$4,950	\$4,950
Fletcher	\$2,450,000	\$24,500	\$12,250	\$12,350
Laurel Park	\$680,000	\$6,800	\$3,400	\$3,400
Mills River	<u>\$2,170,000</u>	<u>\$21,700</u>	<u>\$10,850</u>	<u>\$10,850</u>
	\$33,200,000	\$332,000	\$166,000	\$166,000

The Bridge to PEG Financial Sustainability

American
Rescue
Plan Act



Video
Programming
Service Tax

Dare County Quarterly Video Programming Service Tax Distribution

Prefix	Local Government	# Of Certified PEG Channels	Supplemental PEG Channel Support	Proportional Share of Distribution	Sales Tax on Video Programming	Sales Tax on Direct-to-Home Satellite	Sales Tax on Telecommunication Service	Total Distribution
Town of	Eastover	0	\$ -	0.02701%	\$ 1,794.23	\$ 1,415.01	\$ 1,013.55	\$ 4,222.79
Town of	Falcon	0	\$ -	0.00345%	\$ 228.99	\$ 180.59	\$ 129.36	\$ 538.94
City of	Fayetteville	1	\$ 6,578.95	2.87998%	\$ 191,290.28	\$ 150,859.54	\$ 108,058.81	\$ 456,787.58
Town of	Godwin	0	\$ -	0.00000%	\$ -	\$ -	\$ -	\$ -
Town of	Hopie Mills	0	\$ -	0.27896%	\$ 18,528.95	\$ 14,812.71	\$ 10,466.90	\$ 43,606.56
Town of	Linden	0	\$ -	0.00213%	\$ 141.26	\$ 111.40	\$ 79.80	\$ 332.46
Town of	Spring Lake	0	\$ -	0.11922%	\$ 7,918.50	\$ 6,244.86	\$ 4,473.11	\$ 18,636.47
Town of	Stedman	0	\$ -	0.01751%	\$ 1,163.15	\$ 917.31	\$ 657.06	\$ 2,737.52
Town of	Wade	0	\$ -	0.00600%	\$ 396.66	\$ 314.40	\$ 225.20	\$ 936.26
County of	Curtis	3	\$ 18,736.85	0.35971%	\$ 23,826.09	\$ 18,790.25	\$ 13,458.22	\$ 75,812.41
County of	Dare	2	\$ 13,157.90	0.08431%	\$ 5,600.09	\$ 4,416.46	\$ 3,163.46	\$ 26,337.91
Town of	Duck	1	\$ 6,578.95	0.00185%	\$ 122.92	\$ 96.94	\$ 69.44	\$ 6,668.25
Town of	Kill Devil Hills	1	\$ 6,578.95	0.22289%	\$ 14,804.61	\$ 11,675.53	\$ 8,363.04	\$ 41,422.13
Town of	Kitty Hawk	1	\$ 6,578.95	0.11713%	\$ 7,779.65	\$ 6,132.36	\$ 4,394.68	\$ 24,986.64
Town of	Manteo	2	\$ 13,157.90	0.05249%	\$ 3,486.12	\$ 2,749.30	\$ 1,969.29	\$ 21,362.61
Town of	Nags Head	2	\$ 13,157.90	0.16677%	\$ 11,077.06	\$ 8,735.83	\$ 6,257.37	\$ 39,228.16
Town of	Southern Shores	1	\$ 6,578.95	0.09530%	\$ 6,330.05	\$ 4,992.15	\$ 3,575.81	\$ 21,476.96
County of	Currituck	0	\$ -	1.14250%	\$ 75,885.75	\$ 59,846.69	\$ 42,867.44	\$ 178,599.88
Town of	Denton	0	\$ -	0.01641%	\$ 1,099.99	\$ 859.61	\$ 618.73	\$ 2,568.33
City of	Lexington	0	\$ -	0.16577%	\$ 11,010.73	\$ 8,663.52	\$ 6,219.90	\$ 25,914.15
Town of	Midway	0	\$ -	0.02251%	\$ 1,495.10	\$ 1,179.10	\$ 844.57	\$ 3,518.77
City of	Thomasville	1	\$ 6,578.95	0.24679%	\$ 16,392.18	\$ 12,927.56	\$ 9,259.85	\$ 45,158.54
Town of	Waltbury	0	\$ -	0.01449%	\$ 962.13	\$ 768.78	\$ 543.50	\$ 2,264.41
County of	Currituck	1	\$ 6,578.95	0.11675%	\$ 7,754.75	\$ 6,115.72	\$ 4,390.61	\$ 24,930.03
Town of	Bermuda Run	0	\$ -	0.09957%	\$ 3,956.40	\$ 3,120.19	\$ 2,234.95	\$ 9,311.54
Town of	Crookette	0	\$ -	0.00444%	\$ 294.71	\$ 232.42	\$ 166.48	\$ 693.61
Town of	Mocksville	0	\$ -	0.02865%	\$ 1,902.95	\$ 1,500.75	\$ 1,074.97	\$ 4,478.67
County of	Duplin	0	\$ -	0.02997%	\$ 1,964.02	\$ 1,564.68	\$ 1,120.76	\$ 4,669.46
Town of	Deeblee	0	\$ -	0.00993%	\$ 659.49	\$ 520.10	\$ 372.54	\$ 1,552.13
Town of	Calypso	0	\$ -	0.00253%	\$ 168.15	\$ 132.61	\$ 94.08	\$ 395.74
Town of	Falcon	0	\$ -	0.00131%	\$ 86.95	\$ 68.57	\$ 49.12	\$ 204.64
Town of	Greeneville	0	\$ -	0.00295%	\$ 196.07	\$ 154.63	\$ 110.76	\$ 461.46
Town of	Kemansville	0	\$ -	0.00332%	\$ 220.32	\$ 173.76	\$ 124.46	\$ 518.54
Town of	Magroila	0	\$ -	0.00208%	\$ 136.46	\$ 109.19	\$ 78.21	\$ 323.86
Town of	Rose Hill	0	\$ -	0.00827%	\$ 549.20	\$ 433.13	\$ 310.24	\$ 1,292.57
Town of	Teachey	0	\$ -	0.00153%	\$ 121.42	\$ 95.76	\$ 68.59	\$ 285.77
Town of	Wallace	0	\$ -	0.02751%	\$ 1,827.40	\$ 1,441.17	\$ 1,032.29	\$ 4,300.86

Page 6 of 19

Comparison of Video Programming Service Tax Distributions to:

☐ Dare: \$263,158

☐ East Wake: \$368,421

☐ Henderson: \$296,296
(Projected)

Government Entity	Certified PEG Channels	Quarterly	Yearly
Dare County	2	\$13,157.90	\$52,631.60
Duck	1	\$6,578.95	\$26,315.80
Kill Devil Hills	1	\$6,578.95	\$26,315.80
Kitty Hawk	1	\$6,578.95	\$26,315.80
Manteo	2	\$13,157.90	\$52,631.60
Nags Head	2	\$13,157.90	\$52,631.60
Southern Shores	1	\$6,578.95	<u>\$26,315.80</u>
	10		\$263,158
Garner	2	\$13,157.90	\$52,631.60
Knightdale	2	\$13,157.90	\$52,631.60
Rolesville	2	\$13,157.90	\$52,631.60
Wendell	2	\$13,157.90	\$52,631.60
Zebulon	2	\$13,157.90	\$52,631.60
Archer Lodge	2	\$13,157.90	\$52,631.60
Clayton	1	\$13,157.90	<u>\$52,631.60</u>
	14		\$368,421.20
Henderson County	2	\$12,345.68	\$49,382.72
Hendersonville	2	\$12,345.68	\$49,382.72
Laurel Park	2	\$12,345.68	\$49,382.72
Flat Rock	2	\$12,345.68	\$49,382.72
Mills River	2	\$12,345.68	\$49,382.72
Fletcher	2	\$12,345.68	<u>\$49,382.72</u>
	12		\$296,296.32

“Treasury encourages recipients to consider funding uses that foster a strong, inclusive, and equitable recovery, especially uses with long-term benefits for health and economic outcomes.”

(Department of the Treasury, 31 CFR Part 35, Interim Final Rule, May 17, 2021)

“... recipients have considerable flexibility to use Fiscal Recovery Funds to address the diverse needs of their communities.”

(Department of the Treasury, 31 CFR Part 35, Interim Final Rule, May 17, 2021)

How PEG Will Benefit Henderson County

- ☐ Increase Public Communication
- ☐ Increase Civic Engagement
- ☐ Connect Citizens With Their Communities
- ☐ Enhance Public Health and Public Safety

- ☐ Promote Business Development and Tourism
- ☐ Improve Digital and Media Literacy
- ☐ Engage the College, Schools, Educators, Students
- ☐ A Source of Local News Not Carried on WLOS
- ☐ Programming Available on Facebook®, YouTube®

“In order for democracy to flourish, people must be active participants in their government, educated to think critically, and free to express themselves.”

(Community Television Association of Maine)

Thank You!

For More Information, Contact:

Bruce Macdonald

bmacd47@gmail.com

617-797-1784



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: John Connet **MEETING DATE:** 05/26/2021
AGENDA SECTION: PRESENTATION **DEPARTMENT:** Community Development
TITLE OF ITEM: Dark Sky Ordinance – *Matthew Manley, Planning Manager*

SUGGESTED MOTION(S):

NA

SUMMARY:

City staff has been working with a Planning Board subcommittee to develop a potential Dark Sky Ordinance. Staff will present the information they have gathered to date. In addition, they will be assisted by a lighting expert from GE current and an Appalachian State University professor who advises the International Dark Sky organization.

BUDGET IMPACT: TBD

Is this expenditure approved in the current fiscal year budget?

If no, describe how it will be funded.

ATTACHMENTS:

None



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: John Connet **MEETING DATE:** 5/26/2021
AGENDA SECTION: PRESENTATION **DEPARTMENT:** Administration
TITLE OF ITEM: Update and Discussion Regarding Construction of New Fire Station 1 – *John Connet, City Manager, Brian Pahle, Assistant City Manager and James Miller, Fire Chief*

SUGGESTED MOTION(S):

None

SUMMARY:

City staff and ADW Architecture will provide an update regarding the next steps in the construction of the new Fire Station 1 and receive feedback from the City Council.

BUDGET IMPACT: \$

Is this expenditure approved in the current fiscal year budget? NA

If no, describe how it will be funded. NA

ATTACHMENTS:

ADW Presentation

HENDERSONVILLE FIRE DEPARTMENT STUDY

HENDERSONVILLE, NC



PROCESS



- Toured Fire Station No.1
- Met with Fire Chief to review building issues and Space Needs
- Completed a Second Tour of the Facility with Engineers (Structural, Mechanical, Electrical and Plumbing)
- Developed an Existing Building Conditions Report
- Developed a Written Program of Space Needs
- Developed 4 Options for Fire Station No.1
- Developed 2 Options for Fire Station No.3
- Developed Budgets for all options
- Met with Council Members, Staff and Media

OPTIONS

FIRE STATION NO.1 -- OPTION 1 | RENOVATE AND ADD SPACE FOR FIRE DEPT. OPERATIONS AND FIRE DEPT. ADMINISTRATION



- Square Footage:
Existing Bldg. 9,854 Sq. Ft.
New Addition. 8,366 Sq. Ft.
Total 18,220 Sq. Ft.
- Construction Cost Total:
\$ 5,901,501
- Soft Costs:
\$ 1,180,300
- Total Estimated Project Costs:
\$ 7,081,801

OPTIONS

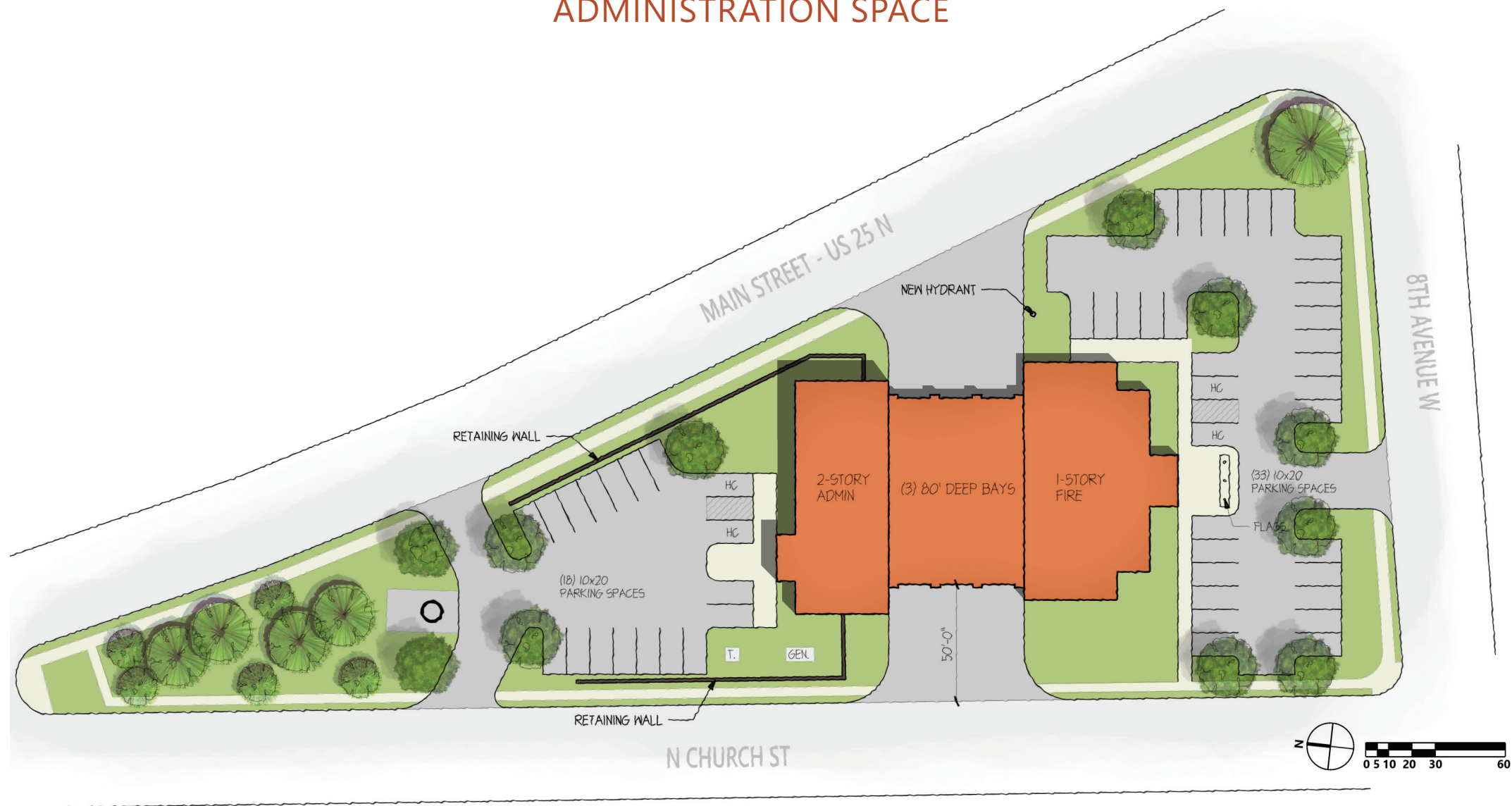
FIRE STATION NO.1 -- OPTION 2 | RENOVATE AND ADD SPACE FOR FIRE DEPT. OPERATIONS ONLY (NO NEW ADMINISTRATION SPACE)



- Square Footage:
Existing Bldg. 9,854 Sq. Ft.
New Addition. 1,862 Sq. Ft.
Total 11,716 Sq. Ft.
- Construction Cost Total:
\$ 3,787,164
- Soft Costs:
\$ 719,561
- Total Estimated Project Costs:
\$ 4,506,726

OPTIONS

FIRE STATION NO.1 -- OPTION 3 | DEMOLISH EXISTING BUILDING AND BUILD NEW BUILDING THAT INCLUDES OPERATIONAL SPACE AND FIRE DEPT. ADMINISTRATION SPACE



- Square Footage:
18,200 Sq. Ft.
- Construction Cost Total:
\$ 6,275,130
- Soft Costs:
\$ 1,129,523
- Total Estimated Project Costs:
\$ 7,404,653

OPTIONS

FIRE STATION NO.1 -- OPTION 4 | DEMOLISH EXISTING BUILDING AND BUILD NEW BUILDING THAT INCLUDES OPERATIONAL SPACE ONLY (NO ADMINISTRATION SPACE)
THIS OPTION COULD INCLUDE A NEW CITY GATEWAY PARK



- Square Footage:
14,000 Sq. Ft.
- Construction Cost Total:
\$ 5,436,600
- Soft Costs:
\$ 978,588
- Total Estimated Project Costs:
\$ 6,415,188

OPTIONS

FIRE STATION NO.3 -- SITE STUDY



2 BAY OPTION

- Square Footage:
10,000 Sq. Ft.
- Construction Cost Total:
\$ 4,129,600
- Soft Costs:
\$ 784,624
- Total Estimated Project Costs:
\$ 4,914,224

3 BAY OPTION

- Square Footage:
11,850 Sq. Ft.
- Construction Cost Total:
\$ 4,579,390
- Soft Costs:
\$ 870,084
- Total Estimated Project Costs:
\$ 5,449,474

adw architects
environmentsforlife