



MINUTES

November 22, 2021

SPECIAL CALL MEETING OF THE CITY COUNCIL

CITY OPERATIONS CENTER | 305 WILLIAMS ST. | 4:00 p.m.

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

Others Present: City Council Member Elect Debbie O'Neal-Roundtree

Staff Present: City Manager John F. Connet, Assistant City Manager Brian Pahle, City Clerk Angela Reece, Communications Manager Allison Justus, and others

1. CALL TO ORDER

Mayor Barbara G. Volk called the meeting to order at 4:02 p.m. and welcomed those in attendance. A quorum was established with all members in attendance.

2. PUBLIC HEARINGS

A. Public Hearing to Consider Annexation and Sewer Service Agreement with the Town of Laurel Park – *Angela S. Beeker, City Attorney*

City Attorney Angela Beeker advised the proposed Agreement establishes a sphere of influence boundary for the Town of Laurel Park and the City of Hendersonville. This agreement is for a period of five years and provides the City of Hendersonville will not annex properties within the sphere of influence boundary. Attorney Beeker advised the agreement outlines that the City of Hendersonville will not provide sewer service to any property within the sphere of influence boundary, which is not already served, unless the property is within the primary or satellite corporate limits of the Town of Laurel Park.

The City Clerk confirmed this public hearing has been advertised in accordance with North Carolina General statutes. The public hearing was opened at 4:04 p.m.

Town of Laurel Park Mayor J. Carey O'Cain addressed City Council on behalf of the Town of Laurel Park Council expressing support for the approval of this agreement. Mayor O'Cain recalled past efforts to develop a cooperative boundary agreement with the City of Hendersonville.

Mayor Barbara G. Volk read digital comments submitted by the following:

J. Michael Edney of 333 N. Overlook Terrace submitted digital comments opposing approval of the proposed agreement citing concerns of forced annexation by Laurel Park to be considered for sewer service.

Troy Drake of 708 Davis Circle submitted digital comments opposing the approval of the proposed agreement citing concerns of spot annexation within the unincorporated area of Henderson County into Laurel Park.

A letter submitted by Henderson County Manager John Mitchell on behalf of the Henderson County Board of Commissioners opposing approval of this agreement was submitted to City Council for consideration. A copy of the letter is on file in the City Clerks office.

Glen Ingram of 1515 Brevard Rd. addressed City Council via Zoom electronic software stating his property is listed on page 16 of the draft agreement and said he has no interest in annexation by Laurel Park.

Ken Fitch of 1046 Patton St. addressed City Council expressing concerns of the need to maintain the character of the place where residents live stating he feels it is at risk for severe alteration due to development.

City Council Member Jerry Smith moved that City Council continue this public hearing to the December 2nd City Council Regular Meeting. The motion carried by a vote of 4-1 with Mayor Barbara G. Volk voting against.

3. **Prioritization of ARP Funding**

A. ARP Funds Presentation – *Administrative Staff*

City Attorney Angela Beeker provided a presentation to City Council on American Rescue Plan (ARP) Funding. Attorney Beeker stated she participated in a six-day training regarding utilization of the ARP funds. In the presentation Attorney Beeker provided Council with updated information on how the funds may be spent. City Manager Connet discussed the administrative burden administering these grant funds will impose and advised staff will discuss creation of a grant administrator position further with Council at their next meeting. Manager Connet discussed the original project ideas and eligible uses as outlined below along with development of clear goals and objectives for expenditure of funds:

Original Project Ideas Infrastructure Improvements: \$2.85million

- \$2,500,000 UV Replacement Project
- \$250,000 Fiber Infrastructure Project
- \$100,000 Future Stormwater Infrastructure Improvements

Nonprofit Assistance: \$1.65million

- \$400,000 Interfaith Assistance Ministry
- \$1,000,000 Nonprofit Application Fund
- \$100,000 Connection Center
- \$150,000 Affordable Housing Projects



Manager Connet recommended City Council develop a clear evidence-based process for allocation of funds to establish a clear need for how funds will be utilized. Manager Connet suggested City Council utilize their established core values and beliefs to guide and inform this process and to conduct public input and outreach during the month of January to aid in formulation of clear guidelines. The consensus of City Council is that staff are proceeding in the right direction.

4. **Acceptance of Dogwood Trust Grant for Hendersonville Connection Center**

A. Resolution Authorizing the Mayor to Execute Grant Agreement with Dogwood Health Trust – *John Connet, City Manager*

City Manager John Connet stated the city has receive \$1.5 million to assist with the development of the Hendersonville Connections Center. Manager Connet stated staff is asking City Council to approve the grant agreement in order to receive the funds.

City Council Member Lyndsey Simpson moved that City Council adopt the resolutions authorizing Mayor Volk to execute the grant agreement with Dogwood Health Trust as presented. A unanimous vote of the Council followed. Motion carried.

Resolution #R-21-108

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL AUTHORIZING THE ACCEPTANCE OF THE DOGWOOD HEALTH TRUST GRANT

WHEREAS, the City of Hendersonville has been awarded a \$1.5 million grant from the Dogwood Health Trust to assist in the development of the Hendersonville Connections Center; and

WHEREAS, the Hendersonville City Council supports the mission of the Hendersonville Connections Center to assist local residents in need; and

WHEREAS, the City proposes to partner with Henderson County, Town of Laurel Park, and other municipalities to fund the development of crisis intervention center; and

WHEREAS, the City of Hendersonville will work with the Hendersonville Connections Center and other local governments to ensure the funds are distributed in accordance with all applicable laws and regulations

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

1. The Mayor is authorized to execute the grant agreement between the Dogwood Health Trust and City of Hendersonville and to make all necessary assurances.
2. The City Manager and City Attorney are authorized to develop all necessary agreements to disburse the funds for the development of the Hendersonville Connections Center

Adopted by the City Council of the City of Hendersonville, North Carolina on this 22nd day of November, 2021.

/s/Barbara G. Volk, Mayor

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

Approved as to form: /s/Angela S. Beeker, City Attorney

5. Senate Bill 300 Ordinance Amendments

A. Update Regarding Senate Bill 300 – *John Connet, City Manager, Blair Myhand, Chief of Police and Angie Beeker, City Attorney*

City Manager John Connet recalled the North Carolina General Assembly passing Senate Bill 300 during the current legislative session. Manager Connet stated as part of this criminal justice reform bill, the city will have to make modifications to our Code of Ordinances and Police Department policies to come into compliance. Police Chief Blair Myhand discussed reporting requirements as outlined in the new legislation. Chief Myhand advised the Police Department will be in compliance with the new requirements on December 1st. City Attorney Angela Beeker discussed ordinances which currently include established specific criminal penalty language such as disorderly conduct as well as discussed necessary amendments to retain enforcement for certain other ordinances to remove general criminal penalty language. Attorney Beeker advised she and Chief Myhand are working together to assemble a list for consideration by City Council to determine which ordinances they wish to remain criminal and which they wish to decriminalize and said more information will be presented soon.

ADJOURN

There being no further discussion, the meeting was adjourned at 5:31 p.m. upon unanimous assent of the Council.

Barbara G. Volk, Mayor

ATTEST:

Angela L. Reece, City Clerk