

**MINUTES  
BREVARD CITY COUNCIL  
January 25, 2018 - 8:30 A.M.**

**City Council Annual Planning Session**

The City Council of the City of Brevard met for their Annual Planning Session on Thursday, January 25, 2018, starting at 8:00 A.M. with breakfast with the meeting starting at 8:30 A.M. in the Institute Room at Brevard College with Mayor Jimmy Harris presiding.

Mayor Harris called the meeting to order at 8:30 A.M.

**Closed session** - At 8:30 A.M. Mr. Jones moved, seconded by Mr. Morrow to go into closed session to discuss a matter of Economic Development per GS § 143-318.11. (a)(3) (4)NCGS. Motion carried unanimously.

Council Returned to Regular Session at 10:00 A.M. The minutes of the closed session are authorized to be sealed.

**Present** - Mayor Jimmy Harris, Mayor Pro-Tem Mac Morrow, Council Members Maurice Jones, Charlie Landreth, Maureen Copelof and Gary Daniel.

**Staff Present** - City Manager and Finance Director Jim Fatland, City Clerk Jill Murray, Planning Director Daniel Cobb, Planner Aaron Bland, Deputy Finance Director Tom Whitlock, Fire Chief Craig Budzinski, Police Chief Phil Harris, HR Director Kelley Craig, Water Plant ORC Dennis Richardson, Wastewater Plant ORC Emory Owen.

**Staff Absent** - Public Works Director David Lutz

**Press** - Matthew McGregor, Transylvania Times

**Others Present** - Nathan Ramsey, Land of Sky Regional Council and Director of the Mountain Area Workforce Development Board; Dave Loftis, Senior Environmental Engineer/Project Manager of S&ME.

**A. Welcome and Call to Order** - Mayor Harris called the annual planning session to order and welcomed all present. Proper Notice of this meeting has been provided and the annual planning session will be held in a workshop setting. Mayor explained the meeting room has been reserved for today and tomorrow; however, if the materials are presented and discussion is completed by this afternoon, a second meeting day will not be held.

**B. Certification of Quorum** - City Clerk certified a quorum present.

**C. Agenda** - Mr. Morrow moved, seconded by Mr. Jones the Agenda be approved as presented. Motion carried unanimously.

**D. Action Items** - The following items were placed on the Annual Planning Session agenda as action items because the January 16<sup>th</sup> Council Meeting was cancelled due to bad weather.

Mr. Morrow moved, seconded by Mr. Landreth that Council adopted the Certificate of Sufficiency and Resolution No. 2018-02. Motion carried unanimously.

Certificate of Sufficiency

I, Jill Murray, City Clerk, do hereby certify that I have investigated the petition submitted by **Tore's Properties, LLC**, PIN 8596-26-6331-000 containing 4.025 acres more or less, and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with NCGS 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Brevard this 25<sup>th</sup> day of January, 2018.

**1. Resolution-Annexation, Accepting Sufficiency and Setting Date for Public Hearing, Tore's Properties, LLC**

**RESOLUTION NO. 2018-02**

**A RESOLUTION FIXING A DATE OF PUBLIC HEARING  
ON THE QUESTION OF ANNEXATION PURSUANT TO  
NCGS 160A-31, AS AMENDED**

WHEREAS, a petition was received on November 6, 2017, requesting the annexation of a contiguous area described in said Petition as Tore's Properties, LLC, property located at 280 Osborne Road, Brevard, NC, 28712, consisting of 4.025 acres, be annexed into the City of Brevard. (Tax Property Identification Number: 8596-26-6331-000); and,

WHEREAS, the Brevard City Council has by Resolution No. 2017-22 directed the City Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA:

Section 1. That a public hearing on the question of annexation of the contiguous area described below as requested by Tore's Properties, LLC, will be held at Brevard City Hall at 7:00 P.M. on the 19th day of February, 2018.

Section 2. The area proposed for annexation is described as follows:

Location: 280 Osborne Road, Brevard, NC 28712. Transylvania County Tax Property Identification Number 8596-26-6331-000.

Metes and Bounds Property Description:

Beginning at an iron pin on the east side of Old Highway 64 (SR No. 1504) at the intersection with Osborne Road (SR No. 1556), thence crossing Old Highway 64 and running with the center line of Osborne Road the following seven calls: North 56 degrees 51 minutes 39 seconds West, 154.47 feet; North 57 degrees 25 minutes 29 seconds West, 113.43 feet; North 59 degrees 34 minutes 11 seconds West, 63.53 feet; North 62 degrees 12 minutes 27 seconds West, 47.63 feet; North 67 degrees 00 minutes 21 seconds West, 34.62 feet; North 72 degrees 38 minutes 00 seconds West, 34.84 feet; North 79 degrees 52 minutes 09 seconds West, 16.60 feet to an iron pin in the center of Osborne Road; thence leaving Osborne Road South 25 degrees 27 minutes 33 seconds West, 440.94 feet with the line of Carolyn Osborne Howie to an iron pin near a Private Asphalt Driveway; thence along with but not parallel to the said driveway, South 72 degrees 08 minutes 21 seconds East, 331.02 feet, crossing Old Highway 64 to an iron pin on the east side of the said highway; thence with the east side of the said highway, North 43 degrees 37 minutes 49 seconds East 326.76 feet to an iron pin; thence continuing with the east side of the said highway North 45 degrees 43 minutes 34 seconds East, 91.24 feet, to the Point of Beginning.

Being 4.025 acres, more or less, as platted by E. Roger Raxter, Drawing No. 17024B, dated November 9, 2017, and recorded at Plat File \_\_\_\_\_, Slide \_\_\_\_\_, in the Transylvania County Registry.

Section 3. Notice of said public hearing shall be published in the Transylvania Times, a newspaper having general circulation in the City of Brevard, at least ten (10) days prior to the date of said public hearing.

Section 4. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this the 16th day of January, 2018.

## **2. Resolution Establishing Mary C. Jenkins Community Center Task Force**

Mr. Fatland explained that he met with the Mary C. Jenkins Board before Christmas and decided to put a taskforce together consisting of two Council members, Maurice Jones and Gary Daniel, Public Works Director David Lutz and himself, as well as, the following citizens: Victor L. Foster, Sr., Nicola Karesh, Susan Threlkel, Randy Lytle, Edith H. Darity and Karen Darity. Mr. Morrow moved, seconded by Mr. Jones that the Mary C. Jenkins Task Force be formed as described. Motion carried unanimously.

### **RESOLUTION NO. 2018-03**

#### **A RESOLUTION ESTABLISHING THE MARY C. JENKINS COMMUNITY CENTER TASK FORCE**

WHEREAS, the City of Brevard wishes to build a new Mary C. Jenkins Community Center; and,

WHEREAS, the Mary C. Jenkins Board agreed to donate said property to the City of Brevard; and

WHEREAS, the City of Brevard would like to work with the Mary C. Jenkins Board to oversee the project from design to completion; and,

WHEREAS, it is the desire of the City Council of the City of Brevard to proceed with the design of the Mary C. Jenkins Community Center and work closely with the Mary C. Jenkins Board of Directors. .

NOW, THEREFORE, BE IT RESOLVED THAT:

SECTION 01: Brevard City Council will develop a plan that sets forth the plan and design for the new Mary C. Jenkins Community Center (hereafter, "plan").

SECTION 02: A task force is hereby established for this purpose.

SECTION 03: The task force shall be comprised of the following membership:

- a) Brevard City Council Member, Maurice Jones
- b) Brevard City Council Member, Gary Daniel
- c) Brevard City Manager, Jim Fatland
- d) Public Works Director, David Lutz
- e) Victor L. Foster, Sr., Citizen
- f) Nicola Karesh, Citizen
- g) Susan Threlkel, Citizen
- h) Randy Lytle, Citizen
- i) Edith H. Darity, Citizen
- j) Karen Darity, Citizen

SECTION 04: The Mary C. Jenkins Task Force shall elect Council Member Maurice Jones as Chair and Council Member Gary Daniel as Vice-Chair.

SECTION 05: City Staff is hereby directed to provide such support as may be necessary to the task force so that it may complete its mission as set forth herein.

SECTION 06: The task force shall dissolve upon completion of its mission as set forth herein.

SECTION 7. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this the 16th day of January, 2018.

**E. Retreat Materials** - A complete copy of the Agenda and retreat notebook materials and information provided to Council, staff and the press is on file. Following are summaries of discussions held and actions taken at the Annual Planning Session:

**F. Opening Comments** – Mayor Harris did not have any opening comments other than to introduce Nathan Ramsey from the Land of Sky Regional Council.

Mr. Ramsey provided a PowerPoint presentation (On file with agenda materials) and reported the following:

- Transylvania County employment is still recovering from the Great Recession;
- Transylvania County wages are below NC and national averages;
- Transylvania County educational attainment is above NC and national averages with 88.8% earning a HS Diploma compared to the State as a whole at 85%;
- Transylvania median household income is \$41, 952 compared to NC at \$46, 556 and US at \$53,657;
- Overall there are more job openings in Asheville metro than people searching for jobs;
- There are 5 strong jobs in our area-Advanced Manufacturing; Healthcare; Hospitality & Tourism; Skilled Trades and Tech/IT.

Mr. Ramsey added that they can help fund training for low income adults, dislocated workers and youth. The State goal is that we increase workers with a post-secondary credential and they have a program that just got started called UpSkill WNC that focuses on getting people additional training. He mentioned that housing and transportation is still a need and a challenge. Currently, there is an early childhood initiative going on in Transylvania County right now. Mission Health is the only employer that offers onsite childcare and it's challenging for employers to do that. Lastly he added that 60% of Kindergartener's today will have jobs that aren't even available today.

*~~ At 11:10 Mayor called for a 5 minute break. ~~*

**G. Bike Friendly Discussion** - Daniel Cobb explained that this item was originally in the City's Comprehensive Plan as an actionable item. A bicycle friendly community program is a program that has a very small number of communities that meet this designation and it's more about recreation.

Aaron Bland went over a brief PowerPoint presentation (On file with agenda materials) and added that this program is about transportation, as well as, recreation. We need to be able to get around town on bikes as well. There are currently only 430 designated bicycle friendly communities in the country and only 12 in North Carolina. This is specifically in the City's Comprehensive Plan and something that the City is committed to in the long run. Our first application was submitted and we received an honorable mention. They gave us a report card with it as well to let us know what we need to do to improve our plan.

Since the application was filed, the following has taken place:

- Working with the Parks and Trails Committee and have designated them as a Bicycle Advisory Committee
- Sharing the road and bike league information on the City website;
- Staff has been watching APBP (Association of Pedestrian & Bicycle Professionals) training webinars;
- Early planning of bike month activities for 2018

Key Steps to getting a Bronze

- Adopt a complete streets policy and create implementation
- Expand events to create year-round culture of cycling
- Complement recreation cycling culture with investments that make transportation and utility cycling safe and comfortable
- Improve bike-related training for police
- Better data collection and distribution
- Create Bike to Work Day and Bike to School Day events
- Create low-stress street network (slow speeds in residential, wayfinding for bike routes)

Mr. Bland added that you can do things within the roadway to remind people that bikes use it. Mr. Cobb gave examples such as retrofitting roads, plant street trees, curb and guttering etc.

Mr. Landreth said that he would like to see a sample of what retrofitting roads, street trees, and curbs and guttering would cost and gave the example of Maple Street having at least five different areas where it could possibly be reconfigured. Mr. Jones would also be interested in seeing all of the things that can be done.

*~~ At 12:15 Mayor called for a 45 minute lunch break. ~~*

**H. Downtown Master Plan** - Mr. Cobb provided a PowerPoint presentation that gave a brief history of the City's Downtown Master Plan. (On file with agenda materials).

**Lighting.** Mr. Cobb explained that there are two options for implementing the streetlight plan. We can do it all at once or incremental improvements over time. A current tax raise of two cents generates \$180,000 each year which could help with the streetlight plan. The 30 foot tall lights would meet the DOT requirements and the decorative 12 foot ones could be added later. Duke Energy quoted us \$367,000, which does not include installation. Mr. Fatland mentioned that the City could purchase a trenching machine for roughly \$200,000 and then the City Public Works Department could install all of the lights at a much lower cost to the City. The Mayor added that the trenching machine could be used for various other things throughout the City and said we should commit to purchasing one. Once the paperwork is completed and the lights are ordered, it takes about 8 weeks to get them delivered. Other options available for revenue besides the \$180,000 annual tax revenue are TIGER grants, general obligation bonds, loans, HB900 sales tax increase or scale down the streetscape project. Mr. Cobb added that he believes the streetlights are a priority for safety reasons and we could do them in Phases as described in the PowerPoint presentation.

Mr. Landreth said the streetlights could be one phase and he is interested in other phasing options as well such as putting in bump-outs and tree-wells as one phase.

**General Design.** Mr. Cobb explained that the cost of Phase 1 is roughly \$2,500,000 and if there is a desire to implement this plan, then some decisions need to be made. The estimated total cost of all phases of the streetscape plan is \$12 million dollars. He explained that we can keep the plan as its designed and come up with incremental improvements but eventually we need to make more serious decisions.

The Mayor added that one of the reasons it hasn't been implemented yet is because of the work being done on Caldwell Street. A referendum called HB900 was not an option a few years ago but it makes sense to lobby for it now. Mr. Cobb added that the Caldwell Street project is due to be finished in June, 2018.

Mr. Jones asked that if HB900 passes, is that going to be our main way of funding this master plan and if it doesn't go through, are we going to be reconsidering if the Downtown Master Plan is even a workable plan? Ms. Copelof added that it would make sense for the Committee to look at a downsized plan.

Mr. Cobb said what would be helpful is if Council were to set what they're comfortable spending on a project like this, then we can design the plan around that. If we can come up with that number, we know what our annual is going to be.

Mr. Landreth asked staff to put together a number before the next Downtown Master Plan Committee meeting. He believes there are two pressure points. Pedestrian safety and trees. We have an opportunity to deal with the street lights but I am also interested in another phasing option. Let's look at tree wells and bump outs as their own phase and see if that's affordable.

Mr. Fatland added that we have some work to do at the Committee level and then we will come back to Council with a recommendation.

**District Designations.** Mr. Cobb explained that there's been talk about designating specific districts. For example, Maple Street District, Pisgah Forest District and The Lumberyard has approached the City about making it The Railroad District and asked if Council was interested in doing something like that. There is no real benefit to it, however, it would work with our current wayfinding signs. If Council does want to move forward, a policy will need to be written. Following discussion, Council decided that staff should come back at the Committee level with a policy/scoring system.

*~~ At 2:10 Mayor called for a 15 minute break. ~~*

**I. Form Based Code** - Mr. Cobb showed a PowerPoint presentation that was shown at October's Council meeting. (On file with agenda materials). He explained that the question before Council today is do we want to continue with what we have or do we want to reevaluate it. What we're doing right now can be completed with more staff time and the Planning Board or we could go another route and bring in an outside consultant and get a little more involved. We have invested \$225,000 thus far doing it the way we are now. There is the possibility of spending that much again by starting over and going with an outside consultant.

Mr. Daniel said that Form Based Code is a tool to implement or achieve a community vision and the quality of development depends on the community plan. If we do a Form Based Code, what is that community plan that's it's based on? His concern is if we don't have a guiding principal on reformatting our ordinances, then we will continue rewriting our ordinances forever. It's Council's job to decide what our

vision is. We don't necessarily need Form Based Code, but we need a comprehensive plan.

Mr. Landreth commented that he would like to see how we have translated the comprehensive plan into the UDO revisions.

Mayor Harris' opinion is to trust the decision of Council, the Planning Department and the Planning Board and give it a year or so and let's see if it works since we've invested this much money.

Mr. Morrow agrees that we should keep going on the path we're on.

Ms. Copelof added that she would like it to reflect the values that we want. If we spend a lot of time and money and do not have a product that does that, we're setting ourselves back. She suggested that we hear from the stakeholders at the next City Council meeting to see what they would recommend to City Council.

After further consideration, Council decided to move forward on the same path and hear what the stakeholders have to say. If Council proceeds as-is, Mr. Cobb said the document has a ways to go yet, but is hoping that it can be completed by the end of year.

*~~ At 3:31 Mayor called for a 5 minute break. ~~*

The Mayor called the meeting to order and Mr. Fatland said he would like to add an update about the dog park to the agenda.

## **J. Updates.**

**a. Tannery Park.** Mr. Fatland explained that the City was unsuccessful in getting the PARTF Grant we applied for, therefore, Daniel Cobb has been working with David Loftis from S&ME to see how we can make the bike path possible without the grant.

Mr. Cobb provided a PowerPoint showing four areas along where the pathway would go, that have high levels of lead contamination. (On file with agenda materials) To move forward, the contaminated soil would have to be removed and replaced with new soil. If we do a hard surface bike path and it is fenced, we can just cover it with asphalt and some of the contaminated soil could be used for fill for a parking lot.

Mr. Loftis explained that we cannot develop the property until we have a Brownfields Agreement because that will be the recipe on how we develop it. He has another round of soil testing to do. We also don't know if there is lead along the stream. If there is lead in the banks, the DEQ (Department of Environmental Quality) is going to be fine with what we do as long as visitors can't access that part. The next step is to find out how extensive the contamination is and if the stream banks have lead.

**b. Train Depot.** The Mayor explained that to date, we have raised over \$30,000 for the train depot project. There are plans for it to be built with public restrooms and then on one side you can enjoy Kings Creek and on the other side perhaps a venue of some sort with a stage.

Mr. Cobb added that the engineer is working on how much room we have on this site for a small bike pump track and skate park as well. Also, to date, we have raised exactly \$30,690 in sales of the bricks.

**c. Mary C. Jenkins Community Center.** Mr. Fatland explained that he plans to have a task force meeting with the City Attorney to find out the legal aspects of the title of the property. The Mayor added that we need the Board to talk to surrounding neighbors to see if they'll donate their piece of property needed for the Center.

**d. Brevard's 150<sup>th</sup> Anniversary.** The Mayor explained that he is asking several people to attend the 150<sup>th</sup> celebration and he would like to do it on Veteran's Day since Dr. Ephram Brevard was a Veteran. He will be asking the County, as well as, the Governor, State officials and Congressmen to attend the celebration. Another big event is our 4<sup>th</sup> of July event and as always we will be setting off fireworks and we'd like them to be bigger this year for the celebration. He also read a letter from LeAnn McCraw, the point person for this project which discussed glow sticks for kids and cupcakes. (Exhibit F).

**e. Dog Park.** Mr. Fatland explained that at the November Council meeting, Council authorized staff to enter into negotiations with Mission Hospital regarding a dog park on a piece of land they own along our bike path. Our City Attorney has advised us that we should have a license agreement prepared as the hospital isn't going to give it to us, but rather lease it to us. Mission Hospital also wanted to make sure that the County was on board with us as well and I met with the County Manager and she had some tips for us because she established the dog park in Mills River. We are getting very close to making it happen and our Public's Works crews are ready to break ground when it gets warmer. Hopefully another dedication in 2018.

The Mayor asked if there were any more updates from anyone. Mr. Cobb added that the City's website contract included a redesign in 4 years and we are in the middle of that right now and it should be done around April/May of this year.

The Mayor added that perhaps we could get a new group photo for the website.

## **K. Council Brainstorming.**

### Mayor Jimmy Harris

- Construction materials in front of homes. If we find it, we put a tag on it and we send them a letter to get it picked up. If they don't, we pick it up and attach the fee to their water bill.
- French Broad River. A boardwalk from Hap Simpson Park to the High school; a river walk.
- Rental bikes with GPS on them. You can leave them and we'll pick them up.

### Maureen Copelof

- Would like the City to be more green. Electric car charging stations downtown, public recycling bins downtown, encourage businesses in town to get away from plastic and promote it at our festivals.
- Partner with the County to get some public transportation to SAFE and all the way to Walmart that helps our economically disadvantaged population.
- Community Relations Board. Maximize the use of it.

Gary Daniel

- Was happy to report that his concerns are being addressed.

Mac Morrow

- A Loop at Bracken Mountain to Job Corps.

Maurice Jones

- Recognize our youth leaders not only via certificate but something similar to the VISION program but behind the scenes with Council members.
- Livestream our Council meetings for people who can't make it to our meetings.
- Take more pictures of Council members, not just Mayors, to add to our history wall.
- An open space with a water feature that kids can play in.

The Mayor asked if there was any comments from the staff.

Jim Fatland

I think staff feels good when an idea comes to the table and then it happens. Recycling bins downtown was mentioned once before to the prior City Manager but it never happened. Our sidewalks aren't very big but maybe we can have an all in one recycling and trash. We will take it to the Downtown Master Plan Committee.

Phil Harris

Nothing comes to mind.

Daniel Cobb

Nothing to add, thank you for your time.

Aaron Bland

Seems like Jill could use some new audio equipment.

Tom Whitlock

Nothing thank you.

Emory Owen

I would like to say that I'm very proud to see the depot coming back. I used to go and play around the depot all the time.

Dennis Richardson

We're good. Continuing to make good water.

Kelley Craig

We're good.

Mayor Harris added some final comments.

- Last year we were embarking on a sewer restoration plan;
- Old 64 is back together
- We did not have an EQ tank, we do now.
- A number of amenities happened such as mast arms, shelters, Tannery Park.

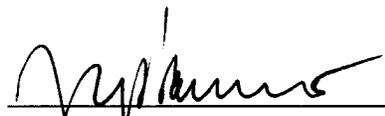
The citizens trust you to make good decisions for them. Brevard is a lot better than most. The City of Brevard is open for business. I feel good about this Planning Session.

**M. Adjourn**

Mayor Harris explained the business upon the Agenda has been completed and therefore a second day of the Annual Planning Session will not be held.

Mayor Harris and Council members expressed their appreciation to Mr. Fatland and staff for their work and preparation that made for a good and productive one-day retreat.

There being no further business, Mr. Jones moved, seconded by Ms. Copelof, the meeting be adjourned. Motion carried and the meeting adjourned at 4:52 PM.

  
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Jimmy Harris  
Mayor

  
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Jill Murray  
City Clerk

Minutes Approved: February 19, 2018