

**MINUTES  
BREVARD CITY COUNCIL  
PLANNING SESSION  
March 22, 2019 - 8:30 AM**

The Brevard City Council met for their Annual Planning Session on Friday, March 22, 2019, at 8:30 a.m. at the Brevard Music Center in Brevard, with Mayor Jimmy Harris presiding.

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

**Staff Present** – City Manager Jim Fatland, City Clerk Jill Murray, Planning Director Daniel Cobb, Fire Chief Bobby Cooper, Police Chief Phil Harris, Deputy Finance Director Tom Whitlock, Human Resources Director Kelley Craig, Wastewater Treatment Plant ORC Emory Owen, Water Plant ORC Dennis Richardson and Public Works Director David Lutz.

**Press** – Matt McGregor, Transylvania Times

**Others Present** – Nancy Coleman from the Heart of Brevard.

**A. Welcome and Call to Order** – Mayor Harris called the meeting to order, welcomed those present and introduced Council members and City Clerk.

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

**E. Approval of Agenda** – Mr. Morrow moved, seconded by Mr. Landreth, the Agenda be approved as presented. Motion carried unanimously.

**F. Committee Updates:**

**City Council Downtown Master Plan Committee** – Charlie Landreth said the discussions for the Downtown Master Plan have been on two tracks. One is what is our long term source of funding for long term projects downtown and the other is what can we do to make it look better. We need to do what we can afford to do in the short term.

- There's really favorable feedback with the crosswalks on Caldwell and we'd like to do it elsewhere. Perhaps at Main and Broad and other places.
- We have been talking about benches and trash cans and we're looking for some continuity downtown.
- We're looking at using our funding for buying a set of benches that go through downtown.
- Downtown is dirty right now. We have had a lot of rain and there is mildew everywhere. Someone asked me "when are you going to pressure wash?" That type of cleaning we'd like to see on a regular basis.
- Transylvania County Tourism is proposing funding for a new video of downtown in the spring.
- We have also discussed new poles with Duke.

Mr. Cobb added that Duke put together a proposal for putting up lights and the cost was pretty significant so we decided to put in for a BUILD grant which was not awarded to us so we need to go back and discuss it.

Mr. Landreth said that it's been a while since we've looked at a capital improvement plan and we should have a list of maintenance and capital improvement items in front of us at a Downtown Master Plan Committee meeting. We have approved the plan for Clemson Park and the design for that park is 90% complete. The City staff has contracted with Destination by Design so we're moving toward construction documents and bidding documents.

Mr. Cobb added that we are delaying it until after July 1<sup>st</sup> to get a grant because we could get 30% covered.

Ms. Copelof asked if we are moving the spruce tree and Mr. Landreth said yes and he believes we should let the public know that we plan to remove that tree. Also DOT cut down a lot of trees on Caldwell Street and I would like to ask about coordinating with homeowners about replacing them.

Ms. Copelof added that the trees on Main Street are not looking good and we should be proactive. Mr. Landreth said that the problem is that the trees were put in a hole in the ground and that doesn't work on a City street. The design for a tree well is a large basin that the tree lives in underneath the concrete. The process to install a tree well is rather significant. There's curbs, gutters, streets and sidewalks and all of that has to be put back. There is an unknown cost of taking the trees out and not knowing what you're going to find and there may be something else to fix and that's why there has always been a delay. We need to move this from long term capital to what we can do this year. The funding decision comes from Council.

Mr. Morrow asked about the parking deck. Mr. Fatland explained that there are a lot of questions that need to be answered. Our thoughts were that we start charging for parking downtown and on the City lots to get some money. I have met with the County Manager and she suggested that when the committee gets further, we can submit a proposal to the County. All of these things need to be looked at before going in front of Council. If we put a parking deck in and free parking everywhere else, we wouldn't have revenue coming in. We have also talked about relaxing it in the winter.

Mr. Cobb said that we've been working with Alan Steinbeck and we have all of the information so we're planning to present it next week at the Downtown Master Plan Committee meeting. I have tentative schematics for that work and we'll see what the committee says and hopefully will have an answer very soon.

**Human Resources and Finance Committee** – Ms. Copelof said we've been working on getting the budget calendar set and we're on track to meet all of the legal obligations.

Mr. Fatland said we were looking at moving our OPEB money which is \$220,000 in the AGPIP Fund, but they're losing money so we decided to stay where we're at. We are working on a pay plan update. We did one for the police department first and now we decided to look at the other departments.

Kelley Craig said that we are in the middle of a pay classification study for all departments except the police department and she has gathered comparable data from surrounding areas. There's a handful of positions that we'll need to make adjustments to but we're closer than we thought.

**Parks, Trails and Recreation Committee** - Gary Daniel said the committee is very engaged and concerned about our parks and trails. We have spent a lot of time speaking about being a bike friendly community and we have talked about having bike racks city-wide not just downtown. Other than that, we have been talking a lot about extending our trail system.

Mr. Fatland added that the committee decided to do the flashing lights at the crosswalks so that is happening. They have also talked about taking existing trails and connecting them to neighborhoods. We are on hold until our City Attorney gets the six easements recorded. Then we plan on moving forward. The depot will move forward and SAFE wants access from Railroad Avenue. We're about \$30,000 short of the \$500,000 that we need to build the depot. We also have the Railroad Avenue Bridge Project and we're waiting for an appraisal to get done. The Railroad Bridge, the depot and the pedestrian bridge will be great improvements to that area.

**Public Safety Committee** – Mr. Jones explained that some of the things that we have done this year is a pay compensation plan for the police department and Bobby Cooper coming on as the new fire chief and he has been doing a great job. He introduced Police Chief Phil Harris and Fire Chief Bobby Cooper.

Mr. Harris talked about a new proposed open carry gun ordinance. He explained that we have people who conceal carry but not open carry and Hendersonville currently has an ordinance which restricts open carry and he is going to sit down with Attorney Mike Pratt and go over this with him and get his input and look at our special events and make sure we're comfortable with it before presenting it to Council.

Mr. Harris said about nine months ago they started having issues with their person to person radio system. Our system is analog broadband and we think that other agencies have amplified their systems and we have bleed over. The solution is to go digital which is Nano band. We believe we can do that for roughly \$70,000. Mr. Fatland asked me to consider funds that we have in the Narcotics Task Force and the answer is yes, it could help cover some of this.

Mr. Fatland added that we can finance it over 5 years and it wouldn't be an impact to the general fund. We would have car radios and personal radios so somewhere around 50 radios and cell tower improvements.

Finally, Mr. Harris said that we're looking to have a remotely monitored camera at the skate park. We are looking for cameras that can be live monitored in communications and in our officers cars so they can see what's going on at the skate park any time of day from their cars. We've since looked at adding one like we've had at Franklin Park but I'm not sure that that one is working properly. Also, perhaps add cameras at the Mary C. Jenkins Center.

Bobby Cooper said that the service truck issue has been going on for several years. The outcome was the first step was to renew the contract with the County. That part has been done on our end and Council approved it and it is waiting to be approved by the County attorney and commissioners. They wanted it done by April 1<sup>st</sup> so we've completed that on our part. We're looking at \$650,000 to replace this truck with no additional equipment for the truck. We've got everything in place and we're waiting on the County to share the cost. We're not increasing our debt service because last year we paid off the ladder truck and this coming year we're paying off the engine and the tanker and in two years we'll pay off another tanker. If it's approved by the County, we're looking at ordering this truck in July and then it has a year build time so the first payment would be in fiscal year 2021 so it would actually be a decrease in our debt service.

**Public Works and Utilities Committee** – Mr. Morrow passed it over to Emory Owen, Dennis Richardson and David Lutz.

**Wastewater Treatment Plant** – Mr. Owen explained that we started to look into the process of building a new pump station. We decided it would be just as good if we reconditioned what we have so we got quotes and Brushy Mountain Builders was awarded the contract and they came in and cut the existing pipes and pulled everything out. We rewired the whole system at the lift station. The lift station is working flawlessly and we put in a new float system and it came in \$100,000 cheaper than if we did an above ground station. We have 60% capacity left. We got the most life out of the old plant. We have a 2.5 million gallons a day plant. Right now we're averaging 1.3 to 1.4 million gallons a day.

**Water Treatment Plant** - Mr. Richardson said that we're working on the stream restoration project and passed out a calendar for the project (Exhibit A). The calendar shows construction will begin around the summer of 2020. They think now that we can move much quicker than that and be done by September, 2019.

**Public Works/Sewer Collections.** Mr. Lutz reported that \$13+ million dollars was spent to fix our sewer issue and explained that had 53 million gallons of water hit the river, it would have cost the City \$2.6 million dollars. He says that to say that the new tank is working. There have been no issues on Neely Road. We still have some work to do on Gallimore Road. Depending on rain amounts, we are looking at 100 gallons a minute that we're taking on and when it rains, all of that water goes into the sewer.

Mr. Jones said that the three department heads, David Lutz, Emory Owen and Dennis Richardson and their crews are rock stars and have saved the City a lot of money.

**Public Works/Water Distribution** - We're looking this year to work on the large meter replacements for the AMI system which will be more accurate and get us closer to our water loss numbers so we can bring that down.

**Public Works/Streets Division** - We're looking at paving Stone Drive, approximately 7600 feet around the end of April when it warms up. We've got the Railroad Avenue Bridge and as quick as we can acquire the land, then can start moving the poles and tearing out the old bridge and getting the new bridge put in. Our goal is to try to have that done by December of this year.

**Public Works/Sanitation** - The biggest deal for us is that we went away from WastePro and our contract with them was about \$107,000 a year for recycling. Since we've taken over recycling, we can do it for about \$8,000, so we'll have about \$100,000 savings utilizing our own staff.

**Mary C. Jenkins Community Task Force** - Mr. Jones reported that this is a very engaged committee and everyone is really excited and really involved to see this move forward. There was a controlled burn of the old structure. There has been a lot of work because of overlapping properties and Mr. Pratt has been working to get that resolved.

Mr. Fatland added that we are getting great ideas and the citizens have helped in getting the deeds cleaned up. I think with the Mary C. Jenkins Center being completed and the trail going through there will be great improvements for this neighborhood and the City as a whole. We are not quite ready to go before Council but we're getting there.

~~ 9:55 AM - 10 Minute Break ~~

**G. Council Committee Structure** - Mayor Harris said that it has come to his attention that department heads are uncomfortable voting against Council and I want them to be sure that the info they bring to these committees is important.

Ms. Copelof added that the department heads are critical for the committees. I don't have the expertise but with their help, I can make an informed decision. I rely on their expertise and I would hope that they vote how they feel. I would rather have an honest opposition and I think the committees work very well. We're cutting through a lot of red tape.

Mr. Jones said before the committees there was rarely interaction between Council and the department heads. With these committee meetings, you have an opportunity to speak. I encourage them to say whatever is on their minds even if there's opposition, it has to be brought to light. The committees have been a definite improvement.

Mr. Daniel said he agrees with Mr. Jones. The issue is voting. There's no point of having committees if we don't have staff. It's important to have this interaction at the committee level. I understand the issue and think it may be a little unusual. I think

there is a legal difference between a vote and consensus. Consensus is general, there's no record of who voted for or against.

Mr. Landreth said I want objective feedback from staff. Do you like it or not?

Mayor Harris asked Council would you prefer that consensus be the way to go.

Ms. Copelof agreed that it should be consensus without staff.

Mr. Cobb explained that it is a difficult position to be in voting against Council and the Planning Department always ends up with more work.

Mr. Landreth added that Council needs to do a better job at understanding the capacity of our full time departments. Just in the Downtown Master Plan Committee, we have enough work to operate a whole other Planning Department. If we start incrementally adding things, we're going to have a problem. I think it is Council's responsibility to understand the consequences of moving forward.

Ms. Copelof added that we have six committees and all of them are sending work to the staff. We can't do everything that's recommended in every Committee. We need to prioritize.

**H. Development Review Steps** – Mr. Cobb stated that earlier this year the Planning Board met and an item that came up a lot is the fact that we no longer have a Technical Review Committee, it's not functional and hasn't met in years. For example, the new McDonald's would go to a technical review committee. It's very beneficial for staff because we have everyone in the room at the same time, the fire chief, police chief, and building inspector, someone from the State, staff and City Manager. The point of the Technical Review Committee is to get everyone in the room and make decisions. It was abolished in 2014. From a permitting point of view it's perfectly normal for that committee to meet once a month. Planning Board has requested that we institute the TRC. Same goes with the Community Appearance Commission when it comes to planning review i.e., materials, facade treatments and standards. To have a committee to look at things from an architectural point of view would be helpful. There's a desire for additional authority for certain projects.

Ms. Copelof had a concern of how we empower a group like this with authority. Aesthetics vary from person to person. We would have to have certain guidelines.

Mr. Landreth agreed that he would like to have a Community Appearance Commission process but we have a lot of legwork to do. We do need to have a set of guidelines that are clear and we don't currently have that.

Mr. Cobb said the Community Appearance Commission could be a part of the Planning Board but the Technical Review Committee would have to be separate. The point of today is to find out if Council wants these committees to be reinstated.

Mr. Daniel said he would support reinstating these two committees.

Ms. Copelof supports reinstating them as well but getting guidelines quickly.

Mr. Morrow agreed with Mr. Landreth in that it needs to be spelled out in some way and thinks it's a step forward for a workshop.

**I. Affordable Housing** - Mr. Cobb explained that the Transylvania County Community Land Trust was formed several years ago to help with student housing projects and it didn't come to fruition. We began to meet about two years ago to see what we could do about affordable housing. Claudia Hawkins who is Chair of the County Land Trust is here to give a presentation.

Ms. Hawkins provided a handout (Exhibit B) and explained that they are not focusing on typical affordable housing but rather workforce housing. She explained that cost burden means that you shouldn't have to pay more than 30% of your housing including utilities. She proposed that the new tax monies be put in reserve from the HCA owned properties to get a housing action plan and that an outside entity be engaged to give us a plan. The Board of Education unanimously passed a resolution in support of this.

**J. Brevard Trail System** - Mr. Cobb presented a map (Exhibit C) showing the bike paths that will hopefully be implemented in the next three years. There are some key corridors that are ready to go.

~~ 11:45 PM - 1 and ½ hour Lunch Break w/Project Empathy High School Children~~

**K. Brevard Music Center Auditorium Update** - Mark Weinstein gave a brief presentation of the Brevard Music Center and handed out a 2015 Economic Impact study (Exhibit D). He added that they offer up their space to many businesses free of charge and they offer jobs to high school students. He allowed the City of Brevard to use their space for today's Annual Planning Session today as well free of charge. They have many community partners that over the past four years they have worked with and have used space, such as The Haven, Rise & Shine, WCCA, Friends for Life, Boys & Girls Club, Carolina Mountain Land Conservatory, Meals on Wheels, Brevard Ballet, Free Reign, United Way, VFW, TC Arts Council, Trout Unlimited, Muddy Sneakers, and Brevard College. He showed a PowerPoint of what the new 400 seat auditorium will look like which will also be used as a conference center when necessary.

**L. NCDOT Project Updates** - Steve Williams from Division 14 of the NCDOT and Vicki Eastland from Land of Sky RPO gave updates on projects. Some of these dates are likely to change.

- Caldwell Street - Mostly complete. Need to establish vegetation;
- Davidson River Connector - 77% complete: Looking for middle of 2019 for completion;
- Wilson Road - In a merger process. The date is likely to change but right now right-of-way acquisition, Fall 2020, construction 2022;
- Intersection improvement at 64 and Caldwell - Right-of-way acquisition, 2024, construction 2026;
- 178 and Rosman (not in Brevard) - Going towards South Carolina line;
- R5800 access management process (Asheville Highway) - Right-of-way fall 2019, construction 2021;
- Intersection improvement project at Pisgah Forest intersection - Right-of way acquisition, fall 2019, construction 2021;
- 276 project in Pisgah Forest- still in design phase. Would be 3 lanes to the Avery Creek trail bed and bicycle facilities;
- Pedestrian Bridge Project - Environmental assessment as we found ancient artifacts. Won't have to move the bridge but going for least amount of impact;
- Small project (informational purposes) - Pedestrian signals, push buttons and curb ramps on Caldwell Street at French Broad middle of 2019;

### **M. Wrap Up and Next Steps -**

Mr. Fatland – This is very helpful and beneficial for the budget. We're looking forward to trying to get everything funded. The requests are getting bigger and bigger.

Mayor Harris asked about the dog park. Mr. Fatland explained that we had signed a contract with Mission Hospital and along came the HCA purchase. They have corporate control of that decision. We just need to go ahead and it wouldn't cost them anything. Mr. Landreth added that in the preliminary site plan for the Pickelseimer Park, there is a dog park planned.

Mayor Harris said that there is a road by the old Mr. Pete's that is unnamed. It's high visibility but it's a short road. I think when new developers come in they should be asked to name roads after our predecessors.

Mr. Landreth mentioned form based code and said he would like to know where we are on our land use plans and said we need to finalize the land use plan before we go forward with the Community Appearance Commission. Secondly, he asked how management will give to Council during the budget process, items to be considered for funding. I want to make sure that question comes before Council. In other words, what can we spend now and what do we have for next year. What are the steps from "yes we have the money to we're doing this"?

Mr. Fatland explained that the committee looks at what they recommend and if they're for it, we can proceed.

Mr. Cobb added that the last land use plan was completed in 2002. Mr. Landreth said that we have enough strategic issues that we need a land use plan that's updated.

Ms. Copelof said that she is always amazed at the complexity and activity going on in our community. I would like to see follow-up on the housing issue. We have a workforce housing issue and short term rental issue. We need to have a workshop to figure out what is really feasible and what others are doing in this aspect. Also, the environmental impact in everything we do. As we proceed with projects, how can we be environmentally responsible? I would like to see more public outreach. I would like for us to do some more things like we did with the students today and interface with the public more.

Mr. Jones said he would like to see in the next budget, cameras at the skate park and maybe at other public places throughout the City. Also getting information out to the public more and additional staff for the Planning Department.

Mr. Daniel said we need to take action with workforce housing. There has to be money available in the Dogwood Trust. I think we need to position ourselves for those grants. We have a need for a comprehensive plan. I think we need to readdress that.

Mr. Fatland said when you made me manager four years ago, the people that really helped turn around the City, about 37 employees out of 94 could retire, but we needed them to get through difficult times and this group worked with the Council and pulled that off. Also, when you look at adding new positions, the Planning Department definitely needs a planner, the public works department definitely needs a position or two and as Tom mentioned, it's important to cross train so if somebody isn't there, someone else can do that job. Also, Emory mentioned that he has a couple of people that may retire so we need to look at that.

**N. Adjourn** – There being no further business, Mr. Landreth moved, seconded by Ms. Copelof, the meeting be adjourned. Meeting adjourned at 2:30 P.M.

  
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Jimmy Harris  
Mayor

  
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Jill Murray, CMC  
City Clerk

Minutes Approved: April 15, 2019