

# MINUTES

## COUNCIL DOWNTOWN MASTER PLAN COMMITTEE

**Thursday, August 5, 2021 – 9:00 AM**

City Hall Council Chambers

Members Present: Maureen Copelof, Chair, Council Member  
Gary Daniel, Vice Chair, Council Member  
Jim Fatland, City Manager  
Paul Ray, Planning Director  
Nicole Bentley, Heart of Brevard Executive Director (via Zoom)  
Billy Parrish, Heart of Brevard Representative  
Dee Dee Perkins, Citizen Member  
Susan Threlkel, Council Appointed At-Large Member (via Zoom)

Absent: None

Staff Present: Leigh Huffman, Planner  
David Lutz, Public Works Director  
Wesley Shook, Assistant Public Works Director  
Letha Cox, Public Works Administrative Services Manager  
Matt Landers, Parks & Property Crew Leader  
Denise Hodsdon, Executive Assistant

Guests: Mark Burrows, Blue Zones Project

Media: Jeremiah Reed, *The Transylvania Times*

### **A. Welcome & Call to Order**

Committee Chair Maureen Copelof welcomed everyone and called the meeting to order at 9:02 AM.

### **B. Certification of Quorum**

Quorum was certified by Executive Assistant Denise Hodsdon.

### **C. Approval of Agenda**

Motion by Mr. Parrish, seconded by Mr. Daniel to approve the agenda as presented. The motion carried unanimously.

### **D. Approval of Minutes of July 1, 2021 Meeting**

Motion by Mr. Daniel, seconded by Mr. Ray to approve the minutes of the July 1,

2021 meeting as presented. The motion carried unanimously.

## **E. Plan for Annual Recurring Maintenance**

Mr. Fatland noted that Public Works Staff was there to review what they are currently doing and to get feedback on what the committee expects staff to do and what is expected of the merchants. Public Works Director David Lutz said they have gone through the Walkable Center Assessment Team report and have raised storm drain catch basins on the side streets, cut down dead trees, and worked on some brick areas that were recessed. He noted that repainting of the crosswalks is the responsibility of DOT. He has requested that it be done, but DOT has not provided a timeline. Mr. Lutz explained that Public Works staff has cut the weeds on the brick and a team from Heart of Brevard was coming behind and spraying vinegar and water to try to kill the weeds to keep down complaints because folks were sensitive about using herbicides on the brick where dogs may walk. Public Works staff is killing the weeds in the curb line and sweeping at least once a week. They are also picking up the trash downtown every Friday night. They have painted all the parking spaces. Staff washes down North Alley and the tables every morning and the trash cans by North Alley and Jordan and South Broad are washed daily. Mr. Lutz said if businesses have an overflow of trash on weekends, they should put it out and call it in to the Police Department and they will have the on-call Public Works staff come pick it up.

Mr. Lutz noted that where there are empty tree wells staff is removing the stump and bricking them over. They are trying to do it in such a way that is not disruptive to foot traffic or vehicle traffic. Mr. Lutz asked what type material the committee would like to use in the wells where there are existing trees with just dirt in them. Following discussion it was decided that Heart of Brevard will work with Public Works to coordinate a type of low-maintenance permeable material to use and HOB will work with downtown businesses to communicate the plan.

Mr. Parrish expressed appreciation to Mr. Lutz and the Public Works staff for their efforts and responsiveness and noted that we have seen a huge improvement. Mr. Parrish noted that weeds are a problem and asked if the organic weed killer is useful or should we organize more of the downtown volunteer cleanup days. Mr. Lutz said he has not seen that the organic solution is killing the weeds and suggested that they need to use a better weed killer. Ms. Copelof asked Mr. Lutz to research on best practices for weed control in a downtown environment.

Ms. Copelof noted that now that we have talked about what we have done to date, we can get a better feel for how often we need to do them in the future. We need to create a written annual recurring plan and establish the frequency of items to be done on a daily, weekly, monthly, quarterly, semi-annual and annual basis. Ms. Copelof noted that an annual plan will help with budgeting and manpower management. Ms. Perkins suggested that we add to the plan an annual conversation about replacing trees in the bricked over areas. The committee will continue discussion of an annual maintenance plan at the next meeting.

## **F. HOB Built Environment Committee Downtown Maintenance Priority List**

Mr. Parrish reviewed the Heart of Brevard Built Environment Committee's downtown maintenance priority list (copy attached). He noted that this focuses on the things that are most important from the assessment that was done back in March and hopefully it syncs with what will be included in the annual plan.

Mr. Parrish noted that rainwater management is one of the top five private sector maintenance issues but it has to be coordinated with the City. He said there are currently several storefront locations in downtown where rainwater drains from gutters directly onto the sidewalk. He feels that before we start talking to property owners we need to coordinate with the City to get a better sense of how to negotiate this with the property owners. Mr. Parrish said it is important to make an inventory of all the spots around downtown where water drainage is an issue to address the entire scope of the problem. Mr. Ray said he has an upcoming meeting with a NCDOT hydraulics engineer to discuss stormwater issues in downtown.

Mr. Parrish noted that there are still some light poles and traffic signal poles that are in need of painting. Mr. Fatland explained that Duke has completed their painting project, but were unable to do all the poles because the cones blocking parking spaces by the poles were moved so they couldn't get access to them. Mr. Lutz has contacted DOT about painting the traffic signal poles and Mr. Fatland will follow up with them.

## **G. Sidewalk Ordinance Issues**

Ms. Bentley said she has heard from some downtown businesses that have historically had tables outside but don't serve alcohol, that don't want to fill out the sidewalk permit for the \$100 annual fee. Primarily they are not happy about the fee and having to replace furniture annually. She wanted to bring this up for discussion since COVID cases are on the rise and having additional outdoor seating is a benefit to businesses as we are dealing with the Delta variant.

Ms. Copelof explained that the \$100 annual fee to have furniture on the City sidewalk is part of the Fee Schedule that City Council approved in the budget. Ms. Huffman added that the DOT process for outdoor seating is extensive and requires a notarized agreement regarding liability, as well as the requirement that the business add DOT and the City to their insurance. DOT also requires the City or the business owner to have all permits that have ever been issued to the business as part of the sidewalk dining permit, including ABC and sanitation. In addition, because the Planning Department can't provide the technical expertise on everything regarding sidewalks, they are also sending it to the Fire Marshal and the Police Department to approve the outdoor seating to make sure it is safe and meets the fire standards. She explained that there are two reasons for the annual fee. First is that NCDOT could audit us at any time to assure that we have all of our papers up to date every year. Second, for businesses who serve alcohol, ABC is giving businesses the ability to extend their premises on a public sidewalk. The business has to have a de facto lease saying that the business is leasing the land from the City and our permit acts as that lease. She noted that it is a lot of manpower.

Mr. Parrish said he sees the purpose of having proper permitting in place, but from a revenue standpoint, the fee does not appear to financially offset staff cost and because now that we are dealing with the Delta variant, if the goal is to have a thriving downtown, he feels it looks bad from a public relations standpoint.

Ms. Bentley said that a lot of the pushback she has heard is that the businesses didn't know about it. She feels we did a great job in putting the information out there. We hosted two Zoom meetings for information sessions where Ms. Huffman was available to answer questions. She thinks it is worth putting this back out there and having this conversation again so people have an opportunity to ask questions again before enforcement begins in the fall.

Mr. Ray asked if the Heart of Brevard would be willing to pay the fee for downtown merchants. That way it wouldn't be the City showing favoritism and having no fees for permits for the Heart of Brevard merchants when we do charge permit fees for all other types of development within the City. He pointed out that all those permit fees don't offset our costs either.

Ms. Perkins noted that the Heart of Brevard does have grant options for downtown merchants and suggested that maybe this could be added to the list of what merchants can apply for. She added that downtown businesses have undergone a tremendous amount of stress over the past year and it is not so much the \$100 fee, but the tenuous situation and feeling that there needs to be a sense of understanding during these trying times. Mr. Parrish said he would bring this to the Heart of Brevard's Board of Directors to discuss the possibility of offering this as a grant opportunity for merchants.

#### **H. Clemson Plaza Update**

Mr. Ray reported that the project is underway but is a little behind schedule as getting concrete has been a struggle for contractors. They are scheduled to arrive tomorrow but need five days without rain to pour all of the concrete.

Ms. Copelof said there have been some suggestions about moving the banners and concerns that the site looks messy. She asked if there is anything the contractor can do to make it look better. Mr. Ray will ask the contractor to maintain the weeds and to straighten the fencing if it is leaning over. Mr. Ray and Ms. Copelof will take another look to find the best place to hang the banners.

#### **I. Utility Box Wrap Update**

Mr. Ray reported that he, Ms. Bentley and Clark Lovelace are working with Wayne Brown at Signs and More and he should have some renderings for them to review tomorrow. He said DOT approval is expected any day, but they keep coming back with other requirements for the permits.

#### **J. Detailed Financial Report**

Mr. Fatland presented a detailed financial report for FY20-21 (copy attached). He noted

that the committee had \$219,000 in revenue to work with. Expenditures for the year totaled \$131,004 so the committee has \$87,996 remaining, which will be rolled over to the FY22 budget. He noted that we are looking at spending approximately \$60,000 for the underground dumpsters.

Mr. Fatland said the 2-cent tax appropriation for Downtown Master Plan has been done for a number of years. Originally one cent was calculated to raise approximately \$90,000. Staff has reviewed the latest tax roll and determined that one cent now raises about \$104,000. He is recommending that we increase the Downtown Master Plan budget by \$28,000. He will also recommend the same increase for the Parks, Trails & Recreation Committee and the Rosenwald Fund. Motion by Mr. Fatland, seconded by Mr. Daniel to raise the one-cent appropriation to \$104,000 starting this fiscal year, which will add an additional \$28,000 to this committee's budget. The motion carried unanimously.

Mr. Parrish suggested it would be helpful to get a fund balance report every month and Mr. Fatland will present that at the second meeting of every month.

#### **K. Planning Board Recommendation re Underground Trash Receptacles**

Mr. Ray reported that the Planning Board approved the text amendments and it will be going to City Council on August 16<sup>th</sup>. If City Council approves the amendments, we can execute the contract. Ms. Copelof noted that we will need to announce that this is a pilot project and get that messaging out as soon as possible.

#### **L. Proposals for Engineering Costs for DTMP Construction Drawings**

Mr. Ray informed the Committee that NCDOT is planning to do a repaving project on Main Street from Oaklawn to Silvermont next summer. For us to offset a lot of our costs, since they will be milling up the road and making some modernization improvements to handicap accessibility and hopefully stormwater infrastructure, we need to time our Downtown Master Plan improvements on Main Street for when DOT is doing this project. To be able to implement any part of our Downtown Master Plan we have to have engineered drawings. Arbor Engineering has given us a proposal to do the design plans and specs for the central area of downtown from Caldwell Street to Gaston Street for \$50,000.

Mr. Fatland noted that the cost for the actual improvements for that section is estimated at \$500,000, but that depends on what DOT does for us. We are hoping that they will pay for the stormwater infrastructure, but they won't absorb any cost of the construction. Mr. Fatland explained that we will be able to use American Rescue Funds for the stormwater improvements to Times Arcade Alley and the actual streetscape portion would be funded out of DTMP funds.

Mr. Ray pointed out that when the time comes to make these improvements, even if we can't make all the improvements to that area because we don't have the money, we will at least have the plans and specs and maybe we could just do one bump out or intersection. Motion by Ms. Perkins, seconded by Mr. Parrish to approve the

expenditure of \$50,000 from the Downtown Master Plan Fund for design engineering as proposed. The motion carried unanimously.

Because this DOT project will be a major disruption to downtown, Mr. Ray suggested that we have a DOT representative come to talk with the committee about their processes, anticipated schedule and how it will impact downtown. Mr. Fatland noted that Highlands just went through this and recommended that we talk with them as well.

#### **M. New Plastic Initiative**

Ms. Copelof explained that Hendersonville recently passed a resolution encouraging businesses not to use single-use plastics. Ms. Bentley is going to reach out to them to get information on how they did this so we can start investigating what it would take for us to start the discussion with businesses and the public. Ms. Bentley said she has reached out to Hendersonville and they are in the very early stages of trying to get a messaging and marketing campaign together. Ms. Copelof said this item is just info to let the committee know that it is something we are researching.

#### **N. COVID-19 Protocols**

Ms. Copelof reported that effective this morning, the City has instituted a mask mandate for all city-owned facilities. All employees and visitors to city facilities will be required to wear a mask indoors. Ms. Copelof noted that the City is leading by example and asked how do we use this to support businesses that might want to do the same? There was discussion about getting the message out through the City's website, on social media, press releases to radio stations, newspapers, and Chamber of Commerce and Hearst of Brevard newsletters.

#### **O. Set Date for Next Meeting**

The next meeting of the Council Downtown Master Plan Committee will be on Thursday, August 19, 2021 at 3:30 PM in the Council Chambers at City Hall.

#### **P. Adjourn**

There being no further business, the meeting was adjourned at 11:27 AM.

X Maureen Copelof  
Maureen Copelof  
Chair, Council Member

Minutes Approved - August 19, 2021

X Denise Hodsdon  
Denise Hodsdon  
Executive Assistant

# **HOB BE Committee FYE2022 Maintenance Priorities Checklist**

## **HOB Built Environment Committee Downtown Maintenance Checklist – Top 5 Priorities for Downtown Business and Property Owners & City of Brevard**

### **FYE 2022 HOB BE Work Plan Component:**

As part of the Walkable Center action plan, develop specific strategies that will fully utilize available tools such as the HOB Vibrancy grant and will actively engage businesses and property owners and the City of Brevard to ensure the ongoing maintenance of the downtown streets, sidewalks, and public spaces (in Collaboration with Blue Zones Brevard).

### **Top 5 Private Sector Maintenance Issues (Within the MSD)**

1. Rainwater Management – Coordinated with the City
2. Awning Maintenance & Replacement
3. Storefront Conditions:
  - Painting and Caulking
  - Steps and Entryways
  - Window Displays (Condition and Updating)
  - Use and/or Coverage of Vacant Windows
4. Sidewalk Cleanliness, Weeding & Tree Well Planting & Maintenance (in front of each store)
5. Trash Management & Collection

### **Top 5 Public Sector Maintenance Issues (Within the MSD)**

1. Crosswalks:
  - Modifying Timing at Major Crosswalks
  - Restriping All Crosswalks On A Regular Basis
  - Regular Cleaning/Repairing/Replacing of Ramps at Cross Walks
2. Sidewalk Safety Per Trip Hazards & Sidewalk Cleanliness – Annual Pressure Washing
3. Regular Cleaning/Repairing/Replacing of Ramps at all Curb & Gutter
4. Trash Management & Collection
5. Touch-Up Painting of Light and Traffic Light Poles and Bases

### **Strategies to Accomplish Maintenance Checklist (Draft Concepts)**

1. Advocate through the Downtown Master Plan Committee (ongoing – currently underway).
2. Research and clarify responsibilities and code requirements (municipal and building).
3. Communication/Education/Engagement with property owners and property managers.
4. Communication/Education/Engagement with business owners and managers.
5. Target use of HOB Vibrancy Grant to address highly visible issues (façade upgrades, awning maintenance and replacement, etc.).
6. Engage Code Enforcement as a last resort.

**CITY OF BREVARD  
DOWNTOWN MASTER PLAN FUND  
DESIGN & CONSTRUCTION  
FY20-21, Ending June 30, 2021**

**REVENUE**

|                                       | <b>TOTAL</b>      |                   |
|---------------------------------------|-------------------|-------------------|
| <b>Transfer from General Fund</b>     | <b>\$ 180,000</b> | <b>\$ 180,000</b> |
| <b>TDA Grant: Downtown Planters</b>   | <b>\$ 10,000</b>  | <b>\$ 10,000</b>  |
| <b>TDA Grant: Christmas Lighting</b>  | <b>\$ 9,000</b>   | <b>\$ 9,000</b>   |
| <b>Transfer from Heart of Brevard</b> | <b>\$ 11,000</b>  | <b>\$ 11,000</b>  |
| <b>Received from Heart of Brevard</b> | <b>\$ 9,000</b>   | <b>\$ 9,000</b>   |
| <b>TOTAL</b>                          | <b>\$ 219,000</b> | <b>\$ 219,000</b> |

**EXPENDITURE**

|                                    |                   |                   |
|------------------------------------|-------------------|-------------------|
| <b>Leisure Craft</b>               | <b>\$ 3,690</b>   | <b>\$ 3,690</b>   |
| <b>Belue's Electric</b>            | <b>\$ 5,516</b>   | <b>\$ 5,516</b>   |
| <b>Heart of Brevard</b>            | <b>\$ 5,000</b>   | <b>\$ 5,000</b>   |
| <b>Domokur Architects</b>          | <b>\$ 48,625</b>  | <b>\$ 48,625</b>  |
| <b>35 Degree North Landscaping</b> | <b>\$ 8,707</b>   | <b>\$ 8,707</b>   |
| <b>Total Pressure Washing</b>      | <b>\$ 23,100</b>  | <b>\$ 23,100</b>  |
| <b>Julie Metz</b>                  | <b>\$ 8,750</b>   | <b>\$ 8,750</b>   |
| <b>Mosca Design</b>                | <b>\$ 27,617</b>  | <b>\$ 27,617</b>  |
| <b>TOTAL</b>                       | <b>\$ 131,004</b> | <b>\$ 131,004</b> |

|                |                  |                  |
|----------------|------------------|------------------|
| <b>BALANCE</b> | <b>\$ 87,996</b> | <b>\$ 87,996</b> |
|----------------|------------------|------------------|