MINUTES
City Council Parks, Trails, & Recreation Committee

Wednesday, December 18, 2019, 3:30 PM
Administrative Conference Room at City Hall

Members Present:	Gary Daniel, Chair, Council Member Maureen Copelof, Vice-Chair, Council Member Jim Fatland, City Manager Paul Ray, Interim Planning Director Ryan Olson, Citizen Member Nancy DePippo, Citizen Member Nicola Karesh, Citizen Member
Absent:	David Lutz, Public Works Director Keenan Smith, Citizen Member
Staff Present:	Aaron Bland, Planning Department Denise Hodsdon, Executive Assistant
Guests:	Mac Morrow, Mayor Pro Tem Geraldine Dinkins, City Council Member & Tannery Skate Park Task Force Member Jacob Dinkins, Tannery Skate Park Task Force Member Kevin Smith, Tannery Skate Park Task Force Member George Peterson, Tannery Skate Park Task Force Member Jack Jaisler, ABC Board Member John Carrico, Citizen Parker Platt, Citizen
Media:	Matt McGregor, Transylvania Times

A. Welcome & Call to Order

Committee Chair Gary Daniel welcomed all in attendance and called the meeting to order at 3:31 PM.

B. Certification of Quorum

Quorum was certified by Executive Assistant Denise Hodsdon.

C. Approval of Agenda

Motion by Ms. Copelof, seconded by Ms. DePippo to approve the agenda as presented. Motion carried unanimously.

D. Approval of Minutes of November 20, 2019 Meeting

Motion by Ms. Copelof, seconded by Mr. Olson to approve the minutes of the November 20, 2019 meeting as presented. Motion carried unanimously.

E. Historic Signage/Storyline Project Update

Nicola Karesh gave an update of the "African American Storyline Project" and shared a sample of what the signs will look like. The signs will tie with the historical book published by Transylvania Citizens Improvement Organization and the historic walking tour that they did in the past. She said there will be 34 different signs and they will all be numbered. A majority of the signs will be mounted on stakes as there is no building on most of the sites. The plan is to have a 35th sign with a map of all locations and there will be an online digital map to allow people to take a self-guided tour. She will plan to have a list of the locations and sketches/verbiage for each sign ready to present to City Council at their February meeting.

F. Skate Park Options

Mr. Fatland recapped the motion from the last meeting: 1) City to work with North Carolina League of Municipalities (Insurance Carrier for Brevard) to refine punch list, remove perimeter fence as a requirement, and request a re-inspection to open facility as temporary until a concrete skate park opens; 2) City pursue a concrete skate facility to be built by a design/build contractor at the Sports Complex; and 3) to recommend to the Pisgah Health Foundation to consider small skate ramp amenities along the multi-use path at their proposed 12-acre community park adjacent to the Transylvania Regional Hospital. He then asked Planning Director Paul Ray to give an update on the insurance.

Mr. Ray reported that he spoke with Amy Whisnant at NCLM and she agreed to drop the fence requirement. All other items on the punch list have to be completed and the finished skate park inspected by her before a recommendation would be submitted to the underwriters for insurance. Upon acceptance, the City must maintain the park by providing a minimum of weekly inspections and keep a journal and accurate record of all inspections and repairs. NCLM will also conduct frequent inspections of the journal and the facility itself for safety and compliance. If they determine that it is not being maintained properly, they would terminate our insurance.

Mr. Ray said some of the punch list items have already been completed, but some of the remaining items include continuous non-abrasive handrails and more concrete needs to be added so that each ramp has at least 10 feet to exit off the ramp. All other items from the punch list, except for the fence, would have to be completed. Mr. Ray said City Attorney Michael Pratt feels a lot more comfortable knowing that the skate park will be temporary and after speaking with Mr. Beck of the Tony Hawk Foundation. Mr. Pratt also spoke with Amy Whisnant to clarify a point that we were all concerned about. If we did happen to have an unfortunate injury at the skate park and the NCLM came out and looked over the structure and saw some damage that should have been repaired, we would still be covered for standard liability, not gross negligence, but for negligence. We are only not covered if and when they terminate our insurance.

Mr. Olson asked if the City was ready to move forward with signage and other improvements to the site. Ms. Dinkins said there are six donors who gave large amounts of money and were promised that their names would be on a sign at the park. Mr. Fatland suggested that the sign could be designed so it could be used for both the temporary and permanent parks. Mr. Fatland will meet with Ms. Dinkins to discuss the sign and Public Works can work on the parking.

Task Force member Kevin Smith asked for confirmation that the Skate Lite issue has been resolved. Mr. Daniel said that is correct, but noted that the edge of the Skate Lite at the bottom where it is not covering the corrugated metal needs some kind of support. He added that there are one or two pieces of Skate Lite that may need to be replaced to get past the insurance company simply because they have chipped on the edge. Mr. Smith commented that the scope of this has changed dramatically since we started the conversation and that is really good to know.

Mr. Daniel asked if anyone who is visiting would like to comment. Jack Jaisler of the ABC Board commented that one of the things that the Board is charged with is spending some money on the youth of Transylvania County in regards to underage drinking and those kinds of things. He said the ABC Board gave a substantial amount of money to get this thing going and not one youth has been served. He added that the ABC Board is behind this and we could give more money to get this going, but it is hard for us as a board to give a lot of money and then have nothing happen with that money. Mr. Fatland said the goal now is to get a skate park open until we get the concrete one later so it would be continuous skating.

Ms. DePippo asked if this would have to go back in front of City Council. Mr. Fatland explained that the item regarding a concrete skate park needs to go City Council because that will require funding. However, work on the punch list items can happen now.

Mr. Daniel said he thinks we really need to have a written agreement for clarity sake which pretty much outlines what we have discussed. He believes it is the judicious thing to do at this point in time considering our path to this point. He has met with Mr. Fatland and Mr. Ray and they have drafted a letter of understanding that includes what has been agreed to verbally. He said Mr. Ray has the letter and a copy will be sent to the Task Force for their review. He said if they agree to it and sign it we can get this thing rolling.

Skate Park Task Force member George Peterson said the extra concrete pads that will have be added on either end of the ramp were not part of our original target for fundraising so that's a pretty good chunk. He felt that the rest of the smaller details were part of their original scope, but asked where the money for the extra concrete would come from. Mr. Fatland said when the new concrete facility is complete and the temporary facility closes down, the City could use that concrete for a picnic shelter, so he recommended that the City could handle that portion since we get to keep that part of the asset.

Mr. Fatland moved, seconded by Ms. Copelof to approve proceeding with the temporary facility; get the punch list taken care of by the Task Force; and the City will do the additional concrete and provide the sign.

Discussion followed regarding who would be responsible for maintenance of the temporary facility. Mr. Fatland explained that once the skate park is accepted by the City, the weekly maintenance would be performed by Public Works. Mr. Daniel added that according to the letter of understanding, the Skate Park Task Force would be responsible for structural problems for one year. He explained that our understanding is normally you would have some sort of warranty for a year. Because we did not get a contract in advance and there were certain things that we did not do, we're asking the Skate Park Task Force to provide that and it's for structural stuff, not maintenance. So if there is a structural issue with the skate park and the Task Force does not make repairs, then we would be in a position where we would lose our insurance and therefore we would have to close the skate park.

Jacob Dinkins said for the record the Task Force has not seen the Letter of Understanding, but thank you for offering a path forward and for doing your research and paying attention to all of this. That's very positive and we look forward to moving forward but at this point we have not agreed to anything as the Task Force until we have an opportunity to discuss amongst ourselves.

George Peterson said in the past we have had some trouble getting compensated from the City because the work wasn't performed by volunteer labor. He asked if the whole punch list needs to be done by volunteers or can we hire somebody to come and help us knock this thing out and still be compensated from the budget? It was a pretty big bill and a lot of it was that railing. If we're going to go finish the railing then it seems to me that the railing is now part of the park and that should be paid for. It is a pretty big hurdle for us to get over because that money is being absorbed by people on the Task Force. Mr. Fatland asked that they present the repair item and he would be more than happy to make sure the attorney is okay with it.

Mr. Olson suggested that somebody from the Task Force act as the point person with the City. He thought it would be beneficial if somebody with working knowledge of the construction could be there in the event the NCLM is coming to do a site visit and something is addressed, or just in general if there is a question, we know that everybody was present. Mr. Fatland thought that would be a great opportunity for the Task Force and Public Works staff to get a clear understanding of what the NCLM wants maintained. Mr. Daniel added that Public Works staff would be responsible for keeping the log and making sure everything was up to snuff, but if anyone from the Task Force wanted to walk it over and saw something that needed attention, that would be welcomed.

There being no further discussion, Mr. Daniel called for a vote on the motion. The motion carried unanimously.

Additional Comments/Information:

Mr. Daniel noted that Keenan Smith has resigned from the Committee effective in January. We have one other seat available, so we now have two vacancies on this board if anyone knows somebody who wants to serve.

G. Set Date for Next Meeting

The next regular meeting of the Parks, Trails & Recreation Committee will be on Wednesday, January 15, 2019 at 3:30 PM.

H. Adjourn

There being no further business, the meeting was adjourned at 4:24 pm.

X Gary Daniel

Gary Daniel,
Chair, Council Member

Minutes Approved: June 17, 2020

X Denise Hodsdon

Denise Hodsdon
Executive Assistant