

**MINUTES
BREVARD CITY COUNCIL
January 26, 2017 - 8:30 A.M.**

Annual City Council Retreat

The City Council of the City of Brevard met for their annual Council Retreat on Thursday, January 26, 2017, starting at 8:00 A.M. with breakfast with the meeting starting at 8:30 A.M. in the Rogow Room at Transylvania County Library with Mayor Jimmy Harris presiding.

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

Staff Present - City Manager and Finance Director Jim Fatland, City Clerk Desiree Perry, Assistant to the City Manager and Deputy City Clerk Jill Murray, Special Project Director Josh Freeman, Planning Director Daniel Cobb, Planner Aaron Bland, Fire Chief Craig Budzinski, Police Chief Phil Harris, HR Director Kelley Craig, Parks and Property Management Director Lynn Goldsmith, Public Works Director David Lutz, Water Plant ORC Dennis Richardson, Wastewater Plant ORC Emory Owen, and Staff Accountant Tom Whitlock.

Press - Matthew McGregor, Transylvania Times

Others Present - Ms. Erica Anderson, Land of Sky Regional Council's Economic Community Development Director served as Facilitator. Also present to assist was LOS Regional Planner Kyle Guie.

A. Welcome and Call to Order - Mayor Harris called the retreat to order and welcomed all present. Proper Notice of this meeting has been provided and the retreat 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 - Ms. Hollingsworth moved, seconded by Mr. Landreth the Agenda be approved as presented. Motion carried unanimously.

D. Retreat Facilitator - Ms. Anderson presented the Ground Rules / Agreements: (a) One speaks, all listen. (b) All participate, no one dominates. (c) Stay on topic. (d) Share accurate, relevant and complete information. (e) Disagree openly and respectfully. (f) Start on time, end on time.

Throughout the retreat ideas or issues may come up. They will be captured and listed for future discussion. (Exhibit A)

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 retreat:

F. City Manager and Department Head Reports

City Manager Report. Mr. Fatland introduced Staff Accountant Tom Whitlock, who prepared the financial section within the Retreat materials. Manager reported on Master Plan projects subsequent to the creation of Council Committees which has resulted in a combined capital costs savings of \$51,400,000. Projects included: Water Treatment Plant, WWTP expansion for activated sludge process, Probart Street pedestrian/sidewalk improvements, Railroad Avenue Bridge and the Downtown Master Plan Streetscape. His report also included debt of capital projects (water and sewer projects like Kings Creek, Belt Press, etc., are State loans); monthly impact for utility customers; and, a financial overview.

Discussion Comments:

- We are financing capital projects for 20 years that we know will last for twice as long as that; will really see benefit in 10 or 15 years.
- A Fire Department truck is to be replaced next year, after ladder truck loan is paid off. To be discussed at a near future Public Safety Committee meeting.
- Sales tax revenue is up; consider investing in our market place.
- Surrounding communities are using our outdoor recreation resources to market their City. Consider approaching the State as we, Brevard, are the driving force in neighboring communities advertising. Go to the State and try to bring home some funds to help with our infrastructure and streetscape.
- Streetscape is not just to make things pretty, we lack infrastructure to support downtown festivals.

Following the Manager's Report, Department heads provided a brief synopsis of accomplishments over the last year and goals for the upcoming year. (Reports are on file.)

Discussion Comments:

Police Department Report

- Where are we at on having Police Officers on bike patrol? Would help encourage a strong police and community relationship. Beneficial to have bike patrol throughout the City, not just within the downtown district.

Fire Department Report

- Rescue Truck will be requested in upcoming FY-2017 budget.
- In May ISO Ratings will take place; City hopes to maintain their rating of 4.

Public Works Report

- Continue to show improvement as last year had 54 sewer blockages; prior years had 79 – 100.
- By State law, we are now paying for the dispatch of locate service (location of utility service lines); a service that we are providing.
- Brush truck needs to be replaced.
- Force main project to be done by end of December 2017; Old Hwy. #64 project to be done in June or July 2017, and only one lane will be repaved.

Planning Department Report

- City's current flood class rating is 8; working in hope to achieve a rating of 7 which would provide additional insurance savings to our residents.
- What is the status of prior Retreat discussion of Planning Department integration with County Building Inspection Department? Mr. Cobb explained

the County has added the City Planning Department as a user within their computer/digital data system which allows for the Planning Department's immediate notification of zoning inspections held so they can proceed with building inspections.

Water Treatment Report

- Resource Institute study is not yet completed.
- Past summer drought never met the triggers that would require our issuance of conservation advisories. Off-stream storage will help in drought situations.

Wastewater Treatment Plant Report

- What will the life expectancy of the plant be with the refurbishments that have and are taking place? Mr. Owen explained the Plant has been on line since 1986 and with the replaced RBC's and other measures that are taking place he expects the life expectancy to be 20 to 25 years.
- Is there a point we are going to come up against where we will need to do a total plant replacement? Mr. Owen explained not really, the plant was designed to allow for future RBC trains to be added and additional sludge treatment.
- Evaluate integrity of basins? Mr. Owen explained the tanks are good and do not have any cracks; sludge holding tank will need to be completely cleaned out; tank needs to be sealed on the outside as some surface cracks are appearing. Overall the WWTP is good and is running like it is supposed to run.

Parks & Property Management Report

- Swim Club Management Group, Inc., out of Asheville is being contracted to manage and staff Franklin Park Pool.
- Pool will be open Memorial Day through Labor Day.
- Working on refurbishing the outside restrooms to have re-opened this Spring; restrooms will be open and available when the Park is open.
- Would like for the Swim Club to hire local people as much as possible.

Human Resources Report

- City's partnership with Transylvania County Wellness Center, providing care for City covered employees, eligible retirees and covered employees children 12-years old and up, has had 185 visits. Has received both positive and negative feedback from employees; more positive than negative.
- Will check into possibility of part-time employees becoming eligible to participate and use the Wellness Center.
- Department Heads were asked to encourage staff to utilize the Wellness Center as it is a nice benefit providing quality medical professional care and saves on insurance dollars.

~~ At 10:39 Mayor called for a 10 minute break. ~~

G. Parks and Trails Sponsorship Program

Mr. Freeman presented the proposed sponsorship program that would begin with signage; however, it could be expanded to include more than signage. Program would be a tool for building community and gathering support for our trails and greenways that we all love and enjoy, and, it would also help offset costs of future trail projects and maintenance costs. Proposal has been discussed at the Council Parks, Trails and Recreation Committee level.

Presentation and report included a drafted Purpose, Policy Statement, Authority, Guidelines for Establishing Sponsorship Relationships, Types of Sponsorships, Procedures for Establishing Sponsorship Relationships, Approvals, Recognition of Sponsors, and Termination of Sponsorships. Also presented and discussed was the drafted Greenway Sponsorship form providing for different sponsorship levels of contribution: Platinum \$5,000, Gold \$3,000, Silver \$1,000 and Bronze \$500. A draft Ordinance was provided and will be presented to Council for consideration at their regular February 2017 meeting.

- Sponsors would be encouraged to sponsor segments of the trail system.
- Mile markers will be color coded and will be installed at ¼ mile increments (as requested by trail users) starting that the Pisgah Forest boundary.
- Drafted Ordinance would authorize the City Manager to establish and solicit sponsorship.
- Would allow for some sponsorship logos on signs.
- Parking issue has not yet been addressed. Consider entering into formal agreements to utilize parking lot areas to allow people to park and get onto trails, such as with Oskar Blues, Lowes, Rescue Squad, Blue Ridge Community College, St. Timothy Church, etc. Some have already verbally expressed their interest/willingness to discuss an agreement.
- Program could be expanded to include benches, street lights, trash bins, etc.
- Recognized dog waste receptacles are needed for the trail system.

H. Bracken Preserve Phase II

Mr. Cobb presented a power-point that provided the history of Bracken Preserve and the Trail Priorities. Everything shown upon the map was approved with the easement established in 2004. Trail construction was done greatly by volunteers who provided more than 1,500 hours of labor. The observation/picnic towers shown upon the map were also approved when easement was established; however, they are not yet constructed. The easements were largely established due to environmentally sensitive areas, water, species of plants to be protected, etc. Mountain biking and hiking is the primary use of Bracken Preserve. Interpretative signs have been completed and installed.

Ms. Goldsmith reported the City is upon the list for a control burn; however, it could be next fall or following spring before being done. Anticipate having additional work done on the fire breaks, trail maintenance and building back up the trails, clear downed trees, etc., this spring.

Briefly discussed future trail locations, parking area, observation area and trails. Council expressed interest in the remaining phases being completed and will discuss further during brainstorming portion of the Retreat.

~~ At 11:45 AM Mayor announced in order to make up some time and get back on schedule the lunch break will be for 30-minutes rather than one-hour. Retreat to resume at 12:15 PM. ~~

I. Planning Department Project Updates

Mr. Cobb reported the Planning Department is working on the following projects, with the assistance of other City Departments: (1) Zoning Ordinance (Form-Based Code), (2) Pisgah Forest Small Area Plan, (3) Railroad Avenue Small Area Plan,

(4) Downtown Masterplan, and, (5) West Loop. Using power-point he reported on the five projects. (Copy of power-point slides are on file.)

Discussion Comments:

Zoning Ordinance (Form-Based Codes)

- 2014 Council decision to re-write zoning/UDO to a Form Base Code with the focus starting on the downtown.
- Goal of a form base code is to give a specific and predictable outcome; parameters in which to expect the City to develop. Focus is on design and respects existing community character while allowing greater residential density and intensity of nonresidential development within the mixed use zoning areas.
- Form Base Code relates everything back to the City's Comprehensive Plan.
- Proposed zoning map slide. Determined by infrastructure available, protects open space, increased industrial space, statements from City's development plans were used as a guide, stormwater low impact design, and an overlay of current zoning districts were considered.
- Expansion of downtown and neighborhood commercial areas will allow for infill development.
- A full draft of the document is still being edited; however, it is available at this time for review. Planning Board and staff continue to work on the form base code and will likely be bringing to Council at the end of the year.

Pisgah Forest Small Area Plan

- The Plan began in late 2015.
- Plan is essentially done. However has not come for official approval because of the desire to complete the zoning map and to get significantly through the form base code first.
- Expected completion in 2018.
- Includes Davidson River Village (DRV) that is currently within the City and ETJ jurisdiction; cannot include portions that are outside City's jurisdiction. Should DRV desire annexation in the future, once done, it would then be incorporated into the Plan.
- Branding. Portions or area are within the Pisgah Forest zip code and portions are within Brevard zip code; some areas are called "Pisgah Forest" and yet are within the corporate limits of Brevard. At some point this needs to be considered and discussed.

Railroad Avenue Small Area Plan

- Desire to complete the zoning map and want to get significantly through the form base code first.
- Expected completion in 2018.

Downtown Master Plan

- Council Downtown Master Plan Committee meeting was held yesterday, January 25th. Streetlights were discussed and an objective from the Comprehensive Plan is to provide infrastructure for downtown festivals.

West Loop Design

- West Loop Design was initially done (several years ago) in anticipation of when the State works on the roadway plan. City decided to get out in front of it and

provide information to the State to let them know what the City desires, what we would prefer.

- In response to public concern, proposed route was modified to remove terminus from Catholic Church area and closer to McDonald's Restaurant area.
- Asked if the modification achieves the initial goal of getting traffic off of the northern corridor and to alleviate congestion on the Asheville Highway?
Answer: Not to the same extent as would have been provided by the previously planned route.
- The West Loop would need to be further north (as originally planned) in order to achieve long range goals.
- Many citizens in opposition didn't want it because it came too close to their homes and neighborhood and saw it as directing traffic to their neighborhood, rather than it being a part of redirecting traffic in town. Need more explanation provided to citizens to understand the purpose of the West Loop and the benefits once done.
- Part of the problem is the misconception of the West Loop being a bypass. West Loop is intended to take local traffic through town.
- Will the McLean option achieve the intent of meeting our long-range transportation needs?
- Concern expressed that the McLean Road option, while it would benefit traffic in the immediate McLean Road area (including Railroad Avenue), it will not achieve addressing the traffic concerns the West Loop was designed to address.
- Component of this discussion that needs to continue is specific to the NC DOT traffic study showing the Asheville Highway has a Level of Service (LOS) rating of "D" and it is only getting worse. We have growth taking place. Hendersonville and Asheville are growing and we are a part of a growing community. Need to let the community know what the proposed West Loop looks like, speed limit, road profile, etc. Traffic circulation is a critical discussion for our community.
- Proposed: McLean Road option would provide sidewalk until it meets with the bike path.
- Proposed: Railroad Avenue to have two 11' lanes, 2' shoulder and 6' berm area with a minimum 40' ROW (no increase in ROW width). Bike path would run somewhat along the road, so additional ROW would need to be obtained there. Could be an easement, not necessarily fee-simple.
- This is a State motivated transportation process that we (City) are trying to provide some direction as to what we want and need for our community. We need to come up with something that will work and is reasonable in hope that the State will accept our request. If we are unreasonable in our request the State will implement what they feel is the best decision.

~~ At 1:42 PM Mayor Harris called for a 10-minute break. ~~

- Need to go back to NC DOT to work through potentials to see if on right track or not.
- NC DOT manages our State road system and they are trying to preserve the main artery/highway through this region. They are wanting to get local traffic off of it (Asheville Highway/Broad Street) so that it works, and, we don't want them to make it any wider than it already is. The current McLean option could be a waste of money as the congestion is north of there; however, somewhere in that intersection it will need to connect. We want to give NC DOT guidance of what our community values and also offer a solution that addresses the congestion. Traffic congestion is bad for our citizens and bad for businesses.

- Both issues need to be addressed. Long-term connection to a northern point, that would also help with truck traffic; and, short-term of improving McLean/Railroad Avenue as a stand-alone project.
- New concepts that need to be discussed with property owners and schools. Folks need to be brought in and educated on the purpose of the McLean and West Loop projects. Long range goals need to be better described to the public.
- Intersection at Chestnut Street needs to be looked at as well. Have so many exits and entries on Asheville Highway for fast-food restaurants, etc. Could a service road that ties into the West Loop be considered?
- NC DOT Plans includes in FY 20-22 to have median strips on Asheville Highway rather than current style of open lane.

J. Council Brainstorming

Mayor Jimmy Harris

- Construct another picnic shelter at Franklin Park.
- Finish the remaining phases of Bracken Mountain.
- A year-round (covered) swimming pool.
- Dark Retail. What can be done to address large stores that are closed and leaving City with large empty buildings?

Mayor Pro Tem Mac Morrow

- Crosswalk in front of the gazebo at the Courthouse and connecting to the South Alley.
- Outdoor alcohol sales on a limited capacity or by permit.
- Hap Simpson Park – Plans to expand?
- Connection of the Gallimore Bike Trail to Hap Simpson Park or to the River.

Council Member Gary Daniel

- Dog Park – A very active discussion in our community.

Council Member Ann Hollingsworth

- Older and/or historic buildings in downtown – Rental/Lease. Some are well maintained while others are not. Like for there to be a way to have inspected and require better maintenance.
- Rename this annual meeting something other than “Retreat”.
- Private/Public Partnership. Example: Partner with private sector, like Headwater Outfitters, to operate rentals of canoe, paddleboards, etc., from Hap Simpson Park. Would promote a greater utilization of the Park.

Council Member Maurice Jones

- Would like more City department heads and staff to be invited to participate in Council Committee meetings.
- Public/Private Decision-making at Committees. Opportunity to provide input with experts locally
- Adopt Manhole / Hydrant
- Community Crosswalk Program
- Add Bike Parking
- Encourage Neighborhood Streetscape Beautification
- Encourage Neighborhood Liaisons
- Parklets

Council Member Charlie Landreth

- The US Congress is talking about changing ways lands are valued; legislative topic that both the City and County need to keep attuned to.
- Water Authority. Has not been talked about lately; however, feels we need a strong local voice (City, County, and Town of Rosman) on this. We are impacted by State issues and water is a topic as communities need water, and piping resources across the State could very well become a topic we need to be prepared for.

K. Open Topics

Short-Term Rentals – Mr. Cobb shared staff and Planning Board worked on a draft ordinance for over a year and then the State said we can't regulate. Staff is seeking direction from Council.

Following much discussion, Mr. Landreth stated he is interested looking at a draft ordinance that would place a cap on the STR's that we already have.

Motion: Mr. Landreth moved, seconded by Mr. Morrow, Council direct Staff to draft an Ordinance that sets, essentially grandfathers, what we have (SRT's), and sets a date at which we cap (would not add additional) STR's.

Discussion on the Motion:

1. Ms. Hollingsworth – STR and hotels customers are different. Some choose a STR due to monetary concerns, want a more home environment and want to cook, provides for a larger number of people like when extended families travel together and want a place to cook, etc. Owners of STR have really improved property there were in blighted neighborhoods; many owners are local people who have invested in these properties to provide for their families, and, STR provide employment for those who clean and maintain the. (b) Also struggle with the fact that our current Ordinance say's "these are illegal" and yet we are discussing making them legal and to place a cutoff.
2. Mr. Landreth – Need to get to a point and either let it (STR) be a free market and do as it will, or, enforce the Ordinance we have.
3. Mr. Daniel – STR are a new economy and this needs to be acknowledged. To be effective for our City we need the ability to register, and yet by State law we've had our hands tied and can't require registration. However, those who have a STR have expressed a willingness to register. Also see the point that we need more hotel beds as folks are visiting Brevard and going to Hendersonville and Asheville for lodging.
4. Mr. Landreth – The other housing issue, beside tourist housing, is our need for places for low and middle income people to live. We have a shortage of this housing. Understand a homeowner can rent how they desire, either short or long term. I think this matter gets to Land Use, if we are looking at rezoning our City and there are places or districts that allow multi-family units, I would not want to allow STR's in those districts making it difficult for us to have opportunity for another Broad River Terrace. While we can't register STR's, we can say in our zoning you can't have them in certain areas. Can have as many as the market can bear in GR4 and GR6, and prohibit or cap them in the mixed use areas. Existing STR's in mixed use areas to be grandfathered, but no new ones.
5. Mayor Harris – Staff will need the assistance and recommendations from the City Attorney on this draft ordinance.

Mr. Landreth amended his previously stated motion to include caps would be applied to mixed use zoning areas. Mr. Morrow seconded the motion as amended. Motion carried unanimously.

Housing Trust Fund

- If an individual were to receive funds from the Housing Trust Fund, there needs to be a residency requirement. Do not want one to use funds to re-sell or flip it.
- Repairs – Loan term would be tied into the time frame you would have to live in the house. If prior to that date you would pay back with interest.

Tiny Houses

- Are currently allowed under the City's zoning/UDO.

Transportation Project Updates – Mr. Cobb reviewed the Land of Sky rural Planning Organization listing of rural projects. (On file.)

- Alignment of Hospital Drive and Straus Park should be considered.
- Outdated maps showing old bypass options discussed in the past are still in circulation and only add to the confusion on transportation issues. Need to make an effort to get them out of circulation.
- On the list of projects: Bicycle and Pedestrian Project – Brevard – Construct bike/pedestrian bridge from City of Brevard existing shared use path across Davidson River. (Pg. 7 of 8)

Agenda Amended: Mr. Morrow moved, seconded by Mr. Landreth, Council amend the Agenda to add Public Participation. Motion carried unanimously.

L. Public Participation

Mr. Kevin Jones, 135 Maple Street, spoke in favor of Short Term Rentals. He is the owner of a STR; the tourist board has identified the need for Brevard to have STR; and explained that he and other STR owners are not competing with hotels as they serve people with different lodging needs and desires.

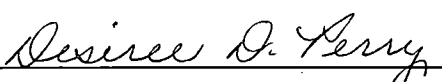
M. Adjourn

Mayor Harris explained the business upon the Agenda has been completed and therefore a second day of Retreat 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. Morrow moved, seconded by Mr. Landreth, the meeting be adjourned. Motion carried and the meeting adjourned at 3:33 PM.


Jimmy Harris
Mayor


Desiree D. Perry, CMC, NCCMC
City Clerk

Minutes Approved: February 20, 2017

EXHIBIT A**2017 City Council Annual Retreat**

Below are the Discussion Notes as recorded by Retreat Facilitator, Erica Anderson

Discussion Items

1. Streetscapes / Water Systems

Small Area Plans

1. Pisgah Forest – Zip Code / Branding
2. Future Questions = Brand/Id as Brevard? = Recognize as District?

Transportation Discussion

1. West Loop / Wilson Road. Differences and intent for local traffic? (Not bypass)
2. McLean option address intent for local traffic?
3. Look N of McLean to original to maintain/address congestion
4. Maintain/Improve McLean as a standalone project.

Brainstorm

1. Picnic Shelter at Franklin Park
2. Bracken Mountain Trails – Complete
3. Indoor / Year-round Pool
4. Cross-walk at Gazebo – East Main / South Alley
5. Outdoor Alcohol Sales (limited or by permit)
6. Historic Building Inspections – Rental / Lease
7. Dog Parks
8. Federal Lands Value (Legislative Discussion)
 - Economic / Cultural / Resource
 - Burdens / Tax Revenue
9. Water Authority – Coordinate with County and Rosman to have a strong voice.
10. Invite Department Staff to Council Committee meetings – revolving – so they can participate/see
11. Public/Private Decision-making at Committees. Opportunity to provide input with experts locally
12. Adopt Manhole / Hydrant
13. Community Crosswalk Program
14. Add Bike Parking
15. Encourage Neighborhood Streetscape Beautification
16. Encourage Neighborhood Liaisons
17. Parklets
18. Invite private sector to be at Parks
 - Pop-up events – Outfitter at Park put-ins
19. Gallimore Bike Trail to French Broad River
 - At Colleges
20. How to deal with “Dark Retail” – Box stores out of business and tax decreases

Short Term Rentals Discussion

1. Allow current – Draft Ordinance (grandfather); with voluntary registration; without registration

- Options – More legal research is needed since permits are not allowed in NC currently
- Question – If have short-term rental, does that decrease need for hotel? Maybe harder to manage tax base.

Tiny Houses – (No notes written upon chart.)

Housing Trust Fund

1. Safeguards future sales.

**THIS PAGE INTENTIONALLY
LEFT BLANK**