

Fletcher Town Council
Budget Workshop Meeting
Minutes
May 5, 2018

Call the meeting to order at: 09:02 am

Those who were in attendance are as follows:

Mayor Rod Whiteside
Councilman Bob Davy
Councilwoman Sheila Franklin
Councilman Hugh Clark
Town Manager Mark Biberdorf
Assistant Town Manager Heather Taylor
Town Clerk Christine Thompson

Mayor Pro-Term Eddie Henderson did not attend this meeting

The purpose of this meeting is to make some final decisions on the upcoming 18/19 FY Budget.

Overview of the Proposed FY 2018-2019 Budget

Balanced budget presented totaling \$6,886,806 in revenues and expenses.

This is an \$185,277 increase from FY 2017-2018 budget.

The increase in expenditures will be offset by growth in revenues.

The proposed tax rate for Fletcher would remain at 34 cents under the recommended budget.

22.5 cents of the 34 cent tax rate supports services directly provided by the Town.

The remaining 11.5 cents of the tax rate goes to contracted fire protection services.

No additional full time positions recommended.

2% COLA this year due to Social Security cost of living measure going up.

Begin construction on Highway 25 Corridor Improvements Project.

Additional debt service space created by delay of Parks & Recreation Maintenance Building project.

14% increase in health insurance premiums with current BCBS plan.

No increase in dental premiums with Principal Dental Insurance.

Overall Economic Outlook for FY 18-19

Improved growth is expected in national economy. (Projected GDP growth of 2.8%)

Inflation occurring in the 2.2-2.25% range

Interest rates should rise while consumer confidence remains at its highest level since 2000.

NC's economic outlook is good with 9,900 jobs added each of the last 3 months of 2017.

NC's aggregate growth rate in real GDP surpassed national growth for the third straight year.

Economic growth in the state in 2018 is expected to expand real GDP by 2.8%.

Local Economic Factors

Residential growth still occurring (Sycamore Cottages -151 unit development has homes under construction; St John's Woods built out -9 additional units; and Groves at Town Center under construction 168 units).

Commercial/Industrial growth continues to be moderate- Manufacturing projects have slowed, O'Riley Auto parts Poteet St., Hunter Automotive on Hwy 280, and spec building at town limits on Hwy 25.

Retail sales continue on positive trend.

Revenue Outlook

Ad Valorem values projected to increase from \$ 1,140,201,000 to \$ 1,167,542,000.

Largest portion of increase in Ad Valorem coming from real property values (1% growth).

Sales Tax is expected to be much more moderate this year from \$ 1,550,000 to \$ 1,566,000.

Slight decrease in Utilities Sales Tax from \$689,000 to \$ 679,000.

2% increase (additional \$83,124) in real and personal property taxes.

4% increase (additional \$8,905) in Motor vehicle property taxes.

108% increase (additional \$13,000) in Interest on Investments.

2% increase (additional \$4,000) in projected Powell Bill revenues.

1% increase (additional \$16,000) in Local Sales Tax.

5% increase (additional \$5,000) in Recreational Activities.

20% increase (additional \$1,000) In Land Use Permits

49% increase (additional \$ 1,470) in ABC Law Enforcement.

143% increase (additional \$100,000) in ABC Distribution.

12% decrease (drop of \$2,000) in prior year taxes.

1% decrease (drop of \$10,000) in utilities sales tax.

5% decrease (drop of \$1,900) in Beer & Wine Tax.

2% decrease (drop of \$1,478) in Cable Franchise revenues.

100% decrease (drop of \$28,161) in Appropriated Fund Balance.

Budget Requests

Budget requests initially came in \$225,000 above prior year revenues.

Requests included one additional full-time position-Parks & Recreation Maintenance Specialist.

Includes funding for semi-automation of brush collection service

Equipment upgrades for maintenance function in Parks & Recreation.

Equipment upgrades within Public Works

Construction of Highway 25 Corridor Improvements project.

Expenses requests funded within current tax rate of 34 cents.

Reductions or additions in some line item requests were made at the Manager's recommendation.

Cost Saving Measures Realized

Dental insurance renewal with the Principal kept flat, initially came in 4.9% higher.

Broker quotes medical and dental coverage against comparable insurance plans each year.

Had a 2.9% decrease last year on medical insurance premium; however this year premiums went up by 14% with Blue Cross Blue Shield.

Reducing contract services cost by \$6,000 due to well testing no longer being needed on brownfields site.

Reductions in utilities and department supplies at Town Hall.

Decrease in incentives paid out for economic development (over \$71,000 decrease in projected payments)

Governing Body

Small increase in overall funding for this department going from \$48,235 to \$50,111.

Slight increase in salaries line item for 2% COLA from \$35,223 to \$35,927.

Travel & Training increase slightly from \$4,500 to \$5,000.

Department Supplies increase from \$1,700 to \$2,260.

Small adjustment in Dues & Subscriptions from \$230 to \$ 290.

Administration

Moderate increase in total departmental appropriations from \$482,634 to \$ 512,839.

Largest increase is in salaries from \$348,800 to \$368,445

Moderate increase for fringe benefit line items due to merit and COLA adjustments.

Slight decrease in Dues & Subscriptions line from \$1,100 to \$800.

Small increase in Motor Vehicle Expense from \$10,000 to \$10,500.

Professional Services

A significant decrease in departmental budget from \$306,347 to \$248,505

Legal line increased from \$8,000 to \$10,000.

Professional Services line increased from \$20,000 to \$30,500 for pay classification study.

Economic Development line decreased from \$240,500 to \$169,108 due lower incentive obligation.

Increase in Fletcher Town Center line from \$14,000 to \$20,000 for option monies.

Planning Department

Slight increase in total departmental appropriation going from \$112,422 to \$116,907.

Most of the increase attributed to salaries line merit and COLA adjustments (increase from \$81,200 to \$ 84,506)

Slight adjustments to fringe benefit lines due to merit pay and COLA.

Small increase in Travel & Training line item from \$2,000 to \$2,500.

Some small decreases in Advertising, Dept. Supplies and Dues & Subscriptions lines.

Town Facilities

A slight decrease in total departmental appropriations from \$ 138,500 to \$ 126,219.

Utilities line decreased from \$63,000 to \$60,000 due to better estimate on utility costs from Town Hall.

Department Supplies line decreased from \$9,500 to \$ 7,000 to more closely align with anticipated expenses.

Dues & Subscriptions line decreased by \$1,000 from \$16,500 to \$15,500.

Decrease in Contract Services line from \$19,000 to \$13,000 due to well monitoring requirement ending.

Police Department

A slight increase in the overall budget going from \$1,381,624 to \$ 1,390,639.

Last year had startup costs for implementation of Animal Control.

Last year also had grant request for motorcycle program through NCGHSP

Last year funded new lieutenant position.

Largest portion of increase is in the salaries line item going from \$787,774 to \$ 810,826.

Second largest portion of the increase is the fringe benefit line items for COLA and merit adjustments.

Overtime line item increased from \$12,000 to \$15,000.

Increase in Department Supplies line from \$20,000 to \$22,000 to cover cost of additional ammunition for more training.

Decrease in physicals/Drug line item from \$17,400 to \$ 4,000 due to one-time expenses for Animal Control being completed.

Increase in uniforms line from \$16,429 to \$30,029 for replacement of bulletproof vests.

IT Department

One Who Serves continues to provide high quality support at a cost effective price.

Moderate increase in overall departmental expense from \$173,100 to \$ 191,410.

Slight increase in Telephone from \$42,000 to \$ 45,780 to cover more lines and devices to the cell phone contract.

Increase in dues line from \$ 13,100 to \$16,500 for migration to cloud based email hosting.

Increase in subscriptions IT line from \$42,150 to \$ 43,480 for internet service at old PD building.

Capital Expense line includes funding for PD video and RMS Server Licensing (\$3,800), Virtual Machine Host Server (\$11,500), Plotter (\$4,500) Replacement Desktop PCs (\$3,650), and Misc. Parts and Equipment (\$5,000).

Contracted Services – Fire & Rescue

Fletcher Fire & Rescue (FF&R) will receive what the tax levy produces on 11.5 cents of the Town's 34 cent tax rate this year.

Total appropriations for FF&R will increase from \$1,199,682 to \$ 1,229,611.

This includes \$24,000 that is budgeted for prior year adjustment.

Mills River Fire & Rescue's portion of the tax rate will remain at 9 cents this year.

Total appropriations for Mills River will increase slightly from \$124,022 to \$ 125,236.

The appropriation may change slightly as we receive final property value estimates from the county.

Public Works

Significant increase in total appropriations from \$942,932 to \$ 1,034,780.

Implementation of new method of brush collection –uses a truck and grapppler that will semi-automate the process.

Grant for purchase of 95 gallon recycling carts.

Purchase of four post vehicle lift to improve maintenance capabilities for fleet.

Replacement of zero turn scag mower.

Salaries line sees slight increase for merit and COLA adjustments from \$321,971 to \$325,804.

Fringe benefit line items increased for merit and COLA adjustments.

Increase in Travel & Training from \$1,000 to \$2,500

Increase in M & R Town Facilities from \$60,000 to \$70,000 for maintenance of all facilities.

Decrease in M & R U.S. 25 from \$9,000 to \$7,000 due to street banners and hardware purchased last year.

Grant expenses line added at \$23,961 for recycling cart grant (20% local match)

Increase in Landfill Charges from \$ 101,000 to \$ 105,000 to cover increased tonnage.

Increased in Recycling from \$82,200 to \$ 94,605 for CPI and increase in households.

Increase in uniforms line from \$9,066 to \$10,066 to cover increase in cleaning costs.

Increase in disposal fees from \$9,000 to \$ 20,000 to cover increased costs to dispose of brush.

Increase in Tools & Equipment line from \$12,000 to \$24,000 to cover the purchase of four post vehicle lift.

Public Works-Powell Bill

Slight increase in Powell Bill revenues going from \$191,000 to \$195,000.

\$195,000 budgeted on the revenue and expense side.

This is primarily used for re-surfacing of streets.

Parks & Recreation

Moderate increase in overall departmental appropriation from \$ 549,522 to \$618,233.

Full-time maintenance position not included but continued support for part-time assistance.

Equipment upgrades recommended for park maintenance (Polaris, Scag Mower, and Pro Field Groomer).

Middle school summer day camp program extended.

Part Time Salary line increased from \$76,600 to \$ 81,950 due to extending middle school camp and raises for camp staff.

Increase in utilities from \$28,000 to \$31,000.

Small decrease in Holiday Decorations from \$2,500 to \$2000.

Increase in Summer Day Camp from \$20,000 to \$28,000 to extend Middle School camp.

Advertising decreased from \$2,500 to \$1,500.

Department Supplies increased from \$2,000 to \$2,600 for plotter ink.

Concessions decreased from \$11,000 to \$10,000 to match activity level.

\$40,320 in Capital Outlay for Polaris Scag Mower, and Field Groomer.

Increase in Park Maintenance line from \$32,000 to \$35,000.

Break for lunch at 11:40 am

Back from lunch at 12:57 pm

Options for Surplus Revenues

Lower the tax rate by half a cent from \$.34 to \$.335.

Accelerate implementation of 95 gallon recycling carts (1,297).

Fund balance designation for library construction.

Fund balance designation for greenway extension or development of Meritor Park.

\$64,825 to the good.

Discussion Followed:

Staff suggests fund balance designation or acceleration the implementation of the recycling carts.

Suggested that maybe funds be split between both of these options.

Conclusion of Operating Budget

Presentation of CIP Budget next.

The Town Manager stated that he would prepare a more condensed presentation with some graphs and charts at the June 11 Public Hearing.

Capital Improvement Budget within CIP

This recommended capital budget includes \$.085 of the tax levy to fund eligible projects.

0.85 generates \$ 982,407 in revenue for FY 18-19.

0.65 would be dedicated for projects supported by debt service and the remaining .02 would be for non-debt service project, or pay as you go.

The amount of levy available for debt service supported projects will be \$751,313.

Amount of levy available for new projects without debt will be \$231,174.

CIP –Debt Service

Two projects funded under debt service- 1) Town Hall Improvements Project; 2) Knuckle Boom Brush Truck

Debt Service requirements for the Town Hall Project will be \$578,149.

A projected debt service requirement for the Knuckle Boom Brush Truck is \$41,451.

Surplus debt service available is \$131,713.

Recommend Payment to outstanding debt principal of \$131,713 with the remaining funds.

CIP-Non-Debit Service or pay as you go projects

Police vehicles – 3 Patrol Cars \$119,500

Resurface walking at BMCP \$58,000

Kate's Park Playground Equipment \$53,674.

These three projects utilize the entire levy available for non-debt service or pay as you go projects. \$231,174.00

Discussion Followed:

Councilman Bob Davy made a motion to adjourn and it was seconded by Councilwoman Sheila Franklin.

Adjourned: 02:15 pm

Approved:

6-18-18
Date


Mayor Rod Whiteside

Town of Fletcher
Agenda Review Meeting
Minutes
May 9, 2018
(Wednesday)

Call the meeting to order at: 06:00 pm

Those who were in attendance are as follows:

Mayor Rod Whiteside
Mayor Pro-Tem Eddie Henderson
Councilman Hugh Clark
Councilman Bob Davy
Councilwoman Sheila Franklin
Town Manager Mark Biberdorf
Planning & Zoning Director Eric Rufa
Police Chief Erik Summey

Invocation: Rev Joy Moss Skyland United Methodist Church
Pledge of Allegiance: ?

Public Comment
None at this time

Approval of minutes, corrections, additions or deletions.
(4/9, 4/16)

Mayor Rod Whiteside asked council to review minutes and let any changes be known next week.

Council Updates

Councilwoman Sheila Franklin stated that she may have something next week on the water and sewer advisory committee.

Consent Agenda

Approval of Resolution R-18-03 authorizing the Town of Fletcher to engage in electronic payments.

Councilman Hugh Clark asked for an explanation on this Resolution.

Town Manager Mark Biberdorf stated that there has been requirement for some time now but there has been nothing that has come out to give us some guidance with this. When you make electronic payments we are subject to the Local Budget Fiscal Control Act. When we have hard contracts we have to stamp it that this has been pre-audited per the fiscal control act and then Heather signs it as Finance Officer. The purpose of that is to say yes this has been pre-audited and we have the appropriated funds to cover that contract.

When you are moving electronic funds there was never really a process in place and the LGC said that you must have a written policy for electronic transactions as well. Our only instances for this would be town credit cards and our fleet fueling cards obligating money. As far as disbursing funds that would be for payroll and our loan on the building. (Money going out not coming in)

Discussion Followed:

Public Hearing to consider rezoning # 2018-01, a request to rezone a portion of 3086 Hendersonville Road from R-2 residential to C-1 Commercial-Eric Rufa, Planning & Zoning Director.

Planning & Zoning Director Eric Rufa 3086 Hendersonville Road this was delayed last month and there is a chance that it be delayed again until next month. The reason for the delay is the actual owner of the property Mrs. Hollingsworth passed away during this process and her power of attorney Dan Fowler is set to be named the trustee of the property.

Discussion Followed:

Public Hearing to consider text amendments to the Land Development Code regarding short term rentals of residential dwellings-Eric Rufa, Planning & Zoning Director.

Planning & Zoning Director Eric Rufa stated as requested we are bringing forward the recommendations from Planning Board that the short term rental of an entire dwelling would be prohibited and that it be owner occupied or owner be on site. This is where a room would be rented out in the dwelling or a secondary dwelling with no more than one bedroom for a period of less than 30 days. They are also recommending eliminating the rooming/boarding rentals from the ordinance due to redundancies. Less than 30 days would be considered a short term rental.

If council does not wish to adopt the recommendations, staff is requesting that council consider a minor amendment that would exempt short term rental as a lodging use which would clarify the town's intent on the matter.

Discussion Followed:

Discussion on revisions to the aggressive dog provisions of the animal control ordinance-Mark Biberdorf, Town Manager and Erik Summey, Police Chief.

Town Manager Mark Biberdorf this came about from our complaint in South Chase and our definition of aggressive dogs. After discussion the feedback was that you wanted a broader definition of aggressive dogs. That was something that is addressed in the revised version in your package. The other thing that this brought about was the need to have our own appellate board. If we deem a dog aggressive or vicious and someone wants to appeal that they have a mechanism so we have some language in here for this. The board would be a 3 member panel consisting of two staff and the third being a member of the public. The board would only come together as needed. We also had some language changes/amendments that affected the appellate board and clarified the chief instead of the shelter director since the county is still involved in this. All the revisions are highlighted in yellow.

Discussion Followed:

Chief Summey answered questions that council had on this item.

Approval of Resolution # R-18-04 for lowest responsible bidder on Highway 25 Corridor Improvement project-Mark Biberdorf, Town Manager and Eric Rufa, Planning & Zoning Director.

Town Manager Mark Biberdorf stated that Scott Burwell from McGill & Associates is here to answer questions. We opened the bids on April 19 and I emailed council the results and McGill did the certified bid tabulation and you have a copy of that in your packet. Included is the recommendation award letter, bid tabulation, documentation of DBE requirements and you also have a Resolution to authorize approval of the low bid.

So now we are at the point of accepting the bid and the Resolution of course authorizes the total amount.

Scott Burwell of McGill & Associates answered questions the town manager and council had on this project.

Discussion Followed

Comments from the Town Manager Mark Biberdorf.

The resurfacing projects have gone along very well. The park overlay on the crosswalk is the only thing left and the entrance is wider with a good job on the driveway. The street resurfacing in Windsor Forrest looks great as well. On the park they went over by about \$30,000 will have to see if there is enough in the contingency to cover it. They finished under on the resurfacing in Windsor Forrest.

On Library road there was the French drain issue which is done and today they were paving. They had to close the library and Kate's park in order for the paving to be completed.

On the shred event went very well and we had a good turnout based on the quantity that was collected from the pill drop. We collected 41 pounds of medications or 30,750 pills versus last year where we collected 33.5 pounds or 25, 125 pills. At this time not sure about the paper collected for shredding.

On the follow-up from budget workshop retreat, staff is working on the questions on items that you had on surplus funding. I am drafting the budget message and it will be available June 1 for public comment and review. The public hearing will be on June 11 at the regular meeting. The only changes I can anticipate will be a change in values (increase) once I get those from Darlene Burgess.

There will be a family health and fitness day on June 9th NC Parks & Recreation Association was encouraging this. This will be from 9:00 am to noon in Bill Moore Community Park. Park Ridge Hospital and Pardee Hospital are sponsoring this event.

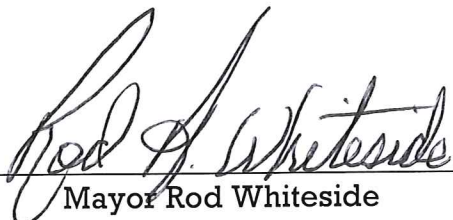
We are working on properties involved with town center to get a draft agreement together and setting up meetings next week with the property owners.

Councilman Hugh Clark made a motion to adjourn and it was seconded by Mayor Pro-Tem Eddie Henderson.

Adjourned: 07:01 pm

Approved:

6-18-18
Date


Mayor Rod Whiteside

Town of Fletcher
Council Meeting
Minutes
May 14, 2018

Call the meeting to order at: 07:00 pm

Those who were in attendance are as follows:

Mayor Rod Whiteside
Mayor Pro-Tem Eddie Henderson
Councilwoman Sheila Franklin
Councilman Bob Davy
Councilman Hugh Clark
Town Manager Mark Biberdorf
Assistant Town Manager Heather Taylor
Planning & Zoning Director Eric Rufa
Parks & Recreation Director Greg Walker
Public Works Director Jabbo Presley
Police Chief Erik Summey

Invocation: Mayor Pro-Tem Eddie Henderson

Pledge of Allegiance: AnnaGrace Perry Apple Valley Middle School

Public Comment

Todd Stimson 30 Fawnhurst Lane Fletcher – stated that he just came back from Washington DC and has some information that he will give to council on medical cannabis.

Ron Shultz 10 Southchase Drive Fletcher- suggests putting a band shell in Bill Moore Community Park.

Approval of minutes-corrections, additions or deletions
(4/9, 4/16)

Mayor Pro-Tem Eddie Henderson made a motion to approve the minutes as written and it was seconded by Councilman Hugh Clark.

Council Updates

Councilwoman Sheila Franklin – commented on the Water & Sewer Advisory Board that has developed a website where you can see a map of the whole area. She stated that she would like to share a link to their website that gives a lot of information on what the board is doing and when funding is available for projects.

She also said that there has been a lot of discussion in the last 2 months proceeding with charges. They had a budget study done that was presented to us earlier in that year and the discussion came again in April about system development charges. This would mean that the developers would have a buy in to the utility system and would have to pay an upcharge as opposed to pay as you go that spreads out the cost and has like a rate differential. The majority of the people do not want to do the system development charges so they will proceed with just trying to always keep the cost low and spread the cost over a period of time.

Consent Agenda

Approval of Resolution R-18-03 authorizing the Town of Fletcher to engage in electronic payments.

Councilman Hugh Clark made a motion to approve the consent agenda and it was seconded by Mayor Pro-Tem Eddie Henderson.

Motion carries all in favor.

Public Hearing to consider rezoning # 2018-01, a request to rezone a portion of 3086 Hendersonville Road from R-2 residential to C-1 Commercial- Eric Rufa, Planning & Zoning Director.

Planning & Zoning Director Eric Rufa stated that this item is pertaining to a rezoning application that we received a few months back that has already been through planning board. Does council want to make a motion to go into public hearing before I proceed with this?

Mayor Whiteside asked for a motion to go into public hearing and it was so moved by Councilman Bob Davy and seconded by Mayor Pro-Tem Eddie Henderson.

Planning & Zoning Director Eric Rufa stated that the property that is under consideration tonight is located at 3086 Hendersonville Road Parcel # 9653-63-7349. This property is now under the ownership of the estate of Mary Hollingsworth. As you know this was delayed because when the request was made through the Planning Board by her Power of Attorney (Mr. Dan Fowler) Ms. Hollingsworth passed away before this could be brought to council. Just today I was given a letter where he is now been designated trustee for the estate. Two thirds of the parcel is currently zoned C-1 Commercial which fronts Hwy 25 corridor and there is a map in your packet material. The request before you is the rear 1/3 of the property that is currently zoned R-2 which is Residential.

Discussion Followed:

Councilman Hugh Clark made a motion to go out of public hearing and it was seconded by Mayor Pro-Tem Eddie Henderson

Councilman Bob Davy made a motion to approve rezoning request # 2018-01 as submitted and it was seconded by Councilman Hugh Clark and Mayor Pro-Tem Eddie Henderson

Motion carries all in favor.

Public Hearing to consider text amendments to the Land Development Code regarding short term rentals of residential dwellings-Eric Rufa, Planning & Zoning Director.

Planning & Zoning Director Eric Rufa gave an overview of the recent recommendation made by planning board which is in your packet.

Discussion Followed:

Councilman Hugh Clark made a motion to go into public hearing and it was seconded by Mayor Pro-Tem Eddie Henderson.

Mr. Ron Mashburn of 15 Norton Lane, Arden owner of WNC Realty & Rentals. He stated that he has invested in Fletcher and Henderson County for many years. He also spoke on vacation rentals being how he makes his living and people being able to exercise their freedom of property rights. He stated that when the economy went bad back in 2005/2006 that the only way he was able to keep his properties was to turn them into vacation rentals. He stated that these properties are very well maintained. He stated that he currently does not own any properties in Fletcher.

Mrs. Lorraine Newell of 38 Grove End Road Fletcher she stated that she has lived in St John's Woods for 6 years and lives next to the only long term rental in the neighborhood. She said that the home is poorly maintained and looks shabby. She feels that short term rentals would be much better maintained.

Ms. Stephanie Johnson Fletcher homeowner states that she has owned 2 short term rentals in Fletcher in the last 14 years. She spoke in favor of short term rentals he would hate to see this disappear. She also submitted a letter from Tom Baldwin

of Baldwin Real Estate who is also in favor of short term rentals. (See “**Exhibit A**” attached)

Discussion Followed:

Ms. Beverly of Asheville representing owner of vacation rental in Fletcher area. She stated that she has been in vacation rental business for years. (She stated that the home is in Sequoyah Hills)

Mr. Jof Cacanindin lives in Fletcher owns 2 short term rentals in Fletcher and has hosted several people from different countries in his rentals. He stated that he has good people use his rentals and commented on the money that they spend in Fletcher.

Nate Thompson lives in Mills River He states he manages Turnkey Vacation rentals. He said that he does not think that it is advisable that Fletcher restrict short term rentals. They bring money into Fletcher and it should be left up to the HOA as to if short term rentals should be allowed.

Mark Novelle 58 Regent Drive Fletcher, He stated that he has been a resident of Fletcher for almost 9 years and sees no benefit to the residents of Fletcher. He spoke out against short term rentals he is not in favor of this.

Steve Schleifer lives in Fletcher He said that he has lived here in Fletcher for about 3 ½ years and agrees with Mr. Novelle. He is very much opposed to this and if it were to move forward then it needs to be better regulated.

Mayor Rod Whiteside asked any questions or comments on this issue?

Councilwoman Sheila Franklin asked if she could ask a question of the police chief. She asked the chief have there been any issues/calls with short term rentals that you are aware of.

Police Chief Erik Summey stated that he was only aware of one recently where the renters before they left were walking around the outside of the house checking it with flashlights before they left. Someone in the neighborhood had seen them doing this and called the police to report suspicious activity.

Discussion Followed:

Councilman Hugh Clark made a motion to come out of public hearing and it was seconded by Mayor Pro-Tem Eddie Henderson.

Mayor Whiteside asked council what is their pleasure on this line item?

Councilman Hugh Clark made a motion to approve the text amendments to the Land Development Code as written.

There was no second motion dies.

Councilwoman Sheila Franklin stated that she would like to see what Planning & Zoning Director Eric Rufa has as an alternate.

Planning & Zoning Director Eric Rufa handed out the alternate amendments/suggestions to council. **(See "Exhibit B" attached)**

Discussion Followed:

Councilman Bob Davy motion to continue this Public Hearing until the June council meeting and it was seconded by Councilwoman Sheila Franklin.

Motion carries all were in favor.

Discussion on revisions to the aggressive dog provisions of the animal control ordinance-Mark Biberdorf, Town Manager and Erik Summey, Police Chief.

Town Manager Mark Biberdorf stated that council has a revised version of the ordinance that came about due to some discussion with an incident of a potentially aggressive dog. There is a revision to make the definition more specific as to what an aggressive dog is which also can be determined by our police department.

The other thing was if someone wants to appeal this decision you have to have an Appellate Board. We were going to use the counties board but they did not want us to use theirs so we have to create our own. Our board will have 3 members that will be appointed by the chief with two staff and one member of the public.

Other things for clarifying is for when you submit an appeal it goes to the chief and if need be to the Appellate Board and not to the Animal Services Director. There were also some clarifications on the general statute authority for the town to be able to do these things. The former language said county.

Councilman Bob Davy made a motion to approve the revisions to the provisions on aggressive dogs in the Animal Control Ordinance and it was seconded by Mayor Pro-Tem Eddie Henderson.

Motion carries all in favor.

Approval of Resolution # R-18-04 for lowest responsible bidder on Hwy 25 Corridor Improvement project-Mark Biberdorf, Town Manager and Eric Rufa, Planning & Zoning Director.

Town Manager Mark Biberdorf went over the items on the lowest bid from Buchanan & Sons Inc. on this project.

Discussion Followed:

Mayor Rod Whiteside asked if there was a motion to approve this project.

Mayor Pro-Tem Eddie Henderson stated that he would make that motion.

Mayor Rod Whiteside stated that there is a motion to approve the lowest bidder as presented is there a second?

Councilman Bob Davy Second.

Motion carries all were in favor.

Comments from the Town Manager-Mark Biberdorf.

The Resurfacing projects are essentially done and some punch list items are still being worked on at this time.

On the Shred event and pill drop event we had 41 pounds of medication turned in or 30,750 pills and this was a good jump from last year. We still have not received any data back from how much paper was received/shredded.

On the Budget we are reconciling some things and working on feedback that was received from council. We will get at least one more set of values from the county. I will be working on a Budget message this week and it will be available June 1st for public comment and review. We will have our public hearing at the regular meeting on June 11, 2018.

Family Fun & Fitness day is in the park on June 9th from 9 to noon. Pardee Hospital and Park Ridge Hospital are sponsoring this.


The cove of Livingston Farms contacted DOT about a flasher being placed there because the line of sight is challenging. DOT has assessed it and recommends that the HOA trim back the foliage /greenery in that area. It is not in the DOT right of way and is on HOA property

Mayor Rod Whiteside asked for a motion to adjourn and it was so moved by Mayor Pro-Tem Eddie Henderson and seconded by Councilman Hugh Clark.

Adjourned: 08:35 pm

Approved:

6-18-18
Date


Mayor Rod Whiteside

Baldwin Real Estate Inc.
Association Management & Real Estate Brokerage

"EXHIBIT A"

Wednesday, May 9, 2018

Attn: Town Of Fletcher Council Members
300 Old Cane Creek Rd.
Fletcher, NC 28732 United States

Attn: Town of Fletcher Council Members

It has been brought to my attention that an issue regarding short term rentals will be on the May 14, 2018 agenda and I have been asked to comment on this issue.

My company manages a number of homeowner associations in the area, some of which have short term rentals that have operated for a number of years. Others have restrictions in the covenants that only allow rentals for six months or one year periods. Therefore, it is my opinion that these communities should be left to decide on this issue individually in each neighborhood. The City of Fletcher should not tell owners what to do with their property. If they choose to purchase in a community with restrictions, those restrictions already limit the terms of rentals. In addition, if the restrictions do allow short term rentals, then residents understand that as well. In general, owners who deal with short term rentals and long term rentals are considerate and maintain their properties very well. They are very responsive to any changes and/or improvements and they are some of the best maintained properties in Fletcher. The City should not be involved in telling them how long they can rent.

I strongly urge you to leave this up to the individual and the community covenants in which they reside.

Best,



Tom Baldwin
President, Baldwin Real Estate

Associations Managed in Fletcher
Stafford Crossing Condominiums
Stafford Hills Condominiums
Wildwood Gardens HOA
Covington Crossing Condominiums
Covington Crossing Townhomes
Covington Crossing Master Assoc.
Hollabrook Farms POA

Alternative LDC Amendments

Re: Short Term Rentals

For Consideration at 5/14/2018 Public Hearing

If Recommended Amendments are not approved

This Code establishes the following Districts for use as Zoning categories:

- A. R-1 Low Density Development District (2 Units/Acre Residential)
- B. R-1A Low Density Development District (2 Units/Acre Residential)
- C. R-2 Medium Density Development District (3 Units/Acre Residential)
- D. R-3 High Density Development (4 units/Acre for Single Family Residential; 10 Units/Acre for Multi-family Residential)
- E. NBD Neighborhood Business District
- F. CBD Central Business District
- G. C-1 General Commercial District
- H. C-2 Interstate Commercial District
- I. M-1 Manufacturing District
- J. FH-O Flood Hazard Overlay District
- K. HOF-O Heart of Fletcher Overlay District

2.4 Use Categories and Tables of Permitted Uses

A. Use Categories

All uses permitted in this Code have been divided into eight (8) general categories and are generally defined as follows:

1. **Residential:** Premises ~~or dwelling units~~ available for ~~long-term~~ human habitation by means of ownership and rental. ~~; but excluding short-term leasing or rental of less than a month's duration.~~
2. **Lodging:** Premises available for short-term human habitation, including daily and weekly rental. ~~Short term rental of a single family dwelling unit shall not constitute a "lodging" use under this code.~~
3. **Office/Service:** Premises available for the transaction of general business and the provision of services, but excluding retail sales and manufacturing, except as a minority component.
4. **Retail/Restaurants:** Premises available for the commercial sale of merchandise, prepared foods, and food and drink consumption, but excluding manufacturing.
5. **Entertainment/Recreation:** Premises for the gathering of people for purposes such as arts and culture, amusement, and recreation.
6. **Manufacturing/Wholesale/Storage:** Premises available for the creation, assemblage, storage, and repair of items including their wholesale or retail sale.
7. **Civic/Institutional:** Premises available for organizations dedicated to religion, education, government, social service, health care, and other similar functions.
8. **Infrastructure:** Uses and structures dedicated to transportation, communication, information, and utilities.

B. Interpretation of Use Matrices

ARTICLE 2: DISTRICT PROVISIONS

C. Use Matrices

BASE DISTRICT	R-1	R-1A	R-2	R-3	NBD	CBD	C-1	C-2	M-1
Residential									
Dwelling-Single Family (Not part of a PRD)	P	P	P	P	P	P	—	—	—
Dwelling-Duplex (Not part of a PRD)	P	P	P	P	P	P	P	P	—
Dwelling-Multifamily 4 units/bldg or less (Not part of a PRD)	—	—	—	P	P	P	P	P	—
Dwelling-Multifamily more than 4 units/bldg	—	—	—	SUP	SUP	SUP	SUP	SUP	—
Dwelling-Secondary	PS	PS	PS	PS	P	P	P	P	—
Family Care Home (6 or fewer residents)	PS	PS	PS	PS	P	P	P	P	—
Home Occupation	PS	PS	PS	PS	PS	PS	PS	PS	—
Housing Service for the Elderly	—	—	—	—	P	P	P	P	—
Live-Work Units	—	—	—	—	PS	PS	PS	PS	—
Manufactured Housing, Individual Lots	—	PS	PS	PS	—	—	—	—	—
Manufactured Housing, Parks	—	—	—	SUP	—	—	—	—	—
Planned Residential Development (PRD)	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	----
Lodging									
Bed and Breakfast Inns	PS	PS	PS	PS	PS	—	PS	PS	—
Hotels/Motels/Inns/Resorts	—	—	—	—	—	P	P	P	P
Rooming or Boarding House	—	—	SUP	PS	PS	—	—	—	—
Office/Service									
Animal Services	—	—	—	—	—	P	P	P	P
ATM	—	—	—	—	P	P	P	P	P
Banks, Credit Unions, Financial Services	—	—	—	—	P	P	P	P	P
Business Support Services	—	—	—	—	P	P	P	P	P
Child/Adult Day Care Home (6–15 persons)	P	P	P	P	P	P	P	P	P
Child/Adult Day Care Center (16 or more persons)	PS	PS	PS	PS	PS	PS	PS	PS	PS
Community Service Organization	—	—	P	P	P	P	P	P	—
Drive Thru Service	—	—	—	—	—	PS	P	P	—
Funeral Homes	—	—	—	—	—	—	P	P	P
Group Care Facility (More than 6 residents)	—	—	SUP	SUP	SUP	SUP	SUP	—	—
Government Services	—	—	—	—	P	P	P	P	—
Medical Services - Clinic, Urgent Care Center	—	—	—	—	—	P	P	P	—
Medical Services – Doctor office	—	—	—	—	P	P	P	P	—
Outdoor Kennels	—	—	—	—	—	—	—	PS	PS
Post Office	—	—	—	—	P	P	P	—	—
Professional Services	—	—	—	—	P	P	P	P	P
Studio – Art, dance, martial arts, music	—	—	—	—	P	P	P	P	P
Vehicle Services – Major Repair/Body Work	—	—	—	—	—	—	—	PS	PS
Vehicle Services – Minor Maintenance/Repair	—	—	—	—	—	—	PS	PS	PS
Retail/Restaurants									
Auto Parts Sales	—	—	—	—	—	—	P	P	P
Bar/Tavern/Night Club	—	—	—	—	—	P	P	P	—
Drive-Thru Retail/Restaurants	—	—	—	—	—	PS	P	P	P
Gas Station with Convenience Store	—	—	—	—	PS	—	P	P	P
General Retail – 10,000 sf or less	—	—	—	—	P	P	P	P	P
General Retail – 10,001 sf – 50,000 sf	—	—	—	—	—	P	P	P	P
General Retail – 50,001 – 100,000 sf	—	—	—	—	—	SUP	SUP	SUP	SUP
Restaurant	—	—	—	—	P	P	P	P	P
Shopping Center – Neighborhood Center	—	—	—	—	—	SUP	PS	PS	PS
Shopping Center – Community Center	—	—	—	—	—	CD	CD	CD	CD
Vehicle/Heavy Equipment Sales, Service, & Rental	—	—	—	—	—	—	----	PS	PS

P	Permitted
PS	Permitted subject to Additional Standards in Chapter 3
SUP	Special Use Permit Required (See Chapter 3 and Chapter 15)
CD	Conditional District (See Chapter 15)
—	Not Permitted

All proposed development projects within the Heart of Fletcher Overlay, excluding single family and duplex residential construction as permitted, shall be subject to additional development standards as outlined in Section 15.14 and in Appendix 2, but shall not be subject to Section 15.10. Projects reviewed as a Conditional District (CD) Application as outlined in Section 15.8, shall not be subject to provisions of Section 15.10.

by a conviction of a criminal offense, a material element of which occurred on the premises of the adult establishment.

- (4) Admittance of patrons younger than 21 years of age.
- (5) Excessive criminal activity on or near the premises. If the Town Council finds that the operation of the adult establishment is related to such criminal activity or attracts transients or other persons who have been involved or are likely to be involved in such criminal activity.

B. Agricultural Products (R-1, R-2, R-3, C-1, C-2)

1. The area used for storage or keeping of materials shall have adequate means of ventilation and shall not create objectionable fumes, odor or dust to the surrounding area.

C. Airport (M-1*) *Special Use

1. Hangers or open storage shall be screened with a Type "C" Transition yard from all property lines.
2. Lighting provided shall be per the specifications of Chapter 10.
3. No outdoor public address system shall be permitted which can be heard beyond the boundaries of the property.
4. Hours of operation shall be from 7:00 a.m. to 9:00 p.m.

D. Bed and Breakfast Inns (R-1, R-1A, R-2, R-3, NBD, C-1, C-2)

1. No such facility may be a detriment to the residential character of the surrounding area.
2. Such a facility shall not offer more than 12 guest rooms maximum.
3. Meals shall only be intended for guests of the facility, unless the property is zoned for "restaurants" and the development is reviewed for compliance as such use.
4. Such a facility shall be the primary residence of the owner of the business.
5. Such a facility will require a minimum one (1) acre lot size.
6. A "type B" transition (buffer) yard shall be required along all side and rear property lines.
7. In addition to parking for the owner and staff, one additional parking space per bedroom must be provided.
8. One wall sign is permitted and limited to four (4) square feet. One non-illuminated ground sign is permitted, limited to twelve (12) square feet and designed in character with the building.

2. No outdoor kennel shall be located within five hundred (500) feet and any adjacent residence.

Z. Planned Residential Development (R-1*, R-1A*, R-2*, R-3*, NBD*, CBD*, C-1*, C-2*) *Special Use

1. General requirements for special use permit approval are outlined in Section 15.10 (B)
2. No triplexes, quadriplexes or multifamily dwellings shall be permitted in the R-1, R-1A and R-2 Districts.

AA. Public Safety Station (R-1*, R-1A*, R-2*, R-3*) * Special Use

1. General requirements for special use permit approval are outlined in Section 15.10 (B)

BB. Recreational Facilities, Indoor (R-3*) *Special Use

1. Facilities shall not be located within two hundred fifty (250) feet of any school or church and shall not serve alcoholic beverages.
2. The front façade shall not be blocked and permit a clear view into the facility. No sounds shall be audible from outside the structure.

CC. Religious Institutions (R-1*, R-1A*, R-2*, R-3*, NBD*, CBD*, C-1*) & Special Use

1. General requirements for special use permit approval are outlined in Section 15.10 (B)

~~DD. Rooming or Boarding House (R-2*, R-3, NBD) *Special Use~~

- ~~1. All parking areas shall be screened from any residence or off-site view from a public street by a Type A transition yard (see Section 8.9).~~
- ~~2. No such facility may be a detriment to the residential character of the surrounding area and shall be designed accordingly in the R-1, R-2, and R-3 Districts.~~
- ~~3. All guest rooms must take access from an interior hallway. No guest room shall be accessible without passing through a secured area.~~
- ~~4. Staff supervision is required to be provided at all times.~~
- ~~5. One wall sign is permitted and limited to four (4) square feet.~~

Hazardous Waste Management Facility: A building, structure or use of land devoted, or intended to be devoted, primarily to changing by any method, technique or process, including incineration or neutralization, the physical, chemical, or biological character of any hazardous material regulated by the Federal Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. Sec. 6901 et seq.), and the "North Carolina Solid Waste Management Act", as amended (Article 13B. G.S. 130-166.16), so as to neutralize such material or render it nonhazardous, safer for transport, amenable for recovery, amenable for storage or reduced in bulk. Such a use may also contain temporary storage facilities normally associated with these operations and of sufficient size to conduct a commercially feasible operation. However, under no circumstances is a hazardous materials treatment facility to be construed to be any of the following:

1. A facility which manufactures hazardous materials from component nonhazardous materials;
2. A facility or location for the long-term or perpetual storage of hazardous materials; or
3. A facility for the treatment of hazardous materials which is clearly subordinate, incidental and related to the principal structure, building or use of land and is located on the same lot as the principal structure, building or use.

Highest Adjacent Grade: The highest natural elevation of the ground surface, prior to construction, immediately next to the proposed walls of the structure.

Historic Structure: Any structure that is (a) listed individually in the National Register of Historic Places (a listing maintained by the US Department of Interior) or preliminarily determined by the Secretary of Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a State inventory of historic places; (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified (1) by an approved state program as determined by the Secretary of Interior, or (2)

directly by the Secretary of Interior in states without approved programs.

Home Occupation: An occupation or profession conducted within a dwelling unit by a residing family member that is incidental to the primary use of the dwelling as a residence. Home Occupations are small and quiet non-retail businesses generally invisible from the frontage, seldom visited by clients, requiring little parking, little or no signage, and having only one or two employees and provide services such as professional services, music instruction, and hair styling. Home Occupations include day care homes where daytime care is provided to less than 6 persons who are not the legal wards or foster children of the attendant adult within an owner-occupied residence.

Hospital: A health care facility the purpose of which is to provide for care, treatment, testing for physical, emotional, or mental injury, illness, or disability, and overnight boarding of patients, either on a for-profit or not-for-profit basis; but not including group homes. (*LBCS F6530 and S4110*)

Hotels/Motels/Inns/Resorts: Establishments providing lodging and short-term accommodations for travelers. They may offer a wide range of services including, overnight sleeping space, food services, convention hosting services, and/or laundry services. Entertainment and recreation activities may also be included. Extended-stay hotels are included in this category. (*LBCS F1300 and F1330*)

Housing Services for the Elderly: Establishments that offer a wide range of housing services for those who cannot care for themselves, such as the elderly such as retirement housing, congregate living services, assisted living services, continuing care retirement centers, and skilled nursing services. (*LBCS F1200*)

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IESNA: The Illuminating Engineering Society of North America, a non-profit professional organization of lighting specialists that has established recommended design standards for various lighting applications.

Recreation, Active: Leisure-time activities, usually of a formal nature and often performed with others, requiring equipment and taking place at prescribed places, sites, or field.

Recreation Facilities, Indoor: Uses or structures for active recreation including gymnasiums, natatoriums, athletic equipment, indoor running tracks, climbing facilities, court facilities and their customary accessory uses. This definition is inclusive of both non-profit and for-profit operations.

Recreation Facilities, Outdoor: Parks and other open space used for active or passive recreation such as ball fields, playgrounds, greenway trails, tennis courts, riding stables, campgrounds, and golf courses and their customary accessory uses including, but not limited to, maintenance sheds, clubhouses, pools, restrooms, and picnic shelters. This definition is inclusive of both non-profit and for-profit operations.

Recreation, Passive: Activities that involve relatively inactive or less energetic activities, such as walking, sitting, picnicking, card games, chess, checkers, and similar table games.

Recreational Vehicle: A vehicular-type portable structure which is: (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; and, (d) primary[designed as a temporary living accommodation for recreational, camping, travel and/or seasonal use and including, but not limited to, travel trailers, truck campers, camping trailers, and self-propelled motor homes.

Redevelopment: 1) The demolition and reconstruction of a building or a portion of a building

2) Any development on previously-developed land, other than a rebuilding activity that results in no net increase in *built-upon area* and provides equal or greater stormwater control than the previous *development*.

Religious Institution: Any facility such as a church, temple, monastery, synagogues, or mosque used for worship by a non-profit organization and their customary related uses for education (pre-schools, religious education, etc.), recreation (gymnasiums, activity rooms, ball fields, etc.), housing (rectory, parsonage, elderly or disabled housing, etc.) and accessory uses such as

cemeteries, mausoleums, soup kitchens, and bookstores. (*LBCS F6600 and S3500*)

Research and Development (R&D): A facility for scientific research, and the design, development, and testing of electrical, electronic, magnetic, optical and computer and telecommunications components in advance of product manufacturing, and the assembly of related products from parts produced off-site, where the manufacturing activity is secondary to the research and development activities. Includes pharmaceutical, chemical, and biotechnology research and development.

Reservation: The setting aside of parcels of land for a specific purpose. Reservations of land are encouraged for future development of streets, parks, and civic buildings.

Restaurant: A retail business selling ready-to-eat food and/or beverages for on or off-premise consumption. Customers may be served from an ordering counter (i.e. cafeteria or limited service restaurant); at their tables (full-service restaurant); and, at exclusively pedestrian-oriented facilities that serve from a walk-up ordering counter (snack and/or nonalcoholic bars). (*LBCS F2510, F2520, and F2530*)

Retain: To capture and hold stormwater runoff following precipitation by means of surface depression allowing the water to infiltrate into the soil, thus reducing the hydrologic and pollution impacts downstream.

Roof - Flat: Refers to the silhouette formed by a roof line or a particular roof system. This is separate from the roof line which can be stepped or flat in appearance through architectural elements such as cornices, mansards, and parapets; or pitched as with residential homes.

Roof Line: The highest point of a flat roof and mansard roof and the highest point of a pitched roof, excluding any cupolas, chimneys or other minor projections.

~~**Rooming or Boarding House:** Short or long-term accommodations that serve a specific group or membership such as a dormitory, fraternity or sorority house, youth or adult hostel or similar tourist accommodations, or single room occupancy units that provide a number of related services including, but not limited to housekeeping, meals, and laundry services. (*LBCS F1320, S 1320, and S1340*)~~