

Town of Fletcher
Agenda Review Meeting
Minutes
June 4, 2018

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
Councilwoman Sheila Franklin
Councilman Bob Davy
Councilman Hugh Clark
Planning & Zoning Director Eric Rufa
Town Manager Mark Biberdorf
Police Chief Erik Summey

Invocation:

Pledge of Allegiance:

(not known at this time)

*** Public Comment***

Todd Stimson 30 Fawnhurst Lane Fletcher read a letter from Representative Brian Turner that he received. Also went over a booklet that he had on with different facts and information on medical cannabis.

Approval of minutes, corrections. additions or deletions.
(5/5, 5/9 & 5/14)

Mayor Whiteside asked council to review the minutes and to bring any changes, deletions or additions next week.

Council Updates

Mayor Pro-Tem Eddie Henderson suggested the upcoming regular meeting be changed to June 18, 2018 because neither he nor Councilman Bob Davy will be here for the regular meeting that would be normally held on Monday June 11, 2018.

Discussion Followed:

Council has no objection to moving the regular meeting to June 18, 2018 at 7:00 pm.

Consent Agenda

Tax refunds/releases

Approval of budget amendment #6 to the FY 17/18 Budget Ordinance # 0-17-09

Approval of budget amendment # 7 to the FY 17/18 Budget Ordinance # 0-17-09

Town Manager Mark Biberdorf went over the tax refunds/releases and the budget amendments.

Discussion Followed:

Continuation of recessed Public Hearing from the May 14, 2018 meeting 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 that they had a brief planning board meeting on May 22, 2018 and planning board stood by their previous recommendations instead of considering the alternate suggestion.

Discussion Followed:

Mayor Rod Whiteside stated that the public hearing will still take place on June 18 and keeping in mind after public hearing is closed we can move to the next agenda item.

Discussion on future multi- family development in Fletcher – Eric Rufa, Planning & Zoning Director.

Planning & Zoning Director Eric Rufa stated that he wanted to bring this forth tonight after the discussion on the apartment complex near the park. He is suggesting a work session meeting to share a few ideas on multifamily housing in Fletcher. This would be July 17th at 6:00 pm or possibly July 24 was suggested as the alternate date. This is just an informal meeting that would be held upstairs in the multipurpose room.

Discussion Followed:

At this time Tuesday July 17th is set date for the meeting with an alternate date of Tuesday July 24.

Discussion and possible approval of Resolution # R-18-05 in support of Medical Cannabis-Rod Whiteside, Mayor.

Mayor Rod Whiteside asked what are council's comments and questions on this.

Mayor Pro-Tem Eddie Henderson stated that we discussed this before in 2011 and why are we going after this again now.

Mayor Rod Whiteside stated that he believes things have changed since 2011 and with the number of opioid deaths since then that medical cannabis is a safe alternative for chronic pain. There have no reported overdoses from medical cannabis.

Councilman Bob Davy stated that while he does agree with medical cannabis he does not agree with this Resolution. He said that they discussed this specific Resolution last fall and he would not support it because of some of the language in it and does not understand why this same Resolution is back before council now.

Mayor Rod Whiteside asked him what language he was referring to.

Councilman Bob Davy: stated that the second to last paragraph in the document (see below) because this is a state law not a city law we cannot say we are not going to abide by state law. If you don't like state law change the state law.

WHEREAS, the Fletcher Town Council hereby supports changes in State and other laws to (a) allow and authorize safe legal access to medical cannabis for qualified patients, **(b) grant local control to cities and counties to license and regulate medical cannabis businesses and collect appropriate fees and taxes, (c) and to stop the prosecution, arrest, investigation and imprisonment of qualified patients and their caregivers for medical cannabis offenses.**

Mayor Rod Whiteside stated that you're right it is a state law and the Resolution is just saying that we support it.

Councilwoman Sheila Franklin went over the data that she collected on medical cannabis and has offered the research links to anyone who is interested in where she got her information from. She said that she is not in favor of this and cannot support it.

Mayor Rod Whiteside stated that in response that the information that he provided/in support of was from Wake Forrest School of Medicine (I think we all

agree that is a legitimate organization) as was as the quote from the professor of the University of Georgia as related to no proven documented overdose or deaths from medical cannabis.

As related to the THC issue the medical cannabis does have a psychoactive component issue. May I offer this; alcohol is legal in all 50 states and also does have a psychoactive component to it. The only difference is medical cannabis actually healing while it has a psychoactive component if that individual who is taking it has a reaction.

Discussion Followed:

Councilman Hugh Clark stated that his only comment is that you referenced all 50 states and the legalizing of alcohol we are a five member panel representing the Town of Fletcher asking us to support a resolution and by a positive support for this we are saying our community our 6, 500 residents or 7,000 or 8,000 are in favor of this. This is probably somewhat legal but even with alcohol they put it to a referendum and let the citizens vote and then we abide by a majority of the decision. The only way I would support this Resolution is if our citizens voted on a referendum to approve this. We can't win there is no winner in this. There is something more to it then this then a 5 member panel can come up with it is just way above our heads. We can't pass any laws or change anything on this.

Discussion Followed:

Mayor Pro-Tem Eddie Henderson stated that he agrees with what Councilwoman Sheila Franklin and Councilman Hugh Clark and he will not support it.

Public Hearing to approve Budget Ordinance # 0-18-04 for the Fiscal Year 2018-2019 – Mark Biberdorf, Town Manager.

Town Manager Mark Biberdorf stated that he will do a budget message and a final draft of the proposed budget in consideration for approval at the public hearing.

Most recent values we received were from May 15 from the county and our values increased enough that we adjusted the impact on CIP and the distribution to the fire department. We also adjusted the impact on where you had to make a decision on the additional appropriations that we will receive and you decided to put the additional revenue towards recycling carts and a contribution towards the greenway expansion. We did not increase the initial appropriation of \$25,000 towards the recycling carts but the designation for the greenway ended up bringing that total to \$45,682.

Discussion Followed:

Councilman Hugh Clark suggested that before we pass the budget that we use/designate these additional funds for the necessary repairs at the park.

Discussion Followed:

Town Manager Mark Biberdorf stated that he would add this as a foot note for a designation for greenway repairs.

Discussion Followed:

Report on damage to the stream bank at the park and options for repair-Ben Cathey, McGill Associates.

Town Manager Mark Biberdorf stated that after the initial first wave of all the rain and the initial damage we had two sections which are very obvious where the stream banks have caved in. There are also some areas that aren't as visible from the greenway looking down to the creek but I have walked the stream fishing it. There are long sections of it and you can see over time where there has been erosion and damage.

McGill Associates was called out; Ben Cathey and John Vilas have walked the stream and are laying out some options for us. I was hoping to have this done by this evening but they have had some delay on this. As soon as I get this report I will send it to you. They will present the report at the regular meeting and go over the highlights for you.

Discussion Followed:

Comments from the Town Manager -Mark Biberdorf.

Met with five of the seven property owners from East Fanning Bridge Road to Howard Gap Road we will meet with the other 2 next Monday. I will continue to keep you advised on this which may require a closed session for actual dollar amounts and other specific things.

On the Hwy 25 corridor improvements you approved Buchannan & Sons as the lowest responsible bidder at the May meeting. Eric is submitting that to DOT for final approval on it. We are working on a contract with them and McGill is going to assist us with that. We are looking at July for the beginning of construction on this.

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

Adjourned: 07:28 pm

Approved:

7-9-18
Date


Mayor Rod Whiteside

Town of Fletcher
Council Meeting
Minutes
June 18, 2018

Call the meeting to order at: 07:01 pm

Those who were in attendance are as follows:

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

Councilman Bob Davy did not attend this meeting.

Invocation: Rev. Dr. Stephen Ray, Fletcher United Methodist Church did not attend the meeting. Invocation was done instead by Mayor Pro-Tem Eddie Henderson.

Pledge of Allegiance: Bella Mangone

Public Comment

None at this time sign-up sheets were made available for specific items on the agenda.

Approval of Minutes, corrections, additions or deletions.
(5/5, 5/9 & 5/14)

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

Council Updates

None at this time

Consent Agenda

Tax refunds/releases

Town Manager Mark Biberdorf stated that we pulled the budget amendments at this time because there still was others items that needed to be reconciled and that this would be done at the special call meeting when we close out the fiscal budget year.

Mayor Rod Whiteside asked for a motion to approve the Consent Agenda.

Mayor Pro-Tem Eddie Henderson made a motion to approve the Consent Agenda and it was seconded by Councilwoman Sheila Franklin.

Motion carries all in favor.

Continuation of recessed Public Hearing from May 14, 2018 meeting to consider text amendments to the Land Development Code regarding short term rentals of residential dwellings-Eric Rufa, Planning & Zoning Director.

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

Planning & Zoning Director Eric Rufa stated this was a continuation of a public hearing held over from May. Currently council has a set of recommendations supplied to them from the Planning Board as well as a potential set of alternate amendments to the Land Development Code. He stated that he would be glad to give council a refresher on this if anyone needed one.

Mayor Rod Whiteside asked does council need a refresher on this item.

Council did not need a refresher on this item at this time.

Planning & Zoning Director Eric Rufa stated that he would step aside and let others who came to speak on this item do so at this time.

Councilman Hugh Clark made a motion to go into Public Hearing and it was seconded by Councilwoman Sheila Franklin.

Stephanie Johnson Fletcher NC has 2 vacation homes rentals in Fletcher and gave a handout on the benefits of short term rentals.

Vicky Grant 9 Briar Lane Fletcher, NC has owned a second home here in Fletcher for several years now and gave council some information on the benefits of short term rentals.

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

Note: Council took no action on this item.

Discussion and possible approval of Resolution # R-18-05 in support of Medical Cannabis-Rod Whiteside, Mayor.

Deborah Ammons Poteet Street Fletcher, NC spoke in favor of Medical Cannabis.

David Arnity Arden, NC gave up the option to speak.

Sonya Potts from (Randolph County) spoke in favor of Medical Cannabis.

Joe Kimmel Arden, NC spoke in favor of Medical Cannabis

Nancy Morrison Hendersonville, NC spoke in favor of Medical Cannabis.

Jen Evans Kings Mountain, NC spoke in favor of Medical Cannabis.

Mike Watson Columbus, NC spoke in favor of Medical Cannabis.

Milton Byrd 220 Cheyenne Court Asheville, NC spoke in favor of Medical Cannabis.

Gayle Nabity Hendersonville, NC spoke in favor of Medical Cannabis.

Kristine Dunmore Hendersonville, NC spoke in favor of Medical Cannabis.

Tondra Bowers Asheville, NC spoke in favor of Medical Cannabis.

Kerry Trammel 30 Fawnhurst Lane Fletcher, NC spoke in favor of Medical Cannabis.

Todd Stimson 30 Fawnhurst Lane Fletcher, NC spoke in favor of Medical Cannabis.

Mayor Rod Whiteside stated that would be the extent of the individuals that signed up for public comment on this item. We did discuss this on the first Monday of the month at the agenda review meeting and I have expressed my support for it. Are there any questions or discussion from council on this?

There were no comments or questions at this time from council.

Mayor Rod Whiteside stated if there is none then we must move on to the next item.

Note: Council took no action on this resolution at this time.

Public Hearing to approve Budget Ordinance # 0-18-04 for Fiscal Year 2018-2019-Mark Biberdorf, Town Manager.

Town Manager Mark Biberdorf gave a power point presentation on the FY 2018-2019 Budget Ordinance.

Councilman Hugh Clark mentioned that during the agenda review meeting council discussed using the additional funds listed as greenway designation instead of expansion.

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

Mayor Rod Whiteside asked for any comments on this item from anyone?

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

Mayor Rod Whiteside asked for a motion on the Budget Ordinance?

Councilman Hugh Clark made a motion to approve the 2018-2019 FY Budget Ordinance as written and it was seconded by Councilwoman Sheila Franklin

Motion carries all in favor.

Report on damage to the stream bank at the park and options for repair-Ben Cathey, McGill Associates.

Mark Cathey of McGill & Associates went over the options for repairing the greenways in the park.

Discussion Followed:

Town Manager Mark Biberdorf stated that Henderson County has been declared a disaster area and are funneling that out to the state and federal government. If we get a declaration from the governor and then a federal declaration then we may be eligible for potential reimbursement for damages. He then stated that he would get with McGill and look at a hybrid option of 1 and 2 of the options that was presented this evening.

Discussion Followed:

Comments from the Town Manager-Mark Biberdorf.

On the Town Center project we are heavily in discussion with property owners on Hwy 25 and have had initial meetings with the seven different entities. We have our first option signed and we issued a check to Bennie Youngblood. Some of the discussions are more difficult but they are positive and we are making progress on this.

On the Hwy 25 corridor improvements, Eric has been submitting documents to DOT and we are working on the contract with the contractor. We are hoping for a mid to late summer start date. (Preconstruction conference on this soon.)

We need to do our fiscal year close out meeting and I was looking at either Wednesday June 27 or Thursday June 28th for this.

Council selects Wednesday June 27, 2018 at 6:00 pm.

Councilman Hugh Clark commented on the public comment period and he stated that this is an opportunity for them to present information and not to chastise this board in any way.


Discussion Followed:

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

Adjourned: 08:46 pm

Approved:

7-9-18
Date


Mayor Rod Whiteside

Town of Fletcher
Special Call Meeting
Close out 17/18 Fiscal Budget year
Minutes
June 27, 2018

Call the meeting to order at: 04:00 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

The purpose of this meeting is to close out the 2017-2018 Fiscal Budget year.

Assistant Town Manager Heather Taylor went over the budget amendments that are needed for approval.

Approval of the following amendments to the 17/18 fiscal year budget ordinance:

Budget Amendment # 6 for improvements made in Bill Moore Community Park.

Councilman Hugh Clark made a motion to approve budget amendment #6 and it was seconded by Mayor Pro-Tem Eddie Henderson.

Motion carries all in favor.

Budget Amendment # 7 funding for the Hwy 25 grant project fund.

Mayor Rod Whiteside asked for a motion to approve Budget Amendment #7 and it was so moved by Councilman Bob Davy and seconded by Mayor Pro-Tem Eddie Henderson

Motion carries all in favor.

Budget Amendment # 8 for fees incurred for the Parks & Recreation Maintenance Building.

Mayor Pro-Tem Eddie Henderson made a motion to approve Budget Amendment #8 and it was seconded by Councilman Hugh Clark.

Motion carries all in favor.

Approval of Budget Amendment # 2 to the Capital Project ordinance for the Parks & Recreation Maintenance Building.

Mayor Pro-Tem Eddie Henderson made a motion to approve Budget Amendment #2 and it was seconded by Councilman Hugh Clark.

Motion carries all in favor.

Approval of funds received from the concession stand and the golf tournament to be designated towards the park development fund.

Assistant Town Manager Heather Taylor went over the funds received from the concession stand and golf tournament.

Councilwoman Sheila Franklin made a motion to approve the designation of funds to the park development fund and it was seconded by Councilman Bob Davy

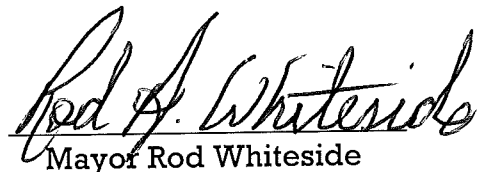
Motion carries all in favor.

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

Adjourned: 04:12 pm

Approved:

7-9-18
Date


Mayor Rod Whiteside