

Town of Fletcher
Agenda Review Meeting
Minutes
December 2, 2019

Call the meeting to order at: 06:00 pm

Swearing in of Councilmembers by Town Clerk

Those who were in attendance are as follows:

Mayor Rod Whiteside
Mayor Pro-Tem Eddie Henderson
Councilwoman Sheila Franklin
Councilman Bob Davy
Councilman Preston Blakely
Town Manager Mark Biberdorf

Invocation:

Pledge of Allegiance:

Public Comment

Gail Kemp of 27 South Chase Drive offered a blessing for the new council.

Approval of Minutes corrections or deletions.
(11/6 & 11/12)

No comment was made on the minutes at this time.

Council Updates

Mayor Pro-Tem Eddie Henderson mentioned the burning issue that we have here in the town. In reference to no burning in the town of Fletcher in a development I really don't have an issue with no burning at all. If you go out into the rural areas like Hooper's Creek there is big areas that you can build a fire on in my opinion. I just wanted to bring that to council to see if we could discuss this and come to a different understanding or if we just want to leave it as is.

Councilwoman Sheila Franklin it was my understanding that we would go ahead and approve and list it as a no burn until we came up with exceptions to include later. I think residents were blindsided and it is not just Hooper's Creek area I got a call from a resident on Pressley Hill Road too. I know folks on Rutledge Road who

have acreage as well. I told the resident at the time that I was against that because we are not a city we are a small town and so we have a lot of folks who have more than a quarter or half an acre and there is a need to have an open burn at least once or twice a year. I said at the time I just could not get the statistics together quick enough to offer any exceptions to the rule. He said that he would be fine if there was a once a year burn. I promised him that I would mention it and so please let's move forward to put some sort of an exception in place. Given the fact that the exceptions that we are asking for are just common sense for a town it is not like we are in the middle of Asheville or Hendersonville where you would understand a total no burn.

Mayor Whiteside stated that this body has approved a town wide open ban so at this point if there is an issue related to the current ban then a member of this body would need add that to the agenda. Then a member of this body would need to present a motion related to whatever change he or she provides.

Councilwoman Sheila Franklin I would like to work with Mark or however we need to make that happen so that folks have some sort of recourse to burn off a fence line or rubbish that they have that Jabbo can't haul off.

Mayor Whiteside stated that just for clarification that when we passed the ban it was not passed with the understanding that an exception would be included later. The issue was once the ban was passed that if a member of this council would like to bring up an exception for consideration then that would be presented.

Councilwoman Sheila Franklin stated that she understood and would be willing to work on that and have one brought forward.

Town Manager Mark Biberdorf asked when would she be wanting to do that next week or January. Logistically getting language in place that can be potentially voted on might be difficult by next week.

Councilwoman Sheila Franklin stated that January is fine that it will give me some time to work on this. I just need some answers for residents to tell them that we are going to work on this.

Town Manager Mark Biberdorf stated for Councilman Blakely's information that if you have been following this issue basically we have been issuing burn permits for a number of years. It was brought to our attention that the NC Administrative Code states that if the municipality is providing curbside refuse collection (brush/leaves) then you are not supposed to be issuing burn permits. That is how this came about.

Consent Agenda

Tax refunds/releases

Mayor Whiteside asked were there any comments on tax refunds/releases on the Consent Agenda.

There were no comments from council on this item.

Identification of street resurfacing projects for FY 2019-2020-Mark Biberdorf, Town Manager and Jabbo Pressley, Public Works Director.

Mayor Rod Whiteside commented that there is only two items on that list Running Briar Road for resurfacing and two culverts being replaced on Willkie Way. Estimates for that work will be presented to us in advance at next week's meeting.

Town Manager Mark Biberdorf stated that we are going to try and keep this within our budget and what we have in our Powell Bill dispersing account. Public Works Director Jabbo Pressley worked on a preliminary estimate and with the soft costs from McGill it was just over \$ 205,000.00 and we have to bid it out.

Approval of low bid for parking lot project-Ben Cathey McGill & Associates. Budget Process for Fiscal year 2020-2021-Mark Biberdorf, Town Manager.

Mayor Whiteside the next item is the parking lot paving project we will be presented with the lowest bidder at our meeting next week.

Discussion Followed:

Town Manager Mark Biberdorf stated that just so everyone knows and for our newest councilmember here this is part of the deal of our acquisition project for the property on Hwy 25. One of the deals is to do a land swap with a portion that is on the east side of the road with the property that is right next to James Auto Upholstery so that they can use the parking lot there as opposed to the opposite side of the street. It is the same property owner of both those pieces of property. Ben Cathey can tell you more about the bid process and bids are supposed to be open tomorrow. We should have the lowest responsible bidder for you next week.

Budget Process for Fiscal Year 2020-2021- Mark Biberdorf Town Manager.

Town Manager Mark Biberdorf stated please take a look at the calendar. We have some dates in there if you can get them on your calendar and if there is a conflict that you have please let me know. As we have in the past if it is still council's desire I will have staff prepare at the regular meeting in January to give a brief overview of their coming budget and we usually start at like 4:00 or 4:30.

Mayor Whiteside stated is there any objection from council to start at 4:30 on January 13?

There was no objection from council so the Regular Council meeting will start at 4:30 on January 13 so that staff can give a brief overview of their upcoming budget requests for the new budget year.

Update on town center project-Mark Biberdorf, Town Manager

Town Manager Mark Biberdorf stated that the activity and interest in this area is continuing to pick up. The business activity is very good and we are seeing more permit requests. Relative to our town center project and our acquisition to the town center project we had an offer on the property to the north of us here and this is something we need to consider. We hired Kathleen Rose of Rose Associates and they have completed all their field work and study and we heard a briefing from her two months ago. She is working on the draft report and staff will be reviewing it and it should be in by the end of this month. We are working on the closings here on the properties and our staff attorney is working on these in which some are more difficult than others. Our second closing will be on Asheville Oil (Los Amigos) this Wednesday and our financing is approved but we need to be closed on all the properties first,

Comments from the Town Manager Mark Biberdorf.

On the pending closing of Continental Automotive they would like to keep communication open with us the partnership staff and the county officials. They wanted a meeting to talk about transition and want to reiterate to the public that they are still open for business right now. They are still hiring people and operating at a high level of production at least through 2021.

On the traffic issues/complaints from residents in South Chase, we put our traffic monitoring equipment in there recently. This was done over a 7 day period and there was nothing earth shattering on the data. There were 317 vehicles on one street and on the other side there was 269 vehicles. The overall speed was between

20 and 29.56 miles per hour which does not indicate a high speeding issue. At this point we are not recommending any improvements in there but it is something to keep an eye on.

We had a construction progress meeting on November 20 for the Hwy 25 corridor improvement project. There is some additional brickwork near the clock tower that needs to be completed and all the permit or certification of occupancy to approve Duke Energy for the final connection to our monument site and the clock tower. The curb cut ramps are almost complete. The stamped crosswalks and lane narrowing/restriping will be done in the spring.

The playground at Bill Moore Community Park is completed except for the sunshade/cap that goes over the whole playground area and that will be in soon.

Christmas in the park is this Saturday. The flyers are out that lists all the activities and the Mayor is reading The Night Before Christmas and the tree lighting will take place just after 5 pm.

On the Holiday Inn on Airport Road off of Brian Blvd I received an email from the City Attorney's office (Asheville). Asheville wants to annex (satellite) it into the city and they would need an agreement and ordinance passed and if you have no objection I can put this on next month's agenda. We cannot annex into Buncombe County due to our charter restriction. They (Asheville) must get approval from the municipality closest to the property that they want to annex which is us.

Discussion Followed:

Reminder that our Christmas holiday party for staff and council is Tuesday December 10 at noon.

Mayor Rod Whiteside asked if there was a motion to go into Closed Session for Land and Contract negotiation and it was so moved by Councilman Bob Davy and seconded by Mayor Pro-Tem Eddie Henderson.

Went into Closed Session at: 06:37 pm

Closed Session(s) per NCGS 143-318.11 (5) Contract Negotiation and Land Negotiation.

Councilman Bob Davy made a motion to come out of Closed Session and it was seconded by Mayor Pro-Tem Eddie Henderson

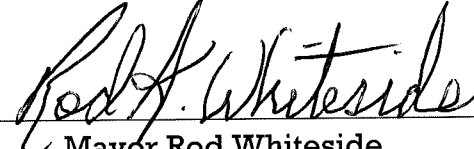
Came out of Closed Session at: 7:20 pm

Mayor Whiteside asked for a motion to adjourn and it was so moved by Mayor Pro-Tem Eddie Henderson and seconded by Councilwoman Sheila Franklin.

Adjourned: 07:25 pm

Approved:

1-13-2020
Date


Mayor Rod Whiteside

Town of Fletcher
Council Meeting
Minutes
December 9, 2019

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
Councilman Preston Blakely
Councilwoman Sheila Franklin
Councilman Bob Davy
Town Manager Mark Biberdorf
Assistant Town Manager Heather Taylor
Public Works Director Jabbo Pressley
Police Chief Erik Summey

Parks & Recreation Director Greg Walker and Planning & Zoning Director Eric Rufa did not attend this meeting.

Invocation: Rev Benjamin Creed Temple Baptist School
Pledge of Allegiance: Trevor Creed

Public Comment

None at this time.

Approval of minutes-corrections, additions or deletions.
(11/6 & 11/12)

Mayor Whiteside asked is there any corrections additions or deletions to the minutes that have been presented? If not do we have a motion to accept those minutes as presented? It was so moved by Councilman Bob Davy and seconded by Mayor Pro-Tem Eddie Henderson.

Council Updates

Councilman Bob Davy gave an update on the road projects that DOT is currently working on in the area:

- a) Howard Gap Road from Jackson Road to US 25 where they are finishing the paving and sidewalks scheduled to be completed in spring of 2020.
- b) Old Airport Road to Mills Gap Road is scheduled to be completed in July of 2021.
- c) NC 191 from Mountain Road to NC 280 in Mills River the let date is June of 2023.
- d) I 26 from US 64 to NC 280 the completion date is now May 2024.
- e) Howard Gap Road from Jackson Road to US 25 in Fletcher completed in Jan 2020.
- f) I 26 to US 64 interchange in Hendersonville scheduled to be let on Dec 2026.

Consent Agenda

Tax refunds/releases

Mayor Whiteside asked for a motion to accept the one item on the Consent Agenda and it was so moved by Councilman Bob Davy and seconded by Mayor Pro-Tem Eddie Henderson.

Motion carries all in favor.

Identification of street resurfacing projects for FY 2019-2020-Mark Biberdorf, Town Manager and Jabbo Pressley, Public Works Director.

Mayor Whiteside stated that you have the total street resurfacing projects which is Running Briar Road and two culverts on Willkie Way with a preliminary project cost of \$245,382.00 do we have any questions?

Discussion Followed:

Town Manager Mark Biberdorf stated that we will have soft costs, engineering design and construction administration costs so that puts us at about \$ 269,882.00. The estimate is quite a bit higher than we anticipated. We usually try to keep it in the 200 to 225 range on our Powell Bill resurfacing and the reason for that amount is to carry a balance in the disbursing account to cover other Powell Bill related expenses. Ben Cathey from McGill & Associates is here and he can share a few

comments as to why it is in that range and maybe we can do the drainage culverts as a bid alternates.

Ben Cathey of McGill & Associates gave an overview of the situation for the drainage culverts and bidding process for these projects.

Town Manager Mark Biberdorf stated that if council wants to take action and move forward with this is to have the documents prepared and to let for bidding in mid-January and open bids on Feb 3 for the lowest responsible bidder.

Mayor Whiteside asked for a motion to move forward with the resurfacing projects that have been indicated? And it was so moved by Mayor Pro-Tem Eddie Henderson and seconded by Councilwoman Sheila Franklin.

Motion carries all in favor

Approval of low bid for parking lot project-Ben Cathey McGill Associates.

Mayor Whiteside stated that council has the bids in front of them with the lowest bid being C & T Paving of Leicester at a price of \$ 41,768.72. Any questions for Mr. Cathey and any questions from council in general.

Town Manager Mark Biberdorf stated that with soft costs we will go over on this a little bit but we have enough money elsewhere within the project to cover this. It came in a little higher than we anticipated.

Mayor Whiteside stated is there motion to accept the lowest bidder? It was so moved by Mayor Pro-Tem Eddie Henderson and seconded by Councilman Bob Davy and Councilman Preston Blakely.

Motion carries all in favor.

Budget process for Fiscal Year 2020-2021-Mark Biberdorf Town Manager.

Mayor Whiteside asked Town Manager Mark Biberdorf was there anything else on the Budget process?

Town Manager Mark Biberdorf stated that he has the chart of the specific dates in here so if you and council can make sure you are able to make it to these meetings and if there is a conflict please let me know so that we can adjust it for everybody.

Update on town center project-Mark Biberdorf Town Manager.

Town Manager Mark Biberdorf stated that we are working on the closings. Heather and I were at Joe Ferikes office for the closing on the Asheville Oil property (Los Amigos 2) we closed on Wednesday. We are trying to close by the end of the month on the Fletcher Lawn & Garden property and the Lanning, Pressley, McFall's property as well. We are running into some challenges on the title search on the Kevin Walker property and the Kenneth Youngblood property which will push us into January for these closings. Heather is working with the bank to keep our financing in order which it has been approved.

Comments from the Town Manager Mark Biberdorf.

On the meeting with Continental Automotive the plant is scheduled to close in 2022 and will start the closing in 2021. They are still up and running and hiring people and will stay in business and will continue to until 2021. They will work with the county and the town on the transition of the building.

On the traffic study that public works did over in South Chase with no big surprises there. The speeds are 29.5 miles per hour and so that speed was not excessive so we are not recommending any improvements in there at this time.

On the Hwy 25 corridor improvements we had a progress meeting on November 20 with McGill Associates, contractor and staff and they are moving along with everything they can get completed but the stamped asphalt and lane narrowing which will be done in the spring.

Everything on the playground is completed at Bill Moore Community Park the sunshade caps that go on the equipment has been delayed but will go on this month.

Doug Agor and Grace Deal from the NFLP committee (Mayor Whiteside and Councilman Sheila Franklin) met with Charlie Messer last month and they are trying to set up a meeting with Commissioner Lapsley. Doug Agor set up a meeting with Commissioner Lapsley which is next Thursday at 4:00 and I emailed council about this and the mayor responded that he would be able to attend and if someone else would like to attend they would be great as well. They are trying to get Rebecca McCall to attend as well.

Councilman Blakely stated that he can attend this meeting as well.

I mentioned to you about the elections and Christine put a nice email together explaining this and I will get her to send that out to you so that you can put these dates on your calendar. Once they (board of elections) sets up in here (February 10 through March 3) they have to keep the room locked down. For February the meeting (agenda review and regular) would need to be combined into one meeting on Monday February 3 and for the March Agenda review meeting it would have to take place on Wednesday March 4. Note: Both meetings would start at 6:00 on these designated dates.

Monday October 5 (agenda review and regular meeting combined)
Wednesday November 4 Agenda review meeting

Council is fine with these meeting time and date adjustment(s) due to the upcoming elections in 2020.

The employee Christmas party is tomorrow at noon.


On the WGN network (Riverstreet) and the staff from LOS is trying to help facilitate a network and get them to provide better service and for other competitors to be able to step into the market.

Mayor Whiteside asked for a motion to adjourn and it was so moved by Mayor Pro-Tem Eddie Henderson and seconded by Councilwoman Sheila Franklin.

Adjourned: 07:38 pm

Approved:

1-13-2020
Date



Mayor Rod Whiteside