

Town of Fletcher
Council Meeting
Minutes
July 6, 2020

Call the meeting to order at: 06:00 pm

Those who were in attendance are as follows:

Mayor Rod Whiteside
Mayor Pro-Tem Bob Davy
Councilman Eddie Henderson
Councilman Preston Blakely
Councilwoman Sheila Franklin
Town Manager Mark Biberdorf
Planning & Zoning Director Eric Rufa

Invocation:

Pledge of Allegiance:

Public Comment

None at this time.

Approval of minutes-corrections, additions or deletions.

(6/1, 6/8 or 6/29)

Council Updates

None at this time

Consent Agenda

Reappointment and charge Tax Collector Cynthia Broome to collect 2020-2021 property taxes for the Town of Fletcher

Release of the Windsor Built Homes bond for remaining sidewalks and street trees in Phase 1 of Sycamore Cottages.

Tax refunds/releases.

Approval of Resolution R-20-03 in support of Broadmoor Golf links remaining in operation once the property has been purchased by Asheville Regional Airport Authority.

Mayor Whiteside asked council if there were any questions for the items on the Consent Agenda.

Councilman Bob Davy asked to remove the item on the Approval of the Resolution in support of Broadmoor Golf links (for approval tonight) since there is a meeting concerning the future of this property on Friday.

Mayor Whiteside stated so noted and then asked were there any remaining questions to any of the other items on the Consent Agenda.

Mayor Whiteside asked do we have a motion to approve the Resolution R-20-03 in support of Broadmoor Golf links remaining a golf course and it was so moved by Councilman Eddie Henderson and seconded by Councilwoman Sheila Franklin.

Motion carries all in favor.

Public Hearing to consider CD# 2020-02 an application from Graycliff Capital to conditionally rezone two parcels totaling 26.45 acres on Rutledge Road from R-2 to R-3 residential in order to allow a 198 unit multi- family residential development-Seth Peterson, Graycliff Capital.

Seth Peterson Director of Development for Graycliff Capital gave a brief overview of the proposed project on Rutledge Road before the public hearing next week. He did state that 20% of the development would be affordable housing for individuals making in the range of \$37,000 a year.

Discussion Followed:

Paul Assey of Graycliff Capital made some comments as well for this development.

Bob Oast Attorney for Developer offered some input on the Land use plan in Fletcher and this proposed development.

Year End Tax Collector report-Cynthia Broom, Tax Collector.

Cynthia Broome, Tax Collector gave an overview of the tax collection for the FY 19/20 for the Town of Fletcher.

2019

Original Levy	\$ 4,263,171.91
Discoveries	85,542.27
Releases	(13,200.62)
	<hr/>
	\$4,335,513.56
Total Levy	\$ 4,335,513.56
Total Payments	(4,299,162.96)
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Balance	\$ 36,350.06

She then answered questions council had on the tax report.

Discussion Followed:

Addition of this item on the agenda for next week per Town Manager Mark Biberdorf.

Discussion on proposal to apply for a grant from the Land & Water Conservation Fund for Summit Park- Rebekah Robinson, Conserving Carolina.

Council has no objection for this item to be added to the agenda for next week.

Discussion and potential approval of COVID-19 council meeting policy-Rod Whiteside, Mayor.

Mayor Rod Whiteside stated that he is making this proposal due to the meeting next week and the social distancing due to COVID-19.

Discussion Followed:

Mayor Whiteside asked for a motion to approve this item with the addition of the number chairs provided for the public, staff and council members and it was so moved by Councilman Preston Blakely and seconded by Councilman Eddie Henderson.

Motion carries all in favor.

Addition of this item to the agenda for this week per Mayor Rod Whiteside

Discussion on limiting the number of individuals wanting to speak at the public hearing on the Graycliff project to two per neighborhood due to COVID-19. (See attached "Exhibit A")

Mayor Whiteside stated that this was added to the agenda as a proposal to restrict the maximum number of people to 2 residents from Windsor Forrest, Stafford Crossing and the remaining area on Rutledge then a maximum of 2 individuals from any area other than (beyond) Rutledge.

Discussion Followed:

Mayor Whiteside asked if there was a motion on this item.

There was no motion on this item.

Council is not interested in limiting the number of speakers for the public hearing next week.

Update on discussions with Carolina Truffieres-Mark Biberdorf, Town Manager

Town Manager Mark Biberdorf gave an overview of the proposed lease for Carolina Truffieres.

Few options suggested for the proposed lease

131 to 150 dollars per acre per year would be about 1,500 a year on the high end.

10 year lease with option to extend lease period or option to purchase

Increase rate after 4 years

Have an out option (circumstances may change)

Discussion Followed:

Comments from the Town Manager Mark Biberdorf.

On the Fletcher Town Center project we did the request for proposals that was sent out in May and the letter of interest was due June 15. Then June 30th was for any questions and September 30th was when the full proposals for the RFP are due. We received two proposals one local and one out of Atlanta Georgia.

Discussion Followed:

We still have not closed on the one small piece of land. We are waiting on the attorney for the seller to get a cancellation of a Deed of Trust on the property.

On the shred event the new date will be Saturday September 12 from 9:00 to noon and the police department is will do a pill drop as well.

COVID-19 updates

Phase II has been extended by the Governor until July 17th with a requirement for face coverings.

Town Services are continuing with the Police department is going along as normal, Public Works has seen brush and trash collection coming down.

Parks & Recreation has been impacted the most with the playground and the fitness pad still closed. (Kate's park still closed) Shelter rentals are back but are limited to groups of 25 or less. The concerts in the park were cancelled in July and moved to August and September. The movie in the park will be a drive in movie which is scheduled for August 22.

Discussion Followed:

We just had our Legislative Delegation meetings last Tuesday with Robin Ramsey from Senator's Burr's office and Jordan Barnes from Senator Tillis's office. We had had a good meeting with them Bob and the mayor attended this meeting.

LGCCA is on Tuesday July 21, 2020 if you have any agenda items please let Christine know.

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

Motion carries all in favor.

Adjourned: 07:15 pm

Approved:

8-10-2020

Date



Mayor Rod Whiteside

"EXHIBIT A"

Memorandum

To: Council Members
From: Rod Whiteside
Date: July 7, 2020
Subject: Graycliff Capital Project Public Comment

Considering COVID-19 precautions (the need to minimize group exposure) and the fact that more than 100 individuals have submitted written opposition to the Graycliff project, public comment at the council meeting will be limited as outlined below:

- A maximum of two residents from the Windsor Forest neighborhood.
- A maximum of two residents from the Stafford Crossing neighborhood.
- A maximum of two residents from the remaining area on Rutledge Road (excludes Windsor Forest & Stafford Crossing).
- A maximum of two individuals from any area not listed above.
- If there is no speaker in favor of the project from a respective area, both slots will be available for opposition speakers.

Town of Fletcher
Council Meeting
Minutes
July 13, 2020

Call the meeting to order at: 06:00 pm

Those who were in attendance are as follows:

Mayor Rod Whiteside
Mayor Pro-Tem Bob Davy
Councilman Eddie Henderson
Councilman Preston Blakely
Councilwoman Sheila Franklin
Town Manager Mark Biberdorf
Planning & Zoning Director Eric Rufa
Town Attorney Joe Ferikes

Invocation: **Mayor Whiteside** asked for a moment of silence in memory of former Mayor Bill Moore and Commissioner Charlie Messer.

Pledge of Allegiance: Mayor Whiteside led everyone in the Pledge of Allegiance.

Public Comments

John Olsen of 33 Stoney Brook Court Fletcher spoke in recognition of Commissioner Charlie Messer who passed away last week.

Approval of minutes-corrections, additions or deletions.
(6/1, 6/8 6/29)

Mayor Whiteside asked for any comments and questions on minutes as presented and if not do I have a motion to accept those minutes as presented and it was so moved by Councilman Eddie Henderson and seconded by Councilwoman Sheila Franklin and Mayor Pro-Tem Bob Davy.

Motion carries all in favor.

Council Updates

None at this time.

Consent Agenda

Reappointment and charge Cynthia Broome to collect 2020-2021 property taxes for the Town of Fletcher.

Release of Windsor Built Homes bond for remaining sidewalks and street trees in Phase 1 of Sycamore Cottages.

Tax refunds/releases

Approval of year-end tax collector's report for the FY 19/20.

Mayor Whiteside asked do we have a motion to approve the Consent Agenda as presented and it was so moved by Councilman Preston Blakely and seconded by Councilman Eddie Henderson.

Motion carries all in favor.

Public Hearing to consider CD# 2020-02 an application from Graycliff Capital to conditionally rezone two parcels totaling 26.45 acres on Rutledge Road from R-2 to R-3 residential in order to allow a 198 unit multi-family Residential development-Seth Peterson, Graycliff Capital.

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

Motion carries all in favor.

Planning & Zoning Director Eric Rufa gave a brief overview of the proposed development and the rezoning request of Parcel #'s 9653-13-7441 and 9653-14-6322.

Seth Peterson of Graycliff Capital gave a power point presentation on the development and the requested zoning change for the Waterleaf at Fletcher Development.

Robert Oast of McGuire, Wood & Bissette (Attorney for the Developer) commented on the Fletcher Land use plan and the need for affordable housing in the area.

Mayor Whiteside stated that we will move into the public comment period and you will be given 3 minutes and once the time ends that you end your comments.

Public Comments

Jim Shreffler of 101 Sunnybrook Lane Fletcher spoke out against the rezoning change on Rutledge road for an apartment complex. The additional traffic that this development would bring onto this road would make it very unsafe.

Brenda Thelen 906 Toxaway Drive Hendersonville is a realtor for the owner/seller and she read a letter from the seller showing support of the rezoning change for the apartment complex.

Christina McEntee 23 Kaly Lane Fletcher spoke out against the development and had some photographs that she showed of accidents that have occurred on Rutledge Road over the last several years (on her property) and she commented on the additional traffic that this development would create on Rutledge Road.

Steve Watkins 200 Windsor Forest Circle Fletcher provided a list of 40 people that he is speaking on behalf of against this development and the traffic that the development would create. (This list will be attached to the agenda in the minute book along with the letters opposing the development)

Trevor Lance 86 Rutledge Road Fletcher spoke out against the development and that he was not too happy about this development of backing up to his property.

Dan Wagner 170 Rutledge Road Fletcher spoke out against this development.

Cathat Cobdil 170 Rutledge Road Fletcher spoke out against this development.

Greg Sheeley 40 Kaly Lane Fletcher spoke out against this development.

Mayor Whiteside asked if there are any other comments from Mr. Rufa or council on this matter and if not is there a motion to close public hearing and it was so moved by Councilman Eddie Henderson and seconded by Mayor Pro-Tem Bob Davy.

Motion carries all in favor.

Mayor Whiteside asked do we have a motion on this item?

Mayor Pro-Tem Bob Davy made a motion to **DENY** the request for a zoning change and it was seconded by Councilman Eddie Henderson.

Motion carries all in favor.

Update on discussions with Carolina Truffieres-Mark Biberdorf, Town Manager.

Town Manager Mark Biberdorf stated as a follow-up from last week on the lease agreement. In particular the term of proposed lease, in which I made recommendations on and the lease period did not change from a 10 yr. lease. The applicant had a request with an option to purchase at the end of that 10 year period versus an extension of the lease period. (Council recommendation) Rent at 150.00 an acre and then a price escalator at the end of a four year period going up at 10% based on the product and the success of the crop. Then an out clause in case either party would like to terminate the agreement. I heard back from Mr. Upchurch that they were ok with the terms except for not having the option to purchase the property at the end of the 10 yr. term and their reason for that was because of the investment in the property that they would be making.

Discussion Followed:

Council agrees that they do not want to have the option to purchase at the end of the 10 year lease not knowing what the future may hold for the property. Council is ok with the option to then extend the lease at the end of 10 years but not the option to purchase.

Comments from the Town Manager-Mark Biberdorf.

On the Town Center project and the RFPO to developers that was sent out in May we had two letters of interest and the deadline for a full proposal is September 30th. We have had a lot of questions on this that we have answered.

Discussion Followed:

On the Hwy 25 project we are down to one parcel facilitating these closings and working on getting this last Deed of Trust cancelled so that we can move forward with the closing.

The shred event (pill drop) has been rescheduled to September 12 from 9 to noon in the southside parking lot.

On the COVID-19 our services have not been impacted except for Parks & Recreation in which they cancelled 3 events in July because of still being in Phase II. The Flashback band has been rescheduled to August 28th and Tuxedo Junction has been rescheduled to September 11th. The Drive-in movie in the park has been scheduled for August 22.

We recently had our Legislative Delegation meetings last Tuesday with Robin Ramsey from Senator's Burr's office and Jordan Barnes from Senator Tillis's office. We had had a good meeting with them Bob and Mayor were there.

Mayor Whiteside asked for a motion to adjourn and it was so moved by Councilman Eddie Henderson and seconded by Councilman Preston Blakely.

Motion carries all in favor.

Adjourned: 07:11 pm

Approved:

8-10-2020
Date



Mayor Rod Whiteside