

Town of Fletcher
Agenda Review Meeting
Minutes
October 3, 2022

Call the meeting to order at: 6:00 pm

Those who were in attendance are as follows:

Mayor Preston Blakley
Mayor Pro-Tem Bob Davy
Councilman Keith Reed
Councilman Trevor Lance
Councilwoman Sheila Franklin
Town Manager Mark Biberdorf
Parks & Recreation Director Greg Walker

Moment of Silence:

Pledge of Allegiance:

Public Comments

None at this time.

Approval of Minutes-corrections, additions or deletions.
(9/6, 9/12)

No comments were made on the minutes at this time.

Council Updates

None at this time

Consent Agenda

None at this time

Introduction of potential board candidates to fill two vacancies on the Parks & Recreation Advisory Board.

Parks & Recreation Director Greg Walker introduced Sydnee Hammond and Rich Haschke for the Parks & Recreation Advisory Board.

Sydnee Hammond and Rich Haschke introduced themselves to town council and answered questions that council had for them.

Update from the Fletcher ABC Board - Steve Watkins, Chairman.

Mayor Preston Blakely stated that Steve Watkins would be here next week to give an update on the ABC Board to include the new sign that they have been working on.

Consideration of proposal from Polco to conduct a citizen survey – Mark Biberdorf Town Manager.

Town Manager Mark Biberdorf stated that at the last meeting I presented a staff report to you looking at different methods of doing a citizen survey and I think that the consensus was do a written questionnaire. I presented a firm Polco that has had extensive experience doing citizen surveys for communities in NC and other states. I emailed you a copy of the proposal and you have another copy in your packet. I also included an example of one of the more recent client surveys so that you could see a template of what it may look like. There are also some specialized questions in there too.

Discussion Followed:

Questions and/or concerns that council commented on are as follows:

Cost of remote presentation of the survey results to the sum of \$2,400.

Cost of Spanish Translation of the survey to the sum of \$1,350.

Discussion Followed:

Councilwoman Sheila Franklin stated that she believes that Spanish translation can be accessed through google (her students use this all the time) and that she would look into this for next week.

Town Manager Mark Biberdorf is going to contact Polco for some additional information concerning questions council had on this proposal and report back at the regular meeting.

Public Hearing to extend purchase and sale agreement for Town Center project – Mark Biberdorf, Town Manager.

Town Manager Mark Biberdorf stated that I have been keeping you informed as to what has been going on with the results of the traffic impact analysis. Basically, we are trying to sit back down with DOT and get to a place with these traffic mitigation measures where it leads to the town and the developer being in a more reasonable place as to what the consultant needs to do for the developer.

We are meeting on Wednesday with the traffic engineer and the district engineer to see if we can make some headway getting to a more reasonable place with these mitigations. I thought that we had come to a reasonable place but then they had come back with several other intersections beyond what was initial recommendations that went to traffic management then back to the local division. They were including things like the Woodhill entrance and Hwy 25 entrance and down where the signal is at Cane Creek (where the library is) and Hwy 25. There is already a signal there so not much else that you can do there other than adding turn lanes. Also, right here at Fanning Bridge and Old Cane Creek where the railroad tracks are.

The extension is to extend the agreement to the end of December and to put more language in there to specify the reason it is being extended is a resolution of the traffic mitigation efforts/recommendations.

Discussion Followed:

Use of American Rescue Plan (ARP) allocation for less restrictive administrative requirements – Mark Biberdorf, Town Manager.

Town Manager Mark Biberdorf stated that the school of government has been providing advice all long since the ARP funds came out. One of the determinations that they have made is that the communities that are receiving 10 million or less can do a revenue replacement option using the funds for salary and benefits within our operating budget. That is where we can use the ARP allocation and obviously this would free up those funds for other things. The big benefit of doing this you don't have to follow a lot of federal requirements for using the funds this way.

Discussion Followed:

Council agrees to this and next week will make a motion to start this process per the recommendation of the Town Manager.

Comments from the Town Manager Mark Biberdorf.

The letter that went out to the residents on Westfield, N Hudson Lane and Dogwood Terrace on the potential sewer project; Christine got those letters in the mail and is keeping track of the responses. You have a copy of the spreadsheet she has been maintaining in front of you. The deadline is October 14 for residents to provide a response. If not, everyone responds by the deadline we could try and find a good

phone number to reach out to them to get a response. If we want to get at least 50% who are interested in sewer services we would need at least 17 people.

Discussion Followed:

There is a possible grant funding opportunity, Eric Rufa was contacted by Tristan Winkler Director of the French Broad River MPO. There is under the federal infrastructure bill a program called reconnecting communities. We can use that funding for greenways. He contacted Eric because he knows we have been working with Conserving Carolina. I think that they are working with the City of Hendersonville on this and I don't have a dollar amount that is available right now it is a 50/50 match or it may be 80/20 match. This would free up some ARP funds for other things. Eric is reaching back out to Rebekah Robinson of Conserving Carolina to see where we are on this. The biggest issue is an access easement across the Fern Leaf property.

Mayor Blakely asked for a motion to adjourn and it was so moved by Mayor Pro-Tem Bob Davy and seconded by Councilman Keith Reid.

Motion carries all in favor.

Adjourned: 06:48 pm

Approved:

11/14/22
Date

Preston Blakely
Mayor Preston Blakely

Town of Fletcher
Town Council Meeting
October 10, 2022

Call the meeting to order at: 06:00 pm

Those who were in attendance are as follows:

Mayor Preston Blakley
Mayor Pro-Tem Bob Davy
Councilman Keith Reid
Councilman Trevor Lance
Councilwoman Sheila Franklin
Town Manager Mark Biberdorf

Moment of Silence: Mayor Blakely asked for a moment of silence.

Pledge of Allegiance: Mayor Blakely led the group in the Pledge of Allegiance

Public Comments

Jeff Groh 181 Brickton Village Circle #302 Fletcher, NC commented on the use of ARPA funds for benefits and salaries. He stated that he is not for this and that money was meant for COVID response and the money should be returned as this country is already in debt.

Steve Watkins 200 Windsor Forest Circle Fletcher, NC commented on traffic calming in the area and people cutting through his neighborhood (Windsor Forest) and also his concern for the homeless coming into the area.

Dennis Justice 31 Tamis Lane Fletcher, NC thanked council for the addition of the pickle ball courts and suggested using ARPA funds for a recreation center and commented on what the county is using their funds for.

Approval of minutes-corrections, additions or deletions.
(9/6, 9/12)

Mayor Blakely asked if there were any corrections, additions or deletions to the minutes and if not do we have a motion to approve the minutes as presented and Councilman Keith Reed stated so moved and it was seconded by Mayor Pro-Tem Bob Davy.

Motion carries all in favor.

Council Updates

None at this time.

Consent Agenda

Approval of candidates Sydnee Hammond and Rich Haschke to join the Parks & Recreation Advisory board for a 3yr term(s)

Mayor Blakely asked if there were any questions regarding the approval of the candidates for the Parks & Rec advisory board. If not do we have a motion to approve the consent agenda as presented and it was so moved by Councilman Trevor Lance and seconded by Mayor Pro-Tem Bob Davy.

Motion carries all in favor.

Update from the Fletcher ABC Board – Steve Watkins, Chairman.

Mayor Preston Blakely asked Chairman Steve Watkins to the podium to give an update on the ABC Board.

Chairman Steve Watkins gave an update on the ABC Board and some of the challenges that they have been facing with the new sign that they have been working on.

He stated that they currently have an Assistant Manager position open and he talked to the mayor about getting it advertised in the newsletter and on the town website.

He said they have also been looking at a point of sale system (\$30,000) and we have had several vendors come in and look at it and we have decided to go with one that is servicing other ABC stores throughout the state and they are right on budget for what we planned for. It should make the staff much more efficient in ordering inventory.

Our dock plate was broken as a truck backed into it so we are looking at getting that repaired.

We are looking at purchasing coolers for canned drinks all alcohol companies are making canned wine coolers. Other stores in the area have these and we are trying to keep up with the market.

On the \$65,000 sign we are still working on this as of this date we have no sign. We have been working with Moss Signs out of Asheville and they will not return phone calls or respond to emails and they have been given a \$35,000 deposit on the sign. I

finally got him on the phone after three phone calls and they are having some technical and supply chain issues I have invited him to come talk about where we are on this. I have lost patience on this and at this point and we may need to get an attorney involved with this.

Town Manager Mark Biberdorf stated that he has forwarded contact information of our town attorney to Mr. Watkins but this I considered a separate entity.

Mayor Pro-Tem Bob Davy asked if we have a signed contract with Moss Signs and is there suspense date on their part.

Chairman Steve Watkins stated that no not that we can tell. There is a big opt out for them in small print.

Councilwoman Sheila Franklin asked when did you enter into the contract with them.

Chairman Steve Watkins 2/22/22

Councilwoman Sheila Franklin was there any time frame when they would meet the obligation in the contract like 6 months.

Chairman Steve Watkins no there was not.

Discussion Followed:

Chairman Steve Watkins stated that the last thing that he needed to discuss was that he was going to be stepping down as he has certain health issues that he needs to deal with.

Discussion Followed:

Consideration of proposal from Polco to conduct a citizen survey – Mark Biberdorf, Town Manager.

Town Manager Mark Biberdorf stated that we have talked at length last week about the proposal we received. In follow up to that I reached back out to my contact with Polco about the additional information on the merits of using the last piece of the proposal where we pay for a presentation of the results. They said that most of their clients do have a presentation of the results however I contacted all three of the cities in NC (Asheville, Thomasville & Davidson) that used Polco and none of them used this option. I would recommend that if you're not comfortable

with that extra expense that you do not approve that. Just from my recommendation based on discussion from last week that you approve the base part, then the additional component at \$2,800 for specialized questions and then the Spanish component at \$1,350. I recommend that you do those three parts and hold off on the rest.

Discussion Followed:

Mayor Blakely stated that from what he is hearing is that council would like to do this with excluding the spanish translation and the remote presentation of the results.

Council agrees to this.

Mayor Blakely stated that do we have a motion to approve the Polco proposal with everything excluding the Spanish translation and the remote presentation of the results and it was so moved by Councilman Bob Davy and seconded by Councilman Trevor Lance.

Motion carries all in favor.

Public Hearing to extend purchase and sale agreement for Town Center project – Mark Biberdorf, Town Manager.

Note: No public hearing was held due to the termination letter (purchase & sale agreement) from the developer siting unreasonable conditions from the NC Department of Transportation.

Town Manager Mark Biberdorf stated at this point we were planning on opening a public hearing to receive comments and hopefully after that point proceeding with an extension of the purchase & sale agreement with Mr. Waddell and also partnering with Martin Lewis Real Estate. Since that time, I have spoken to you in great depth about the challenges the developer and the town have experienced trying to narrow down what it is in the mitigation improvements that the developer is required to do to move forward with the project. They had to do a traffic impact analysis and I have been keeping you informed where the initial results came in back in July. Since that time, it has gone to Raleigh to congestion management and back to the local division office and it basically has morphed into more than what initially they thought the recommendations were. It ended coming back to that not being acceptable and adding three other things which quite frankly was not what was expected. So, you have a letter before you that terminates the purchase and sale agreement and they are willing to come back if these issues can get resolved in the near future. I have

been in contact with Mark Gibbs who is the engineer employee of DOT who is over the entire western region of traffic division that covers this part of the state. (we are in division 14) He has offered to facilitate a meeting with all the appropriate parties to hopefully get to a place where we can get to a list of improvements that are fair or equitable. I have contacted our DOT board representative Chuck McGrady to bring him into the loop on this. We have had a good relationship with him (Mark Gibbs) back when he was a district engineer here and I have reached out to our State Representative (Tim Moffitt) to bring him into the loop as well.

The engineer for the developer team Will Buie and Martin Lewis of Lewis Real Estate are here and I wanted to give them an opportunity to provide any comments.

Mr. Lewis commented on his disappointment in DOT in trying to get this project underway and he said that he felt like this a great project. The two issues that we have with DOT, as there is a traffic study which is required to be completed. (to get driveway permits) We have always anticipated that there would be traffic improvements that would have to be made with our developer and team and we have been prepared for that. We are not just confident at this point when we will see how and or when we will actually know what those traffic improvements actually are. It is very unclear as we go through this process with DOT when those requirements are going to come forward particularly what the cost will be. I think in this particular situation it is a little bit odd in that we have greater traffic issues out there as we all know. The improvements or issues to address that the town manager described have been comingled with a larger DOT project. It is just not very clear what expectations DOT has with my project and what they plan to do. We felt like it is unfair to the town to continue with these 30-day extensions when I am not sure if we will know in six months or even a year what DOT's expectations are.

The second issue that comes with that is the residual DOT right of way that is available. You all remember that the plan was based on the idea that DOT would be willing to sell unneeded right of way. It is completely understandable that DOT would not want to sell right of way that they might need in the future to have to turn around buy it back. Again, those issues have become comingled and unfortunately, we are not sure how this issue gets resolved. Our client has invested a lot of time and money in this project.

Discussion Followed:

Use of American Rescue Plan (ARP) allocation for less restrictive administrative requirements – Mark Biberdorf, Town Manager.

Town Manager Mark Biberdorf stated that I explained in depth last week about this option and I am a little reminiscent at some level. This is to free up administrative requirements for use of these funds and not simply to apply this to salaries and benefits. Also, for the record this doesn't do that to free up some hole that has to be filled up at a later time. These are all things currently that have provided for in our current base budget. If you are able to do this it gives the town much more flexibility to use the funds that are freed up towards projects that you are trying to evaluate right now with the use of ARP funds. If you authorize this with the revenue that is freed up I would strongly recommend that you do a fund balance commitment of that like amount of money (allocation just over 2.6 million) to be determined towards eligible capital projects. This would be all the things that we have been discussing for over a year now. If you approve that then we start the policies that are required which is a budget ordinance that allocates the funds within a special project ordinance.

Mayor Blakley stated that he thinks the town manager's suggestion makes a lot of sense and he appreciates staff for looking into this.

Councilman Lance stated that it looks like from the outside looking in from what we heard a while ago that looks bad that we are actually putting money in towards salaries and kind of inflate our fund balance and I am mixed on that. I agree with what Jeff said the government spending a lot of money. Like Steve said we are in between a rock and a hard spot right now. Our kids are going to be footing the bill for this in the future.

Discussion Followed:

Councilwoman Sheila Franklin stated that is there a way to find out if we can turn it back in what happens to these funds.

Mayor Pro-Tem Bob Davy stated that it does not matter, either way if we keep it or turn it back in we are going to be paying for it one way or the other.

Mayor Blakley stated are we ok with the suggestion from the town manager I am.

Mayor Pro-Tem Bob Davy Yes.

Councilman Trevor Lance stated that he is still uncomfortable with this as it is an illusion that we are putting it towards salaries. If we could just earmark it for actual projects.

Councilman Keith Reed we still have until 2024 so do we have to decide this tonight?

Discussion Followed:

Mayor Blakely stated that we need a motion to authorize staff to put together a policy and a project ordinance to authorize funds for salaries and benefits.

Mayor Pro-Tem Bob Davy stated that he would make that motion and there was no second on this motion.

Motion dies due to no second.

Discussion Followed:

Comments from the Town Manager Mark Biberdorf.

The letter that went out to determine interest in extending sewer to those three streets (Westfield, North Hudson and Dogwood Terrace). We have been getting responses back about interest. Christine has been compiling that and has provided a you a copy of the responses so far.

There is possible grant funding for greenway trail expansion from French Broad River MPO. Their director had contacted our Planning & Zoning Director it is called reconnecting communities. I don't have a total on the dollars available right now and they are already working on a grant with the City of Hendersonville. This is a matching grant so I think that we would be interested.

On the actuated flasher at Hooper's Creek Road and Wildbriar they have started working on that wiring for that and hopefully it will be completed soon.

Mayor Blakely acknowledged the letter of recognition to Captain Fulmer in the agenda packet.

Mayor Blakely asked for a motion to enter Closed Session for personnel matters and it was so moved by Mayor Pro-Tem Bob Davy and seconded by Councilman Keith Reed.

Motion carries all in favor.

Went into Closed Session at: 07:35 pm

Closed Session per NCGS 143.318.11 (6) "Personnel Matters"

Came out of Closed Session at : 08:50 pm

Councilman Trevor Lance made a motion to adjourn and it was seconded by Councilwoman Sheila Franklin.

Adjourned: 08:55 pm

Approved:

11/14/22
Date

Preston Blakely
Mayor Preston Blakely