

**Town of Montreat
Board of Commissioners
Agenda Meeting
August 7, 2014
Walkup Building**

Commissioners present: Mayor Letta Jean Taylor
Mayor Pro Tem Mary Standaert
Commissioner Martha Campbell
Commissioner Tim Helms
Commissioner Jack McCaskill
Commissioner Ann Vinson

Town staff present: Ron Nalley, Town Administrator
Misty R. Gedlinske, Town Clerk
Steve Freeman, Public Works Director
Barry Creasman, Senior Water Operator
David Arrant, Master Police Officer

Approximately 60 members of the public were also present. Mayor Taylor called the meeting to order at 7:01 p.m., led the group in reciting the Pledge of Allegiance and gave the invocation.

Agenda Approval

Mayor Pro Tem Standaert moved to adopt the meeting agenda as presented. Commissioner Vinson seconded and the motion carried 5/0.

Presentations to Council

Texas Road Bridge Replacement Project: At next week's meeting, the Board will hear a presentation from Liz Phipps of KCI Associates concerning the design phase of the Texas Road bridge replacement project.

Town Hall Project: At their June 26, 2014 Special Meeting, the Board approved a three-story design plan for the new Town Hall facility that provided 19 parking spaces on the Florida Terrace side of the property, while eliminating the separate parking area and building access from Arkansas Trail. Since that time, a non-invasive seismic refraction study has been performed to determine the depth and location of any underground rock within the planned excavation area. No rock that would impede the project was encountered within the proposed building footprint or parking area. These results are preliminary and will be confirmed by traditional soil borings with Board approval.

Ms. Amy Dowty of Architectural Design Studios (ADS) then presented and reviewed a revised two-story interior design plan that her firm developed following the June 26 Special Meeting in response to continued community concerns regarding the proposed building's height and size.

In the new plans, the Police Department is relocated to the first floor. The public bathrooms on this floor are enlarged, and direct access is provided from the lobby to the smaller conference room area adjacent to the main Council chambers. The second floor plan now provides a clearer transition between reception and office spaces, and additional privacy for the two bathrooms. There is also direct access to the conference room from the lobby area. The two-story, glass enclosed stair tower provides open visual access between the two floors, welcomes and encourages visitors to proceed up to the second floor administrative offices, and can act as gallery space for local artwork.

The total building square footage of the revised two-story plan is now reduced to 6,675 square feet, while the building footprint has increased slightly to 3,545 square feet. The northern half of the site closest to Arkansas Trail now remains undisturbed, and the height of the retaining walls behind the parking area is also lowered to between four and six feet. A new sidewalk connection from the Appalachian Way intersection to the new facility is also proposed. Two rain garden areas are included for stormwater control, as well as a small catchment tank under the driveway. The roof height and overall building height of the proposed Town Hall are lower than the neighboring Sylvan Heights Lodge, and are below the roadway level of Arkansas Trail. Cascading gable roof lines, lap and shingle siding, natural stone, and shingle roofing are recommended for the building's exterior in order to maintain consistency with other homes and structures throughout Montreat.

ADS staff will repeat tonight's presentation at next week's meeting. At that time, the Board will be asked to decide whether to proceed with the two-story plan or continue with the three-story design approved at the June 26 Special Meeting. The Board will also be asked to give a general approval of the building's appearance, and whether 17 or 19 spaces should be provided in the building's parking lot.

During discussion, Ms. Dowty confirmed that two exterior doors from the Council chambers to the outdoor terrace area are proposed, and that the Council chambers would also include a fully integrated audio/visual system for use during Town meetings. She also stated that many material options are available for the proposed glass stair tower to control light reflectance and heat loss. When asked to estimate the percentage of cost reduction between the three-story and two-story plans, Ms. Dowty said she believed there would be a 5-10% reduction in project costs for the two-story plan.

Mayor's Communications

Mayor Taylor reviewed the Board's adopted meeting schedule for its monthly Agenda and Town Council Meetings. She explained that the purpose of Agenda Meetings was to give the Board an opportunity to review, ask questions, or request additional information regarding the proposed business items before taking action during the following week's Town Council

Meeting. Agenda item submissions are due no later than the Friday before the first Thursday of each month. While the Board's Rules of Procedure allows items to be added to the agenda after this deadline, this practice is generally reserved for unusual circumstances to avoid surprise and to allow those who are unable to attend the meeting to have complete access to all business items the Board is considering by viewing the online agenda packet materials.

Mayor Taylor reiterated that the Board of Commissioners chooses to conduct public business during its own official meetings, and explained the difference in public notice requirements between special and emergency meetings of public bodies as set forth in the North Carolina General Statutes and the Board's adopted Rules of Procedure. She also noted that while General Statutes require local governments to provide one public comment period per month, the Board offers two public comment periods during each Agenda and Town Council Meeting, for a total of four per month. She explained that public comment periods were intended as a time for the Board to receive input from the public, but were not meant as a two-way dialogue or question and answer period between the public and the Board members. She also noted that the three-minute time limit on individual public comments is a common practice used by the Town of Black Mountain, City of Asheville, Buncombe County, and several other towns and cities throughout the Southeast. She said that the Board members have responded individually to numerous telephone calls, e-mails and written letters, have met individually with residents and other community members, and will continue to listen to the public's concerns.

Review of the Consent Agenda

The proposed Consent Agenda included the following items:

- June 19, 2014 Special Meeting Minutes Adoption;
- June 23, 2014 Special Meeting Minutes Adoption;
- June 26, 2014 Special Meeting Minutes Adoption;
- July 3, 2014 Agenda Meeting Minutes Adoption;

The draft June 19, 2014 Special Meeting minutes are pending and will be made available as soon as possible. A minor grammatical correction was noted in the June 26 Special Meeting minutes. Mayor Pro Tem Standaert requested further review and possible revision to clarify certain statements given during the public comment periods of the June 26 Special Meeting and July 3 Agenda Meeting.

Town Administrator's Communications

- An updated project schedule for the Texas Road bridge replacement was included for review in the meeting agenda packet. The schedule proposes a construction completion date of May 1, 2016.
- A copy of the seismic refraction study report for the Florida Terrace Town Hall site is also included in the agenda packet and will be posted to the Town's website.
- Huntley Construction is expected to complete their work on the Upper Kentucky road Phase 1 Neighborhood Utility Assessment within the next two weeks. North Carolina Division of Water Resources and Metropolitan Sewerage District permits have been obtained for the Phase 1 Residential Utility Assessment project, but initial bid estimates place the cost of this project at approximately \$190,000. There is still some interest among affected property owners to proceed with the project despite the higher than expected costs, and staff expects to have more information for next month's Town Council Meeting. Bids for the Phase 1 Neighborhood Street Paving Assessment will be considered later in this meeting under New Business. If approved, the paving work could begin within the next few weeks.
- There is no new information to report concerning the Town's efforts to correct township name and ZIP Code inaccuracies in the Buncombe County Board of Elections' voter registration database for Montreat.
- Boy Scout Troop 42 member Will Presnell and a group of community volunteers performed exterior painting, landscaping and other cosmetic improvements to the Town Services Office on July 11 and 12, 2014 as part of his Eagle Scout service project. Commissioner Campbell asked for a Resolution of appreciation of Mr. Presnell's efforts for consideration at next week's meeting.

Administrative Reports

The Board will hear monthly departmental activity reports from the Police Chief, Public Works Director, Finance Officer and Building Inspector/Code Administrator during next week's Town Council Meeting.

Commissioner Reports

The Board will hear any reports from individual Commissioners during next week's Town Council Meeting.

Public Comment

Mr. Tom Frist of 98 Frist Road asked the Board to hold a public forum during the month of August for open debate of the proposed alternative Town Hall site; to approve a report on the

merits of locating the new Town Hall at 1210 Montreat Road, which he said was the address of the lots just outside the Montreat Gate owned by the Mountain Retreat Association; and to form a representative task force to explore site alternatives for the new Town Hall facility. He believed that the opposition to the Florida Terrace Town Hall site would increase, rather than diminish over time, and that the two best two possible locations for the new facility were either at the proposed site outside the Gate or in the Billy Graham Evangelistic Association's Montreat office facility. He understood that the BGEA offices were not currently available but believed that they may become an option in the future. He felt that the Board's opposition to locating the new facility outside the Gate was based on arbitrary reasons, and suggested that one way of satisfying this requirement would be to construct a small building just inside the Montreat Gate that would serve as the official Town Hall with a street address of 1 Assembly Drive, while still retaining the Town's public services outside the Gate.

Mr. Bob Cunningham of 162 Virginia Road apologized for his late awareness and involvement in the Town Hall issue, and spoke about the importance of soliciting and obtaining public participation despite the difficulty of these efforts. He said that he observed through his wife's career as a professional mediator that winning did not always bring peace to the parties involved. He felt that the Board's decision-making process on this and other important Town issues should be one that focuses on building consensus with all parties, which he felt would strengthen community relationships and reinforce the public's trust in their elected officials.

Mrs. Anne Seaman of 425 Appalachian Way commended the Board and Town staff for their efforts and their professionalism related to the Town Hall project. She felt that this issue had become highly politicized, and that she had experienced personal verbal attacks from some citizens who were opposed to various aspects of the project. She urged the Board to move forward with constructing the new facility on the Florida Terrace site, and believed that locating Montreat's Town Hall outside the municipal limits in a residential area of Black Mountain was inappropriate and elitist.

Mr. Bill Seaman of 425 Appalachian Way complimented the Town's architectural firm for their excellent work on the conceptual designs for the new Town Hall facility. He also commended the Board and Town staff for their diligence and objectivity in their actions concerning the Town Hall project.

Old Business

- A. **Town Hall Project Discussion**: At next week's meeting, the Board will consider approval of a two-story design plan for the new Town Hall facility, including a general endorsement of the building's appearance and a decision on the size of the parking area. During discussion, Commissioner Campbell confirmed with Ms. Dowty that low-maintenance fiber cement siding would be recommended for the building's exterior surface. Commissioner Vinson

asked for clarification of the number of parking spaces required by the Town's Zoning Ordinance compared with the number of spaces proposed in the current conceptual plan. Ms. Dowty stated that while only seven spaces were required by ordinance for a building of this size, between 17 and 19 spaces are proposed to ensure adequate parking for staff, daily visitors and the average level attendance at Town meetings.

New Business

The Board will consider the following items of New Business at next week's Town Council Meeting:

- A. Upper Kentucky Road Phase 1 Neighborhood Street Paving Assessment Project Bid Award: This project includes the installation of approximately 415 lineal feet of asphalt paving and other related improvements. C&T Paving, Inc. has submitted the lowest responsive bid in the amount of \$16,519.23.
- B. Peace Lane Street Paving Assessment Project Bid Award: This project includes the installation of approximately 460 lineal feet of asphalt paving and other related improvements. C&T Paving, Inc. has submitted the lowest responsive paving bid for this project in the amount of \$23,988.86.
- C. Temporary Rule Affecting Montreat Zoning Ordinance, Article X – Sign Regulations: Posting of temporary or portable signage, particularly along Assembly Drive, is a long-standing tradition in Montreat but is expressly prohibited in the Town's Zoning Ordinance. The Wayfinding Signage Plan addresses this conflict through the installation of four changeable-copy sign structures at approved locations along the Assembly Drive corridor. Until funding is available to purchase and install these structures, a temporary rule is suggested to allow the placement of temporary, non-commercial, special event signage in the locations where the sign structures will eventually be located. Staff feels this measure will provide an enforceable compromise and easier transition for those wishing to continue posting such signs, while still limiting visual clutter caused by excessive amounts of posted signs. At next week's meeting, the Board will be asked to call for a Public Hearing to discuss the proposed temporary signage language. A map depicting the location of the four proposed signage areas will be added to next week's agenda packet.
- D. Summary of Results - Greybeard Trail Water Service Area Study: The Greybeard Trail water service area study is now complete, and recommends construction of a second 100,000 gallon ground-level storage tank at the end of Greybeard Trail. The new storage tank would supplement the existing Appalachian Way tank to improve system pressures and ensure adequate fire protection flows to Town residents in higher elevation areas, increase the water system's overall storage capacity, allow for routine tank maintenance without

creating significant operational difficulties, and facilitate continued water system operation during extended power outages through the use of gravity flow. To ensure consistent household water pressure for lots above 3,100 feet in elevation, homeowners would be required to install small, individual booster pumps, similar to those recently installed in certain homes on Appalachian Way. The Board has approved funding in the Capital Improvement Plan and Annual Budget for the construction of a new water storage tank. At next week's meeting, staff will request authorization to proceed with engineering and design work for the new water storage tank.

Some discussion was heard about the Town's need to purchase water from the Town of Black Mountain during high demand periods or extended drought conditions. Mr. Freeman stated that this has not been necessary since the new wells were installed several years ago on Greybeard Trail and Harmony Lane.

E. Town Hall Project Additional Site Evaluation Proposal: Following last month's Town Council Meeting, Mr. Nalley sent a letter to Mountain Retreat Association President Dr. Peter Peery, inquiring about the potential availability of the following MRA-owned properties located within Montreat's municipal limits:

1. Pratt Park;
2. Welch Field;
3. The Community Center Building, including the current Montreat Post Office facilities and Dowd Green;
4. A lot located near the Montreat Post Office, bordered by Assembly Drive, Georgia Terrace and Collegiate Circle;
5. A one-acre lot located next to the Winsborough Building, across from McAlister Gym.

Dr. Peery responded on behalf of the MRA in a letter received earlier today. Mr. Nalley read the text of the letter aloud, which indicated that only Pratt Park, the lot bounded by Assembly Drive, Georgia Terrace and Collegiate Circle, and the lot next to the Winsborough Building would be considered open for potential negotiation.

Architectural Design Studios has submitted a proposal for evaluation of additional Town Hall sites based on a number of criteria. The fee to evaluate three additional sites would be \$7,600, while the fee to evaluate only one additional site would be \$3,700. After discussion, the Board agreed by consensus for ADS staff to evaluate two additional sites: Pratt Park and the lot bordered by Assembly Drive, Georgia Terrace and Collegiate Circle. ADS staff will revise their proposal to reflect the updated scope and expense of these site evaluations, and a motion will be added to next week's meeting agenda to consider approval of the revised proposal. At Commissioner Campbell's request, next week's agenda will also include a motion to hold a

community-wide Special Meeting for ADS to present the findings of their evaluations. The date and time of the Special Meeting will be announced once the Town receives ADS' final evaluation report.

During further discussion, Mayor Taylor commented that the potential availability of the lot bordered by Assembly Drive, Georgia Terrace and Collegiate Circle was a change from information received a year ago. She said at that time, the Board had been told that this lot was being preserved as a future lodge site. Commissioner Helms stated that the Board had listened to the community's concerns about the Town Hall project, and would continue to do so. He cited the Board's decision to evaluate additional properties within the Town's municipal limits as a mark of its willingness to pursue a compromise solution. He asked for a similar spirit of receptiveness and cooperation from those opposed to the Florida Terrace site. Commissioner Vinson felt it was more appropriate for the entire Montreat community to have equal input and participation in deciding where the new Town Hall will be located, rather than appointing a task force of only a few select individuals.

F. Water Service Connection Request: Mr. John Burriss of 628 Greybeard Trail recently notified Town staff that his residential well had gone dry over the Independence Day weekend. Mr. Burriss expressed concerns that the installation of the Town's wells in this area in June 2013 may have contributed to this problem, and requested that the Town consider allowing him to connect to the public water system. Montreat Code of General Ordinances Chapter E – Utilities, Article 1: Water and Sewer refers to "all owners of improved property within the Town limits" and does not provide policy direction for connection of utilities outside the town limits. However, Chapter M – Extensions of Public Utilities and Streets, states that the provisions of this section apply "to all extensions of public water lines, sewer lines, and streets within the Town and within the extraterritorial jurisdiction of the Town." Due to this conflicting language, staff is requesting clarification as to whether or not the Board wishes to provide public water to potential customers outside the town limits.

During discussion, Mr. Nalley stated that while there was no legal obligation to do so, some municipalities elected to extend public water and sewer connections to properties outside their boundaries in return for higher billing rates. He cautioned that while this issue needed to be resolved quickly, the Board's decision would set a precedent for future service requests from other property owners residing in the Extra-Territorial Jurisdiction area outside the Town's municipal boundaries.

G. Public Agenda Item/Presentation Requests: The Board has received a number of requests from the public for items to be included for consideration at next week's Town Council Meeting. Mr. Francis Burriss has asked for an opportunity to officially propose the Gate Property at 1210 Montreat Road as an alternative Town Hall site. Mr. Peter Boggs, Mr.

Erskine Clarke, and Mr. Ashton Phelps have submitted a joint, related request for the Board to allow Mr. Burriss 20 minutes in order to give a public presentation on the 1210 Montreat Road site during the August 14 Town Council Meeting. Mr. Peter Boggs, Mr. Francis Burriss, and Mrs. Robin Melvin have also submitted a joint request for the Board to hold an open public forum during the month of August, facilitated by a professional moderator and without a three-minute public comment time limit to discuss the Town Hall project.

During discussion, a majority of the Board members agreed with a recommendation made by Commissioner Campbell to allow Mr. Burriss 20 minutes during next week's Town Council Meeting to give a presentation on his proposal of 1210 Montreat Road as an alternative Town Hall site. Commissioner McCaskill dissented, stating that he was not interested in discussion of sites that were not located within the Town's municipal limits. Mayor Pro Tem Standaert said she did not wish her agreement to hear the presentation to be misconstrued as support for the proposed location. Commissioner Helms asked that the presentation focus on the benefits of the alternative site, rather than perceived negative aspects of the Florida Terrace lots.

Mayor Taylor said that once the architects have finished their evaluation of the two selected alternate locations within the Town limits, the Board would schedule a Special Meeting to discuss these findings. This meeting will be open to all who wish to attend and participate. None of the Board members expressed interest in holding a Town Hall-style meeting without public comment time limits or appointing a special committee or task force to study the Town Hall project at this time. The Board agreed by consensus with Commissioner Campbell and Commissioner Vinson that a holding a community-wide Special Meeting would be a more appropriate venue for public discussion of this issue.

Public Comment

Mr. Ashton Phelps of 433 Kentucky Road said he appreciated the Board's willingness to examine alternative Town Hall sites and to hold a public meeting to discuss the findings of those evaluations. After receiving confirmation from the Board that the Florida Terrace site would be among those presented for comparison and comment at the public meeting, he said he had hoped the Board would have also asked the Town's architectural firm to evaluate the proposed lots outside the Montreat Gate.

Mrs. Nan Clarke of 558 Providence Terrace felt that \$25,000 for temporary signage structures along Assembly Drive seemed excessive. She also hoped that the Board would reconsider making the Town's dumpster facility available to the public on Saturdays during the summer months.

Mr. Frank Cooper of 443 Arbor Lane said he hoped that the architect's evaluation of alternative Town Hall sites would be objective and without bias to the Florida Terrace location. He offered

to personally pay the contract fee for the site evaluations so that the Town would not incur the additional expense.

Mr. Bill Seaman suggested that property addresses and other geographic identifiers be removed from the alternative Town Hall site evaluation reports to help ensure an objective, scientific review of the presented data.

Mr. Francis Burriss of 360 Arkansas Trail said that his brother's request to connect to the Town's water system was the result of emergency circumstances caused by the failure of his private well, and was not intended solely as a means of obtaining a public utility connection to property located outside the Town's municipal limits.

Mr. Peter Boggs of 338 Chapman Road said he appreciated the Board's openness to alternative Town Hall locations. He felt that all of the suggested site selection criteria were logical and reasonable except proximity to the Town's center area. He felt that proximity to the Montreat Gate would be a more appropriate consideration, since more people travelled through the Gate on a regular basis than through the Town center area.

Mr. Wade Burns of 232 North Carolina Terrace asked the Board to consider allowing local contractors working or acting on behalf of Montreat residents to dispose of corrugated cardboard generated from those projects in the Town's recycling facility behind the Town Services Office.

At Mayor Taylor's request, Mr. Nalley responded to Mr. Burns' comments by stating that the Town's dumpster facility is open to Montreat residents and property owners as a supplement to residential curbside garbage and recycling collection. Use by private contractors of any kind is expressly prohibited. As a compromise, Mr. Nalley suggested that contractors working on behalf of Montreat property owners could contact the Town to arrange corrugated cardboard collection for a minimum fee of \$25, similar to the Town's policy on residential special collection services.

Mr. Ted Carey of 116 John Knox Road said he had listened to the Board's criteria for acceptable alternative Town Hall sites, and did not understand their insistence that the new facility be located inside the Montreat Gate.

Upcoming Meeting Dates

Mayor Taylor reviewed the following list of upcoming meeting dates and deadlines:

August Town Council Meeting:

August 14, 2014, 7:00 p.m.
Walkup Building

Montreat Board of Commissioners
Agenda Meeting Minutes
August 7, 2014

Agenda Items Due: August 28, 2014, 5:00 p.m.
Town Services Office

Bi-Weekly Sanitation Service Ends: August 29, 2014

Town Services Office Closed: September 1, 2014
Labor Day Holiday

Agenda Packets Available: September 2, 2014
[http://www.townofmontreat.org/
TownGovernment.php](http://www.townofmontreat.org/TownGovernment.php)
Town Services Office

Rescheduled Sanitation Collection Date: Tuesday, September 2, 2014
Collection Begins at 8:00 a.m.

September Montreat Landcare Committee Meeting: September 3, 2014, 9:00 a.m.
Location TBA

September Agenda Meeting: September 4, 2014, 7:00 p.m.
Walkup Building

September Town Council Meeting: September 11, 2014, 7:00 p.m.
Walkup Building

Agenda Items Due: September 26, 2014, 5:00 p.m.
Town Services Office

Adjournment

There being no further items of business to discuss, Commissioner Campbell moved to adjourn the Agenda Meeting. Commissioner McCaskill seconded. The motion carried 5/0 and the meeting was adjourned at 8:40 p.m.

Letta Jean Taylor, Mayor

Misty R. Gedlinske, Town Clerk