

**Town of Montreat
Board of Commissioners
Town Council Agenda Meeting
October 5, 2017 – 7:00 p.m.
Walkup Building**

I. Call to Order

- Pledge of Allegiance
- Moment of Silence

II. Agenda Adoption

III. Presentations and Reports

- **Broker Recommendations for the Nature and Sale of Public Property on Florida Terrace, Parcel Number 0720-16-4118-00000 - pending**
- **Finance Officer Position - pending**

IV. Mayor's Communications

V. Consent Agenda

A. Meeting Minutes Adoption

- September 7, 2017, Town Council Agenda Meeting Minutes
- September 14, 2017, Town Council Public Forum Minutes
- September 14, 2017, Town Council Meeting Minutes
- Proclamation #17-10-0001 Honoring Montreat College Class of 1967

All items on the Consent Agenda are considered routine, to be enacted by one motion with the adoption of the agenda and without discussion. If a member of the governing body requests discussion of an item, it will be removed from the Consent Agenda and considered separately.

VI. Town Administrator's Communications

- Consent Agenda Review
- Other Items

VII. Administrative Reports

- Police Chief
- Public Works Director
- Finance Officer -pending
- Building Inspector/Code Administrator - pending

VIII. Public Comment – Agenda Items

Public comments will be heard during this period for only those items listed on the meeting agenda.

IX. Old Business

A. Proposed Rezoning of Florida Terrace

- **Suggested Motion:** Move to rezone the Eastern Side of Florida Terrace from Institutional/Residential (I/R) to Residential Low Density (R1) excluding the property known as Sylvan Heights PIN # 0720-15-4916.

X. New Business

A. Appointment of Everett Culpepper to Board of Adjustment

- **Suggested Motion:** To move to appoint Everett Culpepper to the Board of Adjustment for a term of two years to expire on January 31, 2019.

B. Authorization for the Sale of Public Property on Florida Terrace -pending

I. Public Comment – Other Topics

Public comments will be heard during this period for other public business items or topics not listed on the meeting agenda.

II. Commissioner Communications

III. Meeting Dates

October Town Council Meeting:

October 12, 2017, 7:00 p.m.
Public Forum begins at 6:30 p.m.
Walkup Building

Montreat Tree Board:

October 17, 2017, 9:30 a.m.
Town Services Building

Board of Adjustment:

October 26, 2017, 7:00 p.m.
Walkup Building

Bulk Pick-Up:

October 31, 2017

**Montreat Board of Commissioners
Town Council Agenda Meeting
October 5, 2017**

Montreat Landcare:

November 1, 2017, 9:00 a.m.
Allen Building
Swannanoa Room

November Town Council Agenda Meeting:

November 2, 2017, 7:00 p.m.
Moore Center
Thompson Brown Meeting Room

November Town Council Meeting:

November 9, 2017, 7:00 p.m.
Public Forum begins at 6:30 p.m.
Walkup Building

IV. Closed Session: To enter into Closed Session in accordance with North Carolina General Statute §143-318.11(5) to discuss the proposed acquisition of real property identified as (PIN # 0710-53-9360), located on Montreat Road, for potential Montreat Town Hall and approval of 2016 Closed Session Minutes.

V. Adjournment

**Town of Montreat
Board of Commissioners
Town Council Agenda Meeting
September 7, 2017
Walkup Building**

Board members present: Mayor Tim Helms
Mayor Pro Tem Kitty Fouche
Commissioner Bill Gilliland
Commissioner Kent Otto
Commissioner Mary Standaert
Commissioner Ann Vinson

Board members absent: None

Town staff present: Alex Carmichael, Town Administrator
Angie Murphy, Town Clerk
Justyn Whitson, Police Officer

Approximately 15 members of the public were also present. Mayor Helms called the meeting to order at 7:03 p.m., led the group in reciting the Pledge of Allegiance, and held a moment of silence asking for those in attendance to remember those affected by the recent hurricanes

Agenda Approval

Commissioner Vinson moved to adopt the agenda as presented. Commissioner Gilliland seconded. Mayor Pro Tem Fouche moved to defer agenda item “A” under new business to the next retreat but no later than the March 15, 2018 meeting for discussion and possible action. Mayor Pro Tem Fouche felt that with new members entering the Council that they should have a say in the mission statement verbiage. Commissioner Gilliland seconded Mayor Pro Tem Fouche’s motion. Commissioner Standaert stated that they were a board with multiple months to serve and felt it should be addressed now rather than later. The motion carried 3/2 with Commissioners Standaert and Vinson voting in opposition to the motion. Commissioner Standaert asked if the item could be brought up again if it was deferred. Mayor Helms stated that it would remain off the agenda for 100 days. Town Administrator Carmichael explained there were different nuances between “tabling an item” versus “deferring an item” and could not give an answer off the top of his head. Commissioner Standaert asked for further investigation into this matter as well as the voting requirements. Commissioner Vinson noticed a typographical error under the Public Hearing item in which “industrial” needed to be changed to “institutional” as Montreat does not have any industrial zoning. Commissioner Gilliland moved to adopt the agenda as amended. Commissioner Otto seconded. The motion carried 4/1 with Commissioner Standaert voting in opposition to the motion.

Public Hearing: Proposed Rezoning of Eastern Side of Florida Terrace From Institutional/Residential (I/R) to Residential Low Density (R1) Followed by Possible Action

Mr. Carmichael stated that Commissioner Standaert had asked for some additional documents related to the public notice requirements. Public notices were publicly displayed in the Town Services Building and the United States Postal Office. Notices were mailed to the Black Mountain News and to property owners as per our Zoning Ordinance. Mr. Carmichael provided a list of all property owners and adjacent property owners along with the letter and notice that were mailed to them to each Commissioner. These items will be added to next week's agenda packet.

Mayor's Communications

Mayor Helms stated that he wanted Mr. Carmichael to bring everyone up-to-date with the preparations the Town Employees are making for Hurricane Irma. Mr. Carmichael stated that the Public Work Crews had spent the day preparing culverts and stormwater systems for the impending storm. Public Work Crews replaced radio batteries at the well and tank sites. They borrowed a portable generator from the Town of Black Mountain for the wells. The Crews are working with Mountain Retreat Association to monitor Lake Susan as well as the dam. Montreat Police Department is working with the Buncombe County Emergency Manager's Office. Both Police and Public Works are identifying potential staging areas and evacuation routes. Administrative Staff are preparing for mobile emergency notification capabilities. Mayor Helms urged property owners to secure loose items around their homes.

Consent Agenda Review

The proposed Consent Agenda will include the following items:

- August 3, 2017, Town Council Agenda Meeting Minutes
- August 10, 2017, Town Council Public Forum Minutes
- August 10, 2017, Town Council Meeting Minutes

Town Administrator's Communications

- Mr. Carmichael has updated the reevaluation of the categorical exclusion document for the Texas Road Bridge. This document has since been sent to our engineering firm, KCI, who has to sign off on it and then it will be forwarded to the Municipal Bridge Program by September 15th.
- The Police Department was audited by the North Carolina Department of Justice Criminal Standards Division and received a positive response.
- The Water Department had their wells and tanks inspected this week by the regional inspector and received a verbal confirmation of passing with flying colors.

Administrative Reports

The Board will hear administrative reports as written with the ability to ask questions from the Police Chief, Public Works Director, Finance Officer and Building Inspector/Code Administrator during next week's Town Council Meeting.

Public Comments

Mayor Helms reiterated that this Public Comment period was intended for remarks pertaining to items listed on the meeting agenda, including staff reports and communications.

Mr. Wade Burns of 232 North Carolina Terrace mentioned the detailed series of options for the Building Inspector/Zoning Administrator that Mr. Carmichael had outlined in the evening's packet. Mr. Burns encouraged Council to review the ordinances along with purpose and intent before deciding on the zoning administrator position.

Old Business

There was no Old Business to discuss.

New Business

- A. Zoning Official Position Review: Mayor Helms stated that Mr. Carmichael would review the Zoning Official Position for Council next week. Mayor Pro Tem Fouche asked about the backlog of zoning requests and wanted to know what we as a Town were doing to accommodate people. Mr. Carmichael stated that he has 2-3 conversations about zoning issues a day. The zoning permits are backing up. Our building permits are being handled temporarily at a rate of \$25 per inspection and \$25 per permit issued which is extremely inexpensive compared to other rates Mr. Carmichael has investigated. All zoning permits have to be signed off on by a zoning officer appointed by the Commission. Mayor Pro Tem Fouche asked if there was a certification process for the zoning administrator. Mr. Carmichael stated that the job requires appointment by the Council and an oath of office. Mayor Pro Tem Fouche stated she appreciated the detailed descriptions of the zoning official position options that Mr. Carmichael provided in the packet.

Public Comments-Other Topics

Mayor Helms reiterated that the Public Comment period were for remarks pertaining to public business items not listed on the meeting agenda, including any reports or communications from other community entities.

Mr. Wade Burns of 232 North Carolina Terrace asked if there was a training and certification process required by the State for the zoning administrator. Mr. Carmichael stated that there was a

**Montreat Board of Commissioners
Town Council Agenda Meeting Minutes
September 7, 2017**

training and certification class offered by the UNC School of Government but it is his belief that it is not a requirement of the zoning officer. Mr. Burns suggested getting a group of citizens to be sworn in to look at pending applications. Mr. Carmichael stated that there will be a lag time between when a decision is made about what model the Council wants to use for the zoning official position and when that position will be filled. Mr. Carmichael has spoken with an individual from Saluda, South Carolina who has offered to contract out our zoning to fill in the gaps until our position is filled.

Mr. Bill Scheu of 146 Eastminster Terrace asked if it would be possible to designate the Town Administrator as Zoning Official on a temporary basis since there are no requirements for the position. Mayor Helms stated that he felt like that should be a private conversation that he has with Mr. Carmichael.

Mr. Mike Sonnenberg of 125 Virginia Road felt that this conversation was important because we need to flesh out a backup plan in case the future zoning administrator is sick or unavailable. Commissioner Standaert stated that we have always had a good working relationship with the Town of Black Mountain when it comes to filling in for vacations or absences.

Commissioner Communications

There were no Commissioner Communications at this time.

Upcoming Meeting Dates

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

<u>September Town Council Meeting:</u>	September 14, 2017, 7:00 p.m. Public Forum begins at 6:30 p.m. Walkup Building
<u>Montreat Tree Board:</u>	September 19, 2017, 9:30 a.m. Town Services Building
<u>Board of Adjustment:</u>	September 28, 2017, 7:00 p.m. Walkup Building
<u>Montreat Landcare:</u>	October 4, 2017, 9:00 a.m. Allen Building Swannanoa Room
<u>October Town Council Agenda Meeting:</u>	October 5, 2017, 7:00 p.m.

**Montreat Board of Commissioners
Town Council Agenda Meeting Minutes
September 7, 2017**

October Town Council Meeting:

October 12, 2017, 7:00 p.m.
Public Forum begins at 6:30 p.m.
Walkup Building

Closed Session

Commissioner Vinson moved to enter in Closed Session in accordance with North Carolina General Statute 143-318.11(6) for discussion of a personnel matter. Commissioner Gilliland seconded and the motion carried 5/0.

Upon a motion by Commissioner Gilliland and a second by Commissioner Vinson with the motion carrying 5/0, the Board returned to Open Session. Commissioner Gilliland moved to appoint Barry Creasman to the position of Interim Public Works Director effective immediately, and to have Mr. Creasman assume the full duties and responsibilities of Public Works Director and remain at his current pay grade of 15 until such time as he completes the "Effective Supervisory Management Course" on, or by, September 30, 2018, at such time he will be assigned a pay grade of 17 and the title of Public Works Director for the Town of Montreat; the interim period will satisfy the one year probationary period specified by the Montreat Personnel Policy after which he will be eligible for a 5% raise above the starting pay for a pay grade of 17. Commissioner Vinson seconded the motion and the motion carried 5/0. Mr. Creasman happily accepted and signed the offer of position document.

There will be another closed session at next week's meeting.

Adjournment

There being no further business, Commissioner Gilliland moved to adjourn the Town Council Agenda Meeting. Commissioner Vinson seconded and the motion carried 5/0. The meeting was adjourned at 7:41 p.m.

Tim Helms, Mayor

Angela Murphy, Town Clerk

**Town of Montreat
Board of Commissioners
Town Council Public Forum
September 14, 2017
Walkup Building**

Board members present: Mayor Tim Helms
Mayor Pro Tem Kitty Fouche
Commissioner Bill Gilliland
Commissioner Kent Otto
Commissioner Mary Standaert (arrived at 6:37 p.m.)
Commissioner Ann Vinson (arrived at 6:34 p.m.)

Board members absent: None

Town staff present: Angie Murphy, Town Clerk
Barry Creasman, Interim Public Works Director
Dave Arrant, Chief of Police
Steve Stackhouse, Finance Officer

Call to Order

Approximately 36 people were in attendance. Mayor Helms called the meeting to order at 6:33 p.m. and led the group in a moment of silence.

Agenda Approval

Commissioner Gilliland moved to adopt the agenda as presented. Commissioner Otto seconded and the motion carried 3/0.

Public Forum

Mr. Richard Dubose, speaking on behalf of Mountain Retreat Association, stated that he was generally opposed to the rezoning of the eastern side of Florida Terrace because once zoning goes to residential only it rarely is rezoned back to institutional. The MRA does respect the opinions of those living in the neighborhood. Mr. Dubose stated that the MRA has no plans to enter into further development on Florida Terrace but they do have some concerns for their Sylvan Heights property. They would prefer that special provisions be made to allow Sylvan Heights' zoning to remain as is.

Mrs. Grace Nichols of 527 Suwannee Drive asked the Board to summarize the pros and cons of rezoning. Commissioner Otto felt that rezoning fits that section of Town since it currently is residential homes. Commissioner Otto also would like to see the addition of one or two new homes built to increase Montreat's tax base. Commissioner Standaert questioned how much tax revenue was anticipated off of only one or two newly built houses. Commissioner Otto stated that he thought the tax revenues would be between \$5,000 and \$7,000 based on the size and tax value

of the homes. Commissioner Standaert stated that the tax value off of two \$400,000 homes would be approximately \$1,700 each in taxable revenue to the Town of Montreat. Mayor Pro Tem Fouche felt that the Board took into account the wishes of the neighbors on Florida Terrace. Commissioner Standaert pointed out that the petition received was not 100% of the residents. Commissioner Vinson wanted to make it clear that if two residential homes were built at this time that it would increase the tax base so she still has trouble understanding why the zoning needs to change. Mrs. Nichols asked what the long term consequences would be for rezoning. Mayor Helms stated that a lodge could not be built on Florida Terrace. Commissioner Vinson felt that the rezoning could limit the number of people who could possibly buy the property. Commissioner Standaert felt that the responsibility of elected officials is looking towards the future not just in the present.

Mr. Eric Nichols of 527 Suwannee Drive stated that the current zoning would not prevent anyone from building on the property.

Mr. Wade Burns of 232 North Carolina Terrace stated that he regrets that Public Work Crews are not in attendance at this meeting because he wants to give them some high regard. Mr. Burns summarized the damages on North Carolina Terrace from Hurricane Irma. Mr. Burns stated that Public Work Crews worked through the night clearing 17 trees across the roadways and they did it at great risk to themselves. Mr. Burns stated that the Tree Board is working towards an idea of a tree plan to remove dead and dying trees. Mr. Burns is adamantly in favor of this tree plan for the safety of everyone. Commissioner Vinson stated that the federal/state grant received by the Tree Board will pay for the Town to begin the tree inventory which will start at the Gate and proceed up to Lake Susan. Commissioner Vinson also stated that monies in this year's budget have also increased for the care of trees. There is also money in the budget for a bucket truck for the Town.

Mr. Mike Sonnenberg of 125 Virginia Road asked if there was a possibility of partnering with the Town of Black Mountain with regards to the bucket truck. Commissioner Vinson stated that there was enough money in the budget for Montreat to purchase a used bucket truck.

Adjournment

There being no further discussion, Commissioner Vinson moved to adjourn the Public Forum Meeting. Commissioner Gilliland seconded and the motion carried 5/0. The meeting was adjourned at 6:57 p.m.

Tim Helms, Mayor

Angie Murphy, Town Clerk

**Town of Montreat
Board of Commissioners
Town Council Meeting
September 14, 2017
Walkup Building**

Board members present: Mayor Tim Helms
Mayor Pro Tem Kitty Fouche
Commissioner Bill Gilliland
Commissioner Kent Otto
Commissioner Mary Standaert
Commissioner Ann Vinson

Board members absent: None

Town staff present: Dave Arrant, Police Captain/Interim Police Chief
Stefan Stackhouse, Finance Officer
Barry Creasman, Senior Water Operator
Angie Murphy, Town Clerk
Susan Taylor Rash, Town Attorney

Approximately 36 members of the public were also present. Mayor Helms called the meeting to order at 7:10 p.m., led the group in reciting the Pledge of Allegiance, and held a moment of silence with special remembrance to those in Florida, Texas and Georgia who had been affected by the recent hurricanes.

Agenda Approval

Commissioner Gilliland moved to adopt the agenda as presented. Commissioner Vinson seconded and the motion carried 5/0.

**Public Hearing: Proposed Rezoning of Eastern Side of Florida Terrace From
Institutional/Residential (I/R) to Residential Low Density (R1) Followed by Possible
Action**

Commissioner Otto stated that he spent time with Montreat College and MRA discussing their short term and long term goals with regards to the Florida Terrace Property. Commissioner Otto's main premise for proposing the rezoning of the eastern side of Florida Terrace is primarily for the increase in tax revenue base. Commission Otto felt that a lot of individuals in Town are interested in rezoning and he has spoken to several realtors who felt the rezoning would affect salability more positively.

Eric Nichols of 527 Suwannee Drive, stated that he worries we are forgetting what are mission is as a community. Mr. Nichols felt that the proposed rezoning would restrict potential building for institutions/organizations. Mr. Nichols stated that the Board should let the market be the market and see what happens.

Mr. Francis Burriss of Florida Terrace and Arkansas Trail, read a statement that represented what all the people on the block and the people who signed the petition felt with regards to the proposed rezoning. Mr. Burriss felt that the change will allow the tract to be developed with one to two houses which will bring much needed long term revenue to the Town of Montreat. This action would prevent this parcel from being a source of discord and division in the neighborhood today and in the future.

Commissioner Vinson stated that the current zoning does not limit who can purchase and develop the property and Montreat would still have the potential to incur increased tax revenue. Commissioner Vinson felt that thinking about the future is just as important as the current situations. She does not understand the need for rezoning at this time.

Commissioner Standaert questioned how many people lived on Florida Terrace full time. She stated that it does not currently embellish the character of a full time residential neighborhood.

Mayor Pro Tem Fouche would like to see Florida Terrace remain a residential neighborhood especially after recent years.

Commissioner Standaert stated that the tax consequences of making the zoning changes are really quite small. She was also concerned about the precedence that this may or may not set for future zoning situations.

Commissioner Otto moved to rezone the Eastern Side of Florida Terrace from Institutional/Residential (I/R) to Residential Low Density (R1) excluding the property known as Sylvan Heights PIN # 0720-15-4916. Mayor Pro Tem Fouche seconded and the motion carried 3/2 with Commissioner Standaert and Vinson voting against the motion. Commissioner Standaert asked if Rule 23 in the Rules of Procedure could be read into record. Town Clerk Angie Murphy read aloud the following rule: "an affirmative vote equal to a majority of all the members of the Board not excused from voting on the question at issue shall be required to adopt an ordinance, to take any action that has the effect of an ordinance, or to make, ratify or authorize any contract on behalf to the Town. In addition, no ordinance or action that has the effect of an ordinance may be finally adopted on the date of its introduction except by an affirmative vote of at least two-thirds of the actual membership of the Board, excluding vacant seats and not including the Mayor. No ordinance shall be adopted unless it has been reduced to writing before a vote on its adoption is taken." Mayor Helms asked the Town Attorney to research this rule and give a ruling later in the meeting.

Mayor's Communications

Mayor Helms stated that last week at the Closed Session, following the Agenda Meeting, Barry Creasman was hired as the new Interim Public Works Director. Mayor Helms praised the entire Public Works Crew for their preparations prior to Hurricane Irma and their quick work removing

the 17 trees from the roadway throughout the night.

Consent Agenda Review

The proposed Consent Agenda will include the following items:

- August 3, 2017, Town Council Agenda Meeting Minutes
- August 10, 2017, Town Council Public Forum Minutes
- August 10, 2017, Town Council Meeting Minutes

Town Administrator's Communications

- Mr. Carmichael was absent this evening because he is currently undergoing training in Chapel Hill at the School of Government.

Administrative Reports

Police Chief: Reports were in written form as requested by Council. No questions were asked of the Interim Police Chief.

Public Works Director: Reports were in written form as requested by Council. No questions were asked of the Public Works Director.

Finance Officer: Reports were in written form as requested by Council. No questions were asked of the Finance Officer.

Building Inspector/Code Enforcement Officer: Mr. Carmichael stated that he is still trying to figure out the compilation software to prepare the monthly reports.

Public Comments

Mayor Helms reiterated that this Public Comment period was intended for remarks pertaining to items listed on the meeting agenda, including staff reports and communications.

There was no public comment at this time.

Old Business

There was no Old Business to discuss.

New Business

- A. Zoning Official Position Review: Mayor Pro Tem Fouche stated that she liked the option of sharing a Zoning Administrator position with the Town of Biltmore Forest but was unsure where Land of the Sky fit in the model. Town Clerk Angie Murphy advised that utilizing Land of Sky would allow the Town to contract on an annual basis as well as handling the benefit coordination. Commissioner Vinson stated that she felt it was very important to get a Zoning Administrator/Building Inspector outside of Montreat due to conflicts of interest. Commissioner Vinson felt that a full-time employee doing both roles would be ideal. Mayor Pro Tem Fouche felt that maintaining our current situation of outsourcing inspections and partnering with the Town of Biltmore Forest could save the Town some money and also allow the Council to see the best plan of action to take in the future. Commissioner Otto stated that he felt that when any business had a vacancy arise they take time to evaluate the position before they immediately hire another full time position. Commissioner Otto felt that splitting the zoning and inspections would save roughly \$20,000 and allow the Commission more time to think on the direction they want the position to go. Commissioner Standaert felt that there has been a huge turnover in employees but the Council has not been as proactive in filling these positions. She was worried about the remaining employees feeling overworked and felt that moving forward with a full time zoning administrator/building inspector would be in the best interest of the Town. Mayor Pro Tem Fouche felt that trying the shared position for a year would not hurt anything. Commissioner Kent Otto moved to direct staff to reorganize the full time building inspector/zoning administration position and to partner with Land of Sky Council of Government for Zoning Administration and an individual contractor for Building Permits/Inspections. Commissioner Gilliland seconded the motion and the motion carried 4/1 with Commissioner Standaert voted in opposition.

Public Comments-Other Topics

Mayor Helms reiterated that the Public Comment period were for remarks pertaining to public business items not listed on the meeting agenda, including any reports or communications from other community entities.

Eric Nichols of 527 Suwannee Drive, reminded the Council that there are committees that utilize Town Employees as resources. Mr. Nichols stated that he will miss Mr. Currie's knowledge on the Board of Adjustments.

Commissioner Communications

Commissioner Gilliland thanked the Public Works Crews for all their hard work, over and above what was expected, during the Hurricane.

Commissioner Standaert stated that our Town staff vacancies need to be bolstered so staff can keep an even balance between home life and work life.

**Montreat Board of Commissioners
Town Council Meeting Minutes
September 14, 2017**

Commissioner Vinson brought some firewise brochures for distribution since it is now planting season. She also had some information about the Emerald Ash Borer as well.

Upcoming Meeting Dates

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

<u>Montreat Tree Board:</u>	September 19, 2017, 9:30 a.m. Town Services Building
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<u>Board of Adjustment:</u>	September 28, 2017, 7:00 p.m. Walkup Building
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<u>Montreat Landcare:</u>	October 4, 2017, 9:00 a.m. Allen Building Swannanoa Room
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<u>October Town Council Agenda Meeting:</u>	October 5, 2017, 7:00 p.m. Walkup Building
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<u>October Town Council Meeting:</u>	October 12, 2017, 7:00 p.m. Public Forum begins at 6:30 p.m. Walkup Building
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<u>Retirement Party for Public Works Director Steve Freeman:</u>	September 26, 2017, 2:00 – 4:00 p.m. Walkup Building
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<u>Retirement Party for Finance Officer Stefan Stackhouse:</u>	September 28, 2017, 10:00 – 12:00 p.m. Walkup Building
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Closed Session

Commissioner Vinson moved to enter into Closed Session in accordance with North Carolina General Statute 143-318.11(5) to discuss the proposed acquisition of real property identified as (PIN # 0720 – 53 – 9360), located on Montreat Road, for potential Montreat Town Hall.

After returning to Open Session Commissioner Vinson moved to request a one month extension from Mountain Retreat Association so the Town can contract with an engineering firm to have soil samples completed on the Creek Side Property.

Public Comment

There was no public comment at this time.

Adjournment

There being no further business, Commissioner Standaert moved to adjourn the Town Council Meeting. Commissioner Otto seconded and the motion carried 5/0. The meeting was adjourned at 8:21 p.m.

Tim Helms, Mayor

Angela Murphy, Town Clerk



TOWN OF MONTREAT

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PROCLAMATION # 17-10-0001

PROCLAMATION HONORING MONTREAT COLLEGE CLASS OF 1967

WHEREAS, 2017 marks the 50th reunion of the Montreat College Class of 1967; and

WHEREAS, the Montreat College Class of 1967 will be honored by the Heritage Society on October 7, 2017; and

WHEREAS, the members of the Montreat College Class of 1967 have, through service and dedication, honored Montreat College and contributed greatly to the well-being of their homes, communities and country; and

WHEREAS, the members of Montreat College Class of 1967 have demonstrated in countless ways their dedication to the welfare of others and have earned the respect and affection of people of all ages and from all walks of life;

NOW, THEREFORE, by virtue of the authority vested in me as Mayor of the Town of Montreat, I do hereby deem it an honor and pleasure to extend this Proclamation Honoring the Montreat College Class of 1967 on the occasion of their 50th reunion, with sincere congratulations and best wishes for many more happy, productive years.

IN WITNESS WHEREOF, I hereby set my hand, and cause the Seal of the Town of Montreat to be affixed, this 13th day of September, 2017.

[SEAL]

Tim Helms, Mayor

ATTEST:

Angie Murphy, Town Clerk

MONTHLY POLICE STATISTICS REPORT

SEPTEMBER	2017	2016	2015	2014	2013
Mileage	2599	2959	3395	2546	2916
Dispatched Calls	123	102	113	74	121
Officer-Initiated Calls	426	272	215	206	217
Fire/EMS Assistance Calls	2F/8E	4F/2E	5F/2E	4F	5F 3E
Motorist/Other Assistance Calls	117	54	50	39	51
Traffic Stops	14	42	50	42	40
Parking Issues	4	7	4	5	7
Burglar/Fire Alarm Responses	5B	1B/1F	3B	4B	4B
Residential House/Building Checks	256	282	233	264	116
Ordinance violations	10	19	16	18	9
LE Agency Assistance Calls	20	11	13	16	22
Animal Calls	2	2	9	2	8
Larcenies	0	0	0	2	0
B&E Calls	0	0	1	1	0
Suspicious Person/Vehicle Investigations	9V/2P	25V/2P	15V/5P	8V 9P	12V 5P
Disturbance Calls	33	6	4	3	3
Accident Responses	2	0	0	0	0
Auxiliary Hours Worked	32R/24T	32R/24T	32R	40R 36/O	32R 88/O
Truck turns at gate	4	0	0	1	4

- Town Service: 394
- MRA Service: 148
- College Service: 26

The Montreat Police Department has had a fairly eventful month. One obvious undertaking occurred during the weather events related to Hurricane Irma. From emergency notification planning prior to the storm, and surveying its aftermath. The east side of the town seemed to fare better than the west. A big thank you to the Town Streets Department for a literal “around the clock” handling of things. Both departments did their best to ascertain, and notify property owners of damage.

During the course of a shift one evening; Officer Whitson came across a suspicious vehicle that resulted in the arrest of two previously convicted felons. A search subsequent to the arrest yielded varying amounts of methamphetamine, assorted prescription pills, marijuana, paraphernalia, and a .357 caliber handgun.

Montreat PD assisted BMPD on occasions ranging from routine back-up, to assisting with scene control of a death investigation. As well as assisting with a Fugitive Warrant service. MPD also helped out BCSO Animal Control Officers with a dog bite case.

Further, MPD conducted its annual firearms qualifications. This concludes the yearly requirements placed on the department by NCDOJ.

Public Works Summary

October Meeting

Sanitation: Brush and leaf pickup continues. Please be patient with brush pickup on Wednesdays. Brush is a little heavy due to the storm we had in September.

Bulk pickup is October 31, 2017

Streets: The crew has been cleaning up storm debris from roadways. Patching and curb repair continue around town.

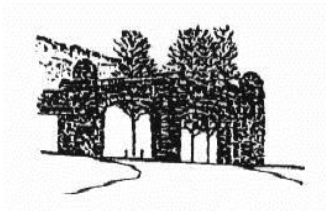
Water: We had 2 water leaks:

2 inch water main on Florida Terrace

2 inch water main on Tennessee

We had our yearly sanitary inspection from the State on our water system and we did very well.

Town of Montreat			Cash & Investments Report			As of	August 31, 2017	
Institution	Type	Maturity Date	Balance	Central	General	Water	Int. Rate	Int for mo
Avl Sav Bank	Checking x2519		\$ 243,051.10	\$ 243,051.10			0.00%	\$ -
Avl Sav Bank	Cent'l Dep x 6863		\$ 53,177.86	\$ 53,177.86			0.00%	\$ -
Avl Sav Bank	Savings - Powell Bill 3572		\$ 190,895.97		\$ 190,895.97		0.10%	\$ 16.21
Avl Sav Bank	Savings - Water Res. 7727		\$ 58,211.73			\$ 58,211.73	0.10%	\$ 4.94
Avl Sav Bank	MMkt Acct xxx1204		\$ 1,306,778.20		\$ 1,306,778.20		0.35%	\$ 375.75
Avl Sav Bank	Subtotal		\$ 1,852,114.86					
BB&T	MMkt Act - General Fund		\$ 450,500.02		\$ 450,500.02		0.10%	\$ 38.26
BB&T	MMkt Act - Water Fund		\$ 157,655.31			\$ 157,655.31	0.10%	\$ 13.39
BB&T	Subtotal		\$ 608,155.33					
NCCMT	Investment - General Fund		\$ 6,475.69		\$ 6,475.69		0.90%	\$ 4.83
NCCMT	Investment - Water Fund		\$ 6,762.82			\$ 6,762.82	0.89%	\$ 5.04
NCCMT	Subtotal		\$ 13,238.51					
All Accts	Subtotal		\$ 2,473,508.70	\$ 296,228.96	\$ 1,954,649.88	\$ 222,629.86	0.22%	\$ 458.42
All Accts	Fiscal Year to Date		\$ 2,588,922.31				0.22%	\$ 948.76
			(average)				(average)	(cumulative)
Avl Sav Bank	CD, 1yr x6827 Empl Benf	11/24/2017	\$ 54,579.20		\$ 54,579.20		0.20%	
Avl Sav Bank	CD x5119	11/12/2017	\$ 10,373.22		\$ 10,373.22		0.20%	
CDs	Subtotal		\$ 64,952.42				0.20%	\$ -
All Accts + CDs	Total		\$ 2,538,461.12				0.22%	\$ 458.42
All Accts + CDs	Fiscal Year to Date		\$ 2,653,874.73				0.21%	\$ 948.76
			(average)				(average)	



TOWN OF MONTREAT

Administration

P. O. Box 423
Montreat, NC 28757
Tel (828)669-8002 Fax (828)669-3810
www.townofmontreat.org

MEMORANDUM

DATE: October 12, 2017
TO: Montreat Board of Commissioners
FROM: Alex Carmichael, Town Administrator
RE: Revisions to Town of Montreat Official Zoning Map

BRIEF SUMMARY: To consider the possibility of rezoning the eastern side of Florida Terrace as R-1 Low-Density Residential.

POTENTIAL MOTION: To rezone the Eastern Side of Florida Terrace from Institutional/Residential (I/R) to Residential Low Density (R1) excluding the property known as Sylvan Heights PIN # 0720-15-4916.

BACKGROUND: On April 6, 2017, the Montreat Board of Commissioners directed the Planning and Zoning Commission to review a potential rezoning of eastern Florida Terrace properties from (I/R) Institutional/Residential to (R-1) Low-Density Residential for conformity with the Comprehensive Plan and other developmental regulations as necessary. The Planning Zoning Commission met on May 18th, and again on June 1st to consider this review. On July 13th the Planning and Zoning Commission reported its recommendations back to the Commission. The Planning and Zoning Commission recommended that all three of the following options meet the requirements of the Comprehensive Plan:

1. the proposed zoning of Florida Terrace,
2. the proposed rezoning omitting the Sylvan Heights property,
3. and maintaining the existing zoning map without change.

On September 13th The Commission held a public hearing for the Proposed Rezoning of Eastern Side of Florida Terrace From Institutional/Residential (I/R) to Residential Low Density (R1) Followed by Possible Action. Following the public hearing a motion was made to rezone the Eastern Side of Florida Terrace from Institutional/Residential (I/R) to Residential Low Density (R1) excluding the property known as Sylvan Heights PIN # 0720-15-4916. The Commission

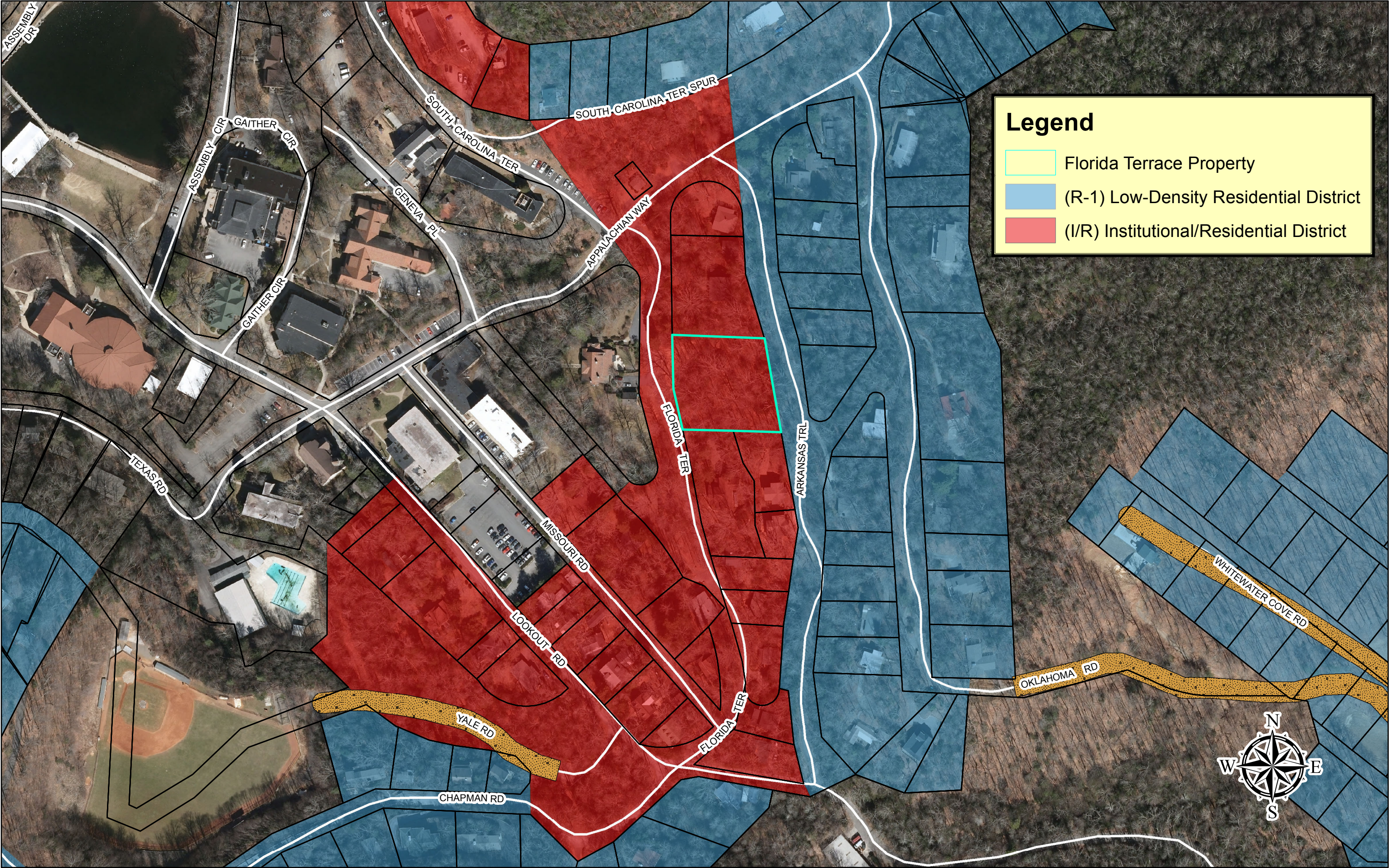
voted 3/2 in favor of rezoning, however, the vote did not meet the threshold required to pass the motion.

Rule 23 of the Board of Commissioners' Rules of Procedure states the following: "An affirmative vote equal to a majority of all the members of the Board not excused from voting on the question at issue shall be required to adopt an ordinance, to take any action that has the effect of an ordinance, or to make, ratify or authorize any contract on behalf to the Town. In addition, no ordinance or action that has the effect of an ordinance may be finally adopted on the date of its introduction except by an affirmative vote of at least two-thirds of the actual membership of the Board, excluding vacant seats and not including the Mayor. No ordinance shall be adopted unless it has been reduced to writing before a vote on its adoption is taken." In the opinion of the Town Attorney, the September 13th meeting constituted the "date of introduction," which requires a two-thirds favorable vote to pass. The motion thus failed.

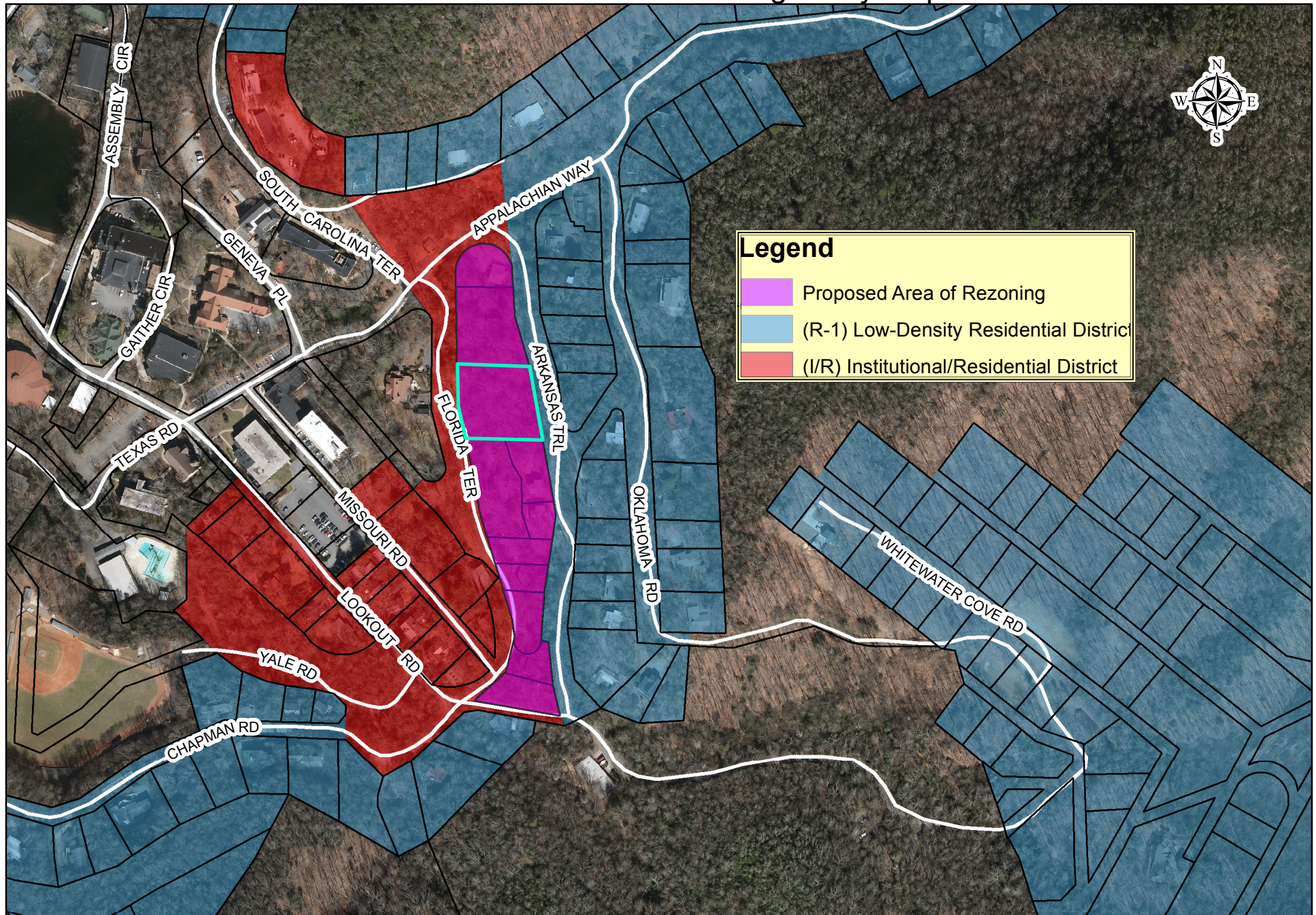
At this meeting of October 12th, 2017 a simple majority is required to pass the motion to rezone the Eastern Side of Florida Terrace from Institutional/Residential (I/R) to Residential Low Density (R1) excluding the property known as Sylvan Heights PIN # 0720-15-4916.

ATTACHMENTS: Maps showing the existing and proposed zoning district boundaries for the subject area and procedural chart/timeline.

Existing Zoning Boundaries - Florida Terrace Site



Florida Terrace Lot - Rezoning Study Map



0 145 290 580 870 1,160 Feet

FLORIDA TERRACE REZONING PETITION 3-20-17

PETITION TO: The Town of Montreat

PROPERTY: One city block bound on the West by Florida Terrace and on the East by Arkansas Trail consisting of ten(10) houses(hereafter referred to as Block A).

PETITION REQUEST: That "Block A" be rezoned from Institutional/Residential to Residential.

Supporting this Petition are the following homeowners with addresses on Block A.

Louisa and David Berry
367 Arkansas Trail.
Montreat NC

Nancy and Francis Burris
351 Florida Terrace
360 Arkansas Trail
376 Arkansas Trail

John and Anne Wilson
Florida Terrace

Susan Duncan
372 Arkansas Trail

Jane and Steve Unti
372 Arkansas Trail

Richards Roddey
Gail Roddey
Martha Dunlap Neblett
345 Lookout Road

MEMORANDUM

TO: Board of Commission, Town of Montreat

FROM: Emory Underwood, Chair of Planning and Zoning

DATE: July 13, 2017

SUBJECT: Review and Recommendation of Potential Rezoning of Eastern Florida Terrace Properties from (I/R) Institutional/Residential to (R-1) Low-Density Residential for conformity with the Comprehensive Plan and other Developmental Regulations as Necessary

On April 6, 2017, the Montreat Board of Commissioners directed the Planning and Zoning Commission to review a potential rezoning of eastern Florida Terrace properties from (I/R) Institutional/Residential to (R-1) Low-Density Residential for conformity with the Comprehensive Plan and other developmental regulations as necessary. The Planning Zoning Commission met on May 18th, and again on June 1st to consider this review.

At the meeting of May 18th all appointed members of the Commission were present along with three members of Town staff and seven members of the public. Tanner Pickett representing the MRA read a prepared statement from Richard DuBose. In it, he urged the Planning and Zoning Commission to seek zoning alternatives that would preserve the Sylvan Heights property's full status for institutional use. The Commission considered the precedent of rezoning requests in Montreat, the fact that the property had not been yet been placed on the market, residential stakeholders on Florida Terrace, and the process by which the Town Council requested the review. The Planning and Zoning Commission heard additional public comment and recessed until additional information was gathered.

At the June 1st meeting, all members of the Planning and Zoning Commission were present along with three members of Town staff and seven members of the public. The Commission heard public comment. Three people spoke in favor of rezoning Florida Terrace to R-1 Low-Density Residential, one thanked the Commission for all of their hard work, one spoke in favor of an additional zoning designation that would allow residential quadraplexes, and one cautioned that the Commission needed to be thoughtful and methodical when making zoning decisions.

The Commission discussed the public comment, and the additional information provided by staff, the status of the Sylvan Heights property, the time period for public engagement, the need for affordable housing, setting negative precedent, and the proposal's alignment with the Comprehensive Plan. Members of the Commission discussed some goals of the Comprehensive Plans that were in alignment with the proposed rezoning and some goals that were in conflict with the proposed rezoning. The Commission expressed its desire that if the Town did rezone Florida Terrace that it would exclude Sylvan Heights.

Though members of the Commission questioned the wisdom of rezoning Florida Terrace ultimately they found that Comprehensive Plan was broad, if at time contradictory, in its

goals. The Planning and Zoning Commission voted unanimously to recommend that all three of the following options meet the requirements of the Comprehensive Plan:

1. the proposed zoning of Florida Terrace,
2. the proposed rezoning omitting the Sylvan Heights property,
3. and maintaining the existing zoning map without change.

Florida Terrace Property - Rezoning Schedule

Steps in the Process	Normal Schedule for Action Taken
Council directs staff to prepare a revised delineation of the (I/R) Institutional/Residential District boundaries to exclude parcels fronting the eastern side of Florida Terrace (see maps), and extension of the R-1 Low Density Residential boundaries to include same for review by the Planning and Zoning (P&Z) Commission at a special called meeting later in May, as possible;	May 11, 2017
P&Z reviews the proposed rezoning for conformity with the adopted Comprehensive Plan and provides their recommendations to Town Council at their June (6/8/17) meeting;	May 2017
Town Council calls for a public hearing of the proposed map amendment at the July (7/13/17) meeting;	June 8, 2017
Staff physically posts the property affected by the rezoning & mails notification of the pending hearing to abutting property owners (normally within 200' of the subject property);	June 19, 2017
Staff provides notice of the required hearing in the local newspaper for two (2) consecutive weeks at least 10 days, but not more than 25 days, prior to hearing date;	June 19 & July 3, 2017
Council holds a public hearing to receive input as to the proposed rezoning. Council may then decide to vote on the matter or postpone action for further consideration. Council must adopt a statement as part of the rezoning that describes how their action is either consistent or inconsistent with the comprehensive plan and why they consider their action reasonable and in the public interest;	July 13, 2017 (or later, if action postponed)
Staff physically amends the Official Zoning Map of Montreat to reflect the adopted change;	July 14, 2017 (or later, if action postponed)



Town of Montreat

P.O. Box 423, Montreat, North Carolina 28757
Phone: (828) 669-8002 • Fax: (828) 669-3810

MEMORANDUM: PUBLIC HEARING NOTICE CERTIFICATION

TO: MONTREAT BOARD OF COMMISSIONERS
FROM: ALEX CARMICHAEL, TOWN ADMINISTRATOR
SUBJECT: PUBLIC HEARING NOTICE CERTIFICATION
DATE: SEPTEMBER 7, 2017

Article XIII, section 1303 B 1 of the Town of Montreat Zoning Ordinance states the following:

If the proposed change to the Official Zoning Map affects fewer than fifty (50) different properties, the owners (as shown on county tax listing) of the parcel(s) of land affected by the proposed change in the zoning map and the owners (as shown on the county tax listings) of all parcels of land abutting that parcel of land shall be mailed a notice of a public hearing on the proposed change by first class mail at the last addresses listed for such owners on the county tax abstracts. This notice must be deposited in the mail at least ten (10) but not more than twenty-five (25) days prior to the date of the public hearing. The person(s) mailing such notices shall certify to the Board of Commissioners that the notices were mailed in accordance with this section, and such certificate shall be deemed conclusive in the absence of fraud.

This memorandum certifies that notices were mail on September 8, 2017 for the Public Hearing: Proposed Rezoning of Eastern Side of Florida Terrace From Institutional/Residential (I/R) to Residential Low Density (R1) Followed by Possible Action to be held on September 14, 2017. I do certify by this memorandum that the notices were mailed in accordance with Article XIII, section 1303 B 1 of the Town of Montreat Zoning Ordinance.

JAC



TOWN OF MONTREAT

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ADVISORY BOARD/COMMITTEE MEMBERSHIP APPLICATION

Full Legal Name: Culpepper Everett T.
(Last) (First) (Middle)
Physical Address: 202 Harmony Lane
Mailing Address: P.O. 473 Montreat, NC 28757
Home Phone: 828 669 7692 Alternate Phone: 866 820-9574
Email Contact Information: ETCULPePPER@gmail.com

On which Board or Committee do you wish to serve?

- ☒ Board of Adjustment ☐ Open Space Conservation Committee
☐ Comprehensive Plan Steering Committee ☐ Planning and Zoning Commission
☐ Montreat Landcare Committee

Please explain why you want to be a member of this board/committee:

I feel a responsibility to serve
this community.

Briefly explain what you believe are the three most important issues facing our community at this time and how you believe serving on the selected board/committee can play a role in addressing each issue:

- ① Planning for responsible growth
- ② Find common ground for all affected groups

List any abilities, skills, specialized training or interest you have which are applicable to this board/committee:

Business career of 46 years which
required personnel oversight and buying/
selling numerous properties in several communities.

Have you ever attended a regularly scheduled meeting of the selected board/committee? No

Full time resident since Jan. 2014
How much time are you able to devote to fulfill this obligation? As much as needed.

Everett T. Culpepper

J:\FORMS\BOARD MEMBERSHIP APPLICATIONS\Advisory_Board_Committee_Application_Rev_03122015.docx