

**Town of Montreat
Board of Commissioners
Town Council Meeting
October 11, 2018
Walkup Building**

Board members present: Mayor Tim Helms
Mayor Pro Tem Kent Otto
Commissioner Kitty Fouche
Commissioner Bill Gilliland
Commissioner Alice Lentz
Commissioner Tom Widmer

Board members absent: None

Town staff present: Alex Carmichael, Town Administrator
Angie Murphy, Town Clerk
Dave Arrant, Chief of Police
Barry Creasman, Public Works Director

Approximately 20 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.

Agenda Approval

Commissioner Widmer requested to pull the September 13th Public Forum Meeting Minutes for needed corrections. Commissioner Otto requested to add the bid for the Florida Terrace property to the agenda. Mr. Carmichael advised the Commission that this afternoon a bid was received on one of the Florida Terrace parcels in the amount of \$111,000. Mr. Carmichael stated that this brings us closer to the Town's investment price. The process at this point would be to propose to accept the bid in front of the Commission. This item would be added under "New Business" as Item L. Commissioner Gilliland moved to adopt the agenda as amended. Commissioner Fouche seconded and the motion carried 5/0.

Presentations and Reports

A. Recommendation from Planning and Zoning Committee: Mr. Carmichael stated that at the September 13th regular meeting the Board of Commissioners heard a recommendation from staff to amend the Town Zoning Map to include the newly annexed property. The Planning and Zoning Committee has heard this request and feels it is within the plans and goals of the Comprehensive Plan.

B. Rescheduling Municipal Election Cycle and Amending Certain Terms of Office: Mr. Carmichael stated that the Commission had asked staff to research the process for amending the election cycle. In the Summer of 2018 the North Carolina General Assembly passed Session Law 2018-123 which, among other things, moved the Asheville City Council election from an odd year cycle to an

even year cycle. The law also lengthened the terms of the current City Council members to meet the new schedule. Staff researched the pros and cons of switching to an even year cycle. The Board of Elections is inclined to believe that the costs of election services will decline across the board whether the election is an even year or odd year. Costs are not the only factor. Odd year elections have long been a tool for preserving the nonpartisan nature of the offices of the Commission. Another factor to be addressed is the length of current Commission terms will have to be elongated or special elections would have to be held to fill the one year gap. Staff does not have a recommendation at this time; rather it is a policy decision of the Board. The Commission urged Staff to reach out to other communities to see what they are doing. Biltmore Forest has made a move to move their election cycle. The Town of Black Mountain has directed their Town Attorney to draft a resolution to discuss at their November meeting. Commissioner Widmer asked Mr. Carmichael to reach out to Biltmore Forest to see what their thinking is on partisanship and participation. Commissioner Lentz attended a meeting at Land-of-Sky and Mayor Goosmann of Biltmore Forest stated that Biltmore Forest spent \$5,600 in an election where 50 people were voting and 100% of their Board was behind the decision to switch to even year elections. Mayor Pro Tem Otto would hate to see Montreat get caught up in the partisanship of the election but is interested in investigating the money savings aspect.

Mayor's Communications

Mayor Helms announced that three police officers received awards of meritorious accommodation: Officer Mac McClintock, Officer Lee Blevins and Officer Ed Teters were presented these awards due their willingness to serve long hours, in a staffing crunch, to the Town of Montreat. Town Clerk Angie Murphy has completed her Municipal Clerk Certification through the UNC School of Government. Mayor Helms also welcomed back Miss Murphy from her leave of absence. Mayor Helms stated that he did a Proclamation for the Montreat College Class of 1968 in celebration of their 50th reunion.

Consent Agenda Review

The proposed Consent Agenda will include the following items:

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Town Administrator's Communications

- Mr. Carmichael stated that the work on Providence Terrace is nearly complete.
- Mr. Carmichael stated that staff is near completion with RFQs for other storm damage from Hurricane Alberto and the RFQs will be brought before the Board soon.
- Mr. Carmichael announced that Calvin Trail will be closed on October 12th for repair work to the culverts. The road will be closed for one-way traffic most of day and two-way traffic between noon and 5:00 p.m. This closure was announced on our Website, Facebook, CodeRED and door-to-door.

- Mr. Carmichael stated that staff was asked to research changes to the public comment period of the agenda meeting last month. General Statutes do require municipalities to have public comment periods but we are not required to have two separate sessions. The Rules of Procedures for the Board of Commissioners do require public comment periods. Rules 6 and 7 outline public comment periods and order of business. Rule 32 outlines the process for changing the Rules of Procedures. In order to pass the change $\frac{3}{4}$ vote will be required.
- Today we are dealing with the effects of Tropical Storm Michael. Buncombe County is under a flash flood watch. Town Staff has received notification that power is out on Virginia Road, four trees have come down with only one on private property but there has been no damage to infrastructure.
- Mr. Carmichael stated that this evening contract approval for work on Calvin Trail will be placed before the Board. This is actually a ratification of a contract that has already been signed by the Mayor.

Mayor Helms stated that Providence Terrace is a private road but we did repair it to preserve a 6-inch water line as well as sewer lines to protect the Town.

Administrative Reports

Administration: Reports were in written form as requested by Council.

Finance: Reports were in written form as requested by Council.

Planning and Zoning: Reports were in written form as requested by Council.

Police: Reports were in written form as requested by Council.

Public Works and Water: Reports were in written form as requested by Council.

Sanitation: Reports were in written form as requested by Council. Commissioner Fouche asked Mr. Creasman if there had been an increase in garbage receptacles being invaded by the bears. She also stated that most of the invaded receptacles seem to from the rentals. Mr. Creasman stated that bear boxes are not being latched appropriately. Commissioner Fouche felt that the Town needs to enact the appropriate fines on those individuals who fail to pick up their refuse once it has been strewn out into the woods repeatedly.

Streets: Reports were in written form as requested by Council.

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 were no public comments at this time.

Old Business

There was no Old Business at this time.

New Business

- A. Schedule Public Hearing of the Proposed Zoning Map Amendment at the November 8th, 2018 Board of Commissioners Regular Meeting: Commissioner Widmer moves to hold a public hearing on the zoning of properties annexed into the Town on June 30, 2018 near the intersection of Montreat Road and Rainbow Terrace as Institutional Residential (I/R). Commissioner Alice Lentz seconded the motion and the motion carried 5/0.
- B. Schedule Special Meeting to Approve a Contract Between the Town of Montreat and Sineath Construction for the Design-Build of a Town Hall: Mr. Carmichael stated that Sineath Construction has received our contract proposal and their lawyer has it and is making some changes. Staff recommends meeting the week of the 22nd or soon thereafter. Mayor Pro Tem Otto moved to call a Special Meeting on October 24th in order to approve a contract between the Town of Montreat and Sineath Construction for the design-build of a Town Hall. Commissioner Widmer seconded and the motion carried 5/0.
- C. Ratification of Contract: Emergency Well Repairs: Mr. Carmichael stated that this was for a well failure that needed to be addressed right away. The Mayor already signed the contract which is allowed for in the Rules of Procedure as long as it is then put forth to the Commission to ratify. Commissioner Fouche moves to ratify the contract between Reuben Caldwell Drilling, Inc. and the Town of Montreat in the amount of \$8,700 for emergency well repair. Commissioner Lentz seconded and the motion carried 5/0.
- D. Ratification of Contract: Calvin Trail Culvert Repair: Mr. Carmichael stated that the Town received three bids for the Calvin Trail Culvert Repair and lowest bid is currently before the Commission. The lowest bid is for \$12,475 with the highest bid at \$36,000. Mayor Pro Tem Otto moved to ratify Wheeler Grading Contract in the amount of \$12, 475 for the Calvin Trail Culvert Repair. Commissioner Gilliland seconded and the motion carried 5/0.
- E. Request for Qualifications: Texas Road Pedestrian Bridge Professional Services: Mr. Carmichael stated that this was from the Bridge Aesthetics Committee recommendations. It was written to be designed as a two phase project and staff welcomes any feedback you may have. Mayor Pro Tem Otto moved to authorize staff to issue a request for qualifications for professional

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services for the conversion of the Texas Road Bridge to a pedestrian bridge. Commissioner Widmer seconded the motion. The motion carried 5/0.

- F. Contract Approval: Contract Number 18-119-4002 Urban and Community Grant Program: Mr. Carmichael stated this is the contract from the grant we were awarded to move forward with phase 2 of the tree inventory which go beyond Lake Susan. Commissioner Fouche moved to authorize the Town Administer to execute contract number 18-119-4002 Urban and Community Grant Program between the North Carolina Department of Agriculture and Consumer Services North Carolina Forest Service and the Town of Montreat. Commissioner Widmer seconded the motion. The motion carried 5/0.
- G. Budget Amendment #1: Contracted Services: Mr. Carmichael stated that this Budget Amendment was to cover the cost of recruitment. Commissioner Lentz moved to approve Budget Amendment #1 to reclass \$5,000 in funds from Salary Contingency to Contracted Services. Commissioner Gilliland seconded and the motion carried 5/0.
- H. Budget Amendment #2: Landcare Memorial Gifts: Mr. Carmichael stated that when Nancy Hope passed away earlier this year in lieu of flowers she requested donations be made to Montreat Landcare. So far the Town has amassed roughly \$500 in donations and we would like to set up a special project fund specifically for the purpose of keeping this money separate from the General Fund. Commissioner Fouche moved to approve Budget Amendment #2 to establish the creation of the special revenue fund for donations to Landcare. Commissioner Gilliland seconded and the motion carried 5/0.
- I. Amendment to Salary Step Plan: In July of 2017 the Board authorized moving the Finance Officer Position to a pay grade of 14 and after reorganizing the finance department and now looking to hire a full time officer staff recommends increasing the pay grade to a level 18. Commissioner Fouche move to amend the salary step plan to assign the Finance Officer a grade of 18. Commissioner Gilliland seconded and the motion carried 5/0.
- J. Recognition of Private Contributions for Public Purposes: The working group of the Town Hall Committee brought this notion to the forefront and Mr. Carmichael did a little research to see if such funds were available for public purposes. The Town can accept gifts but there are some requirements. The funds must be accounted for and any and all stipulations must be met. We are as a Town able to solicit funds and we can receive funds. Both Commissioner Fouche and Commissioner Widmer stated that we need to be thinking about these kind of issues with regards to the Town Hall and the restoration of the Texas Road Bridge. Mayor Pro Tem Otto spent some time talking to the School of Government with reference to the bridge committee and they stated that they would be willing to work with the Town in collecting and maintaining the money in the correct way.

K. Florida Terrace Bid: The Town has received a bid of \$111,000 on the property facing Arkansas Trail: lot 389 north of 388 contiguous to Sylvan Heights. Mayor Pro Tem Otto moved to accept the bid of \$111,000 towards the purchase of the Town of Montreat lot contiguous to the Sylvan Heights property lot 389 north of 388. Commissioner Fouche seconded the motion. This motion dies to lack of a vote. Mayor Pro Tem Otto moves to accept an offer to purchase a .398 acre lot being lot 389 and a portion of lot 388 as shown on the plat recorded in plat book 16 on page 97 and being a portion of the property acquired by the Town of Montreat by deed recorded in book 5159 on page 190 Buncombe County and direct staff to publish notice of the offer for a 10 day period and open the upset bid process. Commissioner Fouche seconded the motion. The motion carried 5/0.

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.

Ms. Sally Stansill of 141 Holston Lane thanked Mr. Carmichael for addressing her questions brought about during the Public Forum.

Ms. Nancy Fletcher of 441 West Virginia Terrace expressed her concerns about the washout on Greybeard Trail. Mayor Helms stated that it is going to be fixed but it involves work in the streams which involves permits from the Army Corps of Engineers.

Mrs. Martha Campbell of 149 Maryland Place stated that former Town Administrator Ron Nalley is now the Town Manager of Appalachicola, Florida. Mr. Nalley is living on St George Island taking care of his elderly parents. The current hurricanes affected Appalachicola terribly.

Commissioner Communications

Commissioner Widmer encouraged everyone to attend the Public Input Design Session on Monday in the Walkup Building at 4:30 p.m. Commissioner Widmer also invited those in attendance to complete the survey that was sent out on the Sunshine List today.

Commissioner Fouche stated that Landcare and the Tree Board are working very hard.

Commissioner Lentz stated that the addressing issue is a long complicated problem which will be figured out carefully and methodically. Commissioner Lentz mentioned the new NC Real ID, in which you have to prove North Carolina residency, which she recently completed with the DMV. Commissioner Lentz offered to help anyone who needed it with what kind of documents she took with her to prove residency.

Upcoming Meeting Dates

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

<u>Public Input Session: Town Hall Design:</u>	Monday, October 15, 2018 4:30 p.m. Walkup Building
<u>Montreat Tree Board:</u>	Tuesday, October 23, 2018 9:30 a.m. Town Services Building
<u>Montreat Landcare:</u>	Wednesday, November 7, 2018 9:00 a.m. Allen Building
<u>November Town Council Meeting:</u>	Thursday, November 8, 2018 7:00 p.m. Walkup Building Public Forum begins at 6:30 p.m.
<u>Open Spaces Conservation Committee:</u>	Tuesday, November 13, 2018 3:30 p.m. location to be determined

Adjournment

There being no further business, Commissioner Tom Widmer moved to enter into Closed Session in accordance with NCGS 143-318.11(6) for discussion of a personnel matter. Commissioner Gilliland seconded and the motion carried 5/0.

Upon returning to Open Session Commissioner Gilliland moved to extend an offer of employment to Jeff Davis as Reserve Police Officer beginning on or after October 26, 2018 with an hourly wage of \$17.26. Commissioner Widmer seconded and the motion carried 5/0.

Commissioner Gilliland moved to extend an offer of employment to Gregory Bembry as Patrol Officer beginning on or after October 26, 2018 with a salary of \$36, 942. Commissioner Fouche seconded and the motion carried 5/0.

Mayor Pro Tem Otto moved to extend an offer of employment to Darlene Joy Carrasquillo as Finance Officer beginning on or after October 22, 2018 with a salary of \$64,800. Commissioner Fouche seconded and the motion carried 5/0.

Commissioner Gilliland moved to adjourn the meeting. Mayor Pro Tem seconded and the meeting was adjourned at 8:42 p.m.

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Tim Helms, Mayor

Angela Murphy, Town Clerk