

MINUTES
Town of Blowing Rock
Board of Commissioners
January 13, 2009

The Town of Blowing Rock Board of Commissioners held their regular meeting on Tuesday, January 13, 2009 at 7:00 p.m. The meeting took place in the Council Chambers located at 1036 Main Street, Blowing Rock. Present were Mayor J.B. Lawrence, Commissioners Bobby Ball, Keith Tester, Phillip Pickett, Albert Yount, and Tommy Klutz. Others in attendance were Town Manager Scott Hildebran, Town Engineer Doug Chapman, Town Attorney Allen Moseley, Planning Director Kevin Rothrock, Police Chief Eric Brown, Building Inspector Jesse Horner, Public Works Director Johnny Lentz, Emergency Services Director Kent Graham, Finance Director Nicole Norman, Parks & Recreation Director Jennifer Brown and Town Clerk Sharon Greene.

CALL TO ORDER

Mayor Lawrence called the meeting to order and welcomed everyone to the first Council meeting in 2009.

APPROVAL OF MINUTES

Prior to the beginning of the meeting Council received corrections to the draft minutes for the meeting on December 1, 2008. A motion to approve minutes for meetings held on December 1 (with revisions) and December 9, 2008, (including closed session minutes) was made by Commissioner Pickett. The motion received a second from Commissioner Tester with the following correction: he requested that wording be changed *from prior engagement to "a conflicting commitment"* in paragraph two for the minutes dated December 9, 2008. Unanimously approved.

PUBLIC HEARING

1. Main Street Streetscape Plan

Per Council's request, McGill Associates and Town Staff presented the Downtown Streetscape Improvement Plan to the Planning Board for their review during their December meeting. Planning Board's consensus at the meeting were the following:

- The Board preferred the Main Street utility line to be buried. If costs are too high, they recommended moving the lines (buried or above ground) behind the buildings on the east or west side of Main Street.
- The Board preferred using pavers in the crosswalks, if allowable. They also recommended considerations for pedestrian visibility, especially at Laurel Lane, when planning for crosswalk locations.

- The Board consensus was to support a staff recommendation for a mid-block crosswalk near the directional kiosk area across Main Street to the Kilwin's area.
- The Board recommended that tree locations be planned with considerations for vehicle door openings and handicap/wheelchair accessibility. Also, the Board recommended reducing some trees shown on the draft plan on the east side of Main Street.
- The Board recommended consolidation of signs to reduce unnecessary clutter and to provide uniformity. (Coordinate with Master Signage Plan).
- The Board requested that bike racks be added to the plan and strategically placed within the streetscape.
- With respect to the mast arms and poles at the Sunset and Main intersection, the Board favored the smaller scale and smaller diameter poles.
- The Board suggested that downtown business delivery times and locations be added to the overall streetscape plan.
- The Board supports presenting a total concept plan to NCDOT for approval rather than individual phases.

A power point presentation was given by Town Engineer Doug Chapman. Mr. Chapman mentioned several safety enhancements in order for the downtown area to be more pedestrian and vehicle friendly. Mr. Chapman advised the Town had met with the National Historical Preservation Trust in 2003 to discuss the preservation of trees, rock walls, gardens, etc.

Mr. Chapman stated the streetscape plan concept included several phases with the main focus being the area between Chestnut Street and Hwy. 221. He explained there had been several improvements already made in this area such as new signage and the consolidation of newspaper/magazine racks. Areas needing improvement were overhead utility line clutter, sidewalks, curbing, the addition of crosswalks and landscaping.

Mr. Chapman pointed out some funding from NCDOT might possibly be available for enhancements to the intersection at Sunset and Main. He explained the Town needed to work in conjunction with Blue Ridge Electric regarding power line enhancements. Commissioner Tester suggested that Phase I of the streetscape plan be expanded to include the Episcopal Church area of South Main and in front of Edgewood Cottage. He also felt a plan was needed in reference to the movement of power lines to the rear of buildings on Main Street before work began on the streetscape plan.

Commissioner Klutz questioned where bike racks were planned. Mr. Chapman explained there were very few areas that would accommodate bike racks.

Commissioner Tester explained several details needed to be resolved before the streetscape plan could be approved, but Council could approve the overall concept if they chose to, then the Streetscape Plan could be taken to NCDOT for approval. After approval, Council could review funding and phasing of the project. Mr. Tester questioned who would decide on the type of trees and the number of trees to be planted

along Main Street. Town Manager Hildebran stated the Blowing Rock Appearance Advisory Commission would be involved with the landscaping aspect of the plan. Commissioner Ball commented the Town's landscape specialist Perry Davis, should be involved in decisions regarding trees and landscaping. Mr. Hildebran advised that Mr. Davis would have involvement since he was a member of BRAAC.

After further discussion regarding crosswalks, signage and mast arm traffic signals at the intersection of Sunset and Main, a motion was made by Commissioner Ball to close the public hearing, seconded by Commissioner Klutz. Unanimously approved. Commissioner Tester made a motion for approval of the Streetscape Plan in concept only and to extend the section of Phase I to include the Episcopal Church and Edgewood Cottage on South Main Street. Mr. Tester's motion also included that authorization be given to Town Manager Hildebran and Town Engineer Chapman to take the Streetscape Plan to NCDOT for their approval. Mr. Tester further stated he would like to see a plan in place regarding the installation of power lines in the rear of buildings along Main Street before the final approval of the Streetscape Plan. The motion received a second from Commissioner Yount. Unanimously approved.

Mayor Lawrence further clarified Mr. Tester's motion stating the Streetscape Plan was approved in concept only.

2. CUP #2002-08 Minor Amendment – Inn @ Ragged Gardens (The Best Cellar)

Planning Director Kevin Rothrock and Rob Dyer, owner of the Best Cellar Restaurant, were sworn to speak during the public hearing.

Planning Director Kevin Rothrock approached Council with a request from the Best Cellar Restaurant for an amendment to CUP #2002-08 to add lunch service to the existing restaurant. Currently, the Best Cellar serves breakfast to the inn customers and dinner to the public. The request for lunch service is for six months of the year from May 1 to October 31.

Mr. Rothrock explained that a CUP amendment was given by Council in 2002 for approval of 16 outdoor seats for a total of 66 seats for the restaurant. He commented if the 16 outdoor seats were not utilized they could be moved to indoor seating as long as the total did not exceed 66 seats.

The parking calculations were explained by Mr. Rothrock if the addition of lunch service were to be approved. He concluded that 3.5 spaces would be required and the Town Code stated any fraction of a parking space less than and including ½ be rounded down. Therefore three (3) new spaces would be required by either creating new spaces or paying into the Town Parking Fund.

Mr. Rothrock stated Mr. Dyer had agreed to provide two (2) new parking spaces on site including one (1) van-accessible handicap space near the building. Mr. Dyer would also pay \$15,000 into the Town Parking Fund for the remaining space that was needed.

Staff recommended that all site/parking improvements and payment into the Parking Fund be made prior to opening the restaurant for lunch in May 2009.

Commissioner Klutz had questions regarding the request to serve lunch for 6 months only. He inquired if this was being done to lessen the parking space requirements. Mr. Dyer stated the decision to serve lunch for 6 months only was for economic reasons. He felt lunch service was feasible only from May through October.

A motion was made to close the public hearing by Commissioner Pickett, seconded by Commissioner Ball. Unanimously approved. Commissioner Yount made a motion to approve CUP 2002-08 as presented, seconded by Commissioner Pickett. Unanimously approved.

Minor Amendment to CUP # 2002-08 The Best Cellar – Exhibit A

OLD BUSINESS

1. Drought Update

Town Manager Hildebran advised the town reservoir was at full pond and recommended the Town remain in Stage I Conservation.

NEW BUSINESS

1. Water/Wastewater CIP Phase One – Change Order #02

Per authorization by Council on March 11, 2008, a contract was executed with Gilbert Engineering Co. for \$1,545,925.00 to construct improvements to the Water/Wastewater Plants.

The improvements consisted of a new fine screen, secondary clarifier sludge removal improvements, new return activated sludge pump stations, new aerobic digester, additional flow equalization capacity, miscellaneous tank improvements, piping, valves, electrical work, and all associated appurtenances. The project also consisted of a new submersible residuals pump station at the Water Treatment Plant to include non-clog submersible centrifugal pumps, piping valves, valve vault, electrical work, site work, site drainage, paving and all associated appurtenances.

According to Mr. Hildebran, Change Order #02 has a net contract sum increase of \$29,350.00 for a total of Change Orders to date of \$38,641.15 or 2.49% of the original contract. The budget included \$154,575.00 for contingencies.

Commissioner Pickett made a motion to approve Change Order #02 as presented, seconded by Commissioner Klutz. Unanimously approved.

Water/Wastewater CIP Phase One Change Order #02 Exhibit B

2. American Legion Parking Facility – Change Order #01

Town Council authorized the execution of a contract with Kearey Builders Inc. for \$1,084,300.00 during their March 11, 2008 meeting to construct the American Legion Parking Facility.

The parking facility project consists of construction of an approximately 62 x 200 feet elevated parking facility with related grading, drainage, erosion control, retaining walls, paving, concrete curbs, signage, electrical, seeding/grassing and restoration, creating a net of 65+ new parking spaces.

Town Manager Hildebran advised the change order consisted of wheel stops on the upper level as a safeguard, concrete at the entrance of the driveway vs. asphalt, rerouting the sidewalk where a dead tree was removed in order to create a parking space, and decorative stone caps on the concrete columns. According to Mr. Hildebran, the change order would be \$10,383.00 and within the \$54,200.00 budgeted for contingencies for the project.

Commissioner Klutz inquired if these changes were omitted from the original plan. Town Engineer Chapman advised wheel stops were not typical in a project such as this one, but there were safety concerns on the backside of the facility near the lake and he felt wheel stops were warranted. He also stated the decorative stone caps on the columns where light posts would be installed would enhance the appearance of the columns.

Commissioner Ball mentioned she had received a number of calls from residents commenting the parking facility was going to be very attractive.

A motion was made by Commissioner Pickett, seconded by Commissioner Ball to approve Change Order #01 as presented. In favor of the motion were Ball, Tester, Yount, & Pickett. Against the motion was Klutz. Motion carried.

American Legion Parking Facility Change Order #01 Exhibit C

3. Budget Amendment – Ordinance #2009-01

Town Manager Hildebran presented Council with Budget Amendment Ordinance #2009-1 for fiscal year 2008-2009 for approval.

Section 1 & 2 (General Fund and General Capital Fund) were to have funds allocated to the Police Department from a Community Foundation Grant for the purchase of a Smart Board.

Section 3 & 4 (General Fund and Water Fund) were to recognize the General Fund and Water Fund portions of proceeds from the FY 2008-2009 Capital Equipment Loans.

Section 5 & 6 (General Fund & Water Fund) were to allocate funds in Capital Outlay lines to Debt Service lines from which to pay the first years debt service for FY 2008-2009 Capital Equipment Loans.

Section 7 (General Capital Fund) was to close out the Greenhill Slide Repair project.

Section 8 (General Capital Fund) was to close out the Fire/Rescue Building Project and allocate remaining escrow funds to the project reserve for future debt service use and all remaining funds to the Parking Reserve for future use.

With no further discussion, a motion to approve Budget Amendment Ordinance #2009-01 was made by Commissioner Yount, seconded by Commissioner Klutz. Unanimously approved.

Budget Amendment Ordinance #2009-01 Exhibit D

4. Tax Releases #2008-01 & 02

Town Manager Hildebran presented Council with Tax Release #2008-01 and #2008-02 for their consideration. He advised the releases had been reviewed by the Tax Collector and met the statutory requirements pursuant to N.C.G.S. 105-381(b).

Commissioner Tester made a motion to approve Release #2008-01 for \$366.80 in the name of the Town of Blowing Rock and Release #2008-02 for \$2,407.44 in the name of Samuel B. Rankin as presented, seconded by Commissioner Ball. Unanimously approved.

Tax Release #2008-01 & 02 Exhibit E & F

SPEAKERS FROM THE FLOOR

Mr. O. Wayne Green spoke regarding the proposed 192-acre property swap between the Town and the Blue Ridge Parkway. Mr. Green stated in his research, the public had been allowed to use this property recreationally. He advised, under the Federal and State guidelines, hunting had been allowed, but the Blue Ridge Parkway did not allow hunting.

Mr. Green requested that the Town place a restriction on this property allowing the public to hunt subject to North Carolina Game Land Regulations. Mr. Green questioned the transparency in which this property was acquired by the Town.

Mr. Green urged Council to discuss this issue further at their annual Retreat in Asheville and to hold several public workshops. He also asked that a public meeting be held before Council voted on the land swap.

Mayor Lawrence thanked Mr. Green for his comments and advised Council would discuss this further at their retreat. He also assured Mr. Green and those present, of the transparency of Council's actions. He assured everyone that actions by Council were transacted in open meetings and the public was always encouraged to attend.

Mayor Lawrence offered congratulations to newly elected Fire Chief Doug Matheson.

ADJOURN

With no further business to discuss the meeting adjourned at 9:08 p.m.

MAYOR _____
J.B. Lawrence

ATTEST _____
Sharon Greene, Town Clerk

ATTACHMENTS (01-13-09)

CUP #2002-08 Inn at Ragged Gardens Exhibit A
Water/Wastewater CIP Change Order #02 Exhibit B
AL Parking Facility Change order #01 Exhibit C
Ordinance #2009-01 Exhibit D
Tax Release #2008-01 & 02 Exhibit E &F