

Draft
MINUTES
Town of Blowing Rock
Town Council Meeting
December 13, 2018

The Town of Blowing Rock Town Council met in regular session on Thursday, December 13, 2018, at 6:00 p.m. The meeting was rescheduled from the original date, December 11, 2018, due to weather. The meeting took place at Town Hall located at 1036 Main Street, Blowing Rock, N.C. Present were Mayor Charlie Sellers, Mayor Pro-tem Albert Yount and Council Members Sue Sweeting, Doug Matheson and Virginia Powell. Others in attendance were Interim Town Manager Jim Freeman, Town Attorney Allen Moseley, Town Engineer Doug Chapman from McGill Associates, Finance Officer Nicole Norman, Interim Public Works and Utilities Director Matt Blackburn, Fire Chief Kent Graham, Police Captain Aaron Miller, Building Inspector John Warren, Parks & Recreation Director Jennifer Brown and Town Clerk Hilari Hubner, who recorded the minutes.

CALL TO ORDER

Mayor Sellers called the meeting to order at 6:00 p.m. and welcomed everyone.

ADOPTION OF AGENDA

Council Member Sweeting made a motion to adopt the agenda with the request to move 2019 Cycle NC Mountains to Coast Ride from Consent Agenda to New Business for discussion, seconded by Council Member Steele. Unanimously approved.

APPROVAL OF MINUTES

Council Member Matheson made a motion to approve the minutes for the special meeting held on November 5, 2018, seconded by Council Member Sweeting. Unanimously approved.

Council Member Steele made a motion to approve the minutes for the regular session meeting held on November 13, 2018, seconded by Council Member Powell. Unanimously approved.

Council Member Sweeting made a motion to approve the minutes for the closed session meeting held on November 13, 2018, seconded by Council Member Steele. Unanimously approved.

Council Member Matheson made a motion to approve the minutes for the special meeting held on November 19, 2018, seconded by Council Member Sweeting. Unanimously approved.

SPEAKERS FROM THE FLOOR

None

CONSENT AGENDA

1. High Country Half Marathon – Request to hold on August 24, 2019

A request was made from the High Country Triple Crown, to hold their 9th annual High Country Half Marathon that will begin at Kid Brewer Stadium at ASU and end at Devant Field. The route through Blowing Rock will go from 221 to Laurel Lane, up Wonderland Trail, back on to Laurel Lane, and end at Devant Field.

2. Budget Amendments – Ordinance, Financing Proposals, Bids – FY 18-19 Capital Equipment

Budget Amendment Ordinance to account for various items. **Budget Amendment Ordinance 2018-17 – Attachment A**

3. Amended Audit Contract

For consideration an amendment to our current financial audit contract for Fiscal Year 17-18 with Misty Watson, CPA, PA. The amendment is necessary due to the ABC Board audit (a component unit of the Town) not being complete. Per the ABC Store, it is anticipated that the ABC Store audit should be complete by the end of December.

The Board will continue to be updated once the ABC audit report is received and the Town's audit is able to be finished. Please note all audit work that is related to the Town was completed by the October 31st deadline, however, it was unable to be completed and submitted due to the missing ABC information. **Amended Audit Contract – Attachment B**

Council Member Steele made a motion to approve consent agenda as presented, seconded by Council Member Matheson. Unanimously approved.

OLD BUSINESS

1. Sunset Drive Project

Interim Manager Jim Freeman reviewed the presentation format and advised staff is looking for Council direction on how to move forward by adding or not the utility conduit to the Sunset Streetscape project. Mr. Freeman recapped the item was originally presented at the July 10th Council meeting. The budget for it was also presented at that time. According to the minutes from said meeting it was approved to move forward with the project and at noting there was some concern with financing but Council directed the Manager and Town Engineer to resolve such.

Finance Director Nicole Norman presented an overview financial aspect of the Streetscape project funding needs. Ms. Norman advised funds on hand in the general capital fund are \$1,157,915 which include the third issuance of the bond. She further advised it is in the plan to use some of the proceeds from the third issuance which will be available in April of 2019 to put additional funding toward the project.

Ms. Norman explained based on the estimate for the project there is approximately \$248,000 left in funding for the general fund Streetscape portion of the project. She

further explained these figures are just based on estimates and it won't be determined how much or if any additional funds are needed until the actual project bids are received. Ms. Norman advised this information is to prepare and get everyone thinking about what is to come. She further advised once the bids come in for the project, staff will bring to Council a project ordinance for Council's consideration that will show a more finalized funding source to cover differences.

Town Engineer Doug Chapman presented a project overview for Council. Mr. Chapman advised where the project currently stands:

- Survey's have been completed
- Layout is complete
- Has been reviewed with Town Staff
- Almost wrapped up putting all the final grading in
- Currently getting bid documents together
- Advertisement for bids is ready to go and will be run in the paper the following week

Mr. Chapman advised once that is completed, they will be ready to go out for bid for the Streetscape and Water Sewer project. The total budget is \$1,010,672, which the project will be from Valley Boulevard to Main Street. Mr. Chapman explained the Bid Package and the budget for the base bid, which is from Ransom Street to Main Street is \$550,000.

Mr. Chapman stated that the issue of including underground utilities was raised. He further noted in 2015 McGill Engineers prepared a study for underground utilities in which such was presented in early 2016, for Main Street and Sunset Drive. At that time the cost was \$6.5 million dollars for the total project.

Mr. Chapman advised back in July Council discussed doing the utility conduit. He further advised the estimated cost to do the conduit on Sunset is \$1,500,050, which includes \$50,000 for the final design and creation of bid documents if it went into Streetscape.

Mr. Chapman presented the project schedule:

- Bid advertisement will be in the paper next week
- Bid opening is January 17, 2019 – will be done in time for Council Retreat in case it needs to be discussed
- Bid awarded at the February Council Meeting
- Construction will begin sometime in March

Mayor Sellers asked Ms. Norman if there were any funds available from TDA that could be directed for the project. Ms. Norman advised TDA contributes a portion of occupancy tax toward infrastructure in their budget, it would be up to both Boards to look at further and see what is available for additional contribution, if the TDA Board was interested in doing so.

Council Member Matheson asked Ms. Norman what the current amount is for fund balance as he knew the Town needed to stay at least at 50%. Ms. Norman advised she would like to wait until the audit has been completed and review the totals before answering because it's been a year since last audit, and it would be best to look at the current audit totals before making a final determination.

Council Member Steele advised he felt if there was already an approximate \$300,000 gap in funding, he felt it would not be a wise decision to fund something additional that would cost even more money.

Mayor Pro-tem Yount advised he wasn't sure why the underground utility conduit issue was even being discussed.

Mayor Sellers advised the reason was because a few citizens inquired and expressed interest since Sunset Drive would already be torn up from the construction.

Council Member Sweeting advised that this was looked at originally, and when Council reviewed, they felt this was more of a need than a want, especially since the bond was going to already be costing tax payers an additional .10 cents over a ten-year period it was best not to do.

Council Member Powell advised she was not personally in favor of approving the funding for underground utility conduit.

Council Member Steele made a motion not to fund the underground utilities conduit for the Sunset Streetscape, seconded by Council Member Matheson. Unanimously approved.

2. Speakers from the Floor

Council Member Powell advised the requested change to the current policy is to allow the public to speak to any item, including agenda items except Consent Agenda or a Public Hearing items.

Mayor Sellers asked Attorney Allen Moseley to give his opinion on the matter. Mr. Moseley advised he felt it was a bad idea and explained that potentially are creating a Public Hearing if addressing agenda items before they come up. He further explained it has the potential of creating some difficult situations. Mr. Mosley advised this is the opposite of the way most Public bodies operate, at least in his experience. He further advised he wasn't in favor but couldn't say it was illegal to do and the Board could make the decision to change it if that is what they wanted to do.

Council Member Powell asked Council Members Steele and Matheson to report what they had found out at the NC League meeting they attended the end of November.

Council Member Steele advised he had spoken with four (4) people, a few Town Managers and Council Members, most thought it wasn't a big deal to allow the public to

speak to any issue. He advised most felt the problem would be the meetings would become very long by allowing people to speak to any item if the item is controversial. Council Member Steele stated on the other hand it allows the public to speak, so he could see both sides. He further stated if Council were to allow it, "He who giveith, can takeith away" and if Council decided they didn't like it could always go back to the way it was before.

Mayor Sellers asked Interim Manager Freeman for his thoughts. Mr. Freeman advised most of the communities he's worked with don't allow speaking to agenda items. He further advised for transparency, putting the items that are on the agenda out there prior to the meeting allows the public to go to the Council Members individually and voice their concerns and then Council can convey those concerns during the meeting. Interim Manager Freeman stated if this is something Council really wanted to do, his opinion would be to wait until a new Manager has been hired. He explained the Town is in the recruitment process and many Managers are going to research and see most communities don't do this and it may raise questions which could be a positive or negative. He further explained it would make sense to involve the new Manager before making a decision, but that was his opinion.

Council Member Matheson advised the people he had spoken with that had allowed the public to speak to any items on the agenda didn't like it and were thinking about switching back. He explained the ones he talked to share his same concerns. Council Member Matheson explained if an item is brought up during speakers from the floor and is something near to one of the Council Members it could cause them to lose focus and miss what is being discussed in between.

Mayor Pro-Tem Yount advised he had spoken to the City of Hickory and met with the Clerk. He further advised she had done some involved research of the Hickory City Code and her statement was "there is no indication of censorship of the subject matter in the code" in other words they allow the public to speak to any item on the agenda, except Public Hearings.

Council Member Powell made a motion to allow the public to speak to any item on the agenda except Consent Agenda and Public Hearings, seconded by Council Member Sweeting.

Further discussion:

Mayor Pro-tem Yount advised he liked Council Member Steele's statement, Council has the right to discontinue at any point if they don't like it.

Council Member Steele expressed he felt Mr. Freeman brought up a good point and perhaps Council should wait until a new Manager has been hired and involve them before making a decision. He explained he would not want this to bring anything negative to the hiring process.

Council Member Powell stated Council could at least try it.

Council Member Steele advised if a sunset clause were placed on it, he might be receptive. He restated he didn't want any negative for the new Manager hiring process, otherwise he didn't have a problem with trying it. Council Member Steele explained he was being cautious of what could happen but didn't want to keep new things from being tried.

Mayor Pro-tem Yount advised at the last Council meeting he stated he wouldn't do this without a sunset clause, but in actuality Council can choose to discontinue at any time.

With no further discussion the motion stood; Motion: *Council Member Powell made a motion to allow the public to speak to any item on the agenda except Consent Agenda and Public Hearings, seconded by Council Member Sweeting.* For the Motion: Council Members Powell, Sweeting and Mayor Pro-tem Yount, Against the Motion: Council Members Matheson and Steele. Motion Passed.

NEW BUSINESS

1. Retreat – Date and Location

Mayor Sellers advised the date of the Retreat has previously been held over Martin Luther King weekend, but since that time is a Holiday, he felt Council should consider changing to another weekend. Council Member Sweeting agreed but felt it should be considered for the 2020 Council Retreat since she had already asked for the time off work for the upcoming January Retreat. Council Member Sweeting explained the reason it was done over the holiday weekend in the past was because staff didn't have that holiday off and only started getting the Martin Luther King holiday about three years ago. She restated she was all for making the change but would like to wait and do it in 2020. After brief discussion the consensus was to keep the date for 2019 Martin Luther King weekend, January 20-22nd.

Mayor Sellers advised he's had several people in the community approach him about holding the retreat closer to Blowing Rock. Council Member Sweeting advised she would like to keep it in Blowing Rock, Council Member Steele advised he would like to have it in Asheville. Council briefly discussed and decided to do a poll vote on the location. Council Members Powell and Sweeting voted to hold the retreat in Blowing Rock. Council Members Matheson, Steele and Mayor Pro-tem Yount voted to hold the retreat in Asheville. Asheville was the location designated.

2. 2019 Cycle NC – Mountains to Coast Ride – Date Request

Cycle NC Mountains to Coast Ride is a weeklong bicycle tour that starts in the mountains of NC and crosses the state and finishes on the coast. The event is scheduled for September 28th – October 5th, 2019. In Blowing Rock, riders would begin arriving on Friday, September 27th and be completely out of town by 10am on Sunday, September 30th.

Blowing Rock was a Start or Host Town in 2009 and the event was deemed very successful by organizers, attendees and Blowing Rock businesses. In fact, because of the hospitality shown here, Cycle NC has requested that the start be held in Blowing Rock several times since, but schedules would not allow. 2019 has no scheduling conflict.

The ride will allow Blowing Rock to showcase the Town to a well-heeled, active and affluent visitor. Riders typically come from more than thirty-five (35) states and three (3) countries. The average age of the participant is sixty (60) years old and has an average annual income of \$100,000 plus. Organizers are anticipating 1,100 participants but expect closer to 900 actual riders.

The ride has been discussed in detail with the Blowing Rock Police Department, Fire Department, Parks and Recreation and The Blowing Rock Chamber of Commerce. All are in agreement that we can and should host this event.

Any extra expense incurred by the Town (police, fire, parks and rec) can be offset or reimbursed by the TDA. Both Police and Fire say they are able to offer off duty personnel and can bill the TDA directly in the same manner as The Blowing Rock Charity Horse Show.

TDA Executive Director Tracy Brown was available for questions. Council Member Sweeting advised she didn't notice a staff recommendation and wanted to know if staff was in favor. Mr. Brown advised he had talked to Police, Fire and Parks and Recreation and all were in favor.

Council Member Sweeting asked if camping was involved, Mr. Brown advised that it was. Council Member Powell advised she recalled this event from a few years back and thought it was a great event.

Mr. Brown advised the last time this event was held in Blowing Rock it was a huge success and the organizers of the event have been wanting to come back ever since, but the scheduling hasn't allowed until now.

Council Member Sweeting asked Mr. Brown what the Town expectations were. Mr. Brown advised provide hospitality, the TDA will provide a welcome tent for the start of the event, Police will help block intersections during race times and Fire and Rescue will be on standby for Medical assistance that may be needed.

Mayor Pro-tem Yount advised he felt this was the best kept secret and was almost as big a deal as the balloon festival in Albuquerque.

Mayor Pro-tem Yount made a motion to approve the requested date for the 2019 Cycle NC, seconded by Council Member Powell. Unanimously approved.

OTHER BUSINESS

- Council Member Steele asked Finance Director Nicole Norman give a brief update on the TDA audit which was recently reported.

Interim Manager Freeman briefed Council on the following:

- Staffed received a notice of violation for the Wastewater Treatment Plant from a inspection that was done on November 20th. Staff is currently working on addressing the issue.
- A few minor damages occurred to Town property during the winter storm. Ms. Norman is working with insurance on claims associated with those damages.
- A water pressure issue is currently being worked on near Tanger Outlets and Chetola Resort. Interim Public Works Director Matt Blackburn gave a brief update.

EXECUTIVE SESSION

None

ADJOURNMENT

There being no further business to discuss, Council Member Matheson made a motion to adjourn at 7:10 p.m., seconded by Council Member Sweeting. Unanimously approved.

MAYOR _____
Charlie Sellers

ATTEST _____
Hilari Hubner, Town Clerk

ATTACHMENTS

Budget Amendment Ordinance - #2018-17 – Attachment A
Amended Audit Contract – Attachment B