

**MINUTES**  
**August 1, 2019**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**CITY HALL – COUNCIL CHAMBERS**  
**5:45 p.m.**

Present: Mayor Barbara G. Volk, Mayor Pro Tem Ron Stephens and Council Members: Jeff Miller, Steve Caraker, Jerry Smith

Staff Present: City Manager John F. Connet, City Attorney Samuel Fritschner, City Clerk Tammie Drake, Police Chief Herbert Blake, Finance Director John Buchanan, Development Assistance Director Susan Frady, Human Resources Director Jennifer Harrell, Planner Daniel Heyman, Downtown Director Lew Holloway, Engineering Director Brent Detwiler, Communications Director Allison Nock, Utilities Director Lee Smith, Fire Chief Joseph Vindigni

**1. Call to Order:** Mayor Volk called the regular meeting to order at 5:45 p.m. and welcomed those in attendance. A quorum was established with five members in attendance.

**2. Invocation:** There was a moment of silence for prayer.

**3. Pledge of Allegiance:** The Pledge of Allegiance to the Flag was led Mayor Barbara Volk.

**4. Public Comment Time:** *Up to 15 minutes is reserved for comments from the public for items not listed on the agenda.*

Patricia Horn, 204 Applecross Lane, Hendersonville, requested assistance with an issue that occurred at HHS when she was handing out Christian literature to students on the sidewalk and was asked to move across the street. Mayor Volk responded the City Attorney is not present but asked her to leave contact information and the City will check in to this matter.

Michael Balin, 1242 Hyman Avenue, commented on the high volume of traffic on Hyman Avenue and parking on the narrow street, and speed He asked for a review of the street to accomplish a safer traffic situation. Mayor Volk stated Council will ask the Public Works and Police Departments to evaluate the street.

**5. Consideration of Agenda:**

Addition to Consent Agenda:

K. Consideration of a Request from Henderson County Partnership for Economic Development to use Berkeley Mills Park for their Annual Dinner

Addition to Staff Report

B. Reminder of Employee Picnic, August 24, 6 p.m.

C. Dates for Council Conversations

**Council Member Caraker moved approval of the agenda as amended. A unanimous vote of the Council followed. Motion carried.**

**6. Consideration of Consent Agenda:** *Consent agenda items are considered routine, non-controversial in nature and are considered and disposed of through a singular motion and vote.*

**A. Consideration of Minutes:** July 11, 2019 Regular Meeting

**B. Consideration of Budget Amendments:** Mr. Adam Murr, Budget and Management Analyst, presented the following budget amendments.

1. Police Department Insurance Revenue, Fund 10, Increase of \$8,801

A budget amendment to increase the budget for insurance settlement received for repair of the Police Chief's vehicle after collision damage occurred.

2. Building and Grounds Maintenance Facility, Fund 410, Increase of \$25,000; Fund 10, Decrease of \$22,500

A budget amendment to cover final costs associated with the new building and grounds maintenance facility.

**C. Consideration of Job Descriptions for Traffic Control Technician I and II:** Public Works Director Tom Wooten presented revised job descriptions for these positions. [The job descriptions are available in the Human Resources Department.]

**D. Consideration of a Resolution Authorizing the Application for a NC Department of Environmental Quality, Division of Water Infrastructure, SRF Loan to Fund the Mud Creek Interceptor Replacement Project:** City Engineer Brent Detwiler reported the NC Department of Environmental Quality Division of Water Infrastructure (DWI) is accepting State Revolving Fund (SRF) loan

applications by September 30, 2019 for wastewater collection system projects. Staff feels this may be a good opportunity to fund the Mud Creek Interceptor Replacement, a priority project identified as part of the recently completed Wastewater Master Plan. This project is in the City's Capital Improvement Plan and will replace an aging interceptor sewer and provide additional capacity in the collection system to help reduce the likelihood of sanitary sewer overflows.

Mr. Detwiler provided the following resolution required as part of the application process.

Resolution #19-0857

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater collection systems, and

WHEREAS, The City of Hendersonville has need for and intends to construct a wastewater collection system project described as the Mud Creek Interceptor Replacement, and

WHEREAS, The City of Hendersonville intends to request state loan assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF HENDERSONVILLE:

That the City of Hendersonville, the Applicant, will arrange financing for all remaining costs of the project, if approved for a State loan award.

That the Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Hendersonville to make scheduled repayment of the loan, to withhold from the City of Hendersonville any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.

That John F. Connet, City Manager, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a loan to aid in the construction of the project described above.

That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the first day of August 2019 at 145 5th Avenue East, Hendersonville, North Carolina.

/s/Barbara G. Volk, Mayor

Attest: /s/Tammie K. Drake, City Clerk

**E. Consideration of Paving Contract for 2019:** Public Works Director Tom Wooten reported a bid opening was held at 9:00 a.m. on July 26, 2019 for the 2019 annual resurfacing project with the following results:

JLS Company - \$603,452.00  
 Tarheel Paving - \$525,195.90  
 Southeastern Asphalt - \$430,940.00  
 Trace & Company - \$541,156.41

Mr. Wooten recommended the contract be awarded to the low bidder, Southeastern Asphalt. He stated \$543,682 is budgeted and recommended additional streets be added to the contract to accomplish more paving.

**F. Consideration of Change Order for the Wastewater Treatment Plant Emergency**

**Generator:** Mr. Detwiler presented a change order for the Wastewater Treatment Plant emergency generator. He explained poor soil was discovered under the slab area during the initial site work for the wastewater treatment plant emergency generator installation. He stated a change order was processed in April but additional items need to be included as part of the work. These are: an extension of the generator concrete slab due to conflicts between the generator and enclosure manufacturers and a deep bore soil test done to evaluate the subgrade conditions and a modified design of the slab to account for the helical pier system. He stated the City's construction administrator, McKim & Creed, is negotiating final numbers with the contractor, but the anticipated total change will not result in more than \$20,000 over the previously approved contract amount. He reported construction is anticipated to be complete in September 2019.

Mr. Detwiler noted the first change order approved in April resulted in an increase of \$36,000. The total project cost is approximately \$1,436,794.00 (\$885,794.00 installation and \$551,000 material cost). With the current request, there will be \$56,000 in total change orders accounting for a 3.9% increase in project cost, which is considered very reasonable for construction of public projects. Staff feels the change is reasonable

and necessary for successful completion of the project, and therefore, recommends the approval of the \$20,000 increase in contract cost to cover the change order.

**G. Consideration of Utility Relocation Agreements with NCDOT for Projects I-4400BB and I-4400C I-26 Improvements:** City Engineer Brent Detwiler reported NCDOT will be making improvements to Interstate 26 throughout Henderson County from Buncombe County to US Highway 64.

Mr. Detwiler reported Project I-440066 consists of interstate improvements from US 64 to US 25 (Asheville Highway or the Mountain Home exit). Project I-4400C consists of I-26 improvements from US 25 (Asheville Highway or the Mountain Home exit) to the Buncombe County line. As part of the projects scheduled to be bid together this fall, NCDOT will relocate and add to the City's existing water distribution and sewer collection systems.

Mr. Detwiler noted NC General Statutes state the City is responsible for 25 percent of the costs associated with utility relocation and 100% of utility "betterment" costs. He stated there are several portions of the existing water distribution and sewer collection systems within the I-26 improvement limits that are identified in master plans as needing to be upgraded. Therefore, there are significant "betterment" costs associated with the projects. NCDOT has provided preliminary estimates for the utility work but noted the agreements and estimates are being refined. The finalized agreements should be provided no later than mid-August.

Mr. Detwiler provided the draft utility agreements. He requested Council approve the agreements for the projects and authorize the City Manager to execute the final version of each agreement. He further noted an agreement covering extension of the Clear Creek Greenway under the Clear Creek bridge will be executed separately from these utility agreements. [The agreements are on file in the office of the City Clerk.]

**H. Consideration of Award of Engineering Contract for Church and King Street Water and Sewer Improvements:** City Engineer Brent Detwiler reported NCDOT has requested any improvements to existing water and sewer infrastructure along Church and King Streets around downtown be completed soon. They are projecting these roads will be significantly improved possibly in spring of 2021. NCDOT is in the process of finalizing the construction schedule and do not want there to be any impacts to their roads due to failing infrastructure. Therefore, a water and sewer improvement project was prioritized as part of the City's CIP.

Mr. Detwiler reported staff recently completed the Request for Qualifications process in order to select a firm to design, permit, bid and administer the project. Upon reviewing the qualification statements, staff selected WithersRavenel to perform this work. He requested Council to authorize the City Manager to execute an engineering agreement with WithersRavenel to complete the design, permitting, bidding, award and construction management work associated with the Church and King Streets Water and Sewer Improvements Project. [The contract is on file in the office of the City Engineer.]

**I. Consideration of Engineering Amendment for On-call Hydraulic Modeling Service:** City Engineer Brent Detwiler reported the City retained the services of Hazen and Sawyer to complete a water system modeling project and Water System Master Plan, as well as various on-call hydraulic water modeling contracts. He stated staff has requested a new proposal and on-call hydraulic water and sewer modeling agreement from Hazen and Sawyer for the 2019-2020 fiscal year. He requested Council approve the proposal for this work and authorize the City Manager to execute the on-call agreement and amendment with Hazen and Sawyer for this work.

**J. Consideration of Budget Amendment and Change Order for Downtown Public Restrooms Project:** Budget Analyst Adam Murr presented a budget amendment to increase funds for the Main Street Public Restroom Project. He explained the amendment adjusts allocated funds for professional services, change orders and other expenditures for a total of \$84,946. He stated Change Orders # G-4 & G-5 are for additional needed structural enhancements in the first floor, ceiling and building roof.

1. Fund 10, Police Department – Insurance Revenue, Increase of \$8,801  
An amendment to increase the budget for an insurance settlement received.

2. Fund 410, Increase of \$89,946, Fund 20, Increase of \$22,500  
An amendment to cover a change order and other associated expenses related to the Main St. public restroom project. The amendment will specifically adjust funds for professional services, change orders, and other expenditures. Professional services changes include: 1) \$19,500 for Samsel Architecture for construction services and administration and 2) \$3,200 for Medlock Engineering Structural consulting.  
Change orders include: 1) \$2,950 for beam cutting and support, 2) \$35,321 for floor, ceiling and roof structural work, and 3) \$2,500 for the vault's concrete finishing.  
Other expenditures changes include: 1) \$6,476 for I.T. costs associated with VC3, 2) \$10,000 for services from Baker Property Services, and 3) \$15,000 for furniture, signage, and finish items.

**K. Consideration of a Request from Henderson County Partnership for Economic Development to use Berkeley Mills Park for their Annual Dinner:** City Manager John Connet presented the request of the Henderson County Partnership for Economic Development to use Berkeley Mills Park on October 17, 2019 from 12:30 PM to 8:30 PM for their annual dinner. They are also requesting permission to serve beer and wine during the event. He recommended approval of this request under the following conditions:

1. All setup activities are coordinated with the Public Works Director.
2. HCPED must obtain all required ABC Permits and insurance.
3. The City of Hendersonville must be named as an additional insured under HCPED event insurance policy.
4. Provide additional security as may be required by City policy or Chief of Police.

**Council Member Caraker moved Council's approval of the items listed on the consent agenda. A unanimous vote of the Council followed. Motion carried.**

**06a. Recognitions/Presentations:** Police Chief Herbert Blake introduced and welcomed Police Officer Stephen McDonald.

**7. Public Hearing - Consideration of an Application from Mount Pisgah Lutheran Church for a Zoning Ordinance Text Amendment to Allow Animated Signs in the HMU Highway Mixed Use District:** Development Assistance Director Susan Frady presented the application of Pastor Jonathan Christensen of Mount Pisgah Lutheran Church for a zoning text amendment to allow animated signs in the HMU Highway Mixed Use District.

Mrs. Frady stated Section 13-1-5 A of the Zoning Ordinance states a sign may be illuminated externally if such illumination is confined to or directed to the surface of the sign, or internally. No animated signs are permitted except in the C-2, C-3 and I-1 zoning district classifications or in corresponding conditional zoning districts. She provided the definition of animated signs.

Mrs. Frady explained the applicant is requesting the HMU Highway Mixed Use District be added to the districts that permit animated signs. She stated staff recommends a requirement be added so only the properties fronting on thoroughfares are eligible to have an animated sign. Others would be able to have a freestanding sign only.

Mrs. Frady provided some history stating Ebenezer Baptist Church rezoned their property last year in order to have an animated sign. Because they adjoin the Walmart Shopping Center that is zoned PCD, the rezoning seemed to be a reasonable change. The Mount Pisgah Lutheran Church is surrounded by HMU zoning and planned resident developments.

Mrs. Frady reviewed the proposed additions: 1) animated signs may be permitted in HMU if the property fronts on a thoroughfare designated as such in the Comprehensive Transportation Plan, and 2) For externally illuminated signage, the light source of the signs shall be designed and shielded that it cannot be seen from beyond the property lines on which the sign is located. Signs illuminated internally by fluorescent bulb, light emitting diodes (LED), fiber optics, plasma or other similar technology, and neon tubes shall be limited to commercial and industrial use districts except as outlined above. All animated signs must comply with any current or future safety standards.

Mrs. Frady reviewed the proposed changes to ordinance. She reported the Planning Board voted seven in favor and two opposed to recommend City Council approve the request for the Zoning Ordinance amendment. She stated the chairman requested staff review the size of cabinets and lumens for animated signs as well as safety standards such as the time between changes and messages. She stated a report with standards from other municipalities will be given to the Planning Board at their August meeting.

Mrs. Frady reviewed the factors contained in Section 11-4 of the Zoning Ordinance that must be considered by the City Council prior to adopting or denying an amendment to the text of the Zoning Ordinance.

At 6:01 p.m., Mayor Volk opened the public hearing in accordance with North Carolina General Statutes by notice published in the Times News.

Pastor John Christiansen, 2606 Chimney Rock Road, spoke in favor of the ordinance amendment. He stated it will be beneficial for the congregation and community, will provide information for parents and provide a community presence. He stated animated signs have been permitted to other properties along that roadway. He stated they will do everything they can to comply with any rules or regulations the City imposes.

Ralph Hammond Green, 1232 Hyman Avenue, did not object to the amendment but asked the Council to wait until stipulations are included in the ordinance on the amount of illumination the sign may emit. lumens are set before the Zoning Ordinance is amended. He stated large illuminated signs can make it difficult to see on-coming traffic. He expressed concerns that existing signs may be grandfathered.

No one else expressed a desire to speak. The public hearing was closed at 6:06 p.m.

Council Member Smith asked that regulations for lumens be created as quickly as possible to ensure the signs are safe. Mayor Pro Tem Stephens asked if conditions may be put on the ordinance amendment. Mr. Connet stated no. Council Member Miller asked if Council can approve the amendment and put a moratorium on illuminated signs the regulations are completed and adopted. Mrs. Frady stated standards will be presented to the Planning Board for their consideration in August and may be back to the Council in October. She stated Council may choose to adopt a moratorium. Mr. Connet explained the procedures for adopting a moratorium.

Council Member Caraker moved the City Council adopt an ordinance amending the City of Hendersonville Zoning Ordinance Article XIII Sign Regulation Maintenance Section 13-1-5-A Animated and Illuminated Signs and to adopt a moratorium on future illuminate signs until standards are developed. There was discussion that the moratorium cannot be adopted at this time. **Council Member Caraker amended the motion to adopt an ordinance amending the City of Hendersonville Zoning Ordinance Article XIII Sign Regulation Maintenance Section 13-1-5-A Animated and Illuminated Signs A unanimous vote of the Council followed. Motion carried.**

Ordinance #19-0858

**AN ORDINANCE AMENDING ARTICLE XIII SIGN REGULATION MAINTENANCE AND ENFORCEMENT SECTION 13-1-5 ANIMATED AND ILLUMINATED SIGNS**

WHEREAS, the General Assembly of the State of North Carolina has granted authority to municipalities to adopt, administer and enforce zoning and subdivision regulation ordinances, building codes, and minimum housing standards and other related measures, and

WHEREAS, the General Assembly of the State of North Carolina has granted authority to municipalities to amend, supplement, change, modify or repeal zoning regulation ordinances, and

WHEREAS, the City of Hendersonville understands the need to serve all members of the community, and

WHEREAS, the City of Hendersonville supports organizations that supply services to those in need, and

WHEREAS, the City of Hendersonville desires to amend those regulations with regards to animated and illuminated signs.

NOW, THEREFORE, be it ordained by the City Council of the City of Hendersonville:

Section 1: Article XIII Sign Regulation Maintenance and Enforcement, Section 13-1-5 Animated and Illuminated Signs is hereby amended to include the following:

**13-1-5 Animated and Illuminated Signs.**

a) A sign may be illuminated externally if such illumination is confined to or directed to the surface of the sign, or internally. No animated sign shall be permitted except in the C-2, C-3 and I-1 zoning district classifications or in corresponding conditional zoning districts, if any. Animated signs may be permitted in HMU if the property fronts on a thoroughfare.

b) For externally illuminated signage, the light source of the signs shall be designed and shielded that it cannot be seen from beyond the property lines on which the sign is located. Signs illuminated internally by fluorescent bulb, light emitting diodes (LED), fiber optics, plasma or other similar technology, and neon tubes shall be limited to commercial and industrial use districts except as outlined above. All animated signs must comply with any current or future safety standards.

[Additions are underlined; deletions are ~~struck through~~]

Section 2. Any person violating the provisions of this ordinance shall be subject to the penalties set forth in Section 9-8 of the Zoning Ordinance.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

Section 5. The enactment of this ordinance shall in no way affect the running of any amortization provisions or enforcement actions, or otherwise cure any existing zoning violations.

Section 6. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this first day of August 2019.

/s/Barbara G. Volk, Mayor

Attest: /s/Tammie K. Drake, City Clerk

Approved as to form: /s/Samuel H. Fritschner, City Attorney

**There was consensus of the Council to direct staff to prepare and advertise a moratorium on illuminated signs.**

**8. Public Hearing - Consideration of an Application from the Henderson County Board of Education for the Rezoning of Parcels 9569-60-9162 and 9569-70-0527 from PID Planned Institutional Development to PIDCZD Planned Institutional Development Conditional Zoning District, for the Purpose of Renovating Hendersonville High School:** Planner Daniel Heyman presented the application of the Henderson County Board of Education for a conditional rezoning of parcel numbers 9569-60-9162 and 9569-70-0527, from PID Planned Institutional Development to PID CZD Planned Institutional Development Conditional Zoning District.

*Existing land use and zoning:* Mr. Heyman stated both parcels are zoned PID and contains Hendersonville High School and the site of the former Boyd Automotive Dealership. Parcels to the north and northeast are zoned C-3 Highway Business and include retail and office uses. The parcel to the east is zoned C-2 Secondary Business and contains the City of Hendersonville Fire Department. Parcels to the south are zoned CMU Central Mixed Use and include retail, offices, residential uses, and a restaurant. Parcels to the west and southwest are zoned MIC Medical, Institutional, Cultural and contain residential, office, and medical uses.

*Comprehensive Plan Consistency:* Mr. Heyman explained NCGS 160A-383 requires zoning map amendments must be made in accordance with a Comprehensive Plan. He reviewed the existing area designations and their respective goals.

*Site Plan Review:* Mr. Heyman stated the plan shows the existing Stillwell building and a new school building for a total of 180,366 square feet on 12.72 acres. The site plan shows 8.82 acres or 69.3 percent of the developed area as open space. The plan shows 146 off-street parking spaces; 143 spaces are required. On-street parking spaces are not included the total. He stated the site plans shows the main entrance to the site at the intersection of Church Street, N. Main Street, and Asheville Hwy/US-25. The entrance is proposed as a right-in/right-out with a 12-foot-wide turn lane into the site.

*Traffic Impact Analysis:* Mr. Heyman stated the traffic impact analysis conducted by Mattern & Craig is an update of the study done in May of 2017. Existing counts were used for the analysis and growth factors were applied to obtain 2020 traffic volumes. The study concludes the proposed expansion should not have an adverse impact on the surrounding roadway network with appropriate mitigation measures. He stated the City's on-call consultant reviewed the TIA and does not have comments regarding the mitigation recommendations in the study. He stated NCDOT has approved the TIA.

*Mitigation Measures: Intersection of US-25 and Oakland Street:* Mr. Heyman reported the TIA recommends installing a dedicated right turn lane on the northbound Oakland Street approach with 150 feet of storage. The site plan reflects this recommendation.

*Intersection of US-25 and 9th Avenue/North Main Street:* Mr. Heyman reported the TIA recommends installing a dedicated right turn entering the high school site, at least 10 feet wide and with at least 175 feet of full storage. The site plan shows a 12-foot-wide turn lane with approximately 250 feet of full storage. The TIA also recommends pedestrian improvements in the intersection to include marked crosswalks, refuge islands, and warning signs.

*On-site queuing:* Mr. Heyman reported the TIA states that at least 690 feet of internal storage is needed to accommodate the high demand queue length for the expansion. The site plan shows approximately 750 feet of internal storage.

*Neighborhood Compatibility:* Mr. Heyman reported a neighborhood compatibility meeting was held on June 11, 2019. Fifteen people representing the public attended the meeting. Attendees asked questions regarding the traffic flow, pedestrian improvements, and construction timeline. Attendees raised concerns with the uncertainty around the Church Street/N Main Street/US-25 intersection improvements. He provided a copy of the neighborhood compatibility report.

*Planning Board Recommendation:* Mr. Heyman reported the Planning Board voted unanimously to recommend City Council approve the rezoning and further recommended traffic concerns from the public concerning safety be further addressed by City staff and NCDOT.

Mr. Heyman reviewed the factors contacted in Section 11-4 of the Zoning Ordinance that must be considered by the City Council prior to adopting or denying an amendment to the Zoning map.

At 6:17 p.m., Mayor Volk opened the public hearing in accordance with North Carolina General Statutes by notice published in the Times News. The following spoke in favor of the application:

Ken Fitch, 1046 Patton Street, stated the project design has wide support. He stated there is a problematic issue with the driveway element with right-in, right-out only access as it will have a major impact on the fire department access, threaten the existence of the historic Pop's Diner and add to pedestrian hazards. He stated the issue is not data but safety of students and the public. In past months, he has looked forward to speaking with NCDOT to resolve the issues.

Mr. Fitch provided examples of problematic situations including all vehicles exiting the parking lot will have to turn right. Vehicles will have to negotiate crowded local streets and intersections and circle the block. He provided photos and videos of the area intersections. He asked if there is an alternative for students coming from the south or east. He reviewed the historic traffic pattern. He asked Council or NCDOT to consider an upgraded restoration of this pattern. He stated it is urgent the project move forward with zoning approval and it also urgent to have a commitment to resolve the issues.

Ralph Hammond Green, 1232 Hyman Avenue, commented traffic and pedestrian safety is not being considered. He commented the counts in the TIA were made during two time periods on the same day neither of which were on high-traffic count days and in January when fewer students walk to school. When TIA process was repeated for the current plan, new counts were not required. He stated one data point is not sufficient.

Mr. Green stated issues about traffic and pedestrian safety were expressed at the neighborhood compatibility meeting but NCDOT representatives were not present. There was a recommendation from the Planning Board that the traffic concerns be addressed by NCDOT. He supported the condition rezoning and recommended simple changes to the plans: two entrances for the parking lot to reduce the traffic at Five Points and a signal-controlled intersection. He asked where the northbound vehicles are supposed to turn around. He asked that the right-in, right-out entrances be eliminated. He stated there is no physical reason there cannot be an entrance to the parking lot from Oakland Avenue. He expressed concerns whether a fire truck can make the turn with the current plan.

Mr. Green spoke in favor of approving the rezoning and asked the City Council to approve the change and NCDOT will have a driveway in the same place it is now.

Dr. John Godehn, 212 Laurel Park Place, stated the rezoning request is reasonable and should be approved. He expressed concerns the current plan eliminates an entrance to parking lot from Oakland Street which would be helpful. He stated the existing plan could add additional traffic to the heavy volume of traffic already on Church Street. He stated an exit off Oakland into the new parking lot could reduce some of the traffic going onto U.S. 25 and may improve traffic flow. He stated the exit from the parking lot could be a right-turn exit only. He stated the Oakland entrance is actively being used by construction vehicles and maintaining this exit seems to be reasonable. He stated current plans call for significant grading of the Boyd lot and the drop in elevation eliminates the possibility of exit off of Oakland. He asked for an interior redesign to maintain the current elevations near Oakland to allow an exit. He stated parking lot design changes should not interfere with the rezoning request, but it may provide better traffic flow.

Amy Lynn Holt, Henderson County Board of Public Education, expressed appreciation of consideration of the project that was unanimously approved in January. She stated they are looking forward to seeing the new school.

Council Member Smith asked Ms. Holt if the Board would consider a signalized intersection if recommended by NCDOT. She stated the Board could discuss it at the next meeting.

Council Member Caraker asked if the plans for the remote parking lot were removed. Ms. Holt stated they told Henderson County the property is not needed in the design and the property may be sold. Council Member Caraker commented additional ground parking would be beneficial. Ms. Holt agreed, especially during Apple Festival, games, etc. stating parking is limited.

Council Member Caraker also commented the traffic light is a good idea.

John Bryant, Associate Superintendent for the School System, 414 4<sup>th</sup> Avenue W., expressed appreciation for Council's consideration and support. He stated this has been an opportunity to reflect on the needs of the community for generations of students to come. He also expressed appreciation for the work of the team on this project. He stated their goal has been to honor the history and traditional of the community, of the school, the historic preservation of the Stillwell building and a new construction that will serve future students.

Chris Casey, 1040 Patton Street, expressed frustration with the plan's relevance to student and pedestrian safety. He stated he has sought help for a safe solution for students crossing Asheville Highway for three years. He stated the student/pedestrian crossing at Oakland Street has gotten worse. He believes the current plan with right-turn in, right-turn out only will add traffic to Oakland. Traffic will be expected to loop around school proper and queuing into a lane on Oakland Street. He stated this will make it harder for pedestrians to cross the road at this spot. He expects a bottleneck at this spot. He stated parents will avoid the queue and load and unload on close neighborhood streets, including and mostly on Oakland Street which means more danger for students. His concern is the plan does not adequately address student/pedestrian safety at this intersection. He stated he is on record with the School Board, the NCDOT and the City of Hendersonville regarding this dangerous intersection should something happen to a student. His daughters will attend there. He stated the Council is under pressure to approve the rezoning but there are issues that have not been addressed. He stated there is an urgent issue of children as pedestrians that must be addressed through NCDOT action, the School Board adding a crossing guard at that intersection or increased police on site during mornings and afternoons. He stated this needs to be acted on now. He stated the City Council has the responsibility for oversight and safety and asked the Council to be forward-thinking and fix this now for the safety of his children.

Mayor Volk asked if anyone wanted to speak in opposition to the rezoning. There was none. The public hearing was closed at 6:49 p.m.

Council Member Smith asked if it has to be a part of the hearing if Council wants to speak to NCDOT representatives. Mr. Connet explained Council may ask any questions.

Lonnie Watkins, NCDOT District Engineer for Henderson, Transylvania and Polk Counties addressed the Council stating he appreciates the concerns for safety for pedestrians, children, and the public during the school season. He spoke on safety and traffic patterns around the area.

Mr. Watkins stated further investigation by NCDOT was request for two items: the pedestrian accommodations and a signal at N. Main Street/Highway 25. He stated there are sidewalks around the entire campus on the plan. He stated when completed, there will be full pedestrian access at every major intersection; including crosswalks and push buttons so pedestrians will be able to cross safely. He stated the intersection at Ninth Avenue was closed and the signal was removed. He stated the TIA contains recommendations. He stated a driveway permit is being considered in conjunction with a signal and they may require the driveway be shifted northward to line up with US 25. He stated their engineers in Raleigh are evaluating this. He stated the preliminary results noted benefits to shifting the driveway including:

- signalized access into the school as opposed to the right-in, right-out access,
- will provide safer pedestrian crossing because they can coordinate the vehicular/pedestrian traffic,
- there will be fewer signal phases for reduced delay time and much shorter clearance time,

- the traffic traveling north on 25 will not have to circle the school to enter.

Mr. Watkins stated NCDOT will be meeting with the architectural firm and their engineers. He stated NCDOT has had conversations with their engineers who came up with this plan. They also had conversations with engineers who completed the TIA and all are in agreement this seems to be the best solution.

Council Member Caraker asked if the signals can be synchronized at the intersection for students/pedestrians with a stop button. He stated valid points were made by the public. He asked if there are any other improvements planned for this general area. Mr. Watkins stated a right-turn lane on N. Main Street is in the development stage. He stated there have been discussion about totally redoing the intersection in the SPOT process.

Mr. Watkins stated everyone is aware of the traffic issues and volume. He stated they will make every effort to improve the situation, but the school project cannot address all the problems in this area. Council Member Caraker commented he wants to ensure a mistake is not made. There was discussion about whether pedestrians will be able to cross both streets and the possibility of pedestrian intervals.

Council Member Smith commented the cars queued on Oakland will turn left to go north on Highway 25. He stated the students/pedestrians cross Oakland Street will be unsure about the cars turning left and will be caught in the middle. He stated many cars go north on Highway 25 from that intersection.

Council Member Caraker stated if the stipulation will be put on the owner of the project. Mr. Watkins stated, yes it will be required for the driveway permit if that is the decision.

Council Member Smith thanked Mr. Watkins for attending. He asked who will be responsible for paying for the work recommended for the intersection. Mr. Watkins stated NCDOT is responsible for paying for the improvements on the NCDOT facility. The plans for the school will have to be amended by the School Board engineers.

Mayor Pro Tem Stephens commented this seems to be a good solution.

Council Member Caraker asked if the Henderson County Transportation Advisory Committee should make the recommendation. Mr. Watkins stated some things may need to be tweaked but he does not foresee any problems in going forward with this.

Council Member Smith asked how the public may express their opinion about the recommendations for the driveway change to NCDOT. Mr. Watkin stated the public can stop by their office at 4142 Haywood Road, or make an appointment to discuss the items. He reiterated the process is not finalized; they are still in the process of evaluating.

Council Member Miller stated the Council agrees the plan presented needs work. Council Member Smith voiced support of the modification.

Council Member Smith asked Mr. Heyman if the driveway is changed, would be considered de minimis or require approval. Mr. Heyman noted the motion of approval with modifications.

**Council Member Smith moved the City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of parcel numbers 9569-70-0527 and 9569-60-9162 from Planned Institutional Development to PIDCZD Planned Institutional Development Conditional Zoning District, based on the site plan submitted by the applicant and subject to the limitations and conditions stipulated on the Published List of Uses and Conditions, finding that the rezoning is consistent with the Comprehensive Plan's Future Land Use Map and that the rezoning is reasonable and in the public interest for the following reasons: because a new design is needed for Hendersonville High School, and if NCDOT changes the driveway permit and requires a different entrance to the school, the City Council will view it as a de minimis change and will not require rezoning. A unanimous vote of the Council followed. Motion carried.**

Ordinance #19-0859

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE**

IN RE: FILE NO. P19-18-CZD  
Applicant: Henderson County Board of Education; Hendersonville High School

Be it ordained by the City Council of the City of Hendersonville:

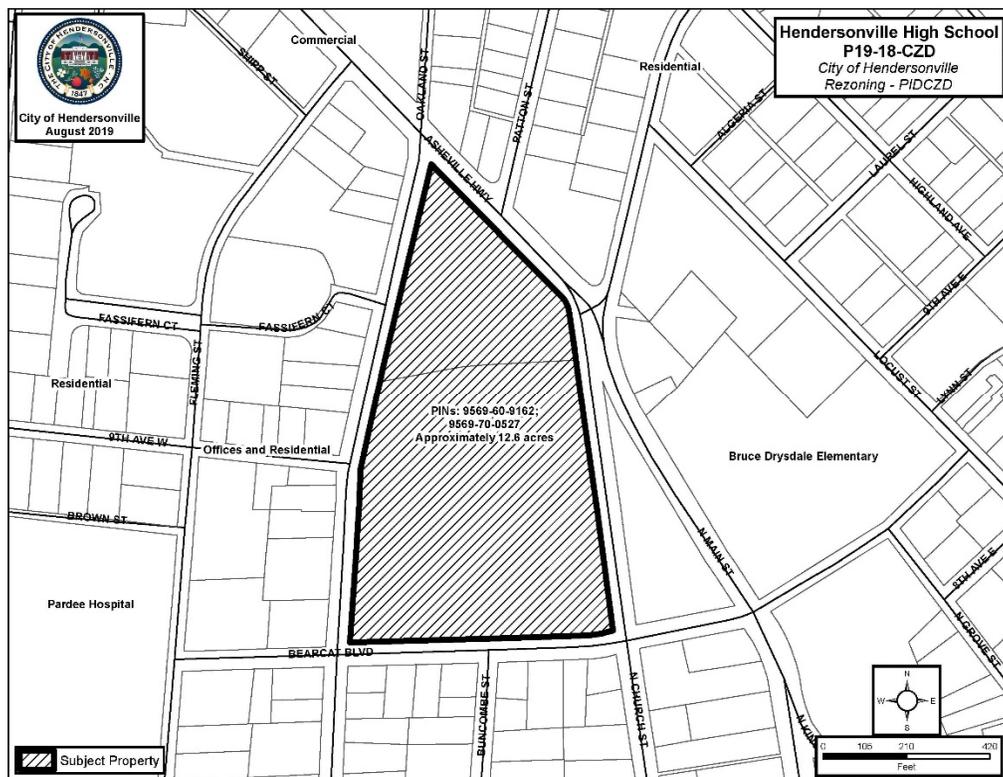
1. Pursuant to Article XI Amendments of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of parcel numbers 9569-60-9162 and 9569-70-0527 from PID Planned Institutional Development to PIDCZD Planned Institutional Development Conditional Zoning District.
2. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this first day of August 2019.

/s/Barbara G. Volk, Mayor

Attest: /s/Tammie K. Drake, City Clerk

Approved as to form: /s/Samuel H. Fritschner, City Attorney



There was a brief recess.

**9. Discussion of NCDOT Projects:** City Manager John Connet explained the City is in the process of identifying the next round of NCDOT projects that will be considered by the local Henderson County Transportation Advisory Committee and ultimately sent to the French Broad MPO. He stated the City's representative, Council Member Caraker asked the Council to consider and approve the recommendations for SPOT 6.0.

Mr. Connet stated City staff has taken previously identified projects and made additional recommendations. City staff's methodology is to:

- improve the movement of vehicles and pedestrians around the city
- improve safety for vehicles and pedestrians
- identify roads and intersections with the highest traffic volume
- identify roads in growth corridors that need improvement
- create a loop system utilizing existing roads
- connect future projects to recent or planned NCDOT projects versus creating new roads.

Mr. Connet reviewed the four intersections reviewed by staff:

- N. Main and U.S. 25 North
- Thompson Street and Signal Hill Drive
- Berkeley Road and Signal Hill Road
- US 64 West / N. Oak Street

A future potential project was identified as an access management project: Spartanburg Highway from Greenville Highway to Upward Road.

Road modernization: this is creating connector roads to NCDOT primary roads including Highway 64, U.S. 25, I-26:

#### Northern Connectors

Clear Creek Road (Signal Hill/Duncan Hill Road area to Howard Gap Road) (new project)

#### Eastern Connectors

C-22 Duncan Hill Road (U.S. 64 to N. Main Street)  
 C-22 Signal Hill Road (N. Main Street to US 64)  
 C-23 Berkeley Road (N. Main Street to US 25 N)  
 C-21 Tracy Grove Road (Airport Road to Dana Road)

#### Southern Connectors

C-29 Erkwood Drive (Kanuga Road to NC 225 as a future project)  
 Highland Lake Road – current project going forward.  
 Allen Road (Tracy Grove Road to Upward Road)

#### Western Connectors

C24 Blythe Street (NC 191 to US 64)

C26 Hebron Road (5<sup>th</sup> Avenue to State Street)  
 No ID White Pine (US 64 to Hebron)  
 C27 State Street (Hebron to Kanuga Road)

**Bike/Pedestrian Projects**

Oklawaha Greenway Eastern Extension - I-26 to U.S. 64, Allen Branch Extension (new project)  
 US 64 Sidewalks (Orrs Camp Road to Howard Gap)  
 Brooklyn Avenue Sidewalks (future project)  
 Oklawaha Greenway Southern Extension (Jackson Park to Blue Ridge Community College)  
 Oklawaha Greenway Northern Extension (Berkeley Mills Park to Brookside Camp Road)

Mr. Connet reviewed staff's recommendations for the rated in order of priority for the overall SPOT 6.0 Road Prioritization:

1. N. Main and U.S. 25 North Intersection
2. C-22 Duncan Hill Road (US 64 to N. Main St)
3. C-24 Blythe Street (NC 191 to US 64)
4. Thompson Street/Signal Hill Road (N. Main Street to US 64)
5. No ID - Clear Creek Road (US 25 to Howard Gap Road) - New Project
6. C-23 Berkeley Road (N. Main to US 25 N.)

Mr. Connet stated staff ranked the overall bike/pedestrian projects as:

1. Oklawaha Greenway Eastern Extension (I-26 to US 64 - Allen Branch Extension) New Project
2. US 64 Sidewalks (Orr's Camp Road to Howard Gap)

Mr. Connet reviewed a map showing the loop system connecting interior connector streets with major NCDOT roads to modernize existing roads.

Council Member Caraker explained each municipality will provide a list of their preferred projects within their jurisdictions. He stated the TAC will discuss each and decide which projects have the most benefit and the list will then be presented to the MPO. He stated many of the projects have been on the list for years.

Council Member Smith asked about the Oklawaha Greenway extension I-26 to U.S. 64 instead of the route to Blue Ridge Community College. Council Member Caraker stated there are no matching funds at this time for the extension to BRCC. Mr. Connet stated some of the necessary easements for the extension have been acquired.

There was discussion of the Blythe Street project which will include wider lanes, curb and gutter, and straightening and a change in some elevations to address treacherous conditions in winter. Sidewalks and a turning lane will be included. The project may be three lanes with a turning lane in the middle.

After discussion, **Council Member Miller moved the City Council to approve the NCDOT SPOT 6.0 recommendations as presented. A unanimous vote of the Council followed. Motion carried.**

1. **N. Main and U.S. 25 North Intersection**
2. **C-22 Duncan Hill Road (US 64 to N. Main St)**
3. **C-24 Blythe Street (NC 191 to US 64)**
4. **Thompson Street/Signal Hill Road (N. Main Street to US 64)**
5. **No ID - Clear Creek Road (US 25 to Howard Gap Road) - New Project**
6. **C-23 Berkeley Road (N. Main to US 25 N.)**

**10. Presentation on Homelessness and Resources:** Mr. Ben Rogers, City of Hendersonville Management Intern, provided a report on the work he has done this summer with local organizations as well as City and County departments to address the issue of homelessness in our community.

Mr. Rogers stated his project included: interviews with local organizations, research on a variety of homelessness solutions, a county-wide resource meeting, and a homelessness resource guide. The goal of the project was to determine how the City, County, and local service organizations can address homelessness and improve community outlook. Discussion from the Council included the definition of "homeless" and continued collaboration within the community. **No action was required or taken.**

Mr. Connet also recognized **Ms. Kaitlin Finkle** who ushered the USDA application for the new Police Headquarters construction loan.

**11. Presentation on New Tap Purchasing Process:** A presentation on the new tap purchasing process was given by Operations Manager Andy Brogden, Development Review Engineer Marlee Page and Revenue Supervisor Jennifer Musselwhite.

Highlights of the process included: establishing the groundwork for future Standard Operating Procedures and facilitating cooperation across many divisions, departments and agencies to define a standardized procedure that meets everyone's needs, provides the best customer service possible and ensures compliance with statutes. The process will keep customers informed throughout the process with an automated e-mail.

Staff reviewed the process.

Council Member Caraker expressed his appreciation for the work. Mr. Connet echoed his appreciation stating it was clear the process needed to be changed. **No action was required or taken.**

**12. Presentation of Facility Use Policy:** City Manager John Connet presented a revision to the City's Facility Use Policy. He stated issues have arisen with the use of our facilities, especially during business hours such as controversial speakers and/or topics exposing our staff to security issues, people gathering in the lobby making ingress/egress difficult, etc. He stated staff frequently has to clean up, empty the trash, and are asked to make copies, provide other support, etc. He stated there have also been problems with the equipment usage by the public in the past resulting in a need for repair.

Mr. Connet stated there is limited parking at the Operations Center and visitors frequently park at neighboring properties and staff receive complaints and requests to have those vehicles moved. He stated the proposed policy attempts to address the issues by limiting use of facilities to after-business hours, meetings must be open to the public, does not allow use of equipment (but the public may bring their own). The proposed policy also authorizes the city manager, or designee, to approve applications, and to waive any subsection when doing so would more effectively serve the public's interest.

Mr. Connet stated adoption of this policy will replace several former policies. This policy was modeled from the recently adopted policy by Henderson County.

**Council Member Miller moved Council to approve the Facility Use Policy as presented by staff. A unanimous vote of the Council followed. Motion carried.**

### **Facility Use Policy**

**PURPOSE:** The Facility Use Policy is designed to govern the use of City-owned facilities by individuals, groups and/or organizations that are not directly associated with City of Hendersonville government. Only the designated meeting rooms and grounds listed below may be reserved for non-City government, public activities, provided certain conditions are met. However, for security and operational reasons, the remaining City facilities will not generally be made available for public use. Use of City-owned facilities is limited to after normal business hours and excludes other City-sponsored events or meetings. This policy does not apply to long-term leases of City-owned property or facilities. City government functions shall in all cases take precedence over all other activities at any City facility.

**LIST OF DESIGNATED FACILITIES:** The designated City facilities available to the public for non-City government use are as follows. More instructions are found at the end of this policy.

1. Operations Center, 305 Williams Street, Assembly Room
2. Operations Center, 305 Williams Street, Conference Room
3. Historic Depot, 7th Avenue/Maple Street, Meeting Room
4. Patton Park, small meeting room (long-term lease)
5. Patton Park, large pavilion
6. Patton Park, small pavilion
7. Berkeley Mills Park, large pavilion
8. Berkeley Mills Park, small pavilion
9. Whitmire Activity Center (long-term lease)

**FEES:** Fees are charged as published in the adopted Fee Schedule.

**RULES GOVERNING PUBLIC FORUMS:** The following rules denote and govern public forums on property owned by the City of Hendersonville.

1. The following places are designated as public forum areas:
  - a) The sidewalk and front steps of the exterior of City Hall, 145 Fifth Avenue E.
  - b) The sidewalk of the Operations Center, 305 Williams Street.
2. Notification is requested for protests, demonstrations or picketing by a group of 50 or more individuals per Section 46-83 of the Code of Ordinances.
3. Access to any City facility may not be blocked or impeded during periods in which business (including governmental business, meetings, and related functions) is being conducted, or during business hours. Sound amplification is not permitted during business hours, including regular or special called meetings of the City Council, boards or commissions. If sound amplification is needed after hours, arrangements must be made at the time of application.

### **RULES GOVERNING THE USE OF ALL FACILITIES AND GROUNDS**

1. The applicant requesting the use of a City facility or grounds must complete the necessary application accepting liability as outlined below in #2, and present a photo ID.
2. The applicant is responsible for any and all damages to any facility or grounds, including costs for cleanup. The applicant shall assume full liability for all accidents or claims of accidents as a result of activities taking place associated with the use and shall agree to hold the City harmless and indemnify the City for any injury or damage to persons or to property. This shall include the times the area is being readied for the use and for all follow-up activity related to the use. Any damage or accident must immediately be reported to the Public Works Department, or as soon thereafter that the office is open for business.
3. Facilities are not available to exclusive groups; meetings must be open to the public.
4. The City facilities may not be reserved for any commercial purposes or uses including the charge of entry fees.
5. Solicitation is not permitted.
6. The City will not accept reservations for meetings which would designate any City meeting room as the regular meeting place for any organization.
7. Fees and deposits for the designated facilities are approved by the City Council.
8. A Statement of Disclaimer must be signed by all facility users.
9. Depending on the type of event, proof of insurance may be required. If required, a copy of the insurance policy must be submitted with the application. The policy is to be one of comprehensive general liability in the amount of not less

than \$300,000 for bodily injury per person and \$1,000,000 per occurrence and not less than \$100,000 for property damage per occurrence or as designated by the city manager or designee, subject to changes by the City's current insurance policies or providers.

10. The City will not provide personnel, office assistants, traffic direction, equipment, office supplies, copying services, etc.
11. Disruptive behavior is prohibited.
12. The City may prohibit eating or drinking inside facilities. If food and drink is requested and permitted at the time of application, a separate deposit of \$200 is required.
12. Animals of any kind are not allowed in any facility, except for service animals in the performance of their duties or with approval in advance.
13. Open, pit, or other types of fires are prohibited.
14. No alcoholic beverages are permitted.
15. Tobacco products may only be used in areas designated by the city manager or designee through appropriate public signage.
16. Local, Federal and State firearm laws must be obeyed.
17. The applicant is responsible for ensuring all trash is disposed of in proper outside containers.
18. The applicant is responsible for returning any furniture and fixtures to the original configuration immediately after use.
19. Signs, decorations, or other attachments may not be hung on any building or permanent structures in a manner that may potentially damage the property.
20. Parking for those attending meetings in these facilities will only be permitted in designated areas. Operations Center: public parking is limited to 34 spaces, 2 handicap spaces. Upper parking (behind the building next to the RR Tracks): 22 spaces, 1 handicap space.
21. This policy does not apply to sidewalks or streets that are under the jurisdiction of the State of North Carolina.
22. The applicant is responsible for registering the function with the applicable local law enforcement authority as well as determining the need for any crowd control and security enforcement that may be necessary.
23. All uses must be in compliance with local, state and federal laws, including the Americans with Disabilities Act.
24. The applicant must comply with any further or additional restrictions the City chooses to place on the use of the grounds or facility.
25. The city manager, or department director in charge of a facility, may revoke the authorization to use a facility up to or during the use if a violation of this policy is discovered.
26. The city manager or designee is authorized to approve applications, and the city manager has the right to waive any subsection of this section when doing so would more effectively serve the public's interest, except where prohibited by law.

#### SPECIFIC INSTRUCTIONS GOVERNING DESIGNATED FACILITIES AND GROUNDS

1. Point of Contact: Public Works, 305 Williams Street, Hendersonville NC, Phone: 828/697-3084.
2. Events must not block entrance and exit from any City-owned property or facility during business hours Monday through Friday, 8:00 a.m. to 5:00 p.m., during regular or special called meetings, and any special event approved by the City Council.
3. The equipment in any City facility is not available for use with the exception of sound amplification when prior arrangements are made at the time of application.
4. Permission granted for use of any City facility is revocable by the city manager should the need arise for the City Council's use of the room during the time for which permission is given.
5. Signs, banners, decorations, or other attachments may not be displayed on any City facility. Signs may be displayed on the sidewalks but are limited to the duration of the event. The only exception to this is banners provided by the City in support of City government functions, events, etc.
6. Large community-wide events, which are sanctioned by the City, may have use of any City-owned facility and may be exempt from the prohibition of sound amplification during business hours.

#### REGULATIONS GOVERNING USE OF MEETING ROOMS

1. All publicity for meetings must clearly state the meeting/event is not sponsored by the City.
2. Access to the room prior to or after your scheduled time is not permitted.
3. City staff may attend or observe any meeting or program at any time.
4. The City reserves the right to limit or prohibit at any time the use of City facilities which, in the City's opinion, may present a threat to the health or safety of the public.

Adopted by the City Council on August 1, 2019.

### **13. Consideration of Contract Award of Highlands Square and Highway 25 Sewer**

**Improvement Projects:** Utilities Director Lee Smith reported informal bids were received for the Highlands Square and Highway 25 Sanitary Sewer Improvement projects on July 17, 2019. He reported the project consists of two sewer replacements at two sites in Hendersonville, NC. Highland Square consists of the replacement of approximately 600 linear feet of existing 10-inch PVC sewer main in order to remediate a section of existing sewer main that is at an adverse slope. Highway 25 consists of approximately 280 linear feet of 18-inch sewer main, 100 feet of which consists of a 30-inch bore with steel encasement under Highway 25, replacing a section of clay sewer main in poor condition.

Mr. Lee Smith reported one informal bid was received and was reviewed by City staff for accuracy and completeness. He stated in accordance with North Carolina requirements for construction contracting, three informal bids are not required to be received to award the contract (NCGS 143-131). He recommended approval of the contract with Payne, McGinn and Cummins, Inc. for \$335,859.

**Council Member Caraker moved Council to authorize the City Manager to award the contract for the construction of the Highlands Square and Highway 25 sanitary sewer improvements project to Payne, McGinn and Cummins, Inc. the lowest and responsive and responsible bidder, in the amount of \$335,859 as presented and recommended by staff. A unanimous vote of the Council followed. Motion carried.**

**14. Discussion of Sink Hole at Third Avenue/Buncombe Street:** City Engineer Brent Detwiler presented photos of a sink hole at Third Avenue and Buncombe Street on an empty lot just off the sidewalk. He stated the sink hole is growing as a result of recent rains and the collapse of a connection.

Mr. Detwiler provided a conservative estimate of \$135,000 for removing the failing concrete pipe and replace it with a new 36-inch HDPE pipe. He stated the junction box will have to be hand-built as it is 14-15 feet deep and is on private property. He stated the water empties into Mud Creek.

Mr. Connet stated the City has no choice but to fix it. He stated staff will approach and will work closely with the property owner to share or split the cost because it benefits the property and obtain a permanent easement. He estimated the tax value is lower than 50 percent of the cost of the repair.

**The consensus of the Council was to proceed with bids, finalize the design and work with the property owner.**

**15. Reports/Comments from Mayor and City Council Members:**

**16. Reports from Staff:**

**A. Fire Department Biannual Report:** Fire Chief Joseph Vindigni provided a written report for the Council.

**B. Reminders:**

- The employee picnic will be held on August 24 at 6:00 p.m. at Patton Park.
- The ribbon cutting for the new Maintenance Facility in Patton Park will be held at 11:30 a.m. on August 23.
- A draft schedule was provided for Council Conversations that will begin at 6:00 p.m.

**17. Boards/Commissions Appointments:** City Clerk Tammie Drake presented the appointments for:

**Downtown Advisory Committee:** Council Member Caraker nominated Janna Watson for a vacant stakeholder position on the Downtown Advisory Committee. This term will expire June 2021. A unanimous vote of the Council followed. Motion carried.

**Environmental Sustainability Board:** Council Member Smith nominated Neal Brown for a vacant City position on the Environmental Sustainability Board. This term will expire June 2021. A unanimous vote of the Council followed. Motion carried.

Mrs. Drake reported the vacant positions on the Business Advisory Committee and the Walk of Fame Steering Committee.

**18. New Business:** There was no new business.

**19. Adjournment:** The meeting adjourned at 8:42 p.m. upon unanimous assent of the Council.

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Barbara G. Volk, Mayor

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Tammie K. Drake, City Clerk