MINUTES

COUNCIL DOWNTOWN MASTER PLAN COMMITTEE

Wednesday, May 8, 2024 – 4:00 PM
City Hall Council Chambers

Members Present:	Gary Daniel, Chair, Council Member Pamela Holder, Vice Chair, Council Member Nicole Bentley, Exec Dir. Heart of Brevard Billy Parrish, Heart of Brevard Representative Lee McMinn, Citizen Member Parker Platt, At-Large Member (Left at 5:13pm) Mayor Maureen Copelof, Ex-Officio Member
Staff Present:	Wilson Hooper, City Manager Alex Shepherd, Assistant to the City Manager Becky McCann, Communications Coordinator Aaron Bland, Assistant Planning Director
Guests:	Kristen Necessary, Douglas Miller, Kevin MacDonald, Monica Driscoll
Media:	Jon Rich, T-Times

A. Welcome & Call to Order

Committee Chair Gary Daniel welcomed everyone and called the meeting to order at 4:00 PM.

B. Certification of Quorum

Quorum was certified by Assistant to the City Manager Alex Shepherd.

C. Approval of Agenda

Motion by Ms. Holder, seconded by Mr. Bentley to approve the agenda as amended. The motion carried unanimously.

D. Approval of Minutes of April 10, 2024 Meeting

Motion by Ms. Bentley, seconded by Ms. Holder to approve the minutes of the April 10, 2024 meeting as presented. The motion carried unanimously.

E. Sidewalk Usage Policy Update

Mr. Hooper provided a copy of the sidewalk usage policy with revisions.

Mr. McMinn mentioned that in Chapter 46-34, Letter F, he would like to see other durable composite materials included, not only metal furnishings.

Ms. Copelof said that would be included under the section where it states non-combustible materials can also be used.

Mr. Hooper said the main item they are trying to prevent is the use of cheap lightweight plastic that would blow away in the event of a storm.

Mr. Daniel mentioned that the Sidewalk Policy should clearly state that the furniture placed at outside dining locations needs to be durable and have enough weight not to fly away.

Mr. McMinn noted that the policy requires umbrellas to be taken inside when the business is not in operation. He asked if the City will itself follow that policy.

Mr. Bland confirmed that umbrellas used for sidewalk dining must be taken inside when the business is not open.

Mr. McMinn said this implies that the government is exempt.

Mr. Parrish said the policy should apply to both private and public entities if it concerns umbrellas and outside dining. He noted that people use public tables and umbrellas for dining.

Mr. Hooper said the purpose of this policy is to ensure public safety and that the umbrellas used are of much higher quality, like the ones the City uses.

Ms. Bentley asked if Planning could put together a list of those currently holding sidewalk dining permits.

Mr. Bland said they can provide a list.

Mr. McMinn said he would like to add to Chapter 62 7a to maintain the safety and appearance of streets, sidewalks, and other public ways.

Mr. Parrish asked if they could add to Chapter 62 C.2.C. to include tables, chairs, and umbrellas so they do not dissuade non-restaurant customers.

Mr. Hooper said he will research the NCDOT agreement to ensure that it is a statewide policy or if other municipalities have different agreements that allow for different setbacks.

F. Times Arcade Alley Update

Mr. Hooper said the planned outage that was scheduled for tonight has been postponed.

Ms. Bentley said it was rescheduled to Sunday.

Mr. Hooper said that Tennoca has missed the substantial completion date set in their contract. He said that he and the City Attorney have discussed the matter and decided not to take legal action due to the circumstances. However, if sufficient progress is not made in the future, they will explore legal options. Later this week, they expect an updated schedule from the contractor, which will be based on their work now that Duke Energy has completed their part. Tennoca has been delayed by a few issues, including multiple rescheduling by Duke Energy and difficulty sourcing a concrete junction box. Mr. Hooper said he will not be able to provide a schedule of road closures until Tennoca provides him with an updated schedule. He added that the City has been working hard to minimize the impact of the construction on businesses, incurring an additional $9,000 in expenses, 50 hours of staff time, and at least $4,000 in lost parking revenue by offering free parking to businesses.

Mr. Platt asked what the best guess for completion is.

Mr. Hooper said that from the time they receive the junction box, it would probably be another six weeks.

Mr. Platt said that he appreciates the extra costs the City has incurred, but this should have been anticipated. The reality is that these businesses are the City's clients, and they have been let down. He said the contractor has failed, and so the City has failed. He stated that the City should be doing everything it can to help these businesses, especially during their busy season.

Mr. Parrish mentioned that at the end of the day, we need to show empathy toward the businesses because they help make the City what it is. He said that what the City has done to help accommodate the construction is less than what these businesses have at stake.

Mr. Daniel said it seems that this needs further attention. He wants to ensure that our businesses are taken care of and that we need to do a better job moving forward.

Mr. Platt said the City needs to invest in a walkway mat to lay over Times Arcade Alley to make it easier to access.

Mayor Copelof said that they hear the concerns of the local businesses, and as elected officials and staff, they are evaluating solutions to do as much as they can to take care of the affected businesses.

G. Mural Painting Next Steps

Ms. Bentley said that this committee has received an overview of the mural painting that was presented at the last committee meeting. We are asking the committee to approve this so that the artist can paint the mural during the Plein Air Festival in September.

Mr. Hooper asked who is securing funds for this project.

Ms. Bentley said that the Heart of Brevard will secure the funds for this project, and we are not asking for funds from the City.

Ms. Holden asked what the lifespan of a mural is.

Ms. Bentley said that for a mural like this, it's typically five years. However, his contract provides for maintenance and touch-ups. It will also have an anti-graffiti coat.

At 5:10 p.m., a motion was made by Mr. McMinn, seconded by Mr. Parrish, to recommend the mural application to the City Council. The motion passed unanimously.

H. Downtown Beautification Grant – Dogwood Trust

Mr. Hooper said that we recommend our application for the Dogwood Trust Downtown Beautification grant be for the mural.

The committee recommended that the mural application be used for the Dogwood Trust grant.

I. Public Comment

Mr. McMinn asked for a map of the city bicycle routes.

Mr. Hooper said that Mr. Bland could provide a map like that.

Mr. Miller said that he appreciates all the concerns from the committee. He said that the businesses downtown are the lifeblood of the community. Mr. Miller said that the City should have devoted someone or hired a project manager to help with the management of the project to ease the stress on businesses.

Ms. Necessary asked if the City could improve communication when the street is going to be closed for construction. She said that her business is down around 25% year over year, and although she does not blame the City for all of that, she feels that the City has been dismissive.

Ms. Holder asked if an alert can be provided when the road is going to be closed.

Ms. McCann said that the criteria for announcing street and sidewalk closures to the general public typically includes how far in advance they were made aware of it, how long it will last, the proximity of other streets for bypasses, the time of day, and how many lanes will be closed.

J. Set Date for Next Meeting

The next meeting of the Council Downtown Master Plan Committee was scheduled for Wednesday, June 12, 2024 at 4:00 PM.

K. Adjourn

There being no further business, the meeting was adjourned at 5:28 PM.

Minutes Approved - June 12, 2024

X _____
Gary Daniel
Chair, Council Member

X _____
Alex Shepherd
Assistant to the City Manager