

TOWN OF WEAVERVILLE

COUNCIL MEETING

Minutes

The Town Council for the Town of Weaverville held a Public Hearing at 6:45 P.M. on January 24, 2011 for the purpose of considering the Ordinance Amending Article XIII of Chapter 36 (Zoning) of the Code of Ordinance of the Town of Weaverville.

Mayor Root called the hearing to order.

Mr. Boaz explained that the purpose of the amendment to Article XIII of the Zoning Ordinance was to establish a procedure for a property owner or duly appointed agent to request an amendment to either the zoning map or to the text of the Ordinance. The Zoning Ordinance allows amendments in the zoning text and map. However, there is not a procedure in which the property owner or agent may apply.

Mayor Root opened the hearing for public comment.

There being no comment from the floor, Mayor Root closed the hearing.

REGULAR MEETING

Minutes

The regular meeting of the Town Council for the Town of Weaverville was held on January 24, 2011 at 7:00 P.M. in the Council Chambers at 30 South Main Street.

Present: Mayor Al Root, Vice Mayor Dottie Sherrill, Council Members Walt Currie, Doug Dearth, Doug Jackson. Town Manager Michael Boaz, Town Attorney Patsy Brison, Town employees Larry Sprinkle, Greg Stephens, Jeff Hooper, Jim McMillan and Shelby Shields.

Absent: Council Member Gene Knoefel.

Visitors: Scott Hughes, Harlan Hensley, Chuck Chiavaras, John and Joan Moran, Doug Theroux, Terry Dawson, George Zerkich, John and Jamie Penley.

Mayor Root called the meeting to order.

Approval of Agenda:

Mayor Root stated that item 9. Request to rezone BLT Enterprises has been withdrawn and moved to the February Council Meeting. Two items will need to be added to the agenda; 9a - discussion of the sidewalk on Highland Street; and 9b - appointments to the Animal Control Board. The motion to accept the Agenda as amended was made by Vice Mayor Sherrill, seconded by Council Member Currie and approved .

Public Comment:

Joan Moran, 12 Hickory Lane - request for the Town to do snow removal on Hickory Lane.
Harlan Hensley, 8 Hickory Lane - request for snow removal on Hickory Lane.
Chuck Chiavaras, 4 Hickory Lane - request for snow removal on Hickory Lane.
George Zerkich, 35 Whitetail Drive - change the name of the Christmas parade.

Approval of Minutes:

The motion was made by Council Member Currie to approve the minutes with the phase Christmas Candle Walk changed to the Candle Light Stroll. The motion was seconded by Vice Mayor Sherrill and unanimously approved.

Audit Report:

Mr. Scott Hughes, Johnson, Price and Sprinkle, PA, auditor for the Town of Weaverville, gave the highlights of the Comprehensive Annual Financial Report for June 30, 2010. Mr. Hughes stated that once again this year, the Town has a clean opinion as of June 30, 2010. He commended the Town on the receipt of the GFOA award for excellence in financial reporting. Mayor Root stated that the June 30, 2010 Audit is on the website for public view.

Ordinance Amending Article III of Chapter 36 of the Code of Ordinances:

Mr. Boaz briefly explained that the Ordinance sets forth a procedure for an individual to request

an amendment to the Zoning Ordinance text or zoning map. Ms. Brison has drafts prepared of a protest petition and the application for the rezoning for review by Mr. Boaz and Ms. Shields, if Council chooses to adopt the amendment. The motion to adopt the Ordinance Amending Article III of Chapter 36, Zoning was made by Council Member Dearth, seconded by Vice Mayor Sherrill and unanimously approved.

Ordinance Amending Penalty Provision of the Code of Ordinances:

Mr. Boaz stated that Ms. Brison, in review of the Code of Ordinances, has found some inconsistencies in the wording of the various penalty provisions. The proposed ordinance would clear up the inconsistencies and make any violation of the Town Code subject to a civil penalty, unless otherwise stated. There was a discussion on the Town being able to collect civil penalties vs collection of criminal penalties. The consensus of the Council was to collect civil penalties.

Sec. 36-23 and Sec. 36-209 pertain to the Zoning Ordinance and will require a public hearing before adoption. The motion was made by Vice Mayor Sherrill, seconded by Councilman Jackson and unanimously approved to hold a public hearing on February 21, 2011 at 6:45 P.M. on the Ordinance Amending the Penalty Provisions of the Code of Ordinances.

Highland Street Sidewalks:

Councilman Jackson stated that in October 2010, the Council asked Mr. Sprinkle to get a preliminary construction cost estimate to build a sidewalk on Highland Street. Based on the preliminary information at this point, it appears there is enough money in the budget to do the project. Council Member Jackson made the motion for the Town to move forward on the portion from Church Street to Salem Road. The motion was seconded by Council Member Currie. Mr. Sprinkle stated that the engineer's estimate for the Highland Street sidewalk is \$159,000., but the actual figure would not be known until the project was actually bid. Mr. Sprinkle suggested that the motion made by Mr. Jackson be amended to include authorizing Mr. Boaz to award the contract as long as the money is in the budget. If the bid is above the budget figure, then come back before the Council for their direction on proceeding. Council Member Jackson amended his motion to include appointing Mr. Boaz to award the contract provided the money is in the budget, and if it is over budget, come back to Town Council for their direction. The motion was seconded by Council Member Currie. The motion was unanimously approved.

Appointments to the Animal Appeals Board:

Mayor Root recommended the appointment of two members to the three member board. Mr. Harold Payne was nominated for the three-year term and Mr. Dan Moffitt for the two-year term. The third appointment will be made at a later Council meeting. The motion was made by Council Member Jackson to accept the nominations made by Mayor Root. The motion was seconded by Vice-Mayor Sherrill and unanimously approved.

Tree Board Annual Report and Comprehensive Tree Plan:

The motion was made by Council Member Dearth to accept the Annual Tree Board Report and Comprehensive Tree Plan 2010 for the Town of Weaverville. The motion was seconded by Council Member Jackson and approved by a vote of 4 - 0.

The Fourth of July Race:

Mayor Root stated that the Kiwanis Club has requested the Council to consider whether or not it would be feasible to move their Fourth of July Race back into the Town of Weaverville. The Fourth of July Race was held in the Town for approximately fourteen years prior to moving to the North Buncombe High School area for the past two years. The Race began the Town's Fourth celebration with the run in the morning. The Kiwanis Club would like very much to bring it back into the Town. Mayor Root disclosed that he is a member of the Kiwanis Club. Mayor Root stated that some of the members of the Kiwanis Club met with the Police and Fire Chief to discuss the possibility and requirements of the Departments.

Mr. Boaz stated that there are concerns with using volunteers to close the streets, for safety matters. He felt it was better to use staff for two or three hours. There was a discussion on the use of volunteers. Mayor Root stated that one thing was not to have Public Works setting up the barricades on the morning of the race. The barricades could be set out the day before and volunteers set them up the morning of the race.

Council Member Jackson asked if the Council could get an estimate of the cost, and how far in advance would the Kiwanis Club need to know since the budget workshop will be coming up soon. Mayor Root stated that they need to know now because the running world plans these activities in advance. Mayor Root further stated that in the discussion at the meeting, the Kiwanis Club estimated that the Town staff cost would be approximately \$2,000.

Council Member Currie disclosed that he, too, was a member and officer of the Kiwanis Club and stated that a decision does need to be made right away. He stated that this is the Independence Day part of the celebration and felt it would be nice to see it back in the Town of Weaverville.

Council Member Jackson stated that, with the significant reduction in the cost, that makes a big difference and he would be willing to see it back in Town. Council Member Jackson made the motion to return the Fourth of July Race back into the Town. The motion was seconded by Council Member Currie. Council Member Dearth asked if anything was planned for the Fourth activities this year. Mayor Root stated that not at this time. He has had conversations with a few people, but no plans. Vice Mayor Sherrill stated that she had thought about a senior luncheon since the Senior Christmas Luncheon had to be cancelled. She stated that she would like to see some aspects of the Fourth celebration be put back with some changes some changes. The motion was approved by a vote of 4 - 0.

Manager's Report:

Mr. Boaz reported that he and Council Member Dearth went to the 2011-2012 League of Municipalities Advocacy Goals Setting Conference. The League's membership, municipal officials from across the State, adopted twenty-five top priority goals for the 2011-12 General Assembly. Each municipality was allowed to vote for 10 goals, from a list of thirty-five, that they considered the most important to their municipality. The Council Members have a list of the 10 goals chosen by Mr. Boaz and Mr. Dearth. Nine goals on their list were in the top 10 goals chosen on the final list of twenty-five.

Mr. Boaz stated that he has prepared a tentative 2011-2012 budget schedule, with the first planning workshop to be held in February. After a brief discussion the motion was made by Council Member Currie to amend the schedule of regular meetings to include February 17, 2011 Budget meeting at 4:30 P.M., with Town Staff, to determine the needs of the Town. The motion was seconded by Vice Mayor Sherrill and unanimously approved.

Mr. Boaz stated that the Council Members also have a Memorandum from Governor Bev Perdue announcing her opposition to privatizing North Carolina's current Alcohol Beverage Control system.

Mr. Boaz announced that May 4, 2011 is Town Hall Day in Raleigh, North Carolina.

Department Reports:

Police Department - Police Chief Greg Stephens reported the activities of the Police Department. Chief Stephens stated that the 2010 Annual Report is on the website.

Fire Department - Fire Chief Jeff Hooper gave the monthly report. Chief Hooper reported that there is a mobile burn train facility. It is a County-wide burn facility purchased thru the Buncombe County Fireman's Association. Mr. Hooper stated that Weaverville Fire Department is the training center for the North Buncombe area fire departments. He also invited everyone to stop by and see the facility.

Public Works Department - Larry Sprinkle gave the department report for the past month.

Zoning Department - Shelby Shields reported the zoning activities.

Tax Department - Mr. Boaz gave the Tax Department report.

There being no further business, the motion was made, seconded and approved to adjourn.

Shelby Shields, Town Clerk

