

TOWN OF WEAVERVILLE

TOWN COUNCIL

PUBLIC HEARING

Minutes - August 17, 2015

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Present: Mayor Dottie Sherrill, Vice Mayor John Penley.
Council Members Walt Currie, Doug Dearth, Doug Jackson and Gene Knoefel.
Attorney Morgan Bryant, Interim Manager Mike Morgan, Terry Malone, Greg Stephens, and Shelby Shields.

Visitors: Selena Coffey, Cooper, Selena's son, Ruth and Howard Coffey, her parents.
Tina Jenkins, Jill Brittan, Alicia Hulse, David Rittenberg, Cindy Wright, Lou Accornero, Aileen Fleming, Jamie Penley, Jordan and Lewis Read, Marvin Mercer, Donna Bollinger, Kalyan Yolpe, Joyce and Sam Tucker, Barbara and Terry Dawson, Leslie Osborne, Andrew Nagle, Rob and Beth Mangum, approximately twenty-five Art Safari supporters.

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Mayor Sherrill opened the hearing for public comment. There being no comment, the hearing was closed.

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Ms. Coffey expressed her appreciation to the Council for putting faith in her to do the job, and she will certainly try to live up to that, and appreciates the opportunity. She further stated to the citizens, that she looked forward to working with and for them to the best of her ability.

Approval of the Agenda:

Mayor Sherrill requested that the rental of the Town Hall Community Room to the Art Safari is added to the Agenda under **New Business**, item **i**. The motion to a approve the Agenda with the addition of item **i** under **New Business** was made by Council Member Knoefel, seconded by Council Member Currie, and unanimously approved.

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The motion was made by Council Member Knoefel, seconded by Vice Mayor Penley, and unanimously approved to accept the minutes of July 20, 2015 Council Meeting and August 6, 2015 Council Workshop, as written.

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The motion was made to re-appoint Roney Hilliard to the Town of Weaverville ABC Board, for a term of two (2) years, by Council Member Currie, seconded by Vice Mayor Penley, and unanimously approved.

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Ms. Joanne Badr, representing her client, stated that they are present to request a water commitment in connection with an application in Buncombe County Planning, for a Conditional Use Permit for the multi-family development. She further stated that they would like to give a request for voluntary annexation by the Town to hold until such time that it feels that it is positive for the Town. The developers would maintain the integrity of the community.

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Mr. Morgan stated that there are some areas near downtown that eight units per acre are still needed, but he felt that other areas would benefit by forming a new zoning classification that allowed more units per acre.

After a brief discussion, Council Member Dearth stated that he would like to lock in both water and annexation. He also felt that the Planning and Zoning Board should be directed to proceed with the changes to the lot number requirements in the Zoning Ordinance.

Vice Mayor Penley agreed. Council Member Knoefel agreed that the Unified Housing Development is out of date and needs to be updated, and he too, would like to proceed with the condition that they come into the Town. He didn't want to give up that opportunity.

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Council Member Dearth proposed to grant the applicants request for water connections for their proposed project at 145 Monticello Road with the requirement that they annex the property, and at the same time ask the Planning and Zoning Board to pursue changing the ordinance in terms of the density on this project, and any other properties that the Town deems necessary, to meet the zoning requirement of Buncombe County. The motion was seconded by Vice Mayor Penley, and approved by unanimous vote.

Mark Reynolds, partner in Berkley Hall Construction, LLC, showed renderings of the proposed development and gave a brief overview of the project. He answered several questions from the audience and referred them to Berkley Hall's website, for their other developments and further information, pictures, videos, etc.

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Mayor Sherrill stated that the Planning and Zoning Board has recommended the approval of a new application requesting changes to the subdivision of Greenwood Park.

Marvin Mercer, Mercer Design Group, gave an overview of the requested changes to Greenwood Park Subdivision application dated July 21, 2015. The number of lots are the same, nothing was changed except that the back property lines of Lots 101 through 109 have been extended to give each lot access to the sewer line right-of-way, as well as fixing the existing sewer line problems to meet MSD standards for the houses on Al Dorf Drive and Penley Park. The extension eliminates the common area. Moving the right of way line at Lot 109 reduced the area to be disturbed. The road in Phase 1 has been shortened, bringing the area to be disturbed less than one acre since the lower lots would not have access to sewer without a sewer extension. The developer will be required to follow the Stormwater/Erosion permit from Buncombe County.

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Kalyon Yolpe clarified that he understood that the request for an extension was if their requested changes to the subdivisions were not approved, then they would need the extension.

c. The Hamlet:

Mr. Mercer stated that the Greenwood Park revisions of the sewer line to meet MSD standards required the revision of five (5) lots in The Hamlet, lots 207 thru 211, plus moves lot # 214 to Phase 2 in the Hamlet. The size of the development is not being changed, the number of lots are the same just moving the lines around, and moving lot 214 to Phase 2 of The Hamlet.

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Mayor Sherrill stated that the Art Safari preview party is scheduled for October 23, and the members have not been able to find a location for their event since the Town decided not to rent the Community Room. She had numbers of emails and phone calls since the decision that Town Council made at their August 6, 2015 workshop. Council Member Currie felt that the Council should give some additional thought on the discussion of the present policy.

Vice Mayor Penley stated that he was not present for the August 6th workshop, but the Art Safari had planned all year long to have the preview party in the Community Room. He felt they should be given the opportunity to use it this time, but it should be discussed again.

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Mayor Sherrill stated that she is in support of this October Art Safari Preview Party, after that, the Council can discuss it, and decide what to do. But, give them a chance since the money they raise at the preview parties is for the next year's activities, advertising, printing etc. At this point, they haven't had an opportunity to find anything else.

Council Member Dearth stated that there was a very thorough discussion at the Council's Workshop. The Town is not in the position to be staffed to run a parks and recreation system with all that requires safety, clean-up, security, etc. The strong feeling out of that Workshop was that the Town gets out of the rental business. If you make an exception for this, then that is all the more reason to make an exception for the next person. He further stated that he was in sympathy with the Art Safari but they had a home for many years at the Golf Community and chose for some reason to leave. He was in favor of staying with the same position as made last week and basically take the premises off the market.

Council Member Jackson stated that he agreed with Mr. Dearth, and felt that the Town should get out of the rental business. The policy was thoroughly discussed. But, at the time of the workshop, he was unaware of the situation with the Art Safari. That the brochures and publicity had been done, and it's too late to make other arrangements.

There were several comments from the audience.

Mayor Sherrill asked for a motion to let the Art Safari use the Town Hall for the preview party to be held on October 23, 2015.

Vice Mayor Penley moved that to let the Art Safari use the Town Hall for the preview party on October 23, 2015. The motion was seconded by Council Member Currie.

Council Member Knoefel asked regarding the motion, "would the motion be to let them have it, free of charge, or without any cleaning or damage deposit?"

Mayor Sherrill responded, "free of charge, but they will clean up".

The motion was approved by a vote of 3 to 2 in favor of the rental to the Art Safari on October 23, 2015. Council Members Dearth and Knoefel voted in opposition.

Manager's Report:

Mr. Morgan reported that the Police and Fire Departments were recently inspected by OSHA, and both had excellent reports. OSHA will be back on September 9, 2015, for further inspections.

The Police Department was recently audited by the N.C. Criminal Justice Education and Training Standards Commission and passed with flying colors. This is the first time they has been audited since 1995.

Department Reports:

All Department reports were available at the meeting.

There being no further business, the motion to adjourn the meeting was made by Vice Mayor Penley, seconded by Council Member Currie, and unanimously approved.

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Council Member Knoefel stated his concern of the use, is the cost. He had no problem with renting the facilities for a fee. But since the majority of the members do not live within the Town, a lot of the cost is on the back of the taxpayers. He felt a cleaning fee or deposit should be paid.

Mayor Sherrill stated that she is in support of this October Art Safari Preview Party, after that, the Council can discuss it, and decide what to do. But, give them a chance since the money they raise at the preview parties is for the next year's activities, advertising, printing etc. At this point, they haven't had an opportunity to find anything else.

Council Member Dearth stated that there was a very thorough discussion at the Council's Workshop. The Town is not in the position to be staffed to run a parks and recreation system with all that requires safety, clean-up, security, etc. The strong feeling out of that Workshop was that the Town get out of the rental business. If you make an exception for this, then that is all the more reason to make an exception for the next person. He further stated that he was in sympathy with the Art Safari but they had a home for many years at the Golf Community and chose for some reason to leave. He was in favor of staying with the same position as made last week and basically takes the premises off the market.

Council Member Jackson stated that he agreed with Mr. Dearth, and felt that the Town should get out of the rental business. The policy was thoroughly discussed. But, at the time of the workshop, he was unaware of the situation with the Art Safari. That the brochures and publicity had been done, and it's too late to make other arrangements.

There were several comments from the audience.

Mayor Sherrill asked for a motion to let the Art Safari use the Town Hall for the preview party to be held on October 23, 2015.

Vice Mayor Penley moved that to let the Art Safari use the Town Hall for the preview party on October 23, 2015. The motion was seconded by Council Member Currie.

Council Member Knoefel asked regarding the motion, "would the motion be to let them have it, free of charge, or without any cleaning or damage deposit?"

Mayor Sherrill responded, "free of charge, but they will clean up".

The motion was approved by a vote of 3 to 2 in favor of the rental to the Art Safari on October 23, 2015. Council Members Dearth and Knoefel voted in opposition.

Manager's Report:

Mr. Morgan reported that the Police and Fire Departments were recently inspected by OSHA, and both had excellent reports. OSHA will be back on September 9, 2015, for further inspections.

The Police Department was recently audited by the N.C. Criminal Justice Education and Training Standards Commission and passed with flying colors. This is the first time they has been audited since 1995.

Department Reports:

All Department reports were available at the meeting.

6

There being no further business, the motion to adjourn the meeting was made by Vice Mayor Penley, seconded by Council Member Currie, and unanimously approved.

Shelby Shields,

Board Clerk

