

MINUTES

**TOWN OF WEAVERVILLE
STATE OF NORTH CAROLINA**

**TOWN COUNCIL MEETING
MONDAY, JUNE 20, 2016**

The Town of Weaverville Town Council met on Monday, June 20, 2016 beginning at 7:00pm in Council Chambers within Weaverville Town Hall at 30 South Main Street.

Present: Mayor Dottie Sherrill, Vice-Mayor John Penley, Council Members Doug Dearth, Patrick Fitzsimmons, Doug Jackson and Andrew Nagle, Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Police Chief Greg Stephens, Public Works Director Tony Laughter, Interim Fire Chief Ted Williams and Town Planner & Code Enforcement Officer James Eller

1. Call to Order:

Mayor Sherrill called the meeting to order at 7pm.

2. Approval / Adjustment to the Agenda:

Mayor Sherrill announced the following changes to the presented agenda:

Items 6D (schedule a public hearing related to a revision of code referencing the Conservation Board) and 6E (schedule a public hearing on Town parking requirements) will be removed from the Consent Agenda and be placed under discussion & action items as 7H and 7I respectively.

Items 7B (waterline extension request: Sonic) and 7C (waterline extension request: Blue Ridge Homes) would be inverted under discussion & action items to accommodate the applicant who would be traveling back to Greensboro following the conclusion of business related to the waterline extension request.

Item 7D, Tax Release, will be added to the Consent Agenda.

Vice-Mayor Penley made a motion to adopt the agenda with the aforementioned revisions. Councilman Jackson seconded and all voted unanimously.

3. Public Comment:

Dale Pennell spoke to Council regarding his concerns over the proposed Major Subdivision Concept Plan for the property commonly known as 212 North Main Street (Discussion & Action Item 7D). Mr. Pennell objected to the proposed Concept Plan citing traffic, the proposed cul-de-sac and the disruption of a streambed in the area of the aforementioned cul-de-sac as aspects which could be troubling.

Tom Plout spoke to Council regarding his concerns over a Unified Housing Development for the property commonly known as 97 Lakeshore Drive which had recently been approved by the Zoning Board of Adjustment. Mr. Plout cited traffic concerns as his objection to the project and called for a new meeting

of the Zoning Board of Adjustment as, in his opinion, the qualifications of Section 36-238 Standards within Article IX Special Use Permits had not been adequately satisfied.

Barrett Hagan began to speak regarding a discussion & action item related to a waterline extension. It was suggested by various members of Council that Mr. Hagan would have the opportunity to speak during his specific agenda item.

4. Approval of the Minutes:

- A. May 16, 2016 Public Hearings (R-12 Zoning District and FY 2016-2017 proposed budget)
- B. May 16, 2016 Town Council Meeting

Vice Mayor Penley made a motion to approve the minutes from the May 16, 2016 Public Hearings and Town Council Meeting as presented. Councilman Nagle seconded and all voted unanimously.

5. Employee Recognition:

Town Manager Coffey expressed her gratitude toward Town Council, department heads and members of staff who were instrumental in crafting the proposed 2016-2017 fiscal year budget.

6. Consent Agenda:

- A. Ordinance for July 4th Road Closures
- B. Budget Amendment #4: Bond Refinancing
- C. Ratification of Appointment of Town Attorney
- D. Tax Release

With no comment from members of Council, Councilman Jackson made a motion to approve the Consent Agenda as presented. Councilman Fitzsimmons seconded and all voted unanimously.

7. Discussion & Action Items:

- A. Town Clerk Appointment & Oath of Office

Town Attorney Jackson suggested that it would be appropriate for Council to entertain a motion appointing Town Manager Coffey as the Town Clerk. Councilman Fitzsimmons made the aforementioned motion. Vice-Mayor Penley seconded and all voted unanimously. Town Attorney Jackson then administered the oath of office for Town Clerk to Town Manager Coffey. Town Attorney Jackson suggested that it would be appropriate for Council to entertain a motion giving Town Manager Coffey the authority to appoint a Deputy Town Clerk. *Vice-Mayor Penley made the aforementioned motion. Councilman Nagle seconded and all voted unanimously.*

- B. Waterline Extension Request: Blue Ridge Homes

Public Works Director Laughter spoke to Council regarding the capacity to absorb the impact of the proposed developments water needs and presented figures which illustrated the performance of the water system. Councilman Jackson asked how the presented figures were calculated and Public Works Director Laughter suggested that the numbers for estimated water consumption based upon a specific use were obtained from the North Carolina Department of Environment and Natural Resources. Councilman Jackson then commented on the tremendous growth Weaverville has experienced and suggested that the Town may wish to determine when water commitments shouldn't be automatically granted. Mr. Laughter noted that when the system approached 75% capacity then there would be reason for concern for future growth beyond without a water plant expansion. Councilman Nagle asked if the system was operating below 50% capacity and Mr. Laughter affirmed. Councilman Nagle asked where capacity would be given the proposed water commitment and Mr. Laughter answered with a range between 59-63%.

Barrett Hagen spoke to Council on behalf of the applicant Blue Ridge Homes and suggested that the property would welcome voluntary annexation. Councilman Nagle suggested that at some point Council should develop a plan for future water commitments.

Councilman Jackson made a motion to approve the proposed water line extension. Vice-Mayor Penley seconded and all voted unanimously.

C. Waterline Extension Request: Sonic

Public Works Director Laughter spoke to Council regarding the water line extension request for Sonic. Councilman Jackson asked if Sonic would be paying for the water line and Mr. Laughter affirmed.

Vice-Mayor Penley made a motion to approve the proposed water line extension. Councilman Nagle seconded and all voted unanimously.

D. Major Subdivision Concept Plan: 212 North Main

Town Planner & Code Enforcement Officer Eller spoke to Council regarding the proposed Major Subdivision Concept Plan for the property commonly known as 212 North Main and noted that the parcel consisted of approximately five acres and would be subdivided in a fashion which would place the existing home on its own lot and create five additional lots for single family homes. Councilman Dearth asked if some of the concerns shared by Mr. Pennell during Public Comment would be addressed as the plan progressed and Mr. Eller affirmed. Councilman Nagle asked why the owner wouldn't build homes on the property as is and Mr. Eller answered that each home is required to be on an individual parcel. Councilman Nagle asked if Council had the capacity to reject the proposal and Mr. Eller answered that, provided the qualifications of the Subdivision Ordinance are met, Council doesn't have the ability to deny the proposal. Town Attorney Jackson affirmed the aforementioned statement and spoke to Council's role in crafting legislation. Councilman Dearth spoke to the relationship between Municipal Code and State Statute.

Following an exchange between various unidentified members of the audience, Planning and Zoning Board Chairman Doug Theroux, Mr. Eller and Ms. Jackson regarding items not related, it was suggested that conversation should return to the specific agenda item.

Councilman Jackson made a motion to approve the proposed Major Subdivision Concept Plan for 212 North Main Street. Vice-Mayor Penley seconded and all voted unanimously.

E. Revisions to Council Meeting Times

Town Manager Coffey presented Council with the possibility of changing the regular monthly meeting time from 7pm to 6pm based on comments she had heard from citizens and some of Council who had mentioned the changes in times, as well as establishing a schedule for workshop sessions. Councilman Nagle suggested the proposed change in meeting time should not detract from public involvement. Vice-Mayor Penley suggested that the change in time would be more convenient for both Council and those who wish to attend the meetings.

Vice-Mayor Penley made a motion to move the Town Council meeting time to 6pm from the previously established 7pm. Councilman Jackson seconded and all voted unanimously.

Vice Mayor Penley made a motion to move the Town Council workshop meeting time to 5:30pm from the previously established 5pm. Councilman Nagle seconded and all voted unanimously.

Councilman Jackson made a motion to hold the aforementioned workshops every other odd month. Councilman Nagle seconded and all voted unanimously.

F. Capital Reserve Fund Resolution

Town Manager Coffey spoke to Council regarding the establishment of a Capital Reserve Fund and the requisite resolution to adopt same. Ms. Coffey noted that the resolution calls for any funds above 40% of fund balance would automatically be transferred into the proposed capital reserve fund. Councilman Jackson asked if department budgets would be altered as a result of the proposed fund and if each of the items listed must be funded. Town Attorney Jackson noted that the items listed were pertinent to the Town and did not all require funding. Councilmen Fitzsimmons and Nagle voiced their support for the proposed resolution.

Councilman Dearth made a motion to approve the resolution. Councilman Fitzsimmons seconded and all voted unanimously.

G. Fiscal Year 2016-2017 Budget Ordinance & Fee Schedule

Town Manager Coffey presented the Budget to Council and thanked them and department heads for their involvement in the process. Ms. Coffey noted that the budget includes a tax increase of \$.02 per \$100 of appraised value, a rate study for water service and a fee increase of 3% based upon the study's findings,

and that the general fund within the budget for the 2016-2017 fiscal year equates to \$6,043,240 and the aforementioned capital reserve fund calls for \$50,000.

Councilman Nagle thanked Ms. Coffey and the fellow members of Council for working with him over five budget workshop sessions.

Councilman Jackson made a motion to adopt the 2016-2017 fiscal year budget and associated fee schedule. Vice-Mayor Penley seconded and all voted unanimously.

H. Schedule a Public Hearing for a Revision of Code Referencing the Conservation Board

I. Schedule a Public Hearing on Town Parking Requirements.

Councilman Nagle made a motion to hold a Public Hearing for the revision of code referencing the Conservation Board and a revision of the town parking requirement for July 18, 2016 at 6pm. Vice-Mayor Penley seconded and all voted unanimously.

8. Town Manager Report

Town Manager Coffey addressed Council regarding the following subjects:

- The next Town Council workshop is scheduled for Tuesday, July 12, 2016 at 5:30 pm and will be held at the Fire Department Training Room.
- Negotiations continue with representatives from Sun Trust Bank and NCDOT related to the placement of a Town of Weaverville gateway sign along Weaver Boulevard.
- MSD would be conducting an emergency sewer line repair which would disrupt traffic on North Main Street and disrupt service to addresses ranging from 55 to 63 North Main.
- A reception for recently retired Town Clerk Shelby Shields is scheduled for Wednesday July, 13 from 4pm to 6pm and will be held in the Council Chambers within Town Hall.

9. Department Reports:

Mayor Sherrill notified those in the audience that the department reports for Fire, Police and Public Works were available on a table near the entry door to Council Chambers for those who are interested in same.

10. Closed Session:

Town Attorney Jackson recommended a motion for Council to enter closed session as per:

North Carolina General Statutes 143-318.11(a)

(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.

(6) To consider the qualification, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; etc.

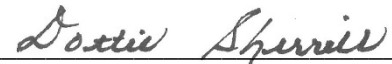
Vice-Mayor Penley made the aforementioned recommended motion. Councilman Fitzsimmons seconded and all voted unanimously.

Councilman Nagle made a motion to return to open session. Councilman Jackson seconded and all voted unanimously.

Upon return to open session, *Councilman Dearth made a motion to amend the Personnel Policy of the Town to add Article VI, Section 15 entitled "Administrative Leave" which reads as follows: "The Town Manager shall have the authority to place an employee on administrative leave with pay for a period of time to be determined at the Manager's discretion." Vice-Mayor Penley seconded and all voted unanimously.*

11. Adjournment:

There being no further discussion or business before Council, *Councilman Fitzsimmons made a motion to adjourn. Councilman Nagle seconded and all voted unanimously. Meeting adjourned.*



Dottie Sherrill, Mayor

ATTEST:



James Eller, Deputy Town Clerk