

MINUTES

**TOWN OF WEAVERVILLE
STATE OF NORTH CAROLINA**

**TOWN COUNCIL MEETING
MONDAY, AUGUST 15, 2016**

The Town of Weaverville Town Council met on Monday, August 15, 2016 beginning at 6:00pm in Council Chambers within Weaverville Town Hall at 30 South Main Street.

Council Present: Mayor Dottie Sherrill, Vice-Mayor John Penley, Council Members Doug Dearth, Patrick Fitzsimmons and Doug Jackson. Absent: Councilman Andrew Nagle.

Staff Present: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Police Chief Greg Stephens, Public Works Director Tony Laughter, Fire Marshal Jayson Harwood and Town Planner James Eller.

1. Call to Order

Mayor Sherrill called for the meeting to come to order at 6:00pm.

2. Approval/Adjustments to the Agenda

Councilman Jackson requested to add Discussion and Action Item D for Council to address solid waste collection of larger multi-family residential developments.

Councilman Dearth requested to remove the Planning and Zoning Board and Zoning Board of Adjustment appointments from Consent Agenda Item A for further discussion.

Town Manager Coffey requested to add Consent Agenda Item E to address an Ordinance related to road closures for the North Buncombe High School Homecoming Parade.

Mayor Sherrill asked if Closed Session could be removed from the Agenda and Town Attorney Jackson confirmed.

Councilman Jackson motioned to approve the Agenda as Amended. Councilman Dearth seconded and all voted unanimously.

3. Public Hearing: Conditional Zoning District, New Homes at North Main

Vice-Mayor Penley moved to go into the public hearing. Councilman Fitzsimmons seconded and all voted in favor.

Town Planner & Code Enforcement Officer James Eller opened the public hearing with an explanation of the documents presented to Council. Those documents are affidavits of mailing, posting and publication, a statement of reasonableness from the Planning and Zoning Board, the application and supporting documents, minutes from the June 7th and July 5th meetings of the Planning and Zoning Board and a Public Involvement Meeting Report.

Councilman Jackson stated his concern over the lack of street lighting for the proposed project. Vice-Mayor Penley shared this concern.

Fire Marshal Jayson Harwood stated to Council that the plans were sufficient to meet the qualifications of the Fire Code but that some minor relocating of fire hydrants had been discussed with the applicant and needed to be made. Public Works Director Tony Laughter stated that the water line for the project was sufficient to supply the development.

Council Dearth asked who would own the street lights if council chooses to incorporate them in the project in conjunction with the Conditional Zoning District. Mr. Laughter stated that if the lights were placed within the right-of-way then the Town could assume ownership and also discouraged the practice of the Town accepting any more street lighting due to the costs associated. Mr. Laughter also stated that if the lights were placed outside of the right-of-way the home owners association could be responsible for the lights.

Applicant Joe Quinlan of Mountain Housing Opportunities (MHO) introduced himself, Wyatt Stevens of Roberts & Stevens and Warren Sugg of Civil Design Concepts. Mr. Stevens, legal representative of MHO, spoke to Council regarding the project and similar successful projects developed by MHO in both the Town of Weaverville and Buncombe County.

Meredith Moody, Sandra Dorn, Pam Abernethy and Al Root each spoke in favor of the proposed development. Christine Borden inquired about the price point of the homes. Mr. Quinlan responded that the market value homes would be determined by the present market value and the self-help homes would be less. Thomas Veasey suggested that the median housing cost in the area was \$236,000.

A motion was made to close public hearing by Councilman Jackson. Vice-Mayor Penley seconded and all voted in favor.

4. Public Comments

James Proffitt spoke to Council regarding his concerns over traffic which may be generated by a proposed development at 97 Lakeshore Drive.

Laura Ayers spoke to Council regarding the history of Lake Louise and suggested that the proposed development at 97 Lakeshore Drive could endanger same.

Matt Perramore spoke to Council suggesting that all the proposed development posed a threat to the unique character of the Town.

Paris Lyle spoke to Council about the condition of Lakeshore Drive in relation to the proposed development at 97 Lakeshore Drive.

Donna Bollinger spoke to Council regarding her belief that the signs being deployed by the Town to advertise Public Hearings are inadequate.

Tom Plaut spoke to Council on behalf of the Lake Louise Preservation Association and their supposition that Council represent the park at the next meeting of the Zoning Board of Adjustment regarding the proposed development at 97 Lakeshore Drive.

Thomas Veasey spoke to Council regarding the history of Lake Louise, structures and people around same.

Bernie Koesters spoke to Council regarding his concerns related to the proposed development at 97 Lakeshore Drive.

5. Approval of Minutes

Councilman Dearth made a motion to adopt the minutes as presented for the July 18, 2016 Town Council meeting and the August 3, 2016 Town Council special call workshop. Vice-Mayor Penley seconded. All voted in favor.

6. Employee Recognition

Town Manager Coffey recognized Debbie Bruce for the 99.94% tax collection rate

7. Consent Agenda

A. Amendment to Audit Contract.

B. Schedule Public Hearings on Voluntary Annexation Petition / Initial Zoning Request for Garrison Reserve Investors LLC.

C. Schedule Public Hearings on Voluntary Annexation Petition / Initial Zoning Request for Serota Mars Hill LLC.

D. Road Closure for North Buncombe High Scholl Homecoming Parade.

Councilman Fitzsimmons made a motion to approve the Consent Agenda. Vice-Mayor Penley seconded. All voted in favor.

8. Discussion and Action Items:

A. FY 15-16 Tax Collectors Settlement; Approval of Bond Amount; FY 16-17 Tax Order for Collection.

Town Manger Coffey spoke to Council regarding the aforementioned items which are statutorily required.

Councilman Fitzsimmons made a motion to approve the Resolution Approving the Tax Collector's Settlement for Fiscal Year 2015-2016, the Resolution Setting the Bond Amount for the Tax Collector, and the Resolution Adopting the Order of Collection for the 2016-2017 Tax Year and Charge to the Tax Collector for the collection of the taxes for FY 2016-2017. Vice-Mayor Penley seconded. All voted in favor.

B. Proposed Amendments to Zoning Ordinance ref. Unified Housing Developments, Traditional Neighborhood Developments & Conditional Zoning Districts.

Town Attorney Jackson spoke to Council regarding the aforementioned amendments to the Zoning Code which call for the elimination of Unified Housing Developments, the Elimination of the Traditional Neighborhood Zoning District, and the elimination of the major thoroughfare access requirements for Conditional Zoning Districts. These changes were requested by Council following a previous workshop related to residential development.

Councilman Dearth made a motion to send the proposed Zoning Code amendments to the Planning and Zoning Board for review and recommendation and to set a public hearing before Town Council on Monday, September 19, 2016 at 6pm. Councilman Fitzsimmons seconded. All voted in favor.

C. Request for Town Council Acceptance and Staff Level Final Approval of a Waterline Extension for Sonic at Northridge Commons.

Public Works Director Laughter spoke to Council regarding a request to transfer authority to staff for a waterline extension related to Sonic due to the timing of the structures completion and Town Council's regularly scheduled meetings.

Councilman Dearth made a motion to grant staff the authority to accept the waterline extension. Councilman Jackson seconded. All voted in favor.

D. Solid Waste Collection for Larger Multi-Family Residential Developments.

Councilman Jackson explained that his request to place this item on the agenda was due to an array of concerns over the Town's ability to collect refuse from large multi-family residential complexes.

Councilman Jackson made a motion which instructed staff to draft an ordinance amendment related to refuse collection for large multi-family residential developments for Council's review at the next regularly scheduled meeting. Councilman Fitzsimmons seconded. All voted in favor.

E. Board Appointments, Reappointments & Term Adjustments.

Mayor and Council reviewed the membership and terms on the ABC Board, Zoning Board of Adjustment and the Planning and Zoning Board.

Councilman Dearth made a motion to accept the appointment of Warren Alcorn to the ABC Board and to transfer him from the Zoning Board of Adjustment (ZBA) to the ABC Board for a three-year term leaving an open seat on the ZBA. Councilman Fitzsimmons seconded. All voted in favor.

It was noted that Jan Rector had previously been appointed to serve as an alternate on the Zoning Board of Adjustment. Applicants for board positions will be forwarded to Council in order to try to fill the regular seat and one alternate seat on the Zoning Board of Adjustment. Council agreed to roll consideration of the appointments/reappointments for the Planning and Zoning Board to a subsequent meeting.

F. Rezoning Application for a Conditional Zoning District, New Homes at North Main.

Various members of Council expressed concerns related to parking and lighting within the proposed development but otherwise thought the CZD application should be approved. Through conversation with the applicant, the following conditions were agreed upon:

- a. The Utility Plan shall be revised so as to show the fire hydrant locations and related infrastructure as required and approved by the Town's Fire Marshall and Public Works Director.
- b. The Utility Plan shall be revised so as to show the infrastructure and improvements required and approved by the Town's Public Works Director to provide water to the

project consistent with the Town's Code, water regulations and approved water allocation.

- c. A lighting plan shall be developed by Mountain Housing Opportunities and approved by the Town Planner if it is (1) reasonable for the development, (2) consistent with the Town's zoning provision governing lighting, and (3) shows all lighting improvements located outside the Town's street rights-of-way. The Utility Plan shall be so revised as to depict the lighting plan approved by the Town Planner.
- d. Utilities for the project shall be installed underground.

Councilman Penley made a motion to approve the project subject to the above-noted conditions which the developer agreed to. Councilman Jackson seconded the motion and all voted in favor and directed staff to bring back an Ordinance for adoption at Council's next meeting.

9. Town Manager's Report

Town Manager Coffey informed Council that she is still awaiting a response from Suntrust Bank related to the placement of an additional gateway sign, work is progressing on a new website for the Town, appraisals were being submitted for the old bus garage, the Police Department is organizing a blood drive and an offer has been made to fill the position of Finance Officer. There was some discussion about cancelling the Council's work session scheduled for September 13, 2016.

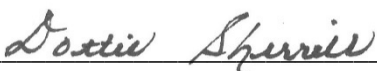
Councilman Jackson made a motion to cancel the workshop session for Council on September 13, 2016. Councilman Dearth seconded. All voted unanimously.

10. Departmental Reports

Mayor Sherrill noted that departmental reports were available on the table beside the door.


11. Adjournment

At 8:25pm Councilman Dearth moved to adjourn. Vice-Mayor Penley seconded. All voted in favor.



Dottie Sherrill, Mayor
Town of Weaverville

ATTEST:



James Eller, Deputy Town Clerk