

## MINUTES

**TOWN OF WEAVERVILLE  
STATE OF NORTH CAROLINA**

**TOWN COUNCIL MEETING  
MONDAY, MAY 16, 2016**

The Town Council for the Town of Weaverville met for two public hearings prior to its regularly scheduled monthly meeting at 5:45pm on Monday, May 16, 2016 at Town Hall Council Chambers at 30 South Main Street, Weaverville.

Those present were: Mayor Dottie Sherrill, Vice Mayor John Penley, Councilman Doug Jackson, Councilman Doug Dearth, Councilman Patrick Fitzsimmons, Town Attorney Rebecca Reinhardt, Town Manager Selena Coffey, Town Clerk Shelby Shields, Police Chief Greg Stephens, Public Works Director Tony Laughter, Deputy Fire Chief Ted Williams and Planning & Code Enforcement Officer James Eller.

Absent was Councilman Andrew Nagle.

### **1. Call to Order of Regular Meeting**

Mayor Sherrill called the regular meeting to order.

### **2. Approval & Adjustments to the Agenda**

Mayor Sherrill asked for adjustments to the agenda. Councilman Fitzsimmons requested to add a proposed resolution from the Town regarding House Bill 2. Town Manager Coffey requested the removal of the agenda item regarding the Capital Reserve Fund and recommended replacing it with the House Bill 2 resolution, revising agenda item E.

*Councilman Dearth voted to approve the agenda as amended. Vice Mayor Penley seconded. All voted in favor.*

### **3. Public Comments**

A. Hamish Ziegler: Ziegler was concerned about safety and speeding on South Main Street and the need for sidewalks in that area as well. He commended Town Manager Coffey for speaking with him the prior week. Ziegler further noted drainage issues on South Main Street.

B. Beverly Rogers: Rogers noted meeting with Coffey on May 6, 2016, commending Coffey. Her primary concern is the need for sidewalks on South Main Street. She also noted that she has problems with water washing the concrete and dirt away from her chain link fence. Rogers noted that Public Works had cleaned the drainage ditch across from her house earlier that morning.

C. Alan Sheppard: Sheppard commented on the minutes and newsletter not having accurate times.

### **4. Approval of Minutes**

*Vice Mayor Penley made a motion to approve the April 18, 2016 Town Council minutes and the April 25, 2016 budget workshop minutes. Councilman Jackson seconded. All voted in favor.*

5. **Employee Recognition**

Mayor Sherrill asked Town Manager to begin employee recognition. Coffey then referred to Police Chief Stephens who asked for the recognition of Sergeant Brandon Paris for achieving his Advanced Law Enforcement Certificate through the North Carolina Criminal Justice Education & Training Standards Commissions. Coffey then introduced Deputy Fire Chief Ted Williams who commended Firefighters Alex Fisher and Chance Folse for meeting the requirements to become Senior Firefighters. Finally, Mayor Dottie Sherrill recognized outgoing Town Attorney Rebecca Reinhardt for her legal services to the Town and gave her a gift on behalf of the Town.

6. **Discussion & Action Items:**

- A. **Waterline Extension Request for Mountain Housing Opportunities (MHO) regarding Critter Trail Development:** Joe Quinlan, representing MHO, gave a brief explanation of the project, requesting the waterline extension for 47-unit development.

*Councilman Dearth made the motion to approve the waterline extension. Councilman Fitzsimmons seconded. All voted in favor.*

- B. **Town Parking Requirements:** Planner & Code Enforcement Officer gave a brief report regarding bringing the Town's parking requirements in line with other jurisdictions. Eller requested Council's direction to take the issue to the Planning & Zoning Board for study and possible revisions.

*Councilman Jackson made the motion to forward the parking requirements issue to the Planning & Zoning Board for further review. Councilman Dearth seconded. All voted in favor.*

- C. **Discussion regarding R-12 Zoning District:** Planner & Zoning Enforcement Officer James Eller gave an overview of Ordinance Section 36-85 for the R-12 zoning district. He explained that the new district will allow for a greater density of residential development increasing the units allowed to twelve units per acre from the previously established eight units per acre. Eller noted that the creation of the R-12 zoning district and related changes to the Code of Ordinances were approved unanimously by the Planning & Zoning Board.

Attorney Reinhardt recommended to Council that given the discrepancy with the time of the public hearing related to the R-12 zoning matter, the Council could allow any member of the public to comment at this time if they desire to do so. The Mayor and Councilmen consented to the action, and the Mayor asked if anyone present would like to comment or otherwise speak on the R-12 zoning matter.

The following came forward to comment:

1. Alan Sheppard: Sheppard asked if the new R-12 Zoning District would impact any development inside downtown or impact any of the other Town ordinances. Eller and Councilman Dearth responded with "no".

*Councilmen Dearth made the motion to approve the Ordinance Amending Chapter 36 of the Town of Weaverville Code of Ordinances regarding the Addition of an R-12 Zoning District, including the statement contained therein." Councilman Fitzsimmons seconded. All voted in favor.*

- D. **Ordinance Declaring Speed Limit Modifications to Woodland Hills Subdivision:** Town Manager Coffey explained that the North Carolina Department of Transportation had requested the approval of

attached Ordinance revising the speed limit to 25 miles per hour for the following streets within the Woodland Hills Subdivisions:

- SR 2216 (Highlander Road) between US 19 Business and SR 2237;
- SR 2237 (Bald Mountain Road) between SR 2241 and a point 0.10 mile north of SR 2238
- SR 2238 (Chipmunk Cove Road) between SR 2237 and a point 0.07 mile west of SR 2237;
- SR 2241 (Wilderness Road) between SR 2242 and SR 2237; and
- SR 2242 (Wilderness Cove/Brushwood Road) between a point 0.08 mile south of SR 2241 to a point 0.24 mile north of SR 2241

*Vice Mayor Penley made the motion to approve the Ordinance and all related certifications to NCDOT. Councilman Jackson seconded. All voted in favor.*

Councilman Jackson noted that he continued to have concerns about the speed limit on Weaver Boulevard and Town Manager Coffey stated that she has spoken with Marshal Williams, NCDOT, asking for the speed limit to be reduced. Williams has indicated that NCDOT will study the area.

- E. **Resolution requesting Governor McCrory to Revoke House Bill 2:** Mayor Sherrill read the following language to be considered by Town Council in an Ordinance requesting that the Governor revoke House Bill 2:

WHEREAS, the North Carolina General Assembly has passed, and Governor McCrory has signed, House Bill 2, and

WHEREAS, by enacting House Bill 2 the State Legislature have taken a measure that diminishes or restricts the legislative authority of local governments and their ability to enact and enforce anti-discrimination policies, and other personnel matters,

WHEREAS, House Bill 2 contains provisions related to the use of public restroom facilities that are unwarranted and unenforceable in any reasonable sense, and

WHEREAS, House Bill 2 states that lawsuits cannot be brought in state court on the basis of discrimination in employment, and

WHEREAS, House Bill 2 has had the tangible effect of damaging the image of North Carolina and damaging beneficial economic activity and economic development prospects in Buncombe County and throughout the State of North Carolina generally, and

WHEREAS, hundreds of corporations and businesses have decided not to locate in or do business within the State of North Carolina as a result of HB2, and

WHEREAS, the federal government has sued the state as a result of the law which threatens the loss of billions of dollars,

WHEREAS, the Town of Weaverville and its residents and businesses rely heavily upon a vibrant and thriving local, regional and state-wide economic environment and continuing local and outside economic investment,

NOW THEREFORE, the Town Council of the Town of Weaverville requests that the North Carolina General Assembly immediately revoke House Bill 2 in its entirety.

*Councilman Fitzsimmons made the motion to pass the Resolution. Councilman Dearth seconded. All voted in favor.*

**F. Appointment & Oath of Office for New Town Attorney:** Mayor Sherrill asked that Town Manager Coffey introduce the new Town Attorney Jennifer Jackson. Coffey provided a brief overview of the process used during budget deliberations for request for proposals, confirming that Town Council had chosen Attorney Jackson based on her local government experience and legal services fees proposed. Attorney Jackson then took her Oath of Office, with the Town Clerk swearing her into office.

**7. Town Manager's Report**

Town Manager Coffey provided an overview of her report, reminding Town Council about the proposed budget adoption on June 20, 2016. Coffey further stated that Public Works is working with NCDOT to try to fit 8-10 more parking spaces downtown with the restriping project. She shared with the Council that the Nature Park kiosk is now complete. Coffey added that she had been notified about a tour of the Arvato facility, but was uncertain if the Town would be invited.

**8. Departmental Reports**

Mayor Sherrill noted to the audience that departmental reports were available on the table beside the podium for the public.

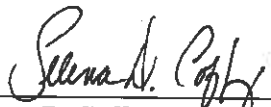
**9. Adjournment**

*Councilman Dearth moved to adjourn the meeting. Vice Mayor Penley seconded the motion. All voted in favor.*



Dottie Sherrill, Mayor  
Town of Weaverville

**ATTEST:**



Selena D. Coffey, MPA, ICMA-CM  
Town Manager / Deputy Town Clerk