

## MINUTES

TOWN OF WEAVERVILLE  
STATE OF NORTH CAROLINA

TOWN COUNCIL REGULAR MEETING  
MONDAY, JUNE 19, 2017

The Town Council for the Town of Weaverville met for its regular monthly meeting on Monday, June 19, 2017, at 6:00 p.m. in Council Chambers within Weaverville Town Hall at 30 South Main Street, Weaverville, North Carolina.

Council members present were: Mayor Dottie Sherrill, Vice Mayor/Councilman John Penley, Councilman Doug Jackson, Councilman Doug Dearth, Councilman Andrew Nagle and Councilman Patrick Fitzsimmons.

Staff present were: Town Attorney Jennifer Jackson, Town Manager Selena Coffey, Town Clerk Derek Huninghake, Police Chief Greg Stephens, Fire Chief Ted Williams, Town Planner James Eller, Finance Officer Tonya Dozier and Public Works Director Tony Laughter.

**1. Call to Order**

*Mayor Sherrill called the meeting to order at 6:00 p.m.*

**2. Approval/Adjustments to the Agenda**

*Councilman Dearth made a motion to approve the agenda as presented. Councilman Penley seconded and all voted in favor of the motion.*

**3. Approval of Minutes**

*Councilman Penley made the motion to approve the minutes from May 9, 2017 Town Council Budget Workshop and May 15, 2017 Town Council Meeting as presented. Councilman Fitzsimmons seconded the motion and all voted in favor on the approval of the minutes.*

**4. General Public Comment**

Public comments were received as follows:

Donna Bollinger commented on the delivery of the Town of Weaverville Focus electronic newsletter not being mailed out in a timely fashion, noting that she missed the scheduled Budget Workshop on June 1 because she didn't receive her mailed hard copy of the electronic newsletter until June 9. She recommends that the Town of Weaverville make this more of a priority by trying to mail the newsletter out earlier and inform USPS that it is for a Weaverville address so it doesn't get distributed through Greenville.

Jan Lawrence, member of the Dry Ridge Museum board, commented on the letter the Dry Ridge Museum received from Buncombe County stating they needed to depart their space at the library as of December 31, 2017. She handed out a booklet on the History of the Dry Ridge Museum to the members of Town Council, which showed that the museum began its formation in 1981 and officially opened in December of 1983. She noted that the museum was operated solely by the Board members and with grants they received. They never asked for help but did receive \$300 from Town Council in 1988. She is asking the Town of Weaverville to help with obtaining a space and utilities to keep the museum in. They have received offers from other Towns but want to stay in Weaverville.

Louis Accornero, 50 Highland Pointe Drive, thanked the Town Council for the tough decisions they have to make, even when they are unpleasant. He considers it a privilege to play a part in the development of Weaverville and is excited to see how Weaverville works. He says that from the book, Images of American Weaverville, it reads that Mark Weaver donated the land that is Weaverville. He is asking Town Council to consider giving back so that the museum can stay in Weaverville.

## **5. Consent Agenda**

*Motion to approve the consent agenda.*

### **A. Monthly Tax Report**

*Town Manager recommends approval of report.*

### **B. Tax Releases and Refunds**

*Town Tax Collector request approval of these tax releases and refunds.*

### **C. Set Filing Fee for Municipal Elections**

*Approval of resolution setting municipal election filing fee is requested.*

### **D. Budget Amendment**

*Approval of a budget amendment to move \$32,000 from Recreation to Sanitation is requested*

### **E. Annexation Petition/Initial Zoning-Shakamar Investment Group-8 Acres on Reems Creek Rd**

*Adoption of the attached resolution with direction to Town Clerk and Planning & Zoning is requested*

### **F. Request to Declare Surplus Property and Approval Disposition Methods – Fire Department**

*Town Manager recommends disposition of surplus personal property as indicted*

*Councilman Dearth moved for the approval of the consent agenda. Councilman Penley seconded the motion and all voted unanimously to approve all action requested in the consent agenda.*

## **6. Discussion and Action Items**

### **A. Adoption of FY2017-2018 Budget Ordinance and Fee Schedule**

Mayor Dottie Sherrill commented that Town Council had several Budget Workshops from February through June for the Fiscal Year 2017-2018 Budget and the Public Hearing was held on May 15, 2017.

The Fiscal Year 2017-2017 Budget Ordinance and Fee schedule are attached.

*Councilman Jackson made a motion to adopt the FY 2017-2018 Budget Ordinance and Fee Schedule. Councilman Penley seconded the motion. The motion passed by a majority vote of Council. Councilman Nagle voted against the motion. Motion carries 4-1.*

### **B. ASPCA Waterline Extension Acceptance and Staff Level Approval**

Public Works Director Tony Laughter mentioned that the American Society for the Prevention of Cruelty to Animals (ASPCA) project has progressed such that the Town acceptance criteria for the waterline, vault and vault drain will be completed within the next few weeks. Therefore, he is requesting that Town Council go ahead and accept the waterline extension and related improvements into the Town's water system subject to staff level approval by the Public Works Director, Town Manager, and Town Attorney. Also, the Public Works Director urges Town Council to set an improvement defects guaranty at \$8,000 to cover any defects that might be discovered within three years of our acceptance.

*Councilman Penley made a motion to pass the waterline extension and related improvements into the Town's water system subject to staff level approval, and set an improvement defects guaranty amount at \$8,000. Councilman Dearth seconded the motion. The motion passed by a unanimous vote of Council.*

#### **C. Creekside Phase III Waterline Extension Acceptance and Staff Level Approval**

Public Works Director Tony Laughter discussed that the Creekside Phase III has progressed such that the Town acceptance criteria for the waterline will be completed within the next few weeks. Therefore, he is requesting that Town Council go ahead and accept the waterline extension and related improvements into the Town's water system subject to staff level approval by the Public Works Director, Town Manager, and Town Attorney. Also, the Public Works Director urges Town Council to set an improvement defects guaranty at \$4,000 to cover any defects that might be discovered within three years of our acceptance.

*Councilman Jackson made a motion to pass the waterline extension and related improvements into the Town's water system subject to staff level approval, and set an improvement defects guaranty amount at \$4,000. Councilman Penley seconded the motion. The motion passed by a unanimous vote of Council.*

#### **D. Board Appointments – Zoning Board of Adjustments**

Mayor Dottie Sherrill recommends that Roger Parkin be appointed to the unexpired term for the regular seat previously held by Al Root. Mr. Parkin has been an active member of the Board even though he is currently serving as an alternate member, has requested to be considered for a regular seat.

*Councilman Dearth made a motion to appoint Roger Parkin to the Zoning Board of Adjustment as a regular member for the unexpired term of the seat previously held by Al Root. Councilman Fitzsimmons seconded the motion. The motion passed by a unanimous vote of Council.*

#### **E. 44 Central Avenue – Subdivision – Approval of Concept and Preliminary Plan**

Town Planner James Eller discussed that the Fire Marshall, Public Works Director and him have reviewed the Major Subdivision Application, Preliminary Plat, and Plans for 44 Central Avenue and have been found to comply with the Town's subdivision ordinance as it relates to a major subdivisions and other sections of code which are applicable. The Planning and Zoning Board have reviewed the same documents and unanimously recommended for your consideration.

*Councilman Penley made a motion to approve the aforementioned Major Subdivision commonly known as 44 Central Avenue. Councilman Fitzsimmons seconded the motion. The motion passed by a unanimous vote of Council.*

#### **F. Update on Table of Uses**

Town Planner James Eller mentioned that on November 1, 2016, Town Council made the decision for staff of the Planning and Zoning Board to work on the Table of Uses be implemented into the zoning code. After approximately 18 hours and 11 meetings, the Planning and Zoning Board has an updated Table of Uses that they would like to present to Town Council. As a reminder, Town Council has scheduled a special called meeting with the Planning and Zoning Board for Tuesday, June 27, 2017 at 6pm at the Fire Department Training Room, to begin discussions of the substance of the proposed Table of Uses.

## 7. Employee Recognition and Town Manager's Report

Town Manager Selena Coffey recognized James Eller on finishing his Zoning Administrator Certification process at the School of Government and Trent Duncan and his department for being awarded an Area Wide Optimization Award.

Town Manager Selena Coffey presented her Manager's Report to Council including the Citizens Academy Graduation is next month on July 20, 2017, Ms. Coffey will be at a Managers Conference in Concord, NC from June 21-23, 2017, plans for the July 4<sup>th</sup> event are finished and will go along as scheduled, and she has spoken with County Manager Wanda Greene and asked her not to have the Dry Ridge Museum move, but if we have to move out of the library, please give us more time. Town Manager Selena Coffey reminded Town Council that the Weaverville Business Association will have their Music on Main event this Friday, June 23, 2017 and the roads will begin to close around 1pm. She asked Town Council if they would like to keep the Town Hall open or close it, since the road will be closed and the parking lot will not be accessible.

## 8. Closed Session

*Councilman Penley made the motion to enter closed session as per N.C. Gen. Stat. § 143-318.11(a)(3) to consult with an attorney, N.C. Gen. Stat. § 143-318.11(a)(5) to establish or instruct staff concerning the position to be taken on the acquisition of real property and the amount of compensation and other material terms of an employment contract, and N.C. Gen. Stat. § 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, of conditions of employment of a public officer or employee, or to hear or investigate a complaint, charge or grievance. Councilman Dearth seconded the motion and by a unanimous vote Council entered into closed session.*

[CLOSED SESSION]

*Councilman Dearth made the motion to exit closed session. Councilman Fitzsimmons seconded and all voted unanimously to exit closed session and re-enter open session.*

## 9. Adjournment

*Councilman Dearth made the motion to adjourn; Councilman Nagle seconded and all voted to adjourn the Council's meeting at 7:50 p.m.*

  
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DEREK K. HUNINGHAKE, Town Clerk