

MINUTES

TOWN OF WEAVERVILLE
STATE OF NORTH CAROLINA

TOWN COUNCIL REGULAR MEETING
MONDAY, SEPTEMBER 18, 2017

The Town Council for the Town of Weaverville met for its regular monthly meeting on Monday, September 18, 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, and Councilman Patrick Fitzsimmons. Councilman Andrew Nagle was absent.

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

3. Approval of Minutes

Councilman Penley made the motion to approve the minutes from July 25, 2017 Town Council Workshop, August 8, 2017 Town Council Workshop and August 15, 2017 Joint Meeting of Town Council and Planning and Zoning Board as presented. Councilman Fitzsimmons seconded the motion and all voted in favor on the approval of the minutes.

4. Employee Recognition

Town Manager Selena Coffey recognized the Police Department, Fire Department and Public Works Departments for the great job they do for Art in Autumn every year. They have to help setup for the event and keep crowd control, as well as perform their typical jobs at the same time.

5. General Public Comment

Public comments were received as follows:

Thomas Veasey, 69 Lakeshore Drive, commented that he noticed they started the development at Lake Louise and wanted to know if the property and state were transferred over yet. He also commented that he was concerned about the partial soil erosion and silk fence that you can see from the down by the creek.

Town Attorney Jennifer Jackson mentioned that the property has not been transferred yet, but we are in those discussions. Also, Buncombe County regulates the sedimentation erosion control so Mr. Veasey would need to call them.

6. Consent Agenda

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

A. Tax Release - Approval of requested tax release.

B. Appointment to the French Broad River Metropolitan Planning Organization and Transportation Advisory Committee - Councilman Fitzsimmons appointed to French Broad River MPO and TAC, becomes effective October 26, 2017

C. Budget Amendment: Miscellaneous Re-appropriations - Approval of Budget Amendments.

D. NC 457 Plan – Deferred Compensation Plan Option - Adopted NC 457 Plan as an additional option for employees.

7. Discussion and Action Items

A. Recreation Advisory Board

Town Manager Selena Coffey discussed that the Lake Louise Community Center project is underway and the Town of Weaverville is in the process of applying for the \$500,000 grant. As a part of this grant, Town Council will need to appoint a Recreation Advisory Board, which cannot consist of elected officials or an ex officio member. Ms. Coffey recommends that the individuals serving on the Ad Hoc Committee be appointed for the Recreation Advisory Board, while adding Beth Mangum and Nicole Ogg.

Councilman Jackson made a motion to adopt the proposed resolution. Councilman Fitzsimmons seconded the motion. The motion passed by a 4-0 vote of Council.

Councilman Fitzsimmons made a motion to appoint the following members to a one year term on the Recreation Advisory Board. Beth Mangum, Nicole Ogg, Thomas Veasey, Jeremy Sheridan, Judy Glickman, Jim Proffitt, Laura Ayres, Brenda Dillingham and Wendy Stancil. Councilman Jackson seconded the motion. The motion passed by a unanimous vote of Council.

B. Update to Town Code of Ordinances

Town Manager Selena Coffey discussed that she has been looking at some various options for the Nature Park, more in regards to the Conservation Board and Tree Board. She proposed that the Town Council table the Conservation and Tree Board to a workshop.

Town Attorney Jennifer Jackson mentioned that she has continued efforts in reviewing and identifying provisions of the Town's Code of Ordinances which are out of date or not in use. There are several provisions that she is recommending to have repealed listed below.

- Chapter 26 – Telecommunications [Cable TV Franchise] - Town's legal authority for this regulation was repealed by the legislature in 2007
- Chapter 34 – Vehicles for Hire [Taxicabs] – Hasn't been used since adopted in 1973
- Chapter 12, Article III – Smoke Detectors – Article doesn't have any content and smoke detectors are regulated in the Fire Code
- Chapter 12, Article IV – Opening Burning – In April 2016, this was meant to be moved to Chapter 10, but was duplicated instead of moved. However with repeal there are slight revisions recommended to §§ 10-73 and 10-75

- Chapter 2, Article IV, Division 2 – Appearance Commission – Commission hasn't been active in many years; Committee can be established informally by majority action of Town Council
- Chapter 32, Article II – Tree/Conservation Board – Town Council slated this board for review; Council should discuss whether to continue these boards as is or repeal it in favor of a less formally created board; Council could appoint itself as the board. However, before repealing there are tree duties within Article I of Chapter 32 that should be considered, as well as Tree City USA responsibilities.

Councilman Jackson made a motion to adopt the proposed ordinance. Councilman Dearth seconded the motion. The motion passed by a unanimous vote of Council.

C. Overview of Public Water System Development Fees

Town Attorney Jennifer Jackson gave a brief overview on the Public Water System Development Fees. She mentioned that a Supreme Court case last year came down saying that impact fees were illegal and not allowed to be charged. But, the legislator granted towns and counties the authority to charge system development fees, which are fees that can be passed along for the future of the system. They have put in place a strenuous procedure to allow these fees to be analyzed before being adopted. We are in a grace period beginning October 1, 2017 until January 1, 2018 to get these procedures in place.

No discussion taken.

D. Out-of-Town Water Requests – Lifting of Moratorium

Town Manager Selena Coffey mentioned that last week at the Town Council workshop, Public Works Director Tony Laughter gave a recommendation to lift the moratorium at this point based on some projects being stopped and not going forward. Town Manager Coffey is in support of lifting the moratorium as well.

Councilman Fitzsimmons made a motion to move the Resolution Concerning Out-of-Town Water Requests adopted by Town Council on November 21, 2016, and amended on February 27, 2017, be rescinded so that out-of-town water requests can be handled as set forth in Chapter 30 of the Town Code. Councilman Penley seconded the motion. The motion passed by a unanimous vote of Council.

E. Danny Joe Brown – Commercial Building Water Meter – 431 Old Mars Hill Highway

Town Manager Selena Coffey mentioned that at the Town Council workshop, Public Works Director Tony Laughter brought up that Danny Joe Brown is requesting a waterline extension for a commercial building at 431 Old Mars Hill Highway. She recommends Town Councils approval of the waterline extension.

Councilman Penley made a motion to approve this application for a single residential meter to supply this proposed single commercial building. Councilman Jackson seconded the motion. The motion passed by a unanimous vote of Council.

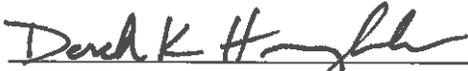
8. Town Manager's Report

Town Manager Selena Coffey presented her Manager's Report to Council including that the Town is in the process of beginning the Park and Recreation Grant, a survey consisting of 25 questions is online to be completed by residents to help form a master plan on the Lake Louise project, the tree trimming disaster completed on North Main by the power company will be cleaned up by Weaverville's Public

Works Department, there is a letter being sent out to businesses addressing the issue of blocking sidewalks with tables and chairs, and Buncombe County will be removing a few mature trees behind the Weaverville Elementary School due to the fact they are endangering some neighboring homes.

9. Adjournment

Councilman Dearth made the motion to adjourn; Councilman Penley seconded and all voted to adjourn the Council's meeting at 6:37 p.m.



DEREK K. HUNNINGHAKE, Town Clerk

APPROVED