



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Meeting
Monday, September 17, 2018**

The Town Council for the Town of Weaverville met for its regular monthly meeting on Monday, September 17, 2018, at 7:00 p.m. in Council Chambers within Weaverville Town Hall at 30 South Main Street, Weaverville, North Carolina.

Council members present were: Mayor Al Root, Vice Mayor/Councilman Doug Jackson, Councilwoman Dottie Sherrill, Councilman Jeffrey McKenna, Councilman Andrew Nagle and Councilman Patrick Fitzsimmons.

Staff present was: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Town Clerk Derek Huninghake, Police Chief Alan Wyatt, Fire Chief Ted Williams, Town Planner James Eller, Public Works Director Dale Pennell and Water Treatment Supervisor Trent Duncan.

1. Call to Order

Mayor Al Root called the meeting to order at 7:00 p.m.

2. Approval/Adjustments to the Agenda

Councilman Fitzsimmons asked to add the InterLocal Agreement between Buncombe County and the Town of Weaverville for Expansion of Greenways as Discussion/Action item D.

Councilwoman Sherrill made a motion to approve the agenda with the aforementioned revisions. Councilman McKenna seconded and all voted in favor of the motion.

3. Approval of Minutes

Vice Mayor/Councilman Jackson made the motion to approve the minutes from August 20, 2018 Town Council Regular Meeting as presented. Councilman Nagle seconded the motion and all voted in favor on the approval of the minutes.

4. Special Recognitions

Town Manager Selena Coffey recognized Finance Officer Tonya Dozier for her hard work and dedication to the Town of Weaverville. Ms. Dozier's hard work has helped the Town of Weaverville receive the Certificate of Achievement in Financial Reporting (CAFR) from the Government Finance Officers Association for the 23rd year in a row.

5. General Public Comment

Public comments were received as follows:

Thomas Veasey, 69 Lakeshore Drive, LLPA President, asked Council for an update on the new community center and 4th of July firework event, and informed them that the LLPA and him were in favor of the water expansion project.

Laura Ayers, commented about herbicides being sprayed in the Weaverville community and knows that she will need to speak with NCDOT and Duke. However, she would like to know what the Town sprays and if the citizens have any say to whether or not they would like these herbicides sprayed.

Joseph Desantola, 14 Al Dorf Drive, commented on the Town of Weaverville's water supply. In the McGill Report that was presented last year, one chart shows that if no more water was issued, the Town would run out of water in year 2025. However with the expansion of the water plant, the water supply would last until year 2070. But on another chart it showed that if the Town expanded to the north or the west, the water supply would last until year 2055, which is very alarming to him. Mr. Dicintolla believes that the water should be treated like the budget with deciding what the Town can and can't afford.

Megan Taylor, 14 Al Dorf Drive, commented that she would like to see a detailed report on the amount of water that has been committed to development projects so far and for Town Council to think about Weaverville's future when deciding to give water to a project for annexation.

6. Consent Agenda

A. Monthly Tax Report – Information Only

B. Tax Releases - *Approved tax releases of the personal property of David Crain at 86 Alexander Road valued at \$1,755, so that \$6.67 can be released from the 2018 levy and business personal property owned by Play Station at 450 Weaverville Road valued at \$47,250, so that \$179.55 can be released from the 2018 levy.*

C. Code Amendments – Zoning – Nonconformities, Conditional Zoning Districts, Political Signage – Set Public Hearing for October 15, 2018 at 6:30 pm – *Set Public Hearing for October 15, 2018 at 6:30 pm*

D. Amendment to Conditional Zoning District for Northridge Townhouses – Initial Consideration and Set Public Hearing for October 15, 2018 at 6:30 pm – *Set Public Hearing for October 15, 2018 at 6:30 pm*

7. Town Manager's Report

Town Manager Selena Coffey presented her Manager's report to Council including that 1) she received a response from NCDOT about the removal of the "No Turn on Red" signage at the intersection of Main Street and Weaver Boulevard. They didn't recommend removing the restriction as it could have an adverse effect on pedestrian safety, however this is based on their study in the 1990s and staff doesn't feel that it is appropriate today. With direction from Council, Town Manager Coffey will draft a formal request to NCDOT for the Mayor's signature, requesting this sign be removed; 2) As directed by Town Council in recent meetings to revise the Personnel Policy regarding Longevity Pay, Town Manager Coffey recommends deleting the holiday bonus/longevity pay provision from the personnel policy and make it that the funds only get distributed to employees if Town Council approves budgeting the funds annually. She proposed for this current fiscal year budget that instead of using years of service like the previous model, there will only be two classes of employees who receive bonuses: new hire probationary employees and everyone else. Full-time and part-time employees with less than 6 months of service would receive \$150 in gross wages (estimated \$105 net wages) and employees with 6 months or more would receive \$500 in gross wages (estimated \$350 net wages); 3) Public Works Director Dale Pennell and her have been working on ways to eliminate the downtown parking shortage. They have spoken with the Weaverville United Methodist Church and the First Presbyterian Church, and have come to an agreement to allow public parking in their parking lots except on Sundays during church service and special events; 4) There will be a retirement party for Tax Collector Debbie Bruce on Wednesday, September 26 from 3 – 5 pm at the Town Hall; 5) With this pending retirement, the Town of Weaverville has hired a new finance specialist, Tarakanita Boestan-Smith who will begin on September 24; 6) Per Council's direction, the Town has submitted the \$2,970,600 USDA loan application for the construction of the new waterlines on Clarks Chapel Road and Ollie Weaver Road; 7) NCDOT approached Public Works about improving pedestrian safety on Main Street and noticed that the tree in front of the Town Hall was blocking the drivers visibility of signs or persons waiting to cross. NCDOT asked that the Town correct this problem or they will do the tree trimming for us. Town Manager Coffey believes trimming the tree back will make it unsightly, so her direction would be to have Public Works remove the tree and redesign the entire landscaped area; 9) she would like to attend the Homegrown

Leaders Train Program by the NC Rural Center in Asheville on October 3-4 and November 8-9, instead of attending the ICMA annual conference in Baltimore; 10) and lastly, Town Manager Coffey asked Council to motion to schedule workshops on October 9 and December 11 at 6 pm.

Based on the report, Councilwoman Sherrill made a motion for the Town Manager to draft a formal request to NCDOT requesting the sign be removed. Vice Mayor/Councilman Jackson seconded the motion. The motion passed by a unanimous vote of Council.

Consensus was given by Town Council on the personnel policy pay provision.

Mayor Root used his power to schedule Town Council workshops on October 9, 2018 and December 11, 2018 at 6 pm at the Town Hall.

8. Discussion and Action Items

A. Sale of Old Bus Garage

Town Attorney Jennifer Jackson informed Town Council that before them tonight was the highest offer that the Town of Weaverville received on the old bus garage on Central Avenue. It was from Lexington Glassworks for \$367,550. Town Council can accept this offer if they wish, or decline it.

Vice Mayor/Councilman Jackson mentioned that with the real estate market being really strong right now, and having gone through two upset bid periods already, he believes the Town should accept the offer.

Town Attorney Jennifer Jackson commented that if Town Council is going to accept the offer, that they modify the closing date to show November 15, 2018, instead of October 30, 2018.

Vice Mayor/Councilman Jackson made a motion to accept the offer and approve the contract with a 30 day examination period and closing to occur on or before November 15, 2018. Councilman Fitzsimmons seconded the motion. The motion passed by a unanimous vote of Council. Motion carries 5-0.

B. Code Amendments – Nuisances

Town Attorney Jennifer Jackson commented that staff has been working hard on a comprehensive revision of the Town's ordinances regarding nuisances in Chapter 9. These regulations have been drafted to focus directly on public health and safety issues like Town Council directed at the July council meeting. Town Attorney Jackson doesn't think Council will take action tonight, but would like to know how they would like staff to go over these policies with them.

Mayor Root commented that Council could piggyback this item into the next workshop, so that it could be completed by Thanksgiving or Christmas. However, he thinks it would be greatly helpful if staff could draw out the provisions that are most significant and potentially impactful on our customers.

C. Public Works & Water Resources Quarterly Reports

Public Works Director Dale Pennell discussed the Public Works and Water Resources Quarterly Report for June, July and August. The report is attached below.

D. Greenways Memorandum of Understanding (MOU)

Town Manager Selena Coffey mentioned that the Town has just received the Interlocal Agreement between Buncombe County and the Town of Weaverville for the design and construction services for the greenway project. The Town of Weaverville has held the \$60,000 funds in their budget until the funds have come through the MPO. Town Manager Coffey is asking Council to approve the contract if they have been able to read it over yet.

Mayor Root commented that this matter has been lingering for a long period of time at the county level, but seems to be a good time to get it back on track. Doug Dearth has been involved in this process for many years and knows the contractors at the county level, and has graciously volunteered to be our representative.

Doug Dearth commented that the Memorandum of Understanding (MOU) was the mechanism that will get this thing rolling with Buncombe County. It has been reviewed by the Town and County Attorney, and basically states that this is going to be a joint project between the Town of Weaverville and Buncombe County. The county will be the executive agent, since they have the size and practice in doing this with other municipalities. If Town Council decides to approve this tonight, the county commissioners are ready to execute this at their October 9 meeting. Going forward, the county would re-notify NCDOT of the intent to execute this grant and form an oversight committee in conjunction with the county, consisting of a member from each, Buncombe County, Town of Weaverville and MPO. At this point, they would put out a Request for Qualifications (RFQ) for executing the Greenway project with the oversight committee handling the interviews and selection, then having some public outreach meetings.

Councilman Nagle made a motion to authorize execution of the Memorandum of Understanding. Vice Mayor/Councilman Jackson seconded the motion. The motion passed by a unanimous vote of Council. Motion carries 5-0.

9. Closed Session

Councilman Jackson made the motion to enter closed session as per N.C. Gen. Stat. § 143-318.11(a)(6) to consider the qualifications, 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. Councilwoman Sherrill seconded the motion and by a unanimous vote Council entered into closed session.

[CLOSED SESSION]

Councilman Nagle made the motion to exit closed session. Councilwoman Sherrill seconded and all voted unanimously to exit closed session and re-enter open session.

10. Re-enter Open Session

Upon return to open session, Councilman Nagle made a motion to provide the Town Manager with a 2% merit increase to be calculated on her base rate of pay as of 6/30/2018, and that this would be in addition to the 2% cost of living increase that she received beginning in July 2018. Councilwoman Sherrill seconded the motion, and all voted in favor.

There was general discussion concerning Fourth of July fireworks. Town Manager was asked to bring back information concerning fireworks and the Town's Fourth of July Celebration to aid Town Council in its discussions and decision.

11. Adjournment

Vice Mayor/Councilman Jackson made the motion to adjourn; Councilwoman Sherrill seconded and all voted to adjourn the Council's meeting at 9:05 p.m.



Derek K. Huninghake, Town Clerk