



## MINUTES

**Town of Weaverville  
State of North Carolina**

**Town Council Regular Meeting  
Monday, January 25, 2021**

### **Remote Electronic Meeting**

**Zoom:** <https://us02web.zoom.us/j/85948891960>

The Town Council for the Town of Weaverville met for its regularly monthly meeting on Monday, January 25, 2021, at 7:00 p.m. as an electronic video meeting via Zoom Meeting.

Councilmembers remotely present were: Mayor Al Root, Vice Mayor Doug Jackson, and Councilmembers Andrew Nagle, Dottie Sherrill, Jeffrey McKenna and Patrick Fitzsimmons.

Staff members remotely present were: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Clerk/Planning Director James Eller, Finance Officer Tonya Dozier, Police Chief Ron Davis, Fire Chief Ted Williams, Public Works Director Dale Pennell, and Water Treatment Supervisor Trent Duncan.

Members of the public remotely present were Anthony Burnette, Michele Wood, Craig Weeks, Jason Pass, Kevin Kopp, Sherry Boles, Charlie and Wanda Bradford, Shawn Cole, Gary Hensley and a representative of the Weaverville Tribune.

### **1. Call to Order**

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

### **2. Public Hearing: Zoning Text and Map Amendments – Manufactured Home Overlay and R-3**

Mr. Eller provided a briefing on the proposed text and map amendments related to a manufactured home overlay district. Said amendments would prohibit the establishment of a manufactured home on an individual lot within the R-3 zoning district and create an overlay district in which manufactured homes could be permitted on an individual lot. 14 parcels of land have been identified for inclusion in the proposed overlay district.

These amendments had been previously reviewed by the Planning Board who has offered a unanimous favorable recommendation to Town Council having found the proposed amendments compliant with the Town's comprehensive land use plan and in the best interest of the public in that it would allow for a closer analysis on the compatibility of manufactured homes with the surrounding developed properties and would not have the effect of excluding manufactured homes from the entirety of the zoning jurisdiction.

Sherry Boles, Wanda Bradford, Shawn Cole and Gary Hensley spoke to Council regarding their questions and/or concerns with the proposed manufactured home overlay district with Ms. Boles and Ms. Bradford expressing their objection to the amendments.

Staff agreed to host an information meeting for any of the members of the public that asked questions or offered comment during the public hearing that wished for additional information on the matter. Comments received between the public hearing and February 15, 2021, will be provided to Town Council so that they may be considered prior to Council taking action.

**3. Public Hearing: Annexation Agreement with Town of Woodfin**

Ms. Jackson provided a briefing on the proposed annexation agreement with the Town of Woodfin. Said agreement would establish areas on the periphery of both jurisdictions which could be subject to future annexations based upon the proposed ordinance and map delineating specific areas.

No comment from the public was received or given.

**4. Public Hearing: Town Charter Amendments**

Ms. Jackson provided a briefing on the proposed Town charter amendments. Said amendments would increase the number of councilmembers from five to six beginning with the upcoming municipal elections for 2021, and provide the mayor with the right to vote on all matters before Town Council beginning with the organizational meeting of Town Council after the 2021 municipal elections.

No comment from the public was received or given.

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

*Without objection Mayor Root declared the agenda adopted by consent.*

**6. Approval of the Minutes**

*With no comment related to the minutes and no objection, Mayor Root declared the minutes adopted.*

**7. General Public Comment**

On a temporary basis due to the COVID-19 public health emergency, general public comments must be submitted in advance of the meeting. Comments are limited to no more than 450 words and must observe normal rules of decorum. Only comments that are timely received will be read into the record during the public comment period. Public comments can be submitted (1) by **emailing** to [public-comment@weavervillenc.org](mailto:public-comment@weavervillenc.org) at least 6 hours prior to the meeting, (2) by putting your written comment in a **drop box** at Town Hall (located at front entrance and back parking lot) at least 6 hours prior to the meeting, or (3) by **mailing** your written comment (must be received not later than Monday's mail delivery) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments.

No public comment was received or made.

**8. Consent Agenda**

*Vice-Mayor Jackson moved for the approval of the Consent Agenda. Councilmember Fitzsimmons seconded the motion and in a roll call vote Councilmembers Sherrill and McKenna voted in favor of the motion to approve all action requested in the Consent Agenda listed below. Councilmember Nagle cast a dissenting vote. Motion passed 4-1.*

**A. Monthly Tax Report** – Information only – submitted by Buncombe County Tax Department.

**B. Budget Amendment: CRF Funds, Police Grant, Pink Patch Project** – Approved budget amendment reflective of coronavirus relief funds, police grant, and the pink patch project.

- C. Budget Amendment: Cops for Kids; Fire Department; and Employee Compensation –** *Approved budget amendment for approved increase in employee compensation, cops for kids donations and a private donation to the Fire Department.*
- D. Budget Amendment: Community Center Capital Project Fund –** *Approved budget amendment to transfer funds from contingency to landscaping / site work.*
- E. Board Appointment; Board of Adjustment –** *Appointment of Gene Knoeful as a regular member of the Board of Adjustment.*

## **9. Town Manager’s Report**

Ms. Coffey presented her Manager’s report to Council which included information related to a proposed budget calendar, a revision to the holiday schedule for 2021, a bike/ped planning grant, solar panel installation feasibility studies, an engineering contract for water treatment plant expansion and electric vehicle charging stations.

## **10. Discussion and Action Items**

### **A. Action on Zoning Map Amendment for 16 Reems Creek Road.**

Councilmember Nagle noted that he would be recusing himself from the conversation and vote due to a close familial relationship with the owner of the property.

Mr. Eller presented Council with information related to the proposed rezoning of the property commonly known as 16 Reems Creek Road from I-1 to R-3 noting that such a rezoning had achieved a unanimous favorable recommendation from the Planning Board.

*Vice-Mayor Jackson motioned to adopt the proposed rezoning of the property from I-1 to R-3. Councilmember Fitzsimmons seconded and in a roll call vote all voted in favor of the motion. Motion passed 4-0 with Councilmember Nagle having been recused.*

### **B. Northridge Commons Townhouses Final Plat**

Mr. Eller presented to Council information related to the final plat for the project commonly known as Northridge Commons Townhouses including a conditional unanimous favorable recommendation from the Planning Board to approve the plat. Said conditions were the inclusion of a trail on the plat previously approved on the preliminary plat and documentation from the metropolitan sewerage district showing that the sewer line had been installed and approved. Mr. Eller confirmed that these two conditions had been satisfied.

*Council Member McKenna motioned to approve the final plat for Northridge Commons Townhouses. Councilmember Sherrill seconded and in a roll call vote all voted in favor of the motion.*

### **C. Discussion of LGBTQ Ordinance**

Councilmember Fitzsimmons spoke to Council regarding the recent legislative changes which omitted sexual orientation, gender identification and expression and other categories from a statewide list of categories protected from discrimination and the expiration of the preemption that prevent local governments from offering these protections to their residents. The preemption expired in December and local governments may now consider ordinances which offer discriminatory protections in private establishments that provide goods or services to the public, such as hotels, motels, retail stores and service industries. Several jurisdictions in North Carolina have or will be considering ordinances prohibiting discrimination in public accommodations and employment. Councilmembers Nagle and McKenna raised the question of enforcement of such an ordinance.

Staff was asked to see what Buncombe County is considering and bring the matter back at an upcoming meeting.

**D. Quarterly Report – Finance Department**

Finance Officer Dozier presented Town Council with the quarterly report for the Finance Department.

**E. Quarterly Report – Planning Department**

Planning Director Eller presented Town Council with the quarterly report for the Planning Department.

**11. Adjournment**

*Mayor Root declared the meeting adjourned at 8:10 p.m.*



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**James Eller, Town Clerk**

**TOWN OF WEAVERVILLE**  
**AN ORDINANCE AMENDING THE TOWN'S ZONING MAP –**  
**REZONING 16 REEMS CREEK ROAD/PIN 9732-92-8381**  
**FROM I-1 TO R-3**

**WHEREAS**, Town Council has been requested to approve a zoning map amendment which would rezone from I-1 to R-3 for that property located at 16 Reems Creek Road bearing Buncombe County Parcel Identification Number 9732-92-8381; and

**WHEREAS**, the Weaverville Planning and Zoning Board reviewed this rezoning request on December 1, 2020, found that the requested zone of R-3 is consistent with the Town's Comprehensive Land Use Plan, reasonable and in the public interest in that it is consistent with the future land use map, provides a balance of residential uses, is more compatible with the residential uses in the surrounding area than an industrial use, is consistent with the property owner desires to continue the use of the property for residential purposes, and consistent with the adjacent parcels of land under common ownership which are also being used for residential purposes, and by a majority vote recommends that Council approve the rezoning request;

**WHEREAS**, Town Council held a public hearing on this rezoning on December 21, 2020, as required by law and by Town Code, and no comments were received in opposition of the map amendment;

**WHEREAS**, Town Council finds that the rezoning of the property to R-3 is consistent with the Town's Comprehensive Land Use Plan and Chapter 36 of the Town's Code of Ordinances, is reasonable and in the public interest and is in the best interest of the public for the reasons stated by the Planning and Zoning Board recommendation;

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Weaverville, North Carolina, that the official Weaverville Zoning Map is hereby amended to reflect that the above-referenced property is zoned as R-3, effective immediately.

**ADOPTED THIS** the 25th day of January, 2021, by a vote of \_\_\_ in favor and \_\_\_ against.

  
\_\_\_\_\_  
**ALLAN P. ROOT**, Mayor

**ATTESTED BY:**

  
\_\_\_\_\_  
**JAMES ELLER**, Town Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
**JENNIFER O. JACKSON**, Town Attorney