



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Meeting
Monday, June 28, 2021**

The Town Council for the Town of Weaverville met for its regularly monthly meeting on Monday, June 28, 2021, at 7:00 p.m. in Council Chambers within Town Hall at 30 South Main Street, Weaverville, NC.

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

Staff members 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 Superintendent 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

Council Member Sherrill motioned to adopt the agenda as presented. Vice-Mayor Jackson seconded and all voted in favor. Motion passed 5-0

3. Approval of the Minutes

Councilmember Nagle motioned to adopt the minutes as presented. Councilmember Sherrill seconded and all voted in favor. Motion passed 5-0.

4. General Public Comment

General public comments may be submitted either during the meeting or in writing in advance of the meeting. Normal rules of decorum apply to all comments. The general public comments section of the meeting will be limited to 20 minutes and priority will be given to those commenters in attendance. Individuals presenting comments during the meeting are generally limited to 3 minutes. Written comments that are timely received will be provided to Town Council, included as part of the minutes of the meeting, and read into the record during the 20 minute general public comment period as time allows. Written comments are limited to no more than 450 words and can be submitted as follows: (1) by emailing to public-comment@weaverrillenc.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, (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. For more information please call (828)645-7116.

Lou Accornero spoke to Council regarding the regulation of protests in Weaverville.

5. Consent Agenda

Councilmember Fitzsimmons moved for the approval of the Consent Agenda. Councilmember McKenna seconded the motion. All voted in favor of the motion to approve all action requested in the Consent Agenda listed below. Motion passed 5-0.

- A. Monthly Tax Report** – *Information only – submitted by Buncombe County Tax Department.*
- B. Budget Amendment: Community Center Project** – *Budget amendment approved as presented.*
- C. Budget Amendment: Waterline Extension Project** – *Budget amendment approved as presented*
- D. Budget Amendment: Police/Cops for Kids** – *Budget amendment reflective of a donation to the cops for kids program approved as presented.*
- E. Capital Project Ordinance: Water Treatment Plant Expansion Project** – *Capital project ordinance for the water treatment plant expansion adopted and budget amendment approved.*
- F. Board Appointment: Planning Board** – *Appointment of Jane Kelley as an alternate member of the Planning Board.*
- G. Buncombe – Madison Regional Hazard Mitigation Plan Approval** – *Resolution adopting the Buncombe – Madison Regional Hazard Mitigation Plan approved.*

6. Town Manager's Report

Ms. Coffey presented her Manager's report to Council which included information related to a US Cellular perpetual easement, July 4th downtown update, Bike/Ped plan update, Saturday Summer Concert Series and recreation coordinator update.

7. Discussion and Action Items

A. Presentation from the NCLM to Weaverville Police Department.

Matthew Selves, of the North Carolina League of Municipalities, spoke to Council regarding the League's recognition of the Weaverville Police Department for completing the Law Enforcement Risk Management Review and proactively serving the community in a professional manner while taking steps to minimize risks to citizens and officers. Chief Davis accepted a plaque on behalf of the Police Department.

B. FY 2021-2022 Budget Ordinance and Fee Schedule Adoption.

Ms. Coffey presented the final draft version of the proposed 2021-2022 budget ordinance and fee schedule noting that a public hearing on the matter was held on Monday, May 24. Also of note was a change to the fee schedule reflective the addition of fees for the use of the community room at Town Hall.

Thomas Veasey spoke to Council regarding the proposed rates for the use of the Community Center.

Councilmembers Fitzsimmons, Nagle and McKenna spoke regarding their apprehension toward automatic cost of living pay increases. Ms. Coffey was instructed to provide a plan to Council regarding a merit or performance based pay program.

Councilmember Fitzsimmons motioned to adopt the FY 2021-2022 Budget Ordinance and Fee Schedule as presented with the understanding that the merit based pay program will be forthcoming. Vice-Mayor Jackson seconded and all voted in favor. Motion passed 5-0.

C. Community Center Construction Update.

Ms. Coffey and Mr. Pennell presented Council with information related to the construction progress of the Community Center indicating a change of construction completion date from June 13th to July 9th. Ms. Coffey also noted that the Weaverville Center for Creative & Healthy Living

(WCCHL) is now an official tax-exempt private non-profit organization and presented a draft scheduling template for the proposed use of the multi-purpose and large room in the Community Center showing certain times reserved for WCCHL programming.

D. Employee Incentive Program Recommendation.

Ms. Coffey presented to Council two employee incentive program recommendations submitted by Mr. Pennell and the Public Works Department. Ms. Coffey recommended to Council the approval of incentive funds based upon the employees having met the criteria of the Council adopted program.

Vice-Mayor Jackson motioned to approve the incentive program recommendations. Councilmember McKenna seconded and all voted in favor. Motion passed 5-0.

E. Picketing Regulations / Polling Site Behavior.

Ms. Jackson spoke to Council regarding some proposed regulation related to picketing, protests or demonstrations and regulation at polling places. An example ordinance from the Town of Maggie Valley was also provided.

Lou Accornero spoke to Council again encouraging the adoption of regulation of protests.

Consensus was gained to have staff further explore language related to the regulation of protests and polling places for Council's consideration.

F. Quarterly Report – Public Works and Water.

Mr. Pennell presented Town Council with the quarterly report for the Public Works and Water Departments.

8. Closed Session.


Councilmember Fitzsimmons made a motion to enter closed session pursuant to N.C.G.S. 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body. Councilmember Sherrill seconded the motion and all voted in favor. Motion passed 4-1.

[CLOSED SESSION]

Councilmember Fitzsimmons made a motion to exit closed session and return to open session. Vice Mayor Jackson seconded the motion. In a 4-1 vote in favor closed session was ended and the open session meeting resumed.

9. Adjournment.

Councilmember Nagle motioned to adjourn the meeting. Vice Mayor Jackson seconded and all voted in favor. Meeting adjourned at 9:15 p.m.



James Eller, Town Clerk

**CAPITAL PROJECT ORDINANCE
FOR THE WATER TREATMENT PLANT EXPANSION PROJECT**

WHEREAS, the Town is engaged in a construction project that involves the expansion of its current water treatment plant and the financing of such project and wishes to adopt a capital project ordinance for said project;

NOW, THEREFORE, BE IT ORDAINED by Town Council of the Town of Weaverville, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is to be known as the “WTP Expansion Project” and involves the expansion of the current water treatment plant located at 50 Sams Road, Weaverville, NC, to a 3.0 MGD capacity.

Section 2. The Town Manager, Finance Officer/Director, Public Works Director and other officers and employees are hereby directed to proceed with the capital project within the terms and provisions of Chapter 159 of the North Carolina General Statutes, any USDA loan agreements that have been or may be approved, and the budget contained herein.

Section 3. The following revenues and resources are anticipated to be available to complete the project activities:

	<i>Original Budget</i>	<i>Amended Budget</i>	<i>Actual</i>
Appropriation from Water Capital Reserve Fund	\$338,500		
Appropriation from Water Fund	TBD		
Interim Financing/USDA Loan	TBD		
Total Project Revenues	\$338,500		

Section 4. The following expenditures are hereby appropriated for the project activities:

	<i>Original Budget</i>	<i>Amended Budget</i>	<i>Actual</i>
Engineering Fees (Phases 1-2)	\$338,500		
Engineering Fees (Phases 3-6)	\$TBD		
Construction	\$TBD		
Legal Services (Bond Counsel)	\$TBD		
Legal Services (Local Attorney)	\$TBD		
Administrative Costs	\$TBD		
Contingencies	\$TBD		
Interest – Interim Financing	\$TBD		
Total Project Revenues	\$338,500		

Section 5. The Town of Weaverville Finance Office is hereby directed to maintain within the Capital Project Fund established with this ordinance, sufficient detailed accounting records to provide accounting information as required by Chapter 159 of the North Carolina General Statutes and to comply with USDA funding requirements.

Section 6. The Budget Officer and/or Finance Officer is directed to include a detailed analysis of past and future costs and revenues of this capital project in every budget submission made to Town Council.

Section 7. The Finance Officer is directed to report at least quarterly on the financial status of each project element in Section 4 and the revenues received or expected on the project.

Section 8. The Town Manager is hereby authorized and empowered to execute any and all documents necessary to commence, carry out, and complete the capital project set forth herein without any further direction, authorization, or consent, including without limitation any and all contract documents, change orders, or any other such documents as may be necessary to give direction to engineers, contractors, and others in completing this capital project, subject to compliance with law.

Section 9. The Town Manager is authorized to transfer appropriations within the various line items of this capital project ordinance as she, in her discretion, deems necessary and if allowable by law.

Section 10. The Town Manager shall from time to time report to Town Council as they shall direct as to the status of completion of the capital project and/or the status of the budget for the capital project.

Section 11. Copies of this capital project ordinance shall be furnished to the Town Clerk, the Budget Officer, and the Finance Officer for direction in carrying out this project.


Section 12. This ordinance shall be effective on July 1, 2021, but shall not be codified.

ADOPTED THIS the 28th day of June, 2021, by a vote of 5 in favor and 0 against.




ALLAN P. ROOT, Mayor

ATTESTED BY:



JAMES ELLER, Town Clerk

APPROVED AS TO FORM:



JENNIFER O. JACKSON, Town Attorney

**TOWN OF WEAVERVILLE
RESOLUTION ADOPTING THE
BUNCOMBE MADISON REGIONAL HAZARD MITIGATION PLAN**

WHEREAS, the Town of Weaverville is vulnerable to an array of hazards that can cause loss of life and damages to public and private property; and

WHEREAS, the Town of Weaverville desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and

WHEREAS, it is the intent of the Weaverville Town Council to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan; and

WHEREAS, it is also the intent of the Weaverville Town Council to fulfill its obligation under North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting the Town of Weaverville; and

WHEREAS, the Town of Weaverville, in coordination with Buncombe and Madison Counties and the participating municipalities within those Counties, has prepared a multi-jurisdictional hazard mitigation plan with input from the appropriate local and state officials;

WHEREAS, the North Carolina Emergency Management and the Federal Emergency Management Agency have reviewed the Buncombe Madison Regional Hazard Mitigation Plan for legislative compliance and has approved the plan pending the completion of local adoption procedures;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Weaverville hereby:

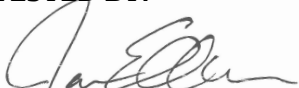
1. Adopts the Buncombe Madison Regional Hazard Mitigation Plan; and
2. Agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.

ADOPTED THIS the 28th day of June, 2021, by a vote of 5 in favor and 0 against.




ALLAN P. ROOT, Mayor

ATTESTED BY:



JAMES ELLER, Town Clerk

APPROVED AS TO FORM:



JENNIFER O. JACKSON, Town Attorney