



## MINUTES

**Town of Weaverville  
State of North Carolina**

**Town Council Regular Meeting  
Monday, December 20, 2021**

The Town Council for the Town of Weaverville met for its regularly monthly meeting on Monday, December 20, 2021, at 7:00 p.m. in Council Chambers within Town Hall at 30 South Main Street, Weaverville, NC.

Councilmembers present were: Mayor Patrick Fitzsimmons, Vice Mayor Jeff McKenna, and Councilmembers Doug Jackson, Andrew Nagle, John Chase, Catherine Cordell, Andrew Nagle and Michele Wood.

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, Water Superintendent Trent Duncan.

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

*Mayor Patrick Fitzsimmons called the meeting to order at 7:00 p.m.*

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

Noting no desired revision to the agenda by Town Council, Mayor Fitzsimmons declared the agenda approved by consent.

### **3. Special Recognition**

Mayor Fitzsimmons recognized Earl Valois for his service to the town as a representative on the Metropolitan Sewerage District of Buncombe County Board of Directors.

### **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@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, (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.

Jay Schauer of 27 Alabama Avenue spoke to Council regarding information related to the Community Center and the Weaverville Center for Creative and Healthy Living.

Ward Patton spoke to Council regarding the ongoing efforts to update the town's noise ordinances.

James Heintl spoke to Council requesting a delay in the scheduling of a public hearing related to a voluntary annexation request.

## 5. Consent Agenda

*Councilmember Jackson 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 7-0.*

- A. Town Council Minutes** – November 16, 2021 special called meeting of Town Council
- B. Town Council Minutes** – November 22, 2021 regular meeting of Town Council
- C. Town Council Minutes** – December 14, 2021 workshop meeting of Town Council
- D. Monthly Tax Report** – Information only; submitted by Buncombe County Tax Department
- E. Budget Amendment – Cops for Kids** – Budget amendment related to the Police Department
- F. Budget Amendment – Community Center** – Budget amendment related to the Community Center
- G. Board Appointments – MSD, Board of Adjustment, Planning Board Liaison** – Appointment of Doug Dearth to the MSD Board, appointment of Caleb Fieser as an alternate member of the Board of Adjustment, appointment of Catherine Cordell as Town Council Liaison to the Planning Board.
- H. Board of Adjustment – Amendment to Rules of Procedure** – Change in regular meeting time from 7pm to 6pm.
- I. Town Council Regular Meeting Schedule Final Approval** – Adoption of the 2022 regular meeting and holiday schedule.
- J. Fee Schedule Amendment** – Amendments related to fire line consumption.

## 6. Town Manager's Report

Ms. Coffey presented her Manager's report to Council which included information related to a voting site at Town Hall, the January 2022 Town Council workshop, a noise ordinance update, remote meeting procedures update, and public wi-fi update.

## 7. Discussion and Action Items

### A. FY 2020 – 2021 Audit Presentation

Travis Keever of Gould Killian CPA Group, P.A. presented Town Council with the 2021 annual financial report which issued an unmodified opinion, reported no material weakness in internal control and reported no instances of noncompliance with laws and regulations.

### B. Tax Collections

Ms. Dozier presented information to Town Council related to how municipal taxes are collected. Items for discussion included a history of municipal tax collection, legal matters, local and statewide trends, the current contract for tax collection with Buncombe County, audit and accounting matters, results of Buncombe County tax collection, staffing for tax collection, other municipal costs, position classification, cost comparison actuals, cost comparison estimates, and the impact of county tax collection on Council, staff and taxpayers. Also of note is that should Town Council wish to terminate the tax collection agreement with the County, notice must be provided to the County no later than January 31, 2022.

Through discussion on the issue, it became the consensus of Council to not terminate the tax collection agreement with Buncombe County and, therefore, for the County to continue municipal tax collection.

**C. State Revolving Fund Grant Application Proposal**

Mr. Duncan provided Council with a briefing on monies that may be available through the Clean Water State Revolving fund for certain projects which may be considered separate and apart from the water treatment plant expansion project including the installation of needed generators and other water supply resiliency improvements. WithersRavenel has submitted a proposal for drafting and submitting grant applications on behalf of the Town for water supply resiliency improvements and for the entire water treatment plant expansion project. The proposal includes a fee of \$5,000.

*Councilmember Cordell made a motion to approve the proposal from WithersRavenel and related budget amendment. Councilmember Jackson seconded. Via a role call the motion passed in a majority vote of 6-1 with Councilmember Nagle casting a dissenting vote..*

**D. Weaverville Tailgate Market Memorandum of Understanding**

Ms. Jackson presented to Council the proposed memorandum of understanding between the Town of Weaverville and the Weaverville Tailgate Market for the purpose of providing a general framework for collaboration between the Town and Market for the use of the Community Center at Dottie Sherrill Knoll.

Council discussed at length the cleaning fee of \$80, per market occurrence, which was included in the terms of the MOU. A Weaverville Tailgate Market representative spoke to Council regarding the impact on the Market of such a fee. Laura Ayers and Michele Balsom also provide positive comments regarding the Market being held at the Community Center.

*Councilmember Nagle motioned to adopt the MOU as presented. Councilmember Jackson seconded and via a role call vote the motion passed with a majority vote of 5-2 with Vice Mayor McKenna and Councilmember Cordell casting dissenting votes.*

**E. Annexation Petition for 25+ Acres on Ollie Weaver Road**

Mr. Eller presented Council with information related to the proposed voluntary annexation including the location of the properties, the aggregate acreage of the properties and the desired zoning district and use of the properties if annexed. Additional information provided included a certificate of sufficiency, the annexation petition, data sheet and certificate of authority, survey and property tax map, application for a zoning map amendment, water commitment application and staff report.

*Councilmember Chase motioned to set a date of Monday, February 28 for public hearings on the proposed annexation and zoning map amendment. Mayor Fitzsimmons seconded. Via a role call vote the motion passed with a majority vote of 5-2 with Vice Mayor McKenna and Councilmember Nagle cast dissenting votes.*

**F. COVID-19 Vaccination Mandates / Incentives**

Ms. Coffey described that Mayor Fitzsimmons has requested that Council discuss the town employee's vaccinations at this meeting. Ms. Coffey provided information related to the vaccination status of employees within the Town's individual departments.

Through discussion it became the consensus of Council for the Ms. Coffey to craft and implement a policy related to COVID-19 vaccination incentives, weekly testing, departmental incentives, and surcharges for employees who remain unvaccinated.

**G. Quarterly Report – Public Works and Water**

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

**8. Adjournment.**

*Without objection, Mayor Fitzsimmons declared the meeting adjourned. Meeting adjourned at 9:45 p.m.*



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**James Eller, Town Clerk**