



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Meeting
Monday, October 24, 2022**

The Town Council for the Town of Weaverville met for its regular monthly meeting on Monday, October 24, 2022, at 6:00 p.m. in Council Chambers within Town Hall at 30 South Main Street, Weaverville, NC, with remote electronic access by the general public via zoom.

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

Staff members present were: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Clerk/Planning Director James Eller, Finance Officer Tonya Dozier, Deputy Clerk Grace Keith, Police Chief Ron Davis, Fire Chief Scottie Harris, Public Works Director Dale Pennell, and Water Treatment Plant Supervisor Randall Wilson.

1. Call to Order

Vice Mayor Jeff McKenna called the meeting to order at 6:00 p.m.

2. Approval/Adjustments to the Agenda

Councilmember Jackson motioned to approve the agenda with Discussion Items 9A and 9B having been removed at request of the applicant. Councilmember Wood seconded the motion. All voted in favor of the motion to approve the agenda with that change. Motion passed unanimously.

3. Public Hearing – Code Amendment – Ch. 20 – Retail Uses in C-1 District

Vice Mayor McKenna declared the public hearing open. Planning Director Eller noted that the public hearing had been properly noticed and then presented Council with information regarding the proposed text amendment to Town Code Section 20-3205 concerning retail uses in the C-1 district. Mr. Eller stated that on the September 6, 2022, the Planning Board unanimously concluded that the proposed amendment is consistent with the Town's Comprehensive Plan and reasonable and recommended adoption of the same. Mr. Eller indicated that no written comments were received. No one was present at the meeting or via Zoom that wished to provide any comment, so Vice Mayor McKenna closed the public hearing.

4. Public Hearing – Sidewalk Priority List and Updates to Comprehensive Land Use Plan

Vice Mayor McKenna declared the public hearing open. Mr. Eller noted that the public hearing had been properly noticed and presented information on the proposed sidewalk priority list that is intended to provide a list of streets upon which sidewalks will be required as a part of development approvals at the developers' expense and does not obligate the Town to install any sidewalks. The Planning Board reviewed the sidewalk priority list and provided a unanimous favorable

recommendation for the list and its inclusion within the Comprehensive Land Use Plan. Mr. Eller also discussed the proposed updates to the Town's Comprehensive Land Use Plan ("CLUP"), including specifically an updated Table of Stated Goals, Responsibilities, and Priorities, and an updated Fact Sheet containing the most current Town-related demographic data. The updated priorities were preliminarily reviewed by Town Council and the Planning Board in their joint meeting on July 19, 2022. On September 6, 2022, the Planning Board formally reviewed the proposed updates to the CLUP and unanimously recommends that Town Council amend the CLUP to include the attached updated Table of Stated Goals, Responsibilities, and Priorities and updated Fact Sheet. No written comments were received in advance of the meeting, and no one was present at the meeting or on Zoom that wished to provide any comment. Vice Mayor McKenna closed the public hearing.

5. Consent Agenda

Councilmember Chase moved for the approval of the Consent Agenda. Councilmember Wood 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. **September 26, 2022 Town Council Minutes** – *Minutes approved as presented*
- B. **September 20, 2022 Town Council Workshop Minutes** – *Minutes approved as presented*
- C. **July 19, 2022 Town Council/Planning Board Joint Meeting Minutes** – *Minutes approved as presented*
- D. **Monthly Tax Report** – *Information only*
- E. **Budget Amendment – Police and Public Works** – *Budget Amendment approved*
- F. **Road Closure Ordinance** – *Road Closure Ordinance adopted for Christmas Parade*
- G. **Rules of Procedure for Town Council** – *Rules of Procedure adopted*
- H. **Code Amendment – Animal Control Appeals Board** – *Ordinance Amending Town Code adopted*
- I. **Board Appointments** – *Ryan Gagliardi appointed as an alternate member of the Planning Board to serve an unexpired term that is due to expire September 2024; Brent Koenig appointed as an alternate member of the Board of Adjustment to serve an unexpired term that is due to expire September 2025*

6. Town Manager's Report

Town Manager Coffey presented her Manager's report to Council which included the introduction of the new Fire Chief, as well as information related to the System Development Fee Study, an update on the Recreation Complex, the Veterans Day program, November Town Council Workshop, U.S. Cellular Tower, a follow-up to a question regarding use of solar panels for charging electric vehicles, and the Christmas Parade. The Town Manager also let Town Council know the Fireworks quote for the 4th of July celebration came in 10% higher than last year and that the fireworks agreement would be executed unless Town Council had input to the contrary or wished to discontinue the fireworks display on July 4th.

7. 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 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 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.

Terry Yeager, of Elk Lane, spoke about his positive experience in the Citizen's Academy Program.

8. Discussion & Action Items

A. Voluntary Annexation Petition – 171 Monticello Road

[Item removed from the agenda at the request of applicant.]

B. Initial Consideration of Conditional District – 171 Monticello Road

[Item removed from the agenda at the request of applicant.]

C. Code Amendment – Ch. 20 – Retail Uses in C-1 Zoning District

Planning Director Eller presented Town Council with a proposed Ordinance which, if adopted, would amend Town Code Section 20-3205 concerning retail uses in the C-1 district. Mr. Eller stated that on the September 6, 2022, the Planning Board unanimously concluded that the proposed amendment is consistent with the Town's Comprehensive Plan and reasonable and recommended adoption of the same. Mr. Eller noted that since the public hearing on the matter was held earlier in the meeting, action was now eligible by Council.

Council Member Jackson motioned to adopt the Ordinance Amending Weaverville Town Code Chapter 20 Concerning Certain Retail Uses in the C-1 Zoning District. Councilmember Chase seconded the motion. All voted in favor. Motion passed 5-0.

D. Sidewalk Priority List

Planning Director Eller presented a proposed sidewalk priority list that is intended to provide a list of streets upon which sidewalks will be required as a part of development approvals at the developers' expense. He also made it clear that this list does not establish a sidewalk improvement program in which the Town agrees to undertake to install any of these sidewalks. Mr. Eller noted that having received a favorable recommendation from the Planning Board and having held the public hearing on the matter earlier in the meeting, action was now eligible by Council.

Councilmember Chase moved to adopt the Sidewalk Priority List and include it as part of the Comprehensive Land Use Plan with subsequent annual review. Motion passed 5-0.

E. Comprehensive Land Use Plan Updates

Mr. Eller provided information related to the annual review of the Comprehensive Land Use Plan (CLUP) including an updated Table of Stated Goals, Responsibilities and Priorities, the updated Fact Sheet containing the current demographic data, and the Sidewalk Priority List.

Council Member Nagle motioned to amend the Comprehensive Land Use Plan to include the updated Table of Stated Goals, Responsibilities and Priorities, the updated Fact Sheet containing the current demographic data, and the recently approved Sidewalk Priority List. All voted in favor of the motion. Motion passed 5-0.

F. Quarterly Report – Planning Department

Mr. Eller presented the Town Council with the quarterly report regarding Planning.

G. Quarterly Report – Finance Department

Ms. Dozier presented the Town Council with the quarterly report regarding Finance.

Councilmember Nagle left the meeting at approximately 6:35 pm.

9. Closed Session

At approximately 6:45 pm, Councilmember Jackson motioned to enter closed session as allowed by N.C.G.S. § 143-318.11(a)(5) in order to establish or to instruct the Town's staff concerning the position to be taken by or on behalf of the Town in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. The motion passed with a vote of 4-0, with Councilmember Nagle not participating in the vote.

[CLOSED SESSION]

At approximately 7:03 pm Councilmember John Chase motioned to exit closed session and reenter open session at approximately. All voted in favor of the motion. Motion passed 4-0, with Councilmember Nagle not participating in the vote.

10. Adjournment.

Without objection, Vice Mayor McKenna declared the meeting adjourned. Meeting adjourned at approximately 7:05 pm.

James Eller, Town Clerk