



## MINUTES

**Town of Weaverville  
State of North Carolina**

**Town Council Regular Meeting  
Monday, December 19, 2022**

The Town Council for the Town of Weaverville met for its regular monthly meeting on Monday, December 19, 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: Mayor Fitzsimmons, Vice Mayor Jeff McKenna, and Councilmembers Doug Jackson, John Chase, Catherine Cordell, and Michele Wood. Councilmember Andrew Nagle was absent.

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 Scottie Harris, Public Works Director Dale Pennell, Water Treatment Plant Supervisor Randall Wilson, and Zoom Room Coordinator Lauren Ward. Deputy Town Clerk/Communications Coordinator Grace Keith attended remotely.

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

*Mayor Patrick Fitzsimmons called the meeting to order at 6:00 p.m.*

### **2. Conflicts of Interest Statement**

Mayor Fitzsimmons noted that it is the duty of the Mayor and every Town Council Member to avoid both conflicts of interest and appearances of conflicts and noted that Councilmember Doug Jackson has previously disclosed a conflict that excuses him from voting on item 7C and Councilmember Chase has previously disclosed a conflict that excuses him from voting on item 7B.

No other member had any known conflict of interest or appearance of conflict with respect to any matters presented before Town Council.

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

*Councilmember Doug Jackson motioned to approve the agenda. All voted in favor and the motion passed 6-0.*

### **4. Consent Agenda**

*Vice Mayor Jeff McKenna motioned for the approval of the Consent Agenda. All voted in favor of the motion to approve all action requested in the Consent Agenda listed below. Motion passed 6-0.*

**A. November 15, 2022 Town Council Minutes** – *Minutes approved with adjustments to paragraph 3 to show that Public Works Director Dale Pennell and Water Treatment Plant Supervisor Randall Wilson were in attendance.*

- B. November 21, Town Council Regular Meeting Minutes** – *Minutes approved as presented*
- C. Monthly Tax Report** – *Information only*
- D. Budget Amendment – Police and Fire** – *Budget Amendment approved*
- E. Amendment to Fee Schedule – Setting Emergency Water Rate** – *Fee Amendment approved*

## **5. Town Manager’s Report**

Town Manager Coffey presented her Manager’s report to Council which included the Saturday June 10<sup>th</sup> date for Music on Main WBA event, information on the Tree City application that Town staff submitted, as well as an update on the MS4 Stormwater Program.

Ms. Coffey also informed Town Council that an application has been submitted to prepare a feasibility study to construct a greenway between the Town of Weaverville and the Town of Woodfin and stated that the projected cost of the study would be \$120,000 with the local match being \$24,000 and the Town’s match portion being \$12,000. Town Council will have to opportunity to vote on a final approval of the project if the Town is awarded the grant.

## **6. 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@weaverrillenc.org](mailto: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.

No public comment was received.

## **7. Discussion & Action Items**

### **A. Introduction of new BCS Superintendent**

BCS Superintendent Dr. Rob Jackson introduced himself to the Mayor and Town Council.

### **B. 480 Reems Creek – Annexation, R-3 Zoning, Water Extension Request**

Town Attorney Jackson spoke regarding the annexation petition and zoning map amendment that were submitted to the Town for the contiguous annexation and R-3 zoning of properties known as 480 Reems Creek Road. Town Council considered the water request associated with this project at its meeting last month, but it has been amended to reflect a lower unit count consistent with R-3 zoning. What is now proposed is a traditional R-3 zoning district that will allow 139 townhouses (reduced from 160 townhouses) on approximately 17.4 acres.

Ms. Jackson noted that The Town Clerk has investigated the sufficiency of the annexation petition has certified that the petition is sufficient and complete for a contiguous annexation into the Town of Weaverville. The Planning Board will review the R-3 zoning request for these properties at its meeting on January 3, 2023, and is expected to have its recommendation completed at that meeting.

Town Council is also asked to consider taking action on the water request which includes an extension of the Town's water system through the development and a commitment to provide 58,380 gallons per day of water (down from 67,200 gpd) to serve the 139 townhouses. As with the original water request, the Public Works Director has found that, at this time, there is sufficient capacity within the Town's water system to provide this project with water without affecting existing customers.

Both the annexation and the R-3 zoning require public hearings.

*Councilmember Catherine Cordell motioned to set the public hearings on both the annexation and the R-3 zoning request to January 17, 2023 at 6 pm. All voted in favor. Motion passed 5-0 with Councilmember Chase being excused from the vote due to a conflict of interest.*

**C. 171 Monticello Road – Annexation and Conditional District (set PHs)**

Town Attorney Jackson presented information regarding the 171 Monticello Road Annexation and Conditional District. Noting that the Town Clerk has investigated the sufficiency of the annexation petition and certifies that the petition is sufficient and complete for a contiguous annexation into the Town of Weaverville.

Ms. Jackson stated that as requested, the Planning Board began its review of the proposed development and Town Council's initial comments on December 6, 2022, and should conclude its review and deliberations on January 3, 2023. The result will be a recommendation on the project which will include a statement concerning consistency with the Town's Comprehensive Land Use Plan, a statement concerning the reasonableness of the project, and any proposed conditions.

*Vice Mayor McKenna motioned to set the public hearings on both the annexation and the conditional district zoning to January 17, 2023, at 6pm. All voted in favor. Motion passed 5-0 with Councilmember Jackson being excused from the vote due to a conflict of interest.*

**D. Quarterly Report – Public Works & Water Departments**

Public Works Director Dale Pennell presented the Town Council with the quarterly report regarding the Public Works & Water Departments.

**8. Adjournment.**

*Without objection, Mayor Fitzsimmons declared the meeting adjourned. Meeting adjourned at approximately 6:45 pm.*

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**James Eller, Town Clerk**