



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Workshop
Tuesday, January 12, 2021**

Remote Electronic Meeting

Zoom: [http:// us02web.zoom.us/j/85948891960](http://us02web.zoom.us/j/85948891960)

The Town Council for the Town of Weaverville met for its regularly scheduled regular workshop on Tuesday, January 12, 2021 at 6:00 p.m. as an electronic video meeting via Zoom Meeting.

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

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

Members of the public remotely present were: Tom Balestrieri, Michele Wood, Kelly Shanafelt and Jan Lawrence.

1. Call to Order.

Mayor Root called the meeting to order at 6:00 p.m and requested that the issue of electric vehicle charging stations be added to the agenda.

2. Discussion of the New Community Center.

- A. Progress Update – Ms. Coffey presented photos illustrating the construction progress of the project including aerial photos of the property and internal photos of the facility.
- B. Project Budget Update – Ms. Coffey presented tables reflective of the project budget update and contingency details.
- C. Fundraising Update – Ms. Coffey also presented a table reflective of current fundraising needs. Councilmember Fitzsimmons spoke regarding potential fundraising methods. Ms. Shanafelt spoke to various grant opportunities which may be available for the project.
- D. Solar Panel Discussion – The details related to the possible installation of solar panels at the community center were discussed including roof installation, solar farm ground mounted installation and parking lot canopy installation. Clarification of a Buncombe

County program to aggregate all county and municipal facilities into a single customer account to achieve a better rate was provided. Consensus was achieved for staff to contact Sundance Power Systems for an analysis on the solar options for the community center, including feasibility, cost of installation, and return on investment or estimated production capacity value.

- E. Other Related Topics – Mr. Balestrieri spoke regarding a potential programming relationship with a non-profit group being organized under the name of The Center for Creative and Health Living, with potential programming with the YMCA, UNCA, and local musician groups, among others. Ms. Shanafelt spoke regarding a pamphlet which is being formulated for the project.

3. Electric Vehicle Charging Stations.

Ms. Coffey and Councilmember McKenna spoke regarding a current grant opportunity for the installation of electric vehicle stations which would be installed on public property for the use of the general public. If installed, the offering of the service for free or at a charge was discussed. Given the time constraints for applying for the noted grant, consensus was achieved that the town should apply for the grant while other details were discussed.

4. Smoking on Town Properties.

Councilman Fitzsimmons asked the opinion of Council on the request to prohibit smoking on municipal properties. Mayor Root directed staff to investigate ordinances of other jurisdictions related to the prohibition of smoking on public properties for further discussion.

5. Adjournment.

Noting the consensus of Council, Mayor Root declared the meeting adjourned at 7:10.



James Eller, Town Clerk



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 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.



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



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Meeting
Monday, February 22, 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, February 22, 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.

1. Call to Order

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

2. Approval/Adjustments to the Agenda

Without objection Mayor Root declared the agenda adopted by consent.

3. Approval of the Minutes

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

4. 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 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.

5. Consent Agenda

Councilmember Nagle moved for the approval of the Consent Agenda. Councilmember McKenna seconded the motion and in a roll call vote all Councilmembers 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. Board Appointment; Planning Board** – Appointment of Suzanne Devane as a regular member of the Planning Board and Andrew Willis as an alternate member of the Planning Board.
- C. Budget Amendment: ABC Distribution** – Approved budget amendment reflective of alcohol education and law enforcement activities.
- D. Waterline Acceptance: 828 North Project** – Accepted waterline and related improvements subject to staff level approval and the establishment of a \$5,000 repair guarantee.
- E. Waterline Acceptance: Holston Residences Project** – Accepted waterline and related improvements subject to staff level approval and the establishment of a \$1,000 repair guarantee.
- F. Annexation Agreement with Town of Woodfin** – Ordinance adopted establishing an annexation agreement and mutual boundary lines between the Town and Woodfin

6. Town Manager's Report

Ms. Coffey presented her Manager's report to Council which included information related to the Tree City award, a sales tax update and waterline extension project update.

7. Discussion and Action Items

A. Action on Proposed Zoning Map and Text Amendments for Manufactured Home Overlay District and R-3 Zoning District.

Mr. Eller presented Council with information related to the proposed text amendments which would prohibit a manufactured home on an individual lot within the R-3 zoning district, allow the placement of a manufactured home on an individual lot within a proposed manufactured home overlay zoning district and a zoning map amendment to apply the overlay district in three areas of town.

Mr. Eller noted the duly advertised public hearing which occurred at the last meeting of Council, the unanimous favorable recommendation from the Planning Board supporting the amendments, described an information meeting that occurred with staff and interested members of the public, and addressed concerns lodged from two emails received related to the matter. Councilman Nagle commented on the work of staff and the Planning Board on the proposed amendments.

Councilmember Nagle motioned to adopt the proposed zoning text and map amendments through the adoption of the Ordinance Amending Weaverville Town Code Chapter 36 Concerning the R-3 Zoning District and the Establishment of a Manufactured Home Overlay District and the Ordinance Amending the Town's Zoning Map to Establish a Manufactured Home Overlay District on Certain Properties. Councilmember McKenna seconded and in a roll call vote all voted in favor of the motion. Motion passed 5-0.

B. Water Treatment Plant Expansion Project

Ms. Jackson presented to Council information related to a proposal for professional services submitted by WithersRavenel for the Water Treatment Plant Expansion Project, which provides a project description, scope of services, additional services, Town responsibilities, and compensation for services for the water treatment expansion project. Ms. Jackson also described a budget amendment and reimbursement resolution requisite to progress the project.

Councilmember Nagle asked if other firms had been considered and Mr. Pennell affirmed that WithersRavenel was selected by Council through a qualifications based selection process in which five firms were considered.

Council Member Fitzsimmons motioned to approve the proposal for professional services and the standard USDA approved engineering services agreement for the Town's water treatment plant expansion project; approve the budget amendment for the project; and adopt the reimbursement resolution. Vice-Mayor Jackson seconded and in a roll call vote all voted in favor of the motion.

C. Town Charter Amendments

Ms. Jackson indicated that Town Council could now take action related to the proposed charter amendments which would increase the number of Councilmembers from five to six beginning with the municipal elections in 2021 and provide the elected mayor the right to vote on all matters beginning with the organizational meeting of Town Council following the 2021 municipal elections. It was noted that there was no public comment related to the matter was received during the public hearing at the last meeting of Council or in the days that followed.

Vice-Mayor Jackson motioned to approve the Ordinance Amending the Charter of the Town of Weaverville to Change the Number of Councilmembers from Five to Six and to Provide the Elected Mayor with the Right to Vote on All Matters. Councilmember Sherrill seconded and in a roll call vote all voted in favor of the motion. Motion passed 5-0.

D. NCGS Chapter 160D Compliance Project Update.

Ms. Jackson reported on the work that staff and the Planning Board have been doing on the project and supplied Council with a revised 160D project timeline reflecting the Planning Board's request for additional time to review the amendments. Mayor Root noted the consensus of Council to hold the public hearing on the matter during the May 24 Town Council meeting and encouraged the Planning Board to conclude its work by not later than the Planning Board's regular meeting in May.

E. Solar Panel Systems Update

Ms. Coffey presented to Council information related to the possible installation of solar panels at the new Community Center, Water Treatment Plant, and Fire Department. Ms. Coffey recommended that the proposals be discussed and considered for funding in the upcoming fiscal year.

The installation of conduit within the Community Center was discussed and it became the consensus of council to have this installed to facilitate the addition of solar panels on the Community Center roof at a later date.

Vice-Mayor Jackson noted a discrepancy in the rebate amounts within two of the proposals.

F. Audit Services

Finance Director Tonya Dozier spoke to Council regarding the options for an audit contract for the fiscal year 2021-2022 audit. These options included: proceed as normal and issue an RFP in March 2021; negotiate a one year contract with Gould Killian for the fiscal year 2021-2022 and postpone the RFP until next year; or negotiate another three year contract with Gould Killian.

Following the deliberation of Council, Mayor Root noted the consensus of Council to proceed with the negotiation of another three year contract with Gould Killian.

G. Quarterly Report – Fire

Fire Chief Williams presented Town Council with the quarterly report for the Fire Department.

H. Quarterly Report – Police

Police Chief Davis presented Town Council with the quarterly report for the Police Department.

8. Adjournment

Without objection, Mayor Root declared the meeting adjourned at 8:10 p.m.



James Eller, Town Clerk

**TOWN OF WEAVERVILLE
RESOLUTION DECLARING OFFICIAL INTENT TO
REIMBURSE EXPENDITURES FROM PROCEEDS OF BORROWING ON THE
WATER TREATMENT PLANT EXPANSION PROJECT**

WHEREAS, the Town of Weaverville plans to undertake a capital project to expand its Water Treatment Plant (the "Water Treatment Plant Expansion Project"); and

WHEREAS, the Water Treatment Plant Expansion Project is preliminarily estimated to cost more than \$6 million; and

WHEREAS, the Town of Weaverville expects to finance the Water Treatment Plant Expansion Project on a long-term basis by issuing tax-exempt bonds or other tax-exempt obligations (collectively, the "Bonds") in an amount to be determined; and

WHEREAS, because the Bonds may not be issued prior to commencement of the Water Treatment Plant Expansion Project, the Issuer must provide interim financing to cover costs of the Water Treatment Plant Expansion Project incurred prior to receipt of the proceeds of the Bonds; and

WHEREAS, the Town Council deems it to be necessary, desirable, and in the best interests of the Town to advance moneys from its funds on hand on an interim basis and to secure conventional financing to pay the costs of the Water Treatment Plant Expansion Project until the Bonds are issued.

NOW, THEREFORE, BE IT RESOLVED by the Town Council for the Town of Weaverville, North Carolina that:

SECTION 1. EXPENDITURE OF FUND. The Town of Weaverville shall make expenditures as needed from its funds on hand to pay the cost of the Water Treatment Plant Expansion Project until interim conventional financing and/or the proceeds of the Bonds become available.


SECTION 2. DECLARATION OF OFFICIAL INTENT. The Town of Weaverville hereby officially declares its intent under Treas. Reg. Section 1.150-2 to reimburse said expenditures with the proceeds of the Bonds so issued.

SECTION 3. UNAVAILABILITY OF LONG-TERM FUNDS. No funds for payments for the Water Treatment Plant Expansion Project, from sources other than the Bonds, are or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Town pursuant to its budget or financial policies.

SECTION 4. PUBLIC AVAILABILITY OF OFFICIAL INTENT RESOLUTION. This Resolution shall be made available for public inspection at the office of the Town Finance Officer within 30 days after its approval in compliance with the applicable state law governing the availability of records of official acts, and shall remain available for public inspection until the Bonds are issued.


SECTION 5. EFFECTIVE DATE. This Resolution shall be effective upon its adoption and approval.

ADOPTED THIS the 22nd day of February, 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



**An Ordinance Establishing an Annexation Agreement Between the
Town of Woodfin, North Carolina and the Town of Weaverville, North
Carolina for the Mutual Boundary Lines Between These Two
Municipalities**

Whereas, North Carolina General Statutes (NCGS) Chapter 160A, Article 4A, Part 6 (NCGS 160A-58.21 et seq.) authorizes two (2) or more municipalities to enter into binding agreements regarding future annexations in or to enhance orderly planning by such cities; and

Whereas, the governing boards of the Town of Woodfin, North Carolina and the Town of Weaverville, North Carolina seek to carry out plans for future land uses, provision of important public facilities, and the protection of greenspace and the environment; and

Whereas, potential conflict and confusion may occur along the interface between two (2) jurisdictions when the future municipal boundaries between the two (2) are unclear; and

Whereas, the governing board and its staff of both municipalities desire to foster good intergovernmental relations; and

Whereas, the governing boards and staff of both municipalities have engaged in a process of discussion that has led to the determination of an ultimate municipal boundary between the two (2) communities; and

Whereas, this ordinance has been adopted following independent public hearings by the Town of Woodfin on February 16, 2021, and the Town of Weaverville on January 25, 2021, with notice provided in accordance with NCGS 160A-31(c);

NOW, THEREFORE IT BE ORDAINED by the Board of Commissioners of the Town of Woodfin, North Carolina and the Town Council of the Town of Weaverville, North Carolina:

Section 1: Establishment of Annexation Boundary Line. Both governing bodies agree to the annexation boundaries as shown on the attached map entitled

“Boundary Agreement,” the contents of which are incorporated herein by reference.

Section 2: Town of Weaverville Annexation Area. That the areas inside of the Blue lines and shown as Sections 1-A and 1-B on the attached map, are located within Buncombe County, North Carolina and will be subject to future annexation by the Town of Weaverville and no portion of said area is subject to annexation or extraterritorial jurisdiction by the Town of Woodfin during the term of this agreement.

Section 3: Town of Woodfin Annexation Area. That the area inside of the Red line and shown as Section 2 on the attached map, is located within Buncombe County, North Carolina and will be subject to future annexation by the Town of Woodfin and no portion of said area is subject to annexation or extraterritorial jurisdiction by the Town of Weaverville during the term of this agreement.

Section 4: Notice of Annexations. That each participating municipality which proposes any annexation within the annexation areas identified in this agreement must give written notice, in the form of a “Notice of Intent to Annex,” to the other municipality of such annexation at least (60) days before the adoption of such annexation ordinance. The notice shall be in compliance with NCGS 160A-58.24(a) and (b) and shall be sent by mail to the chief appointed official of the other municipality.

Section 5: Effective Date. That this agreement shall become effective immediately following its adoption by ordinance of the governing body of both the Town of Woodfin and the Town of Weaverville.

Section 6: Modification of Amendments. That this ordinance may be modified or amended with a subsequent agreement entered into by both participating Towns pursuant to NCGS 160A-58.24(d). All modifications and amendments to this agreement shall be approved by ordinance and adopted after public hearings by both municipalities.

Section 7: Term of this Agreement. The term of this agreement shall be for a period of five (5) years. In order to comply with this agreement, a “*Notice of Intent to Annex*” must be approved by the governing body before the end of the five (5) year term.

Section 8: Termination of Agreement. That this agreement may be terminated by the consent of both jurisdictions as evidenced by an amendment to the agreement. This agreement shall be effective until such termination occurs or five (5) years, whichever comes first.

Adopted by the Town of Woodfin this the 16th day of February, 2021.

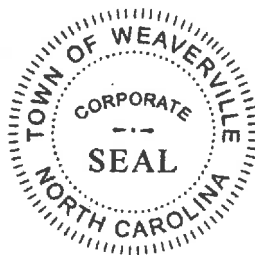
M. Jerry Vebaun, Mayor
Town of Woodfin

Woodfin Town Clerk

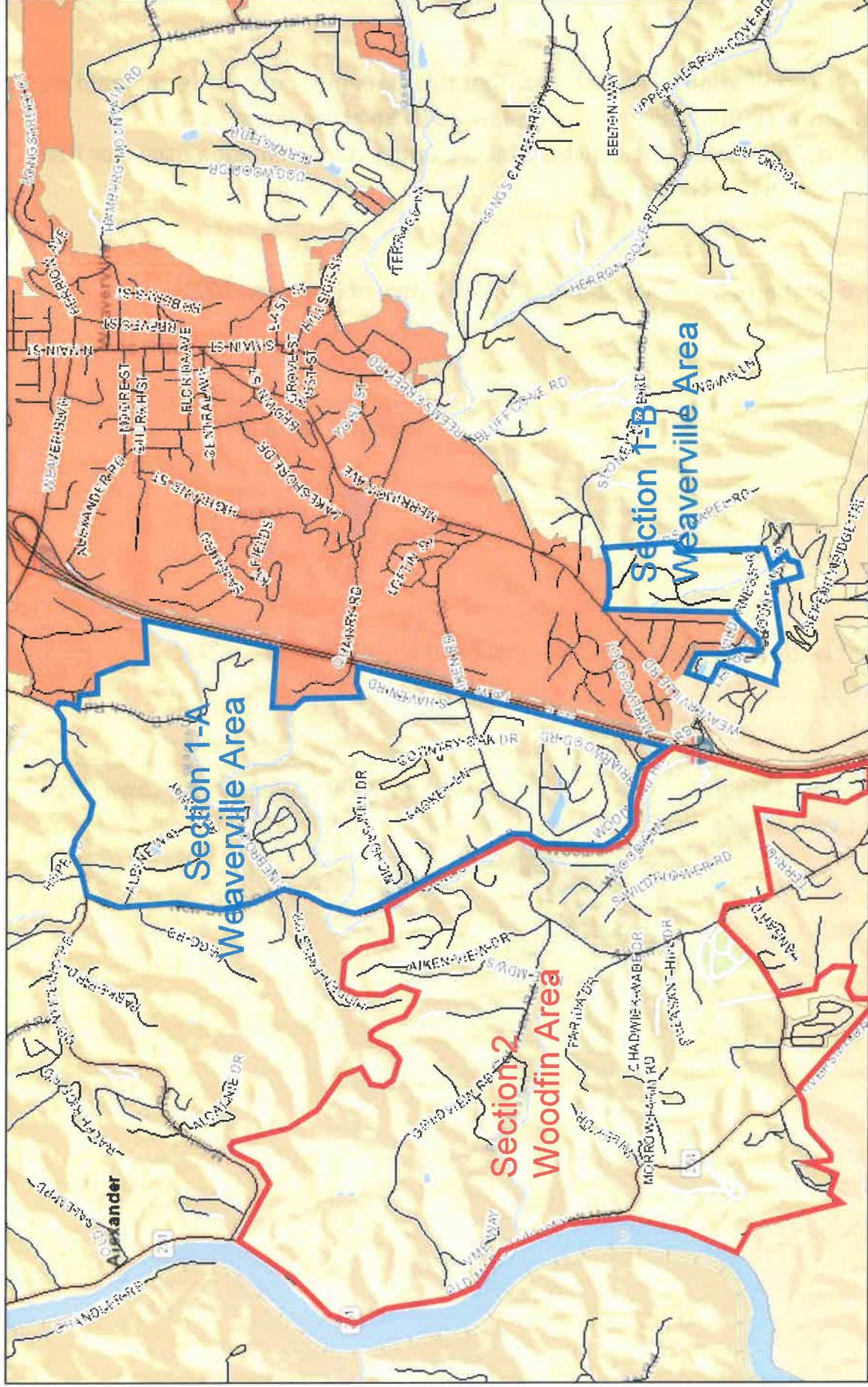
Adopted by the Town of Weaverville this 22nd day of February, 2021.

Allan P. Root, Mayor
Town of Weaverville

James Eller, Weaverville Town Clerk



Draft Annexation Areas - Revised for Weaverville



December 3, 2020



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

**AN ORDINANCE AMENDING THE CHARTER OF THE TOWN OF WEAVERVILLE TO
CHANGE THE NUMBER OF COUNCILMEMBERS FROM FIVE TO SIX AND TO PROVIDE
THE ELECTED MAYOR WITH THE RIGHT TO VOTE ON ALL MATTERS**

WHEREAS, having adopted a resolution of intent to amend its charter on December 21, 2020, and, after proper notice, having held a public hearing on January 25, 2021, all in accordance with N.C.G.S. 160A-102;

BE IT ORDAINED by the Town Council of the Town of Weaverville:

SECTION 1. Pursuant to G.S.160A-101 and 160A-102, the Charter of the Town of Weaverville, as set forth in Chapter 335 of the 1909 Private Laws of North Carolina, as amended, is further amended as follows:

- (a) to provide that the Town Council shall consist of six members beginning with the 2021 municipal elections such that three councilmembers and a mayor shall be elected in 2021, and every four years thereafter, and three councilmembers shall be elected in 2023, and every four years thereafter; and
- (b) to provide the elected mayor with the right to vote on all matters coming before Town Council beginning with the organizational meeting following the 2021 municipal elections.

SECTION 2. The Town Clerk shall cause a notice to be duly published, stating that an ordinance amending the Charter to change the number of members of the Town Council from five to six and to provide the elected mayor with the right to vote on all matters has been adopted.


SECTION 3. This ordinance shall be in full force and effect from and after adoption.

ADOPTED THIS the 22nd day of February, 2021, in a unanimous vote of 5 in favor and 0 opposed.



ALLAN P. ROOT, Mayor

ATTESTED BY:

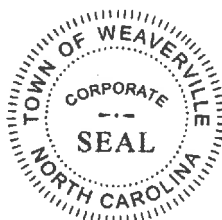


JAMES ELLER, Town Clerk

APPROVED AS TO FORM:



JENNIFER O. JACKSON, Town Attorney



TOWN OF WEAVERVILLE
AN ORDINANCE AMENDING THE TOWN'S ZONING MAP TO ESTABLISH A
MANUFACTURED HOME OVERLAY DISTRICT ON CERTAIN PROPERTIES

WHEREAS, Town Council wishes to amend its zoning map to zone the following parcels of land with the manufactured home overlay district (MHO):

Parcel Identification Number	Physical Address	Current Property Owner
9743-43-0246	N. Buncombe School Rd	David Cole
9743-43-0162	30 Red Cole Drive	David Cole
9743-33-9113	21 Red Cole Drive	Lamar Cole
9743-33-8364	N. Buncombe School Rd	Lamar Cole
9743-33-6380	N. Buncombe School Rd	James Cole
9743-33-4367	15 N. Buncombe School Rd	Michael Boles
9743-33-4513	23 N. Buncombe School Rd	Norman Bradford
9743-33-6553	N. Buncombe School Road	Raymond Cole
9743-33-3697	31 N. Buncombe School Rd	Heidi Cole
9743-33-5799	41 N. Buncombe School Rd	Isabel Cole
9743-31-5384	25 Coleman Hensley Drive	Michael Hensley
9743-31-5585	4 Coleman Hensley Drive	Jack Hensley
9732-80-0678	341 Merrimon Avenue	Jones Family Properties, LLC


WHEREAS, the Weaverville Planning and Zoning Board reviewed this map amendment on December 1, 2020, found that the establishment of the MHO on the above properties is reasonable and in the public interest in that it is consistent with the future land use map, provides a balance of residential uses, and is compatible with the current uses on those properties and with the uses in the surrounding area, and, by a unanimous vote, recommended that Council approve the zoning map amendment;

WHEREAS, Town Council held a public hearing on this map amendment on January 25, 2021, as required by law and by Town Code;

WHEREAS, Town Council finds that the map amendment is consistent with the Town's Comprehensive Land Use Plan, is reasonable and in the public interest in that it is consistent with the future land use map, provides a balance of residential uses, is compatible with the current uses on those properties and with the uses in the surrounding area, will allow the highest and best use of the property, and is in the best interest of the public;


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 manufactured home overlay district applies to the above-referenced properties effective immediately.

ADOPTED THIS the 22nd day of February 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



**ORDINANCE AMENDING WEAVERVILLE TOWN CODE
CHAPTER 36 CONCERNING THE R-3 ZONING DISTRICT AND
THE ESTABLISHMENT OF A MANUFACTURED HOME OVERLAY DISTRICT**

WHEREAS, N.C. Gen. Stat. 160D-910 authorizes the adoption of appearance and dimensional standards for manufactured homes and the use of a manufactured home overlay district to provide such regulation as long as such regulations do not have the effect of excluding manufactured homes from the entire zoning jurisdiction;

WHEREAS, consistent with the priorities established in the Comprehensive Land Use Plan and at the direction of Town Council, the Planning and Zoning Board met on 5 November 2020, 1 December 2020, and 5 January 2021, and in those meetings studied and reviewed the Town's existing regulations and proposed new regulations concerning the establishment of a manufactured home overlay district;

WHEREAS, the Planning and Zoning Board has found such amendments consistent with the Town's comprehensive land use plan, reasonable, and in the best interest of the public in that the overlay district, if established, adds to the balance of residential uses and allows for a closer analysis on the compatibility of manufactured homes with surrounding developed properties prior to the application of the district, and will not have the effect of excluding manufactured homes from the entirety of the zoning jurisdiction, and with a unanimous vote of the Planning and Zoning Board, recommends such amendments;

WHEREAS, after proper notice the Town Council held a public hearing on January 25, 2021, in order to receive input from the public on these proposed amendments;

WHEREAS, Town Council adopts the findings and recommendations of the Planning and Zoning Board presented during the public hearing;

NOW, THEREFORE, BE IT ORDAINED by Town Council of the Town of Weaverville, North Carolina, as follows:

1. The findings and recommendations of the Planning and Zoning Board are hereby incorporated by reference and adopted by Town Council.
2. All amendments adopted in this Ordinance are shown in red with added language underlined and deleted language shown with strike-throughs.
3. Section 36-56 is hereby amended as follows:

Sec. 36-56. - Use and overlay districts.

The following standard use districts and overlay districts are hereby established:

- (a) R-1. The primary residential district is established in which the principal use of the land is for single family residential purposes and the regulations for the R-1 district are

established in order to protect the existing residential development and protect and promote a suitable environment for family life.

- (b) R-2. The transitional residential district is established in which the principal use of the land is for residential purposes and the regulations for the R-2 district are established in order to protect the existing residential development and protect and promote a suitable environment for family life.
- (c) R-3. The general residential district is established ~~in order to provide a location for manufactured homes on individual lots in which the principal use of the land is for residential purposes and the regulations for the R-3 district are established in order to protect the existing residential development and protect and promote a suitable environment for family life with a higher allowable density than the R-1 and R-2 districts.~~
- (d) R-12. The multi-unit residential district is established in which the principal use of the land is for residential purposes and the regulations for the R-12 district are established in order to provide a location for multi-unit residential development such as apartments and to provide regulations to minimize the effects of higher density residential uses.
- (e) C-1. The central business district is established in which the principal use of the land is for retail and food service businesses and the regulations for the C-1 district are established in order to protect the present retail businesses and service development within the district and promote future development within the district of businesses compatible with a vibrant, walkable main street.
- (f) C-2. The general business district is established in which the principal use of the land is for commercial development and the regulations for the C-2 district are established in order to promote current and future development of businesses which are required to serve the needs of residents of the town with convenience shopping, goods and services.
- (g) I-1. The light industrial district is established in which the principal use of the land is for light industrial development and the regulations for the I-1 district are established in order to promote industrial development but provide that the noise, dust, glare, and odor of each such industrial operation be kept to a minimum.
- (h) MHO. The manufactured home overlay district is established and intended for application to those areas of the zoning jurisdiction where the use or development of manufactured homes on individual lots is consistent with the character of the area and compatible with surrounding developed properties.

...

4. The table of uses established in Section 36-105 is hereby amended to remove manufactured homes as a use permitted with standards in R-3 and to add a MHO district which permits manufactured homes with standards as follows:

Sec. 36-105. - Table of uses.

USES	R-1	R-2	R-3	R-12	C-1	C-2	I-1	MHO
RESIDENTIAL								
Manufactured Home	-	-	PS -	-	-	-	-	PS

5. Section 36-106 is hereby amended to establish dimensional requirements for the MHO district as follows:

Sec. 36-106. - Table of dimensional requirements.

Zoning District	R-1	R-2	R-3	R-12	C-1	C-2	I-1	MHO ¹¹
Minimum Lot Area (sq. Ft.)	10,000 _{2,7}	7,500 ¹ _{2,3,4,7}	5,445 _{1,2,3,4,7}	7,500 ^{4,7,8}	0	0	0	5,445 _{1,2,3,4,7}
Minimum Lot Width(ft.)	100	75	75	75	0	50	0	75
Minimum Front Yard (ft.)	30	30	30	30	0	0	0	30
Major Thoroughfare	30	30	30	30 ⁵	0	60	35 ⁵	30
Minor Thoroughfare	30	30	30	30 ⁵	0	25 ⁵	35 ⁵	30
With Parking in Front	-	-	-	-	-	60	-	-
Without Parking in Front	-	-	-	-	-	40	-	-
Minimum Side Yard (ft.) Abutting Residential District	10	10 ⁶	10 ⁶	10 ⁶	0	30	40	10 ⁶
Minimum Side Yard (ft.) Abutting Commercial or Industrial District	10	10 ⁶	10 ⁶	10 ⁶	0	0	40	10 ⁶
Minimum Rear Yard (ft.) Abutting Residential District	10	10 ⁶	10 ⁶	10 ⁶	0	30	40	10 ⁶
Minimum Rear Yard (ft.) Abutting Commercial or Industrial District	10	10 ⁶	10 ⁶	10 ⁶	0	0	40	10 ⁶
Height Limit (ft.)	35	35	35	45 and no more than 3 stories	Note 10	75	75	18
Buffer if Abutting a Residential District (ft.)	0	0	0	20	Note 9	20	20	0

6. Section 36-107 is hereby amended to add the following note:

Sec. 36-107. - Notes for table of dimensional requirements.

Notes:

11. The dimensional standards for the MHO district only apply to manufactured homes. To the extent that a dimensional requirement for a manufactured home in the MHO district is inconsistent with the corresponding dimensional requirement of the underlying use district, the more restrictive dimensional requirement shall apply to that manufacture home.

7. Section 36-129 is hereby amended to add additional standards for manufactured homes:

Sec. 36-129. - Manufactured home.

- (a) No new manufactured home shall be permitted within floodways and non-encroachment areas as determined by the Floodplain Administrator of Buncombe County.
- (b) Each new manufactured home shall be placed on an individual lot.
- (c) A manufactured home must be built to or exceed the Manufactured Home Construction Safety Standards as developed by the Housing and Urban Development Code of June 15, 1976.


(d) Manufactured homes must not be more than a single story measured from front ground level and may not be stacked.

(e) Manufactured homes must either be properly tied down and underpinning/skirting installed and maintained or must be placed on a permanent foundation. If piers are used they must be engineered and skirting must be installed.


8. It is the intention of Town Council that the sections and paragraphs of this Ordinance are severable and if any section or paragraph of this Ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining paragraphs or sections of this Ordinance, since they would have been enacted by Town Council without the incorporation in this Ordinance of any such unconstitutional or invalid section or paragraph.

9. These amendments shall be effective immediately upon adoption and immediately codified.

ADOPTED THIS the 22nd day of February 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



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Special Called Workshop
Thursday, March 11, 2021**

Remote Electronic Meeting

Zoom: [http:// us02web.zoom.us/j/85948891960](http://us02web.zoom.us/j/85948891960)

The Town Council for the Town of Weaverville met for a special called workshop meeting on Thursday, March 11, 2021 at 6:00 p.m. as an electronic video meeting via Zoom Meeting.

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

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

1. Call to Order.

Mayor Root called the meeting to order at 6:00 p.m.

2. Discussion Items.

A. Community Center

1. Approval of Solar Conduit Change Order.

Mayor Root described the conversation previously held by Council related to the installation of conduit for potential solar panels at the Community Center.

Vice-Mayor Jackson motioned to approve change order #3 for the installation of conduit for solar panels on the community center and the corresponding budget amendment utilizing contingency funds for the conduit. Councilmember McKenna seconded and via a roll call vote all voted unanimously. Motion passed 5-0.

2. Community Center Contributions Discussion.

Councilmember Sherrill read from a letter submitted from Albert Weaver III describing a contribution to the community center project of \$25,000, to be given over a 5-year period, with the proposition that the large room in the community center be named after him. Councilmembers Sherrill and Fitzsimmons spoke in favor of the naming of the room as suggested in light of the donation to the project. Mayor Root requested and received Council consensus to approve the request for naming the large room in this manner.

B. 911 Dispatch Services.

Ms. Coffey described that Buncombe County was attempting to charge individual municipalities for dispatch services related to Police Departments. Mayor Root described Jerry Vehaun's, Mayor of Woodfin and former Emergency Services Director of Buncombe County, objection to the charge by the County. Fire Chief Williams spoke to the Fire Department's absence from such a charge. It became the consensus of Council to object to the aforementioned charge by the County.

C. FY 2021-2022 Budget.

Ms. Coffey described some projects for Council's consideration in the upcoming fiscal year budget process. These projects include phase II of the Community Center Project, the Street Improvement Program which was postponed in FY2021 due to COVID-related loss of revenue, the Reems Creek Greenway Project, Bike-Ped planning project, living wages for municipal employees, and solar panel projects.

Councilmember Fitzsimmons spoke to the need to staff the Community Center with a position to manage and coordinate the use of the Center. Councilmembers Fitzsimmons, McKenna and Nagle along with Vice-Mayor Jackson suggested that the town should aim for a revenue neutral tax rate in light of property reevaluations.

Ms. Coffey described the discrepancy between the population of the Town provided by the North Carolina Office of State Budget and Management and the Town's population estimated by staff. The census numbers are delayed so it will likely be several more months before the Town has an official new population count.

Mayor Root spoke to the importance of continuing the Town's Street Improvement Program.

3. Adjournment.

Noting the consensus of Council, Mayor Root declared the meeting adjourned at 7:10.



James Eller, Town Clerk



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Meeting
Monday, March 22, 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, March 22, 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 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

Mayor Root noted that he would like to discuss a portion of agenda item 7A at this time. Mayor Root described Councilmember Sherrill's many years of service to the town including her service as a member of Council and Mayor as well as her organization of many town sponsored events. Mayor Root asked Council to consider a motion establishing the name of the area around the Community Center to be known as Dottie Sherrill Knoll at the Weaverville Community Center.

Vice-Mayor Jackson motioned to name the area around the community center as Weaverville Community Center at Dottie Sherrill Knoll. Councilmember Fitzsimmons seconded the motion and in a roll call vote all Councilmembers voted in favor of the motion to name the area around the community center as noted. Motion passed 5-0.

Mayor Root declared the agenda adopted as amended, adding agenda item 7D EV Charging Stations and 7E Federal COVID-19 Relief Funds, by consent. Previously listed agenda items 7D & E rolled to agenda items 7F & G.

3. Approval of the Minutes

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

4. 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 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.

5. Consent Agenda

Councilmember Sherrill moved for the approval of the Consent Agenda. Councilmember Fitzsimmons seconded the motion and in a roll call vote all Councilmembers 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 Contributions** – *Allocation of \$5,200 in donations.*
- C. Board Appointment: Board of Adjustment** – *Appointment of Peter McGuire as an alternate member of the Board of Adjustment.*
- D. Proclamations: Arbor Day, Earth Day and Proclamation Honoring Debera Roland Dixon.**

6. Town Manager's Report

Ms. Coffey presented her Manager's report to Council which included information related to the sale of Police Department patrol vehicles, a sales tax update, a blood drive to be held at town hall, EV charging stations and the Arbor Day program.

7. Discussion and Action Items

A. Community Center Discussion Items.

Ms. Coffey presented Council with information related to a forthcoming facility use policy and application for the Community Center noting the specific areas of fee structure, reservations, facility use policies and fundraising which staff was seeking additional guidance on for incorporation into policy.

As it relates to a fee structure, consensus was gained to have the smaller room at the Community Center offered at a lower price than the main room. Councilmember Nagle noted his desire to have the rooms offered for free to town residents who wished to use the room(s) for non-commercial or nonprofit purposes while allowing a charge for in town commercial purposes and all out of town uses.

Regarding reservations, Mayor Root noted that the town should not offer the facility for use by the general public until after the July 4th weekend given that the expected completion date is May 17. Mayor Root reminded all that there may still be delays in opening the center therefore July 4 may opening may change.

As it relates to a proposed facility use agreement Mayor Root noted that the Town should adopt policies for problems that arise rather than try to forecast issues which may lead to policy which inadvertently restricts the use of the facility.

Councilmember Fitzsimmons described a brick sale which would commence in the spring. Consensus was gained to offer items which were crafted from the reclaimed wormy chestnut

wood from the former community center with proceeds going toward the town's fundraising efforts.

B. MS4 Stormwater Compliance Program Update.

Ms. Jackson presented to Council information related to the town's ongoing efforts toward MS4 Stormwater Program compliance. Ms. Jackson reviewed the draft stormwater management plan and outlined the next steps toward program compliance.

C. US Cellular Tower Easement Discussion.

Ms. Coffey presented material to Council related to a recent request for a perpetual easement on town property where an existing wireless communication tower is located. US Cellular is proposing a perpetual easement for \$217,000 instead of the ongoing lease which is \$22,250 annually. A discussion occurred related to if funds generated by the proposed lease agreement could be used toward community center fundraising efforts. Consensus was gained to have staff proceed with negotiations at a figure higher than that previously proposed by US Cellular and giving them the opportunity to contribute to the new Community Center as part of the negotiations.

D. EV Charging Stations.

Ms. Coffey described the previous consensus of Council to proceed with an application for grant funding for electric vehicle (EV) charging stations. Councilmembers Fitzsimmons and McKenna noted their desire to have the town proceed with the proposal. This became the consensus of Council as the expenditure of funds related to EV charging stations would be subject to Town Council approval in the form of a budget amendment at the April 2021 meeting.

E. Federal COVID-19 Relief Funds.

Ms. Dozier described impending COVID-19 relief funds to be offered to local jurisdictions from the federal level. However, at this time, very little guidance was available related to the allowable expenditures associated with these monies.

F. Merrimon Avenue Speed Limit.

Councilmember Nagle noted his desire to have the speed limit lowered on Merrimon Avenue from the southern municipal border to lakeshore drive from 45 mph to 35 mph making it consistent with the limit on the remainder of Merrimon entering downtown. Chief Davis noted a discrepancy on NCDOT speed limit maps which show all of Merrimon Avenue in town as 35 mph. Staff will continue to work with NCDOT on the resolution of these inconsistencies.

G. Quarterly Report – Public Works and Water Services

Public Works Director Pennell presented Town Council with the quarterly report for the Public Works Department.

8. Adjournment

Without objection, Mayor Root declared the meeting adjourned at 9:05 p.m.


James Eller, Town Clerk



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Workshop
Wednesday, April 13, 2021**

The Town Council for the Town of Weaverville met for a regular workshop meeting on Wednesday, April 13, 2021 at 6:00 p.m.

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

Staff present was: Town Manager Selena Coffey and Town Attorney Jennifer Jackson.

1. Call to Order.

Mayor Root called the meeting to order at 6:00 p.m.

2. Discussion of Possible Non-Discrimination Ordinance

Town Council members discussed the possibility of enacting a non-discrimination ordinance within the Town of Weaverville and possible provisions of such an ordinance. Some of the issues discussed included the existing laws regarding discrimination, what Buncombe County and other area municipal jurisdictions are considering for adoption, the perceived and actual need for such an ordinance in the Town of Weaverville, how an ordinance could and should be enforced, how to engage the public on this issue, and when Town Council should consider and possibly adopt a non-discrimination ordinance.

There was consensus that the Mayor would put a draft non-discrimination ordinance on Town Council's agenda for consideration in the future and consider how best to engage the public in the conversation in order to determine the community need and/or desire for such an ordinance.

3. Adjournment.

Without objection the Mayor declared the meeting adjourned at approximately 7:45 pm.

James Eller, Town Clerk



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Meeting
Monday, April 26, 2021**

The Town Council for the Town of Weaverville met for its regularly monthly meeting on Monday, April 26, 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 and Patrick Fitzsimmons. Councilmember Sherrill 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 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

Vice-Mayor Jackson motioned to adopt the agenda as amended, moving the previously listed agenda item 7F related to the Community Center up to 7B with each successive agenda item cascading accordingly. Councilmember McKenna seconded and all voted in favor. Motion passed 4-0.

3. Approval of the Minutes

Councilmember Fitzsimmons motion to adopt the minutes as presented. Councilmember McKenna seconded and all voted in favor. Motion passed 4-0.

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@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.

No public comment was received.

5. Consent Agenda

Councilmember Nagle 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 4-0.

- A. Monthly Tax Report** – *Information only – submitted by Buncombe County Tax Department.*
- B. Budget Amendment: Fire, Public Works and Cops for Kids** – *\$9,860 as a partial reimbursement for recycling carts obtained and distributed by Public Works; \$12,638 reimbursement from FEMA for fire departments involvement in hurricane relief efforts; \$65 in Cops for Kids donations.*
- C. Budget Amendment: Public Works Seasonal Staffing** – *\$10,000 moved from contract labor to seasonal employees.*
- D. Road Closure Ordinance: July 4th Celebration** – *Closure of Main Street and establishment of detours for the July 4th celebration.*
- E. Annual Presentation of Town Manager Policies** – *Presentation of policies adopted by the Town Manager in accordance with section 6, article 1 of the personnel policy.*
- F. Set Public Hearing on Budget for May 24 at 6pm** – *Public Hearing on 2021-2022 budget to be held on the noted date and time.*
- G. Dry Ridge Historical Museum Lease Agreement** – *Approved lease agreement for the Dry Ridge Museum space within the town's community center.*

6. Town Manager's Report

Ms. Coffey presented her Manager's report to Council which included information related to the presentation of proposed 2021-2022 fiscal year budget on Tuesday, May 11, 2021 and continued negotiations related to a potential US Cellular permanent easement.

7. Discussion and Action Items

A. Report on Fire Department Rating Inspection.

Davie Summey, Fire Department Rating and Inspection Supervisor for the Deputy State Fire Marshal, Fire, and Rescue Services division of the North Carolina Department of Insurance spoke to Council regarding a recent visit and inspection of the Weaverville Fire Department. Mr. Summey reported that the rating of the fire department had improved from a class four to a class two which represents a better insurance rate for property owners. Chief Williams accepted a recognition on behalf of the Fire Department.

B. Community Center: Update and Change Order #4.

Mr. Pennell and John Legerton updated Council on the construction progress of the community center and described change order #4 which included 12 items, some increases, and some decreases in cost, which amounted to a \$2,027 overall increase in construction cost. Both also spoke to some weather delays and the need to add extra weather days for construction as a result. A corresponding budget amendment was also presented.

Councilmember Nagle motioned to adopt the change order as presented. Councilmember McKenna seconded and all voted in favor. Motion passed 4-0.

C. Electronic Vehicle Charging Station.

Ms. Coffey presented Council with information related to a proposed electric vehicle charging station to be placed in the parking lot at Lake Louise. Vice-Mayor Jackson voiced a concern related to the technology used for the EV charging station. Mayor Root called for a motion on the matter.

No motion was made. The Town Manager asked for confirmation that this meant that the grant awarded would not be accepted by the Town and that the project would not proceed. By consensus Town Council agreed with that understanding.

D. Eller Cove Watershed Monitoring.

Ms. Coffey described the annual monitoring efforts required for the Eller Cove watershed conservation easement. Ms. Coffey also shared notes provided by Southern Appalachian Conservancy staff showing where trespassers had accessed the property and caused damage. Councilmember McKenna noted an opportunity to create a volunteer group to walk the property on occasion to assist with monitoring efforts.

E. Continuation of Discussion on Possible Discrimination Responses.

Mayor Root noted Council's efforts and deliberations which informed the proposed Resolution Concerning Non-Discrimination in the Town of Weaverville prepared for Council's consideration.

Councilmember Fitzsimmons motioned to adopt the proposed resolution. Vice-Mayor Jackson seconded and all voted in favor. Motion passed 4-0.

F. Authorization to Sell Surplus Property.

Ms. Coffey spoke to Council regarding an international tanker truck that is now surplus property, and its potential value. The value exceeds the Manager's authority to dispose of and therefore she was seeking Town Council's approval. Mr. Duncan spoke regarding the previous use of the tanker truck and how it had come to be surplus property.

Councilmember McKenna motioned to declare the tanker truck surplus property and authorize its sale and disposition through GovDeals. Councilmember Fitzsimmons seconded and all voted in favor. Motion passed 4-0

G. Land Development Regulations Update

Ms. Jackson guided Council through a presentation on the town's land development regulations update which includes matters associated with G.S. Chapter 160D and other recent changes in policy. Additional direction was given related to the Mayor's role in appointing Planning Board and Board of Adjustment, discretionary vs. mandatory removal of Board of Adjustment members, optional Planning Board review of quasi-judicial matters, optional newspaper notice for zoning map amendments, posting of mailed notices for community meetings associated with conditional districts, performance guarantees for special use permits, restrictions on family care homes, repeal of existing grading regulations, and initial review by Town Council of zoning map amendments. Ms. Jackson also reviewed public input efforts which included a public comment period, four staff led public information sessions and the requested public hearing on May 24.

Councilmember Nagle motioned to hold the public hearing related to the land use regulation update on Monday, May 24 at 6pm. Councilmember McKenna seconded and all voted in favor. Motion passed 4-0.

H. Audit Contract

Ms. Dozier described to Council that, at their direction, an additional three year audit contract had been negotiated between the town and Gould Killian.

Councilmember Nagle motioned to approve the audit contract and authorization for the Mayor and staff to execute same. Councilmember McKenna seconded and all voted in favor. Motion passed 4-0.

I. Quarterly Report – Finance

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

J. Quarterly Report - Planning

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

Proposed Senate Bill 349 – House Bill 401 was briefly discussed. Councilmember Fitzsimmons requested that Council discuss the proposed bill at their next meeting.

8. Adjournment

Without objection, Mayor Root declared the meeting adjourned at 9:25 p.m.



James Eller, Town Clerk

Town of Weaverville

**AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE
Weaverville July 4th Celebration**

WHEREAS, the Town Council of Weaverville acknowledges a long tradition of hosting a July 4th celebration, that benefits the Weaverville and the North Buncombe community; and

WHEREAS, the Town Council of Weaverville acknowledges the July 4 downtown celebration will require approximately two (2) hours to install signage, and also will require approximately one (1) hour for removing signage, litter, etc.

WHEREAS, The Town Council of Weaverville recognizes that the detour route will be appropriately marked with signage and personnel at various locations to ensure the motoring public travels safely and without unnecessary delay.

NO THEREFORE BE IT ORDAINED by the Town Council of Weaverville pursuant to the authority granted by G. S. 20-169, that we do hereby declare a temporary road closure on the day and times set forth below and the following described portion of a State Highway System route:

Weaverville Downtown July 4th Celebration

Date: July 4, 2021

Time: 12:00pm until 11:30pm


Road Closure: The portion of Main Street between Church Street and Brown Street will be closed and all traffic safely detoured around this area.

This ordinance to become effective when signs are erected giving notice of the road closures and detour routes, the implementation of adequate traffic control.

Adopted this 26th day of April, 2021


Al Root, Mayor

Attest:


James Eller, Town Clerk



**TOWN OF WEAVERVILLE
NORTH CAROLINA
JULY 4 ROAD CLOSURES**



**RESOLUTION CONCERNING NON-DISCRIMINATION
IN THE TOWN OF WEAVERVILLE**

WHEREAS, consistent with the values established by Town Council in the Title VI Non-Discrimination Policy and Implementation Plan adopted on April 27, 2020, the Mayor and Town Council affirm that every person deserves to be treated with dignity and respect and should be able to live and work in the Town of Weaverville without fear of discrimination of any kind; and

WHEREAS, LGBTQ people in North Carolina are vulnerable to discrimination in many areas of life, including education, housing, healthcare, public spaces, and the workplace, because of a lack of statewide non-discrimination protections; and

WHEREAS, while federal and statewide protections currently exist, in the last year there has been an increase in hate crimes against Asian Americans and Pacific Islanders based on their national origin or ancestry, there continues to be wage gaps on the basis of gender, race, and ethnicity, and many people of color continue to face systemic racism, especially in the area of legal justice and law enforcement; and

WHEREAS, Weaverville residents strongly support protecting all people from the indignity of discrimination; and

WHEREAS, non-discrimination laws, policies, and practices, including those that are LGBTQ-inclusive, send a message that everyone is welcome to build a life, raise a family, or start a business within the Town; and

WHEREAS, the Weaverville Town Government will not discriminate against any human being in its employment practices or in its provision of services, operations, or programs on the basis of sexual orientation, gender identity, gender expression, race, ethnicity, creed, color, sex, national origin, national ancestry, marital status, familial status, pregnancy, veteran or military status, religion, religious beliefs or non-beliefs, age, disability, or income level; and

WHEREAS, the Town of Weaverville welcomes companies, corporations, small businesses, and sole proprietors who adopt non-discrimination policies and procedures; and

WHEREAS, discrimination will not be tolerated in areas of public accommodations which include places such as hotels, motels, inns, restaurants, retail stores or establishments, galleries, or other similar establishments, which supply goods, services, or accommodations to the public or which solicit or accept the patronage or trade of any person;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Weaverville calls on all of its citizens to treat all persons with respect and dignity, and calls upon all businesses in the Town to adopt non-discrimination policies, procedures, and practices in order to reflect the community's shared values of equality, inclusion, and fair access, and to protect against discrimination within the Town of Weaverville.

ADOPTED THIS the 26th day of April, 2021, by a vote of 4 in favor and 0 against.


ALLAN P. ROOT, Mayor

ATTESTED BY:


JAMES ELLER, Town Clerk



APPROVED AS TO FORM:


JENNIFER O. JACKSON, Town Attorney



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Workshop
Tuesday, May 11, 2021**

Remote Electronic Meeting

Zoom: [http:// us02web.zoom.us/j/85948891960](http://us02web.zoom.us/j/85948891960)

The Town Council for the Town of Weaverville met for its regularly scheduled workshop on Tuesday, May 11, 2021, at 6:00 p.m. as an electronic video meeting via Zoom Meeting.

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

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

1. Call to Order

Mayor Root called the meeting to order at 6:00 p.m.

2. Budget Amendment

Declaring the proposed budget amendment related to the loan payment on the fire station read and understood, Mayor Root called for a motion on the matter.

Vice-Mayor Jackson motioned to approve the budget amendment. Councilmember McKenna seconded and via a roll call vote all voted unanimously.

3. Update on American Rescue Plan

Ms. Dozier provided an update and answered various questions from Council on the American Rescue Plan (ARP) fund potential expenditures. Included in the conversation was an opinion from various sources that spending funds on road and sidewalk infrastructure was likely inappropriate and spending funds on water, stormwater and broadband was likely appropriate based upon provided guidance.

4. Presentation of Budget Message and Proposed Fiscal Year 2020-2021 General Fund Budget

Ms. Coffey presented the Budget Message and Proposed Fiscal Year 2021-2022 General Fund and Water Fund Budget, attached hereto, to Town Council. Material covered included in the Budget Message included General Fund Overview; General Fund Revenue Highlights, ad valorem taxes, publication of a revenue-neutral tax rate proposed, Buncombe County fire district taxes, local government sales taxes, fees, ABC revenues and fund balance; General Fund Expenditures, personnel expenses, personnel requests, capital equipment, improvements and vehicles, sidewalks and dept service; Unfunded Mandates, stormwater program and Americans with Disabilities Act compliance; Water Fund Overview; Water Fund Overview, unrestricted net position, water rates and system development fees; Water Fund Expenditure, dept service and capital equipment and improvements; and a Closing Statement.

5. Town Council Discussion

Mayor Root noted the upcoming meetings of Council where Council could continue the discussion related to the proposed 2021-2022 fiscal year budget. Additional requests for information were made by Council and observed by staff. Manager Coffey encouraged the Mayor and Council to notify staff of any additional budgetary information they may like to have during their budget deliberations.

6. Adjournment

Mayor Root declared the meeting adjourned at approximately 7:30p.m.



James Eller, Town Clerk



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Meeting
Monday, May 24, 2021**

The Town Council for the Town of Weaverville met for its regularly monthly meeting on Monday, May 24, 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 and Patrick Fitzsimmons. Councilmember Sherrill 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 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

Noting no objections, Mayor Root declared the agenda approved by consensus.

3. Approval of the Minutes

Councilmember McKenna motioned to adopt the minutes as presented. Vice Mayor Jackson seconded and all voted in favor. Motion passed 4-0.

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@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.

Doug Theroux spoke to Council regarding the land development regulations update and offered positive comments on the work of the Planning Board and staff associated with same.

Nancy Vergara spoke to Council regarding the injuring of some wildlife at Lake Louise due to fishing activities.

5. Consent Agenda

Councilmember McKenna moved for the approval of the Consent Agenda. Councilmember Nagle seconded the motion. All voted in favor of the motion to approve all action requested in the Consent Agenda listed below. Motion passed 4-0.

- A. Monthly Tax Report** – *Information only – submitted by Buncombe County Tax Department.*
- B. Acceptance of Public Street Dedication** – *Lillie Farm Cove streets accepted into Town system.*
- C. Amendment to Tax Collection Agreement** – *Minor amendment re town tax deposit account.*
- D. Code Amendments to Chapter 22 Recycling** – *Reflecting change in operation regarding recycling.*
- E. Temporary Suspension of Town Fishing Licenses** – *Continue suspension of fishing licenses through June 30, 2022.*

6. Town Manager's Report

Ms. Coffey presented her Manager's report to Council which included information related to a US Cellular permanent easement and upcoming budget workshops.

7. Discussion and Action Items

A. Deannexation Request – 33 Fairway View Drive.

David Hunter, owner of the subject property spoke to Council regarding his request to deannex based upon the location of the parcel and the only access being on a private road which passes through a subdivision which is unincorporated. Mr. Hunter noted his contact with Senator Mayfield's office who may introduce a bill related to the proposed deannexation upon receiving an opinion on the matter from the Town.

Doug Theroux, from his experience in the development of the adjacent Reems Creek Golf Community, spoke to Council regarding the history of the property.

Councilmember Nagle motioned to adopt the proposed resolution in support of the deannexation. No second to the motion was offered, so the motion failed.

Vice Mayor Jackson motioned to adopt the proposed resolution denying support of the deannexation. No second to the motion was offered and the motion failed.

No action was taken.

B. Land Development Regulations Update.

Ms. Jackson noted the public hearing previously held and suggested that action on the matter was eligible on the proposed ordinance as presented with an effective date of July 1, 2021

Vice Mayor Jackson motioned to adopt the Ordinance Amending Weaverville Town Code to Enact Updated Land Development Regulations as presented. Councilmember Fitzsimmons seconded and all voted in favor. Motion passed 4-0.

C. Community Center Construction Update.

Ms. Coffey and Mr. Pennell presented Council with information related to the construction process of the Community Center noting an experience with additional delays related to fuel



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Special Called Meeting
Monday, May 24, 2021**

The Town Council for the Town of Weaverville met for a special called monthly meeting on Monday, May 24, 2021, at 6:00 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 and Patrick Fitzsimmons. Councilmember Sherrill 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 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 6:00 p.m.

2. Public Hearing: Fiscal Year 2021-2022 Budget

Ms. Coffey noted that the fiscal year 2021-2022 budget message had been submitted to Council at their May 11, 2021 budget workshop. Ms. Coffey again presented the budget message noting a proposed general fund budget of \$8,242,392 with a tax rate of \$.35 per \$100 of valuation, and a proposed water fund budget of \$2,444,290. A copy of the budget message is attached hereto, and the public hearing was noticed in accordance with North Carolina law. With no comments submitted by the public either in advance or at the hearing, Mayor Root declared the public hearing adjourned.

3. Public Hearing: Land Development Regulations Update

Ms. Jackson spoke to Council regarding the proposed land development regulations update undertaken in order to achieve GS 160D compliance and the incorporation of Town Council policy decisions. Ms. Jackson noted the public information sessions conducted by staff, the unanimous favorable recommendation offered by the Planning Board and the noticing of the public hearing in accordance with North Carolina law. With no comments submitted by the public either in advance or at the hearing, Mayor Root declared the public hearing adjourned.

4. Adjournment

Without objection, Mayor Root declared the meeting adjourned at 6:15 p.m.



James Eller, Town Clerk



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Workshop
Tuesday, June 8, 2021**

Remote Electronic Meeting

Zoom: [http:// us02web.zoom.us/j/85948891960](http://us02web.zoom.us/j/85948891960)

The Town Council for the Town of Weaverville met for its regularly scheduled workshop on Tuesday, June 8, 2021, at 6:00 p.m. as an electronic video meeting via Zoom Meeting.

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

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

1. Call to Order

Mayor Root called the meeting to order at 6:00 p.m.

Mayor Root recognized Doug Dearth who briefed Council on the Reems Creek Greenway project. Consensus was achieved to allow Mr. Dearth and Ms. Coffey to continue negotiations with the vendor despite the project being estimated significantly over budget.

2. Budget Discussion Items

Ms. Coffey presented responses to prior budget information requests which included a COLA/Merit program information, an employee compensation study, and an updated salary proposal for a new recreation coordinator position. Consensus was achieved to budget the compensation study and recreation coordinator position.

Vice-Mayor Jackson motioned to budget the proposed COLA/Merit program at 2% COLA and 3% Merit. Councilmember Sherril seconded and Councilmember McKenna cast a favorable vote. Councilmember Nagle and Fitzsimmons cast dissenting votes. Motion passed 3-2.

Chief Davis presented information related to the consolidated 911 cost-share including the cost to the town to develop its own dispatch. Chief Davis also addressed the possibility of teaming with other jurisdictions on dispatch and effects on call response times. Consensus was achieved that Council should budget and pay Buncombe County the approximate \$55,000 for 911 dispatch with the understanding that all relationships with the County should be reevaluated.

Consensus was achieved to explore the possibility of bringing back tax collections from Buncombe County as soon as the 2022-2023 budget process.

Consensus was gained that a potential solar panel project at the fire department should not be funded at this time.

Consensus was gained that a potential sidewalk improvement program should not be funded at this time but council would continue to receive updates on the comprehensive pedestrian and bicycle plan. Staff was requested to work on a sidewalk priority list for consideration by Town Council prior to the conclusion of the plan.

The previously mentioned recreation coordinator position was again noted.

Mr. Pennell and Ms. Coffey update Council on the Community Center project including that the center would not be completed in time to satisfy the construction contract and that potential events in July should not be contemplated. Ms. Dozier provided Council with a review of the Community Center project budget.

3. Town Council Discussion

Town Council reached consensus that no further budget workshops would be necessary.

4. Adjournment

Mayor Root declared the meeting adjourned at approximately 8:00p.m.



James Eller, Town Clerk



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@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.

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



MINUTES

**Town of Weaverville
State of North Carolina**

**Joint Meeting of Town Council and Planning Board
Tuesday, July 13, 2021**

The Town Council for the Town of Weaverville met for its regularly scheduled joint meeting with the Planning Board on Tuesday, July 13 2021, at 6:00 p.m. within Council Chamber at Town Hall.

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

Planning and Zoning Board Members present were: Chair Gary Burge, Vice Chair Catherine Cordell, Board Members John Chase and Suzanne Devane, and Alternate Member Jane Kelley. Board Member Rachael Bronson and Alternate Member Bob Pace were absent.

Staff members present were: Town Attorney Jennifer Jackson, Planning Director James Eller.

1. Call to Order

Vice Mayor Jackson called the meeting of Council to order at 6:00 p.m.

Chair Burge called the meeting of the Planning and Zoning Board to order at 6:00p.m.

2. Comprehensive Land Use Plan

Staff, Council and the Planning Board discussed items related to the Comprehensive Land Use Plan (CLUP) including a staff update on progress of previously established goals, a review of stated goals, responsibilities and priorities and a review of the future land use map. Mr. Eller spoke regarding the goals which were given a top priority which were accomplished over the previous two years. Individual members of the Planning Board spoke to Council regarding their preferred goals to be given top priority with Mr. Burge and Ms. Cordell specifically noting the importance of a sidewalk and/or bike ped plan for sidewalk construction for future developments. Ms. Jackson noted that Council would be receiving a table illustrating the stated goals so they may rank priorities of the CLUP for proposed document adoption in August.

3. Other Discussion Items

No additional items were noted.

4. Adjournment

Vice Mayor Jackson declared the meeting of Council adjourned at 7:00 p.m.

Chair Burge declared the meeting of the Planning Board adjourned at 7:00 p.m.



James Eller, Town Clerk

