

## MINUTES

**TOWN OF WEAVERVILLE  
STATE OF NORTH CAROLINA**

**TOWN COUNCIL REGULAR MEETING  
MONDAY, AUGUST 28, 2023**

The Town Council for the Town of Weaverville held the regularly scheduled meeting on Monday, August 28, 2023, at 6:00 p.m. in Council Chambers within Town Hall at 30 South Main Street, Weaverville, NC with remote access via zoom.

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

Staff members present: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Planning Director James Eller, Finance Director Tonya Dozier, Police Chief Ron Davis, Fire Chief Scottie Harris, Public Works Director Dale Pennell, Water Treatment Plant Supervisor Randall Wilson, Town Clerk Tamara Mercer, and Zoom Room Coordinator Lauren Ward.

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

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

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

Mayor Fitzsimmons requested a motion to approve the agenda and Councilmember Chase moved to approve the agenda. The motion was approved unanimously. 7-0.

### **3. Conflict of Interests**

Mayor Fitzsimmons noted that it is the duty of the Mayor and every Town Council Member to avoid both conflicts of interest and appearances of conflicts. No member had any known conflict of interest or appearance of conflict with respect to any matters on the agenda for tonight's Town Council meeting.

### **4. Presentation of Proclamation Recognizing September as Childhood Cancer Awareness Month**

Vice Mayor McKenna read the Childhood Cancer Awareness Month Proclamation and presented it to the Meinch family. Many events are scheduled throughout September to bring awareness to childhood cancer, including community fundraisers in particular the Weaverville Police Department raffle at the Weaverville Business Association's 'Art in Autumn' event on Saturday, September 16<sup>th</sup>. Ms. Amy Meinch thanked Town Council and the community for participating and bringing this issue to the forefront of awareness as the needs and challenges are experienced by family members.

### **5. Consent Agenda**

Town Manager reviewed the consent agenda items.

Mayor Fitzsimmons recognized Councilmember Nagle. Councilmember Nagle stated his concern regarding item G. Board Appointments. He said it is a mistake for a member to serve 15-years such as the chairman of the ABC Board. Mayor Fitzsimmons agreed that new faces should serve, and he spoke with Chairman Rob Chason on the ABC Board who announced he was resigning next year. Councilmember Nagle added he did not believe

there is a need for a council member to be appointed liaison to the Planning Board and said the role should be eliminated. No one elected to amend the consent agenda and Mayor Fitzsimmons called for a motion.

*Vice Mayor McKenna moved to approve and adopt the consent agenda items. The motion was approved unanimously (7-0) and the consent agenda was approved as follows:*

- A. July 18, 2023 Town Council Workshop Minutes – approved as presented*
- B. July 24, 2023 Town Council Regular Meeting Minutes. – approved as presented*
- C. Budget Amendment Police quarterly distribution from ABC Store – approved as presented*
- D. Budget Amendment Reappropriations – approved as presented.*
- E. Budget Amendment Transfer Recreation Complex – approved as presented.*
- F. Road Closure Ordinances for North Buncombe Homecoming Parade and Weaverville Holiday Parade – approved as presented*
- G. Board Appointments: appointments and reappointments approved as recommended*
- H. Water Commitment Renewal for Chapel Crossing Development – commitment renewed for 1 year*

## **6. Town Manager's Report**

Town Manager Coffey provided the Town Manager's report which included updates on projects and programs, including: an introduction of Sarah Myers as the new Recreation Coordinator, a reminder about the Weaverville 9/11 Observance, CodeRED implementation, the need to set a date in January for a strategic planning retreat, demolition and construction related to the recreation complex, the need for a second bidding date on the street paving project, and the Electrifying Public Safety Training + Ride and Drive program which the Town will be participating in at the invitation of the Land of Sky Clean Vehicles Coalition.

## **7. General Public Comments**

Mayor Fitzsimmons read rules of procedure and inquired if there were any on-line or virtual public comments, to which the Clerk said there were none, and he opened the public comment portion of the meeting.

Ms. Joanna Vanderkolk, a Weaverville resident lodged a complaint of continuous dogs barking. She is concerned there is an unpermitted business being conducted at a dwelling on College Street. Planner, James Eller stated he would check into the matter regarding a permit for a home or commercial use permit.

No other persons elected to speak.

## **8. Discussion & Action Items**

### **A. Buncombe County Tax Assessor presentation**

Mr. Keith Miller, Tax Assessor with the Buncombe County Tax Department provided an overview of the upcoming property reappraisal that will affect tax bills for 2025. This addressed the scope of the project (approximately 130,000 properties will be reappraised), the process and methodologies of the valuations, the appeals process, and the legal requirements that he and his staff must follow. The department is responsible for appraising and assessing all taxable property within Buncombe County, which is approximately 130,000 properties. The property

assessments are to be completed by January 2025. The law requires that these reappraisals be conducted at least every 8 years, but Buncombe County has been reappraising every 4 years.

The department revalues approximately 2,680 parcels of real estate in Weaverville. For fiscal year 2024 Weaverville has a total of \$1.25 billion in taxable value assessed.

There was a question-and-answer period regarding property value changes in the market, the Machinery Act, tax burden and revenue neutral, home square footage, unique properties and historic homes, comparisons, and cluster developments, and commercial assessed values which is based on income and vacancy.

## **B. Stormwater Program Update**

Town Attorney Jackson reviewed the stormwater program and the town's role in protecting the area's surface water and impacts to the waterways. NC Department of Environmental Quality reissued the stormwater permit for the Town which is required under the EPA to discharge. The Stormwater Management Plan is incorporated into the FY:2022-2023 through the assistance of Land of Sky Regional Council. Part of the implementation of the improvements in the program includes the purchase of the street sweeper as budgeted. This allows the town to clean up leaves and debris to keep materials out of the stormwater system.

## **C. Main Street Nature Park Stormwater Concepts and Preliminary Visioning**

Attorney Jackson summarized the Main Street Nature Park stormwater plan and noted that staff worked with Land of Sky Regional Council, specifically with Dr. Mary Roderick, who helped to secure grant funding. With her assistance the stormwater mapping and an evaluation of the Main Street Nature Park control measures were incorporated into the park stormwater management plan and concept designs.

Dr. Roderick provided the evaluation analysis for stormwater planning at the park. The project overview included the scope and status of the completed stormwater system inventory and map, the greenway infrastructure improvement plan, and public engagement for a scheduled completion by March of 2024. The funding source for approximately \$50,000 was from NC Department of Environmental Quality 205J Grant Program. Dr. Roderick reviewed the stormwater control measures and plan mitigation to address stormwater runoff, area streams, ponds, and the function of enhancements and improvements to the park and natural habitat.

Town Manager Coffey noted that the next steps are to address Council's determination of priorities and suggested that this could be topic for inclusion in the strategic planning discussions. Staff will continue to work with Dr. Roderick on a volunteer day and other community input and involvement on stormwater programming and will attempt to get cost estimates on the work suggested for the Main Street Nature Park.

## **D. Eller Cove Watershed Trail Design**

Staff has been working with Mark Endries on the possible development of a trail system within the Eller Cove Watershed Conservation Area for hiking and biking. \$4,980 was included in the budget for a trail design study to be conducted by Elevated Trail Design, LLC. The Manager's Office requests authorization for Elevated Trail Design to complete the proposed study

regarding Eller Cove Watershed trail design. Vice Mayor McKenna reported that there is a group of volunteers who perform trail maintenance.

*Councilmember Chase moved to authorize the Manager to contract with Elevated Trail Design for completion of the trail design study at Eller Cover Watershed. The motion was approved unanimously. 7-0.*

#### **E. Fireworks Fourth of July Event Public Input**

Mayor Fitzsimons reviewed the topic noting that for the past several months the Council has been hearing public input and is seeking more input as well as researching alternatives to the traditional firework show at the July event. The Town Manager provided alternative suggestions such as expanding the day to a festival, using low impact fireworks, drone show, or laser show costs and procedures.

Donna Mann Belt – in favor of traditional fireworks

Jennifer Young – in favor of traditional fireworks

Darryl Fox – in favor of traditional fireworks.

Jerri West Davis – in favor of traditional fireworks

Mayor Fitzsimmons checked to see if anyone attending on-line wished to speak regarding the topic and no one elected to speak.

#### **F. Voluntary Annexation Petition- 492 Reems Creek Road**

Town Clerk, Tamara Mercer presented the petition for voluntary annexation at 492 Reems Creek Road submitted by Kathy F. Amos containing approximately 1.07 acres which is contiguous to the properties located at 480 and 488 Reems Creek Road that were recently annexed into the Town's municipal limits. The authorized agent for the applicant, the developer Civic Design Concepts, is requesting an initial zoning designation of R-3, which is consistent with the zoning on 480/488 Reems Creek Road.

Attorney Jackson noted that the proposed resolution sets out the next steps in the annexation process, which is to authorize the Clerk's Office to investigate the sufficiency of the annexation petition and to send the initial zoning request to the Planning Board for review and a zoning recommendation.

*After discussion, Councilmember Cordell moved to approve the resolution concerning annexation 2023-3 as presented. The motion was approved unanimously. 7-0.*

#### **G. Comprehensive Land Use Plan 2024 Goals and Priorities Update**

Mr. Eller presented an overview of the steps so far concerning the CLUP and strategic planning. Staff is requesting that Town Council complete the attached action plan table with their priorities in order to provide that information to the joint meeting of Town Council and the Planning Board at the next Town Council workshop to be held on September 19<sup>th</sup> at 6:00 p.m. The Planning Board members have completed their portion of scoring their priority list and has been provided in the agenda packet.

Mayor Fitzsimmons requested that Council members submit the completed chart to staff with a deadline of September 10<sup>th</sup>. The CLUP update will be a central topic of the September 19, 2023, workshop which will be held as a joint meeting between Town Council and the Planning Board.

#### **H. Tax Collection Update and Actions**

Attorney Jackson stated that the tax settlement as provided by the Buncombe County Tax Department for Fiscal Year 2022-23, reports the Weaverville tax collection rate of 99.95% was collected for the year with only \$1,874.37 ad valorem taxes to be collected. The collection of taxes remains with Buncombe County Tax Department, but the office has advised the Town of Weaverville and other municipalities to formally appoint a Town Tax Collector. Attorney Jackson recommended approval of the Resolution which includes the approval of the tax settlement, the tax collector's bond amount, the addendum to the Tax Collections Agreement with Buncombe County, certain tax collection procedure, and the appointment of a tax collector.

There was further discussion on the process of Buncombe County collecting the taxes and the formality of the appointment, and the total tax collection for the Town of Weaverville.

*Councilmember Nagle moved to approve the Resolution as presented. The motion was approved unanimously. 7-0.*

#### **I. Quarterly Police Department Report**

Chief Davis reviewed the statistics and data regarding law enforcement calls, arrests, assault, accidents, injuries, and various activities such as burglary noting there was a decrease in most categories from the quarterly period previously. Call response times continue to increase as priority calls are complex.

Other matters discussed were the Electric Patrol Vehicle program and the challenges that involve evidence storage and disposition. Chief Davis said the Town has now hired a records specialist to archive and record the evidence which will be a great help to his department.

Assistant Chief Oberlin introduced the Internship Program and new intern Ben Alfaro, who has been working with the Police and cross training with all departments and Town Staff through the summer. Ben will be enrolling in the BLET program as soon as he is eligible. In the meantime, the program allows him to engage in all aspects of government while pursuing their Police Officer credentials.

#### **J. Quarterly Fire Department Report**

Chief Harris reviewed the Fire Department Report and provided statistics on response time, which is under five minutes, safety fire prevention programs, Safekids child car seat inspections and installation, education classes, and business inspections and fire loss costs and property saved during the past quarter.

#### **Adjournment**

Without objection, Mayor Fitzsimmons declared the meeting adjourned at 7:45 p.m.



Tamara Mercer, Town Clerk