



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Workshop
Tuesday, April 9, 2019**

The Town Council for the Town of Weaverville met for a regular workshop on Tuesday, April 9, 2019, at 6:00 p.m. in Council Chambers within Weaverville Town Hall at 30 South Main Street, Weaverville, North Carolina.

Council members present were: Mayor Root, Vice Mayor/Councilman Doug Jackson, Councilwoman Dottie Sherrill, Councilman Andrew Nagle, Councilman Patrick Fitzsimmons and Councilman Jeff McKenna.

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

1. Call to Order

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

Mayor Root opened the workshop by asking Council for their feedback on the Nature Park projects related to the summer music series and construction of stage in the park that Town Manager Selena Coffey mentioned at the March 18, 2019 Town Council meeting. He noted that the Town Manager has gotten some resistance from citizens in the community on these projects, which he imagines will be a wonderful idea. Town Council gave their approval of the projects.

Town Attorney Jennifer Jackson informed Town Council that two upset bids for the former bus garage were received by the deadline at Town Hall on April 8, 2019 at 4 pm. The highest bid was for \$350,000 and the Town Clerk has begun the 10-day upset bid process again, by posting the notice in the paper for April 11, 2019. The deadline for accepting qualifying upset bids ends on April 22, 2019 at 4 pm at the Town Hall and can be no less than \$367,550.

2. Staff Review and Recommendations for Personnel Related Policies

Town Attorney Jennifer Jackson noted that before Town Council tonight for their recommendations are four policies that were topics at the March 18, 2019 meeting. Staff drafted these policies for Council to review, since most of them had been largely delegated to the Town Manager by Town Council.

A. Information Technology and Internet Use Policy

Town Attorney Jennifer Jackson mentioned that this policy sets out provisions designed to protect the Town's resources (cellphones, computers, network, etc.) against misuse and security issues. This applies to employees who bring in their personal cellphones and other devices that connect to the internet as well. Town Attorney Jackson noted that the only change that staff recommends is to clean up the inconsistencies in the policy. The trickiest part of the policy will be in Section 5, Limitation on Freedom of Speech and

Expression, which acknowledges freedom of expression by a general member of the public. However, when working for the government there has to be some balancing to make sure that it doesn't affect the reputation of the Town.

Mayor Root noted that staff needs to make it extremely clear that the equipment of the Town belongs to the Town. Also, to change the wording under Section 4, Expectations of Privacy, from "the greatest extent possible" to "respected by the Town" and from "permitted" to "will occur" for periodic review by Town personnel.

Town Attorney Jackson noted that this policy has been delegated to the Town Manager for adoption and wondered if Town Council wanted to be the ones adopting the policy.

Mayor Root believes that the Workplace Violence Prevention Policy should be the only one needing to be approved by Town Council. The other three policies can be delegated to the Town Manager.

Consensus was given by Council to maintain the delegation of this policy to the Town Manager.

B. Social Media Policy

Town Attorney Jennifer Jackson mentioned that the Social Media policy has similarities to the Internet Use policy in regards to Freedom of Expression. The main goal of the policy is to provide guidelines that will allow employees to properly utilize social media. Right now, the Town has three social media accounts: Weaverville Police Department, Weaverville Fire Department and the Town of Weaverville.

Town Manager Selena Coffey stated that under Section F, Blocking, Hiding or Removing of Public Comments and Hearings, the Town is trying to limit and prevent the negative comments that are vulgar or personal attacks and pull those down. Town Attorney Jennifer Jackson noted that we have to remember the Public Records Law overlays this policy as well.

Councilman McKenna questioned whether staff was looking over the Town's social media accounts every day or only when an issue pops up, and who monitored them. Town Manager Coffey noted that she looks at the Town's main Facebook page regularly and usually does the posting on the Fire Department social media account, since they aren't too active with posting on their social media account. As for the Police Department's social media account, Lieutenant Oberlin manages those and she does this regularly.

Consensus was given by Town Council to delegate this policy to the Town Manager.

C. Workplace Violence Prevention Policy

Town Attorney Jennifer Jackson commented that the purpose of this policy is to clearly state that the Town is committed to preventing workplace violence for Town employees and citizens of Town Hall. Employees do have an obligation to report workplace violence and failure to do so could be harmful and dangerous. Also, any employee found to be in violation of this policy will be subject to disciplinary action and can face criminal prosecution and civil actions.

Mayor Root noted that the section numbers need to be adjusted, since it goes from Section 4 to 15. Also, under Section 4, Reporting and Investigation, make sure it is clear who to report to and that when if it is reported to the human resource officer or a department head, that it is given to the Town Manager as soon as possible.

There was Town Council consensus that this be a policy that Town Council should adopt.

D. Equipment and Vehicle Use Policy

Town Manager Selena Coffey mentioned that this policy was created after researching standard policies of our neighboring jurisdictions and across the state. The goal of this policy is to provide a basic framework governing the use of Town equipment and vehicles by establishing criteria for types of vehicle assignments, and maintenance and care responsibilities of Town vehicles. It is the responsibility of the employee to make sure they have a valid license and insurance, observe all motor vehicle laws and passenger rules, and don't smoke or vape in Town vehicles. All accidents involving a Town vehicle must be immediately reported to the Town Manager, Finance Officer and department head. Lastly, Town Manager Coffey asked Council for feedback on transporting sealed alcoholic beverages in the Town vehicles.

Councilman Jackson asked how the 25-mile radius was calculated for take home vehicles and noted that unsealed alcohol should never be allowed in the Town vehicles. The Town Manager clarified her statement that unsealed alcohol is illegal and should not be transported in Town vehicles. Manager Coffey also responded that the 25-mile commute distance is a standard guideline used by neighboring jurisdictions.

Mayor Root noted that he believes it is common sense not to drink and drive, but believes it is up to the Town Manager's best judgment as to whether alcohol should be transported. Also, that under Section 2, License and Insurance, all employees operating Town vehicles should report any violation. As for passenger rules, the Town might make clear that passengers should normally be business related but that if family members are to be passengers it should be with Town Manager approval.

Town Attorney Jackson mentioned that the Travel policy did prohibit family member passengers since we believed that they wouldn't be covered by our insurance. However, we have gotten clarification from the NC League of Municipalities that they would be fully insured. Council will be receiving a recommendation from staff to remove that prohibition.

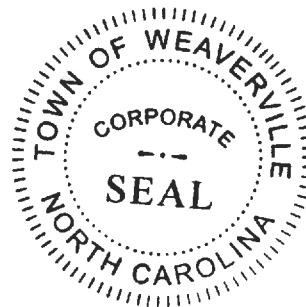
Consensus was given by Town Council that this policy be delegated to the Town Manager.

3. Adjournment

Councilwoman Sherrill made the motion to adjourn the special called meeting; Vice Mayor/Councilman Jackson seconded and all voted in favor of closing the public hearing and adjourning the meeting at 7:05pm.

Derek K. Huninghake

Derek K. Huninghake, Town Clerk





MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Meeting
Monday, April 15, 2019**

The Town Council for the Town of Weaverville met for its regular monthly meeting on Monday, April 15, 2019, at 7:00 p.m. in Council Chambers within Weaverville Town Hall at 30 South Main Street, Weaverville, North Carolina.

Council members present were: Mayor Al Root, Vice Mayor/Councilman Doug Jackson, Councilwoman Dottie Sherrill, Councilman Jeffrey McKenna, Councilman Andrew Nagle and Councilman Patrick Fitzsimmons.

Staff present was: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Finance Officer Tonya Dozier, Police Chief Ron Davis, Fire Chief Ted Williams, Town Planner James Eller, 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

Councilman Nagle asked to move Consent Agenda, Item E - Approval of Audit Contract, down to Discussion Item A. Councilwoman Sherrill made a motion to approve the agenda with the aforementioned revision. Councilman McKenna seconded and all voted in favor of the motion.

3. Approval of Minutes

Councilwoman Sherrill mentioned changing the Police Chief's name on page 1 of the February 25, 2019 Town Council Regular meeting from Alan Wyatt to Ron Davis and to change the name on page 2 and 4 on the March 18, 2019 Town Council meeting minutes from Ronnie Hilliard to Roney Hilliard.

Councilman McKenna made the motion to approve the minutes from February 25, 2019 Town Council Regular Meeting, March 18, 2019 Town Council Special-Called Meeting, and March 18, 2019 Town Council Regular Meeting with the aforementioned revisions. Vice Mayor/Councilman Jackson seconded the motion and all voted in favor on the approval of the minutes.

4. Special Recognition

Mayor Al Root gave a special recognition to the Weaverville Lion's Club for their 70th anniversary, by honoring them with a proclamation in recognition of their ongoing excellent service to the Town of Weaverville. Chartered on April 6, 1949, the Weaverville Lion's Club has raised funds for scholarships to graduating seniors at the North Buncombe High School, the Weaverville Police Department Cops for Kids fundraiser, and several other local charities.

Dr. Woody Bollinger accepted the declaration and thanked the Town of Weaverville, Town Council and Mayor for the recognition and showed them the charter with 50 resident signatures. He noted that they plan on continuing their service for as long possible.

5. General Public Comment

Public comments were received as follows:

Walt Thompson, Liaison for the Reems Creek HOA, gave special recognition to Water Treatment Plant Supervisor Trent Duncan for his tour of the Water Treatment Plant. He was really impressed by the Town's water system and operations, but specifically the professionalism of the staff. He recommends to anybody that wants to learn about the water system to schedule tour.

6. Consent Agenda

Councilwoman Sherrill moved for the approval of the consent agenda. Councilman Fitzsimmons seconded the motion and all voted unanimously to approve all action requested in the consent agenda.

A. Proclamation Honoring the Weaverville Lions Club 70th Anniversary – Adopted Proclamation

B. Monthly Tax Report – Information Only

C. Comprehensive Land Use Update – Staff updated Council on the Land Use Information and Public Input Sessions held on March 21, 2019 and March 26, 2019. Over 60 people were in attendance and a presentation for the Reems Creek Golf Community is planned for April 25, 2019.

D. Road Closures: Music on Main and July 4th Celebration – Approved the Road Closure Ordinances for Music on Main on June 22, 2019 from 12:00 pm until 10:30 pm, and the Weaverville Downtown July 4th Celebration on July 4, 2019 from 12:00 pm until 11:30 pm.

E. Resolution Authorizing Credit Card Payments – Adopted Resolution Authorizing the Use of Credit Cards for Payment of any Type of Bill or Fee.

7. Town Manager's Report

Town Manager Selena Coffey presented her Manager's report to Council including that in recognition of Good Friday, Town offices will be closed on Friday, April 19, 2019; she will be on vacation from April 16-19, but will be available by text or phone; the Town will be recognizing Earth Day on April 22 and is holding a brief program for Arbor Day outside of Town Hall at 11am on April 26; the Town is coordinating a shred day with the State Employee's Credit Union for Town residents on May 11 from 9am-12pm in the Town Hall parking lot; the first budget workshop is coming up on Tuesday, May 14 at 6:00 pm in Council Chambers at Town Hall; and in accordance with the Town's Code of Ordinances, she reported that the Town has just sold a 1997 Vermeer Brush Chipper for approximately \$7,500 on GovDeals.

8. Discussion and Action Items

A. Approval of Audit Contract

Finance Officer Tonya Dozier mentioned that a Request for Proposals for audit services was completed in Spring 2018, with Gould Killian CPA Group being selected by Town Council. This is the second year of the three year audit contract and the total cost of \$22,150 includes \$17,950 for the audit and \$4,200 for completion of the Comprehensive Annual Financial Report.

Mayor Root noted that this audit covers the statutory obligations that the Town must follow, but doesn't include an in-depth forensic audit.

Town Manager Selena Coffey mentioned that funds were held for an assurance audit last year and are included in the proposed budget this year, if Council wishes to engage in a separate auditing firm. Additional costs for a separate audit range from \$2,500 to \$5,000, depending on the scope of the audit.

Councilman Nagle mentioned that his biggest problem with the statutory obligation is that for the cost of \$22,150, it doesn't touch on or find fraud. Also, not to budget for a separate audit if we are not going to move forward on it.

Councilman McKenna suggested seeing if any other municipalities have changed their procedures for audits, due to what the county has been going through recently.

Finance Officer Dozier mentioned that she would bring those questions up to Gould Killian CPA Group. Also, she noted that the number of auditing firms conducting government audits is becoming smaller, due to the revisions of governmental auditing standards.

Councilman McKenna made a motion to approve the attached audit contract for Gould Killian CPA Group and that the Mayor and Town Staff are authorized to execute the same. Councilman Jackson seconded the motion. The motion passed by a unanimous vote of Council. Motion carries 5-0.

B. Presentation of Proposed Budget

Town Manager Selena Coffey presented to Town Council for their consideration the Fiscal Year 2019-2020 Proposed Budget. The proposed budget equals \$9,962,776, which is an increase of 1.4% from the FY 2018-2019 budget, and has a General Fund of \$7,561,526 and a Water Fund of \$2,401,250. The proposed budget is based on a tax rate of \$0.38 per \$100 valuation and tax values estimated by Buncombe County of \$850,453,330. The General Fund expenses increased due to higher living wage rates, adding a new police officer position, replacing 3 police vehicles, 1 fire vehicle, and 2 trucks for the streets and recreation division. The capital improvements program increased with the addition of \$25,000 for a sidewalk study and \$80,000 for Lake Louise restroom facility improvements. Town Manager Coffey noted some new initiatives as well, one being the purchase of a computer aided dispatch (CAD) for the police department for \$43,000 and another is to create a capital reserve fund for the future purchase of a replacement fire truck of \$75,000. As for the Water Fund, it represents an increase of 6.3% and will increase water rates by 5.0% as recommended by Withers-Ravenel water rates analysis. Also, included is the vehicle replacement of a truck and dump truck for the water department, the replacement of an air compressor and two pump rebuilds for water operations, and waterline improvements to Coleman Street and Shuford Road waterlines. Town Manager Coffey noted that a new initiative added in the budget is a proposed waterline match of \$75,000 for the North Buncombe Middle School waterline. Town Manager Coffey noted that there are two budget workshops coming up on May 14 and May 21 at the Town Hall, the Public Hearing on the budget is scheduled for Monday, June 11, 2019 at 6:00 pm, and proposed adoption of the budget is scheduled for June 17, 2019. The proposed budget for FY 2019-2020 showing the General and Water Fund budget is on the Town website and available at the Weaverville Town Hall.

Public Comment:

Thomas Veasey, 69 Lakeshore Drive, commented that he doesn't support the Town funding the replacement of waterlines to the North Buncombe Middle School. He believes that citizens already pay county taxes and with the most recent scandal, he doesn't think it is fair.

C. Personnel Related Policies

Town Attorney Jennifer Jackson mentioned that staff is still chipping away on the Town's personnel policies and thanked Council for their input at the Town Council workshop on April 9, 2019 on the following policies: Information Technology and Internet Use Policy, Social Media Policy, Equipment and Vehicle Use Policy, and Workplace Violence Prevention Policy. By consensus, Town Council confirmed the delegation of adoption of all of these policies to the Town Manager, except for the Workplace Violence Prevention policy. Before Council tonight is a review of the last few personnel-related policies, the Voluntary Shared Leave Policy and Americans with Disabilities Act Compliance Policy. Town Attorney Jackson mentioned that the Town's Voluntary Shared Leave Policy was adopted in 2012 and she is proposing a more limited voluntary shared leave policy that will allow regular full-time and part-time employees that are earning benefits be allowed to donate up to 40 hours of annual leave to qualified employees who are experiencing a prolonged (20 days) medical condition. The shared leave would have to be approved by the Town Manager. Town Attorney Jackson noted that the next policy, Americans with Disabilities Act Compliance Policy is new, and provides broad protections against discrimination affecting employees/citizens with qualified disabilities.

Town Manager Selena Coffey noted that the State ADA office contacted her a few months ago and since, the Town of Weaverville is over 50 employees we have to do a transition plan concerning ADA compliance for Town facilities

and services. This is a compliance issue that staff will have to be designated to do or contract it out to another company.

D. Ratification of Interlocal Agreement for Fire Departments

Town Attorney Jennifer Jackson discussed the “First Due Size-Up Program” that Fire Chief Ted Williams has asked the Town to be the purchasing agent for, in order to take advantage of a \$7,000 grant and a quantity discount. This program is a dispatch and pre-plan tool that allows emergency responders to have as much information as possible about the location they responding to by pulling information from many different data bases such as GIS, tax records, and permits and inspections. Town Attorney Jackson also noted that there is a “Community Connect” module with the program that will allow citizens with any kind of special need to be identified and allows responding agencies to better help these citizens during times of emergency. Through the attached interlocal agreement, the cost of the program would be \$911.58 for each of the 19 departments and the Town of Weaverville, allowing the program to be available to all emergency departments in Buncombe County.

Councilwoman Sherrill made a motion to ratify the interlocal agreement presented. Councilman Nagle seconded the motion. The motion passed by a unanimous vote of Council. Motion carries 5-0.

E. Riverside Stump Dump Annexation and Initial Zoning – Certificate of Sufficiency, Set Public Hearing on Annexation and Zoning for 6 pm on May 20, 2019

Town Planner James Eller mentioned that during the March 18, 2019 Town Council meeting, Council was presented with a voluntary annexation petition and a zoning map amendment application, where they instructed the Town Clerk to investigate the eligibility of a proposed annexation and the Planning and Zoning Board was instructed to examine the compliance with the Town’s adopted comprehensive land use plan with desired initial zoning of R-12. Both of these actions have occurred and staff is seeking the setting of a public hearing before Town Council on Monday, May 20, 2019 at 6:00 pm.

Councilwoman Sherrill made a motion to set the public hearing for May 20, 2019 at 6:00 pm for the aforementioned voluntary annexation and the initial zoning of the property to R-12 should annexation be approved. Councilman Nagle seconded the motion. The motion passed by a unanimous vote of Council. Motion carries 5-0.

F. Conditional Zoning District for 37 Brown Street – Set Public Hearing for 6 pm on May 20, 2019

Town Planner James Eller mentioned that before Town Council for their consideration is a conditional zoning district proposal for the property at 37 Brown Street consisting of 1.9 acres. This application calls for an establishment of no more than 16 units within the existing facility, which is formerly known as the Weaver College Boy’s Dormitory. The only expansion that would be called for is a fire escape on the north side of the facility. Otherwise, the historical nature of the building should be preserved. The Planning and Zoning Board has reviewed the application and unanimously passed along a positive recommendation to Town Council. Staff is seeking the setting of a public hearing before Town Council on Monday, May 20, 2019 at 6:00 pm.

Councilman Nagle commented that he doesn’t want Council to be put in a situation where they have to approve a CZD application after the public comments, instead of allowing themselves more time to come to a decision if needed.

Town Attorney Jennifer Jackson mentioned that the timeframe Councilman Nagle might be considering is when the Planning and Zoning Board has their first consideration, they have a timeframe to getting it back to Council. She also mentioned that at the point of holding the public hearing, the developer will have held the public community involvement meetings, so those comments will be addressed during the public hearing

Vice Mayor/Councilman Jackson made a motion to set the public hearing for May 20, 2019 at 6:00 pm for the aforementioned proposed conditional zoning district. Councilwoman Sherrill seconded the motion. The motion passed by a majority vote of Council. Motion carries 5-0.

G. Quarterly Report: Planning

Town Planner James Eller presented the Planning Department Quarterly Report and noted that 33 Zoning Permits and 4 Sign Permit have been issued during this period. Mr. Eller also mentioned a significant change that Buncombe County Board of Commissioners passed by ordinance, which alters the zoning districts in which mobile homes can now be permitted. Now with special requirements, HUD stamped mobile homes can be placed in R-1 and R-2 under Buncombe County jurisdictions. He has been contacted by former ETJ owners about the possibility of being voluntarily annexed into the Town.

H. Quarterly Report: Finance

Finance Officer Tonya Dozier presented the Quarterly Finance Report from January 2019 – March 2019. She mentioned that the Revenue and Expenditure Statements by Department were used to show where the Town was in comparison to the budget. Yearly revenues appear to have come in higher than expected, so those funds will be added to the fund balance at the end of the year. As for yearly expenditures, it looks like they will equal the amount that was budgeted. The quarterly report was presented and reviewed.

9. Adjournment

Councilman Nagle made the motion to adjourn; Councilman McKenna seconded and all voted to adjourn the Council's meeting at 8:51 p.m.

Derek K. Huninghake
Derek K. Huninghake, Town Clerk



**A RESOLUTION AUTHORIZING THE USE OF CREDIT CARDS
FOR PAYMENT OF ANY TYPE OF BILL OR FEE**

WHEREAS, The Town offers several ways in which to pay utility bills, taxes, or other bills and fees owed to the Town; and

WHEREAS, for the convenience of its citizens and customers the Town currently provides electronic payment options, including the use of credit cards, and desires to continue offering these services;

WHEREAS, the Town has entered into an agreement with a vendor which provides the means of offering electronic payment options to the Town's customers upon the customer's payment of a transaction or convenience fee for each electronic payment; and

WHEREAS, the Town wishes to state its intent to provide electronic payment options to its customers who pay online and over the counter at Town Hall for a transaction or convenience fee no greater than the cost incurred by the Town per transaction;

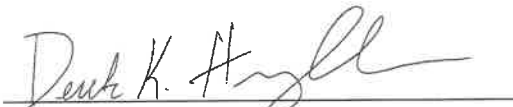
NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF WEAVERVILLE, NORTH CAROLINA, ACTING THROUGH ITS COUNCIL MEMBERS, that the Town does hereby authorize the use of credit cards or other electronic payments as a method of payment for any type of bill or fee, whether being paid online or over the counter at Town Hall, upon the customer's payment of the transaction or convenience fee charged by the vendor who processes such payment.

ADOPTED this 15th day of April, 2019.



ALLAN P. ROOT, Mayor

ATTEST:



DEREK K. HUNINGHAKE, 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, 2019

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 15th day of April, 2019



Al Root, Mayor

Attest:



Derek Huninghake, Town Clerk



Weaverville North Carolina

AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE MUSIC ON MAIN EVENT SPONSORED BY THE WEAVERVILLE BUSINESS ASSOCIATION

WHEREAS, the Town Council of Weaverville has been approached by the Weaverville Business Association requesting to hold a Music on Main event on South Main Street, Weaverville; and

WHEREAS, the Town of Weaverville has acknowledged and agreed to permit said event on the date and times specified below as a community and family oriented event; and

WHEREAS, the Weaverville Business Association has completed and provided payment to the Town for the required special event permit and agreed to abide by any and all regulations set forth by Town officials and the State of North Carolina in sponsoring this event; and

WHEREAS, the Town Council of Weaverville acknowledges that the Town departments require approximately one (1) hour to install signage, and also requires approximately one (1) hour for removing signage, litter, etc. after the event; and

NOW THEREFORE BE IT ORDAINED by the Town Council of Weaverville, pursuant to the authority granted by N.C.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:

Music on Main, Sponsored by the Weaverville Business Association

Date: Saturday, June 22, 2019


Time: 12:00pm until 10:30pm

Road Closures:

- Road closure at intersection of Main Street and US-19-BR Merrimon Avenue
- Road closure at 30 South Main Street


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

Adopted this **15th** day of **April 2019**.

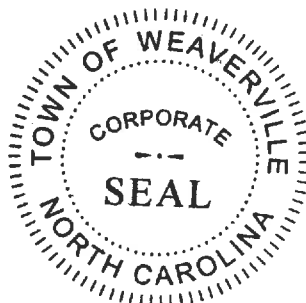


Al Root, Mayor
Town of Weaverville, N.C.

Attest:



Derek Hunningake, Town Clerk
Town of Weaverville, N.C.





MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Special-Called Meeting
Tuesday, May 14, 2019**

The Town Council for the Town of Weaverville met for a Special Called Meeting on Tuesday, May 14, 2019, at 6:00 p.m. in Council Chambers within Weaverville Town Hall at 30 South Main Street, Weaverville, North Carolina.

Council members present were: Vice Mayor/Councilman Doug Jackson, Councilman Jeff McKenna, Councilman Andrew Nagle and Councilman Patrick Fitzsimmons. Mayor Al Root and Councilwoman Dottie Sherrill were absent.

Staff present was: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Town Clerk Derek Huninghake, Police Chief Ron Davis, Deputy Fire Chief Jayson Harwood, Town Planner James Eller, Finance Officer Tonya Dozier, Water Treatment Plant Supervisor Trent Duncan and Public Works Director Dale Pennell.

1. Call to Order

Vice Mayor/Councilman Jackson called the meeting to order at 6:00 p.m.

2. Update on Pending Legislation Affecting the ABC System

Vice Mayor Jackson asked the Town Attorney to give a brief update on the pending legislation that might affect the ABC System. Town Attorney Jennifer Jackson briefly discussed the ABC system legislation. She noted that the mandatory merger was deleted from the bill and is no longer on the table; however Chuck McGrady, out of Henderson County, recently introduced a bill to privatize all ABC stores and to liquidate all funds by January 1, 2020. There are many aspects of the privatization bill that will need to be clarified going forward. She was uncertain as to whether the privatization bill was subject to crossover deadlines, but believes that the bill's consideration will continue.

3. Review of Manager's Proposed General Fund Budget

Town Manager Selena Coffey covered her proposed FY 2019-2020 General Fund budget with Town Council by presenting a PowerPoint presentation (copy is attached). She mentioned that there aren't any differences here than what was included in the Budget Message and she will be focusing tonight's discussions on the General Fund Budget. The FY 2019-2020 Water Fund budget will be covered at the budget workshop on May 21, 2019.

4. Discussion on Proposed General Fund Budget

Councilman Nagle mentioned he would like to see the estimated actual FY 2018-2019 figures for comparison on the budget. Town Manager Coffey noted that the estimated actual figures are shown on the line item detail report.

Councilman Fitzsimmons wondered if Council goes forward with the sale of the old bus garage property that it would adjust the revenues for the budget. Vice Mayor Jackson noted that he believes those funds are intended to go towards the new community center. Town Attorney Jackson mentioned that if the sale of the bus garage closes this year, those funds would be revenue within the FY 2018-2019 budget and that the funds haven't been officially earmarked to go towards the community center.

Town Manager Coffey noted that there wasn't a significant increase in health insurance this year (5% or lower), which is a big plus to the Town.

Councilman Fitzsimmons discussed whether the funding of \$43,000 for computer-aided dispatch for the Police Department is a yearly fee or just a one-time cost. Police Chief Davis noted that this cost would be a yearly fee, but Buncombe County is hiring a consultant to look at a more equitable cost share for municipalities like Weaverville.

Vice Mayor Jackson mentioned that the Town should provide encouragement to all employees to participate in the 401(k) when the personnel policy training is conducted.

Councilman Nagle discussed that if we are trying to catch up on the two police vehicles a year, we should think about purchasing the four vehicles this year and take two out of this budget and two out of the fund balance. Town Manager Coffey mentioned that staff would add the other vehicle and bring it back to Council, but her only concern is that this is the first year for the hybrid vehicle so she wants to make sure it works out.

Town Manager Coffey mentioned that in 2014, Town Council adopted a living wage fund policy that would include additional funds based on the living wage at their discretion. Councilman Nagle wondered how the living wage increase to \$13.50 came out to an additional \$31,000 in the Fire Department request. Town Manager Coffey noted that \$70,000 was previously budgeted to cover 5,833 hours or 243 days part-time, so to cover 365 days at \$13.50 would bring total to \$118,000. She mentioned that Chief Williams would be back for the next budget to give them more details on the funding.

Vice Mayor Jackson questioned why the medical vaccinations increased so much. Deputy Fire Chief Jayson Harwood mentioned that the increase is from hiring additional staff and the annual physicals per firefighter required by OSHA increased. Town Manager Coffey also noted that the Self Contain Breathing Apparatus (SCBA) training and physicals are included in that line item as well.

Town Manager Selena Coffey noted that \$25,000 has been set aside to take a look at our sidewalks, since staff has been hearing from the public that they would like more sidewalks. Public Works Director Dale Pennell mentioned that there was a pedestrian study completed in the 1990's and all goals have been achieved, but it needs to be updated. Vice Mayor Jackson noted that he remembers an associate from McGill Associates stating that with the size of our Town, we have more sidewalks than any other Town our size. Councilman Nagle asked if the sidewalk study was completed in house, could the \$25,000 be reduced. Town Manager Coffey mentioned that when the funds were placed in the budget, she thought that a consultant would need to be hired, but after speaking with the Public Works Director she doesn't believe the whole amount would be used. However, they would need funding for technical assistance and drawings.

Councilman Nagle wondered how they can go about trying to get part of Lakeshore Drive as a one-way street. Town Manager Coffey mentioned that this is may be one of the stated goals within the Comprehensive Land Use plan, however, this would merit a public input session and input from our Public Works department.

5. Update on I-26 Widening Project

Councilman McKenna gave Council an update from the Regional Transportation Committee and noted that one of the 1900 projects going on is the plan to widen I-26 up to Weaverville. They are trying to keep commutes reasonable and now, with the new formula, DOT has recommended to widen the road to 8 lanes up to the New Stock exit and then 6 lanes past it. In doing some research he found that the Greenville metro area is 1.5 million people and has 6 lanes, Charlotte is 2.5 million people and has 8 lanes, and Atlanta is over 5 million people and has 8 lanes. With the Asheville metro area being approximately 500,000 people, Councilman McKenna doesn't think 8 lanes is warranted. Consensus was made by Council to push for 6 lanes, since there are only parts of the I-26 highway that get backed up. Councilman McKenna stated that he plans to propose to only go to 6 lanes instead of widening it to 8 lanes.

6. Next Steps Concerning Budget

Town Manager Selena Coffey noted that the next step in the budget process will be to hold the next budget workshop scheduled for May 21, 2019 at 6 pm in the Council Chambers at the Town Hall, with the focus being on the Water Fund.

7. Adjournment

Councilman Fitzsimmons made the motion to adjourn; Councilman Nagle seconded and all voted to adjourn the Council's meeting at 7:20 p.m.



Derek K. Huninghake, Town Clerk



APPROVED



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Special Called Meeting
Monday, May 20, 2019**

The Town Council for the Town of Weaverville met for a special called meeting on Monday, May 20, 2019, at 6:00 p.m. in Council Chambers within Weaverville Town Hall at 30 South Main Street, Weaverville, North Carolina.

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

Staff present was: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Finance Officer Tonya Dozier, Police Chief Ron Davis, Fire Chief Ted Williams, Town Planner 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. Public Hearing: Annexation of Riverside Stump Dump and Zoning to R-12

Mayor Root opened the Public Hearing

Town Planner James Eller mentioned that before Council is a proposed voluntary contiguous annexation of the Riverside Stump Dump, Inc., property located at 135 Monticello Road and an initial zoning of R-12 if the property is annexed. The Town Clerk has certified the sufficiency of the annexation petition and the Planning and Zoning Board has reviewed the requested R-12 zoning designation and unanimously recommends this designation for the property should it be annexed. This matter has been duly advertised.

Landworks Engineering Marty Kocot thanked Council for their consideration and mentioned that he was there representing the Ray family should Council have any questions.

No one from the public wished to present a comment on this matter.

Councilman Nagle made the motion to close the Public Hearing; Vice Mayor/Councilman Jackson seconded and all voted in favor of closing the Public Hearing.

3. Public Hearing: Conditional Zoning District for 37 Brown Street

Mayor Root opened the Public Hearing.

Town Planner James Eller mentioned that before Town Council is a proposed conditional zoning district for 37 Brown Street. The underlining zoning district is R-2 in nature, which supports multi-family housing as a right of use, just at a lower number. The proposal calls for the internal renovation of the existing college boys' dormitory that was formally used by Weaver College into a multi-family residential complex to support no more than 16

units. The Planning and Zoning Board has reviewed this project and passes along a unanimous recommendation in favor of this project. This matter has been duly advertised.

Thomas Wolfe, Principal of Saba Holding Group, LLC, mentioned that he is available to answer any questions that Town Council may have and can go into as much detail as they would prefer. He did reiterate that the exterior of the building will largely maintain its existing historical condition with the exception of renovations to the parking structure on the Southside of the building and the addition of the fire escape on the Northside of the building. Mr. Wolfe noted that he did hold a public involvement meeting.

The following public comments were received:

Beth Mangum, 7 South College St, mentioned that her family has lived on College St. for 22 years and they have raised two daughters there. She also enjoys the beautiful meadow and farmhouse in Lakeside Meadows community, which she and the neighbors have embraced, regardless of the design and volume of homes on Brown Street. She believes repurposing this historic landmark would add charm and a diversity of housing options for downtown Weaverville, which is important for sustainability of the Town and community. She looks forward to embracing this new development and welcoming new neighbors.

Town Attorney Jennifer Jackson noted that James Shaughnessy at 45 Brown Street sent an email to Town Council back in April that gave his reasoning for not being in favor of this project. This document was accepted as a public comment and is attached.

4. Adjournment

Vice Mayor/Councilman Jackson made the motion to close the public hearing and adjourn the Special Called meeting; Councilwoman Sherrill seconded and all voted to adjourn the Council's meeting at 6:15 p.m.



Derek K. Huninghake, Town Clerk





MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Meeting
Monday, May 20, 2019**

The Town Council for the Town of Weaverville met for its regular monthly meeting on Monday, May 20, 2019, at 7:00 p.m. in Council Chambers within Weaverville Town Hall at 30 South Main Street, Weaverville, North Carolina.

Council members present were: Mayor Al Root, Vice Mayor/Councilman Doug Jackson, Councilwoman Dottie Sherrill, Councilman Jeffrey McKenna, Councilman Andrew Nagle and Councilman Patrick Fitzsimmons.

Staff present was: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Finance Officer Tonya Dozier, Police Chief Ron Davis, Fire Chief Ted Williams, Town Planner James Eller, 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

Councilman Nagle asked to move Consent Agenda, Item C – Initial Consideration of Conditional Zoning District on the Property Commonly known as 108 Church Street, down to Discussion Item A.

Councilwoman Sherrill made a motion to approve the agenda with the aforementioned revision. Councilman McKenna seconded and all voted in favor of the motion.

3. Approval of Minutes

Councilwoman Sherrill made the motion to approve the minutes from the April 9, 2019 Town Council Workshop and April 15, 2019 Town Council Regular Meeting. Councilman Fitzsimmons seconded the motion and all voted in favor on the approval of the minutes.

4. Special Recognition

Town Manager Selena Coffey gave special recognition to Police Chief Ron Davis and the Weaverville Police Department for their hard work and dedication, and honored them with a Proclamation recognizing National Police Week.

5. General Public Comment

Public comments were received as follows:

Louis Accornero expressed opposition to privatizing the ABC system. When the ABC first established, he was the Chairman of the ABC Board, and found the location for the store, designed the inside/outside of the ABC Store and secured financing for the building and stock. It bothers him that they are trying to take that away from the Town of Weaverville and if they do he will invoice them for the numerous hours he spent getting it started. Since, he did that for the Town of Weaverville, not the County, State, or City of Asheville.

Rhonda McKenna, 30 Yost Street, discussed a few concerns about the proposed new community center. She believed that when the Parks and Recreation survey was presented, most citizens wanted a recreational or exercise type facility, and now it has developed into a conference center for the first phase with the second phase being the recreational area. Secondly, she understands that the project started with \$500,000 from the sale of the conservation easement being set aside for the project which was estimated at \$1 million, but now it is around \$3 million. Lastly, she thinks the community center design is more about meeting rooms and we don't even use the Town Hall community room for meetings. She wonders if there is going to be a deposit that is too high, so local groups or small town groups are excluded. She thinks we need to do more research and make sure that this big community center room is going to be utilized.

Earl Valois, 42 Loftin Street, mentioned that last week he was at a Board of Adjustment meeting and overheard discussion about streets being developed in the Creekside Village neighborhood. He is under the assumption that nothing is moving forward with it, even though the developer had a long meeting with them stating that their engineers can prove that standards have been met. The project is continuing on, but it doesn't appear there is any enforcement. He hopes Town Council can help out before this becomes a lawsuit.

Thomas Veasey, 69 Lakeshore Drive, thanked Town Council and staff for all their time and effort put into the new community center. He informed Council that the LLPA supports the community center and hopes its moves forward.

6. Consent Agenda

Councilman Nagle moved for the approval of the consent agenda. Councilwoman Sherrill seconded the motion and all voted unanimously to approve all action requested in the consent agenda.

A. Proclamation Recognizing National Police Week – Adopted Proclamation

B. Monthly Tax Report – Information Only

C. Resolution Concerning Minimal Taxes – Approved Resolution Concerning Minimal Taxes

D. Comprehensive Land Use Update – Tentatively scheduled Joint Meeting between PZB and Town Council to discuss the Comprehensive Land Use Plan at the workshop on Tuesday, July 9, 2019 at 6 pm at the Town Hall

E. Set Public Hearing on the Budget for June 11, 2019 at 6 pm – Scheduled Public Hearing on Budget for Tuesday, June 11, 2019 at 6 pm at the Town Hall

7. Town Manager's Report

Town Manager Selena Coffey presented her Manager's report to Council including that 1) the "2nd Saturday Summer Series" will begin on June 8 and run from 6pm-8pm at the Main Street Nature Park. It will feature performances by local traditional music artists; 2) Straus Developmental Associates has asked her to assist them in the selection process for the Mills River Town Manager on May 30-31. Therefore, she will be out of the office on these dates, but will be available if staff needs her; 3) In accordance with the Town's Strategic Plan, staff has drafted a walkability map and they are working with the Weaverville Business Association to develop a parking map for the Town. These efforts will be combined into a two-sided map; 4) the current fiscal year budget included funds for replacing carpet in Town Hall/PD and security cameras for Town Hall/PD and Public Works. The cameras have been installed and are operational, and we are currently waiting on the carpet installation; 5) The next budget workshop is Tuesday, May 21 at 6pm at the Town Hall and will focus on the Water Fund and discussion on the WTP expansion; 6) Lastly, the Planning and Zoning Board is offering to meet with Council to discuss the Comprehensive Land Use Plan goals and objectives as addressed in the consent agenda.

Mayor Root mentioned that he had a scheduling conflict on July 9, 2019 for the proposed joint meeting, but if no more Council members had an issue than the meeting could be held. There were no other scheduling conflicts identified, so staff will reach out to the Planning and Zoning Board to see if that date works.

8. Discussion and Action Items

A. Initial Consideration of Conditional Zoning District on the Property Known as 108 Church Street

Town Planner James Eller mentioned that staff is in possession of an executed conditional zoning district (CZD) application for 108 Church Street, which calls for the creation of 20 lots from the present 2.87 acres. Due to the reduced lot sizes, setbacks and increased density than would be permissible within the underlying R-1 zoning district, a CZD is required.

Mayor Root asked if Council is just sending the matter to the Planning and Zoning Board to keep the process going and then the matter would come back to Council after their full review process. Mr. Eller noted that he believes we are legally required to provide them an opportunity to appear before the Planning and Zoning Board, the value of tonight is whether Town Council is comfortable with the density that is proposed by the project. Town Attorney Jennifer Jackson mentioned that this is an opportunity for Council to express any concerns or questions they have for the Planning and Zoning Board to focus on during their review and deliberations.

Councilman Nagle mentioned that he asked to have it taken off the Consent Agenda, since it asks for Council's opinion. But if it has to go to the Planning and Zoning Board by law, then should Council give opinion now or wait until it comes back from PZB. Councilman McKenna noted that this is right in the middle of an R-1 district, where the other projects were adjacent to other high density areas.

Town Manager Selena Coffey mentioned that this was on the Consent Agenda, since the initial review has to come before Council. It would help save an additional month if it didn't have to come to Council in this manner and went directly to the Planning and Zoning Board. This means Council would have to re-write their rules and procedures of Conditional Zoning District (CZD) applications. Town Attorney Jackson mentioned that this initial review gives some information to the developer as to whether to pursue it or not, but they are entitled to go through the process. The Code requires initial review to go through Town Council.

Councilman McKenna noted that he can't see the rationale for this project. Council has talked about keeping R-1 consistent and to look for other areas to introduce these projects on the periphery. Vice Mayor/ Councilman Jackson commented that he believes it would destroy the integrity of the downtown area by placing this project in the center of Town and that it would set a bad precedent. Councilman Nagle mentioned that it is actually less density than the Kyfields community, which is in R-1, and it isn't downtown it is almost in farmland. He doesn't believe Council would be being consistent. Town Planner James Eller commented that Kyfields lies in the R-2 district and was approved as a special use permit in the late 1980s.

Chris and Joe Kaselak, owners of North Hill Ventures, thanked Council for hearing their proposal. They noted that housing is a challenge in this area, since it is hard to find quality housing at a reasonable price. Their objective is to create well-designed quality homes at a reasonable price and believes this helps build neighborhoods and communities.

Councilman Fitzsimmons mentioned that the homes in the neighborhood are priced from \$265,000 to \$295,000, so if they could devote some of the homes to a small version at a lower price that would attract younger families that would be desirable.

B. Community Center Project: Final Approval of Plans

John Legerton from Legerton Architecture covered the Power Point that is attached and was handed out to Town Council. The Power Point illustrates the proposed site plan and proposed floor plan. Mr. Legerton mentioned that the initial cost estimate, as of April 5, 2019 was around \$3 million, but the cost estimator had made some assumptions that weren't accurate. After the revisions and with the Public Works department doing some of the site demolition, the current cost estimate came out around \$2.64 million. This cost estimate can be reduced with additional cost saving

options by around \$140,000, which includes deleting the front entry covered pavilion, the stone fireplace at covered terrace, the heavy timber wood truss design and the fire sprinkler system. Other additional cost saving options includes deleting site furnishings and interior display casework, which would lower the cost estimate by another \$30,000. If all these cost saving options were accounted for then the total estimate would come to around \$2.473 million.

Councilman McKenna wondered if the wooden trusses were structural and instead of paying \$80,000 for a renovated restroom could that be included in the community center. Mr. Legerton noted that the trusses are structural and if went the steel route it would be cheaper but with tariffs, the cost of steel is increasing. As for the restrooms, it was brought early in the design process but staff wasn't sure if the community center would be accessible 24/7 and it is around 100 yards away.

Vice Mayor/ Councilman Jackson mentioned that we need to consider how much of the aesthetics do we want to maintain. He is all for saving, but it is only about 1% of the cost and adds greatly to the appearance. Councilwoman Sherrill noted that she personally would hate to see the entry way cover taken away, all the other fixtures she is fine not having them.

Mayor Root commented that he reacted strongly to the wooden trusses, but the others he is fine with them being taken away.

Public Comment:

- Thomas Veasey, 69 Lakeshore Drive, commented that he likes what he sees and maybe we could add the front cover on later and the fireplace is a nice touch. As for the sprinkler system, insurance will give a better deal if we have it.
- Lou Accornero commented that the timber is beautiful, but the front entry way looks botchy and we don't need a sprinkler system.
- Jan Lawrence mentioned that she loves the wooden trusses and thinks the steel trusses are tacky. She doesn't want a sprinkler system in the museum and thinks the front entry give it more ambience.
- Earl Valois commented that this place holds more than 50 people so the sprinkler system would be mandatory, especially with the cooking area.

Town Manager Coffey mentioned that Council is being asked to give approval for staff to move forward with the project, which includes the budget and bringing to them all the documents that need to move ahead.

Councilman Fitzsimmons noted that he would like to move forward with the plan and would be willing to make a motion if the following conditions were met: 1) create a service plan, 2) collect data on the current Town Hall usage requests, 3) create a new pricing structure for the current Town Hall, 4) design rooms so they can be converted into recreational areas, and 5) look at other similar municipalities who built a community center to determine what was most successful.

Councilman McKenna commented that he would like to speak with other municipalities who might have added a fireplace to see if they were happy with their decision. Also to make sure that there are groups who will utilize the facility, since he spoke with the boy scouts and they weren't aware of it. Given the fact that the facility started at \$1 million and is now \$3 million gives him a lot of pause.

Councilman Nagle noted that some mistakes were made at the beginning of the process and there wasn't a professional quote given. But there was a lot of talk about obtaining a grant and allocating the funds from the Eller Cove watershed, so only \$200,000 was needed to be raised. He also mentioned that this was never supposed to be an indoor basketball gym or pickle ball court. This is a lot of money and he doesn't mind pausing, but there needs to be time limit on it.

Town Manager Coffey commented that a service plan was emailed out to Council on October 12, 2018, usage data was collected for requests to use the Town Hall facility from December through February, and redesigning the rooms for recreation was brought up at a meeting showing that Legerton had given a cost opinion on. However, there was no direction given to change this.

Mayor Root mentioned that he personally doesn't see anything wrong with the building proposed, but it makes perfect sense to look around to make sure there is a real need and desire to address recreational needs. He doesn't believe the community room needs to be a basketball court. However, we are at a crossroad here as far as budgeting. The Dry Ridge Museum closes by the end of summer and as time goes by, he is afraid it won't get finished.

Vice Mayor Jackson noted that there are other Town activities like Memorial Day, Veterans Day, and Observance Day that go on each year that would be using the facility if it were rained out. Also, the growth in Weaverville has been tremendous the last few years and we need to look to see how this community center is going to help the Town in 10 or 15 year to come.

Councilwoman Sherrill made a motion to move forward with the community center and eliminate all cost options except the wooden trusses. There was no second motion. Motion failed.

Councilman Fitzsimmons made a motion to accept the plan with no eliminations, but the approval be conditioned on conducting market research before the construction funds are allocated. Councilman McKenna seconded the motion. The motion failed by a 2-3 vote of Council. Vice Mayor Jackson, Councilwoman Sherrill and Councilman Nagle voted against the motion.

Additional Public Comment:

- Thomas Veasey commented that he did research when this started and he looked at the Black Mountain Community Center. It is beautiful and well used, and if we build it, it will be used the same way. Move forward with the whole package.
- Doug Theroux mentioned that we should move forward this evening and see which of the options the Council members want to keep.
- Rhonda McKenna believes this is a beautiful building and wondered if it is open ended or close ended quote. She thinks calling other community centers would be a good idea.
- Lou Accornero mentioned to eliminate sprinkler, fireplace, and entry way.
- Judy Reagan mentioned that people are looking for meeting places.
- Peter Stanz commented that we had a community input with the recreation survey and asked what those results showed.
- Doug Keen mentioned that the longer we wait the more expensive it will be, so do it now.
- Walt Thompson noted that aesthetics are very important, so don't become penny pinching.
- Jan Lawrence commented that they are trying to obtain grants, but can't secure them without an address, so please move forward.

Vice Mayor/Councilman Jackson made a motion to accept the plan as proposed and budget the entire amount. Councilwoman Sherrill seconded the motion. The motion failed by a 2-3 vote of Council. Councilman Fitzsimmons, Councilman McKenna and Councilman Nagle voted against the motion.

Councilman Fitzsimmons made a motion to accept the plan with no eliminations, but the approval be conditioned on conducting market research within 60 days (or by the July Town Council meeting) before the construction funds are allocated. Councilman McKenna seconded the motion. The motion passed by a 3-2 vote of Council. Vice Mayor Jackson and Councilwoman Sherrill voted against the motion.

C. Action on Conditional Zoning District for 37 Brown Street

Town Attorney Jennifer Jackson mentioned that there is an ordinance attached that incorporates the Planning and Zoning Board recommendation for Council. She remembers Councilman Nagle asking last meeting if Council is pressured into taking action tonight. She indicates that Council is eligible, but not required, to take action tonight through adoption of the ordinance as written or however they wish to amend it.

Town Planner James Eller gave a quick recap of the public hearing held at 6pm. Council is being asked to consider the internal renovation of the existing old college boys' dormitory into a multi-family residential complex to accommodate no more than 16 units.

Vice Mayor Jackson noted that the initial plan for CZD proposed 100 square foot of signage. He believes this would be very distasteful for this area and thinks there should be a historical small sign illustrating that this used to be a part of the old Weaver College. Councilman McKenna mentioned that he had a similar suggestion for that as well. Town Attorney Jackson mentioned that with no objections from the developer item H would be eliminated from the ordinance.

Councilman Nagle noted that he has two concerns, one being the number of units based on some community input and secondly, with the limited amount of square footage per unit if they plan on renting or selling. Town Attorney Jackson mentioned that it can be dictated that Council won't approve units that are this small; however NC law doesn't allow them to dictate the type of ownership.

Thomas Wolfe, Principal of Saba Holding Group, LLC, mentioned that the total square footage of the building is 13,000 and including the parking area, it is 15,000. He also noted that there is a national trend right now towards small living in small spaces, and he believes that this is consistent with that trend.

Town Attorney Jackson drew Council's attention to page 87, where a Guarantee of conditions provision is available if Council would wish to add any.

Councilman Fitzsimmons made a motion to approve the ordinance with 2(h) and 3 being removed. Councilman Jackson seconded the motion. The motion passed by a unanimous vote of Council. Motion carries 5-0.

D. Action on Riverside Stump Dump Annexation & Initial Zoning

Town Planner James Eller mentioned that Council is eligible to take action on the proposed annexation of property at 135 Monticello Road, which is the Riverside Stump Dump and the initial zoning of R-12. The public hearing was held earlier tonight and there is a unanimous recommendation before them related to the initial zoning of R-12 from the Planning and Zoning Board.

Councilman Nagle commended the developers for taking the process that Council has asked them too. He is happy that they are following the steps suggested and sticking to it.

Councilman Nagle made a motion to approve the ordinance as presented. Councilman Fitzsimmons seconded the motion. The motion passed by a unanimous vote of Council. Motion carries 5-0.

E. Update on Bus Garage

Town Attorney Jennifer Jackson mentioned that the Town has an eligible offer in hand for approval to purchase the Town's surplus property located at 13 Central Avenue. The offer is accompanied by the required bid deposit and proposes a purchase price of \$350,000. Closing would occur within 30-days of action taken, so the funds could be available to the Town by the end of this fiscal year.

Vice Mayor/Councilman Jackson made a motion that we declare 13 Central Avenue as surplus property, accept the offer submitted by Nekko Properties, LLC for \$350,000, and authorize the Mayor, Town Manager, and Town Attorney

to prepare and execute the agreement and such other documents as are necessary to consummate the sale in accordance with the agreement. Councilwoman Sherrill seconded the motion. The motion passed by a unanimous vote of Council. Motion carries 5-0.

F. Personnel-Related Policies and Proposed Policy & Procedures Manual

Town Attorney Jennifer Jackson briefly discussed the Alcohol and Substance Abuse and Drug-Free Workplace Policy and Procedures drafted that Town Council has delegated to the Town Manager. Staff is looking for any red flags or recommendations from Council. There are some pretty significant laws that need to be respected and have been covered in this policy. Town Attorney Jackson also noted that there is a proposed process laid out to wind the project up. There will be a proposed Policy and Procedure Manual available to them no later than June 3, 2019 for their review. This will be brought back to Council at the June 17, 2019 meeting with a resolution which addresses all of the steps in order to repeal the previous policies and put these new policies in place.

G. Quarterly Report: Fire Department

Fire Chief Ted Williams presented the Weaverville Fire Departments Quarterly Report for February - April 2019. They had 464 calls this quarter with an average response time for all calls at 4:25 minutes, 18 child passenger safety seat installations, 76 commercial business inspections, and with their reporting system being a more user friendly, data productive system they can give Council more helpful information

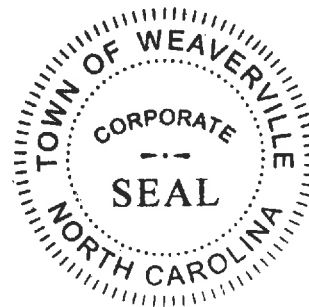
H. Quarterly Report: Police Department

Police Chief Ron Davis presented the Weaverville Police Department Quarterly Report for February – April 2019. Chief Davis noted most all categories listed on the activity chart remained the same with little change over the same period. However, calls requiring more than one officer to be on scene increased, as have the total of reports taken. They are averaging 17 arrests a month with 35% of those persons having an outstanding warrant from another jurisdiction, and the total number of police activities/calls for service is ranging from 900-1,100 per month.

9. Adjournment

Vice Mayor/Councilman Jackson made the motion to adjourn; Councilwoman Sherrill seconded and all voted to adjourn the Council's meeting at 9:54 p.m.


Derek K. Huninghake, Town Clerk



PROCLAMATION

In Recognition of National Police Week 2019

WHEREAS, in 1962, President Kennedy proclaimed May 15 as National Peace Officers Memorial Day and the calendar week in which May 15 falls, as National Police Week, a time of reflection and appreciation for the ultimate sacrifices made by the dedicated men and women of law enforcement who were killed or disabled in the line of duty; and

WHEREAS, it is important that all citizens know and understand the challenges and responsibilities of their police department, and that members of the department recognize their duty to serve the people by safeguarding lives, property, and freedoms; and

WHEREAS, the Weaverville Police Department is a professional law enforcement agency that unceasingly provides vital public safety services and our residents and visitors are safer for their commitment; and

WHEREAS, the Town of Weaverville, urges its citizens to join it in honoring law enforcement officers, past and present, who have extended faithful and loyal devotion to their communities; and

NOW, THEREFORE I, Allan P. Root, by virtue of the authority vested in me as Mayor of the Town of Weaverville, and on behalf of Weaverville Town Council, do hereby proclaim the week of May 12 through May 18, 2019 as National Police Week in the Town of Weaverville.

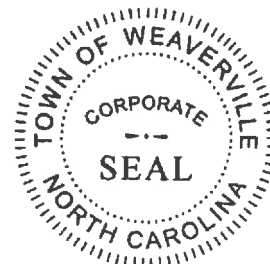
IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Weaverville to be affixed this the **20th day of May** in year of **2019**.



Allan P. Root, Mayor
Town of Weaverville, North Carolina



ATTEST: Derek Huninghake, Town Clerk



RESOLUTION CONCERNING MINIMAL TAXES

WHEREAS, North Carolina General Statute §105-321(f) authorizes the governing body of a taxing unit to direct its tax collector not to collect minimal taxes charged on the tax records and receipts; and

WHEREAS, minimal taxes are the combined taxes and fees of the taxing unit due on a tax receipt prepared pursuant to NCGS §105-320 in a total original principal amount that does not exceed an amount set by the governing; and

WHEREAS, the minimal tax amount set by the governing body should be the estimated cost to the taxing unit of billing the taxpayer for the amounts due on a tax receipt or tax notice; and

WHEREAS, The Weaverville Town Council has determined the minimal tax amount for the Town of Weaverville to be \$5.00;

NOW, THEREFORE BE IT RESOLVED, that the Weaverville Town Council sets the minimal tax for the Town of Weaverville at \$5.00 and directs the Weaverville Tax Collector not to collect taxes charged on the tax records and receipts that are \$5.00 or less beginning with the next preceding tax year and continuing until this authority and direction is rescinded by action of Town Council or by operation of law;

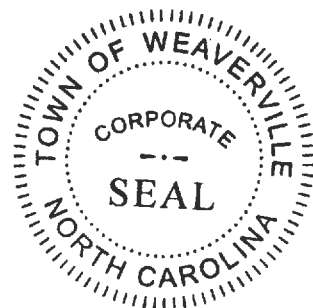
BE IT FURTHER RESOLVED, the Tax Collector is to execute this order pursuant to North Carolina General Statute §105-321(f) and the Town Clerk is directed to deliver copies of this resolution to the Tax Collector and to keep a copy on file in the Office of the Clerk to the Board.

ADOPTED this the 20th day of May, 2019.



ALLAN P. ROOT, Mayor

Derek K. Huninghake
Derek K. Huninghake, Town Clerk



**ORDINANCE ESTABLISHING THE
CONDITIONAL ZONING DISTRICT DESIGNATED AS CZD-4
OLD WEAVER COLLEGE DORMITORY PROPERTY AT 37 BROWN STREET**

WHEREAS, after proper notice required by law, Town Council held a public hearing on this application on May 20, 2019, in accordance with North Carolina law and Weaverville Town Code and, thereafter, took action to adopt an Ordinance Establishing a Conditional Zoning District Designated as "CZD - 4" for the Old Weaver College Dormitory Property located at 37 Brown Street;

WHEREAS, the Planning and Zoning Board of the Town of Weaverville has reviewed the project and submitted a unanimous favorable recommendation along with its statement finding the reasonableness of the project and consistency with the Comprehensive Land Use Plan; and

WHEREAS, the project consists of the refurbishment and renovation of the historic boy's dormitory of Weaver College into a multi-unit residential building of a maximum of 16 units and improvements related thereto; and

WHEREAS, the project is being developed on that 1.918 acre parcel shown on the attached preliminary plat with survey data prepared by Robert K. Brady, Jr., PLS, of Blackrock Surveying & Land Design, PC, with a date of 1/18/2019; and

WHEREAS, the property is bounded by the public road known as Brown Street to the East/Southeast, a public road known as College Street to the Northeast, and private properties to the North, West and Southwest,

WHEREAS, the CZD application was submitted by Margaret S. Ottofey, the property owner, through Thomas Wolfe of Saba Holding Group, LLC, her authorized agent; and

WHEREAS, the property is currently zoned R-2 and a multi-family residential project of more than four units requires a conditional zoning district; and

WHEREAS, the Town of Weaverville has the authority pursuant to Part 3 of Article 19 of Chapter 160A of the North Carolina General Statutes to adopt zoning regulations, to establish zoning districts and to classify property within its jurisdiction according to zoning district, and to amend said regulations and district classifications from time to time in the interest of the public health, safety and welfare; and

WHEREAS, Section 36-84 of the Code of Ordinances of the Town of Weaverville establishes the procedures and requirements for zoning property to Conditional Zoning Districts; and

WHEREAS, this project is consistent with the Town's Comprehensive Land Use Plan, including specifically the stated goals and objectives in the Plan which encourage a variety of housing opportunities, and consistent with the use and dimensional requirements of the Town's underlying R-2 zoning district which was designed and implemented specifically to accommodate residential uses; and

WHEREAS, the number of units in this project is 16 units which are to house up to 18 bedrooms, which is well below the number of bedrooms that could be allowed by right under the subdivision ordinance within the R-2 zoning;

WHEREAS, the existing historic building is compliant with the setback requirements for the R-2 zoning district and the building height is either in compliance with R-2 zoning or is allowed as an existing nonconforming structure;

WHEREAS, a public involvement meeting was held on May 7, 2019, after proper notice of same and the issues that were discussed were as follows: historic nature of the structure, number of units and configuration, density, proposed ownership of the units, landscaping and buffering plans, parking configuration, traffic volume along Brown Street; and

WHEREAS, a formal traffic analysis was not conducted as staff believes that the peak hour trips would not trigger the requirement stated in Town Code Section 36-25; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEAVERVILLE THAT:

1. The zoning classification of that certain real property, which is shown on the preliminary plat which shows survey data prepared by Robert K. Brady, Jr., PLS, of Blackrock Surveying & Land Design, PC, with a date of 1/18/2019, and which is attached hereto and incorporated herein by reference, is changed from R-2 to Conditional Zoning District and is subject to compliance with the conditions set out herein. The official zoning map of the Town of Weaverville shall be amended to reflect this change upon the effective date of this ordinance.
2. The following conditions shall apply:
 - a. The project is to be constructed consistent with the preliminary site plan and historic elevation submitted by the applicant, copies of which are attached hereto and incorporated herein by reference. The height of the building may not exceed its current height which has been established as 40 feet at the roof ridge as measured from the front sidewalk at the front steps of the building. It is recognized that a fire escape must be constructed exterior to the existing building. A rear entrance from the parking area must be provided with related improvements to facilitate access to the building from the parking areas located at the rear and side of the building.
 - b. The maximum number of units allowed is 16.
 - c. The floor plans that are attached hereto are conceptual in nature and are allowed to be changed as long as the number of units does not exceed 16. Sitting areas, mailrooms, laundry facilities, storage areas, and other uses which support the residential units are allowed as long as they are housed within the existing building or garage area. Commercial uses, such as restaurants and shops are not allowed on the property.

- d. The exterior of the main building must be maintained in such a manner as is consistent with the historic aesthetics of the building as shown on the original elevation submitted with the application and attached hereto, including but not limited to the original façade and old brickwork. The exterior of the garage building must be repaired with masonry stucco finish.
- e. Sidewalks are not required within the project or along Brown Street or College Street.
- f. All driveways/streets within the project shall be private. Said private driveways/streets shall be constructed to Weaverville's driveway/street standards, except that the historic horseshoe driveway in the front of the building off of Brown Street is not required to meet those standards. The covenants, conditions and restrictions applicable to this project, if any, must include language stating that the streets are private and part of the common area of the project, and as such will be maintained through the assessments for common expenses.
- g. A minimum of 32 off-street parking spaces, with a minimum size of 9 feet by 18 feet, must be provided and must be constructed and maintain in an all-weather condition.
- h. Any and all outdoor lighting that is to be installed must comply with Town Code Section 36-26, except as specifically provided in this paragraph. All outdoor lighting on the property shall be mounted on posts that are no more than 16 feet tall. Blocking, shielding and aiming of all outdoor lighting shall be used to minimize light trespass on to adjoining residential properties. The outdoor lighting plan must be submitted and approved in conjunction with a zoning permit application.
- i. Landscaping must comply with Article VI of Chapter 36 of the Town's Code of Ordinances. A landscaping plan must be submitted and approved in conjunction with a zoning permit application.
- j. Grading must comply with Article XV of Chapter 36 of the Town's Code of Ordinances. A grading plan must be submitted and approved in conjunction with a zoning permit application. Compliance with Buncombe County sedimentation and erosion control standards is also required.
- k. Landscape buffers or privacy fences or walls between the property and adjoining properties are not required but are allowed. The developer has indicated a willingness to maintain all trees except for those which must be removed for the construction of the driveway or those that are endangering the buildings.
- l. Construction related vehicles must be parked on the property and not on the public streets or the shoulders of those public streets. All dirt, mud, construction materials, or other debris deposited on the public streets as a result of construction activities must be removed by the contractor or owner on a daily basis, pursuant to Code Section 22-48.

- m. All construction must be completed within 24 months of the issuance of the first permit allowing work to begin on the property. Upon request of the owner/developer, Town Council may, in its sole discretion, grant such extension as Town Council deems appropriate under the circumstances.
 - n. Section 36-84 shall continue to govern the project including, but not limited, to those provisions regarding issuance of zoning permits, modifications, appeals, and final plat approval.
3. That the Town Zoning Administrator is hereby authorized and directed to make the changes as herein enacted on the official zoning map with said Conditional Zoning District labeled as "CZD-4" and to issue zoning permits for the improvements that are to be made in compliance with this Conditional Zoning District.
 4. That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid, it will be up to Town Council to determine if the validity of the remaining portions of this ordinance is affected.
 5. That all ordinances and clauses of ordinances contained within the Town's Code of Ordinance which are in conflict herewith, are hereby repealed to the extent of such conflict.
 6. That this ordinance is effective immediately.

ADOPTED THIS the 20th day of May, 2019, with a vote of 5 for and 0 against.

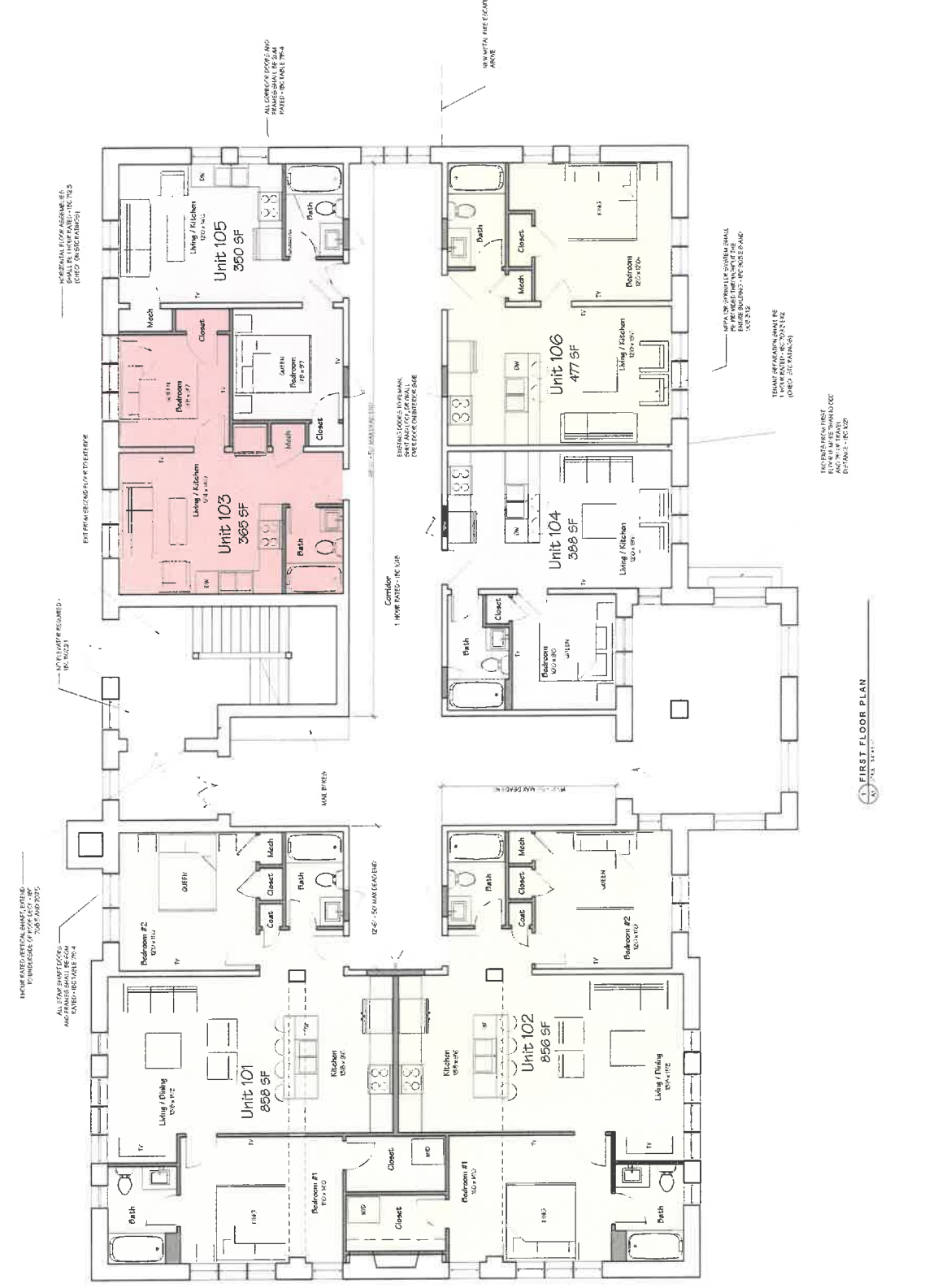


ALLAN P. ROOT, Mayor



DEREK K. HUNINGHAKE, Town Clerk





1. WORK RATED: VERTICAL ANCHOR BOLTS TO UNDERLIE OF 1/2" X 1/2" X 8" 306 AND 3055.

ALL LOW VOLTAGE AND TRANSFORMER ROOMS SHALL BE LOCATED IN THE MECH ROOMS.

1. WORK RATED: VERTICAL ANCHOR BOLTS TO UNDERLIE OF 1/2" X 1/2" X 8" 306 AND 3055.

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FIRST FLOOR PLAN

1. WORK RATED: VERTICAL ANCHOR BOLTS TO UNDERLIE OF 1/2" X 1/2" X 8" 306 AND 3055.

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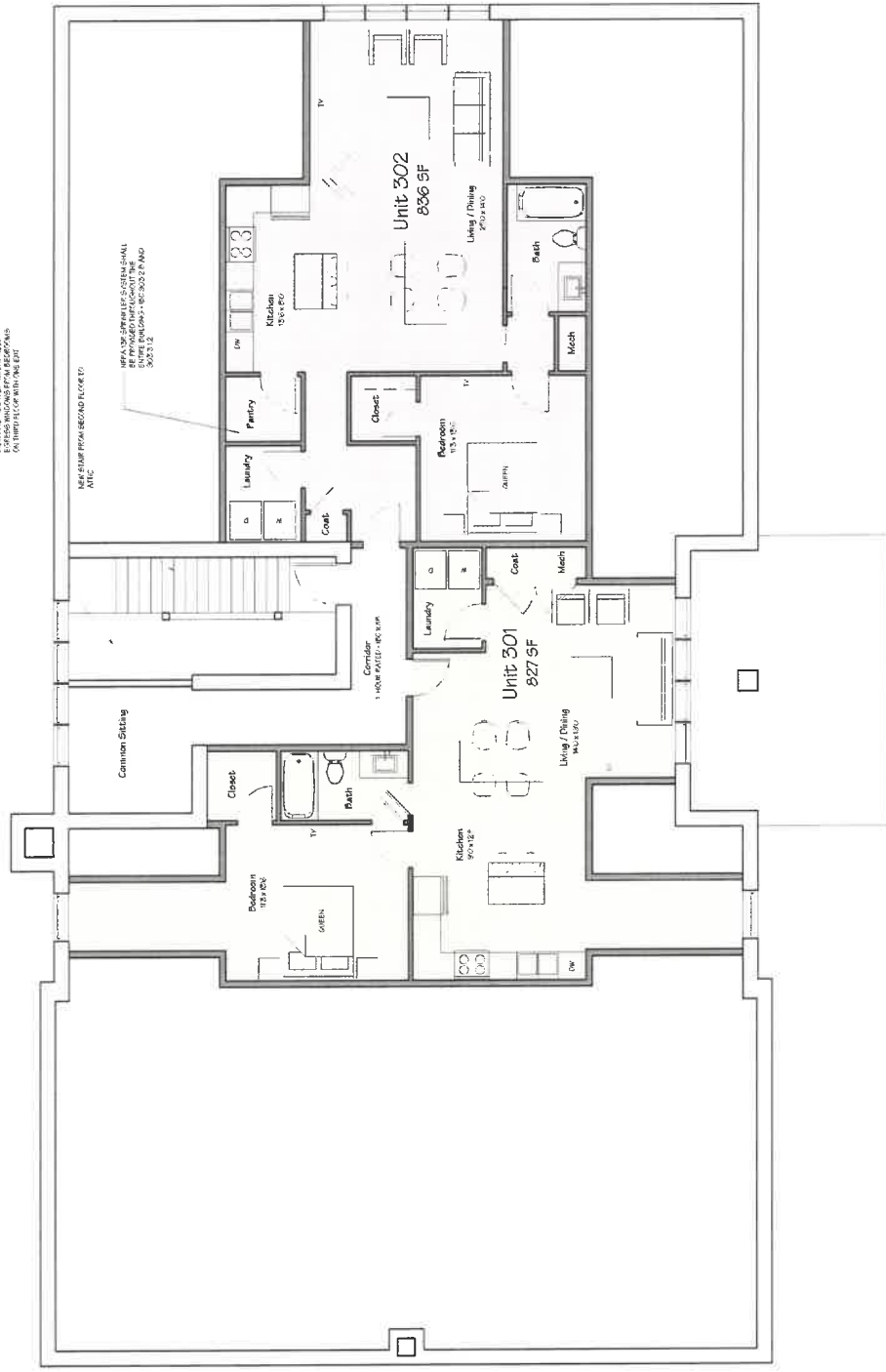
1. WORK RATED: VERTICAL ANCHOR BOLTS TO UNDERLIE OF 1/2" X 1/2" X 8" 306 AND 3055.

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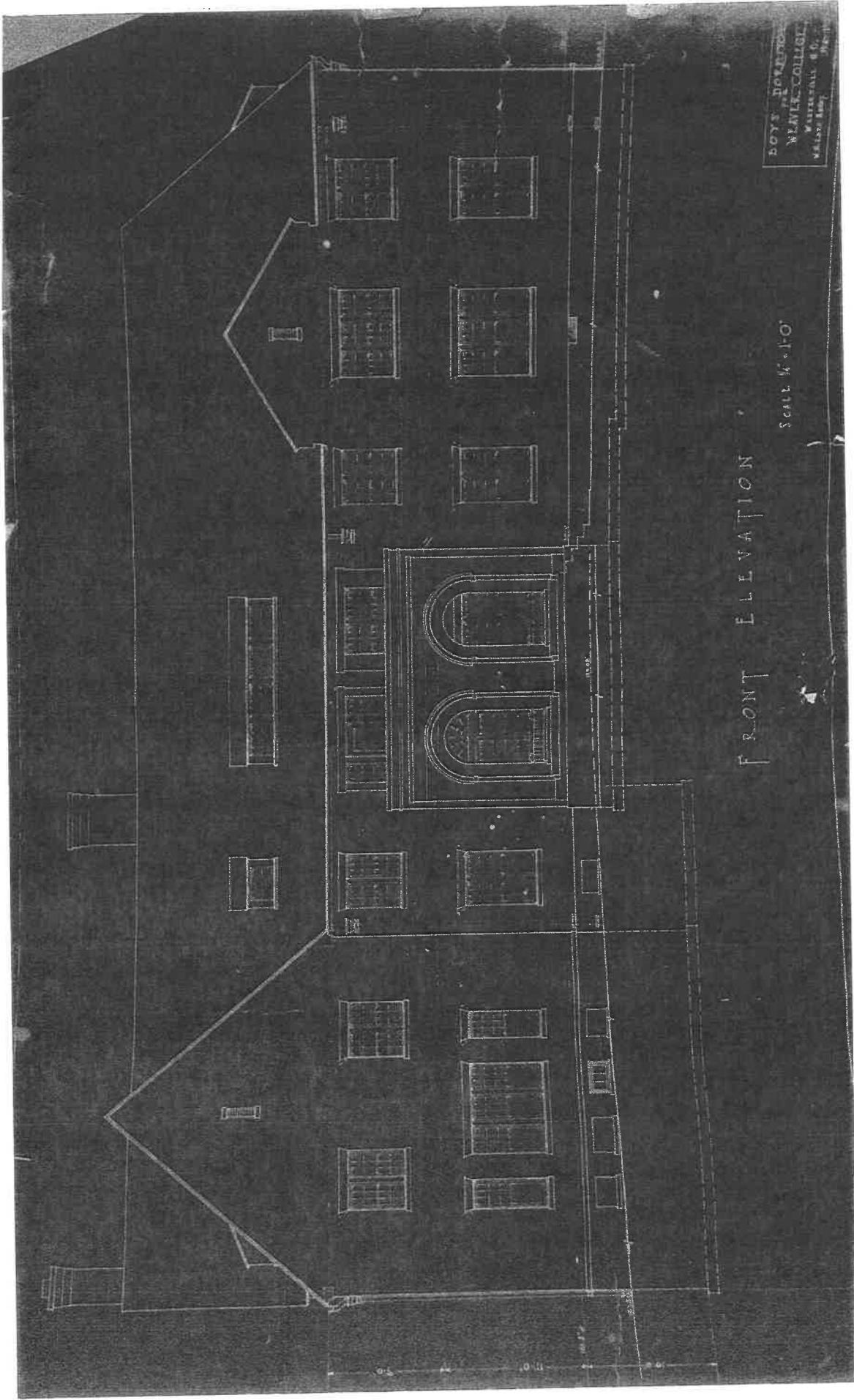
ONE BEYOND ATTIC FLOOR WITH 4
STAIRS TO BE PROVIDED TO
ACCESS MECH ROOMS IN RESPONSE
TO THE FOLLOWING:

MECH ROOMS TO BE PROVIDED
ATTC

MECH ROOMS TO BE PROVIDED ATTC
IF PERMITTED BY THE LOCAL
AUTHORITY HAVING JURISDICTION
SECTION 905.2.2



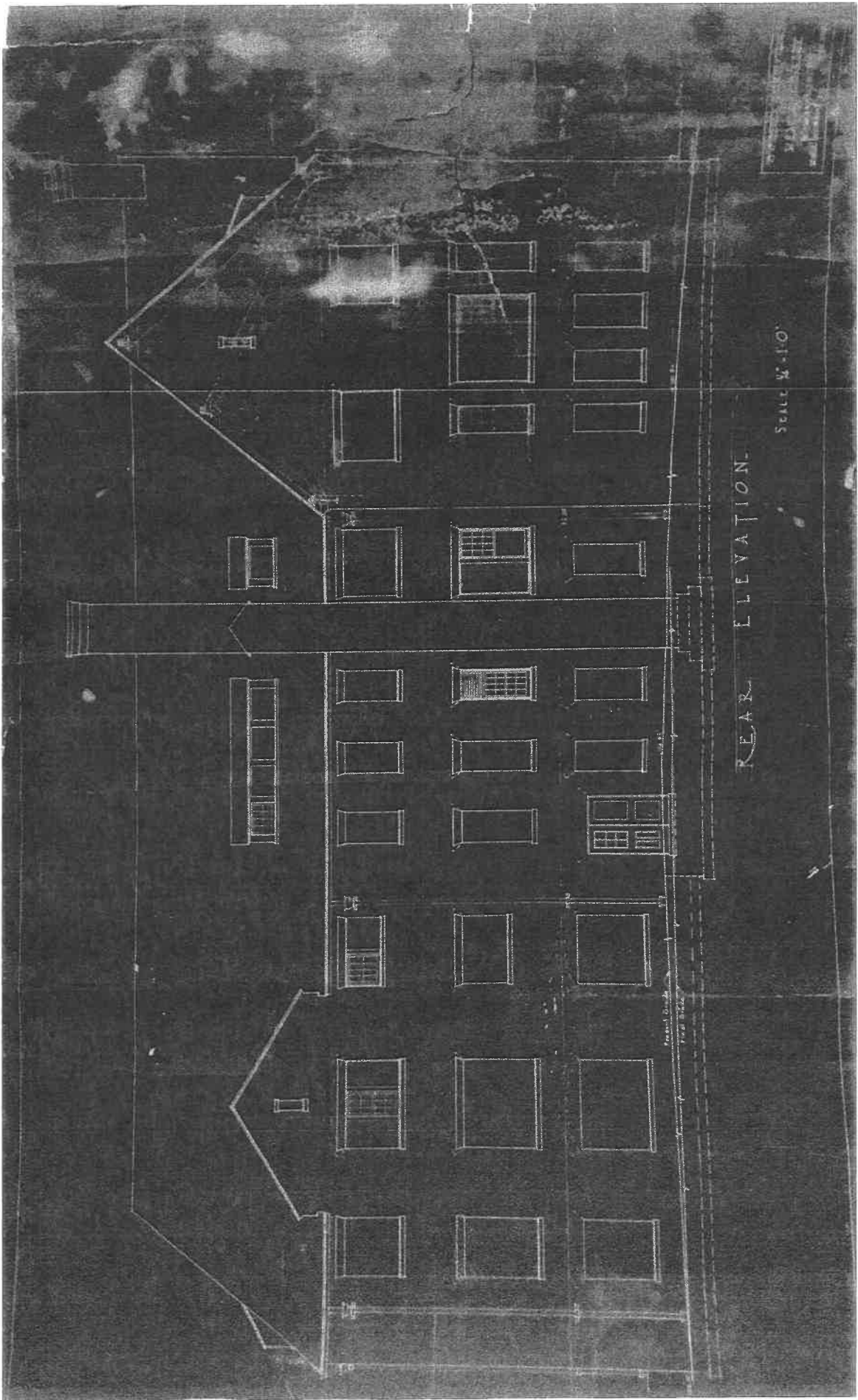
ATTIC FLOOR PLAN



BOYS' HOME
NEWARK COLLEGE
WATERFALLS, N. J.
W. L. B. B. B.

SCALE 1/4" = 1'-0"

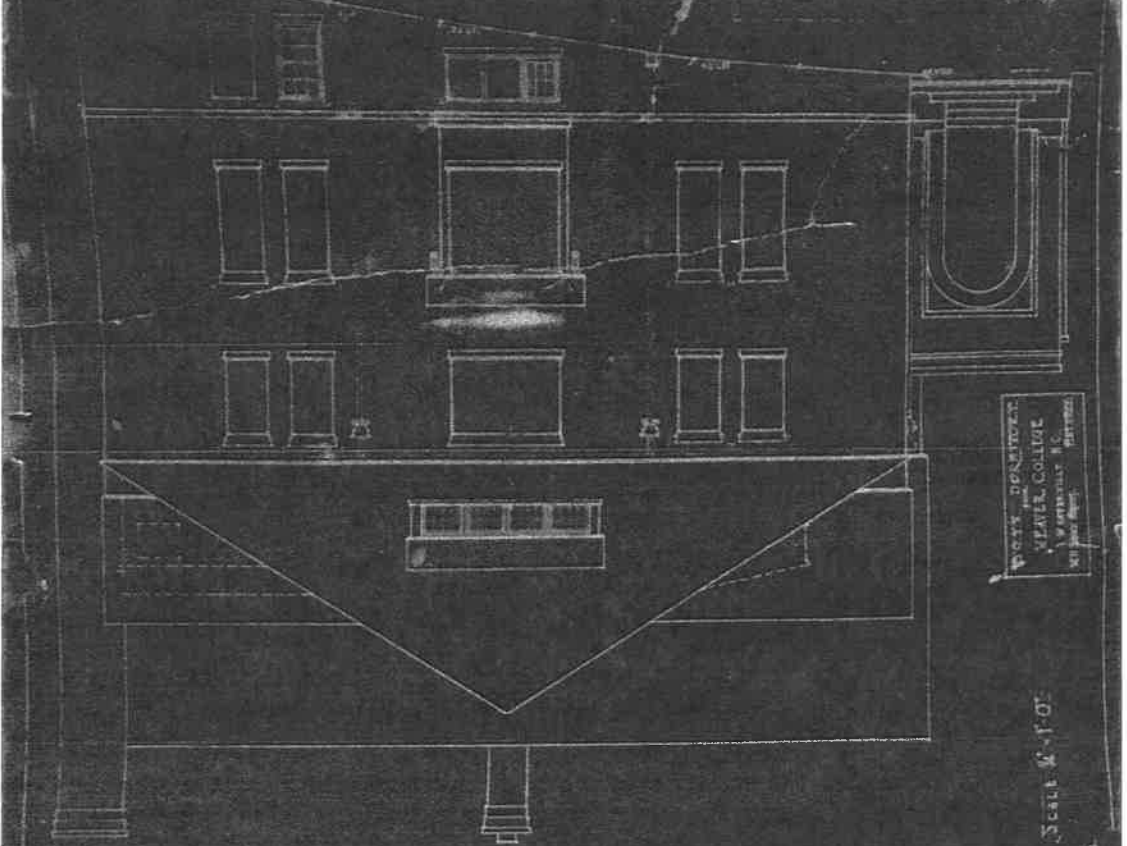
FRONT ELEVATION



REAR ELEVATION.

SCALE 1/4" = 1'-0"

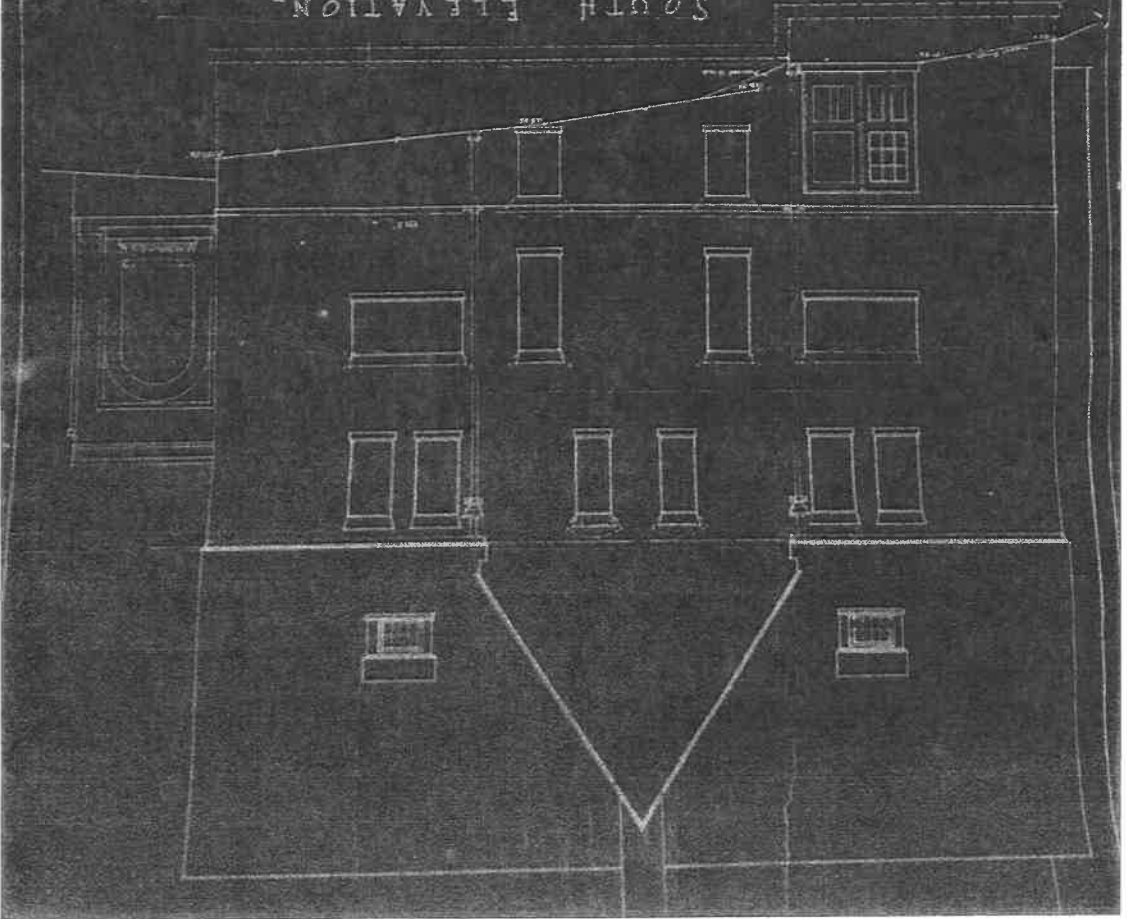
NO. 12111



W. H. BENTLEY
ARCHT. & ENGR.
NEW YORK, N. Y.

Scale 1/4" = 1'-0"

SOUTH ELEVATION



**AN ORDINANCE EXTENDING THE CORPORATE LIMITS
OF THE TOWN OF WEAVERVILLE, NORTH CAROLINA –
RIVERSIDE STUMP DUMP, INC. – +/-19.47 ACRES AT 135 MONTICELLO ROAD
ANNEXATION #2019-1**

WHEREAS, the Town Council has been petitioned under N.C. Gen. Stat. § 160A-31 to annex the area described below and to designated the property as R-12 zoning; and

WHEREAS, the Town of Weaverville has the authority pursuant to Part 3 of Article 19 of Chapter 160A of the North Carolina General Statutes to adopt zoning regulations, to establish zoning districts and to classify property within its jurisdiction according to zoning district, and to amend said regulations and district classifications from time to time in the interest of the public health, safety and welfare; and

WHEREAS, Town Council directed the Town Clerk to investigate the sufficiency of the petition and the Town Clerk has certified the sufficiency of the petition;

WHEREAS, the Planning and Zoning Board has reviewed the requested R-12 zoning designation, found it to be consistent with the Town's Comprehensive Land Use Plan, and submitted a unanimously recommendation in favor of R-12 if the property is annexed;

WHEREAS, a public hearing on the question of annexation and initial zoning was held in the Town's Council Chambers at Town Hall on May 20, 2019, at 6:00 p.m., after due notice by publication;

WHEREAS, at the public hearing the residents of Weaverville were given an opportunity to be heard on any questions regarding the desirability of the annexation and the zoning request of R-12;

WHEREAS, Town Council finds that the petition is valid and the public health, safety, and welfare of the inhabitants of the Town and the area proposed for annexation will best be served by annexation of the area proposed;

WHEREAS, R-12 zoning is consistent with the Town's Comprehensive Land Use Plan, is reasonable and in the public interest;

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

7. By virtue of the authority granted by N.C. Gen. Stat. § 160A-31, the +/-19.47 acres which are shown on the survey that is attached hereto and incorporated herein by reference, described in Deed Book 4900 at Page 1080, Buncombe County Registry, and further identified as Buncombe County Parcel Identification Number 9733-62-6052, is hereby annexed and made part of the Town of Weaverville. Said territory shall be subject to the municipal taxes according to N.C. Gen. Sta. § 160A-58.10.

8. From and after the effective date of this annexation ordinance, the area so annexed shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Weaverville and shall be entitled to the same privileges and benefits as other parts of the Town of Weaverville.
9. The Zoning Map of the Town of Weaverville is hereby amended to establish an R-12 zoning classification for the property so annexed.
10. The property owner is directed to submit to the Town of Weaverville an annexation map showing the property so annexed for recordation purposes.
11. The Mayor of the Town of Weaverville shall cause to be recorded in the Office of the Register of Deeds for Buncombe County, and in the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Paragraph 1 above and shown on the attached survey, together with a duly certified copy of this Ordinance. Such a map shall also be delivered to the Buncombe County Board of Elections as required by N.C. Gen. Stat. § 163-288.1.
12. This ordinance shall be in full force and effect immediately.

ADOPTED THIS the 20th day of May, 2019, by a 5 out of 5 vote.



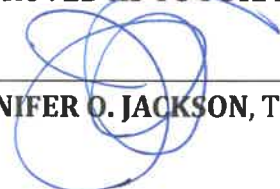
ALLAN P. ROOT, Mayor

ATTESTED BY:



DEREK K. HUNNINGHAKE, Town Clerk

APPROVED AS TO FORM:



JENNIFER O. JACKSON, Town Attorney





MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Special-Called Meeting
Tuesday, May 21, 2019**

The Town Council for the Town of Weaverville met for a Special Called Meeting on Tuesday, May 21, 2019, at 6:00 p.m. in Council Chambers within Weaverville Town Hall at 30 South Main Street, Weaverville, North Carolina.

Council members present were: Mayor Al Root, Vice Mayor/Councilman Doug Jackson, Councilwoman Dottie Sherrill, Councilman Jeff McKenna, Councilman Andrew Nagle and Councilman Patrick Fitzsimmons.

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

1. Call to Order

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

2. Continued Discussion on General Fund Budget

Councilman Nagle mentioned that he would prefer not to use the word “placeholders” for the \$25,000 for the sidewalks and would rather just allocate the funds to Public Works Director Dale Pennell to use in his discretion. Also, he wanted to cover the math on the raises for the part-time firefighters.

Town Manager Coffey mentioned that the word “placeholders” will be taken out. Also, she is happy to remove the \$25,000 from the budget because she believes that our Public Works Department can do this study.

Fire Chief Williams discussed the calculations used to come up with the amount of requested funds for the part-time firefighters raise. This explanation sheet is attached.

Vice Mayor/Councilman Jackson asked what the local area fire departments pay part-time firefighters. Councilwoman Sherrill wondered if there was a lot of turnover at the Fire Department. Fire Chief Williams noted one particular Fire Department, Reems Creek, who pays part-time firefighters \$15/hr and as for turnover, it is very minimal.

3. Review of Manager’s Proposed Water Fund Budget

Town Manager Selena Coffey covered the proposed FY 2019-2020 Water Fund Budget with Town Council from the PowerPoint handout that is attached. Revenue highlights include a proposed 5% water rate increase that is in accordance with the Withers-Ravenel study and an increase in system development fees (SDF), due to projected growth.

Councilman McKenna asked about the system development fees. Town Attorney Jackson mentioned that this was enacted last year by Council, after the required technical study was conducted by Withers-Ravenel. The water system development fees are calculated as the equity in the water system assets and is a buy-in figure, meaning a new users proportional cost for the infrastructure that has already been built.

Town Manager Coffey mentioned that the Water Fund Net Position is at \$2.9 million and covered the highlighted expenditures with the main one being an additional \$75,000 in match funding for the Town's main waterline running through North Buncombe Middle School to additional water customers off Dula Springs Road. Mayor Root mentioned that due to us having customers on the other side of the waterline, the replacement of an old Town water line, and the Board of Education asking for help for a school we have a stake in are reasons for the match funding. Councilman Nagle noted that we have to be careful, so that developers don't come to the Town wondering why we don't help fund their water lines. Town Attorney Jackson mentioned that a good outcome of the process would be that the Town's waterline is replaced and we get recorded easements and good locations of the waterlines.

4. Discussion of Water Treatment Plant Expansion

Mayor Root noted that there have been numerous conversations about it and Council is in line to move forward with the expansion. Council is ready to commit to it and should get it done. Town Manager Coffey mentioned that she would like to have Town Council take some action in that regard and the Land Comprehensive Plan is largely dependent on a decision to move forward with the expansion.

Councilman Nagle wondered where we were on the lengthy timeline that was discussed earlier, since Council has already committed to moving forward with the waterline on Ollie Weaver Road.

Councilman McKenna asked where the Town was on the percentage figures of utilization and water usage. Public Works Director Dale Pennell mentioned that according to the state, when the water usage is reaching 80% of capacity, the Town should be beginning the process or already begun the process to resolve this. However, when reaching 90% capacity, the plan should be in action. As of right now the Town is operating at 45%, but if the water commitments and future infill developments are accounted for, then we are around the 74% range. Director Pennell also mentioned that the Town had a 7 year agreement with the Town of Mars Hill for an emergency supply of 200,000 GPD that has expired, but that the previous Town Manager and current Town Manager of Mars Hill have expressed a desire to revisit the issue and possibly consider buying additional water.

Vice Mayor Jackson noted that instead of just paying a water bill, the Town of Mars Hill might want to help with the cost of expanding the water treatment plant. Councilman Fitzsimmons noted that there are grants available for regionalizing water resources as well.

Mayor Root asked what the Town was committed to at this time and how can we get to where this can't be undone by new Councilmembers who are elected and come in trying to drop this expansion. Town Attorney Jackson mentioned that the only project that has been approved by Town Council is the waterline extension project, so in order to go forward with the water treatment expansion project Council would need to have a vote giving authority for staff to enter into contracts on engineering for the expansion.

Councilman Nagle noted that the loan has been approved for the waterline extension project, but how can we get it so that it can't be undone. Town Attorney Jackson mentioned that it is tricky, but staff can draft a resolution that shows Council is approving the expansion of the plant, adopt a capital project ordinance that sets out a rough budget, and staff can start seeking engineering contracts to get it started. However, until Town Council is under contractual obligation it can be brought back. The Town Attorney and Town Planner James Eller have included this in the comprehensive plan assuming it is going to happen, but if it isn't then they need to walk some zoning regulations back to slow development.

There was consensus for staff to bring back a resolution approving the expansion of the water treatment plant at an upcoming meeting.

5. Next Steps

Town Manager Selena Coffey mentioned that the next step on the budget will be to hold the Public Hearing on the Tuesday, June 11, 2019 at 6 pm at the Town Hall. She plans to briefly cover a Power Point that will include the additional vehicle for the Police Department, the removal of the \$25,000 for sidewalks, and the balance of the Fund Balance.

6. Adjournment

Vice Mayor/Councilman Jackson made the motion to adjourn; Councilwoman Sherrill seconded and all voted to adjourn the Council's meeting at 7:20 p.m.


Derek K. Huninghake, Town Clerk



APPROVED



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Workshop
Tuesday, June 11, 2019**

The Town Council for the Town of Weaverville met for its regularly scheduled Workshop on Tuesday, June 11, 2019, at 6:00 p.m. in Council Chambers within Weaverville Town Hall at 30 South Main Street, Weaverville, North Carolina.

Council members present were: Mayor Al Root, Vice Mayor/Councilman Doug Jackson, Councilman Jeff McKenna, Councilman Andrew Nagle and Councilwoman Dottie Sherrill. Councilman Patrick Fitzsimmons was absent.

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

1. Call to Order

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

2. Public Hearing on Budget

Mayor Root opened the Public Hearing

The Budget and Fee Schedule Power Point was made available for review (see attached). No one appeared and wished to make any comments on the proposed budget.

Councilman McKenna made the motion to close the Public Hearing; Councilman Nagle seconded and all voted in favor of closing the Public Hearing.

3. Final Direction to Staff regarding Budget

Town Manager Coffey noted that she will move forward with the changes that have been made and prepare the budget ordinance.

4. Resolution Concerning Small Underpayments and Small Overpayments on Taxes

Town Attorney Jennifer Jackson mentioned that North Carolina General Statutes authorizes the governing body of a taxing unit to permit its tax collector to treat small underpayments of taxes as fully paid and to not refund small overpayments of taxes. Under the statute, small is defined as \$1.00 or less. Such a resolution must be adopted by June 15th in order to be effective for the upcoming fiscal year.

Councilman Nagle made a motion to adopt the Resolution Concerning Small Underpayments and Small Overpayments of Taxes. Councilwoman Sherrill seconded the motion. The motion passed by a unanimous vote of Council. Motion carries 5-0.

5. Advanced Distribution of Materials for June 17, 2019, Town Council Meeting

Town Attorney Jackson noted that the Policy and Procedures Manual which contains the proposed Personnel Policy was provided to Town Council on June 3, 2019, electronically as well as in a notebook. The notebooks that had not been picked up were distributed to Town Council. The proposed Personnel Policy, related policies and the

Policy and Procedures Manual will be on the June 17, 2019 agenda for discussion and proposed adoption. This material will not be reprinted in the agenda packet for the June 17th meeting so the Mayor and Town Council were encouraged to bring their copies to the meeting.

She also distributed a printed copy of the Comprehensive Land Use Plan Project item that will be on the June 17th agenda. This is already on the website.

6. Adjournment

Councilman Nagle made the motion to adjourn; Vice Mayor/Councilman Jackson seconded and all voted to adjourn the Council's meeting at 6:05 p.m.



Derek K. Huninghake, Town Clerk



APPROVED

**RESOLUTION CONCERNING SMALL UNDERPAYMENTS AND SMALL
OVERPAYMENTS ON TAXES**

WHEREAS, North Carolina General Statutes §105-357(c) defines a small underpayment of taxes as a payment made, other than in person, that is no more than \$1.00 less than the taxes due on a tax receipt;

WHEREAS, North Carolina General Statute §105-357(c), likewise, defines a small overpayment of taxes as a payment made, other than in person, that is no more than \$1.00 greater than the taxes due on a tax receipt;

WHEREAS, North Carolina General Statute §105-357(c) grants the governing body of a taxing unit the authority to permit its tax collector to treat small underpayments of taxes as fully paid and to not refund small overpayments of taxes unless the taxpayer requests a refund before the end of the fiscal year in which the small overpayment is made;

WHEREAS, the Weaverville Town Council wishes to grant the Weaverville Tax Collector such authority;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Weaverville, as follows:

1. Pursuant to North Carolina General Statute 105-357(c), the Town of Weaverville Tax Collector, as a function of that office, is authorized to treat small underpayments of taxes as paid in full;
2. Pursuant to North Carolina General Statute 105-357(c), the Town of Weaverville Tax Collector, as a function of that office, is authorized not to refund small overpayments unless the taxpayer requests a refund before the end of the fiscal year in which the small overpayment of taxes is made;
3. This authority shall apply to taxes levied for all previous fiscal years and for the upcoming fiscal year and shall continue in effect until repealed or amended by resolution of the Weaverville Town Council.

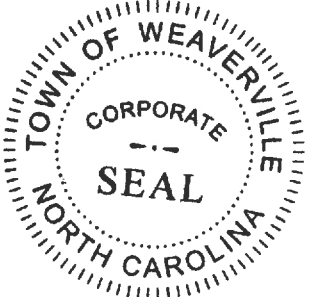
ADOPTED this the 11th day of June, 2019.



ALLAN P. ROOT, Mayor



Derek K. Hunninghake, Town Clerk







MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Meeting
Monday, June 17, 2019**

The Town Council for the Town of Weaverville met for its regular monthly meeting on Monday, June 17, 2019, at 7:00 p.m. in Council Chambers within Weaverville Town Hall at 30 South Main Street, Weaverville, North Carolina.

Council members present were: Mayor Al Root, Vice Mayor/Councilman Doug Jackson, Councilwoman Dottie Sherrill, Councilman Jeffrey McKenna, Councilman Andrew Nagle and Councilman Patrick Fitzsimmons.

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

1. Call to Order

Mayor Al Root called the meeting to order at 7:05 p.m.

2. Approval/Adjustments to the Agenda

Mayor Root asked to insert under the Discussion Items as A-2, a time for Councilman Fitzsimmons to speak about some developments on the Lake Louise Community Center Project.

Councilwoman Sherrill made a motion to approve the agenda with the aforementioned revision. Councilman Nagle seconded and all voted in favor of the motion.

3. Approval of Minutes

Vice Mayor/Councilman Jackson made the motion to approve the minutes from May 14, 2019 Town Council Workshop, May 20, 2019 Town Council Special Called Meeting, May 20, 2019 Town Council Regular Meeting, May 21, 2019 Town Council Special Called Meeting, and June 11, 2019 Town Council Workshop. Councilman McKenna seconded the motion and all voted in favor on the approval of the minutes.

4. General Public Comment

Public comments were received as follows:

Lou Accornero, 50 Highland Pointe Drive, commented that the footprint for the community center is more residential than commercial, and he believes the Town should take about a month to redesign the building. This would allow for the ground breaking to begin by the end of this year and be ready by next fall. Mr. Accornero also asked if it would be possible for the Dry Ridge Museum to use the storage room off of the Community Room at Town Hall for their research, so that they can allow visitors to come in and can continue with their business.

5. Consent Agenda

Councilwoman Sherrill moved for the approval of the consent agenda. Councilman McKenna seconded the motion and all voted unanimously to approve all action requested in the consent agenda.

A. Monthly Tax Report – Information Only

- B. Waterline Acceptance: Barkley Terrace** – *Town Council accepted the waterline extension and related improvements into the Town's water system subject to staff level approval by the Town Manager, Town Attorney, and Public Works Director, and set the repair guaranty amount at \$4,000.*
- C. Waterline Acceptance: Creekside Phase IV** – *Town Council accepted the waterline extension and related improvements into the Town's water system subject to staff level approval by the Town Manager, Town Attorney, and Public Works Director, and set the repair guaranty amount at \$5,000.*

6. Town Manager's Report

Town Manager Selena Coffey presented her Manager's report to Council including that 1) the Town had to cancel the first concert of the 2nd Saturday Summer Series, due to weather and saturated ground at the Nature Park. Hopefully the weather will be conducive to hosting future concerts in the Summer Series with the next one scheduled for July 13 from 6pm-8pm; 2) Closing on the sale of the old bus garage is scheduled for June 21; 3) JLS Paving came in as the low bid for the re-paving of Church Street and within budget, so she authorized the contract to move forward. The contractors have begun work on this project already and anticipate completion in approximately one week; 4) Music on Main is scheduled for Saturday, June 22, from 5pm-9pm with road closures in effect from 12pm-10:30pm; 5) the Town's Strategic Plan Quarterly Report for June 2019 is attached; and 6) Plans for the July 4th Celebration, which we have named "July 4th Block Party", are coming together. Attached is a map of downtown that is posted on the website with road closures in effect from 12pm-11:30pm. Vending opens at 5pm, music by Devils in Dust starts at 7pm, and fireworks displayed at 10pm.

Mayor Root commented that with the fireworks coming back downtown this year he wanted to make sure that everyone was aware that these fireworks are 2019 fireworks. There are a lot more regulations and legalities, so the fireworks might not be as big and dramatic. Mayor Root also noted that there will not be a 5K run the morning of July 4th this year, due to the Kiwanis Club dissolving a couple of months ago.

7. Discussion and Action Items

A. Update on Conditional Zoning District Application for 108 Church Street

Joseph Kaselak, Owner of North Hill Ventures, mentioned that they have withdrawn their CZD application for 108 Church Street, due to the concerns over the proposed higher density than R-1 allows and access in an out of the subdivision. Mr. Kaselak noted that going through the process it appeared that there wasn't a specific route for higher density housing and asked Council to consider changing zoning in specific areas that would address this issue. It would also allow developers to get a better understanding of the steps needed.

B. Developments on the Community Center Project

Councilman Fitzsimmons gave an update on some developments to the Lake Louise Community Center project. He mentioned that Council and staff are obtaining information from ten local communities about their experiences with building a new community center and initiated a community survey for public participation. As of June 14, 2019, 135 responses have been submitted. (Results are attached) Before the Town Council meeting in July, they will continue to gather as much information from the public and other municipalities, and meet with the architect to see if there are some modifications that could be made to reflect this new information.

C. Early Voting

Mayor Root mentioned that with the City of Asheville moving their municipal elections to even years, Buncombe County is not in need of providing as many sites in the odd years. As a result, the Board of Elections indicated that this would make it more expensive for small towns that stay with municipal elections on odd years. It actually turns out that not switching to municipal elections in even years has saved the Town of Weaverville several thousands of dollars. Unfortunately, as early voting sites are concerned, the Board of Elections is only offering their office located at 77 McDowell Street in Asheville. The Town of Weaverville may offer early voting sites at their own expense, which is approximately \$460 per day. Mayor Root made a suggestion to hold an early voting site on the Saturday falling about 10 days in advance of Election Day on October 26, 2019.

Councilman Nagle mentioned that he is glad the Town didn't listen to the Board of Elections and change to holding municipal elections on even years. As for providing an early voting site, he noted that four years ago there were only 150 people that voted at this location, so he doesn't know how many actually came in for early voting. He doesn't believe the cost is too expensive, but with absentee voting still being accessible he is against the Town providing an early voting site.

Vice Mayor/Councilman Jackson made a motion to approve the proposal for the Town of Weaverville to hold an early voting site at their own expense on Saturday, October 26, 2019. Councilman Fitzsimmons seconded the motion. The motion passed by a majority vote of Council. Motion carries 4-1. Councilman Nagle voted against the motion.

D. Approval of FY 2019-2020 Budget: Budget Ordinance, Fee Schedule, Capital Reserve Fund Resolutions, and Final Budget Amendments for FY 2018-2019

Town Manager Selena Coffey mentioned that the Budget Ordinance for FY 2019-2020 has been available for review. An amended page 40 was distributed during the meeting to correct a typographical error. Along with the Budget Ordinance for Town Council's approval is the Fee Schedule, an amended Capital Reserve Fund Resolution for the Water Fund, a new Capital Reserve Fund Resolution for the General Fund, and final budget amendments for FY 2018-2019 for state distributions of unauthorized substance tax, Weaverville Fire Department donations, and Weaverville Police Department Cops for Kids donations.

Councilwoman Sherrill made a motion to approve the FY 2019-2020 Budget Ordinance, Fee Schedule, Capital Reserve Fund Resolutions and Final Budget Amendments. Vice Mayor/Councilman Jackson seconded the motion. The motion passed by a majority vote of Council. Motion carries 5-0.

E. Employee Suggestion Incentive Program Recommendation

Town Manager Selena Coffey indicated that the first submission for the Employee Suggestion Incentive Program is before Town Council for their approval out of the current FY 2018-2019 budget. The requested incentive would be provided to four public works employees who took the initiative to take the holiday snowflakes and rework them to save the Town around \$6,500. Due to these improvements representing multi-year savings, she recommends that the award be granted at 50% of savings to be divided equally between the four public works employees.

Councilman Fitzsimmons made a motion to approve the incentive submission as recommended. Councilman McKenna seconded the motion. The motion passed by a unanimous vote of Council. Motion carries 5-0.

F. Comprehensive Land Use Plan Update

Town Planner James Eller thanked Town Council for their confidence in staff to update the comprehensive land use plan presented before them. They anticipate a full discussion on this matter at the Town Council meeting on July 17, 2019 and if necessary action can be taken. Mr. Eller also thanked the department heads for all their help in the creation of this document and the Planning and Zoning Board for working with them over the past few months in fine tuning this document. The Planning and Zoning Board are passing along this document to Town Council with a unanimous favorable recommendation. There were three public information meetings held with the comments being incorporated into the document. Town Planner Eller mentioned that a public hearing is not required for this document, but asked Town Council if they would like to hold a public hearing on the adoption of the document and if a joint meeting between Council and the Planning and Zoning Board would be helpful. He noted that at the Planning and Zoning Board meeting in July, he anticipates running previously reviewed projects through this plan and see how it behaves.

Mayor Root noted that he hopes there will be a big discussion next month, so public comment could be taken as a part of that discussion. He also, believes members of the Planning and Zoning Board will be at the meeting in July, so doesn't think a joint meeting is necessary. Councilman Fitzsimmons mentioned that they have already held three public information meetings, but believes it might be helpful as well.

Town Attorney Jennifer Jackson mentioned that staff is here to guide Council through the process and a worksheet on the goals and priorities is attached. Town Attorney Jackson asked Council to prioritize the goals and get them back to staff in a couple weeks, so that their information can be added to the table. Town Attorney echoed Mr. Eller's appreciation for Town Council's confidence in staff and indicated that, by rough estimate, she believes that staff saved the Town around \$15,000 - \$40,000.

G. Personnel Policy, Related Policies, and Policy & Procedures Manual

Town Attorney Jennifer Jackson mentioned that Council was provided with a draft Policy and Procedure Manuals on June 3, 2019. There were 18 policies drafted, some adopted by Town Council and some adopted by the Town Manager. She noted the consistencies that staff tried to keep when putting the policies together and the Pay Plan and Position Classification Plan which is adopted annually by Town Council.

Vice Mayor/Councilman Doug Jackson mentioned that a lot of the details here will affect hourly employees and wondered how staff would make them aware of the changes. Town Manager Selena Coffey noted that once this is approved by Town Council, staff will add the documents to the intranet, where employees can go and review the documents. As well as give a hard copy to each department head for them to keep on file and assign them the task of training all available employees.

Vice Mayor/Councilman Jackson made a motion to approve the Resolution Concerning the Town's Personnel Policy, Related Policies, and Policy and Procedures Manual with the effective date of July 1, 2019. Councilwoman Sherrill seconded the motion. The motion passed by a majority vote of Council. Motion carries 5-0.

H. Water Allocation Request: 135 Monticello Road

Public Works Director Dale Pennell mentioned that before Town Council is a water allocation request for 240 apartment units at 135 Monticello Road, which was formerly the Stump Dump property and was annexed in the town last month. The Public Works Department has reviewed this application for 400 GPM and 98,400 GPD, and they feel like the Town's water system is adequate to serve this request. He also noted that he spoke with NCDOT and a consultant for the USDA waterline project, and the waterline project would be completed about the same time that this development would need service.

Councilwoman Sherrill made a motion to approve the water allocation request for 135 Monticello Road. Councilman Fitzsimmons seconded the motion. The motion passed by a majority vote of Council. Motion carries 5-0.

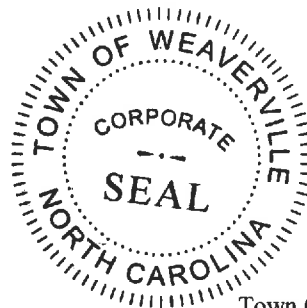
I. Quarterly Report: Public Works and Water Departments

Public Works Director Dale Pennell presented the Public Works and Water Services Quarterly Report for March 2019 through May 2019. Some highlights were that the total number of active water meters has increased by 16 over the last quarter from infill development and the total current water usage and future water usage is running around 63% capacity, so our usage is increasing. He also noted that the total points picked up by sanitation employees per month have increased by 96 points, due to Town growth. As for the WTP, Water Treatment Plant Supervisor Trent Duncan has looked into alternatives for the disposal of dried sludge and has overseen multiple completed projects including the SCADA system upgrades.

8. Adjournment

Councilman Nagle made the motion to adjourn; Councilwoman Sherrill seconded and all voted to adjourn the Council's meeting at 8:06 p.m.


Derek K. Huninghake, Town Clerk



**FY 2019-2020 BUDGET ORDINANCE
TOWN OF WEAVERVILLE, NORTH CAROLINA**

WHEREAS, N.C.G.S §159-8 requires that the Town of Weaverville appoint a Budget Officer to serve at the will of the governing body and Town Council has and hereby appoints the Town Manager to serve in such capacity; and

WHEREAS, in accordance with N.C.G.S. §159-10, departmental budget requests were submitted to the Budget Officer by March 1, 2019, and in accordance with N.C.G.S. §159-11, the Budget Officer submitted the budget message to the Mayor and Town Council on April 15, 2019, which included the tax rate calculated as thirty-eight cents (\$0.38) per \$100 in valuation per the Buncombe County Tax Department's assessments; and

WHEREAS, in accordance with N.C.G.S. §159-12(a), the Budget Officer filed the proposed budget with the Town Clerk on April 15, 2019 and posted the same on the Town's website, and the Town Clerk caused a statement indicating that the proposed budget had been submitted to the governing body and was available for public inspection and that a public hearing on the budget was scheduled for June 11, 2019; and

WHEREAS, Town Council, in accordance with N.C.G.S. §159-12(b) and after proper notice under N.C.G.S. §159-12(a), held a public hearing on the proposed budget on June 11, 2019, providing the public with an opportunity to attend and provide comment; and

WHEREAS, Town Council has carefully considered the anticipated revenues and expenditures necessary to provide for the provision of municipal services within the Town of Weaverville during the 2019-2020 fiscal year and wishes to adopt this Budget Ordinance which reflects a balanced budget in accordance with N.C.G.S. §159-8 with the sum of estimated net revenues and appropriated fund balances equal to appropriations;

BE IT, THEREFORE, ORDAINED by the Town Council for the Town of Weaverville, North Carolina:

Section 1. General Fund Revenues

It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2019 and ending June 30, 2020:

GENERAL FUND

REVENUES

Prior Year Taxes	\$1,000
Ad Valorem Tax	\$3,215,564
DMV Tax Revenue	\$255,000
Tax Penalties & Interest	\$4,000
Utility Tax Revenue	\$470,000
Beer & Wine Excise Tax	\$17,000

Powell Bill Funds	\$106,000
Local Government Sales Tax Revenue	\$1,396,000
Fire Protection Contract Revenue	\$1,616,629
ABC – Distribution to Town	\$120,000
Cell Tower Revenue	\$16,000
Miscellaneous Revenue	\$5,000
Interest Income	\$115,500
Powell Bill Interest Income	\$3,400
Planning & Zoning Fees	\$20,000
Fire Inspection Fees	\$500
Sale of Surplus Property	\$15,000
Appropriated Fund Balance	\$194,933
	\$194,933
TOTAL ESTIMATED GENERAL FUND REVENUES	\$7,571,526

Section 2. General Fund Appropriations

The following amounts are hereby appropriated in the General Fund for the operation of the Town government and its activities for the fiscal year beginning July 1, 2019 and ending June 30, 2020, in accordance with the departmental units heretofore established for the Town:

APPROPRIATIONS

Governing Body	\$253,151
Administration	\$599,639
Planning Department	\$108,459
Police Department	\$1,903,886
Fire Department	\$2,381,256
Public Works:	
Streets Division	\$737,122
Powell Bill Division	\$106,456
Sanitation Division	\$629,319
Recreation Division	\$457,429
Contingency	\$20,000
Debt Service	\$299,809
Transfer to Capital Reserve Fund	\$75,000
	\$75,000
TOTAL GENERAL FUND APPROPRIATIONS	\$7,571,526

Section 3. Water Fund Revenues

It is estimated that the following revenues will be available in the Water Fund for the fiscal year beginning July 1, 2019 and ending June 30, 2020:

WATER FUND	
REVENUES	
Water Revenue	\$1,968,750
Miscellaneous Revenue	\$15,000
Water Tap Revenue	\$42,000
System Development Fees	\$270,000
Fees for MSD Collections	\$55,000
Interest Earned	\$50,500
TOTAL ESTIMATED WATER FUND REVENUES	\$2,401,250

Section 4. Water Fund Appropriations

The following amounts are hereby appropriated in the Water Fund for the operation of the Town's water system for the fiscal year beginning July 1, 2019 and ending June 30, 2020, in accordance with the departmental divisions heretofore established for the Town:

WATER FUND	
APPROPRIATIONS:	
Water Administration	\$230,845
Water Production	\$888,607
Water Maintenance	\$913,501
Contingency	\$15,000
Reserve for Bond Payments	\$203,974
Transfer to Capital Reserve Fund	\$149,323
TOTAL WATER FUND APPROPRIATIONS	\$2,401,250

Section 5. Capital Reserve Funds

Capital Reserve Fund – General Fund:

A Capital Reserve Fund for the General Fund was established by resolution and adopted on June 17, 2019, effective July 1, 2019. The fiscal year beginning July 1, 2019 and ending June 30, 2020 includes the following:

Transfer from the General Fund to Capital Reserve Fund for future acquisitions of Fire
Department equipment: \$75,000

Capital Reserve Fund – Water Fund:

A Capital Reserve Fund for the Water Fund was established by resolution and adopted on June 18, 2018, effective July 1, 2018. The fiscal year beginning July 1, 2019 and ending June 30, 2020 includes the following:

Transfer from the Water Fund to Capital Reserve Fund for future expansion of the Water
Treatment Plant: \$149,323

Section 6. Capital Project Fund

A Capital Project Fund for the Waterline Extension Project was established by ordinance and adopted on February 25, 2019. The total cost of the project is estimated at \$2,970,600 and has a USDA loan approved. Of this amount, \$128,000 in expenditures has been paid as of June 30, 2019. For the fiscal year beginning July 1, 2019 and ending June 30, 2020, it is estimated that an additional \$1,920,000 will be spent on the project.

Section 7. Ad Valorem Taxes

An *ad valorem* tax rate of thirty-eight cents (\$0.38) per one hundred dollars (\$100.00) valuation of taxable property, as listed for taxes as of January 1, 2019 is hereby levied and established as the official tax rate for the Town of Weaverville for fiscal year beginning July 1, 2019 and ending June 30, 2020. This tax rate is based upon a total projected valuation of \$850,453,330 and an estimated collection rate of 99.5%.

Section 8. Fee and Rate Schedule

There is hereby adopted an official Fee Schedule (including Water Rates) listing monies receivable by the Town of Weaverville as referenced in Sections 1 and 3 of this Budget Ordinance. The Fee Schedule is incorporated as an addendum to this Budget Ordinance.

Section 9. Authorizations & Conditions

The Town Manager, serving also as Budget Officer for the Town of Weaverville, is hereby authorized to transfer appropriations as contained herein under the following conditions:

- A. This Budget Ordinance defines departments and divisions as follows:

<u>General Fund Departments:</u>	<u>Divisions:</u>
----------------------------------	-------------------

Governing Body
Administration
Planning Department
Police Department
Fire Department
Public Works:

- Streets Division
- Powell Bill Division
- Sanitation Division
- Recreation Maintenance Division

<u>Water Fund Departments:</u>	<u>Divisions:</u>
--------------------------------	-------------------

Water

- Water Administration
- Water Production
- Water Maintenance

- B. The Budget Officer or his/her designee is hereby authorized to distribute departmental funds based upon the line item budgets and make expenditures therefrom, in accordance with the Local Government Budget and Fiscal Control Act.
- C. The Budget Officer or his/her designee may authorize transfers between line items, expenditures and revenues, within a department or division without limitation and without a report being required.
- D. The Budget Officer or his/her designee may transfer amounts up to 5%, but not to exceed \$10,000 monthly, between departments, including contingency appropriations, but only within the same fund. The Budget Officer must make an official report on such transfers at a subsequent regular meeting of Town Council.
- E. The Budget Officer or his/her designee may not transfer any amounts between funds, except as approved by Town Council, as a budget amendment.

Section 10. Contingency Concerning Fire Tax Rate

The North Buncombe Fire Tax Rate used in this Budget Ordinance is twelve cents (\$0.12) per \$100.00 in valuation. Should Buncombe County set the fire tax rate applicable within the Town's jurisdiction lower than \$0.12 per \$100.00 in valuation, then the Town's Budget for FY 2019-2020 shall be and is hereby automatically amended to appropriate the resulting difference in fire tax revenue from the fund balance within the Town's General Fund.

Section 11. Utilization of Budget Ordinance

The Budget Ordinance shall be the basis for the financial plan of the Town of Weaverville during the fiscal year beginning July 1, 2019 and ending June 30, 2020. The Budget Officer shall administer the budget. The accounting system shall establish records, which are in consonance with this budget and this ordinance and the appropriate statutes of the State of North Carolina.

Section 12. Distribution & Documentation


Copies of this Budget Ordinance shall be furnished to the Town Clerk, the Budget Officer and the Finance Officer to be kept on file by them for direction in the collection of revenues and disbursement of Town funds.

DULY ADOPTED this the 17th day of June 2019.



Allan P. Root, Mayor

ATTEST:



Derek Huninghake, Town Clerk



**FY 2019 - 2020 Fee Schedule
Town of Weaverville**

Adopted June 17, 2019
Effective July 1, 2019

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*FY 2019 - 2020 Fee Schedule
Adopted June 17, 2019
Effective July 1, 2019*

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GENERAL ADMINISTRATIVE FEES

Returned check fee for non-tax payments\$25.00
Returned check fee for tax payments 10%

Processing Fees for Electronic Payments

Direct vendor fees charged through ACI Worldwide and www.officialpayments.com - These fees shall automatically be updated should changes be made to the fees charged by vendor and the Town Manager is authorized to amend the adopted Fee Schedule to reflect such changes.

Utility Payments \$2.95 flat fee
 Tax Payments.....2.5% with a \$3.95 minimum
 Planning/Zoning Payments and Miscellaneous Payments.....2.5% with a \$1.95 minimum

Special Event Permit Fees (Reference Special Events Permit)

Events with No Alcohol \$200.00
 Events with Alcohol \$400.00

Facility Use Fees (Reference Facility Use Policy & Application)

Facility	Resident per Hour	Non-Resident per Hour	Deposit
Town Hall Community Room	\$100.00	\$300.00	\$500.00
Town Hall Community Room Kitchen	\$20.00	\$20.00	

Lake Louise Fishing License

Daily (Residency Not Applicable)..... \$5.00
 Monthly, Town Residents \$10.00
 Monthly, Non-Residents..... \$20.00
 Annually, Town Residents..... \$20.00
 Annually, Non-Residents..... \$40.00

Solid Waste/Trash Violation..... \$50.00

Recycling Fee (included on monthly utility bill) \$2.72

Direct vendor fees charged by Curbside Management - These fees shall automatically be updated should changes be made to the fees charged by vendor and the Town Manager is authorized to amend the adopted Fee Schedule to reflect such changes. Recycling Fee reflects vendor charge as of 6/4/2019.

Public Records Request Copying Charge(s)

8 ½" x 11" black & white single-sided hardcopy (per page).....	\$0.02
8 ½" x 11" color single-sided hardcopy (per page).....	\$0.09
8 ½" x 11" black & white double-sided hardcopy (per page).....	\$0.03
8 ½" x 11" color double-sided hardcopy (per page).....	\$0.18
Electronic Copies.....	No Charge

Applicable postage will also be charged for mailing hard copy documents.

Annexation Petition Fee \$200.00

Fire Hydrant Connection Permit \$30.00

Hourly Charges for Equipment/Personnel

Equipment

Police Car.....	\$15.00
Pumper Truck.....	\$80.00
Ladder Truck	\$150.00
Ton Truck (P/U Brush Truck)	\$20.00
Command Vehicles	\$10.00
Tanker.....	\$30.00

Personnel

Firefighters, Police Officers, Public Works Employees.....	\$25.00
Captain.....	\$30.00
Chief Officers.....	\$35.00

Beer & Wine Privilege Licenses

Taxes will be assessed for all malt beverage and wine licenses in accordance with and as required by N.C.G.S. 105-113.77et seq., as the same may from time to time be amended.

FIRE DEPARTMENT

Plans Permit.....	\$100.00
Fuel Dispensing Permit	\$50.00

Other charges may be assessed by the Fire Department or Fire Marshal's Office due to fines associated with fire code and fire lane violations.

POLICE DEPARTMENT

Violations of General Provisions \$100.00
*Unless otherwise specifically provided, \$100.00 charge for each separate and distinct violation;
 additional civil penalties may be assessed pursuant to Town Code or other applicable law*

Dangerous Dog Violations

- Class I: \$250.00 first day, and \$250.00 each subsequent day of continuous violation.
- Class II: \$500.00 first day, and \$500.00 each subsequent day of continuous violation.
- Class III: \$1,000.00 first day, and \$1,000.00 each subsequent day of continuous violation.

Parks and Recreation Violations (daily)
 \$25.00
Includes fishing without a Town license, dogs off-leash, and vehicles on grass/trail

Truck Traffic on Residential Street.....\$50.00

Parking Violations \$10.00

PLANNING & ZONING DEPARTMENT

Residential Zoning Permits:

- Single Family Dwelling \$150.00 plus \$0.05 per sq. ft. over 1,200 with a max of \$300.00
- Multi Family Dwelling.....\$300.00 plus \$50.00 per dwelling unit with a max of \$1,000.00
- Secondary Dwelling \$150.00
- Addition to Dwelling..... \$75.00 plus \$0.05 per sq. ft. over 1,200
- Accessory Structure.....\$50.00 plus \$0.05 per sq. ft. over 100
- Deck/Porch.....\$50.00
- Home Occupation.....\$50.00
- Internal Up-fit.....\$50.00
- Temporary Structure/Use.....\$50.00

Commercial / Industrial Zoning Permits:

- Commercial/Industrial Structure \$350.00 plus \$0.05 per sq. ft. over 2,000 with a max of \$1,000.00
- Commercial/Industrial Addition..... \$100.00 plus \$0.05 per sq. ft. over 2,000 with a max of \$500.00
- Accessory Structure \$50.00 plus \$0.05 per sq. ft. over 500 with a max of \$100.00
- Internal Up-Fit/Renovation..... \$100.00
- Telecommunication Tower..... \$4,000.00 per location or max allowed by law
- Telecommunication Tower (Co-location, Microcell, Concealed) \$500.00 per location or max allowed by law
- Temporary Structure/Use (Annually) \$100.00

Mobile Food Vendors:

- Daily.....\$25.00
- Annually \$100.00

Sign Permits:

Sign Permit Fee	\$50.00 plus fee based upon total surface area of sign (see below) with a max of \$500.00
Up to 32 sq. ft.....	\$25.00
33 - 64 sq. ft.....	\$50.00
65 - 96 sq. ft.....	\$100.00
97 sq. ft. plus	\$150.00 plus \$2.50 per sq. ft.

Special Use Permit or Related Amendment Fee..... \$500.00

Rezoning/Zoning Map Amendment Fees:

Less Than 1 Acre	\$250.00
1 - 3 Acres.....	\$500.00
4 - 9 Acres.....	\$750.00
10 + Acres.....	\$1,000.00

Text Amendment Fees..... \$500.00

Conditional Zoning District Application Fees:

Less Than 1 Acre	\$250.00
1 - 3 Acres.....	\$500.00
4 - 9 Acres.....	\$750.00
10 + Acres.....	\$1,000.00

Subdivision Fees:

Minor Subdivision.....	\$100.00 plus \$25 per lot
Major Subdivision.....	\$300.00 plus \$25 per lot

Miscellaneous Planning, Zoning & Code Enforcement Fees:

Zoning Verification Letter	\$25.00
Gaming Terminal Fees (per machine).....	\$1,000.00
Variance	\$250.00
Appeal of an Administrative Decision	No Charge
Nuisance Violation (which requires Town abatement).....	\$100.00
Violations of General Provisions	\$100.00

*Unless otherwise specifically provided, \$100.00 charge for each separate and distinct violation;
 additional civil penalties may be assessed pursuant to Town Code or other applicable law*

WATER DEPARTMENT

Administrative Water Fees

Account Establishment Service Charge	\$25.00
Seasonal Reconnect Fee	\$20.00
Reconnect Fee	\$60.00
Flow Test Fee.....	\$40.00
Meter Testing at Customer Request (Charged only if meter is operational)	\$40.00

Water System Account Deposits

Size of Connection	Inside Town Limits Amount	Outside Town Limits Amount
5/8" and 3/4"	\$80.00	\$160.00
1"	\$100.00	\$200.00
1 1/2"	\$180.00	\$360.00
2"	\$300.00	\$600.00
3"	\$600.00	\$1,200.00
4"	\$1,000.00	\$2,000.00

Water Leak Protection

The following respective monthly fee shall be assessed on all water customers with water lines that are 2-inches or less in diameter, subject to opt-out provisions of the water leak protection policy.

Type of Meter	Monthly Fee
Residential – Single Meter	\$1.25
Commercial – Single Meter	\$3.45
Commercial – Master Meter	\$6.90

Water Rates

For water used INSIDE the Corporate limits of the Town:

The first 3,000 Gallons or fraction thereof used monthly.....	\$8.53 per 1,000 gallons
The next 22,000 Gallons or fraction thereof used monthly	\$9.40 per 1,000 gallons
The next 175,000 Gallons or fraction thereof used monthly.....	\$10.21 per 1,000 gallons
The next 300,000 Gallons or fraction thereof used monthly.....	\$11.04 per 1,000 gallons
All over 500,000 Gallons or fraction thereof used monthly.....	\$11.85 per 1,000 gallons

For water used OUTSIDE the Corporate limits of the Town:

The first 3,000 Gallons or fraction thereof used monthly.....	\$17.06 per 1,000 gallons
The next 22,000 Gallons or fraction thereof used monthly	\$18.80 per 1,000 gallons
The next 175,000 Gallons or fraction thereof used monthly.....	\$20.42 per 1,000 gallons
The next 300,000 Gallons or fraction thereof used monthly.....	\$22.08 per 1,000 gallons
All over 500,000 Gallons or fraction thereof used monthly.....	\$23.70 per 1,000 gallons

Minimum Monthly Water Charges

The minimum monthly charge for water service shall be according to the size of the meter through which water is delivered to each customer in accordance with the following schedule:

Meter Size	Minimum Monthly Usage	Inside Town	Outside Town
5/8"	2,000 gallons	\$17.04	\$34.08
3/4"	4,000 gallons	\$34.80	\$69.60
1"	6,000 gallons	\$53.38	\$106.76
1 1/2"	11,200 gallons	\$101.60	\$203.20
2"	18,200 gallons	\$166.54	\$333.08
3"	36,200 gallons	\$342.80	\$685.60
4"	58,500 gallons	\$547.85	\$1,095.70
6"	112,000 gallons	\$1,108.70	\$2,217.40
8"	180,000 gallons	\$1,795.83	\$3,591.66
10"	258,000 gallons	\$2,632.23	\$5,254.46

Bulk Water Rates.....\$0.05 per gallon subject to a minimum charge of \$25.00

Tap Charges Including Re-Taps (Inside & Outside Customers)

Meter Size	Tap Fee
5/8" and 3/4"	\$1,050.00
1"	\$1,575.00
1 1/2"	\$3,400.00
2"	\$4,200.00

Water System Development Fees (Inside & Outside Customers)

Size of Connection	Rated Maximum Capacity	System Development Fees
5/8" and 3/4"	20 gallons	\$2,232.00
1"	50 gallons	\$5,580.00
1 1/2"	100 gallons	\$11,160.00
2"	160 gallons	\$17,856.00
3"	300 gallons	\$35,712.00
4"	500 gallons	\$55,800.00
6"	1,000 gallons	\$111,600.00

Water System Availability/Commitment Fees (Inside & Outside Customers)

Non-Refundable Application Fee (for 1" or larger meters and multi-lot/multi-unit development).....\$100.00

For all multi-lot or multi-unit developments, the availability/commitment fee shall apply to each meter to be set based upon connection size.

Approved Size of Connection	Inside Town Limits	Outside Town Limits
5/8" and 3/4"	\$35.00	\$70.00
1"	\$50.00	\$100.00
1 1/2"	\$100.00	\$200.00
2"	\$160.00	\$320.00
3"	\$300.00	\$600.00
4"	\$500.00	\$1,000.00
6"	\$1,000.00	\$2,000.00

Charges for Fire Line Connection

Monthly Charge for Fire Connection

All fire line connections on the water system for the Town of Weaverville shall be subject to a monthly charge based upon the square inch size of the line at the following rates:

- INSIDE** Corporate limits of the Town: \$1.92 per square inch/month
- OUTSIDE** Corporate limits of the Town: \$3.84 per square inch/month

Fire line charges shall be levied by the Water Department according to the following schedule:

Diameter of Fire Line	Square Inch Size	Inside Town	Outside Town
2" and smaller	3.14	\$6.03	\$12.06
3"	7.07	\$13.57	\$27.14
4"	12.56	\$24.12	\$48.24
6"	28.26	\$54.26	\$108.52
8"	50.24	\$96.46	\$192.92
10"	78.50	\$150.72	\$301.44

Consumption of Water from Fire Line

If during any month the detector-check valve meter for the fire line shows consumption of more than 200 gallons of water on the fire line and the consumption is not related to testing of fire lines or firefighting activity, the customer (owner) shall be billed, in addition to the monthly fire connection charge, according to the following schedule:

For water used INSIDE the Corporate limits of the Town:

0-200 Gallons or fraction thereof used monthly.....	\$0.00 per gallon
The next 2,800 Gallons (up to 3,000 total) or fraction thereof used monthly.....	\$34.12 per 1,000 gallons
The next 22,000 Gallons or fraction thereof used monthly	\$37.60 per 1,000 gallons
The next 175,000 Gallons or fraction thereof used monthly.....	\$40.84 per 1,000 gallons
The next 300,000 Gallons or fraction thereof used monthly.....	\$44.16 per 1,000 gallons
All over 500,000 Gallons or fraction thereof used monthly.....	\$47.40 per 1,000 gallons

For water used OUTSIDE the Corporate limits of the Town:

0-200 Gallons or fraction thereof used monthly.....	\$0.00 per gallon
The next 2,800 Gallons (up to 3,000 total) or fraction thereof used monthly.....	\$68.24 per 1,000 gallons
The next 22,000 Gallons or fraction thereof used monthly	\$75.20 per 1,000 gallons
The next 175,000 Gallons or fraction thereof used monthly.....	\$81.68 per 1,000 gallons
The next 300,000 Gallons or fraction thereof used monthly.....	\$88.32 per 1,000 gallons
All over 500,000 Gallons or fraction thereof used monthly.....	\$94.80 per 1,000 gallons

**AMENDED AND RESTATED RESOLUTION
TO ESTABLISH A CAPITAL RESERVE FUND RELATED TO ANTICIPATED FUTURE
WATER FUND EXPENDITURES FOR CAPITAL PROJECTS AND EQUIPMENT**

WHEREAS, the Town of Weaverville has certain capital projects and equipment that involve anticipated water fund future expenditures that would benefit from water funds being set aside and accumulated for those purposes; and

WHEREAS, there is a need in the Town of Weaverville to make debt service payments on existing debt related to past capital projects for its water system; and

WHEREAS, as allowed by Article 8 of NCGS Chapter 162A, the Town has adopted system development fees effective July 1, 2018, based on a supporting analysis performed by qualified engineers using the buy-in method; and

WHEREAS, NCGS Chapter 162A, Article 8, requires that all system development fee proceeds be accounted for in a capital reserve fund, NCGS §159-18 authorizes the creation of a capital reserve fund and NCGS §159-19 authorizes amendments to capital reserve funds previously established;

WHEREAS, by adoption of a resolution on June 18, 2018, the Town of Weaverville created a capital reserve fund related to its water system development fees and water system capital projects and Town Council now wishes to amend and restate such resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF WEAVERVILLE, NORTH CAROLINA, ACTING THROUGH ITS COUNCIL MEMBERS, AS FOLLOWS:

SECTION 1. Town Council hereby creates a Capital Reserve Fund ("CRF") related to the Town's Water Fund (hereafter to be known as the "Capital Reserve Fund – Water Fund") that shall be in place for 5 years or until such time as it shall be amended or terminated. This CRF may be amended by Town Council as needed to add additional appropriations, modify or eliminate existing capital projects, and/or add new capital projects, or to modify or extend the term of this CRF.

SECTION 2. The following are declared as capital projects and equipment that are subject to this CRF:

- (a) **Water Treatment Plant-Debt Service** – The Town of Weaverville wishes to provide funds for anticipated expenditures related to debt service on the existing water treatment plant as follows:

FY2019	\$204,269	2018/2019 Water System Development Fees
FY2020	\$203,973	2019/2020 Water System Development Fees
FY2021	\$203,616	2020/2021 Water System Development Fees
FY2022	\$208,196	2021/2022 Water System Development Fees
FY2023	\$206,611	2022/2023 Water System Development Fees
FY2024	\$204,986	2023/2024 Water System Development Fees

Town Council hereby authorizes the expenditure of capital reserve funds for the payment of debt service made during FY2019 in the amount of \$204,269.

The Town anticipates that the water system development fees collected in FY2020 will exceed the debt service payments that will be due in FY2020. If water system development fees are, however, insufficient to reimburse the entire debt service cost, then the remainder should be paid from water revenues or water fund balance.

- (b) **Expansion of the Water Treatment Plant** – The Town wishes to provide funds for anticipated future expenditures related to the expansion of the Town’s water treatment plant. The following appropriations are hereby made:

FY2019	\$11,886	2018/2019 Water System Development Fees
FY2020	\$149,323	2019/2020 Transfer from Water Fund
FY2020	\$66,026	2019/2020 Water System Development Fees
FY2021	\$50,000	2020/2021 Water System Development Fees
FY2022	\$50,000	2021/2022 Water System Development Fees
FY2023	\$50,000	2022/2023 Water System Development Fees
FY2024	\$50,000	2023/2024 Water System Development Fees

SECTION 2. This Amended and Restated Resolution shall become effective immediately.

ADOPTED this 17th day of June, 2019.

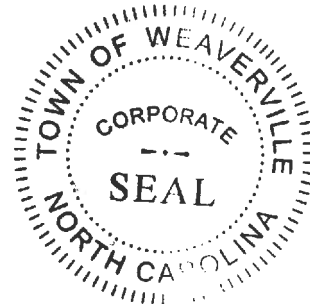


ALLAN P. ROOT, Mayor

ATTEST:



DEREK K. HUNINGHAKE, Town Clerk



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U.S. DEPT. OF JUSTICE

**A RESOLUTION TO ESTABLISH A CAPITAL RESERVE FUND
RELATED TO ANTICIPATED FUTURE GENERAL FUND EXPENDITURES FOR
CAPITAL PROJECTS AND EQUIPMENT**

WHEREAS, the Town of Weaverville has certain capital projects and equipment that involve anticipated general fund future expenditures that would benefit from general funds being set aside and accumulated for those purposes; and

WHEREAS, NCGS §159-18 authorizes the creation of a capital reserve fund;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF WEAVERVILLE, NORTH CAROLINA, ACTING THROUGH ITS COUNCIL MEMBERS, AS FOLLOWS:

SECTION 1. Town Council hereby creates a Capital Reserve Fund (“CRF”) related to the Town’s General Fund (hereafter known as the “Capital Reserve Fund – General Fund”) that shall be in place for 5 years or until such time as it shall be amended or terminated. This CRF may be amended by Town Council as needed to add additional appropriations, modify or eliminate existing capital projects, and/or add new capital projects, or to modify or extend the term of this CRF.

SECTION 2. The following are declared as capital projects and equipment that are subject to this CRF:

- (a) **Fire Truck Replacement** – The Town of Weaverville wishes to provide funds for anticipated future expenditures related to the replacement of those fire trucks which are expected to exceed their useful and safe lives by as early as 2024.

FY2020	\$75,000	FY2020 General Fund Revenue or Fund Balance
FY2021	\$75,000	FY2021 General Fund Revenue or Fund Balance
FY2022	\$75,000	FY2022 General Fund Revenue or Fund Balance
FY2023	\$75,000	FY2023 General Fund Revenue or Fund Balance
FY2024	\$75,000	FY2024 General Fund Revenue or Fund Balance

SECTION 3. This Resolution shall become effective and binding on July 1, 2019.

ADOPTED this 17th day of June, 2019.

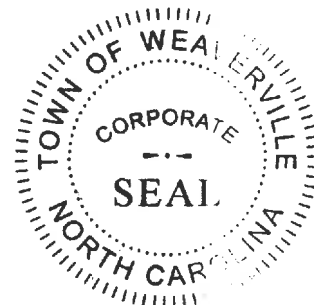


ALLAN P. ROOT, Mayor

ATTEST:



DEREK K. HUNINGHAKE, Town Clerk



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Budget Amendment

Town of Weaverville

What expense accounts are to be increased?

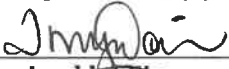
Account	Account Description	Transfer Amount
010-430-431-50100	Police - Small Equipment	\$52.47
010-430-434-26600	Fire - Contributory Expense	\$50.00
010-430-431-26608	Police - Cops for Kids	\$4,390.14

What expense account(s) are to be decreased or additional revenue expected to offset expense?

Account	Account Description	Transfer Amount
010-004-300-09019	State Distribution - Police	\$52.47
010-004-300-09026	Fire Department Contributions	\$50.00
010-004-300-09028	Police - Cops for Kids	\$4,390.14

Justification: Please provide a brief justification for this budget amendment.

(1) Unauthorized Substance Tax received from the State on 5/21/19; (2) Private contributions to Fire Department; (3) Cops for Kids donations from Dec 2018 - May 2019.


Authorized by Finance Officer

6/17/19
Date


Authorized by Town Manager

6/17/2019
Date


Authorized by Town Council (if applicable)

6/17/2019
Date

Budget Ordinance Section 7:

- B. The Budget Officer or his/her designee is hereby authorized to distribute departmental funds based upon the line item budgets and make expenditures therefrom, in accordance with the Local Government Budget and Fiscal Control Act.
- C. The Budget Officer or his/her designee may authorize transfers between line items, expenditures and revenues, within a department or division without limitation and without a report being required.
- D. The Budget Officer or his/her designee may transfer amounts up to 5%, but not to exceed \$10,000 monthly, between departments, including contingency appropriations, but only within the same fund. The Budget Officer must make an official report on such transfers at a subsequent regular meeting of Town Council.
- E. The Budget Officer or his/her designee may not transfer any amounts between funds, except as approved by Town Council, as a budget amendment.

TOWN OF WEAVERVILLE

**RESOLUTION CONCERNING THE TOWN'S PERSONNEL POLICY,
RELATED POLICIES, AND POLICY AND PROCEDURES MANUAL**

WHEREAS, Part 4 of Article 7 of Chapter 160A of the North Carolina General Statutes sets forth certain requirements and provides certain authority to Town Council regarding its employees and the establishment of policies regarding its employees, including the following:

§160A-162 requires Town Council to fix and approve the schedule of pay, expense allocations, and other compensation of all Town employees, and the authority to adopt position classification plans, and the authority to purchase life, health, and any other form of insurance for the benefit of all or any class of Town employees and their dependents, and other fringe benefits for Town employees; and

§160A-163 of the North Carolina General Statutes authorizes the Town to enroll its employees in the Local Government Employees' Retirement Systems, and other statutorily required or optional programs for pension, retirement, or deferred compensation; and

§160A-164 of the North Carolina General Statutes provides authority for Town Council to adopt or provide for rules and regulations concerning, but not limited to, annual leave, sick leave, special leave with full pay or with partial pay supplementing workers' compensation payments for employees injured in accidents arising out of and in the course of employment, hours of employment, holidays, working conditions, service award and incentive award programs, other personnel policies, and any other measures that promote the hiring and retention of capable, diligent, and honest career employees; and

WHEREAS, the Town of Weaverville has always been and will continue to be an "at will" employer; and

WHEREAS, Town Council of the Town of Weaverville has previously adopted a Personnel Policy but has been reviewing it and related policies over the last year with the intention of providing updates to such policies; and

WHEREAS, Town Council now wishes to adopt new and revised policies regarding personnel and related matters to set forth general guidelines for its employees' conduct and benefits with an effective date of July 1, 2019;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF WEAVERVILLE, NORTH CAROLINA, ACTING THROUGH ITS COUNCIL MEMBERS, AS FOLLOWS:

SECTION 1: The Town of Weaverville is an "at will" employer, which means that employment is for an indefinite period of time and is subject to termination

at any time, with or without notice, for any reason or for no reason. Except for explicit action taken by Town Council, nothing shall create an employment contract or term between the Town and any of its employees. No person shall have the authority to grant any employee any contractual rights of employment. No policy that has been or shall be adopted with this resolution, nor any other Town policy, practice, procedure, or manual is intended to provide any contractual obligations related to continued employment, compensation, or employment contract.

- SECTION 2:** Town Council hereby repeals and replaces all previously adopted personnel policies with the **PERSONNEL POLICY** that is shown as Tab 1 of the Policy and Procedures Manual that is attached hereto.
- SECTION 3:** Town Council hereby adopts the attached **FY2019-2020 PAY PLAN & POSITION CLASSIFICATION PLAN** and directs that it replace the Plan that is currently found at Tab 2 of the Policy and Procedures Manual;
- SECTION 4:** Town Council hereby adopts the **WORKPLACE VIOLENCE PREVENTION POLICY AND PROCEDURES** that is shown as Tab 3 of the Policy and Procedures Manual that is attached hereto.
- SECTION 5:** In addition to the Harassment Policy that is incorporated into the Personnel Policy at Article XI, Town Council hereby adopts the **HARASSMENT POLICY AND PROCEDURES** that is shown as Tab 4 of the Policy and Procedures Manual that is attached hereto.
- SECTION 6:** Town Council hereby adopts the **AMERICANS WITH DISABILITIES COMPLIANCE POLICY** that is shown as Tab 5 of the Policy and Procedures Manual that is attached hereto.
- SECTION 7:** In addition to the Grievance Policy that is incorporated into the Personnel Policy at Article XV, Town Council hereby adopts the **GRIEVANCE POLICY AND PROCEDURES** that is shown as Tab 6 of the Policy and Procedures Manual that is attached hereto.
- SECTION 8:** Town Council hereby adopts the **FAMILY AND MEDICAL LEAVE POLICY AND PROCEDURES** that is shown as Tab 7 of the Policy and Procedures Manual that is attached hereto.
- SECTION 9:** Town Council hereby adopts the **WORKERS' COMPENSATION POLICY AND PROCEDURES** that is shown as Tab 8 of the Policy and Procedures Manual that is attached hereto.
- SECTION 10:** Town Council hereby adopts the **TRAVEL POLICY AND PROCEDURES** that is shown as Tab 9 of the Policy and Procedures Manual that is attached hereto.
- SECTION 11:** Town Council hereby repeals any voluntary shared leave policy or programs previously adopted and authorizes and directs the Town Manager, pursuant to Section 12 of Article VII of the Personnel Policy to adopt such policies.

SECTION 12: The Town Manager is hereby directed to maintain a Policy and Procedures Manual which is to include, but is not limited to, all personnel and related policies adopted by Town Council and the Town Manager.


SECTION 13: In accordance with Section 6 of Article I of the Personnel Policy, the Town Manager is, among other things, directed to develop, maintain and administer such guidelines, policies, and procedures indicated in the Personnel Policy, and to provide copies of those adopted policies to Town Council on an annual basis or upon request.

SECTION 14: Town Council acknowledges that the Town Manager has provided copies of the policies that she has adopted pursuant to the Personnel Policy including the following policies that are found at the following Tabs of the attached Policy and Procedures Manual:

TAB	POLICY	ADOPTED BY	DATE
11	VOLUNTARY SHARED LEAVE PROGRAM	Town Manager	6/17/19
12	ALCOHOL AND SUBSTANCE ABUSE AND DRUG-FREE WORKPLACE POLICY AND PROCEDURES	Town Manager	5/21/19
13	EQUIPMENT AND VEHICLE USE POLICY	Town Manager	4/15/19
14	INFORMATION TECHNOLOGY AND INTERNET USE POLICY	Town Manager	4/15/19
15	SOCIAL MEDIA USE POLICY AND PROCEDURES	Town Manager	4/15/19
16	RECYCLING AND RECYCLED PRODUCTS PURCHASING POLICY	Town Manager	6/3/19

SECTION 15: This resolution shall become effective and binding on July 1, 2019.

ADOPTED this 17th day of June, 2019.



ALLAN P. ROOT, Mayor

ATTEST:



DEREK K. HUNINGHAKE, Town Clerk

