



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Meeting
Monday, July 15, 2019**

The Town Council for the Town of Weaverville met for its regular monthly meeting on Monday, July 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/Councilmember Doug Jackson, and Councilmembers Dottie Sherrill, Jeff McKenna, Andrew Nagle and Patrick Fitzsimmons.

Staff present was: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Finance Officer Tonya Dozier, Town Clerk Derek Huninghake, 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

Town Manager Selena Coffey asked for Discussion Item B, Annexation Petition/Initial Zoning Request for 0.3 Acre Strip along Monticello Road to be taken off the agenda. *Councilmember Sherrill made a motion to approve the agenda with the aforementioned revision. Councilmember McKenna seconded and all voted in favor of the motion.*

3. Approval of Minutes

Councilmember Nagle made the motion to approve the minutes from June 17, 2019 Town Council Regular Meeting. Councilmember 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:

Louis Accornero, 50 Highland Pointe Drive, thanked Town Council and asked them to make a motion tonight on allowing the Dry Ridge Museum utilization of the storage room in the Weaverville Town Hall.

Howard Dusenberry, 26 Brown Street, thanked Town Council for moving the July 4th fireworks back to Main Street, but thinks the ground explosions were over the top and asked Council to work with the vendor about making it more of a light and color show.

Linda McClain, 20 Brown Street, commented that she was worried about the fireworks being so close to her home, since she has animals who are terrified of them. She also mentioned that nobody spoke with their neighborhood about the relocation of the fireworks to Main Street and she thinks that someone should have discussed this with them first. The fireworks were really loud and made it feel like they were in a war zone, she hopes next year they can be toned down so they don't have to be so loud and ground shaking.

Thomas Veasey, 69 Lakeshore Drive, passed out handouts on the Black Mountain Community Center showing the fees for activities held in the center, and recommended Town Council move forward on the community center project as it is. He doesn't believe Council should downsize the community center; they should expand the outside deck and move the fireplace inside. If it doesn't get included in the original plan then there wouldn't be enough space to add on later.

5. Consent Agenda

Vice Mayor/Councilmember Jackson moved for the approval of the Consent Agenda. Councilmember McKenna seconded the motion and all voted unanimously to approve all action requested in the Consent Agenda.

A. Year-End Tax Report/Settlement – *Approved Resolution Approving the Tax Collector's Settlement for Fiscal Year 2018-2019*

B. Budget Amendment: FEMA Reimbursement – *Approved Budget Amendment*

C. Road Closure Ordinance: North Buncombe Homecoming Parade – *Approved Road Closure Ordinance for the North Buncombe Homecoming Parade on October 11, 2019 from 4:00 pm until 5:30 pm*

6. Town Manager's Report

Town Manager Selena Coffey presented her Manager's report to Council including that the Saturday Summer Series Concert event was held on July 13, 2019 and over 80 people attended to watch Lillian and Sarah Nell Chase, and Kare Strong all perform; the downtown July 4th Celebration was successful with a tremendous crowd in attendance. She commended our wonderful Town employees for all their hard work in preparing for and making the event such a big success. A debriefing on the event will be in the coming week. Overall, we received positive comments with a few suggestions to move the firework show up earlier and to tone down the noise of the fireworks; new carpet has been installed in the Town Hall, both upstairs and downstairs in the Police Department; the paving on Church Street has been completed and the residents have been happy to have this finished; and lastly, the Board of Elections has reached out to her about the Town's interest in consolidating all four precincts into one.

Mayor Root questioned if this would save funds for the Town of Weaverville or the Board of Elections, but understands the reason for wanting to consolidate. Councilmember Nagle wondered if citizens would receive two election cards, one for voting during odd year elections and one for voting during even year elections. Or if consolidating into one precinct would be for all elections. Town Manager Coffey noted that she was informed that the Town would be saving the money, but she will send an email to the Board of Elections to get them to send us something in writing to get more clarification.

7. Discussion and Action Items

A. Community Center

John Legerton with Legerton Architecture noted that the last couple months they have been working on alternates from the design previously shown to Town Council to see if they could save some further costs. Mr. Legerton introduced Mitchel Sorin, an architect from Legerton Architecture, who worked on these alternates to present them.

Mitchel Sorin discussed the two alternate options that were established after looking at the following items: reducing square footage of community room and kitchen/storage area, enlarging the outdoor terrace, eliminating one family toilet room and adding windows to museum, all to reduce cost implications on the project. Alternate Option 1 would have a total net deduct of \$57,188, but after additional estimated redesign fees, it would be between \$33,000-\$40,000. As for Alternate Option 2, the total net deduct would be \$73,978 and after redesign fees, it would be between \$48,000 and \$55,000. (Alternate design option 1 and 2, and the cost opinions of the design changes are attached.)

Vice Mayor Jackson noted that in option 2 we are eliminating 720 Sq./ft. for around \$51,000, which doesn't seem like a very good trade-off. Plus, this option would require more funding for engineering.

Councilmember Fitzsimmons thanked Mr. Sorin and Mr. Legerton for producing these new alternate options and believes it encompasses what the citizens of the Town were looking for. He mentioned that if Council chose option 2 and eliminated the fire sprinkler system then it would reduce the community center cost by roughly \$120,000.

Councilmember Fitzsimmons made a motion to approve Alternate Option 2 on the Community Center design and eliminate the fire sprinkler system, which would save the Town of Weaverville about \$120,000 and have those savings go towards Phase II of the Community Center. Councilmember Sherrill seconded the motion. The motion failed by a 1-4 vote of Council, with Councilmember Fitzsimmons being the only favorable vote, after the following discussion:

Vice Mayor Jackson commented that the fireplace is a big liability and can always be added on in the future.

Councilmember McKenna noted that he found the covered entrance way as being redundant and he hasn't heard a good reasoning for having the fire sprinkler system, so there would be some cost savings by eliminating them.

Councilmember Nagle commented that he would like to create a group of 5 individuals to head this community center project and give them a set amount of money to get it done. He believes the group should include Mayor Root, Town Manager Selena Coffey, Public Works Director Dale Pennell, Louis Accornero and Thomas Veasey.

Public Comment

1. John Owen, 50 N. College St., commented that reducing the size of the building for little cost savings seems very short sided and he believes Council needs to stop dragging their feet and put a plan in place.
2. Lou Accornero, 50 Highland Pointe Dr., commented that the savings don't justify reducing the size of the community center and believes if you get the right contractor who has his heart vested in Weaverville, we will see a big difference in the costs.
3. Michelle Wood, 50 N. College St., mentioned that she is on the board for Dry Ridge Museum and President Jan Lawrence isn't in favor of a window, due to light damaging the artifacts. She also mentioned that homes in the area have sold for close to \$500,000, so \$2.5 million isn't that crazy it is just 5 homes.
4. Thomas Veasey, 69 Lakeshore Dr., commented that he is in favor with Vice Mayor Jackson and Councilmember Nagle. There has been a lot of time wasted the last three months dragging our feet and we should go ahead with the original plans and make modifications as they come.

Councilmember Nagle made a motion to approve the Community Center project based on the original design with the stone fireplace and the fire sprinkler system eliminated, and provide an approximate budget of \$2.5 million for the construction cost of the Community Center, approve the use of an additional \$250,000 for some outside recreational amenities shown as Phase 2, and appoint a steering committee, consisting of Mayor Al Root, Town Manager Selena Coffey, Public Works Director Dale Pennell, Lou Accornero and Thomas Veasey, to oversee the project and make it happen. Vice Mayor/Councilmember Jackson seconded the motion. The motion passed by a unanimous vote of Council. Motion carries 5-0 after the following discussion:

Councilmember McKenna noted that he doesn't want Council to get caught up in Phase I and forget about the funds and process for Phase II of the community center process as well.

Public Comment:

1. Jim Proffitt, 16 Saint Browns Place, mentioned that he would like to use this community center in his lifetime, so Council needs to stop dragging their feet and start putting plans into place. He knows the costs will only keep increasing the longer we wait.

B. Comprehensive Land Use Plan Update

Town Planner James Eller presented the 2019 Comprehensive Land Use Plan (CLUP) to Town Council. He noted that this advisory document is statutorily required and the Planning and Zoning Board consults these plans and offer opinions to Town Council on any related land use decisions. He thanked Town Council for reviewing the document

and suggesting their five highest goals and priorities, which have been updated and incorporated into the document. The goals included were 1) updating the CLUP should we encounter a situation with the water system, 2) continue the street improvement program, 3) review and update economic development goals, and consider land use regulations that better provide for 4) mixed use development and 5) high density single family residential development. The Planning and Zoning Board passed along this plan to Town Council with a unanimous favorable recommendation and should Town Council wish to take action on this plan, it would be appropriate to do so as they see fit. Town Attorney Jennifer Jackson mentioned that the plan is now up to Town Council and staff is here to answer any questions or help provide any guidance in the process they decide to take. She thanked Town Council for taking the time to look through the priorities, which have been averaged out and reflected in the document.

Town Planner James Eller noted that all 198 pages of 160D have been passed and the Town of Weaverville is compliant with this plan and with future versions of state statute as well. Town Attorney Jennifer Jackson mentioned that 160D is a combination of all the comprehensive land use regulations for both the Town and the County.

Public Comment:

Doug Theroux, 73 Hillcrest Drive, Chairman of the Planning and Zoning Board, spoke on behalf of the Board and commended staff for all their hard work on putting the document together. Mr. Theroux was on the last committee that put the plan together and he believes this plan is much better and has more of a personal touch to the Town of Weaverville.

Mayor Root noted that he was very skeptical at first when staff recommended they oversee this project to save the Town some money; however he believes this is as good a product as the Town has ever seen and thanked staff for all their hard work.

Councilmember Fitzsimmons made a motion to approve the Resolution to Adopt a Comprehensive Land Use Plan for the Town of Weaverville. Vice Mayor/Councilmember Jackson seconded the motion. The motion passed by a majority vote of Council. Motion carries 5-0.

C. Quarterly Report: Planning Department

Town Planner James Eller presented the Planning Department Quarterly Report and noted that 29 Zoning Permits and 8 Sign Permits have been issued during this period. Mr. Eller also gave a review of the activity from the Planning and Zoning Board and the Zoning Board of Adjustment during these months.

D. Quarterly Report: Finance Department

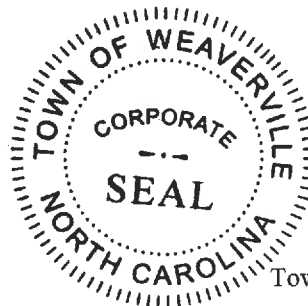
Finance Officer Tonya Dozier discussed the Quarterly Finance Report from April 2019 – June 2019 and mentioned that with the recent close-out of Fiscal Year 2018-2019, our financial statements are currently under audit and not available for review yet. There will need to be some re-appropriated funds into FY 2019-2020 for the paving project, Greenways Project, sale of bus garage, and unspent funds originally placed towards the community center.

Consensus was made by Town Council to allow the Dry Ridge Museum to utilize the Town Hall storage room. Town Manager Selena Coffey noted that she will meet up with Jan Lawrence when she gets back from her trip to see the best way the Town of Weaverville can help them.

8. Adjournment

Councilmember Nagle made the motion to adjourn; Councilmember McKenna seconded and all voted to adjourn the Council's meeting at 8:29 p.m.


Derek K. Huninghake, Town Clerk



**RESOLUTION APPROVING THE SETTLEMENT OF THE TAX COLLECTOR
FOR THE 2018-2019 TAX YEAR**

WHEREAS, NCGS § 105-352 requires that settlement be made with the Tax Collector for the taxes charged to the Tax Collector in the previous tax year prior to delivery of the tax receipts to the Tax Collector for the current tax year, said settlement being conducted in accordance with NCGS § 105-373; and

WHEREAS, NCGS 105-373 requires that settlement be made for both taxes charged to the Tax Collector in the previous tax year, and for all delinquent taxes charged to the Tax Collector, there being a specified format for current year settlements, but not delinquent taxes; and

WHEREAS, the Weaverville Town Council has received a proposed settlement for the 2018-2019 tax year taxes, and all delinquent taxes charged to the Tax Collector for prior tax years;

Now, therefore, **BE IT RESOLVED** as follows:

1. The Settlement for the 2018-2019 taxes charged to the Tax Collector is hereby approved. The Board finds:
 - a. All prepayments received by the Tax Collector were properly deposited;
 - b. The settlement is in proper form; and
 - c. A diligent effort was made to collect from the persons who were legally obligated to pay their taxes for the 2018-2019 fiscal year.
2. The Settlement for the delinquent taxes charged to the Tax Collector for the previous fiscal years is hereby approved. The Town Council finds that the settlement for the delinquent taxes is in an appropriate form.

THIS the 15th day of July, 2019.

TOWN OF WEAVERVILLE



Allan P. Root, Mayor

ATTESTED BY:



Derek K. Huninghake, Town Clerk



Town of Weaverville
North Carolina

AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE
NORTH BUNCOMBE HOMECOMING PARADE

WHEREAS, the Town Council of Weaverville acknowledges a long tradition of supporting the annual North Buncombe Homecoming Parade, that benefits the Weaverville and the North Buncombe community; and

WHEREAS, the Town Council of Weaverville acknowledges a long tradition of providing the North Buncombe Homecoming Parade for the pleasure of its citizens; and

WHEREAS, the Town Council of Weaverville acknowledges the North Buncombe Homecoming Parade celebration requires approximately one (1) hour to install signage, and also requires approximately one (1) hour for removing signage, litter, etc.

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:

North Buncombe Homecoming Parade

Date: October 11, 2019
Time: 4:00 pm until 5:30 pm
Road Closure: North Buncombe School Road
North Main Street
South Main Street

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 July, 2019

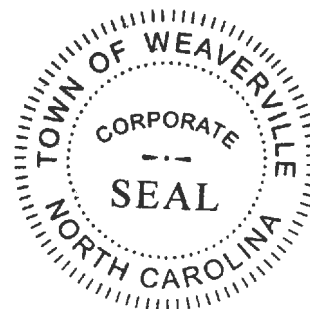


Allan P. Root, Mayor

Attest:



Town Clerk



**RESOLUTION TO ADOPT A COMPREHENSIVE LAND USE PLAN
FOR THE TOWN OF WEAVERVILLE**

WHEREAS, the Town previously adopted comprehensive land use plans in 1991, 2007, and in 2012, and, beginning in September of 2018, undertook the work to update its comprehensive land use plan; and

WHEREAS, the resulting Comprehensive Land Use Plan outlines the technical studies that were conducted and the related findings, and establishes general goals, priorities and guidelines for the implementation of land use policy within the Town; and

WHEREAS, upon its adoption, the Comprehensive Land Use Plan shall be an advisory document which is consulted for all land use policy initiatives, and as required by law, so that land use decisions are not arbitrarily and capriciously made, but are reasonable and in the public interest; and

WHEREAS, Town Council now wishes to adopt the 2019 Comprehensive Land Use Plan;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF WEAVERVILLE, NORTH CAROLINA, ACTING THROUGH ITS COUNCIL MEMBERS, that the Weaverville Town Council hereby adopts the attached **COMPREHENSIVE LAND USE PLAN**, effective immediately, repealing and replacing the Comprehensive Land Use Plan adopted in 2012.

ADOPTED this 15th day of July, 2019.



ALLAN P. ROOT, Mayor

ATTEST:



DEREK K. HUNINGHAKE, Town Clerk





MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Special-Called Meeting
Tuesday, August 6, 2019**

The Town Council for the Town of Weaverville met for a Special Called Meeting on Tuesday, August 6, 2019, at 5:00 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/Councilmember Doug Jackson, and Councilmembers Jeff McKenna, Andrew Nagle, Patrick Fitzsimmons, and Dottie Sherrill.

Staff present was: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Town Planner James Eller and Town Clerk Derek Huninghake.

1. Call to Order

Mayor Root called the meeting to order at 5:00 p.m.

2. Closed Session

Vice Mayor/Councilmember Jackson made the motion to enter closed session as per N.C. Gen. Stat. § 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, of conditions of employment of a public officer or employee, or to hear or investigate a complaint, charge or grievance. Councilmember Nagle seconded the motion and by a majority vote Council entered into closed session.

[CLOSED SESSION]

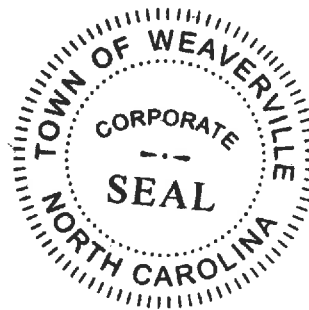
Councilmember Nagle made the motion to exit closed session. Councilmember Sherrill seconded and all voted unanimously to exit closed session and re-enter open session.

3. Adjournment

Councilmember Fitzsimmons made the motion to adjourn; Councilmember Sherrill seconded and all voted to adjourn the Council's meeting at 6:00 p.m.



Derek K. Huninghake, Town Clerk





MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Meeting
Monday, August 19, 2019**

The Town Council for the Town of Weaverville met for its regular monthly meeting on Monday, August 19, 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/Councilmember Doug Jackson, and Councilmembers Dottie Sherrill, Jeffrey McKenna, Andrew Nagle and Patrick Fitzsimmons.

Staff present was: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Finance Officer Tonya Dozier, Town Clerk Derek Huninghake, Fire Chief Ted Williams, Police Chief Ron Davis, 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

Councilmember Sherrill made a motion to approve the agenda as presented. Councilmember McKenna seconded and all voted in favor of the motion.

3. Approval of Minutes

Vice Mayor Jackson made the motion to approve the minutes from July 15, 2019 Town Council Regular Meeting and August 6, 2019 Town Council Special-Called Meeting. Councilmember Sherrill seconded the motion and all voted in favor on the approval of the minutes.

4. Special Recognition: Doug Theroux

Mayor Root, on behalf of Town Council, presented a plaque in special recognition to Doug Theroux for his 10 years of dedicated service to the Town of Weaverville. Mr. Theroux was the Chairman of the Planning and Zoning Board for the last five years.

5. General Public Comment

Public comments were received as follows:

Louis Accornero, 50 Highland Pointe Drive, thanked Council for everything that they do and addressed some comments that were made on social media about a Town Council member. Mr. Accornero acknowledged that these comments were ridiculous and wrong, and that this individual has helped improve and grow the Town of Weaverville.

6. Consent Agenda

Councilmember Sherrill moved for the approval of the Consent Agenda. Councilmember Nagle seconded the motion and all voted unanimously to approve all action requested in the Consent Agenda.

A. Tax Collector Charge and Order of Collection – *Approved Resolution Setting the Bond Amount for the Tax Collector and Adopting the Order of Collection for the 2019-2020 Tax Year*

- B. Board Appointments** – *Appointed Rachael Bronson as an alternate member on the Planning and Zoning Board to serve a three-year term beginning in Sept. 2019; Reappointed Peter Stanz as a regular member of the Planning and Zoning Board to serve a three-year term beginning in Sept. 2019; Moved John Chase from an alternate member to a regular member on the Planning and Zoning Board with a term to expire in Sept. 2020; Reappointed Paul Clauhs as a regular member of the Board of Adjustment to serve a three-year term beginning in Sept. 2019; Reappointed Gene Knoefel as an alternate member on the Board of Adjustment to serve a three-year term beginning in Sept. 2019; and Reappointed Warren Alcorn to the ABC Board to serve a three-year term beginning in Sept. 2019 and designated Rob Chason as the ABC Board Chairman.*
- C. Annexation Petition and Initial Zoning Request for 0.3 Acre Strip on Monticello Road** – *Council adopted the Resolution Concerning the Annexation Petition and Initial Zoning submitted for the +/- 0.3 acre strip of land located along Monticello Road which directed the Town Clerk to investigate the sufficiency of the petition and the Planning and Zoning Board to review and make a recommendation on the request initial zoning of R-12..*
- D. Approval of US Cellular Tower Lease** – *Approved Resolution Declaring Its Intent to Authorize a Lease Under NCGS §160A-272*
- E. Budget Amendment: Re-appropriations** – *Approved Budget Amendment*
- F. Employee Incentive Award Recommendation** – *Approved the Employee Incentive Award Submission*
- G. Preliminary Plat Approval for 108 Church Street** – *Approved Preliminary Plat for 108 Church Street*

7. Town Manager’s Report

Town Manager Selena Coffey presented her Manager’s report to Council including that 1) she has been working with a graphic designer on developing a new seal for the Town and would like their feedback on it; 2) the Saturday Summer Series Concert held on August 10 featuring Zoe & Cloyd was a huge success. It was nearly double the last one with approximately 175 attendees. The final concert of the year will be on Saturday, September 14; 3) Dry Ridge Museum will be moving their artifacts into the Town Hall on August 27 and will display two large display cases in the community room; 4) the Town was able to extend the contract with the paving company so now some other streets on the list will be completed; 5) the Community Center committee appointed by Town Council has met twice and has final drawings being developed in order to put the project out to bid; 6) she is actively involved with the Community Leadership Council TDA TMIP and sent out surveys for Weaverville residents to complete last week. They also held several public input sessions on August 15 and 16; 7) Curbside Recycling has increased their fee from \$2.72 to \$2.78; 8) Town Council has a workshop on September 10 at 6pm at the Town Hall to discuss streets/road policies; 9) the Town will host the 911 Observance on Wednesday, September 11 at Lake Louise Park; 10) and lastly, in collaboration with North Buncombe High School, the Town of Weaverville will have an intern for the upcoming school semester.

8. Discussion and Action Items

A. Update on Greenway Project

Doug Dearth updated Town Council on the Reems Creek Greenway Project that he has been working on with Buncombe County staff. He noted that last year, Town Council approved the Interlocal Agreement with Buncombe County, which they approved in October 2018 to establish the partnership. The next steps were a Request for Proposal (RFP) was drafted in conjunction with the county and is in its final phase, and an agreement between Buncombe County and NCDOT was drafted and completed last month. Buncombe County has approved their budget amendment to provide funding, so the Town of Weaverville can submit their funds anytime. Before Town Council tonight for their approval is a Greenway Agreement with MSD that Public Works Director Dale Pennell established with MSD for approval of right-of-ways.

Councilmember Fitzsimmons made a motion to approve the Greenway Agreement with MSD and authorize the Mayor and staff to execute and deliver it to MSD. Councilmember McKenna seconded the motion. The motion passed by a unanimous vote of Council. Motion carries 5-0

B. Update on Waterline Extension Project

Town Attorney Jennifer Jackson gave Town Council a brief update on the Waterline Extension project and a forecast of the remaining steps in the project. She mentioned that since this is USDA financed it will be closely monitored. (Attached is a thorough timeline and projected action steps) The next step for Town Council to take is approval of the plans and specifications for the waterline extension project. The plans and specifications are quite lengthy so they are not attached to the agenda, however they are available for viewing at the Town Hall.

Councilmember Fitzsimmons made a motion to approve the Resolution Approving the Plans and Specifications of the Waterline Extension Project. Vice Mayor/Councilmember Jackson seconded the motion. The motion passed by a majority vote of Council. Motion carries 5-0.

C. Code Amendment: Recreational Fishing Program at Lake Louise

Town Manager Selena Coffey mentioned that for many years the Town has maintained Lake Louise as a fishing lake. Public Works Director Dale Pennell has been working with the NC Wildlife Commission on becoming a part of the Community Fishing Program, where they will restock the lake, but the Commission would like the Town of Weaverville to allow for catch and keep subject to the Commission's limitations and any limitations that the Town might want to impose. Also, staff is in communication with the Commission concerning the possible installation of a fishing pier at Lake Louise to allow ADA accessible fishing opportunities. Before Town Council tonight for approval is an ordinance amending Code Chapter 18 to repeal the "catch and release" regulation and allow "catch and keep" subject to limits established by the NC Wildlife Commission or the Town Manager.

Councilmember McKenna mentioned that with allowing catch and keep, it would increase traffic and might change the character of the lake. Also, he wondered if the fishing pier would be scaled down to the size of Lake Louise.

Vice Mayor/Councilmember Jackson noted that these types of piers are mostly expensed by the Wildlife Commission, since they get paid from the restoration fund.

Public Comment:

Tom Plaut, Lakeshore Drive, commented that by opening this type of fishing there is a concern about a big change in the quantity and character of the visitors to Lake Louise.

Councilmember Sherrill made a motion to approve the Ordinance Amending Code Chapter 18. Councilmember Nagle seconded the motion. The motion passed by a majority vote of Council. Motion carries 5-0.

D. Town Parks-Preservation for Public Recreational Purposes

Mayor Root noted that this was put on the agenda due to Councilmember Nagle asking him about the legal protections to preserve Lake Louise and Main Street Nature Park for public recreation purposes. Basically, three votes on Town Council can change anything, so they wondered what the protections were for these properties.

Town Attorney Jackson mentioned that in her opinion there are no enforceable restrictions in the deeds, so if Council decided to change the use, as long as it was for a public purpose they would be allowed to do so. From a legal standpoint, there is a duty of Council to use the property for public purposes, but if it is vacant unused property than statutes would allow it to be sold either with or without restrictions attached. The deed has no binding restrictions for park and recreational purposes, but Council could bind it legally through conservation easements or convey the property to a trust.

Town Manager Selena Coffey noted that if Council does decide to subject the property to a conservation easement, it would greatly restrict what we are able to do with it.

Councilmember Nagle mentioned that he did bring this item up and he believes that the conservation easement can be written up however Council wants, so it can be legally binding to stay as parks forever. He doesn't believe that a resolution needs to be passed tonight, but we need to look into getting those properties as parks permanently.

Vice Mayor/Councilmember Jackson commented that we should hold a workshop on this issue, so that we can gather more information and resources. Also, we could invite the Southern Appalachian Conservancy and Lake Louise residents to get their input.

Public Comment:

Walt Thomson, 5 Birkdale Drive, mentioned that he was in this business and conservation easements can be written in various spectrums of grade with some parts being very strict and others fairly loose. This is very important because there is a lot of grant funding for conservation grades of land available.

E. Quarterly Report: Police Department

Police Chief Ron Davis presented the Weaverville Police Department Quarterly Report for May – July 2019. Chief Davis noted that there were 3,134 calls for service last quarter, which is an increase of 5.5% from the same quarter last year, 61 arrests, which is a decrease of 4.5% from same quarter last year, and 51 vehicle collisions with 11 injuries and 1 fatality. He also noted that the State Bureau of Investigation has adopted a new reporting standard called National Incident Base Reporting System (NIBRS) with a deadline of January 2021. The old system, Uniform Crime Report (UCR) lacked detailed information and wasn't universally used by all agencies/states. He will be transitioning his report to the new NIBRS data.

F. Quarterly Report: Fire Department

Fire Chief Ted Williams presented the Weaverville Fire Departments Quarterly Report for May – Jul 2019. There were 506 calls this quarter with an average response time for all calls at 6:22 minutes, the increase is due to a large number of calls to the golf course area for a camp at Windy Gap, 26 child passenger safety seats were installed, 78 commercial business inspections, and 8 fire prevention and education classes were held.

9. Closed Session

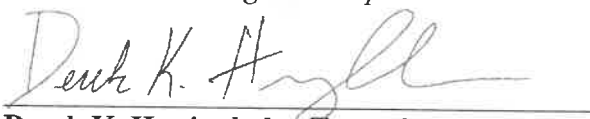
Councilmember Fitzsimmons made the motion to enter closed session as per N.C. Gen. Stat. § 143-318.11(a)(3) to consult with an attorney and N.C. Gen. Stat. § 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, of conditions of employment of a public officer or employee, or to hear or investigate a complaint, charge or grievance. Councilmember Sherrill seconded the motion and by a majority vote Council entered into closed session.

[CLOSED SESSION]

Councilmember Nagle made the motion to exit closed session. Councilmember Sherrill seconded and all voted unanimously to exit closed session and re-enter open session.

10. Adjournment

Councilmember Nagle made the motion to adjourn; Councilmember McKenna seconded and all voted to adjourn the Council's meeting at 10:15 p.m.


Derek K. Huninghake, Town Clerk



**RESOLUTION SETTING THE BOND AMOUNT FOR THE TAX COLLECTOR AND
ADOPTING THE ORDER OF COLLECTION
FOR THE 2019-2020 TAX YEAR**

WHEREAS, NCGS § 105-352 requires that before the tax receipts for the 2019-2020 tax year may be delivered to the Tax Collector for collection the following must occur: (1) the Tax Collector must deliver any duplicate bills printed for prepayments received by the Tax Collector to the Finance Director and demonstrate to the Finance Director's satisfaction that all prepayments received have been deposited; (2) the Tax Collector must make settlement with the Town Council for all taxes placed in his hands for collection for the 2018-2019 tax year; and (3) the Town Council must approve the bond proposed for the Tax Collector for collection of all taxes charged for the 2019-2020 tax year and all delinquent taxes; and

WHEREAS, for each prepayment received for the 2019-2020 taxes a duplicate bill has been printed and prepayments received have been deposited; and

WHEREAS, the Weaverville Town Council has approved the settlement for the taxes charged to the Tax Collector for collection for the 2018-2019 tax year, including the delinquent taxes; and

WHEREAS, the Weaverville Town Council wishes to approve the \$250,000 bond proposed for the Tax Collector;


NOW, THEREFORE, BE IT RESOLVED that the bond amount for the Tax Collector is hereby set at \$250,000 through June 30, 2020, and that the attached Order of Collection is hereby adopted.

THIS the 19th day of August, 2019.

TOWN OF WEAVERVILLE

By: 
Allan P. Root, Mayor

ATTESTED BY:


Derek K. Huninghake, Town Clerk



STATE OF NORTH CAROLINA

ORDER OF COLLECTION

TOWN OF WEAVERVILLE

TO THE TAX COLLECTOR OF THE TOWN OF WEAVERVILLE:


You are hereby authorized, empowered, and commanded to collect the taxes, including current, insolvent, and delinquent taxes, set forth in the tax records for the Town of Weaverville and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the Town of Weaverville, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law. This order is adopted pursuant to and in accordance with N.C. Gen. Stat. § 105-321.

WITNESS my hand and official seal, this 19th day of August, 2019.

TOWN OF WEAVERVILLE

By: 
Allan P. Root, Mayor

ATTESTED BY:


James Eller, Deputy Town Clerk



**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE THE SUFFICIENCY
OF A VOLUNTARY ANNEXATION PETITION AND SENDING THE ASSOCIATED INITIAL
ZONING REQUEST TO THE PLANNING AND ZONING BOARD
FOR REVIEW AND RECOMMENDATION**

WHEREAS, a petition requesting annexation of that +/-0.3 acre parcel on Monticello Road bearing Buncombe County Parcel Identification Number 9733-71-3521 was received on July 1, 2019, by the Town of Weaverville; and

WHEREAS, N.C. Gen. Stat. § 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town of Weaverville is also in receipt of an application for a zoning map amendment request an R-12 zoning classification for the property to be annexed; and

WHEREAS, the Town Council of the Town of Weaverville deems it advisable to proceed in response to this request for annexation and initial zoning;

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

1. The Town Clerk is hereby directed to investigate the sufficiency of the above-reference petition and to certify to Town Council the result of his investigation;
2. That the Town Planner is directed to place the application for initial zoning of R-12 on the Town's Planning and Zoning Board's next agenda so that the Board can review the requested zoning for consistency with the Town's Comprehensive Land Use Plan and forward a recommendation to Town Council prior to or at a public hearing that may subsequently be held on this matter.

THIS the 19th day of August, 2019.

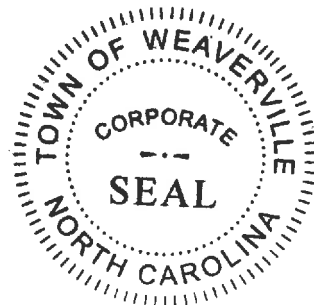


ALLAN P. ROOT, Mayor

ATTESTED BY:



DEREK HUNINGHAKE, Town Clerk



**RESOLUTION DECLARING ITS INTENT TO
AUTHORIZE A LEASE UNDER NCGS § 160A-272**

WHEREAS, North Carolina General Statute §160A-272 authorizes Town Council to enter into a lease for a period not to exceed 10 years if it determines that the property will not be needed by the Town for the term of the lease; and

WHEREAS, for many years the Town has leased a small area (100' x 100') behind its Public Works Facility to US Cellular for a tower site; and

WHEREAS, the current lease, which provides the Town with an annual income of \$16,413.00 is due to expire on December 31, 2021, and US Cellular has requested the approval of the attached proposed ground lease that is to commence beginning on January 1, 2022; and

WHEREAS, the term for this proposed new lease is 5 years with an automatic renewal of an additional 5 year term, and the annual rent with the proposed new lease is \$22,251.36, which is an annual increase of \$5,838.36; and

WHEREAS, the property to be leased will not be needed by the Town during the term of the proposed new lease;

NOW, THEREFORE BE IT RESOLVED, that, in accordance with NCGS § 160A-272, the Weaverville Town Council declares its intent to authorize the attached lease to US Cellular and directs the Town Clerk to prepare and publish a public notice describing the property to be leased, stating the annual rent or lease payments, and announcing Town Council's intent to authorize the lease at its regular meeting on October 21, 2019.

ADOPTED this the 19th day of August, 2019.



ALLAN P. ROOT, Mayor



Derek K. Huninghake, Town Clerk



Budget Amendment

Town of Weaverville

What expense accounts are to be increased?

<u>Account</u>	<u>Account Description</u>	<u>Transfer Amount</u>
010-410-412-35100	Admin - Building Repairs/Maint	\$21,900.00
010-430-431-26450	Police - ABC Law Enforcement	\$1,647.87
010-430-431-26400	Police - Alcohol Ed & Prevention	\$1,939.35
010-430-431-26608	Police - Cops for Kids	\$9,607.10
010-430-434-26600	Fire - Contributory Expense	\$644.15
010-430-434-50100	Fire - Small Equipment	\$38,137.89
010-450-451-50300	Streets - Capital Improvements	\$79,000.00

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

<u>Account</u>	<u>Account Description</u>	<u>Transfer Amount</u>
010-004-310-09900	Appropriated Fund Balance	\$152,876.36

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

Re-appropriations from FY19 Budget to FY20 Budget for: Unfinished building repairs at Town Hall, unfinished street paving, ABC Distributions received late in the year, Cops for Kids carryover, FEMA reimbursement to Fire Dept received late in the year.


Authorized by Finance Officer

8/19/19
Date


Authorized by Town Manager

8/19/19
Date


Authorized by Town Council (if applicable)

8/19/19
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.



**EMPLOYEE SUGGESTION INCENTIVE PROGRAM
TOWN OF WEAVERVILLE**

Name James Eller	Date 8/12/2019
Job Title Planning Officer	Department Administration/Planning
Present Method: <p>The last comprehensive land use plan was completed by an external consultant, Benchmark, and cost the Town approximately \$33,000. Staff requested and received another proposal in 2016, which totaled approximately \$45,000. Last Spring staff requested a proposal from Land of Sky Regional Council and they proposed charging the Town approximately \$20,000.</p>	
Proposed Method / Cost Savings/ Improvement: <p>In Fall of 2018, Town Council approved allowing staff to complete the Comprehensive Land Use Plan (CLUP) in-house instead of using a consultant. Planning Officer James Eller and Town Attorney Jennifer Jackson led this project, which spanned approximately 8 months and was approved by the Planning and Zoning Board initially, with final approval by Town Council in July 2019. The CLUP is now being implemented.</p>	

TOWN MANAGER REVIEW		<input checked="" type="checkbox"/> Award Recommended	<input type="checkbox"/> Award Not Recommended
Amount (n/a if not recommended)	\$ 1,000.00		
Comments: Town staff did an excellent job in developing the Comprehensive Land Use Plan and I feel strongly that they should receive an incentive award for this project.			
Town Manager Signature	<i>Steve A. Pugh</i>	Date	8/13/2019

TOWN COUNCIL REVIEW		<input checked="" type="checkbox"/> Award Approved	<input type="checkbox"/> Award Not Approved
Amount (n/a if not approved)	\$ 1,000.00		
Mayor Signature	<i>Wendy</i>	Date	8/19/19

**TOWN OF WEAVERVILLE
RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS OF
THE WATERLINE EXTENSION PROJECT**

WHEREAS, the Town of Weaverville has undertaken a Waterline Extension Project that includes the construction of water main lines beginning at the existing water main at the north end of Clarks Chapel Road and running along Clarks Chapel Road and Ollie Weaver Road in order to connect with the existing water main on Monticello Road ("Waterline Extension Project"); and

WHEREAS, the Town of Weaverville has requested and been approved for USDA loan assistance for the project; and

WHEREAS, the Town has contracted with WR-Martin to provide professional engineering services on the Waterline Extension Project and WR Martin has conducted the engineering and produced a set of plans and specifications for the construction of the waterline; and

WHEREAS, the Town wishes to approve the plans and specifications for the Waterline Extension Project and authorize the release of them for review by permitting agencies and USDA;

NOW, THEREFORE BE IT RESOLVED, that the Weaverville Town Council hereby approves the Preliminary Plans and Specifications dated August 2019 for the Waterline Extension Project and authorizes the release of such for review by the permitting agencies, including NCDEQ-Water Resources, NCDEQ-Land Quality, NCDOT, USACE, and Buncombe County, and USDA.

ADOPTED this the 19th day of August, 2019.



ALLAN P. ROOT, Mayor



Derek K. Hunningake, Town Clerk



**ORDINANCE AMENDING WEAVERVILLE TOWN CODE
CHAPTER 18 CONCERNING PARKS AND RECREATION**

WHEREAS, the Town of Weaverville, acting upon a unanimous vote of Town Council on March 19, 2018, adopted fishing rules and procedures as contained in Section 18-37 of the Town's Code of Ordinances;

WHEREAS, one of the rules that was adopted was a "catch and release" rule that requires all fish caught in Lake Louise to be released;

WHEREAS, the Town of Weaverville has entered into an agreement with the NC Wildlife Resources Commission to increase the fishing opportunities at Lake Louise;

WHEREAS, the Town of Weaverville now wishes to amend Section 18-37 of the Town's Code of Ordinances to allow "catch and keep" fishing consistent with NC Wildlife Resources Commission rules and regulations; and

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

1. Code Section 18-37 is hereby amended as follows, with deleted language shown with strike-throughs and add language shown as underlined:

Sec. 18-37. - Fishing rules and procedures.

(a) Individuals fishing in Lake Louise must follow all rules and procedures established by this chapter and the North Carolina Wildlife Resources Commission.

(b) In addition to any required state fishing license, anyone over the age of 16 must also have a fishing permit issued by the town.

(c) The town will issue resident and nonresident yearly permits and monthly permits at town hall during normal business hours. The fees for such permits shall be set on the schedule of fees adopted by town council, a copy of which is on file at town hall.

(d) There is a limit of one pole per person.

(e) ~~Lake Louise is a "catch and release" lake, therefore, all fish caught must be released back into the lake immediately upon catching. Care should be taken in removing fish from your line in order to preserve the life of the fish caught. Fishing is subject to such "catch and keep" limits as may, from time to time, be established by the NC Wildlife Resources Commission or the Weaverville Town Manager, whichever is more restrictive.~~

(f) Fishing is allowed only during daylight hours.

2. It is the intention of Town Council that the sections and paragraphs of this Ordinance are severable and if any section or paragraph of this Ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining paragraphs or sections of this Ordinance, since they would have been

enacted by Town Council without the incorporation in this Ordinance of any such unconstitutional or invalid section or paragraph.

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

ADOPTED THIS the 19th day of August, 2019, by a vote of 5 in favor and 0 against.



ALLAN P. ROOT, Mayor

ATTESTED BY:



DEREK HUNINGHAKE, Town Clerk

APPROVED AS TO FORM:



JENNIFER G. JACKSON, Town Attorney





MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Workshop Meeting
Tuesday, September 10, 2019**

The Town Council for the Town of Weaverville met for its regular workshop meeting on Tuesday, September 10, 2019, at 7:00 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/Councilmember Doug Jackson, and Councilmembers Dottie Sherrill, Jeffrey McKenna, Andrew Nagle and Patrick Fitzsimmons.

Staff present was: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Town Clerk Derek Huninghake, Finance Officer Tonya Dozier, 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. Overview of Public and Private Streets within the Town

Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Public Works Director Dale Pennell and Town Planner James Eller all presented information from the workshop materials that were handed out to Town Council covering the roads and streets located within the Town. (materials attached)

Mayor Root wondered about the difference between the standards of Town streets and the standards of NCDOT roads and if there was any real cost difference. Public Works Director Dale Pennell mentioned that the main difference was the DOT only does a 6 inch base layer and 1-1/2 inches of asphalt. As for the Town, they have an 8 inch base layer and 2 inches asphalt. This is a cost increase of about 15 %, but the difference in the lifetime of the roads is 10-12 years for the DOT and 20 years for the Town.

Councilman McKenna asked about the advantages of bringing private roads into Town and changing them to public. Town Attorney Jennifer Jackson mentioned that one advantage of making more roads public is the increase in Powell Bill funding to the Town, which is based off a formula that factors in population and number of roads.

Councilmember Fitzsimmons questioned if roads could be properly inspected once there were paved, and if developers are coordinating with the Town for inspections. Public Works Director Dale Pennell noted that it is extremely difficult and costly to inspect roads once they are paved, since it would only be random spots on the road. Also, if the initial discussion is for the roads to stay private then the Town wouldn't be taking them in, so they would only inspect the road to make sure the Town waterlines were being protected. The main challenge for the Town if we continue to take in private roads will be providing adequate resources for inspections and maintenance.

Vice Mayor Jackson mentioned that developers are saving 15% for building the subdivision roads to DOT standards, but homebuyers probably aren't being made aware that DOT standards doesn't equal Town standards.

Councilmember Nagle discussed the probability of a subdivision with private roads getting annexed into the Town now. Town Planner James Eller mentioned that with the infrastructure present, Town Council is under no obligation to accept any infrastructure under these circumstances. However, under voluntary annexation the Town will have to establish and provide services under the same policy and procedures.

Councilmember Fitzsimmons discussed a situation where if Town Council had to vote on a voluntary annexation request that they could decide to accept the annexation and keep the roads as private. Town Attorney Jackson confirmed this scenario and noted that it would be two discretionary matters: (1) Town Council decision on whether to annex a property; (2) Town Council decision on whether to accept the private roads into the Town's public street system.

Councilman Nagle asked how much it cost to pave a mile of road. Public Works Director Dale Pennell mentioned that street paving costs have increased, two years ago a ton of asphalt was \$105, now it is \$125. It is costing the Town around \$500,000 per mile to pave the roads.

3. Staff Recommendations

Town Manager Selena Coffey discussed the staff recommendations that were listed on the worksheet. Highlights were to readopt the Town Street Standard Details, require a Town disclosure statement regarding streets on all plats and develop a formalized policy and procedure for inspection/testing and acceptance of newly constructed and existing private streets into the Town.

4. Town Council Discussion of Policy Issues Related to Streets

After further discussion, Town Council determined that with street costs increasing and the longevity difference in the roads, the Town standards that are in place should be maintained. Also, the Town should dictate the standards for private and public streets if we are going to annex, since we will have Town services provided at those locations and need to have access to it. Plus, the Town should try to place the inspection cost of the roads upon the developer with a street commitment.

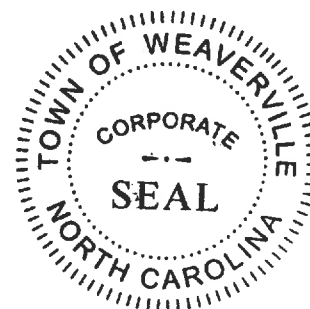
Mayor Root asked staff to put together a document on how this would look and place it on Town Council's agenda, so that developers can come and give their input on the direction that the Town is looking in going for street standards in developments.

5. Adjournment

Vice Mayor/Councilman Jackson made the motion to adjourn the Special Called meeting; Councilwoman Sherrill seconded and all voted to adjourn the Council's meeting at 7:45 p.m.



Derek K. Huninghake, Town Clerk





MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Meeting
Monday, September 16, 2019**

The Town Council for the Town of Weaverville met for its regular monthly meeting on Monday, September 16, 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/Councilmember Doug Jackson, and Councilmembers Dottie Sherrill, Jeffrey McKenna, Andrew Nagle and Patrick Fitzsimmons.

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

1. Call to Order

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

2. Approval/Adjustments to the Agenda

Councilmember Sherrill made a motion to approve the agenda as presented. Councilmember Nagle seconded and all voted in favor of the motion.

3. Approval of Minutes

Councilmember Sherrill made the motion to approve the minutes from August 19, 2019 Town Council Regular Meeting. Councilmember Fitzsimmons seconded the motion and all voted in favor on the approval of the minutes.

4. General Public Comment

Public comments were received as follows:

Michelle Wood, 15 North College St., on behalf of the Dry Ridge Museum thanked Town Council, Mayor and staff for giving them the storage and display space for their historical items until their space in the Community Center is completed, and for all the help and support they have received.

5. Consent Agenda

Vice Mayor/Councilmember Jackson moved for the approval of the Consent Agenda. Councilmember McKenna seconded the motion and all voted unanimously to approve all action requested in the Consent Agenda.

A. Monthly Tax Report – Informational Only

B. Tax Releases– *Approved tax releases of the personal property of Matthew Pennell at 46 Church Street valued at \$1,350, so that \$5.13 can be released from the 2019 levy and business personal property owned by Engaged Asheville LLC at 31 North Merrimon Avenue valued at \$48,789, so that \$185.40 can be released from the 2019 levy.*

C. Ratification of Road Closure Ordinance: Art in Autumn – *Approved Ratification of Road Closure Ordinance for 2019 Weaverville Art in Autumn Festival that is scheduled for September 21, 2019*

- D. Set Public Hearing on Rezoning of Merrimon Avenue Property for October 21, 2019 at 7pm – Council set Public Hearing on Rezoning of Merrimon Avenue property for October 21, 2019 at 7 pm.**
- E. Set Public Hearing on Annexation Petition & Initial Consideration of Monticello Road Property for October 21, 2019 at 7 pm – Council set Public Hearing on Annexation Petition and Initial Consideration of Monticello Road property for October 21, 2019 at 7 pm**
- F. Budget Amendment: Pink Patch Project – Approved Budget Amendment**
- G. Approval of Temporary Construction Easements for Waterline Extension Project – Approved Temporary Construction Easements for Waterline Extension Project**

6. Town Manager’s Report

On behalf of Town Manager Coffey, Town Attorney Jennifer Jackson presented a report to Council including that 1) the 9/11 Remembrance Day at Lake Louise Park with Guest Speaker Craig Weeks was a very powerful event and thanked all of the organizers and staff that made the event possible; 2) the last 2nd Saturday Summer Series with performers, Fiddler Roger Howell and Friends, was held on September 14, 2019, and was a very enjoyable concert with a nice turnout; 3) Art in Autumn is Saturday, September 21, 2019 from 10am-6pm; 4) October is both Fire Prevention Month and Breast Cancer Awareness Month; The Fire Department will hold Fire Prevention activities during the month and the Police Department has been working on the Pink Patch Project; 5) Planning and Zoning Board meeting at October 1, 2019 at 6 pm; 6) Town Council Workshop on October 8, 2019 at 6 pm; 7) North Buncombe Homecoming Parade on October 11, 2019 from 4 – 5:30pm; 8) and next Town Council Regular meeting on October 21, 2019 at 7 pm; 9) lastly, Town Attorney Jackson noted that staff has been working on the upcoming Census, and reminded us that it is vitally important to have participation in this for representation and funding purposes. Ms. Jackson then asked that Lieutenant Somer Oberlin speak to Town Council about the Pink Patch Project.

Lieutenant Oberlin passed out Pink Patch Project patches and stickers to Town Council that are being sold to help raise funds for the project. She mentioned that the Pink Patch Project is designed to raise awareness of breast cancer and the importance of early detection. The Weaverville Police Department has been involved with this project for three years and this year the Town Manager has gotten all the departments to participate. All proceeds are donated to the Hope Chest for Women, which strictly serve Western North Carolina and helps women who have a positive cancer diagnoses. Upcoming fundraisers will be held at Eluvium’s Octoberfest, Rodney’s Bike Run on 10/10/19, and Lowe’s during the fire prevention campaign held by the Weaverville Fire Department.

7. Discussion and Action Items

A. Ratification of First Due Size Up Interlocal Agreement

Town Attorney Jennifer Jackson mentioned that on April 15, 2019 Town Council approved an interlocal agreement that allowed the Town to serve as a purchasing agent to secure the First Due Size-Up program for the various fire departments within the County, who reimbursed the Town. Our Weaverville Fire Department would like to extend this out for another year in hopes that Buncombe County will then appropriate the funds to cover the cost of the program. Town Council is being asked to approve a ratification of first size up interlocal agreement for the Town to be the purchasing agent of this software. Fire Chief Ted Williams noted that this is a very instrumental tool for all the various fire departments and the Buncombe County manager is withholding her support until a review is complete. She doesn’t oppose but would like to see the review first. *Vice Mayor Jackson made a motion to ratify the Amended and Restated Interlocal Agreement for the Fire Departments and the First Due Size-Up Program. Councilmember Nagle seconded the motion. The motion passed by a unanimous vote of Council. Motion carries 5-0*

B. Update on Study of High-Density Single-Family Residual Development

Town Planner James Eller mentioned that before Town Council is a high priority goal identified in the adopted Comprehensive Land Use Plan (CLUP), High-Density Single-Family Residual Developments. The Planning and Zoning Board met on September 3, 2019 and discussed this topic and possible regulations and reached a consensus that the creation of a new district is preferable to amending an existing residential district. He also asked Town Council if they had an overriding goal of this district so that the regulations could be drafted to ensure compliance.

Town Planner Eller asked Council for their feedback on the decision to create a new zoning district for this type of development or if they would prefer to go another route.

Mayor Root noted that it makes sense to look at a new zoning classification, as opposed to amending an ordinance for something that is completely missing from our CLUP. Also, we need to determine what we mean by affordable housing. Councilmember Fitzsimmons agreed with the Planning and Zoning Board's decision to look at creating a new zoning classification and believes we need to have zoning districts that accommodate these types of developments. Vice Mayor Jackson mentioned that with having limited land and to follow the intentions of the CLUP, it would be smart to look into creating a new zoning district. Councilmember McKenna commented that he hopes the feedback we received from the Habitat group made its way into this discussion, so that all directions are being considered. Councilmember Nagle reiterated the comment about what is affordable. He noted that there can be expensive houses on smaller lots and lot size is the only thing we can control. There was consensus among Councilmembers to create a new district.

Town Attorney Jennifer Jackson gave recognition to new Planning and Zoning Board Chairman Gary Burge, who was in attendance.

C. Participation in Water Regionalization Feasibility Study

Public Works Director Dale Pennell mentioned that when he was at the North Carolina Rural Water Association Conference a couple weeks ago, he found out about a grant that was being offered by the North Carolina Department of Environmental Quality. He and Town Manager Coffey have visited with the consultant who helped with the waterline project and system development fees, as well as representatives from the Town of Mars Hill and Marshall concerning water as a regional resource. They would like for the three municipalities to engage in a joint study regarding individual water supplies and possible regionalization of this source. Mars Hill has offered to take the lead in applying for the grant of \$50,000 to fund this study but needs letters of support from Weaverville and Marshall prior to the grant application deadline of September 30th. Town Council was asked to consider supporting the grant application and participation in the feasibility study. *Vice Mayor Jackson made the motion to support the grant application and the Town's participation in a water regionalization feasibility study and to authorize the Town Manager to submit a letter of support for inclusion in the grant application that Mars Hill is working on. Councilmember Sherrill seconded the motion and all voted in the affirmative. Motion passed 5-0.*

D. Quarterly Report: Public Works and Water Department

Public Works Director Dale Pennell presented the Public Works and Water Services Quarterly Report for June 2019 through August 2019. Some highlights were that the total number of active water meters has increased to 2,884 and in July alone, they had over 200 water utility (811) calls to go locate water lines, both indicating that the Town is still experiencing a high level of growth. Mr. Pennell noted that at the Water Treatment Plant our daily average is only at 46% of the plant capacity, and if you include the current water commitments it increases to 68%. He thanked the Public Work employees for all their hard work this summer in helping with all the events and knows that the citizens were very thankful too. Lastly, Public Works Director Pennell mentioned that the Town of Weaverville has become a participant in North Carolina's new campaign called RecycleRightNC. Over the next 8-10 weeks, this program will educate customers on what can and can't be recycled to prevent damage to equipment and eliminate the waste of recycled goods. (Handout attached)

8. Closed Session

Vice Mayor/Councilmember Jackson made the motion to enter closed session as per N.C. Gen. Stat. § 143-318.11(a)(3) to consult with an attorney and N.C. Gen. Stat. § 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, of conditions of employment of a public officer or employee, or to hear or investigate a complaint, charge or grievance. Councilmember Nagle seconded the motion and by a majority vote Council entered into closed session.

[CLOSED SESSION]

Councilmember Fitzsimmons made the motion to exit closed session. Councilmember Nagle seconded and all voted unanimously to exit closed session and re-enter open session.

9. Re-enter Open Session

Vice Mayor Jackson made the motion to approve a 3% merit pay/merit bonus for Town Manager Selena Coffey that will be calculated based on her current base rate of pay of \$114,131.48 and is split between merit pay and merit bonus. Councilmember Fitzsimmons seconded the motion. The motion passed by a majority vote of Council. Motion passed 4-1. Councilmember Nagle voted nay.

10. Adjournment

Councilmember McKenna made the motion to adjourn; Councilmember Fitzsimmons seconded and all voted to adjourn the Council's meeting at 8:40 p.m.



Derek K. Huninghake, Town Clerk



**Budget Amendment
Town of Weaverville**



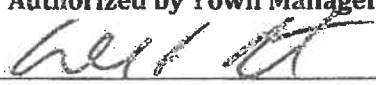
What expense accounts are to be increased?

Account	Account Description	Transfer Amount
010-430-431-26609	Pink Patch Project (Expenditure)	\$260.00 ✓

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

Account	Account Description	Transfer Amount
010-004-300-09029	Pink Patch Project (Revenue)	\$260.00 ✓

Justification: Please provide a brief justification for this budget amendment. *Pink Patch Project donations collected from July 2019 - Sept 2019*

 _____ Authorized by Finance Officer	_____ Date 9/16/19
 _____ Authorized by Town Manager	_____ Date 9/16/19
 _____ Authorized by Town Council! (if applicable)	_____ Date 9/16/19

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.

Weaverville North Carolina

AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE Weaverville Art in Autumn Festival

WHEREAS, the Town Council of Weaverville acknowledges a long tradition of supporting the annual Weaverville Art in Autumn Festival, that benefits the Weaverville and the North Buncombe community; and

WHEREAS, the Town Council of Weaverville acknowledges a long tradition of providing the Weaverville Art in Autumn Festival for the pleasure of its citizens; and

WHEREAS, the Town Council of Weaverville acknowledges the Weaverville Art in Autumn requires approximately two (2) hours to install signage, and also requires 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 Art in Autumn


Date: September 21, 2019

Time: 5:00 am until 10:00 pm

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


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

Adopted this 26th day of August 2019



Allan P. Root, Mayor

Attest:



Town Clerk





MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Special Called Meeting
Tuesday, September 25, 2019**

The Town Council for the Town of Weaverville met for a special called meeting on Tuesday, September 25, 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/Councilmember Doug Jackson, and Councilmembers Dottie Sherrill, Jeffrey McKenna, Andrew Nagle and Patrick Fitzsimmons.

Staff present was: Town Manager Selena Coffey, Town Planner James Eller, and Town Clerk Derek Huninghake.

1. Call to Order

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

2. Closed Session

Councilmember Sherrill made the motion to enter closed session as per N.C. Gen. Stat. § 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, of conditions of employment of a public officer or employee, or to hear or investigate a complaint, charge or grievance. Vice Mayor/Councilmember Jackson seconded the motion and by a unanimous vote Council entered into closed session.

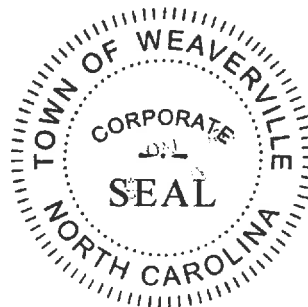
[CLOSED SESSION]

Councilmember McKenna made the motion to exit closed session. Councilmember Nagle seconded and all voted unanimously to exit closed session and re-enter open session.

3. Adjournment

Councilmember Nagle made the motion to adjourn; Councilmember McKenna seconded and all voted to adjourn the Council's meeting at 6:49 p.m.

Derek K. Huninghake, Town Clerk





MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Meeting
Monday, October 21, 2019**

The Town Council for the Town of Weaverville met for its regular monthly meeting on Monday, October 21, 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/Councilmember Doug Jackson, and Councilmembers Dottie Sherrill, Jeffrey McKenna, Andrew Nagle and Patrick Fitzsimmons.

Staff present was: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Finance Officer Tonya Dozier, Town Clerk Derek Huninghake, Town Planner James Eller, Fire Chief Ted Williams, Police Chief Ron Davis, 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. PUBLIC HEARING: Rezoning of Unaddressed Merrimon Ave. from I-1 to R-12

Mayor Root opened the Public Hearing.

Town Planner James Eller stated that before Town Council this evening was a proposed rezoning of unaddressed property on Merrimon Avenue from I-1 to R-12. The public hearing on this rezoning has been duly advertised. The rezoning proposal was before the Planning and Zoning Board on September 3 and the Board, in a 4-1 majority vote, found R-12 zoning to be consistent with the Town's adopted Comprehensive Land Use Plan and sent a favorable recommendation on the proposed rezoning to Town Council.

Public Comment:

Thomas Jones from WGLA Engineering PLLC noted that this property has been vacant for several years and would be better off if it was rezoned as R-12. It an odd shape of land with big elevation changes, which doesn't really allow for large industrial projects which is the typical use in I-1 zoning. He also indicated that this property is shown as residential on the future land use map and is consistent with the surrounding property uses. He believes that R-12 zoning is a more appropriate zoning on the property than I-1.

William Ratford, who represented the proposed buyer, noted that with this being a straight zoning they cannot present any details of their project or offer conditions. He did note that there have been discussions on a future Reems Creek Greenway and they have met with the Town about a future easement.

Dale White, 80 Church St., mentioned that she was the seller of the property and when she first bought the property it was zoned universal use and was changed to industrial zoning a few years ago. She believes that multi-family residential use is a justified use for the property because with all the topography involved it really couldn't be used for commercial or industrial purposes. If it was residential, it would include a wonderful green space and have the creek running along it. This property has been for sale for a long time and she hasn't received much interest in it at all, which further indicates that I-1 zoning is unreasonably limiting development on the property.

Tom Plaut, 16 Riddle Ridge Drive, congratulated Town Planner Eller and staff on a very thorough report. He noted that with theoretically 135 units housing approximately 286 people, it appears there could be about 500 cars added to the traffic pattern. He believes the traffic needs to be considered since Merrimon Avenue is already crowded and that a traffic analysis should be completed.

Rhonda McKenna, 30 Yost St., wondered whether R-12 was the only zoning possible for this property or if there was anything less than that. She also wondered whether, with these buildings being built, are they required to plant a certain number of trees or do any type of landscaping, so that in 10 years it doesn't just look like a bunch of apartments.

Cindy Waseleski, 25 Brown St., noted that along the Reems Creek opposite of the water wheel, she has noticed that a lot of construction debris has been dropped into the water from the houses being constructed above it. The construction builders haven't made an effort to clean it up and she wanted to make it aware to Town Council.

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

3. PUBLIC HEARING: Annexation & Initial Zoning of R-12 for Unaddressed Monticello Road

Mayor Root opened the Public Hearing.

Town Planner James Eller stated that before Town Council for their consideration is a voluntary annexation petition and application for initial zoning of R-12 for an unaddressed parcel on Monticello Road. It is his belief and understanding that the property owner intends to combine this parcel with the much larger parcel that achieved R-12 zoning and annexation a few months back. This public hearing has been duly advertised. The proposed R-12 zoning was before the Planning and Zoning Board on September 3 and the Board found R-12 zoning to be consistent with the Town's adopted Comprehensive Land Use Plan and voted unanimously to send a favorable recommendation on the proposed initial zoning to Town Council.

Public Comment – No additional comments

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

4. Approval/Adjustments to the Agenda

Mayor Root asked to remove Item E - Approval of U.S. Cellular Tower Lease from the Consent Agenda until they can receive more details about the lease.

Councilmember Sherrill made a motion to approve the agenda with the aforementioned revisions. Councilmember McKenna seconded and all voted in favor of the motion.

5. Approval of Minutes

Councilmember Sherrill made the motion to approve the minutes from September 10, 2019 Town Council Regular Workshop, September 16, 2019 Town Council Regular Meeting, and September 25, 2019 Town Council Special-Called Meeting. Councilmember Nagle seconded the motion and all voted in favor on the approval of the minutes.

6. General Public Comment

Public comments were received as follows:

Nancy Fitzpatrick, 20 Central Avenue, commented that as a Weaverville resident and owner of a dog, she would like to see a dog park come to Weaverville where her dog can run around free and get exercise. She has formed a Dog Park committee with James Ferry, Robin Summers and Jerry Summers.

James Ferry mentioned that he is a member of the Dog park committee that was formed over a month ago. The committee is very passionate and driven, but wants to do what's best for Weaverville. The committee is now an established non-profit organization, they have received (or anticipate) a \$50,000 donation for the dog park, and have

demonstrated public interest with a petition showing 522 names on it with 80% being Town residents. They would like to see Town Council establish a committee to further investigate whether a dog park would be good for the community, and hopes that a few members of their committee could participate in that study.

Robin Summers, 26 Penny Lane, presented the benefits for having a dog park in the Weaverville community. These benefits include an increase in property value, dog parks are one of the fastest growing amenities, an increase in revenue from people walking their dogs here and then spending money in Town. She thanked the Weaverville businesses for allowing them to place their petitions in their business since 95% of names came from that. They would like to start the dog park for the good of the Town, good of the people and good of the dogs. They are asking Mayor and Town Council to work with their committee on the feasibility of establishing a dog park.

Jerry Summers, 26 Penny Lane, is the administrator for Weaverville Fur Babies on Facebook, and indicated that the \$50,000 donation to their cause is expected to come from a terminally ill lady and she has expressed a willingness to provide a letter of that intent to the Town.

Louis Accornero, 50 Highland Pointe Drive, mentioned that he looks at the dog park from the business side of it and believes that a dog park could be a business venture all on its own. They could purchase land and have social activities for the animals, but act as a private enterprise.

Doug Theroux, 73 Hillcrest Drive, noted that a dog park would be a great idea, but he doesn't think it would be smart to have it on Town property. He agrees with Mr. Accornero that it would be smart to keep it as a private enterprise.

Cindy Waseleski, 25 Brown St., mentioned she is a dog trainer and her business is Good Dog, Better Dog. She has been training at the water wheel by Lake Louise and recently has had issues with compliance with the leash law provisions of Town Code and this has personally hurt her business. She mentioned that the first people that approach her dogs are kids and that they love the animals. She mentioned that dogs enrich our lives and this community could be the first to have a family dog park with children and dogs all playing together.

Mayor Root asked that Town Manager Selena Coffey go ahead and address this issue since a portion of her Town Manager's Report was on this topic. She noted that staff met with several individuals from the dog park committee on Monday, October 14 where she gave her thoughts regarding potential liabilities and costs to the Town for a dog park. The two proposed sites were the lower two acres of the Main Street Nature Park and a portion of land at the water wheel at Lake Louise Park. She shared with them that she didn't feel that she could recommend either of these sites for several reasons, including potential liability to the Town, active use on both proposed sites, and the physical limitations of the sites. They did discuss the Eller Cove Watershed Conservation acreage as a potential site for folks to walk their dogs, and encouraged them to reach out to the County for assistance. She did reach out to County Commissioner Amanda Edwards to open the door for these folks to discuss this topic with her.

Mayor Root commented that he appreciates the enthusiasm the committee has expressed to address this issue, but as the Town Manager points out there are difficulties in these solutions. Unless Town Council objects, he believes between the Town Manager and himself, they can explore the idea of a committee and see what else can be done and see what the County can do to step up on this. He doesn't think the Town is in a position to establish a dog park itself, but he doesn't want to turn his back on these enthusiastic individuals trying to improve Weaverville.

Councilmember McKenna mentioned that he thinks there is a need and appreciates all the energy and organization, but doesn't believe there is any way to do anything on Town property. He believes they can be a great match maker with the County or a private organization to try and get this accomplished. Right now, you can take dogs anywhere on leash, we just need to find a way to broaden the scope a little bit.

Councilmember Nagle noted that from visiting the Weaverville Fur Babies social media page, he doesn't understand how they can say Town Council has done nothing to accommodate a dog park, when this is the first time it was

brought up before them. He mentioned that Town Council, through the hard work of the Town Manager and Public Works Director Dale Pennell has changed the rules around Town to allow better dog access at Lake Louise. He owns dogs and believes they are great and we need to keep in mind that taxpayer's money should benefit the community at large.

7. Consent Agenda

Councilmember Nagle moved for the approval of the Consent Agenda. Vice Mayor/Councilmember Jackson seconded the motion and all voted unanimously to approve all action requested in the Consent Agenda.

A. Tax Collector's Monthly Report – Informational Only

B. Tax Release– *Approved the tax release of the business personal property of O'Reilly Automotive Inc. at 7 North Buncombe School Road valued at \$25,410, so that \$96.56 can be released from the 2019 levy.*

C. Road Closure Ordinance: Christmas Parade – *Approved Road Closure Ordinance for 2019 Weaverville Christmas Parade that is scheduled for December 7, 2019 from 1:00 pm – 3:30 pm.*

D. Approval of Amendment to Planning & Zoning Board Rules of Procedure: Voting – *Approved the Amendment to Rule 13 of the Rules of Procedure for the Planning and Zoning Board that was adopted by said Board on October 1, 2019.*

E. Budget Amendment: Re-appropriations from FY 2019 – *Approved Budget Amendment*

8. Town Manager's Report

Town Manager Coffey presented her Manager's report to Council including that 1) Our architects have finalized the bid documents and the Community Center project remains scheduled to go to bid on Tuesday, November 5; 2) the Town of Weaverville is planning to host a dinner for our volunteer board and committee members with potential dates of November 7, 14, or 19. She asked Town Council for preferred or unavailable dates; 3) the Town of Weaverville will host its Veterans Day program at the Town Hall in the Community Room on Monday, November 11 at 11:00 am; 4) she gave a reminder that staff and some of Town Council will be attending a training session in Asheville on Thursday, October 24 from 12 pm – 4:30 pm; 5) and lastly, the Buncombe County Tourism Development Authority will be holding a forum on October 23 from 6 pm – 7:30 pm at AB Tech's Ferguson Auditorium, where she will be attending and invites anyone to attend.

9. Discussion and Action Items

A. Rezoning of Unaddressed Merrimon Avenue from I-1 to R-12

Town Planner James Eller addressed some of the Public Comments from the Public Hearing by noting that the landscape requirements required of all new developments will be fully applicable to this project in the event that the zoning is achieved and that the Code will require two parking spaces per dwelling unit instead of 500 vehicles that was suggested. Town Planner Eller also commented that there is a clause in the Comprehensive Land Use Plan that suggests when we are considering land use decisions, the Town provides assurances that Town services like police, fire, public works will be able to be provided to this property and that staff from each department head has confirmed that such services will be available for this site if the zoning is changed to R-12.

Councilmember McKenna mentioned that R-12 is a vitally important component to the Comprehensive Land Use Plan, but wondered if there is a target for what would be balanced for R-12 or not. Town Planner Eller mentioned that in 2016, we were at 80% single family, 19% multi-family and the remaining 1% was mobile homes. With the projects and developments that have been approved since then, should each of these projects be built out, the ratio would change to 69% single family and 31% multifamily.

Vice Mayor Jackson wondered whether Mr. Ratford was making a statement about whether they would or wouldn't allow for the greenway. Mayor Root noted that the Town cannot condition rezoning on particular promises and all this is about intent and not a condition of zoning. William Ratford commented that this is a straight zoning so no conditions could be added, but they knew the Town really wanted a greenway down Reems Creek and didn't know where it was going to be added. He mentioned that they would amendable to offering up an easement or a land lease

between the attorneys' to make sure it is written up correctly to allow the option. He noted that if the Town planned it, they can give different options to work with the Town to make it work, since it would be a benefit for everyone.

Councilmember Nagle noted that he is concerned about the unusable acres that are in the floodplain and doesn't think it should be included in the density calculation. Town Attorney Jackson noted that at this time the ordinance does not address how the density is to be calculated so it is interpreted most favorable to the property owner, but indicated that a policy change could be made to define how density is calculated and what is and is not included in the calculation. Councilmember Nagle also asked if they could allow multi-family residential but at a lower density. Attorney Jackson indicated that right now R-12 is the only zoning district that allows for multifamily, but Town Council could change the ordinance to allow multi-family at a lower density, such as an R-8. That would require a text amendment.

Councilmember Fitzsimmons made a motion to approve an Ordinance Amending the Town's Zoning Map - Rezoning Unaddressed Parcel on Merrimon Avenue Bearing Parcel Identification Number 9742-03-2555 from I-1 to R-12. Vice Mayor Jackson seconded the motion. The motion passed by a unanimous vote of Council. Motion carries 5-0

B. Annexation and Initial Zoning of R-12 for Unaddressed Monticello Road

Town Planner James Eller mentioned that he didn't have anything else to add from the Public Hearing that was held early and asked if Council had any questions for him.

Councilmember Nagle made a motion to accept the Ordinance Extending the Corporate Limits of the Town of Weaverville, North Carolina – Crest Residential, LLC +/-0.3 Acres Near 135 Monticello Road Annexation# 2019-2. Vice Mayor Jackson seconded the motion. The motion passed by a unanimous vote of Council. Motion carries 5-0

C. Waterline Extension Project

Town Attorney Jennifer Jackson mentioned that before Town Council tonight are two resolutions related to the waterline extension project. The first is a resolution supporting an application to the Local Government Commission for its approval of Town water revenue bonds and notes in an estimated amount of not more than \$2,800,000. The second is a formal resolution approving the Final Plans and Specifications and authorizing the solicitation of construction bids on the Waterline Extension Project. Staff is seeking a formal resolution that approves the Final Plans and specifications and authorizes the project to be put out for bid.

Vice Mayor Jackson made the motion to adopt the Resolution Supporting an Application to the Local Government Commission for its Approval of Town Water Revenue Bonds and Notes in an Estimated Amount of Up to \$2.8 million and the Resolution Approving the Final Plans and Specifications and Authorizing the Solicitation of Construction Bids on the Waterline Extension Project. Councilmember Sherrill seconded the motion and all voted in the affirmative. Motion passed 5-0.

D. Quarterly Report: Finance

Finance Officer Tonya Dozier gave Town Council a brief update on the 2019 audit and mentioned that it is in its final review. It is planned to be submitted to the LGC next week for their approval and then have the auditor present his findings to Town Council next month. She then discussed the Quarterly Finance Report from July 2019 – September 2019 with charts summarizing Revenues and Expenditures that provide comparisons from previous years. As well as an updated summary of the Waterline Extension Project. (Documents attached)

E. Quarterly Report: Planning

Town Planner James Eller presented the Planning Department Quarterly Report and noted that 36 Zoning Permits and 2 Sign Permits have been issued during this period. Mr. Eller also gave a review of the activity from the Planning and Zoning Board during these months. There weren't any Zoning Board of Adjustment meetings during this time.

10. Closed Session

Councilmember McKenna made the motion to enter closed session as per N.C. Gen. Stat. § 143-318.11(a)(3) to consult with an attorney, N.C. Gen. Stat. § 143-318.11(a)(5) to establish or instruct staff concerning the position to be taken on the acquisition of real property or amount of compensation or other terms of an employment contract and N.C. Gen. Stat § 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, of conditions of employment of a public officer or employee, or to hear or investigate a complaint, charge or grievance Vice Mayor Jackson seconded the motion and by a majority vote Council entered into closed session.

[CLOSED SESSION]

Councilmember Nagle made the motion to exit closed session. Councilmember Sherrill seconded and all voted unanimously to exit closed session and re-enter open session.

11. Re-enter Open Session

Vice Mayor Jackson made the motion to amend the current base rate of pay for Town Attorney Jennifer Jackson from \$60,000 to \$75,000. Councilmember McKenna seconded the motion. The motion passed by a unanimous vote of Council. Motion passed 5-0.

12. Adjournment

Vice Mayor Jackson made the motion to adjourn; Councilmember Fitzsimmons seconded and all voted to adjourn the Council's meeting at 9:15 p.m.



Derek K. Huninghake, Town Clerk



**AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE
WEAVERVILLE CHRISTMAS PARADE**

WHEREAS, the Town Council of Weaverville acknowledges a long tradition of supporting the annual Weaverville Christmas Parade, that benefits the Weaverville and the North Buncombe community; and

WHEREAS, the Town Council of Weaverville acknowledges a long tradition of providing the Weaverville Christmas Parade for the pleasure of its citizens; and

WHEREAS, the Town Council of Weaverville acknowledges the Weaverville Christmas Parade celebration requires approximately one half hour to install signage, approximately one hour fifteen minutes for parade event, and also requires approximately one half hour for removing signage, litter, etc.

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 Christmas Parade

Date: December 7, 2019
Begin time: 1:00 pm
End time: 3:30 pm

Description of closure: 1.91 miles along SR2207, US 19 Bus, and SR2127 Main Street from North Buncombe Middle School to Weaverville Elementary School / Yost Street.

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

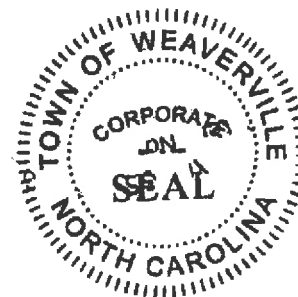


Al Root, Mayor

Attest:



Derek Huninghake, Town Clerk





N MAIN ST



HAMBURG MTN

REEVES ST

ROBERTS ST



HAMBURG DR

PICKENS LN

DOSWOOD DR



REEMS CREEK RD

TOWN OF WEAVERVILLE
AN ORDINANCE AMENDING THE TOWN'S ZONING MAP –
REZONING UNADDRESSED PARCEL ON MERRIMON AVENUE BEARING PARCEL
IDENTIFICATION NUMBER 9742-03-2555 FROM I-1 TO R-12

WHEREAS, Town Council has been requested to approve a zoning map amendment which would rezone from I-1 to R-12 an unimproved parcel of land on Merrimon Avenue bearing Buncombe County Parcel Identification Number 9742-03-2555; and

WHEREAS, the Weaverville Planning and Zoning Board reviewed this rezoning request on September 3, 2019, found that the requested zone of R-12 is consistent with the Town's Comprehensive Land Use Plan, reasonable and in the public interest in that it is consistent with the future land use map, provides a balance of residential uses, and is more compatible with the residential uses in the surrounding area than an industrial use, and by a majority vote recommends that Council approve the rezoning request;

WHEREAS, Town Council has, this day, held a public hearing on this rezoning as required by law and by Town Code;

WHEREAS, Town Council finds that the rezoning of the property to R-12 is consistent with the Town's Comprehensive Land Use Plan and Chapter 36 of the Town's Code of Ordinances, is reasonable and in the public interest in that it is consistent with the future land use map, provides a balance of residential uses, and is more compatible with the residential uses in the surrounding area than an industrial use, and will allow the highest and best use of the property, and is in the best interest of the public;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Weaverville, North Carolina, that the official Weaverville Zoning Map is hereby amended to reflect that the above-referenced property is zoned as R-12, effective immediately.

ADOPTED THIS the 21st day of October, 2019, by a vote of 5 in favor and 0 against.



ALLAN P. ROOT, Mayor

ATTESTED BY:



DEREK K. HUNINGHAKE, Town Clerk

APPROVED AS TO FORM:



JENNIFER O. JACKSON, Town Attorney

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS
OF THE TOWN OF WEAVERVILLE, NORTH CAROLINA –
CREST RESIDENTIAL, LLC - +/-0.3 ACRES NEAR 135 MONTICELLO ROAD
ANNEXATION #2019-2**

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 October 21, 2019, at 6:00 p.m., after due notice by publication on October 4, 2019, and on October 11, 2019;

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:

1. By virtue of the authority granted by N.C. Gen. Stat. § 160A-31, the +/-0.3 acres which are shown on the survey that is attached hereto and incorporated herein by reference, described in Deed Book 5799 at Page 353, Buncombe County Registry, and further identified as Buncombe County Parcel Identification Number 9733-71-3521 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.

2. 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.
3. The Zoning Map of the Town of Weaverville is hereby amended to establish an R-12 zoning classification for the property so annexed.
4. The property owner is directed to submit to the Town of Weaverville an annexation map showing the property so annexed for recordation purposes.
5. 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.
6. This ordinance shall be in full force and effect immediately.


ADOPTED THIS the 21st day of October, 2019, with 5 voting in favor and 0 against.



ALLAN P. ROOT, Mayor

ATTESTED BY:


DEREK K. HUNINGHAKE, Town Clerk

APPROVED AS TO FORM:


JENNIFER O. JACKSON, Town Attorney

**TOWN OF WEAVERVILLE
RESOLUTION APPROVING THE FINAL PLANS AND SPECIFICATIONS
AND AUTHORIZING THE SOLICITATION OF CONSTRUCTION BIDS
ON THE WATERLINE EXTENSION PROJECT**

WHEREAS, the Town of Weaverville has undertaken a Waterline Extension Project that includes the construction of water main lines beginning at the existing water main at the north end of Clarks Chapel Road and running along Clarks Chapel Road and Ollie Weaver Road in order to connect with the existing water main on Monticello Road ("Waterline Extension Project"); and

WHEREAS, the Town has contracted with WR-Martin to provide professional engineering services on the Waterline Extension Project and WR Martin has finalized the Plans and Specifications of the Project and is in receipt of all required development and construction permits to allow the project to be bid and constructed;

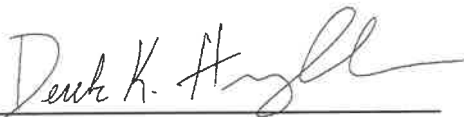
WHEREAS, the Town wishes to approve the final Plans and Specifications for the Waterline Extension Project and authorize the solicitation of constructions bids;

NOW, THEREFORE BE IT RESOLVED, that the Weaverville Town Council hereby approves the Final Plans and Specifications for the Waterline Extension Project and authorizes the solicitation of construction bids for the Project consistent with North Carolina law and the Instructions to Bidders contained in the Final Plans and Specifications.

ADOPTED this the 21st day of October, 2019.



ALLAN P. ROOT, Mayor



Derek K. Huninghake, Town Clerk

**TOWN OF WEAVERVILLE
RESOLUTION SUPPORTING AN APPLICATION TO THE
LOCAL GOVERNMENT COMMISSION FOR ITS APPROVAL OF TOWN WATER
REVENUE BONDS AND NOTES IN AN ESTIMATED AMOUNT
OF UP TO \$2,800,000**

WHEREAS --

The Town of Weaverville has previously approved a plan to undertake a planned waterline extension project. The United States of America – Department of Agriculture – Rural Utilities Service has offered to assist the Town in the project by providing a financing package that includes a low-interest loan not to exceed \$2,800,000.

The Town plans to accept the offer from USDA. The Town will provide for the issuance of the Town’s revenue bonds in an estimated amount of up to \$2,800,000 to represent the loan component of the USDA proposal. USDA generally requires that borrowers like the Town separately arrange for construction-period financing through the issuance of “bond anticipation notes.”

North Carolina law requires that the Town’s issuance of the bonds and notes be approved by the North Carolina Local Government Commission (the “LGC”), a division of the North Carolina State Treasurer’s office. Under the LGC’s guidelines, this governing body must make certain findings of fact to support the Town’s application for the LGC’s approval of the bonds and notes.

THEREFORE, BE IT RESOLVED by the Town Council of the Town of Weaverville, North Carolina, that the Town makes a preliminary determination to finance a portion of the project costs through the issuance of water revenue bonds to USDA in an amount estimated as not to exceed \$2,800,000.

In addition, the Town makes a preliminary determination to contract for construction-period financing, as may be required by USDA, through the issuance of bond anticipation notes.

The final issuance of the bonds and the notes in any event is subject to the LGC’s approval and this Board’s subsequent approval. Some of the financing proceeds may represent reimbursement to the Town for prior expenditures on project costs, and the Town may also use financing proceeds to pay financing costs.

The revenue bonds and notes will not be general obligations of the Town and will not be secured by a pledge of the Town’s taxing power. Instead, the bonds and notes will be payable from the net operating revenues of the Town’s water system.

***BE IT FURTHER RESOLVED* that the Town Council makes the following findings of fact:**

1. The project is necessary and appropriate for the Town under all the circumstances. The project will increase the capacity and efficiency of the Town's public water system to the benefit of the Town and the customers of the system.

2. The project is feasible. Project costs will be paid from grant funds and low-interest financing sources, including the bonds and notes. The Town expects that the current environment for construction bids will result in favorable project costs. The Town believes that the customer utility bills that will be necessary to provide for bond payments will be reasonable under the circumstances.

3. The Town's debt management procedures and policies are sound and in compliance with law, and the Town is not in default under any of its debt service obligations.

4. The Town will be able to market the bonds and notes at reasonable rates of interest. The financing offer from USDA includes long-term financing at low interest rates so as to enhance the feasibility of issuing the bonds and otherwise maintaining the Town's utility operations. In addition, the Town will closely review proposed lending rates for the notes against market rates with guidance from the LGC. All amounts financed will reflect either approved contracts, professional estimates or previous actual expenditures.

***BE IT FURTHER RESOLVED* as follows:**

(a) The Town Council directs the Town Manager, the Finance Officer, and all other Town officers and representatives to take all appropriate steps toward the completion of the financing, including completing an application to the LGC for its approval of the bonds and notes.

(b) The Town asks the LGC to solicit one or more proposals from financial institutions to purchase the notes and thereby provide construction financing for the project, and to proceed with the private sale of the notes to the best bidder.

(c) The Town intends that the adoption of this resolution will be a declaration of the Town's official intent to reimburse preliminary project expenditures from bond and note proceeds. The Town intends that funds that have been advanced for project costs, or which may be so advanced, from the Town's water utility funds, or any other Town funds, may be reimbursed from the financing proceeds.

(d) The Town Council directs all Town officers and employees to take all such further action as they may consider necessary or desirable in furtherance of the purposes of this resolution. The Town Council ratifies all prior actions of Town officers and employees in this regard.

(e) This resolution takes effect immediately.

ADOPTED this the 21st day of October, 2019.



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

I hereby certify that the foregoing resolution was properly adopted at a meeting of the Town Council of the Town of Weaverville, North Carolina; that this meeting was properly called and held on October 21, 2019; that a quorum was present and acting throughout the meeting; and that this resolution has not been modified or amended, and remains in full effect as of today.

WITNESS my signature and the seal of the Town of Weaverville, North Carolina, this 21st day of October, 2019.

[SEAL]



Derek K. Hunninghake, Town Clerk
Town of Weaverville, North Carolina



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Meeting
Monday, November 18, 2019**

The Town Council for the Town of Weaverville met for its regular monthly meeting on Monday, November 18, 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/Councilmember Doug Jackson, and Councilmembers Dottie Sherrill, Jeffrey McKenna, Andrew Nagle and Patrick Fitzsimmons.

Staff present was: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Finance Officer Tonya Dozier, Town Clerk Derek Huninghake, Town Planner James Eller, Fire Chief Ted Williams, Police Chief Ron Davis, 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. Organization & Oaths for Newly Elected Council Member

A. Oaths of Office

Town Clerk Derek Huninghake administered the Oaths of Office for newly Elected Councilmembers Patrick Fitzsimmons, Jeffrey McKenna, and Andrew Nagle.

B. Selection of Vice- Mayor

Councilmember Sherrill nominated Councilmember Jackson as Vice-Mayor. Councilmember Fitzsimmons seconded and all voted in favor of the selection.

3. Approval/Adjustments to the Agenda

Mayor Root asked to add as Item A under Discussion Items – Main Street Advisory Group.

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

4. Approval of Minutes

Councilmember Nagle made the motion to approve the minutes from October 21, 2019 Town Council Regular Meeting. Councilmember McKenna seconded the motion and all voted in favor on the approval of the minutes.

5. Special Recognition: Roney Hilliard

Mayor Root, on behalf of Town Council, presented a plaque in special recognition to Roney Hilliard for his work on the ABC Board over the last six years. Mr. Hilliard has also served the people of Buncombe County for many years in the Sheriff Department.

6. General Public Comment - No Public Comment

7. Consent Agenda

Councilmember Sherrill moved for the approval of the Consent Agenda. Councilmember McKenna seconded the motion and all voted unanimously to approve all action requested in the Consent Agenda.

A. Tax Collector's Monthly Report – Informational Only

B. Tax Releases & Refunds– *Approved the tax release of the business personal property of Thermo Fisher Scientific, Inc. at 274 Aiken Road valued at \$2,269,776, so that \$8,625.15 can be released from the 2017 levy and refunded, the tax release of the business personal property of Thermo Fisher Scientific, Inc. at 274 Aiken Road valued at \$2,396,227, so that \$9,105.66 can be released from the 2018 levy and refunded, and the tax release of the business personal property of Thermo Fisher Scientific, Inc. at 274 Aiken Road valued at \$2,038,252, so that \$7,745.36 can be released from the 2019 levy.*

C. Board Appointment: ABC Board – *Appointed Tonia Sheppard to fill vacant seat on the ABC Board for a term that is due to expire in September of 2021.*

D. Budget Amendment: Cops for Kids and Pink Patch Project – *Approved Budget Amendment*

8. Town Manager's Report

Town Manager Coffey presented her Manager's report to Council including that 1) Community Center committee and staff met with our architects at the end of October and they are on target for announcing the project for bid this month with plans for bids/proposals to be approved by Town Council at your regular meeting in January 2020; 2) Reviewed the Strategic Plan Quarterly Update; 3) she has spoken with Buncombe County Manager Avril Pinder about the Town wanting to participate in the solar RFP project and we are now continuing in the County's process by gathering information pertaining to the Town's facilities; 4) Since Town Council serves as the Town's Tree Board, Town Planner James Eller has completed the recertification application for the Tree City USA designation and Town Manager Coffey expects to schedule our Arbor Day program for April 2020; 5) The Veterans Day Program that was held at the Town Hall on November 11 was a huge success and Town Manager Coffey thanked Vice Mayor Jackson and the Residents Patriotic Activities Committee for their hard work; 6) Our banquet recognizing volunteer boards and committee members is Tuesday, November 19 at 6pm in the Town Hall Community Room; 7) Christmas Parade is scheduled for Saturday, December 7 at 1 pm and 8) lastly, she recently had a meeting with Asheville City Manager Debra Campbell about the regionalization and feasibility of the transit program and how the Town of Weaverville could participate and benefit in this program.

Vice Mayor Jackson commented that he appreciates all the help he received from staff regarding the transition with moving Veterans Day from Lake Louise to the Weaverville Town Hall this year.

Mayor Root also thanked Lou Accornero and Thomas Veasey for all their hard work they have exhausted in serving on the Community Center Committee.

9. Discussion and Action Items

A. Main Street Advisory Group

Mayor Root noted that the reason he added this to the discussion items is due to the economic development goals of establishing an Economic Development Advisory Committee that was on the Strategic plan quarterly report update. He believes the Main Street Advisory Group could address some issues of how we go about living on Main Street, how it reflects and supports the businesses, and the community usage of Main Street. He has formed a committee consisting of a member from the Planning and Zoning Board, a volunteer from the community, a member from the Weaverville Business Association, and Councilmembers Fitzsimmons and McKenna.

Councilmember McKenna mentioned that the group has already held two meetings and discussed issues that the Mayor brought up. They have been very collaborative, however the issue that kept arising was the availability and communication of parking spaces. He wasn't aware that Town Manager Coffey and staff had been working on the parking issue already, but asked her to mention the parking related summary notes that were discussed at the last committee meeting.

Town Manager Selena Coffey covered the following notes from the committee meeting:

- 1.) Two hour parking zone signs – DOT approval needed for signs on Main Street
- 2.) Signage to identify Town parking lot – Two hour parking
- 3.) Support Town and Police Department to enforce two hour parking
- 4.) Monitor parking weekly and issue tickets
- 5.) Re-evaluate law enforcement after initial rollout
- 6.) Re-stripe Main Street parking to make spaces smaller to allow for more spots

She also noted that they have been working with DOT on the last issue and at the first meeting DOT approved five additional spots, but wouldn't approve parking down the street by the baseball field at Primary school since parents park there for school pickup/drop-off. DOT suggested they prepare an agreement between them and the Town laying out the terms of the Town painting and maintaining the spaces even though the spaces are on DOT roads, but she hasn't heard anything back.

Public Works Director Dale Pennell mentioned that he and staff met with DOT on October 28 for the second meeting about parking on the section of Main Street from Brown Street to Grove Street. DOT noted that the homeowners would have to be spoken to about adding business related parking spaces in front of their home, plus no one would be able to park closer than 25 feet on each side of their driveways. This would actually eliminate parking and only allow for a total of about 12 additional spaces, since the criteria for a parking space has to be 8 feet wide and 20 feet long.

Town Manager Coffey commented that parked vehicles disrupting the flow of traffic can be towed or ticketed, however the Town's policy needs to be updated if we want to address two hour parking. She recommends if there is a consensus between Town Council going forward, that she be directed to come back with a proposal that revises our Town code in regards to address two hour parking, additional resources necessary and new signs and parking times.

Consensus was given by Town Council.

B. FY 2018-2019 Audit

Finance Officer Tonya Dozier mentioned that the Town of Weaverville FY 2018-2019 audit was submitted to the Local Government Commission last week for their approval, which we should receive in the next few weeks. Once we receive the approval, we will distribute copies to Town Council and place it on the Town website. She also, extended a big thank you to Mr. Keever and his staff for all their knowledge and help throughout the year, not just during the audit.

Travis Keever, of Gould Killian CPA Group, thanked Town Council for allowing them to serve as the Town auditors again this year and thanked staff for all their hard work and cooperation in completing the audit. Mr. Keever noted that the audit is considered final now. They have issued the Town of Weaverville an unmodified (clean) opinion, reported no material weaknesses in internal control and no instances of non-compliance with laws and regulations. He highlighted the general fund and enterprise fund summary, and noted that local governments have become at risk for cybersecurity. They recommend that the Town have a risk assessment process in place and good insurance policies.

C. FY 2018-2019 ABC Audit

Chairman Robert Chason presented the Weaverville ABC FY 2018-2019 Audit to Town Council. He noted that the ABC store is performing really well and is continuing to grow financially with last year's sales exceeding \$3 million, which is up 8.4% from the prior year. Their profit distribution to the Town of Weaverville last year was a little over \$171,000 and they see no reason that distribution level shouldn't be achieved again this year.

D. Approval of U.S. Cellular Tower Lease

Town Attorney Jennifer Jackson mentioned that the US Cellular Tower Lease expires on December 31, 2021 and US Cellular has requested that the approval of the proposed ground lease that is to commence beginning on January 1, 2022. The term for this new lease is 5 years with an automatic renewal of an additional 5 year term. The annual rent

with the new lease will increase annually by \$5,838.36. Based on the average monthly rents for other US Cellular ground leases in western North Carolina, the Town of Weaverville is about double the average lease amount.

Vice Mayor Jackson made a motion to approve the attached lease and continue its leasing to US Cellular, and then adopt the Resolution Approving Ground Lease for US Cellular Tower Site. Councilmember Fitzsimmons seconded the motion. The motion passed by a unanimous vote of Council. Motion carries 5-0

E. Approval of Final Plat for Major Subdivision at 108 Church Street

Town Planner James Eller mentioned that before Town Council is a final plat approval for a major subdivision at 108 Church Street, which calls for 5 lots from the underlying 2.78 acres. In August, the Planning and Zoning Board reviewed the preliminary plat and passed along a unanimous recommendation for the plat to be approved by Town Council. During the same meeting, the Board offered a positive recommendation for the final plat for the same subdivision due to all infrastructures being in place, so nothing would change between the preliminary and final version of the plat.

Councilmember Fitzsimmons made a motion to approve the attached final plat for the project located at 108 Church Street. Councilmember Nagle seconded the motion. The motion passed by a unanimous vote of Council. Motion passed 5-0.

F. 2020 Town Council Meeting Schedule

Mayor Root discussed the proposed Town Council meeting schedule for the upcoming year. He recommends that the Town Council Regular meetings be moved to the 4th Monday of every month, with the Town Council workshops staying on the 2nd Tuesday of each month. He also suggested changing the May 2020 and December 2020 Town Council meetings to the 3rd Monday, due to holidays.

Councilmember Nagle made a motion to approve the proposed 2020 Town Council Meeting Schedule with the aforementioned changes. Vice Mayor Jackson seconded the motion. The motion passed by a unanimous vote of Council. Motion passed 5-0.

G. Quarterly Report: Fire Department

Fire Chief Ted Williams presented the Weaverville Fire Departments Quarterly Report for August – October 31, 2019. There were 505 calls this quarter with an average response time for all calls at 6:24 minutes, the increase is due to a large number of overlapping calls and calls outside the jurisdiction, 29 child passenger safety seats were installed, 84 commercial business inspections, and 12 fire prevention and education classes were conducted.

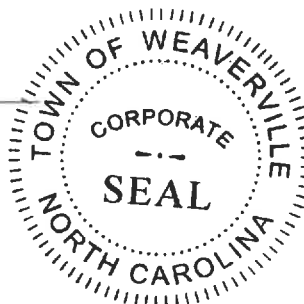
H. Quarterly Report: Police Department

Police Chief Ron Davis presented the Weaverville Police Department Quarterly Report for August – October 2019. Chief Davis noted that there were 3,342 calls for service last quarter, which is an increase of 10.3% from the same quarter last year, 74 arrests, which is an increase of 8.8% from same quarter last year, and 84 vehicle collisions with 13 injuries, which is an increase of 23.5% from same quarter last year. He also noted that the police department has implemented a new reporting standard called National Incident Base Reporting System (NIBRS) so that is the reason for the new format. The system will illustrate increases/decreases, but they aren't as drastic as they appear due to changes in the categories of crimes compared to the old system.

10. Adjournment

Councilmember Nagle made the motion to adjourn; Councilmember Sherrill seconded and all voted to adjourn the Council's meeting at 8:22 p.m.


Derek K. Huninghake, Town Clerk



OATH OF OFFICE

I, **ANDREW NAGLE**, do solemnly and sincerely swear that I will support the Constitution and laws of the United States;

that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof;

that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability;

and that I will faithfully discharge the duties of my office as Council Member of the Town of Weaverville, so help me God



ANDREW NAGLE

Sworn to and subscribed before me
this the 18th day of November, 2019.



DEREK K. HUNINGHAKE
Town Clerk



OATH OF OFFICE

I, **PATRICK FITZSIMMONS**, do solemnly and sincerely swear that I will support the Constitution and laws of the United States;

that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof;

that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability;

and that I will faithfully discharge the duties of my office as Council Member of the Town of Weaverville, so help me God.



PATRICK FITZSIMMONS

Sworn to and subscribed before me
this the 18th day of November, 2019.



DEREK K. HUNINGHAKE
Town Clerk



OATH OF OFFICE

I, **JEFF McKENNA**, do solemnly and sincerely swear that I will support the Constitution and laws of the United States;

that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof;

that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability;

and that I will faithfully discharge the duties of my office as Council Member of the Town of Weaverville, so help me God.



JEFF McKENNA

Sworn to and subscribed before me
this the 18th day of November, 2019.



DEREK K. HUNINGHAKE
Town Clerk





**2019 MUNICIPAL ELECTION
11/05/2019
ABSTRACT OF VOTES
FOR
BUNCOMBE COUNTY, NORTH CAROLINA**


INSTRUCTIONS

The county board shall prepare abstracts of all the ballot items in triplicate originals. The county board shall retain one of the triplicate originals, and shall distribute one each to the city or town clerk for the municipality and the State Board of Elections. The State Board of Elections shall forward the original abstract it receives to the Secretary of State (GS § 163A-1173)

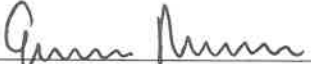
**STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE**

The County Board of Elections for said county, having opened, canvassed, and judicially determined the original returns of the election in the precincts in this county, held as above stated, do hereby certify that the attached is a true abstract thereof, and contains the number of legal ballots cast in each precinct for each office or referendum named, the name of each person or choice voted for, their party affiliation (where applicable), and the number of votes cast for each person or choice for the item named.

This is the 15th day of November, 2019.



Board Chair




Board Secretary



Board Member



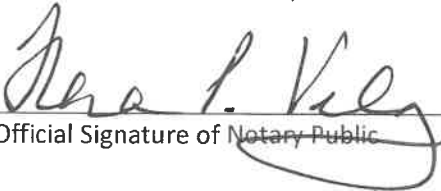
Board Member



Board Member

This day personally appeared before me, JAKE QUINN, Chairman of the County Board of Elections, who being duly sworn, says the abstract of votes herein contained is true and correct, according to the returns made to said Board.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal this the 15th day of November, 2019.



Official Signature of Notary Public

TRENA P. KELER

Printed/Typed Name of Notary Public

My Commission Expires: 4/22/23

(Seal)

November 05, 2019 Municipal Election Results by Contest

Contest	Choice	Party	Total Votes	Election Day	One Stop	Abs Mail	Provisional
TOWN OF WEAVERVILLE TOWN COUNCIL	Patrick Fitzsimmons		189	151	35	3	0
	Jeff McKenna		167	129	35	3	0
	Andrew Nagle		152	117	32	3	0
TOWN OF WOODFIN MAYOR	W. Jerry Velhaun		233	209	21	3	0
	James (Jim) Angel		145	131	12	2	0
	Donald H. Honeycutt, Jr.		234	209	22	3	0
	Ronnie V. Lunsford		240	214	24	2	0
	Linwood Nichols		117	108	8	1	0
	Ivo Ballentine		117	107	10	0	0
BUNCOMBE - WOODFIN SANITARY WATER AND SEWER DISTRICT TRUSTEE	Sarah W. Gassaway		149	137	11	1	0
	Don Haynes		116	107	9	0	0

November 05, 2019 Municipal Election Results by Precinct

Friday, November 15, 2019
Page 1 of 3

Precinct	Contest	Choice	Party	Total Votes	Election Day	One Stop	Abs Mail	Provisional
TOTAL	TOWN OF WEAVERVILLE TOWN COUNCIL	Patrick Fitzsimmons		189	151	36	3	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Jeff McKenna		167	129	35	3	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Andrew Nagle		152	117	32	3	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	M. Jerry Vehaun		233	209	21	3	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	James (Jim) Angel		145	131	12	2	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Donald H. Honeycutt, Jr.		234	209	22	3	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Ronnie V. Lunsford		240	214	24	2	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Lynwood Nichols		117	109	8	1	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Ivo Ballentine		117	107	10	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Sarah W. Gassaway		149	137	11	1	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Don Haynes		119	107	9	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	M. Jerry Vehaun		0	0	0	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	James (Jim) Angel		0	0	0	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Donald H. Honeycutt, Jr.		0	0	0	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Ronnie V. Lunsford		0	0	0	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Lynwood Nichols		0	0	0	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Ivo Ballentine		13	13	0	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Sarah W. Gassaway		15	15	0	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Don Haynes		13	13	0	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Ivo Ballentine		0	0	0	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Sarah W. Gassaway		1	1	0	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Don Haynes		0	0	0	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	M. Jerry Vehaun		0	0	0	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	James (Jim) Angel		0	0	0	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Donald H. Honeycutt, Jr.		0	0	0	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Ronnie V. Lunsford		0	0	0	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Lynwood Nichols		0	0	0	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	M. Jerry Vehaun		22	20	2	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	James (Jim) Angel		9	9	0	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Donald H. Honeycutt, Jr.		21	18	3	0	0
	TOWN OF WEAVERVILLE TOWN COUNCIL	Ronnie V. Lunsford		23	20	3	0	0
28.1	BUNCOMBE - WOODFIN SANITARY WATER AND SEWER DISTRICT TRUSTEE	Sarah W. Gassaway		1	1	0	0	0
28.1	BUNCOMBE - WOODFIN SANITARY WATER AND SEWER DISTRICT TRUSTEE	Don Haynes		13	13	0	0	0
28.1	BUNCOMBE - WOODFIN SANITARY WATER AND SEWER DISTRICT TRUSTEE	Ivo Ballentine		0	0	0	0	0
28.1	BUNCOMBE - WOODFIN SANITARY WATER AND SEWER DISTRICT TRUSTEE	Sarah W. Gassaway		1	1	0	0	0
28.1	BUNCOMBE - WOODFIN SANITARY WATER AND SEWER DISTRICT TRUSTEE	Don Haynes		0	0	0	0	0
28.1	BUNCOMBE - WOODFIN SANITARY WATER AND SEWER DISTRICT TRUSTEE	M. Jerry Vehaun		0	0	0	0	0
28.1	BUNCOMBE - WOODFIN SANITARY WATER AND SEWER DISTRICT TRUSTEE	James (Jim) Angel		0	0	0	0	0
28.1	BUNCOMBE - WOODFIN SANITARY WATER AND SEWER DISTRICT TRUSTEE	Donald H. Honeycutt, Jr.		0	0	0	0	0
28.1	BUNCOMBE - WOODFIN SANITARY WATER AND SEWER DISTRICT TRUSTEE	Ronnie V. Lunsford		0	0	0	0	0
28.1	BUNCOMBE - WOODFIN SANITARY WATER AND SEWER DISTRICT TRUSTEE	Lynwood Nichols		0	0	0	0	0
28.1	BUNCOMBE - WOODFIN SANITARY WATER AND SEWER DISTRICT TRUSTEE	M. Jerry Vehaun		22	20	2	0	0
28.1	BUNCOMBE - WOODFIN SANITARY WATER AND SEWER DISTRICT TRUSTEE	James (Jim) Angel		9	9	0	0	0
28.1	BUNCOMBE - WOODFIN SANITARY WATER AND SEWER DISTRICT TRUSTEE	Donald H. Honeycutt, Jr.		21	18	3	0	0
28.1	BUNCOMBE - WOODFIN SANITARY WATER AND SEWER DISTRICT TRUSTEE	Ronnie V. Lunsford		23	20	3	0	0

BUNCOMBE COUNTY

November 05, 2019 Municipal Election Results by Precinct

Precinct	Contest	Choice	Party	Total Votes	Election Day	One Stop	Abs Mail	Provisional
42.1	TOWN OF WOODFIN ALDERMAN	Linwood Nichols		14	12	2	0	0
58.1	TOWN OF WEAVERVILLE TOWN COUNCIL	Patrick Fitzsimmons		4	2	1	1	0
		Jeff McKenna		4	2	1	1	0
		Andrew Nagle		4	2	1	1	0
59.1	TOWN OF WEAVERVILLE TOWN COUNCIL	Patrick Fitzsimmons		4	2	1	1	0
		Jeff McKenna		4	2	1	1	0
		Andrew Nagle		4	2	1	1	0
67.1	TOWN OF WEAVERVILLE TOWN COUNCIL	Patrick Fitzsimmons		148	117	30	1	0
		Jeff McKenna		132	101	30	1	0
		Andrew Nagle		124	94	29	1	0
68.1	TOWN OF WOODFIN MAYOR	M. Jerry Vehaun		1	1	0	0	0
	TOWN OF WOODFIN ALDERMAN	James (Jim) Angel		0	0	0	0	0
		Donald H. Honeycutt, Jr		2	2	0	0	0
		Ronnie V. Lunsford		0	0	0	0	0
		Linwood Nichols		1	1	0	0	0
69.1	TOWN OF WOODFIN MAYOR	M. Jerry Vehaun		13	11	2	0	0
	TOWN OF WOODFIN ALDERMAN	James (Jim) Angel		11	9	2	0	0
		Donald H. Honeycutt, Jr		10	9	1	0	0
		Ronnie V. Lunsford		12	10	2	0	0
		Linwood Nichols		10	9	1	0	0
70.1	TOWN OF WOODFIN MAYOR	M. Jerry Vehaun		156	142	13	1	0
	TOWN OF WOODFIN ALDERMAN	James (Jim) Angel		104	94	9	1	0
		Donald H. Honeycutt, Jr		156	144	11	1	0
		Ronnie V. Lunsford		169	148	12	0	0
		Linwood Nichols		72	69	2	1	0
	BUNCOMBE - WOODFIN SANITARY WATER AND SEWER DISTRICT TRUSTEE	Ivo Ballentine		104	94	10	0	0
		Sarah W. Gassaway		133	121	11	1	0
		Don Haynes		103	94	9	0	0
71.1	TOWN OF WEAVERVILLE TOWN COUNCIL	Patrick Fitzsimmons		33	30	3	0	0
		Jeff McKenna		27	24	3	0	0
		Andrew Nagle		20	19	1	0	0
	TOWN OF WOODFIN MAYOR	M. Jerry Vehaun		41	35	4	2	0
	TOWN OF WOODFIN ALDERMAN	James (Jim) Angel		21	19	1	1	0

BUNCOMBE COUNTY

November 05, 2019 Municipal Election Results by Precinct

Precinct	Contest	Choice	Party	Total Votes	Election Day	One Stop	Abs Mail	Provisional
BUNCOMBE - WOODFIN SANITARY WATER AND SEWER DISTRICT TRUSTEE		Donald H. Honeycutt, Jr		45	36	7	2	0
		Ronnie V. Lunsford		45	36	7	2	0
		Lynwood Nichols		29	17	3	0	0
		Ivo Ballentine		0	0	0	0	0
		Sarah W. Gassaway		0	0	0	0	0
		Don Haynes		0	0	0	0	0

STATISTICS	0006_WEAVERVILLE COUNCIL TOWN OF WEAVERVILLE	0007_WOODFIN MAYOR TOWN OF WOODFIN	0008_WOODFIN ALDERMAN TOWN OF WOODFIN
VOTERS	1051	0	0
REGISTERED	358	0	0
ELIGIBLE	11	0	0
ABSENT	42.1	0	0
PRESENT	235	22	9
TOTALS	227	0	21
	4	2	23
	59.1	0	0
	356	0	0
	2381	0	0
	165	89	0
	137	1	0
	429	13	11
	69.1	156	104
	3083	41	21
	1686	27	45
	87	116	234
	189	233	240
TOTALS	507	18	117

0009_WOODFIN WATER AND SEWER DIST WOODFIN
WATER DISTRICT

	I V O	B A L L I N E N T I N E	W . G A S S A W A Y H	D O N H A Y S E S	W R I T E - T N	O V E R V O T E S	U N D E R V O T E S
05.1	13		15	13	0	0	4
28.1	0		1	0	0	0	2
70.1	104		133	103	10	3	121
71.1	0		0	0	0	0	0
TOTALS	117		149	116	10	3	127

Budget Amendment FY 2019-2020

Town of Weaverville


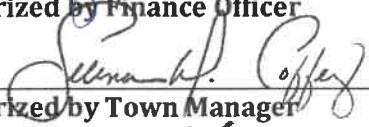

What expense accounts are to be increased?

<u>Account</u>	<u>Account Description</u>	<u>Transfer Amount</u>
010-430-431-26609	Pink Patch Project (Expenditure)	\$5,032.00
010-430-431-26608	Cops for Kids (Expenditure)	\$3,380.00
010-430-431-26400	Police - Alcohol Ed & Prevention	\$121.46
010-430-431-26450	Police - ABC Law Enforcement	\$86.75

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

<u>Account</u>	<u>Account Description</u>	<u>Transfer Amount</u>
010-004-300-09029	Pink Patch Project (Revenue)	\$5,032.00
010-004-300-09028	Cops for Kids (Revenue)	\$3,380.00
010-004-300-06045	ABC Store - Alcohol Education	\$121.46
010-004-300-06050	ABC Store - Police Dept Revenue	\$86.75

Justification: Please provide a brief justification for this budget amendment. *Pink Patch Project donations collected from Sept 2019 – Oct 2019; Cops for Kids donations collected from July 2019 – Oct 2019; ABC Store Distribution for Quarter ended 9/30/19.*

	11/20/19
Authorized by Finance Officer	Date
	11/19/2019
Authorized by Town Manager	Date
	11/19/2019
Authorized by Town Council (if applicable)	Date

Budget Ordinance Section Z:

- 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 APPROVING GROUND LEASE FOR
US CELLULAR TOWER SITE

WHEREAS, North Carolina General Statute §160A-272 authorizes Town Council to enter into a lease for a period not to exceed 10 years if it determines that the property will not be needed by the Town for the term of the lease; and

WHEREAS, for many years the Town has leased a small area (100' x 100') behind its Public Works Facility to US Cellular for a tower site; and

WHEREAS, the current lease, which provides the Town with an annual income of \$16,413.00 is due to expire on December 31, 2021, and US Cellular has requested the approval of the attached proposed ground lease that is to commence beginning on January 1, 2022; and

WHEREAS, the term for this proposed new lease is 5 years with an automatic renewal of an additional 5 year term, and the annual rent with the proposed new lease is \$22,251.36, which is an annual increase of \$5,838.36; and

WHEREAS, the property to be leased will not be needed by the Town during the term of the proposed new lease;

WHEREAS, in accordance with North Carolina General Statute §160A-272, Town Council adopted a resolution on August 19, 2019, declaring its intent to authorize the attached lease to US Cellular and a public notice describing the property to be leased, stating the annual rent or lease payments, and announcing Town Council's intent to authorize the lease at its regular meeting on October 21, 2019, was published in the Asheville Citizen-Times on August 28, 2019;

WHEREAS, on October 21, 2019, Town Council requested additional information to support the proposed new lease amount and that information has now been provided and is found to be acceptable;

NOW, THEREFORE, BE IT RESOLVED, that, as allowed by North Carolina General Statute §160A-272, the attached Ground Lease is hereby approved and the Mayor is authorized to execute said lease, and any required memorandum of lease, on behalf of the Town of Weaverville.

ADOPTED this the 18th day of November, 2019.



ALLAN P. ROOT, Mayor



Derek K. Hunninghake, Town Clerk

2020 WEAVERVILLE TOWN COUNCIL MEETING SCHEDULE

Agendas/agenda packets are posted on Town website [www.weaverville.org] prior to meetings.

Date, Time, Location, and Topics are subject to change as allowed by North Carolina law.

Meetings are held in Council Chambers/Community Room at Town Hall, 30 South Main Street, Weaverville, NC, unless otherwise noted.

DATE	TIME	TYPE OF MEETING
January 14, 2020, Tuesday	6:00 pm	Regular Workshop
January 27, 2020, Monday	7:00 pm	Regular Meeting
February 11, 2020, Tuesday	6:00 pm	Regular Workshop
February 24, 2020, Monday	7:00 pm	Regular Meeting
March 10, 2020, Tuesday	6:00 pm	Regular Workshop – Joint Meeting with P&Z Board
March 23, 2020, Monday	7:00 pm	Regular Meeting
April 14, 2020, Tuesday	6:00 pm	Regular Workshop – Budget
April 27, 2020, Monday	7:00 pm	Regular Meeting
May 12, 2020, Tuesday	6:00 pm	Regular Workshop – Budget
May 18, 2020, Monday	7:00 pm	Regular Meeting
June 9, 2020, Tuesday	6:00 pm	Regular Workshop – Budget
June 22, 2020, Monday	7:00 pm	Regular Meeting
July 14, 2020, Tuesday	6:00 pm	Regular Workshop – Joint Meeting with P&Z Board
July 27, 2020, Monday	7:00 pm	Regular Meeting
August 11, 2020, Tuesday	6:00 pm	Regular Workshop
August 24, 2020, Monday	7:00 pm	Regular Meeting
September 8, 2020, Tuesday	6:00 pm	Regular Workshop
September 28, 2020, Monday	7:00 pm	Regular Meeting
October 13, 2020, Tuesday	6:00 pm	Regular Workshop
October 26, 2020, Monday	7:00 pm	Regular Meeting
November 10, 2020, Tuesday	6:00 pm	Regular Workshop – Joint Meeting with P&Z Board
November 23, 2020, Monday	7:00 pm	Regular Meeting
December 8, 2020, Tuesday	6:00 pm	Regular Workshop
December 21, 2020, Monday	7:00 pm	Regular Meeting



**Town of Weaverville
Minutes**

**Special Called Joint Meeting of Town Council and Planning and Zoning Board
Tuesday, December 12, 2019 – Town Hall**

The Town Council and Planning and Zoning Board for the Town of Weaverville met for a Special Called Joint Meeting on Tuesday, December 12, 2019, at 6:00 p.m. in Council Chambers within Weaverville Town Hall at 30 South Main Street, Weaverville, North Carolina.

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

Planning and Zoning Board members present: Chairman Gary Burge, Vice Chairman Catherine Cordell, Board Members: Peter Stanz, John Chase and Steve Warren, Alternate Board Member Rachel Brunson. Alternate Member Tom Balestrieri was absent.

Staff present: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Town Planner James Eller, and Town Clerk Derek Huninghake

1. Call to Order

Mayor Root called the meeting to order on behalf of Town Council at 6:00pm.

Chairman Gary Burge called the meeting to order on behalf of the Planning and Zoning Board at 6:00pm.

Mayor Root opened the meeting by noting that this Special Called Joint meeting is for Town Council to receive feedback from the Planning and Zoning Board on what they see as the top priorities and concerns in the Town, what their role is and how it can better serve Town Council and discuss the possibility of creating a new R-4 zoning district. Mayor Root mentioned that the approved 2020 Town Council meeting schedule includes a joint meeting every four months which will be beneficial for both boards to be on the same page.

2. Discussion

Mr. Stanz commented that he doesn't feel they have done a lot of planning, but instead more reacting and would like them to have the power to do more planning. He also wonders how the P&Z Board could assist staff in getting more top priority items to the top of the list. He understands there is a balance between the volunteer board trying to help staff and not getting in the way. He has thought for a long time that mixed use was the number one priority, but believes it has been pushed back down the list to allow for affordable housing. He spoke with Town Manager Coffey about the community center project and if affordable housing is that important then why don't we talk with developers about giving them extra funds to help with affordable housing.

Vice Mayor Jackson noted that he would like the P&Z Board to look into issues that were developed on the strategic plan like mixed-use housing and provide input to Town Council on where they see trends going in five or ten years. He believes the board being involved in more long term strategic planning would be beneficial.

Mr. Burge agreed with Vice Mayor Jackson's suggestion and mentioned that the P&Z Board follows the priority list that they wanted to address like affordable housing and then next mixed use housing, when they aren't working on text amendments and zoning changes. He believes their main responsibility is to the Town citizens with regards to

what Weaverville will be like in five or ten years, so as an advisory board he would like the ability to provide Town Council with input on issues that could be addressed by changes in zoning laws and subdivision regulations.

Councilmember Nagle wondered if there was a job description for the roles of the P&Z Board and if there were any limitations to what the board couldn't do. Town Attorney Jackson mentioned that at the last joint meeting they discussed what the law and ordinances allow the board to do and the duties assigned by Town Council through ordinances. She noted that there aren't any limitations to what the P&Z Board does as an advisory board. Town Planner Eller mentioned that state legislature allow Town Council to delegate the authority to approve subdivision plans to the P&Z Board, but that has not been done in Weaverville. Councilmember Nagle then noted that it would be a great idea to broaden the scope of responsibilities of the P&Z Board and not just for specific projects.

Mayor Root mentioned that at the end of the day the elected officials are the ones that will be held responsible for the decision, but the ability for the P&Z Board to offer their advice in a detailed way lets them see things that Town Council might not. He knows there are items that have to go before the P&Z Board before Town Council can do anything and believes that if there is a desire on the P&Z Board to go a different direction then Town Council wants to hear that feedback.

Mrs. Cordell mentioned that this was where the P&Z Board gets stuck, since Town Council does the future plan and gives them their list of top priorities. They look at their role as this is what Town Council wants, so they don't think they are able to come back to Council and tell them this doesn't work. Instead they look at the list and wonder how they can make it work. Mayor Root noted that in terms of prioritization, the difference between item one, two and three isn't that important.

Councilmember Fitzsimmons noted that they will always welcome recommendations since often they recognize the problem, but don't know the answer and look for the P&Z Board for some input.

Mr. Stanz mentioned that the top two priorities on the list are affordable housing and mixed use developments. It seems to him that affordable housing came to the P&Z Board from Town Council and they wonder how that is important to Weaverville and where it is coming from. As for mixed uses the P&Z Board brought that to Town Council, since there were places where developers told them they couldn't do that. But they aren't able to go back to the developer and tell them that they are able to do something else.

Councilmember Fitzsimmons noted that it comes from the fact that the average price of homes are higher in Weaverville than in Asheville and the average age is rising every year as well, since younger families can't afford to live here. For the future of the Town this won't work and we are trying to find a way for younger families to move to Weaverville.

Mrs. Cordell noted that they discovered that high density doesn't mean affordable housing, since they have allowed developments to be different than the standards were so they could have high density, but the homes were still around \$500,000. The original affordable housing was probably R-3, but that district allows manufactured homes which not everyone wants, but do we have a place for this to be. Also, they have approved more apartments recently, however they received an email about the apartment costs increasing 5% each year. She believes that it is nice that we are looking at affordable housing, but where we sit now we have done our best job of letting it come to us like Lillie Farm. The Town of Weaverville isn't able to manage affordable housing to make sure the owners live in the homes for 15 years and not sell to make a profit.

Councilmember Fitzsimmons mentioned that most of the affordable housing developments intend to be apartments opposed to housing developments, since we aren't able to require developers to build houses at a certain price. He noted that the Town doesn't have the ability to manage these sites, but wonders what we can do to partner with Mountain Housing Opportunities or Habitat for Humanity to find ways for us to be more attractive for these developments.

Mrs. Cordell commented that she really doesn't want to see a new R district for high density or affordable housing, since we are managing it well and need to wait for it to come to us one step at a time. She said that people are parking on sidewalks when setbacks are reduced and their garages are full, due to density.

Councilmember Fitzsimmons noted that denser zoning is not only for affordable houses, but infill properties in the heart of Town would allow for people to drive less and walk to more businesses. Mrs. Cordell agreed with pursuing the infill properties.

Mayor Root mentioned that this could have been a misimpression that Town Council had given them. It may well be that the R-4 district could be good for affordable housing and could add other benefits. Mr. Burge noted that the general feeling is that if they create R-4 with high density and smaller lots than this would become default for single family construction in Weaverville.

Vice Mayor Jackson commented that Town Manager Coffey had gotten some statistics on rental costs in Weaverville compare to Asheville and it appeared that our costs were cheaper than Asheville. Town Planner Eller noted that he provided information related to a study done related to Asheville, and it showed that our citizens make more money and our rent costs less. Town Manager Coffey mentioned that the key clarification is that the numbers didn't match the narrative and we had to back into the formula. Town Planner Eller added that the information was obtained from the American Community Survey that was conducted in 2017 and the City of Asheville had commissioned a Bowen Report that gives them information that is two years newer, so that is as close as we could get to making the numbers match.

Mr. Warren mentioned that one thing that was brought up at their last board meeting was the fact that they don't have all the answers and it might be helpful to get some outside experts that understand the housing industry to give us a tutorial, rather than try to answer the dilemma on their own. Mayor Root wonders if it would be better for those folks to meet with the P&Z Board or have a workshop with Town Council included as well. He would like us to be more proactive in reaching out them for more help on possible grants and other possibilities.

Councilmember Nagle mentioned that Town Council asked about creating R-4 thinking that this could help affordable housing, but what we are really trying to figure out is how we can get younger families with lower incomes to be able to move to Weaverville.

Mr. Stanz reiterated his earlier statement that if Town Council really wants affordable housing then how much are they willing to invest to create affordable housing, if it is nothing then we shouldn't pursue it. He also noted that there isn't very much land left to develop, so we need to figure out what we want in those locations. Mayor Root disagreed on the topic of spending money and thinks there is a different way to look at it. He believes that we can channel it through zoning to make sure that things are setup correctly.

Mr. Warren commented that he doesn't know if there is a big demand for affordable housing. After all we are only a Town of 4,000 residents and if you go a 1 mile outside you are in the county, shouldn't the county offer affordable housing? Or why does the Town have to take on the task of creating affordable housing? He isn't in the private sector so he doesn't know if the housing market is pursuing these types of developments.

Mr. Burge noted that he has spoken with neighbors and citizens about affordable housing and they don't want \$250,000 homes coming into their neighborhood because it would lower the value of their property. Plus he spoke with a few developers and they don't want to build these types of developments either. He doesn't see a distressed economic area in Weaverville.

Town Planner Eller noted that most of the time affordable housing is found in multi-family configuration. As for Lillie Farm Cove like Mrs. Cordell brought up, it was approved in September 2016 with each unit being a single family home and 32 out of 46 were offered at affordable housing pricing levels. The Town has issued 196 permits from September and, to date, that equates to 16% of zoning permits issued to new single family construction have

gone to affordable housing. Mr. Eller noted that this was a Mountain Housing Opportunities project and they are obligated to operate under the terms of 80% of the income.

Councilmember Fitzsimmons noted that the desire is to have younger families in Weaverville besides just to diversify the age in Weaverville. We don't see a lot of kids around Weaverville that actually live in Town and we don't want to only have the older generation.

Councilmember Nagle noted that potentially there are other things that the Town could do like spend money on such as fiber optic technology, dog park, and community center to attract younger families to move here. Mr. Burge mentioned that true high speed internet would be an attraction as well as allowing the capability of free WiFi on Main Street. Mr. Stanz commented that zoning might not be the answer for attracting younger families to the area.

Mr. Burge mentioned that the P&Z Board is interested in mixed use, since it gives the Town more flexibility and could be a way to address affordable housing while having a business below that creates jobs. Councilmember Fitzsimmons noted that this is attractive and our downtown is booming, but there is no place to put them. However a mixed use development somewhere outside downtown might be desirable.

Councilmember Fitzsimmons mentioned that the issue of Airbnb growth in our Town will need to be addressed soon, as well as the possibility of allowing for tiny homes. It would be good if we can try and get out in front of this, instead of having to react when someone brings it up to us. Mr. Burge noted that they didn't consider accessory dwelling units like garage apartments, since the downside is that it encourages Airbnb's and could ruin the character of the Town of Weaverville.

3. Overview

Mayor Root mentioned that if he is hearing this correctly, Town Council doesn't want to task the P&Z Board with drafting an R-4 ordinance, but to broaden their scope of responsibility and for them to come back to Council and advise them on what to do. Mixed use is a very interesting topic and if P&Z Board wants to tackle this issue and bring back their suggestions to Council at an upcoming next meeting. He also noted that we start shifting away from affordable housing and to find ways to attract younger families.

Mr. Burge agreed with Mayor Root, since the possibilities are actually there to do something. The more we think about affordable housing then the less we will actually change anything because it would have unattainable consequences to the Town. He also introduced the Planning and Zoning Boards new alternate member, Rachael Bronson.

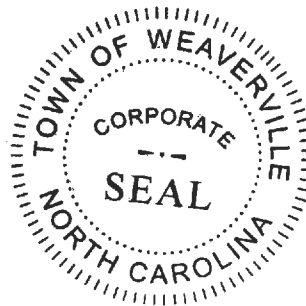
4. Adjournment.

Vice Mayor/Councilman Jackson made the motion to adjourn the Town Council meeting; Councilman Fitzsimmons seconded and all of Town Council voted to adjourn the Council's meeting at 7:26 p.m.

Board member Cordell made the motion to adjourn the meeting of the Planning and Zoning Board; Board member Stanz seconded and all Board members voted to adjourn the Board's meeting at 7:26 p.m.


DEREK K. HUNINGHAKE, Town Clerk


MAYOR ALLAN ROOT





MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Meeting
Monday, December 16, 2019**

The Town Council for the Town of Weaverville met for its regular monthly meeting on Monday, December 16, 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: Vice Mayor/Councilmember Doug Jackson and Councilmembers Dottie Sherrill, Jeffrey McKenna, Andrew Nagle and Patrick Fitzsimmons. Mayor Al Root was absent.

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

1. Call to Order

Vice Mayor Doug Jackson called the meeting to order at 7:00 p.m.

2. Approval/Adjustments to the Agenda

Councilmember Sherrill made a motion to approve the agenda as presented. Councilmember McKenna seconded and all voted in favor of the motion.

3. Approval of Minutes

Councilmember McKenna made the motion to approve the minutes from November 18, 2019 Town Council Regular Workshop. Councilmember Nagle seconded the motion and all voted in favor on the approval of the minutes.

4. General Public Comment

Terry Yeager, 107 Elk Lane, commented that two Airbnb's have been operating in his lovely residential neighborhood and the continuous traffic has become an issue. He understands that Airbnb's are very profitable and in high demand, but he believes they should be managed properly and not allowed in residential areas. He is asking that Town Council look into establishing an ordinance about this issue.

Laura Ayers, 300-1 Reems Creek Road, commented that she noticed that the issue of actual acres versus useable acres came up again on the rezoning of Merrimon Avenue property at Town Council's October meeting. She noted that this issue will more than likely come up again in the future, so she asked Town Council to look into adding the "actual acres versus useable acres" into the ordinance.

5. Consent Agenda

Councilmember Sherrill moved for the approval of the Consent Agenda. Councilmember Fitzsimmons seconded the motion and all voted unanimously to approve all action requested in the Consent Agenda.

A. Tax Collector's Monthly Report – Informational Only

- B. Tax Releases & Refunds**– *Approved the tax release of a portion of real property owned by Dorothy Lille, LLC, PIN 9752-09-1393, valued at \$192,400, so that \$731.12 can be released from the 2018 levy and refunded, the tax release of a portion of real property owned by Dorothy Lille, LLC, PIN 9752-09-1393, valued at \$146,705, so that \$557.48 can be released from the 2019 levy, and the tax release of a portion of real property owned by Amit Dorf, PIN 9742-99-4566, valued at \$512,430, so that \$1,947.23 can be released from the 2019 levy.*
- C. 2015 Closure of Portion of Brittain Street and Water Easements** – *Adopted the Amended and Restated Resolution and Order Regarding Permanent Closure of Portion of Brittain Street and accepting the Waterline Easement Agreements.*
- D. Road Closure Ordinance: Music on Main 2020** – *Approved Road Closure Ordinance for Music on Main on June 20, 2020 from 12:00 pm until 10:30 pm*

6. Town Manager's Report

Town Manager Coffey presented her Manager's report to Council including that 1) it is time again for her to start ordering the fireworks for the Town's downtown July 4, 2020 event, unless Town Council or Mayor have any reservations; 2) she thanked Councilmember Sherrill for organizing another fantastic Christmas Parade and also congratulated her on it being her 30th year organizing the Christmas Parade; 3) the Community Center project is out to bid and due by 2:00 pm on January 22, 2020, so staff will be bringing back a recommended bid/proposal at the January 2020 meeting; 4) the Waterline Improvement project is now open for bids and are due by 2:00 pm on January 15, 2020; 5) she is very proud of all our departments for participating in October's Breast Cancer Awareness and #PinkPatchProject and with their efforts the Town was able to raise \$3,811 to go to The Hope Chest for Women; and 6) lastly, she and staff have met on the downtown parking and parking enforcement issues, unfortunately, they are not at a place to present their findings and recommendations. It can be expected to be at the January 27, 2020 Town Council meeting. Merry Christmas and Happy Holidays to you all!!

7. Discussion and Action Items

A. Greenway Project Update

Doug Dearth has been working with Buncombe County staff on the Greenway project and provided Town Council with a brief update. Mr. Dearth noted that the project is on track and making progress. The letters of interest or request for proposals (RFP) have been put out for bids with a deadline of January 20, 2020. Under the rules that govern this project at least three bids are required, however if more than three are submitted the Oversight committee will cut down the list through interviews until there are only three remaining. The Oversight Committee will consist of 6 members: two Buncombe County representatives, one being Buncombe County Director of Parks and Rec. Josh O'Connor, Town Manager Selena Coffey, Doug Dearth, MPO Board representative Tristan Winkler, and NCDOT representative. The Oversight Committee will manage/oversee the progress of the successful vendor and hold at least three progress meetings and one open house public meeting during the process.

B. Acceptance of Waterlines for Maple Trace Phase IV

Public Works Director Dale Pennell mentioned that Windsor Built Homes, Inc. is in the process of developing a subdivision outside of Town limits known as Maple Trace. They have completed the water infrastructure for Phase IV, the last phase of the subdivision, and those lines are ready to be accepted into the Town's water system. He is requesting that Town Council accept the waterline extension and related improvements into the Town's water system subject to staff level approval by the Town Manager, Town Attorney and himself. He also urges Town Council to set an improvement defects guaranty at \$4,000 to cover any defects that might be discovered within three years of our acceptance.

Councilmember Sherrill made a motion to accept 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 improvement defects guaranty amount at \$4,000. Councilmember Nagle seconded the motion. The motion passed by a unanimous vote of Council. Motion carries 4-0

C. Remote Participation in Town Council Meetings

Town Attorney Jennifer Jackson mentioned that Town Council has an opportunity to put in place some rules that can help govern remote participation at Town Council Meetings. Remote participation is referred to when a councilmember is not able to be physically present at a meeting, but has technology available to phone/video into the meeting to have their presence noted and to be heard. Town Attorney Jackson noted two areas to be careful with: 1) If the remote member would be necessary to constitute a quorum, and 2) how the members vote counts if technology fails. She proposes that remote participation be allowable as long as it is not necessary to make a quorum or to cast a deciding vote, since it could be subject to challenge.

Councilmember Nagle mentioned that he thinks this is a good thing to do so Council isn't breaking the law, but he believes if a Councilmember walks out of the room and still counts towards quorum, then it would be the same if the call failed for the remote participant. Town Attorney Jackson noted that there is a provision in the resolution that if the member knows they only have a limited amount of time then there would be notification that they are excused from the meeting.

Councilmember McKenna mentioned that this will only be an occasional situation and all members should still make their best effort to make the meetings. Town Attorney Jackson mentioned that if someone is abusing it then Town Council has the authority to cut it off.

Councilmember McKenna made a motion to approve the resolution adopting special rules for remote participation in Town Council meetings as presented. Councilmember Nagle seconded the motion. The motion passed by a unanimous vote of Council. Motion passed 4-0.

D. Town Hall Entry

Town Manager Selena Coffey mentioned that there have been quite a few questions about what will be going in the circular area in front of the Town Hall, so she included this to the agenda for Town Council discussion. She proposed for it to be a fountain built in brick on the outside with a topper and inside a structural ring that can heat the water, adjust the lighting and control the water flow direction. The project is estimated to be around \$10,000.

Councilmember Nagle asked Town Manager Coffey for a recap on why the Town had to remove the previous tree in front of the Town Hall and wondered if the Town had any way to appeal the NCDOT decision when they don't agree with it. Councilmember Fitzsimmons agreed and noted that when it affects the appearance of our Town, we should be able to have a say in the matter. Town Manager Coffey mentioned that NCDOT requested the Town remove the tree since it was obstructing the crosswalk signs that need to be visual. The Town appealed the decision twice, but was turned down.

Councilmember McKenna mentioned that hopefully the NCDOT would consider a different outcome instead of requiring the Town to dip into their funds to purchase a replacement for the tree. He also recommended that staff get approval from NCDOT on the design of the fountain to make sure they don't come back and have us remove it.

Councilmember Nagle commented that he wasn't in favor of the fountain and doesn't know if the Town should be making such a bold statement, instead he would rather see a neon sign that list Town events/meetings.

Vice Mayor Jackson noted that Town Manager Coffey would like some kind of consensus from Town Council, so staff can move forward with a plan. He is in favor of the fountain and believes it would be another attraction to our Town like the clock and waterwheel.

Consensus was given by Town Council to move ahead with the fountain after it has been approved by NCDOT.

E. Quarterly Report: Public Works and Water Department

Public Works Director Dale Pennell presented the Public Works and Water Services Quarterly Report for September 2019 through November 2019. Some highlights were that the total number of active water meters has increased to 2,901 and our monthly unaccounted water increased to 14-15% in November, but due to dry weather the Town found a broken 2 inch waterline under Reems Creek that was the culprit. Mr. Pennell also noted that at the Water Treatment Plant our daily average is still only at 45% of the plant capacity, and if the current water commitments are included it increases to 67%. Lastly, he mentioned that the Quarry Road project is underway and if weather cooperates we will have an 18 foot wide road completed by Thursday and our Public Works department is running behind on leaf pickup this season since equipment had to be repaired and staffing issues with temporary employees, so leaf season will be extended to at least January 17, 2020.

Town Manager Selena Coffey mentioned that completion of Quarry Road was part of the feasibility study on the Greenway project, which required building sidewalks around this portion that could potentially loop back towards the water wheel. Also, she bragged about how staff was able to save the Town significant money by sloping and cutting back the area that was supposed to require a retaining wall.

8. Adjournment

Councilmember Sherrill made the motion to adjourn; Councilmember McKenna seconded and all voted to adjourn the Council's meeting at 7:54 p.m.


Derek K. Huninghake, Town Clerk



RF



Doc ID: 033138370004 Type: CRP
Recorded: 12/20/2019 at 11:48:36 AM
Fee Amt: \$26.00 Page 1 of 4
Workflow# 0000577692-0001
Buncombe County, NC
Drew Reisinger Register of Deeds

BK **5846** PG **1256-1259**

COVERSHEET

DOCUMENT TYPE:	AMENDED AND RESTATED RESOLUTION AND ORDER REGARDING PERMANENT CLOSURE OF PORTION OF BRITTIAN STREET
GRANTOR:	TOWN OF WEAVERVILLE PO BOX 338 WEAVERVILLE, NC 28787
GRANTEE:	N/A
PROPERTY DESC:	N/A
DATE OF DOCUMENT:	DECEMBER 16, 2019
PREPARED BY AND RETURN TO:	JENNIFER O. JACKSON PO BOX 338 WEAVERVILLE, NC 28787

**TOWN OF WEAVERVILLE
AMENDED AND RESTATED RESOLUTION AND ORDER REGARDING
PERMANENT CLOSURE OF PORTION OF BRITTIAN STREET**

WHEREAS, North Carolina General Statute §160A-299 sets forth a procedure for permanently closing streets and alleys for cities and towns in North Carolina; and

WHEREAS, on July 20, 2015, Town Council adopted a resolution of intent to permanently close a portion of Brittian Street, also known as Brittain Street, and set a public hearing for August 17, 2015; and

WHEREAS, the resolution was published once a week for four consecutive weeks prior to the public hearing and on August 17, 2015, a public hearing on the request to close a portion of Brittian Street was held; and

WHEREAS, the public hearing was held on August 17, 2015, with no comments being offered, and Town Council took action to close a portion of Brittian Street as requested by adopting a Resolution to Permanently Close a Portion of Brittian Street which included a finding that the closing of a portion of Brittian Street as described therein is not contrary to the public interest and no individual owning property in the vicinity of the street or alley would thereby be deprived of reasonable means of ingress and egress to his or her property; and

WHEREAS, the Resolution that was adopted on August 17, 2015, contained some irregularities that Town Council wishes to correct with this "Amended and Restated Resolution and Order Regarding Permanent Closure of Portion of Brittian Street";

NOW, THEREFORE BE IT RESOLVED AND ORDERED, that pursuant to N.C. Gen. Stat. § 160A-299, and with the consent of the property owners abutting the relevant portion of unopened Brittian Street, the hereinafter described portion of Brittian Street (also known as Brittain Street) is hereby ordered to be permanently closed effective upon adoption and the Town Clerk is requested to file this resolution with the Buncombe County Register of Deeds:

BEGINNING at the northeast corner of Lot 5 of the R.P. Brittain property shown on that portion of the plat recorded in Deed Book 101, Page 309 (beginning page 308), in the Buncombe County Registry; thence running South 85 degrees 38 minutes 36 seconds East across a portion of Brittain Street (unopened) a distance of 34.03 feet to the northwest corner of the property now or formerly owned by Jennifer Mitchell as described in Deed Book 4466, Page 1075; thence running South 01 degrees 51 minutes 25 seconds West 178.44 feet with the western line of said property along with the western line of the property now or formerly owned by Deborah Ann Riddle as described in Deed Book 1956, Page 74, to a ¾-inch iron pipe found, said iron pipe located at the southwest corner of the said Riddle property; thence running South 88 degrees 16

minutes 16 seconds West, crossing a portion of Brittain Street (unopened) a distance of 34.00 feet to a 3/4-inch iron pipe found, said iron pipe located at the southeast corner of Lot 5 as shown on said plat; thence with the eastern line of said Lot 5, North 01 degrees 51 minutes 21 seconds East 180.00 feet to the point of beginning; and being shown more particularly delineated as "Brittain St (unopened)" on that survey by Eric S. McAbee, P.L.S., License #L-4095, being survey drawing No. G-13-3182, dated December 18, 2013.

Pursuant to N.C. Gen. Stat. § 160A-299(c) all right, title, and interest in the right-of-way shall be conclusively presumed to be vested in those persons owning lots or parcels of land adjacent to the street, and the title of such adjoining landowners, for the width of the abutting land owned by them, shall extend to the centerline of the street.

ADOPTED this the 16 day of December 2019.

ALLAN P. ROOT
ALLAN P. ROOT, Mayor

Derek K. Hunninghake
Derek K. Hunninghake, Town Clerk

THE UNDERSIGNED HEREBY CONSENT TO THE CLOSURE OF THE PORTION OF BRITTIAN STREET DESCRIBED HEREIN:

Cynthia Spain
CYNTHIA SPAIN

Date: 10/16/19

Deborah Ann Riddle
DEBORAH ANN RIDDLE

Date: 10/17/19

DOGWOOD PROPERTIES & DEVELOPMENT, LLC

BY: Kevin G. Kopp
Kevin G. Kopp, Manager

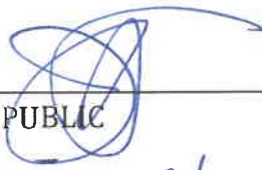
Date: 12-5-19

STATE OF NORTH CAROLINA

COUNTY OF BUNCOMBE

I, a Notary Public of the aforesaid State and County, certify that **DEREK K. HUNINGHAKE**, who is personally known to me, personally appeared before me this date and acknowledged that he is the Town Clerk for the Town of Weaverville, a municipality, and that by authority duly given and as the act of the Town Council of the **TOWN OF WEAVERVILLE**, the foregoing instrument was signed in its name by its Mayor, Allan P. Root, sealed with its municipal seal and attested by himself as its clerk.

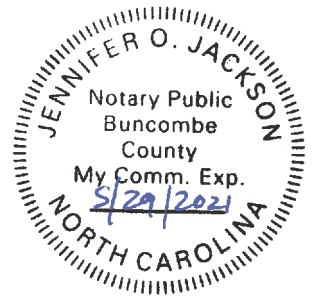
WITNESS my hand and official stamp or seal, this 16 day of December, 2019.



NOTARY PUBLIC

My Commission Expires: 5/29/2021

(NOTARIAL SEAL)



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 acknowledged and agreed to permit said event on the date and times specified below as a community and family-oriented event;
and

WHEREAS, the Town Council of acknowledges that Weaverville acknowledges 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 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 20, 2020

Time: 12:00 pm until 10:30 pm

Road Closures:

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

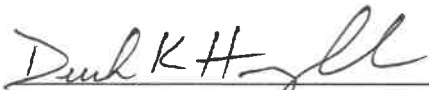
This ordinance to become effective when signs are erected giving notice of the road closures and detour routes, the implementation of adequate traffic control.

Adopted this 16 day of December, 2019

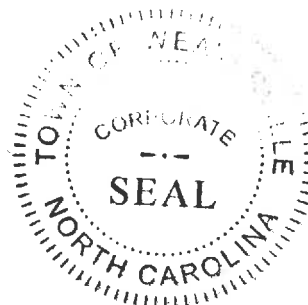


Allan P. Root, Mayor

Attest:



Derek Huninghake, Town Clerk



TOWN OF WEAVERVILLE
RESOLUTION ADOPTING SPECIAL RULES FOR
REMOTE PARTICIPATION IN TOWN COUNCIL MEETINGS

WHEREAS, there are times when both Town Council's and the public's interests are best served by accommodating one or more Council members' needs to participate in an official Town Council meeting from another location; and

WHEREAS, Town Council is authorized to establish rules of procedure for its official meetings;

WHEREAS, Town Council now wishes to adopt special rules pertaining to remote participation in Town Council meetings with an effective date of January 1, 2020;

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

SECTION 1: Remote participation in a Council meeting is attendance and participation in an official meeting of Town Council by a Council member who is not physically able to attend but is able attend and participate by phone, video or other type communication.

SECTION 2: The Mayor and Council members are each allowed to remotely participate in official Town Council meetings subject to the conditions and limitations stated in Section 3 below and are referred to hereinafter as "member" or "members."

SECTION 3: Remote participation is allowed subject to the following:

- (a) Remote participation of a member is not allowed solely for the convenience of the member or merely to avoid attending one or more particular meetings. Remote participation is reserved for specific circumstances such as illness or disability of a member or a close relative, military service, unexpected lack of child care, family emergency, or work or public service obligations that require a member to be away, or for other reasons as approved by Town Council. Town Council, by majority vote, can disallow remote participation by any member who is found to have abused the privilege.
- (b) Remote participation is allowed for any official meeting of Town Council except for quasi-judicial hearings and closed sessions.
- (c) If the Mayor is remotely participating in a meeting the meeting shall be conducted by the Vice-Mayor or such other member as is physically present and able to preside over the meeting.

- (d) The member or members participating from a remote location may take part in debate and vote on any matter before the Council only when enough members are physically present to constitute a quorum.
- (e) Remote participation is allowed only if the member at a remote location can fully participate in the deliberations, can hear and can be heard by the other members of Council and any other individual in attendance at the official meeting.
- (f) A member participating remotely is considered to be present at the meeting and entitled to vote. Members participating remotely are required to notify Council when they are leaving the meeting or rejoining the meeting by terminating or restarting the electronic connection.
- (g) If an electronic communication is lost unintentionally due to technical problems, the member will not be considered present.
- (h) A voice vote by telephone or video, which can be heard and recorded, will be counted. If votes are to be taken by written ballot, then a remote member can send a vote via text, email, or fax, but such vote must be confirmed by the remote member.
- (i) Minutes of the meetings at which one or more members participate remotely must reflect which members were physically present and which members attended remotely. Minutes should also reflect when members are excused from voting or are excused to leave or rejoin the meeting, just as they would for members who are physically present.

SECTION 4: This resolution shall become effective and binding on January 1, 2020.

ADOPTED this 16th day of December, 2019.



ALLAN P. ROOT, Mayor

ATTEST:



DEREK K. HUNINGHAKE, Town Clerk

