



MINUTES

**Town of Weaverville
State of North Carolina**

**Joint Meeting of Town Council and Planning and Zoning Board
Tuesday, July 14, 2020**

Remote Electronic Meeting

Zoom: <https://us02web.zoom.us/j/83012730588>

The Town Council for the Town of Weaverville met for a joint meeting with the Planning and Zoning Board meeting on Tuesday, July 14, 2020, at 7:00 p.m. as an electronic video meeting via Zoom Meeting.

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

Planning and Zoning Board Members present were: Chairman Gary Burge, Vice Chairman Catherine Cordell and Member John Chase.

Staff members remotely present were: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Planning Director 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 on behalf of Town Council at 6:04 p.m.

Chairman Burge called the meeting to order on behalf of the Planning and Zoning Board at 6:04 p.m.

2. Open Discussion Between Town Council and the Planning and Zoning Board

Mayor Root noted that he wished for the meeting to be an open discussion between Town Council and the Planning and Zoning Board, then recognized Public Works Director Dale Pennell and Water Treatment Supervisor Trent Duncan who were appearing to discuss particulars related to the expansion of the Town's water system. Mr. Pennell described the progress of the waterline expansion project along Ollie Weaver Road and Clarks Chapel Road and the schedule for the proposed water plant expansion. Mr. Duncan spoke regarding the discrepancy between the amount of water the current plant can withdraw from the river and the amount of water the plant can produce. Ms. Coffey and Mr. Pennell spoke regarding conversations between the town and the Town of Mars Hill related to an expired agreement between the two jurisdictions for Weaverville to provide water to Mars Hill in the event of an emergency.

Mr. Burge spoke regarding the recent work by the Planning and Zoning Board concerning the Town's subdivision ordinance. Mr. Eller and Ms. Jackson also spoke to the proposed structuring of the subdivision ordinance specific to the aim of streamlining the review process. Council reached consensus on allowing staff to approve minor subdivisions and the Planning and Zoning Board approving major subdivisions.

Ms. Jackson spoke to the new effective date of 160D.

Ms. Cordell noted her desire to require sidewalks for new single family developments. Council reached consensus to include sidewalk requirements of new single family residential development within the subdivision ordinance.

Mr. Burge noted his desire to incorporate additional design standards within the sign ordinance.

Mayor Root spoke regarding his desire to have a member of Council serve as a liaison between Council and the Board. Mayor Root also requested the Board offer a recommendation to Council on the make-up of the Board including an opinion on a non-voting member of Council to be included on the Board and the possibility of moving the makeup of the Board from 5 members and two alternates to 7 regular members. The Board agreed to discuss at the next regularly scheduled meeting of the Board.

3. Adjournment

Mayor Root declared the meeting adjourned on behalf of Town Council at 7:35p.m.

Chairman Burge declared the meeting adjourned on behalf of the Planning and Zoning Board at 7:35 p.m.



James Eller, Town Clerk



MINUTES

Town of Weaverville
State of North Carolina

Town Council Regular Meeting
Monday, July 27, 2020

Remote Electronic Meeting

Zoom: <https://us02web.zoom.us/j/85948891960>

The Town Council for the Town of Weaverville met for its regularly monthly meeting on Monday, July 27, 2020, at 7:00 p.m. as an electronic video meeting via Zoom Meeting.

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

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

1. Call to Order

Mayor Al Root called the meeting to order at 7:04 p.m.

2. Approval/Adjustments to the Agenda

With no comment related to the agenda, Mayor Root declared the agenda adopted.

3. Approval of Minutes

Councilmember Nagle made the motion to approve the minutes from the June 22 Town Council meeting and the July 14 joint meeting of Town Council with the Planning and Zoning Board. Councilmember Fitzsimmons seconded the motion and in a roll call vote all voted in favor of the approval of the minutes. Motion passed 5-0.

4. General Public Comment

On a temporary basis due to the COVID-19 public health emergency, general public comments must be submitted in advance of the meeting. Comments are limited to no more than 450 words and must observe normal rules of decorum. Only comments that are timely received will be read into the record during the public comment period. Public comments can be submitted (1) by **emailing** to public-comment@weavervillenc.org at least 6 hours prior to the meeting, (2) by putting your written comment in a **drop box** at Town Hall (located at front entrance and back parking lot) at least 6 hours prior to the meeting, or (3) by **mailing** your written comment (must be received not later than Monday's mail delivery) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments.

No public comments were received.

5. Consent Agenda

Vice Mayor Jackson moved for the approval of the Consent Agenda. Councilmember Nagle seconded the motion and in a roll call vote all voted to approve all action requested in the Consent Agenda listed below. Motion passed 5-0.

- A. Tax Collector's Settlement – Information Only**
- B. Budget Amendments: FY 2019-2020 ABC Distribution and Fire Department Donation – Budget Amendment approved to reflect funds distributed to the town from the ABC system for alcohol education & law enforcement and a private donation made to the fire department.**
- C. FY 2020-2021 Pay & Classification Plan – Approval of the updated Pay and Position Classification Plan**
- D. Water Commitment Extension: The Holston Development at 135 Monticello Road – Water commitment extended for a period of one year as per section 30-77 of town code.**
- E. Appointment of Town Council Liaison to the Planning and Zoning Board – With consent of Town Council Mayor Root appointed Councilman Nagle as a non-voting liaison to the Planning and Zoning Board for a period of one year effective immediately.**

6. Town Manager's Report

Town Manager Coffey presented her Manager's report to Council which included information related to coronavirus relief funds; executive orders concerning utility disconnections; summer concert series event cancellations; Community Center update; Police Department use of force policy review; new waterline construction progress; recycling carts; and upcoming Town Council workshops.

Councilman Nagle requested that, in light of the cancelled concerts, the Town host virtual musical performances and post to social media. Consensus was achieved for Town Manager Coffey to explore the possibility.

7. Discussion and Action Items

A. Fox Lair Crossings Streets: Request for Reconsideration

On May 18, 2020 Town Council considered a public street commitment application for Fox Lair Crossings and took action to deny said application. Representatives from Fox Lair Crossings have requested reconsideration of this denial siting a willingness to remove the present gate and to undertake the testing and inspections recommended by Public Works Director Pennell as conditions for a public street commitment.

Councilmember Fitzsimmons motioned to reconsider the application for a public street commitment for Fox Lair Crossings. Councilmember Sherrill seconded the motion and in a roll call vote the motion for reconsideration passed 4-1. Councilmember Nagle cast the dissenting vote.

Fabrizio Corte spoke to Town Council on behalf of the home owners association. Mayor Root called for a member of Council to make a motion on any proposed action related to the public street commitment application.

No motion was made for action of any kind related to the Fox Lair Crossings public street commitment application, so Town Council's previous action on May 18, 2020, to deny the application for public street commitment stands.

B. Waterline Acceptance: Fairfield Inn

Public Works Director Pennell recommended that Town Council accept the waterline extension and related improvements for Fairfield Inn into the Town's water system subject to staff level approval by the Public Works Director, Town Manager and Town Attorney. Public Works Director Pennell also recommended that Town Council set a waterline repair guarantee of \$3,000 to cover any defects discovered within three years of acceptance.

Vice Mayor Jackson moved to accept the waterline extension and related improvements into the Town's water system subject to staff level approvals by the Town Manager, Town Attorney and Public Works Director and to set a repair guarantee in the amount of \$3,000. Councilmember Nagle seconded the motion and in a roll call vote all voted to approve the waterline extension and repair guarantee. Motion passed 5-0.

C. Water Treatment Plant Expansion Resolution of Intent

Town Manager Coffey presented to Town Council a resolution of intent to expand the Town’s water treatment plant on the Ivy River. Town Manager Coffey also spoke to the monitoring of the production of water at the plant, a 2017 study on the expansion of the water plant by McGill & Associates and WithersRavenel, and the monitoring of water usage and allocations which support the expansion of the water treatment plant to 3 million gallons of water per day to double the plant’s production capacity. It was also noted that the Towns of Marshall and Mars Hill have been granted funds to engage in a joint study on individual water supplies and possible regionalization of water production and distribution.

Councilmember Nagle moved to adopt a Resolution of Intent to Expand the Ivy River Water Treatment Plant and authorize staff to begin steps of estimating project costs, securing financing and engineering for the project and participating in discussions with neighboring jurisdictions concerning the provision of public water in the region. Vice Mayor Jackson seconded the motion and in a roll call vote all voted to approve the authorization. Motion passed 5-0.

D. Labor Day Fireworks Event

Town Manager Coffey noted that the Town’s annual fireworks display on July 4th was cancelled with a potential makeup date of Labor Day on September 5. However no improvement has been experienced related to the COVID-19 crisis. Town Manger Coffey presented council with the following options for discussion and direction to staff.

Option 1: Hold the fireworks event on Labor Day and look for alternative locations and ways of displaying the fireworks.

Option 2: Request a second postponement to July 4, 2021 with a 15% (\$2,925) postponement fee to remain on the schedule for fireworks distribution.

Option 3: Cancellation of the fireworks order for 2020 and forfeiture of \$10,750 already deposited with the fireworks distributor. If Town Council elects to cancel, there may be difficulties rescheduling due to the number of jurisdictions who have cancelled in 2020.

Councilmember Sherrill made a motion to proceed with Option #2 and request a second postponement to July 4, 2021, with the understanding that a postponement fees will be owed by the Town. Council Member Fitzsimmons seconded the motion and in a roll call vote all voted in support of Option #2. Motion passed 5-0.

E. Quarterly Report: Planning

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

8. Adjournment

Mayor Root declared the meeting adjourned at 8:09 p.m.



James Eller, Town Clerk

**TOWN OF WEAVERVILLE
RESOLUTION APPROVING THE SETTLEMENT OF THE TAX COLLECTOR
FOR THE 2019-2020 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 2019-2020 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 2019-2020 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 2019-2020 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 27th day of July, 2020.

TOWN OF WEAVERVILLE



Allan P. Root, Mayor

ATTESTED BY:



James Eller, Town Clerk



**TOWN OF WEAVERVILLE
RESOLUTION OF INTENT TO EXPAND
THE IVY RIVER WATER TREATMENT PLANT**

WHEREAS, the Town owns and operates a water treatment plant that was completed in 1997 and has a permitted design capacity which allows the withdrawal of up to 1.5 million gallons of raw water per day from the Ivy River; and

WHEREAS, the plant was designed to be expanded as the demand for water grew and was permitted for a withdrawal of up to 4 million gallons of raw water per day; and

WHEREAS, the Town has and continues to monitor the actual usage of water, committed allocations of water, and the capacity of the water treatment plant to produce treated water;

WHEREAS, consistent with professional engineering reports, the Town Council finds that an expansion of its water treatment plant to allow withdrawal of up to 3 million gallons of water per day (a doubling of the plant's capacity) is needed in order to continue to meet the anticipated growth in the demand for water over the next five years;

Now, therefore, **BE IT RESOLVED** that the Weaverville Town Council intends to expand its Ivy River Water Treatment Plant in order to increase its withdrawal capacity to up to 3 million gallons of raw water per day from the Ivy River, and, to that end, authorize staff as follows:

1. To continue to monitor the actual usage of water, committed allocations of water, and the capacity of the water treatment plant to produce treated water and to report such data to Town Council on a quarterly basis;
2. To determine the estimated project cost;
3. To consult with the USDA and other possible funding sources concerning grant funds, loans, or other financing that might reasonably be available for the project;
4. To propose a financing plan for the project;
5. To determine and take the next steps for engaging an engineer on the project, including compliance with NCGS § 143-64.31 which requires the Town to proceed with a qualifications based selection process for engineering services;
6. To update a water rate study in order to include this project and its timeline;
7. To continue discussions with the Town of Mars Hill on the Town's continued reservation of emergency water for the Town of Mars Hill and recommend a comprehensive interlocal agreement concerning that reservation and any potential revenue associated with the reservation and actual water usage;
8. To participate in the joint study on individual water supplies and possible regionalization that is being conducted by Towns of Mars Hill and Marshall in order to determine the role of Weaverville's water treatment plant in the provision of

public water in the region and the willingness of others to participate in the expansion of the water treatment plant;

9. To perform any and all other tasks necessary to move this project forward; and
10. To report to Town Council on the status of the project periodically and when requested.

THIS the 27th day of July, 2020.

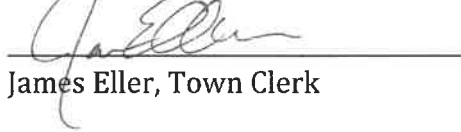
TOWN OF WEAVERVILLE



Allan P. Root, Mayor



ATTESTED BY:



James Eller, Town Clerk



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Meeting
Monday, August 24, 2020**

Remote Electronic Meeting

Zoom: <https://us02web.zoom.us/j/85948891960>

The Town Council for the Town of Weaverville met for its regularly monthly meeting on Monday, August 24, 2020, at 7:00 p.m. as an electronic video meeting via Zoom Meeting.

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

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

1. Call to Order

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

2. Approval/Adjustments to the Agenda

With no comment related to the agenda, Mayor Root declared the agenda adopted.

3. Approval of Minutes

With no comment related to the agenda, Mayor Root declared the agenda adopted.

4. General Public Comment

On a temporary basis due to the COVID-19 public health emergency, general public comments must be submitted in advance of the meeting. Comments are limited to no more than 450 words and must observe normal rules of decorum. Only comments that are timely received will be read into the record during the public comment period. Public comments can be submitted (1) by **emailing** to public-comment@weavervillenc.org at least 6 hours prior to the meeting, (2) by putting your written comment in a **drop box** at Town Hall (located at front entrance and back parking lot) at least 6 hours prior to the meeting, or (3) by **mailing** your written comment (must be received not later than Monday's mail delivery) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments.

No public comments were received.

5. Consent Agenda

Councilmember Nagle moved for the approval of the Consent Agenda. Councilmember Sherrill seconded the motion and in a roll call vote all voted to approve all action requested in the Consent Agenda listed below. Motion passed 5-0.

- A. Board Appointments: Planning & Zoning Board, ABC Board, and Zoning Board of Adjustment – Action to reappoint members of the aforementioned boards.**
- B. Budget Amendments: Re-appropriations – Approval of re-appropriations from last fiscal year budget for ABC, Police, Fire contributions and water production maintenance.**
- C. Annexation Petition & Initial Zoning Request for Conrad Property – Setting a public hearing on annexation and R-3 zoning for September 28, 2020 at 6:45pm and sending initial zoning request to the Planning and Zoning Board.**
- D. Planning and Zoning Board Recommendation on structure of the Planning and Zoning Board – No change to section 2-151 is recommended.**

6. Town Manager’s Report

Town Manager Coffey presented her Manager’s report to Council which included information related to police department use of force policy review; Summer concert series event cancellations; Hillside community potential improvements; recycling carts; grant writing independent contractor; and the upcoming Town Council workshop.

A lengthy discussion occurred over the size of the recycling containers being considered. Ultimately a majority of Council favored the 64 gallon version of the cart being considered.

7. Discussion and Action Items

A. Comprehensive Land Use Plan Progress Report & Review of Priorities.

Mr. Eller presented to Town Council a progress report & review of priorities noting that each item previously given the highest priority had been addressed in the previous year since the adoption of the Comprehensive Land Use Plan. A reprioritization of remaining priorities is now requested to provide guidance to staff on policy matters within the CLUP moving forward. At their August 4th regular meeting, the Planning and Zoning Board reached consensus on their view of the remaining priorities and are reflected in the aforementioned report & review.

Mayor Root noted a consensus of Council to proceed with the recommendations offered related to the priorities of the CLUP offered by the Planning and Zoning Board and staff.

B. Waterline Extension Request: Northridge Commons Retail Businesses

Public Works Director Pennell presented to Town Council an application for a water commitment letter and a utility plan for the proposed retail development within Northridge Commons. Mr. Pennell noted that the application requires Town Council review and recommended that Council approve the request based upon water availability to serve the project.

Vice-Mayor Jackson moved to approve the waterline extension and commitment letter. Councilmember McKenna seconded the motion and in a roll call vote all voted to approve the waterline extension. Motion passed 5-0.

C. Water Commitment Request: Palisades at Reems Creek

Public Works Director Pennell presented to Town Council an application for a water commitment letter and a site plan for the proposed multifamily development commonly known as the Palisades at Reems Creek. Mr. Pennell noted that the application requires Town Council review and recommended that Council approve the request based upon water availability to serve the project.

Councilmember Nagle moved to approve the waterline extension and commitment letter. Vice-Mayor Jackson seconded the motion and in a roll call vote all voted to approve the waterline extension. Motion passed 5-0.

D. Quarterly Report: Finance Department

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

E. Quarterly Report: Fire Department


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

F. Quarterly Report: Police Department

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

8. Adjournment

Mayor Root declared the meeting adjourned at 8:08 p.m.



James Eller, Town Clerk



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Workshop
Tuesday, September 8, 2020**

Remote Electronic Meeting

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

The Town Council for the Town of Weaverville met for its regularly scheduled regular workshop on Tuesday, September 8, 2020, at 6:00 p.m. as an electronic video meeting via Zoom Meeting.

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

Staff remotely present was: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Planning Director James Eller and Public Works Director Dale Pennell.

Members of the public remotely present were: Tom Balestrieri, Tom and Marian Plaut, Michele Wood and Laura Ayers.

1. Call to Order

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

2. General Conversation About the Community Center and Related Fundraising

Tom Balestrieri gave a presentation to Town Council (attached hereto) entitled “the Weaverville Center for Creative and Healthy Living” in which the potential programming concepts of creative arts activities, community gardening and landscaping, physical health, mental and cognitive health, multi-generational programs and interagency collaboration were noted and discussed. Mr. Balestrieri also discussed a proposed organizational structure consisting of a board of advisors, stakeholder groups and stakeholder champions.

There was general consensus that Mr. Balestrieri’s programming concept could be a good fit for the programming needs of the Community Center and should be explored further. Consensus was gained to have Mr. Balestrieri serve as chairman of the proposed board of advisors should such board be formally established in the future. Consensus was gained to have Councilman Fitzsimmons and Mr. Plaut explore fundraising possibilities for the community center.

3. Adjournment

Noting the consensus of Council, Mayor Root declared the meeting adjourned.

James Eller, Town Clerk



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Special Called Meeting
Monday, September 28, 2020**

Remote Electronic Meeting

Zoom: <https://us02web.zoom.us/j/85948891960>

The Town Council for the Town of Weaverville met for a special called meeting on Monday, September 28, 2020, at 6:45 p.m. as an electronic video meeting via Zoom Meeting.

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

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

1. Call to Order

Mayor Al Root called the meeting to order at 6:45 p.m.

2. Public Hearing: Annexation and Initial R-3 Zoning for Conrad Property on Reems Creek Road

Councilman Nagle noted the need to recuse himself from the conversation based upon a close familial relationship with the property owner. Councilman Fitzsimmons motioned to have Councilman Nagle recused. Vice Mayor Jackson seconded and via a roll call vote all voted unanimously.

Mr. Eller noted that the public hearing had been duly advertised and spoke to the particulars of the property and the voluntary annexation and initial zoning request. Mr. Eller made particular note that an initial zoning of R-3 is requested but the Planning and Zoning Board offered a unanimous recommendation of R-2 due to a slightly larger minimum lot area and a prohibition of manufactured housing which differentiate the R-2 and R-3 zoning districts. Planning Board Chairman Gary Burge also spoke regarding the Planning Board's recommendation.

Bernie and Paul Conrad spoke to their desire to have the property zoned as R-3 upon annexation.

3. Adjournment

Mayor Root declared the meeting adjourned at 6:58 p.m.



James Eller, Town Clerk



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Meeting
Monday, September 28, 2020**

Remote Electronic Meeting

Zoom: <https://us02web.zoom.us/j/85948891960>

The Town Council for the Town of Weaverville met for its regularly monthly meeting on Monday, September 28, 2020, at 7:00 p.m. as an electronic video meeting via Zoom Meeting.

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

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

1. Call to Order

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

2. Approval/Adjustments to the Agenda

With no comment related to the agenda, Mayor Root declared the agenda adopted.

3. Approval of Minutes

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

4. General Public Comment

On a temporary basis due to the COVID-19 public health emergency, general public comments must be submitted in advance of the meeting. Comments are limited to no more than 450 words and must observe normal rules of decorum. Only comments that are timely received will be read into the record during the public comment period. Public comments can be submitted (1) by **emailing** to public-comment@weavervillenc.org at least 6 hours prior to the meeting, (2) by putting your written comment in a **drop box** at Town Hall (located at front entrance and back parking lot) at least 6 hours prior to the meeting, or (3) by **mailing** your written comment (must be received not later than Monday's mail delivery) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments.

No public comments were received.

5. Consent Agenda

Councilmember Sherrill moved for the approval of the Consent Agenda. Vice-Mayor Jackson seconded the motion and in a roll call vote all voted to approve all action requested in the Consent Agenda listed below. Motion passed 5-0.

- A. Monthly Tax Report** – Submitted from the Buncombe County Tax Department.
- B. Board Appointments** – Transitioning Racheal Bronson from an alternate member to a regular member of the Planning and Zoning Board. Appointment of Suzanne Devane and Bob Pace as alternate members of the Planning and Zoning Board.
- C. Budget Amendment** – Related to the additional revenue for the coronavirus relief fund and cops for kids program.
- D. Approval of WCCHL Programming Letter** – Setting forth the preliminary plans for programing through the Weaverville Center for Creative and Healthy Living.

6. Town Manager’s Report

Town Manager Coffey presented her Manager’s report to Council which included information related to a potential solar project in conjunction with Buncombe County to determine if any municipal facilities are appropriate for the placement of solar panels; the filming of music series events to be posted to the Town’s YouTube channel; a sales tax revenue update; and an update on Community Center fundraising efforts.

7. Discussion and Action Items

A. Revaluation Presentation.

Keith Miller, an assessor with the Buncombe County Tax Department, provided a presentation to Council on the 2021 reappraisal process. Mr. Miller also addressed various questions from Council.

B. Code Amendment to Code Section 28-95 Concerning Prohibited Parking in Fire Lanes.

Ms. Coffey informed Council that the North Carolina Fire Code requires dead end streets to be constructed with an appropriate cul-de-sac or hammerhead intersection to provide for suitable turnaround areas for emergency services vehicles. As such, it is important for these areas to remain free of obstruction including parked vehicles. Ms. Coffey recommended to Council an amendment to code section 28-95 to prohibit parking within cul-de-sacs and hammerhead intersections that serve as fire truck turn arounds by designating them as fire lanes.

Vice-Mayor Jackson moved to approve the proposed code amendment. Councilmember Sherrill seconded the motion and in a roll call vote all voted to approve the code amendment. Motion passed 5-0.

C. Code Amendment to Chapter 22 Concerning Solid Waste Penalties.

Ms. Coffey offered a recommendation to Council which would increase the civil penalty leveled against violators of the Town’s solid waste ordinance specifically related to the disposal of hypodermic instruments. Said increase would transition the penalty from its current \$50 to \$500.

Councilmember Nagle moved to approve the proposed code amendment. Councilmember McKenna seconded the motion and in a roll call vote all voted to approve the code amendment. Motion passed 5-0.

D. Water Treatment Plant Expansion Project Update and Reimbursement Resolution.

Ms. Coffey informed Council that staff has taken the preliminary steps to secure an engineering firm through the advertisement of a request for qualifications and to develop funding options including the issuance of additional revenue bonds. Since costs are typically incurred at this point Ms. Coffey requested that Council adopt a reimbursement resolution so that those expenses can be considered for reimbursement out of potential bond proceeds.

Vice-Mayor Jackson moved to approve the proposed reimbursement resolution. Councilmember Sherrill seconded the motion and in a roll call vote all voted to approve the resolution. Motion passed 5-0.

E. Christmas Parade.

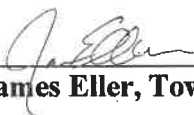
A discussion occurred related to whether or not the Town will be conducting a Christmas parade for in light of the current situation related to COVID-19. It became the consensus of Council that no Christmas parade will be held in 2020.

F. Quarterly Report: Public Works and Water Department.

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

8. Adjournment

Mayor Root declared the meeting adjourned at 8:30 p.m.



James Eller, Town Clerk

**ORDINANCE AMENDING
WEAVERVILLE TOWN CODE CHAPTER 22
CONCERNING SOLID WASTE PENALTIES**

WHEREAS, in 1998 the Town enacted Code Chapter 22 entitled Solid Waste and now wishes to amend certain sections of that ordinance;

WHEREAS, the Town wishes to amend Code Section 22-10 to update the applicable penalties for solid waste violations, and to set out a specific penalty for solid waste disposal violations pertaining to hypodermic syringes and other related instruments;

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

1. Section 22-10 of the Weaverville Town Code of Ordinances is hereby amended as follows, with deletions shown with strikethroughs and additions shown with underlining:

CHAPTER 22 – SOLID WASTE

ARTICLE I. – IN GENERAL

Sec. 22-10. - Penalty for violation of chapter.

~~Any person continuing to violate any provision or requirement of any section or subsection of this chapter after official notice of violation has been issued to him, or any person willfully failing, refusing or neglecting to comply with any such provision or requirement, shall, in addition to any other remedy, be issued a citation in which a penalty of \$50.00 shall be assessed for each offense, with each day of violation being a distinct and separate offense. Upon failure to pay the penalty, a civil action may be instituted to enforce collection of the penalty.~~

Except as specifically provided herein, violations of this chapter shall be subject to penalties and enforcement as set out in Code Section 1-6.

Due to the significant risk to the health and safety of town personnel in handling solid waste containing improperly safeguarded hypodermic instruments, any person disposing of hypodermic instruments in a manner that violates Code Section 22-52(e) shall, without notice, be assessed a civil penalty of \$100 per hypodermic instrument, up to a maximum of \$500 per bag.

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.

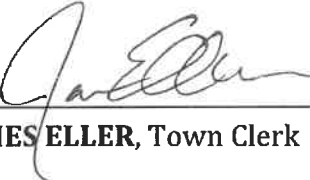
3. These amendments shall be effective immediately upon adoption and immediately codified.

ADOPTED THIS the 28th day of September, 2020, by a vote of 5 in favor and 0 against.



ALLAN P. ROOT, Mayor

ATTESTED BY:



JAMES ELLER, Town Clerk

APPROVED AS TO FORM:



JENNIFER O. JACKSON, Town Attorney



**ORDINANCE AMENDING
WEAVERVILLE TOWN CODE SECTION 28-95
CONCERNING PROHIBITED PARKING IN FIRE LANES**

WHEREAS, the Town enacted Chapter 28 entitled Traffic and Parking under its authority in N.C. Gen. Stat. §§ 160A-296, 160A-300, and 160A-301;

WHEREAS, Section 28-95 sets out a list of areas in which parking is prohibited, including designated fire lanes;

WHEREAS, the North Carolina Fire Code requires dead end streets to be constructed with an approved cul-de-sac or hammerhead intersection as a turnaround for fire apparatus;

WHEREAS, it is important for the preservation of life and property for these turnarounds to remain clear of obstructions, including parked vehicles;

WHEREAS, the Weaverville Town Council wishes to amend Section 28-95 of its Code of Ordinance in order to specifically designate cul-de-sacs and hammerhead intersections as fire lanes and prohibit parking in those areas;

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

1. Section 28-95 of the Weaverville Town Code of Ordinances is hereby amended as follows, with deletions shown with strikethroughs and additions shown with underlining:

Sec. 28-95. - Parking prohibited in certain places.

No person shall stop, stand or park a vehicle, attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places, unless parking within a marked parking space:

- (13) In any area designated as a fire lane, including but not limited to cul-de-sacs and hammerhead intersections serving as fire apparatus turnarounds, and designated fire lanes in shopping centers or mall parking lots and all other public vehicular areas; provided, however, persons actively engaged in loading or unloading supplies or merchandise may park temporarily in a fire lane located in a shopping center or mall parking lot as long as the vehicle is not left unattended.

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 28th day of September, 2020, by a vote of 5 in favor and 0 against.



ALLAN P. ROOT, Mayor

ATTESTED BY:



JAMES ELLER, Town Clerk

APPROVED AS TO FORM:



JENNIFER O. JACKSON, Town Attorney



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

WHEREAS, on July 27, 2020, the Weaverville Town Council adopted a resolution of intent to expand the Town's Ivy River Water Treatment Plant (the "WTP Expansion Project") in order to provide water to current and anticipated customers well into the future; and

WHEREAS, the WTP Expansion Project will include the construction of facilities and installation of equipment that will double the WTP's current production capacity, resulting in up to 3 million gallons of treated water produced per day; and

WHEREAS, the cost of the WTP Expansion Project has not yet been estimated but the Town expects to finance the WTP Expansion Project on a long-term basis by issuing tax-exempt bonds or other tax-exempt obligations (collectively the "Bonds"); and

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

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

Now, therefore, **BE IT RESOLVED** by the Town Council of Weaverville, North Carolina, that:

SECTION 1. EXPENDITURE OF FUNDS. The Town of Weaverville shall make expenditures as needed from its funds on hand to pay the cost of the WTP Expansion Project until proceeds of the Bonds become available.

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


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

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

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

THIS the 28th day of September, 2020.


TOWN OF WEAVERVILLE



Allan P. Root, Mayor



ATTESTED BY:



James Eller, Town Clerk



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Meeting
Monday, October 26, 2020**

Remote Electronic Meeting

Zoom: <https://us02web.zoom.us/j/85948891960>

The Town Council for the Town of Weaverville met for its regularly monthly meeting on Monday, October 26, 2020, at 7:00 p.m. as an electronic video meeting via Zoom Meeting.

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

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

1. Call to Order

Mayor Al Root called the meeting to order at 7:02 p.m.

2. Approval/Adjustments to the Agenda

Mayor Root declared the agenda adopted by consent with the movement of a greenway update up to agenda item #3.

3. Greenway Update

Doug Dearth and Ms. Coffey have been working with Buncombe County staff on the Reems Creek Greenway project and provided Council with an update on the status of the project.

4. Approval of the Minutes

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

5. General Public Comment

On a temporary basis due to the COVID-19 public health emergency, general public comments must be submitted in advance of the meeting. Comments are limited to no more than 450 words and must observe normal rules of decorum. Only comments that are timely received will be read into the record during the public comment period. Public comments can be submitted (1) by **emailing** to public-comment@weavervillenc.org at least 6 hours prior to the meeting, (2) by putting your written comment in a **drop box** at Town Hall (located at front entrance and back parking lot) at least 6 hours prior to the meeting, or (3) by **mailing** your written comment (must be received not later than Monday's mail delivery) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments.

No public comments were received.

6. Consent Agenda

Councilmember Nagle moved for the approval of the Consent Agenda. Vice-Mayor Jackson seconded the motion and in a roll call vote all voted to approve all action requested in the Consent Agenda listed below. Motion passed 5-0.

- A. Monthly Tax Report** – Submitted from the Buncombe County Tax Department.
- B. Code Amendments: Chapter 30 System Development Fees** – A recommended ordinance reflective of recent legislative changes related to the collection of system development fees.
- C. Budget Amendment: CRF Funds and ABC Revenue** – A proposed budget amendment reflective of amendments to coronavirus relief funds and an increased distribution from the ABC system.

7. Town Manager's Report

Town Manager Coffey presented her Manager's report to Council which included information related to Community Center construction, USDA waterline loan, sales tax revenue update, Halloween festivities and the Reems Creek Greenway project.

8. Discussion and Action Items

A. Action on Annexation & Initial R-3 Zoning for Conrad Property on Reems Creek Road.

Councilman Nagle noted that he should be recused from the conversation and vote due to a close familial relationship with the applicant and property owner.

Councilman Fitzsimmons motioned to recuse Councilman Nagle. Vice-Mayor Jackson seconded the motion and in a roll call vote all voted to recuse Councilman Nagle.

Mr. Eller provided Council with an overview of the voluntary annexation and initial zoning request for the property commonly known as 24 Reems Creek Road. Mr. Eller also noted that the requisite public hearing had been held during the previous month's meeting and no public comment had been received. The Planning and Zoning Board's recommendation of initial zoning of R-2 and the applicant's desire for an initial zoning of R-3 was discussed.

Vice-Mayor Jackson moved to approve the proposed annexation ordinance with an initial zoning of R-3. Councilmember McKenna seconded the motion and in a roll call vote all voted to approve the annexation ordinance and initial zoning. Motion passed 4-0 with Councilmember Nagle having been recused.

B. Ivy River Water Quality Project.

Jennifer Harrison, Agriculture and Land Resources Director for Buncombe County, spoke to Council regarding damage to the streambanks of the Ivy River as a result of Hurricane Florence in 2018. The specific area of damage to be addressed is just upstream from the Ivy River Treatment Plant intake and a contribution of \$7,012 is being requested of the town.

Council Member Nagle moved to approve the proposed fund appropriation. Councilmember MCKenna seconded the motion and in a roll call vote all voted to approve the code amendment. Motion passed 5-0.

C. Quarterly Report: Finance.

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

D. Quarterly Report: Planning.

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

9. Closed Session

Councilmember Sherrill made a motion to enter closed session as allowed by N.C.G.S. 143-318.11(a)(3) in order for Town Council to consult with the attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, and pursuant to N.C.G.S. 143-318.11(a)(5) in order to establish or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price or other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. Councilmember Fitzsimmons seconded the motion and without objection Town Council went into closed session.

All meeting attendees, except the Mayor, Vice Mayor, Councilmembers, Town Manager and Town Attorney, were placed in the waiting room and the closed session meeting was locked during the closed session.

[CLOSED SESSION]

Councilmember McKenna made a motion to exit closed session and return to open session. Vice Mayor Jackson seconded the motion. All voted in favor and the open session meeting resumed.

10. Adjournment

Mayor Root declared the meeting adjourned at 8:25 p.m.



James Eller, Town Clerk

**ORDINANCE AMENDING WEAVERVILLE TOWN CODE
SECTION 30-81 CONCERNING SYSTEM DEVELOPMENT FEES**

WHEREAS, Session Law 2020-61 was signed into law on June 30, 2020, and altered the timing of collection of system development fees with an effective date of January 1, 2021;

WHEREAS, Town Council wishes to amend its Code provisions concerning the collection of system development fees for its water system for full legal compliance with the newly amended N.C.G.S § 162A-213;

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

1. Section 30-81 of the Weaverville Town Code is hereby amended as follows, with all amendments adopted in this Ordinance being shown in red with added language underlined and deleted language shown with strike-throughs:

Sec. 30-81. - System development fee.

System development fees are those fees or charges adopted by town council pursuant to and in accordance with the Public Water and Sewer System Development Fee Act as set out in N.C.G.S. Ch. 162A, Art. 8, as the same may from time to time be amended. System development fees shall be in such amounts as are reflected on the applicable fee schedule duly adopted by town council.

Notwithstanding any other provision within this chapter 30, in accordance with N.C.G.S. § 162A-213, the town shall collect the system development fee as follows:


(a) For new development involving the subdivision of land, the system development fee shall be collected by the town at the later of (1) the time of application for a building permit, or (2) the time when the water service is committed by the town;

(b) For all other new development, the system development fee shall be collected by the town at the earlier of (1) the time of application for connection of the individual unit of development to the water service or facilities, or (2) the time when the water service is committed by the town.

~~or new development involving the subdivision of land, the system development fee shall be collected by the town at the time of plat recordation. For all other new development, the town shall collect the system development fee at the time of application for connection of the individual unit of development to the water system.~~ The system development fee that is to be collected shall be in those amounts shown on the applicable fee schedule at the time payment is to be made.

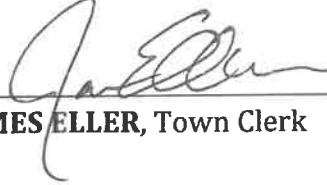
2. It is the intention of Town Council that the sections and paragraphs of this Ordinance are severable and if any section or paragraph of this Ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality 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 on January 1, 2021, and codified on that date.

ADOPTED THIS the 26th day of October, 2020, by a vote of 5 in favor and 0 against.



ALLAN P. ROOT, Mayor

ATTESTED BY:



JAMES ELLER, Town Clerk

APPROVED AS TO FORM:



JENNIFER O. JACKSON, Town Attorney





MINUTES

**Town of Weaverville
State of North Carolina**

**Joint Meeting of Town Council and Planning and Zoning Board
Tuesday, November 10, 2020**

Remote Electronic Meeting

Zoom: <https://us02web.zoom.us/j/85948891960>

The Town Council for the Town of Weaverville met for its regularly monthly meeting on Tuesday, November 10, 2020, at 6:00 p.m. as an electronic video meeting via Zoom Meeting.

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

Planning and Zoning Board Members remotely present were: Chair Gary Burge, Vice Chair Catherine Cordell, Board Members Racheal Bronson and John Chase, and Alternate Members Suzanne Devane and Bob Pace.

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

1. Call to Order

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

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

2. Approval/Adjustments to the Agenda

Council and the Board came to a consensus that March 9, July 13 and December 14, would serve as dates for joint meetings of Council and the Board in 2021.

3. Report on the Impact of COVID-19 on Planning and Zoning Activity

Mr. Eller shared that the Planning and Zoning Board had recently elected to continue meeting remotely as long as such meetings were permissible due to COVID-19 restrictions. Mr. Eller also shared a general lack of large scale activities or development applications over the previous months.

4. Update on Projects

Ms. Jackson presented a proposed project timeline for 160D compliance which pointed toward a public hearing on the matter in April 2021. The timeline included guidance on a review process for Town Council and the Planning and Zoning Board and a public comment plan. Consensus was achieved to advertise the zoning text amendments related to 160D on the town's website, e-focus newsletter, the Weaverville Tribune and possibly holding public information sessions. Consensus was also achieved to incorporate Chapters 25: Subdivision and 36: Zoning into a consolidated Chapter during the 160D project.


Mr. Eller provided an update on the progress of the subdivision ordinance rewrite including language related to requisite sidewalks within subdivisions both major and minor. Consensus was achieved to run the subdivision rewrite in conjunction with 160D revisions.

Mr. Eller provided an update on the progress related to the creation of a manufactured housing overlay zoning district. Consensus was achieved to accelerate the adoption of a manufactured housing overlay district outside the previously discussed timeframe for 160D and subdivision rewrite.

5. Adjournment

Mayor Root declared the meeting of Council adjourned at 7:25 p.m.

Chair Burge declared the meeting of the Planning and Zoning Board adjourned at 7:25 p.m.



James Eller, Town Clerk



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Meeting
Monday, November 23, 2020**

Remote Electronic Meeting

Zoom: <https://us02web.zoom.us/j/85948891960>

The Town Council for the Town of Weaverville met for its regularly monthly meeting on Monday, November 23, 2020, at 7:00 p.m. as an electronic video meeting via Zoom Meeting.

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

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

1. Call to Order

Mayor Al Root called the meeting to order at 7:02 p.m.

2. Approval/Adjustments to the Agenda

Without objection Mayor Root declared the agenda adopted by consent.

3. Approval of the Minutes

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

4. General Public Comment

On a temporary basis due to the COVID-19 public health emergency, general public comments must be submitted in advance of the meeting. Comments are limited to no more than 450 words and must observe normal rules of decorum. Only comments that are timely received will be read into the record during the public comment period. Public comments can be submitted (1) by **emailing** to public-comment@weavervillenc.org at least 6 hours prior to the meeting, (2) by putting your written comment in a **drop box** at Town Hall (located at front entrance and back parking lot) at least 6 hours prior to the meeting, or (3) by **mailing** your written comment (must be received not later than Monday's mail delivery) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments.

No public comments were received.

5. Consent Agenda

Councilmember Nagle moved for the approval of the Consent Agenda. Vice-Mayor Jackson seconded the motion and in a roll call vote all voted to approve all action requested in the Consent Agenda listed below. Motion passed 5-0.

- A. **Monthly Tax Report** – *Information only – submitted by Buncombe County Tax Department.*
- B. **Zoning Map Amendment Request, 16 Reems Creek Road** – *Set Public Hearing for December 21 at 7pm via a remote electronic meeting and referred to the Planning and Zoning Board for review and recommendation.*
- C. **Budget Amendment: Cops for Kids, CRF Funds and ABC Funds** – *Approved budget amendment reflective of amendments to cops for kids, coronavirus relief funds and the ABC system.*
- D. **Change Order #2 for the Community Center Project** – *Approved change order #2 representing a net decrease.*

6. Town Manager’s Report

Ms. Coffey presented her Manager’s report to Council which included information related to election polling sites, bike-ped planning application, Town Christmas decorations, grant for body cameras, disposal of police department service weapons and public WiFi.

7. Discussion and Action Items

A. Town Financial Audit Presentation.

Travis Keever of Gould Killian CPA Group presented the Town’s financial audit to Town Council. The audit reported that no material weaknesses were discovered, no significant deficiencies were identified and no noncompliance material to financial statements were noted.

B. ABC Board Financial Audit Presentation.

Rob Chason, Chair of the Weaverville ABC Board presented the Board’s financial audit to Town Council which had been prepared by Burlinson & Earley. Likewise, the audit reported that no material weaknesses were discovered, no significant deficiencies were identified and no noncompliance material to financial statements were noted.

C. Woodfin Annexation Agreement.

Mayor Root described the proposed annexation agreement with the Town of Woodfin which would identify annexation areas for future voluntary annexation for each municipal jurisdiction. Following conversation with Council, Mayor Root noted consensus with Council to table the issue to be discussed again during the upcoming workshop on December 8, 2020.

D. Discussion of Employee Pay Increases.

Ms. Coffey presented Council with a report related to how other jurisdictions were handling pay increases during COVID-19. It was also noted that the Town was in a better position than forecasted due to sales tax revenue being higher than expected, and that Council had previously agreed to revisit the issue of pay increases once the sales tax information became clearer. Town Council discussed the competing interests of acknowledging the level of service the employees of the Town have been provided during these challenging times, while at the same time acknowledging that struggles continue in the private sector as a result of COVID-19.

Vice-Mayor Jackson moved to approve a 1.5% cost of living adjustment and 2% pay increase for Town employees. Councilmember Sherrill seconded the motion and in a roll call vote Jackson, Sherrill and Fitzsimmons voted in favor of the motion. In the same roll call vote McKenna and Nagle cast dissenting votes. Motion passed 3-2.

E. Water Treatment Plant Expansion Project – Engineering Firm Selection.

Staff reported that it conducted a qualifications based selection process for professional engineering services on the Water Treatment Plant Expansion Project. The outcome of that process was the unanimous conclusion of staff that WithersRavenel appeared to be the most qualified firm to provide the engineering services on this project. Mr. Pennell and Mr. Duncan spoke to Council regarding WithersRavenel’s qualifications and encouraged their selection as the professional engineers on the water treatment plant expansion project. If selected staff will work with WithersRavenel on a professional services contract which will be brought back before Council for approval in an upcoming meeting. *Council Member Nagle moved to approve WithersRavenel as the engineering firm for*

the water treatment plant expansion project. Vice-Mayor Jackson seconded the motion and in a roll call vote all voted to approve the selection of the engineering firm. Motion passed 5-0.

F. Quarterly Report – Fire Department

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

G. Quarterly Report – Police Department

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

8. Adjournment

Mayor Root declared the meeting adjourned at 8:57 p.m.



James Eller, Town Clerk



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Workshop
Tuesday, December 08, 2020**

Remote Electronic Meeting

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

The Town Council for the Town of Weaverville met for its regularly scheduled regular workshop on Tuesday, December 8, 2020 at 6:00 p.m. as an electronic video meeting via Zoom Meeting.

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

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

1. Call to Order.

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

2. Discussion of Possible Charter Amendments.

Mayor Root noted that possible amendments to the Town's charter could be adopted by ordinance pursuant to NCGS 160A-101 and 160A-102 which could increase the number of councilmembers on Town Council and provide the elected mayor the ability to vote on all matters before Council. After discussion, Council achieved consensus on providing the elected mayor the ability to vote on all matters and adding a councilmember to provide for an opportunity to increase diversity and to ensure an odd number of voting members. There was also consensus that these changes should occur with the municipal election in 2021 and not before such that the newly created council seat be filled by the voters and not appointed by council and that the voting rights of the mayor not be changed until a mayor is elected in 2021.

3. Continued Discussion of Possible Annexation Agreement with the Town of Woodfin.

As a follow-up to Town Council's discussion on November 23, 2020, Mayor Root indicated that he had recently met with two members of Council and staff to discuss the proposed annexation agreement with the Town of Woodfin. The outcome of that meeting was a revised proposed annexation agreement map. Mr. Eller described areas on the periphery of the Town of Weaverville which should be protected for future annexation and applicable land use regulations. Ms. Jackson noted that language preventing the Town of Woodfin from establishing an extraterritorial jurisdiction within areas shown for future growth for the Town of Weaverville was added to the proposed ordinance. There was consensus that the proposed revisions to the annexation map and ordinance were acceptable to Town Council and staff was directed to communicate with the Town of Woodfin concerning these changes and to put this on an upcoming Town Council agenda so that a public hearing can be set.

4. Discussion of Participation in Tree City USA.

Mayor Root and staff discussed the Town's history of participating in the Tree City USA program and the requirements for that participation. Consensus was achieved for the Town to continue work toward Tree City USA designation and for Council to revisit the Town's various responsibilities as a participating member, including reestablishment of a separate tree board, at a future date.

5. Adjournment.

Noting the consensus of Council, Mayor Root declared the meeting adjourned at 6:55.



James Eller, Town Clerk



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Meeting
Monday, December 21, 2020**

Remote Electronic Meeting

Zoom: <https://us02web.zoom.us/j/85948891960>

The Town Council for the Town of Weaverville met for its regularly monthly meeting on Monday, December 21, 2020, at 7:00 p.m. as an electronic video meeting via Zoom Meeting.

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

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

1. Call to Order

Mayor Al Root called the meeting to order at 7:02 p.m.

2. Public Hearing: Rezoning of 16 Reems Creek Road from I-1 to R-3

Mr. Eller described the property and proposed rezoning from I-1 to R-3, including the unanimous recommendation from the Planning Board in favor of the proposed rezoning. No public comment was made in advance of or during the public hearing.

3. Approval/Adjustments to the Agenda

Without objection Mayor Root declared the agenda adopted by consent.

4. Approval of the Minutes

With no comment related to the minutes and no objection, Mayor Root declared the minutes of the November 23, 2020 regular meeting and the December 8, 2020, regular workshop adopted.

5. General Public Comment

On a temporary basis due to the COVID-19 public health emergency, general public comments must be submitted in advance of the meeting. Comments are limited to no more than 450 words and must observe normal rules of decorum. Only comments that are timely received will be read into the record during the public comment period. Public comments can be submitted (1) by **emailing** to public-comment@weavervillenc.org at least 6 hours prior to the meeting, (2) by putting your written comment in a **drop box** at Town Hall (located at front entrance and back parking lot) at least 6 hours prior to the meeting, or (3) by **mailing** your written comment (must be received not later than Monday's mail delivery) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments.

Mr. Eller read into the record comments offered by e-mail from Steve Rotundo asking Council to consider the prohibition of tobacco use on municipal properties, a copy of which is attached to these minutes.

6. Consent Agenda

Vice-Mayor Jackson moved for the approval of the Consent Agenda. Councilmember Fitzsimmons seconded the motion and in a roll call vote all voted to approve all action requested in the Consent Agenda listed below. Motion passed 5-0.

- A. Monthly Tax Report** – *Information only – submitted by Buncombe County Tax Department.*
- B. Budget Amendment: Cops for Kids, CRF Funds, Police Grant, Pink Patch Project** – *Approved budget amendment reflective of amendments to cops for kids, coronavirus relief funds, a grant for the police department and the pink patch project.*
- C. Budget Amendment: Community Center Project Fund** – *Transfer from contingency to fixtures and equipment.*
- D. Annexation Agreement with Woodfin** – *Set public hearing for January 25, 2021, at 7pm via zoom.*
- E. Waterline Acceptance for Northridge Commons Townhouses** – *Approved subject staff level approval by the Town Manager, Town Attorney and Public Works Director, and with a repair guarantee of \$15,000.*

7. Town Manager's Report

Ms. Coffey presented her Manager's report to Council which included information related to polling sites for elections, USDA bond closing, sales tax update, coronavirus relief funds and a Red Cross blood drive.

8. Discussion and Action Items

A. Manufactured Home Overlay District.

Mr. Eller presented Council with information related to the consideration of a manufactured home overlay district as called for by the comprehensive land use plan. This information included a notice of public hearing, proposed ordinances and a staff report related to the overlay district. Councilmember Nagle noted that the Planning Board had been reviewing language presented by staff over the previous months and that a recommendation from the Board would be prepared in advance of the public hearing.

Councilmember Nagle motioned to set a public hearing on the proposed zoning text and map amendments related to the manufactured home overlay district and revisions to R-3 for January 25, 2021 at 7pm, or at such time as Council reaches the matter, with the public hearing to be held via zoom. Councilmember Sherrill seconded and in a roll call vote all voted in favor of the motion.

B. MS4 Stormwater Program Compliance

Ms. Jackson presented to Council information related to the Town's compliance with the MS4 stormwater program. NCDEQ was recently audited by the EPA for compliance which has resulted in much closer scrutiny of MS4 permits issued to North Carolina jurisdictions. The Town was recently audited and, consistent with the vast majority of the other jurisdictions, deficiencies were found with certain components of the MS4 permit which constitute a violation of the Clean Water Act. Ms. Jackson indicated that staff has developed a plan to gain compliance as outlined in the November 16th letter and notice of violation. She will be taking the lead on the project with the majority of this work being the drafting of a stormwater management plan that will serve as a transition plan which will yield compliance within a 5 year period. Engineering assistance from WithersRavenel as a consulting engineer on the remaining self-audit requirements is recommended and a budget amendment in the amount of \$5,000.00 was requested for that engineering assistance. Town Council was asked to formally declare support for a compliant stormwater management program through adoption of a resolution.

Vice-Mayor Jackson motioned to approve the resolution affirming the Weaverville Town Council's support regarding implementation of a compliant NPDES MS4 stormwater program and the budget amendment for professional engineering services in the amount of \$5,000. Councilmember Fitzsimmons seconded and in a roll call vote all voted in favor of the motion.

C. Town Charter Amendments

Ms. Jackson reviewed the next steps to further Town Council’s conversation from its regular workshop meeting on December 8 which proposed to amend the Town Charter to increase the number of councilmembers from five to six and to provide the elected mayor with the right to vote on all matters before Town Council. She reviewed a proposed resolution of intent, a notice of public hearing and a proposed ordinance.

Councilmember Nagle motioned to adopt the resolution of intent to consider an ordinance amending the charter of the Town of Weaverville to change the number of councilmembers from five to six and to provide the elected mayor the right to vote on all matters, and setting a date of January 25, 2021 at 7pm, or at such time as Council reaches the matter, for a public hearing thereon. Councilmember Fitzsimmons seconded and in a roll call vote all voted in favor of the motion.

D. 2021 Meeting and Holiday Calendar

MS. Coffey present the proposed 2021 meeting and holiday schedule for Town Council.

Councilmember Sherrill motioned to adopt the proposed calendar as presented. Councilmember McKenna seconded and in a roll call vote all voted in favor of the motion.

E. Quarterly Report – Public Works and Water Departments

Public Works Director Pennell presented Town Council with the quarterly report for the Public Works and Water Departments.

9. Closed Session

Vice-Mayor Jackson made a motion to enter closed session pursuant to N.C.G.S. 143-318.11(a)(5) in order to instruct the public body’s staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the amount of compensation and other material terms of an employment contract or proposed employment contract; and pursuant to N.C.G.S. 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment of an individual public officer or employee. Councilmember Fitzsimmons seconded the motion and without objection Town Council went into closed session.

All meeting attendees, except the Mayor, Vice Mayor and Councilmembers were placed in the waiting room and the closed session meeting was locked during the closed session.

[CLOSED SESSION]

Councilmember McKenna made a motion to exit closed session and return to open session. Vice Mayor Jackson seconded the motion. All voted in favor and the open session meeting resumed.

10. Adjournment

Mayor Root declared the meeting adjourned at approximately 8:20 p.m.



James Eller, Town Clerk

From: [Steve Rotundo](#)
To: scoffey@weaverville.org
Cc: [James Eller](#)
Subject: Lake Louise Park (Playground, Shelters & Exercise Area)
Date: Monday, May 04, 2020 8:12:14 AM

Good Morning Ms. Coffey,

First and foremost, thank you and your staff for navigating through these uncharted waters, and providing leadership and guidance necessary to keep the town of Weaverville functioning, and it's citizens safe.

Prior to this big shift in our daily routines, I had a conversation with Mr. Eller regarding the potential for creating smoke free areas at Lake Louise Park. Mr. Eller referred me to you to continue the discussion.

Clearly, you have your hands full with all that needs to be addressed with regard to the quarantine, and that until Lake Louise Park is fully open it will not be a priority. So I am writing to at least plant the seed for future discussion and action with regard to making the playground, picnic shelters, and exercise area at Lake Louise Park non-smoking areas .

I am both a parent and grandparent who takes his children to the playground on a regular basis, when it's not closed due the current protections. During several visits to the park in the last year, I was surprised to see a parent smoking while monitoring or helping their child play on the equipment. Unfortunately, the smoke from the parent's cigarette was affecting other children and parents who were trying to enjoy their time at the playground. Some of who cut their visit short due to the cigarette smoke.

Please consider this possibility of making the above mentioned areas smoke free while you and your staff are also considering when to re-open the Park for public use. If there is anything I can do help make this possible, please let me know.

Thank again for all that you and your staff are doing for the our town!

Regards,
Steve Rotundo
828-273-9683

**RESOLUTION AFFIRMING THE WEAVERVILLE TOWN COUNCIL'S
SUPPORT REGARDING IMPLEMENTATION OF A COMPLIANT
NPDES MS4 STORMWATER PROGRAM**

WHEREAS, Section 402(p) of the federal Clean Water Act requires National Pollutant Discharge Elimination System (NPDES) permits for stormwater discharges from municipal separate storm sewer systems (MS4) in order to protect water quality; and

WHEREAS, in North Carolina, NPDES permits are issued by the North Carolina Department of Environmental Quality (NCDEQ); and

WHEREAS, NCDEQ issued the Town of Weaverville its second NPDES MS4 Permit for discharge of stormwater on February 20, 2017; and

WHEREAS, the Town of Weaverville was issued Notice of Violation number NOV-2020-PC-0479 on November 16, 2020, for noncompliance with the issued NPDES MS4 Permit; and

WHEREAS, the Town of Weaverville acknowledges the specific Notice of Violation requirement to obtain a new individual NPDES MS4 Permit; and

WHEREAS, the Town of Weaverville acknowledges the specific Notice of Violation requirement to conduct a self-audit of permit compliance for the balance of permit requirements not specifically audited by NCDEQ and to develop a draft stormwater management plan to comply with Section 402(p)(3)(B)(iii) of the Clean Water Act, 40 CFR 122.34(b) and NPDES MS4 permit requirements, and to submit its draft stormwater management plan to the NCDEQ no later than 120 days from November 16, 2020, for review and approval; and

WHEREAS, the Town of Weaverville acknowledges the specific Notice of Violation requirement to adopt a Council resolution to implement a compliant and enforceable stormwater management program as defined by both the NPDES MS4 Permit #NCS000448 and the required new stormwater management plan, and said resolution is to be submitted to NCDEQ no later than 60 days from November 16, 2020; and

WHEREAS, the Town of Weaverville acknowledges the requirement to provide adequate funding and staffing to implement a stormwater management program that complies with its NPDES MS4 Permit and approved stormwater management plan; and

WHEREAS, the Town of Weaverville acknowledges that NCDEQ enforcement action and penalties could result from non-compliance with the specific requirements in Notice of Violation number NOV-2020-PC-0479; and


WHEREAS, the Town of Weaverville acknowledges that any NCDEQ enforcement action and penalties may not prohibit the US Environmental Protection Agency (EPA) from taking its own enforcement action for non-compliance with the issued NPDES MS4 Permit.

NOW, THEREFORE BE IT RESOLVED, that the Weaverville Town Council hereby affirms its support for development and implementation of a compliant stormwater management program that meets the requirements of the Town of Weaverville's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit #NCS000448 to discharge stormwater, inclusive of a required stormwater management plan to be prepared by the Town of Weaverville and approved by the North Carolina Department of Environmental Quality.

ADOPTED this the 21st day of December, 2020.



ALLAN P. ROOT, Mayor



JAMES ELLER, Town Clerk



RESOLUTION OF INTENT TO CONSIDER AN ORDINANCE AMENDING THE CHARTER OF THE TOWN OF WEAVERVILLE TO CHANGE THE NUMBER OF COUNCILMEMBERS FROM FIVE TO SIX AND TO PROVIDE THE ELECTED MAYOR THE RIGHT TO VOTE ON ALL MATTERS, AND SETTING THE DATE FOR A PUBLIC HEARING THEREON

WHEREAS, pursuant to G.S.160A-101 and 160A-102, the Town Council of the Town of Weaverville may adopt an ordinance to amend the Charter of the Town to implement any of the optional forms set out in G.S. 160A-101; and

WHEREAS, G.S. 160A-102 requires that proposed Charter amendments first be submitted to a public hearing and that due notice thereof be published not less than ten (10) days prior to the date fixed for the public hearing;

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

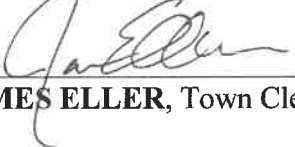
1. The Town Council hereby intends to consider an ordinance amending the Charter of the Town of Weaverville, as set forth in Chapter 335 of the 1909 Private Laws of North Carolina, as amended, to change the number of councilmembers from five to six, as authorized by G.S. 160A-101(5), beginning with the 2021 municipal elections, and to provide the elected mayor with the right to vote on all matters before Town Council as authorized by G.S. 160A-101(8), beginning with the organizational meeting of Town Council following the 2021 municipal elections.
2. A public hearing on the proposed ordinance is hereby called as a remote electronic meeting to be held at 7:00 pm on Monday, January 25, 2021, or as soon thereafter as the matter can be reached.
3. Following the public hearing called hereby, the Town Council shall consider passage of the ordinance at its regular meeting on Monday, February 22, 2021.
4. The Town Clerk is hereby directed to cause to be published in the Weaverville Tribune a proper notice of the public hearing called, which notice shall contain a summary of the proposed Charter amendments.

ADOPTED this 21st day of December, 2020.



ALLAN P. ROOT, Mayor

ATTESTED BY:



JAMES ELLER, Town Clerk



