

MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Meeting
Monday, October 23, 2023**

The Town Council for the Town of Weaverville held the regularly scheduled meeting on Monday, October 23, 2023, at 6:00 p.m. in Council Chambers within Town Hall at 30 South Main Street, Weaverville, NC with remote access via Zoom.

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

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

1. Call to Order

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

2. Public Hearing: Annexation - 492 Reems Creek Road

Mayor Fitzsimmons opened the public hearing for 492 Reems Creek Road voluntary annexation petition and requested a review of the matter. Attorney Jackson provided the details of the voluntary annexation petition for the property at 492 Reems Creek Road. The Town Clerk has certified the sufficiency of the petition and pursuant to general statutes the advertisement and notifications to the public have been made and the matter is eligible for public hearing.

Mr. Lou Accornero stated that when he spoke and addressed Council at the October Town Council meeting, the audio on the recording on the YouTube channel was not audible, and he was no longer investing in the town.

No one else in attendance or attending remotely via Zoom wished to provide comment and no written comments were received. Mayor Fitzsimmons closed the public hearing.

3. Public Hearing: Initial R-3 Zoning request - 492 Reems Creek Road

Mayor Fitzsimmons opened the public hearing regarding the R-3 zoning request for the 492 Reems Creek Road property and no one in attendance or attending remotely via Zoom elected to speak at the public hearing. No written comments were received. Mayor Fitzsimmons closed the public hearing.

4. Approval/Adjustments to the Agenda

Mayor Fitzsimmons said that he would not be attending the regular meeting on November 20th, therefore he requested that the organizational meeting to administer of the Oaths of Office and select a Vice Mayor be held on December 12, 2023, which is the regularly scheduled Town

Council Workshop meeting (see Consent Agenda Item L). He thanked Council member Andrew Nagle and Vice Mayor Jeff McKenna for their service and dedication to the community.

Mayor Fitzsimmons requested a motion to approve the agenda.

Councilmember Cordell moved to approve the agenda as written. The motion was approved unanimously. 7-0.

5. Conflict of Interests Statement

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

6. Consent Agenda

Town Manager Coffey reviewed the consent agenda items.

Councilmember Jackson moved to approve the consent agenda items. The motion was approved unanimously. 7-0.

- A. September 25, 2023, Town Council Regular Meeting Minutes - Approved
- B. Monthly Tax Report and Request for Refunds/Releases - Approved
- C. Budget Amendments – Police - Approved
- D. Annexation and Initial Zoning: Reems Creek Village Recombination Areas - Public Hearings set for November 14, 2023 at 6pm
- E. Annexation and Initial Zoning: 300 Hamburg Mtn Rd - Public Hearings set for November 14, 2023 at 6pm
- F. Annexation and Initial Zoning: Northridge Farms - Public Hearings set for November 14, 2023 at 6pm
- G. Comprehensive Land Use Update - Public Hearing set for November 14, 2023 at 6pm
- H. Amended and Restated Resolution concerning Growth Areas - Adopted
- I. Local Water Supply Plan Approval - Resolution adopted
- J. NCDOT Encroachment Agreement – LDG/171 Monticello Rd Sidewalk - Agreement approved
- K. Approval of Salary Increases – Town Manager and Town Attorney - Approved
- L. Schedule Organizational Meeting – Scheduled for December 12, 2023 at 6pm

7. Town Manager's Report

Town Manager Coffey provided the Town Manager's Office updates and reported on the following:

- Lake Louise Park updates including replacement of playground equipment and recreation complex progress
- Eller Cove Watershed Trail Design update
- Trail planning design quote for property off Quarry Road
- Woodfin emergency water memorandum of agreement
- Short-term rentals and agreement with Land of Sky Regional Council for facilitation of public input sessions on STRs

- Application for Firehouse Subs grant by Weaverville Fire Department
- Weaverville Center for Creative and Healthy Living status
- Music on the Knoll programming
- Paving bids with a \$10,000 discrepancy
- Naming of Grand Marshal for Holiday Parade

8. General Public Comments

Mayor Fitzsimmons read the rules of procedure and he opened the public comment portion of the meeting. No one in attendance or attending remotely via Zoom elected to speak. No written comments were received.

9. Discussion & Action Items

A. Fee Schedule Amendment: Lowering Water System Development Fees

Attorney Jackson stated that the Water System Development Fees that were adopted by Town Council and effective July 1, 2023 were based on the financial analysis provided by Willdan Financial Services. This financial analysis did not reflect any grant funding for the Water Treatment Plant Expansion project and needed to be updated to include the \$15 million recently awarded to the Town from the State. Willdan has updated its calculations and staff recommended that Town Council lower those fees to the maximum allowable under the newly calculated buy-in method. Attorney Jackson indicated that this could be accomplished through the proposed amendment to the Town's Fee Schedule and staff recommends retroactive implementation so that the amended fees are effective for all amounts due since July 1, 2023. Finance staff will work on any reimbursements required by this change.

Councilmember Cordell moved to approve the fee schedule amendment to lower the water system development fee as requested to be consistent with maximum allowable fee based on the newly calculated buy-in rates and that the amendment be retroactive to July 1, 2023. The motion was approved unanimously. 7-0.

B. Waterline Replacement Project: Select Engineer & Authorize Contract Public Works Director Dale Pennell

Public Works Director Pennell presented an overview of the waterline replacement project which involves the replacement of old existing water lines in the public water system. Pursuant to NC general statute staff conducted the selection process for qualifications for engineering services. Mattern & Craig was recommended by staff as a qualified engineering consultant and staff requests authorization to negotiate the contract.

In response to Vice Mayor McKenna inquiry, Mr. Pennell explained the maintenance, production, and treatment of water in the Weaverville system. The replacement project addresses issues of small and shallow line problems. The Public Works Department has identified those areas, and this corrects those issues of the aging system.

Vice Mayor McKenna motioned to approve staff to select the engineering firm for the FY2024 Waterline Replacement Project and authorizes Staff to negotiate and execute an engineering contract for the project within the approved project budget. The motion was approved unanimously. 7-0.

C. Water Commitment Application: 300 Hamburg Mtn Road Public Works Dir. Pennell reviewed

Attorney Jackson explained the annexation procedure and stated approval of the water commitment may be conditioned upon annexation of the property into the Town's municipal limits. It was noted that an annexation petition has been certified as sufficient and is pending before Town Council.

Mr. Pennell reviewed the water commitment application for 300 Hamburg Mountain Road for the Reems Creek Village project by developer Windsor Built Homes, Inc. He explained water supply, maintenance, and the treatment plant capacity and expected water usage rates for a development this size. Mr. Pennell found that there is sufficient capacity within the town's water supply.

Councilmember Jackson moved to approve the water commitment request for the Windsor Built Home project at 300 Hamburg Mountain Road contingent upon annexation into the Town's municipal limits. The motion was approved unanimously. 7-0.

D. Quarterly Report: Finance Director Dozier

Finance Director Dozier provided the quarterly report, highlighting the independent audit review and submission to the Local Government Commission and she reviewed the tax levy projections, expenditures, capital projects, and ARP grants and funding projections.

E. Quarterly Report: Planning Director Eller

Planning Director Eller provided the Planning Department quarterly report reviewing the permits issued in the housing market, housing development timeline process, and the annexation petitions received and the continued growth expectations.

10. Adjournment

There being no further business and without objection Mayor Fitzsimmons declared the meeting adjourned at 6:46 p.m.



Tamara Mercer, Town Clerk