

## MINUTES

**Town of Weaverville  
State of North Carolina**

**Town Council Regular Meeting  
Tuesday, April 22 2024**

The Town Council for the Town of Weaverville held its regular meeting on April 22, 2024, 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 Catherine Cordell and Council members Doug Jackson, John Chase, Michele Wood, Peter McGuire and Dee Lawrence.

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

### **1. Call to Order Mayor Fitzsimmons**

Mayor Fitzsimmons called the meeting to order at 6:00 p.m. and acknowledged the 54<sup>th</sup> anniversary of Earth Day.

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

Mayor Fitzsimmons asked that item 7. D. Maple Trace Annexation Update be removed per request from the applicant to the May 20<sup>th</sup> meeting and that the March 19, 2024, draft minutes (item 4.B.) be removed for further review.

*Councilmember Chase moved to approve and adopt the agenda as adjusted removing items 4.B. and 7. D. The motion was approved unanimously. 7-0.*

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

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

### **4. Consent Agenda**

Manager Coffey reviewed the consent agenda items:

- A. *February 24, 2024, Town Council Strategic Planning Retreat Minutes - approved*
- C. *March 25, 2024, Town Council Regular Meeting Minutes - approved*
- D. *Monthly Tax Report and Request for Refunds/Releases - approved*
- E. *Budget Amendments – Police - Approved*
- F. *Annexation and Zoning – 75 Cole Road – Set PHs for 5/20/24 at 6pm - Approved*
- G. *Annual Presentation of Town Manager Delegated Policies – Information Only*
- H. *Road Closure Ordinances – Music on Main June 15 & July 4 Downtown - Adopted*

- I. *Proclamation Recognizing Lions Club 75 Year Anniversary - Approved*
- J. *Letter of Support for AdventHealth - Approved*
- K. *Set Public Hearing on FY 2024-2025 Annual Budget for May 14, 2024 and Notice of Workshop Location Change to Weaverville Fire Station, Meeting Room, 3 Monticello Road - Approved*

*Vice Mayor Cordell moved to approve and adopt the consent agenda items as presented. The motion was approved unanimously. 7-0.*

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

Manager Coffey provided Town Council with the Manager's report including updates and program highlights. Firstly, she suggested a joint meeting with the Planning Board to be scheduled after the annual budget adoption in July or thereafter.

- Budget Process Update
- Active Weaverville Committee Update at May 20 meeting
- Woodfin/ Weaverville Greenway Connector Project timeline
- Tree Board
- Elevated Trail Design Presentation planned for May 20<sup>th</sup>
- Grant Application for County Open Space Bond for Passive Recreation Lands project and timeline
- Congressman Edward's Office collaboration
- Upcoming Events: Arbor Day Program in honor of late Mayor Dottie Sherrill on April 26, rescheduled regular Town Council meeting in May is May 20 due to Memorial Day, Memorial Day Observance at the Community Center

There was a general consensus to wait for more in-town residents to apply to the Tree Board.

Mayor Fitzsimmons presented the Proclamation Recognizing 75<sup>th</sup> Year Anniversary of the Weaverville Lions Club. Various community initiatives and programs sponsored by the Lions Club were acknowledged.

## **6. General Public Comments**

Ms. Jill Totman a Weaverville resident addressed the Weaverville Center for Creative and Healthy Living program as she supports the programing and hopes the program continues to be a town priority and she supports the transition to the town.

Mr. Matthew Knauer of Alabama Avenue said he has lived here for 21 years and was concerned with a ban and/or regulations of short-term rentals. Mr. Knauer noted the short-term rental review process of Planning Board, Police and Fire Department statistics, Weaverville Business Association input and the research and report conducted by Kayla DiCristina of Land of Sky Regional Council stating minor impacts to claims STRs are driving the housing shortfall. Mr. Knauer opposes a ban on whole-house short-term rentals and requests common sense solutions.

Ms. Marci Brigman a Weaverville resident questioned the rules governing pickleball courts as she said that they are complex and confusing. Ms. Brigman was against locking the courts and the restricted parking. She questioned etiquette and passed out 'pickleball etiquette' flyers from Donner Park, Columbus, Indiana.

Ms. Trisha Hollifield made statements regarding short-term rentals, and she opposes regulating short-term rentals. She does not believe the Town can force a registration or permitting process of STRs. Ms. Hollifield requested the Attorney's legal opinion of short-term rental regulations.

Attorney Jackson stated the Planning Board is still working on the Short-Term Rental Project and that they have not yet considered any draft regulations. She also noted that her legal opinions on the topic will be addressed to Town Council and not the general public.

Ms. Darla Letourneau addressed the proposed budget package and said she supports an employee COLA and staff merit pay increases, and according to the COLA chart of the surrounding region, Weaverville has proposed the lowest COLA in area.

Mr. Tom Balestieri of Whitetail Drive and WCCHL Chairman addressed the WCCHL transition. He noted the program has provided 3-years of free wellness health and creative programs. As an experiment is a rounding success and Mr. Balestieri supports the transition of the WCCHL programing to the Town. He encouraged Council to support funding in the budget and is in favor of continuing to implement programs under the leadership of Community Center Director Myers.

## **7. Discussion & Action Items**

### **A. AdventHealth Presentation**

Mr. Graham Fields, Assistant President of AdventHealth thanked Council for the letter of support and presented an overview of the AdventHealth Hospital plan. He said the 67-bed hospital is to be located off US 25/70 west of I-26 on approximately 30 acres and has received approval through the NC Department of Health and Human Services. Mr. Fields introduced Mark Murrill, who provided a history and timeline of the State permitting process, and noted construction is anticipated to begin next year and take about 18-24 months to complete. Mr. Murrill noted an additional 26 beds have been applied for and they are waiting on approvals. He also anticipates that their campus will include wellness preventative care services and medical practice offices, to support Buncombe and other surrounding counties.

### **B. Social District Request for Music on Main Event**

Ms. Camille Danals, Events Assistant at the Weaverville Business Association provided a presentation on a proposed 'social district' at the WBA's Music on Main event. The request would allow people to drink alcoholic beverages purchased from participating businesses in a specifically defined and mapped area of downtown Weaverville at the June 15 Music on Main event.

Ms. Danals explained the site plan layout, coordinating agency procedures, law enforcement and safety. There was a question-and-answer period regarding concerns, risks, safety, consumption, footprint, procedures, compostable versus single-use plastic garbage, event permit, and the legal process since the legislature passed the bill last year.

Mayor Fitzsimmons called the vote for establishing a social district for the event Music on Main.

*Council member McGuire moved to adopt the Ordinance creating an event specific social district to be held on June 15, 2024 from 3:30 p.m. – 9:00 p.m. pursuant to § 160A-205.4 and 18B-300.1. The motion was approved unanimously. 7-0.*

### **C. Presentation on Possible Florida Avenue Reconfiguration**

Mr. Bill Boughton President of the Weaverville Business Association provided three improvements suggested by the WBA members to consider changes to vehicular traffic patterns on Florida Avenue.

1. Eliminate three parking spaces on the right side of the avenue to expand the sidewalks equally on both sides of the roadway to allow for the placement of tables or planters making it pedestrian friendly and inviting for shoppers. Proper signage may stop or reduce travel on wrong way down the one-way street, thus safer.
2. Improved lighting such as an aesthetically appealing lamppost and / or attached lighting on buildings or a string of hung lights along the streetscape.
3. Add signage advertising businesses which have expanded down Florida Avenue inviting, safe and wayfinding signs.

There was further discussion on the street vehicular pattern, the tables, determination of space and of use, eliminate parallel parking spaces, and increase the sidewalks on both sides of street, alleyway configuration, accessibility issues, and construction of moving the road.

Manager Coffey inquired about handicap accessibility, construction costs and funding, to which Mr. Boughton said the WBA did not yet have a plan, they are just looking for Council's input and to receive a positive consensus of the businesses in area. Manger Coffey also noted the issues with truck deliveries and spacing problems with the reconfiguration.

Councilmember Chase agreed there is a need to consider minimum road width allowance for trucks and sightline triangle issues, and spacing determinations to address. Mayor Fitzsimmons added it is Council's wish to beautify the area, so next steps should be preliminary designs, feasibility suggestions and costs to the Town and Public Works costs and funding for repaving and installations.

Manager Coffey said Staff will provide feedback, research the suggestions, address pedestrian and vehicle safety, fire protection, business friendly goals, Town and Public Works costs and budgeting to Town Council.

### **D. Maple Trace Annexation Update - removed per applicants' request**

### **E. Transition of WCCHL to Town Programming**

Manager Coffey reviewed with Town Council that the Weaverville Center for Creative and Healthy Living, Inc, (WCCHL) is a private non-profit 501c(3) that is providing programming at the Community Center. She advised that WCCHL has made the decision to dissolve and requested that the Town take on the programing. Council directed the Manager's Office to include funding for this additional programming and she reviewed the proposed budget. The plan includes all programming and scheduling, communications, management of volunteers, payments for entertainment, set-up staffing, special events under the tutelage of the Community Center Director, Sarah Myers. The Town Manager recommends Town Council to direct staff to form ad hoc advisory committee and to authorize Town Staff to manage the programming beginning July 1<sup>st</sup>.

*Mayor Fitzsimmons polled Town Council and there was general consensus to authorize the Town Manager to implement the changes to programming and management coinciding with the 2024-2025 fiscal year.*

**F. Quarterly Report – Planning**

Planning Director Eller provided the Planning Department quarterly report from January, February and March 2024, reviewing the permits issued, the Planning Board’s agenda specifically on the topic of short-term rentals as directed by Town Council, and the Board of Adjustment meetings.

**G. Quarterly Report – Finance**

Finance Director Dozier reviewed the quarterly report summarizing the trends, revenues, last quarter’s sales tax, expenditures, the fund balance, and capital improvement projects budgets.

**8. Closed Session**

*At 7:52, Council member Jackson moved to enter closed session as allowed by NCGS § 143-318.11(a)(3) – to consult with the Town Attorney under attorney-client privilege; NCGS § 143-318.11(a)(5) – 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 (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract; NCGS § 143-318.11(a)(6) – To consider the qualifications, competence, performance, character, fitness, conditions of appointment of a public officer or employee. The motion was approved unanimously. 7-0.*

[CLOSED SESSION]

*At approximately 8:44 p.m. Council member Jackson moved to re-enter to open session.*

**9. Adjournment Mayor Fitzsimmons**

*There being no action taken and no further business and without objection, Mayor Fitzsimmons motioned to adjourn the meeting at 8:45 p.m. The motion was approved unanimously. 7-0.*

ATTEST:



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Tamara Mercer, Town Clerk