

MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Meeting
Tuesday, August 26, 2024**

The Town Council for the Town of Weaverville held its regular meeting on August 26, 2024, at 6:00 p.m. in the Community Room/Council Chambers within Town Hall at 30 South Main Street, Weaverville, NC.

Councilmembers present: Mayor Patrick Fitzsimmons, Vice Mayor John Chase and Council members Doug Jackson, Catherine Cordell, Michele Wood, Peter McGuire and Dee Lawrence.

Staff members present: Interim Town Manager Scottie Harris, Town Attorney Jennifer Jackson, Finance Director Tonya Dozier, Planning Director James Eller, Town Clerk Tamara Mercer, Police Chief Somer Oberlin, Public Works Director Dale Pennell, Water Plant Superintendent Randall Wilson, Recreation Coordinator Sarah Myers, and Zoom Room Coordinator Lauren Ward.

1. Call to Order Mayor Fitzsimmons

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

2. Approval/Adjustments to the Agenda

Vice Mayor Chase moved to approve and adopt the agenda as presented. 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

Attorney Jackson made a correction to a typo error on page 31, Board Appointments terms corrected. In response to Councilmember Cordell's question regarding the Road Closure Ordinance, Chief Oberlin reviewed the road closure routes.

Councilmember Cordell moved to approve and adopt the consent agenda items as corrected:

A. July 16, 2024, Town Council Workshop Meeting Minutes- approved as presented

B. July 22, 2024, Town Council Regular Meeting Minutes- approved as presented

C. FY23-24 Tax Settlement, Appointment, & Order of Collection for FY24-25- approved as presented

- D. Monthly Tax Report, Refunds/Releases- approved as presented*
E. Budget Amendment Transfer Recreation Complex - approved as presented
F. Budget Amendment Reappropriations- approved as presented
G. Board Appointments for ABC, Planning Board, Board of Adjustment approved with corrections
H. Waterline Acceptance Chapel Crossing Subdivision- approved as presented
I. Road Closure Ordinances- approved as presented
J. Tailgate Market MOU Amendment and Renewal- approved as presented
K. Title VI Civil Rights Policy Annual Report- approved as presented
L. Ratification of Legal Services Agreement for Interim Town Attorney- approved as presented
M. Street Paving Contract Change Order- approved as presented
- The motion was approved unanimously. 7-0.*

5. Acting Town Manager's Report

Acting Town Manager Harris reviewed the projects and update report noting that the Town received a lower-than-expected administrative fee on the 15-million-dollar grant from NC Legislature for the Water Treatment Plant Expansion Project.

- Water Treatment Plant improvements fees reduced from 3% to 1.5%
- Eller Cove Watershed Trail System grant September notice expected
- Maple Trace Annexation \$134,000 payment update
- Duke Energy Vegetation Clearing
- New Sanitation Truck and procedures and safety
- WCCHL to Weaverville Community Programming and Arts MOU, WCCHL MOU is terminated
- Weaverville Business Association (WBA) Salute to Summer August 24th, community connection program
- FY 2023-24 Financial Audit update
- Lake Louise additional overflow parking completed additional improvements are on-going
- 9/11 Remembrance scheduled at the Community Center at 8:30 am
- Reems Creek Valley Fire Dept Partnership
- HR Audit and outsourcing
- Labor Day Town Hall Offices Closed

6. General Public Comments

Ms. Mary Hilton spoke in favor of pickleball courts for the community and the benefits of the parks system for Weaverville.

Mr. Matthew Schwartz spoke in favor of pickleball courts and thanked Public Works for the work on the court completion.

Mr. Gary Weiner stated he was opposed to the Eller Cove Watershed Trail project.

Ms. Jill Raymond said she is donating 40-acres of land for the Eller Cove Watershed Trail project.

Ms. Emily Boyd stated she was opposed to the Eller Cove Watershed Trail project. She requested a 300-yard buffer from her property line.

Mr. Chuck Raymond stated he was opposed to the Eller Cove Watershed Trail project.

Ms. Inger Stallman Jorgenson supported the WCCHL programs and thanked the Town for continued support of the programs and scheduling. Ms. Stallman Jorgenson was in favor of the community pickleball courts.

Ms. Darla Letourneau stated she was in favor of the pickleball facilities and outdoor recreation opportunities, noting that the courts are in the same location as the swimming pool. Ms. Letourneau requested the Council address transparency of government.

Comments received on-line:

Mr. William Platt resident who lives across from the Outdoor Recreation and is opposed to the pickleball courts.

Mr. Anthony Motola a Buncombe County resident who objects to the Elk Mountain Scenic Highway (Eller Cove Watershed Trail System) project.

Ms. Janet Lindsley Elk Mountain Scenic Highway Buncombe County resident who opposes the Eller Cove Watershed Trails.

Mr. Jim Green Elk Mountain Scenic Highway resident who opposes the Eller Cove Watershed Trail System.

Ms. Margie Green of Elk Mountain Scenic Highway resident who opposes the Eller Cove Watershed Trail System.

All in attendance were given an opportunity to speak, no one else elected to address Council.

7. Discussion & Action Items

A. Capital Project Ordinances and Capital Reserve Funds Update

Finance Director Dozier reviewed the Town's capital project ordinances and capital reserve fund recommendations. The amended WTP Expansion and Water Improvement project, is recommended to reflect the adjusted engineer's current cost estimates. Ms. Dozier explained the capital reserve fund for the water expansions and transfer of funding, as well as the Community Center, Recreation Complex, Fire Reserve and General Fund added provisions. Staff requested direction on final steps for restroom and storage units at the outdoor recreation complex.

Public Works Director Pennel answered questions regarding the location and layout and costs for restrooms and the storage area.

Mayor Fitzsimmons directed staff to bring back ideas and cost estimates on the restrooms and shelter at the Rec Complex.

Council member Lawrence moved to adopt the Amended and Restated Capital Project Ordinances as presented, approve the attached budget amendment to make the recommended transfers, dissolve the capital reserve fund related to the water fund, and adopt the Amended and Restated Resolution to Establish a Capital Reserve Fund Related to Anticipated Future General Fund Expenditures for Capital Projects and Equipment. The motion was approved unanimously. 7-0.

B. Personnel Policy Amendment

Chief Harris explained proposed changes and recommendations to the Personnel Policy due to the competitive jobs market. The suggested language addresses Section 8. Employment of Relatives, under conditions of employment, as other communities embrace the hiring of relatives as a recruitment tool to increase recruitment of candidates while ensuring supervisory conflicts are avoided.

In response to Council member Cordell's question regarding the definition of immediate family member, Attorney Jackson read the definition of the personnel policy 'relative'.

Council member Jackson moved to adopt the Resolution Amending the Town's Personnel Policy Article VI. Section 8 as presented. The motion was approved unanimously. 7-0

C. Fire Department Quarterly Report

Chief Harris provided the Weaverville Fire Department report and reviewed the data, highlighting the public education and fire prevention programs.

Councilmember Wood recounted her own experience with a fire, noting that they participated in the home resident education program two weeks before they had a fire, in which the department teaches residents how to use a fire extinguisher.

D. Police Department Quarterly Report

Chief Oberlin provided the quarterly report for emergency services, accidents, funding, evidence procedures, and training and professional development including the houseless program and summer conferences attended by staff.

8. Closed Session

Mayor Fitzsimmons requested a motion to enter into Closed Session.

At approximately 7:12 pm Councilmember Lawrence made the motion to enter closed session under N.C. Gen. Stat. § 143-318.11(a)(3) to consult with an attorney employed or retained by the governing body in order to preserve the attorney-client privilege and to consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. With a majority/unanimous vote of 7 to 0, Town Council entered into closed session.

[CLOSED SESSION]

At approximately 7:29 pm Councilmember Chase made the motion to exit closed session. In a unanimous vote of 7 to 0 the Mayor and Council exited closed session and re-entered open session.

Mayor Fitzsimmons moved that Town Council accept the Town Manager's voluntary resignation and appoint Fire Chief Scottie Harris as Interim Town Manager. Motion carried unanimously. 7-0.

9. Adjournment

There being no further business and without objection Mayor Fitzsimmons adjourned the meeting at 7:33 p.m.

ATTEST:

A handwritten signature in cursive script, appearing to read "Tamara Mercer".

Tamara Mercer, Town Clerk