



Town Council Regular Meeting - November 18, 2024 Minutes

Monday, November 18, 2024 at 6:00 PM

Town Council Chambers, Town Hall

1. Call to Order

Roll Call - Mayor Patrick Fitzsimmons, Vice Mayor John Chase, Council members Doug Jackson, Catherine Cordell, Michele Wood, Peter McGuire, Dee Lawrence

Staff Present- Interim Town Manager Scottie Harris, Town Attorney John Henning, Planning Director James Eller, Public Works Director Dale Pennell, Police Chief Somer Oberlin, Water Treatment Plant Supervisor Randall Wilson, Town Clerk Tamara Mercer, Community Center Coordinator Sarah Myers, and Town Planner Graham Crawford and A/V Coordinator Lauren Ward

2. Approval/Adjustments to the Agenda

Mayor Fitzsimmons added agenda two items under section 7: Weaverville Economic Development Committee Update and Community Center Staffing and Budget Amendment.

He read an email of support from Weaverville's Sister City, Weaverville, California who are taking up monetary collections in the aftermath of the Helene Storm disaster.

Motion to approve and adopt agenda as adjusted with items added.

Moved by: Catherine Cordell

Aye Peter McGuire, Doug Jackson, Dee Lawrence, Patrick Fitzsimmons, John Chase, Catherine Cordell, and Michele Wood

Carried 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

Interim Town Manager Harris reviewed the following consent agenda items:

4.1 Minutes of September 17, 2024, Town Council Workshop Meeting

- 4.2 Minutes of September 23, 2024, Town Council Regular Meeting
- 4.3 Minutes of October 28, 2024 Town Council Meeting
- 4.4 Monthly Tax Report, Refunds and Releases
- 4.5 Budget Amendment - Police Department
- 4.6 Budget Amendment - Community Center
- 4.7 Water Commitment Renewal- Windsor Built Homes/ Reems Creek Rd.
- 4.8 Annual Update to Comprehensive Land Use Plan- Set Public Hearing

In response to Council member Cordell's concerns about spot zoning in the growth areas specifically Growth area 2 and 3, Monticello Road and Ollie Weaver Road, Attorney Henning explained that in the definition of spot zoning is for a small parcel or a number of parcels of land under single ownership who receives a benefit or a burden to that owner than other surrounding parcel owners, that are otherwise uniformly zoned. The revised changes address development potential for the growth areas under the Comprehensive Land Use Plan and are not considered spot zoning. It is not illegal to reconsider the uses as a whole, and its practical implications for future development noted Attorney Henning.

Motion to adopt and approve the consent agenda items as presented.

Moved by: John Chase

Aye Peter McGuire, Doug Jackson, Dee Lawrence, Patrick Fitzsimmons, John Chase, Catherine Cordell, and Michele Wood

Carried 7-0

5. Interim Town Manager's Report

Interim Town Manger Harris provided information and updates on the following:

- Fire Station Solar Panel project completed
- Debris Removal, Southern Disaster Recovery, DEQ permit at the Temporary Debris Management Site
- Damage Assessment Update of Town Facilities and properties
- Annexation site updates: Maple Trace subdivision, AdventHealth, 21 Parker Cove Road
- HR Outsourcing Audit Update
- Succession Planning
- Upcoming events calendar

6. Public Comment

Jane Jaskovich, non-resident, said she is protesting the annexation and rezoning of 21 Parker Cove Road with concerns of the viability of project, density, site plan, hill slope, flooding and mudslides, parking, character unit type, and the shared common areas.

Eileen Poulos, non-resident, said she is opposed to the development at 21 Parker Cove Road as she is concerned with the incompatible use, density, and she questions single-family residential.

Jeff Kniffin, non-resident, questioned the layout of the proposed development as to the parking and lack of garages, garbage, crime, and property values at 21 Parker Cove Road.

Leslie David, non-resident, said she was opposed to the annexation and proposed development located at 21 Parker Cove Road due to traffic concerns, evacuation, and emergency services, and ingress and egress along Reems Creek Road and Pleasant Grove Road.

George Battaglia, non-resident, said he agreed with the other comments and is opposed to 21 Parker Cove Road annexation and development request.

Nancy Neils Nelson, non-resident, was opposed to the 21 Parker Cove Road project and she described the area. She was concerned with the future growth and environmental protections.

Darla Letourneau Town of Weaverville resident, addressed the Town Manager selection process, and the citizens' survey. She was concerned with residents' survey input addressing top priorities and leadership qualities in a Town Manager.

Councilmember Wood stated the request for annexation located at 21 Parker Cove Road is under the purview of the Town Council to deliberate. Without annexing the property as requested the property would be subject to County zoning. Councilmember Cordell agreed that Town Council would address the proposed annexation request as it has in previous cases, and she cited Lily Farms as a similar project with the Town of Weaverville.

7. Discussion & Action Items

7.1 ABC Audit Presentation & Report

Rob Chason, ABC Board Chairman, reviewed the Fiscal Year 2023-24 Audit report certified by Burlison & Early, CPA firm. He highlighted the summary including gross sales just under 5 million, with over \$400,000 distributed to the Town for Law Enforcement, alcohol education programs, which has a \$23,393 or 5% gain over the prior year.

In response to questions he noted that other stores saw a decrease in sales as well and that the store employees six full-time employees and four part-time staff which is listed under details in the report.

7.2 Tropical Storm Helene Update and Action

Manager Harris said staff was presented with a different option on disaster recovery administrative services. Land of Sky Regional Council (LOSRC) is providing these services to several jurisdictions in the area and staff opted to keep this service local with LOSRC, a public non-profit entity. The executed Interlocal Memorandum of Agreement for these needed services was attached and showed that the fees are based on actual time spent but are estimated at \$15,000 through the end of this fiscal year. The agreement can be amended to extend into next fiscal year if needed.

The Town has already received its initial FEMA public assistance funding and the Finance Director recommends that a grant project ordinance be adopted in order to centralize all revenues and expenditures related to the storm. A draft grant project ordinance was presented for review and approval. Budget amendments will be brought back to Town Council from time-to-time in order to accurately reflect actual expenditures.

Motion to approve and ratify the Interlocal Memorandum of Land of Sky Regional Council Agreement for disaster recovery administrative services and adopt the grant project ordinance as presented.

Moved by: John Chase

Aye Peter McGuire, Doug Jackson, Dee Lawrence, Patrick Fitzsimmons, John Chase, Catherine Cordell, and Michele Wood

Carried 7-0

Manager Harris reviewed the Tropical Storm Helene updates. He reported on the procedures for debris collections giving the scope of pick-ups such as root sizes, vegetative, and tree truck removal procedures. Southern Disaster Recovery, (SDR) is the sub-contractor, working in cooperation with Buncombe County, Woodfin, Weaverville, and Biltmore Forest. Public Works Department continues to collect and address more efficient processes. We have received 1.8 million from FEMA in recovery assessments.

There was a question-and-answer period for residential and commercial debris collections, clean-up efforts for vegetative debris and disaster debris, ingress and egress ramps to I-26, NCDOT, the Army Corps, SDR contractor, and rights-of-ways, local private and public roadways, and the contracted scope of work.

7.3 **Weaverville Economic Development Advisory Committee Update**

Mr. Phil Barnett, Chairman of the Weaverville Economic Development Advisory Committee, addressed Town Council and gave a summary of WEDAC meetings garnering economic opportunities, committees' suggestions, specific sites for promotions, including specifically the old Balcrank factory.

The Balcrank property was noted as being a superfund site although there is information that suggests that the environmental contamination is now negligible. An open house event is scheduled for the property, 115 Reems Creek Road, on December 5th at from 2:00 - 4:00, for the public to view the over 132,000 square foot space and to garner interest in projects and possibilities for this property, such as artist studios and gallery spaces.

7.4 **Community Center Staffing and Budget Amendment**

Manager Harris discussed with Council the need for additional staffing at the Community Center/Recreation Complex. He recommended that the newly authorized Recreation Assistant position be made into a full-time benefited position in order to provide additional staffing and to increase the interest in the position. He also indicated that a thorough review of the staffing needs at the Community Center and Recreation Complex is needed to determine a sustainable approach to providing this important and popular programming. Town Council supported the idea of bringing back some recommendations on this and on a community engagement position.

There was a question-and-answer period regarding the programs, operating center hours, outdoor recreation hours, events, community opportunities and feedback, and the reclassification of the part-time position.

Motion to approve a full-time Recreation Assistant and the related budget amendment as presented.

Moved by: John Chase

Aye Peter McGuire, Doug Jackson, Dee Lawrence, Patrick Fitzsimmons, John Chase, Catherine Cordell, and Michele Wood

Carried 7-0

7.5 Finance Department Quarterly Report

Finance Director Dozier provided the quarterly report and explained tax levy collections, reviewed trends for sales tax, and detailed budget expenditures. She addressed the process as we receive the FEMA funding, currently is 1.8-million. The NCLM (North Carolina League of Municipality) insurance coverages claims and deductibles. We are meeting with our FEMA representatives.

7.6 Police Department Quarterly Report

Chief Oberlin provided the quarterly report for emergency services, accidents and incidents, funding, evidence procedures, and training and professional development. Chief Oberlin said larceny incidents and auto break-ins are on the rise in the aftermath of the storm. The patrols are conducting more well-fare checks. She noted that there was an attempted cyber-security attack on the Police Department attempted cyber-security attack. Staff worked with the State taskforce, School of Government, and National Guard on the investigation.


Chief Oberlin highlighted the Community Resource program implemented by Seargent Andy Mace.

7.7 Fire Department Quarterly Report

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

10. Adjournment

There being no further business and without objection, Mayor Fitzsimmons adjourned the meeting at 8:05 p.m.



Tamara Mercer, Town Clerk



Patrick Fitzsimmons, Mayor