

TOWN OF WEAVERVILLE

Weaverville Town Hall, 30 South Main Street, Weaverville, NC 28787

Remote Meeting via Zoom Meeting:

<https://us02web.zoom.us/j/85948891960>. Meeting ID: 859 4889 1960

AGENDA

Monday, September 28, 2020

Public Hearing at 6:45pm

Regular Meeting at 7:00 pm

Pg # Presenter

1. Public Hearing: Annexation and Initial R-3 Zoning for Conrad Property on Reems Creek Road	3	Planning Director
<hr/>		
1. Call to Order		Mayor Root
2. Approval/Adjustments to the Agenda		Mayor Root
3. Approval of Minutes		Mayor Root
A. August 11, 2020 Town Council Workshop Minutes	15	
B. August 24, 2020 Town Council Regular Meeting Minutes	17	
C. September 8, 2020 Town Council Workshop Minutes	20	
4. General Public Comments (see below for submission instructions)		Town Clerk
5. Consent Agenda		Town Manager
A. Monthly Tax Report	21	
B. Board Appointments	23	
C. Budget Amendment	25	
D. Approval of WCCHL Programming Letter	27	
6. Town Manager’s Report	30	Town Manager
7. Discussion & Action Items		
A. Revaluation Presentation	32	Keith Miller
B. Code Amendment to Code Section 28-95 Concerning Prohibited Parking in Fire Lanes.....	33	Town Manager
C. Code Amendment to Chapter 22 Concerning Solid Waste Penalties	36	Town Manager
D. Water Treatment Plant Expansion Project Update & Reimbursement Resolution	39	Town Manager
E. Christmas Parade	42	Town Manager
F. Quarterly Report – Public Works & Water Department	43	Public Works Dir.
8. Closed Session		Mayor Root
• Pursuant to N.C.G.S. § 143-318.11(a)(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body...		
• Pursuant to N.C.G.S. § 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 the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.		
9. Adjournment		Mayor Root

On a temporary basis, 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. General public comments will be limited to 18 minutes and only comments that are timely received will be read into the record during the general public comment period. All comments timely received will be provided to Town Council and included as part of the minutes of the meeting. Public comments can be submitted as follows: (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, (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. For assistance in providing public comments, please call (828)645-7116.

NOTICE OF WEAVERVILLE TOWN COUNCIL REGULAR MEETING REMOTE ELECTRONIC MEETING ON SEPTEMBER 28, 2020

The State of North Carolina, Buncombe County and the Town of Weaverville have all declared States of Emergency in response to the COVID-19 public health crisis. Because of the risks to the public that would arise from in-person meetings, the Town's regular meeting on September 28, 2020, will be conducted via remote electronic format.

This NOTICE OF REMOTE ELECTRONIC MEETING is to inform the public that the Weaverville Town Council will hold its regularly scheduled meeting on Monday, September 28, 2020 at 7:00 p.m. as an electronic video/audio meeting via Zoom Meeting. Access to the meeting will begin at 6:45 p.m. and the meeting will start at 7:00 p.m. The instructions to access this public meeting are:

To join the meeting by computer, go to this link:

<https://us02web.zoom.us/j/85948891960>. You may be asked for permission to access your computer's video and audio. If so, click "allow." You will then be asked for the Meeting ID which is: 859 4889 1960

To join the meeting by phone, call: (253)215-8782 or (301)715-8592

You will then be asked for the Meeting ID which is: 859 4889 1960

To view a recording of the meeting, please visit the Town's website at

<https://www.weavervillenc.org>. A recording of the meeting will be posted to the Town's website for public viewing within 24 hours of the meeting.

General Public Comments – On a temporary basis, 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 as follows:

By **emailing** to public-comment@weavervillenc.org at least 6 hours prior to the meeting

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

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

For questions or additional assistance in how to participate in this meeting or in providing public comments, please call (828)645-7116.

Allan P. Root, Mayor
9/23/2020

**TOWN OF WEAVERVILLE
NOTICE OF SPECIAL CALLED MEETING,
NOTICE OF REMOTE ELECTRONIC MEETING, AND
NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE is hereby given that the Weaverville Town Council will hold a special called meeting on Monday, September 28, 2020, beginning at 6:45 p.m., for the purpose of holding a Public Hearing(s) on the voluntary annexation petition submitted by Bernhard Conrad and Linda Grace Conrad for 2.10+/- acres of unimproved land on Reems Creek Road, bearing Parcel Identification Number 9732-92-9070 and being Lots 1 and 2 as shown on the plat recorded in Plat Book 24 at Page 49, and the R-3 initial zoning for the property should it be annexed.

This special called meeting and public hearing will occur as an electronic audio/video meeting via Zoom Meeting. Access to the meeting and hearing will begin at 6:30 p.m. and the meeting and hearing will start at 6:45 p.m.

WRITTEN PUBLIC COMMENTS can also be submitted in advance of the public hearing and will be read into the record of the public hearing. Written public comments can be submitted as follows: (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 on September 28) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments.

The INSTRUCTIONS TO ACCESS THE REMOTE ELECTRONIC PUBLIC MEETING are:

To join the meeting BY COMPUTER, use this link: <https://us02web.zoom.us/j/85948891960> .

You may be asked for permission to access your computer's video and audio. If so, click "allow." You will then be asked for the Meeting ID which is: 859 4889 1960 .

To join the meeting BY PHONE, call: (253) 215-8782 or (301) 715 8592. You will then be asked for the Meeting ID which is: 859 4889 1960 .

If you would like ADDITIONAL INFORMATION or to review the content related to the Public Hearing, or have questions regarding how to submit a comment or join the meeting, you may contact Planning Director and Town Clerk James Eller at 828-484-7002 or jeller@weavervillenc.org.

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

PUBLIC HEARING

Date of Meeting: Monday, September 28, 2020

Subject: Initial Zoning Request of R-3 in Conjunction with a Voluntary Annexation Petition for a Parcel Commonly Known as 24 Reems Creek Road

Presenter: Planning Director

Attachments: Voluntary Annexation Petition; Annexation Map; Certificate of Sufficiency; Staff Report; Planning and Zoning Board Recommendation

Description:

Council has instructed the Town Clerk to investigate the eligibility of a proposed annexation and the Planning and Zoning Board was instructed to examine the compliance with the Town's adopted comprehensive land use plan with a desired initial zoning of R-3. These actions have occurred and attached you will find documentation reflective of same.

Of particular note is that the Planning and Zoning Board recommendation, unanimously approved for consideration by Town Council, calls for the initial zoning of the property to be R-2 rather than R-3 as desired by the applicant. The attached recommendation states the Board's reasoning for this determination to be considered by Town Council.

The public hearing has been duly advertised in accordance with state statute and municipal ordinance.

Action Requested:

Due to new regulations placed upon public hearings held during remote meetings, a governing board must also allow public comment to occur an additional 24 hours after the public hearing. Therefore, action is not eligible at this time.

Town Council may take action during its regularly scheduled meeting on Monday, October 26, 2020.

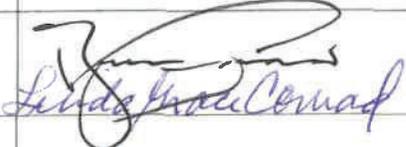
**PETITION FOR VOLUNTARY ANNEXATION
 PETITION/APPLICATION
 Town of Weaverville, North Carolina**

Submittal Date: 7/20/20
 Date Fee Paid: 7/27/2020
 Petition No: 2020-1

**STATE OF NORTH CAROLINA
 COUNTY OF BUNCOMBE**

TO THE TOWN COUNCIL OF WEAVERVILLE, NORTH CAROLINA

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Weaverville, Buncombe County, North Carolina.
2. The area to be annexed is contiguous, non-contiguous (satellite) to the Town of Weaverville, North Carolina, and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads and other areas as stated in G.S. § 160A-31(f), unless otherwise stated in the annexation agreement/ordinance.
4. The property and property owner information is as follows:

Property Owner and Mailing Address	Phone Number & Email Address	Deed Reference & Property PIN	Property Owner Signature
LINDA GRACE CONRAD BERNHARD CONRAD 7 A-BEMBLEM DRIVE WEAVERVILLE, NC 28787	(828) 231-1142 bernie@abemblem.com	S197/0055 973 292907000000	

5. Zoning vested rights are not claimed, have been established under G.S. § 153A-344.1 or § 160A-385.1 as follows [describe and attach the order and approved site plan]:

Total Acreage to be annexed: 2.10
 Population in annexed area: 0
 Proposed Zoning District: R3
 Reason for annexation: _____ Receive Town Services Other (please specify) see below

The applicant must also submit a rezoning application with the petition for voluntary annexation to establish a Weaverville zoning designation. Please contact the Planning Department at (828)484-7002 for questions. If the purpose of the petition is a connection to public water, contact Public Works Department at (828)645-0606 to confirm that public water is available to the property and the cost of that connection.

****To combine with adjoining property that is already within the Town's municipal boundary.**

**PETITION FOR VOLUNTARY ANNEXATION
DATA SHEET**

Town of Weaverville, North Carolina

Submittal Date: 7/20/20

Petition No. 2020-1

Annexation Area Name: ALTA K. MORRIS ESTATE

Petitioner: BERNHARD + LINDA GRAZE CONRAD

Subject Area Acreage: 2.10

Current Land Use: OPEN / VACANT LAND

Proposed Land Use or Development (describe): _____

CONSOLIDATE WITH EXISTING LOT IN TOWN

Residential (single family): Number of Units: _____ Anticipated build out in _____ years
Average Sales Price: \$ _____ /dwelling unit

Residential (multi-family): Number of Units: _____ Anticipated build out in _____ years
Owned: Average Sales Price: \$ _____ /building unit
Rental: Average Rental Amt: \$ _____ /month

Retail: Square footage: _____ Anticipated build out in _____ years
Type of tenancy: _____

Commercial - Non-Retail: Square footage: _____ Anticipated build out in _____ years
Type of tenancy: _____

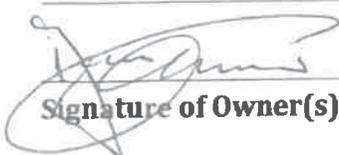
Other: Square footage: _____ Anticipated build out in _____ years
Type of tenancy: _____

Development Scale: Max building height of _____; max number of stories of _____

Infrastructure: Linear feet of publicly dedicated roadways proposed: _____ feet
Public water proposed (describe): _____

Other Public Services Requested (describe): _____

Zoning Vested Rights Claimed (describe and attach documentation): NONE

 Linda Grace Conrad
Signature of Owner(s)

PETITION FOR VOLUNTARY ANNEXATION PROCESS INFORMATION

Town of Weaverville, North Carolina

VOLUNTARY ANNEXATION: Upon receipt of a valid petition signed by all of the owners of real property in the area described therein, the Town may annex an area either contiguous or not contiguous to its primary corporate limits when the area meets the standards set out under North Carolina General Statutes § 160A-31 and § 160A-58.1 The petition need not be signed by the owners of real property that is wholly exempt from property taxation under the Constitution and laws of North Carolina, nor by railroad companies, public utilities as defined in G.S. § 62-3(23), or electric or telephone membership corporations. A rezoning petition must accompany the annexation petition if any portion of the property to be annexed is located outside of the Town of Weaverville's corporate limits.

SUBMITTAL REQUIREMENTS:

- Town of Weaverville Petition for Annexation with original signatures
- Annexation Petition Fee (\$200)
- Certificate of Authority
- Plat/Annexation Survey
- Legal Description (based on annexation survey in Microsoft Word format)
- Annexation Data Sheet

REVIEW PROCESS:

Staff Review – The Planning and Public Works Departments review the annexation submission. Comments will be sent to the applicant via email. Clerk begins review of annexation petition for sufficiency.

Annexation Plat Submission – After the map and legal description are deemed sufficient by the Town of Weaverville, and prior to the public hearing on the annexation, the applicant is required to submit an annexation survey in recordable format to the Planning Department.

Town Council Meeting – The Town Council meetings are typically held on the third Monday of each month at 6pm. The Town Council will pass a resolution directing the Town Clerk to investigate the annexation petition. The Town Clerk will present to the Town Council a Certificate of Sufficiency indicating that the annexation petition is complete. A resolution setting the date of the public hearing is then approved.

Legal Advertisement – A legal advertisement will be published on the Town's website and in the newspaper no more than 25 days and no less than 10 days prior to the date of the public hearing.

Public Hearing/Town Council Meeting – The Town Council meetings are typically held the third Monday of each month at 6pm. After holding the public hearing, the Town Council will either adopt or deny an ordinance to extend the corporate limits of the Town of Weaverville

Recordation – If the annexation is approved by the Town Council, the Town Clerk will have the Annexation Plat recorded at the Buncombe County Register of Deeds.

Notice of Annexation – As required by law the North Carolina Secretary of State and the Buncombe County Board of Elections will be notified of the newly annexed area.



Doc ID: 026237960002 Type: CRP
Recorded: 04/01/2014 at 12:02:10 PM
Fee Amt: \$356.00 Page 1 of 2
Revenue Tax: \$330.00
Workflow# 0000212717-0001
Buncombe County, NC
Drew Reisinger Register of Deeds

BK 5197 PG 55-56

There are no delinquent taxes that are a lien on the parcel(s) described in the deed which the Buncombe County Tax Collector is charged with collecting.

4-1-2014
Date

Tax Collector

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$330.00

Parcel Identifier No. 9732-92-9070-00000

Mail/Box to: Path, Straus, Robinson & Moore, P.A. - Box No. 35

This instrument was prepared by: Lyman J. Gregory, III - NO TITLE EXAMINATION

Brief description for the Index: Lots 1 and 2, Plat Book 24, Page 49

THIS DEED, made this the _____ day of _____, 2014, by and between

GRANTOR	GRANTEE
BROOKS TOWNES and JUDY ANN ROSEN, Husband and Wife P.O. Box 2093 Port Townsend, WA 98368	BERNHARD CONRAD AND LINDA GRACE CONRAD, Husband and Wife 287 Merrimon Ave. Weaverville, NC 28787
For tax information purposes only: All or a portion of the property herein conveyed <u> </u> includes or <u>X</u> does not include the primary residence of a Grantor.	

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine, or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Buncombe County, North Carolina and more particularly described as follows:

BEING all of Lots 1 and 2 as shown on that plat titled, "Alta K. Morris Estate," recorded in Plat Book 24 at Page 49, Buncombe County Registry, reference to which is made for a more particular description.

[Handwritten signatures and date]
Mar. 19 '14
@ 12:21 PST

The property hereinabove described was acquired by Grantor by instrument recorded in Book 4691, Page 725.

A map showing the above described property is recorded in Plat Book 24, Page 49.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

AND the Grantor covenants with the Grantee that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

Easements, restrictions, and rights-of-way of record; utility lines in existence over and under subject property; ad valorem taxes for the year 2014, which shall be prorated at closing, and for subsequent years; and any local, county, state, or federal laws, ordinances, or regulations relating to zoning, environment, subdivision, occupancy, use, construction, or development of the subject property, including existing violations of such laws, ordinances, or regulations.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal the day and year first above written.

Brooks Townes (SEAL)
BROOKS TOWNES

Judy Ann Rosen (SEAL)
JUDY ANN ROSEN

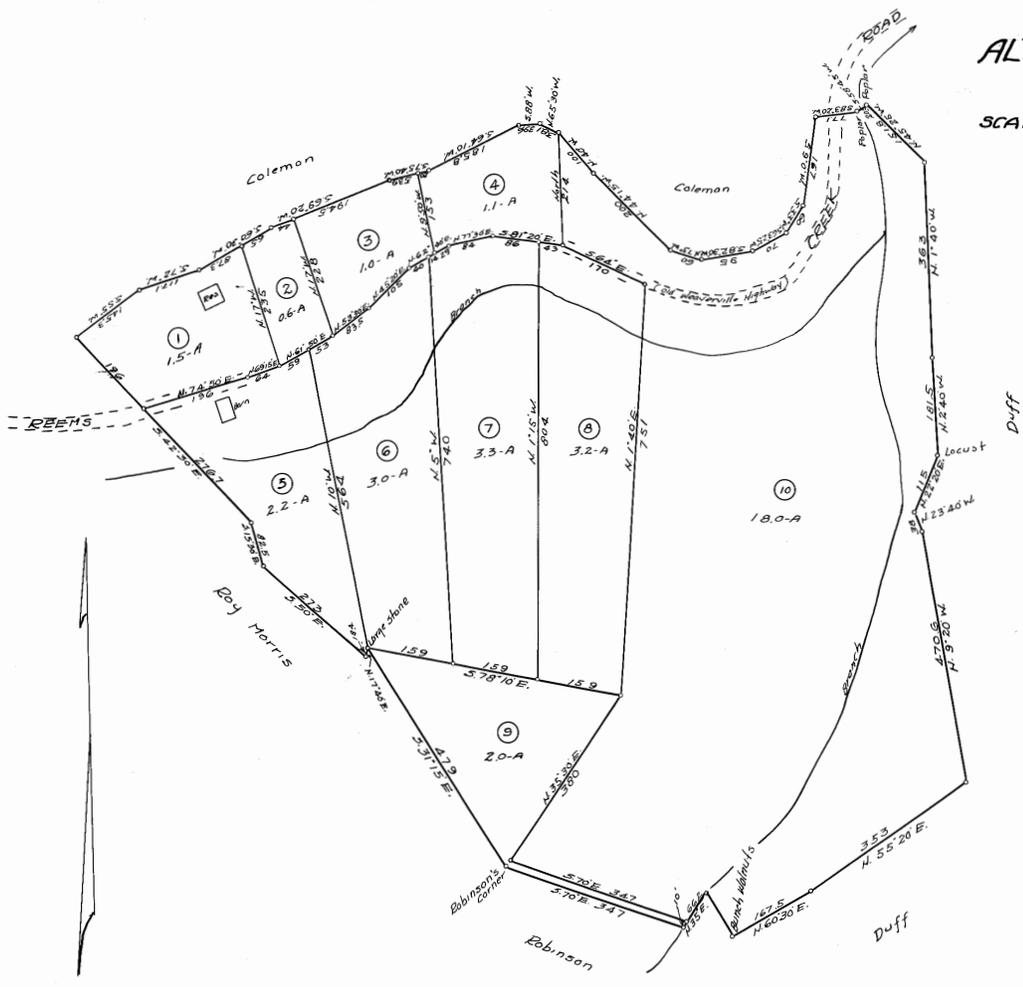
STATE OF California, COUNTY OF Sonoma

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein, under duly given authority, and in the capacity indicated: BROOKS TOWNES and JUDY ANN ROSEN

Date: March 19, 2014 Official Signature of Notary *Larry L. Shearhart*
Notary's printed or typed name Larry L. Shearhart
My commission expires: Oct 31, 2017



ALTA K. MORRIS ESTATE
NEAR WEAVERVILLE
BUNCOMBE COUNTY N. C.
SCALE 1" = 100' J. R. REAGAN ENGR.
AUGUST 1949



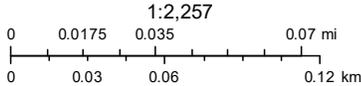
STATE OF NORTH CAROLINA
County of Buncombe
I, J. R. Reagan, being duly sworn, depose that the plat which this map is contained in, and the survey thereon, was made by me or under my direction and supervision, and was prepared from a plat or map made by me or under my direction and supervision, and was made on the 6th day of August, 1949, at a location in Buncombe County, North Carolina, and the same is a true and correct copy of the original plat or map on which the same is based.

Subscribed before me this the 6 day of Sept, 1949.
I, William H. Duff, Notary Public for Buncombe County, North Carolina.

Buncombe County



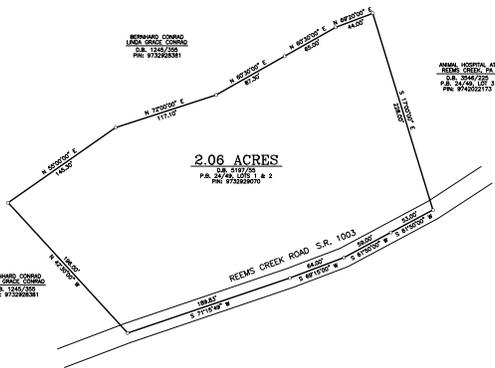
August 19, 2020





PLAT BOOK _____, PAGE _____

LEGEND
○ UNMARKED POINT



I HEREBY CERTIFY TO ONE OF THE FOLLOWING:
1. THAT THE SURVEY IS OF AN EXISTING PARCEL OF PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.



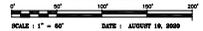
I, BOBBY C. McMAHAN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, DEED DESCRIPTIONS RECORDED IN DEED BOOK _____ PAGE _____ PLAT BOOK _____ PAGE _____ THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION IN DEED BOOK _____ PAGE _____ THAT THE RATIO OF PRECISION AS CALCULATED IS 1:1. _____ THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-25 AS AMENDED, WHENCES MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 22ND DAY OF _____ A.D. 2022.

SUBVISION:
REGISTRATION NUMBER: 2475

FILED FOR REGISTRATION ON THE _____ DAY OF _____ 20____
AT _____ O'CLOCK _____ M., AND RECORDED IN _____
REGISTER OF DEEDS, SUNCOMBE COUNTY
BY _____ DEPUTY

NAME OF OWNER: REEMAS AND LINDA CONRAD
P.L.N.: 912880070

PREPARED AND REGISTERED BY:
TOWN OF WEAVERVILLE
REEMAS CREEK TOWNSHIP
SUNCOMBE COUNTY
NORTH CAROLINA



SCALE: 1" = 60' DATE: AUGUST 18, 2022

McMAHAN & BROCK, P.A. (C-319)
P.O. BOX 1206
WEAVERVILLE, N.C. 28787
828-845-5554

JOB NO. 22-0886
B:\180807\2022.DWG

**CERTIFICATE OF SUFFICIENCY OF
ANNEXATION PETITION 2020-1
CONRAD - 2.10+/- ACRES REEMS CREEK ROAD
LOTS 1 AND 2 OF ALTA K. MORRIS ESTATE**

TO THE WEAVERVILLE TOWN COUNCIL:

I, James Eller, Weaverville Town Clerk, do hereby certify that I have investigated the Voluntary Annexation Petition of Bernhard Conrad and Linda Grace Conrad (Petition No. 2020-1) and have found as a fact that the Petition is signed by all the owners of real property lying in the area described therein and that the area to be annexed is contiguous to the Town's primary boundary.

Therefore, in accordance with North Carolina General Statutes § 160A-31, *et seq.*, I certify that the Petition is valid and sufficient for the voluntary annexation of a contiguous area pursuant to said § 160A-31 *et seq.*, of the North Carolina General Statutes.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the seal of the Town of Weaverville, this the 17th day of August, 2020.



JAMES ELLER, Town Clerk



Town of Weaverville, North Carolina

Staff Report: Proposed Initial Zoning of 24 Reems Creek Road

Prepared August 2020

Sources: Town of Weaverville Code of Ordinances; Comprehensive Land Use Plan

Zoning Analysis

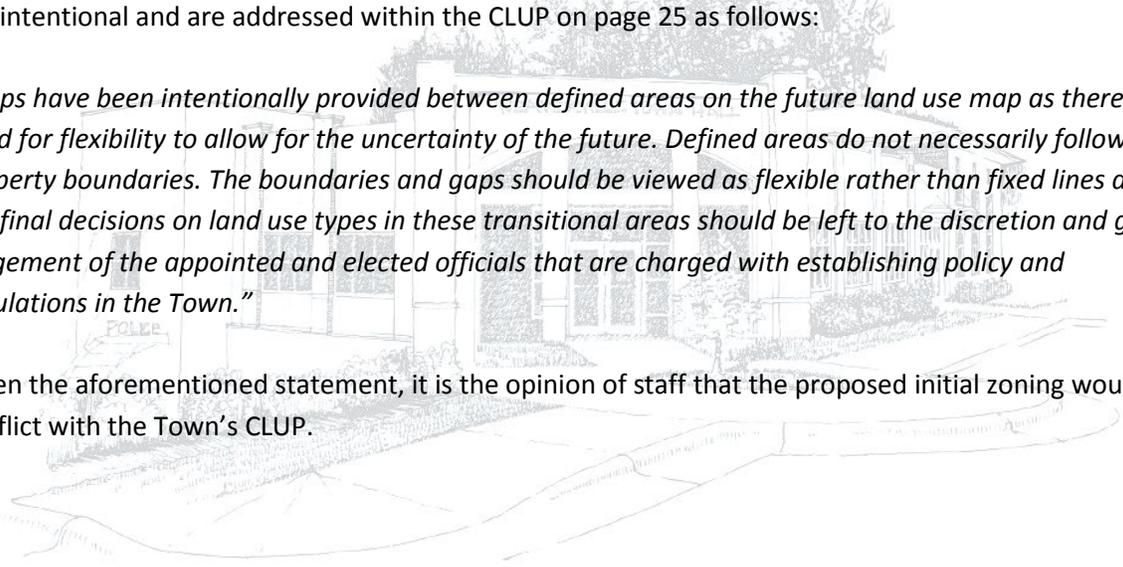
Town Council is set to consider a voluntary annexation of the property commonly known as 24 Reems Creek Road. The parcel consists of 2.1 acres as shown on the voluntary annexation petition and an initial zoning of R-3 is desired. Such an initial zoning of R-3 would provide contiguity use with the neighboring properties under common ownership.

Comprehensive Land Use Plan Compliance

When considering compliance with the Town's Comprehensive Land Use Plan (CLUP), often the analysis begins with a consultation of the future land use map (pg. A-2). Here it is found that this property exists in a gap between the defined areas shown for the future uses of Industrial and Residential. These gaps are intentional and are addressed within the CLUP on page 25 as follows:

"Gaps have been intentionally provided between defined areas on the future land use map as there is a need for flexibility to allow for the uncertainty of the future. Defined areas do not necessarily follow property boundaries. The boundaries and gaps should be viewed as flexible rather than fixed lines and the final decisions on land use types in these transitional areas should be left to the discretion and good judgement of the appointed and elected officials that are charged with establishing policy and regulations in the Town."

Given the aforementioned statement, it is the opinion of staff that the proposed initial zoning would not conflict with the Town's CLUP.





**Town of Weaverville
Planning and Zoning Board**

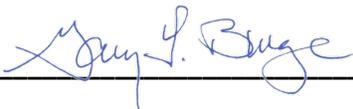
On Tuesday, September 1, 2020 the Planning and Zoning Board reviewed and unanimously recommended to Town Council a proposed initial zoning of R-2 for the property commonly known as 24 Reems Creek Road, 9732-92-9070 currently under consideration for a voluntary annexation.

When considering compliance with the Town’s Comprehensive Land Use Plan (CLUP), often the analysis begins with a consultation of the future land use map. Here it is found that this property exists in a gap between the defined areas shown for the future uses of Industrial and Residential. These gaps are intentional and are addressed within the CLUP on page 25 as follows:

“Gaps have been intentionally provided between defined areas on the future land use map as there is a need for flexibility to allow for the uncertainty of the future. Defined areas do not necessarily follow property boundaries. The boundaries and gaps should be viewed as flexible rather than fixed lines and the final decisions on land use types in these transitional areas should be left to the discretion and good judgement of the appointed and elected officials that are charged with establishing policy and regulations in the Town.”

The Board recognizes that an initial zoning of R-3 was desired on the voluntary annexation petition but ultimately determined that R-2 should be the ultimate zoning district assigned to the property due to a larger minimum lot area and manufacture homes may not be established within the R-2 zoning district.

It has been found that the proposed initial zoning is consistent with the Town’s Comprehensive Plan in that the plan calls for a balance of residential uses. The Planning and Zoning Board considers approval both reasonable and in the public interest due to the desire of the property owner to further develop for residential purposes and finding that adjacent parcels of land under common ownership are also being used for residential purposes creating contiguity of uses.



**Gary Burge
Chairman, Planning and Zoning Board**



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Workshop
Tuesday, August 11, 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, August 11, 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 and Finance Officer Tonya Dozier.

Members of the public remotely present were: Jan Lawrence, Chris Roberts, Reverend Grant, Gretchen (last name undisclosed), Michele Wood, Angela Moore, Kaleigh Hill, Norma Hawes, Forest Weaver and Geraldine Ray.

1. Call to Order

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

2. General Conversation About Historical Markers and Weaverville History

Mayor Root noted the purpose of the meeting was to discuss historical markers and Weaverville history. He also expressed a desire for the conversation to be respectful and informative while being limited to these specific topics.

Chris Roberts spoke regarding the historical marker currently at Lake Louise which notes a nearby confederate encampment. Mr. Roberts also shared information related to the history of the marker and the encampment which the marker describes.

Angela Moore spoke regarding African American history in Weaverville and the Hillside community including information on the Little Mount Zion Church.

Mayor Root noted a recent meeting he attended with Town Manager Coffey and the African American community.

Norma Hawes spoke regarding African American history in Weaverville and the Hillside community including information on the old school house which is now the Hillside Community Center.

Reverend Grant spoke regarding his skepticism about removing history which may provide valuable teaching moments.

Kayleigh Hill spoke regarding her opposition to the historical marker at Lake Louise.

Michele Wood spoke regarding historical markers placed in downtown Sylva, North Carolina.

Gretchen spoke regarding her opposition to the historical marker at Lake Louise.

Forest Weaver spoke regarding African American history in Weaverville and the Hillside community.

Members of the African American community who had previously spoken noted the opportunity to use open land on Hillside Street, between the Little Mount Zion Church and the Hillside Community Center (former school house), for park or open space and the possibility of placing and maintaining historical marker(s) noting the contributions of African Americans to the history of Weaverville.

Jan Lawrence spoke regarding African American history in Weaverville.

The Mayor and Town Council members expressed appreciation to all for such an informative and positive conversation.

3. Adjournment

Noting the consensus of Council that the meeting was at its conclusion, Mayor Root declared the meeting adjourned.

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/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 7:00 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 of the July 27, 2020 meeting 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 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 as follows: Tycer Lewis as a regular member of the Board of Adjustment to serve a three-year term beginning in September 2020, Roger Parkin as a regular member of the Board of Adjustment to serve a three-year term beginning in September 2020, Bob Pace as an alternate member on the Board of Adjustment to serve a three-year term beginning September 2020, Gary Burge as a regular member of the Planning and Zoning Board to serve a three-year term beginning in September 2020, Catherine Cordell as a regular member of the Planning and Zoning Board to serve a three-year term beginning in September 2020, and Rob Chason to the ABC Board to serve a three-year term beginning in September 2020 and to designate Rob Chason as the ABC Board Chairman.*
- 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 action requested or taken.*

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; cancellation of summer concert series in person events but upcoming virtual events; 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 year since the adoption of the Comprehensive Land Use Plan. A discussion of the reprioritization of remaining priorities was 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 general 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 waterline extension 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. 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 water commitment. Vice-Mayor Jackson seconded the motion and in a roll call vote all voted to approve the water commitment. 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

With the consensus of Town Council 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

**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

MEETING DATE: September 28, 2020
SUBJECT: Monthly Tax Report
PRESENTER: Finance Director
ATTACHMENTS: Monthly Tax Report

DESCRIPTION/SUMMARY OF REQUEST:

Buncombe County provides the following monthly tax report for August 2020.
This report is provided for information only.
No action is requested or required.

Report Parameters:

Date Sent to Finance Start: **Min - August 1, 2020**

Date Sent to Finance End: **Max - August 31, 2020**

Abstract Type: **BUS,IND,PUB,REI,RMV**

Tax District: **WEAVERVILLE**

Levy Type: **Admin Expense, Advertisement Fee, Attorney Fee, Collection Fee 5, Collection Fee 9, Cost, Docketing Expense, EXPENSE, FEE INTEREST, Garnishment Fee, Interest, LATE LIST PENALTY, Legal Ad Expense, NSF Penalty, Postage Expense, Sheriff Service Fee, SPECIAL ASSESSMENT, TAX, VEHICLE FEE**

Tax Year: **2020, 2019, 2018, 2017, 2016, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007, 2006, 2005, 2004**

Year For: **2020, 2019, 2018, 2017, 2016, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007, 2006, 2005, 2004, 2003**

Collapse Districts: **N**

Default Sort-By: **Tax Year**

Grouping: **Tax District,Levy Type**

Fiscal Year Activity from July 1, 20XX to August 31, 2020								Activity from August 1, 2020 to August 31, 2020			
Tax Year	Orig. Billed Amt (\$)	Abs. Adj (\$)	Bill Releases (\$)	Disc. Levy (\$)	Net Levy (\$)	Amt Collect. (\$)	Unpaid Balance (\$)	Amt Collect. (\$)	Abs. Adj (\$)	Bill Releases (\$)	Disc. Levy (\$)
		Assessor Refunds (\$)	Net Collections	Additional Levy (\$)	Collection Fee Amt (\$)	% Coll.	% Uncoll.			Assessor Refunds (\$)	Additional Levy (\$)
TAX DISTRICT: WEAVERVILLE LEVY TYPE: Interest											
2013	0.00	0.00	0.00	0.00	0.00	1,019.72	0.00	0.00	0.00	0.00	0.00
		0.00	1,019.72	0.00	0.00	NA	NA			0.00	0.00
2012	0.00	0.00	0.00	0.00	0.00	536.04	0.00	0.00	0.00	0.00	0.00
		0.00	536.04	0.00	0.00	NA	NA			0.00	0.00
2011	0.00	0.00	0.00	0.00	0.00	12.59	0.00	0.00	0.00	0.00	0.00
		0.00	12.59	0.00	0.00	NA	NA			0.00	0.00
Sub.	0.00	0.00	0.00	0.00	0.00	1,568.35	0.00	0.00	0.00	0.00	0.00
		0.00	1,568.35	0.00	0.00	NA	NA			0.00	0.00
TAX DISTRICT: WEAVERVILLE LEVY TYPE: LATE LIST PENALTY											
2020	1,195.78	108.54	0.96	821.02	2,070.10	50.08	2,020.02	50.08	108.54	0.96	821.02
		0.00	50.08	162.80	0.00	2.42 %	97.58 %			0.00	162.80
Sub.	1,195.78	108.54	0.96	821.02	2,070.10	50.08	2,020.02	50.08	108.54	0.96	821.02
		0.00	50.08	162.80	0.00	2.42 %	97.58 %			0.00	162.80
TAX DISTRICT: WEAVERVILLE LEVY TYPE: TAX											
2020	3,331,329.69	1,170.04	39.80	5,546.45	3,336,667.24	117,010.07	3,219,657.17	117,010.07	1,170.04	39.80	5,546.45
		0.00	117,010.07	1,000.94	0.00	3.51 %	96.49 %			0.00	1,000.94
2013	73,342.49	0.00	1,623.13	0.00	71,719.36	71,719.36	0.00	0.00	0.00	0.00	0.00
		0.00	71,719.36	0.00	0.00	100 %	0 %			0.00	0.00
2012	68,037.63	0.00	1,498.22	0.00	66,539.41	66,539.41	0.00	0.00	0.00	0.00	0.00
		0.00	66,539.41	0.00	0.00	100 %	0 %			0.00	0.00
2011	82.56	0.00	0.00	0.00	82.56	82.56	0.00	0.00	0.00	0.00	0.00
		0.00	82.56	0.00	0.00	100 %	0 %			0.00	0.00
Sub.	3,472,792.37	1,170.04	3,161.15	5,546.45	3,475,008.57	255,351.40	3,219,657.17	117,010.07	1,170.04	39.80	5,546.45
		0.00	255,351.40	1,000.94	0.00	7.35 %	92.65 %			0.00	1,000.94
Total	3,473,988.15	1,278.58	3,162.11	6,367.47	3,477,078.67	256,969.83	3,221,677.19	117,060.15	1,278.58	40.76	6,367.47
		0.00	256,969.83	1,163.74	0.00	7.35 %	92.65 %			0.00	1,163.74

Signature (Tax Collector) _____

**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

MEETING DATE: September 28, 2020
SUBJECT: Board Appointments
PRESENTER: Mayor Root
ATTACHMENTS: Proposed Roster

DESCRIPTION/SUMMARY OF REQUEST:

There is one regular seat and two alternate seats that are currently vacant on the Planning and Zoning Board that need to be filled.

Rachael Bronson served as an active alternate member on the Board for over a year. The Mayor proposes to fill the regular seat recently vacated by Peter Stanz by appointing Ms. Bronson. She will serve an unexpired term which runs through September 2022.

Mayor Root wishes to appoint Suzanne Devane to the alternate seat that is due to expire in September 2021.

The Mayor proposes that Bob Pace be appointed to the alternate seat that is due to expire in September of 2022. Mr. Pace currently has served on the Board of Adjustment since 2018. He has rarely been needed by the Board of Adjustment and has recently requested to move to the Planning and Zoning Board so that he can be more of an active board member. His appointment to the Planning and Zoning Board will create a vacancy on the Board of Adjustment that will need to be filled in the upcoming months.

The Mayor's proposed appointments are shown in the attached proposed roster and the motions stated below and are subject to the confirmation of Town Council pursuant to Code Section 2-151.

COUNCIL ACTION REQUESTED:

I move that the appointment of Rachael Bronson as a regular member of the Planning and Zoning Board to serve the unexpired term ending in September 2022 be confirmed.

I move that the appointment of Suzanne Devane as an alternate member on the Planning and Zoning Board to serve the unexpired term ending in September 2021 be confirmed.

I move that the appointment of Bob Pace as an alternate member on the Planning and Zoning Board to serve the unexpired term ending in September 2022 be confirmed.

WEAVERVILLE PLANNING AND ZONING BOARD

Regularly meets 1st Tuesday of the month at 6 pm
in Community Room/Council Chambers at Town Hall

NAME AND POSITION	CONTACT INFORMATION	FIRST APPT	DATE OF APPT	TERM (3 YEARS)
Gary Burge Regular Member Chair	3 High Bluff Drive Weaverville, NC 28787 (cell) 423-0150 garyburge@garyburge.com	2014	August 2020	September 2020 – 2023
Catherine Cordell Regular Member Vice-Chair	13 Hamburg Drive Weaverville, NC 28787 (cell) 776-7380 cat.cordell7@gmail.com	2012	August 2020	September 2020 – 2023
Steve Warren Regular Member	3 Duncannon Street Weaverville, NC 28787 704-682-5801/704-807-9899 warren.smw.steve@gmail.com	2018	August 2018	September 2018 – 2021
John Chase Regular Member	151 South Main Street Weaverville, NC 28787 (cell) 828-337-3366 jchase@medlockengr.com	2018	August 2019	September 2019 – 2022
Rachael Bronson Regular Member	31 Reynolds Lane Weaverville, NC 28787 843-327-6709/828-229-1838 rachael.bronson@gmail.com	2019	September 2020	September 2020 – 2022
Suzanne Devane Alternate Member	6 Lakeway Circle Weaverville, NC 28787 773-297-6835 (cell) sdevane@hdresources.net	2020	September 2020	September 2020 – 2021
Bob Pace Alternate Member	116 Mountain Meadow Circle 919-434-6938 ncstman@gmail.com	2020	September 2020	September 2020 – 2022
Andrew Nagle <i>Non-Voting Town Council Liaison</i>	300 Aiken Road Weaverville, NC 28787 828-656-3015 x 280 anagle@weavervillenc.org	2020	July 2020	July 2021
James Eller Town Planner	828-484-7002 (direct line) jeller@weavervillenc.org			
Jennifer Jackson Town Attorney	828-442-1858 (cell) jjackson@weavervillenc.org			

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

Date of Meeting: September 28, 2020
Subject: Budget Amendment
Presenter: Town Finance Director
Attachments: Budget Amendment Form

Description:

North Carolina counties are receiving funds for local governments as part of the Coronavirus Relief Fund (CRF) established under the federal CARES Act. The initial allocation of these funds to the Town and North Buncombe Fire District combined was \$65,728. Funds must be used for COVID-19 related expenditures incurred between March-December 2020. To date the Town has received \$48,033.54 in reimbursement for eligible expenditures.

For Fiscal Year 2020-2021 as of September 10, 2020 the Town has collected \$339.33 in Cops for Kids donations.

The attached budget amendment is necessary in order to include these funds in the fiscal year 2020-2021 budget.

Action Requested:

Town Manager recommends approval of the attached Budget Amendment.

**Budget Amendment
Town of Weaverville**

What expense accounts are to be increased?

<u>Account</u>	<u>Account Description</u>	<u>Transfer Amount</u>
010-410-412-26000	Admin – Supplies/Materials	\$17,576.71
010-430-431-50100	Police – Small Equipment	\$10,055.09
030-700-711-26500	Water Admin-Safety Materials	\$1,537.67
010-470-471-26500	Sanitation-Safety Materials	\$1,537.67
010-430-434-50100	Fire – Small Equipment	\$17,326.40
010-430-431-26608	Police - Cops for Kids	\$339.33

What expense account(s) are to be decreased or additional revenue expected to offset expense?

<u>Account</u>	<u>Account Description</u>	<u>Transfer Amount</u>
010-004-300-07070	Grant Funds (Revenue)	\$48,033.54
010-004-300-09028	Cops for Kids (Revenue)	\$339.33

Justification: Please provide a brief justification for this budget amendment.
Coronavirus Relief Funds received from the County Aug-Sept 2020; Cops for Kids donations received as of Sept 10, 2020.

Authorized by Finance Officer	Date
Authorized by Town Manager	Date
Authorized by Town Council (if applicable)	Date

Budget Ordinance Section 7:

- B. The Budget Officer or his/her designee is hereby authorized to distribute departmental funds based upon the line item budgets and make expenditures therefrom, in accordance with the Local Government Budget and Fiscal Control Act.
- C. The Budget Officer or his/her designee may authorize transfers between line items, expenditures and revenues, within a department or division without limitation and without a report being required.
- D. The Budget Officer or his/her designee may transfer amounts up to 5%, but not to exceed \$10,000 monthly, between departments, including contingency appropriations, but only within the same fund. The Budget Officer must make an official report on such transfers at a subsequent regular meeting of Town Council.
- E. The Budget Officer or his/her designee may not transfer any amounts between funds, except as approved by Town Council, as a budget amendment.

Town of Weaverville
Town Council Agenda Item

Date of Meeting: Monday, September 28, 2020
Subject: Weaverville Center for Creative and Healthy Living (WCCHL)
Presenter: Town Manager
Attachments: Letter to Tom Balestrieri

Description:

Mayor Root has asked that the attached letter be on the consent agenda for approval at this meeting. This letter sets forth the preliminary plans for programming through the Weaverville Center for Creative and Healthy Living (WCCHL) at the Town’s new Community Center. Among other responsibilities, the letter sets forth a plan for developing an advisory board to plan and oversee programming via a volunteer board as described at Town Council’s last workshop.

Action Requested:

Mayor Root requests formal approval of this concept and his authorization of the attached letter.

Dear _____,

Upon affirmative vote of the Town Council on (*add date here*) in regards to their support of establishing the Weaverville Center for Creative and Healthy Living (WCCHL), I have been instructed by the Council to invite you to accept a two year term, as the inaugural Director of the WCCHL's Advisory Board (hereafter, the Board). The responsibilities of the Board shall include but not be limited to the following actions:

1. Make informed recommendations to the Town Manager for the Assistant Director positions (#3), in order that these individuals can be properly vetted by Town staff prior to receiving a two year appointment to join the Board, per official written correspondence, under my signature.
2. Make informed recommendation to the Town Manager for the remaining Board position (#1), in order that this individual can be properly vetted by Town staff prior to receiving a two year appointment to join the Board, per official written correspondence, under my signature.
3. Once the Board nominations have been vetted and approved in accordance with the Town's regulations determining committee member selections, you will convene the Board with the expressed purpose of establishing an Operating Plan that will encompass the following:
 - a. Based upon current Community Health based research, identify at least six key Stakeholder groups for which WCCHL programming will be established,
 - b. Identify at least two Champions who can build and lead each Stakeholder group,
 - c. Submit the names of each Champion for vetting by Town staff prior to each receiving a one year appointment to support the Board per official correspondence, under my signature,
 - d. Within 30 days of establishing the Stakeholders' Groups, as the Board's Chairman, you will assist in convening each Groups' first meeting and direct them to establish a list of a least 5-10 ideas for consideration that would inspire programming or coordination with existing county-wide resources. Each Stakeholder Group will have 10 days after their initial meeting to submit their Group's proposal via each Groups' Champion to the Board's Chairperson.
 - e. Within 30 days of the Stakeholders' Groups submitting their individual proposals to the Board, the Board will begin to establish suitable and appropriate contacts with Buncombe County based social/educational/health services and other Weaverville based artisans/artists/crafters to establish contracts for programming to be submitted to Town staff for review and comment. If favorable, Town staff will be asked to generate the appropriate contracts that will allow programming to begin no later than 10 days after the official grand opening of the Weaverville Community Center. (Currently estimated to be on or near Memorial Day 2021.)
4. As Chairperson of the Board, you will assure that each Stakeholders' Group meets quarterly for the purposes of updating their original Stakeholder Proposal report and to review any comments or feedback from post-program questionnaires. For the sake of

quality assurance, Chairperson will also be required to engage each Champion (or their Alternate) in attending at least the first and final class/program which address the needs of their Stakeholders. The Board members will likewise attend classes/programs as an unannounced participant in order to assure there is a baseline of quality of programming and will report same to the Board during their regularly scheduled meetings.

5. Further, as Chairperson and together with the Board membership, you will assure that each contract is being properly executed and that a voluntary survey of all participants has been established and collated for review by the Board and appropriate Stakeholder Group.
6. As Chairperson, you will make yourself available to the Town Staff and Town Council for periodic updates to discuss the Board's progress and/or general concerns.
7. Finally, please know that this is a strictly volunteer position until which time the Town Staff and Town Council deem it necessary to increase the scope of this position to a paid Town employee/contractor. You will be informed of any movement in that direction in advance of future requests for nominations for a paid, Advisory Board Chairperson position.

Should you find the terms of this request for community service to be suitable, please know that the Town of Weaverville will be truly grateful. To complete the process, please sign the attached Acceptance letter and return same to Town offices as soon as possible. I look forward to our continued work and collaboration on this innovative project.

Respectfully,

Town of Weaverville
Town Council Agenda Item

Date of Meeting: Monday, September 28, 2020
Subject: Monthly Town Manager’s Report
Presenter: Town Manager
Attachments: Monthly Report

Description:
Attached please find the monthly Town Manager’s report.

Action Requested:
No action requested.



Town Manager’s Monthly Report

Selena D. Coffey, MPA, ICMA-CM

September 2020

Solar Project

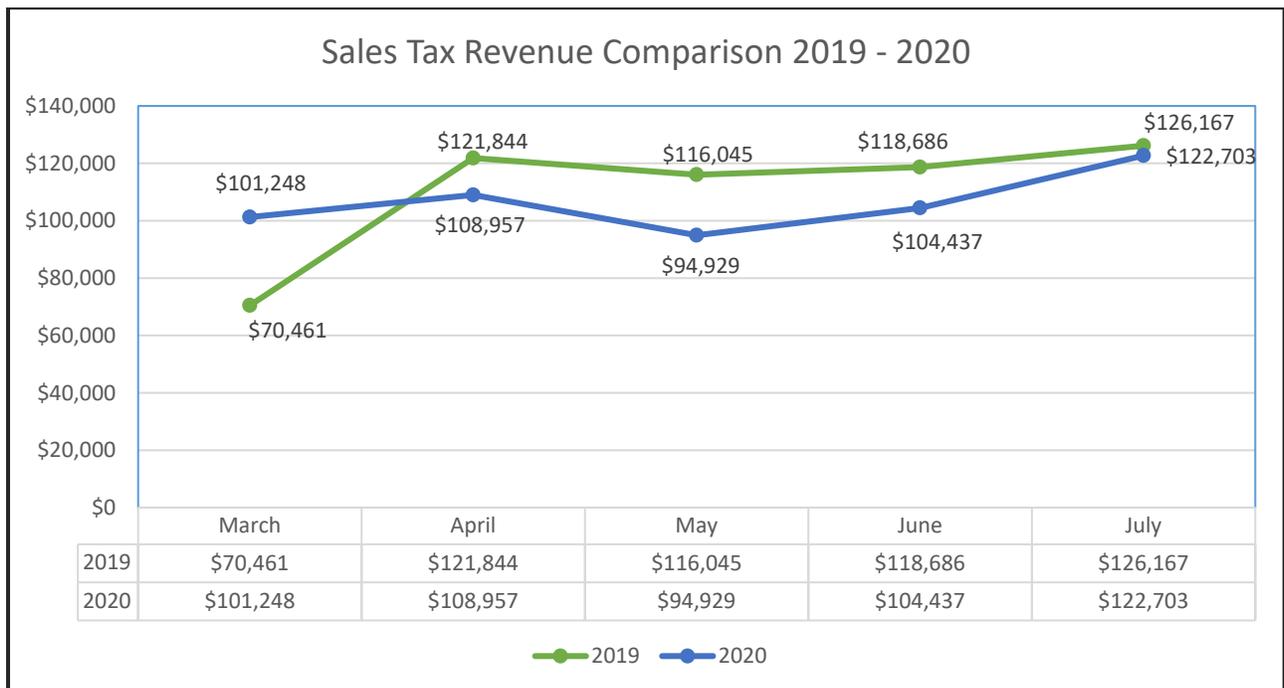
We have had our initial meetings with Buncombe County staff for solar assessments. We will continue this process in order to determine which of our Town-owned buildings are appropriate for the placement of solar panels.

Music Series Events

Per Town Council’s direction in August, we have now videoed one of the bands that we had planned to play for our 2nd Saturday Music Series. This last Sunday we hosted Up Jumped Three jazz ensemble and it can be found on the Town’s YouTube channel.

Sales Tax Revenue Update

In an effort to keep Town Council updated on our sales tax collections during the coronavirus crisis, I have prepared the graph below. Astonishingly, July 2020 sales tax revenues were only approximately \$3,400 less than July 2019 sales tax revenue. We will continue to keep Town Council updated as we receive these funds.



Town of Weaverville
Town Council Agenda Item

Date of Meeting: Monday, September 28, 2020
Subject: Revaluation Presentation
Presenter: Keith Miller, Assessor
Attachments: None

Description:

Keith Miller, Assessor, with the Buncombe County Tax Department will be providing a presentation on the 2021 reappraisal process during this meeting. He will provide a brief presentation and then take questions from the Mayor and Town Council.

Action Requested:

No action necessary.

**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

MEETING DATE: September 28, 2020
SUBJECT: Code Amendment to Code Section 28-95 Concerning Prohibited Parking in Fire Lanes
PRESENTER: Town Manager
ATTACHMENTS: Proposed Ordinance

DESCRIPTION/SUMMARY OF REQUEST:

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 trucks. It is important for the preservation of life and property for these turnarounds to remain clear of obstructions, including parked vehicles.

Code Section 28-95 sets out a list of areas in which parking is prohibited, including designated fire lanes. The Town Manager is recommending that Town Council consider amending its Code provisions to prohibit parking in cul-de-sacs and hammerhead intersections that are serving as required fire truck turnarounds by designating them as fire lanes.

As these Code amendments will be enacted under the police power of the Town, no public hearing is required prior to adoption.

COUNCIL ACTION REQUESTED:

Town Council is asked to approve the amendments to Code Section 28-95 either as presented, or with such revisions as Town Council desires, through the adoption of an ordinance similar to the one attached. The following motion is proposed:

I move that we adopt the Ordinance Amending Code Section 28-95 Concerning Prohibited Parking in Fire Lanes.

**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 ___ in favor and ___ against.

ALLAN P. ROOT, Mayor

ATTESTED BY:

JAMES ELLER, Town Clerk

APPROVED AS TO FORM:

JENNIFER O. JACKSON, Town Attorney

**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

MEETING DATE: September 28, 2020
SUBJECT: Code Amendment to Chapter 22 Concerning Solid Waste Penalties
PRESENTER: Town Manager
ATTACHMENTS: Proposed Ordinance

DESCRIPTION/SUMMARY OF REQUEST:

The Town Manager is recommending that Town Council consider amending its Code provisions to increase the civil penalties for solid waste violations.

Under Code Section 22-10 solid waste violations carry civil penalties of \$50 per violation, which is half of what the civil penalties for general Code violations are under Section 1-6. The Town Manager would generally like to see consistency with the \$100 per violation in civil penalties unless there is a specific reason for a difference. Under Section 1-6 civil penalties are generally assessed after notice and an opportunity to correct the violation is given. In addition to this increased penalty the Public Works Director has requested that violations concerning hypodermic syringes be given a more immediate penalty due to the significant health and safety risks that they pose.

The proposed Code Amendments would standardize civil penalties for all solid waste violations except for those involving hypodermic instruments. Violations concerning hypodermic instruments would result in an immediate civil penalty of \$100 per needle up to a maximum of \$500 per bag.

As these Code amendments will be enacted under the police power of the Town, no public hearing is required prior to adoption.

COUNCIL ACTION REQUESTED:

Town Council is asked to approve the amendments to Code Chapter 22 either as presented, or with such revisions as Town Council desires, through the adoption of an ordinance similar to the one attached. The following motion is proposed:

I move that we adopt the Ordinance Amending Code Chapter 22 Concerning Solid Waste Penalties.

**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;

WHEREAS, the Town is currently transitioning its recycling program from the collection of blue bags to the use of rolling recycling containers that will be provided by the town, and wishes to update Section 22-107 to reflect this change in operations;

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 ___ in favor and ___ against.

ALLAN P. ROOT, Mayor

ATTESTED BY:

APPROVED AS TO FORM:

JAMES ELLER, Town Clerk

JENNIFER O. JACKSON, Town Attorney

**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

MEETING DATE: September 28, 2020
SUBJECT: Water Treatment Plant Expansion Update and Reimbursement Resolution
PRESENTER: Town Manager
ATTACHMENTS: Reimbursement Resolution

DESCRIPTION/SUMMARY OF REQUEST:

On July 27, 2020, Town Council gave the go ahead on the Water Treatment Plant (WTP) Expansion Project. In accordance with the resolution adopted Staff has begun 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. Further Town Council action on the selection of the engineer and financing applications will be requested in the near future.

The issuance of USDA revenue bonds seems likely to be the best financing option for this project. Pam Hysong has indicated that this is a project that USDA would consider funding for a 40 year term. The rate fluctuates quarterly, but the current rate is 1.875%.

Since costs are typically incurred for the next steps it is important that Town Council adopt a reimbursement resolution so that those expense can be considered for reimbursement out of any bond proceeds since bonds are likely to be issued as part of the financing of the project. The reimbursement resolution is attached for your consideration and action.

TOWN COUNCIL ACTION:

Town Council is asked to consider adopting the attached *Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing on Water Treatment Plant Expansion Project*.

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 experts 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

Town of Weaverville
Town Council Agenda Item

Date of Meeting: Monday, September 28, 2020
Subject: Christmas Parade
Presenter: Town Manager
Attachments: None

Description:

The Town Manager recommends discussion of whether or not the Town can expect to hold the annual Christmas Parade this year given the current situation with COVID-19 and the need for necessary time for planning the event.

Action Requested:

The Town Manager recommends Town Council discussion and direction to staff.

**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

Date of Meeting: September 28, 2020

Subject: Departmental Quarterly Report

Presenter: Dale Pennell, Public Works Director

Attachments: Quarterly Report (June 2020 – August 2020)

Description: Attached please find the quarterly report from the Public Works Department.

Action Requested: No action requested.

TOWN OF WEAVERVILLE PUBLIC WORKS ACTIVITY SHEET

JUNE 2020 - AUGUST 2020

WATER MAINTENANCE DIVISION:

	May	Jun-20	Jul-20	Aug-20	3 month average
Water Leaks Repaired		2	3	0	2
New Water Taps		7	12	13	11
Total Active Water Meters	2945	2,945	2,947	2,974	2955
Water Quality Complaints	0	0	0	0	0
Meter Re-Read Service Calls	106	106	104	74	95
General Service Calls	136	136	156	129	140
Water Door Tags Delivered	0	0	0	0	0
Water Line Locate Utility Service Calls (811)	149	149	157	166	157
Water Meter Change Outs to Radio Read	0	0	5	5	3
Reservoir-Pump Station Site Checks	154	154	161	147	154
Water Line Construction Inspections:					
	Fairfield Inn	Fairfield Inn	Fairfield Inn	Northridge TH	
	Northridge TH	Northridge TH	Northridge TH	USDA project	
	USDA project	USDA project	USDA project	NBMS	
	NBMS	NBMS	NBMS	Amblers Chase	
		Amblers Chase	Amblers Chase	Holston Apts	

WATER PRODUCTION DIVISION:

(Gallons per month)

	Jun-20	Jul-20	Aug-20	3 month average
1A. Raw water pumped from river to Water Treatment Plant (daily average vs. 1.5 MGD plant capacity)	20,074,000	20,731,000	19,404,000	20,069,667
	43%	46%	42%	45%
1B. Raw water used at the WTP	2,044,000	2,009,000	2,261,000	2,104,667
1C. Finished water Produced at WTP	18,030,000	18,722,000	17,143,000	17,965,000
2. Water Purchased from Asheville	0	0	0	0
A1. TOTAL WATER PRODUCTION (1.C. + 2)	18,030,000	18,722,000	17,143,000	17,965,000
3. Finish Water used at WTP	649,080	673,992	617,148	646,740
A2. TOTAL WATER AVAILABLE FOR SALES	17,380,920	18,048,008	16,525,852	17,318,260
B. TOTAL METERED FOR BILLING	12,511,400	13,784,600	14,401,900	13,565,967
C. Metered, Non-Metered & Non-Billed Use by Town	2,700,000	2,500,000	1,500,000	2,233,333
D. Total Accounted For Water (B+C)	15,211,400	16,284,600	15,901,900	15,799,300
E. TOTAL UNACCOUNTED (A-D)	2,818,600	2,437,400	1,241,100	2,165,700
F. MONTHLY UNACCOUNTED WATER (E/Ax100)	15.6%	13.0%	7.2%	12.1%

WATER CAPACITY VS PRODUCTION:

(Gallons per day)

Water Plant Design Capacity

	Jun-20	Jul-20	Aug-20	3 month average
Water Plant Design Capacity	1,500,000	1,500,000	1,500,000	1,500,000

Net Sellable Production Capacity (80%)

Net Sellable Production Capacity (80%)	1,200,000	1,200,000	1,200,000	1,200,000
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Average Daily Production

Total Water Production (A above) / 30 days in month

Average Daily Production	601,000	624,067	571,433	598,833
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AVERAGE USE RELATIVE TO DESIGN CAPACITY

Current Water Commitments for future development

Current Water Commitments for future development	40.1%	41.6%	38.1%	39.9%
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MONTHLY USAGE & FUTURE USAGE VS 1,500,00 GPD

Current Water Commitments for future development	442,304	442,304	435,428	440,012
Current Water Commitments for future development	69.6%	71.1%	67.1%	69.3%

STREET MAINTENANCE DIVISION:

Street/Sidewalk/Drainage /Sign Repairs Completed

	Jun-20	Jul-20	Aug-20	3 month average
Street/Sidewalk/Drainage /Sign Repairs Completed	5	4	1	3

Roads paved

Roads paved	na	na	na	na
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PARKS, RECREATION, & FACILITY MAINTENANCE DIVISION:

P&R Special Projects/Repairs Completed

	May	Jun-20	Jul-20	Aug-20	3 month average
P&R Special Projects/Repairs Completed		1	1	0	1

SANITATION DIVISION:

	Jun-20	Jul-20	Aug-20	3 month average
Residential Collection Points	1844	1844	1844	1844
Monthly Residential Collections (4/month)	7376	7376	7376	7376
Business Pick Ups	76	76	76	76
Business Pick Ups (4/month)	304	304	304	304
Residential Set-Outs	84	84	84	84
Residential Set-Outs (4/month)	336	336	336	336
TOTAL points picked up per month	8016	8016	8016	8016
Total Tons to Landfill	134.64	127.84	122.49	128.32
Average Pounds Per Collection Point (per week)	33.6	31.9	30.6	32.0
Cubic Yards - Yard Debris	54	36	36	42
Cubic Yards - Brush Chipped	286	203	182	224
Cubic Yards - Leaf Collection	0	0	0	0

MISC

1. USDA water line project construction continues (approx . 11,776 LF installed thru August, 2020 of 17,150 LF total or 69%)
2. Community Center project began in March and continues on schedule.
3. 41 tote garbage cans were sold during the quarter; first shipment of recycling carts due around Sept. 30.
4. Lake Louise handicap-accessible fishing pier, restrooms, playground opened on September 4.
5. Sludge removal at WTP began in August; should be completed in September.

TOWN OF WEAVERVILLE - PUBLIC WORKS DEPARTMENT - WATER COMMITMENTS

Prepared by:

Dale Pennell, Public Works Director

REVISED 09/18/2020

Water Line Status	Project with current commitment	Address	Description	Number of Units	Gallons per Connection	Projected Demand (GPD)
Construction	828 North (aka Blue Ridge Crossing)	Garrison Branch Road	174 Unit Apartment Project	176	229	40,304
Construction	Amblers Chase Subdivision	Reems Creek Road	22 homes	21	400	8,400
Construction	Northridge Commons Townhomes	Monticello and Northcrest Dr	53 units	53	400	21,200
Expired	Brown Street Apartments	37 Brown St	16 apartments	16	300	0
Construction	Holston (Stump Dump) Apartments	135 Monticello Road	234 apartments	234	400	93,600
Construction	All Ways Storage	597 Old Mars Hill Highway	Storage Facility	1	200	200
Completed	Nekko Properties LLC	13 Central Avenue	Storage Facility (bus garage)	1	200	0
Pending	Brigman Group	11 Moss Road	4 homes	4	500	2,000
Construction	The Broadway Group	60 Old Mars Hill Highway	Dollar General store	1	200	200
Pending	Monticello Office near Epsilon	16 Monticello Village	3 story office building	1	2400	2,400
Pending	Greenwood Park (Dorf)	Governor Thomson Terrace	73 homes	73	400	29,200
Pending	Ward Single Family Home	121 Highland Street	1 home	1	2000	2,000
Pending	Stoney Knob Mixed Use Development	3 Garrison Road	2 buildings w 4 units/bldg	8	625	5,000
Pending	Palisades at Reems Creek	Weaverville Highway	132 apartments + clubhouse	1	55100	55,100
Pending	10-30 Garrison	3 commercial buildings	3 commercial buildings	1	14824	14,824
			Subtotal Current Projects			274,428
on-going	Existing but not active meter sets		164 open meter sets	164	250	41,000
on-going	Projected inside-town vacant land development (rev 8/27/2020)			250	400	100,000
on-going	Projected Outside-town-limit residential units			50	400	20,000
			Subtotal On-going Projections			161,000
			Total Outstanding Commitments			435,428
SUMMARY OF PROJECTED WATER DEMANDS (GPD)						
Average metered and unmetered town usage per day	Average Unaccounted-for daily water	Outstanding Commitments	Mars Hill agreement for emergency water	Current usage and commitment	WTP Capacity and permitted withdrawal	Current % of WTP used or committed
June 2020 - August 2020	June 2020 - August 2020	(as of August 31, 2020)	(expired Oct. 20, 2015)			
537,754	61,079	435,428	0	1,034,261	1,500,000	68.95%
537,754	61,079	435,428	200,000	1,234,261	1,500,000	82.28%

Outstanding Wtr Commitments 09-18-2020