

MINUTES
Town of Blowing Rock
Town Council Meeting
August 10, 2021

The Town of Blowing Rock Town Council met for their regular monthly meeting on Tuesday, August 10, 2021, at 6:00 p.m. The meeting took place at Town Hall located at 1036 Main Street Blowing Rock, NC. Present were Mayor Charlie Sellers, Mayor Pro-Tem Sue Sweeting and Council Members Albert Yount, David Harwood, Doug Matheson, Virginia Powell, Town Manager Shane Fox, Town Attorney Allen Moseley, Town Engineer Doug Chapman, Fire Chief Kent Graham, Parks and Recreation Director Jennifer Brown, Police Chief Aaron Miller, Planning Director Kevin Rothrock, Public Works Director Matt Blackburn, Finance Officer Nicole Norman and Town Clerk Hilari Hubner who recorded the minutes.

CALL TO ORDER

Mayor Sellers called the meeting to order at 6:00 p.m. and welcomed everyone. Mayor Sellers verified attendance via roll call.

THE PLEDGE OF ALLEGIANCE

MINUTE APPROVAL

Mayor Pro-Tem Sweeting made a motion to approve the regular session minutes from July 10, 2021, seconded by Council Member Powell. Unanimously approved.

REGULAR AGENDA ADOPTION

Mayor Sellers advised Council would like to remove the Good Neighbor Day off Consent Agenda and instructed Manager Fox and Parks and Recreation Director Jennifer Brown to handle coordinating the event. Council Member Yount made a motion to approve the agenda with the removal of Good Neighbor Day from Consent, seconded by Mayor Pro-Tem Sweeting. Unanimously approved.

CONSENT AGENDA

1. ABC Travel Policy

In accordance with North Carolina General Statute 18B-700 (g2), the ABC Store must have a personnel travel policy in place. The travel policy must be approved by the board's appointing authority annually. Since the Town of Blowing Rock is the appointing authority for the ABC Board, it is necessary for the Blowing Rock Town Council to approve the policy. Also, as result of the Town of Blowing Rock travel policy may be used. The ABC Board has requested the Town of Blowing Rock of Commissioners approve this policy for their use.

2. Loan Finance Approval

BIDS and financing bid approval for FY 2021-22 Capital Equipment. **Loan Finance Approval Attachment - A**

3. Budget Amendment - #2021-07

Budget Amendment to account for various items. **Budget Amendment - #2021-07**

Council Member Matheson made a motion to approve consent agenda as presented, seconded by Mayor Pro-Tem Sweeting. Unanimously approved.

SPEAKERS FROM THE FLOOR

Tim Gupton – 235 Meadow Lane reviewed observations for the future of West Main Street and encouraged Council to direct the Planning Board to continue the sub-committee work.

– **Letter to the Planning Board - Attachment C**

Evenlight Eagles - 612 Ransom Street spoke with concerns about a mask requirement being implemented in Town limits. Ms. Eagles advised she felt it would be a violation peoples medical and religious freedoms.

SPECIAL RECOGNITION

TDA Executive Director Tracy Brown presented a resolution to Butch and Gina Triplett and Jim and Peggy Houston, owners of Woodlands BBQ for their 40 years of Business to the Town of Blowing Rock. Mr. Brown congratulated them on their upcoming retirement as well. **Woodlands Resolutions #2021-08 – Attachment D**

PUBLIC HEARING

1. Coffee Shop SUP Request

Planning Director Kevin Rothrock stated Viking Properties is requesting a Special Use Permit to construct a drive-thru coffee shop on the former Cambria car lot property at 7855 Valley Blvd. The property is zoned GB, General Business and is located in the WS-IV water supply watershed. The proposed site is a redevelopment of the former Cambria car lot, moped shop, and psychic palm reader. The small building will be removed, and a new 504 square foot building will be constructed for drive through and walk-up service. Employees will be the only ones in the building as it is designed for coffee service, equipment and storage only. The applicant is providing eight (8) parking spaces with one being ADA accessible. Only five (5) spaces are required. For the drive through, five (5) spaces in the queue line are required by Town Code and at least six (6) are provided around the building. Storm water detention is required due to the increased impervious area of just over 1000 square feet. However, the site has so many underground utilities and obstructions that providing storm water detention is difficult. The Applicant is requesting a waiver of the storm water detention requirements otherwise required by the Land Use Code. Access to the property will be through two (2) existing driveways – one on Hwy 321 and one on Sunset. These driveways will allow for two-way traffic. Access to Maple Road will be eliminated. A small landscape wall will be installed with a landscape buffer to surround the east side of the property. NCDOT has recently approved the driveway permit application. The building will be one level but will have a second level façade above the front service area. The design includes lap siding, Eldorado stone, and a gray metal roof. The applicant requests

waiver of the storm water detention requirement due to the small increase in impervious area of sq feet. At their May 20, 2021, meeting, the Planning Board recommended approval of the Special Use Permit with the following waivers and conditions:

- That the requested storm water detention waiver be approved.
- That the Applicant incorporate any conditions related to the NCDOT driveway review process.
- That the driveway access onto Sunset Drive be moved away from the Hwy 321 intersection as far up the site as possible.

Council Member Powell and Mayor Pro-Tem Sweeting expressed concern with water runoff issues. Water detention options and water run-off was discussed at length.

Mayor Pro-Tem Sweeting felt there were too many parking spaces which would add to impervious.

Council Member Powell stated she was in favor of the parking spaces because it would help keep traffic off of Hwy 321.

The applicant John Medley stated this location was a very challenging spot to build on and a lot of work had gone into planning a design that would fit on the property. Mr. Medley advised the main reason for the parking space request was to help with the traffic flow on Hwy 321. He explained he had done a lot of research to how the flow of traffic works in these types of coffee shops and has tried to incorporate them into the design. Mr. Medley further explained he would love to help more in water detention, but there are so many utility lines located on this property making that a difficult task. He and his designers have done everything they could do. Mr. Medley stated he didn't feel they were making more impervious areas, but instead would be beautifying that corner of Hwy 321.

Council Member Harwood asked about stacking of cars.

Patrick Warren Engineer for the project stated he felt if DOT didn't feel this project was safe, they wouldn't have issued the driveway permit. Mr. Warren further stated some signage could be added to let customers know to go around the building to park and prevent cars from stacking up on Hwy 321.

Mr. Medley commented the plan in addition to drive thru service would be to have a walk-up window and "runners" serving patrons similar to what Chick-Fil-A does. He further commented they would be serving coffee, beverages and pastries only.

Council Member Harwood further asked what DOT's number was to consider it stacking. Mr. Rothrock advised seven (7) was DOT's number, but the applicant's number was five (5).

After further discussion, Council Member Matheson made a motion to close the Public Hearing, seconded by Council Member Harwood. Unanimously approved.

Mayor Pro-Tem Sweeting made a motion to approve the SUP for Viking Properties with the conditions the Planning Board recommended. In addition, the expectation is stacking will not occur but if it does it will be considered a violation of the SUP and will be revisited if stacking occurs on Hwy 321. Further would like only coffee beverages and packaged pastries to be served as outlined by the applicant. Seconded by Council Member Matheson. For the motion: Mayor Pro-Tem Sweeting, Council Members Matheson, Harwood and Powell. Against the motion: Council Member Yount. Motion approved.

2. Planning Ordinance Changes

Planning and Inspections Director Kevin Rothrock stated one of the recommendations of the 321 Vision Study was to examine regulations for psychics, tattoo parlors, and arcades. There was some consensus that there should be regulations on placement of these types of land uses or even to prohibit them entirely from the Town of Blowing Rock jurisdiction.

Mr. Rothrock shared the draft language in Ordinance 2021-09 that would prohibit psychics/palm readers from the jurisdiction as well as tattoo parlors and body piercing studios. The draft ordinance also limits arcades as an accessory use in the GB, General Business zoning district as a Special Use. At the July meeting, Planning Board made a recommendation to approve the draft ordinance as presented.

Council Member Matheson made a motion to approve Ordinance 2021-09 as presented, seconded by Council Member Yount. Unanimously approved.

BUSINESS MATTERS

1. Road Failure – Valley View Road

Town Manager Shane Fox advised Public Works Director Matt Blackburn requested to approve necessary funds to repair a road culvert failure that has occurred on Valley View Road. The failure is due to the structure failure of an existing road culvert. Town Engineer Doug Chapman and Mr. Blackburn obtained several quotes for repairs at the location and will provide a presentation to review the results of those quotes, and present an overflow of the problem area, the requested solution/repair and answer any questions.

Town Engineer Doug Chapman explained the plan to repair the slope failure on Valley View Road. Mr. Chapman stated the road would be closed approximately two (2) weeks for repair. Four (4) contractors were solicited for bids, the lowest bid was from J.W. Hampton with a cost of \$60,770. Mr. Chapman stated he felt good about the bids as the highest bid was \$99,000 and the lowest \$66,770.

After brief discussion. Mayor Pro-Tem Sweeting made a motion to approve, seconded by Council Member Yount. Unanimously approved.

2. Town Council Meetings – Time Length Limit

Manager Fox stated the Mayor as well as several Council Members have requested to adopt a Town Policy to establish a time in which to conclude a regular Town Council meeting. Currently the Blowing Rock Town Council meets every second Tuesday at 6:00 p.m. with no time limit to conclude the regular Council meeting. Other municipalities have adopted policies limited the time length of meetings and establishing guidelines to follow in the event of a time expiration. In order to adopt a town policy, a meeting conclude time needs to be established. Secondly, at what time to no longer start an item for discussion and/or action. Thirdly, in the event a meeting is concluded due to the expiration of time, to continue the agenda for action.

Council discussed briefly. Council Member Yount made a motion for the last agenda action item to begin no later that 9:00 p.m., for the meeting to end no later that 10:00 p.m. and continue to the next meeting or at a special meeting if determined by the Council, seconded by Council Member Harwood. Unanimously approved.

3. COVID Discussion -

Jennifer Greene Watauga County Health Department Director gave an update the current stats of COVID cases in the county.

Council discussed a few options including following suit with the Town of Boone to put a State of Emergency back in place, a mask mandate for public buildings and a vaccination incentive for employees.

Mayor Pro-Tem Sweeting made a motion to issue a State of Emergency effective August 11, 2021 at 5:00 p.m. requiring masks in all public buildings, masks are strongly recommended in Town Limits for businesses/retail/restaurants and when isolation and social distancing cannot be practiced, put the employee incentive in place to start the vaccination process by August 24th and fully vaccinated to be eligible for \$150 or three (3) days off. Seconded by Council Member Matheson.

Council Member Powell advised she felt this was all too premature. After further discussion the motion stood. For the motion: Mayor Pro-Tem Sweeting, Council Members Matheson, Harwood and Yount. Against the motion: Council Member Powell.

OFFICIALS REPORTS & COMMENTS

- Mayor Sellers – Thanked Blowing Rock Fire and Rescue for their rescue with the fall over Glen Burney Falls over the weekend. Stated there were also two (2) other medical related emergencies at the same time putting even more emphasis on the county's need to get a full-time ambulance service in Blowing Rock. State of the Town moved to September 23rd
- Council Member Yount – None
- Council Member Harwood – Parks Committee update; new member Ethan Dotson, met and laid out the next four meetings, evaluated all four (4) parks looking at repairs, maintenance, mission statement, wish list and then to establish a strategic plan.
- Mayor Pro-Tem Sweeting – None

- Council Member Matheson – Asked Council to look out for two House Bill’s both set to be voted on Tuesday. One regarding Billboard relocation and the other Short Term Rentals, both of which would take away local control. He urged Council Members to reach out to Representative Pickett.
- Council Member Powell – Asked for the status of the building at the laydown yard. Public Works Director Matt Blackburn advised work should begin in the next two weeks.
- Town Attorney Allen Moseley – None
- Manager Shane Fox – TDA numbers up \$509,000 or 50% over last year, ABC Store up \$80,000 or 40% over last year. Audit process has begun, Greenhill traffic study is expected any day. A draft will be ready for Council any day and the study will be on the Agenda for September.

EXECUTIVE SESSION

None

ADJOURNMENT

Mayor Pro-Tem Sweeting made a motion to adjourn at 9:20 p.m., seconded by Council Member Powell. Unanimously approved.

MAYOR _____
Charlie Sellers

ATTEST _____
Hilari Hubner, Town Clerk

Attachments

- Loan Finance Approval – Attachment A**
- Budget Amendment #2021-07 - Attachment B**
- Citizen Letter – Attachment C**
- Woodlands Resolution #2021-08 – Attachment D**
- Coffee Shop SUP Request– Attachment E**
- Planning Board Ordinance Changes #2021-09 – Attachment F**
- Budget Amendment #2021-10– Attachment G**
- State of Emergency Declaration – Attachment H**