

Town Council Meeting - Tuesday, April 11th, 2023

The Town of Blowing Rock Town Council met for their regular monthly meeting on Tuesday, March 14, 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 Doug Matheson and Council Members Albert Yount, David Harwood, Melissa Pickett and Pete Gherini. Others in attendance were Town Manager Shane Fox, Town Attorney Allen Moseley, Town Engineer Doug Chapman, Police Chief Aaron Miller, Planning Director Kevin Rothrock, Emergency Services Director Kent Graham, Finance Officer Nicole Norman, IT Director Thomas Steele, Public Works Director Matt Blackburn and Town Clerk Hilari Hubner were unable to attend.

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SUMMARY KEYWORDS

property, project, proposed, townhouse, requirements, council, blowing, ordinance, questions, motion, building, concern, address, received, existing, town, community, moving, required, parking.

SPEAKERS

Laura Bingham, Doug Chapman, Charlie Sellers, David Harwood, Albert Yount, Suzanne Todd, Shane Fox, Tom Barrett, Kathy Parham, Jean Kitchen, Doug Matheson, Brian Johnson, All, Allen Moseley, Mike True, Pete Gherini, Ann Furr, Kevin Rothrock, Melissa Pickett, Bonnie Holmes, Jane Sellers

Charlie Sellers

Good evening, ladies and gentlemen. I hope everybody's doing well tonight. I'm calling this meeting to order this Tuesday, April 11, 2023. Roll call for attendance. All were present. Righty Okay, council approval of minutes March 14, 2023. Regular close sessions. Do I have a motion?

Melissa Pickett

Motion to approve.

David Harwood

Second.

Charlie Sellers

We have motion and a second. Any further discussion in the minutes? Council how do you vote?

All

All in favor of the motion.

Charlie Sellers

Regular agenda adoption, do we have a motion?

Doug Matheson

So, moved.

David Harwood

Second.

Charlie Sellers

Do we have any discussion? How do you vote?

All

All in favor of the motion.

Charlie Sellers

Regular Agenda is adopted. Consent Agenda; budget amendment 2023-08 and resolution authorizing installment purchase agreement AMI. Do I have a motion?

Pete Gherini

Motion to approve.

Melissa Pickett

Second

Charlie Sellers

Any discussion? Council how do you vote?

All

All in favor of the motion.

Charlie Sellers

Ladies and gentlemen, if you would like to speak during the three period, would you please step over here and give her your name and address. If you haven't already signed up.

Jean Kitchen

Good evening, I am Jean Kitchen, and I am with the Blowing Rock Civic Association. Mayor Sellers, Council Members, Mr. Fox. Thank you for welcoming me here and allowing me to speak. I am here primarily to answer Mr. Gherini's questions that he asked and read into the minutes at the last meeting on March 14. And I'm going to read the questions and then I'll give you the answer. The first one was

the survey approved by your board. All surveys are approved by the Executive Committee of the Blowing Rock Civic Association. However, the only survey that was sent out by the BRCA was sent in the spring a year ago and was to allow respondents to indicate their top three concerns out of a list of 11 issues to determine which three BRCA was going to put its efforts into for the past year. A new survey postcard seeking input for this year is being prepared as we speak and can be sent to all voters, all registered voters as well as listed on our website. Mr. Gherini, who was the survey sent to; the postcard survey last year was sent to all registered voters in Blowing Rock and was also sent via email to everyone who signed up to receive emails from BRCA's communications, and to others who have been added previously. But everyone always has the option to unsubscribe if you don't want to receive it. Our current listserv has over 800 members on it. The Mayor, all Council Members and the Town Manager did not receive the survey was stated by you. And I'm surprised that none of our Town Leaders received our postcard surveys since they were sent to all registered voters in Blowing Rock, and we use a service in Boone, and we got the list from Watauga County, and it had everybody registered to vote in Blowing Rock and that's where they were sent. We will be happy to add you to our email list if you're not currently on that list. And that's where people can see Tom Barrett with his BRCA 28605. And we have over 70% open rate for people who are interested in that. How many surveys were sent out; when the survey was sent out last spring, about 700 people received it via email plus those who are registered to vote and got it in the mail. How many responded back; I'm not sure the exact number but it was left available to be voted on for over a month prior to being tallied. And the people that expressed their opinions favored three concerns and I think many of you are aware of them 24/7 transport ambulance, the impact of tourism on downtown congestion and parking and protect neighborhoods from short term rentals. This figure is not relevant to the survey, Tom Barrett is going to address that. As we added up the numbers of votes per concern and selected the three with the most votes our top ones chosen got about 40% of the people responding that they were the ones they wanted us to, to really work on. BRCA members think that you might be confusing the annual survey with the three factual postcards that we sent out in January and February. And they were mailed out to all registered voters in Blowing Rock from voter lists. And they did have a link at the bottom where if somebody chose to go down there gave instructions for going to our website and voting strictly to let us know what they thought if they chose to do so. That's it. Any questions? Are you allowed to ask questions? No. Okay. Thank you.

Charlie Sellers

We need to check our voter registration guys. Okay. All right. Tom, are you ready? Okay.

Tom Barrett

Thank you, Mayor, Manager Fox, Councilman, I think to clarify, and I've got one for everybody. These are the postcards that actually went out in January/February, and we just wanted to address Councilman Gherini's questions. Again, there's a difference between the survey that was done a year ago, and the postcard campaign that was done late winter. And so, we provided a factual postcard of what you have one handed to you there. Based on information gathered from the winter retreat and the Town website. All was public information. The facts came from the Town officials, we provided a QR code and a landing page which additional information to include the link to the slideshow for the task force, letters that had been sent to the editor and other public information that we were able to gather. At the end of that survey, you were able to say whether for or against the underground utilities. I'll

address the numbers here in a second. Was the survey again, the postcards? The postcards were approved by the Board Executive Committee, and we work on behalf of the board of directors, who was a postcard sent to, there was some question about you all not receiving as Council Members. The postcards were mailed to all registered voters in Blowing Rock from the voter roll for Watauga and Caldwell Counties. The list also provided was provided by the county boards of election, some 100 business owners along Main Street and downtown were also sent the postcards in the mail. And they were printed and mailed by an outsource vendor over in Boone. After hearing the concern, I did go and look at the list and all of you and your spouses are on the list. And so, with the exception of Councilman Yount, who got three postcards, you all should have gotten six postcards in your household, one for you and one for your spouse. And I did go back and confirm that you all are, including Manager Fox, on that list. How were they sent out? The information on the postcards were provided for public information that was available at the time. The postcard task force slideshow, the letter to the editor and other information from the Town website we gave the public an opportunity to vote either for or against, 100 local businesses as mentioned before, were also sent the postcard. Again, each household received six postcards that were Council Members with the exception of Councilman Yount who received three. And we also send it out to a digital audience of 28605, which is 862 subscribers. We have a four-page list, single spaced of responses, because every time someone responded, we got either voting for or against and got their name. For public reasons and privacy reasons we're not going to disclose the names. Of the for and against 81% of the respondents were against the public underground utilities project. And again, the audience was the registered voters in Caldwell and Watauga County for the Town of Blowing Rock. The tallies were all tallied both for and against. And for privacy reasons again, we just feel like it's not fair to the voters to disclose their names, but we encourage all people that receive these postcards to contact their Councilman and express their position either for or against. And as far as the BRCA is concerned, we've remained neutral on that position, we simply provided the information that was available from the Town. Any questions?

Charlie Sellers

Council?

Albert Yount

I was distracted when you said why I only got 3.

Tom Barrett

I couldn't find that you have a spouse.

Albert Yount

You're right.

Tom Barrett

But I did go back and double check the list after we got that concern. So, any other questions? All right. Thank you for the opportunity. And thank you for your service.

Charlie Sellers

Thank you. Ms. Bingham, would you like to speak?

Laura Bingham

My comments that were timed a little over three minutes, I must say. But I want to just bring to your attention a recent zoning decision that was made by administrative action, rather than the Town Council. It countermanded the vote by 7 to 1 of the Planning Board to oppose this action. It creates a short-term overlay spot situation, unfortunately, on the Gorge right at a time that we're all thrilled that Blowing Rock and our citizens will be benefiting from the 332 acres of land going into a conservancy. And this parcel essentially is on that great view. And I want to make sure that the Council and the manager and others are sure there are no conflicts of interest involved in all of the parties involved, including in the real estate transaction and in this decision. Thank you.

Charlie Sellers

All right. Moving right along. Is there anyone else that would like to speak before we move on?

Jean Kitchen

I'd like to say one thing added to what Tom Barrett said.

Charlie Sellers

I need you to step up to the podium.

Jean Kitchen

I was also privy to receiving the votes as people voted, which Tom referenced. And I recognize almost no names. And I wanted to say that because that would be indicative of, they weren't just regular board members of BRCA and whatnot. I think I recognized five names on the whole four-page list. So, they weren't just us padding anything.

Charlie Sellers

Thank you. Okay, moving right along, we have a presentation. This is the resilient and thriving communities week proclamation. And I believe Kathy Parham. Thank you for coming.

Kathy Parham

Thank you so much. Good evening, my name is Kathy Parham. I'm the Executive Director of The Children's Playhouse and I'm a member of the WCCI, Watauga Compassionate Communities Initiative and a resident of Watauga County. On behalf of WCCI, I'm honored to be here to request the Blowing Rock Town Council declare the week of April 29 through May 6 as resilient and thriving communities week, you'll find a copy of the proposed proclamation in your information packets. To provide some background the WCCI formally began in 2017 as a collaborative community initiative that includes staff from local nonprofit agencies, governmental staff, private mental health professionals, school system staff, emergency responders, law enforcement, the faith community university faculty, staff, students, and numerous community volunteers. The mission of the WCCI is to quote promote health and resiliency in our community, to effectively prevent, recognize and treat trauma by creating safe, stable, nurturing environments and relationship through education, advocacy, and policy change. The WCCI meets monthly, and it accomplishes its work through the essentials of childhood framework, operating through committees of awareness events and policy prevention. The WCCI has hosted the WCCI

conference for the past five years, and also hosts community events to increase awareness of different forms of trauma and adversity and to promote resilience and for protective factors. I'm here today because the WCCI is one of over 60 local community collaboratives located throughout the state of North Carolina engaged in similar work in their communities. Three years ago, these grassroots community collaboratives and interested state level staff and state child focused agencies formed a voluntary coalition. The resilient North Carolina collaborative coalition, RNCCC, which is focused on policy change and increasing awareness about trauma and adversity as well as preventing and treating trauma and promoting well-being. This year the RNCCC has submitted its second request for a statewide proclamation during the week of April 29 through May 6, 2023, as resilient and thriving communities week from the governor's office and local community collaboratives across the state are seeking local proclamations with their counties, town and city council boards of education and other municipalities. To also declare the week of April 29 through May 6, resilient and thriving communities week. The WCCI recognizes that all children, adults, families in our community experienced stress and adversity. And we know that everyone plays a part in preventing these issues, intervening when they do occur, and promoting resiliency to buffer stress and adversity. Adversity, we would like to thank all of you for the many ways that the Blowing Rock Town Council supports programs and activities that prevent stress and adversity, treat trauma and promote resiliency including the development of a child care center for municipal staff, support of the New River Conservancy restoration efforts in the New River Water Trail, integral support for municipal staff and services in partnership and support for community and organization sponsored events and festivals. These are just a few of the ways that you support ongoing efforts that prevent or treat trauma and adversity and promote resilience and well-being. We also greatly appreciate your support of numerous community wide initiatives that prevent stress and adversity, treat trauma, and promote resiliency and well-being including our initiative WCCI, Elevate Watauga and the Family Connects Program, the Watauga Housing Council, The Watauga County Community Housing Trust, The Community Mental Health Project, and the Responder Wellness Coalition. While this list is not exhaustive these initiatives demonstrate the important committed community wide ongoing efforts to support our community. In closing, we are pleased to request your support to declare the week of April 26 through May 6, as resilient in thriving communities' week in Blowing Rock to celebrate what makes our community resilient and thriving. Thank you so much for your consideration of our request.

Charlie Sellers

Ms. Parham, thank you so much. Thank you for all your work. Do I have a motion to accept this proclamation.

Pete Gherini

So moved.

Charlie Sellers

We have a motion to accept the proclaiming April 29 through May 6 as resilient and thriving communities week. Do we have a second?

David Harwood

Second.

Charlie Sellers

Council how do you vote? Thank you so very much, moving right along. Thank you for your time. This next one is a public hearing which is an SUP. So, if you are making a presentation or you are speaking, we'll have to have you step over here and be sworn in.

All

All in favor of the motion.

Charlie Sellers

Brian, do you want to lead this off?

Brian Johnson

Good evening, Mayor, and Council, I have got a project for us tonight. Special Use Permit 2023-01, Ms. Ann Furr 151 Valley Boulevard LLC is requesting a Special Use Permit to renovate the existing building and property at 8263 Valley Boulevard. This is the building directly across from the existing Outback Steakhouse, it has sat vacant for some time. The applicant is seeking approval for some retail office and other similar uses, and we can discuss those uses in a moment. In the Land Use Ordinance, existing structure will have minor facade changes but there is some changes to be made, some repairs and renovation to the exterior probably a few minor color changes but for the most part we'll mainly repair and renovation to the existing buildings there. The existing building is not planning any footprint changes to the floor plan or the existing building. New parking lot is proposed to the left of the project. If you're facing the building, the property contains .756 acres zoned general business and it is located in the WS4 water supply watershed which they have addressed all those requirements. Shane is pulling the site plan up so we can reference some things. It is a former retail store; it is a remnant of DOT when the road was widened, and Ms. Furr purchased the property after the road widening was complete. The applicant is providing 24 total parking spaces which is to the left of the structure you see there. One of them being ADA accessible as required. Basically, this is providing one space per 152 square feet of gross floor area. And uses we'll discuss later this more than adequately covers all the uses that's being proposed. So, there's sufficient parking for what's being proposed with the uses. The access will be "right in, right out" onto Highway 321. Utilizing an existing curb cuts there is another curb cut up the road a little ways but that one will not be utilized just the one curb cut. NCDOT has reviewed this, and they are on board and fine with the proposed project as proposed there. With the addition of additional impervious area of either the parking lot there is ordinance requirements. They are planning to do detention systems here to capture that to meet ordinance requirements. This has been reviewed by the town engineer and does meet ordinance requirements. The project will also have additional landscaping provided, a new street yard will be provided along Highway 321 with a mixture of deciduous evergreen shrubs and deciduous shrubs. There will also be sod and rear landscape buffers. A couple of those utilize an existing landscape and vegetation that's already there. And it will be assessed if there's additional needed there'll be supplemental landscaping provided. At the March 16, 2023 Planning Board meeting they made a recommendation to approve the Special Use Permit as submitted with one revision; to remove one of the proposed use categories which was 22.000 Nursery Schools/Daycares Centers. I think their concern was the location along the highway there and probably not the best site for a daycare. So, they recommended that use be removed. It was included late,

updated draft special use permit. That permit was revised to include some concerns and comments and small housekeeping items working with Ms. Furr and her attorney. So, we can go over those changes that's in there. We're going back to the use. The variety of uses being proposed here is typically category 22.100, which is retail. If you look in the special use draft, they are listed out there. Office uses are proposed there as well. There's two manufacturing categories being proposed, but these are uses that will be conducted entirely within the building. With any manufacturing uses, we do have other underlying conditions that have to be met within the ordinance when those uses are proposed, so that would be addressed if a manufacturing use come before us. Education, cultural, churches, synagogue, temple uses are being proposed, libraries, museum art galleries, the use 5.320 is being proposed, 5.420, social fraternity clubs, lodges in general is being proposed, storage and parking, there's two or three uses being proposed for use of a parking lot as a use which can be allowed use within that area. Storage within a completely enclosed structure and parking of vehicles outside enclosed structures is also being proposed, along with use 12.100 veterinarian and also 16.00 dry cleaner and laundromat uses.

Charlie Sellers

Did you say you pulled 22 nursery schools daycare centers?

Brian Johnson

Yes sir, that was at the recommendation of the Planning Board. That's all I have. Ms. Furr is here with her team, Mr. True and Ms. Suzanne Todd. They'll have a presentation I think, but any other questions?

Charlie Sellers

Pete's got a question.

Pete Gherini

Brian, any issues with DOT on entering or exiting and signage accordingly.

Brian Johnson

No, the proposal is a ride in and a ride out. Obviously, you can't take a left turn there, but they were fine with that. We've gotten encroachment agreements for that. And also, there'll be an encroachment agreement for the stormwater system tying into the existing system along 321. Signage will have to be permitted separately whenever that time comes, they will have to get a use in place. We will permit that separately there and all those requirements should be met for ordinance. Shouldn't be no issues.

David Harwood

Are there any variances requested?

Brian Johnson

No.

David Harwood

Yeah, so currently there, and Mr. True might be addressing some of this, but this would be a new curb cut correct. For the entrance, the parking lot entrance.

Brian Johnson

I think there might be an existing one there, it will just have to be modified. I think when the project came through, they left, they'll leave anticipated curb cuts where they think might be needed. But it'll be modified.

David Harwood

Okay, so the other two? Well, we've got two that aren't going to be utilized. That one and that one correct?

Brian Johnson

Correct.

David Harwood

And what would repairing those or putting the curb back? Who would that fall on? Is that a DOT or is that a Blowing Rock?

Brian Johnson

That would be DOT.

David Harwood

And is that something that we would request of them?

Brian Johnson

We could.

David Harwood

To have curb cuts, I mean, these are educated guesses when they put them in. And if we're not going to utilize them, it'd be nice to get them repaired. But that's not something that we would ask. Is that is that something we would typically ask of the applicant?

Brian Johnson

Yeah. I don't think we've typically asked that of the applicant since they are existent. I mean, there's no way they'll be used, it's probably more of appearance or maybe even a stormwater issue. But I don't think, you know, at this time there's any issues with stormwater there. Unless someone may try to accidentally turn into one, we could have that discussion.

David Harwood

Well, that was part of my concern. I doubt that risk is probably low, but we might invite traffic that we don't want.

Brian Johnson

Yeah, we can have that discussion with DOT, I think, and I think the new drive will be very well pronounced with the right in, right out so I don't think it should be a problem.

David Harwood

Okay, that's all I have right now. Thank you.

Pete Gherini

I think back to the signage thing, I think is really going to be very important that it really tell people because traffic coming down 321 it's got a good head of steam and if somebody is not careful, I mean they could get whacked.

Charlie Sellers

Thank you, Mr. Johnson. Ms. Furr, who would you like to speak first with your group?

Suzanne Todd

Good evening, Council Members, Mayor sellers. My name is Suzanne Todd. I'm a land use attorney. My address is 1065 East Morehead Street, Charlotte, North Carolina. And with me tonight, we're here on behalf of the applicant 151 Valley. Seeking this special use permit with me is of course is Ms. Ann Furr property owner as well as Michael True is an engineer with Municipal Engineering. We are here to answer all your questions and make a short presentation. Always just looking to see what kind of curb and guttering. I was looking at some photographs and hopefully we can kind of see what's going on the property to answer some of your questions. If not, Michael knows everything so you will be in good hands. Of course, this is an evidentiary hearing with sworn testimony, and this requires us to demonstrate certain things to you, including that this use that we're proposing are going to maintain public health, safety and welfare. The use complies with applicable ordinance regulations. And I believe I heard Mr. Johnson say that, in fact, the site plan and our plans do comply with ordinance, is that correct?

Brian Johnson

Yes.

Suzanne Todd

We also need to demonstrate that this use is compatible with neighboring uses as well as it's not going to substantially injure adjacent property values. And then it conforms generally with the land use plan. This property at one time was a building 3,600 some odd square feet with a parking lot in front of it. After the DOT widened Valley, it was a 3,600 square foot building without a parking lot in front of it. It is, as you can see by little pin, it is in the General Business zoning category. The whole corridor there is General Business, it's always been zoned General Business, it's always been used for commercial use, there's not been any change. I guess once the parking lot got removed by the DOT, those users were now required to get a special use permit to get some of those uses back. This was essentially what it looked like right before the DOT did their construction where you can see the parking in the front at that time. It was a two-tenant bay commercial site. I think at one point it may have even; Ann was telling me there is doors potential for a door you can see it from the inside over on the right-hand side. But there's a third door that's actually got covered up at some point. I was prattling onto the Planning Board that I

loved it used to be a women's clothing store, kind of high end. Ms. Perry knew what I was talking about, it was called Tanner and my husband hated it, but I loved it. That was a long time ago, after DOT got through with it, you can see now it's just sort of sitting there and falling in disrepair. You can see the curb cuts. Michael, do you want to address what's going to happen with those curb cuts?

Mike True

Further south is not on the subject property.

Charlie Sellers

Michael, would you step up to the mic, this way it will be included in the minutes. Thank you.

Mike True

The two existing curb cuts, the one on the right it's the one that is further south. That's really not on the property, the property line is right beside the building there. So that's on the next property, this curb cut is not going to be used because we just can't get in and get turned. So, we are proposing a new curb cut. And we have received a driveway permit from NCDOT for that they had some requirements of a trench drain if I am not mistaken, we have to put a trench drain in there. And then they are going ahead and with the driveway permit permitting the encroachments as well. So, we'll have our storm drainage that we collect, detained slow down, then it ties to the DOT infrastructure out in the road. So that's been approved as well. There's a drop in right by the curb cut that we're proposing.

Suzanne Todd

Thank you.

Charlie Sellers

Thank you.

Suzanne Todd

As you can see, again, the property kind of fell into disrepair. You can see the roof is old, the gutter sort of collapsing off to the side. Again, these are the special use requirements, I'll get to those in a minute. But you will see, Ms. Furr kind of took a chance on this property. What really happened with this property is it became a remnant property that property got sold to the DOT. The DOT combined it with another little adjacent remnant and that's what Ms. Furr bought you know, taking the chance. It's not great because the parking is now going to be on the side of the building, but it's you know, something that she believes that can be redeveloped after she purchased the property. Of course, she had the roofers out there. This is kind of what it looks like today. It's got a new roof, gutters, it's in good shape, but again, still doesn't have its parking and still doesn't have a use allowance. So, you can see it in its location, it is in close proximity to downtown. So, let's get back to these use requirements or the special use requirements. One use this property the use is being proposed. I think we mentioned that the Planning Board unanimously agreed to all the uses we were proposing with the exception of the daycare, we had actually planned for an adult daycare. But understand now that is not a use allowed in General Business. That's different from normal daycare use and of course, we do not want children running up and down Valley Boulevard. We don't think that's really great either, you know, drinking in the fumes and playing in the streets. So, we agreed to remove that condition, because that was not

what we wanted that used for. Again, as far as it is being operated, so as to maintain or promote public health, safety and general welfare. You know, it's been used as commercial property before we're asking that it'd be allowed for commercial use again. Same use, no change, parking lot on the side of the building. We are going to have to obtain all the necessary permits, including driveway permit, which we have, erosion control, grading, building permits. All that, this is just the first step in the development process. The uses, they need to comply with required regulations and standards of Land Use Ordinates. Again, Mr. Johnson has indicated that our project, the site plan, does comply with ordinance requirements. So, it was all applicable regulations. And I would ask Mr. True to verify that if you could come up. And you're in fact an engineer, is that correct?

Mike True

That is correct.

Suzanne Todd

And how long have you been doing that?

Mike True

I have been, I passed my boards in 86.

Suzanne Todd

And you're familiar with a site plan?

Mike True

Yes.

Suzanne Todd

In fact, your company prepared the site plan and construction plans that we've submitted.

Mike True

Yeah, we use the ordinance as our guide when we designed it. So, we worked with the Planning Department. Brian wasn't with the department when we designed it, but we worked with Kevin and our understanding is that it meets all the requirements.

Suzanne Todd

Is there any indication or anything in your mind that might lead you to believe that this would be a public health hazard?

Mike True

No, I think it's going to be a good project, I think it's going to be great project with redevelopment of an existing property and we're going to do something with the stormwater, and I think it's going to be a good project for the town.

Suzanne Todd

Thank you. The next on the list is that it's compatible with particular neighborhood in which is located. The property again, zoned General Business has got General Business adjacent to it, General Business behind it. There are some properties that are General Business properties and they're being used for residential uses. But again, the desire is to zone this whole corridor and have it zoned as you did General Business. Which makes sense since it's the gateway to the town. You can also see what's around it before you get to the property behind it. You've got to go up a big mountain and go through a lot of trees for a buffer and the majority of the residential property or all of the residential properties except for this little strip back here. Kind of behind the property are all across Skyline View Drive. So, it's quite a distance, you got to go up a mountain through the woods and across the street. The next component that we need to show, or the next standard is that the use and development of it's not going to substantially injured value of adjacent, adjoining, or abutting properties. Again, this property has always been used for commercial it soon will be used for commercial again, that's all we're asking. Same uses adjacent uses are all commercial. Since the only thing that's really changing, the parking lot is the parking lot location. The building is not getting any bigger, it's not getting any taller. So, it would just be hard to imagine how this could impact the adjacent property values. We would submit to you that it does not. And then the last that the use and development conforms with the general plans for physical development of the Town's Comprehensive Plan, which again, there was actually in your Comprehensive Plan there is a desire to do something with these remnant parcels Ms. Furr is doing her part by purchasing those and trying to redevelop it. Other parcels might be smaller there were plans for pocket parks and things like that, but there was within the Comprehensive Plan several statements with regards to reusing, redeveloping, and repurposing properties along Valley Boulevard to make it a thriving corridor. So essentially this is where we are today, we have submitted an elevation, we've got the property is currently you know basically essentially what it looks like course there'll be some elements added to the doors and the windows. We did ask to reserve the right to put in that third door for three tenant bays roughly about 1,200 square feet each. The widow's walk will not be added to it. And you know we will work with staff on the colors and things like that, but you know, we will get their approval, but anticipate leaving it the brown wood bark, and maybe painted white or the framing. And there's again these drawings are in progress but there is an allowance you can see that where that third door would go at the very top over to the right. So that's pretty much it for us. I would ask Ms. Furr if you could come up real quick.

Charlie Sellers

Ms. Furr just state your address for the record.

Ann Furr

I'm Ann Furr, my address is 925 Cloister Drive Gastonia North Carolina.

Suzanne Todd

And Ms. Furr, you have owned this property for how long?

Ann Furr

I believe I purchased it in 2019.

Suzanne Todd

And you're familiar with Blowing Rock, is that correct? And the properties around it? Is there anything you plan to do on this property that would inspire the adjacent property values?

Ann Furr

Correct. I don't think so.

Suzanne Todd

You plan on using it in accordance with the Special Use Permit and the site plan?

Ann Furr

I do.

Suzanne Todd

Ok, thank you. We are available for questions if you have any.

Charlie Sellers

Council, questions, or concerns?

Doug Matheson

My question is probably for Mike. Are you going to bring a handicap sidewalk up from that parking lot? And then where are you going to put the mechanical systems?

Mike True

The mechanical systems I do not know because we've not been involved in the building at all. There is a great differential to get up in here. If you've seen the site, it's fairly rocky and when the widening happened, then the remaining areas a little bit higher than the road. So no, we are not proposing a sidewalk coming off the main sidewalk coming in. And I don't think we could meet handicap accessibility, the 1 and 12 ratio that you have to have for that.

Doug Matheson

What about from the parking lot up?

Mike True

From the parking lot? Yes, it meets ADA regulations from the spot itself. And I believe on the plan we have specific we call out all the ADA regulations about the cross slope that the mechanics need from the parking place to the door.

Doug Matheson

And is everything going to be located behind the building, your garbage collections.

Mike True

The garbage collections are going to be in that corner and they're going to be fenced and they're going to use rollouts for all that. So, they'll be screened right there, but there's not really room behind the building because of the cliff there.

David Harwood

I have a couple questions. Is the propane tank buried?

Ann Furr

It's my understanding that it was going to be buried, isn't it in the island?

Mike True

That's where we're proposing it. Yes, an island.

David Harwood

I know that that's where it's located, but it's buried, or is it above?

Ann Furr

It's buried under the island, right?

Mike True

Is it there now, though, or is this proposed?

Ann Furr

There's nothing in the island now.

Mike True

Yeah, so it's proposed, David, it's not there now.

David Harwood

No, the question is, I know there's a future propane tank going there. Will that tank be buried or above ground?

Ann Furr

The proposal, as I understand it, it's going to be in the island, in the parking lot, buried. If propane is too costly to do that, or we can hit rock, then we will be all electric. Because we may hit rock.

Mike True

Yeah, there's a fair chance of that.

Kevin Rothrock

If you didn't have room to bury a 500 gallon, you could do some standard tanks in the back, so you don't see it. There are other options.

David Harwood

I guess where I'm going is not seeing propane tanks from the hallway.

Kevin Rothrock

If you have to put in there, and you have got to be above ground, you can put them behind the building.

David Harwood

Okay, these two questions might be for Mr. Johnson, has the fire department reviewed this? Our fire inspector?

Kevin Rothrock

Two years ago.

David Harwood

And at that time, they didn't come back with anything.

Kevin Rothrock

No.

David Harwood

Does the percentage of glass on that front elevation? Is that a downtown requirement? 50% downtown and 30% out there? Have we measured?

Kevin Rothrock

No because it's an existing building?

David Harwood

Okay.

Kevin Rothrock

They're not upgrading other than cosmetic.

David Harwood

And my last question has to do with the requested use of an ABC Store, which, as I understand, would fall under the decision of the Town and I don't see as competing with ourselves. So, I'm questioning why that's in there?

Suzanne Todd

Well, in 2019, there was actually legislative action, trying to privatize the ABC stores that did not come through. We understand this is in the Town's purview, and you've got one doing really well. So, it's unlikely it'll be used for ABC store, but then again, no harm, no foul.

David Harwood

Yeah, personally, I'd like to see that removed, just so that we're clear, should it become privatized. You can always come back and ask for that use.

Suzanne Todd

I'd have talked to the client about that if we could have a minute.

David Harwood

I mean it's something we would have to review anyway.

Charlie Sellers

If you make a motion, you can make a motion stating that.

Suzanne Todd

But our position is simply that, you know, should things become privatized, it's likely maybe too small or maybe not the right but we wanted that option it's in that list. We've had that option before DOT took the parking lot and so we're just asking for it again.

David Harwood

This is a question for Mr. Johnson. So typically, when an SUP comes before us, we know what that uses established. So, this is a little different for us to have so many uses requested. So, if "use A" goes in there and then later, they move out and "use B" goes in. Do we have to have an administrative change of use or since that use is already approved in this endeavor? I'm just not exactly sure how that change of use happens.

Brian Johnson

If it's approved under the Special Use Permit and listed under the Special Use Permit, it should just be administratively. Now, her catch is getting the property redeveloped. Number one, she don't have a tenant at this time, everything that's there, the site plan meets for any future uses. So, any use comes in, we have to weigh the options, all parking would have to meet even if it's multiple uses there. They still have to collectively meet parking as well. But all the uses there, I am assuming unless Kevin needs to chime in, that shouldn't be administratively.

David Harwood

That's all I have. Personally, thank you for taking a chance on this building. It's needed help for some time.

Brian Johnson

And you know, the Special Use is authorizing the redevelopment when use comes before Ms. Furr. We'll assess that, we'll issue building permits based on that use and then the parking requirements have to be met as well.

David Harwood

Thank you.

Charlie Sellers

Council.

Ann Furr

If the use is changed, do you still have to get a use permit? Do you have to get a new use permit?

Brian Johnson

No.

Charlie Sellers

Okay, do we have a motion to close the public hearing?

Pete Gherini

So, moved.

Charlie Sellers

Do we have a second.

Melissa Pickett

Second.

Charlie Sellers

Any additional comments.

Kevin Rothrock

Hang on a sec.

Bonnie Holmes

Oh, and I messed up.

Charlie Sellers

That's okay.

Bonnie Holmes

I didn't know and I was confused.

Charlie Sellers

That's ok, you will need to be sworn in. So sorry, you should have spoken up. Thanks Kevin. Please step up and state your name and your address if you would, please.

Bonnie Holmes

My name is Bonnie Holmes, my address is 482 Skyland View Drive. And thank you for allowing me to speak, this is my first time here and I didn't catch on at the beginning. So, my home is straight up the mountain that you were talking about. And yes, it is a residential area up there. And the only concern that I have is the other use the 12.100 veterinarian. If the animals come and they go, that's fine. But my concern would be if the animals would spend the night and would be barking in the evening like if they were there for surgery. Or if there was some kind of boarding because we do have our windows open a lot because the weather is wonderful. And I think we would hear that as neighbors so that's my concern thank you.

Suzanne Todd

Okay your house is not a budding or adjoining or adjacent to the property. Okay, you're down the street. All right. And this, this particular use does not allow outdoor kennels.

Bonnie Holmes

But even if there were animals inside barking at night, I think we would hear it. Because there's a house down the street from me that's a rental. And sometimes when they go away during the day, we can hear dogs barking. So, I feel like we would certainly would hear over the night when it's real quiet.

Suzanne Todd

Okay, up the mountain and through the woods over Valley Boulevard.

Bonnie Holmes

That's exactly right. It's not that far up the mountain.

Suzanne Todd

Thank you so much.

Charlie Sellers

Thank you. Okay, Council. We have a motion to close the public hearing.

Brian Johnson

Just to clarify that.

Charlie Sellers

Yes, Mr. Johnson,

Brian Johnson

We would, once a use is established there, we would issue a zoning permit based on like a change in use. If something is established, then they come in with another use. They have the overall uses that's allowed there. But we would issue a change in use to make sure there's any other ordinance requirements that may be specific to that use. Like the manufacturing use there's other requirements in there.

Charlie Sellers

Yes, ma'am.

Suzanne Todd

I mean, no disrespect, Ms. Holmes, of course, we appreciate that she voiced her opinion. But this unlike a legislative, like a rezoning process is a quasi-judicial hearing. And Ms. Holmes would not really have standing here because she is not adjacent or adjoining property owner. I just want to make that point. Thank you.

Charlie Sellers

Thank you Council. We have a motion; we have a second to close the public hearing. Any further discussion?

All

All in favor of closing the motion.

David Harwood

I'd like to make a motion to approve the project as presented with the removal of the ABC Store use.

Charlie Sellers

Okay, we have a motion on the table, which does specify removal of ABC Store use Alcohol Beverage Control as we so know it now.

David Harwood

Use 2.112 to be specific.

Charlie Sellers

All right, do we have a second?

Doug Matheson

I'll second that with the addition of should it become private, then they can come back in front of us.

David Harwood

Okay, I'll amend my motion.

Charlie Sellers

Okay, the motion amended, they'll have to come in front of us or whomever for additional approval if it becomes privatized in the future. Is that correct?

David Harwood

Yes sir.

Charlie Sellers

We have a first, we have a second. Do we have any further discussion?

Albert Yount

Just repeat your motion, David.

David Harwood

My motion is to accept the SUP as presented with the removal of use 2.112 ABC Stores; in the event the state privatizes ABC Stores they can come back and have an audience with the Council regarding that use.

Charlie Sellers

Ok, we have a first, we have a second any further discussion.

All

All in favor.

Charlie Sellers

Okay, thank you so much for your time. And good luck and I'm sure the building will look good, and you'll have a lot of people wanting to move into it.

Ann Furr

I hope so, thank you so much for your time.

Charlie Sellers

Alright, moving right along here. This is Townhouse Definitions 2023-03. Mr. Kevin Rothrock and this will be a public hearing, but you will not have to be sworn in to speak on this particular matter.

Kevin Rothrock

Thank you, Mayor, and Council. The attached draft ordinance provides some optional language to definitions of townhouse and townhouse development, rather than having to create a homeowner's or property owners association to establish common area and maintenance responsibilities are recorded agreement between parties will satisfy the requirements if an HOA or POA is unnecessary. So, in the attached draft ordinance, there's language that's been underlined and you can see in both definitions is red. And that's what will be added to the current definitions nothing is proposed to be struck through.

Charlie Sellers

Council, do you have any questions for Kevin on this particular issue? Okay, we had some people that wanted to speak. I think, Ms. Sellers, you wanted to speak on this. Would you please step up.

Jane Sellers

Thank you. My name is Jane Sellers, and my address is 412 Wonderland Drive, formally 467-1 Wonderland Trail, which was a townhouse with an HOA. I just saw this on Saturday, and it caught my eye because we had an HOA there. And I also am involved with another one at the coast for a larger group of 36 units as opposed to the four that we had here. And it seemed odd to me that we would, I guess, the Town having had a requirement for townhouses to have HOA's to remove that requirement. I felt like it was an important structure for us to have, even with our little four units. When we were here, obviously, for a larger group, it seemed even more important. I think there's a state statute that would require it for units of 20 or more, 20 or more lots. And I guess the two things specifically that I can think of that I had concerns about is if this language were used and a townhouse changed hands where the, you know, the original owner had executed this agreement, and it had been put to record. Now the new owner comes in, I don't know what makes the new owner have to execute the agreement. I suppose there could be something in the original agreement that said a homeowner, or a townhouse owner wouldn't transfer it except to somebody who agreed to sign the agreement that seemed cumbersome to me. That HOA that we had on Wonderland Trail, the declaration for the development required that you

or didn't require it made you a member of the HOA if you acquired one of the townhouses. So, it was all automatic, you didn't have to agree to anything. The other thing is that usually, you know, the HOA would be the one that would enforce any assessments that were imposed on the townhouse owners to take care of the common areas. Ultimately, if people don't pay those assessments, it can create a lien on the property in favor of the HOA if there is an HOA, and I don't know exactly how that would work, either. I guess it would be a lien in favor of the collection of other townhouse owners, which it seems like might be difficult to handle through a foreclosure proceeding, if ultimately that needed to be addressed. And so, I guess I just had some concerns about it. I didn't have a chance to do a bunch of research on it. This is not exactly my area. I guess I didn't mention I am a lawyer, but not a townhouse lawyer. I did look at Lenoir just for fun and it appeared to me that Lenoir has a requirement if you're trying to get approval to develop a townhouse development, that you have to present your HOA documents for the city attorney to review them. So, it didn't seem like it was completely off the wall for a Town to have a requirement that you have an HOA for townhouses. So, I guess those are some thoughts that I had. And I guess the other thing is, the recitals for this ordinance change indicate that there is some unique situation that requires this. If it's an existing unique situation, it seems like maybe there could be an exception for that unique situation, or if it's a future unique situation, I guess I have the concerns that I expressed. I think that's all I have to say. Maybe a suggestion might be if this isn't on fire, that it could wait a little bit for y'all to look at it a little further. Thank you.

Charlie Sellers

Thank you, Ms. Sellers. Council, do you have questions for Kevin on this? No?

Albert Yount

The lady alluded to special situations, if our attorney would like to address that statement, I wish he would. But I'm gonna leave that up to you Allen.

Allen Moseley

I'd rather speak in general terms. So, in general terms, if you have a two- or three-unit complex, people quite often don't want to have to incorporate a Property Owners Association and create a board of directors among two or three people. And it's really cumbersome in overly burdensome to do that. I would agree with you that if you got beyond a few units, then whoever is establishing that regime is going to set up a property owners association. But you can substitute that with a simple declaration that runs with the title to all of those units that obligates all those property owners to pay a common expense without having the necessity of the formal nonprofit corporation bylaws and so forth.

Melissa Pickett

Can I come back to this one?

Charlie Sellers

Yes, ma'am.

Jane Sellers

I guess one feature of the association, and perhaps you could provide this in a declaration as well, and maybe you could speak to this is that it didn't require unanimous consent of our group of in that case for

townhouses to make a change in our requirements that were in the declaration or in our bylaws, we could do that. And not with a simple majority, but with a supermajority, which basically meant the three of us could out vote, the fourth person, or the fourth owner, and I guess with an agreement an amendment would normally require participation or approval by all of the parties to an agreement, maybe that could be taken care of in a declaration as well. Or maybe this should just apply to very small townhouse collections, because I guess you'd have to have an even number. Otherwise, you couldn't have well, I guess you could have double walls, but just trying to think if it would always be something where a majority would allow you to at least get by a revision without everybody having to participate.

Allen Moseley

Hypothetically consider the possibility you have a townhome of two or three properties that are not at all similarly situated, but become a townhome as a result of setbacks. And so, consider a situation where one of the property owners basically takes care of the maintenance of most of the areas that might otherwise be considered a common area. So, it doesn't really work unless you're if you're talking about a situation where the townhome units are not similar as opposed to what you're contemplating, which would be like a four plex, or a six plex, where they're all the same. And they're collecting money to uniformly maintain the exterior and the roofs and the landscaping and everything else, and everybody pays the same pro rata. If you don't have that, and you have something that's different from that, then you're not necessarily going to assess on a uniform basis and collect on a uniform basis from the property owners. This is a fairly isolated situation that doesn't apply to townhomes that you would typically think of. If somebody winds up coming into the Town of Blowing Rock with a six or an eight or a 10-, or 15-unit complex, that's going to be a requirement in their permit, that they have a property owners association. And that's typically what the Town does. But the Town doesn't necessarily have to do that. They can do that in your conventional project, whether it be a townhome project or a single-family subdivision.

Jane Sellers

So, you're saying that like three existing dwellings on a single lot would be a townhouse?

Allen Moseley

Maybe.

Jane Sellers

They don't have to have adjoining walls.

Allen Moseley

No.

Jane Sellers

We had individual assessments possible on Wonderland Trail, you know, like if a tree fell on somebody's piece of the unit, that might get fixed through an assessment that was only applicable to the individual unit. At least that's how that particular set of declarations was set up, or the bylaws.

Charlie Sellers

Thank you, Ms. Sellers.

Laura Bingham

Since we're still in public hearing my I speak?

Charlie Sellers

Yes.

Laura Bingham

My name is Laura Bingham 164 Prudent Lane for 25 years. Does the public have the opportunity know, whether this is one unique exception? Or if it is for a contemplated situation? Or an existing situation?

Charlie Sellers

Kevin?

Kevin Rothrock

Let Allen answer that.

Charlie Sellers

Okay, Allen.

Laura Bingham

So, you're saying the public does not have a right to.

Allen Moseley

So, I mean, this is an amendment to our Land Use Ordinances that's going to apply to all properties.

Laura Bingham

So, if public policy would rather not see this kind of thing, because it really is an exception? Why are you trying to promote something that will be applicable to many versus to a unique situation?

Shane Fox

I would answer in order for us to move forward with any changes, a public hearing is required, which is what's happening tonight for the Town Council to hear and have a chance to contemplate and vote on. That being said the change that's been presented before you would be the future changes that would be enacted to be adopted for enforcement lootable.

Laura Bingham

So, government by exception stance in this situation, as in others when you make an exception.

Charlie Sellers

No, this is a public hearing for simply, anytime we have an ordinance change or an adjustment, it will come out in public hearing no matter what it might be.

Laura Bingham

Right, but the reason for this is my question.

Charlie Sellers

There's, I think that they're going by more of the other ordinances throughout the state and trying to consolidate and streamline and be more in line with other locales. That's been my take on it.

Laura Bingham

I would just say it seems odd.

Charlie Sellers

Thank you, Ms. Bingham. Council.

Doug Matheson

I'll make the motion to close the public hearing.

Charlie Sellers

Do we have a second?

Pete Gherini

Second?

All

All in favor.

Charlie Sellers

Do we have a motion to approve the ordinance change adjustments to the orders or not?

Doug Matheson

I'll make the motion to approve.

Charlie Sellers

We have a motion to approve it. Do we have a second?

David Harwood

I'll second for discussion.

Charlie Sellers

Okay, second for discussion, now it's open for discussion.

Melissa Pickett

Kevin, I have a question, to accomplish what seems to be the task at hand? Could we just change the second paragraph, the townhouse development paragraph and not make any changes to the

townhouse paragraph? That way we're leaving alone the ones that are adjacent to each other. And just changing the development paragraph where they are on the same property, but not necessarily what we consider traditional townhouses. I guess that would be a Kevin and Allen question, maybe.

David Harwood

I guess you'd be removing the last sentence of the townhouse paragraph.

Allen Moseley

I want you to rephrase because I don't have that sitting in front of me.

Melissa Pickett

Oh, sorry.

Allen Moseley

Well, I couldn't print it out, so I'm trying to read it on the screen.

Kevin Rothrock

Did you say leave it in the second one, Melissa?

Melissa Pickett

Yes.

Allen Moseley

Leave it in the second but take it out in the first.

Doug Matheson

Take it out of the townhouse but leave it in townhouse development?

Allen Moseley

Well, they sort of go together, they go together because the townhouse development definition includes the word townhouse. And so, to me, they're sort of integrated together. But I guess the point of this is that we're not eliminating the requirement that the unit owners execute and record in the Register of Deeds and agree that governments maintenance control?

Melissa Pickett

So, my next question then would be by adding this wording, that is not eliminating anybody needing to have an HOA, they still have to have their HOA's?

Allen Moseley

They still have to have an agreement recorded in the Register of Deeds office, which is going to run with the title to their property. Basically, it's just eliminating for very small projects, the requirement that people set up an association, and then go through the formalities of having that. It still required is a recorded agreement in the Register of Deeds office that is going to run with the title. Does that answer your question?

Melissa Pickett

Yes.

Charlie Sellers

We have a first, we have a second. Any further discussion?

Albert Yount

So, we're talking about numbers instead of anything else, small numbers.

Allen Moseley

In reality yes.

Albert Yount

I just don't understand the cons for it. I don't understand the cons, the against here and I don't need to. I accept what you say.

Charlie Sellers

We have a first, we have a second. Council how do you vote?

All

All in favor of the motion.

Charlie Sellers

All right. That change in the ordinance passes. Ladies and gentlemen, the Blowing Rock Historical Society requested that we make June 1st Blowing Rock History Day. Mayor Sellers ready the proposed Resolution for Blowing Rock History Day to the Council. Do I have a motion to approve?

Pete Gherini

So, moved.

Charlie Sellers

Do I have a second?

David Harwood

Second.

All

All in favor of the motion.

Charlie Sellers

Okay, thanks to all those many people that worked on that history walk, it's going to be really great. Gosh, I can't even count the number of people that have been involved with that. So thank you very

much to everybody. All right. Moving right along here, Memorial Park, PARTF. Doug Chapman. Hello Doug.

Doug Chapman

Thank you, Mayor, and Council. As you recall in January, we advertised for bids for the Memorial Park improvements. And we did not receive any bids for the first bid opening; at the second bid opening we received one bid from Greene Construction Company. That bid significantly exceeded the plan budget for the project. And staff had discussions with the PARTF representatives, and they said it would be acceptable if we built the project in phases, as long as we finished within our PARTF time, which is a total of three years. And at the March Council meeting, we were given the direction to discuss what the low bidder just building the restroom portion of the project and the things associated with the restroom building. We had discussions with Greene Construction who was the low bidder and we have not come to a price that we feel like is fit for moving forward with just that portion of the project. So, what we recommend is that we reject the bid received and re-advertise for just the restroom portion of the building. Now there will a little bit of sidewalk work, a little bit of drainage work and water and sewer connections associated with that, because they're part of that project. But that will leave that as a standalone project completely separate from the rest of the park improvements. And then at a point, later in the year, we would proceed to advertise via the rest of the park project.

Charlie Sellers

Council thoughts?

David Harwood

Would the, I'm sorry, Doug helped me to clarify this. So, the restroom project would not come out of PARTF funds correct?

Doug Chapman

Well, the PARTF funds are half a million dollars. Yeah, so we must match it with a half million dollars, the project is, well, the whole project is well more than a million dollars. If we just do the restrooms, the rest of the project is still over a million dollars. Now if we complete everything in the timeframe, we could still use the restroom money as a match if we needed to. But it doesn't have to be completed at the same time. So, it doesn't preclude us from counting it that way. Because they're not concerned about it being one project constructed and bid. They just want to see a project done. And that particular element was not part of what got us points for being awarded the grant. So, completing those separate and ahead of the rest of the project should not jeopardize the grant money at all.

Doug Matheson

What are we estimating the bathrooms at again?

Doug Chapman

That's a number I didn't look up. We originally, I believe, had \$150,000. And I don't remember if that was just for the addition or if that was the addition and renovation because we're renovating the existing bathrooms. So, they'll both look the same new fixtures, finishes, tile, etc. Because it'll be tile walls, new

sinks, hand dryers and all that. So, I can't remember that included all of it. It's going to be more than a half a million dollars I'm sure that.

Doug Matheson

So, what we're hoping is whenever we do rebid this, that we're still looking at, hopefully the bid coming in around a million, not half a million.

Doug Chapman

Yeah, the whole project could likely be closer to a million than to a half a million. But I don't expect it to be close to a million, but it's a tough market right. Now, the other thing I would say is the whole project doesn't mix well for contractors, some of its site related work, a lot of its sub work and some of its building related work. So, the bathroom pretty well takes all the building related work except for the picnic shelter and puts it together. So, it should be easier to get bidders for just a restroom because it's all building related.

Doug Matheson

So, if this is approved, you can have the bathrooms out there by June.

Doug Chapman

No, I think we can have bids back before June or by June, because it's already the middle of April.

Charlie Sellers

Do you all we have a motion to deny?

Melissa Pickett

The price on the restrooms when we were putting the project together.

Shane Fox

The \$450,000 number.

Charlie Sellers

Okay, do we have a motion to deny the bid that was received?

Melissa Pickett

So, moved.

Charlie Sellers

Do we have a second?

Pete Gherini

Second.

Charlie Sellers

Any further discussion?

All

All in favor of the motion to reject the current bid.

Charlie Sellers

Would you like to make a motion to have this rebid with just the bathroom project.

Melissa Pickett

I make a motion that we bid out just the bathroom portion of the project.

Albert Yount

Second,

Charlie Sellers

Further discussion?

David Harwood

That's a new building and renovation to the existing one?

Albert Yount

Now the steps, I don't think, will be involved those horrible steps you have to come up to go into Parks and Rec.

Doug Chapman

Yes. No, that will not be part of the restroom project. Now that will be when we bid the rest of the project, it's part of that.

Albert Yount

Bummer.

Doug Chapman

I didn't say we weren't gonna it, we just aren't going to bid it with the restrooms.

Charlie Sellers

Okay, we have a motion, we have a second. Any further discussion?

All

All in favor of bidding out just the bathroom portion of the PARTF project.

Charlie Sellers

One thing I will recommend, Council, is we have had some conversation, the park project, you need to consider moving forward sometime this summer or maybe in the fall. Authorizing Shane and others to look at rebidding that separate. I think we'd probably get some good bids on that, you know, moving forward, don't you think so Doug?

Doug Chapman

Yeah, I mean I don't think the economy is gonna change enough to make bids significantly different next year as they are next fall as they would this fall. But I think the timing will come to make us be able to move forward.

Charlie Sellers

Okay, thank you. All right. Official reports and comments. As Mayor, I don't have any comments tonight, other than I want to thank you all for attending this evening. I think it means a lot to the Council, and to the citizens. And thank you for all that you do.

Albert Yount

Well just a statement that I read in the Hickory Daily Record, and I passed it onto Shane about the daycare center. Catawba Valley Technical Institute in Hickory, and Hickory/Newton/Conover will fight over where it is, but it's down in Catawba County, has instituted and graduated their first class of people that are trained and licensed to work daycare center. So, there is a great interest in that it appears going on. And I think we're ahead of the curve.

Charlie Sellers

Thank you, Albert.

David Harwood

The only comment I have is a saw where we potentially might be getting a newspaper. It'd be nice to have a Town newspaper for the Town. So, I hope the High-Country Press gets the required number of advertisers they need to make that happen.

Melissa Pickett

I just want to brag on our Town employees. I had a meeting last Tuesday in Town and came down the residential side of Sunset and the guys were cleaning up piles of leaves and waving as I went by, and I came up this side of Sunset and they're mowing grass. It's great to see everybody out getting our Town looking wonderful for the season and being happy doing it.

Doug Matheson

One, I'd like to thank Taylor for sitting in tonight and doing a good job. The other is that I asked that the Council be aware of we just had our Cog Retreat as you heard people talk tonight some about short term rental. Right now, it is at Senate Bill 677 on short term rental is being as far as we know move forward out of the Senate or moving forward in the Senate. Luckily, when we talked to Representative Pickett about this, he said anything come and he will fight like crazy for us. But it was even on the news tonight before we came. In Charlotte it's busted wide open about this news, this bill. Also Senate Bill 675 taken ETJ's away from all municipalities and giving back to the county. So be aware of these two bills as they move forward and contact Mr. Pickett, which is right out there. Ralph Haas, Dustin Hall, those are representatives for our area or anybody else you can think of and let them know your feelings on this because it does help, I believe. And that's the two major things that I had for tonight and we need to be aware of because two things I know we don't want to lose is our control over short term

rentals. I don't care if they are saying, you'll still have to have the inspections and you can still say how many cars can be in the driveway. It's still saying that they can be anywhere they want to in Blowing Rock.

Pete Gherini

A couple of things, we have our Economic Development Commission meeting again in Blowing Rock on the 20th. It'll be a retreat from 11-3, the public is invited. We're having a facilitator come in to put everything together and prioritize the different many things that we've heard from the public so far. So, if any of you are interested in that, please attend. Thanks to Shane and Matt, on the traffic mats that we've talked about. I think they're going to cover that in your remarks, Shane. This will be a test on Cornish and Clark and just a test to see if we can slow down some of the traffic that's zooming around. And so, Shane can articulate more on that. Thanks, Jean, for coming and answering the questions from my email. And again, let me stress those questions were from local citizens, okay. Thank you.

Shane Fox

Council, Mayor, I'll start with Mr. Gherini's comments, we are planning on ordering some temporary speed mats or bumps to try them out this summer in a couple of locations, Cornish and Clark Street being two that we've discussed as being potential issues with cut through traffic. We'll see how those work, they're very inexpensive for the most part. Hopefully they uphold it but it's on a test basis to see how those work. Want to mention along those same lines, our police department, if you've read your staff report, in the last two months, have conducted over almost 600 traffic stops in the last 60 days. Which is a huge number, so that's 10 a day, easy math there. So, compliment the police department for the stops that are taking place. We do have a meeting next week with the NCDOT to go over the Main Street water and sewer and sidewalk project that you all approved last month. That's to go through traffic control measures encroachments etc. So, we're not expecting any issues there and hopefully work will begin sometime in the month of May, which is still our goal with the Main Street project. I do have here a listing of Blue Ridge Parkway Road projects that was given to me today of some potential road closures, one lane and double lanes that I want to make everybody aware of. So, if everyone's been following the last couple of years, the Blue Ridge Parkway has a tremendous amount of deferred maintenance. And so, they're starting this spring, next week with some of these projects overlooks, the parking area, picnic area, the one in our area would be Cone Manor. So, mile marker 294 they're planning on working the next two weeks one lane closure there, so that will not impede traffic other than just some slowdowns. The one that will have a difference is the Price Lake dam repair. If you remember, I guess a couple years ago, the Price Lake issues, they are planning on closing both lanes of traffic for around two weeks sometime this summer. No dates have been given for them to do concrete column repair, supporting the bridge, lowering the lake level along with some dam repairs as well. So, once we get those dates, we'll share those.

Charlie Sellers

Can you put those on our website?

Shane Fox

We can. So those are the two areas in our immediate area. There's many more going towards Deep Gap, Ashe County, Sparta that area, same with going towards Asheville. But I just wanted to point

those two out those are kind of within our area. And then we did receive our TDA numbers today, and I haven't had a chance to share that with you all yet. We are still seeing a slight decline from last year last year being our peak year, February TDA. Numbers, revenue numbers \$94,000, down from \$109,000. Last year, that's about a 13% decrease up \$65,000 from 2020. So, the pre COVID numbers, so we're about 45% pre COVID. That down 13% Compared to last year, year to date, \$1.27 million, compared to \$1.33 million last year \$60,000 Difference year to date, that's 4% decrease. In comparison again 2020 kind of pre COVID Year 43% increase. So, continuing to see those leveling of the numbers with TDA. Same with ABC I use to point out, I haven't pointed those out in the last couple of months, but we've seen a two or three or 4% decrease, very similar. Those two seem to mimic each other. So just wanted to point those numbers out to you and be glad to answer any questions you have.

Charlie Sellers

Okay, counsel, we're going to take a 10-minute recess, ladies, and gentlemen, we're going to be going into closed session. There shouldn't be any decisions made, this strictly for informational purposes.

Albert Yount

Under North Carolina general statute: NCGS 143-318.11. (a)(3)

Charlie Sellers

Thank you so much for attending this evening.

MAYOR _____

Charlie Sellers

ATTEST _____

Hilari Hubner, Town Clerk

ATTACHMENTS

Budget Amendment #2023-08 – Attachment A

Resolution Authorizing Installment Purchase Agreement AMI – Attachment B

Resilient & Thriving Proclamation – Attachment C

151 Valley LLC – Attachment D

Town House Definitions - #2023-03 – Attachment E

Blowing Rock History Day Proclamation – Attachment F