

MINUTES
Town of Blowing Rock
Board of Commissioners
Regular Meeting-September 14, 2010

The Town of Blowing Rock Board of Commissioners met in regular session on Tuesday, September 14, 2010 at 7:05 p.m. Present were Mayor J.B. Lawrence, Commissioners Albert Yount, Phillip Pickett, Tommy Klutz, Douglas Matheson, and Jim Steele. Others in attendance were Town Manager Scott Hildebran, Town Attorney Allen Moseley, Town Engineer Doug Chapman, Planning Director Kevin Rothrock, Police Chief Eric Brown, Public Works Director Mike Wilcox, Finance Director Nicole Norman, Building Inspector Jesse Horner, Emergency Services Director Kent Graham, Parks & Recreation Director Jennifer Brown, and Town Clerk Sharon Greene.

CALL TO ORDER

Mayor Lawrence called the meeting to order at 7:03 p.m. and thanked Ms. Ginny Stevens and TDA Director Tracy Brown for representing the Town during the Blue Ridge Parkway's 75th Anniversary Celebration in Cumberland Gap the previous weekend.

APPROVAL OF MINUTES

A motion was made by Commissioner Pickett, seconded by Commissioner Klutz to approve the minutes for meetings held on August 10 and 31, 2010 as written. Unanimously approved.

Sworn to speak during the following public hearing were Kevin Rothrock, Burt Myers, and Pat Fountain.

PUBLIC HEARING

1. Foggy Rock Restaurant – CUP #2010-03 Minor Amendment

Mr. Rothrock presented Council with a request for a minor amendment to property located at 8180 Valley Blvd. He stated that Mr. Bert Myers was preparing to open a new restaurant at this location and wished to have outside dining on the existing deck and storage in the basement of the building which the original CUP for the property did not allow.

Mr. Rothrock reviewed the site plan for the project. He reported if outside dining on the deck was approved an additional parking space would be required. He also advised the restaurant would be required to comply with the Town's Noise Ordinance and the outdoor service of food and beverage which is prohibited beyond 12:00 midnight.

Commissioner Matheson asked why outside dining had not been allowed at the previous restaurant at that location. Mr. Rothrock stated the restaurant had not requested to have outside dining on the deck and there were not enough parking spaces to meet the code.

Commissioner Klutz reported the deck looked to be strong and asked Mr. Horner if he had evaluated it yet. Mr. Horner stated he had not inspected the deck at the present time, but an inspection would be forthcoming.

Ms. Pat Fountain, a resident of King's Ransom located adjacent to the restaurant expressed concerns that she and her neighbors had regarding noise generated from the outside dining, especially if there was to be music on the deck. Mr. Rothrock stated music on the deck was not specifically mentioned in the CUP. Ms. Fountain also expressed concerns regarding the house located on the property being a health hazard. Mr. Rothrock advised that Council could change the CUP to prohibit live music on the deck if they so desired. Mr. Myers stated he did not plan to have live music on the deck. In reference to the vacant house, Mr. Rothrock stated staff could inspect and evaluate if the house would be eligible for demolition. Commissioner Yount conveyed that he did not want to demolish someone's real property if there was no need.

Commissioner Pickett made a motion to close the public hearing, seconded by Commissioner Klutz. Unanimously approved.

Commissioner Klutz then made a motion to approve CUP #2010-03 as written, seconded by Commissioner Pickett. Commissioner Steele asked if Commissioner Klutz would be willing to amend his motion to include no live music on the outside deck. Commissioner Klutz advised that other restaurants were allowed to have live music outside if they chose to, and he thought it would be nice to allow this restaurant that option. Commissioner Steele asked if Commissioner Klutz would consider modifying his motion to include no amplified live music. Commissioner Klutz agreed to include this in his motion. Commissioner Pickett seconded the amended motion. Unanimously approved.

CUP #2010-03-Minor Amendment – Exhibit A

NEW BUSINESS

1. Mayview Madness – 5K Road Race/Fun Run (November 6, 2010)

Town Manager Hildebran presented a request from the Blue Ridge Conservancy to hold their 11th Annual Blowing Rock Mayview Madness 5K Road Race/Fun Run on Saturday, November 6, 2010. According to Mr. Hildebran, the route would change slightly but the time, etc would remain the same as in previous years.

With no further discussion, Commissioner Pickett made a motion to approve this event as presented, seconded by Commissioner Yount. Unanimously approved.

2010 Mayview Madness Fun Run – Exhibit B

2. NC Department of Transportation Construction Agreement – Main Street Drainage (US 321A)

Town Manager Hildebran presented to Council for their consideration a construction agreement with the NC Department of Transportation for storm drainage improvements along Main Street in front of Town Hall with NCDOT cost participation up to \$31,500.00

According to Mr. Hildebran, a section of the next phase planned for the multi-phase streetscape improvement project would be the area in front of Town Hall and the Library. Due to limited road slope and a shallow cross drain under Main Street at Park Avenue, this area of roadway experiences significant ponding of water along the west side of the road near the sidewalk during rain/snow. To correct the drainage; improvements would consist of installing two (2) catch basins and 15-inch piping along Main Street, and replacing/lowering the existing 18-inch cross drain under Main Street in this area. Mr. Hildebran stated the improvements were necessary in order to meet NCDOT standards.

Mr. Hildebran reported the overall project costs for this phase of improvements was estimated at approximately \$70,000, with 45% being drainage related.

Mr. Hildebran gave a breakdown of what would be included in the \$31,500 reimbursement cost. He reported, should Council adopt the construction agreement, staff would pursue an executed encroachment agreement with NCDOT for this phase of the project. Upon receipt, staff would bid this phase of the streetscape improvements and return for Council consideration of this phase of the plan.

A motion to move forward with the Construction Agreement between NCDOT and the Town for storm drainage improvements along US 321A was made by Commissioner Pickett, seconded by Commissioner Yount. Unanimously approved.

Construction Agreement between NCDOT & Town – Exhibit C

3. Budget Amendment (Ordinance #2010-18)

Council received Budget Amendment Ordinance #2010-18 for their consideration. Mr. Hildebran stated the following fund would be affected by the amendment should Council approve the ordinance:

Section I (General Fund) allocates proceeds from the sale of the Fire/Rescue vehicle on GovDeals to the miscellaneous expense account to be paid to Blowing Rock Fire & Rescue.

Commissioner Yount made a motion to approve Ordinance #2010-18 as presented, seconded by Commissioner Pickett. Unanimously approved.

Budget Amendment Ordinance #2010-18 – Exhibit D

SPEAKERS FROM THE FLOOR

None

DEPARTMENTAL REPORTS

Mr. Hildebran advised that Chamber Executive Director Charles Hardin was present to answer any questions regarding the closing of Main Street during Heritage Day. Mr. Hardin stated that he hoped to see everyone attend the Heritage Day event to be held on September 18, 2010 and everything was going as planned. According to Mr. Hardin, parking would not be allowed on Main Street from Sunset Drive to Chestnut Drive beginning at midnight on the 18th and Main Street would be closed to traffic beginning at 6:00 a.m.

Mr. Hildebran also mentioned the emergency water interconnection project was expected to be completed in the next 30-45 days.

Also, the closing of Hwy 321 for the widening project had been moved forward one hour from 8:00 p.m. to 7:00 p.m. on the regularly scheduled days for closure.

Commissioner Steele commended Public Works Director Mike Wilcox on the great job his crew had done repainting the white lines on several town roads.

At 7:30 p.m., Commissioner Steele made a motion seconded by Commissioner Matheson to enter into closed session for discussion of and/or interest on possible property acquisition. Unanimously approved.

ADJOURN

At 7:43 p.m., Council reentered their regular meeting, with no further business to discuss, the meeting was adjourned.

MAYOR _____
J.B. Lawrence

ATTEST _____
Sharon Greene

ATTACHMENTS (9-14-10)

Foggy Rock Restaurant CUP #2010-03-Minor Amendment – Exhibit A
2010 Mayview Madness 5K Road Race/Fun Run – Exhibit B
Construction Agreement between NCDOT & Town – Exhibit C
Budget Amendment Ordinance #2010-18 – Exhibit D

