

MINUTES
Town of Blowing Rock
Town Council Meeting
October 13, 2015

The Town of Blowing Rock Town Council met in regular session on Tuesday, October 13, 2015 at 6:00 p.m. The meeting took place at Town Hall located at 1036 Main Street, Blowing Rock, N.C. Present were Mayor J.B. Lawrence, Mayor Pro-tem Albert Yount and Council Members Dan Phillips, Sue Sweeting, Doug Matheson and Ray Pickett. Others in attendance were Town Manager Scott Fogleman, Town Attorney Allen Moseley, Town Engineer Doug Chapman, Planning Director Kevin Rothrock, Finance Director Nicole Norman, Public Works and Utilities Director Mike Wilcox, Police Chief Tony Jones, Building Inspector John Warren, Parks & Recreation Director Jennifer Brown and Town Clerk Sharon Greene.

CALL TO ORDER

Mayor Lawrence called the meeting to order at 6:00 p.m. and welcomed everyone.

APPROVAL OF MINUTES

Council Member Sweeting made a motion to approve the September 8, 2015 meeting minutes as written, seconded by Council Member Pickett. Unanimously approved.

SPECIAL RECOGNITIONS AND REPORTS

Highway 321 Report

The Highway 321 Valley Boulevard construction update was given by Planning Director Kevin Rothrock due to Mr. Turner being unable to attend the meeting. Planning Director Rothrock read an email from Mr. Turner regarding the recent progress on the project.

NCDOT Highway 321 Update Email – Attachment A

Council Member Matheson asked Town Manager Fogleman to address the barrier located on Highway 321 at the Chestnut Ridge project. Town Manager Fogleman advised that he had spoken with Doug Eller of NCDOT regarding the possible removal of the barrier and replacing with barrels that could be removed on the weekends to open up both lanes going toward Boone. According to Town Manager Fogleman, Mr. Eller stated that further storm drainage and traffic signal work needed to be completed before that could be accomplished, but that the barriers would be removed as soon as the project allowed.

Council Member Sweeting asked if there was any information regarding the fencing on top of the retaining wall at Food Lion. Town Manager Fogleman advised that Food Lion has been approached about participating financially to upgrade the fencing; however that conversation remained on-going.

Fire Insurance Rating

Mayor Lawrence called upon Fire Chief Kent Graham to give a fire insurance rate report. Chief Graham thanked everyone who was involved with the recent fire insurance upgrade from Class 5/9 to 4/9 effective December 1, 2015. Chief Graham explained the process and stated the increase may have a positive effect on insurance premiums for many properties located within the Blowing Rock Fire District, possibly as much as 8%. Chief Graham stated his department would be in contact with insurance carriers in the area regarding this improvement.

Mayor Lawrence thanked Chief Graham for the great work of his department.

Town Manager Fogleman presented the following Consent Agenda items.

CONSENT AGENDA

1. Caldwell County Side of Blowing Rock Municipal Election Agreement

Due to the State Board of Election changes, registered municipal voters are required to vote in the county in which they reside. Therefore, Caldwell County is required to conduct the upcoming municipal election for the Blowing Rock voters who reside within Caldwell County. An agreement has been prepared by the Caldwell County Board of Elections acknowledging their duty in this regard. **Caldwell County Municipal Election Agreement – Attachment B**

2. Budget Ordinance Amendment to Account For Various Items

Several budget ordinance amendments have been consolidated to account for various items including donations to the Town from the Blowing Rock Rotary Club, St Mary's Episcopal Church of Blowing Rock, and the financial impacts of those included on this agenda, the related budget ordinance amendments have been prepared. In addition, capital project closeout budget adjustments associated with the final audit from fiscal year 2014 are included. **Budget Amendment Ordinance #2015-14 – Attachment C**

3. Agreement for Art in the Park Beginning in 2016

A draft agreement with the Blowing Rock Chamber of Commerce has been prepared regarding the Art in the Park event series. Many of the elements remain the same as in previous agreements. This renewal contemplates changing the location of the event to Park Avenue beginning in 2016 with the resulting closure of Park Avenue to through traffic. Property owners on Park Avenue have been notified and parking spaces for them will be reserved behind the former Fire and Rescue Building along Wallingford Street. It also includes one change in the previously approved list of dated from May 14 to May 7, 2016 to remove a conflict with ASU graduation planned on. **Art in the Park Agreement – Attachment D**

Council Member Pickett made a motion to approve all Consent Agenda items as presented, seconded by Council Member Sweeting.

Council Member Yount asked for clarification regarding the word “contemplates” in reference to the change of location of the Art in the Park events. Town Manager Fogleman responded that this was contingent on Council’s approval and if approved, the location change would be approved changed in the agreement.

Mayor Lawrence then called for a vote on Council Member Pickett’s motion for approval. The motion was unanimously approved.

PUBLIC HEARINGS

1. CUP Ransom Street Duplexes

Planning Director Rothrock stated anyone wishing to speak during the following public hearing should be sworn by the Town Clerk.

Planning Director Rothrock advised that R&R Builders of North Carolina was requesting a conditional use permit to construct two (2) 2-unit townhomes on Ransom Street. Planning Director Rothrock reviewed the site plan for the project stating it met all applicable setbacks, parking requirements, etc. He advised there was a request for the waiver of eight (8) feet of the side landscape buffer on both sides of the site as there is not enough room for planting a buffer of that width.

During the September 17th Planning Board meeting, a recommendation for approval of the conditional use permit application with waiver of reducing the side buffers from 16 feet to 8 feet was made.

Planning Director Rothrock commented that Planning Board Chairman, David Harwood, was present to give the Planning Board’s perspective on the proposed project. Mr. Harwood stated the Planning Board had voted unanimously to approve this project with the requested waiver pertaining to the required buffer. He also commented the project followed the 2014 Comprehensive Plan by protecting the neighborhood’s character and providing additional housing opportunities. Mr. Harwood stated extensive landscaping was planned and he was not aware of any opposition from neighboring property owners.

Council Member Phillips asked if this property was subject to short-term rentals. Mr. Harwood replied that it was not. Planning Director Rothrock explained if the property was located in the Town’s overlay district or was part of a Property Owner’s Association (POA) it could perhaps be a short-term rental, but only if it received Council approval.

Mayor Pro-tem Yount asked Mr. Harwood if he thought that Council and the Planning Board should meet to discuss adjustment of buffer requirements. Mr. Harwood agreed that this would be a good idea.

Council Member Matheson asked about any potential drainage problems for the project.

Planning Director Rothrock stated the property owners Rick and Robin Riddle and project architect, Randy Jones were available for any questions that Council might have.

Mr. Jones explained the drainage system as well as other aspects of the project. He advised a sign would be installed with the street name and house numbers for the townhomes. Mayor Pro-tem Yount suggested Mr. Jones work with the Fire Department regarding the best placement for the sign.

With no comments from the public, Council Member Matheson made a motion to close the public hearing, seconded by Council Member Pickett. Unanimously approved.

Council Member Matheson then made a motion to approve the conditional use permit as presented, stating he thought it was a good design that would complement the area. The motion was seconded by Council Member Pickett. Unanimously approved.

Ransom Street Duplex Project CUP # 2015-03 – Attachment E

Mayor Pro-tem Yount stated as he is a Certified Appraiser, he would like the record to reflect, while voting in favor of the request, he was voting with the “extraordinary assumption” that no abutting properties would be substantially injured in value due to this request and all complaints are reviewed by the licensing board.

2. CUP Moody Building

Those wishing to speak during the following public hearing were sworn by the Town Clerk.

Planning Director Rothrock advised that RWL 1, LLC was requesting a conditional use permit to convert the old Moody Furniture building on Sunset Drive to a restaurant/retail establishment. He reviewed the site plan and stated that a setback waiver between 3 and 7 feet would be needed due to the proposed front porch addition encroaching onto the street setback on Sunset Drive.

Planning Director Rothrock further explained that based on the proposed uses, seven (7) parking spaces would be required; however, the applicant was proposing 21 parking spaces.

Planning Director Rothrock stated the parking lot access would be from Sunset Drive and that staff was recommending a one-way driveway entering into the property from Sunset Drive and exiting in the rear of the property into the Maple Street parking lot to avoid site distance issues on Sunset Drive.

During the September 17th meeting, the Planning Board recommended approval of the conditional use permit application with a waiver of reducing the street setback from 15 feet to 7 feet along Sunset Drive. In addition, the Planning Board recommended approval of waiving the four (4) feet buffer along the western property line from the rear

deck to the front of the building in lieu of an access sidewalk. Planning Director Rothrock stated that David Harwood would give the Planning Board's perspective on this request as well.

Mr. Harwood stated the Planning Board had voted unanimously to approve this request. He commented that Sunset Drive was a key link between downtown and Valley Boulevard and this area was a focus point in the 2014 Comprehensive Plan. This project would provide economic diversity, entice pedestrians to the area and is keeping with the character of the Town. If the waivers received approval, the project would match storefront properties along that area.

Council Member Phillips expressed his concerns with ingress-egress and asked if the Planning Board had addressed how challenging it would be for traffic and to maneuver in the Maple Street parking lot and onto Maple Street. Mr. Harwood responded the Planning Board had not discussed that particular issue in depth. Town Manager Fogleman commented the Town would discuss this with Chief Jones regarding adequate signage.

Council Member Sweeting spoke of her concerns with ingress and egress as well as potential drainage issues.

Council Member Matheson also had concerns with potential drainage issues that would cause debris to be washed onto Sunset Drive.

Michael Trew of Municipal Engineering stated he had been working with the owner of this property for two years and he felt this was a great project. He commented while revitalizing the building, the owner was trying to preserve the historic aspects of the existing building.

Mr. Trew explained a sidewalk with turn-downs would be constructed on the property that would help with any drainage issues. He further explained that storm water would be collected in the parking lot and directed to an underground detention system designed to meet the Town Code. The drainage from storm events would be detained and released to a new drainage system on Sunset Drive that would be installed from the parking lot down Sunset Drive to the Maple Street intersection.

Property owner Bob Lovern explained ownership of the alleyway between his property and adjoining properties fronting Main Street. He stated that legally he could not make any improvements to that particular area.

Mayor Pro-tem Yount stated Mr. Trew was a qualified expert and asked if Mr. Trew felt the proposed improvements with this project would be adequate in reference to storm water issues. Mr. Trew stated he felt they would be.

James Brown, owner of the gravel parking lot adjoining the property expressed his concerns with run-off in the area and stated he didn't think a sidewalk with downturned

gutters would be adequate. He felt a buffer and catch basin was needed in order for gravel and debris to not wash onto Sunset Drive.

Mr. Trew explained the proposed project was required to collect their storm water and detain it and he felt the sidewalk would be adequate.

Council Member Phillips asked if this project stood alone without all these other issues being discussed and was there anything that affected the merit of the CUP that Council was asked to vote on. Mr. Trew and Planning Director Rothrock both stated it did and they didn't feel anything affected the merit of the CUP.

Mr. Harwood agreed the focus had been on water run-off rather than the overall impact this project would have on the Town.

Mr. Lovern stated that he would be willing to work with the Town should there be any drainage issues with this project.

With no other public comments, Council Member Pickett made a motion to close the public hearing, seconded by Council Member Matheson. Unanimously approved.

Council Member Phillips made a motion to approve CUP No. 2015-04 as presented, seconded by Council Member Matheson. Unanimously approved. **Moody Building Renovation – CUP No. 2015-04 – Attachment F**

DISCUSSION AGENDA

1. Bid Award for Chestnut Ridge Water and Sewer Service Project

Town Engineer Doug Chapman explained that bids had been solicited and on October 8, 2015, five (5) bids were received for the water and sewer extension project associated with Chestnut Ridge, the Post Acute Care Facility project currently under construction by Appalachian Regional Healthcare System. Thomas Construction Company, Inc. was the lowest bidder at \$1,518,735.00. According to Mr. Chapman, the bids received were in excess of the budget prepared for the project in 2012 in the amount of \$240,000.

Mr. Chapman then gave a detailed summary of the total cost of the project and the funding sources. He stated since the bid opening, McGill Associates had been in contact with the low bidder to determine possible areas to reduce the project cost. The largest savings would be removal of the water booster station and utilizing a rental/portable pump should the need arise.

Mr. Chapman further explained that several piping changes could be made and additional changes were explored at the sewer pump station to reduce costs as well. Mr. Chapman reviewed the following cost saving measures with Council:

• Install PVC Pipe where feasible	\$ 26,400
• Install smaller casings for bores	\$ 8,400
• Remove future stub-out at pump station	\$ 15,000
• Relocate pressure reducing valve in lieu of new valve	\$ 30,100
• Delete painting of aerial sewer supports	\$ 8,000
• Modify 18" aerial sewer piping	\$ 20,000
• Delete portable pump hoist	\$ 1,500
Piping Changes Subtotal	\$109,400
Delete Water Booster Pump Station	\$ 240,000

Council had questions regarding the water booster station should the need for one arise. Mr. Chapman explained the reasoning for the water booster and advised the Town could either purchase or rent one if they needed one in the future.

Mayor Pro-tem Yount asked Mr. Chapman why the cost was so much higher than originally thought. Mr. Chapman explained this project was difficult due to the road construction, the amount of rock, telephone cables, etc.

Council Member Pickett made a motion to approve the bid award to Thomas Construction Company, Inc., with deductions, seconded by Council Member Phillips. Unanimously approved. **Chestnut Ridge Water & Sewer Bid Award Staff Report & Presentation – Attachment G**

SPEAKERS FROM THE FLOOR

None

EXECUTIVE SESSION

At 8:20 p.m., Council Member Sweeting made a motion to enter into Closed Session pursuant to NCGS 318.11.A, seconded by Council Member Matheson. Unanimously approved.

A brief recess was taken at this time.

ADJOURNMENT

At 9:00 p.m. Council reentered their regular meeting and with no further business to discuss the meeting was adjourned.

MAYOR _____ **ATTEST** _____
J.B. Lawrence **Sharon Greene, Town Clerk**

ATTACHMENTS

- NCDOT Highway 321 Update Email – Attachment A
- [Caldwell County Municipal Election Agreement – Attachment B](#)

Budget Amendment Ordinance #2015-14 – Attachment C
2016 Art in the Park Agreement – Attachment D
Ransom Street Duplex Project CUP # 2015-03 – Attachment E
Moody Building Renovation – CUP No. 2015-04 – Attachment F
Chestnut Ridge Water & Sewer Bid Award Staff Report & Presentation – Attachment G