

# MINUTES

## Blowing Rock Board of Commissioners

Tuesday, June 12, 2001

The Mayor and Board of Commissioners for the Town of Blowing Rock met in regular session on Tuesday, June 12, 2001 at 7:00 p.m. Present were Mayor J. B. Lawrence, Commissioners Barbara Ball, Terry Lentz, Michael Sweeting, Charles Travis, and Rita Wiseman. Also present were Town Manager Don Holycross, Town Attorney Allen Moseley, Town Engineer Marion Rothrock and Town Clerk Barbara Beach. Other staff members attending the meeting were Director of Public Works Johnny Lentz, Police Chief Owen Tolbert, and Building Inspector John Warren.

### Approval of Minutes:

Mr. Travis made the motion that the minutes of the May 8, May 22, and May 30 meetings are approved as submitted. Mr. Sweeting seconded the motion, and it was approved unanimously.

### Public Hearings:

#### **1. 2001 - 2002 Annual Operating Budget**

Town Manager Don Holycross summarized the highlights of the proposed budget for fiscal year 2001-2002 and Mayor Lawrence opened a public hearing to receive comment on the budget. Wayne Green was recognized to address the Board, and suggested several changes to the proposal. No one else rose to speak, and upon motion of Mrs. Ball, second by Ms. Wiseman, the public hearing was closed. Then Ms. Wiseman moved that the proposed budget be ratified as presented. Mrs. Ball seconded the motion, and it was approved unanimously.

*Budget Ordinance Attached as Exhibit A*

#### **2. Draft Ordinance Clarifying Outside Display of Merchandise**

Mayor Lawrence opened the public hearing to allow citizens to speak on the draft ordinance that would clarify the ordinance pertaining to outside display of merchandise. The Planning Board recommended that outside display be permitted on covered porches, decks, and stoops that meet certain criteria. This recommendation was drafted as Ordinance Option A. The Planning Board also recommended that other outside display be permitted on a case by case basis through the conditional permit process, and this alternate draft ordinance was presented as Option B.

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Council members expressed their opinions about the proposals. Ms. Wiseman preferred Option A, which would prohibit any outside display except as allowed by conditional use permit. Ms. Ball and Mr. Lentz stated that the merchants should be allowed to have outside display, with the Merchants Association and Chamber of Commerce assisting with the policing of tasteful display. Mr. Travis believed that allowing unregulated outside display would be a mistake, and he preferred Option B because he believed it is easy to understand and

enforceable. Mr. Sweeting suggested Option B be approved, or that the outside display ordinance be rescinded. Several merchants spoke in favor of unregulated outside display of merchandise, assuring Council that they will police themselves in presenting displays that are tasteful and in keeping with the village atmosphere.

After additional discussion, Mr. Sweeting moved that the public hearing be closed, and Ms. Wiseman seconded the motion. Mr. Lentz made a motion that the present outside display ordinance be rescinded. Mrs. Ball seconded the motion, and Mayor Lawrence called the question. Voting in favor of the motion: Mr. Lentz, Mrs. Ball, and Mr. Sweeting. Voting against the motion: Mr. Travis and Ms. Wiseman. The motion was approved.

Mayor Lawrence called for a five-minute recess.

The meeting reconvened at 8:30 p.m. with the next public hearing.

### **3. Conditional Use Permit # 2001-06 - Robert & Mary Kay Menees**

Mr. and Mrs. Menees submitted a revised site plan and building elevations for their CUP application that had been tabled by the Council at the May meeting. They propose a mixed use building on Morris Street, with one retail unit on street level and one residence on the second floor. They are proposing to construct a sidewalk along Morris Street that would encroach 2'6" into the street right-of-way so that it would line up with existing sidewalks along that side of Morris Street.

Council members discussed the proposed location of the sidewalk, debating the merits of allowing the encroachment into the right-of-way. Mr. Travis moved that the public hearing be closed, and Mrs. Ball seconded the motion.

Mr. Sweeting moved that the draft CUP be approved as submitted, and the sidewalk to be relocated back to the property line. Mr. Lentz seconded the motion, and the vote was called. Voting in favor of the motion: Mr. Sweeting, Mr. Lentz, Mrs. Ball, and Mr. Travis. Voting against the motion: Ms. Wiseman. The motion was approved.

*Conditional Use Permit No. 2001-06 Attached as Exhibit B*

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### **Old Business:**

#### **1. Location for "Girl with Doves" Sculpture**

Council considered several possible locations to place the sculpture that has been offered to the Town by artist Richard Hallier. Upon motion of Ms. Wiseman, second by Mr. Lentz, Council voted unanimously to place the art in the hosta garden of Broyhill Park. This garden area has a circular walkway with several benches and would be visible from several areas of the Park.

## **New Business:**

### **1. Draft Ordinance Requiring Recombination of Lots to be Reviewed**

Council considered a draft ordinance that would require any adjustment in lot boundary lines to be reviewed by the Town to assure that the proposed adjustment would conform to the provisions of the Town Code relating to lot sizes, frontages, setbacks, etc.

Ms. Wiseman made motion that the draft ordinance be referred to the Planning Board for their review and recommendation. Mrs. Ball seconded the motion, and it was approved unanimously.

### **2. Budget Amendment for FY 2000-2001**

Mr. Holycross advised the Board that all the expenses and revenue for the month of June have not yet been received and that these will be brought for approval at a special meeting to be scheduled for the end of June.

Mr. Holycross also announced that the Police Department has been awarded a grant in the amount of \$40,633 from the Governor's Crime Commission. He asked that the Council approve a budget amendment in this amount for the 2001-2002 fiscal year. This action was unanimously approved by the motion of Mr. Sweeting and second by Mr. Lentz. Mr. Holycross commended Carol Bolick, dispatcher, for her diligent work in applying for the grant.

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### **3. Employment Agreement for Town Manager**

Council reviewed a draft employment agreement, which outlines terms of employment for the Town Manager. The agreement would not guarantee any specific length of employment for Mr. Holycross, but it does provide for a severance package if the Town terminates employment. Mr. Lentz made a motion that the agreement be ratified, Mrs. Ball seconded the motion, and it was unanimously approved.

*Employment Agreement Attached as Exhibit C*

## **Adjournment**

There was no further business, and Mayor Lawrence adjourned the meeting at 9:30 p.m.

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J. B. Lawrence,  
Mayor

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Town Clerk