

MINUTES

Blowing Rock Board of Commissioners

Tuesday, April 8, 2003

The Mayor and Board of Commissioners for the Town of Blowing Rock met in regular session on Tuesday, April 8, 2003 at 7:00 p.m. Present were Mayor J. B. Lawrence, Commissioners Barbara Ball, Terry Lentz, Rita Wiseman, Keith Tester, and David Wray. Also present were Town Manager Scott Hildebran, Town Attorney Allen Moseley, Town Engineer Marion Rothrock and Assistant Town Clerk Sharon Greene. Other staff members attending were Director of Public Works Johnny Lentz, Police Chief Owen Tolbert, Planning Director Kevin Rothrock, Building Inspector John Warren, and Recreation Director Kim Oberle.

Call to Order:

At this time, Mayor Lawrence called the meeting to order and spoke of the loss of a prominent citizen in the community, Dr. Charles Davant, Jr.

Approve Minutes:

Upon motion by Rita Wiseman, and seconded by Barbara Ball, Council voted unanimously to approve the minutes of the meeting held on Tuesday, March 11, 2003, and special meetings held on March 3, 2003 and March 10, 2003.

PUBLIC HEARINGS:

1. Capri V, LLC – The Attic – Retail Furniture Showroom – CUP #2003-02

Mr. Clark Isaac, a representative from Capri V, LLC requested a conditional use permit to construct The Attic, a 19,500 square foot retail furniture showroom. The location for this project would be at the corner of Hwy 321 Bypass and Main Street.

On hand for discussion was adjacent property owner, Mrs. Paul (Carol) Coffey represented by her sons Albert Coffey and Lewis Coffey. Both Albert and Lewis Coffey voiced their concerns of how this project will affect their mother's property and also expressed their concerns for Mrs. Coffey should the driveway be changed.

After a lengthy discussion concerning several unresolved issues, Barbara Ball made a motion to close the public hearing, seconded by Rita Wiseman. It was the consensus of the Council that this project would be an enhancement to Valley Boulevard, but there were driveway issues that needed to be worked out. Commissioner Wiseman made a motion to table this project and was seconded by Commissioner Ball. All members were in favor.

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2. Zoning Ordinance Amendment – Ord #2003-03 (Information/Message Signs)

Mr. Rothrock, Planning Director drafted an amendment to the sign ordinance that would provide an information/message board sign for restaurants and real estate agencies in the Central Business District. This amendment would allow (1) message board, attached to the building, for restaurants or real estate offices. The sign would be a maximum of (3) square feet.

This amendment was reviewed by the Planning Board in March and recommended that it be approved with certain modifications shown as follows:

In addition to signs otherwise permitted, restaurants and real estate agencies in the Central Business District may display message boards to display information to the public. Restaurants may have a flush-mounted, attached, wall sign, no larger than three (3) square feet for display of menu items. Real estate agencies may have up to two (2) flush-mounted, attached, wall signs, no larger than six (6) square feet each for display of real estate information.

After a lengthy discussion by Council and various members of the audience, it was the consensus of Council that this item be referred back before the Planning Board. Commissioner Tester made the motion to table this agenda item so that it could go to the Planning Board for them to incorporate more specific guidelines concerning the size and appearance of business displays and look at placing the regulations under Outdoor Display. Commissioner Wray seconded the motion, with all members in favor.

A motion to suspend enforcement of businesses in violation of this section of the ordinance was made by Commissioner Ball, seconded by Commissioner Wray. All members were in favor of the motion.

3. Zoning Ordinance Amendment – Ord. #2003-04 (Wall Signs)

An amendment to reduce the allowable size of attached wall signs from two (2) square feet per linear foot of building frontage to one (1) square foot of building frontage with a size limitation of 60 square feet in non-residential zoning districts was presented by Planning Director Rothrock. A motion was made to open for public hearing. There being no comments, Commissioner Tester continued on with his motion to approve as submitted and was seconded by Commissioner Ball. All Council members were in favor of the motion.

Zoning Ordinance Amendment No 2003-04 (Wall Signs) attached as Exhibit A

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PRESENTATIONS:

1. WinterFest Report

Representing the WinterFest Committee was Earl Horne. Mr. Horne spoke of the success of the 2003 festival and presented checks to the Police Department, Fire and Rescue Departments as well as other various organizations.

2. Blowing Rock Art & History Museum, Inc.

Ginny Stevens, representing the Art & History Museum Foundation, spoke of their anticipated plans. She spoke of the many useful aspects of the museum and what an asset it would be to the town and its residents.

Sue Glenn presented Council with a number of architectural plans for the Art & History Museum and a parking deck for their review.

Wellborn Alexander spoke to Council requesting a Resolution from the town regarding a lease agreement between the Art & History Museum and the Town. Commissioner Lentz made a motion for the Town Manager to begin drafting an agreement between the Art & History Museum and the Town with the stipulation of a time limit being included. Commissioner Wray seconded the motion with unanimous approval of the Council.

OLD BUSINESS:

1. CUP #2002-02 Carolina West

Mr. John McMillan, representing Carolina West Wireless requested a Conditional Use Permit (CUP #2002-02) to erect a 50-foot tall cell tower behind the Dollar General store in Blowing Rock Square located at 7533 Valley Blvd. This request was deferred at last month's meeting.

Since the applicant had proposed an alternative tower structure, staff felt this new location would require a new formal application and for applicant to go before the Planning Board again. After much discussion concerning this issue. Commissioner Wray made a motion to send this request back to the Planning Board on the same application. He also requested that the applicant provide a mock tower on the proposed building (Dollar General). Commissioner Wiseman seconded his motion with unanimous approval from Council.

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2. Waiver of Fees Policy – Non Profits

At a previous meeting a non-profit organization had requested that their water/sewer fees be waived because of their non-profit status. The Town Manager and Town Council felt this issue should be further investigated. After speaking with the Institute of Government, Mr. Hildebran presented to Council his recommendation as follows:

The Town as a general policy will not consider waiver of water and sewer fees. The only exception will be for town, county, state or federal governmental entities.

The Town will waive up to a maximum of \$1000 per project in building permit fees (building, electrical, mechanical, and plumbing) for non-profit organizations. Each non-profit shall provide the Town with proof of their Federal Internal Revenue Service non-profit status.

The Building Inspector, with the approval of the Town Manager, shall have the authority to waive building permit fees up to the maximum referenced above. However, the Building Inspector shall provide a report to the Town Council at their next regularly scheduled meeting to notify the Board of the action.

Commissioner Lentz made the motion to accept the above recommendation with one exception, he requested the word **will waive** be changed to read **may waive up to a maximum of \$1000 per project**. Commissioner Ball seconded the motion with all members being in favor.

NEW BUSINESS:

1. Audit Contract Approval – Billy G. Combs, CPA

Mr. Hildebran presented Council with the audit contract for fiscal year 02-03 with Billy G. Combs, CPA in an amount not to exceed \$16,000. Commissioner Wiseman made a motion to accept the contract and was seconded by Commissioner Wray, with approval of all members.

2. Blowing Rock Emergency Fest- Request to use Parking Lot

Angie Gregg, Safety Officer for the Town had submitted a request to block off a portion of Park Avenue/Wallingford Street on Saturday, May 31, 2003 for a public safety festival. Mrs. Gregg also wanted the town to allow a banner for this festival. Council mentioned they did not want to set precedence for others who might want to have a banner up for their event, but since it was for the town, and a good cause it would be allowed this time. Commissioner Wray made a motion to allow the portion requested of Park Avenue/Wallingford Street to be blocked for this event. Commissioner Ball seconded his motion, with unanimous approval from all members of Council.

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3. Tree Ordinance Committee

Eleven names were submitted to Council as potential members of the Tree Ordinance Committee. Commissioner Wiseman felt the committee would be too large with all eleven members. After some discussion, Commissioner Wiseman made a motion that the Tree Ordinance Committee consist of the following people: **Kevin Rothrock, Jim West, Terry Lentz, Lonnie Webster, Ron Oberle, Linda Campbell, Bill Baulknight and Perry Davis** who will serve as chairman. Commissioner Ball seconded the motion. All members were in favor.

4. Parks & Recreation – Van Purchase

Parks & Recreation requested to purchase a 15-passenger van. Informal bids were received. Mack Brown was chosen to purchase from at \$21,500 for a Chevrolet Express Van. A motion was made by Commissioner Wiseman to move ahead with the purchase of the vehicle and was seconded by Commissioner Ball.

5. GIS- Professional Service Contract

Town Manager Hildebran requested permission to proceed with acquiring a contract for Geographical Information System Services. He recommended the contract be split between two firms, Highland Mapping LLC and Anderson Associates. Commissioner Lentz made the motion to move ahead with these contracts. Commissioner Wray seconded his motion with unanimous approval from all members.

Mayor J.B. Lawrence

Sharon H. Greene, Assistant Town Clerk