

MINUTES

Town of Blowing Rock

Board of Commissioners

Regular Meeting – November 13, 2007

The Town of Blowing Rock Board of Commissioners held their regular meeting on Tuesday, November 13, 2007 at 7:00 p.m. at the Town Hall Council Chambers. Attending were Mayor J.B. Lawrence, Commissioners Bobby Ball, Keith Tester, Terry Lentz, Rita Wiseman and Tommy Klutz. 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 Johnny Lentz, Emergency Services Director Kent Graham, Finance Director Nicole Norman, Planning Intern Adam Stillman, Parks & Recreation Director Jennifer Brown, and Town Clerk Sharon Greene.

CALL TO ORDER

Mayor Lawrence called the meeting to order at 6:55 p.m. and welcomed those in attendance.

PRESENTATION

The Blowing Rock School Chorus, under the direction of Mrs. Becky Reis entertained everyone with several songs.

Mayor Lawrence thanked them for their presentation.

APPROVAL OF MINUTES

A motion was received from Commissioner Lentz to approve the October 2, 2007 minutes as written, seconded by Commissioner Wiseman Unanimously approved.

PUBLIC HEARINGS

Planning Director Kevin Rothrock and Annette Munz were sworn to speak during the public hearing.

1. CUP #2006-09 Pssghetti's Restaurant Parking Lot – Major Amendment

Planning Director Rothrock presented a request from Blowing Rock Renovators for a major amendment to CUP #2006-09 to add a 14-space parking lot at Pssghetti's Restaurant. Mr. Rothrock explained the restaurant currently has a 25-space parking lot that serves the business. He also advised a parking lot expansion of 25 spaces was approved in June of 2006, but was not constructed and the plans have since been revised. Mr. Rothrock advised the proposed parking lot expansion would involve less of a disturbance to the property than the plan approved in 2006.

Mr. Rothrock further explained the majority of the lot is severely sloped, but the proposed lot should not exceed 7% grade according to the site engineer. He stated the restaurant utilizes valet parking attendants to serve their customers and will continue with this service. Mr. Rothrock conveyed the proposed parking lot access drive would cause two (2) existing spaces to be eliminated, and with the approval of the proposed change, a total of 37 spaces would exist.

Storm water management and landscaping were also briefly discussed. Mr. Rothrock acknowledged the proposed CUP did not require a retaining wall for the proposed parking lot. However, after detailed review it appeared that a retaining wall would be needed in the northeast corner of the lot to keep the grading within the boundaries of the General Business zoning of the property.

Council was advised that during the October 18th meeting of the planning board, the proposed major amendment to CUP 2006-09 was approved.

After a brief discussion regarding handicap spaces and the retaining wall, a motion was made by Commissioner Ball, seconded by Commissioner Klutz to close the public hearing.

Commissioner Tester made a motion to approve Major Amendment #2 to CUP 2006-09 with the following changes: in Item 2, second sentence, that reads ***unless spaces are reduced from additional required landscaping***, be removed, in Item 5, the word ***may*** be changed to ***will***, and Item 9, wording be changed that added requiring the engineer cost estimate ***be reviewed and agreed upon by the Town Planning Director***, seconded by Commissioner Klutz. Commissioner Lentz suggested the motion be amended to include; the second handicap parking space be specifically marked on the proposed plans. Commissioner Tester agreed to this addition, seconded by Commissioner Klutz. Unanimously approved. **CUP 2006-09 Exhibit A**

NEW BUSINESS

1. Dogs in the Park

During the September 11, 2007 Council meeting, Mr. & Mrs. David Baskin urged Council to further review town policy on no dogs allowed in town parks. It was their desire that this policy be changed to allow pets in these areas.

Previously in 1982 a policy was enacted prohibiting dogs in the municipal parks and signs were installed stating such. In June of 1993, Council voted on the subject and decided not to allow dogs in any municipal park.

Mayor Lawrence inquired if anyone wished to speak on this subject. Mr. David Baskin began by thanking Council for adding this topic to their agenda. He requested that Council rescind the policy and allow dogs in town parks; if not all the time, during special events such as July 4th, Concerts in the Park, etc. if they were on leashes and well behaved. Mr. Baskin also suggested that bags be provided by the Town for the purpose of cleaning up after the dogs.

Mr. David Laughter disagreed with Mr. Baskin's statement by communicating that he too had dogs but he also has two small children who visit the park frequently and children playing the in park should not have to step or roll in dog waste.

Next to speak was Ms. Regina Pelsmaeker, informing Council she had walked her dogs around Mayview Lake for the past 40 years and that she frequently walked at Davant Field. Ms. Pelsmaeker expressed that she would like to continue walking her dogs as she had in the past and urged Council to allow this.

Ms. Karen Hamby commented that a compromise should be met regarding this issue. She suggested that the front area of Memorial Park allow dogs on leashes but not in the playground area.

Mr. R.V. Hayes reiterated that a compromise should be established and agreed that dogs should be allowed in the front area of Memorial Park.

Ms. Annette Munz acknowledged that she did not see how this could be patrolled and separated to allow dogs in one area and children in the other.

Ms. Lisa Carlson stated she was the previous owner of The Barking Rock Boutique and Blowing Rock was a very pet-friendly town. She advised several downtown shops allowed pets and that Blowing Rock has many pet-friendly motels too. Ms. Carlson agreed a compromise should be made.

Ms. Mary Jo Hayes expressed the need for a compromise in this situation and felt that bags should be provided to pet owners to clean up after their pets.

Mrs. Jean Baskin spoke of her desire for dogs to be allowed in town parks.

Mayor Lawrence thanked everyone for their comments and conveyed that Council would need to discuss this matter further at their annual retreat held in January before a final decision could be made.

Commissioner Klutz suggested the park be divided into two sections with fencing to allow dogs in the front but not beyond the fence where children were playing. Mr. Klutz felt that Town policy should be enforced in reference to this issue.

2. Surplus – Vehicles/Equipment (Resolutions #2007-15)

Town Manager Hildebran presented Council with Resolution #2007-15 authorizing the appropriate Town Official to dispose of personal property valued at less than \$5,000 through informal procedures to obtain fair market value.

Mr. Hildebran also presented Resolution #2007-15 to Council for their consideration declaring the following equipment surplus and authorizing the Town Manager to sell on GovDeals.com.

- 1989 FMC Sewer Jet & Trailer – SN#2073
- 1999 Subaru Legacy Wagon, 55,000 miles – VIN#0751
- (5) Student Desk with hutch

- (5) Dell Computer Monitors
 - 2 –2002 Model M782
 - 1 - 1999 Model M780
 - 1 – 1999 Model P990
 - 1 – 1996 Model D17280-LS

- Okidata Pacemark 3410 Printer – Model #GE8288A

- Nakajima Typewriter AE-710 – Model #EW-1000

A motion was received from Commissioner Wiseman approving Resolution #2007-15 as presented, seconded by Commissioner Lentz. Unanimously approved. **Resolution #2007-15 Exhibit B**

2. **Emergency Services Building Project – Change Order #003**

Town Manager Hildebran presented Council with Change Order #003 for building/site work changes totaling \$56,698.60 at the Emergency Services Building Project.

Mr. Hildebran stated with the previously approved change orders the new contract sum totaled \$4,382,394.01. He also advised the budget included \$276,000 for contingencies for this project and the total change order to date was \$103,394.01 or 2.42% of the original contract.

Commissioner Lentz asked why some of the changes listed in Change Order #003 had not been figured into the original cost estimate. Commissioner Klutz inquired if these were items that were missed or were the plans being “tweaked”. Emergency Services Director Kent Graham stated that a little of both probably accounted for the change order request.

Commissioner Lentz made a motion for Town Manager Hildebran, Emergency Services Director Graham as well as the building committee to meet with the project architect and renegotiate the items listed on Change Order #003, seconded by Commissioner Klutz. Unanimously approved.

3. **Budget Amendment (Ordinance #2007-10)**

Budget Amendment (Ordinance #2007-10) for fiscal year 2007-2008 was presented to Council for their approval by Town Manager Hildebran. Mr. Hildebran stated that Section One on the General Fund allocated additional funds received for the Powell Bill Expenses and recognized reimbursements from Watauga County for Davant Field improvements. Section Two was on the Water/Sewer Fund recognizing insurance reimbursements for repairs made to a water plant vehicle.

With no further discussion, a motion was made by Commissioner Wiseman approving Ordinance #2007-10 as presented, seconded by Commissioner Ball. Unanimously approved. **Ordinance #2007-10 Exhibit C**

SPEAKERS FROM THE FLOOR

None

DEPARTMENTAL REPORTS

Council inquired about the current drought situation. Public Works Johnny Lentz advised the water reservoir was 4 inches below full pond and the town would start pumping from Chetola the next day. Town Manager Hildebran stated the long-range forecast was not favorable for rain and a dryer than normal winter was also expected.

Commissioner Wiseman inquired about the meeting with the Department of Natural Resources that Mayor Lawrence and Mr. Hildebran attended. Mayor Lawrence stated interconnection with the Town of Boone was discussed and a DENR representative conveyed now might be a good time to request funds from the State. Mr. Hildebran stated that Stage III Water Restrictions were still in effect.

With no further business to discuss, the meeting recessed until 5:00 p.m. on November 14, 2007 to discuss fiscal year audit for 2006-2007 with town auditor Billy Combs.

Mayor _____

J.B. Lawrence

Attest: _____

Sharon Greene, Town Clerk

Attachments

Exhibit A - CUP #2006-09 (Pssghetti's Restaurant)

Exhibits B - Resolution #2007-15 (Surplus Vehicle/Equipment)

Exhibit C - Ordinance #2007-10 (Budget Amendment)