

Draft
MINUTES
Town of Blowing Rock
Town Council Meeting
July 11, 2017

The Town of Blowing Rock Town Council met in regular session on Tuesday, July 11, 2017, 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 Jim Steele, Sue Sweeting, Doug Matheson and Ray Pickett. Others in attendance were Town Manager Ed Evans, Town Attorney Allen Moseley, Town Engineer Doug Chapman, Finance Officer Nicole Norman, Planning and Inspections Director Kevin Rothrock, Public Works and Utilities Director Mike Wilcox, Fire Chief Kent Graham, Police Chief Tony Jones and Town Clerk Hilari Hubner, who recorded the minutes.

CALL TO ORDER

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

ADOPTION OF AGENDA

Council Member Sweeting made a motion to adopt the agenda, seconded by Council Member Pickett. Unanimously approved.

SPECIAL RECOGNITIONS AND REPORTS

Highway 321 Valley Boulevard Construction Update

Kipp Turner of Maymead Construction was unable to attend the meeting. Town Manager Evans read the following update.

- Minor work continues between S. Main and Green Hill road such as utility tie-ins and incidental concrete. Most of the paving and backfilling of curbs and sidewalks have also been completed in this area except for the final asphalt layer
- Utility repairs to the underground ductbank are occurring at Green Hill Road and will hopefully be completed this week
- Concrete and driveway work has been completed at the Furniture Store and the adjacent Residence
- Concrete work for the driveways has been completed at the Holiday Inn and the curbs are currently being backfilled. Paving of the hotel drives is scheduled for next week.
- The old "A" frame house that was serving as the NCDOT field office across from Woodlands was demolished last Friday and Saturday. The remaining grade work at this location is scheduled to begin later this week followed by the remaining sidewalk next week.

- Repair of broken sidewalks and curbs from Tanger to S. Main have also been identified.
- Other “punch list” items are being identified from Tanger to Green Hill Road in preparation of placing the final asphalt layer through the town portion of the project
- Before placing the final layer, there will also be some milling of high areas and leveling of low areas along 321 to prepare for the final layer
- The goal is to begin the final layer of asphalt by the end of the month, ideally sometime the week of July 24th if all of the repair work and additional work can be completed by then
- Traffic loops are scheduled to be cut in the pavement on US 321 at South Main for the new traffic signal that will be installed at the location. I do not have an estimated date for when the signal itself will go up because the mast arm poles for the new signal are not readily available. The supplier has indicated it will take at least several months to obtain the poles.
- Drilling on the existing cut slopes has begun on the mountain as the drilling contractor installs anchors and mesh to stabilize the existing rock cuts.
- Drilling in existing 321 is scheduled to begin tomorrow just south of Cone Orchard Road to stabilize the existing roadway fill and prevent future settlement.
- Traffic was shifted to the north bound side yesterday from the area of the old NCDOT salt bins to Blue Ridge Vista Condos so that work could begin on a new wall on the south bound side.
- Work continues on several different walls on the mountain portion of the project
- We have made note of the symphony event on the north end of town on July 28th and will minimize impacts to traffic in that area after 12pm on that day.

APPROVAL OF MINUTES

Council Member Steele made a motion to approve the minutes for the regular meeting held on June 13, 2017 and Mid-Year Retreat meeting held on June 26, 2017, seconded by Council Member Pickett. Unanimously approved.

CONSENT AGENDA

1. Tax Releases

Various tax adjustments over time become apparent and present themselves in the form of requests for releases (adjustments) and refunds. Two (2) tax releases totaling \$816.56 have been identified for Council approval. **Tax Releases for NC Assets, LLC - Attachment A**

2. Annual Tax Settlement Report and Order of Tax Collection

Consideration of the Tax Collector 2016 Settlement Report and approval of an order of the Town Council for the collection of 2017 taxes representing revenues for fiscal year 2017-2018. **Annual Tax Settlement Report and Order of Tax Collection – Attachment B**

3. Governing Body Resolution – IRFFNC

For the Interlocal Risk Financing Fund of North Carolina. **Governing Body Resolution – IRFFNC - Attachment C**

4. Interlocal Agreement for a Group Self-insurance Pool for Property and Liability Risk Sharing

Accompany' s the Governing Body resolution and has to do with joining the insurance pool with the NC League. **Interlocal Agreement – Attachment D**

5. NCLM Insurance Pool – Property & Casualty

Originally approved at the June 26th meeting, but placed on the agenda at the advice of legal council to do so to make it as transparent as possible.

6. Budget Amendment – 2017-05

Originally approved at the June 26th meeting, but placed on the agenda at the advice of legal council to do so, to make it as transparent as possible. **Budget Amendment – 2017-05 – Attachment E**

Mayor Pro-tem Yount asked Town Manager Evans how much the Town would be saving annually in insurance by switching to the NC League, Manager Evans advised it would be approximately \$14,000.

With no further questions or comments, Council Member Sweeting made a motion to approve the Consent Agenda as presented, seconded by Mayor Pro-tem Yount. Unanimously approved.

PUBLIC HEARING

1. Blowing Rock Market – Conditional Use Permit Amendment

Planning Director Kevin Rothrock stated, Mountaineer Marketing Inc. is requesting an amendment to conditional use permit # 2000-02 to make changes to the parking and outdoor seating and enclosing of the current patio at the Blowing Rock Market.

Mr. Rothrock advised the original permit approved in April 2000 allowed a convenience store/retail market and deli with gas sales. The permit specified that eighteen (18) parking spaces would have been required for the project but a variance was issued to require only nine (9) spaces. Four (4) of the required spaces were located at the gas pumps.

Mr. Rothrock further advised the applicant is proposing to keep the same uses on the property but increase the outdoor dining component while reducing the gas sales by removing one (1) pump nearest the entry door. The applicant is proposing to:

1. Enclose the existing covered patio
2. Remove the gas pump closest to the entry door
3. Add angled parking spaces on the right side of the parking lot

4. Add up to thirty-eight (38) seats of outdoor dining under the main canopy and to the right of the canopy
5. Move the existing ADA space to the left of the building entry
6. Modify the driveways on Main Street to be entrance only
7. Restrict the driveway onto Park Ave as exit only
8. Provide a new landscaped area in front of the building
9. Extend the street yard island at the right-side driveway on Main Street to guide traffic flow into the site

Mr. Rothrock stated the applicant is proposing some parking lot amendments that would provide four (4) angled parking spaces on the right side of the parking and move the ADA space and aisle to the right of the covered entryway. Mr. Rothrock advised moving the ADA space will provide better ramp access to the building than its current location. Mr. Rothrock further advised based on the proposed changes to the business and the parking requirements in the Land Use Ordinance, the Applicant is required to provide twelve (12) parking spaces. The site can only be arranged to provide ten (10) spaces, one (1) more than currently on site.

Council Member Sweeting asked if the Deli was part of the original CUP or if an amendment was made. Mr. Rothrock stated there was not an amendment, that the Deli was incorporated a few years after the Market opened and the original language in the CUP allowed the Deli to be added.

Council Member Sweeting asked if having a Deli would require more parking. Mr. Rothrock advised it would not.

Mayor Pro-tem Yount asked for clarification on whether or not the applicant owed the Town a parking spot. Mr. Rothrock explained based on the calculation of what he is requesting to do he is two parking spots short. Mr. Rothrock pointed out if the applicant provides ten (10) parking spots that is one (1) more than currently has.

Council Member Sweeting inquired about the removal of the gas pumps. Mr. Rothrock advised the gas pump closest to the building would be completely removed and the gas pump closest to the road would remain.

Mayor Pro-tem Yount inquired about the three parking spots on Park Ave which he was under the impression belonged to the Market. Mr. Rothrock advised they did not own any parking spots and showed on the map where the property line ends.

The unloading of trucks and gas tankers were briefly discussed with the applicant.

Applicant David Barker spoke briefly and explained his focus behind the expansion is to be safer and easier to use for the consumer. Mr. Barker explained his goal was to be able to provide a place for visitors to sit down and rest, enjoy the atmosphere, eat their pizza, have a restroom to use and if he can sell them a drink or help in any way he would be doing his job. Mr. Barker explained the Blowing Rock Market is a central point of

downtown and on a busy weekend he has approximately 2,500 visitors come through his business. Mr. Barker advised having this extra space will only benefit the consumers.

Council discussed the parking options and Mr. Barker stated the majority of his business was foot traffic.

Mayor Pro-tem Yount asked Mr. Rothrock if the Council decided to give them two parking spaces would it set a precedence for future CUP requests or does each request stand on its own. Mr. Rothrock advised he felt each stood on its own. Town Attorney Allen Moseley was also consulted and he concurred with Mr. Rothrock's statement.

Council Member Sweeting asked Mr. Barker if he had consulted with the Fire Department to make sure the request was compliant with Fire Code. Fire Chief Kent Graham advised they were in compliance with Fire Code.

Council Member Sweeting made a motion to close the Public Hearing, seconded by Council Member Pickett. Unanimously approved.

Council Member Sweeting made a motion to approve the CUP Amendment as presented with two less parking spaces, seconded by Council Member Pickett. Unanimously approved. **Blowing Rock Market CUP Amendment – Attachment F**

2. Appointed Board Term Limits

Planning Director Kevin Rothrock stated that at the Town Council retreat in January, Council asked for an ordinance amendment to be considered that would place possible term limit for appointed boards to two terms. If there are not enough volunteers for citizen boards in a particular year, members currently serving could be asked to continue service. Mr. Rothrock advised per Council's request the ordinance would affect the Planning Board, Board of Adjustments and BRAAC. Mr. Rothrock further advised if term limits are placed on board membership, that language would be included during the member recruitment process in December 2017 and in years following.

Council Member Sweeting advised the point of this change was intended to give Council the option when selecting members for the volunteer boards. Council all agreed the key word is "may" in the proposed ordinance change.

Council Member Matheson stated a lot of great people are currently serving on boards and a lot of great people are applying and waiting to get on a board. Having this language incorporated in the ordinance allows flexibility in choosing board members going forward.

Karen Herterich asked from the audience, why the TDA and ABC Boards were not included in this list of term limits. Mr. Rothrock advised it was because they are not included in the existing Land Use Ordinance. Mayor Lawrence commented that Ms. Herterich had a good point and that was something to consider in the future on those boards as well.

Mayor Pro-tem Yount made a motion to close the Public Hearing, seconded by Council Member Pickett. Unanimously approved.

Council Member Pickett made a motion to accept the changes in the ordinance as presented, seconded by Council Member Steele. Unanimously approved. **Appointed Board Term Limits – Attachment G**

3. BRAAC Amendments

Planning Director Kevin Rothrock stated BRAAC membership reviewed the language in the Land Use Code and made some suggestions on some wording changes to be consistent with current bond functions and practices. Mr. Rothrock further stated Planning Board recommended the approval of the draft ordinance at their meeting in June.

With no questions or comments from the audience, Council Member Matheson made a motion to close the Public Hearing, seconded by Council Member Pickett. Unanimously approved.

Council Member Matheson made a motion to approve the BRACC Amendments as presented, seconded by Council Member Sweeting. Unanimously approved. **BRAAC Amendments – Attachment H**

OLD BUSINESS

None

NEW BUSINESS

1. Sunset Gateway – Next Steps

Eric Woolrich from Destination by Design provided a recap of the past few months' meetings and presentations of the Sunset Gateway concept. Mr. Woolrich advised he would like to hear Council's feedback of the future plans for this project.

Council Member Sweeting commented she liked the idea of getting Planning Board and BRAAC involved to see what ideas they may have to bring to the project planning. She also commented after that she would like to go back out to the public again for more feedback and input. Council Member Sweeting stated she felt it was important to have the public like what is going on with the project as Sunset is a main Gateway.

All of Council concurred they wanted as much public input as possible.

Council Member Matheson stated he liked the idea to do a website for the public to have a place to actually see the design for themselves.

Council Member Pickett advised a lot of people don't understand that a lot of work is going to be taking place on Sunset and had been planned well before the Sunset Gateway concept ever began. He continued that because of that work on the water and sewer lines

the road will be torn up anyway, so it is best to go ahead and fix it back right when that project is completed. Council Member Sweeting concurred and further advised Sunset Streetscape was in the original bond two (2) or three (3) years in the future and Council decided to pull it in sooner because they knew the plans for the work and decided it was a good idea to look at the Gateway at that time and move the timing up.

Council Member Sweeting asked Mr. Woolrich if Destination by Design could link their website to the Town's website. Mr. Woolrich advised they could.

Council Member Steele commented he felt cost will influence which design is chosen and stakeholders on that street are going to want to understand the impact of each design. He suggested making sure each property owner has been invited to attend meetings and give input and any who decline to do so is documented that they were invited, but did not attend.

Council Member Sweeting stated one of the other factors in going ahead with this project is Council has been approached by numerous business owners on Sunset to help get people to go down Sunset as opposed to only Main Street. She further stated a lot of the issue is the appearance and the idea of the Street Scape is to make Sunset more inviting and appealing.

Council Member Steele commented parking and traveling up and down Sunset is a huge issue that needs to be addressed as it is a safety hazard due to the narrow street.

Council Member Pickett made a motion for Destination by Design to continue with further development, seconded by Mayor Pro-tem Yount. Unanimously approved.

2. Automated Meter Infrastructure (AMI)

Town Manager Evans advised during the Budget Public Hearing in June it was announced Council had been working on learning about Automated Meter Infrastructure for some time. He advised it was noted during the Budget meeting the hope was to have a lot of people attend this meeting to get an introduction to Brad Smith with Metron Farnier and the AMI system.

Brad Smith from Metron Farnier gave a presentation on the benefits of the Automated Meter Infrastructure (AMI). Mr. Smith explained how this infrastructure is much more efficient in the billing process and detecting leaks quicker which is highly beneficial to the consumer. Mr. Smith advised test meters have been serving as a pilot for a few areas throughout Town including Council Members, and several have already benefited from this technology.

Charlie Sellers asked from the audience what the warranty is on these meters. Mr. Smith advised there is a ten (10) year replacement on the device.

A resident asked if this feature would still allow customers to turn off their water at the meter when they are away without messing up the function of the meter. Mr. Smith advised that was able to continue and not cause any issues.

Virginia Powell asked if information obtained from these meters was private to the customer only or if it could be given to anyone. Her reason for asking was she sells real estate and thought it could maybe good information for potential buyers. Utility Billing Administrator Holly Autry advised that is private information only available to the customer.

A resident stated from the audience she didn't understand why the public was being held responsible for the fees as she felt as though it was a neat system, but she maintains her home and the chances of her having a leak go undetected would be pretty low. She further stated in her opinion the Town would be the one benefiting from the savings and while in reality she felt it was a good concept, she didn't feel as though she would keep up with this feature or benefit from it.

Council Member Steele and Council Member Sweeting each gave a personal example of how this system had found undetected leaks and benefited the consumer.

George Wilcox asked how much this was going to cost each home owner. Town Manager Evans advised the meter head is \$260.00, but what isn't being said is the Town is incurring a much greater expense with this than what is being asked for the home owner to share. He advised approximately 1,200 meters will have to be replaced regardless because they have aged out which gives the Town the opportunity to change them out with meters that will function with this feature. Thus, the Town will be incurring the costs for installation of all the meters and only asking the homeowners to pay for the meter head itself.

Council Member Sweeting stated there will be three (3) options to pay; pay up front, pay in one to two year installments or for those eligible that cannot afford it, having a third party to help administer donations to help pay for those individuals.

Kent Tarbutton from Chetola Resort spoke about how he personally as well as his business had benefited from the AMI technology detecting leaks quickly. He stated he was appreciative to have a way for Town staff to monitor his and his property owner's rental units that may sit empty for weeks at a time and alert them when an issue does occur.

Council Member Steele asked the audience how many felt this infrastructure was a good idea.

Charlie Sellers stated the taxes were recently increased (which he understands needed to be done), the water rates went up as well and now additionally Council is requiring the citizens to pay \$260.00 for this remote meter, which he advised he felt is a good idea. Mr. Sellers further stated he felt there was an increase everywhere else and adding this

additional cost to people already on a fixed income was a bit much and advised it was just something to think about. Council Member Sweeting advised she understood, but that is why Council chose the third payment option for those whom this situation would apply to.

A resident spoke from the audience and advised she too felt as though increases were happening everywhere and she just didn't understand what was happening or where those increases were going and now that she has an explanation and better understanding she felt much better about the AMI.

Council advised they were very appreciative to the residents that spoke and provided their feedback and input.

Charles Hardin asked if there would be an ongoing fee incurred from Verizon Wireless for this service. Brad Smith advised there would not be and that fee is included with the contract with Metron Farnier.

Council Member Sweeting made a motion to schedule a Public Hearing to further discuss the AMI, seconded by Council Member Pickett. Unanimously approved. The Public Hearing was scheduled for Tuesday, July 25th at 5:00 P.M.

3. SB-155 "Brunch Bill"

Town Manager Evans stated on June 30th the Governor signed into law SB 155 "The Brunch Bill" which allows municipalities and counties the authority to pass an ordinance that allows for the sale of alcoholic beverages before noon on Sundays.

Mayor Lawrence asked Council if they would like to go ahead and discuss the topic or schedule a Public Hearing to discuss at a later date. Council Member Pickett advised he would like to go ahead and discuss as many businesses are wanting a decision to be made.

Council Member Sweeting asked if this would also include retail sales like Food Lion. Manager Evans advised that it would.

Council Member Sweeting advised she felt a decision should wait until another meeting when the public has more notice and can provide more feedback.

Mayor Pro-tem Yount advised he agreed with Council Member Pickett that a decision should go ahead and be made. He further advised that he felt that if anyone were against SB 155 Council would have already heard.

Council Member Pickett made a motion to accept the Brunch Bill ordinance, seconded by Council Member Matheson. Unanimously approved. **SB-155 "Brunch Bill" – Attachment I**

4. Request for change of date for "Savor" Event

Charles Hardin of the Blowing Rock Chamber of Commerce requested to change the Savor Event from the dates of April 19-22, 2018 to the dates of May 3-6, 2018. Mr. Hardin advised the reason for the change request is due to various other beer and wine festivals taking place on the same weekend throughout the state. Mr. Hardin advised it has become harder to get vendors to be able to commit to the month of April due to these other events.

Council Member Sweeting asked if the Chamber would be requesting to change the Savor date for the next three (3) years. Mr. Hardin advised they would like to see how the date works for the first year, but more than likely they would be.

Council Member Matheson made a motion to accept the request to change the Savor date, seconded by Mayor Pro-tem Yount. Unanimously approved.

MANAGER'S REPORT

Town Manager Evans gave a brief report to Council:

- Sale of News Racks on GovDeals.com
- Received \$500 – Blowing Rock Garden Club donation for the front of Memorial Park.
- Monday Night Concert series begins July 10- August 7
- Movies in the Park began June 29 and go through August 3
- Virginia Tech Design Grant for area behind American Legion going well
- Center-line striping is going well with long list of roads complete
- We continue to receive numerous accolades regarding town landscaping and garden in front of Town Hall. Congratulations Landscape team.
- We have three new house starts on Ransom Street and have begun permitting at Chestnut Partners (Old Hospital Site)
- Sharon VanDyke celebrated twenty years of service on June 19
- Town Manager Evans questioned an invoice that the Town received from New River Light & Power in March (for an average invoice amount of \$500 per month), and researched it and found that it is not our invoice to pay. The Town will no longer be paying this bill and it has been taken over by the Town of Boone.

SPEAKERS FROM THE FLOOR

None

OTHER BUSINESS

None

EXECUTIVE SESSION

At 8:20 p.m. Council Member Pickett made a motion to enter Closed Session pursuant to NCGS 143-318.11(a)(6) – Personnel, seconded by Council Member Matheson. Unanimously approved.

ADJOURNMENT

Council re-entered open session at 8:35 p.m. Council Member Sweeting made a motion to remove Town Manager Evans from the (six) 6-month new hire probation, give him 5% salary increase and review his performance again in (six) 6 months at his one year anniversary. There being no further business to discuss, the meeting was adjourned at 8:36 p.m.

MAYOR _____
J.B. Lawrence

ATTEST _____
Hilari Hubner, Town Clerk

ATTACHMENTS

Tax Releases for NC Assets, LLC - Attachment A
Annual Tax Settlement Report and Order of Tax Collection – Attachment B
Governing Body Resolution – IRFFNC - Attachment C
Interlocal Agreement – Attachment D
Budget Amendment – 2017-05 – Attachment E
Blowing Rock Market CUP Amendment – Attachment F
Appointed Board Term Limits – Attachment G
BRAAC Amendments – Attachment H
SB-155 “Brunch Bill” – Attachment I