

**MINUTES**  
**Town of Blowing Rock**  
**Town Council Meeting**  
**February 13, 2018**

The Town of Blowing Rock Town Council met in regular session on Tuesday, February 13, 2018, at 5:30 p.m. The meeting took place at Town Hall located at 1036 Main Street, Blowing Rock, N.C. Present were Mayor Charlie Sellers, Mayor Pro-Tem Albert Yount and Council Members Jim Steele, Sue Sweeting, Doug Matheson and Virginia Powell. Others in attendance were Town Manager Ed Evans, Town Attorney Allen Moseley, Finance Officer Nicole Norman, Public Works and Utilities Director Mike Wilcox, Fire Chief Kent Graham, Parks & Recreation Director Jennifer Brown and Town Clerk Hilari Hubner, who recorded the minutes.

**CALL TO ORDER**

Mayor Sellers called the meeting to order at 5:30 p.m. and welcomed everyone.

**ADOPTION OF AGENDA**

Council Member Powell made a motion to move New Business item 8-D – Speakers from the Floor Policy, up on the Agenda to first item for discussion after Approval of the Minutes. Seconded by Council Member Sweeting; For: Council Member Sweeting, Powell, Steele and Matheson. Against: Mayor Pro-tem Yount. Motion approved.

**SPECIAL RECOGNITIONS AND REPORTS**

Mayor Sellers read a Resolution of Appreciation for long-time resident Barbara Wright.  
**Resolution of Appreciation for Barbara Wright - Attachment A**

**APPROVAL OF MINUTES**

Council Member Sweeting made a motion to approve the minutes for the regular meeting on January 9, 2018 with the following correction: Under the Approval of the minutes Council Member Sweeting was listed as making a motion and approving the same motion, the change was seconded by Council Member Steele. Unanimously approved.

Correction made to the January 9, 2018 Minutes Under Adoption of the Agenda: ***“Council Member Steele made a motion to adopt the agenda as presented, seconded by Council Member Sweeting. Unanimously approved.”***

Council Member Matheson made a motion to approve the minutes from the January 14, 15 and 16, 2018 Town Council Retreat, seconded by Council Member Steele. Unanimously approved.

Council Member Powell made a motion to approve the Closed Session Minutes from January 16, 2018, seconded by Council Member Sweeting. Unanimously approved.

### **New Business Item: Moved up**

#### **1. Speakers from Floor Policy**

Council reviewed the current “Speakers from the Floor” policy which was adopted in August of 2005.

Council Member Powell advised she would like to change the policy wording to allow Public Comment on ‘agenda items’ instead of just allowing people to speak on non-agenda items.

Council Member Steele stated, to his knowledge, even though only thirty minutes is allowed for Public Comment, he doesn’t remember a time when anyone has been cutoff and not allowed to speak.

Council Member Matheson said he has no problems moving ‘Speakers from the Floor’ up on the agenda, but would still like it to be kept to non-agenda items. He explained he felt as though residents had plenty of time prior to meetings to talk to Council Members about agenda items and would like the speakers to talk about other items that they feel strongly about.

Council Member Sweeting advised she felt one of the reasons speakers from the floor was put at the end of the meeting was to discourage people from talking. She further advised she didn’t feel like it was always easy to get up with some Council Members and thought it should be moved up on the agenda as well, and to allow citizens to speak on agenda and/or non-agenda items as long as they weren’t a Public Hearing or CUP.

Mayor Pro-tem Yount felt it wasn’t a fair assessment to state having ‘Speakers from the Floor’ speak at the end of meetings was to discourage people. He further stated he was fine with moving the item up on the agenda, but he also felt as though it should only be non-agenda items because that is the policy. He stated he felt pushed to have to make a decision about the policy on the spot.

Mayor Pro-tem Yount asked Manager Evans what he had found out from other Towns regarding their policy on this topic. Manager Evans advised he found various strategies, the majority of Town’s are at the end of the meeting. He further advised some Towns have addressed this and moved speakers from the floor up on the agenda and in doing so it has caused very little problems. He explained where the problem lies is allowing speaking to agenda items potentially turns every item into a Public Hearing and he found that Towns who have done this have regretted it and don’t know how to get out of it now.

Council Member Powell made a motion to move speakers from the floor to the first item on the agenda after approval of the minutes and to allow the speakers to have public comment on agenda or non-agenda items as long as it is not a Public Hearing or CUP,

seconded by Council Member Sweeting. For: Council Members Powell and Sweeting; Against: Council Members Matheson, Steele and Mayor Pro-Tem Yount. Motion did not pass.

Council Member Matheson made a motion to leave the Speakers from the Floor policy as is and to move Speakers from the floor to the first item after approval of the minutes on the agenda, seconded by Council Member Powell. For: Council Members Powell, Steele and Mayor Pro-Tem Yount. Against: Council Member Sweeting. Motion approved.

Council Member Powell made a motion to allow the public to speak for thirty (30) minutes, maximum of three (3) minutes each, on non-agenda items. Seconded by Council Member Matheson. Unanimously approved.

### **SPEAKERS FROM THE FLOOR**

None

### **CONSENT AGENDA**

Town Manager Evans presented the following consent agenda items:

#### **1. Shriners Parade – Date Request**

A request was received from the Oasis Shriners' to have a civic parade on Saturday, June 2, 2018 at 2:00 p.m. They will organize the parade the same way that Parks and Recreation organizes their annual parades. They will line-up on Clark Street and the route will go from 221 to Main Street and end at Ruple Memorial Church. They will coordinate activities with Parks and Recreation, Blowing Rock Fire & Rescue, and the Blowing Rock Police Department. A copy of their certificate of insurance will be provided prior to the event.

#### **2. 2018 Globe Gravel Challenge Bike Ride – Date Request**

A request was received from Rhoddie Bicycle Outfitters, in conjunction with Savor, to hold an inaugural bike ride that will start at Davant field, then proceed to 221 South, on to Edgemont Road, descend to Mortimer, across Staircase Mountain, and then climb Globe Road back to Blowing Rock. They will end at Davant Field. The proceeds will go toward funding for the Middlefork Greenway Trail. They will coordinate activities with Parks and Recreation, Blowing Rock Fire & Rescue, and the Blowing Rock Police Department. A copy of their certificate of insurance will be provided prior to the event.

Council Member Matheson advised he would suggest staff notify residents, especially on Wallingford Road, that the bike riders will be coming up Globe Road and back into Town.

#### **3. Blowing Rock First Baptist 5K – Date Request**

A request was received from Blowing Rock First Baptist Church to hold an inaugural 5k Fun Run/Walk that will start at the church. The race will go up Sunset Drive, turn left on Main Street, right on Laurel Lane, and then left on Wonderland Trail. It will then turn right on Meadow Lane, right onto Laurel Lane, left on Main Street, and finally right on

Sunset Drive where it will end at the church. They will coordinate activities with Parks and Recreation, Blowing Rock Fire & Rescue, and the Blowing Rock Police Department. A copy of their certificate of insurance will be provided prior to the event.

#### **4. Blowing Rock Fall Classic 2018 – Date Request**

A request was received from Blood Sweat and Gears Board Member and Ride Director, Scott Nelson to hold their 4<sup>th</sup> annual Blowing Rock Fall Classic bike ride on Saturday, September 15, 2018. The race will begin on Park Avenue and make a loop going through Happy Valley, Collettsville, Linville, and back to Park Avenue. They will coordinate activities with Parks and Recreation, Blowing Rock Fire & Rescue, and the Blowing Rock Police Department. A copy of their certificate of insurance will be provided prior to the event.

#### **5. Resolution for National Parks**

Manager Evans advised Council of a Resolution encouraging congress to create a reliable, predictable stream of resources to address deferred maintenance needs in America's National Park System. **Resolution for National Parks – Attachment B**

Council Member Sweeting made a motion to approve the consent agenda with the following change; would like to remove the Blowing Rock First Baptist 5K date request because it is on Labor Day weekend, and ask the requestor to select another date and bring the item back at another Council Meeting. Seconded by Council Member Matheson. Unanimously approved.

### **PUBLIC HEARINGS**

#### **1. Subdivision – The Cottages at Greenhill Subdivision**

Council Member Sweeting made a motion to go into Public Hearing, seconded by Council Member Powell. Unanimously approved.

Planning Director Kevin Rothrock advised Green Hill 12, LLC is requesting a conditional use permit for an 8-lot single-family subdivision and a new public road. The 4.59-acre subject property lies just off Green Hill Road just south of the intersection with Edge Hill Road. The property is zoned R-15, Single-family.

Mr. Rothrock advised the subject property is wooded and slopes down from north to south with an average cross slope of 25.7%. The subject property is within the water supply watershed and the residential density for that area is two dwelling units per acre and no lot less than 15,000 sq ft. Each lot meets the minimum size requirement and the overall density is compliant with the watershed standards.

Mr. Rothrock further advised a new subdivision street is proposed along the ridge of the property with a connection to Green Hill Road. The new road will serve all 8 lots with a total length of 606 feet to the center of the cul-de-sac. The road will be built to Town standards with a maximum grade of 15%, 18 feet of pavement, and 30-inch curb and

gutter. The applicant intends to offer the road for public dedication upon completion, and if accepted, the Town will be responsible for street maintenance and snow removal.

Mr. Rothrock stated storm water detention is required due to the increased impervious areas being generated by the proposed road. The storm water drainage system will be designed to accept runoff from the proposed roadway and convey it through a detention system before releasing to a public right-of-way or natural drainage path. As shown on the preliminary plan, it appears that the storm water design will meet the Land Use Code standards.

Mr. Rothrock further stated the proposed subdivision requires street trees be planted or retained an average of every 30 feet on each side of the street. Exceptions for new tree plantings can be made where existing healthy shade trees are located within 50 feet of the road centerline. A 6-inch water line with two (2) hydrants along the new street is proposed. The water line will also provide a connection loop from Green Hill Road to Fairway 12 Court.

The proposed sewer will be a low-pressure line connecting to the gravity sewer system in Fairway 12 Court. Each home will be connected to the system with a low-pressure pump. Staff and the Town Engineer will approve water and sewer systems to meet the Town Code.

Council Member Steele asked if the applicant was going to provide the taps for all the lots so the newly built road won't have to be torn up each time a lot is sold. Mr. Rothrock advised the applicant would be.

Mayor Sellers asked if the road would be paved or gravel. Mr. Rothrock advised it would be paved to meet Town specifications. Mr. Rothrock explained the road has to be completed and staff has to approve before they can sell lots.

Council Member Matheson asked the applicant if he understood there would be no Coach Lights and no sidewalks. The applicant advised that was correct.

Council Member Powell advised Planning Board approved this project to be presented to Council, and it's in accordance with all the Town's specification.

Council Member Steele asked if there were any problems with the Fire Department getting equipment in and out of the area and being able to turn around etc. Mr. Rothrock advised there would be no issues.

Applicant Jim Lester advised he felt this development was a win-win for Blowing Rock and would increase the tax value.

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

Council Member Matheson made a motion to accept the proposal of the Cottages at Greenhill as presented, seconded by Council Member Steele. Unanimously approved.

## **2. Blowing Rock Townhomes –**

Planning Director Kevin Rothrock advised Grand Dakota Development, LLC is requesting a conditional rezoning of the former Cheeseburgers in Paradise property from CB, Central Business to Conditional Zoning Central Business (CZ-CB). The 0.905-acre property is located at 159 and 167 Rainey Street and 116 Morningside Drive. The Applicant is proposing to demolish 2 residential structures and construct 12 townhome units.

Mr. Rothrock explained the Central Business zoning district allows up to five (5) units per acre for multi-family uses. The applicant is requesting a residential density of up to 13.3 units per acre for a total of twelve (12) units for the project. Allowing 13.3 units per acre would require a waiver of the residential density requirements in Section 16-12.2.3 of the Land Use Code. The 2014 Comprehensive Plan supports an increase in residential density of at least eight (8) units per acre in the most intensive residential zoning district. Central Business and the downtown area would be comparable areas of the most intensive residential zoning district. The Applicant is also requesting to use the property for short term rental, which is allowed in Central Business. Mr. Rothrock further explained the applicable street setbacks for Central Business is fifteen (15) feet and is measured from the back of the existing/proposed sidewalk along each street.

- The 15-foot street setback along Hwy 221 is being met with the proposed design.
- The buildings that face Morningside Drive and Rainey Street do not meet the 15-foot street setback from the proposed sidewalk. By providing the necessary sewer easement on the east side of the property, the buildings were shifted toward Morningside Drive thereby reducing the setback.
- The closest building is the one on the corner of Rainey and Morningside which is shown 6.7 feet from the back of the sidewalk and approximately 12 feet from the edge of the existing street pavement.

Mr. Rothrock advised as proposed, all buildings exceed the building height limitations for Central Business. The maximum building height is thirty (30) feet from the street/sidewalk elevations for buildings built less than 50 (fifty) feet from the street. The proposed building heights are shown at 34.5 feet above the grade at the entrance which is comparable to the elevation of the sidewalk in front of each unit.

Mr. Rothrock further advised, the Project requires thirty (30) parking spaces and all thirty (30) are being provided. Twelve (12) spaces are provided in single-car garages in the townhome units. Eighteen (18) additional spaces are provided in off-street driveways in front of each garage. The three (3) bedroom units on Rainey Street will have an extra parking space along the side of each main driveway.

A private road will provide vehicular access to the interior of the side and to all twelve of the unit driveways and garages. The road will connect to Morningside Drive and will be for two-way traffic.

The Storm water runoff from the side will be conveyed to a drainage collection system under the paved driveway near the courtyard. The storm water will be released at a slow rate into the drainage system along Hwy 221.

A public sewer line runs through the east side of the property and an easement is provided along the full length of the property from Rainy Street to Hwy 221. An electrical service will be provided underground.

Garbage collection will be provided by a private contractor to minimize roll-out containers being left on the street and due to the private road access for the interior building units.

A general landscape plan has been submitted for review. Once construction plans are finalized, a detailed landscape plan will be produced. All landscape materials shown on the final plans will meet the Land Use Code standards for species and size.

Mr. Walter Fields spoke on behalf of the applicant. He advised he had been working with the applicant, Mr. Steven Barker, architect Kevin Caldwell and engineer Thomas Wright on this project. Mr. Fields said they looked at the previous application on this property and they had tried to address those concerns with this plan. He said the property slope impacts development costs and that the community envisioned this type use with the property being zoned Central Business. He added that this property had been a business use in the past. Mr. Fields said that the property fronting three (3) streets presented challenges and they felt that access from Morningside Drive makes the most sense. He said that the number of units had been reduced by 25% and the square footage was reduced by 17%. He added that they had reduced the number of units fronting Rainey Street, that there is no traffic backing out onto Rainy Street and the garages are accessed from the interior of the development. Mr. Fields advised he would like to request the measurement to be from the first floor level not the street.

Mr. Walter Fields spoke on behalf of the applicant and advised this project has several challenges due to the slope and shape of the property, they are asking for three (3) waivers; height increase, setback modifications and increased density. Mr. Fields advised the height increase is an additional 5ft. He explained they felt this made sense with the environment, which allows two (2) residential districts in adjoining areas to this property to have the 35 ft height. Mr. Fields further explained the reasons for the Setback Modifications were to push the buildings back further from Hwy 221 on Rainy Street, which was a request they had been asked and a need for a Public Sewer Easement on Morningside. He advised the Density request is to go from eight (8) units to twelve (12) units. Mr. Fields further advised according to the Comprehensive Plan some areas in Town would be appropriate for higher density.

Mr. Fields advised a neighborhood meeting was held and he felt the project was well received. He further advised Planning Board discussed the project in length at their December 21, 2017 meeting.

Several Residents spoke regarding their feelings on the project:

Judy Veorse 632 Morningside Drive – In the presentation it was mentioned about the developer putting in a sidewalk on Rainey Street. Ms. Veorse felt as though that was not a good idea. She explained it's very congested with cars trying to pass each other and adding a sidewalk would just cause more congestion in her opinion. She explained it's hard to get in and out of Rainey and Morningside onto Hwy 221 and adding more traffic would only add to the current issue. Ms. Veorse advised she was very concerned this isn't in keeping with our little village. She stated this is something you see in Raleigh, Winston Salem, Wilmington, but not here in Blowing Rock.

Anna Miller 671 Morningside Drive – Agreed with Ms. Veorse this project would add to the current congestion issues. She added she felt this project was out of scale and out of portion to the area. Ms. Miller further added she felt this project was better suited for another location, such as Hwy 321.

James Jackson 602 Morningside Drive – Advised he liked the project and felt as though it is a good concept. He stated he liked the architecture and felt it fits to some degree. He further stated he felt the height was a bit excessive and felt ten (10) units would be better and that twelve (12) was a bit excessive.

Marshall Sealey 268 Norwood Circle – Spoke on behalf of the Blowing Rock Civic Association. Mr. Sealey provided a rendered drawing he had prepared showing the height scale of the project and how it would look and effect the downtown.

Pier Gherini 173 Groveway – Stated after having reviewed the Planning Board minutes and the information that had been provided from the Blowing Rock Civic Association, that if the Council were going to make exemptions, they are going to “come back and bite you” the next time a developer asks for an exception and says, “you did it for them, why not for us”. He advised it would be bad if the Town got in a law suit down the road over these exemptions. Mr. Gherini concluded he felt the Comprehensive Plan needs to be re-done.

Lori Mulhern 114 South White Pine Drive – Stated the Comprehensive plan wasn't developed or adopted as a blueprint to allow any and all development anywhere in Town without consideration to the effect of the character of the Town. This still requires the judgement of the Planning Board who did not approve this project “no matter how one wants to color it”. She further reiterated they did not approve it, that is Council's job. She further stated to keep in mind Hwy 221 is the West Gateway into Town and what would such a dense structure such as this look like to visitors entering our Town. Ms. Mulhern stated while the comprehensive plan did go to eight (8) structures in most of Town, this project far exceeds that with the proposed twelve (12) units. She



concluded by saying she has heard some state, “well something is going to go there and it could be commercial”, and while she agrees she said she knows no matter what goes, it will have to abide by the rules, regulations and guidelines.

Chelsea Garrett, Tony Di Santi’s law partner spoke as Mr. Di Santi has been working with the developer. Ms. Garrett advised she understood not wanting to see the change on this property, but at the same time it is all a matter of prospective. She stated there could be far more uses that aren’t nearly as desirable as this project. She further stated it could be a restaurant and one with loud music or could be a restaurant with loud trash service. Ms. Garret explained there could be various things uses of this property that Council could not post conditions on because it meets the code. She further explained this is a transition property and the developer could easily change some of the plans to meet codes and requirements, but wouldn’t be nearly as desirable or attractive as the current proposed plan. Ms. Garret concluded that a restaurant would cause much more traffic and problems than the proposed Townhomes.

Jerry Miller and Jim West both spoke with similar observations that there are pros and cons to the project. Both liked the project, but agreed some items needed to be addressed.

Deborah McDowell 827 Main Street – Advised she is always excited and willing to see new things come to Town, but felt this project would be better suited for a bigger city. Ms. McDowell compared the project to Sugar Top on top of Sugar Mountain. She concluded by stating “times are changing, things are changing but we still have to protect the character of our small Town.”

Mr. Fields received some of the comments and explained each of them in detail.

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

Mayor Sellers advised he felt this project has a few disadvantages, one being it does not meet code. As a Town we have regulations for a reason and sometimes the rules and regulations are bent, but not broken. He used Tanger as an example as being a big project that nobody wanted, but once it was built and what it has done for the Town has been beneficial, but that when it was built they abided by the Town’s rules and regulations.

Mayor Pro-Tem Yount commended the planner, Mr. Fields for his presentation. He said he had just been to a luncheon where Mrs. Betty Pitts revived the Jerry Burns Ambassador Award, and in her speech, she said “Blowing Rock is such a special place, I came here in 1945 and I have seen some good things and some not so good things. Please keep Blowing Rock what it started out to be, a special place.” Mayor Pro-tem stated you can make out of it what you want to, but his intention is not to see Mrs. Pitts wish to make Blowing Rock a special place die going up a hill on Morningside Drive.

Council Member Steele advised he felt a project like this is the kind of project that is good for our Town financially and it's the kind of project we need to have. He said the 2014 Comprehensive Plan Council adopted is a guide and one of the things decided was Council needed to take a look at some of the Town's ordinances and see if they are antiquated and may need to be changed. However, he felt that this project is too dense for our Town. Council Member Steele added he understands the return on investment, but this project is just too dense. He explained that he also has to listen to the people and the majority don't want this project.

Council Member Sweeting advised one of the reasons she ran for Council was to protect neighborhoods and Village Character. She explained she too has concerns about the density of this project, which is greater than 160% above what the ordinance allows. She further explained the height is concerning and feels it would affect the people in the neighborhood and around. She stated reducing setbacks affects the neighbors because it's pushing the buildings and what they see going up Morningside Drive which would probably be the HVC Units which would change the entire character of that neighborhood.

Council Member Matheson stated this is a hard project to work on and that Council has received a lot of phone calls and emails regarding it. He said he didn't think everyone knew exactly all the correct info on the project. He advised people said the Town needed to follow our own variances, ordinances and codes. He further advised the last three (3) projects that have been voted on and approved haven't been done that way. He stated the height doesn't bother him too much and that anything that goes in that location is going to be higher. Council Member Matheson further stated the traffic issue has been that way for years and he doesn't see that changing. He concluded that the main issue he has with the project is the density. He said in all the years he has been on Council he remembers granting different variances, heights and setbacks; but never have they more than doubled density on a project.

Council Member Powell made a motion to deny the request, seconded by Council Member Sweeting. Unanimously approved.

## **Old Business**

### **1. Laurel Lane Presentation – Next Step and Request for Temporary Closure**

John Aldridge from the Village Foundation advised they are requesting Council to give the go ahead on the Laurel Lane/Mayview Plaza Project. He said it's been an eighteen (18) month process and planning and advised it's a private/public partnership between the Town and the Economic Development Council of the Chamber and the Village Foundation. The Village foundation is the funder of the project.

Mr. Aldridge advised a year ago is when the initial project was brought before Council and the concept was approved, after that fund raising were met and the project was taken before the BRAAC Board where it was approved unanimously, with the exception for them to have the final approval on the historic markers, and be taken before Council for final approval.

Jim Pitts spoke and offered drawings of the project and discussed, if approved, the timeline of the project. Mr. Pitts advised in order to do the pavers that section of Laurel Lane will have to be closed, but traffic will be detoured down Chestnut and Pine Street with appropriate signage. He also said that the Martin House and the Hannah House will have limited access, and that they are aware and are in support of the project.

Council Member Sweeting asked if there are any Art in the Parks during the requested time frame. Mr. Pitts advised there are not.

Council Member Steele suggested making sure all delivery trucks are aware since that is used as a loading and unloading zone. Mr. Pitts advised they were already aware and they would still have a small area for that to take place.

Council Member Matheson advised he would suggest not having Pine Street as a detour due to it being a narrow one-way street and the congestion.

Council Member Sweeting asked if the Village Foundation was going to be responsible for maintenance. Mr. Pitts advised the Town would be, once the project is completed it will be turned back over to the Town of Blowing Rock.

Council Member Matheson asked Mr. Pitts if there is a cutoff date that he wouldn't start after due to being finished before the season begins. Mr. Pitts advised if they got to April 15<sup>th</sup> and hadn't started yet they would postpone the project.

Council Member Matheson made a motion to approve the next phase of the Laurel Lane project with the following conditions; no detour down Pine Street and not start after April 15, 2018. Seconded by Council Member Steele, unanimously approved.

## **2. Watauga County Veteran's Memorial – MOAA Donation Request**

George Brudzinski with the Military Officers Association of America MOAA addressed the board regarding a donation request. He asked the Council to consider donating \$10,000 to the Watauga County Veterans Memorial being constructed in the Town of Boone.

Council Member Sweeting advised she would be willing to donate \$10,000 of the sales tax money to help with the project as she felt it was a great project.

Council Members Steele, Matheson and Powell and Mayor Pro-Tem Yount all concurred they would rather keep the money in the Town of Blowing Rock for our own Veteran's Memorial in the park.

Council Member Steele made a motion to deny the donation request, seconded by Mayor Pro-Tem Yount. For the motion: Mayor Pro-Tem Yount, Council Members Matheson and Powell. Against: Council Member Sweeting.

## **3. Condo's at Village Green – Parking Area Repair Consideration**

Town Engineer Doug Chapman advised Village Drive is a Town of Blowing Rock street, that extends a portion of its length adjacent to the parking spaces for the condos along that street. The street, absent of parking spaces was paved in November 2016. Paving of the street created some minor storm water ponding in the parking area, adjacent to the new asphalt. This minor ponding occurred in three (3) locations. The location with the greatest issue was brought to the Town's attention, and repaired in the summer of 2017, at which time the contact from the property owners association indicated that everything that needed to be addressed, had been. Subsequently in late 2017, complaints were presented to the Town to address another area on the site.

Upon review of the situation, McGill devised a plan to repair if the Town desired to complete any repairs. McGill recommended that the asphalt in the adjacent parking area, where water is standing, be removed and the area resurfaced to provide positive drainage across the new street asphalt. It is anticipated that an area approximately 40' x 20' be removed and replaced to address the northern most area, and an area approximately 30' x 15' be removed and replaced to address the other area. Based on cost estimates prepared by local contractors, we estimate that this work could be accomplished by a contractor for costs of approximately \$4,500 and \$3,000.

Due to the weather during this time of year, and conditions needed for paving operations, this work cannot be accomplished until late March at the earliest. Interim measures until the final repair are limited, but could include placing asphalt tack on the areas and a thin skim coat by Town Staff. This temporary repair would only provide modest improvement, and still require permanent repairs.

Council Member Sweeting asked Mr. Chapman when the Town originally paved the street and why it was paved. Mr. Chapman advised it was in November of 2016 and was paved because it's a Town street and it scored poorly on the road paving survey.

Town Manager Evans advised the POA of Village Green is demanding the Town fix the problem. Council Member Steele commented if the Town were to fix this would the Town then be fixing every driveway that had an issue.

After further discussion Council Member Matheson made a motion to do nothing, seconded by Council Member Powell. Unanimously approved.

#### **4. White Line Striping**

Manager Evans advised after meeting with representatives with Sherwin Williams and Graco Striping Systems we have been exploring the options of using glass beads in our road striping. Below is a breakdown of the estimated cost of materials and upgrades that would be required to utilize the glass beads on the Town's streets. These numbers are rough estimates that were derived from conversations with sales representatives and industry professionals. Application rates are based on a suggested paint thickness of 15 mils at 4 inches wide.

- 25 Miles of Roads

- 132,000 feet of Yellow Lines
- 264,000 feet of White Lines
- Estimated 2,000 feet of coverage per 5 gallons of paint or 400 feet per gallon
- Yellow lines would require approximately 330 gallons of paint at a cost of \$13.00 per gallon for a total of \$4,290.
- White lines would require approximately 660 gallons of paint at a cost of \$13.00 per gallon for a total of \$8,580.
- Bead application for yellow lines is estimated at 66 bags (1 bag per 5 gallons of paint) at a cost of \$30.00 per bag for a total of \$1,980.
- Bead application for white lines is estimated at 132 bags (1 bag per 5 gallons of paint) at a cost of \$30.00 per bag for a total of \$3,960.
- Necessary upgrades to our paint machine to allow for bead application- \$1,200.
- Estimated total for materials \$20,010.00

Manager Evans advised the downfall is our Public Works Department isn't large enough to assign a minimum of five (5) staff to be on the project until it is finished. This project would have to be done in parts and weather is a factor.

Staff also have begun exploring the option of contracting our road striping. We have received one quote from Hickory Sealing & Striping Inc. They quoted restriping 132,000 feet of yellow lines and 264,000 feet of white lines with glass beads at a rate of \$.20 per foot for a total of \$79,200.00.

Mayor Sellers felt it was a win-win to contract the project out.

Council Member Matheson advised he didn't mind contracting out the first time, but going forward when it needs to be done Public Works needs to be responsible for it.

Council Member Sweeting commented the Town bought a machine to do this. She said the Town could save the money by not purchasing the "hopper" that adds the glass beads to the white lines. She felt as though just having the white lines has helped and the glass beads could be added later. She advised she felt like Council has been trying for two (2) years to get all the streets striped and if staff could just get that done and then evaluate possibly going back and adding the glass beads.

Manager Evans advised staff was just trying to get Council's feelings, he advised staff will continue to paint lines as time permits, but wanted to see what their feelings were on it. The only change would be if there was an interest in adding glass beads, and if not the lines will just be put down thicker.

Mayor Sellers pointed out streets that are being resurfaced those lines are being provided by the contractor paving the road. It will be both white and yellow lines.

Mayor Pro-tem Yount advised he felt that glass beads were over kill, they didn't make the lines last any longer.

Council Member Sweeting made a motion to hold off on doing the glass beads, staff try to do as many lines as can be done and have Public Works Director Mike Wilcox look into contracting out and get it done a little quicker than what has been able to be done due to not having enough staff, seconded by Council Member Powell. Unanimously approved.

### **5. Memorial Tree Donation Draft Policy**

Parks and Recreation Director Jennifer advised during the December Town Council Meeting it was discussed to consider a Memorial Tree Program to help replace the trees that are being taken down in Memorial Park. Parks and Recreation researched and talked to other cities around the nation to determine what worked and did not work for them. Staff created three options and the pros and cons of each option and brought their recommendation to BRAAC for their final recommendation and approval. After reviewing each option and discussion, it was decided to change the proposal to a Tree and Bench Donation fund. If someone wants to donate to the fund then Town staff will purchase, plant, remove, and maintain trees from that fund. If someone donates \$2000 or more, then their name will be displayed at a Town location. They preferred electronically on the kiosk that the TDA provides. However; they would be good with a central plaque with name plates added. They like electronically because it would be less of a cost to add names when donors needed to be added. Any donor who donates \$100 or more will receive a certificate recognizing their donation and all donors will receive a thank you letter. They all agreed that if specific trees were allowed to be donated, then the possibility of donors complaining about their tree, whether or not it was being taken care of to their liking, would be prevalent. They felt it would be better for staff to allow them to decide what is needed, where they are needed, and when to plant them. They also discussed the current park bench donations and they felt that the cost should go from \$1,500 to \$2,000 because currently it costs approximately \$1450 for a bench and plaque. There is no extra money for maintenance of the bench (sanding, staining, etc.) every few years.

Council Member Sweeting advised the only thing she would like to change is where it says, "Town limits" and allow donations to be for anywhere on Town property where needed.

Council Member Steele asked who would be responsible for keeping up with the donations. Ms. Brown advised she would be the one responsible for keeping up with the donations as it's much easier to have one person in charge.

Council Member Sweeting made a motion to adopt the policy and asked Ms. Brown to make sure and change "Town limits to Town Property", seconded by Mayor Pro-Tem Yount. Unanimously approved. **Memorial Tree Donation Policy – Attachment C**

## **New Business**

### **2. Board Appointments**

Council Members voted on each board appointment by ballot. The following appointments were made:

a) *Planning Board: Kim Hartley, Joe Pappa and Pier Gherini; Harrison Herbst (ETJ – Representative)*

Council Member Powell – Joe Pappa, Pier Gherini and Kim Hartley  
Council Member Sweeting – Carol Knapp, Pier Gherini and Kim Hartley  
Mayor Pro-Tem Yount – Alice Roess, Joe Pappa and Pier Gherini  
Council Member Steele – Jerry Miller, George Ellis and Kim Hartley  
Council Member Matheson – Joe Pappa, Ray Pickett and Kim Hartley

b) *ABC Board: Sylvia Tarleton*

Council Member Powell – Sylvia Tarleton  
Council Member Sweeting – Sylvia Tarleton  
Mayor Pro-Tem Yount – Sylvia Tarleton  
Council Member Steele – Buz Helms  
Council Member Matheson – Sylvia Tarleton

c) *BRAAC Board: Curtis Andrews, Karen Diamond and Chris Wetmore*

Council Member Powell – Karen Diamond, Chris Wetmore and Buz Helms  
Council Member Sweeting – Curt Andrews, Chris Wetmore and Karen Diamond  
Mayor Pro-Tem Yount – Curt Andrews and Buz Helms  
Council Member Steele – Curt Andrews, Karen Diamond and Chris Wetmore  
Council Member Matheson – Curt Andrews, Karen Diamond and Chris Wetmore

d) *Board of Adjustments: Buz Helms, Laurin Carter, Lee Rocamora (Alternate Member) and Harrison Herbst (ETJ Representative) which is contingent on Mr. Herbst moving into his new home he's building in the Town's ETJ and the Watauga County Commissioners approval.*

First Vote:

Council Member Powell - Lee Rocamora and Harrison Herbst (ETJ)  
Council Member Sweeting - Lee Rocamora, Buz Helms and Harrison Herbst (ETJ)  
Mayor Pro-Tem Yount – Buz Helms  
Council Member Steele - Laurin Carter, Buz Helms and Harrison Herbst (ETJ)  
Council Member Matheson – Laurin Carter, Buz Helms and Harrison Herbst (ETJ)

Second Vote:

Council Member Powell – Lee Rocamora  
Council Member Sweeting – Lee Rocamora  
Mayor Pro-Tem Yount – Laurin Carter  
Council Member Steele – Laurin Carter  
Council Member Matheson – Laurin Carter

*e) TDA Board: Dean Bullis and Jim Steele (Council Member Representative)*

Council Member Powell – Jerry Starnes  
Council Member Sweeting – Karen Herterich  
Mayor Pro-Tem Yount – Dean Bullis  
Council Member Steele – Dean Bullis  
Council Member Matheson – Dean Bullis

Council consensus was to have Council Member Steele serve at the Council Representative to the TDA.

### **3. Main Shutoff Valve – Water Plant**

Town Engineer Doug Chapman advised the Blowing Rock water treatment plant was completed in the late 1970s, and has served as the sole water supply since that time. Treated water is stored at the facility in a 0.5 million-gallon clearwell, from where it is pumped, via the high service pumps at the plant, to the water storage tank on Greenhill. When the plant was built, a new 12-inch water line was constructed south along US 321 to Possum Hollow Road, then along Possum Hollow Road toward the tank. In the construction plans for the water plant project, a valve is shown on the main water line just after it leaves the building. Sometime after the plant was built, an expanded parking area and retaining wall were installed. During that work it appears that this main valve was lost. Consequently, when the water plant needs to be isolated from the water system, a valve has to be closed on the 12-inch water line at Possum Hollow Road. In concert with Town staff, McGill is recommending that a new valve be inserted in the main water line.

The importance of this main valve has been heightened recently, with completion of the US 321 widening and the Foley Center at Chestnut Ridge. Prior to the US 321 widening, all customers (outside of the water plant) north of Possum Hollow were served by the original 8-inch water line along US 321. With the road construction, those few customers were switched to the 12-inch, so the 8-inch could be abandoned. Further, and even more critical, is service to the Foley Center. If water is turned off at Possum Hollow road to isolate the plant, the Foley Center can only receive water from Boone, through the emergency water interconnect. Installing a valve between the water distribution system and the water plant will alleviate this issue, allowing the Foley Center and other nearby customers to be served from the Greenhill water tank, which generally maintains 3 – 5 days water supply.

To address these concerns, McGill recommends installation of a new valve within the main water plant line. This valve can be inserted into the water line, without taking the water line out of service, thus avoiding down time. The installation will require a difficult excavation (deep) within the existing parking area, and the related restoration of surfaces. The estimated costs for this installation are outlined as follows:

1. Excavation and safety protection                      \$15,000



2. Inserted valve	\$16,000
3. Backfill and restoration	<u>\$ 9,000</u>
Total Estimated Cost \$40,000	

This construction can be accomplished with Town oversight, by securing one contractor for excavation and backfill, one contractor for inserting the valve, and one contractor to pave the parking lot back. No permits should be needed for this work.

Manager Evans stated this was not in the approved FY17-18 budget and that a source of funds must be determined. Council Member Sweeting asked Manager Evans where he proposed getting funding from since it was not in the original budget. Manager Evans advised there is about \$93,000 allocated toward AMI (Automated Meter Infrastructure) that will not be used this FY, the earliest funding will be needed for that is FY 18-19.

Mayor Sellers advised this is critical if anything were to happen there is no way to shut off the water at the water plant.

Council Member Powell made a motion to buy the valve. Council Member Sweeting seconded the motion and advised she would like to use the water fund. Unanimously approved.

#### **4. Short Term Rental Helper Software**

TDA Executive Director Tracy Brown explained platform the TDA is currently looking at called STR Helper. STR stands for Short Term Rental. This company monitors short term rentals in municipalities and what goes on as far as properties that are being rented as short-term vacation rentals. There is a need to have a company monitor daily to keep up with who is renting where and make sure property owners are staying in compliance with the Town's rules and regulations. The cost of the STR Helper is \$14,500. The TDA Board voted at their last meeting that the TDA is willing to pay half if the Town will support with half of the fee. The TDA feels as though it is just as important for the Town to know what is going on as it is for the TDA to know. A few of the Council Members expressed that if the Town is only getting a third of occupancy tax revenue that they should only pay one-third of the fee, if they were to decide in favor of supporting this request. Council discussed occupancy tax revenues and Air B&B and VRBO's contributions. Council Member Matheson advised the TDA is going on with this project, but is just asking the Town to go in half and to update an ordinance with more "meat" to support the cause. Council discussed the purpose of this was not to allow short term rentals throughout Town, just to better control and regulate the areas that currently allow short term rentals.

Council Member Powell stated she felt it would be good to alert the public and give them an opportunity to comply before fining.

Mayor Pro-tem Yount asked what would you do if you were to get someone to question this process. Mr. Brown explained the way the program works and it would be the owner having to prove their innocents.

Council Member Sweeting advised her only issue is we only get a third of the occupancy tax and going in half is not worth the while in what the Town has to pay staff to keep up with this.

Council Member Powell made a motion to give the TDA \$7,250, seconded by Mayor Pro-Tem Yount. For: Council Members Steele, Powell, Matheson and Mayor Pro-Tem Yount. Against: Council Member Sweeting.

Manager Evans advised this is not budgeted. Council Member Matheson advised the TDA could go ahead and start the process and start the funding in the new budget year FY 18-19.

### **Manager's Report**

1. The Parks and Recreation Department will be sponsoring an opportunity for senior citizens to engage in a fun event on Saturday, February 17, 2018 – the Sweetheart Soirée. It will be held at the American Legion building from 1:00 p.m. to 4:00 p.m. and requires RSVP by Friday, February 16.
2. The paving bid request sent out to companies for this spring and summer paving did not generate three bids at our bid opening on February 6. Therefore, the project has been re-advertised and we will open bids on February 27. If we still have only two bids on that date, we will be able to move forward and accept one of the bids, which will then be presented at the March Town Council meeting.
3. Town staff have moved forward with sending letters to residents on Chestnut Drive, Chestnut Circle, and Grandfather Avenue regarding their interest in being connected to Town sewer, should it be constructed. I will apprise Council of the responses at the March Town Council meeting.
4. At the Retreat, Council expressed interest in reviewing the Comprehensive Plan adopted in 2014 and setting a time to work on a strategic plan. Council needs to determine the date for this work.
5. The Annual Departmental meetings with Town Council are tentatively scheduled for Wednesday, March 21 and Thursday, March 22 from 5:30 p.m. to 8:30ish. Please let me know if this works for everyone. Another date could be added to this for item 4 above.

### **OTHER BUSINESS**

None

### **EXECUTIVE SESSION**

At 11:30 p.m. Council Member Steele made a motion to go into Closed Session pursuant to NCGS 143-318.11 (6) – Personnel, NCGS 143-318.11 (a) (5) – Real Property, seconded by Council Member Matheson. Unanimously approved.

Following Executive Session, Council re-entered the regular meeting at 12:25 p.m., Council Member Matheson advised Manager Evans would be given a \$3,000 raise bringing his new salary to \$95,400.

**ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 12:40 a.m.

**MAYOR** \_\_\_\_\_  
**Charlie Sellers, Mayor**

**ATTEST** \_\_\_\_\_  
**Hilari Hubner, Town Clerk**

**ATTACHMENTS**

**Resolution of Appreciation for Barbara Wright - Attachment A**

**Resolution for National Parks – Attachment B**

**Memorial Tree Donation Policy – Attachment**