

**MINUTES**  
**Town of Blowing Rock**  
**Town Council Meeting**  
**June 12, 2018**

The Town of Blowing Rock Town Council met in regular session on Tuesday, June 12, 2018, at 6:00 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 Director Nicole Norman, Public Works Director Mike Wilcox, Planning Director Kevin Rothrock, Fire Chief Kent Graham, Police Chief Tony Jones, 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 6:00 p.m. and welcomed everyone.

**ADOPTION OF AGENDA**

Mayor Sellers advised the Public Hearing for Conditional Rezoning at 1150 Main Street would be deferred. He explained numerous people have to be notified of such a project and some of the people in that area “slipped through the cracks” and failed to be contacted in a timely manner. To make it fair, this project will be heard at the July 10<sup>th</sup> Council meeting. With the removal of this Conditional Rezoning item, Council Member Sweeting made a motion to adopt the agenda, seconded by Council Member Matheson. Unanimously approved.

**APPROVAL OF MINUTES**

Council Member Powell made a motion to approve the minutes for the regular meeting held on May 15, 2018, seconded by Council Member Sweeting. Unanimously approved.

Council Member Sweeting made a motion to approve the minutes for the May 18 and 30, 2018 Budget Meetings, seconded by Council Member Matheson. Unanimously approved.

**SPEAKERS FROM THE FLOOR**

Lee Rocamora - 412 Laurel Park Rd, spoke regarding building ordinances. Mr. Rocamora stated he felt as that in the past few years any planned development has required variances multiple portions of our ordinances; predominately density, parking and height. Mr. Rocamora explained he felt that if the Town’s ordinances are no longer pertinent to protect our Town, then maybe they should be re-evaluated to come up with ordinances that are consistent. That way when a developer or individual comes before the Board to request putting a new development in the Town Center they know from the start what the rules and regulations are. Mayor Sellers thanked Mr. Rocamora for his input.

**CONSENT AGENDA**

Town Manager Evans presented the following consent agenda item

### **1. AppalCart Contract**

Manager Evans advised a contract has been arranged between AppalCart and the Town of Blowing Rock to provide part time shuttle service to the Town of Blowing Rock. This is an experiment and it is the hope this will help with parking issues on the two busiest days of the week, Friday and Saturdays. The proposed route is approximately 20 minutes long and will run three (3) times per hour on the designated days. **AppalCart Contract – Attachment A**

Council Member Matheson made a motion to approve Consent Agenda as presented, seconded by Council Member Powell. Unanimously approved.

## **PUBLIC HEARING**

### **1. Short Term Rental Ordinance**

Planning Director Kevin Rothrock stated the Short-Term Rental Task Force met on several occasions and attended a webinar at the High Country COG about short-term rentals (STRs) and the nationwide trends affecting local communities. The Task Force reviewed several documents and summaries of STRs and presented the Planning Board a draft of an ordinance designed to regulate short-term rentals in Town. The draft ordinance provides a list of community goals that identify what the ordinance is trying to accomplish with a focus on health, safety, general welfare, protection of neighborhoods, and clarification and understanding of where STRs are allowed and where they are not allowed. Through drafting this ordinance there will be an emphasis on the Town's Legal position and consistency with NC General Statutes.

Mr. Rothrock advised at the May meeting, the Planning Board made a few changes to the draft ordinance and approved the attached draft ordinance unanimously.

The draft ordinance outlines the following:

- Overall Goals of the ordinance
- Current definition of short-term rental
- Changes to the Table of Permissible Uses
- Changes to the Parking Ordinance
- Listing of Compliance Standards and process for obtaining and renewing a permit

Mr. Rothrock stated for the record that these changes to the draft ordinance do not in any way expand Short-Term Rentals to any new area in Town.

Mr. Rothrock reviewed the following:

1. To clearly define short-term rental so everyone understands what is and is not allowed.
2. To clearly identify where short-term rentals are permitted.

3. To clearly identify those nonconforming properties where a grandfathered status has been established and how/when that grandfathered status can/cannot be lost.
4. To clearly define when occupancy taxes are required to be paid.
5. To establish basic safety regulations for visitors renting short-term properties.
6. To reduce liability of the Town.
7. To protect neighborhoods from unwanted short-term rentals and the problems that arise as a result (parties, noise, parking, dogs, trash, etc)
8. To maintain property values.
9. To have a local contact to quickly and effectively address issues that may arise during a rental stay.
10. To communicate transparently with 3<sup>rd</sup> party rental listing companies.
11. To allow homeowners the opportunity to legally rent their dwelling units where permitted.
12. To regulate short-term rentals consistent with authority given by NC General Statutes.

Mr. Rothrock explained the new section in the ordinance. It defines short-term rentals and lists the areas where they are permitted. It also establishes the rules that are expected to be followed. The Planning Department will be looking for a zoning permit process. What is recommended is an initial zoning permit for properties in the Town limits and ETJ that legally qualify for short-term rental. The initial permit will cost \$100.00. Each year after will require a renewal to consist of an inspection of the property and fee of \$50.00 to insure it follows the set rules which are:

1. Have a smoke and carbon monoxide detectors.
2. A 911 address that meets code and is displayed in a visible place for renters to be able to see.
3. A place for trash that meets the Town Code.

Mr. Rothrock advised it was discussed at the Planning Board meeting to have a local management company or individual contact person listed and be readily available to respond to an emergency within an hour. After further thought and consideration Planning staff changed from one hour to two hours.

Council Member Steele asked who would be administering this. Mr. Rothrock advised Planning and Inspections would be. Council Member Steele further asked if Mr. Rothrock could foresee having to hire any additional personnel in order to manage this program. Mr. Rothrock advised he would not need to hire anyone else.

Council Member Powell asked Mr. Rothrock to make sure when the zoning permit is issued it is clear to the property owner they know their responsibility to pay sales and occupancy taxes. Mr. Rothrock advised staff could make sure and have an information sheet to give out to make sure they were aware as well as a copy of the rules and regulations.

Council briefly discussed with Mr. Rothrock how to determine the “grandfathered in” properties and how to handle those.

Council Member Sweeting asked Mr. Rothrock to put the map of short-term rental areas that are allowed on the website.

Council briefly discussed parking rules in the ordinance which must comply with the number of bedrooms that are available at a property.

Mayor Sellers asked for public comment.

Ms. Betsy Wilcox advised she hoped the fees were big enough to absorb the costs for staff having to do inspections and such. Mayor Sellers advised this is a starting place and the fees can be increased if in time it is shown they need to be. Mr. Rothrock advised the inspections are very basic and the fee costs should be sufficient.

Council Member Powell stated keep in mind the Town is getting rewarded with the property owners paying sales tax and occupancy tax. Ms. Wilcox stated that the Town is also allowing these property owners to run a business out of their home.

Council Member Matheson advised the State will only allow the Town to charge so much for permits and make a profit. Mr. Rothrock reminded that these are not new homes in new neighborhoods that are going to be allowed to do this. Rather, it is existing properties where it’s currently allowed. Ms. Wilcox advised she wasn’t worried about that, she just wanted to make sure the Town wasn’t picking up extra overhead.

Planning Board Chairman David Harwood advised that this is something that has been a long time coming and thanked Mr. Rothrock, staff and the Task Force for all their hard work they have put into the research and implantation of STR.

Mr. Jerry Miller advised he would like for the word “room” to be specified as “bedroom” in the ordinance regarding parking spaces so that way there is no question or confusion.

Mr. David Rogers asked what the expected revenue from the permitting process was and if anyone had done a study on the impact of occupancy tax. Manager Evans advised no study had been done on the revenue. He further advised as far as the occupancy tax there is no way to know.

Ms. Lorry Mulhern asked about short-term rentals being allowed at the property going down the mountain on Hwy 321. Mr. Rothrock advised that is Blue Ridge Vistas, and it is a property that was annexed into Town back in 2012 for water service due to their well being taking by the Hwy 321 widening project. One of the things included in the annexation request was to continue allowing short term rentals. She further asked where it is addressed in the ordinance regarding the cost of fines for violations. She wanted to point out it needs to be included to let people know. Manager Evans advised it could be included in the information packet as well.

Council Member Steele advised he felt this Town was doing the right thing by putting this program into place as it helps keep things from getting out of hand and the Town from running into issues down the road.

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

Council Member Sweeting made a motion to approve with the additional changes, seconded by Council Member Matheson. Unanimously approved. **Short Term Rental Ordinance – Attachment B**

### **New Business**

#### **1. Community recognition of Ginny Stevens – Requested to Rename Street**

Mr. Cullie Tarlton spoke on behalf of a Friends of Ginny Stevens Committee that was organized and met over this past winter. This is a group of over thirty individual residents of the Town of Blowing Rock who loved and recognized all Ginny did for our town. The mission has been to decide the most fitting, visual and forever tribute for all her contributions to our Town. They are many. This committee shared many thoughts and ideas. At meetings and by way of email it was concluded the renaming of Chestnut Street between Main Street and Wallingford was the most fitting tribute. The proposed renaming is Ginny Stevens Lane. The committee has contacted the Blowing Rock Art and History Museum Director as well as the President of the Blowing Rock Historical Society and Ginny's husband Dave regarding our proposal. All seem to feel that the renaming of the street is a great way to honor her as she was so very involved with the rebuilding of Edgewood Cottage and with the construction of the Blowing Rock Art and History Museum.

The County has approved this proposal. With regard to cost of the signage, there are members of the Committee who are willing to take care of the cost, so there will be no cost to the Town or to the Tax payers.

Mr. Tarlton thanked Council for their consideration for this request.

Mayor Pro-tem Yount advised the Board wanted to make a unified motion and second to approve the request. Unanimously approved.

#### **2. FY 2018 – 2019 Budget – Adoption**

Town Manager Evans reviewed via PowerPoint an overview of the budget process, priorities of the budget, revenue streams, expenses and highlights of the budget including a \$0.01 tax increase for bond debt, a COLA of 2.1% for wages/salaries, increase in water/sewer minimum rate, \$100K to begin water plant repairs, funding for a police officer in the position of School Resource Officer, an additional day of parking enforcement, funding for a centrifuge at the sewer plant and funding for rebuilding bridge at Glenn Burney Trail. Town Manager Evans explained meetings were held with department

heads and Council to discuss upcoming needs for the FY 2018-2019 Budget and the proposed budget was originally presented to Council at the May meeting. Town Manager Evans advised two (2) separate work sessions were held on May 18 and May 30 to discuss details associated with the budget and the Budget Public Hearing was held on June 5.

Mayor Pro-tem Yount made a motion to approve the proposed budget, seconded by Council Member Powell. Unanimously approved.

Mayor and Council thanked Manager Evans and staff for all their hard work on the Budget. **FY 2018-2018 Budget – Attachment C**

### **Manager's Report**

- The Town of Blowing Rock received a "Thank You" from Team Hunter's Heroes for the Town's sponsorship. See attached letter.
- The picnic shelter behind Town Hall is complete with landscaping, drainage, retaining wall, sod, and is very attractive. I sent a photograph and thank you letter (showing the "before and after") to Senator Ballard and Representative Jordon and Senate and House leadership.
- The town's old recycling building is complete and is very functional now with new siding, insulation, ceilings, lighting, and foundation. It is a great workspace now.
- Reminder to everyone that the most up-to-date schedule for road work, including resurfacing roads, is on our website and is updated each Friday night.
- The Shriner's Parade went well, and the Town received many compliments from the Shriners regarding the help they received, especially from the police.
- As you have no doubt noticed, the hanging baskets and potted flowers adorn our streets now, thanks to the Landscaping staff. This includes flowers on Sunset Drive between Main and Valley.
- Our HR Representative, Tonda Spear, attended an OSHA Workshop in Hickory and a Public Employment Law update in Asheville in May.
- The Town Council's mid-year retreat will be held on Monday, June 24<sup>th</sup> at Town Hall from 1 p.m. until 5 p.m.
- Broyhill Lake's first phase of dredging is complete. We had many days of lightening and hard rain which delayed progress. We did not accomplish as much as we had hoped, but had to stop for the season so as not to interfere with facility rentals. We will look at follow-up dredging late this year or early next year, as funds allow.
- The condemned house on Possom Hollow is going through the legal process and will be posted soon.
- The EFLAP grant for the 221 sidewalk from Main to Bass Lake is currently in the appraisal phase. McGill is working with an appraiser from Asheville to establish the value of the ROWs we need to move forward.

WR Martin will be working with the property owners to negotiate any agreements necessary with owners.

**OTHER BUSINESS**

None

**EXECUTIVE SESSION**

None

**ADJOURNMENT**

There being no further business to discuss Council Member Sweeting made a motion to adjourn the meeting at 7:30 p.m., seconded by Council Member Matheson. Unanimously approved.

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

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

**ATTACHMENTS**

**AppalCart Contract – Attachment A**  
**Short Term Rental Ordinance – Attachment B**  
**FY 2018-2018 Budget – Attachment C**