

MINUTES
Town of Blowing Rock
Town Council Meeting
December 10, 2019

The Town of Blowing Rock Town Council met in regular session on Tuesday, December 10, 2019, 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 Sue Sweeting and Council Members David Harwood, Albert Yount, Doug Matheson and Virginia Powell. (Outgoing Council Member Jim Steele was also in attendance). Others in attendance were Town Manager Shane Fox, Town Attorney Allen Moseley, Town Engineer Doug Chapman from McGill Associates, Public Works and Utilities Director Matt Blackburn, Police Chief Aaron Miller, Planning Director Kevin Rothrock, Building Inspector John Warren, Fire Chief Kent Graham, Parks and Recreation Director Jennifer Brown, Finance Officer Nicole Norman 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.

THE PLEDGE OF ALLEGIANCE

MINUTE APPROVAL

Council Member Steele made a motion to approve the minutes from the November 12, 2019 Regular Council Meeting open session, seconded by Council Member Matheson. Unanimously approved.

Council Member Powell made a motion to approve the minutes from the November 12, 2019 Closed Session Meeting, seconded by Council Member Sweeting. Unanimously approved.

SPECIAL RECOGNITION

Mayor Sellers recognized outgoing Council Member Steele for eight (8) years of service and presented him with a plaque.

OATH OF OFFICE

Town Clerk Hilari Hubner administered the oath of office to incumbent Mayor Sellers and newly elected Council Member David Harwood.

Greta Wilson, Attorney at law, administered the oath of office to incumbent Council Member Albert Yount.

SELECTION OF MAYOR PRO-TEM

Mayor Sellers opened the floor for nominations for Mayor Pro-Tem. Council Member Powell nominated Council Member Sweeting. Council Member Harwood nominated Council Member Yount. Council Member Yount stated "he nominated a man of

impeccable character and ethics”, Council Member Harwood. Council Member Harwood advised he respectfully declined the nomination. Mayor Sellers called for a vote. Council Members Matheson, Powell and Sweeting voted for Council Member Sweeting. Council Members Harwood and Yount voted for Council Member Yount. Council Member Sweeting was voted to Mayor Pro-Tem by three (3) to two (2).

Mayor Sellers thanked Council Member Yount for his years of service as Mayor Pro-Tem.

REGULAR AGENDA ADOPTION

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

CONSENT AGENDA

Request from the Blue Ridge Conservancy to hold their annual Blowing Rock Mayview Madness 5K/Fun Run road race on Saturday, September 26, 2020.

Council Member Sweeting made a motion to approve the Mayview Madness, seconded by Council Member Powell. Unanimously approved.

Budget Amendment Ordinance to Account for various items. **Budget Amendment #2019-17 – Attachment A**

Council Member Matheson made a motion to approve, Seconded by Council Member Sweeting. Unanimously approved.

SPEAKERS FROM THE FLOOR

Tim Gupton, 235 Meadow Lane, read a letter on behalf of the Civic Association:

Honorable Mayor Sellers, Council Members Harwood, Matheson, Powell, Sweeting and Yount, and Town Manager Fox,

2019 is ending on a much more positive note than the beginning of the year!

After two divisive public hearings in the beginning of the year, we have focused on building community consensus among stakeholders and encouraged by the open lines of communication representing all stakeholders.

We have a fresh start for 2020 after hiring a new Town Manager and experiencing a very positive campaign cycle by our candidates resulting in adding a new Council Member. We wish to welcome Mr. Harwood to the Council and express our appreciation to Mr. Steele for his many years of dedicated service to our community.

Everyone seems to be focused on addressing the long-term needs of preserving and growing our community, so how we move forward in 2020 will be important to our future. Let's keep in mind that Shared Vision documented in the 2014 Comprehensive Plan –

“Embrace change while remaining vigilant to ensure that the Town’s unique character and quality of life is not compromised.”

To that end we would like to recommend 10 Top Priorities for the Council to consider and incorporate in your Winter Retreat and work plan for 2020.

- 1. Complete Valley Boulevard Vision Process, evaluate recommendations and update the Land Use Code as appropriate*
- 2. Approve a similar process including a professional advisor to update the 2014 Comprehensive Plan during the 2020 summer to maximize community input.*
- 3. Update Land Use Codes for West Main Street as recommended in the 2017 Comprehensive Plan (Page 3-3) to preserve existing setbacks and greenspace*
- 4. Adopt Conditional Zoning Permit and eliminate Conditional Use Permits to allow citizen input for Council consideration.*
- 5. Update the Land Use Code to clarify existing code and unwritten interpretations including definitions for hotel & residential STR, 75% greenspace in front setback and vested downtown parking rights.*
- 6. Addressing the Downtown Congestion problem by preparing and implementing a comprehensive Parking and Traffic Management Plan using a professional advisor.*
- 7. Acquire land to expand and complete the park*
- 8. Set expectations for Sustainable Tourism and ask the TDA to prepare a Tourism Management Plan with community input*
- 9. Prepare a Long-Term Capital Improvement and Funding Plan with a priority on the W&S Improvement Plan*
- 10. Implement local EMS coverage to adequately manage our risks – Adopt 90+9 National Standard for our citizens.*

Mr. Gupton thanked Council for listening to their concerns.

PRESENTATIONS:

1. FY 18-19 Audit Presentation

Ms. Paula Hodges from Martin Starnes & Associates presented via PowerPoint the FY 18-19 Financial Audit. Ms. Hodges noted that the Town’s available fund balance was 56% at June 30, 2019. She further noted that the Town was in a very healthy place financially. **FY 18-19 Audit PowerPoint – Attachment B**

2. The Community Initiative for Memorial Park

Citizens Sam Hess and Sam Glover presented via PowerPoint their initiative to work with Council, Staff and if need be committee to come up with a plan to replace the deteriorating playground equipment in Memorial Park.

Mayor Sellers thanked Mr. Hess and Mr. Glover for their input. Council briefly discussed and the consensus was to table to request and discuss in detail at the upcoming January Retreat.

PUBLIC HEARING

1. CZ 2019-03 Conditional Rezoning for CB to CZ-CB – Blue Ridge Hotel #2019-03

Planning Director Kevin Rothrock advised John Winkler is requesting a conditional rezoning from Central Business to Conditional Zoning – Central Business (CZ-CB). The .44-acre property is located on Main Street. The Applicant is proposing the construction of a 12-unit hotel on the property.

The Applicant is seeking the conditional rezoning to construct a 12-room hotel on the former Blue Ridge Motel property.

The setback on Main Street is fifteen (15) feet from back of the road. The side setbacks on the property are Five (5) feet. The proposed hotel meets all setback requirements as of the building is shown at fifty-four (54) feet from the back of the sidewalk to the closest point of the building.

All building materials as proposed on the hotel appear to meet the commercial design standards. The overall height of the building is thirty-six (36) feet ten (10) inches from the grade at the primary entrance. The overall height includes a parapet to screen HVAC equipment. The building is limited to thirty-seven (37) feet in height.

Access to the site will be a revised and relocated driveway entrance off Main Street. The previous driveway was through the middle of the site and the new access will be moved slightly west and to the left of the property frontage. No access will be provided to Sunflower Lane.

The proposed hotel requires twelve (12) spaces and fifteen (15) spaces are shown on the site plan.

The storm water runoff from the site will be conveyed to an onsite detention system under the parking area and released to the storm drainage system on Main Street, consistent with the Land Use Ordinance.

Garbage collection will be picked up the owner or a private service.

A landscape plan shows some large shade trees to be planted and will meet the screening requirements. The buffer on the northwest corner of the site needs to be increased from four (4) to eight (8) feet but there is sufficient room to accommodate. There are two (2) or three (3) large

Mr. Rothrock advised the applicant had no proposed conditions.

At their regular meeting on November 21, 2019, the Planning Board made a recommendation to approve the conditional rezoning as submitted.

Council Member Powell asked if the required parking is one per unit and they have three (3) extra. She advised she asked because the Town is losing a lot of greenspace and wanted to know if that was discussed at Planning Board. Mr. Rothrock advised that was not discussed. She further asked Mr. Rothrock to explain the 75% green space rule. Mr. Rothrock advised that requirement is not applicable for this particular site.

Council Member Matheson advised there use to be an old service line that came down through the property and asked if it was still there. Mr. Rothrock advised that service line was no longer there.

Mayor Pro-Tem Sweeting stated in reading the Planning Board minutes, they asked some very good questions and one question asked she would like to re-ask: "what is the definition of a hotel in our code." She explained she felt these were individual units as they didn't have a front desk staff on sight to for example "call down to get a pillow."

Council discussed the concept of hotel vs. condo.

Mayor Pro-Tem Sweeting explained her thinking was its Council's responsibility to protect the health, safety and welfare of tourist and that is why she wanted clarification. Mayor Pro-Tem Sweeting advised when she called the Health Department, they advised this was considered a condo and they would not inspect it. She advised it was a unique concept, but just didn't think it needs to be approved for a hotel if it's really a condo.

Council Member Powell advised she wants it to be approved as a hotel if that means there are more safety requirements with it being a hotel.

Mr. Rothrock advised it is a hotel and that is how it will be built by building code. He explained the applicant applied to build it as a hotel and therefore it is restricted to hotel use in the ordinance.

Council Member Harwood stated a condo is a form of ownership, not necessarily a building type. He further stated the building code standards are going to be more straight for a hotel than a short-term rental.

Mayor Pro-Tem Sweeting advised in the Planning Board minutes she read that the ones whom presented the project to Planning Board said it would be rented through Air B&B.

Council Member Matheson made a motion to open the Public Hearing, seconded by Council Member Powell.

The applicant's daughter, Ms. Amber Winkler, advised she was at the Planning Board meeting and didn't recall Air B&B or VRBO being specifically mentioned. She explained she was asked if the hotel would be booked online and she stated they would explore all the platforms other hotels use but did not have a specific platform in mind yet.

Mr. Rothrock read the definition of a hotel from the Town Code.

Mr. John Winkler, Applicant for the project, advised his intent is to run this as a hotel and he was very excited about this project. He further advised he owns several buildings in Boone and has a maintenance staff that is very knowledgeable and will be responsible for this building as well.

Mayor Pro-Tem Sweeting complimented Mr. Winkler on the work he does and knew this project would be equally as good. She asked if DOT had made the request of Mr. Winkler to do a "right in" "right out" concept for the driveway. Mr. Winkler advised nothing had been said, but he would find out from DOT.

With no further question from Council, Mayor Sellers opened up for public comment.

Steve Irace, 9239 Valley Blvd., owner of the Green Park Inn spoke in favor of the project. He advised there had been some continuous hearings, and this Board has approved over one hundred (100) STR hotel type units within the last year. He advised out of all those he had only spoke critically of one. He advised the reason he was in favor of this project vs. the one he was opposed to is because of the density of that one project.

Tim Gupton, 235 Meadow Lane, advised the civic association did an analysis of this project and they have a lot of respect for Mr. Winkler and his track record. He advised the goal of the Civic Association is not to support or oppose a project, but to look at the facts. He advised from the Planning Board meeting two observations made one was the concern about the definition of hotel vs. short term rental and two was the recommendation that the approval be restricted to hotel use only. He explained this is an example of where there are inaccurate in the code that need to be clarified. Mr. Gupton advised Planning Board was very receptive and discussed all the points and the civic association was satisfied with the outcome. He felt all those points have been addressed, but he wanted to set the record straight from a technical point.

Mayor Sellers thanked the citizens for their input.

Council Member Matheson made a motion to close the public hearing, seconded by Council Member Powell.

Council Member Matheson made a motion to approve the project as presented, seconded by Mayor Pro-Tem Sweeting. Unanimously approved.

BUSINESS MATTERS:

1. Retreat Discussion – Date and Location

Council discussed holding the Retreat January 6th, 7th and 8th. Mayor Pro-Tem Sweeting advised the Ad Hoc meeting was scheduled for Monday, January 6th and asked if Council could consider adjourning early for that meeting to be held as scheduled.

Council Member Yount asked if that meeting could be rescheduled, he didn't think that meeting should pre-empt the Retreat. Council Member Matheson stated he agreed with Council Member Yount that the focus should be on Retreat and not have another meeting that would distract from that. Mayor Pro-Tem Sweeting advised she would try to reschedule the Ad Hoc meeting.

Council Member Harwood asked if the dates January 6, 7 and 8, 2020 were good with Town Staff. Manager Fox advised those dates were fine.

Mayor Sellers advised with the dates selected Council needed to decide where to hold the Retreat.

Council Member Yount advised he thought it had already been decided to be held in Asheville. Mayor Sellers advised it had not.

Council Member Powell advised she would like to have the Retreat in Blowing Rock this year.

Council Member Yount advised he would not.

Council Member Powell made a motion to hold the Retreat in Blowing Rock, seconded by Council Member Harwood. For the motion: Council Member Powell, Harwood and Mayor Pro-Tem Sweeting. Against the motion: Council Members Yount and Matheson. Motion passed to hold the Retreat in Blowing Rock.

Mayor Sellers advised the location for the Retreat would be BRAHM. Manager Fox advised in preparation staff secured several locations in Blowing Rock as well in Asheville for the upcoming Retreat. BRAHM is located off sight and will hold more people.

Council Member Matheson advised January 6th, 7th and 8th seemed to work for all and Mayor Pro-Tem Sweeting added she would change the Ad Hoc meeting to another date.

Council Member Yount advised he wanted to know "where this BRAHM thing got started". He further advised he distinctly remembered discussion of "this Council" that it was good to get away and wanted to know if that has just gone away.

Mayor Sellers advised what he had heard from everyone is that some had a preference for Asheville and some for Blowing Rock. He further advised that nothing had been discussed or decided by a quorum on where the Retreat would be held.

Council Member Powell stated last year and the year before Council put the location to a vote just like is being done now.

Council Member Yount advised "this doesn't pass my smell test".

Council Member Powell advised last year the vote was 3 to 2 for Retreat to be held in Asheville.

Council discussed a little further. Council Member Powell's motion stood to hold the Retreat in Blowing Rock. For the motion: Council Member Powell, Harwood and Mayor Pro-Tem Sweeting. Against the motion: Council Members Yount and Matheson. Motion approved to hold the Retreat January 6, 7 and 8, 2020 in Blowing Rock.

2. TDA Board Appointment

Council Member Matheson nominated Council Member Powell to replace outgoing Council Member Steele's seat on the TDA Board, seconded by Mayor Pro-Tem Yount. Unanimously approved.

3. RTAC Board Appointment

Mayor Pro-Tem Sweeting advised she had sat on the Board for four (4) years and ask if any other members were interested. Council Member Yount advised he was interested and asked for a little more information about the Board. After brief discussion Mayor Pro-Tem Sweeting nominated Council Member Yount to be the RTAC Board member, seconded by Council Member Matheson. Unanimously approved.

4. Monthly Financial Report

Finance Officer Nicole Norman gave the monthly Financial Report.

OTHER BUSINESS

- Mayor Sellers – Thanked the citizens for attending all the meetings and congratulated Council Members Yount and Harwood.
- Council Member Yount – Stated “democracy depends on the consent of the losers”
- Council Member Harwood – Advised it was a real honor to serve on Council and he was so appreciative for the opportunity to do so. He further advised he looked forward to working with Council and Staff.
- Mayor Pro-Tem Sweeting – Thanked staff for all the hard work to make the Thanksgiving weekend a great event. She further thanked Staff for a wonderful Town Christmas Party.
- Council Member Matheson- Thanked staff as well for the hard work for the Thanksgiving weekend festivities as well as the Christmas Party. He further advised he and Manager Fox have a meeting scheduled on the 17th with AppalCart to discuss the shuttle going forward for the next season.
- Council Member Powell – Asked Manager Fox to let Council know if he needed anything to help prepare for the upcoming January Retreat.
- Manager Fox – Updated the following:
 - Will be sending Council a List of Retreat items and Council can give him feedback.
 - Sunset Project – waiting on the weather to incorporate for a few final “punch list” items. Final walk through is scheduled for next week. He advised this project is five (5) years in the making and thanked the residents and business owners for their patients.

EXECUTIVE SESSION

None

ADJOURNMENT

There being no further business to discuss, Mayor Pro-Tem Sweeting made a motion to adjourn at 7:50 p.m., seconded by Council Member Matheson. Unanimously approved.

MAYOR _____
Charlie Sellers

ATTEST _____
Hilari Hubner, Town Clerk

ATTACHMENTS

Budget Amendment #2019-17 – Attachment A
FY 18-19 Audit PowerPoint – Attachment B