

**MINUTES**  
**Town of Blowing Rock**  
**Town Council Meeting**  
**June 14, 2016**

The Town of Blowing Rock Town Council met in regular session on Tuesday, June 14, 2016 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 Scott Fogleman, Town Attorney Allen Moseley, Town Engineer Doug Chapman, Planning Director Kevin Rothrock, Finance Officer Nicole Norman, Public Works and Utilities Director Mike Wilcox, Building Inspector John Warren, Police Chief Tony Jones, Parks & Recreation Director Jennifer Brown, Town Clerk Sharon Greene and Interim Town Clerk Hilari Hubner.

**CALL TO ORDER**

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

**APPROVAL OF MINUTES**

Council Member Sweeting made a motion to approve the minutes for meetings held on May 10<sup>th</sup>, May 25<sup>th</sup> and May 27<sup>th</sup> 2016 as written and the May 24<sup>th</sup> meeting with the following correction; would like the following statement after the first paragraph: When the letter from Mr. Marty Randall was distributed, Mayor Pro-tem Yount objected to the presentation based on the fact that the meeting had been announced to the public for the purpose of a budget work session. Council Member Steele and Council Member Sweeting supported the objection. The motion was seconded by Council Member Pickett. Unanimously approved.

**SPECIAL RECOGNITIONS AND REPORTS**

**Highway 321 Valley Boulevard Construction Update**

Kipp Turner of Maymead Construction began his monthly update on the Highway 321 Widening Project by stating a large amount of asphalt has been placed from Tanger Outlets to Food Lion. Mr. Turner advised the southbound side asphalt work is complete and work will start on the curb and guttering.

Mr. Turner advised the northbound lanes utility duct bank work is close to completion. Mr. Turner explained the underground duct bank work under Hwy 321 is complete and the last 100 ft. of work to complete will be slow, but will be out of the way of traffic.

Mr. Turner stated the metal poles have been installed for traffic lights and sidewalk work is nearing completion. Mr. Turner also advised additional work is in process down Sunset Drive to install extra curb and guttering as well as extend the sidewalk.

Mr. Turner stated crews will start installing guardrails as well as resume work on fencing. Mr. Turner further explained subcontractors will start removing old pavement markings, such as double yellow lines, to get ready for the upcoming four (4) lane traffic pattern.

Mr. Turner advised a traffic pattern switch near Pinnacle Avenue will allow work to begin on the wall near the golf course.

Mayor Lawrence thanked Mr. Turner for his update.

### **Naming of Blowing Rock Legacy Garden for Lowell and Ineke Thomas**

Mayor Lawrence presented Ineke Thomas with a resolution in support of renaming The Legacy Garden along South Main Street in Blowing Rock, the "Lowell and Ineke Thomas Legacy Garden." Mrs. Thomas thanked Mayor Lawrence and Town Council for the honor as well as Cullie Tarleton for suggesting and getting the whole process started. Mrs. Thomas stated Lowell had the vision and she was the planting lady. **Resolution in Support of Renaming The Legacy Garden- Attachment A**

### **Recognition of Retiring Town Clerk Sharon Greene**

Mayor Lawrence presented Sharon Greene with a plaque in recognition of her retirement with 30 plus years of service to the Town.

## **CONSENT AGENDA**

Town Manager Fogleman presented the following consent agenda items:

### **1. Budget Ordinance Amendment to Account for Various Items**

A variety of budget ordinance amendments have been identified for Council approval including yearend allocations, donations received, and accounting for general obligation bond proceeds and related debt services. **Budget Ordinance Amendment #2016-20 - Attachment B**

A motion was made by Council Member Pickett to approve the Consent Agenda item as presented, seconded by Council Member Sweeting. Unanimously approved.

## **PUBLIC HEARINGS**

### **1. Budget for Fiscal Year 2016-2017**

Town Manager Fogleman stated the Manager's Recommended Budget for fiscal year 2016-2017 was presented at the May 10, 2016 Council meeting. Mr. Fogleman advised it was posted online and a copy has been available for review at Town Hall. Mr. Fogleman further advised that three (3) separate work sessions with Council were held on May 24, 25 and 27 to discuss details associated with the budget. Mr. Fogleman explained the budget is a combination of the Manager's Recommended Budget as well as four (4) changes that have been identified:

1. Eliminating the recommended vehicle license fee of \$10.00 per registered vehicle.

2. Adjusting the recycling fee from \$6.00 bi-monthly to \$8.00 bi-monthly to help pay for some of the public recycling programs the Town has recently implemented including along Main Street as well as funding the recycling program at the Post Office.
3. Adjust the title of the Capital Budget project from “Technology Infrastructure: Phase 3 Phone System” to “General Government Capital Improvements”.
4. Fee schedule update is to have the vehicle in lieu fee remain at \$15,000.00.

Mayor Lawrence asked for public comments or questions. With no comments or questions, Council Member Sweeting made a motion to close the public hearing, seconded by Council Member Matheson.

Council Member Pickett Made a motion to accept the 2016-2017 Managers Recommended Budget along with the list of changes, seconded by Council Member Sweeting. Unanimously approved.

Council Member Steele asked if there had been any discussion regarding the fund balance being increased to 51% this year. Mr. Fogleman stated that is an estimate of what falls out after all the revenues and expenditures are in place and it wasn't specifically a line item. Council Member Steele reiterated he would like to get the fund balance back to 51% this year.

Council Member Matheson thanked Town Manager Scott Fogleman, Finance Officer Nicole Norman and all Department Heads for all their hard work on the budget.

Mayor Pro-tem Yount wanted to make known that this budget reflects something he's worked eight (8) years to try and accomplish in terms of additional staffing resources with the Fire Department, he acknowledged it's not cheap, but in the long run will pay off. He further wanted to make it known that a lot of hard work, thought and consideration was put into the decision to pass this budget.

### **Fiscal Year 2016-2017 Budget– Attachment C**

#### **2. CUP 2015-02 Moody Building Renovation- Amendment**

Council Member Steele asked to be recused due to a conflict of interest.

Planning Director Kevin Rothrock stated that RWL 1, LLC is requesting an amendment to the conditional use permit that was approved in 2015 to convert the old Moody Furniture building to a restaurant/retail establishment. The applicant, Mr. Bob Lovern, is planning to scale down the size of the project and preserve more of the existing front of the building. Mr. Rothrock highlighted the changes, via PowerPoint, to the site plans and elevations, including a one-way entrance from Sunset Drive and changes to the parking layout. Mr. Rothrock added that the west side landscaping buffer requirement waived in the 2015 CUP is a duplicate to fit into the new plan and that there is the potential of a mural on the west side wall in the future.

Council Member Matheson asked Mr. Rothrock if the handicap lift was still on the plans. Mr. Rothrock stated that had been removed due to no longer needing it with the new site plan.

Council Member Sweeting commented she liked the one-way entrance from Sunset Drive. She also asked Mr. Lovern why he chose to have glass doors on the back of the building. Mr. Lovern stated he felt it would allow more flexibility with future use of the building.

Council Member Sweeting asked Mr. Lovern what his plan was on controlling parking. Mr. Lovern stated he planned to have six (6) parking spots designated, two (2) for apartments he rents and four (4) for retail. Mr. Lovern further stated he would have signage stating how the parking is allocated.

Council Member Sweeting stated she would like Mr. Lovern to have more landscaping on the west side of his building to help with parking issues she had witnessed. Mr. Lovern stated he felt that once the parking area is paved and striped that will resolve any parking issues.

Council Member Sweeting asked Mr. Lovern if he would agree to add planters to the west side of the building. Mr. Lovern stated his plan was to do some type of landscaping on the west side of the building.

Mayor Lawrence asked if there were any public comments or questions.

With no further comments or questions, Council Member Pickett made a motion to close the public hearing, seconded by Council Member Matheson. Unanimously approved.

Council Member Sweeting made a motion to approve the CUP 2015-02 Moody Building Renovation Amendment as presented, with the following addition; landscaping be added to the west side of the building at Planning Director Kevin Rothrock's discretion, seconded by Council Member Pickett. Unanimously approved. **Moody Building Renovation-Amendment CUP #2015-02 – Attachment D**

Council Member Steele returned to the meeting.

## **DISCUSSION AGENDA**

### **1. Bid Award for Greenway Court Drainage Project**

Town Engineer Doug Chapman stated three (3) informal proposals were received for installation of drainage improvements in the Greenway Court area. Mr. Chapman advised the work includes installation of a stormwater control structure and approximately 140 linear feet of 15-inch polypropylene piping, a catch basin and related work. Mr. Chapman advised Mountain Crest, LLC was the low bidder in the amount of \$57,100.00, plus a 10% contingency to be funded with Roadway General Obligation Bond funding.

Council Member Steele stated that he felt the other two bids were courtesy bids and didn't understand why other contractors didn't give a decent competitive bid.

Council Member Matheson asked Mr. Chapman if he felt that the size of the project is the reason a lot of contractors didn't bid. Mr. Chapman explained he felt as though many contractors are busy and look at a project like this as too much of a messy project to get involved with.

Council Member Pickett commented contractors cannot be forced to give bids.

Council Member Matheson asked Mr. Chapman if he felt as though Mountain Crest's bid was a competitive bid. Mr. Chapman stated he felt that it was.

Mayor Pro-tem Yount stated this project was an issue with the previous Town Manager before and has been an ongoing issue for some time.

Council Member Sweeting asked if buildings are required to have guttering. She further explained she had been behind the building during a rainstorm and felt that was an issue that needed to perhaps be addressed.

Mayor Pro-tem Yount requested Mr. Chapman meet with the contractor prior to work beginning and make sure to stress the Town wants this fix to be a permanent solution not another temporary one.

Council Member Pickett made a motion to accept the bid for Mountain Crest, LLC in amount of \$57,100.00, seconded by Council Member Sweeting. Unanimously approved.

## **2. Bid Award for Dogwood Lane Road Repair**

Town Engineer Doug Chapman stated two (2) informal proposals were received for repair of the failed roadway along Dogwood Lane. The work includes installation of gabion basket stabilization, soil fill materials, concrete curb and gutter, asphalt patching, and related work. Mr. Chapman advised Mountain Crest, LLC was the low bidder in the amount of \$64,000.00, to be funded with Roadway General Obligation Bond funding, plus a 10% contingency. Also with an allowance of \$5,000 for construction material testing during construction.

Council Member Steele asked Mr. Chapman what the length of the repair would be and to explain what will be accomplished. Mr. Chapman explained this is the entire length of the project, about 150 feet. Mr. Chapman further explained this will cover approximately a 100 feet. gabion wall that varies in height from two to three baskets.

Council Member Steele stated he didn't think this project is as steep as Quail Hollow so he wondered how this project is similar to Quail Hollow. Mr. Chapman explained it's similar due to the use of gabion baskets. Council Member Steele further asked why the

gabion baskets are being used as opposed to a retaining wall. Mr. Chapman explained the gabion baskets are a much more cost effective solution.

Council Member Steele commented in the future he would like a map or a picture to better understand the location and project scope.

Council Member Matheson asked Mr. Chapman if he felt any more culverts were needed across the road due to the amount of water coming down. Mr. Chapman said he felt another culvert wasn't needed because it is handling the water and is not causing any other problems. Council Member Matheson asked if anything should be done to prevent the enlargement of the current hole that has formed. Mr. Chapman stated it is something that will be looked into.

Council Member Sweeting made a motion to accept the bid for Mountain Crest, LLC as presented, seconded by Council Member Pickett. Unanimously approved.

### **3. Ice House Rental Process**

Planning Director Kevin Rothrock reviewed a staff report stating based on the direction of Town Council at the May 10<sup>th</sup> meeting, staff advertised a Request for Proposals for those seeking to lease the historic Ice House located at 140 Maple Street. By the 2 p.m. deadline on Friday, June 3<sup>rd</sup>, staff received one (1) proposal from Take Heart, a local retail business located at 1009 Main Street. Mr. Rothrock reviewed potential lease terms as well as a schedule that will be followed if approved.

Council Member Sweeting stated she thought when the advertisement request was sent out it was asked to be sent out to other market areas. Mr. Rothrock stated he did send it to Rob Presley in Charlotte.

David Rogers stated from the audience that he was a little bit confused about the process. Mr. Rogers further stated it was his understanding that when the remodeling process was complete is when the process would begin to look for a tenant. Mr. Rothrock explained that process had already been done and was advertised in The Blowing Rocket as well as on the Town's website. Mr. Rogers advised he had expressed interest in the location. Mr. Rothrock reiterated that it was advertised on the Town's website as well as in The Blowing Rocket and was advertised for retail use.

Mayor Pro-tem Yount commented that he felt Ms. Furman had done everything that was asked of her.

Council Member Matheson stated he felt as though Ms. Furman had done a great job of coming up with the lease terms.

Mayor Pro-tem Yount made a motion to approve a lease agreement with Sheri Furman, owner of Take Heart, for the Ice House location, seconded by Council Member Matheson. Unanimously approved.

#### **4. Consideration of Sewer Extension on Heather Ridge Lane**

Town Engineer Doug Chapman stated over the past few months, Town staff has received some inquiries about extension of public sewer in the Heather Ridge Lane area. The house on the corner of Green Hill and Heather Ridge Lane and the first two (2) homes on Heather Ridge Lane are currently served by public sewer. The remaining five (5) homes are currently served by their respective individual private septic systems. Five (5) of these properties are partially located in the Town corporate limits, and one property is outside of the corporate limits.

Mr. Chapman stated there are two (2) options to extend sewer on Heather Ridge Lane:

1. Pressure Sewer (800 linear feet) with an estimated cost of \$122,800
2. Gravity Sewer (1,300 linear feet) with an estimated cost of \$317,900

Mr. Chapman advised this sewer request is classified as a special request as it is not part of the Town's Water and Sewer Capital Improvement Plan.

Mayor Pro-tem Yount asked if there was an event that brought this request forward. Mr. Chapman stated the Muscari home is currently under construction and the septic system has been removed therefore this home must be connected to public sewer.

Council Member Sweeting stated this is something to be considered, but needs more involvement from the neighbors, more information about easements and what the cost will be to those wanting to connect. Council Member Sweeting further explained she felt the bond money is for current repairs and not for a new sewer line unless absolutely necessary.

Council Member Matheson stated he felt this needed to have full consideration because the Heather Ridge residents are paying full taxes.

Mayor Pro-tem Yount asked Town Attorney Allen Moseley to be involved in this project.

Council Member Sweeting made a motion to get more information about the project, find out what the neighbors want to do and let them know what the cost involved is, seconded by Council Member Pickett. Unanimously approved.

#### **SPEAKERS FROM THE FLOOR**

Mrs. Donna Lewis a resident at 340 Laurel Park Road spoke regarding the recently approved Storie's Carpet Rezoning. Mrs. Lewis stated she and her husband were in Florida when they heard about the rezoning request and were surprised to learn that it was not already zoned for commercial use. Mrs. Lewis further stated she felt as though this would be a great opportunity to have the unattractive commercial building removed as it does not fit with the surrounding neighborhood. Mrs. Lewis advised this is the only commercial building as you come into Town from that direction.

Mrs. Lewis explained due to being out of town she and her husband as well as other residents in the Laurel Park neighborhood wrote letters to Town Council regarding this issue. Mrs. Lewis stated they were told no objections were made regarding this rezoning, however at least four residents wrote letters with objections, but it was approved anyway.

Mrs. Lewis stated she understood Council asked Storie's Carpet to make some changes. She explained trees have been cut behind the building and a riprap drain was added. Mrs. Lewis gave Council a picture showing what the neighborhood residents have to now look at coming in and out of Laurel Park. Mrs. Lewis asked if Council could have Mr. Storie do something to hide the back of the building.

Mr. Ken Lewis added to his wife's statements that they cannot find where any public discussion was made about the objections. Mr. Lewis stated he never received any response from any Town Council members acknowledging the letters had been received or read. Mr. Lewis commented that he could not believe that no observation was made by any of Town Council that this is the only entrance and exit to a substantial neighborhood and that none of Council thought to involve the neighborhood residents before making a decision regarding this rezoning.

On Council's behalf, Mayor Lawrence thanked Mr. and Mrs. Lewis for their comments.

Mr. Ciprian Agafite a resident at 189 Clark Street spoke regarding town maintenance and public parking. Mr. Agafite stated he and his wife are in the process of remodeling their home on Clark Street. He apologized to Council for the mess of his construction and stated he is working hard to get his remodeling/reconstruction project completed. Mr. Agafite explained he is concerned about the quality of two speed bumps located near his property. He further explained people do not observe them and drive in and out of Clark Street at a high rate of speed and he is concerned about the residents' safety on Clark Street. Mr. Agafite urged Council to please do something regarding the quality of these two speed bumps. Mr. Agafite also urged Council to add more garbage containers to the pool area and to the parking lot.

Mr. Agafite further spoke regarding the "no overnight parking" issue. Mr. Agafite stated that public parking means just what it says "it's for the public to park" and therefore residents and guests should be allowed to park there, even overnight. Mr. Agafite gave examples of other cities and towns that allow overnight parking in free parking areas. Mr. Agafite urged Council to do something about the parking issue.

On Council's behalf, Mayor Lawrence thanked Mr. Agafite for his comments.

## **ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 8:15 p.m.

MAYOR \_\_\_\_\_

J.B. Lawrence

ATTEST \_\_\_\_\_

Hilari Hubner, Interim Town Clerk

**ATTACHMENTS**

**Resolution in Support of Renaming The Legacy Garden- Attachment A**

**Budget Ordinance Amendment #2016-20- Attachment B**

**Fiscal Year 2016-2017 Budget– Attachment C**

**Moody Building Renovation-Amendment CUP #2015-02 – Attachment D**