

MINUTES
Town of Blowing Rock
Town Council Meeting
September 13, 2016

The Town of Blowing Rock Town Council met in regular session on Tuesday, September 13, 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, Bryan Martin filling in for 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 and Administrative Assistant Tammy Bentley filled in for 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 the regular meeting and closed session held on August 9, 2016 as written. 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 Widening Project by stating in front of Tanger asphalt has been removed to install the remaining median curb and guttering. Mr. Turner advised the sidewalk has been placed along the wall near Chetola Lake. Mr. Turner stated the curb & guttering and sidewalk work at North Main Street is almost complete.

Mr. Turner explained work is in the process on the parking lot in the old 321 road bed and curb & guttering will be installed soon. Mr. Turner further explained the concrete work has been completed along Sunset Drive and the only thing left to be completed in that area is paving of the Business Park parking lot.

Mr. Turner advised the rock face work on the wall by Cliff Dwellers has been completed and the concrete barrier at the entrance of West View Drive will be removed and a permanent guard rail installed.

Mr. Turner stated the traffic signal poles are fully activated and minor work is left to install pedestrian signals and pedestrian push buttons. Mr. Turner advised underground utility

work is in process from Norwood Circle to Green Park. He further advised wall work is being done along the golf course at Fairway Condos.

Council Member Sweeting asked for clarification on the look of the guard rails. Mr. Turner advised they are supposed to have a “weathered or rusted look” per the original plans.

Mayor Lawrence thanked Mr. Turner for his update.

Introduction of Road Improvement Website Link

Town Manager Fogleman presented a demonstration via power point on the new link available via the Town’s website with information about the Roadway Improvements.

CONSENT AGENDA

Town Manager Fogleman presented the following consent agenda items:

1. Budget Amendment to Close Out Capital Projects per Audit

A variety of budget ordinance amendments have been identified for Council approval to close out capital projects for Fiscal Year 2015. **Budget Amendment to Close Out Capital Projects per Audit – Attachment A**

2. Budget Ordinance Amendment for Capital Project Bids Awarded at July 19 Special Council Meeting

A variety of budget ordinance amendments have been identified for Council approval to adjust capital project budgets amounts consistent with bid awards approved at the July 19 special Council Meeting. **Budget Ordinance Amendment for Capital Project Bids Awarded at July 19 Special Council Meeting – Attachment B**

3. ABC Store Travel Policy

In accordance with North Carolina General Statute 18B-700 (g2), the ABC Store must have a personnel travel policy in place. The travel policy must be approved by the board’s appointing authority annually. Since the Town of Blowing Rock is the appointing authority for the ABC Board, it is necessary for the Blowing Rock Town Council to approve the policy. Also, as result of the Town of Blowing Rock being the appointing authority, the Town of Blowing Rock travel policy may be used. The ABC Board has requested the Town of Blowing Rock Town Council approve this policy for their use.

4. Appalachian Regional Commission (ARC) Grant Application for Blowing Rock Downtown/Sunset Drive Wi-Fi Expansion

A grant has been identified to support Wi-Fi installations in downtown areas. Staff has completed a grant request package to attain \$9,100 of grant funding that if awarded, would be supported by \$3,900 of matching funding to be provided though an appropriation from the Town of Blowing Rock and/or the Blowing Rock Tourism Development Authority.

5. Bishop Annexation (1264 Green Hill Road)

The property owner has filed a petition requesting annexation of a single family lot located at 1264 Green Hill Road. Plans are in place to renovate the house and the owner is seeking to connect to the Town's sewer system. The property is currently on a septic system. A simple sewer tap and connection is possible via a manhole located in front of the property.

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

PUBLIC HEARINGS

1. Conditional Use Permit 2016-02 - My Mountain Home-Retail

Planning Director Kevin Rothrock reviewed the staff report and PowerPoint presentation. Ms. Janelle Havner is requesting a conditional use permit to convert the former Christian Science Church to a retail business. The subject property is located at 120 Maple Road but the building fronts Valley Blvd. Access to the site will be through a driveway cut onto Valley Blvd on the north side of the building. The access will be for entrance only and vehicles will leave through the back of the property to Maple Road. Access will also be possible from Sunset Drive via Maple Road. This would allow left turns at the Sunset Drive intersection. Angled parking would be constructed on the north side of the building by utilizing the one-way driveway. Additional angled parking would be available off Maple Road at the rear of the building. Six (6) spaces could be constructed in these two areas including an ADA van-accessible space.

Mr. Rothrock stated at their August 18th meeting, the Planning Board recommended approval of the CUP with the following additional conditions:

1. Garbage containers will be screened.
2. Dumpster(s) will not be allowed.
3. Delivery trucks will be no longer than UPS/FedEx trucks.
4. No Parking spaces will be placed in the cul-de-sac.
5. The Town will confirm that the south side exit is a true exit.

Mr. Rothrock advised it is recommended that four spaces on the south side of the building be allowed to remain and be used by the business in exchange for public access right-of-way for the southern driveway on Hwy 321.

Council Member Sweeting asked Mr. Rothrock if letters had been received from residents. Mr. Rothrock stated that one had been received before the Planning Board meeting. Mr. Rothrock passed the letter around for Council to read.

Mayor Pro-Tem Yount asked Mr. Rothrock if he had consulted with Town Attorney Moseley regarding the four spaces, Mr. Rothrock advised that he had and Mr. Moseley suggested getting easements.

Council Member Matheson stated he felt the exits are too close and he doesn't like the south exit at all. He also asked Mr. Rothrock if four (4) parking spaces would be dedicated for business. Mr. Rothrock stated yes, if these spaces can't be dedicated, they would have to have spaces along the back and the applicant would be short one (1) space.

Mr. David Harwood, Chairman of Planning Board, shared a few additional observations with Council. Mr. Harwood stated this is a good opportunity for redevelopment on an under-utilized building and is in keeping with the character of the Village.

Mayor Lawrence asked for Public comment or questions. Ms. Joann Mitchell stated she lives behind the property and she is very pleased to see the beautiful church being used. Ms. Mitchell further stated she would like to request the green space in the back of the church be kept as well as the hemlock hedge. Ms. Elizabeth Jones stated she would like to not have anything cut down if at all possible and would also like for the green space behind the church to be kept. Both Ms. Mitchell and Ms. Jones showed appreciation for the sensitivity to the neighbors.

Mayor Pro-Tem Yount made a motion to close the Public Hearing, Seconded by Council Member Pickett.

Council Member Sweeting made a motion to return to planning board to review more information that the Planning Board didn't see; how to address parking, the wall in the back and hours of operation. Council Member Matheson seconded the motion. After further discussion regarding options other than sending the item back to the Planning Board, all members voted against the motion. After further discussion Council Member Steele made a motion to approve the request with six (6) parking spaces only. Seconded by Council Member Matheson, unanimously approved. **Conditional Use Permit 2016-02 - My Mountain Home-retail – Attachment C**

2. Conditional Use Permit 2016-03 - Sunny Side Child Development Center

Mr. Rothrock reviewed the staff report and PowerPoint presentation. William and Amber Fairbetter are requesting a conditional use permit to convert a portion of the commercial building at 8100 Valley Blvd to a day care center. The day care center is being designated for occupancy for up to 30 children. Sunny Side Day Care has been providing child care for up to eight (8) children at 393 Skyland Drive since 2011 through a conditional use permit. The Applicant would like to move the day care from its current location to 8100 Valley Blvd beside Papa Joe's restaurant, and requests the expansion of the day care to allow up to 30 children. The Land Use Code requires a total of twelve (12) parking spaces, including one van-accessible parking space. There is a van-accessible space along the north side of the building with direct access to a ramp at the front entry along with some paved, marked spaces. Additional parking will be located on the side and rear of the building in the gravel portion of the lot. These spaces can be used by Papa Joe's restaurant during lunch hours. A playground area will be fenced and secured behind the building. There are additional NC State Building Code requirements that have to be satisfied for daycare operations. At the August 18th meeting, Planning Board recommended approval of the CUP as submitted.

Council Member Sweeting asked if the access to the building is going to be one way. Mr. William Fairbetter stated that it would be.

Mayor Pro-Tem Yount asked how long it would take to have the business open. Mr. Fairbetter stated his goal is to have it opened by October.

Council Member Steele made a motion to close the Public Hearing, seconded by Council Member Pickett, unanimously approved. Council Member Matheson made a motion to accept the CUP as presented, seconded by Council Member Pickett, unanimously approved. **Conditional Use Permit 2016-03 - Sunny Side Child Development Center – Attachment D**

DISCUSSION AGENDA

1. Ice House Rental Contract

Mr. Rothrock reviewed that at the June 14th Council Meeting, Town Council agreed to consider a lease agreement with Sheri Furman, owner of Take Heart, for use of the Ice House for a retail business. The proposed terms are a three (3) year initial lease with an incrementally increasing lease rate of \$875/month plus utilities for the first year, \$900/month plus utilities for the second year, and \$950/month plus utilities for the third year. To meet NC General Statutes, a 30-day public notice was advertised in the Blowing Rocket on August 4, 2016 describing the referenced incremental lease rate, plus utilities, for the initial three (3) year term. The Ice House was recently renovated by VPC Builders.

Some of the lease terms include:

1. Insurance – The tenant must provide a \$500,000 policy for both public liability and property damage.
2. Repairs – The tenant is responsible for interior repairs and the Landlord is responsible for exterior repairs.
3. Sublease – No subleases are permitted without Landlord approval.

Council Member Sweeting made a motion to approve the lease as submitted, seconded by Council Member Pickett. Unanimously approved. **Ice House Rental Contract – Attachment E**

2. Recycling Contract

Town Manager Fogleman reviewed the recycling contract. Mr. Fogleman highlighted the transition from an 18-gallon bin to a 95 gallon roll-out cart with lid which will be collected every other week rather than weekly.

Council Member Sweeting asked if residents can keep their 18-gallon bin if they choose to do so. Mr. Fogleman stated they can, but recycling will still only be picked up every other week. Council Member Sweeting asked how long the lease would be. Mr. Fogleman advised it's a 3 year lease with the option to renew every 2 years.

Joann Mitchell asked if tops were available for the 18-gallon containers. Mr. Fogleman advised that they were not, but the 95-gallon container does have a top.

Council Member Pickett made a motion to approve the recycling contact, seconded by Council Member Sweeting. Unanimously approved. **Recycling Contract – Attachment F**

SPEAKERS FROM THE FLOOR

Mr. Frasier Bingham spoke regarding the rocking chairs that have been removed from the front porch of Cone Manor. Mr. Bingham stated that the rocking chairs had been there for 35 years and 4 years ago they were removed. Mr. Bingham advised he had submitted a petition with 1,056 signatures to Mr. Woods with the Blue Ridge Parkway and with a few more weeks left he hopes to get another 1,000 signatures. Mr. Bingham thanked Council for their time. Mayor Lawrence thanked Mr. Bingham for bringing this issue to Council's attention.

Ms. Joann Mitchell asked Council what the plan is on enforcing the speed limit on Hwy 321. Mr. Fogleman stated he spoke with Kip Turner about getting additional speed limit signs on Hwy 321. Mr. Fogleman explained NCDOT does have additional signage in the plan, but won't be added until later due to continued work on the roadway project. Mr. Fogleman stated the Police Department has invested in a speed monitoring device which records the speed of each vehicle. Police Chief Tony Jones advised the speed monitoring device had been placed on Hwy 321 and the Police Department would continue to monitor and track speed daily.

Ms. Lorry Mulhern spoke regarding the speeding issue on Hwy 321. Ms. Mulhern stated she felt the speed and noise has increased substantially.

EXECUTIVE SESSION

At 8:05 p.m. Mayor Pro-Tem Yount made a motion to enter into Closed Session pursuant to NCGS 143.318.11 (6) (9), seconded by Council Member Pickett. Unanimously approved.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 8:35 p.m.

MAYOR _____
J.B. Lawrence

ATTEST _____
Hilari Hubner, Town Clerk

ATTACHMENTS

Budget Amendment to Close Out Capital Projects per Audit – Attachment A
Budget Ordinance Amendment for Capital Project Bids Awarded at July 19 Special Council Meeting – Attachment B
Conditional Use Permit 2016-02 - My Mountain Home-retail – Attachment C

**Conditional Use Permit 2016-03 - Sunny Side Child Development Center –
Attachment D
Ice House Rental Contract – Attachment E
Recycling Contract – Attachment F**