

BURNSVILLE TOWN COUNCIL
Special Meeting
Tuesday, September 20, 2016

The Town Council, with members Mayor Theresa Coletta, Ruth Banks, Judy Buchanan, and Shannon Peterson and Ron Powell present, held a regular meeting on Tuesday, September 20, 2016, at the Burnsville Town Center. Also in attendance were town staff members Brian Buchanan, Leslie Crowder, Jonathan England, Chad Fox, Jeanne Martin, and Ronnie Tipton; town attorney Heather Hockaday, and visitors David Grindstaff and Tim Honeycutt. The Mayor, who presided, called the meeting to order, stating that the purpose of and the agenda for the meeting was to consider and possibly take action on the following matters:

1. Otway Burns Pavilion
2. Sidewalk Cafes
3. Town ordinances on trailer parks
4. Town of Burnsville's Personnel Policy

Judy Buchanan moved to adopt the aforesaid agenda. Ron Powell seconded the motion, which carried. Council then considered:

1. **Otway Burns Pavilion** – Ronnie Tipton reminded Council that this issue was referred to a committee comprised of him and County Planner Jamie McMahan, which later expanded to include County Manager Nathan Bennett and Police Chief Brian Buchanan. Mr. Tipton advised that the committee studied the issue and prepared a report, which was presented to the County Commissioners at their last meeting. Excerpts of the report were read to Council, after which there was discussion. The mayor said the concept of the proposed pavilion was not a bad idea in her opinion; however, over twenty people had contacted her personally, and only four of those favored the structure. Additionally, she said the town would have to assume the maintenance of the structure, which is a responsibility she isn't sure the town could handle. She advised she would be changing her vote from a yes to a no, although she expressed sincere appreciation to Mr. and Mrs. Bare for their generous gesture. Ruth Banks said she also appreciated the gesture, but felt the town would lose control of the town square. She pointed out that she found it an advantage to be able to move the existing performing stage from spot to spot so the grass would not be damaged. Judy Buchanan said that after viewing the aerial video from the recent *Farm to Fork* event she realized that the proposed structure would detract from the square's natural beauty. Shannon Peterson said he hasn't heard from many people in favor of the pavilion and he personally isn't in favor of the project either. The mayor asked for a conclusive vote, While Ron Powell was in favor of accepting the report and taking no action, the Mayor asked for a conclusive vote.

For purposes of closure, Judy Buchanan moved to vote on the issue. Theresa Coletta seconded the motion. Voting was as follows:

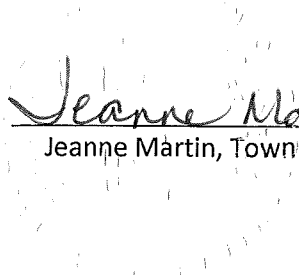
<u>Aye</u>	<u>No</u>	<u>Abstain</u>
Ruth Banks		Ron Powell (recorded as a "yes")
Judy Buchanan		
Theresa Coletta		
Shannon Peterson		

Judy Buchanan thanked the committee for the report, and made a motion against the construction of a pavilion on the town square for the reasons cited in the report. Theresa Coletta seconded the motion. Voting was as follows:

<u>Aye</u>	<u>No</u>	<u>Abstain</u>
Judy Buchanan		Ruth Banks (recorded as "yes")
Theresa Coletta		Ron Powell (recorded as "yes")
Shannon Peterson		

2. **Sidewalk Cafes** – Available for review was a proposed ordinance for sidewalk dining, which had been drafted by Heather Hockaday with the assistance of Ronnie Tipton and Jon England. Council was told that the ordinance, with small changes, has received approval from the Planning Board. After a discussion of the draft, it was agreed that the ordinance would be expanded to include merchandise and pushcart regulation, and requirements for additional liability coverage, if appropriate. A public hearing and notices will be necessary, because this ordinance will be added to the Zoning Ordinance. The general ordinance will need to be amended to insure consistency. Council was told that the revised draft will be ready for review at the work session in October.
3. **Town ordinances on trailer parks** - Heather Hockaday advised that she has reviewed the list of changes the Planning Board wants applied to the trailer park ordinance, which would push the limits on allowing mobile homes anywhere in the town's residential district. She shared her knowledge of state law as it applies to trailer parks with Council. Ron Powell said the Planning Board was mainly interested in more restrictive requirements for newly annexed land. Jon England pointed out that if you annex and zone to allow trailer parks, they would fall under the ordinance in existence at that time. Ms. Hockaday suggested that Council be aware that more than one statute applies to regulation on manufactured homes, which includes modular.
4. **Town of Burnsville's Personnel Policy** – Available for review was the proposed Personnel Policy for the Town of Burnsville. Points discussed and recommendations included:
 - ✓ Employment forms. Council was told that forms mentioned in the policy have not been drafted yet, but would be available for review once they were complete. The mayor suggested that the forms be included as an appendix to the policy. Ron Powell suggested there be an enhanced evaluation form for Department Heads.
 - ✓ Heather Hockaday commented on key topics that had been discussed at this year's Public Employment Law update through the School of Government, which have been reviewed and addressed in the revised Personnel Policy.
 - ✓ Lunch hour – It was suggested that Robert Branch report back to the committee on recommendations for lunch breaks. The policy should clearly state that the lunch hour is a "benefit provided by the town."
 - ✓ Adverse weather – this policy should be incorporated under "employment policies."
 - ✓ Reduction in force – If the budget allows, a 30 day notification to the employee should be provided.
 - ✓ Organizational chart – Should be incorporated as part of the policy.

There being no further business, Judy Buchanan made a motion to adjourn. The motion was seconded by Shannon Peterson and carried.



Jeanne Martin

Jeanne Martin, Town Clerk

Theresa Coletta

Theresa Coletta, Mayor