

**BURNSVILLE TOWN COUNCIL**  
**Regular Meeting**  
**Thursday, February 2, 2017**

On February 2, 2017, the Burnsville Town Council, with members Mayor Theresa Coletta, Ruth Banks, Judy Buchanan, Shannon Peterson, and Ron Powell present, held a regular meeting at the Burnsville Town Center. Also in attendance were town staff members Brian Buchanan, Leslie Crowder, Jon England, Chad Fox, Niles Howell, Jeanne Martin and Ronnie Tipton; town attorney Heather Hockaday; and visitors Warren Bare, Chuck Carlson, Denise Cook, Ricky Crout, Brian Franklin, Rob Grennell, David Grindstaff, Rhonda Higgins, Mike Hoskins, Laura Maher, Wanda Proffitt, Woody Ryan, Harrison Tyner, and others. The Mayor, who presided, stated that the purpose of the meeting was to conduct regular business for the month of February, 2017.

- **Public Comment** –
  - a. Brian Franklin, Manager of the Burnsville ABC Store, gave an update
  - b. Chuck Carlson, owner of Ye Olde Country Store, commented on the idea of a light at Ingles, which he feels would be unnecessary if eastbound vehicles would just simply turn right and go to the light.
- **Adoption of Agenda** – Judy Buchanan moved to adopt the agenda. Shannon Peterson seconded the motion, which carried.
- **Consideration of Minutes** – Available for review were minutes from the following meetings:
  - a. Regular meeting held January 5, 2017
  - b. Special meeting held January 17, 2017

Ron Powell moved to adopt the aforesaid minutes as written. Shannon Peterson seconded the motion, which carried.

- c. Minutes from a closed session held January 17, 2017 were tabled until the next regular meeting.
- **Public Hearing on Proposed Amendments to the Zoning Ordinances for the Town of Burnsville** – Judy Buchanan moved to open the hearing on the aforesaid subject. Shannon Peterson seconded the motion, which carried.

The subject(s) of the hearing were amendments to the Zoning Ordinance as follows:

- a. The addition of a new zoning ordinance, Article 16, *Regulating Sidewalk Dining and Sidewalk Merchandise/Displays/Signage and Furnishings* in the Town of Burnsville.

Visitor Warren Bare spoke on behalf of the ordinance, stating that a key element in a lively town is the visibility of its people.

- b. Amendments to Article 8, *Use Requirements by District*. Specifically amending some square footage requirements and some permitted uses and non-permitted uses in Section 801.C-1, Central Business District; Section 802, General Business District; 803.1-1, Industrial District; and

804 C-3, East/West Main Street Business District. No one commented on these proposed amendments.

Judy Buchanan moved to close the hearing and resume the regular meeting. Shannon Peterson seconded the motion, which carried.

Planning Board Chairman Harrison Tyner read and entered into the record Plan Consistency Statements for the proposed amendments.

Ron Powell moved to adopt the Plan Consistency Statement for Article 16, *Regulating Sidewalk Dining and Sidewalk Merchandise/Displays/Signage and Furnishings* in the Town of Burnsville. Theresa Coletta seconded the motion, which carried.

Ron Powell moved to adopt the proposed Zoning Ordinance, Article 16, *Regulating Sidewalk Dining and Sidewalk Merchandise/Displays/Signage and Furnishings* in the Town of Burnsville. Theresa Coletta seconded the motion, which carried.

Ron Powell moved to adopt the Plan Consistency Statement for Article 8, *Use Requirements by District*. Ruth Banks seconded the motion, which carried.

Ron Powell moved to adopt the proposed amendments to Article 8, *Use Requirements by District*. Theresa Coletta seconded the motion, which carried.

Ron Powell thanked Harrison Tyner, Woody Ryan, and the Town Council for their hard work on the town's ordinances. Judy Buchanan and Ron Powell also expressed appreciation to Attorney Heather Hockaday and the town staff.

- **Planning Board Report** – Harrison Tyner, Planning Board Chair, reported:
  - a. Minutes from the January 10, 2017 Planning Board meeting were available for review.
  - b. All amendments to the Zoning Ordinance are complete, but there is still a need to deal with the residential subdivision ordinance, which would provide the town with certain standards. A consultant and funding may possibly be needed. After subdivision guidelines have been considered, the Planning Board will be meeting quarterly or as needed.
  - c. Planning Board member Woody Ryan is willing to attend the NC Main Street conference this year. The Mayor reminded Mr. Tyner that through no fault of our own, the Town is no longer a member of the program, although we are currently researching re-entry by attending an early-bird session for this purpose. Theresa Coletta moved to pay costs for Woody Ryan and one other to attend the full conference. Judy Buchanan seconded the motion, which carried.
  - d. The Planning Board will not meet in February, but meetings will resume in March.
  
- **Public Concerns about Ingles/Bypass** –
  - a. Visitor Rob Grenell spoke about the fatal accident that occurred recently in front of Ingles, as well as other incidents in the vicinity, and the need for the issue to be addressed and studied to minimize the hazard in an area that sees a tremendous traffic flow.
  - b. Police Chief Brian Buchanan was doubtful that D.O.T. would install a traffic light in the area since it is a single business access. He said the process for a traffic study by the D.O.T. would begin with a formal request. Judy Buchanan moved for the Police Chief to invite the study (as soon as possible) through a formal request. Shannon Peterson seconded the motion, which carried.

- **Sidewalk Transportation Improvement Project (STIP) Update** – The Mayor reminded Council that at the January work session issues related to downtown Burnsville revitalization were discussed. Signage was one of the topics, as well as the prioritization of downtown sidewalks. Council already voted that there should be an emphasis on sidewalks in the heart of the town. Businesses have suffered terribly and foot traffic is necessary for the businesses. The Walkability Study needs to be reviewed and updated, and options need to be explored.

Ronnie Tipton updated Council on the town’s activities related to STIP, mentioning that there have been several meetings with D.O.T. engineers and representatives from the High Country COG. The funding for these projects will be an 80-20 match, cannot be used for rehabilitation or maintenance, and must be submitted by the County. In order to apply, we must have a cost estimate, and must have secured right-of-way in advance of the application. A professional cost estimate would be necessary, since if it is not accurate and we receive the award, the town would be responsible to complete the entire project and pay any difference resulting from a shortfall. McGill Associates can do a non-fully engineered plan (draw and give a rough estimate). Two projects that have been considered are Longview to the DSS Building on Pensacola Road and the continuation of sidewalks down East Main Street.

Ron Powell moved to obtain a cost estimate on both projects so we know if we can afford the 20% match. The motion failed for lack of a second.

Shannon Peterson moved to proceed with the East Main Project and connect the sidewalks up East Main Street and Pensacola Road to the sidewalk on the bypass. Judy Buchanan seconded the motion. Voting was as follows:

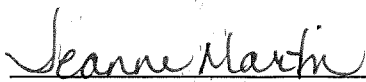
<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>
Ruth Banks		Ron Powell (counted as a “yes”)
Judy Buchanan		
Theresa Coletta		
Shannon Peterson		

- **Toe River Arts Council Update** – Denise Cook updated Council on TRAC activities, including the gateway project, and the branding and wayfinding process.
- **Mayor’s Administrative Report**
  - a. Water/Sewer grant update – Council heard that we are moving into the second phase of funding for another project.
  - b. Farmers have indicated they prefer an open air market, so property that was under consideration previously is out of the running.
  - c. Council Work Session February 21, 2017 at 3:00 p.m. Council was told that the Personnel Policy is missing an integral component, a *Pay and Position Classification Plan*, that would assign salary ranges to positions.
- **Department Updates:**
  - a. Administration
    1. Personnel Policy – Theresa Coletta moved to adopt the *Town of Burnsville Employee Handbook*. Shannon Peterson seconded the motion, which carried.


2. Pursuant to GS 105-369(a), *Tax Delinquent Report* dated January 27, 2017 was provided as an update of uncollected revenues. A variety of collection efforts are underway.
  3. *Order to Advertise Taxes* – Ruth Banks moved to adopt an *Order to Advertise Taxes*. Judy Buchanan seconded the motion, which carried.
  4. Finance Issues:
    - a) The Budget vs. Actual dated January 27, 2017 was furnished to Council.
    - b) Council was asked to consider Budget Amendment #4 to recognize expenditures related to the town's match for the sidewalks on the bypass (\$29,050.67) and new signage on West Main Street (\$4,000). Judy Buchanan moved to approve the aforesaid budget amendment. Ruth Banks seconded the motion, which carried.
- b. Fire Department - Chief Niles Howell reported:
1. Status of Property:
    - a) The barn on the property is halfway down.
    - b) Fundraising Efforts – The *Battle of the Blues* event will be held on March 4<sup>th</sup> at the Town Center. The Garden Deli, Bubba's and Pig and Grits will be providing the food.
    - c) A meeting is being planned with the USDA area specialist who will assist with the loan application. Judy Buchanan moved to seek permission from the Local Government Commission to explore funding for the fire department construction project from the USDA and approve a subsequent loan application. Theresa Coletta seconded the motion, which carried. Judy Buchanan moved to confer signature authority for the loan upon the Mayor. Shannon Peterson seconded the motion, which carried.
  2. Operations – Council reviewed the Fire Department's Monthly Update.
- c. Police Department - Chief Brian Buchanan reported:
1. Council reviewed the department's activity log.
  2. MDT's have been installed and paperwork is currently being completed for reimbursement.
  3. Enforcement on the bypass is being encouraged and citations have increased quite a bit in the past month.
- d. Public Works Department – Public Works Director Ronnie Tipton reported:
1. An activity log was available for review.
  2. The crosswalk signs for West Main Street have been discussed with the Mayor and staff, and have been ordered. They will be operative on both sides of the street.
  3. In response to a NC Supreme Court decision as to fees that can or cannot be charged by a municipality, Ronnie Tipton has been working with Heather Hockaday and office staff on the implementation of a new rate and fee schedule. CDI fees have been eliminated, but tap fees have been restructured. After noting a typo, Ron Powell moved to adopt the schedule (with correction). Theresa Coletta seconded the motion, which carried.
  4. Discussions have begun with Yancey County over the East Yancey Sewer Plant. A pump and haul permit has been issued, and we are ready to accept the flow. There will be meetings next Monday to begin the operation.
  5. A meeting is planned for next Wednesday morning to discuss a substantial water/sewer project.
  6. The Micaville Water Line Extension has been put out for bid.
  7. We have a cost estimate on the elevator for the Town Hall, which will be put out for bid.

- 8. According to Greg Benton, an Assistant District D.O.T. Engineer, our *Town of Burnsville* signs will need to be placed off the right-of-way, since the road has been designated a Scenic By-way. An easement would not be approved.
  
- e. Town Center - Facility Manager Chad Fox provided a brief update of events scheduled for the upcoming month, reporting that the Wedding Expo will be held in February. He noted that weekends are booking up rapidly.
  
- **Council Members' Reports**
  - a. Mayor Theresa Coletta
    - 1. Council considered a funding request from the Yancey History Association. Theresa Coletta moved to approve the funding request for \$500.00 Judy Buchanan seconded the motion, which carried
    - 2. Councilors were shown a certificate we received for support during the Party Rock Fire.
  
- **Updates from Advisory Boards and Non-Profits**
  - a. Yancey County Economic Development Commission – EDC Director Wanda Proffitt complimented Council on the work accomplished in Planning and Design Guidelines, which was needed. She said that in forty years she has never seen the number of inquiries for business opportunities as she has recently.
  - b. Mrs. Proffitt advised that TRACTOR is going to occupy the former sock factory, and has been working to get the building upfitted for their needs.
  - c. During the past year the EDC and County got a Community Foundation grant for farming as an economic driver. We are now seeing that the farm-fresh food movement has gained popularity.
  
- **Next Regular Town Council Meeting** – The next Town Council meeting will be held on Thursday, March 2, 2017 at 6:00 p.m., at the Burnsville Town Center to consider regular business for the month of December.

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



Jeanne Martin, Town Clerk



Theresa Coletta, Mayor