

BURNSVILLE TOWN COUNCIL
Regular Meeting
Thursday, October 3, 2013

The Town Council, with members Mayor Danny McIntosh, Ruth Banks, Judy Buchanan, Ron Powell, and Bill Wheeler present, held a regular meeting on Thursday, October 3, 2013, in the Town Hall. Also in attendance were town staff members Brian Buchanan, Anthony Hensley, Jeanne Martin and George Nero; Planning Board member Dean Gates; and visitors Lloyd Allen, Theresa Coletta, Ellen Denker, Lucy Doll, Jody Higgins, Michael Luker, David McIntosh, Wanda Proffitt, Armin Wessel, and others. The Mayor, who presided, called the meeting to order, stating that the purpose of the meeting was to consider regular business for the month of October, 2013.

- Public Comment - Michael Luker asked Council to lift the moratorium on tattoo studios in Burnsville. He said that his discussions with people in town indicate they don't mind tattoo studios and he has over 60 signatures that attest to that statement. He said it is unfair to judge him by the reputation of other studios that have been here. The mayor agreed to forward the request to the Planning Board.
- Adoption of Agenda and Consent Agenda – Bill Wheeler made a motion to adopt the agenda and the consent agenda as presented. Judy Buchanan seconded the motion, which was unanimously approved.

- Consideration of Consent Agenda –

1. Consideration of Minutes
 - a. Regular meeting held September 5, 2013

Council action requested: Approve aforesaid minutes

2. Status Updates:

- a. Administration

- 1) Grant Project Ordinance for I & I Project (attached)
 - 2) Grant Project Ordinance for Micaville Water Line Extension Project (attached)
 - 3) Resolution to Declare Certain Property Surplus (computer and popcorn popper)

Council action requested: Adopt aforesaid project ordinances and resolution

- b. Police Department

- 1) The Police Department is back to full employment with Officer Pate finishing his field training and in the rotation covering night shift.
 - 2) We are preparing for several upcoming events the next few weeks on the square.
 - 3) There still has not been any notification from DOT regarding the sign inquiry for West Main Street.

c. Public Works

- 1) East Yancey Sewer District (Yancey County) – The treatment plant is getting very close to completion. A wet start-up of the facility and training was held the week of September 9th and will be on-going for the next few months. The line work is still on hold but will be re-bid as soon as the required permits are issued.
- 2) Micaville Water Line Extension (Golden LEAF) – The contractor is installing water line. The first reimbursement requires has been submitted to Golden LEAF. The town has submitted an application to ARC and the Rural Center for the remainder of the funds needed to complete the project.
- 3) I & I Remediation Projects (NC Infrastructure Finance Section / McGill) – This project is nearing completion and a punch list is being generated for the contractor.
- 4) Lincoln Park Pump Station (McGill) – The County has submitted the executed easement and we are moving into the construction phase. The site has been surveyed and cleared. We will begin construction in the next couple of weeks.

d. Other

- 1) Small Town Main Street – Our meeting was held in September. The original hanging baskets for the square have been put back up. The next meeting will be on Monday, October 21st.
- 2) NC STEP / BDG – Our meeting was held in September. The video is almost ready for viewing. The next quarterly meeting will be held on the third Monday in December.

Ron Powell made a motion to adopt/approve items on Consent Agenda that were identified for Council action. Ruth Banks seconded the motion, which was unanimously approved.

- Consideration of Ordinance to Establish Design Review Committee – Council was told that the proposed ordinance has been sent to Todd Bailey for legal review; staff is awaiting Mr. Bailey's opinion. Ron Powell said he felt consideration of the ordinance should wait until legal review is complete, and made a motion to table the issue until next month. Bill Wheeler seconded the motion, which was unanimously approved.
- Planning Board Report
 1. Planning Board Chairman Dean Gates asked Council to consider the renewal of a contract with the Department of Commerce for Ron Hancock's involvement in planning issues. Ron Powell made a motion to renew aforesaid contract. Judy Buchanan seconded the motion, which was unanimously approved.
 2. The Planning Board is currently developing a five year plan. An outline of a plan for the upcoming year will be presented to Council for review and comments/suggestions.
 3. Michael Luker was invited to the next Planning Board meeting to begin conversations regarding the tattoo parlor moratorium.
- Request from High Five Hospitality Holding, LLC for Annexation – Available for review was a letter from High Five Hospitality Holding, LLC requesting annexation on 1.25 acres of property at the east end of the former Avondale parking lot as described in DB 205, Page 411. David McIntosh, representing High Five Hospitality, said he would later furnish a legal description, but needed a commitment from the town to annex. He said the group is working on a transaction that has the possibility of creating jobs and moving the town forward, and would increase the tax base.

Ron Powell said he is in favor of the concept, but more information is needed as to water/sewer requirements, etc. David McIntosh said the water/sewer needs would most likely be compared to domestic needs rather than a high usage; service for two bathrooms is probable. Mr. Powell said that in the bigger context of more property being annexed, we may want to consider some sort of a legal agreement to build based on certain requirements.

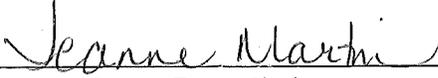
Planning Board Chairman Dean Gates said that his board is studying subdivision regulations. David McIntosh said he plans to get with the design group and move forward. The mayor asked if council could commit contingent upon the developer moving forward or withdraw the request. He asked if the property would be zoned C-2 or C-3. Dean Gates said the first step would be to annex the property and then work out the zoning, which is a chance the developer takes.

Ron Powell made a motion to commit to annexation contingent upon completion of an agreement between the developer and the High Five group, and if the agreement is not completed, High Five can opt out of the annexation request. Bill Wheeler seconded the motion, which was unanimously approved.

- NC STEP Report – Councilor Ron Powell advised that the town has received \$12,800 more from the North Carolina Rural Center, and made a motion to adjust the budget to recognize these additional revenues. Ruth Banks seconded the motion, which was unanimously approved.
- Department Updates:
 - Administration – No report.
 - Fire Department – No report.
 - Police Department – No report.
 - Public Works Department – No report.
 - Town Center – George Nero provided an update on upcoming events.
- Council Members' Reports
 - Ron Powell reported that he recently met with Wanda Proffitt, Denise Cook and folks connected with the Smart Initiative.
 - The mayor reported on the High Country Council of Governments' annual awards dinner.
- Minutes/Reports from Non-Profits –
 - Parkway Playhouse – minutes available.
 - Yancey County EDC – minutes available.
 1. Wanda Proffitt commented on progress being made on the Smart Initiative, mentioning that the Toe River Arts Council has contributed \$5,000 for an analysis of our downtown district.
 2. Council heard an update on the status of the broadband project.
 3. Mrs. Proffitt reminded Council of the upcoming reception for the Anspach Advanced Manufacturing Center and the celebration of Glen Raven Mills' 60th anniversary.

- Upcoming Town Council Meeting - The next regular Town Council meeting will be held on Thursday, November 7, 2013 at 6:00 p.m.

There being no further business, Ron Powell made a motion to adjourn. Ruth Banks seconded the motion, which was unanimously approved.



Jeanne Martin, Town Clerk



Danny McIntosh, Mayor