

BURNSVILLE TOWN COUNCIL
Regular Meeting
Thursday, December 4, 2014

The Town Council, with members Mayor Theresa Coletta, Ruth Banks, Judy Buchanan, Ron Powell, and Bill Wheeler present, held a regular meeting on Thursday, December 4, 2014, at the Burnsville Town Center. Also in attendance were town staff members Brian Buchanan, Leslie Crowder, Chad Fox, Anthony Hensley, Niles Howell, Jeanne Martin, and George Nero; town attorney Heather Hockaday, and visitors Joy Boothe, Denise Cook, Lucy Doll, Dean Gates, Sandra Gates, Gordon Higgins, Jody Higgins, Justin Layell, Rachel Lewis, Norman Rabek, 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 December, 2014.

- Public Comment
 - a. Lucy Doll commented that whether you are talking about chickens or street lights, the terrain in the Town of Burnsville needs to be taken into account. Research that stems from areas with a flat terrain may not necessarily apply to Burnsville, NC.
 - b. Rachel Lewis once again appealed to Council for consideration of an ordinance that permits chickens within town limits.
- Adoption of Agenda – Judy Buchanan made a motion to adopt the agenda as presented. Ruth Banks seconded the motion, which was unanimously approved.
- Consideration of Minutes – The minutes of the special meeting held November 6, 2014 were available for review. It was noted that the minutes contained a typographical error on page 4. Ron Powell made a motion to approve the minutes, as revised to correct the aforesaid error. Bill Wheeler seconded the motion, which was unanimously approved.
- Public Hearing to Consider Proposed Rezoning and Amendments to the Zoning Map of the Town of Burnsville - Mayor Coletta opened the hearing on the aforesaid matter. Zoning Administrator Anthony Hensley read the proposed ordinance and explained the purpose of the amendments. When an opportunity was provided for public input, Lucy Doll spoke in favor of the proposed amendments. After pointing out that zoning maps were on display and reminding those present of the community meeting that was held to educate the public, Mayor Coletta then closed the hearing.

Council discussed the proposed amendments and the Mayor thanked Planning Board Chairman Dean Gates and his board members for the work and time that went into preparation of these amendments. She remarked that the town is moving ahead in a very positive way. Mr. Gates then read a statement of plan consistency, which was entered into the record, and recommended its adoption. He explained the intent of the zoning changes and offered to answer any questions there might be.

Ron Powell made a motion to adopt the Plan Consistency Statement. Judy Buchanan seconded the motion, which was unanimously approved.

Ron Powell made a motion to approve the aforesaid amendments to the Zoning Map. Judy Buchanan seconded the motion, which was unanimously approved.

Ron Powell made a motion to adopt amendments to the Zoning Ordinance as proposed. Judy Buchanan seconded the motion, which was unanimously approved.

The mayor commented that we have come full circle since the time her father served on Council in 1969 and zoning was “shot down” by strong-minded individuals.

▪ Planning Board Report

- a. Minutes from the Planning Board meeting held on November 18, 2014 were available for review.
- b. Recommendation on Criteria for Animal Control Ordinance – At the unanimous recommendation of the Planning Board, Board Chair Dean Gates presented criteria for a chicken ordinance that they had developed. Mr. Gates asked for direction from Council to review the animal control ordinance as a whole, rather than piecemeal, which could take 60-90 days. Councilor Ron Powell said he would like the criteria to be studied and adjusted as appropriate, but said he would be uncomfortable until Council was considering adoption of the entire animal control ordinance so there would be no question about its enforceability.

Ron Powell made a motion to direct the Planning Board to review the animal control ordinance, incorporate the criteria for chickens, and return with recommendations for a comprehensive ordinance. Ruth Banks seconded the motion, which was unanimously approved.

Dean Gates closed his report with acknowledging his wife on their anniversary, and the accommodations she has made to facilitate his contributions to the town.

▪ Town Administrator/Public Works Report – Town Administrator/Public Works Director Anthony Hensley reported:

- a. A quarterly department head meeting has been scheduled with the Town Council at 1 p.m. on December 11, 2014. Earlier in the day, at 10 a.m., Council will attend an orientation session for their new Chromebooks, followed by the annual employees’ Christmas dinner.
- b. A health insurance update/annual town council planning workshop will be held on January 24, 2015 from 9:30 to 4:00 p.m. at the Town Center. Councilors and department heads were reminded to submit issues to either Anthony Hensley or George Nero in time to be added to the agenda.
- c. Staff will be working on organizing all the past six to eight months of ordinance revisions and submit them to American Legal for codification.
- d. We have been observing new development in town and observing compliance issues. Work on the Dollar General store will begin in May of 2015.
- e. The Christmas parade will be Saturday, December 6, at 3 p.m. Council needs to gather at the maintenance shed at 2 p.m.; the car will be ready and candy will be loaded.
- f. George Nero reported that there are two GoldenLeaf grants in process: one is a county application for cost overruns on the Micaville sewer project and the other is for enhancement of the waterline to accommodate a large-user need at the former sock factory

(either the Town or Winterstar will be the applicant). Both projects have met the first round criteria.

▪ Department Updates:

a. Administration:

◦ Personnel Policy update:

- ✓ Judy Buchanan reported that new work underway includes employee benefits.
- ✓ Final review of work completed to date is in progress.
- ✓ The next Personnel Policy committee meeting was planned for December 9, 2014 at 10 a.m. at Ruth Banks' house; however, due to a conflict that meeting date will be postponed.

◦ Unpaid Balance Report pursuant to G.S. 105-369(a) dated December 1, 2014 was available for review. Council was told that a variety of collection efforts are underway.

◦ Release of personal property tax ~ After a review of information available on 2014 bill for parcel number 082011657270000 (Kay Greene), Judy Buchanan made a motion to release the aforesaid tax. Ruth Banks seconded the motion, which was unanimously approved.

◦ Council reviewed the Budget vs. Actual dated 11/30/14.

b. Fire Department – Fire Chief Niles Howell reported:

◦ Status of building and property –The agenda provided for Council to consider going into closed session at the end of the meeting pursuant to NCGS 143-318.11(a)(5) – *establish or instruct the staff or agent concerning the negotiation of the price and terms of a contract concerning the acquisition of real property.*

◦ Monthly Call Summary for November of 2014 was available for review.

◦ Equipment that was provided by a grant was received today.

◦ A 9E inspection will be held on December 9th.

c. Police Department – Chief Brian Buchanan reported:

◦ The department worked the same number of wrecks as the Fire Department.

◦ The department is getting ready for the Christmas parade; extra help has been scheduled.

◦ The department will be participating in “Shop with a Cop” next week.

d. Town Center – An update on upcoming events was provided by Manager Chad Fox. He expressed appreciation to Jeff and Chris Carter for the work they have done to decorate the town center. Santa Claus will be visiting tomorrow night, and the Parkway Playhouse will be presenting “It’s a Wonderful Life.” In January the schedule will slow down which will allow for necessary building maintenance.

▪ Council Members’ Reports

a. The Mayor reminded Council that on December 18th there will be a joint meeting at the town center at 10 a.m. with Council, Planning, Public Arts, and public artist Jack Mackie. That evening, at 5 p.m., there will be a community review on a public art plan.

b. Ron Powell said the Public Art Design Board held its quarterly meeting recently and discussed the public art plan.

▪ Updates from Advisory Boards and Non-Profits

a. Yancey County EDC – Minutes were available for Council review.

- b. High Country Council of Governments (minutes available for Council review)
 - c. Toe River Arts Council (minutes available for Council review) - Denise Cook reported that the Holiday Studio Tour is this weekend and a holiday concert will be held at First Baptist Church on December 16th.
- Anthony Hensley provided a recap of action taken during the meeting.
 - Closed Session – Judy Buchanan made a motion to enter closed session pursuant to NCGS 143-318.11(a)(5) to consider a matter concerning the acquisition of property. Ron Powell seconded the motion, which was unanimously approved.

When Council reconvened in open session Judy Buchanan made a motion to purchase the "Barn Property." Theresa Coletta seconded the motion.

Voting was as follows:

<u>Ayes</u>	<u>Noes</u>
Ruth Banks (abstained, but counted as an "aye")	Ron Powell
Judy Buchanan	
Theresa Coletta	
Bill Wheeler	

- Next Regular Town Council Meeting – The next town council meeting will be held on January 8, 2015 at 6:00 p.m., at the Burnsville Town Center for considering regular business for the month of January. There being no further business, Judy Buchanan made a motion to adjourn. Ron Powell seconded the motion, which was unanimously approved.

Jeanne Martin, Town Clerk

Theresa Coletta, Mayor