

**MINUTES – REGULAR MEETING
BOONE TOWN COUNCIL
February 8, 2023**

CALL TO ORDER - 12:00 P.M.

A regular meeting of the Boone Town Council was called to order at 12:00 p.m. in the Council Chambers located at 1500 Blowing Rock Road in Boone. Mayor Tim Futrelle presided. Council members present included Mayor Pro-Tem Edie Tugman, Todd Carter, Virginia Roseman, Dalton George and Becca Nenow. Staff present included Town Manager Amy Davis, Town Clerk Nicole Harmon, Public Works Director Rick Miller, Public Works Deputy Director Todd Moody, Planning Director Jane Shook, Long-Range Planner Jessica Mitchell, Cultural Resources Director Mark Shook, Downtown Boone Development Coordinator Paige Henderson, Interim Finance Director Guy Miller, Police Chief Andy Le Beau, Fire Chief Jimmy Isaacs, and Sustainability and Special Projects Manager George Santucci. Town Attorney Allison Meade was present remotely.

MOMENT OF SILENCE

TENTATIVE AGENDA ADOPTION

Upon a motion by Ms. Roseman, seconded by Mayor Pro-Tem Edie Tugman, Council voted unanimously to approve the agenda as presented.

ANNOUNCEMENTS

Mayor Futrelle announced the following board vacancies:

BOARD OF ADJUSTMENT

Two regular positions, One alternate position

COMMUNITY APPEARANCE COMMISSION

One regular position

CULTURAL RESOURCES ADVISORY BOARD

One student position

HISTORIC PRESERVATION COMMISSION

One student position

HUMAN RELATIONS COMMITTEE

Four Positions

SUSTAINABILITY COMMITTEE

Two regular positions, One student position

WORK SESSION 12:00 P.M.

Jessica Mitchell gave an update on Historic Preservation work items, and asked for direction on current and upcoming projects. It was the consensus of Council to reduce planning staff's current work-load, but asked that they keep the Historic Preservation Commission in alignment with overall department priorities and work plan items.

Nick Katers, Associate Vice Chancellor for Facilities Management of Appalachian State University gave an update on ASU/Town of Boone Projects. A complete copy of the presentation can be found at http://boonenc.iqm2.com/Citizens/Detail_Meeting.aspx?ID=3575

WORK SESSION ITEM - UPDATE ON ASU/TOB PROJECTS

BREAK 1:45 P.M. - 2:00 P.M.

Mayor Futrelle declared a break at 1:42 p.m. Council reconvened at 2:02 p.m.

Mayor Pro-Tem Tugman made a motion to include an agenda item after public comment to discuss a the scheduling of a planning meeting. The motion was seconded by Ms. Roseman and carried unanimously.

PUBLIC COMMENT

There were no speakers signed up for public comment.

It was the consensus of Council to schedule two special comprehensive plan work sessions on March 7th 9:00-2:30 for high-density residential development and design professionals stakeholders, and one on April 4th at 9:00 for low-density residential development stakeholders. Both meetings will take place at Council Chambers.

REQUESTED APPEARANCES

JASON CARPENTER AND BRADY COMBS - PRESENTATION OF FY 2021/2022 AUDIT

Jason Carpenter with Combs, Tenant, and Carpenter, PA presented the FY 2021/22 audit and noted no findings.

NEW RIVER CONSERVANCY - UPDATE ON PROJECTS

Katie with New River Conservancy gave an update on Town of Boone projects, and requested a letter of support for the Middle, East, and South Fork Restoration Project, and the Kraut Creek Restoration Project. Public Works staff indicated that they were agreeable to providing in-kind services for the project. Mr. George asked that the letters of support be amended to include mention of stormwater management and wetland creation, as well as the value of the land restriction needed for the project. Upon a motion by Mayor Pro-Tem Tugman, seconded by Mr. George, Council voted unanimously to approve the letters of support for both projects as amended.

ADOPTION OF ITEMS ON CONSENT AGENDA

Upon a motion by Mayor Pro-Tem Tugman, seconded by Ms. Roseman, Council voted unanimously to approve the following items on the consent agenda:

1. Minutes:
 - a. November 9, 2022 regular meeting
 - b. December 14, 2022 regular meeting
 - c. January 25, 2023 regular meeting
2. Street Closure Request – Boonerang Music & Arts Festival
3. Budget Amendments:
 - a. Police Department: Crime Prevention - 010-500-300-513103 - \$100.00 Contributions/Donations - 010-000-000-482200 (\$100.00) Donation from Temple of the High Country Sisterhood for Community Resource use.
 - b. Police Department: Overtime - 010-500-300-501201 -\$3,195.00 Miscellaneous Revenue - 010-000-000-489900 (\$3,195.00) Reimbursement from ASU for football game covered on November 19, 2022
 - c. Fire Department: Maintenance & Repair Equipment – 010-500-350-525301 - \$8,084.46 Overtime – 010-500-350-501201 (\$10,000) ASU – 010-000-000-489900 (\$18,084.46) Reimbursement for damage to tower truck.

Mr. George voiced concern that the ABC Board minutes that were discussed in November 2022 and prior were still not posted to the website, despite staff's attempts to reach out to ABC Board members. He asked that Ms. Davis and Mayor Futrelle reach out again in an attempt to get these meeting minutes posted.

Mayor Pro-Tem Tugman was reminded after reading through previous minutes that staff was directed to find three communities in the state to partner with Boone do a three-year trial regarding the ban of single-use plastics. Mr. Santucci indicated that he would do so.

Mayor Pro-Tem Tugman stated that ASU contributions to Boone's Fire Department have not altered in many years,

despite the taller buildings on campus resulting in the increased use of fire equipment. She asked whether staff had asked lobbyists to pursue getting the State to increase contributions to fire protections to universities. Ms. Davis indicated that this funding was handled by Dept of Insurance and that she was unsure that there was much that could be done.

CONSIDERATION OF MINUTES

STREET CLOSURE REQUEST - BOONERANG MUSIC & ARTS FESTIVAL

CONSIDERATION OF BUDGET AMENDMENTS

COUNCIL MATTERS

PRESENTATION OF MURAL PROPOSAL FOR THE NC MUSICIAN MURAL TRAIL

Ms. Henderson presented a proposal regarding a Doc and Merle Watson mural slated to be a part fo the NC Musician Trail. Mr. Carter asked what needed to be done to get the public arts policy passed so that this project could move forward. Ms. Meade indicated that the public arts policy was not holding this project up at all, and stated that Council could go ahead and approve the mural if it so wished. Ms. Mitchell indicated that the applicant was willing to meet the recommendations of the Historic Preservation Commission, though they did question the thirty day time frame requirement. Ms. Meade reiterated that if Council wished, it could move forward right away, and noted that the thirty day time frame was only for the Historic Preservation Commission to deliberate, but since the Commission had already given approval, the time frame was not needed. Ms. Mitchell suggested that Council wait to approve the project until it had reviewed the finalized Historic Preservation Commission recommendations, and indicated that she would place them on the March agenda for Council's consideration. She added that the Historic Preservation Commission was under the impression that final approval on the mural would not be considered today. Ms. Mitchell stated that the Commission's recommendations were the size of the mural, and directed that the picture could not extend all the way up to the tiles, the border of the mural, copyright issues, accuracy of the historic information on the plaque, suggested the plaque be attached by mortar and not block masonry, and asked that the mural be scaled down and lifted higher in order to be seen over the tops of the parked vehicles in the parking lot.

PRESENTATION OF DBDA RECOMMENDATIONS REGARDING STREET VENDORS DOWNTOWN

Ms. Henderson presented draft recommendations from the Downtown Boone Development Association. In response to a question raised by Mr. Carter, she stated that if adopted, this policy would not affect busking and musicians in the downtown area. Ms. Tugman indicated that she was particularly concerned with the person setting up selling hot fried donuts on the sidewalk next to Town Hall. Ms. Meade suggested that the policy could be amended to prohibit cooking in the downtown area. Ms. Henderson replied that this amendment could affect others who set up selling ice cream and hot dogs. Amending the policy to prohibit cooking with an open flame in the downtown area was proposed, as was restricting these types of businesses to set up only on Fridays. Ms. Meade advised that authority was lacking to distinguish between "locals" and non-locals with respect to permitting fees. She indicated that she would work with staff on amending the policy and would bring it back at a later date.

APPOINTMENT TO CULTURAL RESOURCES ADVISORY BOARD

Mr. George stated that he would like to see a culture Council members being comfortable rejecting applicants, and would like to explore allowing staff to be involved in appointments. Mr. Carter nominated Judith Phoenix, and Mr. George nominated Holden Hartzog for the two vacant positions on the Cultural Resources Advisory Board. Hearing no further nominations, Mayor Futrelle called for a vote:

Aye: All
Nay: None

Both terms will expire on February 28, 2025.

APPOINTMENT TO HUMAN RELATIONS COMMISSION

Mr. Carter stated that he appreciated Ms. Brook's application, but that based on the Town Code, he would request that she resign one of her other boards before re-applying. He added that it was important to him that the board have diversity, and asked that someone from the Jewish community apply.

APPOINTMENT TO HISTORIC PRESERVATION COMMISSION

Ms. Roseman nominated Ms. Ziegler to serve in the student position on the Human Relations Commission. Hearing no further nominations, Mayor Futrelle called for a vote.

Aye: All
Nay: None

Ms. Ziegler's term will expire on June 30, 2023.

APPOINTMENT TO SUSTAINABILITY COMMITTEE

Mr. George stated that he had concerns with Justin Shroeder's application, since he did not have any sustainability background at ASU and was very new to Boone. He indicated a desire to give other students a chance to serve on the committee instead, and asked that he apply in the future if he so wished. Ms. Roseman nominated Joey Crews to serve in the student position. Hearing no further nominations, Mayor Futrelle called for a vote.

Aye: All
Nay: None

Mr. Crews' term will expire on June 30, 2024.

Break

Mayor Futrelle declared a break at 3:39 p.m. Council reconvened at 4:00 p.m.

TOWN MANAGER UPDATE

Ms. Davis updated Council on the following topics:

1. Sustainability:
 - a. Public Works is working to install an EV charging at Planning and Inspections.
 - b. Will have greenhouse gas inventory available mid-March.
 - c. Earth Day celebration will take place Friday, April 21st, with the Earth Film Fest the next day on April 22.
2. Cultural Resources:
 - a. Announced an upcoming indoor concert on March 12
 - b. Music lessons resume next week through mid-May
 - c. Weekly jam sessions taking place currently, along with the Junaluska Abc Book exhibit
 - d. 2023 Boonerang planning is taking place; applications will be due this month.
3. Police Department: Five employees graduated from crisis intervention training
4. Public Utilities:
 - a. Currently at 22% completion AMI meter installation
 - b. Phase one of the Capital Improvement Plan complete
 - c. UV treatment system work underway

BOARD LIAISON REPORT

Mr. Carter announced that the AppalCART's double decker bus plans had been pushed back due to production delays. He added that there were plans to remove the bus stop by the jail, since busses were having a hard time traversing. Mr. Carter indicated that the Human Relations Commission's second meeting was a success, and that he had reached out to the Latino community to see if anyone was interested in serving on the commission.

In a continuation of the Human Relations Commission update, Ms. Roseman indicated that a representative from the State Human Relations Board would be attending the March meeting for training.

Mayor Pro-Tem Tugman stated that the DBDA Mainstreet program standards had changed, and that the board was currently navigating through that. She announced that staff was working on obtaining a solar picnic table, and that Farmer's had received a facade grant.

Ms. Nenow indicated that the Sustainability Committee meets tomorrow.

Mayor Futrelle indicated that the TDA recently presented its audit that showed an upturn in growth. He added that the HCCOG did not meet in January. Mayor Futrelle announced that all Howard Street easements had been obtained and stated that plans for the Bolick property had changed to include only a facility for Public Works and Fire. He finished by announcing that he had met with Watauga County regarding sales tax, though the meeting did not end well, he was encouraged by the potential of a new relationship with the County.

Ms. Roseman and Mr. Carter stated that they were unaware of the new plans for the Bolick property. Mr. George also suggested amending the previous climate change resolution to commit funds to affordable housing, and indicated that he would draft the resolution.

MEDIATION AND RESTORATIVE JUSTICE CENTER PRESENTATION

Marissa Cornell and Mollie Bolick gave a presentation on services provided to the Town by the Mediation and Restorative Justice Center. A complete copy of the presentation may be viewed online at <http://boonenc.iqm2.com/Citizens/Default.aspx>.

PLANNING MATTERS

Ms. Shook gave a brief update on the previous comprehensive plan update meeting.

PUBLIC COMMENT - 6:00 P.M.

There were no speakers signed up for public comment.

ADJOURNMENT

Upon a motion by Ms. Roseman, seconded by Mr. George, Council voted unanimously at 5:59 p.m. to adjourn the meeting.

Nicole Harmon, Town Clerk

Tim Futrelle, Mayor