

**MINUTES – REGULAR MEETING
BOONE TOWN COUNCIL
February 20, 2020**

CALL TO ORDER

A regular meeting of the Boone Town Council was called to order at 6:00 p.m. on Thursday, February 20, 2020 at Town Council Chambers located at 1500 Blowing Rock Road in Boone. Mayor Rennie Brantz presided. Council members present included Mayor Pro-Tem Loretta Clawson, Sam Furgiuele, Dustin Hicks, Nancy LaPlaca and Connie Ulmer. Staff members present included Town Manager John Ward, Town Clerk Nicole Harmon, Public Works Deputy Director Todd Moody, Fire Chief Jimmy Isaacs, Police Chief Andy Le Beau and Planning Director Jane Shook.

ANNOUNCEMENTS

Mayor Brantz welcomed all in attendance and announced the following board vacancies:

ABC BOARD

One position

BOARD OF ADJUSTMENT

Two alternate positions

COMMUNITY APPEARANCE COMMISSION

Three positions

CULTURAL RESOURCES ADVISORY BOARD

Two positions

DOWNTOWN BOONE DEVELOPMENT ASSOCIATION

One Board appointed position, One Council appointed position

HISTORIC PRESERVATION COMMISSION

Two positions

TRANSPORTATION COMMITTEE

One position

PLANNING COMMISSION

One position

WATAUGA COUNTY PARKS & RECREATION BOARD

Two positions

WATER ADVISORY COMMITTEE

Two positions

TENTATIVE AGENDA ADOPTION

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

REQUESTED APPEARANCES

TONY KRASIENKO - REPUBLIC SERVICES

Mr. Krasienko gave a report on the effectiveness of the Town's current recycling program. A copy of the presentation may be found at http://boonenc.iqm2.com/Citizens/Detail_Meeting.aspx?ID=2159.

ROB GELBER - APPTV

Mr. Gelber presented programming data for 2019 as required by the agreement between ASU/AppTV and the Town of Boone.

PUBLIC HEARING - TAYLOR ANNEXATION

Mayor Brantz opened the public hearing at 6:57 p.m. Hearing no comments, he closed the public hearing at 6:58 p.m.

CONSENT AGENDA

Upon a motion by Ms. Ulmer, seconded by LaPlaca, Council voted unanimously to approve the following items on the consent agenda:

1. December 16, 2019 Regular Town Council meeting minutes
2. December 17, 2019 Regular Town Council meeting minutes
3. January 14, 2019 Regular Town Council meeting minutes

COUNCIL MATTERS

TOWN MANAGER UPDATE

Town Manager John Ward updated Council on the following items:

1. Facilities maintenance staff has installed motion controls on the outdoor entryway lighting at the Greg Young Water Intake.
2. Staff has delivered easement documents to the Watauga County Board of Education for review by the Board's attorney regarding the 194 sidewalk improvements.
3. Recycling Coordinator Marsha Owens is working to apply for a Community Waste Reduction and Recycling grant through the NC Department of Environmental Quality for the purpose of expanding the Town's recycling program.
4. Charles and Gladys Street water storage tank rehab project is moving forward.
5. LED Street light project is moving forward, with 100 lights being installed to date. An additional \$149,210 is needed to replace the remaining lights to replace the remaining 65% of street lights in town. Mr. Ward indicated that some of the savings in utility costs would be diverted to pay for the replacement of the remaining street lights.
6. Post office plaque update.
7. Downtown charging station update.
8. Upcoming events update.
9. Staff has a meeting with ASU representatives tomorrow regarding parking as work moves forward with the design of a potential parking deck on Howard Street.
10. Update on Boone skatepark.

TOWN ATTORNEY UPDATE

Ms. Meade reminded members to complete their ethics training and reminded them of open meetings laws and public records laws. She also noted that a legal action was filed today with respect to the sales tax issue with the County and that she would keep Council members informed of any further developments.

BOARD LIAISON REPORT

Ms. Ulmer gave a brief update on the AppalCart board. Mayor Pro-Tem Clawson updated Council on the DBDA's progress with the upcoming St. Patrick's Day parade and noted a \$10,000 anonymous donation for prizes.

PUBLIC HEARING AND CONSIDERATION OF CHRISTOPHER TAYLOR ANNEXATION

Upon a motion by Mr. Furgiuele, seconded by Mayor Pro-Tem Clawson, Council voted unanimously to

approve the ordinance as presented.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE
TOWN OF BOONE, NORTH CAROLINA
(Christopher Taylor)

WHEREAS, the Town Council has been petitioned under G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and, after legal notice was duly published as required by law, a public hearing on the question of this annexation was held at Council Chambers at 1500 Blowing Rock Road at 6:00 p.m. on February 20, 2020; and

WHEREAS, the Town Council finds that the area described therein meets the standards of G.S. 160A-58.1(b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the Town of Boone;
- b. No point on the proposed satellite corporate limits is closer to another municipality than the Town of Boone;
- c. The area described is so situated that the Town of Boone will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;
- e. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, does not exceed ten percent (10%) of the area within the primary corporate limits of the Town of Boone; and

WHEREAS, the Town Council further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the Town Council further finds that the petition is otherwise valid, and that the public health, safety, and welfare of the Town of Boone and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Boone, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous territory is hereby annexed and made part of the Town of Boone, as of February 20, 2020:

A 1.172 acre parcel situated 100 feet northerly of Paul Critcher Drive (NCSR 1633) and being described in Book of Records 1760 at page 195; bounded on the north and west by Annisa C. Castle (BoR 369, pg. 408) and Derek Critcher (BoR 369, pg. 405), on the east by Sandra Laverne Franklin (BoR 1589, pg. 311 and Plat Book 21, pg. 375) and Wyatt Wells (BoR 397, pg. 288) and on the south by Paul Critcher

CONSIDERATION OF CASES HEARD AT THE JANUARY 27, 2020 PUBLIC HEARING

Case PL03452-123119 & PL03453-123119 Taylor, Christopher -General Use Zoning Map Amendment

Ms. Shook presented information on the Christopher Taylor general use zoning map amendment. Mr. Furguele made a motion that the proposed amendment to the Town's zoning map as R1 Single-family Residential with the designation of WS-IV Watershed Areas Protected area is consistent with the Town's comprehensive plan and any other adopted plan(s) of the Town that is applicable pursuant to Comprehensive Plan Policy:1.1 Overall Objectives for the Boone Comprehensive Plan Community Appearance and Community Character: Blend the built environment with the natural, scenic, and historic character of a High Country small town. Especially discourage commercial strip development, cluttered signage, and "cheap" apartment buildings. Environmental Quality: Address and monitor growth factors and activities that contribute to water, air, light, and noise pollution. Neighborhoods: Ensure the livability of neighborhoods, especially through land use and traffic planning; 1.1 Overall Objectives for the Boone Comprehensive Plan Infrastructure: Engage in long range planning for water and sewer systems, stormwater runoff, natural gas, and other utility systems. Place overhead utilities underground whenever feasible. Comprehensive Plan Policy 2.3.3 Housing & Neighborhoods A. The protection and rehabilitation of viable neighborhoods shall be encouraged to insure their continued existence as a major housing source and as a reflection of the area's image as an attractive, highly livable community. D. Innovative and flexible land planning and development practices shall be encouraged to create livable developments which better safeguard land, water, energy and historic resources. H. The overall housing unit density for proposed infill residential development or redevelopment should be compatible with the average density of existing areas. He also added that even though the adjacent area was not within the Town's jurisdiction, it was pretty plain from the information provided that there was an established neighborhood in the area and that it was prudent for the Town to not disturb an already sound and stable neighborhood. Mayor Pro-Tem Clawson seconded the motion, which carried unanimously. Mr. Furguele then made a second motion to approve the proposed amendment to the Town's zoning map, designating the property as R1 single-family residential with the designation of WS-IV Watershed Areas Protected Area and believes that approval is reasonable and in the public interest because the property has a need for water, so approving the request improves the public health of the property owner. Mayor Pro-Tem Clawson seconded the motion which carried unanimously.

Case PL03449-123119 Correction of Non-substantive Errors-UDO Text Amendment

Ms. Shook presented recommendations from the Planning Commission on the correction of non-substantive errors in the UDO. Mr. Furguele made a motion that the proposed amendment to the Town's zoning ordinance is consistent with the Town's comprehensive plan and any other adopted plan(s) of the Town that is applicable because it complies with Comprehensive Plan Policy 2.1.1 Economic Development E. The Town shall encourage a public service and regulatory environment conducive to business recruitment and expansion, while at the same time enhancing the area's physical and human resources. E.1 Continue to look for ways to make development regulations and permit procedures more predictable and timely. Evaluate opportunities for administrative review and permit issuance for development projects which, due to their small size or relatively minor impacts, may not require review by a formal public commission or board. Mayor Pro-Tem Clawson seconded the motion which carried unanimously. Mr. Furguele made a second motion that the Town Council approves the proposed amendment to the Town's zoning ordinance and believes approval is reasonable and in the public interest because of the reasons stated in the first motion. Mayor Pro-Tem Clawson seconded the motion which carried unanimously.

CONSIDERATION OF ASU BOARD OF TRUSTEES OF THE ENDOWMENT FUND ANNEXATION PETITION

Ms. Shook presented Council with a petition for annexation from the ASU Board of Trustees for the campus daycare facility on Poplar Grove Road. Mr. Furguele noted that he would feel more comfortable if the University would submit to conditional district zoning, which they had a right to do under state law, though they refused to do so because they did not want to be tied to a particular site plan. After brief discussion, Mr. Furguele made a motion to adopt the resolutions as presented, and to fix the date of public hearing as April 14

at 6:00 p.m. at Council Chambers located at 1500 Blowing Rock Road. Ms. Ulmer seconded the motion which carried unanimously. Mr. Furguele amended the motion to change the date of public hearing from April 14 to April 23 due to spring break. Ms. Ulmer accepted the amendment.

Mayor Brantz declared a ten minute break.

CONSIDERATION OF PROPOSED SALE OF PUBLIC WORKS PROPERTY (EAST KING STREET)

Upon a motion by Mr. Furguele seconded by Ms. Ulmer, Council voted to amend the agenda to amend the regular Town Council meetings scheduled for April 14 and 16, 2020 to April 16 and April 23, 2020 due to spring break. Both meetings would begin at 6 p.m. and take place in Council Chambers as usual. The motion carried unanimously.

Mr. Ward presented an offer to purchase for the public works property located at 321 East King Street, along with a leaseback option from the potential buyer. Upon a motion by Mr. Furguele, seconded by Mayor Pro-Tem Clawson, Council voted to accept the proposed offer as presented. The motion carried unanimously.

UPDATE ON PROGRESS OF DOWNTOWN RELATED PLANNING EFFORTS

Pursuant to her commitment to Council at the most recent planning retreat, Ms. Shook gave members an update of progress of all Downtown-related planning efforts.

CONSIDERATION OF SUSTAINABILITY FORUM (EARTH FIRST FRIDAY)

Upon a motion by Mayor Pro-Tem Clawson, seconded by Ms. LaPlaca, Council voted to schedule the Earth First Friday event for April 3, 2020.

APPOINTMENT TO COMMUNITY APPEARANCE COMMISSION

Mr. Furguele nominated Margaret Trumpower and believed her background would allow her to make a quality contribution. Hearing no further nominations, Mayor Brantz called for a vote.

VOTE: Aye: All
 Nay: None

Ms. Trumpower's term will expire on June 30, 2022.

APPOINTMENT TO CULTURAL RESOURCES ADVISORY BOARD

Mr. Furguele nominated John Carnahan, though he did so with hesitation since Mr. Carnahan indicated he was about to locate outside of Blowing Rock. Hearing no further nominations, Mayor Brantz called for a vote.

VOTE: Aye: All
 Nay: None

Mr. Carnahan's term will expire on May 30, 2023.

APPOINTMENT TO SUSTAINABILITY COMMITTEE

Ms. LaPlaca nominated Brooke Kornegay to serve on the Sustainability Committee. Hearing no further nominations, Mayor Brantz called for a vote.

VOTE: Aye: All
 Nay: None

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

APPOINTMENT TO WATAUGA COUNTY PARKS AND RECREATION BOARD

Mr. Ward presented a request for members to nominate a Town of Boone community member liaison to serve on the Watauga County Parks and Recreation Board. He noted that traditionally, the Town had not advertised for this position since it was not a Town board, but noted that the vacancy had been advertised by the County. Mr. Furgiuele felt that the position should be advertised by the Town since the Town Council would be nominating the liaison. Upon a motion by Mr. Furgiuele, seconded by Mr. Hicks, Council voted unanimously to table the matter until next month to allow the position to be advertised by Town staff.

ADJOURNMENT

Upon a motion by Mayor Pro-Tem Clawson, seconded by Ms. Ulmer, Council voted unanimously to adjourn the meeting.

Nicole Harmon, Town Clerk

Rennie Brantz, Mayor