MINUTES – REGULAR MEETING
BOONE TOWN COUNCIL
May 19, 2020

CALL TO ORDER

A regular meeting of the Boone Town Council was called to order virtually at 6:00 p.m. on Tuesday, May 19. Mayor Rennie Brantz presided. Council members present included Mayor Pro-Tem Loretta Clawson, Connie Ulmer, Sam Furgiuele, Dustin Hicks and Nancy LaPlaca. Staff present included Town Manager John Ward, Town Clerk Nicole Harmon, Fire Chief Jimmy Isaacs, Interim Police Chief Andy LeBeau, Finance Director Amy Davis, Planning Director Jane Shook, Human Resources Director Dale Presnell, and Public Works Director Rick Miller. Town Attorney Allison Meade was also in attendance.

ANNOUNCEMENTS

Mayor Brant welcomed all in attendance. Mr. Ward introduced the Town's new summer intern, Anna Twigg, and stated that she was working on social media projects, grant applications among other projects.

TENTATIVE AGENDA ADOPTION

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

VOTE:	Aye:	All
	Nay:	None

PUBLIC COMMENT

There was no one signed up to speak during public comment.

REQUESTED APPEARANCES

HEATHER RAMSEY - TOURETTE SYNDROME AWARENESS DAY PROCLAMATION

Ms. Ramsey was not available when called. Since the meeting was running a few minutes ahead of schedule, it was suggested that this item be skipped for the time being. Ms. Ulmer noted that classes would not be in session during the time that the proclamation asked for recognition. Upon a motion by Mr. Furgiuele, seconded by Mayor Pro-Tem Clawson, Council voted to approve the Tourette Syndrome Awareness Day proclamation.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Sam Furgiuele, Council Member
SECONDER:	Loretta Clawson, Mayor Pro-Tem
AYES:	Clawson, Furgiuele, Ulmer, LaPlaca, Hicks

JEFF MANGAS - EMH&T

Jeff Mangas with EMH&T spoke to make the Council aware of roadway improvements planned for the hospital and hoped also to obtain conceptual approval. He stated that the project was planned with a phased approach in terms of future expansions, and noted that the cardiology improvements were currently underway. The central energy plan was discussed next with Mr. Mangas explaining that it too was currently underway since the current system was dated and there were many problems arising with the system. Mr. Mangas stated that they were only waiting on the appropriate public hearing action to be able to move forward on this project. He outlined the hospital wing expansion next which included parking lot improvements, and noted that they were not asking for action tonight, but that they just wanted to make members aware of what was going on at the site, as well as future plans for the relocation of Mary Street and Deerfield Road turn lane and signal improvements. Mr. Mangas noted that a neighborhood meeting focused on the central energy plan had been called, but that there were some conversations surrounding the Mary Street relocation. He noted that all of the comments from participants were positive and in support of the central energy plan, the hospital expansion and the road relocation. Mr. Mangas presented visuals on the roadway improvements planned for the project and asked members for any comments or feedback. The project included a turn lane and a median separation, utility relocations, as well as W. Virginia street access for utilities and snowplow turnaround. He expected that the hospital would return for action in the future to abandon the existing Mary Street. Mr. Mangas indicated that the widening associated with this project was roughly 200 feet to where Mary Street was, which included about 100 feet of stacking and about 150 feet of pavers. He added that all of the widening would occur on the hospital side and did not anticipate impacting any of the businesses on the other side of the road. Mr. Mangas stated that a traffic impact analysis was completed and determined that a signal would be appropriate, and anticipated that one existing signal in the area would need to be removed. Mr. Furgiuele asked whether the hospital owned both sides of Mary Street that would be closed. Jim Deal, attorney for the hospital indicated that the hospital did own both sides of the road of the existing Mary Street. Mr. Furgiuele asked what the plans were for the homestead property off of Blowing Rock Road. Mr. Deal indicated that the hospital had not yet developed plans that involved the homestead property and believed they would be involved in a future phase. He added that there was the potential to relocate medical offices to where the house was located. Mr. Furgiuele asked whether there was an issue with flooding on the back portion of the property, and recalled previous discussion with the County to possibly relocate the Farmer's Market to that property, but could not because it was a floodzone. Mr. Mangas answered that the back portion of the property was a 100 year floodplain, and added that none of the development proposed would be impacted. Mr. Furgiuele asked how many residences were served by Mary Street, to which Mr. Deal answered that he thought there were nine. Mr. Furgiuele asked how many people attended the neighborhood meeting regarding the project. Mr. Deal responded that nine people were in attendance at that meeting, and believed that every house except one to have been represented at the meeting. Mayor Brantz asked about the time frame of the completion of this project. Mr. Mangas answered that the only project currently in process was the cardiology building and that all other projects depended on the public hearing process and construction schedules, though the hospital wanted to complete the project as soon as possible. Mr. Deal indicated that the central energy plant was critical to the operations of the hospital , and that assuming they were able to obtain all approvals needed, that project would be the next to begin construction once the cardiology project was complete. Ms. LaPlaca asked for details on the power plant. Mr. Mangas replied that the proposed plant was similar in footprint size as the current plant and was replacing everything in the existing central energy plant such as electric, and back-up generators. He stated that although be believed there was a steam component to the plant, he was not a mechanical engineer and was unsure of the exact details of the facilities of the project but that everything was getting replaced. Mr. Furgiuele asked whether the energy plant was the part of the project that required a variance. Mr. Deal replied that two things were needed: a special use permit and a variance was needed since construction was going to be staged on the hospital's other property and confirmed that no variance was needed to actually construct the plant. Mr. Ward felt that it was important to note that at the front of the project facing Deerfield Road that there is one of what could be two connections to the Greenway with a potential connection going behind the hospital. Mr. Furgiuele asked whether staff had any issues with any part of this project. Mr. Ward indicated that the only issue staff had was trying to find the correct staging and sequencing of the project and believed staff had worked with the hospital to work any other issues out through the review process. Ms. Shook stated that the Planning Department had no issues with what was being proposed as far as the street relocation. Mr. Miller indicated that Public Works had no issues but noted that the relocation and roadway improvements would have to meet Town standards, and that the same applied to utilities. He added that the worst part of the project would be the interruption of service near the golf course for 3-4 hours, but felt that would be the biggest issue with the project. In response to a question raised by Ms. Ulmer, Mr. Miller confirmed that construction taking place at State Farm and Deerfield Roads should not affect the Mary Street project. Ms. Meade indicated that it was her understanding that the applicant wanted to run this information by the Council to make sure there was not opposition, but was unsure what they were seeking in terms of action since that would come through the planning process. Mr. Mangas stated that Planning staff recommended that EMH&T come to Council to inform them of the phasing of the hospital project, and to get conceptual approval of the roadway improvements to avoid negative action in the future. Mr. Furgiuele asked whether Council had to go through a statutory procedure at the appropriate time. Ms. Meade responded that in order for a public roadway to be abandoned and another to be dedicated and accepted, she believed required public notice and a public hearing. She indicated that there was nothing the Council could do at the night's meeting that could be legally binding. Mr. Deal stated that he did not disagree with Ms. Meade's statement, but that the hospital wanted to know whether or not there was consensus from Council members as to whether or not they approved before the hospital moved forward with the project, even though he understood it was not a legally binding decision. Mr. Deal indicated that hospital project staff wanted to avoid getting deep into design work and then being told by Council that they did not like what the hospital was proposing. Ms. Meade stated that she understood where they were coming from, but that Council could not give them anything other than the sense of the current Council. She added as long as that the record was clear that Council was unable to bind itself or a future Council and that it was unable to take official action at the night's meeting, she was fine with a motion of consensus for what it was worth. Council Member LaPlaca made a motion to support the project as presented for what it was worth and in theory. The motion was seconded by Ms. Ulmer. Mayor Pro-Tem Clawson stated that she was fine with what was presented, and voted in the affirmative. Mr. Furgiuele stated that he was glad the applicant had the neighborhood meeting, but was concerned that there could be different owners by the time construction began on the project.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Nancy LaPlaca, Councilwoman
SECONDER:	Connie Ulmer, Council Member
AYES:	Clawson, Furgiuele, Ulmer, LaPlaca, Hicks

DAVE FREIREICH - HARMONY LANES

Dave Freireich of Harmony Lanes shared a presentation regarding a concept called the Cross Boone Connector using multi-modal infrastructure. Mr. Furgiuele stated that he was in support of the Cross Boone Connector and believed it was unfortunate that the project did not go through when it was initiated before. He believed that it was not only a matter of Council endorsing the project, it also involved property owners either donating easements, which they were not always willing to do, or the Town could condemn the property, which was costly. Mr. Furgiuele indicated that he was in support of the project, but felt that Harmony Lanes may have better success in convincing property owners to share easements than the Town might have. Mr. Freireich stated that the organization would be willing to help obtain easements if needed. He added that he believed that taking people's property would create a huge opposition, and felt that the Town should either use its existing right of way along Greenway Road and acquire easements if this was not a possibility. Mr. Furgiuele noted that Greenway Road was a heavily traveled access road and felt there would be a significant public outcry if that road were made one-way to vehicular traffic. He added that this would in turn move more traffic onto Blowing Rock Road, which was also not a low traffic area. Mr. Furgiuele stated that the low country route in the presentation was the better proposal, but ultimately felt that it was too early in the project. He continued by saying that he would like to see the other side of ASU including the Highway 105 intersection and the bypass since there was a large number of students who lived on that end of town. Mr. Freireich agreed, and felt that the DOT may come back around with another plan for Highway 105 since the superstreet concept did not pass. He believed it may be likely that the idea that Mr. Furgiuele proposed could be incorporated at that time, which was one reason the group chose to focus on a different area that they felt to be the biggest priority. Mr. Furgiuele then made a motion that the Town endorse the concept of the Cross Boone Connector as outlined and with the alternative the one depicted on the map in the presentation that connects from the University along the route that had been laid out and on the Boone Mall side to try to hug the creek. Mayor Pro-Tem Clawson seconded the motion and stated that she loved the bridge depicted in the photo in the presentation. Mr. Ward noted for future reference that Publix had donated an easement behind the building on their side of the creek. Mr. Furgiuele stated that in terms of the Faculty Street portion of the project, he did not believe that to be such an extreme idea. He felt that when compared to Greenway Road, it saw much less vehicular traffic, and believed that this plan would have much less negative impact than the Greenway Road plan. Mr. Furgiuele added that the Town needed to be moving toward alternative transportation now more than ever. Mr. Freireich confirmed that all alternatives mentioned in the presentation would remain open and that the Town was not being asked to pick one over the other at the time. He added that he felt the best thing would be to have a feasibility study performed on the whole idea, get buy-in from various organizations and groups. Mr. Freireich believed that the area should be designed to feel more like Boulder, Colorado, and noted that people would not only use amenities such as this, but felt it would attract development, and increase tax and property values as well as decrease vehicle usage. Mr. Furgiuele noted that the Planning Department would have a significant amount of work involved in this project, and noted that Council had agreed at the beginning of the year to not assign any new projects until October 2020. He felt, however, that this was a natural topic in terms of implementation to refer to the Transportation Committee to make specific recommendations back as to how the Town should proceed both in terms of funding and the mechanics of making the project happen. Mr. Ward noted that there was an older feasibility study prepared in the early 2000's that included most of the proposed corridor, so it would have to be updated, but it could serve as a starting base.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Sam Furgiuele, Council Member
SECONDER:	Loretta Clawson, Mayor Pro-Tem
AYES:	Clawson, Furgiuele, Ulmer, LaPlaca, Hicks

APPROVAL OF ITEMS ON CONSENT AGENDA

CONSIDERATION OF BUDGET AMENDMENTS

Mr. Furgiuele asked whether the public had been made aware of what happened to the canine officer who had passed away. Mr. Ward answered that press releases and social media posts had gone out, but that the canine had served for a number of years before passing away from a medical condition. Mr. Furgiuele expressed some confusion regarding the E911 funding. Ms. Davis explained that in order to be given reconsideration of the $36,000, the 911 board required the Town to spend its E911 special revenue fund balance down $11,000 which is what this amendment did. Mr. Furgiuele asked whether this changed the costs or expenditures of the E911 service, to which Ms. Davis responded that it did not. Mr. Furgiuele asked that if there was ever a time that Ms. Pepin and Ms. Field could be recognized for their donation of funds for the dog that the Town should do so. Mayor Pro-Tem Clawson agreed. Upon a motion by Mayor Pro-Tem Clawson, seconded by Council Member Ulmer, Council voted to approve the following items on the Consent Agenda:

Public Works - Meter Supplies (Transfer from W&S Infrastructure Reserve $250,000) Police Department - Capital Outlay - Other Equipment (Contributions/Donations $7,000) Police Department - Capital Outlay - Other Equipment (Contributions/Donations $20,000) E-911 Funding Reconsideration (Appropriated Fund Balance E-911 $92,306)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Loretta Clawson, Mayor Pro-Tem
SECONDER:	Connie Ulmer, Council Member
AYES:	Clawson, Furgiuele, Ulmer, LaPlaca, Hicks

COUNCIL MATTERS

CONSIDERATION OF P& I MEETING SCHEDULE FOR JUNE AND JULY 2020

Ms. Shook began by noting that last month Council had a brief discussion of virtual meetings for the foreseeable future and asked for a special public hearing on June 22 to hear a backlog of cases for the Planning Commission. Mr. Furgiuele asked whether Ms. Shook was requesting public hearings on both June 22 and July 27, to which Ms. Shook answered that she was. Mr. Furgiuele announced that he would be out of town on July 27 and that it may be difficult to participate in a meeting remotely. He stated that in terms of discussion regarding the Board of Adjustment, he would appreciate it if before discussion in July, if Ms. Shook would poll the people on the Board of Adjustment to make sure they would actually attend an in-person meeting. Mr. Furgiuele felt that since there were so few people on that board, there would be no point in trying to convene if the members of the board did not feel comfortable participating. In response to questions raised by Mr. Furgiuele, Ms. Shook responded that there were five regular board members and one alternate, with one regular member resigning within the last week. She added that staff had been attempting to get the board member who had resigned to stay on the board until a case that he was involved in was resolved. Mr. Furgiuele asked whether there was an application before the Council to appoint a replacement, to which Ms. Shook answered that there was not. When asked whether the alternate was interested in filling the regular board position, Ms. Shook stated that staff had not reached out to the alternate member until confirming whether or not the regular board member who resigned would be willing to stay on. Mr. Furgiuele stated that the schedule looked fine to him and believed that people were getting more comfortable with the idea of virtual meetings. He then made a motion to endorse the dates and times of the described meetings be held via video. Mayor Pro-Tem Clawson seconded the motion. Ms. LaPlaca asked how Ms. Shook and staff would be able to carry out these meetings with the recent loss of a staff member. Ms. Shook and Mr. Ward noted that staff would continue to work as usual and that the job had been posted.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Sam Furgiuele, Council Member
SECONDER:	Loretta Clawson, Mayor Pro-Tem
AYES:	Clawson, Furgiuele, Ulmer, LaPlaca, Hicks

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

Ms. Shook stated that this item was a repeat of what had been before Council earlier in the year but that the public hearing had to be cancelled due to the COVID19 outbreak. Ms. Shook explained that if the request were approved, Council would either send this matter to public hearing in July or August. Mr. Furgiuele made a motion fixing the date of annexation pursuant to GS 160A-31with the date of July 14, 2020 at 6:00 p.m. He asked that the resolution be amended to reflect that the public hearing would be held electronically instead of at Council Chambers as drafted. Mayor Pro-Tem Clawson seconded the motion.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Sam Furgiuele, Council Member
SECONDER:	Loretta Clawson, Mayor Pro-Tem
AYES:	Clawson, Furgiuele, Ulmer, LaPlaca, Hicks

REQUEST FOR JOINT MEETING WITH THE HPC, CAC AND TOWN COUNCIL

Ms. Shook indicated that the Planning Department had submitted this request, but that Dr. Plaag was on the line and wondered if he wanted to speak to the request himself. Mayor Brantz asked whether it was the will of the Council to hear from Dr. Plaag on this matter. It was the consensus of Council to hear from Dr. Plaag. Dr. Plaag indicated that he had recently had a phone conversation with Annie McDonald of the SHPO and in talking through with where she was with her review of the Historic Preservation Commission's survey and the fact that the Historic Preservation Commission was getting ready to put together a designation report, he mentioned that the Historic Preservation Commission had written a draft of its design guidelines and that they would be reviewed once the Community Appearance Commission had completed their design guidelines that would apply to what in essence was an overlapping district. Dr. Plaag indicated that Ms. McDonald's only concern was with the confusion this might cause the community, and she felt that it might be helpful to have some input from her and from the CLD coordinator so that the approach could be taken that was most likely to result in a positive outcome and a minimal amount of confusion for people. Mr. Furgiuele stated that he was not against having the meeting and felt that it was important for both Historic Preservation and Community Appearance to communicate anyway. He believed that a joint meeting was needed irrespective of whether or not the SHPO representative participates or not. Dr. Plaag wanted to clarify that his purpose in reaching out to the SHPO was to get input on the designation process in terms of the district designation as well as the public information sessions. He felt that the overlap between HPC and CAC guidelines to be more of a sidebar than the main purpose of the meeting. Mayor Brantz felt that a great deal of confusion could be cleared up by getting all groups together for a meeting. Mr. Furgiuele indicated that he did not disagree with the need for the meeting, and wondered if an inquiry should be made as to the availability of the SHPO representative first before proceeding. Ms. Shook indicated that staff would send out a Doodle Poll invitation with multiple different dates to see which had the most availability.

REQUEST FOR FUNDING - DIGITAL WATAUGA PROJECT

Mr. Ward explained that this was a request for funding from Digital Watauga for $5,000.00 to help offset labor and material costs and to help provide services beneficial to the Town, its various offices, and the community as a whole, as well as up to 75 hours of image research on behalf of Town offices. Mr. Ward indicated that approval of this item would only mean transferring existing funds from the Historic Preservation fund, which currently had $60,234. Mr. Furgiuele asked whether the Historic Preservation Commission had endorsed this request, to which both Mayor Pro-Tem Clawson and Mr. Ward answered that it had. Dr. Plaag announced that although the board went to remote meetings in March, the Digital Watauga Project was continuing to research and post on its website. Ms. Meade felt that there should be some sort of written agreement for this exchange of services in order to meet State requirements for payments to private entities. She asked that if there was not already, a statement as to the services provided would be necessary. Mr. Ward stated that if approved, staff would make sure to follow up with Ms. Meade for approval of the statement. Dr. Plaag indicated that he had included in each year's request a statement of the terms of the agreement, and agreed to forward that to Ms. Meade for her review. Mayor Pro-Tem Clawson made a motion to approve the $5,000 request for funds to the Digital Watauga Project and that a statement of services exchanged be completed. Mr. Furgiuele seconded the motion.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Loretta Clawson, Mayor Pro-Tem
SECONDER:	Sam Furgiuele, Council Member
AYES:	Clawson, Furgiuele, Ulmer, LaPlaca, Hicks

CONSIDERATION OF AGREEMENT - PROVISION OF AFTER-HOURS COMMUNICATION SERVICES

Mr. Ward indicated that work began on this arrangement last year and presented a draft agreement for Council's consideration. He pointed out that there would not be a need for any additional staff members since the call volume for Blowing Rock for the time period outlined in the agreement was approximately two calls per hour. Mr. Ward added that information regarding Blowing Rock house checks could be entered remotely through officers patrol vehicles by utilizing the same technology that Boone officers had. Mr. Ward felt that some of the benefits to this agreement would be that communications and 911 staff had struggled with a high turn-over rate, which was partially attributed to pay. He stated that this agreement would allow staff to make a small adjustment to communications staff pay that would bring Boone telecommunications staff up to a competitive rate with others in the area. Mr. Ward added that some additional equipment would be paid for by this joint venture, and noted that the Town would have access to a new notification system. Mayor Brantz asked whether other towns in the County had been asked to participate. Mr. Ward answered that this arrangement arose after a service issue between Blowing Rock and Watauga County. He added that when the Town was able to move forward with construction of the new municipal complex, a new communications building would be incorporated into the plans, and noted that any time the Town worked with another community in consolidation, the Town would have access to additional State funding with the way their grant formulas worked. Mr. Furgiuele wondered since part of the reasons for increased turnover in this department was call volume and even though the increase was manageable, if this new arrangement would make it even more difficult to retain employees. Mr. Ward felt that it was the nature of the job to carry a higher turn-over rate, but did not believe this arrangement would cause any undue burden. Mr. Furgiuele expressed his support, especially in this financial climate and the Town's need for revenue and made a motion to approve the agreement as presented. Ms. Ulmer seconded the motion.

Agreement for Provision of After-hours Communications Services

This Agreement is entered into this ___ day of ____________, 2020 by and between the Town of Blowing Rock ("Blowing Rock") and the Town of Boone ("Boone") for provision of after-hours 911 and non-emergency communications services. The parties hereby acknowledge and agree as follows:

1. *Communication Services*. During the Term of this Agreement, Boone will provide to Blowing Rock 911 emergency and non-emergency communication services from 7:00 p.m. until 7:00 a.m., seven days a week.

2. *Term*; *Renewals*; *Termination*. The initial term of this Agreement will begin on July 1, 2020 and expire on June 30, 2021. However, the Agreement shall renew automatically for another one-year term each July 1st unless and until either party provides written notice of termination. Notice of termination must be given by at least March 1st prior to the next July 1st renewal date, and will be effective as of the end of the current one-year term (i.e., June 30).

3. *Termination for Cause*. In addition to termination upon proper notice at the end of any one-year term, this Agreement may be terminated by Blowing Rock for cause, but only upon 30 days written notice and opportunity for Boone to cure any alleged material deficiency in the services.

4. *Compensation* – Blowing Rock will pay Boone $65,000.00 per year for the initial year for the services described herein, to be paid in quarterly installments of $16,250.00 Following the initial year of this Agreement, the annual compensation to be paid to Boone by Blowing Rock shall be increased each year by the change in CPI index for the prior twelve month period based on the "CPI-U, All Urban Consumers, U.S. City Average, 1982/1984 = 100" published by the US Bureau of Labor Statistics.

IN WITNESS WHEREOF, the Town of Blowing Rock and the Town of Boone have executed this Agreement as of _________________________, 2020.

TOWN OF BOONE

By: ____________________
Mayor

____
Attest

TOWN OF BLOWING ROCK

By: ______________________
Mayor

____
Attest

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RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Sam Furgiuele, Council Member
SECONDER:	Connie Ulmer, Council Member
AYES:	Clawson, Furgiuele, Ulmer, LaPlaca, Hicks

REQUEST FOR REPORT - PREDATORY LANDLORD-TENANT PRACTICES & POTENTIAL NEXT STEPS

Mr. Furgiuele presented a request for discussion regarding the potential next steps on the matter of predatory landlord-tenant practices, and asked Mr. Ward for a progress report as well. Mr. Ward presented Council with a copy of the written response received from the office of Attorney General Josh Stein, and stated that staff was awaiting further direction from Council before proceeding. Mr. Furgiuele asked that, as a minimum, that staff prepare a press release to the normal recipients with the Attorney General's response. He felt that this would allow those who wished to take action more information on what steps they needed to take with respect to contacting the Attorney General's office. Mr. Furgiuele also suggested that a meeting be scheduled and to invite the Senator and Representative to attend, whether virtually or in person, to discuss these issues and potential solutions. He stated that he was disappointed in that he felt there was no real response from our representatives, and suggested a discussion as to whether the Town would want to employ its lobbyists to support Council Member Hicks's initiative, since it did directly connect. Ms. Ulmer was confused as to why all complaints were not directed to the Attorney General, with Mr. Furgiuele explaining that there were two different parts to the issue at hand. He felt that if the representatives were willing, there were ways that clarifications could be made to the law to help eliminate confusion and allow people to make informed choices. Mr. Furgiuele felt that Council should also support Representative Russell's initiative if the Town's lobbyists have the capacity to facilitate the passage of that bill. Ms. Ulmer agreed. He added that he had recently received a call from someone whose child had been sued for rent because one tenant had moved out of an apartment, and because of the pandemic, the three tenants who were left in the apartment did not have the ability to add a fourth tenant, even though they continued to pay their rent. Council Member Hicks agreed with Mr. Furgiuele's suggestions, as did Mayor Pro-Tem Clawson. Mr. Furgiuele then made a motion, which was seconded by Council Member Hicks, to direct staff to distribute a press release along with a copy of the response received from the Attorney General's office, as well as a copy of the original resolution; that the Town Manager explore with the Town's lobbyists the possibility of their support of Representative Russell's legislation to seek financial assistance for tenants who have been unable to pay their full rent as a result of COVID19; and that the Town Manager explore with Senator Ballard and Representative Russell their willingness to participate in a meeting with the Town Council where the public could share their direct stories and to discuss what steps could be taken to strengthen and clarify the Tenant Security Deposit Act and the Residential Landlord Tenant Act of North Carolina. When asked whether the proposed meeting would be a special called meeting or would take place during a regular Town Council meeting, Mr. Furgiuele responded that he did not specify since he was unsure of the level of participation, and that he was open to either one. Mr. Furgiuele felt that nothing should be scheduled until representatives had indicated their willingness to participate, and asked Mr. Ward to report back in June. Mayor Pro-Tem Clawson was logged out of the meeting at 8:18 p.m. and logged back in at 8:19 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Sam Furgiuele, Council Member
SECONDER:	Dustin Hicks
AYES:	Clawson, Furgiuele, Ulmer, LaPlaca, Hicks

REQUEST FOR REPORT - WATER/SEWER BILL ROUND-UP PROGRAM & POTENTIAL NEXT STEPS

Mr. Furgiuele requested a report from Ms. Davis or Mr. Ward on whether or not there had been any interest in the water/sewer bill round-up program and asked for discussion regarding potential next steps, though he did not believe the "round-up" to be the proper term for the program. He complimented staff on their work on implementing the project, but was confused when he received his bill that there was not a check box to indicate his support for the program or a form that could be completed and returned with the bill. Mr. Furgiuele further indicated that, although it could be attributed to his out of date web browser and computer, he was still having trouble signing up for the program on the Town website and was concerned that others might have similar issues. He asked that since most people were continuing to shelter at home if it would be possible to create a way for people to sign up for the program by mail. Mayor Pro-Tem Clawson logged off the meeting at 8:25 p.m. She logged back in at 8:26 p.m. Mr. Ward presented Council with the final document that Council approved previously which gave instructions for how those interested in supporting the program could sign up, and noted that staff placed information about the program in two separate places on the Town website to allow for increased accessibility. Mr. Ward noted that in spite of these efforts, only two people had signed up for a total amount of $30. He indicated that he had kept a log of inquiries about the program, some emails, mostly calls, and stated that the majority of the feedback he received was that people wanted a guarantee of who their donations went to. Mr. Ward added that when people found out that donations could not be allocated to a supporter's organization of choice, they often expressed that they felt more comfortable sending their donations directly to the organization. He also indicated that he had sent emails to the eight non-profit organizations asking for their assistance in distributing information about the program. Mr. Ward stated that there was not a lot of follow up after the initial announcement, which he believed was due to the fact that organizations allocate a certain amount of pay or volunteer hours for fundraising, which was being spent on efforts where 100% of the funds went to the organization, as opposed to a percentage. Mr. Ward indicated that the reason for not changing the layout of the water bills was that in the last 2-3 years, between $10-15,000 had been spent on changing the layout. He added that the postage costs could increase if additional pages were added to the bills, and noted that former members felt that additional paper would be wasteful. Mr. Furgiuele pointed out that most people these days would be looking at the website on their mobile devices, and felt that it was too difficult to find information about the program as it currently was laid out on the website. He suggested that a clip off coupon be included in water bills which would not increase postage but would still allow supporters to participate by mail and would not require a change in layout. Mr. Furgiuele felt that the program should be given one more attempt and that anything the Town could do during this time, it should try to do. Mr. Ward stated that staff may be able to shrink the form in order to allow it to fit on one page front and back. He explained that staff was challenged in that the funds collected could not be tied to the enterprise account and had to be sequestered and moved out and noted that there were additional administrative functions that had to be performed for each donation collected. Mr. Ward stated that he would direct the Town intern to begin advertising the program through the Town's social media pages. Ms. LaPlaca asked about the cost versus staff time and effort. Mr. Ward replied that he believed these minor changes and one more mailing was feasible.

CLOSED SESSION

Upon a motion by Mayor Pro-Tem Clawson, seconded by Ms. Ulmer, Council voted to enter into closed session at 8:42 p.m. pursuant to:

1. N.C. Gen. Stat.§ 143-318.11 (a)(1), to review, approve and seal closed session minutes from Council's prior closed session(s).
2. N.C. Gen. Stat.§ 143-318.11 (a)(3), to consult with the Town Attorney in order to preserve the attorney client privilege between the attorney and the Town Council and obtain legal advice, consider and/or give instructions to the attorney concerning one or more potential legal claims.
3. N.C.Gen.Stat.§143.318.11 (a)(5), to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (I) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease (PIN 2911-33-9240-000 and PIN 2900-79-5183-000).
4. N.C. Gen. Stat. § 143-318.11(a)(3), to consult with the Town Attorney in order to preserve the attorney-client privilege between the attorney and the Town Council and obtain legal advice, consider and/or give instructions to the attorney concerning the legal matters involving Zhiyuan Chen.

VOTE: Aye: All
Nay: None

ADJOURNMENT

Nicole Harmon, Town Clerk

Rennie Brantz, Mayor