

Town of West Jefferson - Board of Aldermen
Regular Meeting Minutes
September 11, 2017 | 6:00 p.m.

Board Members Present: Mayor Dale Baldwin, Alderman Calvin Green, Alderman Jerry McMillan, Alderman John Reeves, Alderman Stephen Shoemaker, Alderman Brett Summey, Sr.

Town Staff Present: Town Manager Brantley Price, Town Clerk Wesley Barker, Police Chief Jeff Rose, Maintenance Supervisor Eric Miller and Wastewater Superintendent Charles Call.

Several other residents of the community also attended.

At 6:00 p.m. Mayor Baldwin called to order the meeting of the Board of Aldermen. Alderman Reeves gave the invocation. Those in attendance then stood for the Pledge of Allegiance.

Approval of the September 11, 2017 Agenda- With no changes, Alderman Shoemaker made the motion to approve the agenda as presented. Alderman Reeves seconded with a vote of 5-0 in favor.

Approval of Minutes- August 7, 2017 Regular Meeting - With no changes, Alderman Summey made the motion to approve the minutes as presented. Alderman Reeves seconded with a vote of 5-0 in favor.

Approval of Minutes- August 23, 2017 Special Meeting- With no changes, Alderman McMillan made the motion to approve the minutes as presented. Alderman Reeves seconded with a vote of 5-0 in favor.

Consideration of Closure of Proposed Roadway- off Fairview Dr. - The Mayor stated this item is a follow up from last month's meeting. David Ashley has purchased a piece of property located on Fairview Drive (parcel # 19223-001-956). Currently, there is a proposed Town street between this property and the adjoining property owned by Shirley Powers (parcel # 19223-001-731) which has never been dedicated. Mr. Ashley is requesting to have a 265' portion of the proposed road off Fairview Drive to be closed and states Mrs. Powers is in agreement to close the proposed street portion. The Mayor stated that the Town heard from Shirley Trivette, the other neighboring property owner, and she did not have an issue with the street closing. If the Board wishes to close this proposed roadway, the Board would need to adopt a resolution to close and the resolution would need to be posted four straight weeks in the paper prior to a public hearing before the road can officially be closed. Alderman Reeves made a motion to approve the resolution of intent for the closure of the proposed roadway as presented. It was confirmed there were no issues with water or sewer lines along this area. Alderman Shoemaker seconded with a vote of 5-0 in favor.

Consideration of Amendment to Contract with Republic Services for Garbage Pickup— The Mayor stated at a previous meeting, the Board discussed the contract with Republic Services and had some concerns with the cost increase. Tracy Nestor and Jeff McRee of Republic Service spoke to the Board on this item. Mr. McRee said Republic Services has audited our residential and commercial accounts with 586 residential and 115 (or 117) commercial accounts if you count the Dr. Pepper accounts at their Highway 163 and Triangle Vending location. Proposed contract option #1 includes these two commercial locations as stated above and contract option #2 excludes the two commercial locations.

Contract #1- 117 Commercial & 586 Residential (includes Dr. Pepper Locations)

Commercial Rate- \$32/month x 117 = \$3744

Residential Rate- \$7.18/month x 586= \$4207.48

Total = \$7951/month

Contract #2- 115 Commercial & 586 Residential (excludes Dr. Pepper Locations)
Commercial Rate- \$30/month x 115 = \$3450
Residential Rate- \$7.18/month x 586= \$4207.48
Total = \$7657.48/month

Mr. McRee further explained Michael Vannoy of Dr. Pepper has chosen to contract with Republic Services to have 3 dumpsters and will not be part of the Town's commercial pickup. Therefore contract option #2, which excludes the two Dr. Pepper locations would be the proposal for the Town to consider. This would be a 1% overall increase. Brantley Price stated the Town currently bills approximately \$20,000 in annual garbage collection and if the Town increases commercial billing by 22%, this will offset the increase. With no discussion, Alderman Summey made the motion to approve & renew contract #2 with Republic Services for a five year term, expiring June 30, 2022. Alderman Shoemaker seconded the motion with a vote of 5-0 in favor.

Consideration of Stomp & Brew Festival- Rebecca Lane spoke to the Board on this proposed festival. Rebecca said this festival was planned for Saturday, May 5, 2018 and was an event celebrating the talented brewers and vintners in the northwest NC region with a focus on the processes of making beer and wine. Rebecca said they hope to collaborate with the Ashe Co. Brew Club, GrapeStompers, Surry Community College Viticulture/Enology and ASU's Fermentation Science Program in order to educate and bring awareness to the community about the art of fermentation. The festival would also work with the WJ Business Association, WJ Community Partnership & Ashe Arts Council to encourage participants and work with local businesses. Tickets will be sold for event admission with shuttles, collaboration with downtown businesses to offer discounts and live music also planned. The committee has submitted and received a tax ID number and incorporation with the NC Secretary of State. Location of the event discussed would be the paved public parking lot along E. Main St. across from Reeves Law Firm and beside the Cheese Plant. This area would provide more space and safety for the event compared to the parking lot beside Badgers Funeral Home. The event would be held from 11am-4pm. Alderman Green expressed his concern on the parking lot being used as parking is already an issue in Downtown. He asked if the event could be held in the WJ Park. Rebecca explained this event would be more visible in this parking lot and with it being held in early May, the amount of cars in downtown wouldn't be as much as if the event was held later in the summer. After some discussion, Alderman Shoemaker made the motion to approve the Stomp & Brew Festival event and plan as presented with the parking lot area suggested off E. Main St. Alderman Summey seconded. The vote of 4-1 in favor. Alderman Green opposing.

Consideration of Text Amendment to Zoning Ordinance- Section 509: Conditional District (C-D) - The Mayor stated the Town Attorney found some discrepancies in the text of this section of the Zoning Ordinance when defining a conditional district. A C-D is defined as: "a situation when a particular use may be acceptable but the general zoning district which would allow for that use would not be acceptable. It allows the Board of Aldermen to approve a proposal for a specific use with reasonable conditions to assure the compatibility of the use with the surrounding properties." He suggested two sentences be removed from this section which were: "uses which may be proposed and considered for a conditional district shall be restricted to those use permitted in the underlying general zoning district" and "any uses and structures on the subject property shall also comply with all standards and requirements for development in the underlying general zoning district." The Mayor said the Planning Board had reviewed and recommended the amendments be deleted. With no discussion, Alderman Shoemaker made the motion to approve the text amendments and delete these from Section 509. Alderman Reeves seconded with a vote of 5-0 in favor.

Consideration of Statement that Shows Consistency/No Consistency with the 2008 WJ Land Use Plan-

With no discussion, Alderman Reeves made the motion to approve the statement that shows consistency with the 2008 Land Use Plan for the text amendments to Zoning Ordinance Section 509. Alderman Summey seconded with a vote of 5-0 in favor.

Consideration of Text Amendment to Article XI-Sign Regulations, Section 1105 & 1106 (Digital Signage & Message Boards Regulations) - Zoning Administrator Wesley Barker explained to the Board these proposed text amendments were presented to the Planning Board to discuss digital signage and message board regulations, as currently the Sign Regulations did not address this signage specifically. The Planning Board discussed and has recommended the following text amendments to section 1105 & 1106 to the Sign Regulations:

Section 1105- Prohibited Signs

Add to Definition:

d) A sign that has moving parts that includes scrolling signs, message board signs, animated and/or mechanical motion signs.

Section 1106- Commercial Signs

Add Subsection:

(m)- Digital/Electronic Message Board Sign or Display- These signs shall not be allowed in any residential district or within the Community Shopping district. However, they shall be allowed in all other highway commercial and industrial districts at a rate of one sign per business.

(1) Electronic Message Center or Display: Images and/or message frequency must be static a minimum of **5 minutes** and the transition must occur as instantaneously as technology allows. Images and/or messages shall be solid state and shall not flash, blink, scroll, or be animated in any way. This is not considered animation and/or a flashing sign

(i) Every sign must be equipped with a diming mechanism that adjusts display brightness to accommodate varying ambient light conditions. This function can be performed manually or automatically with the use of a light sensing device.

The Board then discussed the recommendations by the Planning Board, focusing on the time limits between transitions for electronic message centers/displays Alderman Reeves made the motion to approve the text amendments as presented and to add these to the Sign Regulations within the Zoning Ordinance. Alderman Shoemaker seconded. . Several Board members felt the time suggested, 5 minutes, was too long. A motion and second was on the table and the Mayor called for the vote to approve the recommended text amendments as initially recommended by the Planning Board. The vote of 2-3. Motion failed. Alderman Green, McMillan and Summey opposing.

The Board then continued discussion on the time limits between electronic message board transitions. Alderman McMillan suggested cutting this time in half from 5 minutes to 2 and ½ minutes. Other time limits were discussed among the Board. Alderman Green then made the motion to approve the text amendments to the Sign Regulations with the Zoning Ordinance as presented but to change the time limit of electronic message board transitions to 2 and ½ minutes. Alderman McMillan seconded with a vote of 3-2. Motion passed. Aldermen Reeves and Shoemaker opposing.

Consideration of Statement that Shows Consistency/No Consistency with the 2008 WJ Land Use Plan-

With no discussion, Alderman Summey made the motion to approve the statement that shows consistency with the 2008 Land Use Plan for the text amendments to the Sign Regulations Section 1105

& 1006 with the 2 and ½ minute transitions of electronic message boards. Alderman McMillan seconded with a vote of 3-2 in favor. Aldermen Reeves & Shoemaker opposing.

Consideration of Tax Releases- The Mayor stated the following tax bills are proposed to be released and the Board would vote on each item separately:

- a) Wells Fargo Vendor Financial Services (GE Capital) - billed incorrectly by County- \$138.58- Alderman Shoemaker made the motion to release this tax bill. Alderman Green seconded with a vote of 5-0 in favor.
- b) Wells Fargo Financial Leasing- billed incorrectly by County- \$66.80- Alderman Shoemaker made the motion to release this tax bill. Alderman Green seconded with a vote of 5-0 in favor.
- c) Everbank Commercial Finance- billed incorrectly by County- \$13.92- Alderman Shoemaker made the motion to release this tax bill. Alderman Green seconded with a vote of 5-0 in favor.
- d) Cisco Systems (Property Tax Alliance) - not in city limits- \$11.09- Alderman McMillan made the motion to release this tax bill. Alderman Reeves seconded with a vote of 5-0 in favor.
- e) Lester & Kendra Dain- billed in error by County- \$16.80- Alderman Reeves made the motion to release this tax bill. Alderman Shoemaker seconded with a vote of 5-0 in favor.
- f) Christopher Mathis- not in city limits- \$30.50- Alderman Reeves made the motion to release this tax bill. Alderman Shoemaker seconded with a vote of 5-0 in favor.
- g) High Country Motors- billed incorrectly by County- \$40.30- Alderman Shoemaker made the motion to release this tax bill. Alderman Green seconded with a vote of 5-0 in favor.

Police Report- Police Chief Jeff Rose gave the police report for August. There were 235 calls dispatched through the communications center, 19 auto collisions were investigated, 8 people were arrested with DWI, larceny, assault and drug related crimes. 5 persons were arrested/charged for drug violations. The Board thanked Chief for his report.

Water/Wastewater & Maintenance Report- WWTP Superintendent Charles Call gave an update on the WWTP. Charles said the filter plant is currently down with low water flow. 80,000 gallons of sludge had been hauled off. No major issues to report. The Board thanked Charles for his report.

Maintenance Report- Maintenance Supervisor Eric Miller gave an update on the Maintenance Department. Eric said 58 one calls had been reported for the month of August. 4 water leaks and 3 sewer line issues had been reported and repaired. The annual paving projects were almost complete as well as the sidewalk projects. Also, the department had been working on removal of tree roots from sewer lines and treatments to remove these roots to ensure they do not damage the lines. The Board thanked Eric for his report.

Town Managers Report- Brantley Price gave his report to the Board. Taxes collected to date are \$875,661, or 72% of the levy. Brantley gave an update on the Highway 221 project. Further, Brantley said \$54.89 million in Ashe County tourism dollars were reported with a lot of this influx due in part to the TDA's promotional efforts. Brantley then spoke on the sludge truck which needs work. He said the Town of Cleveland is interested in this truck and under G.S. 160A-280, a local government can donate equipment to another local government if approved. Further, he said the Town could keep the truck until the Town has another equipment auction and it could be bided on then. The Board was in consensus in waiting until the next public auction to dispose of the sludge truck. Brantley also stated Town Clerk Wesley Barker has taken a position with the NC Department of Commerce/ARC and would be leaving the Town at the end of the month. Brantley said Wesley was a great employee and would be missed. The Board thanked Brantley for his report.

Public Comment- opened at 7:12 pm. No comments.

Aldermen Comments- Alderman Reeves stated to Wesley he will be missed and wished him well in his new position.

Alderman McMillan wishes Wesley well and thanked him for his work at the Town.

Closed Session- The Mayor said he would like to call a closed session to consult with the Town Attorney over personnel in accordance with G.S. 143-318 (11) (a) (6). Alderman Summey made the motion to enter into closed session. Alderman Reeves seconded with a vote of 5-0 in favor.

Adjournment- The Board returned from Closed Session to Regular Session at 7:30 pm. With no further items to be discussed or voted on, Alderman Shoemaker made the motion to adjourn the meeting, seconded by Alderman McMillan. A vote of 5-0 in favor.

Dale Baldwin, Mayor

Brantley Price, Town Manager