

**Board of Aldermen
Regular Meeting
September 14, 2015
6:00 p.m.
Minutes**

Present: Mayor Dale Baldwin, Alderman Calvin Green, Alderman Tom Hartman, Alderman John Reeves, Alderman Stephen Shoemaker, Alderman Brett Summey, Town Manager Brantley Price, Town Clerk Wesley Barker and Town Planner Matthew Levi were present. Several other Town employees and residents of the community also attended.

At 6:00 p.m. Mayor Baldwin called to order the meeting of the Board of Aldermen. Michael Lea, Pastor of First Baptist Church, then said the invocation and those in attendance stood for the Pledge of Allegiance.

Approval of the September 14, 2015 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 3, 2015 Regular Meeting- With no comments, Alderman Summey made the motion to approve the minutes as written. Alderman Reeves seconded with a vote of 5-0 in favor.

Mayor's Proclamation honoring First Baptist Church's Centennial- The Mayor wished to recognize First Baptist Church of West Jefferson on its centennial year. The Mayor spoke on the great working relationship with the church over the years including the cooperation with the Town on parking and with the Farmer's Market. The Mayor then read the proclamation honoring First Baptist Church and its centennial. Each Aldermen then gave comments and congratulations on the church's celebration. Pastor Michael Lea thanked the Town for their recognition and invited everyone to join them for their upcoming centennial celebrations.

Consideration of Fuel Assistance Fundraiser at Town Intersections- Lisa Osborne with Ashe Services for Aging spoke to the Board on this annual fundraiser which would help assist clients served by Ashe Services for Aging with fuel heating costs. Lisa said with this fund, they have been able to assist from 13 to 23 people per year in purchasing fuel oil, kerosene and electric. Lisa said they would like to formally request permission to take up money for this effort at the intersections in downtown on Friday, October 2nd between the hours of 8am-5pm, with a rain date of Friday, October 9th. With no discussion, Alderman Shoemaker made the motion to approve this request on the date and time requested, with the rain date being October 9th. Alderman Green seconded with a vote of 5-0 in favor.

Consideration of Heritage Iron Club Car Show on October 3, 2015- Tony Lyall, with the Heritage Iron Club, came forward to speak to the Board on the proposal for a downtown car cruise in on Saturday, October 3rd. Tony said the last cruise in held in the spring was a big success and the club would like to have another one in downtown. The club would like to request the road closure of N. Jefferson Avenue from Main Street to E. Second Street for this cruise in on Saturday, October 3rd from 6am-5pm. Tony told the Board the Heritage Iron Club is a non-profit organization and donate proceeds to community efforts. Alderman Reeves said he feels like it is good for the Town as it brings people into Town and good for the merchants. Alderman Green said he had spoken to several merchants who were in opposition for this road closure who feels it kills their businesses when they are blocked off. Alderman Green spoke of several business owners who felt it wasn't beneficial to their business and that nobody from the Iron Club had visited each business along this closure and asked them how they felt about the car show. Tony

said he would not want to be a burden to the Town and businesses, he only felt this is helping and would not want to ever hurt a merchant. Alderman Shoemaker said he felt this is a good opportunity to showcase West Jefferson's Centennial. After more discussion, Alderman Shoemaker made the motion to approve the car show with the proposed road closures as presented, N. Jefferson Avenue from Main Street to E. Second Street on Saturday, October 3rd. Alderman Reeves seconded. Alderman Hartman felt it would balance out business and sales as he was once a business owner himself and people would still walk around the car show and visit shops. Alderman Green feels the Town should take care of its merchants. The Mayor said a motion and second was on the table and he then called for a vote. The vote was 4 in favor and 1 opposing. Alderman Green opposing.

Consideration of TDA Appointment- Brantley informed the Board that Vivian Miller's term on the TDA Board had expired, but she is willing to accept another 2 year term if the Board so desires. With no discussion, Alderman Shoemaker made the motion to reappoint Vivian Miller to the TDA Board for another 2 year term. Alderman Summey seconded with a vote of 5-0 in favor.

Consideration for Amendment to WJ Code of Ordinances Chapter 73- Schedule I- Designated Parking- Brantley explained to the Board that West Jefferson United Methodist Church would like to add 2-4 handicap parking spaces along Second Street next to their facility. Brantley said if the Board so desired, Chapter 73- Schedule I- Designated Parking would be amended to include a section (E) that states the following:

"It shall be lawful to park on West Second Street along the West Jefferson Methodist Church during the following times: Sundays between 8:00 am-9:00 pm and on Wednesday nights between 6:00 pm-9:00 pm, provided (1) parking is only allowed in parking spaces designated for "handicap" parking; and (2) only vehicles with a properly issued "handicap" sticker may park in such handicap parking spaces."

Brantley explained there would be no markings made on the road for this parking, but signs would be placed by the road to designate the handicap parking. During these times, if cars were parked in the handicapped area, this portion of the road would essentially become a one lane road, still passable to traffic. Alderman Shoemaker then made the motion to approve the proposed addition to Chapter 73, Schedule I, section (E) of the West Jefferson Code of Ordinances. Alderman Green seconded with a vote of 5-0 in favor.

Consideration of Amendments to WJ Code of Ordinances Title V- Public Works- Water- The Mayor explained to the Board that this section of the Code of Ordinances had been reviewed by the Town staff and several errors were found. Town Clerk Wesley Barker explained that some parts of this section were repetitive and contained erroneous/contradictive information and the section had been edited to correct these discrepancies. Town Attorney David Paletta had reviewed these proposed amendments and found no issue. The Board was given an amended Title V to review the proposed changes. With no discussion, Alderman Shoemaker made the motion to amend Title V- Public Works- Water of the West Jefferson Code of Ordinances with the proposed amendments. Alderman Hartman seconded with a vote of 5-0 in favor.

Consideration of ARC Grant revised resolution in amount of \$171,000 for well dewatering & for O'Reilly/Hometown Furniture water/sewer hookup- Brantley explained to the Board that houses on Wade E. Vannoy Road behind the O'Reilly building are in need of water and sewer services, as their sewer is failing. Brantley said he would like to include this into the project with the new well, dewatering system and extending water/sewer to O'Reilly/Hometown Furniture buildings. Brantley said each of

these houses are willing to voluntarily annex and pay all connection fees associated to connect to the Town's water and sewer. This will add \$221,000 to the Town's tax base with an annual revenue of \$928 and will increase the Town's water and sewer revenue. Brantley said adding this to the project did increase the cost by \$76,000 to a total project cost of \$851,000 which will require the Town to increase its match by \$16,000 to \$171,000. The breakdown of potential funding includes: ARC- \$300,000, USDA- \$380,000, and Town- \$171,000. The applications would be submitted to USDA on October 1st, 2015 as this is their new grant cycle and feel the Town would have a better change of acquiring grant funding instead of a loan. With no discussion, Alderman Hartman made the motion to approve the revised resolution as presented. Alderman Summey seconded with a vote of 5-0 in favor.

Consideration of CDBG Budget Ordinance- Brantley said this ordinance is for the CDBG project on Burkett and Graybeal Avenue totaling \$661,480. This project is 100% grant funded. With no discussion, Alderman Summey made the motion to approve the CDBG Budget Ordinance, seconded by Alderman Shoemaker. The vote of 5-0 in favor.

The Mayor asked Brantley to explain the next items on the agenda. Brantley explained items 10-13 were plans that had been previously adopted in July 2015 but had used the NC Department of Commerce instead of NCDENR. This error was found during the meeting with CDBG in August. Brantley said the following plans just need to be readopted for grant compliance.

Consideration of Revised Citizen Participation Plan- With no discussion, Alderman Shoemaker made the motion to approve the revised citizen participation plan. Alderman Reeves seconded with a vote of 5-0 in favor.

Consideration of Revised Language Access Plan- With no discussion, Alderman Shoemaker made the motion to approve the Revised Language Access Plan. Alderman Reeves seconded with a vote of 5-0 in favor.

Consideration of Revised Section 504 Grievance Procedure- With no discussion, Alderman Shoemaker made the motion to approve the Revised Section 504 Grievance Procedure. Alderman Summey seconded with a vote of 5-0 in favor.

Consideration of Revised Fair Housing Complaint Procedure- With no discussion, Alderman Shoemaker made the motion to approve the Revised Fair Housing Complaint Procedure. Alderman Hartman seconded with a vote of 5-0 in favor.

Consideration of Revised Town Road Policy- Brantley explained to the Board that Villages of Ashe/Forest Ridge Assisted Living is considering the Town to take over the street Village Park Drive. The Town's road policy has not been revised since 1992 and Town Attorney David Paletta, Town Planner Matthew Levi and Town Maintenance Supervisor Eric Miller had reviewed and updated the policy to make sure it is up to date before the Town officially dedicates a street. Brantley said he, Matthew and Eric feel Village Park Drive is a good example of how a street should be constructed with the exception of the curb. With no discussion, Alderman Shoemaker made the motion to approve the revised Town Road Policy. Alderman Reeves seconded with a vote of 5-0 in favor.

Consideration of Street Closure Ordinance- WJ Antiques Fair- Brantley explained that NCDOT has changed the procedure for closing a state maintained road which now requires the Town to adopt an ordinance for each road closure that would close the road for any period of time. The first street closure ordinance was for the WJ Antiques Fair to be held September 18-19, 2015. With no discussion,

Alderman Reeves made the motion to approve the street closure ordinance, seconded by Alderman Shoemaker. The vote of 5-0 in favor.

Consideration of Street Closure Ordinance- WJ Holiday Parade- The holiday parade is scheduled for Saturday, November 21st at 3:00 p.m. with road closures from 2:30 p.m. to 5:00 p.m. With no discussion, Alderman Shoemaker made the motion to approve the street closure ordinance for the holiday parade. Alderman Hartman seconded with a vote of 5-0 in favor.

Consideration of Street Closure Ordinance- Car Show- The car show is scheduled for Saturday, October 3rd with road closures from 6:00 a.m. to 5:00 p.m. With no discussion, Alderman Reeves made the motion to approve the street closure ordinance for the car show. Alderman Shoemaker seconded with a vote of 4 in favor and 1 opposed. Alderman Green opposing.

Discussion of Sidewalk Activities- Brantley explained to the Board that the Town receives requests for vendors to set up on sidewalks and have events on sidewalks. Also, the Town has vendors set up in town parking spaces on the Backstreet during the Farmers Market to sell items who are not members of the Market. Currently, the town does not have an ordinance that gives us guidance on these types of activities. Town Attorney David Paletta spoke and said these vendors are essentially setting up on someone else's property and is potentially a competitor to businesses already in Town and the Board could chose to regulate these peddlers. After some other discussion, the Board was in consensus for an ordinance be drafted by the Town Clerk and Town Attorney for review.

Consideration of Tax Releases:

(a) Triple A Land, LLC

(b) World Store Fabricators of Boone, LLC

These businesses were located outside of the city limits and the Board would need to officially release these tax bills. With nothing further, Alderman Shoemaker made the motion to release these two tax statements. Alderman Reeves seconded with a vote of 5-0 in favor.

Police Report- Chief Rose gave the police report for the month of August. During the month, 248 calls were dispatched through the communications center, 13 auto collisions were investigated, and 10 people were arrested which include charges of: DWI, Larceny, Assault and Drug related crimes. Also, 5 persons were arrested/charged for drug violations. The Chief said the new body cameras were working well so far. The Board thanked Chief for his report.

Water/Wastewater Report- Brantley reported for Charles who was absent from the meeting stating the filter plant was down due to low flow and 80,000 gallons of sludge had been hauled off.

Maintenance Report- Eric Miller gave a report on the Maintenance Department for the month of August. Eric said 3 water leaks and 1 sewer line issues had been reported. The department had been working on the fire hydrants for the inspection and all hydrants had been mapped on GIS. Also, new street signs are being installed and the sewer line had been moved along Highway 221 to Westwood School due to the road widening project. Alderman Green spoke on the cones at the Farmers Market not being placed on Friday night to keep non-vendor cars from parking in front of the market.

Town Managers Report- Brantley Price reported to the Board stating the well/dewatering grant funding would be submitted soon with a 2-3 week turnaround. Also, the streetscape project bids at E. Second St and N. Jefferson Avenue came in too high and the project is delayed as other ideas/proposals were being made to get costs down. The project should begin in March 2016. Other announcements were the public restroom project blueprints were nearly complete, the tennis courts repair would begin this week

and paving the parking lot and alleyway would begin this week. 2015 taxes collected to date were \$618,551, 63.8% of the levy. Brantley said the Town's annual water inspection went well and the inspectors commented on the WWTP employees efforts.

Public Comment- The Mayor opened public comment at 7:36 p.m. Mike Sawyer, Town resident, came forward and spoke to the Board. Mike thanked the Town for the installation of extra benches at the Park. Mike then spoke on the Town's noise ordinance with the issue of barking dogs at the neighbor's house at night. Mike asked if the police could do something about this or ask them to bring the dog inside at night. Further, Mike expressed his concern on empty lots with grown up weeds in the Town limits by Mountain Avenue and Locust Street as well as run down homes. David Paletta, Town Attorney, then spoke to the Board stating that he had a rental property in Mount Airy and his tenants said they loved coming to visit West Jefferson and enjoyed their visits here. With no further comment, public comment was closed at 7:45 p.m.

Alderman Comments- Alderman Shoemaker said he was chosen as the "voice of Ashe County" in the September 2015 issue of Our State magazine and it was a nice honor. Alderman Reeves commented on the many visitors to West Jefferson.

Closed Session- The Mayor said the Board would be entering into closed session per G.S. 143.318.11(a)(3) to consult with the Town Attorney concerning the civil dispute between Mark Blevins and the Town. Alderman Reeves made the motion to go into closed session. Alderman Shoemaker seconded. A vote of 5-0 in favor. The time was 7:46 p.m.

The Board returned to open session from closed session at 8:40 p.m. With nothing further, Alderman Hartman made the motion to adjourn the meeting, seconded by Alderman Shoemaker. The vote of 5-0 in favor.

Dale Baldwin, Mayor

Wesley M. Barker, Town Clerk