

BANNER ELK TOWN COUNCIL MEETING
May 8, 2023
MINUTES

The Banner Elk Town Council met on Monday, May 8, 2023, at 6:00p.m. in person for Council and staff with public participation. Remote viewing was offered through zoom.

Council Members present: Mayor Brenda Lyerly, David Lecka, Charles VonCanon, Mike Dunn, and Robert Tufts

Staff present: Town Manager Rick Owen, Town Attorney Four Eggers, and Zoning Administrator Riley Pudney.

Call Meeting to Order

At 6:00 p.m. Mayor Lyerly called the regular Town Council meeting of May 8, 2023, to order.

Pledge of Allegiance

Mayor Lyerly led those in attendance with the Pledge of Allegiance.

Invocation

Council Member Charles VonCanon opened the meeting with prayer.

Approval of April 10, 2023, and March 27, 2023 Minutes

Mayor Lyerly asked the Council to review and approve the minutes from the March Special Budget meeting and the April 10, 2023, regularly scheduled meeting. With no changes made, Councilman VonCanon motioned to approve the minutes as presented with a second by Councilman Dunn. All were in favor of the motion.

Approval of Stated Agenda

Mayor Lyerly asked if there was a motion to approve the stated agenda. Councilman Lecka motioned to approve the agenda with a second by Councilman Dunn. All were in favor of the motion.

Public Comment

Mayor Lyerly opened the meeting to comments from the public who were not on the stated agenda. There was no one who signed up to speak.

Special Presentation Family Connections

Virginia Ford with Family Connections presented information to the Council regarding the Family Connections program. She explained that it was a grant funded program that provided home visits and care for mothers and newborns up to 3 months. The program serves Avery, Ashe and Watauga County and will be losing their funding in December. She is traveling the different counties to make them aware of the services they offer and to spread the word. The program benefits the mother and baby by providing resources for food, mental health, and medical care. Councilman VonCanon stated that he believes this program is a great idea and is happy to know it is available within the community. Mayor Lyerly asked how people became aware of the program. Mrs. Ford explained that they work in conjunction with OBGYN's and on the Labor and Delivery floor passing out information and signing potential families up. The service is free to all families.

Annexation Request 1858-1971-4914, 1858-2072-8215, 1858-1972-1213

Town Clerk Riley Pudney stated this is a request for a contiguous annexation across from New River Building Supply. The three tracts will be annexed and connected to Town water and sewer. She asked the Council to allow for the clerk to certify the petition for the next meeting. With no questions from the Council, Councilman VonCanon motioned to allow the clerk to certify the petition and was seconded by Councilman Dunn. The motion passed unanimously.

Call for Public Hearing, Commercial Highway District

Zoning Administrator Riley Pudney explained that the Town Council was approached with a potential hotel project with a building that is 70 feet tall outside of the Town limits. If approved the property would be annexed into Town. Under the current ordinances, the project would not be able to meet the zoning requirements. Council ask Town Staff to look at making changes to the Mixed-Use district to allow for such a project. Town staff approached the Planning Board and began discussing amending the Mixed-Use district which already allowed for a 70-foot building. After discussion, it was found that changing the Mixed-Use district would potentially create a negative impact on existing Mixed-Use parcels. Due to this potential consequence, the Planning Board recommended a new zoning district that would allow for 70-foot-tall buildings 125 feet off of a public highway such as 184/194.

The Planning Board and staff held three special meetings prior to their May 1st meeting to draft and discuss this new zoning district. The Planning Board made changes to staff recommendations and has voted to recommend the ordinance to the Town Council for consideration.

Zoning Administrator Riley Pudney asked for the Council to call for a public hearing for the new zoning district. Mayor Lyerly asked when changes could be made to the ordinance. Zoning Administrator Riley Pudney answered that Council can make changes up until it is adopted.

With no further questions, Councilman VonCanon motioned to call for a public hearing on June 12th and was seconded by Councilman Tufts. The motion passed unanimously.

Annexation Ordinance Adoption 1263/1285 Balm Highway

Town Clerk Riley Pudney informed the Council that the last step for the annexation of 1263 and 1285 Balm Highway would be for Council to adopt the ordinance and have it filed with the register of deeds and the State. Councilman Dunn motioned to adopt the ordinance and was seconded by Councilman Lecka. The motion passed unanimously.

Proclamation Declaring May National Bike Month

Town Manager Rick Owen read a statement from Ted Silver requesting the Town of Banner Elk to proclaim May as National Bike Month. The Council had no comments or questions regarding the matter. Councilman VonCanon motioned to adopt the Proclamation and was seconded by Councilman Tufts. The motion passed unanimously.

Budget Amendments

Town Manager Rick Owen provided the Council with 2 budget amendments. The first allowing for the Police Department to purchase a vehicle this year rather than next calendar year since it was available. The second was the final budget amendment to complete the paving and road connection of Culver Street. The Council unanimously approved the amendments with a motion by Councilman Lecka and a second by Councilman Dunn.

Manager Updates

Town manager Rick Owen provided the Council with staff reports and the following updates:

-The Culver Street project will be completed shortly. It should be paved by the end of the week and the brick for the sidewalk has been ordered.

-He reminded the Council of their upcoming budget meetings on June 1st and June 27th at 6:00 pm. He also asked the Council to call for a public hearing on the budget for the June 12th meeting. Councilman Tufts motioned to call for the public hearing and was seconded by Councilman Dunn. The motion passed unanimously.

-The Litter Sweep in April was very successful and there were many people who volunteered to clean up Town streets.

-He reminded the Council of the County's budget workshops and that they have not provided any additional information on whether the remaining payments for the school property will be forgiven or not.

-American Legal has updated the Code of Ordinances and Town Council should bring their books to Town Hall for updates.

-Lees McRae renovation project on the dorms should be completed by April of 2024.

-Art on the Green's first weekend is Memorial Day weekend. He informed the Council that the site will look different due to insurance requirements for road closures. Councilman Lecka asked if the Town had purchased barricades for road closures. Town Manager Rick Owen stated that they have not, the insurance company would like safety barriers that would prevent any vehicle from penetrating the barrier.

Other Business

There was no other business stated.

With no further comments or questions, Councilman Lecka motioned to adjourn and was seconded by Councilman VonCanon. The motion passed unanimously, and the meeting was adjourned at 6:50 p.m.

Mayor Brenda Lyerly

Attested

Approved: