

BANNER ELK TOWN COUNCIL MEETING

July 8, 2024

MINUTES

The Banner Elk Town Council met on Monday, July 8, 2024, at 6:00p.m.

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

Staff present: Town Manager Rick Owen, Police Chief Kevin Hodges, Public Services Director Justin Hodges, and Attorney Four Eggers.

Call Meeting to Order

At 6:00 p.m. Mayor Lyerly called the regular Town Council meeting of July 8, 2024, 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.

Public Hearing

The Council opened a Public Hear for the annexation of 1484 Tynecastle Highway with a motion from Councilman Tufts seconded by Councilman Dunn, all were in favor. The manager informed the Council it is an .81-acre parcel requested for annexation by the owner by Mr. Wooten to receive sewer service from the Town.

There were no commits from the public and the hearing was closed.

Approval of June 10, 2024

The June minutes were tabled until the August meeting.

Approval of the Stated Agenda

Mayor Lyerly asked if there was a motion to approve the stated agenda. Councilman VonCanon motioned to approve the agenda as stated and was seconded by Councilman Dunn. The motion passed unanimously.

Public Comment

No public comment.

Mayland Community College, Informational – Dr. Boyd

Dr. Boyd, President of Mayland Community College gave the Council an update on happenings at the College. Mayland Community College is currently recognized as #10 in the Nation for Community Colleges and #2 in NC. The College is growing in all areas. They have started a new admittance program with ASU. He discussed efforts to reach out to students in the County to see they are informed of opportunities for them to stay and work in our area as they come out of school. The College has several new programs in place including a culinary program, dental assistant and butchery, meat cutting program. The butchery program would be the first of its kind in the State. They would like the butchery program to be housed in the old cafeteria at the Historic Banner Elk School. The grinding and cutting would take place in there with a meat counter. Meat would be available to buy. The slaughter would take place outside of Banner Elk.

It would be a 2-year program with a technical degree. The Council agreed to have the manager continue the conversation with Dr, Boyd and his staff.

Annexation Request, 1484 Tynecastle Hwy PIN 1858-1156-1033

The Council considered the annexation request from the earlier public hearing. Councilman Lecka motioned to accept the annexation request with a second from Councilman Tufts. The motion passed unanimously.

Zoning Ordinance Amendment-Certain Technical Corrections

Town Manager Owen presented the Council with certain technical corrections for the Zoning Ordinance. This was tabled at the June meeting to clarify something with the Planning Board. Manager Owen did clarify that item with the Planning Board, and they are still comfortable with their recommendation. Councilman VonCanon motioned to approve the zoning ordinance amendment with a second from Councilman Tufts. The motion passed unanimously.

Discussion of Noise Ordinance

Manager Owen informed the Council of issues arising from the noise ordinance. Every summer there are complaints about noise and music coming from businesses. There are more establishments having live music this year and louder than usual. Manager Owen stated staff would like to discuss with Council the ordinance and concerns. With Council feedback staff could what changes could be recommended to the Ordinance. Manager Owen talked about establishments playing music in parking lots and the possibility of requiring an establishment to have a venue. Fred Schmitt, who lives in Crooked Creek and stated he was speaking only as a Town resident and in no other capacity, spoke to the Council and would like them to consider a few things being venue; including size and space, volume of the band, audience and timing of the event. The council discussed all kinds of noise including construction noise, engine brake noise, music venue and open playing of music. Attorney Eggers reminded the Council there must be a level of objectivity in the ordinance requirements. Councilmember Lecka would like to find a happy medium for the businesses, and citizens. Councilman VonCanon spoke about reminding everyone that people come here for many things and music is one of them. Staff felt they had received adequate feedback to consider making a future recommendation for amendments.

Manager's Update and Staff Reports

Town Manager Rick Owen provided the Council with staff reports.

Art on the Greene was held on July 5th & 6th and had 68 vendors. Manager Owen stated this was the biggest turnout he had seen at this event. The artists and attendees are all very happy with the new layout. The 4th of July parade was a big success, huge crowd for the parade and the Party in the Park afterwards.

Adjourn

With no further discussion, Councilman Lecka motioned to adjourn and was seconded by Councilman Tufts. The motion passed unanimously, and the meeting adjourned at 7:20.

Approved: _____
Mayor Brenda Lyerly

Attested: _____