Board members present: Mayor Tim Helms

Commissioner Jane Alexander

Commissioner Kent Otto

Commissioner Alice Lentz

Board members present via

Zoom: Commissioner Kitty Fouche

Board members absent: Mayor Pro Tem Tom Widmer

Town staff present: Alex Carmichael, Town Administrator

Angie Murphy, Town Clerk

David Arrant, Chief of Police

Barry Creasman, Public Works Director

Scott Adams, Zoning Administrator

Town staff present via Zoom: None

Several members of the public were present at Town Hall and several more were watching via Zoom. Mayor Helms called the meeting to order at 7:00 p.m., and led the group in the pledge of allegiance and a moment of silence.

**Agenda Approval**

Commissioner Alice Lentz moved to adopt the agenda as presented. Commissioner Jane Alexander seconded and the motion carried 4/0.

**Public Hearing: Zoning Ordinance Update**

Mayor Helms opened the floor to public comment regarding the Zoning Ordinance Update.

Bill Scheu, Chairman of the Planning & Zoning Commission, stated that they had been working on these revisions for the past two years and had recently submitted an amended version to Town Council. These revisions came about after talking to members of the community at length. Mr. Scheu reminded Council that these updates have to be acted upon by July 1st.

After hearing no public comment Mayor Helms closed the Public Hearing.

**Mayor’s Communications**

Mayor Helms reminded everyone of the importance of receiving the COVID-19 vaccinations. He advised that depending on Governor Roy Cooper executive orders that the Town hopes to open Town Hall to the public soon.

**Meeting Minutes Adoption**

* April 8th Town Council Public Forum Minute
* April 8th Town Council Meeting Minutes

**Town Administrator’s Communications**

Mr. Carmichael made the Council aware that the Treasury Department had issued their guidelines for the American Rescue Plan Act Funds. The ARPA Fund is the stimulus money from the Federal Government that Montreat is eligible for a portion. The NC League of Municipalities held a webinar earlier this week, which Mr. Carmichael participated in, outlining the setup paperwork for eligibility.

**Administrative Reports**

* Administration – This report was given in written format.
* Planning & Zoning – This report was given in written format.
* Police – This report was given in written format.
* Public Works and Water – This report was given in written format.
* Sanitation – This report was given in written format.
* Streets – This report was given in written format.

**Public Comment**

Harriss Ricks of 165 Oak Lane feels that the Council will be setting a precedent if they approve tonight’s driveway easement proposal.

Heath Tinsley of 363 Nisbet Lane stated that there is already a driveway off Nisbet Lane leading to the Bowden property and questioned whether regulations allowed for another driveway. She also questioned whether there are buffer requirements near the creek. Ms. Tinsley reflected on stormwater ramifications as well as preserving the natural environment of the Spring. She asked the Council to deny the proposal for a second driveway.

David Hope of 218 North Carolina Terrace complimented Town Council on the new rain garden which can be found in the back of the Town Hall. Mr. Hope reflected on the environmental impact of the concrete driveway and water flowing into the creek. Mr. Hope expressed his opposition to the driveway project.

Mary Rouse, a long-time Montreater and resident of Clemson, read a poem expressing her views on Wynne Lithia Spring and the creek.

Liz Bryan of 139 Holston Lane suggested that a chair lift might be a viable option for the Bowdens.

Jere Bowden of 287 North Carolina Terrace mentioned the heartbreak that lead to the purchase of the home on North Carolina Terrace. She expressed her wishes to have level access to the house.

Deborah Seyle, a member of the Hope family, was horrified to hear of the driveway proposal to be placed near Wynne Lithia. Ms. Seyle invited the Council to vote no to this special place.

The following public comments were read into record by Town Clerk Angie Murphy.

Michael Peters, Jr. of 319 North Carolina Terrace felt that marring the creek with further development around the site seems against all that Montreat means to represent. Mr. Peters suggested that development should not come at the expense of what makes Montreat unique and was afraid that this driveway near Wynne Lithia Springs does just that.

Annelise Collmus stated that she opposed allowing a driveway to be built next to the Spring.

W. Powell Jones of 314 NC Terrace reflected on his past Montreat experience visiting the Spring. Mr. Jones sympathized with the Bowdens but stated his opposition to the driveway project.

Eleanor Frith Peters of 317/319 NC Terrace felt that the proposed driveway would do irreversible environmental damage to the area and undermine a peaceful destination enjoyed by generations of Motnreators.

Thomas & Pamela Proctor of 539 Suwanee Drive felt that the current driveway proposal would greatly diminish the special nature of the pristine Wynne Lithia Spring. The Proctor’s urged Town Council to focus on a solution which uses the Bowden’s own property rather than public land.

Anne E.L. Stone of 294 NC Terrace stated her opposition of the proposed driveway on North Carolina Terrace between the Wynne Lithia Spring and existing Creek. She questioned whether an environmental impact study had been completed. She also questioned whether a water remediation plan was in place. Mrs. Stone felt there were a lot of unanswered questions to this proposal.

Kate Hayner of 319 Assembly Drive expressed her concern over the proposal to build a driveway along Wynne Lithia Spring and hoped the Council would reject this proposal.

Susanne & Bill McCaskill of 114 John Knox Road wanted to go on record as being against any destruction, modification or rearrangement of Wynne Lithia Springs and surrounding areas.

Heather Williams of 319 Assembly Drive stated that a sacred, prayer-filled space that is part of the Town’s cherished heritage will be lost. She urged the Council to consider the general welfare of the Town and future generations.

Aaron Maret wanted to state his opposition to the permit for a driveway to be constructed on the creek adjacent to the Wynne Lithia Springs. Mr. Maret believes a project of this nature would have an irreversible negative impact on this significant and important natural resource.

Beth & John Casper of 92 Kanawha Drive advised the Council not to allow Wynne Lithia Spring to be destroyed and suggested replacing the lead pipe.

Henry & Cis Wilde of 424 West Virginia Terrace expressed their opposition to the Wynne Lithia Spring driveway proposal.

Ginny Newell of 431 Greybeard Trail stated her opposition and questioned why anyone would create potential traffic/safety issues and cause damage to the environment when the property in question can be accessed from above the house from Nisbet Lane.

Russ Jeter stated that there is parking available to the Bowden house and a driveway would destroy the plants and dirt that currently absorb storm water and replace them with a hard surface that collects and concentrates storm water. Mr. Jeter felt that it would be a bad idea and damaging to a Montreat institution.

Tres Ricks felt that whatever benefit or utility this driveway will bring to the Bowdens would be vastly outweighed by the damage it would to Wynne Lithia, the community and the future generations of Montreaters.

Richard McKee of West Virginia Terrace stated that approving the driveway proposal will set a terrible precedent.

Russell Jeter felt that the driveway proposal was a selfish request and should be declined.

William Jeter of West Virginia/N Carolina Terrace reflected on visiting the spring and filling up pitchers of water for the day. Mr. Jeter strongly opposed anything that might affect the spring.

Ervin Grove opposed the construction of the proposed driveway on public lands.

Frank Spencer of 217 NC Terrace feels that it is completely unreasonable for the Bowden’s to ask the community to suffer the destruction of the Creekside and creek bed for drive up parking. Mr. Spencer feels that their parking is already publicly accommodated.

Perrin Mayne feels that it would be a travesty to damage the Wynne Lithia Spring.

BJ Harden Jones of Swannanoa formally requested that the driveway permit adjacent to Wynne Lithia Spring be denied.

Gregg Legerton pleaded with Council to not allow this driveway proposal to happen.

Anne Scott of 319 NC Terrace asked Council to preserve Wynne Lithia’s wild beauty by voting against the proposed driveway.

Aly Spencer implored the Council to protect the area as public, open land and decline the request to construct a driveway.

Anne Frith Hullinger Eshelman of NC Terrace asked Council to not grant the permit to build a driveway between Wynne Lithia Spring and the Creek. Mrs. Eshelman felt that there would be a more responsible solution that compromising public land and a beloved and historic spring.

Catherine Moffett of 317/319 NC Terrace sympathizes with the Bowden’s parking issues but is opposed to a project that would diminish and potentially destroy a Montreat landmark.

Ernie Reigel of 373 Nisbet Lane questioned other viable options to access the Bowden’s property and wondered if the risks to the Wynne Lithia Spring had been factored into this decision.

Sarah Purvis Williams asked Council to deny this request for a driveway between the creek and the spring due to the fact that the home has a driveway off Nisbet Lane.

Becky Garrity of 317 NC Terrace felt that the driveway was unnecessary and would disrupt the purity of the creek and potentially the spring.

Margaret & Emmett Berry of 314 NC Terrace expressed their opposition to the proposed private driveway on public land around Wynne Lithia Spring.

Jay Pfeil of Black Mountain felt that the Wynne Lithia Spring is an asset to the entire community and should be kept open to all the public.

James Frith of 287 NC Terrace felt that the driveway request is a proposed expansion of private property into cherished landmark public green space and the destruction of what has been a key feature of Montreat for many generations.

Nancy Thomas of 202 Louisiana Road begged the Council to save Wynne Lithia Spring versus allowing a second driveway of its next door neighbor.

Julian Mims IV stated he was against the proposed driveway at 287 NC Terrace.

John McCrady Williams at 226 NC Terrace felt that the construction would not only jeopardize the springs themselves but also the tranquility and history of Wynne Lithia.

Robert Warner of Chapman Road opposed the driveway development at the Wynne Lithia Spring. Mr. Warner felt that it goes against the 2008 Comprehensive Plan.

Elizabeth Henschen of 215 NC Terrace voiced her concerns against the driveway proposed near Wynne Lithia due to safety, environmental and historic preservations reasons.

Nancy Smith Midgette of Oak Lane encouraged the Town Council to support the Montreat Open Space Preservation Plan, encourage the owners to seek other solutions for their accessibility issue, and disapprove the plan for this new driveway and parking area.

Nancy Hullinger urged Council to abide by the Town’s 2008 Comprehensive Plan and dent the request for permission to build a driveway through the greenspace.

Jane Warner of 346 Chapman Road felt that Town right-of-way exists for the benefit of all of Montreat. The character of Montreat is more important that this unnecessary driveway.

Dr. Mary McPhail Standaert of 118 Shenandoah Terrace wrote in opposition to the request for an easement across the right-of-way adjacent to Wynne Lithia Springs.

Travis Warner of 346 Chapman Road felt that the proposed driveway should be rejected because the development violates the Order of Dedication and the Town’s own Comprehensive Plan.

Mary de Luzuriaga of NC Terrace/Kentucky Road feels that the driveway will not be in harmony with the area in which it is to be located and it will be injurious to the use and enjoyment of the Spring for all of the people who frequent it to collect water and enjoy nature.

Priscilla Hayner of 319 Assembly Drive felt that the idea of building a driveway immediately next to one of Montreat’s treasures-the Wynne Lithia Spring-works against the very spirit of the Town and the people who so love it.

Larry Moffett of 319 NC Terrace felt that the request is a want not a need since ingress/egress to this home currently exists. Mr. Moffett asked for this request to be denied.

Jennifer Wilde Fitzgerald strongly disagreed with the proposed easement of right-of-way and felt the damage caused by the proposed construction would forever ruin Wynne-Lithia and this segment of NC Terrace.

Mitzi Legerton of NC Terrace felt that the Wynne Lithia Spring was a unique and special place and pleaded with Council to not allow the destruction of this historic area.

Chip Legerton of 122 Eastminster Terrace felt that building a driveway in this location will cause irreversible harm.

Carley Fowler of NC Terrace urged the Council to protect the earth, water and mountain.

Beth & Ross O’Shea of NC Terrace vehemently opposed the proposed driveway by the Spring citing the creation of soil erosion, water pollution and disruption of the natural flora and fauna as reasons.

Kelly Scott felt that the Spring is an important landmark that ought to be protected.

Gina Wilde of 417 W Virginia Terrace felt that it would be travesty to disturb the natural sanctuary of Wynne Lithia Spring.

Bryant McEntire felt that granting the driveway proposal would set a precedent that will haunt proceedings for a long time to come.

**Old Business**

There was no old business.

**New Business**

1. Request for Easement of Right-of-Way at Wynne-Lithia Springs: Mr. Wade Burns gave a brief presentation in favor of the Bowden’s driveway proposal. Mr. Burns cited some instances in Town where neighbors helped neighbors with driveway access. Mr. Burns stated that this proposal is simply a case of one neighbor (the Town) helping another neighbor (the Bowden’s) gain access to their property. Mr. Burns feels that the driveway is needed due to the inadequate access to the home. Commissioner Kent Otto moved to deny granting an easement of right-of-way at Wynne-Lithia Springs. Commissioner Jane Alexander seconded the motion. Commissioner Otto stated that this was a very hard decision that would basically pit neighbor against neighbor. Commissioner Otto ultimately said no due to the fact that the Community had deemed the land as useful to the Town. Commissioner Alexander stated that she feels that the land on which the Spring sets belongs to the Community and the Community needs the land for its history. Commissioner Kitty Fouche wished Mr. Burns had foreseen the opposition that his design was going to ignite into the Community and looked for another solution. Commissioner Alice Lentz felt that every possibility for level and easy access into the house had not been exhausted. The motion passed 4/0 with the request for the driveway being denied.

B. Upgrade to Water Meter Reading System: Public Works Director Barry Creasman advised this purchase would be for the software/computer that goes in the vehicles for meter reads. Currently the meters and antennas in the ground are obsolete and newer models are sent to replace them which requires manual reads. Commissioner Kent Otto moved to approve the quote from Water Works Inc. in the amount of $6,061.93. Commissioner Alice Lentz seconded and the motion carried 4/0.

C. Repair Project on Missouri Road: Mr. Barry Creasman advised that the Town needs road repairs everywhere but he has narrowed down where we can get the most asphalt for our money. Mr. Creasman stated that Missouri Road up to the parking area behind the library would be a great place to remove and repave asphalt. Commissioner Alice Lentz moved to approve the quote from C&T Paving, INC. in the amount of $37,669.16 for repair project on Missouri Road. Commissioner Alexander seconded and the motion carried 4/0.

D. NCLM Group Insurance Renewal: Town Administrator Alex Carmichael advised that medical rates remained unchanged while life insurance decreased nominally and dental rates increased slightly. Commissioner Kent Otto moved to approve NCLM Group Insurance Renewal at presented rates for 2021-2022. Commissioner Alice Lentz seconded and the motion carried 4/0.

E. Property and Liability Insurance Renewal: There will be an increase in this renewal due to the addition of two new buildings. Commissioner Kent Otto moved to approve NCLM Property and Liability Insurance renewal in the amount of $21,662 for FY 2021-2022. Commissioner Jane Alexander seconded and the motion carried 4/0.

F. Workers Compensation Insurance Renewal: There will be a decrease in this premium this year. Commissioner Kent Otto moved to approve NCLM Workers Compensation Insurance Renewal in the amount of $13,421.95 for FY 2021-2022. Commissioner Kitty Fouche seconded and the motion carried 4/0.

**Public Comment**

Anne Hayner of 319 Assembly Drive appreciated the fact that the Council is open to Public Comment. Ms. Hayner also expressed her thanks for all the hard work regarding the audio system improvements. Ms. Hayner is happy to see that people are interested in the preservation of our history and our environment.

**Commissioner Communications**

Commissioner Jane Alexander encouraged the community to look into the Planning & Zoning Ordinance Update which will be voted upon at the June meeting.

**Dates to Remember**

* Montreat Tree Board May 25, 2021 9:30 a.m. by Zoom Software and limited attendance
* Montreat Landcare June 3, 2021 9:00 a.m. location to be determined
* Planning & Zoning Commission June 10, 2021 10:30 a.m. by Zoom Software and limited attendance
* Town Council Meeting June 10, 2021 7:00 p.m. by Zoom Software and limited attendance Public Forum will begin at 6:30 p.m.
* Montreat Tree Board June 22, 2021 9:30 a.m. by Zoom Software and limited attendance

**Adjournment**

Commissioner Kent Otto moved to adjourn the meeting. Commissioner Jane Alexander seconded and the motion carried 4/0. The meeting was adjourned at 9:06 p.m.

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Tim Helms , Mayor Angie Murphy, Town Clerk