TOWN OF TRYON
BOARD OF COMMISSIONERS
TRYON TOWN HALL – MCCOWN MEETING ROOM
JUNE 18, 2024 7:00 PM

Present: Mayor J. Alan Peoples Mayor Pro Tem Chrelle Booker

Commissioners: Bill Crowell Absent: Crys Armbrust

Staff Present: Susan Bell, Town Clerk
Public Works Director Greg McCool William Morgan, Town Attorney

CALL TO ORDER

Mayor Peoples called the meeting to order and asked for a moment of silence. This has not been a good year for us. We have lost Commissioner Bill Ingham early this year, his wife five weeks ago and Manager Fatland's wife over the weekend. He asked that everyone bow their head for a moment of silence. Mayor Pro Tem Booker led the Pledge of Allegiance.

PUBLIC HEARING: FY25 BUDGET ORDINANCE & FEE SCHEDULE

Mayor Peoples called the public hearing to order to discuss the FY25 Budget Ordinance and Fee Schedule. The FY25 budget has been gone over at several meetings. Staff added to the budget the debt payment for the emergency water line and increased sales tax projections and decreased property tax projections. He asked if there were any questions. Hearing none, he entertained a motion to close the public hearing. Commissioner Crowell so moved. The motion carried unanimously.

PUBLIC HEARING: TEXT AMENDMENT REGULATION TOWN RIGHT OF WAY ACCESSORY FURNISHINGS

Mayor Peoples called the public hearing to order to discuss the text amendment regulating Town right of way accessory furnishings. Planning Director Daniels reported they have had multiple discussions over the last few meetings of the Planning Board. He is presenting a draft text amendment. If approved, it will read as follows:

Section 1. Section 4.13.4 ("Commercial and Mixed-Use Buildings") Subsection A ("Materials and Color"), Subsections 8 is amended to read as follows:

8. Accessory furnishings in any town right of way shall be black and metal, constructed to withstand the elements and wind under their own weight, and be of the same design as town owned furnishings. No logos or text other than approved town branding shall be displayed on furnishings. Umbrellas shall be red or black per town color branding, secured via a metal base and/or weight bag designed solely for that purpose, and the umbrella canopy shall be a minimum of seven feet from the ground. Accessory furnishings include but are not limited to tables, chairs, umbrellas, benches, and flowerboxes.

Section 2. Section 4.13.4 ("Commercial and Mixed-Use Buildings") Subsection B ("Configuration"), Subsection (7) is amended to read as follows:

7. Accessory furnishings shall be allowed via a town permit. Any accessory furnishings placed in the public right of way shall be arranged to allow for a linear four-foot-wide clearance in compliance with the American Disabilities Act. Furnishings shall only be placed in front of the permitee's premises, unless written permission has been granted and is on file with the town by an adjoining property owner. Accessory furnishings shall only be placed in front of establishments in which providing food and beverages is their primary use.

The Planning Board met and voted unanimously to recommend that you pass this ordinance. One thing he would like to add, there was talk about charging $50 for the permit for the furniture. If you pass this, the question is do you want to allow for grandfathering in or no grandfathering in and just stick to the ordinance. Commissioner Crowell responded if you get close to the Town of Tryon black tables and chairs, you are grandfathered in, but if not, you will not be grandfathered in. Mayor Peoples responded they have all spent money to enhance the town.

Joyce Kimpton asked how it enhances the town if the tables and umbrellas are blocking the sidewalk and people coming into town have to walk in the street. Mayor Peoples responded this will fix that. Ms. Kimpton asked how long they will have to wait before this is fixed. Mayor Peoples responded as soon as this is passed. Ms. Kimpton asked if this included the little yellow bench in front of the fire hydrant. Fire Chief Walton responded he will check on it.

PUBLIC HEARING: FORBES CONDITIONAL REZONING

Mayor Peoples opened the public hearing for the Forbes Conditional Rezoning. Planning Director Daniels reported 25 School Street, tax parcel T11-G13, Mr. Lions has applied to have it rezoned. Currently it is zoned Transitional Business District. The current use is grandfathered in, because schools are not allowed in Transitional Business and he would like to add childcare to that zoning. You would be voting on a Conditional Rezoning that would be wiping out all the uses and only allowing for schools and childcare, based on the meeting he had with the Planning Board last Thursday.

Mayor Peoples responded we are getting childcare. How could we be against that. Commissioner Crowell asked how it would be rezoned. Daniels responded it would go from Transitional Business to IP-CZ Conditional Use Institutions Professional. Mayor Peoples asked for questions. Hearing none, he closed the public hearing.

AGENDA ADOPTION

Mayor Peoples asked for additions, deletions or corrections. Since the town manager is not here, we can pull his report. Hearing none, he entertained a motion to adopt the agenda. Mayor Pro Tem Booker so moved. The motion carried unanimously.

CONSENT AGENDA ADOPTION

Mayor Peoples asked for additions, deletions or corrections to the Consent Agenda, which includes the minutes, tax reports and financial report, and for information only minutes of the Tourism Board, Harmon Field Board, Planning Board and 2024 Municipal Election information. Hearing none, he

entertained a motion to adopt the consent agenda. Commissioner Crowell so moved. The motion carried unanimously.

Mayor Peoples reported this year's election, you can file in July. A two-year council seat is open, two four-year council seats are open and one for mayor.

ADOPTION OF FY25 BUDGET ORDINANCE & FEE SCHEDULE

Mayor Peoples entertained a motion to adopt the FY25 Budget Ordinance & Fee Schedule. Mayor Pro Tem Booker so moved. The motion carried unanimously.

APPROVE/DENY TEXT AMENDMENT REGULATION TOWN RIGHT OF WAY ACCESORY FURNISHINGS

Mayor Peoples entertained a motion to approve the text amendment regulating accessory furnishings and items in the public right of way. Commissioner Crowell so moved. The motion carried unanimously.

APPROVE/DENY FORBES CONDITIONAL REZONING

Mayor Peoples entertained a motion to approve the rezoning of 25 School Street, tax parcel T11-G13 from Transitional Business to Conditional Use-Institutions Professional. Mayor Pro Tem Booker so moved. The motion carried unanimously.

Section 1. The official zoning map of the Town of Tryon, North Carolina is hereby amended by rezoning the area described as 1.58 acres, assigned Tax Parcel No. T11-G13 and located at 25 School Street, Tryon, North Carolina, from TB – Transitional Business to IP-CZ – Conditional Use Institutions Professional.

RESOLUTION APPROVING CONVEYANCE OF PROPERTY TO ANOTHER UNIT OF GOVERNMENT IN NC (FIRE DEPT)

Fire Chief Walton reported a few months ago you voted to sell a tanker truck. He advertised it twice and the highest bid was $8,000. After that Green Creek has offered to pay us $13,000 for the tanker. That is $5000 over the highest bid and $2000 for a UTV that we had let them use for events and they really like it. Total $15,000. They are seeking approval from you. Mayor Peoples responded the units stay within the county, which could come back and help us in a time of need. Walton responded absolutely.

Mayor Peoples entertained a motion to approve the Resolution Conveying the property to Green Creek Fire Department for $15,000. Commissioner Crowell so moved. The motion carried unanimously.

APPOINTMENT(S) TO BOARDS

Mayor Peoples reported that he had asked Nancy Gray to serve on the Cemetery Commission and she has agreed. He entertained a motion to appoint Nancy Gray. Mayor Pro Tem Booker so moved. The motion carried unanimously.

Town Clerk Bell reported there were no other applications for any other boards.

MCCOWN STREET ROAD CLOSURE FOR 9/27/24 TRYON HISTORY MUSEUM

Mayor Peoples asked how long the museum would need for the road closure. Wanda May responded the museum's 10th anniversary is coming up and they are having a four-day event. Thursday will be

"Tales of Tryon". Friday will be the 4th Friday event. Saturday will be children's activities, matinees about Tryon and an antique car show. During the 4th Friday the museum will have refreshments. On Sunday there will be an old fashion ice cream social and a cake walk. She invited everyone to attend.

Mayor Peoples asked what time would the road closure be. Ms. May suggested 8-6. Mayor Peoples entertained a motion to close McCown Street from 8am to 6pm on September 27, 2024. Commissioner Crowell so moved. The motion carried unanimously.

DOWNTOWN/TDDA UPDATE

Planning Director Daniels reported that TDDA hosted a ribbon cutting ceremony for Jay & Co. on June 8th. It was well attended by Town council, TDDA members and the public. He thanked Mayor Peoples, Mayor Pro Tem Booker and Commissioner Armbrust for attending. TDDA will have a table at all the Summer Tracks concerts with Tryon Swag, Beerfest sponsor, volunteer information and TDDA membership information. Fourth Friday this month is on June 28th. TDDA is hosting a ribbon cutting ceremony for Mirrorball Gallery and Valhalla Cake & Café on Pacolet Street at 5:00pm. Global Food Festival on 4th Friday. Nine people have signed up so far and it will be in the location where they held the chilli cook off. PAC band will be playing on the Plaza. This Friday, Chief Walton and staff will clean up Morris and the Men without Jobs will decorate with lights (hopefully red, white and blue) for 4th of July. The lights will be there to be turned on with the different occasions.

MINIMUM HOUSING/PLANNING UPDATE

Planning Director Daniels reported on the Shepherd and Peake properties, he had talked with Chief Walton to schedule the burn in mid to late August. Mayor Pro Tem Booker asked about the little Morris. Lately it has been sitting out in the weather. Harmon Field Supervisor reported it belongs to Tryon Riding & Hunt Club. He will ask what needs to be done with Morris.

COUNCIL/MAYOR REPORT

Commissioner Crowell asked for everyone to put Jim in your thoughts. He thanked everyone for being here. He appreciates everything the town does and the staff.

Mayor Pro Tem Booker appreciates everyone coming out tonight. As Tim and Wanda have mentioned, we have had a lot of great activities going on in Tryon. The East Side have had events going on also and have been well attended. When she comes in from work, she usually drives from end to end of town to see what is happening. She goes to Harmon Field and different neighborhoods. Our budget seems to be in good shape, according to the State. She asked Alan Casavant why the people from Arizona (Soul Food Truck) were no longer here. Mr. Casavant responded they have moved to Landrum. She thanked him.

Mayor Peoples reported people in this town have made donations in honor of his wife or made donations to the school for his team and he wanted to thank them for their donations. He is wanting to get started soon cleaning up for Harriett's Garden.

CITIZEN COMMENTS & RESPONSES

No comments were made.

MOTION TO RECESS TO JUNE 28, 2024 AT 2:00 PM IF NECESSARY TO ADJUST BUDGET

Mayor Peoples entertained a motion to recess to June 28, 2024 at 2:00 pm in this room. Commissioner Crowell so moved. The motion carried unanimously.

RECONVENE THE JUNE 18, 2024 MEETING

Mayor Peoples reconvened the June 18 meeting at 2:00pm on June 28 in the McCown Room at Town Hall.

Town Manager Fatland thanked council in his absence for continuing the meeting until today. One is for the FY25 budget and needed to revisit the appointments to the boards.

Manager Fatland reported Jamie Dunn would like to be reappointed. Town Clerk Bell reported the new applicants are Steve Sloan, Lynn Cromer and Greg Miner. All have an interest in the Harmon Field Board. The Board decided to have all new members appointed. Mayor Peoples entertained a motion to appoint Steve Sloan and Lynn Cromer to the Harmon Field Board of Supervisors. Commissioner Crowell so moved. The motion carried unanimously.

Town Clerk Bell reported John Vining, Melanie Jackson and Bill Crowell are up for reappointment, as listed on the sheet. Mayor Peoples entertained a motion to appoint John Vining and Melanie Jackson for two-year appointments (July 1, 2024-June 30, 2026) and Commissioner Bill Crowell for a one-year appointment (July 1, 2024-June 30, 2025). Commissioner Armbrust so moved. The motion carried unanimously.

Manager Fatland thanked council for their support. He was at Pardee Hospital with Linda. He had put a clause in the Personnel Ordinance to appoint someone to fill in when he was out of the office 20 years ago. He exercised this clause and sent out an email appointing Greg McCool as the acting manager to be able to sign purchase orders and such while he was out of the office. He would like to stay on if the board would like for him to. He will be taking time off for his wife's Celebration of Life ceremony. He thanked the board again for their support.

The Polk County Board of Commissioners approved a one-cent tax increase, both for Harmon Field and the Fire Department. He wanted to thank County Manager Marche Pittman. He has been a pleasure to work with. The Fire Department budget was to be presented at 9:40pm. He was waiting around the office and Marche called him at 6:00pm and told him to go home and be with his wife, he would present the budgets for him. The relationship with the county is much better. The County commissioners have all visited Harmon Field to see all the improvements that have been done and have been positive of what is going on.

BUDGET AMENDMENT NO. SEVEN

Manager Fatland reported he came in and worked with Susan to go through all the budgets, checking all the budget to actual totals.

General Fund-He increased by $10,000, to be pro-active and is using investment earnings. Investment earnings have been good this year. We have found a good contractor to cut the cemetery.

Sanitation Fund-It is coming in under budget. Appropriating $5,000 out of fund balance just to make sure this fund doesn't go over.

Water & Sewer-he is appropriating from fund balance $25,000 each. The sewer collection has a claim for $19,000 because of the lines that were broken during the boring done by the electric company's contractor. We are hoping to get this money back. He has a claim number, but when he calls the answering service takes the claim and will call him back, but if he is not at his desk, he misses out, so, he has turned this over to Blake to make sure someone is at the desk when they call back.

Fire Department-he is appropriating $25,000 just to make sure we haven't missed something to cause them to go over.

Harmon Field-he is appropriating $10,000 to cover if a bill comes in that we don't know about.

Last year we had no violations on the budget and hopefully this year FY24 will be the same. For a small town there is a lot going on in this town. We provide more services to our community than the City of Asheville. If you call up Asheville or even Saluda you get a phone tree. You call us and you get a live person. Are there any questions? There were none.

Mayor Peoples entertained a motion to adopt Budget Amendment No. Seven. Commissioner Crowell so moved. The motion carried unanimously.

TOWN MANAGER'S REPORT

Manager Fatland reported the next meeting will be August 20th and Bill will not be present. Commissioner Crowell would like to move the meeting to August 13th so that he knows we are going to have a quorum. Commissioner Armbrust will be in Paris then, but he is not sure if he will go or not. Mayor Pro Tem Booker will be here on the 13th. The Board then decided on August 6th with no work session. Booker suggested reducing the number of work sessions or change the time to 6:30 instead of 6:00.

Mayor Peoples entertained a motion to accept the yearly calendar at third Tuesdays with work sessions at 6:30pm and the regular session at 7:00pm, except that the first meeting will be on August 6th instead of August 20th and no work session for the August meeting. Commissioner Armbrust so moved. The motion carried unanimously.

ADJOURN

Mayor Peoples entertained a motion to adjourn. Commissioner Armbrust so moved. The motion carried unanimously.

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J. Alan Peoples, Mayor

Attest:

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Susan B. Bell, Town Clerk