

**TOWN OF TRYON  
BOARD OF COMMISSIONERS  
APRIL 19, 2016 7:00 P.M.  
TOWN HALL - MCCOWN ROOM**

Present: Mayor Pro Tem Bill Ingham

Commissioners: Roy Miller, Bill Crowell, Crys Armbrust

Absent: Mayor J. Alan Peoples

Staff Present: Town Manager Joey Davis      Town Clerk Susan Bell

Police Chief Jeff Arrowood      Comm. Dev. Dir. Paula Kempton

**CALL TO ORDER**

Mayor Pro Tem Ingham called the meeting to order. Miller asked for a moment of silence remembering the Pullara family. Joe passed away this morning. Mayor Pro Tem Ingham led the Pledge of Allegiance.

**AGENDA ADOPTION**

Mayor Pro Tem Ingham asked if there were any additions or deletions. Town Clerk Bell stated she had one addition that needed to be added, the TDDA street closure. Mayor Pro Tem Ingham entertained a motion to adopt the agenda with the one addition. Commissioner Miller so moved. The motion carried unanimously.

**CONSENT AGENDA ADOPTION**

Mayor Pro Tem Ingham entertained a motion to adopt the consent agenda, which includes minutes from the February 25 and March 15, 2016 meetings, along with the tax releases for Barbara Fox (\$181.13) and Nextel (\$110.64). Commissioner Armbrust so moved. The motion carried unanimously.

**MILLARD & COMPANY AND PARSEC FINANCIAL MANAGEMENT SUBLEASE**

Town Manager Davis stated that the Town of Tryon has a lease agreement with Millard & Company regarding the use of the Depot building. He wants to sublease the building to Parsec Financial Management and the sublease needs Board approval. Attorney Nager stated that the lease is with the same type entity. The agreement provides a provision that within the final five years of the lease he has to share it with the town. The lease is in its sixth year.

Mayor Pro Tem Ingham entertained a motion to approve the sublease with Parsec Financial Management. Commissioner Armbrust so moved. The motion carried unanimously.

### **TDDA STREET CLOSURE**

Town Manager Davis stated TDDA filled out an application for closing Trade Street, Palmer to Maple on Sunday, June 26, 2016 from 2:00 to 11:00 for a downtown dinner, shopping and entertainment. Jamie Carpenter, TDDA Director, stated they have gone through and talked with all the businesses. TDDA is going to have a volunteer at Oak Street allowing people to enter to go to Buck's Pizza and La Bouteille.

Mayor Pro Tem Ingham entertained a motion to approve the Trade Street closure for June 26, 2016 from 2:00-11:00. Commissioner Armbrust so moved. The motion carried unanimously.

### **TAX PARCEL T11-I12**

Town Manager Davis turned over to the attorney. Town Attorney Nager stated the town owned the property. There are four properties owned by Don Viehman. The county and town started billing Mr. Viehman for taxes in 2008. The Board could refund the taxes. Mr. Viehman is making a proposal to purchase the property for the taxes paid (\$678.54). Davis stated you have several options, such as the upset bid process. Nager stated you don't have to sell. Commissioner Armbrust stated the town has owned the property since 1959 or 1967. He doesn't understand how this happened. He has no interest in selling the property. Mayor Pro Tem Ingham asked if this could be tabled until next month. The Board agreed.

### **TTDA CHAIR & VICE CHAIR APPROVALS**

Town Manager Davis stated TTDA appointed at their last meeting Michaila Cowles as the TTDA Chairman and Anne Day as the Vice Chairman. To make it official Council has to also approve the appointments.

Mayor Pro Tem Ingham entertained a motion to approve Michaila Cowles as the TTDA Chairman and Anne Day as the Vice Chairman. Commissioner Crowell so moved. The motion carried unanimously.

### **CONTRACTS FOR THE OAK STREET INTERSECTION & HOWARD STREET**

CDD Kempton stated she has the signed contracts back from Trace for the Oak Street project, Peake Street from East Howard to Shepherd, and she should have the other one back tomorrow. She also has the revised contract from the engineer for the Oak Street project. Attorney Nager stated that there is still a couple of documents that need to be attached to the contracts. They are asking to approve the contracts tonight subject to the understanding that one thing they are still looking for is to do with Peake and Howard Street. It's a separate one page proposal that breaks down the materials and description of the project. The same way you have already for the Oak Street interchange. On the Oak Street interchange project, they are still waiting on a letter from NCDOT that talks about some minor changes to the original design and NCDOT needs to sign off on the changes. Kempton stated that she has received

confirmation by e-mail that DOT received the request, but just hasn't received the letter back yet. Nager has set the contracts up the same way as in the past in that there is a liquidated damage clause, which sets a date that the project has to be done. If the project is not finished by that date, then Trace will have to pay the town \$250 a day past completion date. Kempton stated June 1<sup>st</sup> will be the start date. Both the engineer and contractor agrees on June 1<sup>st</sup> as the starting date. They have ninety days to complete, with a completion date of September 1. Nager stated if the board approves the contract tonight then it is agreed that they will start on June 1, with ninety days to complete.

Commissioner Armbrust made a motion to accept the contracts contingent on receiving the attachment from Trace and the letter from NCDOT. The motion carried unanimously. Nager clarified the construction contract for Oak Street intersection, East Howard Street repaving, Peake Street repaving and also the engineer's contract for the Oak Street intersection oversight of project. Town Clerk Bell stated Peake Street was not included in the motion last month. The Board decided to talk about it this month or next. Davis stated he went back and looked to see what was approved. Bell stated the motion was to do Howard Street, Oak Street (Lane project), Oak Street to Theater sidewalk and Maple Street and would come back and look at Peake Street next month.

Davis stated the cost to do Peake Street between East Howard and Shepherd is (\$29,247), then you have East Howard Street (\$52,604), then the Oak Street interchange (\$81,814) and that should put you at \$163,000. Miller thought that they were trying to do Peake Street at the same time that they were doing Oak Street. Armbrust asked why the sidewalks from Oak Street to Tryon Theater were not included. Davis stated the sidewalks were not in the Trace proposal for the Oak Street interchange. Kempton was under the impression that they were approved. She asked Trace, the figures were not totaling what you all had approved. Armbrust stated that the discussion last month definitely included the sidewalk from Oak Street to the theater. Armbrust asked what the bid was. Kempton stated \$32,099. She does have the contract. Nager stated that he got \$163,665 for the three projects and with the sidewalk it would total \$195,764. Nager asked for his clarity if the board was talking about the sidewalk in front of the theater. Crowell stated yes, from the theater to Oak Street.

Miller asked about the infrastructure. Was it going to be done in house? Davis stated probably contracted because of the time frame to finish. The Town will do the infrastructure on Oak Street. Miller stated that we need to know those numbers also. Kempton stated \$82,000. Ingham stated he thought there was too much confusion. He thought that Peake Street was going to wait to see what infrastructure was necessary on Oak Street. Kempton stated that when they drafted the contracts, Peake Street was not included. Ingham stated that Peake Street was to be held off until we saw the cost of others. Miller stated he would like to see Peake Street left in. He thought the infrastructure was going to be done in house. Kempton stated that Trace will be glad to give a bid on that also. Miller asked why we couldn't do it. Davis thinks that it can be done in house, it's just a timing issue. Nager stated looking at the minutes from last month's meeting it states that Miller requested Peake Street be put on the agenda in the early part of next fiscal year. Miller wants to rescind that and put it on there right

now. He doesn't want to leave Peake Street out for \$29,000. What he thought that we ended up with was that we were under \$200,000 and he thinks he made that statement earlier on that we were going to borrow the money to do all the projects. He left with the understanding that we were going to do the infrastructure in house. Davis stated they could start and if became a timing issue, then maybe we could call someone in to finish it. Miller stated \$195,000 would finish all projects if the infrastructure is done in house.

Commissioner Miller made a motion to do Peake Street, Howard Street, Oak Street exchange and the Trade Street sidewalk from the previous sidewalk at the theater to the corner and the sewer line done in house for \$195,000. The motion carried unanimously.

Nager asked for clarification that the motion was to do all the projects and approve all the contracts. Davis stated yes.

### **RFPS FOR THE PURCHASE OF PATROL CAR**

Town Manager Davis stated Chief Arrowood is replacing the 2009 Dodge Charger. It will take 90 days to get the new vehicle. Request for proposals for financing were sent out and the only bid returned was Entegra Bank at 2.25%. The payments will be \$7,256.50 and the payments on the Tahoe are currently \$7,283.69, which will come off the books in the upcoming year. Commissioner Miller asked what type of vehicle and how many patrol vehicles will this make. Chief Arrowood stated it is an explorer and they will have three patrol vehicles. Miller stated we typically get between \$2,400 and \$3,200 for the ones sold on e-gov. Chief Arrowood stated around \$3,000.

Mayor Pro Tem Ingham entertained a motion to purchase the Ford Explorer for \$33,925 at an interest rate of 2.25% with Entegra Bank with the Town Manager authorized to sign all the documents. Commissioner Miller so moved. The motion carried unanimously.

### **TOWN MANAGER REPORT**

Town Manager Davis reminded everyone that this Saturday is cleanup day for Tryon. The East side has been doing this annually. A group will also be meeting at the cemetery to clean it up. The Fire Department will be washing down Trade Street and mulching. May 7<sup>th</sup> is the Blockhouse Steeplechase. Summer Tracks will begin on May 29 and run through August 19<sup>th</sup>. There are more budget workshops going to be scheduled next month. Painting of the stripes in town will begin soon.

### **COUNCIL/MAYOR REPORT**

Commissioner Armbrust thanked everyone for participating in the meetings. It takes everyone. Commissioner Crowell thanked everyone for coming and thanked Michaila and Anne for being on the TTDA Board.

Commissioner Miller asked everyone to come out and help with cleanup day. A clean town will draw people in. The first things he looks for in a town is safety and education. By supporting the police it helps with the safety. He thanked Michaila and Anne for coming onto TTDA and everyone for being a part of their local government.

Mayor Pro Tem Ingham echoed what everyone else had said. He stated that our elderly love the security that the town offers. Overall they do a great job. He reminded everyone to keep the Pullara family in your thoughts. Joe was a good citizen and a good man.

### **CITIZEN COMMENTS & RESPONSES**

Joyce Kimpton stated her concerns about the police patrolling Whitney Avenue. She never seems them. She also had concerns with Carson Street road repairs.

Joe McConnell thanked the Town and Chief Arrowood for moving forward with the Brocks and their dogs. He also asked about the building on Carolina Drive. The owner has cleaned around the nurse's station, but not on the Carolina Drive side. He has a chipper and has worked hard for about two weeks, but hasn't done anything within the last ten days. Commissioner Miller stated five months ago he wasn't doing anything at all. CDD Kempton stated he had contacted her recently to let her know that his chipper had broken down and he was trying to get another one. Miller stated he responds well, we just have to stay on him.

### **CLOSED SESSION**

Mayor Pro Tem Ingham entertained a motion to enter closed session for attorney-client privilege pursuant to N.C.G.S. 143-318-11(a)(3). Commissioner Miller so moved. The motion carried unanimously.

### **ADJOURN**

Mayor Pro Tem Ingham entertained a motion to adjourn. Commissioner Crowell so moved. The motion carried unanimously.

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J. Alan Peoples, Mayor

Attest:

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Susan B. Bell, Town Clerk