

**TOWN OF TRYON  
BOARD OF COMMISSIONERS  
MARCH 21, 2017 7:00 P.M.  
TOWN HALL – MCCOWN ROOM**

Present: Mayor J. Alan Peoples                      Mayor Pro Tem Crys Armbrust

Commissioners: Roy Miller, Bill Crowell, Bill Ingham

Staff Present: Town Manager Zach Ollis                      Town Clerk Susan Bell  
                    Police Chief Jeff Arrowood                      Comm. Dev. Dir. Paula Kempton  
                    Town Attorney Bailey Nager

**CALL TO ORDER**

Mayor Peoples called the meeting to order. He then asked for a moment of silence for our nation. Mayor Pro Tem Armbrust led the Pledge of Allegiance.

**AGENDA ADOPTION**

Mayor Peoples asked if there were any additions or deletions to the agenda. He would like to add 6b Dr. Fox has asked to speak. Mayor Peoples entertained a motion to adopt the Agenda with the addition. Commissioner Crowell so moved. The motion carried unanimously.

**CONSENT AGENDA ADOPTION**

Mayor Peoples asked if there were any corrections to the Consent Agenda. Being none he entertained a motion to adopt the Consent Agenda, which includes the Board's minutes and tax releases for Scott Stewart (\$15.38) and Donald Viehman (\$48.93). Commissioner Miller so moved. The motion carried unanimously.

**APRIL 2017 CHILD ABUSE & NEGLECT PREVENTION MONTH**

Mayor Peoples introduced B.J. Bayne. Captain Bayne stated she works for the Polk County Sherriff's Office. She introduced Jessica Powell who works with Steps to Hope. They represent the Child Fatality & Protection Team. Child Abuse effects the child's behavior, physical and mental health problems. The long term impact of child abuse effects the whole community. Problems affect health care, education, criminal justice systems, a community's quality of life and prosperity. Mayor Peoples read a Proclamation claiming April 2017 as Child Abuse & Neglect Prevention Month. He then presented it to Captain B.J. Bayne.

**DR. FOX COMMENTS**

Dr. Fox stated on behalf of the Eastside Citizens Advisory Committee he would like to acknowledge the accomplishments on projects that have been completed or are a work in progress since the February Town Council meeting. He thanked Zach for communicating the progress prior to tonight's meeting. The Eastside Citizens Advisory Committee has established the following communication process. Information shared at the meetings will be forwarded to the entire committee, then they will forward to

the churches via e-mail and hard copies. The community leaders that are part of the e-mail distribution list will receive updates and are encouraged to continue to direct any concerns to the Eastside Citizens Advisory Committee or to the appropriate Town of Tryon department. Aspen Street is deteriorating. Large vehicles such as fire trucks and EMS vehicles couldn't get to the large house on Aspen Street. There used to be seven homes on the road, now there is one. The fire department has informed them that they would use a smaller truck if ever needed to get to the house. The smaller equipment would not help. The paramedics would not be able to get a vehicle to the house either. Fuel trucks and UPS have difficulty navigating Aspen Street. They understand the budget constraints. If concerns were addressed when first brought up this wouldn't be a crisis now. They look forward to assisting the town in making a strategic plan and listing priority projects. The eastside is holding a cleanup day on April 22<sup>nd</sup> from 9:00 a.m. to noon. They will meet in front of the Roseland Center. He invited everyone to attend.

### **SALUDA GRADE RESOLUTION**

Town Manager Ollis stated the City of Landrum has started some more discussions about the Saluda grade Rails to Trails project. A resolution of support for the committee is before the board tonight. Mayor Peoples asked if anyone had any comments. Joyce Kimpton stated she grew up here and has lived here her entire life. The last time this was brought up, no property owner was approached before the meeting. The citizens expressed their concerns then. The resolution of support was rescinded last time. This is our neighborhood. She asked who is going to patrol the trail, handle fire coverage, cleanup the trail and who is going to handle the problems and people walking on our property instead of the trail. There are people here that are opposed to this.

Commissioner Crowell stated he owns two parcels of land and he would like to make a motion to accept this resolution. It is good for our community. Gary Walker disagrees with Crowell. People are not going to stay on the trails. Look at Bradley Falls, how many people have fallen. If they would have only stayed on the trails, but they want. The property owners own to the middle of the track and if Norfolk Southern abandons the track it goes back to the property owner, then you are on private property. Polly Burns asked who is going to keep people off their property. Steve King owns 300 yards on the railroad tracks and he is glad that they are going to do this. He has yet to hear anything negative. It is a big benefit to the community like the Swamp Rabbit Trail in Travelers Rest. This will bring a number of people to our area.

Mr. Walker asked if anyone had looked at the railroad tracks. The rails are totally gone right before you get to the trusses at Big Fall Creek. There's nothing across Big Fall Creek except the railroad track. How are you going to make it safe for someone to walk across it? Someone is going to have to lay out a lot of money to make repairs. Mayor Pro Tem Armbrust stated that he had seen it. Norfolk Southern could fix it in a day or two. Mr. Walker stated but they are not going to fix. Ms. Kimpton asked if Norfolk Southern has said they are going to give up the rail yet. Armbrust stated he could tell you definitively that there is no present discussion to change the designation beyond inactive. Ms. Kimpton stated the last time that she had talked with Norfolk Southern in Roanoke, Virginia the rail was active. Armbrust stated he had talked with them last week and the W line is inactive. Mr. Walker asked if anyone had this in writing.

Town Manager Ollis asked if the Board would prefer him to talk to the people here tonight. The Board agreed. Ollis asked for everyone to write their e-mail down for him to contact about a meeting.

### **STREETSCAPE ENGINEERING DISCUSSION**

Town Manager Ollis stated that CDD Kempton has received two quotes for engineering fees for the sidewalks between Palmer and Foothills Realty. The lowest bidder is \$21,000 from Site Design. The other quote was from Quible & Associates. Kempton stated that there was about \$3,800 in possible deductions. Commissioner Miller asked if she was familiar with Site Design. Mayor Pro Tem Armbrust stated Paul Mills had done pretty much all of Trade Street. Attorney Nager stated there is a limitation of liability included. Kempton stated that Site Design is familiar, as he has done past projects and has not went over his contract. The limitation of liability is in every contract that she knows of. You can issue change orders if needed.

Mayor Pro Tem Armbrust made a motion to accept the Site Design bid for \$21,000. The motion carried unanimously.

### **ALCOHOL APPROVAL**

Town Manager Ollis stated the town is vigorously planning multiple events to enhance downtown Tryon. The events will need approval from the board for alcohol consumption and sale. May 6<sup>th</sup> is Tryon's Rhythm and Wine Festival at the Depot, April 22<sup>nd</sup> is the Harmon Field Disc Golf Tournament and Field Day and November 4<sup>th</sup> is the Beer Fest at the Depot. TDDA Director Jamie Carpenter stated they are looking for ways to make money for downtown improvements. The money that has been raised from Beer Fest has allowed us to do the first façade grants. They are trying to raise more money for this.

Commissioner Ingham made a motion to approve alcohol at all three events. The motion carried unanimously.

### **EASTSIDE PROGRESS DISCUSSION**

Town Manager Ollis stated we have made progress on the eastside. He updated them by e-mail. Speed bumps have been installed on Peake Street, along with signs warning drivers. He is looking at installing another set as you go up the hill. He met with Kempton, Tax Collector Justice and Town Attorney Nager regarding the process for house demolition and issues related. There may be another way to handle the lien process. We are waiting to hear from another law firm. The streets crew finished the Shepherd Street project Monday. Cleaning out the culvert, digging the ditch trying to restore the drainage and laying some asphalt to patch and mostly to get rid of the dips in the road. They will have to take a look at the water runoff in the future. It could be attributed to this general area. The street crew has finished most of the patching. He asked if there were other issues to contact us. He has talked with Trace and they will fill in the cracks where the road has settled. They are also going to look at the complaints concerning the driveway entrances. He has contacted the state about kudzu removal. They claim a portion of Markham, all of Jackson Street, and the lower portion of East Howard from Ziglar Field to the sewer plant. Leaf removal has been completed. Kempton has been working on identifying properties to keep on the town's radar for minimum housing, flood plain and greenway expansion. There are properties that can be tied into the Vaughn Creek Greenway.

Allen Suber Eastside Community, stated the youth feel they have no recourse on problems. They don't feel they can come to the police. He was asked why there were no businesses in his area. He would hate to see the problems that our young people are facing be handed down to the younger generation. Mayor Pro Tem Armbrust asked what suggestions he had. The Board doesn't have problems with you

bringing problems to them. Every individual should have no problems with bringing their problems to Chief Arrowood. Mr. Suber stated we have a good law enforcement, but the people don't feel that they can turn to them, what are they to do? He would like to see businesses come into the eastside and a more personal level with the police.

Commissioner Ingham asked him not to feel hesitate about coming before this board or before Chief Arrowood or Zach. The problem is that this board can't make a business open. Armbrust stated in former days, there were many businesses. They were privately owned and privately funded and built their own support. None were funded by the Town of Tryon. Commissioner Miller suggested that some of the problems might be zoning. Armbrust stated the zoning is subject to be changed. Ingham asked what he wanted them to do. Mr. Suber stated engage with the eastside. Ingham stated he recently shoveled dirt off Shepherd Street for two hours and helped clean the cemetery last week.

Ollis stated he had attended TEDEX in Tryon a while back. He met a retired police chief from Columbia that he needs to contact to see if he would hold a meeting to help put one of Mr. Suber's concerns to rest.

Commissioner Miller stated we have a valuable asset in Dr. Fox. This might give him an opportunity to hold a training event at Roseland. Dr. Fox stated you need to look at Economic Development and Community Development together. Look at reinvestment type grants that would help with seed capital. Carol Browning stated Isothermal Community College has a small business center which helps businesses to get started. SCORE offers workshops once a month, free of charge.

Mary Prioleau stated there has been a lot of chatter about the purchase of the Nina Simone home and suggested a soul food restaurant would be great there. Dr. Fox stated startup capital is what potential business owners need. Ken Dahlstrom stated SCORE is a great resource. Startup capital is a real problem. Ms. Carpenter stated they are working on the empty buildings this would be a great opportunity for new businesses. Mayor Peoples stated the owners of the McCool property are starting up a wedding business. It is a very slow process.

Rebecca Nesbitt stated she appreciates all the work that has been done, but why was the type of speed bumps chosen. Ollis stated the town started using that type of speed bumps on Forest Lane and Second Street a couple of times back. He assumes the decision was made because of the cost. These are the most cost effective and last longer. He has both on his street and the ones on Peake Street will start breaking down soon and will not be as hard when you go over them. Ingham asked if there were signs. Ollis stated yes. Chief Arrowood stated the speed bumps can't be placed in a driveway. Ms. Nesbitt stated there was not a sign at Peake Street telling residents that the street was going to be closed because of work. Ollis apologized for this. He will check with the crews, they should be down by now.

#### **POSSIBLE AMENDMENT TO PERSONNEL ORDINANCE**

Town Manager Ollis stated in Art. VI, Section 6.(f) of the Personnel Ordinance it prohibits town employees from running for partisan office. Currently the employee would have to take a leave of absence without pay. Mayor Pro Tem Armbrust stated that it seems that the present policy impedes the potential running for office. It seems unnecessary as long as campaigning was done on the employees own time. Town Attorney Nager stated this is not local it is for County or State. Commissioner Ingham stated this is for a partisan office. Commissioner Miller asked if this wasn't brought up before. Nager stated yes. If the employee was a federal employee or funded by federal funds, the Hatch Act would

prevent the employee from running for partisan office while still employed by the town. The town is not funded by federal money. Ingham stated that he has no problem with the change. Commissioner Crowell stated that everyone has a right to run for office.

Commissioner Ingham made a motion to adopt the proposed amendment to the personnel policy. The motion carried unanimously.

#### **AIRBNB RENTALS**

Town Manager Ollis stated Pam has found the proposed paperwork. It is similar to another municipality. It adds in the Airbnb room nights and sales. Mayor Pro Tem Armbrust stated at some future point discussion about monitoring needs to be held, this seems to be voluntary. Ollis stated staff checks on this on a fairly regular basis. It can be improved by checking on a consistent basis. Armbrust suggested checking with Asheville to see how they monitor theirs. Mayor Peoples stated it is going to take everyone to check on this.

Mayor Peoples entertained a motion to adopt as presented. Commissioner Ingham so moved. The motion carried unanimously.

#### **MONTHLY PRIORITIZATION UPDATE**

Town Manager Ollis stated he has broken down the report. The crews are getting ready to start straightening signs and finalizing the painting of crosswalks. There are a few sidewalks that need repair, the sidearm brushing will be starting soon. He is still looking into the new street signs with the town logo for the Trade Street corridor. There are numerous possibilities with the signs. There will be a cleanup day soon. Hopefully we can get some volunteers and possibly could piggy back with other groups. They are trying to decide on the bicycle racks and the Town flag with elementary school project will hopefully start this summer.

#### **TOWN MANAGER'S REPORT**

Town Manager Ollis stated he wanted to thank some people. He thanked John Vining for coordinating the benches for Vaughn Creek. These have been placed very well, so that you can see the creek. He thanked local residents David and Robin Edgar, Monica Jones and Terry Ackerman for their generous donations for the benches. There were volunteers from Thermal Belt Habitat for Humanity. He thanked Lee Cobourn director of TDFH construction, Bob Montgomery, President Habitat, Doug Lyons, Doug Jackson, John Hicks and Dave Wilson for help installing the benches on March 10<sup>th</sup>. Lee Cobourn went over and beyond delivering supplies and coordinating the installation. John Vining stated the benches look great. Ollis reminded everyone that the East Egg Hunt will be on April 8<sup>th</sup>. There will be about 4,000 eggs, the Easter Bunny will be there, games and prizes, and a bounce house. This is a free event for the kids. He then thanked Lindy Buss who organized the event for the town. She done a phenomenal job. He also thanked Tryon Cinema, P.J. Ward Inc., Michael & Amy Ashworth, The Book Shelf, Tryon Bottle, Vines & Stuff, St. James Music Press, Hoop's Antiques & Vintage Collectibles, Nature's Storehouse, FormLab Builders, Diamond B. Energies, Premier Funeral MGMT Services, AOKI Landscape & Design, Down To Earth Garden Center, Dance Dynamics, Main Street Insurance Group, Henson's Wood Grinding & Landscape Supply, Jessica & Claudio Betancourt, Black Coffee Tryon and Tryon Newsmedia. A big thank you to them for making this project possible.

Jamie Carpenter stated the April Fool's Day event will be held on April 1<sup>st</sup> from 12-5. Commissioner Crowell is helping with the oyster roast. They have a band that will be playing starting at 2:00. Jocelyn Davis is organizing "Trash and Show" again. The beer sales will be at the Plaza. She is hoping to keep people downtown. The ties are coming back. She thanked Steps to Hope for their donation of ties and others around town that donated ties. There will be spoof news stories throughout town. You will hear different headlines from the local businesses that may or may not be true and then you will get to vote for the best story with your donation of a penny for one vote. You can vote as many times as you want. Penny Padgett from The Book Store has been helping with that. David & Linda Lee & Mike Carruth played for the first Thursday evening opening late, even though it was a little chilly. The next one Hoop's Antiques is working with the Foothills Humane Society that a portion of their sales will be donated to them. There will be a smaller version of the farmers market on Thursdays. Armbrust asked if we could try to reinvigorate the farmers market back to McCown Street. Ms. Carpenter stated they would like to stay in one place, but she could show them the evening set up on McCown Street. Armbrust stated it's highly visible. You could hold small festivals there. Once the crosswalk issues are dealt with, it will be a much better place. Ms. Carpenter stated we are taking little steps on Sundays and Thursdays.

### **COUNCIL/MAYOR REPORT**

Commissioner Crowell thanked Dr. Fox and the Eastside residents for attending. He thanked Town Manager Ollis and council for everything.

Commissioner Ingham thanked everyone for being here tonight. He asked Mr. Suber to bring some of his friends any time.

Commissioner Miller stated he and CDD Kempton met with Karen Hall, one of the property owners on East Howard Street. He suggested bringing in the Parks Committee at some point to hopefully connect with Vaughn Creek. Stott's Ford building looks great. Karen a former IGA employee is opening a new deli in the Arledge Printers building sometime this month. He thanked Ollis for working on the priority list. The speed bumps has made the streets a lot safer. June 1<sup>st</sup> will be his last day. He is resigning after thirteen years and so many months. It has been a good ride. It's almost like a second family. Staff most he calls friends. No matter if you believe the hype or not, he has always lived in Tryon for 40 plus years. He thanked the citizens for supporting him. He started at age 37, thinking he would do one run. It has been rewarding. He's worked with Alan the longest. They have accomplished a lot and had many failures. He thanked staff and appreciates all their support. He just wanted to give everyone a heads up. He will have more to say next month.

Mayor Pro Tem Armbrust thanked Jonathan Cameron-Hayes & CALIDUS.CO on purchase of the Bank of America building. He thanked TDDA on the announced façade grants, noting implementation already on "A Taste of Olives and Grapes". He thanked the Town of Tryon for expediting requested upgrades at Peake and Shephard Street. He thanked Adam Pendleton, Ellen Gallagher, Rashid Johnson and Julie Mehretu for purchase of the Nina Simone birthplace. The right individuals have this property to bring it to its fullest potential for itself, the Eastside for the Town of Tryon and for the State of North Carolina. He is grateful to them. He thanked John Vining and the Parks Committee for the benches. He then thanked Commissioner Roy Miller for the many projects in the Town of Tryon to which he has positively contributed.

Commissioner Miller congratulated the Coffee Co-op and TDDA for recommending them for the Main Street Award.

Mayor Peoples stated that Nowell knows how much he likes to collect Tryon art and thanked him for opening his store. He currently has a hand carved cabinet from Boca Raton in his shop. He truly loves to go in there.

#### **CITIZEN COMMENTS & RESPONSES**

Jamie Carpenter asked that we add recognizing the Coffee Co-op to next month's agenda for winning the Main Street Award. They were nominated because of saving the Coffeehouse. She would like to recognize them next month. Maybe by proclamation and hopefully they could be here.

John Vining stated that the town guys helped a lot with the heavy lifting of the benches. He suggested the town start an internal review process for projects. Maybe someone like Architect John Walters could look at the project and see if he seen any flaws in the project. He's been thinking about the two sided kiosk that is truly one sided. Give the person or persons ten to fourteen days to take a look at the project and let the town know if there were any issues with it.

#### **CLOSED SESSION**

Mayor Peoples entertained a motion to enter closed session to discuss awards pursuant to N.C.G.S. 143-318.11(a)(2) and to discuss personnel pursuant to N.C.G.S. 143-318.11(a)(6).

#### **RECONVENE REGULAR SESSION**

Mayor Peoples requested that Mr. Ollis research policy options for naming buildings and report back to the Board.

Mayor Peoples reported that Commissioner Miller has tendered a letter of resignation to the Board with an effective date of June 1, 2017. A motion by Commissioner Armbrust to accept the resignation passed unanimously.

#### **ADJOURN**

A motion to adjourn by Commissioner Ingham passed unanimously.

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J. Alan Peoples, Mayor

Attest:

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Susan B. Bell, Town Clerk