

**TOWN OF TRYON
BOARD OF COMMISSIONERS
MARCH 19, 2019 6:00 P.M.
TRYON TOWN HALL – MCCOWN ROOM
WORK SESSION**

Present: Mayor J. Alan Peoples Mayor Pro Tem Bill Ingham
Commissioners: Crys Armbrust, Bill Crowell, Chrelle Booker

Staff Present: Town Manager Zach Ollis Town Clerk Susan Bell
Town Attorney William Morgan

CALL TO ORDER

Mayor Peoples called the meeting to order and turned over to town manager.

Town Manager Ollis stated that he has just got an e-mail from Paul Mills on the bridge work. He forwarded it to the board. Mr. Morgan also may have some updates.

Armbrust stated his first topic is Harmon Field. He did officially want to point out that he thinks the Dallara additions are excellent. He spent most of the weekend there. He thinks the recreational facility is greatly enhanced by the inclusions and would like to go on the record thanking Charles Dallara and his associates for a magnificent gift to our community. All agreed. He asked is there a time line for the next phase. Ollis stated there is an outline in the MOU about that. They have had setbacks due to rain. The first phase is completely funded and the second phase he is still working on. Armbrust stated the second phase includes the bronze plaque and the sculptor. Ollis stated yes those were the main things. The majority of the second phase is the bronze sculptor and bas relief. Armbrust asked if Harmon Field were doing upgrades to the public restrooms. Ollis stated right now we have a leak in the public restrooms. Harmon Field has asked Travis to shut the water off to see if we can pinpoint if it is a roof leak or leaking outside of the water faucets. Travis is working on that. Ingham asked if they have the frost free faucets. Ollis stated he had no idea. Crowell asked if that was in the new restrooms. Ollis stated yes, the one closest to where Dallara is making improvements to the new playground. They have a leak in the wall. Ingham stated if they had frozen and busted, the leak will not show up until you open the faucet. Ollis stated he may have to call you.

Armbrust stated he thinks the new playground is excellent. In his opinion, much of Tryon's success is built upon the good graces and the benefaction of our residents, who for whatever reason choose to step up to the plate and commit time, talent and treasure to a number of endeavors. While he was out this weekend, it concerned him that the memorial stone for the first dedication of the playground has been removed, which he thinks is unconscionable. He would love to see it returned. It's certainly appropriate to put in a second marker to note the benefactors of the second playground. He feels it is unconscionable and inappropriate to remove a memorial marker of activities and actions that were an important part of Tryon communal history, because in that single act a whole micro history of Tryon was destroyed. Ingham stated he didn't think it was done in an evil manner. We could probably find it and have it put back. Armbrust stated he did not say it was done in an evil manner. Ingham stated that's part of being unconscionable. If somebody realizes how important it was then we could find it and put it

back. Armbrust requested the stone be located and returned to its place and the second stone put in. The second part of this is he doesn't know how the action occurred without having been brought before this board. These five individuals are elected by the citizenry of this town to dictate the business of this town and acquittal is implemented by town staff. That is not a procedure that was followed in this incidence. He would like to see that procedure visited and presented to staff. He asked if the stone exists. Ollis stated he had no idea. Armbrust stated he hoped that it is in storage somewhere at Harmon Field. He has no idea what the actual value of the marker was. He gave a suggested value of \$35,000. Crowell didn't think they paid that. Ingham stated let's see if we can find it first. Ollis will ask Travis.

Armbrust stated great equestrian inaugural event at Harmon Field this weekend. His concern was the pipe. It had been lifted. Ollis stated the drainage pipe lifted up on its own. He is in the process of trying to get the company back out to finish the job. If not, we have a dozer coming out to do work on the Harmon Field River project and if we can't get anywhere with the contractor, we will end up repairing it ourselves.

Armbrust stated equally concerning was the large deep holes. He was concerned that we would be liable if something happened. Crowell stated the horses are not supposed to be over there. Mayor Peoples stated caution tape should be put up.

Armbrust stated when he was there for the Foothills Chamber fundraiser at the open air gym, immediately across the driveway, he assumes these were two very large drains. Ollis stated those are part of the Pacolet River project. They are rain gardens, a regular drainage box and water goes into this before going into river. It looks terrible right now, but flowers will come up. Armbrust is glad for the vegetation, but his concern is some kid comes walking by. He asked if there was some way to put fencing around it so no one will fall in. Crowell stated flowers will come up in the catch basin.

Armbrust asked if he would talk about the appraisals in the 7:00 meeting. Ollis stated yes.

Crowell asked if they wanted to talk about Rogers Park. Two estimates come in from one company. One is replacing the canvas at \$10,200. The other system is right at \$15,000. Ingham asked what it looks like. Crowell stated very canvas looking, just has metal frame work. Ollis stated it is aluminum frame, but it's like translucent plastic. It's durable. When the sun comes down it will have like a glow underneath it. Crowell stated it's bigger. It will go up the hill a little further and will go the end of the wood beams. Booker asked if we were satisfied with those two quotes. Ollis stated he had another company that never responded as well as another company that wanted to do work on the building, but not the one in Rogers Park.

Armbrust stated he personally would vote to fund the permanent structure. Booker had another name of a company. Crowell stated he would be happy to look at, but we are running out of time. Ingham asked how long it will take. Crowell stated maybe sixty days. Ollis asked who the other company was. Booker stated R & R Canvas. Crowell stated he was hoping to make the decision tonight. He was hoping to get this going soon. Armbrust stated otherwise you have the tiniest window before the first Rogers Park concert. Ingham had no problem with deciding tonight. Ollis stated he will put that on the agenda for you to vote on. Armbrust asked about the repair to the lamp post at Rogers Park. Ollis stated the lamp post is done.

Armbrust asked about the piece of property beside Rogers Park, could we ask the owner do some spring cleaning, especially that huge chestnut tree that fell in the windstorm. Crowell stated that belongs to Kim Cochran. Mayor Peoples asked if we could use for parking. Ollis will check.

Armbrust stated formally we had a sidewalk committee. He thinks it is important to reignite the sidewalk committee or find the files. It would be good to have that. We have addresses and photographs. Perhaps some of the committee has files. Crowell stated if anybody has it, it will be Anne Day on her computer, because she was on the committee.

Booker asked about some of the places that have large holes. She has asked Zach about the metal plates and he said the town didn't have any. She wonders if it would be feasible to have one or two in case we need one covered temporarily. Mayor Peoples stated he liked the ones on the side. Armbrust thinks that is a great idea. Crowell stated we need put into the budget \$800 - \$1000 for a 4'x8' 1 inch thick. Armbrust can't imagine that the town would need a one inch gage. Crowell stated for large trucks. Check with Spartanburg, because you don't want to warp them. Mayor Peoples stated we should engage our attorney in case something breaks.

Ollis stated William has information for the board. Attorney Morgan stated looking at the zoning ordinance as far as various matters that he has been working has noticed and had a discussion with the Chairman of the Planning Board. There seems to be some work that could be done in regards to parking. The current ordinance requires in one section that off street parking shall be provided on every lot on which any of the uses set forth in the table of all districts. You go down a few sections you have the section on combined parking that is allowed in all the different uses that are sharing a given lot or a lot within 100 feet. It doesn't speak on where the lot is. Ingham asked if there was an issue. Morgan stated an issue has come up that while he was looking found these issues. Another issue is that the zoning ordinance does not talk about what zoning districts parking can be in. A lot of local governments have clauses that if there is a change in zoning district and entity owns both sides of the road, can the person put parking on the residential side, could they use all of it or just a portion of it. Satellite parking is sort of allowed. There is a shared parking provision. He wants to get with the Planning Board. Armbrust asked if the only exception to that is the Central Business District. Morgan stated correct. The Planning Board is the appropriate place to look at this. The statute charges them with looking at the ordinance from time to time to make recommendations. He thought he would bring this up at this meeting, just to see if there is anything that the board wanted to see coming from the Planning Board or if you have thoughts about issues yourselves that you would like to see addressed.

Armbrust stated after this iteration he thinks we all recognize that nothing ever is really written in stone. Documents are meant to serve the times and needs and there will always be future times or future needs not anticipated. In this particular instance if we are allowed, he would like to bring up a general concern for him as a citizen primarily. Is he allowed? Ingham stated he didn't see anything wrong with it. Although he is speaking as a commissioner, his comment really comes from him as a residential citizen. He has real concerns, principally in one of our Historic Districts. One that has potential listing with the National Register that there are two properties on a single street, Melrose Avenue, that actually being looked at by several business entities for their potential use as parking lots. Morgan asked if that is one of the ones that you are talking about. There has been no formal request or anything. Some idea has been floated to you that they are looking at it for parking. Armbrust stated he

feels that will devalue the historic district. To be dropping parking lots in presently designated neighborhoods.

Morgan stated in regards to that, right now the ordinance doesn't speak to that. It doesn't say you can have a parking lot in a residential district or if you can, what, criteria comes into play. It's silent on that. So, therefore the general rule in more and more court cases in North Carolina, if the ordinance is silent, they will go with the free use of the property or with what one wants to do with it. Let's see what the ordinance says. It doesn't instruct on whether you can do that or not. Which is a problem if the will of the town and board is that you don't want one. Armbrust stated you would be too young in your position to remember, the whole block of Pacolet, Chestnut, Walnut and Melrose used to have an art designation. Hundreds of years ago it was completely residential. Seven years ago we revisited. The board and council approved to draw the line in the middle of Melrose Avenue. Northward is commercial and southward is residential from the centerline of Melrose Avenue. Which is also incidentally a state highway.

Crowell asked if there was anything they can do like a moratorium. Ollis stated he thinks what William is saying is that he found this issue with the ordinances when he was researching other stuff. This is the first opportunity for him to bring it to this board to get your blessing to take it to the Planning Board to adjust it so that we can repair the loop hole in our ordinances. Mayor Peoples stated we have work to do. Morgan stated yes you are correct. The answer to Crowell's question is, that is a possibility. Given time to advertise. Crowell stated this could happen overnight or the property could change hands overnight. Mayor Peoples stated the faster you can move the better. Morgan will be at the next Planning Board meeting.

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

J. Alan Peoples, Mayor

Attest:

Susan B. Bell, Town Clerk