

**TOWN OF TRYON TOWN OF TRYON  
BOARD OF COMMISSIONERS  
APRIL 20, 2021 7:00 P.M.  
TRYON TOWN HALL – MCCOWN ROOM**

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

Commissioners: Crys Armbrust, Bill Crowell, Bill Ingham

Staff Present: Town Manager Zach Ollis                      Town Clerk Susan Bell  
                    Police Chief Jeff Arrowood                      Planning Director Tim Daniels  
                    Fire Captain Josh Connell                      Public Works Director Jody Morse  
                    Town Attorney William Morgan                      TDDA Ex. Director Paige Henderson  
                    Harmon Field Supervisor Travis Aldred

**CALL TO ORDER**

Mayor Peoples called the meeting to order and asked for a moment of silence. Mayor Pro Tem Booker led the Pledge of Allegiance.

**AGENDA ADOPTION**

Mayor Peoples asked if there were any additions, deletions or corrections. Being none, he entertained a motion to adopt the Agenda. Commissioner Armbrust so moved. The motion carried unanimously.

**CONSENT AGENDA**

Mayor Peoples asked if there were any additions, deletions or corrections. Being none, he entertained a motion to adopt the Consent Agenda. Commissioner Ingham so moved. The motion carried unanimously.

**PUBLIC HEARING: TEXT AMENDMENT FOR WIRELESS COMMUNICATION TOWERS**

Town Manager Ollis turned the meeting over to Planning Director Daniels regarding the Planning Board's recommendation. Daniels reported, per your instructions he has drafted a text amendment concerning the wireless communications ordinance. The changes are for SR13 3(c) and 3(i). 3(c) originally read: No towers shall be constructed in any zoning district other than P-1 district as defined on the Official Zoning Map of the Town of Tryon. The changes made are: Towers shall only be constructed in the P-1 zoning district as defined on the Official Zoning Map of the Town of Tryon, or within any other town-owned property. Section i. reads: No tower shall exceed one hundred feet in height. They changed it to read no tower shall exceed one hundred and ninety-nine feet (199') in height. The Planning Board of the Town of Tryon voted unanimously on April 8<sup>th</sup>, 2021 to recommend in favor of the proposed changes regarding the height and location of wireless communication towers.

The changes are consistent with the Town's comprehensive plans and any other officially adopted plans, because of special rule 13(B)(3)(a) provides: Tower approval standards. Any proposed tower shall provide a needed service or benefit to the residents of Tryon and the surrounding area that cannot otherwise be met. Current restrictions on height in light of the topography of the region limits needed

services to the residents Tryon and surrounding area, including the EMS communications that cannot otherwise be met.

Mayor Peoples asked if there were any questions of council or the public. Being none, he closed the public hearing. Attorney Morgan explained, Tim has passed out a page with suggested motion that he basically just read. You need a motion to vote on, then you need a motion to vote on the written ordinance amending the current ordinance.

Commissioner Crowell made a motion to accept the suggested motion on the changes to SR 13 (3) subsection (b) subsection (i). The motion carried unanimously.

Mayor Peoples entertained a motion to adopt the ordinance amending special rule 13(b)3(c) and (i) of the Town of Tryon's Zoning Ordinance. Commissioner Armbrust made a motion to accept the motion. The motion carried unanimously.

### **55 MELROSE AVE BID UPDATE**

Town Manager Ollis explained the Town had received a bid of \$160,000. It was not matched given the parameters set forth in the advertisement. The Board has the option to accept or to reject.

Commissioner Crowell made a motion to accept the \$160,000 bid. Commissioner Armbrust would like to recuse himself with the permission from the Board. Commissioner Ingham replied that he wants to get as much money as possible for the Town. Mayor Pro Tem Booker voted against the proposed bid, because right now it is a seller's market and everything is going well above price. Mayor Peoples stated the motion is defeated 2(Ingham & Booker)-1(Crowell).

Attorney Morgan suggested a motion to reject all bids and solicit new higher bids. Commissioner Ingham made the motion. Commissioner Armbrust recused himself. The motion carried 3-0.

Mayor Peoples asked if they needed to do anything else at this point. Attorney Morgan explained you will start the process over, just like last time. You will need a vote to adopt the resolution to start the process. Ollis will have at the next council meeting. Mayor Peoples explained they could call a special meeting after 5:00 pm.

### **DISCUSSION OF CRANSTON REVIEW**

Town Manager Ollis explained that Cranston finished the review. They have conclusions and recommendations that we will need to work on over the next couple of years.

1. Removing undesirable vegetation
2. Working on the slope stability
3. Insufficient spillway capacity with the current spillway configuration
4. Degradation of the surface of the concrete on the overflow spillway (the concrete itself is in good shape, but on the surface, it is weathered as one would expect for a dam as old as it is)
5. Would like a means of lowering the lake water level on a permanent basis, so that we can lower as needed.
6. They are also concerned about the bridge

We will be meeting with Cranston on the next steps of this process as well as other South Carolina State Agencies.

### **DISCUSSION ON DHEC CONDUCTING A RISK ANALYSIS ON LAKE LANIER DAM**

Town Manager Ollis reported the next item is the letter received from SC DHEC Dam Safety conducting a risk analysis. They are proposing to take Cranston's figures and do a site visit. They will gather more information for themselves and package it into a way that FEMA accepts for grant proposals and they will help us apply for FEMA funding to fix some of these issues.

Ollis would like a motion to allow them on our property to gather information. Crowell made the motion. The motion carried unanimously.

### **TABLES AT THE PLAZA**

Town Manager Ollis explained an email is attached. A local business had tables on the plaza. We had them removed. They would like to place their tables on the plaza and are asking your permission. Commissioner Armbrust asked why. Commissioner Crowell asked if those were our tables. Ollis explained they had taken their tables and put them on the other side of the plaza. Their reasoning is in the email. Armbrust explained that is no reason and he has made the many times for visible signage to be put on the plaza stating that is a public plaza. Ingham asked how many tables are they requesting to put out. Ollis thinks it is three. They were black metal tables and put out because of COVID and outdoor dining. They received complaints about those tables. We asked them to remove them. They asked what their options were. He told them to ask the board. Ingham liked the tables and likes helping businesses and would like to see people on the plaza. Crowell agreed. Armbrust knows that the owners have told people that they own that plaza. It's a gift to the Town of Tryon from Bob Lane and it requires signage. Ingham – just because someone says something doesn't make it so. He doesn't understand why we are trying to handcuff this business.

Commissioner Ingham made a motion to allow them three tables on the plaza. Mayor Peoples explained that probably a couple of people got mad over something. Armbrust has requested Town of Tryon signage on the plaza stating what it is, because we own the temporary easement as long as we operate in good faith.

Mayor Peoples explained that at this point it probably takes a vote from this board to put it up. Then we have to decide how to do it. Ingham explained when people ride through town and see all those people out there, it's good a good thing. He doesn't understand the strong opposition from Armbrust. He wants it designated as a Town of Tryon property. That's all he is asking.

Commissioner Crowell seconded Ingham's motion. Peoples asked for him to come up with the look of the sign. Armbrust wanted like any other Town of Tryon sign. Ingham doesn't understand the need. Most are just visiting the Town. They do not care about the town politics. They just want something to eat. Crowell sees Buck's pizza, Lavender Bistro and people who just bring a picnic and meeting friends there.

Mayor Peoples said he is asked when he goes into restaurants about the plaza and he tells them it's owned by the Town and you can go out there and sit if you want to. Everybody can and he hasn't heard any complaints after that.

Ingham made a motion to allow them to put three tables on the plaza. The motion carried unanimously.

Mayor Peoples asked about placing a sign on the plaza that was tasteful. Ingham- it could say this area was donated by Bob Lane to the Town of Tryon. Armbrust asked if he could have that document prepared at the next council meeting.

#### **GATE ON MCCOWN ST.**

Town Manager Ollis per the request of Mr. Armbrust explained the figures for the cost of building a gate on McCown Street, as a permanent structure are included in the packet. Ingham didn't know anything about this. Armbrust made the request and the Nina Simone project will be paying for the two gates. He would like to be able to close the south end of McCown Street using a white picket fence. Ingham would like to see a picture.

Mayor Peoples asked do we really need a gate. Crowell explained the fire department parks a truck there to block people from turning when an event is held. Booker asked who is going to be responsible for opening and closing the gate. Armbrust-the gate would be locked. He is perfectly willing to do a single gate on rollers and mount it on the Nina Simone land. This frees the town from liability. Booker asked what happens when it flies back and hits a car, who is responsible. Armbrust explained the gate will remain open and will be locked to a post. You will have to have a bolt cutter to cut it loose. Ingham feels it is unnecessary.

Harmon Field Supervisor Aldred stated the area is about thirty-five feet. Ingham prefers not to see a gate. Armbrust explained it will not be built anytime soon. He feels the fire engine will work. He requests the oldest running truck. Ollis is staffing an EMT there for the day. Ollis will check on the old MACK.

#### **ALCOHOL APPROVAL**

Town Manager Ollis has a request for permission for alcohol consumption at the Nina Simone concert on McCown Street and for the Tryon Arts & Crafts School Fundraiser Benefit. The Nina Simone event is byob. Ingham made a motion to allow at both places. Mayor Peoples asked if a lady came to him about her mother's memorial service to ask for an alcohol permit. Ollis replied he hasn't heard from her. The motion carried unanimously.

#### **BUDGET AMENDMENT NO. 3**

Town Manager Ollis explained that Budget Amendment No. 3 covers expenses for Lake Lanier Dam Inspection, Braewick expenses and higher revenues and expenses. Will make everything even out for now.

Mayor Peoples entertained a motion to adopt Budget Amendment No. 3. Commissioner Armbrust so moved. The motion carried unanimously.

#### **BUDGET DISCUSSION-TAX SHEET AND BUDGET DRAFT**

Town Manager Ollis explained that it is the same budget as he had showed them before. He would like to show you the tax projections. The 20/21 values for the fiscal year are \$158,321,136 for the properties inside the city limits. This year property values for this year are around \$194,000,000. Roughly 22.64% increase in overall property value. He is going to safely assume this as an average. He has put in figures showing the original value, projected increase of 22.64%, your new projected value of

property, along with the old tax rate of .502 and the new tax rate of .481. On a home that values at \$250,000 you paid \$1,257, the new projected value would be \$306,600 and you would pay \$1,474.75 an increase of around \$217. Looking at dropping the tax .02 cents. That doesn't include the Fire, Harmon Field or county taxes. Armbrust asked when did we get last figures. Ollis-received on 3/22. Mayor Peoples explained that we could be reasonably assured that this will go down, because of people asking for adjustments. Ollis explained there are adjustments and exemptions (elderly and agriculture). He is not sure when also the county will be finished with that. He will ask them again. If you drop property tax, it also affects car values and taxes. It will eventually even out. Armbrust asked if there is a mandate that the county has to have the values approved by. Ollis by June 30.

Mayor Peoples explained that with his increase of \$261 he would be back to where he was years ago. Ollis going from .502 cents to .481 cents. This is the budget. Mayor Peoples asked if the state is requiring us to pay more for retirement. Ollis yes it increased a penny.

Ollis explained this budget allots for \$30,000 to start a kudzu remediation program, \$20,000 for a boardwalk, rails to trails, sign \$15,000 for that. He has removed some items, includes one position to learn underneath Pam for a year before taking over, \$40,000 for demolition, the numbers can be altered as we get through the year. Keeping the same until we know where we are going to come out. Things stay the same in water & sewer. Found out today the county is going up \$5 a ton in trash. That's roughly \$4000 for us. What that means is we were putting back \$5000 and now basically we are only putting \$1000 back. Unless you want us to change things, this will be presented next month.

Crowell replied that we are going to see inflation. Steel and lumber are skyrocketing.

#### **FCC'S EMERGENCY BROADBAND BENEFIT PROGRAM & AMERICAN RESCUE PLAN ACT 2021**

Mayor Pro Tem Booker explained that what she has is citizen engagement and resources. She would like to see 100% of our citizens take interest in the emergency broadband benefit program and American Rescue Plan so that you can keep up with those two programs, but 80% would be good. The broadband program is for everyone. It allows \$50 a month credit, a one-time discount of \$100 for a computer tablet, going through the government process. FCC has webinars and weekly meetings. You can sign up for updates on what is going on with the Emergency Broadband program.

ARAP-the President and Vice-President are promoting. Go to NLC.org to keep up with this. She is on two of the boards for NLC. One board that she is no longer on is pushing for transportation. She is in with state and federal people, so she can pass along comments if you have them. She suggests if you have a phone number of federal or state people, you give them a call. The big project that Crys is having, it would be nice to have the Secretary to come to one of these events. She has access that she can get to some of these people.

Ollis added the Emergency Broadband Benefit hasn't gone live, but we have signed up to be a hub so that we will have all the information. He has also asked for someone from the FCC to do a zoom meeting to explain everything. We can make it a community affair or a council affair, however you want it to work.

Peoples thinks that some think whatever happened last week in DC will be out this week, but it may take three years to manifest or longer.

Booker-the ARP money that if it is not used, it has to be returned. Mayor Peoples—the fast track on our water took us four years on the fast track.

### **MINIMUM HOUSING UPDATE**

Planning Director Daniels updated the Board on minimum housing.

1. 45 East Livingston-still tracking down the heirs to the additional part of the property. He had asked to purchase the property as is now, while in pursuit of obtaining the additional property with modifications to the additional agreement. Ms. Porter has a legitimate title. This is something that we could do to get started with cleanup of the property. The estimates that he has is between \$18,000 (doesn't include asbestos) and \$30,000.
2. 427 East Howard-spoke with Justin \$21,000 to put gravel up the driveway and at the top and awaiting on one more estimate from Pace.
3. 140 Grady Ave-owner is having utilities cutoff this week. They are scheduling demolition soon.

### **TDDA UPDATE**

TDDA Director Henderson updated the Board. You should have a copy of her report. She structured it as revitalization-activities as she is working on is Economic Vitality, Updating Tryon's brand, will start back with the 4<sup>th</sup> Friday in May, organization, and applying for Duke Energy revitalization grant. If you have questions, feel free to ask. This will be given to you ahead of time so if you have questions.

Commissioner Armbrust asked about the status of the bathrooms. Ollis replied this was discussed in the work session. The total cost \$67,000. Had to get an updated bid that includes a janitor's closet, landscaping out front, the pavers situation and any kind of decorative items. Now you are looking between \$75,000 and \$80,000. He mentioned to them that he wanted a long-time lease, if we were going to put that much money into this.

Armbrust-Zuschlages property is on the market-hasn't sold, we should buy it for one space and sell the rest. Crowell-make an offer, don't want to own it, 50 million cans of oil dropped into the ground.

Ollis-they want 25-year lease at \$200 a month. Ingham feels we should keep looking.

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

Town Manager Ollis reported that has put in a request to the FCC to make a presentation on the Broadband. We are getting ready to put out the job advertisement for a future position. Set the date for the Eastside meeting. Met with the state regarding the Braewick sewer the issue again. He reached out for health insurance quotes, we decided to stay with the same company. Met with TDDA about MSD. Discussed with SC DHEC about the inspections. Ordered the equipment for the Polk County Appearance Commission grant for kudzu. Meeting with Conserving Carolina coming up regarding a potential project. Spoke with the Chamber, bringing back the music festivals. Speaking with the owner of 60 Pacolet about improvements being made. He is meeting with BRAG concerning Melrose Mountain rock climbing. Plans to replace the Lake Lanier dock. Submitted the Erskine Bridge plans to NCDOT for approval for lights to be installed. Polk County has reached out about a vaccine site on McCown Street. Commissioner Crowell made a motion to give Polk County authority to use McCown Street for a vaccine site. The motion carried unanimously.

Public Works has been busy. Had a water break on Vineyard, Markham and Melrose. Replaced some signs. Had over 288 hours picking up leaves and brush. Keep monitoring Braewick, had some flooding issues. Pressure washing the benches, trying to wind up that project by the first.

Fire Department held Ladies night and gave awards out. They are waiting on ISO inspection. Have a lot of training lined up. Replaced Patrick Corn with Wesley Garrett, who comes to us from Blue Ridge. He will introduce him maybe at the next meeting.

Police Department has done the contract with the tasers and body cameras.

Harmon Field has been busy. Travis and the guys are building planters shaped like animals and selling them. He has received more compliments on them, than on anything we have ever done.

Chief Arrowood asked for clarification on item #10 tables-those tables can be used by the public. Ingham replied yes, if they are sitting on town property, they can be used by anyone at any time. We need to let Huckleberry's know.

### **COUNCIL/MAYOR COMMENTS**

Commissioner Crowell asked about fencing along New Market Road, Burrell's had put up a fence. He feels we should replace it with split rail fencing-would have to replace at least half of them. He will price the railing tomorrow. Commissioner Ingham feels we should replace all of them. Crowell thanked all the staff.

Commissioner Ingham thanked the staff and citizens. We are actually getting letters complementing our employees. Thank you.

Commissioner Armbrust also thanked the staff. He would like to welcome you to a concert on Saturday, May 1, free to the whole community. Has received national advertising for this and it will be the official ground breaking of the two million dollars, thirty-three hundred square foot Nina Simone archive. It is a music event celebrating the 10<sup>th</sup> anniversary of the Nina Simone sculpture and plaza.

Mayor Pro Tem Booker had something from two citizens. Between the two walkways at Garrison the walkway stripes need to be re-painted. Walt Brown came to the road with sewer, but can't go any further and needs to know who to call and talk to about some help. PWD Morse replied they need to get a plumber. Public Works has cleaned it out and a week later it was stopped up again. Booker was just reporting. She knows we have talked about the ADA bathrooms. NCLM is going to have a session on this. She wants to thank everyone for a job well done. She liked the planters at Harmon Field. HF Supervisor Aldred replied they are for sale and they are making snails, turtles, dogs and frogs. She reminded everyone to take care of yourself and each other. Everything will be alright.

Mayor Peoples asked if the High School had contacted him about the senior event. Aldred said no. Mayor Peoples replied someone will contact you soon. He asked if they need to vote on the National League of Cities delegate. Ollis replied yes. Commissioner Armbrust made a motion to vote for Mayor Pro Tem Booker to be the voting delegate. The motion carried unanimously to make her official.

Mayor Peoples thanked the staff. He gets people complaining sometimes and he explains what all you do and they seem to understand.

**CITIZEN COMMENTS**

Garland Rice loves the Harmon Field dog park. His neighborhood is opposed to the Wainscotts trying to change zoning to R-4. He has been talking with Mr. Daniels, giving him a history lesson on the neighborhood. He opposes the commercialization of this property. Next month you will probably see something on this. His neighborhood is against this.

**ADJOURN**

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

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J. Alan Peoples, Mayor

Attest:

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Susan B. Bell, Town Clerk