



TOWN OF SYLVA BOARD OF COMMISSIONERS REGULAR MEETING

Thursday, September 14, 2023 at 5:30 PM
Board Room, 83 Allen Street Sylva, North Carolina

MINUTES

PRESENT: Mary Gelbaugh, Mayor Pro-Tem
Ben Guiney, Commissioner
Greg McPherson, Commissioner
David Nestler, Mayor
Natalie Newman, Commissioner

Paige Dowling, Town Manager
Amanda Murajda, Town Clerk
Eric Ridenour, Town Attorney

ABSENT: Brad Waldrop, Commissioner

CALL TO ORDER

Mayor Nestler called the meeting to order at 5:30 p.m.

STAFF PRESENT: Chris Hatton (Police Chief) and Jake Scott (Public Works Director).

VISITORS: Luther Jones, Shannon Queen, Rachel Huffman and Mardy Ashe.

APPROVAL OF AGENDA

Commissioner Guiney made a motion to add a discussion on the Pinnacle Park Invasive and Exotic Plant Removal Contract. The motion carried with a unanimous vote. Commissioner Newman made a motion to amend the agenda and add an item to announce a meet-and-greet of candidates for the upcoming election. The motion carried with a unanimous vote. Commissioner Guiney made a motion to approve the agenda as amended. The motion carried with a unanimous vote.

APPROVAL OF CONSENT AGENDA

Commissioner McPherson made a motion to approve the consent agenda. The motion carried with a unanimous vote.

PUBLIC COMMENTS

Luther Jones addressed the board and advised them that NCDOT was making updates to the Highway 107 construction plans. He also discussed graffiti that has appeared in several locations in town and suggested using artists like this to make a public graffiti wall.

MAYOR'S REPORT

Mayor Nestler reminded everyone of the Pinnacle Park survey now accepting responses. The Pinnacle Park recreational needs survey is open until October 18th. The survey can be found on our website.

COMMISSIONER'S REPORT

Commissioner Gelbaugh questioned the lack of updates for the Highway 107 project and what the Town is doing to mitigate location issues. She would like updates on the project from NCDOT. Commissioner Guiney attended a training burn with the Sylva Fire Department. He also thanked all who helped with the 3rd Sylva Pride event. Commissioner McPherson also thanked all who helped with Sylva Pride.

MANAGER'S REPORT: Manager Dowling reported the following:

- There is still a Maintenance Technician position open in Public Works.
- This contract is scheduled to come before the Board October 12th for approval. We hope to be under construction mid-November.
- I attended the Western North Carolina Managers' Association meeting Friday in Cullowhee. It was great to host the city and county managers from the western part of the state in Jackson County.
- Our audit fieldwork was completed last week.

- Jake Scott gave a project update:
 - Allen Street: Walls are complete and grading will continue. The Bryson Park wall will begin shortly. Stormwater and sewer installation will begin in the near future. The project is currently on schedule.
 - Downtown bathroom: This project is currently out for bid. A pre-bid meeting will be held on September 18th and is required for all who wish to bid. The bid opening will be October 10th and the plan is to be under contract by October 20th.
 - Bridge Park Green Infrastructure: Equinox is finalizing the bid package for Bridge Park. The bid ad will be issued September 22nd and will be opened October 26th. ARF is removing their building and facilities now. This project will begin following the pottery festival in November.

PLANNING BOARD REPORT: Manager Dowling reported that the Planning Board reviewed the lighting ordinance. The September meeting will need to be moved to October 2, 2023.

NEW BUSINESS

PROCLAMATION FOR CONSTITUTION WEEK: Mardy Ashe addressed the board and gave a history of the Constitution. She requested the Town adopt a proclamation declaring September 17-23, 2023, Constitution Week. This request is made on behalf of the local DAR chapter. *Commissioner Gelbaugh made a motion to approve the proclamation. The motion carried with a unanimous vote.*

NC GOVERNOR'S HIGHWAY SAFETY PROGRAM—LOCAL GOVERNMENT GRANT: Shannon Queen explained that the Governor's Highway Safety Grant for the current year is now accepting applications. This will be a \$30,000 grant for FY 2023-2024. The Town can apply for the grant for traffic-related expenses. For FY 2022-2023, the Town received \$25,000 from the same grant. *Commissioner Guiney made a motion to approve the NC Governor's Highway Safety Program agreement of conditions and contract for federal funding for traffic safety in the amount of \$30,000 and approve the resolution authorizing Shannon Queen to file on behalf of the Town of Sylva, the application contract. The motion carried with a unanimous vote.*

SAFE HAVEN BOX DISCUSSION: Commissioner Newman introduced Rachel Huffman, an advocate for Safe Haven Boxes. Rachel Huffman addressed the board about the possibility of installing a safe haven box in the city limits of Sylva. She explained that safe haven boxes give mothers in crisis a safe place to leave a newborn if the mother is unable to care for the child. She added that there is a need for confidential women's care in Western North Carolina. She encouraged the board to research the idea of adding a safe haven box in the city limits. This would require a town ordinance allowing the safe haven box. As of current, the State of North Carolina does not have regulations allowing such. *No action was taken.*

RESOLUTION OF INTENT: ORDINANCE AMENDMENT SECTION 36: TRAFFIC:

This Resolution of Intent is for the Board to consider amending Sec. 36-10 and 36-11 following a public hearing October 12th.

- The proposed amendment to 36-10 clarifies that persons cannot ride roller skates and coasters on roads in the section title. Skateboards are also added in case it was not clear already as a roller skate or coaster.
- The proposed amendment to 36-11 clarifies the section is for sidewalks. Motorcycles are replaced with wheeled conveyances in the title. This amendment adds that skateboards, roller skates, and wheeled conveyances cannot be used on sidewalks. In the current ordinance, bicycles are only allowed on the sidewalk on NC 107, but the proposed amendment clarifies that bicycles are allowed on the 107 sidewalk until a bike lane is erected.

After discussion, the Town Board was of the consensus to take no action.

EVENT STREET CLOSURE RESOLUTIONS:

- (A) **EVENT RESOLUTION—TREAT STREET:** A request has been made by the Main Street Sylva Association to close Main Street for the purpose of having a "Treat Street" festival for Halloween on October 31, 2023.
- (B) **EVENT RESOLUTION—WCU HOMECOMING PARADE:** A request has been made by Western Carolina University to close Main Street for the purpose of having a homecoming parade on October 27, 2023.
- (C) **PARADE RESOLUTION—VETERAN' DAY PARADE:** A request has been made by the Jackson County Veterans office to close Main Street for the purpose of having a parade on November 11, 2023

- (D) PARADE RESOLUTION—CHRISTMAS PARADE:** A request has been made by the Main Street Sylva Association to close Main Street for the purpose of having a Christmas parade on December 3, 2023.
- (E) EVENT RESOLUTION—GREENING UP THE MOUNTAINS:** A request has been made by the Main Street Sylva Association to close Main Street for the purpose of having the Greening Up the Mountains festival on April 27, 2024.
- (F) EVENT RESOLUTION—INDEPENDENCE DAY CELEBRATION:** A request has been made by the Main Street Sylva Association to close certain streets in the Downtown area for the purpose of having an Independence Day celebration on July 4, 2024.

Commissioner Newman made a motion to approve all of the event street closure resolutions. The motion carried with a unanimous vote.

RESCHEDULE SEPTEMBER PLANNING BOARD MEETING TO OCTOBER 2, 2023, 5:00 P.M.: *Commissioner Newman made a motion to reschedule the September Planning Board meeting to October 2, 2023 at 5:00 P.M. The motion carried with a unanimous vote.*

PINNACLE PARK—CONTRACT FOR INVASIVE AND EXOTIC SPECIES REMOVAL: The Pinnacle Park Foundation received 2 bids for the invasive species removal contract. The recommendation was for a contract in the amount of \$14,500 with Michael Baker International out of Asheville. The board will need to approve a budget amendment to move the amount from the non-water quality funds of the Fisher Creek fund to the maintenance line of the Fisher Creek budget. *Commissioner McPherson made a motion to approve the budget amendment to move \$14, 500 from Fisher Creek non-water quality funds to the maintenance line of the Fisher Creek budget. The motion carried with a unanimous vote.*

SCHEDULE MEET-AND-GREET: There will be a candidate meet-and-greet for the upcoming election held by Commissioners Guiney, McPherson, Newman and Waldrop on October 26, 2023, 6:00-8:00 p.m. at Innovation of Sylva. The purpose of the schedule is to announce the possibility of a quorum of the Board of Commissioners present. *Commissioner Newman made a motion to schedule the meet-and-greet. The motion carried with a unanimous vote.*

CLOSED SESSION: *Commissioner Gelbaugh made a motion to enter closed session pursuant to NCGS. 143-318-11(a)(3) to consult with the town attorney and (5) for contract purposes at 6:46 p.m. The motion carried with a unanimous vote.*

Commissioner McPherson made a motion to come out of closed session. The motion carried with a unanimous vote and the Board entered into regular session at 7:12 p.m. No action was taken during closed session.

AMEND AGENDA: *Commissioner McPherson made a motion to add an item for approval of an interim manager's contract and an item for approval of amendments to the Town Manager's contract. The motion carried with a unanimous vote.*

APPROVAL OF INTERIM MANAGER CONTRACT: *Commissioner McPherson made a motion to appropriate \$30,000 from fund balance and approve the Interim Manager's contract. The motion carried with a unanimous vote.*

APPROVAL OF AMENDMENTS TO TOWN MANAGER CONTRACT: *Commissioner McPherson made a motion to approve amendments to the Town Manager's contract. The motion carried with a unanimous vote.*

ADJOURNMENT: *Commissioner Guiney made a motion to adjourn the meeting at 7:16 p.m. The motion carried with a unanimous vote.*

David Nestler
Mayor

Amanda W. Murajda
Town Clerk