



TOWN OF SYLVA BOARD OF COMMISSIONERS REGULAR MEETING

Thursday, April 13, 2023 at 5:30 PM
Board Room, 83 Allen Street Sylva, North Carolina

AGENDA

CALL TO ORDER

APPROVAL OF AGENDA

All items listed and adopted are for discussion or possible action

APPROVAL OF CONSENT AGENDA

1. April 13, 2023 Consent Agenda

PUBLIC COMMENTS

REPORTS

2. Mayor's Report
3. Commissioner's Report
4. Manager's Report

PUBLIC HEARING

5. Ordinance Amendment--Agricultural Uses
6. Ordinance Amendment--Fee in Lieu of Sidewalks

NEW BUSINESS

7. Pinnacle Park Presentation--Botanical Survey
8. Pinnacle Park Master Plan Discussion
9. Ordinance Amendment--Agricultural Uses
10. Ordinance Amendment--Fee in Lieu of Sidewalks
11. Planning Board Appointment
12. Schedule Change--May 25, 2023 Planning Board Meeting--Change to May 18, 2023 at 5:00 p.m.

13. Schedule Change--May 25, 2023 Regular Board Meeting--Change Time to 5:30 p.m.

ADJOURNMENT

Town of Sylva
CONSENT AGENDA
April 13, 2023

1- APPROVE MINUTES: March 9, 2023, **Regular Board Meeting;** March 23, 2023, **Regular Board Meeting;** March 23, 2023, **Budget Work Session**

2- BUDGET AMENDMENTS:

#36 10-420-5700 Administration Specified Expense \$ 4,400 C
10-660-0400 Non-Departmental Municode 4,400 D

REF: To move budget to non-departmental with other Municode expenses.

#37 10-335-0200 Sale of Capital Asset \$ 4,582 C
10-335-0300 Sale of Non-Capital Asset 600 C
10-510-1700 PD Auto-Maintenance 5,182 D

REF: To appropriate capital asset/non-capitals sold into the PD Auto Maintenance.

#38 10-367-0400 Miscellaneous Grant \$ 2,431.62 C
10-560-7000 JC Municipal Grant 2,431.62 D

REF: To appropriate Jackson County Municipal Grant for 4 new kiosks into the annual budget.

#39 10-560-0900 Street Department W/C \$ 1,500.00 C
10-560-3900 Street Department Landscape 500.00 C
10-580-1700 Sanitation Department Auto Maint. 2,000.00 D

REF: To appropriate from the Street Department into the Sanitation Department for garbage truck repairs.

#40 10-450-1300 MS Concerts on the Creek \$ 1,077 C
10-450-0200 MS Wages and Salaries 1,000 D
10-450-0500 MS FICA 77 D

REF: To appropriate Main Street salary into the Main Street budget to cover additional hours required of the Main Street Director.

3- TAX RELEASE:

#3 Postmark Interest ~ James Gray ~ Account #171~2022~ \$54.73

4- REPORTS:

- 1- Business Registration Permit as of **March 2023**
- 2- Vehicle Tax Report as of **February 28, 2023**
- 3- Ad Valorem Tax Report as of **February 28, 2023**
- 4- Statement of Revenues, Expenditures, Changes in Fund Balance as of **February 28, 2023**

5- OTHER:

- **Sold 2014 Dodge Charger on GovDeals (Vin#2C3CDXAT6EH348427) (Asset#0553) for \$4,582.00.**

**Business Registration Permit Application
March 2023**

Item 1.

<u>Date Submitted</u>	<u>Business Name</u>	<u>Business Location</u>	<u>Owner</u>
3/10/2023	White Moon Coffee Shop	545 Mill Street	Jonathan Rutt
3/31/2023	WATR	569 Mill Street	Watershed Association

Tax Summary
as of February 28, 2023

(10-301-XX)	2021	2020	2019	2018	2017	2016	2015	2014	2013	2012	Total	Current Year	TOTALS
Starting Balances	47803.32	25739.87	11355.89	7814.42	6305.23	4092.75	2964.2	2037.46	3,828.52	1,333.46	113,275.12	\$2,205,268.51	10,281-0000
July	-2875.7	-482.5	-286.21	-239.4	-239.4	-239.4	-248.36	-248.36	-248.36	-248.36	-5,356.05	-5,356.05	-5,356.05
August	-1561.35	-389.12	-203.69	-155.9	-155.9	-155.9	-144.29	-144.29	-132.93	-132.93	-3,043.37	-3,043.37	-3,043.37
September	-2282.79	-1238.64	-1287.9	-896.66							-5,705.99	-178,904.25	-184,610.24
October	-754.67	-150.41	-73.27								-978.35	-252,344.84	-253,323.19
November	-506.6	-89.18	-394.56								-990.34	-330,147.84	-331,138.18
December	-3790.74	-321.13	-239.1	-265.18	-265.18	-265.18	-191.57				-5,278.08	-852,964.57	-858,242.65
January	-5458.36	-250.01	-273.02								-5,981.39	-438,281.64	-444,263.03
February	-518.28	-3299.85	-61.3								-3,879.43	-43,187.74	-47,067.17
March											0.00	0.00	0.00
April											0.00	0.00	0.00
May											0.00	0.00	0.00
June											0.00	0.00	0.00
July - June Totals	-17688.49	-6220.84	-2819.05	-1557.14	-660.48	-660.48	-584.22	-392.65	-381.29	-248.36	-31,213.00	-2,085,830.88	-2,127,043.88
Releases											0.00	-1.51	-1.51
Add to Original Levy											0.00	10,226.12	10,226.12
Under Appeal											0.00	0.00	0.00
Bankruptcy											0.00	0.00	0.00
Refund/Adj											0.00	0.00	0.00
Subtotals	-17,688.49	-6,220.84	-2,819.05	-1,557.14	-660.48	-660.48	-584.22	-392.65	-381.29	-248.36	-31,213.00	-2,085,606.27	-2,116,819.27
EOY Adjustment													
(10-110-XX) Balance	\$30,114.83	\$19,519.03	\$8,536.84	\$6,257.28	\$5,644.75	\$3,432.27	\$2,379.98	\$1,644.81	\$3,447.23	\$1,085.10	\$2,062.12	\$119,662.24	\$201,724.36
Interest	185.51	74.81	59.56	78.35	99.71	121.07	147.69	169.89	192.09	214.30	1,342.98	236.50	1,579.48
August	116.11	54.29	40.1	52.13	66.05	79.97	86.64	99.48	97.34		692.11		692.11
September	193.83	210.37	322.41	306.26							1,032.87		1,032.87
October	64.92	34.75	6.31								105.98		372.95
November	19.13	190.79	38.47								248.39		481.06
December	376.68	45.86	48.28	96.6	120.24	128.39	121.42				937.47		937.47
January	570.22	39.7	57.14								667.06		3,100.25
February	60.94	610.69	0.46								672.09		2,015.94
March											-		-
April											-		-
May											-		-
June											-		-
Interest Collected	\$1,587.34	\$1,261.26	\$572.73	\$533.34	\$286.00	\$329.43	\$355.75	\$269.37	\$289.43	\$214.30	\$5,698.95	\$4,513.18	\$10,212.13
Submitted by: Amanda Murajda, Tax Collector												Collection Rate	94.5988%

Top 10 Delinquent Accounts (2022 & prior)

Name	Balance 2/28/2023
Angela George	\$ 14,258.93
Tamara Holland	\$ 6,642.14
Joe Wilson	\$ 5,157.70
Dorothy Worley	\$ 4,537.96
Dorothy Franklin	\$ 4,214.75
East Coast Petroleum LLC	\$ 4,108.12
Ray Worley	\$ 3,844.91
Marjorie Herbert Smith	\$ 3,571.19
Indstaff Cove (Nantahala Brewing)	\$ 3,515.96
George Howell	\$ 3,346.39

JACKSON COUNTY ACTIVITY TOTALS REPORT
 ACTIVITY FROM 2/1/23 THRU 2/28/23

Tax Year 2022	Levy	Penalty	Subtotal	Charges	Interest	Subtotal	Total
SGR Sylva Gross Receipts			0.00	380.18		380.18	380.18
Totals For Year 2022			0.00	380.18		380.18	380.18

Tax Year 2013	Levy	Penalty	Subtotal	Charges	Interest	Subtotal	Total
S01 TOWN OF SYLVA	2.88		2.88		2.61	2.61	5.49
Totals For Year 2013	2.88		2.88		2.61	2.61	5.49

Grand Totals	Levy	Penalty	Subtotal	Charges	Interest	Subtotal	Total
	2.88		2.88	380.18	2.61	382.79	385.67

General Fund
Statement of Revenues, Expenditures, and Changes in Fund Balances
2/28/2023

	General Fund				2022-2023 Budget Balance	Actual to Budget Percent	Statement Period	Variance
	2022-2023	Previously	2022-2023	Current				
	Budgeted	Reported	YTD Actual	Month				
Revenues:								
Ad valorem taxes	\$ 2,257,082	\$ 2,145,436.09	\$ 2,207,109.46	\$ 61,673.37	\$ 49,972.54	97.79%	66.67%	31.12%
Other taxes and licenses	\$ 6,000	5,355.00	5,535.00	\$ 180.00	\$ 465.00	92.25%	66.67%	25.58%
Unrestricted intergovernmental	\$ 2,842,708	1,556,611.08	1,743,258.77	\$ 186,647.69	\$ 1,099,449.23	61.32%	66.67%	-5.34% *
Permits and Fees	\$ 21,291	11,630.33	12,493.64	\$ 863.31	\$ 8,797.36	58.68%	66.67%	-7.99% *
Restricted intergovernmental	\$ 216,205	149,091.82	151,526.62	\$ 2,434.80	\$ 64,678.38	70.08%	66.67%	3.42%
Investment earnings	\$ 23,192	82,981.62	103,237.18	\$ 18,694.04	\$ (80,045.18)	445.14%	66.67%	378.47%
Other revenues	\$ 28,110	24,595.77	34,525.77	\$ 9,930.00	\$ (6,415.77)	122.82%	66.67%	56.16%
Total revenues	\$ 5,394,588	3,975,701.71	4,257,686.44	280,423.21	\$ 1,136,901.56	78.93%	66.67%	12.26%
Expenditures:								
General Government	\$ 944,337	420,552.04	518,756.39	45,798.67	425,580.61	54.93%	66.67%	11.73%
Salaries & Benefits	\$ 368,560	182,647.82	238,924.69	27,975.62				
Capital outlay	\$ -	-	-	-				
All other expenditures	\$ 575,777	237,904.22	279,831.70	17,823.05				
Public Safety	\$ 3,333,432	1,469,452.75	1,907,972.20	244,055.49	1,425,459.80	57.24%	66.67%	9.43%
Salaries & Benefits	\$ 1,885,251	739,744.89	997,520.94	124,277.21				
Capital outlay	\$ 208,635	84,385.00	113,894.78	29,509.78				
All other expenditures	\$ 1,239,546	28,773.70	28,773.70	90,268.50				
Culture and Recreation	\$ 114,899	31,084.96	38,682.18	6,449.68	76,216.82	33.67%	66.67%	33.00%
Salaries & Benefits	\$ 31,400	9,543.48	12,645.55	1,494.97				
Capital outlay	\$ 10,000	-	-	-				
All other expenditures	\$ 73,499	21,541.48	26,036.63	4,954.71				
Transportation	\$ 775,123	251,110.22	361,696.69	39,148.95	413,426.31	46.66%	66.67%	20.00%
Salaries & Benefits	\$ 336,650	120,920.81	185,868.62	13,313.37				
Capital outlay	\$ 73,664	(31,538.42)	-	-				
All other expenditures	\$ 364,809	161,727.83	175,828.07	25,835.58				
Economic and Physical Development	\$ -	-	-	-	-	0.00%	0.00%	0.00%
Salaries & Benefits								
Capital outlay								
All other expenditures	\$ -	-	-	-				
Environmental Protection	\$ 201,315	92,462.05	123,951.50	13,313.37	77,363.50	61.57%	66.67%	5.10%
Salaries & Benefits	\$ 87,750	42,398.49	56,452.86	6,774.03				
Capital outlay	\$ -	-	-	-				
All other expenditures	\$ 113,565	50,063.56	67,498.64	6,539.34				
Total expenditures	\$ 5,369,106	2,264,662.02	2,951,058.96	348,766.16	2,418,047.04	54.96%	66.67%	11.70%
Revenues over expenditures	\$ 25,482	1,711,039.69	1,306,627.48	(68,342.95)	(1,281,145.48)	-23.86%		
Other financing sources (uses):								
Transfers in	\$ 903,106	892,906.50	883,106.50	-	-			
Appropriated fund balance	\$ 595,219	-	-	-	-			
Contributed Capital	\$ -	-	-	-	-			
Sale of Assets	\$ -	-	-	-	-			
Loan Proceeds	\$ 9,800	-	10,400.00	600.00	600.00			
	\$ 1,508,125	892,906.50	893,506.50	600.00	-			
Transfers to other funds:								
Contributed to fund balance	\$ -	-	-	-	-			
Transfers out	\$ 1,533,607	-	1,096,019.00	-	-			
Transfer to Capital Reserve	\$ -	-	-	-	-			
	\$ 1,533,607	-	1,096,019.00	-	-			
Total other financing sources (uses)	\$ (25,482)	892,906.50	(202,512.50)	600.00	-			
Revenues and other sources over expenditures and other uses	\$ -	2,603,946.19	1,104,114.98	(67,742.95)	(1,281,145.48)			

Analysis:
 * Timing of Revenues



TOWN OF SYLVA BOARD OF COMMISSIONERS REGULAR MEETING

Thursday, March 9, 2023 at 5:30 PM

Board Room, 83 Allen Street Sylva, North Carolina

MINUTES

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

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

ABSENT: Ben Guiney, Commissioner

CALL TO ORDER

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

STAFF PRESENT: Lynn Bryant (Finance Officer).

VISITORS: Peggy Revis, Janet Lee, Edna Waldrop, Dave Waldrop, Kendall Waldrop, Brad Waldrop, Magnolia Waldrop, Ella Ritchie and Abigail Quinn.

APPROVAL OF AGENDA

Commissioner Newman made a motion to approve the agenda. The motion carries with a unanimous vote.

APPROVAL OF CONSENT AGENDA

Commissioner Gelbaugh made a motion to approve the consent agenda. The motion carries with a unanimous vote.

SWEARING-IN CEREMONY: Amanda Murajda, Town Clerk, administered the oath of office to the newly appointed Commissioner, Brad Waldrop.

PUBLIC HEARING—ZONING MAP AMENDMENT APPLICATION: PEGGY REVIS: Mayor Nestler opened the public hearing at 5:34 p.m. John Jeleniewski, Senior Planner of Jackson County, presented the staff report to the Board.

Applicant: Peggy Revis – Property Owners

Property Location: 144 Cherry Street, Sylva NC 28779; PIN 7641-47-8063

Current Property Zoning: High Density Residential - HDR

Ordinance Section for which the Text Amendment is requested: Article 3 - Procedures - Section 3.9.B – Zoning and Map Amendments

Description of Request: The applicant is requesting a map amendment that would designate a portion of the subject property as General Business (GB).

Background: The General Business District (GB) is the largest district within Sylva’s commercially zoned jurisdiction. The GB District offers a broad range of permitted and special uses such as lodging, retail/commercial, restaurants, public/civil and recreational uses. Property improvements in this district are subject to development standards as set forth in the zoning ordinance including building setbacks, landscaping, architectural standards, sidewalk construction, parking, storm water treatment, etc.

The subject property is located on the southwest corner of Caldwell Street and Cherry Street intersection. This property is 1.60 acres in land area with an existing residential structure located near the southerly property line. Access to this property is from the public right-of-way of both Caldwell and Cherry Streets. Historically, this property has been used only as a private

residence. This particular parcel is adjacent to properties north and east that are zoned and in the GB District and is partially located in the 100-year flood plain. This property is served by Tuckasegee Water & Sewer Authority for public utilities.

Application Response: The applicant is requesting that the existing Town of Sylva Zoning Map be amended to designate a portion of the subject property (1.25 acres) to the General Business District.

Staff Findings: The requested map amendment would not constitute “spot zoning” as the properties to the north and east are zoned GB. The Town’s adopted Land Use Plan for 2040 establishes that this property will be in the future Urban neighborhood District. The encouraged land uses for this future district include: primarily residential: small lot single family, townhome residential, two-, three- or four-family units, and multifamily; civic and educational uses that support community residents, live-work units, small scale in-home businesses and small scale public open space (e.g. active pocket parks, passive open space, greenways). In addition, this requested map amendment will create an available property and opportunity in the GB District that may be needed to serve the community during/after the proposed Highway 107 improvement project.

Being no comments, Commissioner McPherson made a motion to close the hearing at 5:43 p.m. The motion carried with a unanimous vote.

PUBLIC COMMENTS

None.

MAYOR’S REPORT

Mayor Nestler reported that there would be a Pinnacle Park Board meeting on Monday, March 13, 2023.

COMMISSIONER’S REPORT

Commissioner Gelbaugh reported that demolition of the building next to her office had been completed by NCDOT and she thanked Public Works for additional traffic signage during that project. Commissioner Waldrop thanked the board for the appointment to the Board of Commissioners.

MANAGER’S REPORT: Manager Dowling reported the following:

- Budget Process: Budget planning continues for the FY 23-24 budget. The Board’s next budget work session is March 23rd immediately following the council meeting.
- March 23rd work session will also contain the discussion of the Board’s non-budget priorities.
- GUTM: Vendor spaces are completely full for Greening Up the Mountains. This is the earliest the festival has ever filled up. GUTM is Saturday, April 22, 2023, from 10:00 a.m. – 4:00 p.m.
- The Allen Street contract is anticipated to be signed by the next meeting.

PLANNING BOARD REPORT

Manager Dowling reported that the Planning Board reviewed a zoning map amendment for Peggy Revis as well as agricultural uses related to setbacks and poultry.

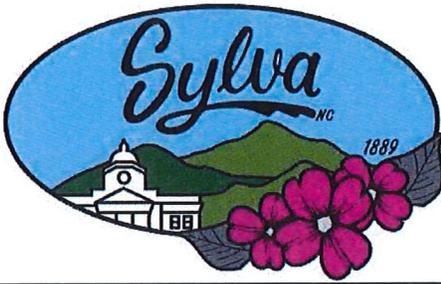
NEW BUSINESS

ZONING MAP AMENDMENT APPLICATION: PEGGY REVIS: Manager Dowling reported that the Planning Board unanimously supported the approval of the application. *Commissioner McPherson made a motion to approve the zoning map amendment from the High Density Residential district to the General Business district for a portion of the parcel PIN# 7641-47-8063 which is consistent with the Sylva 2040 Land Use Plan and adopt the statement of consistency for the application. 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)6 for the Town Manager’s evaluation at 5:49 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 6:37 p.m. No action was taken during closed session.

ADJOURNMENT: *Commissioner Waldrop made a motion to adjourn the meeting at 6:37 p.m. The motion carried with a unanimous vote.*



TOWN OF SYLVA BOARD OF COMMISSIONERS MEETING

Thursday, March 23, 2023 at 9:00 AM
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
Brad Waldrop, Commissioner

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

ABSENT:

CALL TO ORDER

Mayor Nestler called the meeting to order at 9:00 a.m.

STAFF PRESENT: Jake Scott (Public Works Director), Bernadette Peters (Main Street Director), Mike Beck (Fire Chief) and Chris Hatton (Police Chief).

VISITORS: Dave Russell.

APPROVAL OF AGENDA

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

PUBLIC COMMENTS

None.

MAYOR'S REPORT

Mayor Nestle reported that he attended Narcan training led by the Jackson County Health Department.

COMMISSIONER'S REPORT

Commissioner Guiney gave a community Covid-19 update. He also requested the Board sponsor his attendance at the Outdoor Economy conference in September at a cost of \$379. By consensus, the board will sponsor Commissioner Guiney's attendance. Commissioner McPherson thanked the Public Works department for installing the skate park.

MANAGER'S REPORT: Manager Dowling reported the following:

- GUTM planning continues.
- The Allen Street Contract is to be signed in the next week.

PUBLIC WORKS DEPARTMENT REPORT: Jake Scott reported the following:

- The skate ramp construction is almost complete.
- Scott attended the Southwest Commission hazard mitigation training.
- Assault on Blackrock with well.

POLICE DEPARTMENT REPORT: Chris Hatton reported the following:

- Planning for the next event season including Greening Up the Mountains.
- The Police Department has one vacancy.
- Continuing training for department members.

FIRE DEPARTMENT REPORT: Mike Beck reported on the following:

- Reviewed calls for service for 2023.

MAIN STREET REPORT: Bernadette Peters reported the following:

- Attended the Mainstreet Conference with Laurie Bryson.
- The Mainstreet Board retreat will be April 18-19, 2023, with Sherry Adams.
- Brew Hop is April 1, 2023.
- GUTM planning is going well.

TWSA BOARD REPORT: Mayor Nestler reported that TWSA was currently working on the FY 23-24 budget.

PINNACLE BOARD REPORT:

Mayor Nestler reported that master plan is an ongoing project.

PUBLIC HEARING—ZONING MAP AMENDMENT: TOWN OF SYLVA: Mayor Nestler opened the public hearing at 9:25 a.m. Manager Dowling explained that the Depot site used to be zoned General Business and needs to be the Downtown Business district to comply with the district requirements to construct a downtown restroom. It is recommended the portion be between Allen Street and Grindstaff Cove Rd. *Being no comments, Commissioner Gelbaugh made a motion to close the public hearing at 9:27 a.m. The motion carried with a unanimous vote.*

NEW BUSINESS

ZONING MAP AMENDMENT APPLICATION: TOWN OF SYLVA: Manager Dowling reported that the Planning Board unanimously supported the approval of the rezoning request. *Commissioner Newman made a motion to approve the rezoning request which is consistent with the Sylva 2040 Land Use plan and adopt the statement of consistency. The motion carried with a unanimous vote.*

RESOLUTION OF INTENT TO CLOSE A PORTION OF PATHFINDER LANE: A request has been received from Robert and Virginia Kinkaid to close a portion of Pathfinder Lane that adjoins their property. The resolution is to notify the intent of closure. Adjoining property owners will be notified and it will be advertised for 4 weeks. The board would vote on the closure on May 11, 2023. If approved, the road reverts to adjoining property owners. *Commissioner McPherson made a motion to approve the resolution of intent. The motion carried with a unanimous vote.*

ADJOURNMENT: *Commissioner Guiney made a motion to adjourn the meeting at 9:44 a.m. The motion carried with a unanimous vote.*

David Nestler
Mayor

Amanda W. Murajda
Town Clerk

BUDGET WORK SESSION
Town of Sylva Board of Commissioners
March 23, 2023

The Town of Sylva Board of Commissioners held a budget work session on March 23, 2023, at 9:45 a.m. hosted in the Board Room of Municipal Hall, 83 Allen Street, Sylva, N.C.

PRESENT: Mary Gelbaugh, Mayor Pro-Tem
Ben Guiney, Commissioner
Greg McPherson, Commissioner
David Nestler, Mayor
Natalie Newman, Commissioner
Brad Waldrop, Commissioner
Paige Dowling, Town Manager
Amanda Murajda, Town Clerk

ABSENT:

Mayor Nestler called the meeting to order at 9:45 a.m.

STAFF PRESENT: Lynn Bryant (Finance Officer), Chris Hatton (Police Chief) Jake Scott (Public Works Director), Bernadette Peters (Mainstreet Director) and Mike Beck (Fire Chief).

VISITORS: None.

CALLED TO ORDER: The budget work session was called to order at 9:45 a.m.

OVERVIEW OF BUDGET PROCESS: Manager Dowling gave an overview of where the budget planning for FY 2023-2024 stands.

- the budget is currently balanced with a \$0.01 cent tax increase for the full-time Mainstreet Director position
- there will be additional ABC revenue of \$160,000
- Lynn Bryant reviewed the financial report
- Dowling reviewed the effect of a one-cent tax increase on residents
- Dowling reviewed a revised capital replacement schedule to lengthen the service life

Commissioner Guiney led a discussion on non-budget priority items for what they see the town moving forward on in the future. Guiney would like the town to be more pedestrian and bicycle friendly. Commissioner McPherson would like a more convenient and fund place to live, betterments for streetlights and bridges making them more aesthetic and more delineation for crosswalks. Mayor Nestler reminded the board that these things require staff time and funding. Commissioner Newman would like to see more work sessions for the board. Commissioner Waldrop would like to see tattered and torn business awnings and broken windows addressed.

ADJOURNMENT: *Commissioner Guiney made a motion to adjourn the meeting at 11:13 a.m. The motion carried with a unanimous vote.*

David Nestler
Mayor

Amanda Murajda
Town Clerk

**An Ordinance to Amend Article 5.4.C.1 of the Town Code entitled:
Agricultural Uses.**

Article 5.4.C.1 is written as follows:

Article 5.4.C.1 – Agricultural Uses

1. Level 1

The production, principally for use or consumption of the property owner or community members, of plants, animals, or their products and for sale to others where such sales are incidental, including but not limited to the following: gardening, fruit production, beekeeping, and poultry and livestock products for household use only.

- a. The keeping of animals is subject to the requirements contained in the Code of Ordinances of the Town of Sylva: Chapter 6, Animals and Chapter 16, Health and Sanitation.

The ordinance is now after discussion and affirmative vote amended to state the following:

Article 5.4.C.1 – Agricultural Uses

1. Level 1

The production, principally for use or consumption of the property owner or community members, of plants, animals, or their products and for sale to others where such sales are incidental, including but not limited to the following: gardening, fruit production, beekeeping, and poultry and livestock products for household use only.

- a. The keeping of animals is subject to the requirements contained in the Code of Ordinances of the Town of Sylva: Chapter 6, Animals and Chapter 16, Health and Sanitation.

- b. Poultry. Poultry keeping is allowed within the Town of Sylva's jurisdiction, subject to meeting certain standards.

- (1) Poultry keeping is not allowed in the Downtown Business (DTB) district.

- (2) Poultry are permitted on lots with single-family detached dwelling units only.

- (3) Poultry must be kept in a coop and pen, or portable chicken tractors, and such coops and enclosures may not include residential structures or garages. All poultry must be contained.

- (4) A minimum setback of fifteen (15) feet is required from all property lines or not within fifty (50) feet of an adjoining property's residential unit. The coop and pen must be closer to the chicken owner's primary residential unit than the neighboring residential unit. The coop must follow standards for accessory use structures.

- (5) Where the minimum lot size meets or exceeds seven thousand (7,000) square feet and is no more than one (1) acre in size up to ten (10) hens are allowed. Where the lot size is greater than one (1) acre, no more than twenty (20) hens are allowed.

- (6) One (1) rooster is allowed for every ten (10) hens.

This ordinance shall be in full force and effect upon its adoption on April 13, 2023.

David Nestler, Mayor

Attest:

Approved as to form:

Amanda W. Murajda, Town Clerk

Eric Ridenour, Town Attorney

**An Ordinance to Amend Article 4.3.B.9 of the Town Code entitled:
Flexibility Specific to Commercial Corridor Overlay (CCO).**

Article 4.3.B.9 is written as follows:

- a. Landscaping
- b. Parking

The ordinance is now after discussion and affirmative vote amended to state the following:

Article 4.3.B.9 is written as follows:

- a. Landscaping
- b. Parking
- c. Fee-in-Lieu of Sidewalks

This section applies to properties impacted by the NC 107/R-5600 project.

(1) Streetscape Improvements.

The location and dimensions of any sidewalks, curb and gutters to be installed along public street frontages, and other required street improvements within this ordinance, or on any other relevant transportation plan prepared by the NCDOT, Town, County, or Regional or State Organization. The required right-of-way (see section 5.k.(4)) shall be shown on the plan at the width specified in this ordinance. Where public rights-of-way are not defined, the property owner shall provide a 10' wide public pedestrian easement along the frontage of any public roadway allowing for the future construction of public sidewalks or pathways.

Where construction of sidewalks would be inconsistent or unreasonable based on surrounding conditions or pending NCDOT, Town, County, Regional or State Organization projects, the applicant has the option to make a payment in lieu of constructing the required sidewalks. The payment shall be 100% of the licensed engineer's current estimated cost to construct the sidewalk. Such funds shall be used at the discretion of the Town within a priority sidewalk area, or priority greenway corridor as identified by the Town of Sylva Pedestrian Plan. The Town Manager, upon review and receiving guidance from the Town Zoning Administrator, shall render the final decision.

(2) Pedestrian Zone and Requirement to Construct Sidewalks.

Sidewalks shall be constructed along the full length of a parcel along thoroughfares, one side of access streets, and both sides of internal streets throughout the development. If appropriate to the design, greenway paths may be substituted for sidewalks in residential areas to provide connections. The sidewalk shall be a minimum of five (5) feet in width. Where institutional and public uses have an increased setback, a sidewalk, per the Town of Sylva Zoning and Subdivision Ordinance, pages 7-8, Development Standards, shall connect the building façade entrance with the street. The sidewalk may be as wide as the entire pedestrian area.

Where construction of sidewalks would be inconsistent or unreasonable based on surrounding conditions or pending NCDOT, Town, County, Regional or State Organization construction projects, the applicant has the option to make a payment in lieu of constructing the required sidewalks. The payment shall be 100% of the licensed engineer's current estimated cost to construct the sidewalk. Such funds shall be used at the discretion of the Town within a priority sidewalk area, or priority greenway corridor as identified by the Town of Sylva Pedestrian Plan. The Town Manager, upon review and receiving guidance from the Town Zoning

Administrator, shall render the final decision. Pursuant to the Town's development standards for sidewalk construction, site development shall not commence until plans are approved, appropriate permits are issued and all fees for permits or a certified cashier's check for the fees in lieu have been collected by the Town or agency with jurisdiction. No variances shall be permitted for the NC 107/Business 23 corridors.

This ordinance shall be in full force and effect upon its adoption on April 13, 2023.

David Nestler, Mayor

Attest:

Approved as to form:

Amanda W. Murajda, Town Clerk

Eric Ridenour, Town Attorney

Town of Sylva



APPLICATION FOR CONSIDERATION OF APPOINTMENT TO TOWN OF SYLVA BOARDS OR COMMISSIONS

Applicants are strongly urged to attend several meetings of a board prior to applying and/or appointment to a board.

NAME Stephen Phillips DATE 1/13/22

ADDRESS 292 Cowan St. Sylva, NC 28779

EMAIL cubanm1@gmail.com

HOME PHONE 813-777-4118 WORK PHONE _____

EMPLOYER Integrated Supply Network OCCUPATION eCommerce Brand Manager

EMPLOYER'S ADDRESS 2727 Interstate Dr. Lakeland, FL 33805

DO YOU LIVE WITHIN THE MUNICIPAL LIMITS OF SYLVA? yes

DO YOU LIVE WITHIN THE EXTRA TERRITORIAL ZONING DISTRICT? NO

NAME OF BOARD OR COMMISSION FOR WHICH YOU ARE APPLYING TO SERVE ON:
Planning Board

PLEASE LIST ANY SPECIAL SKILLS, INTEREST OR QUALIFICATIONS WHICH YOU FEEL WOULD BE AN ASSET TO SAID BOARD OR COMMISSION:

In college at the University of Central Florida I studied urban & regional planning as a minor to my Public Administration degree received.

WHY DO YOU WISH TO SERVE ON SAID BOARD OR COMMISSION?

I have always wanted to apply what I've learned & my desire to serve the community to town planning.

**PLEASE RETURN THIS APPLICATION TO TOWN HALL
83 ALLEN STREET, SYLVA, NC 28779**



**APPLICATION FOR CONSIDERATION OF APPOINTMENT TO
TOWN OF SYLVA BOARDS OR COMMISSIONS**

**Applicants are strongly urged to attend several meetings of a board prior to applying
and/or appointment to a board.**

NAME Lawrence E. Tyson

DATE 4/10/23

ADDRESS 638 Ridgeway Street, Sylva, NC 28779

EMAIL Itsylvanc@gmail.com

HOME PHONE 205 706 3231

WORK PHONE _____

EMPLOYER Retired.

OCCUPATION University Professor, Retired.

EMPLOYER'S ADDRESS _____

DO YOU LIVE WITHIN THE MUNICIPAL LIMITS OF SYLVA? Yes.

DO YOU LIVE WITHIN THE EXTRA TERRITORIAL ZONING DISTRICT? No.

NAME OF BOARD OR COMMISSION FOR WHICH YOU ARE APPLYING TO SERVE ON:
Sylva Planning Board.

PLEASE LIST ANY SPECIAL SKILLS, INTEREST OR QUALIFICATIONS WHICH YOU FEEL
WOULD BE AN ASSET TO SAID BOARD OR COMMISSION:

Homeowner in Sylva for 40 years.

Have seen the growth in Sylva and wish to aid in helping that growth benefit the residents of Sylva.

Have served in various leadership positions prior to retirement.

Have doctorate in Counseling – strong communication, collaboration, decision making skills.

WHY DO YOU WISH TO SERVE ON SAID BOARD OR COMMISSION?

Would welcome the opportunity to participate with local decision makers who listen to identified
needs from the public, weigh options, and make decisions/recommendations to further the quality of
life in our community.

**PLEASE RETURN THIS APPLICATION TO TOWN HALL
83 ALLEN STREET, SYLVA, NC 28779**