

REGULAR BOARD MEETING
Town of Sylva Board of Commissioners
March 19, 2009

The Town of Sylva Board of Commissioners held their regularly scheduled meeting on March 19, 2009 at 9:15 a.m. in the Board Room of Municipal Hall, 83 Allen Street, Sylva, N.C.

MEMBERS PRESENT: Mayor Brenda Oliver and Commissioners Sarah Graham, Harold Hensley, Ray Lewis, Maurice Moody and Stacy Knotts

MEMBERS ABSENT: None

STAFF PRESENT: Brandi King (Town Clerk), Eric Ridenour (Town Attorney), Jeff Jamison (Police Chief), Dan Schaeffer (Public Works Director) and Chris Carter (Interim Town Manager)

VISITORS PRESENT: Mona Seago, Sheryl Rudd, James Jackson, Justin Goble, Richard Powell, Orville Coward, Betty Coward, Julie Sylvester and Eric Moore

CALLED TO ORDER: Mayor Brenda Oliver called the meeting to order at 9:15 a.m.

APPROVAL OF AGENDA: Mayor Oliver requested that the National League of Cities Prescription Card Program be added to the agenda. *Commissioner Knotts made a motion to add the item to the agenda. The motion carries with a unanimous vote. Commissioner Moody made a motion to approve the agenda as amended. The motion carries with a unanimous vote.*

PUBLIC COMMENTS: None

MAYOR'S REPORT: Mayor Oliver reported she attended a conference in Washington DC. Topics discussed included green building, saving energy in homes and helping families in need.

Oliver also reported the National League of Cities has a Prescription Card Program that will save citizens 20% of prescription drugs.

COMMISSIONER'S REPORT: None

MANAGER'S REPORT: None

PUBLIC WORKS REPORT: Schaeffer reported the crews are working on the Bridge Park and the Parking Lot and Water Breaks at Pinnacle Park. Schaeffer has also received all but one of the rights of entry for the Dillsboro Sidewalk Project.

POLICE DEPARTMENT REPORT: Jamison reported on statistics for the previous month. Jamison also stated a patrol car was totaled in a collision.

PLANNING BOARD REPORT: Carter reported the Planning Board is continuing work on the Subdivision Ordinance.

Richard Powell, Land Compliance Officer, from Jackson County stated he needs the Board to increase the height limitation in industrial areas to accommodate the expansion of Jackson Paper Manufacturing. The current height limitation is 50 feet. The Planning Board will discuss the height limitations at their next meeting and make a recommendation to the Board.

DSA REPORT: Sylvester reported that DSA is still planning the Greening Up the Mountains Celebration. The same number of vendors will be participating as last year. The WCU Event Planning Class is will be doing the 5K run. There will be a Library Presentation at LuLu's restaurant on April 1st. The Downtown Taste of Sylva will be held June 13th.

PUBLIC HEARING: ZONING ORDINANCE TEXT AMENDMENT FOR B-2 AND B-3 BUSINESS DISTRICTS: The Public Hearing was called to order at 9:32 a.m. There was no public input. The Public Hearing was adjourned at 9:33 a.m.

PUBLIC HEARING: CONDITIONAL USE PERMIT APPLICATION FROM JAMES JACKSON FOR MAPLE STREET PROPERTY: The Public Hearing was called to order at 9:35 a.m. Orville Coward questioned whether there would be adequate stormwater drainage from the property and the structural integrity of the house that Mr. Jackson is moving onto the property. Coward also questioned if both houses would become rental units. Mona Seago stated that the property is not large enough for the house. Seago also stated Mr. Jackson has several rental properties and they do not need any other in the area. Jackson stated that he will be living in the house and does not intend to rent it out. Jackson will do the least amount of excavation and cut the least amount of trees he can. Jackson intends to do whatever the County requires him to do for the drainage issues. The Public Hearing was adjourned at 10:26 a.m.

ZONING ORDINANCE AMENDMENT FOR B-2 AND B-3 BUSINESS DISTRICTS: *Commissioner Knotts made a motion to amend the ordinance incorporating B1 uses within the B2 and B3 Business Districts. The motion carries with a unanimous vote.*

CONDITIONAL USE PERMIT APPLICATION FROM JAMES JACKSON FOR MAPLE STREET PROPERTY: Mr. Jackson is requesting a conditional use permit be granted to allow a rental apartment in addition to the location of a primary residential structure for a lot he owns at 135 Maple Street. *Commissioner Graham made a motion to grant the Conditional Use Permit to James Jackson for the Maple Street Property with the conditions that Jackson has the renovation complete and the certificate of occupancy within 12 months of the date of issuance of the building permit and the primary residential structure be owner occupied. The motion carries with a unanimous vote.*

James Jackson publically agreed to the two special conditions set by the Board.

1. Must have renovations complete and obtain a certificate of occupancy within 12 months of the date of issuance of the building permit.
2. The primary residential structure must be owner occupied.

POLICE DEPARTMENT RENOVATION GRANT APPLICATION

DISCUSSION: The U.S. Department of Agriculture has stimulus package funds available for community programs through the Rural Development Agency. They could grant up to 25% of the total cost of renovating the Police Department as long as the Town borrows at least 65% of the project costs from them. The loan would be for a 40 year term at 4.34%, there would be no penalty for paying the loan off early. The Town should file a pre-application to show interest in the grant funds. The Town would have to have a feasibility study done by a licensed architect that would cost approximately \$5,400. Carter suggests the Board commit to the location at Town Hall so they are able to apply now for the funds.

Chief Jamison stated the Town also has the possibility of moving the Police Department to the old library building on Main Street. Jamison stated there will be parking issues if the Department is moved to Town Hall. The Library will be moving to their new site by 2010, so the Police Department would be able to move in 2010 also. Carter stated in order to be able to access grant funds the Town would have to have site control of the property.

Commissioner Graham stated they need a more concrete agreement from the County to use the old library building.

Chief Jamison will talk with the County and come back to the Board on April 2nd with his findings.

PUBLIC NUISANCE ORDINANCE DISCUSSION: Town Attorney Eric Ridenour stated the Board should not change the ordinance now since they do not have anyone on staff to deal with zoning and nuisance issues. Ridenour suggests that the Town Manager send out letters for public nuisances and he will follow up if they are corrected.

Commissioner Knotts stated their ordinance needs more structure.

Commissioner Hensley made a motion to leave the ordinance as it is now and work on enforcing the current ordinance more aggressively and evaluate their progress at a later date. The motion carries with a unanimous vote.

NLC PRESCRIPTION CARD PROGRAM: The National League of Cities is sponsoring a Prescription Card Program that would provide a 20% group discount for the citizens of Sylva. *Commissioner Knotts made a motion to apply for the program. The motion carries with a unanimous vote.*

CLOSED SESSION: *Commissioner Moody made a motion to go into closed session pursuant to G.S. 143-318.11 (a) (6) regarding personnel. The motion carries with a unanimous vote and the Board entered into closed session at 11:33 a.m.*

Commissioner Moody made a motion to come out of closed session. The motion carries and the Board returned to regular session at 12:52 p.m.

RECESS: *Commissioner Knotts made a motion to recess the meeting. The meeting was recessed at 12:54 p.m. and will reconvene at 8:00 a.m. on March 20, 2009.*

Brenda A. Oliver
Mayor

Brandi H. King
Town Clerk