City of Saluda

Regular Meeting Minutes

Board of Commissioners

Date	9/14/2020
Time	07:00 PM
Location	

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1 - Call to Order

Mayor Baisden called the meeting to order at 7:00pm.

Mayor Baisden read a notification that the meeting was a video broadcast with closed captioning to the public using a weblink.

2 - Invocation

A moment of silence was observed.

3 - Pledge of Allegiance

A pledge of allegiance was recited.

4 - Roll Call

Attendance was taken, and those present were **Mayor Fred Baisden, Commissioner Stan Walker, Commissioner Mark Oxtoby, Commissioner Paul Marion, Commissioner Bob Ross, City Attorney Jana Berg, City Manager Jon Cannon, Finance Officer Julie Osteen, Zoning Officer Steve Orr, Police Chief Charles Conner and City Clerk Tola Mueller.**

Mayor addressed the public by thanking them. Then, he explained that there will be no discussion regarding zoning and that a Public Hearing will be scheduled for a later date.

5 - Agenda Additions and Deletions

City Manager Jon Cannon requested the following changes to the agenda:

Additions

1. Jennifer Shand Street Light Question (#18)
2. Closed Session - To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract. (#22)
3. Halloween Stroll (#19)
4. AIA Grant Application (#21)
5. Coates Street Acceptance Discussion - After Closed Session (#24)

6. Zoning Map Amendment Public Hearing Request ($20)

Deletions
1. Concerts in the Park
2. SDF Report

Modifications
1. Friendship Lane Street Acceptance Discussion - moved to after Closed Session (#23)
2. Commissioner Marion requested to discuss a TDA Board Appointment (Item# 13).

Commissioner Oxtoby made a motion to approve the agenda modifications as proposed. Commissioner Ross seconded, and all were in favor.

6 - Approval or Correction of Minutes

- 08-10-2020 BOC Regular Meeting

Commissioner Ross made a motion to approve the minutes as presented. Commissioner Oxtoby seconded, and all were in favor.

7 - Consent Agenda

1. McCreery Park Donation Acceptance.
2. Acceptance of Interlocal Agreement with Polk County for the CARES ACT Fund application.
3. Acceptance of the City of Saluda CARES ACT Plan and authorization to submit to Polk County.
4. Police Department Donation $10
5. Police Department Donation $50
6. Transportation Donation $1,000

Commissioner Oxtoby made a motion to approve the Consent Agenda items. Commissioner Walker seconded, and all were in favor.

8 - Public Comment

Resident Jonathan Gach wanted to introduce himself to the Board. He expressed his interest in the Planning Board (Board of Adjustments) vacancy and that he would like to see Saluda in a healthy way.

City Clerk, Tola Mueller, read into the minutes submitted public comments:

Dear Commissioner,

Pat and I as long time (family over 100 years) Saluda friends, admirers, and home owners, urge the commission not to ignore the previous protections that were put in place to maintain Saluda's historic and aesthetic character. Once that kind of development (mini-golf) is allowed there will be no end to what can be added.

If that kind of development is going to occur it should be out on Ozone Drive where it will not affect Saluda's historic downtown.

Please PROTECT Saluda's historic character!

Sincerely,

Ralph and Pat Owings
495 Chisholm Street

Good evening!
Melanie Talbot here and I would like to voice my opinion on the proposed mini golf that would impact Coates St. I own 2 homes on Coates St. I have presently sold the house I live in outside of Saluda. I will be moving back to Coates St In 3 weeks. This is a quiet neighborhood and porch sitting community. I feel the proposed plan will reduce my quality of life by playing continuous music and other such noises that go along with a putt putt course. Not to mention the light pollution it will create. My family owned and operated Jungle Caverns Miniature golf in Myrtle Beach for years. I know all about the negative impact such a course would bring. I feel this is better suited away from residential homes and not sure why you would even consider this possibility. Visitors arrive into town and see the junk up on the hill at the end of Main St? Exaggerated Large statues that have absolutely no character to Saluda. We are a historic town with charm and character and this certainly threatens what we have created in this small town. Thank you for considering voting this down for my quality of life along with my neighbors and fellow Saludians.
-Melanie Talbot
133 Coates Street

We strongly oppose anything as touristy as a miniature golf course being built and operated in Saluda's historic district. There is no better way to describe that than "touristy". Quaint, old timey Saluda must not start down the path of becoming a miniature Gatlinburg. Once we allow one tourist attraction into the historic district the precedent will be set and more will follow.

Bruce and Sarah Jayne
545 Glen Echo Circle

Commissioners, though I am actually a fan of Putt-Putt golf and really enjoyed it when I was younger, and would now as well, it does NOT seem appropriate to change the historic nature of the Town of Saluda by placing such a family activity within the historic district. There are other options for this type of venue. Please do not renege on the commitment enshrined in the covenant made by the City to preserve the town in the fashion it has enjoyed and, now, prospers quite sufficiently from.
thank you,
frank mcnutt

While we I'm sure my grandkids would enjoy playing miniature golf once a year when they visit Saluda, that doesn't seem to justify impacting the historic designation of our town.

Toni Garcia

To Whom May Concern:

While not living in the city limits, I still want to offer my opinion on the proposed mini golf site in Saluda. I recognize the dynamic between preservation and development of an area and understand there is a cost and benefit to each on any proposal. In this case, I believe a mini golf course near a residential area is ill advised and I would recommend against it. I would simply ask, "Would you like this next to or near your house?".

A more appropriate setting would be in a commercial area, perhaps along Ozone Drive.

Best Regards,

Jim Beyer

I feel strongly compelled to address the issue of the proposed mini golf course in Saluda. Yes, this would be a financial benefit to the city; and yes, it would be a fun recreation for families. But a historical mini golf course? Really? Also, the proposed site has homes nearby - this is a residential area. It would be highly disrespectful to those folks who in good faith have moved to Saluda for small town atmosphere, which does not include music, lights and traffic for 12 hours a day, nine months a year. Which of you would want this next to your home? Surely there is a better area for a loud, bright, mini golf course.

Respectfully submitted
Kathy Beyer

Commissioner Ross vocalized his support for change in Saluda. He asked that those who have attended the meeting from the public for the purpose of discussing zoning, to consider that this town is not what it was. The City used to have service stations with garage, pool halls, shuffle boards etc. He stated that he was uncertain as to why private property owners should be prevented from building a putt-putt course. He apologized if his remarks offended anyone.

Next, Ms. Mueller, read into the minutes another public comment regarding Concerts at the Park:

Here are our objections to tonight's agenda item #21: Concerts in the Park...

1. Groups over 25 are not allowed according to Governor Cooper's current phase 2 reopening, which has been extended to at least September 11.

2. Covid 19 cases are increasing throughout NC and in Polk County.

3. People are not socially distanced or wearing masks downtown. And no one is enforcing the state mandate to wear masks in public.

4. Most importantly, using $3,500.00 of unused Coon Dog Day funds is not responsible. The town is already cutting budgets. How could you even think of using our tax money for entertainment in the park during a pandemic when we don't want people to congregate? We are strongly opposed to using these funds.

5. Encouraging people to gather irresponsibly makes no sense. Is it the town's policy to ignore our governor's orders?

6. I have been informed that the Saluda Business Association is not for having these concerts.

What is the benefit of these concerts to our businesses and the community?

Sincerely,

Peter Eisenbrown and Beth Brand
128 Homewood Drive
Saluda, NC 28773
828-290-4316

Commissioner Walker asked if Mr. Eisenbrown was present at the meeting. Mr. Eisenbrown was not. Commissioner Walker stated that at the last meeting, the concerts at the park was already discussed and he had made a comment that the City needed to reconsider the events seriously due to budget cuts. He said that it would behoove people to attend meetings before making a comment.

9 - Budget and Financial Report

Finance Officer Julie Osteen read highlights for the financial report ending August 31, 2020:

General Fund (Revenue)

- Ad Valorem Taxes-Current Year-$368,113 (plus, $114,000 that was received in September)
- Miscellaneous-Contributions-$14,294 ($13,028 towards the Ella Grace stage cover; $1,000 general donation and $200 toward the K. Taylor memorial)
- Total Revenue-$396,999

General Fund (Expenditures)

Administration

- Total Administration-$88,886 (Annual insurance and workers compensation premiums paid in July for the entire year. Check was made out to the League of Municipalities for $33,000 for General Liability and Workers Compensation paid during June for all departments. There was nothing of significance for Administration outside of annual subscription costs for accounting programs and AutoCAD.)

Public Safety

- Total Public Safety-$73,856 (two months of the fire contract with new rates have been paid)

Transportation

- Total Transportation-$11,529 (includes mowing, purchase of street signs, street survey work for Friendship Lane, tree removal of $2,000 and work on Main Street)

Environmental Protection

- Solid Waste-$19,007 (two months of contracted services with GFL has been paid)

Cultural & Recreation

- Total Library-$5,940 (insurance premiums, monthly utilities and annual elevator inspection)
- Total Parks-$2,461 ($2,267 represents expenses for Pace Park-$1,991 for bathroom slab plumbing parts, and the balance in maintenance at Pace Park)
- Total Cultural & Recreation-$9,472

Powell

- Powell Fund-$350 (Powell Bill Certified Map is only expenditure)
- Anticipated Surplus-$187,743

Water and Sewer Fund (Revenue)

- Total Water and Sewer Revenue-$164,011

Water and Sewer Fund (Expenditures)

- Water Purchases-$25,526 ($2,000 above budget-due to numerous leaks and maintaining tank pressure)
- Maintenance-$23,947
- Anticipated Surplus-$57,331

Water and Sewer Capital Project

- Currently waiting on final review and submission of reports to USDA by the Engineer to remit the Retainage Payable fees due.
- Total Expenses is $2,115,249 of the $2,167,000

Tourism Development

- Total Revenues-$6,218

Ms. Osteen presented two (2) budget amendments:

Police
$60 was proposed to be adjusted from Police Revenues (Citations) to Operational Supplies-Police to adjust the budget for donations made to Police Department expenditures.

Cultural and Recreation
It was proposed to increase the budget by $725 for Landscaping donations received and accepted for McCreery Park in memory of K. Taylor in current fiscal year and prior year. $525 from Funds Appropriated and $200 from McCreery Park Income.

The full report can be read at City Hall.

Commissioner Oxtoby made a motion to approve the budget amendments as presented. Commissioner Marion seconded, and all were in favor.

10 - Public Safety Report

Police Chief Charles Conner reported that the Police Department responded to a call at Autumn Care for an Involuntary Commitment (IVC). Officer Jackson Price responded to the call and was then made aware that the individual for committal was a COVID-19 positive person. There was no protocol in place to handle such a case. Chief Conner stated that he had to quarantine Officer Price due to the exposure. This incident resulted in several meetings over the next few weeks with county personnel to discuss protocol.

Next, Chief Conner addressed the rash of break-ins of Saluda. He clarified that the break-ins have not occurred in the City but, in the surrounding areas. The City has had no reported incidences for break-ins in 6 months.

Then, he anticipates bringing three (3) new policies to the Board for approval next month. Finally, the Police Department had to send a report in that dated back a year due to an IT system upgrade.

Commissioner Marion asked Chief Conner to explain how much time and energy it took to comply with a State request; all while an officer was also in quarantine and still being one officer down. Chief Conner replied that the request took several weeks to complete.

Police Chief Charles Conner presented the August Police Department Report. There were 3 arrests; 1 for OFA and 1 for DWI. Citations included State-10, City-5 and Warnings-10. They assisted Polk County Police Department, Columbus Police Department, Highway Patrol and the Fire Department. The full report can be read at City Hall.

11 - Zoning and Planning Department Report

Zoning Officer Steve Orr stated that the Planning Board will be having a regularly scheduled meeting this Thursday. Polk County GIS director will be a guest and someone from the Register of Deeds will be present to answer questions regarding the recording process.

He further reported that the Planning Board is still working on Greenville Street (Mixed Use District) and looking for ideas. The Planning Board will make recommendations expected in November.

Finally, the Planning Board will be working on the 160D State mandated revisions that will be recommended for Board approval.

Commissioner Marion exited at 7:37pm.

12 - Administration Department Report

City Manager Jon Cannon stated that the long-awaited SCADA system has been installed so, now pumps can be controlled. Since this was the last component, the engineer can now provide as-built drawings and close out the project.

Then, Mr. Cannon provided a summary of prior water and sewer upgrades that indicates that no major upgrade has transpired in 60 years and that most components are 100 years old.

Commissioner Marion returned at 7:40pm.

13 - TDA Board Appointment

Commissioner Marion requested that the Board consider appointing a new Tourism Development Authority (TDA) member. Members must own a short-term rental and live within the City limits. Former member, Gail Slaughter, has sold her property and her opening needs to be filled. Commissioner Marion proposed Walter Hoover, who qualifies and even attended a recent meeting.

Commissioner Marion made a motion to appoint Walter Hoover to the Tourism and Development Authority. Commissioner Walker seconded, and all were in favor.

14 - Zoning Board of Adjustment Appointment

Mayor Baisden presented 3 applications for the single opening on the Zoning Board of Adjustments:

Jonathan Gach
John Morgan
Rachel Militana

Commissioner Walker commented that he has spoken to all three (3), and felt that all candidates could do the job. He added that Ms. Militana has a law degree and since the BOA is a quasi-legal group, **Commissioner Walker made a motion to appoint Rachel Militana to the Zoning Board of Adjustments. Commissioner Ross seconded, and all were in favor.**

Commissioner Ross commended Mr. Morgan for his contribution to the City and for Mr. Gach's enthusiasm. But he could not overlook the free services of an attorney.

Mr. Gach commented that he was happy to contribute to anywhere the City sees fit.

15 - Bank Authorization Resolution

Finance Officer Julie Osteen said that since Entegra Bank was purchased by First Citizens Bank and even though everything rolled over automatically, City Attorney Jana Berg and Ms. Osteen felt that First Citizens should be documented officially.

Commissioner Oxtoby made a motion to adopt the CITY OF SALUDA, NORTH CAROLINA RESOLUTION AUTHORIZING FIRST CITIZENS BANK AS OFFICIAL DEPOSITORY FOR THE CITY. Commissioner Walker seconded, and all were in favor.

16 - Public Works Shop RFP

Mr. Cannon stated that the City has received two (2) construction packets for consideration to be released. Both packets are related to the Public Works shop. One bid would handle grading in preparation for the pad/slab and, the other would handle the construction of the building. There will be a release for submission date of October 2 to

determine the cost of building the Public Works shop. Mr. Cannon is hoping to come back with proposal in November with a proposal.

Discussion ensued regarding project effects on surrounding property owners, the budget and an adequate facility.

Commissioner Marion made a motion to adopt the RESOLUTION AUTHORIZING RELEASE OF A REQUEST FOR PROPOSALS (HEREIN RFP) FOR PUBLIC WORKS SHOP GRADING PROJECT. Commissioner Ross seconded, and all were in favor.

17 - Public Hearing Request - Amendment to Permitted Uses in C-H District - Application for Commercial Recreational Facility as Permitted Use in C-H District - Addition

Zoning Officer Steve Orr reported that the Planning Board has provided a recommendation to amend the City of Saluda's Zoning Ordinance to allow for outdoor recreational activities on properties in both the CH and C-1 districts. A revised definition for outdoor recreational activities was also presented. The next step in the process will be to schedule a public hearing.

Commissioner Ross made a motion to adopt the RESOLUTION FIXING DATE OF PUBLIC HEARING ON ZONING ORDINANCE AMENDMENTS for Tuesday, October 13, 2020 at 7:00pm in the upstairs meeting room of the Saluda Public Library. Commissioner Walker seconded, and all were in favor.

18 - Jennifer Shand Street Light Discussion

Mr. Cannon stated that he has received a letter from Jennifer Shand on Chisholm Street in which she has requested to turn her street light back on. She has offered to pay the full cost, would like to make a donation up-front and for the City to request on her behalf that it be turned on. The latter due to the utility pole not being on her property and instead across the street. Duke Energy is the one who recommended this method to Ms. Shand.

Commissioner Marion asked if the street lights were removed or turned off. Mr. Cannon replied that some lights were turned off and some were removed. The LED lights were left in place.

Commissioner Marion remarked that he liked the idea.

Discussion ensued regarding how the process would work regarding billing and oversight.

Mr. Cannon said that if the Board agrees with this idea, the staff can create resolutions, documents etc. and how to proceed with further requests until the City is able to pay for it.

The Board conceded to the concept and directed City Staff to prepare documents for the next meeting.

19 - Halloween Stroll

Mr. Cannon stated that City Staff would like direction from the Board as to whether to hold the Halloween Stroll this year or not.

Mayor Baisden commented that the event is not as big as Coon Dog Day but, it does promote mass crowd gatherings.

Commissioner Ross added that he does not feel comfortable with the potential exposure for little children.

Commissioner Marion remarked that other businesses can advertise their own Halloween event.

Commissioner Ross made a motion to cancel the City Halloween Stroll for 2020. Commissioner Walker seconded, and all were in favor.

20 - Zoning Map Amendment Public Hearing Request

The City received a request for a zoning map amendment that was forwarded to the Planning Board for review. The Planning Board has since forwarded a recommendation to the Mayor and City of Saluda, NC Commissioners to zone the Parcel P13-14 in the C-2 Zoning District as it is in keeping with the current zoning in the immediate area of the parcel and consistent with the current land use plan. The next step will be to schedule a public hearing.

Commissioner Oxtoby made a motion to adopt the RESOLUTION FIXING DATE OF PUBLIC HEARING ON ZONING MAP AMENDMENT for Tuesday, October 13, 2020 at 7:00pm in the upstairs meeting room of the Saluda Public Library. Commissioner Walker seconded, and all were in favor.

21 - AIA Grant Application

Mr. Cannon stated that last year, McGill and Associates provided services to submit two (2) applications on behalf of the City for an asset inventory analysis. The City was denied at that time. McGill asked Mr. Cannon that if the City would allow them to resubmit this year if they provided the service for free. They believe that they are getting close to being approved for the grant. Mr. Cannon added that an AIA would be extremely valuable to the City to prepare for the next CIP.

Commissioner Oxtoby made a motion to accept the donation from McGill and Associates. Commissioner Walker seconded, and all were in favor.

Commissioner Ross made a motion to adopt the RESOLUTION BY GOVERNING BODY OF APPLICANT to conduct an Asset Inventory Assessment of the City's Drinking Water Distribution System project described as the development of asset inventories, condition assessment of critical assets, and other components of a comprehensive asset management program for water. Commissioner Walker seconded, and all were in favor.

Commissioner Oxtoby made a motion to adopt the RESOLUTION BY GOVERNING BODY OF APPLICANT to conduct an Asset Inventory Assessment (AIA) of the City's Sewer Distribution System project described as development of asset inventories, condition assessment of critical assets, and other components of a comprehensive asset management program for sewer. Commissioner Ross seconded, and all were in favor.

Ms. Osteen remarked that she will revise the resolutions by clarifying the exact dollar amount and present a budget amendment.

Commissioner Marion asked to provide a quick update of Visitors Center. He reported that over the past two (2) months, the TDA has collected $6,200 in taxes, portraying an uphill change. The Visitor's Center has received 3,000 visitors every weekend since they opened (60/40 percent: 60-looking for things to do, 40-looking for bathrooms and then asking questions).

Volunteer Glenn Franklin added that 1-2 visitors come through the door looking to buy or ARE buying in the Saluda area.

A member of the public asked to read an article about Saluda in the Field and Family magazine.

Commissioner Ross made a motion to enter into a closed session to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract. Commissioner Marion seconded, and all were in favor.

The Board entered a Closed Session at 8:16pm.

22 - Closed Session

23 - Friendship Lane Street Acceptance Discussion

No action will be taken or discussed.

24 - Coates Street Acceptance Discussion

Commissioner Oxtoby made a motion to direct City Attorney Jana Berg and City Manager Jon Cannon to take action in acquiring a 25 foot Right-of-Way on Coates Street to bring the street into the City's inventory. Commissioner Ross seconded, Commissioner Marion voted in favor of and Commissioner Walker was recused from voting.

25 - Adjourn

With no further items to discuss, Commissioner Ross made a motion to adjourn the meeting. Commissioner Walker seconded, and all were in favor.

The meeting adjourned at 9:13pm.

Respectfully submitted by Tola Mueller, City Clerk. Adopted this 13th day of October, 2020.

Fred Baisden, Mayor

Tola Mueller, City Clerk