

City of Saluda

Board Of Commissioners Regular Scheduled Meeting

4-10-2023 Minutes

Board of Commissioners



Date 4/10/2023
Time 07:00 PM
Location Saluda Library Chambers Room

1 - Call to Order

Mayor Morgan called the meeting to order on April 10th 2023 at 7:00pm.

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 Tangie Morgan, Commissioner Walker, Commissioner Talbot, Commissioner Marion, Commissioner Oxtoby, City Manager Steven Orr, Assistant City Manager & Finance Officer Julie Osteen, City Clerk Pam Waters, Chief Clayton Price, City Attorney Jana Berg,

5 - Agenda Additions and Deletions

None at this time

6 - Approval or Correction of Minutes

Commissioner Talbot made a motion to accept the minutes as written. Commissioner Walker seconded and all were in favor.

7 - Consent Agenda

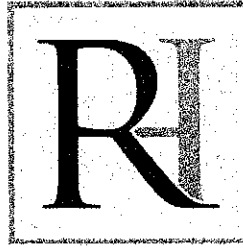
None at this time

8 - Public Comment

Beth Hilton – 600 Greenville St. Saluda
She read the letter on removing the dumpsters. See letter below.

Mailing Address:
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Physical Address:
104 South Pine Street
Summerville, SC 29483

Licensed in South Carolina
State and Federal Courts

Russell D. Hilton
Attorney at Law, LLC

April 11, 2023

City of Saluda
6 E Main St.
Saluda, NC 28773

RE: Solid Waste Ordinance – Letter Read at City Commissioner’s Meeting on 4/10/23

Dear City of Saluda,

I am here as a Saluda homeowner, more than part time resident, and patron to all local restaurants and bars to speak about the dumpsters located down the alleyway, closest to patio area of the Brew Depot. First, I'd like to thank the city for taking the rolling trash cans off Main St. I often had to dodge them on my afternoon walks. Though I never formally complained about them, I understand why they needed to be moved. I thank the city for their removal. I am aware that the new solid waste ordinance was publicly talked about and voted on over a 4-month period. I am disappointed in myself that I was unaware of these discussions. I'll certainly pay more attention going forward to the emailed agendas and be more present. I'm proud of the city for taking the initiative to come up with a new plan. However, ideas that seem well thought out and planned on paper sometimes end up not working correctly once they are put in place. This is one of those times.

Since their installation, I have personally witnessed improper use, an increase in insects and smells, children touching them, and of course the aesthetic blight that these dumpsters bring to a once serene gathering area. After I emailed all of you last week with my concerns, I met with City Manager Orr and Commissioner Marion. We had a positive meeting, discussing potential relocation of the dumpsters and overall issues with all dumpsters located in town. We also discussed ideas if they were to stay in place. I would like to thank both for their time. I'd also like to point out that I can tell the city is trying to help by telling restaurants to use certain dumpsters and by having more frequent pick-ups. This certainly shows that the city is invested in making this right and better for all. I was told in that meeting that prior to the dumpsters being delivered, everyone going to be affected by them was sent a letter and most of them were

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personally approached by the city. Unfortunately, this is not true. I've personally spoken with or have on good authority, that most folks never received a letter or a personal visit from the city. It frustrates me that at least 6 residents, 2 businesses, and 3 property owners had no idea this was coming until the dumpsters were dropped off and individual bins were taken away. From this point forward, I ask the city to please be more transparent and forthcoming by reaching out to ALL those directly affected by change. Yes, they all should have been more aware by coming to city meetings. But please don't assume everyone will know what to expect by word of mouth. Being upfront with people by reaching out creates a sense of trust and security that isn't currently in place. I think the city should strive for this trust with ALL residents and businesses.

As for the dumpsters being located within feet of the back patio of the Brew Depot, here are some concerns:

- The dumpsters are precariously hanging over the building below. As they continue to be pushed back against the flimsy metal posts holding them in place, the hill is eroding more. Though I'm sure Emily and Chamblee don't mind getting new bathrooms out the deal, I would hate to see someone get hurt and my taxes go up to cover a more expensive liability insurance premium after a terrible incident that could have been prevented.
- Sanitation is a major issue. I have already witnessed flies being more prevalent around the back patio of the pub with the dumpsters right there. I can't wait to see what the summer months bring... I have already been in touch with the health department about this. Unfortunately, their immediate answer is to start issuing warning and docking points from all area restaurants and bar grades until the city does something about it. I certainly do not think that is fair for restaurant and bar owners.
- In my meeting, it was discussed that they were placed back there "out of sight" to deter people from using them for their personal trash. Their use by non-commercial and non-immediate residents has already been witnessed on multiple occasions both late at night and early in the morning, when there is no one there to police them. Obviously, no matter where they are placed, without locks, it invites people outside of the immediate vicinity to use them.
- I have spoken to more than a half dozen employees, the ones that take out the trash for the purple onion, wakey monkey, and the brew depot. They all dislike their placement. None of them are going to speak up because I don't want to get in trouble.
- Also, large vehicles and trailers are having a hard time getting by.

I invite all of you to read THE ZONING ORDINANCE for THE CITY. Article 5, Section 5.06, 2(B). states the following about dumpsters in the historic area:

- When visible from a street, a minimum six foot or equal to the tallest element located on the refuse receptacle, tall opaque screen shall be installed around all solid waste dumpsters, refuse storage, recycling dumpsters, grease collection and trash compactors.

I've ridden around town. You are in violation of your own ordinance and the city needs to immediately build fences and gates around all of them.

As for a resolution to the issue of the dumpsters within a few feet of where I eat takeout and visit with my friends, I believe that the best and only way to resolve this is to move them. I think having the dumpsters placed on Church Street, behind the required screen with coded locks would be more beneficial and an easier location for all surrounding businesses and residents. I also believe that they would be less bothered by visitors if they were away from an area that promotes gathering and more in sight of anyone coming by. I do not believe that keeping the dumpsters where they are, even if they are behind a fence and gate, would resolve the issue. To build a fence around them you would have to pull them out farther. This would make it impossible for trash trucks, emergency vehicles, grease trucks, large delivery/work trucks, food trucks, and trailers to get down the back alley. Pulling them out farther would also pull the disgusting trash even closer to the back patio.

If you put a dumpster within 5 feet of my back door, I would be beside myself. For the other businesses around there, it's out of sight and out of mind. The current location affects only those within eye and smell shot of it. None of the surrounding businesses are going to complain because they are not as affected as the Brew Depot and their patrons.

I have here a petition that has already been signed by dozens of people and we are expecting many more signatures in the coming weeks. It is the signatures of people that are too afraid to stand up and say something. It is all encompassing including nearby businesses/residents, property owners, local residents, visitors, and patrons of Saluda, NC. I look forward to sharing this with you in a few weeks.

In closing, last week Commissioner Marion said that Saluda likes to show visitors that our town is a charming place to be. Also, I read one of the main objectives of the city ordinance plan is to preserve the historic character of the Main Street business district. I do not believe huge, neon, dirty, smelly, dangerous dumpsters sitting within feet of visiting patrons, while they are trying to enjoy a beer or meal while fellowshiping with family and friends of all ages, preserves the charming character Saluda wants to offer visitors. On behalf of the people that have signed and will sign this petition, I ask the city to amend the new solid waste ordinance and reconsider the placement of the dumpsters in the back alley.

Thank you for your time and consideration.

Sincerely,

s/ Beth Hilton

Beth Hilton
Owner/Resident 600 Greenville St., Saluda, NC

Ben Trumann – 26 Church St. Saluda

Went over the rest of Beth Hiltons letter as she ran out of time. Then he talked about the petition to remove the dumpsters. See petition below.

PETITION TO REMOVE DUMPSTERS

Owners of Green River Brew Depot/26 Church Street, resident of 18 Church Street, owner/resident 34 Church Street, local residents, visitors, and patrons of Saluda, NC, by their signature below, are requesting a revision to the Solid Waste Ordinance and that the dumpsters, presently located within feet of the patio area of the Green River Brew Depot, be relocated to a location that is not within feet of a gathering visitors of Saluda, NC. Not only are the dumpsters an aesthetic blight, but more importantly, they are deleterious to health, safety, and sanitation. Presently, trash is collecting around the base of the bins from failed attempts to deposit garbage. The dumpster are teetering on the edge of a cliff and hanging over the building below. Admission of liability is clear because the City has already placed flimsy metal posts to try to deter the dumpsters from falling over the edge. Trash removal trucks have a very difficult time getting down the alley to empty the dumpsters. The putrid smell of trash is already lingering in the air and will worsen with upcoming warmer months. Further, these dumpsters will facilitate food and garbage rot, attract rodents, other vermin, and insects.

	Signature and Printed Name:	Alternate Location Ideas:	Address, Email, Phone Number:
1.	Elizabeth Hilton <i>Elizabeth Hilton</i>	behind nice gate/fence located in the last two parking spots on Church St.	600 Greenville St. Saluda, NC beth@vhiltonlaw.com 843-376-5524 (work)
2.	Brittney Barlow <i>Brittney Barlow</i>	parking spots on Church or across main st. in or in front of the parking lot.	333 Thompson rd. Saluda NC barlow.brittney@gmail.com 254-589-5031 personal cell
3.	Kristen Wade <i>Kristen Wade</i>	Parking lots/spots in lot across st. in front of police parking	121 Thompson Rd. Saluda, NC earthlymindsgallery@gmail.com
4.	Ashley Beard <i>Ashley Beard</i>	- church st, 1st 2 parking spots - main st, forward grand lot - lot across thompson st.	318 Pearson Falls Rd Saluda NC ashbeard@gmail.com 704-724-0650
5.	Vivian James Uwira James	Parking lot @ park corner of church+main	35 Parcel St Saluda studiojnc@charter.net (828) 742-2474
6.	BRANDON BAYLEY <i>Brandon Bayley</i>	somewhere not near a dropoff - dangerous	318 Pearson Falls Rd Saluda NC brandonbayley8@gmail.com
7.	Tom Swanson <i>Tom Swanson</i>	move out of the Road Directly Behind the Pub.	42 Horse Path Dr Swanson3923@gmail.com
8.	Ryan Koslak <i>Ryan Koslak</i>	SOMEWHERE ELSE	92 Gaffney Street Ryan Anthony Koslak@gmail.com
9.	Jennifer DeLoach Sena Per DeLoach Teddy Stevens	move to the corner of church+main	Send to coach@gmail.com 306 Grandview Circle 770-843-0368
10.	<i>Tom Swanson</i> Dorrie McFinnle	move to the corner of Church and Main - Move to gravel lot across the tracks	Theo Stevens 1969@gmail.com 306 Grandview Cir. 678-988-6477
11.	Dorrie McFinnle <i>Dorrie</i>	behind a nice fence, on Church St.	157 Trickle Creek Drive Saluda, NC 28773 dorrie.peppercorn@gmail.com

Please return to the Green River Brew Depot, 26 Church Street, Saluda, NC, 28773, on or before May 24, 2023. This petition must not be altered and only original signatures are permitted.

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	Signature and Printed Name:	Alternate Location Ideas:	Address, Email, Phone Number:
1.	Tyson Griswold <i>[Signature]</i>	No dumpsters at all. Construct enclosed areas and tracks for old refuse cans	MAIN ST. TRACKS ^{GARBAGE} ALWAYS AVAILABLE TOWN TAG STEEP FOR DUMPSTER
2.	Conrad Rutherford <i>[Signature]</i>	No dumpsters, paint trash cans and private business trash cans only	922 Mountain Rd Saluda NC 828-694-5545 conradalexanderw@att.net@gmail.com
3.	Jim Swartz <i>[Signature]</i>	Why? Put them where they are needed	76 Rolling near Lane Saluda NC
4.	FRANK MENDITT <i>[Signature]</i>	SEE # 2 ↑	77 ORCHARD LAKE ROAD SALUDA 28773
5.	Tosh Mcasters <i>[Signature]</i>	NO Need for Dumpsters in Historic Downtown Saluda!	711 Camp Creek
6.	JRC <i>[Signature]</i>	City easment on top of Hill	155 Seminary St Saluda, NC
7.	Regina Porter Tyrone Porter C.A. Williams <i>[Signature]</i>	NO need for Dumpsters. Find longer trash cans near fire ^{exit} before I don't know further down alley OR USE Trash Cans	PO Box 362 (828) 694-9627 Saluda, NC 28773 362 Laurel Ln 89 Bald Eagle Lane Saluda, N.C. 8286969672 ^{work responsible}
8.	<i>[Signature]</i>	OT USE Trash Cans	89 Bald Eagle Lane Saluda, NC 28773.
9.	Michael Williams <i>[Signature]</i>	Dumpster are causing alot of unnecessary problems	89 Bald Eagle Lane Saluda, NC 28773.
10.	Darrin Derapoli <i>[Signature]</i>	Raccoons, STINKS and gross sitting outside pub with it.	789 Ozone Dr. Saluda, NC 28773
11.	Russell Miller <i>[Signature]</i>	Perkins Creek	600 Greenmtn

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	Signature and Printed Name:	Alternate Location Ideas:	Address, Email, Phone Number:
1.	Savannah Johnson 	small garbage cans BIG ONES SMELL BAD	92 Buckeye Ln Columbus NC 28722 828 696 0000
2.	Prithviy Perthman Bethany Jahn 	They smell!	97 Kate lane Columbus NC 28722 828-809-1149
3.	Spencer Curtis 	Cut Down Stumps Business Area	180 Thompson Rd Saluda NC 28773 828-696-6749
4.	Jonathan Coeh Jonathan Coeh	Below grade	Greenville St.
5.	Gianna Miracle Gianna Miracle 	gazebo area.	Esseola Esseola.
6.	Amy Bondzeit 	gazebo? padding place	1200 Bear Creek Lane SALUDA + CAN THEY REUT THESE?
7.	Mary Agnew Mary Agnew 	move to corner of Church & Main	498 Meadowview Dr Saluda 28773
8.	Alex Agnew 	move to COURT	498 MEADOWVIEW DRIVE SALUDA NC 28773
9.	Paul Ruzhton 	Lot across street	218 S. Alta Vista Dr. Saluda, NC 28773
10.	Anthony Lewis 	gazebo?	348 Camp Creek Rd Saluda, NC 28773
11.	Ted Shields 	Somehow do not have to small them	169 Piedmont St. Saluda, NC 28773

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	Signature and Printed Name:	Alternate Location Ideas:	Address, Email, Phone Number:
1.	 Elizabeth Isby	Gravel Lot across the street	570C Main East in Rd Hendersonville NC 28739 Liz@by512@juno.com 631857179
2.	 Michael Pageau	Gravel Lot across the street	9th Wilton Way Ladlow SC 29356 PageauML@gmail.com
3.	 Peter Eisenbrandt		128 Home wood Dr. Saluda, NC 28773
4.	 Brenda Morris		34 Church ST 404-625-1053
5.	 SMART THOMAS		333 THOMPSON RD
6.	 Patrick Kennedy		772 Substation Road
7.	 Kenzie Conwell		Kenny.kunz@ gmail
8.	 Kent Webb		JKENTWEBB@gmail
9.	 Jeff Swiatowicz		jswiatowicz@gmail.com
10.	 John Morgan		166 Henderson St (30/38 main St) mjpaw@AOL.com 828 243 149
11.	 Samuel Woodby	Police Parking spaces on Church	140 Church St. zeke-jake@ktdma Saluda, NC 28773 749-4803

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Barbara Neale 161 East Columbia Ave. Saluda.

Spoke on the Animal control ordinance that was adopted back in 2007 that the county instituted. Barbara spoke on a few incidents where her friends were viciously approached by dogs and one had a very large dog attacked and it had to have medical treatment. Barbara has even had to change her walking route. Barbara is asking that there be something added about specific vicious dog breeds and that they must be registered includes where they live and how they are containing them. I have had two family members that have been attacked by family owned or close friend that were rescued dogs that they thought would not attack. Barabara ask that you research the ordinance that specify breeds and additional controls that can be placed. Commissioner Oxtoby asked if she had called animal control when they were approached she answered no but that when the dog was attacked and needed medical help that they had called then.

Tom Hutto 161 East Columbia Ave. Saluda

Tom spoke on the traffic at the intersection of Charles St and E. Columbia Ave. Said it is a safety concern that traffic is going faster that it should. That there needs to be a three way stop and even some speed bumps added. That he just doesn't want to see anyone get hurt.

9 - Public Hearing

City Manager Orr went over the Public Hearing for NC Park and Recreation Trust Fund Grant Application. Steven introduced Jerry Stensland we are now in the process of applying for the 200,000.00 grant and the Cities match of 50%.that you have in hand from another grant as well as city contributions we are trying to double your money. We are going for 400,000.00 upgrade a vote is required for the PARTF grant process.

10 - Department Reports

City Manager Orr

11 - Outside Resources and Funds

City Manager Orr went over the -
Carolina Foothills Foundation \$200,000.00 Grant Application for McCreery Park
Polk County Community Foundation Saluda Fund Grant Pickleball/Tennis Court Interview May 24. If we get everything that we have applied for we could potentially get 600,000.00 for McCreery Park. The Polk County Community Foundation will be sitting down with us on May 24th as we applied for 40,000.00 grant for the repair of the Tennis Court resurface and paint one for pickleball.

12 - Budget and Financial Report

Assistant City Manager & Finance Officer Julie Osteen went over the budget and Financial report for March, 2023.

April 10, 2023

Report for: March 31, 2023

General Fund:

Property Tax collections from Polk and Henderson County of \$939,079 approximately \$29,339 left to be collected.

Total Revenues are \$1,463,211.

Expenditures:

Administration:

Nothing of significance in March

Total Administrative expenditures total \$390,114 (69% of which is under budget) for nine months.

Police:

See details of R&M

Total Police expenditures is \$286,416 (67% of budget, under budget for nine months).

9 distributions have been accrued to the Saluda Fire Department for this year's Tax Levy.

Transportation:

See details:

Total transportation \$134,332 (66%, still under budget)

9 months of Garbage fees for GFL.

Cultural and Recreation:

Annual maintenance and mulch clean-up has incurred at McCreery Park in the \$16,114. Plus \$1,200 in the bathrooms due to vandalism.

Library expenses \$19,970 of which \$4,445 is the inspection fee for the library elevator and fire inspections of \$230 and new lighting and electrical work of \$1,922.

Pace Park bathroom additional installation costs \$12,787 which included vandalism repairs of \$800.

Total Cultural and Recreation \$60,360 (69%, below budget).

Debt Service:

9 month's payments have been made to First Citizens Bank on City Hall.

Total anticipated profit thru March 31 is \$301,279.

Water Fund:

Total revenues received through March are \$527,530.

Water purchases thru March total \$176,351 With the leaks found, water purchases have decreased \$12,000 since January which is a big improvement. Public Works is still working at Lake Summit to identify more leaks.

Read attached summary

Anticipated deficit is \$73,062.

Sewer Fund:

Total revenues through March \$158,699

Read attached summary

Anticipated deficit is \$96,101.

4 Budget Amendments

Commissioner Oxtoby made a motion to accept the four budget amendments for police department for IT assistance needed, Transportation for IT computer maintenance, Cultural & Recreations due to vandalism of Pace Park bathrooms, Cultural & Recreations masterplan for McCreery Park. Commissioner Talbot seconded all were in favor.

The Board approved to Amend the Sewer Capital Project ordinance to reallocate the \$160,000 from the General Assembly to only the WWTP project and approved to rescind the Water Fund Capital Project so allow the reallocation from the General Assembly. Motion to approve by: Oxtoby Seconded by: Walker All in Favor

13 - Public Safety Report

Participated: Clay Price

Chief Price went over his March report

Total Miles 6437 , Total Events 889

State citations: 12 City Citations: 7, Warning Tickets: 6, Written Warning 5, Verbal: 1, Expired Registration 1, Drug paraphernalia 1, Possession of Narcotic 1, Registration Violation 1, Careless and Reckless Driving: , Speeding 5, Driving while license revoked 2, No Insurance 1, Business Checks: 435, Church Checks: 69, House Checks: 66, Total Monthly Checks: 570, Vehicle Accident 1, Larceny: 1, Breaking and Entering 1, Welfare Check 1, Alarm calls 1, Suspicious Person/Vehicle calls 1, Calls Thru Police Department Phone: 35, Walk In Calls at the Saluda Police Department: 6, Total Monthly Written Reports: 6,

14 - Zoning and Planning Department Report

City Manager Orr went over the

612 Laurel Dr Recombination the planning board has their formal recommendation to recombined that. Maybe later on this summer do a silent bid to sale the second lot. We will be able to put that back on the tax records.

☐ Social District for Saluda Alley area the state had codified that as something to look at.

15 - Administration Department Report

City Manager Orr went over the Administration Department report.

Chief Clayton Price - LAW ENFORCEMENT EXECUTIVE PROGRAM CERTIFICATE City Manager Orr talked about how important education was to get the certifications to improve their professional standards. And Thanked Chief Price for The completion of the Law Enforcement Executive Program Certification.

16 - Laurel Dr- Recombination

City Manager Orr went over

612 Laurel Dr Recombination

☐ Social District for Saluda Alley area

☐ Planning Board Recommendation

☐ Motion

Commissioner Walker are we going to clean up around the building? We wouldn't get a very high appraisal right now. City Manager Orr we will do some cleaning.

Commissioner Marion can we put a minimum bid on the lot.

Attorney Berg you can accept or reject any offer but if we do this we will have to declare it surplus first.

Commissioner Marion made a motion to approve the Recombination of 612 Laurel Drive Lots 23 and 24. Commissioner Walker seconded all were in favor

17 - Resolution for the NC Parks and Recreation Trust Fund Grant

City Manager Orr went read the Resolution for the NC Parks and Recreation Trust Fund Grant.

Commissioner Walker made a motion to approve the Resolution for the NC Parks and Recreation Trust Fund Grant as read. Commissioner Talbot seconded and all were in favor.

18 - SDF Report

Nothing at this time

19 - Special Event Permit

Rich Nelson presented the Special Event Permit for the Rich Nelson Band to rent the park on August, 4th 2023 7-9 pm.

Commissioner Oxtoby made a motion to approve the Special Event Permit for the Rich Nelson Band on August, 4th 2023 7-9 pm with the stipulations listed here that he abides by the noise ordinance. Commissioner Talbot seconded all were in favor.

20 - Polk County Fire Inspection Agreement Proposal

City Manager Orr went over a sample of Tryon's Fire Inspection agreement with the county. The county will start charging for Fire inspections. It is better for us to have a schedule of fees and charge them so that we know what is going on instead of just the county billing them individual. This is just the start of the process something to look at. There are certain business that require fire inspections and depending on what kind of business determines how many times a year they get inspected.

21 - Social District

City Manager Orr went over the Saluda Alley Way Social District.

Emily Larmar Spoke on the social district and as a restaurant that serves beer, wine, liquor I want to speak on my concerns my recommendations of what places are doing. One concern was if we were in the social district could someone bring an open container into our restaurant?

Attorney Berg if you were in that social district people can walk around and in and out of the establishments in that district.

Emily Larmar is there a way to request not to be in it if we don't want to be?

Attorney Berg. Yes you can request not to be in it but that means that people can't leave our establishment and walk around in the social district.

Emily Lamar I have concerns about being in the social district that is currently being discussed it will not benefit my business. I would hope if it is being considered that it would consider to allow more businesses into it. What Tryon

does is most of their main street is in the social district. What people could do is grab a nice glass of wine and walk to Heartwood and shop while enjoying a glass of wine. Where it is now would be where they could buy inexpensive beer quickly and be able to bring it into my establishment and I would end up losing money. Consider making it more wide spread.

City Manager Orr what was done during covid with the executive orders from Governor Cooper and what Jonathan did in regards to the 54 inches in ordinance 34 the alcohol ordinance for city of Saluda. If we go back and look at the ordinance was any public space you couldn't have alcohol. The Governor created an executive order they allowed and the ABC board allowed alcohol outside the premise then they allowed the city to allow outdoor dining. Jonathan created a 54 inch from the front facing wall of any of the establishments that you could put a table to have food or alcohol. Then we created this permit that was the for barrier of what the state has created in the social districts. There is certain areas that we have now because of the Back Alley Barn and the Brew Depot and you have Purple Onion. That have public space right next to it. One of the things that social district does is allow you to have these discussions. We need to have the planning board, Chief Price and the commissioners in on the discussions.

Attorney Berg the City of Saluda was advanced in its thinking. Jonathan created its own social district. NC Legislature created something like what Jonathan had done. It creates an area and it has to be defined there has to be certain criteria that you have to be 21., the glass has to be see through, can't serve more that 16oz at a time, you have to have signage that clearly shows that beverages are allowed, and post that no alcohol beverages allowed past this point. It starts by passing of an ordinance then you create the area map that you want to be the social district. Then you apply for a ABC permit. Provide this information to the them and you have created a social district. And you adopt an ordinance this is the city of Fayetteville they had a pretty good one that I went by. You set hours and days of operation. Like you did with noise ordinance. The alcohol beverage has to be consumed inside the district. If you don't want to be in the social district you can opt out put a sign on your door that says not outside beverages allowed. But they can't take a beverage out of your establishment. You can't have it both ways. Set forth and clearly defined the area that you want this permitted to happen it needs to be continuous. You can have more than one area.

Commissioner Talbot I can see where this is beneficial to the Back Alley Barn and the Brew Depot. The Back Alley Barn will be open later that the Purple Onion so it would be beneficial for the customers of the Brew Depot to have the Back Alley Barn to be able to get food.

Commissioner Oxtoby what does the city give up with the rights on the land?

Attorney Berg you give up the right to write citations for open container in that area.

Commissioner Oxtoby if we decide that we want to do something else with that property?

Attorney Berg you can resend your social district ordinance. If you start this and its getting out of control you can always resend it.

Commissioner Marion I have seen where The Back Alley Barn has a sign that says no alcohol beyond this point.

City Manager Orr that is because they are on private property.

City Attorney Berg. They are doing that to protect their ABC license. If you do the social district then they wouldn't have to worry as much for them taking the beverage outside. I have researched and a lot of places do it in the historic districts because it is a walkable area.

City Manager Orr, it's something for you to think about.

22 - Closed Session

City Manager Orr read the Resolution to enter Closed Session to discuss Economic Development NCGS 143-318.11(A) (4), Attorney-Client Privilege NCGS 143-318.11 (A) (3), and NCGS 143-318.11(A) (6).

Commissioner Oxtoby made a motion to enter Closed session for the purpose of discuss Economic Development NCGS 143-318.11(A) (4), Attorney-Client Privilege NCGS 143-318.11 (A) (3), and NCGS 143-318.11(A) (6). Commissioner Marion seconded all were in favor entered closed session at 8:23 pm on April 10th 2023.

After receiving legal advice the Board moved to go into open session

23 - Appointment of Initial Board of Directors for Friends of McCreery Park Corporation

Commissioner Oxtoby made a motion to close the closed session and enter back into the regular meeting at 8:45 pm April 10th 2023 Seconded by Commissioner Marion all were in favor.

After entering back into the Regular session the appointment of the Initial Board of Directors for the Friends of McCreery Park Corporation.

Commissioner Marion moved to appoint Paul Marion, Melanie Talbot, Scott Cardais, Glenn Franklin, Summer Flynn, Joel Kirby, Beth Hilton to the Board of Directors. Commissioner Walker seconded all were in favor.

24 - Adjourn

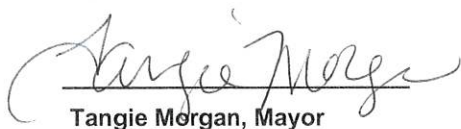
Commissioner Oxtoby to Entered back into Regular session at 8:45pm April 10th 2023 Commissioner Marion Seconded all were in favor.

With no further business to discuss,

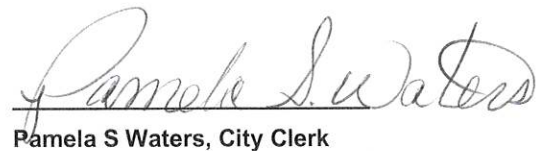
Commissioner Oxtoby made a motion to adjourn the meeting Commissioner Marion seconded and all were in favor.

The meeting adjourned at 9:10 pm April 10th 2023.

Respectfully submitted by Pamela Waters, City Clerk, Adopted this 8th day of May, 2023.



Tangie Morgan, Mayor



Pamela S Waters, City Clerk