

Town of Maggie Valley
Board of Aldermen Agenda Setting Meeting
May 2, 2023
MINUTES

Members Present:

Mayor Mike Eveland
Mayor Pro-Tem Jim Owens
Alderman John Hinton
Alderman Tammy Wight
Alderman Phillip Wight

Members Absent:

None

Staff Present:

Vickie Best, Town Manager
Mike Mehaffey, Public Works Director
Matthew Boger, Interim Police Chief
Kaitland Finkle, Town Planner
Kathy Johnson, Town Clerk

Others Present:

No others present

Media Present:

Aarik Long, The Waynesville Mountaineer

MEETING CALL TO ORDER

Mayor Mike Eveland called the Agenda Setting Meeting to order at 9:58 am on Tuesday May 2, 2023, in the Maggie Valley Town Hall Boardroom 3987 Soco Road, Maggie Valley, NC 28751.

Town Manager Vickie Best asked Town Planner Kaitland Finkle to speak about the Public Hearing on Conditional Zoning of 3984 Soco Road. Ms. Finkle explained the request for rezoning was from the tenant of the Rock Shop with the property owner's consent. The applicant wants to add a new building of two thousand four hundred square feet behind the existing Rock Shop. She said any time there is a new principal structure located on a lot, it is required to go through the Conditional Zoning process. The applicant is asking to put a metal building which is not allowed in the Towns architectural standards. As part of Conditional Zoning, exceptions can be requested. Ms. Finkle said Mr. Craig Woolmington attended the neighborhood meeting and requested a

wooden fence along the Eastern edge of the property beginning at the setback and running past the end of the parking area. Also, should PIN 7686-28-6655 move forward with development by receiving Zoning permit approval, the "Gem Mine" Sign shall be removed within thirty days. Ms. Finkle said the Planning Board did not feel the fence was appropriate at this time because there is no development on Mr. Woolmington's property. The lot is currently a vacant field. She stated her recommendation is for the applicant to leave a vegetative buffer. There was much discussion between Board members and staff about non-compliance in the past from the property owner, possible outstanding sewer fees and the type of building that would be constructed. Ms. Finkle explained there is statute of limitations on Zoning, requiring the owner to move RVs that have been there longer than three years. She said staff would be obtaining guidance from the Town Attorney on how to proceed.

Ms. Finkle said the next agenda item is the Zoning of 509 Campbell Creek Road which was annexed in 2017 and did not receive a Zoning classification. She explained the property owners understand the property needs to be Zoned. It is the Planning Board recommendation that the zoning district be set to R-1 Low Density Residential.

Ms. Best said there are three Budget Amendment Ordinances on the Agenda. Ordinance #1038/\$7500 for SiteDart to finish the Web-site redesign. Ordinance #1039/\$14,900 to increase Advance Data cost. She stated they have only been billing for four servers and the Town has seven servers. Ordinance #1040/\$15,000 to have the previous Finance Director Shayne Wheeler to come in and help and she is willing to train the new Finance Director. Ms. Best said she has a promising candidate for the Finance position.

Ms. Finkle went over the UDO Text Amendments:

- 152.12 ACCESSORY USES AND STRUCTURES

This amendment has been updated to remove the exercise of discretion by the Town Planner. Existing language has been reinserted for requiring buffering only when a structure is larger than six hundred feet and adjacent to a resident.

- 154.14 RECREATIONAL VEHICLES

The amendment has been updated removing the word stored. Additional language defining "used", "permanent dwelling", and states they must be fully licensed and able to be moved off site at all times.

She stated this week the Town had been audited by the State on Flood Plain for the first time in twenty years. She said the last FEMA audit was a Federal Audit in 2001. Ms. Best said Ms. Finkle and Assistant Planner Sam Cullen did an outstanding job working with the auditor.

Manager Best said the Maggie Valley Fly Fishing Festival is asking for approval of their 2024 event application.

Ms. Best said at the time the agenda was done, the Latino festival had asked for August 5, 2023 and now they have changed and want Sunday August 6, 2023. Ms. Best asked Public Works Director Mike Mehaffey to explain how the Festival Grounds was left after the Event. Mr. Mehaffey said it took all day back and forth with the event promoters to get them to clean the grounds according to the agreement. He said the promoters wanted Town staff to clean the grounds and deduct the cost from the deposit. He expressed concern on the length of time it took the promoters to clean according to the rules. Interim Police Chief Matthew Boger said he stopped by the festival about 7:00 pm and said there was a noise ordinance violation. He said the officer on duty had asked the promoter to turn it down and at 9:30 pm the noise level was still averaging 74-79 decibels. There was much discussion between Board members and staff on concerns and complaints that have been received about the event. It was determined to remove the event from the agenda until the concerns were addressed. Mayor Eveland recommended sending the promoter a letter stating the concerns that were discussed.

Mr. Mehaffey recommended keeping the last week in July and the first two weeks in August open at the Festival Ground for road construction and work on the entrance.

Ms. Finkle explained Ordinance # 1041 is an Ordinance creating Chapter 96: Panhandling, or Soliciting contributions. There was discussion between Board members and staff as they reviewed the Ordinance. Ms. Finkle said the Town Attorney has reviewed and approved the Ordinance.

Ms. Finkle said Ordinance # 1042 is an Ordinance creating Chapter 97: Parks and Recreation. She stated the Attorney has reviewed and made some changes. There was discussion between Board members and staff as they reviewed the Ordinance.

Ms. Best said there has been a lot of discussion across the state about SB 675 regarding the ETJ. She said it has passed on first reading. Resolution No. 23-06 in opposition to SB 675. Ms. Finkle said the Bill would impact the Future land use map. Ms. Finkle said there has been a lot of conversation on workforce housing.

Manager Best said she had been discussing the needle exchange program with Alderman Tammy Wight. She said according to what the attorney has said the Town could not ban the needle exchange but could regulate it in a Zoning Ordinance.

Ms. Best said she would like to add the Facade grant to the agenda. Ms. Finkle said she has been talking with BearWaters Brewery about making some Facade improvements. She said they would like an addition of a timber frame entryway to the building and changes to windows and paint the exterior of a building to a dark gray with white trim with natural wood accents. Also, installing new lighting in front of the building. She said the cap as to what is reimbursed is \$12,500, which

would be given to them after the project is complete. Ms. Finkle said if the Board decided to give fifty percent of the timber frame, which would bring it down to just over seven thousand. Ms. Finkle answered questions from the Board on the Facade grant.

Ms. Finkle presented the Board with the Future Land Use Map and reviewed it with the Board and said she would be presenting it in June.

A motion was made by Alderman Tammy Wight to adjourn the meeting at 11:37 am. The motion carried unanimously.

Attest:



Mayor Mike Eveland



Vickie Best, Town Manager



Kathy Johnson, Town Clerk