



TOWN OF WEBSTER

March 06, 2024

Public Hearing for Proposed Short-Term Rental Ordinance, and March Board Meeting Minutes

The Webster Board of Commissioners met at Webster Town Hall, located at 1411 Webster Rd., on Wednesday, March 06, 2024, 5:30 p.m. for the Public Hearing on the Proposed Draft Short-term Rental Ordinance, with the March Commissioners Meeting immediately following.

Members/Staff Present: Mayor Tracy Rodes, Commissioners Allen Davis, Danell Moses, Brandon Core, Town Attorney Will Morgan and Town Clerk Stephanie Gibson.

Members/Staff Absent: Commissioners Leigh Anne Young and Dale Collins.

Public Present: Sarah Sahlman, Planning Board Chair, and residents Bob Roach, Tracey Grant, and Laura Lauffer.

Call to Order/Ethics Statement: Mayor Tracy Rodes called the Public Hearing for the Draft Short-Term Rental Ordinance to order at 5:30 p.m.

PUBLIC HEARING ON DRAFT SHORT TERM RENTALS ZONING AMENDMENT

Public Comment:

Resident Bob Roach provided public comment in support of the Short-Term Rental amendment, but asked how it would be enforced. He said that a property owner in the ETJ behind his property is currently building a unit that is situated closer than the required setbacks on a 6.6 acre parcel. The Town's road setbacks are 20' and the county's setbacks are 10', and the new unit's driveway doesn't meet those requirements. The information he received from County zoning is that it's acceptable because the setback in question falls within the range the county requires. Mr. Roach added that 4 acres of the developer's land is considered unbuildable, and that the developer plans to build 6 small short-term rentals that are smaller than the square footage required (less than 1000 sq.ft.), on the other 2.6 acres. He questioned whether current ordinances are being enforced.

Resident Tracey Grant spoke in favor of the STR amendment, but had questions about when the proposed amendment would go into effect, and which properties would be considered as grandfathered in. Mayor Rodes replied that the Ordinance amendment will go into effect on the date that the board adopts it, and that residents who are currently renting non-owner occupied, whole houses as short-term rentals will be allowed to continue until there is a change of ownership. Tracey Grant asked if a resident is not currently operating a short-term rental but is planning to, if they would be grandfathered in. Town Attorney Morgan replied that that would be an expected rental and would not qualify to be grandfathered in.

Resident Laura Lauffer spoke, saying that she appreciated the Board's work creating the STR Ordinance to prevent structures such as storage buildings from being used as short-term rentals.

Mayor Rodes read a letter written by Vice Mayor Young, who was out of town. Vice Mayor Young thanked those members of the Planning Board and Town Board for their work on the STR Ordinance and said that she wholeheartedly supports the Town moving forward with the adoption of the STR Ordinance as presented.

MOTION: Commissioner Core moved to close the Public Hearing. Commissioner Moses seconded. Motion carried unanimously.

Public Hearing Adjourned at 5:45 p.m.

Call to Order/Ethics Statement: Mayor Tracy Rodes called the March Commissioners meeting to order at 5:45 p.m. and read the Ethics Statement. No board member expressed any conflict of interest.

Public Present: Tracy Grant, and Laura Lauffer

Approval of Agenda: *MOTION: Commissioner Davis moved to approve the agenda, Commissioner Core seconded. Motion carried.*

Approval of Minutes: The minutes for February 07, 2024 meeting, the February 07, closed session meeting minutes, and the February 16, Work Session minutes were emailed prior to the meeting for review.

MOTION: Commissioner Moses moved to approve all February Minutes as presented. Commissioner Core seconded. Motion carried unanimously

PUBLIC COMMENT

None.

CONSENT AGENDA

Financial Report: Financial statements for February were emailed prior to the meeting for review. February transactions currently include income of \$21,098.04 and expenses of \$27,086.40. Account balances as of February 29 are:

\$135,332.05 - First Bank Business Essentials

\$314,369.14 - First Bank Money Market

The Financial Report was not reviewed, the report for January and February will be reviewed with the March report at the April meeting.

NEW BUSINESS

1. Pavilion Dedication Community Event (5/5/24)

Commissioner Young had suggested making it a public event and not doing tickets for food truck vouchers. Mayor Rodes said that the volunteers for the event committee are herself, Leigh Anne Young, Jenny Reisinger, Julie Donaldson, and Kelly Donaldson. Mayor Rodes said that she ordered two additional white canopy tents to match the one previously purchased. The time, food, music, and activities will be discussed by the committee.

MOTION: COMMISSIONER DAVIS moved to approve the members who volunteered for the committee. Commissioner Core seconded. Motion carried unanimously.

2. Community Grants Requested: Mayor Rodes said that a grant application for the community event has been submitted to the Federal Credit Union and to Duke Energy. She noted that the Town received a community grant from Duke Energy for \$500.

OLD BUSINESS

1. STR Draft: Mayor Rodes said that the Town would need to take some responsibility for the enforcement of Short-Term Rentals, as well as Animal, and Noise Ordinances. Eventually it may be a good idea to delegate or hire a zoning point person to handle these issues.

MOTION: COMMISSIONER CORE moved to adopt the STR Ordinance as presented. Commissioner Davis seconded. Motion carried unanimously.

2. Honorary Proclamation: Mayor Rodes said that she presented an Honorary Proclamation to Julie Donaldson at the Chamber’s celebration of her 25th work anniversary on 2/15, as well as a card signed by the board. The event was very well-attended, and Julie was surprised and very pleased to be recognized. Commissioners publicly disclosed the award of an Honorary Proclamation to Julie as discussed in closed session at the February meeting.

MOTION: COMMISSIONER MOSES moved to formally approve the Honorary Proclamation presented to Julie Donaldson in appreciation for her 25 years of service. Commissioner Core seconded. Motion carried unanimously.

3. Planning Board Topics: Mayor Rodes suggested that the Planning Board identify any Whole House Short Term Rentals in operation as of March 6, 2024. There was discussion about whether the Planning Board could also work on researching grant opportunities. Sara Stahlman, Planning Board Chair, said that she felt that someone with more expertise with grant writing would be needed. Commissioner Core recommended that the Town hire a consultant experienced in grant writing. Commissioner Core said that he thinks it would be good for the Planning Board to review the Land Use Plan and see what has changed. Mayor Rodes replied that the Planning Board planned to address that at the upcoming budget planning meeting on 3/22. Mayor Rodes suggested that the board review and identify the number of residents/population in the ETJ area. Commissioner Moses said that she could get that information. Sara Stahlman said that she will research and compile a list of Short Term Rentals currently in operation, and determine if there is a need for the Planning Board to meet in March.

4. Webster Signage: Mayor Rodes said that she met with Tyler and ordered the signs but that he wasn’t adequately insured per the NCLM, to remove the old signs and install the new ones. She obtained an estimate from Justin with Elite Landscaping to do the labor for \$310.80, barring complications. Tyler will provide the entire kit for the signs, and Elite will provide the concrete and labor.

MOTION: Commissioner Moses moved to approve up to \$620.00 for Justin to do the labor required to install the new signage. Commissioner Davis seconded. Motion carried unanimously.

5. Attestations: Board members in attendance signed the Conflict of Interest Attestations.

ADMINISTRATIVE REPORTS

Mayor’s Report:

- **Budget Planning Session Date:** A Budget Planning session will be held on March 22, 11:00 - 1:30 pm on March 22. Stephanie will post the notice in The Sylva Herald and on the website.
- **Town Hall Apartment:** Southern Seamless Guttering will assess the apartment windows for repair or replacement. Leigh Anne let Michael know that they would contact him to schedule an appointment. Mountain Fire & Safety called to set up a time to service the fire extinguishers and was given Adrienne’s email contact to schedule.
- **Fire on South River Road:** The brush fire on South River Road (ETJ) was started by construction workers cutting rebar for foundation work. Rodes made 2 site visits during

the fire and spoke with Michael Beck, Sylva's Fire Chief. They quickly back-burned a 10' perimeter around the active fire, and multiple fire departments responded to monitor. Beck said that it would not spread, but that the original fire would likely still burn until it rained. Their response was quick, competent, and is appreciated.

- **SWC RPO-TAC:** Dale Collins was emailed the information he needs to file with the State Ethics Commission. Their next meeting is Monday, March 25 (5:00-6:15pm) at SCC's Burrell Building.
- **Webster Park:** Kelly Donaldson emailed a board report on Webster Park progress. The electrical hook up to the outlets is the next step. Michael Hopkins is aware of our plans for 5/5 and will orient the tables and trash receptacles before the event.
- **Resident Complaint:** about barking dogs was received via answering machine on 3/6. Rodes will follow up and update at the next meeting.
- **Miscellaneous:** 260 pens were ordered from pens.com (\$242.19), and 2 tent canopies for future use at park events (\$470.70). The mayor requested board input about any other items that may be needed. The need for a PA system has been discussed, but needs research. Tyler is giving us permission to use his sign design image for other applications such as car decals, t-shirts, etc. He makes small batches of car decals for \$25 each. Is the board interested in customized t-shirts or name tags for the community event?
- **Duke Carolina Rate Increases:** Significant rate increases for lighting and other customers in the Duke Energy Carolinas territory became final in January. These increases followed a similar outcome for Duke Energy's other N.C. territory last year. The rate hike will be spread over the next three years. The lighting class increases that will affect municipalities are as follows; the 2024 rate increase is 23.8%, the 2025 rate increase is 5.3%, and the 2026 increase is set at 4.8%.

Traffic Safety Committee Report: The Traffic Committee did not meet in February. Mayor Rodes emailed the speed sign data and traffic reports to be included in the agenda packets.

Historic Preservation Meeting: Commissioner Core said that committee had not held a meeting since December.

ADJOURNMENT

MOTION: Commissioner Moses moved to adjourn. The meeting adjourned at 7:10 p.m.

Next Meetings: Work Session: Friday, March 22 at 11:00am-1:30 pm

Business Meeting: Wednesday April 3, 2024, at 5:30 pm, Webster Town Hall, 1411 Webster Rd.

Tracy Rodes, Mayor

Stephanie Gibson, Town Clerk