

Minutes of the Lyman Town Council Meeting
Thursday, December 3, 2020 at 6:00 p.m.
Town Hall, 81 Groce Road

CALL TO ORDER

The meeting of the Lyman Town Council was called to order at 6:00 p.m. by Mayor, Larry Chappell.

STATEMENT OF PURPOSE OF MEETING

Trey Eubanks, Appalachian Council of Governments

Good evening and thank you all for taking time out to come and give us your input on your community. The purpose of tonight's meeting is for Council to receive your feedback pertaining to the unique situation of Mill Village alleyways, the use and maintenance of them and how Town Services can be provided moving forward to residents of the Mill Village. This meeting is not intended to be a Council meeting and no decisions or actions will be made by Council tonight. Council's desire is to hear you all and your concerns and suggestions and take those from here to consider how to move forward.

In the Spring of 2020, several separate issues regarding the mill village back alleys were brought to Town administration's attention in the course of daily business. The Public Works Department had several pieces of damaged equipment/vehicles due to the condition of the alleyways. The damages were occurring more often than the anticipated daily wear and tear to the Town equipment.

Additionally, in April and May of 2020, the area had record rainfall and the issue of flooding in the alleyways and mill village area was clearly a problem that had to be addressed.

Another matter that arose, was the issue of the garbage contractor, GFL, running their trucks on the mill village alleyways. In negotiations with the Town, the company insisted that they could not and would not run their trucks on the alleyways for many reasons including but not limited to the possibility of accident, injury or property damage as those alleyways are not made for the large garbage trucks.

As the questions regarding the unique situation with the mill village alleyways continued to arise, Town Administration reached out to the Town Attorney for guidance on use and the responsibility of maintenance on the alleyways, as well as liability issues. The Town Attorney advised administration that the Town should not be using the alleyways or maintaining the alleyways. Further, that any contractor for the Town, including but not limited to garbage collection, should not be using the alleyways. The alleyways do not belong to the Town and thus the Town has no authority to use or maintain them. The use

and/or maintenance of the alleyways exposes the Town, and as such taxpayer resources, to liability for injury, property damage etc. that occurs on the alleyways.

While it is clear that the Town has in the past repaired some issues on the alleyways, put out gravel, cut back tree, limb and debris overgrowth, allowed for garbage collection vehicles and Town vehicles to travel them, this can no longer be the practice of the Town. In growth, we identify issues or practices that we may have done previously with good intentions; however, were not procedurally or legally the right thing to do. Upon being educated and corrected, we have the obligation to make changes to our policies and procedures to promote and protect the best interest of the residents of our community. In other words, just because we've always done something one way, does not mean we should continue to now knowingly operate the same way against legal advice and the best interest of the community.

That said, the Town of Lyman is interested in learning of any suggestions and ideas that it can do to address these issues. That is the purpose of this meeting. Thanks to everyone for attending.”

STATEMENT ON PROCEDURE OF COMMENTS

Trey Eubanks, Appalachian Council of Governments

There is a sign-up sheet and we will hear from speakers in the order of sign up. We do want to be orderly and polite here so please no shout-outs from the audience. When you start to speak, please state your name and address clearly so that we can have a record of who spoke.

We called this meeting so that we can hear from all those who wish to speak. However, so that all can have the chance to talk if they wish, we will limit the time period for any one speaker to a maximum of three minutes. We will have a timekeeper, Mayor Chappell, and ask that you cease talking should you receive the call of “Time’s up.”

In the interest of good use of everyone’s time, we also want to minimize repetition. So, if some previous speaker has said what you wanted to say, feel free to simply say, “I agree with the previous speaker” or something similar.

The Chair of the meeting reserves the right to limit any speakers for repetition or for discourteous comments or for exceeding the time limit. Also, this is not a time for question and answer of Council. We are gathering information and opinion. We want to hear what you have to say.

PUBLIC COMMENTS

Eight speakers signed in to speak. Only the three following speakers elected to speak to Council;

- Dee Smith, 51 Lawrence Street

- Lisa Cahill, 8 Brook Street
- Jeff Calvert, 13 Lawrence Street

The speakers had the following comments and questions:

- Alleyway conditions, potholes, washouts caused by rain, requested that the Town pave the alleyways
- Other vendors such as AT&T, CPW, Duke Energy, garbage etc. using back alleys
- Trash can pick-up because of topography is dangerous. Maybe a smaller truck for back alley pick-up for some homes.
- Deeded rights?
- All wastewater pipes are clogged causing flooding on alleyways.
- 911 emergencies?
- Would like for the Town to be proud of what we have and to succeed.

Adjournment

Mayor Chappell adjourned the public comment meeting at 6:20 p.m.