

AGENDA  
REGULAR MEETING  
BOARD OF ALDERMEN  
TOWN OF WAYNESVILLE  
TOWN HALL – 9 SOUTH MAIN STREET  
FEBRUARY 23, 2010  
TUESDAY – 7:00 P.M.

The Board of Aldermen held a regular meeting on Tuesday, February 23, 2010. Members present were Mayor Gavin Brown, Aldermen Gary Caldwell, Libba Feichter, J. Wells Greeley and LeRoy Roberson. Also present were Town Manager A. Lee Galloway, Assistant Town Manager Alison Melnikova, Town Clerk Phyllis McClure and Town Attorney Woodrow Griffin. Mayor Brown called the meeting to order at 7:00 p.m.

Town Clerk Phyllis McClure Receives Master Municipal Clerk Designation

Mayor Brown recognized Town Clerk Phyllis McClure for receiving the designation of Master Municipal Clerk from the International Institute of Municipal Clerks. This designation symbolizes the commitment municipal clerks have made to lifelong professional development and personal growth. Completion of this program included a required number of points earned from a combination of advanced education courses and professional and social contribution categories. There are currently 461 IIMC members in North Carolina. 62 of those have earned the MMC Designation.

Mayor Brown presented a plaque to Town Clerk McClure and the Board congratulated her on this achievement.

Approval of Minutes of February 15, 2010

Alderman Caldwell moved, seconded by Alderman Greeley, to approve the minutes of the February 15, 2010 meeting as presented. The motion carried unanimously.

Public Hearing Amendment to Section 154.216 to Reduce Minimum Setbacks for Cemeteries, Columbariums and Mausoleums

The Town's Land Development Standards permit cemeteries in almost all districts with certain standards, one of which is a minimum setback of 50 feet from all exterior property lines for all structures and burial plots/graves.

St. John's Catholic Church at 234 Church Street wishes to develop a cemetery and columbarium on their property. The Church has requested that the minimum setback be reduced to 24 feet provided that an "architecturally designed fence" and a landscape buffer are used for separation from exterior property lines. A copy of a plat was distributed to the Board showing the cemetery and columbarium units being considered by the Church.

Because this amendment will likely have applicability in other zoning districts, Planning Director Paul Benson suggested that the setbacks might be tied to building setbacks in that particular zone. This would mean that any graves would have to be set back the same distance as a principal building in that district, which will range from 20 feet to 40 feet depending upon the district.

A report prepared by town staff includes the suggested changes which Mr. Benson has suggested for Minimum Yard Requirements. These changes were accepted by the Planning Board and that group voted at their meeting on January 19, 2010, to recommend these to the Town Board for approval.

Luis Quevedo, representing St. John's Catholic Church, presented a drawing of the cemetery and columbarium proposed on their property and was available to answer questions of the Board. He said the current regulations do not have barrier restrictions. Closeness of buildings or other structures could be allowed if there is some type of barrier or landscape in front. The plan presented to the Planning Board contained a brick barrier with cast iron fence and landscaping in front. It was requested that this rule be utilized to allow the cemetery to be closer than the required setback. The Planning Board recommended approval of this request. He said this change is only allowed if the cemetery or columbarium faces a public street.

Planning Director Paul Benson said cemeteries are an allowed use with special restrictions, and they are permitted in all districts. The intent of the regulations was to provide a buffer area from adjacent properties. He questioned whether the intent of the ordinance was to apply to the front property line. If the cemetery is adjacent to another property it would be more desirable to have a buffer. In working with Luis Quevedo it was felt that cemetery boundaries should be allowed as close to the street as buildings, if there were some type of architectural buffer. The Planning Board unanimously voted in favor of the amendment.

Attorney Griffin opened the public hearing. No one spoke; Attorney Griffin closed the public hearing.

Alderman Greeley said he had a chance to speak with Mr. Benson about the proposed amendment. The cemetery addition being proposed consists of approximately 60 double depth cemetery plots and a columbarium area. Alderman Greeley felt that the Town may see more churches add this type of development on their properties in the future.

Alderman Feichter moved, seconded by Alderman Greeley, to adopt an ordinance to amend Section 154.216 reducing the minimum setback requirements for Cemeteries, Columbariums and Mausoleums as requested and recommended. The motion carried unanimously. (Ord. No. 3-10)

#### Presentation of AFJROTC – Request for Funding

The Air Force Junior Reserve Officer Training Corp requested time on the Board's agenda to make a presentation of their request for funding in the 2010-2011 Budget.

Cadet Captain Desiree Rachels thanked the Board for allowing time on the agenda for their presentation to give an overview of their Cadet Unit. She introduced the other members attending the meeting: Cadet Senior Master Sergeant Kristin Martin, Cadet Airman Basic Eli Haynes, Cadet Senior Airman Kole Brown, Cadet Airman First Class Jordan Brown, and Cadet Airman Basic Tyler Ryan.

Desiree Rachels read the mission statement for the AFJROTC. She said there are 92 cadets, but they all work together as one, establishing unit goals each year.

Kristin Martin said the ROTC students contributed more than 1,500 community service hours last year. The ROTC hosted a blood drive, canned food drive, participated in the Tuscola/Pisgah Jr. ROTC Field Day and Veterans Day Luncheon.

Eli Haynes is in charge of recycling, working together to try to get more school wide participation and working with the ecology club to get all students involved.

Desiree Rachels said for the past four years the ROTC has received the "Distinguished Award." Two scholarships have been awarded through the ROTC program.

Jordan Brown and Kole Brown attended the SLS @ COLS Boot Camp which included academics, tests and helped the students to bond. During their stay they visited the local Air Force Base in Charleston, toured the Citadel, Chapel and Museum.

Alderman Feichter said when the ROTC visited the Haywood Lodge the residents enjoyed their visit. One of the oldest residents, a veteran, thoroughly enjoyed their presentation. He passed away shortly after their visit.

Desiree Rachels, thanked the Board on behalf of the AFJROTC, for allowing them to attend the Board Meeting and make their presentation. The ROTC requested funding from the Town of Waynesville Board of Aldermen for their November 2010 Veterans Luncheon. In November 2009 the Board approved the funding of two tables at the Veterans Luncheon at a cost of \$1,600 and this same amount was requested for 2010. It was the consensus of the Mayor and Board of Aldermen that this request will be considered during their budget process. The Board thanked the AFJROTC Members for attending the meeting and making their presentation. No action was necessary.

#### Presentation of Russ Avenue Plan by Terry Snow, Wilbur Smith Associates

For approximately 18 months, the firm of Wilbur Smith Associates has been working with the Town on the development of a redesigned plan for Russ Avenue. During that time, Mr. Terry Snow has been the project manager for Wilbur Smith in the development of this plan. The process included a number of meetings with Town Staff and several public meetings at which time citizens were given the opportunity to make comments and suggestions. Toward the end of the process, Mr. Snow and his associates presented a proposed redesign of Russ Avenue and adjacent areas and solicited public input on their proposal.

Planning Director Paul Benson introduced Mr. Terry Snow to present the Final Draft of the Russ Avenue Plan. Mr. Snow said it has been a privilege to work with town staff. This planning process was led by town staff and coordinated with NCDOT. Public input was vital and good feedback was received through this process. The purpose of this study is to develop a feasible corridor plan which includes plans for future travel demands along Russ Avenue. Goals were to enhance the vehicular and pedestrian safety and enhance aesthetics.

Russ Avenue is a mature corridor with little undeveloped land. This area has a high number of crashes and a large number of driveway cuts. In 2006 there were 105 accidents with 15 injuries and in 2007 there were 94 accidents with 21 injuries.

Some alternatives considered were to do nothing, install roundabouts, and to widen Russ Avenue to six lanes. The alternative that was recommended included a four lane-divided highway with 11' lanes, bicycle lanes and 8' sidewalks. More narrow lanes and tree lined streets tend to slow traffic. Alderman Feichter asked if there would be a turnaround lane available. Mr. Snow said there would be, but tractor trailers would not be able to use it. The tractor trailers would need to make a left turn and use the lane at the back side of the properties. Two bridges would need to be replaced and a new bridge is proposed to connect the Bi Lo Shopping Center to the Waynesville Plaza Shopping Center. Improvements along Russ Avenue are challenging because of the topography and existing development. The total project cost estimate is \$21,673,000.

Mr. Snow thanked the Board for the opportunity to be a part of this process.

Philan Medford said the plan should take into consideration accommodations not only for pedestrians but also for wheelchairs. She said refuge islands provide a protected environment for pedestrians, giving them an opportunity to stop and evaluate their next move. Mr. Snow said the final designs will meet ADA requirements and pedestrian crossings will include pedestrian delineation such as colored stamped asphalt.

Alderman Feichter moved, seconded by Alderman Caldwell, to adopt the Preferred Alternative Plan for Russ Avenue as presented. The motion carried unanimously.

Alderman Roberson asked if the next step is to get the project on the NCDOT Transportation Improvement Plan. Paul Benson said Russ Avenue is currently on the MPO Needs List and could be in the top 25. Sometimes it takes years to move up further on the list.

The Board thanked Terry Snow for his work on this project and making the presentation to the Board. Manager Galloway said working with Terry Snow and Wilbur Smith has been a good experience for him and for the Town, adding that they have been very responsive. He commended Mr. Snow for his work on behalf of the Town.

#### Street Closing Request Whole Bloomin' Thing Festival

The Historic Frog Level Merchants' Association, Inc. presented a letter requesting that portions of Depot Street and Commerce Street be closed to allow the "Whole Bloomin' Thing Festival" for 2010.

This Festival has seen an increase in attendance each year and has expanded over the eight years of its existence from just being on Commerce Street to now covering both Commerce and Depot Streets. It has run smoothly in the past and all indications are that it has been highly successful, and shop owners have always been cooperative with the Police Department.

Alderman Greeley moved, seconded by Alderman Feichter, to approve the request to close Commerce and Depot Streets as presented and added that the Historic Frog Level Merchants' Association, Inc., be required to notify every merchant in the Frog Level area of the street closings. The motion carried unanimously.

#### Tax Collector James Robertson - Request to Advertise Delinquent Taxes

Under North Carolina law, the Tax Collector of a governmental unit must annually appear before the elected officials of that unit to request permission to advertise the names and the properties for which real estate taxes have not been paid.

Mr. Robertson said Waynesville has approximately \$220,000 in outstanding taxes for 2009. 94% of the taxes have been collected to date and he requested permission to advertise the delinquent taxes in accordance with NC General Statutes. Tax Collector Robertson typically notifies each individual who has unpaid property taxes, giving them an opportunity to pay the outstanding balance prior to advertising the name and property in the local paper. The advertisement is scheduled to run in The Mountaineer on Friday, February 26.

Alderman Greeley moved, seconded by Alderman Roberson, to authorize Tax Collector Robertson to advertise delinquent taxes for 2009. The motion carried unanimously.

#### Debt Set Off Program

Tax Collector Robertson said Waynesville has participated in the Debt Set Off Program for the past two and one half years and almost \$30,000 has been collected since that time. Through this program any past due amount more than fifty dollars can be submitted for collection through the State of North Carolina, including past utility bills, taxes, parking tickets, etc. He said a pilot program is being done in some states at the federal level which would help even more in collecting these bad debts. The Board thanked Tax Collector Robertson for his work with the debt set off program. No action was necessary

#### Appointments to Community Input Committee

At the Board Retreat on January 29, Police Chief Bill Hollingsed advised the Board of the desire of the Police Department to establish a Community Input Committee to work with the department in the Community Oriented Policing Program. Waynesville's department was one that was awarded a grant in this area and two new officers were hired to help implement the program.

The following appointments were made by the Mayor, Board of Aldermen and Town Manager:

Mayor Brown	Julia Freeman
Alderman Caldwell	Georgia Forney
Alderman Feichter	Jim Joyce
Alderman Greeley	Luis Quevedo
Alderman Roberson	Ed LaFountaine
Manager Galloway	Danny Wingate

There was consensus of the Board that one appointment should be from the Latino community. Six appointments will be made by the Waynesville Police Department. Manager Galloway said Chief Hollingsed would like to have the first meeting of this committee in March.

Closed Session – Personnel Matter

The annual evaluation form for the Town Manager has been distributed to Board members by the Human Resources Director. It was the consensus of the Board that this item be placed on the agenda of March 9.

Adjournment

With no further business, it was the consensus of the Board to adjourn the meeting at 8:45 p.m. The motion carried unanimously.

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Phyllis R. McClure  
Town Clerk

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Gavin A. Brown  
Mayor