

REGULAR MEETING  
BOARD OF ALDERMEN  
TOWN OF WAYNESVILLE  
TOWN HALL – 9 SOUTH MAIN STREET  
MAY 25, 2010  
TUESDAY – 7:00 P.M.

The Board of Aldermen of the Town of Waynesville held a regular meeting on Tuesday, May 25, 2010. Members present were Mayor Gavin Brown, Aldermen Gary Caldwell, J. Wells Greeley and LeRoy Roberson. Also present were Town Manager A. Lee Galloway, Assistant Town Manager Alison Melnikova, Town Clerk Phyllis McClure, Finance Director Eddie Caldwell and Town Attorney Woodrow Griffin. Mayor Brown called the meeting to order at 7:00 p.m.

Approval of Minutes of April 27, 2010

Alderman Caldwell moved, seconded by Alderman Roberson to approve the minutes of the April 25, 2010 meeting as presented. The motion carried unanimously.

Award of Bid – Renovation at Hazelwood Office 280 Georgia Avenue

Town staff has been working with the architectural firm of Mountain Design and principal, Randy Cunningham on the renovations to the Hazelwood Branch Office. The structure was built in the late 1970s and was the Town Hall for the Town of Hazelwood until the merger of Waynesville and Hazelwood in 1995. Since that time, the Fire Department has operated a second station there and looked after the maintenance of the building. At various times, the facility has seen the tax department and a payment office, housed building inspections and code enforcement, been a branch police office for patrol and served as the base for planning and land use management.

When the new Town Hall/Police Station/ Development Office opened in August 2009, Planning, Land Use, Inspections and Code Enforcement moved out and occupied a portion of the Development Office. The Police Offices were vacated and now all police operations are located in the new station. This left one person in the finance office operating the drive thru window from 8:30 a.m. until noon each day. The fire department continued to operate their second station there, but oftentimes, the person in the finance department was in the building alone. This was not a good situation and was discussed at the Board's Retreat in January, where it was agreed to proceed with a plan to move the entire finance department to the Hazelwood Office.

The structure is well built and laid out ideally for the finance department, so the renovation project will not require many structural renovations to the interior. There will be a second drive thru station installed with a pneumatic tube for the pay station farthest from the window, and an awning will be built over the drive thru lanes. A new pay window will be installed and it will be wide enough to allow two customer service representatives to operate at the window at the same

time. There will be some other external improvements to give the building a more current appearance, and the architect has incorporated some stone work into the design of the building.

On the inside, all ceiling tiles are to be replaced and new carpet and base trim will be installed. The entire interior will be repainted, giving the building a fresh look. Three of the six heat pumps will be replaced and some new wiring will be necessary for the Town's computer systems which will be partially housed there. There will be some structural interior renovations as the lobby will be expanded and the pay window in the lobby widened to allow at least two customers to be served at the same time. The kitchen will be completely renovated with new appliances.

Bids on the largest portion of the renovation work were advertised and six firms submitted proposals which were opened on Tuesday, May 18 at 2:00 p.m. and received as follows:

Clark & Leatherwood, Inc.	\$185,600
Cornerstone Builders of WNC, Inc.	\$215,156
Ecowise Construction	\$159,750
Tim Carver Construction	\$240,000
Western Builders of Sylva, Inc.	\$195,000
Bloom Construction	\$214,000

The low bidder was Ecowise of Hendersonville, with a quotation of \$159,570. Mr. Tony Campano, formerly a part owner in Construction Logic, created Ecowise when he left Construction Logic in 2009. He was the representative with whom the Town worked on the fire station and town hall/police station/development office, and it was a very satisfactory relationship. A letter was received from architect Randy Cunningham with his recommendation that the bid be awarded to Ecowise Construction in the amount of \$159,750.

Manager Galloway noted that the \$159,750 does not include a number of items which will be necessary as part of the building renovations. There will be the expenses for the new drive thru window and pneumatic tube system as well as counter tops and cash drawers and filing cabinets which will match the drive-thru window. The cost of this work is estimated at \$22,120. It was found that the windows for this building are single pane glass, so a purchase order has been issued for \$10,760 to Blue Ridge Glass for double-paned windows. New furniture for the building is estimated at \$35,000 and there is a contingency of \$25,000 to cover wiring, handicap access devices for the doors and rekeying all locks. The total estimated cost, which town staff feels to be on the high side, is \$277,450, including the architectural fee; however, the total cost is expected to be closer to \$250,000.

Town staff is excited to have such a good bid on the renovation and hope to be able to give the contractor the notice to proceed soon after the Board meeting on Tuesday. Work could begin quickly with a goal of completing the work and being able to open to the public in early August.

Manager Galloway said it is not unusual to have a number of people in the lobby area at once and it is currently too small to accommodate several people at once. An office area that was added will be torn out to increase the size of the lobby area. A kiosk will be located in the building for the convenience of those customers that desire to make on-line payments. The Hazelwood office will have a walk up night deposit. A night deposit will also be installed at the

Main Street office and Public Works Director Fred Baker has been working on a design for its location. The ramp will be removed and parking spaces will be added.

Mayor Brown said the location of the Finance Department at the Hazelwood office will add more activity in the Hazelwood area. Manager Galloway said this will also relieve a lot of traffic congestion from Main Street.

Manager Galloway said the Fire and Police Department projects were underspent by around \$645,000, so the renovations to the Hazelwood building are being funded by these monies. Budget amendments will be considered later in the meeting to address capital project issues.

Alderman Greeley moved, seconded by Alderman Roberson, to award the bid to Ecowise Construction in the amount of \$159,750. The motion carried unanimously. (Cont. No. 8-10)

#### Request by Sarge's to Hold 5<sup>th</sup> Annual Downtown Dog Walk

A letter was received from SARGE'S Animal Rescue Foundation seeking the Town Board's approval for the 5<sup>th</sup> Annual Downtown Dog Walk on Saturday, August 7, 2010. The walk is scheduled to begin at 10:00 a.m., starting at the Haywood County Courthouse and proceeding west on Depot Street to Montgomery Street, turning south on Montgomery Street to Church Street, east on Church Street to Main Street and north on Main back to the Court House.

Ms. Allomong, Treasure and Fundraising Chairperson, has been in contact with Lt. Brian Beck of the Waynesville Police Department to coordinate this event. She has also been in contact with Assistant County Manager Marty Stamey to gain approval for the use of the courthouse lawn before and after the event, and this was granted.

SARGE'S is requesting that the Police Department be allowed to hold traffic on Main Street for that brief time the dogs and their owners are covering the distance on Main between Church Street and the Courthouse. Representative from SARGE'S said last year's event included 278 dogs and one cat.

Manager Galloway said during previous events, there has never been a problem and SARGE'S has always been an excellent organization with which to work. It was the recommendation of town staff that this request be granted.

Alderman Caldwell moved, seconded by Alderman Greeley, to approve the 5<sup>th</sup> Annual Downtown Dog Walk as requested by SARGE'S Animal Rescue Foundation on Saturday, August 7, 2010. The motion carried unanimously.

#### Mr. Jack Wadham

Mr. Jack Wadham attended the Board Meeting to speak to the Board and request help in resolving issues he has experienced with tenants. Mr. Wadham said some tenants are making it very difficult for other tenants. One tenant living in an upstairs apartment in Frog Level had a water leak which was causing damage to the building. As a landlord he could not enter the apartment to make the necessary repairs so water had to be turned off to the entire building. Another incident involved electricity being turned off for non-payment in an apartment causing

food in the refrigerator to spoil and the odor to spread to adjoining apartments. When the apartment door was left open, Mr. Wadham entered the apartment to clear out the spoiled food. While he was there, the police department responded and asked him to leave, since as a landlord he does not legally have the right to enter the property.

Mayor Brown said changes regarding these issues involve changes in State Law and would need to be brought to the attention of others including State Representatives or Senators.

Mr. Wadham said this is a new situation, people are becoming discouraged because they cannot get jobs in which they earn enough money to pay their bills. He has never seen as many people that have had to be evicted from their apartments. Mr. Wadham asked where he could go to get help, adding as much as twenty-seven days can be involved when a landlord goes through the eviction process.

Mayor Brown said as an individual and as an attorney, the system is not particularly friendly for the landlord. During the 1960's and 1970's the law became very difficult to live with. He advised Mr. Wadham that changes cannot be made until a group of people lobby the legislature.

Mr. Wadham said this is an ongoing problem that needs to be dealt with. He asked why he would get charged with leaving a piece of equipment in the alley and someone can get away with leaving their garbage. He asked if the town was going to enforce the laws that are already on the books. Mr. Wadham added that the Haywood County Health Department told him there was nothing they could do about this situation. When people don't have jobs they get upset, this is why Haywood County is picking up more people that need help.

Mayor Brown said the Town of Waynesville has a Code Enforcement Officer that deals with these types of issues and suggested that Mr. Wadham call them with these issues. Mr. Wadham felt that it was important to bring these issues before the Board of Aldermen and he thanked the Board for allowing him to do so.

Mayor Brown said he would contact Senator Joe Sam Queen and Manager Galloway said he would speak with Code Enforcement Officer Warren Putnam regarding enforcement issues in Waynesville. The Board thanked Mr. Wadham for bringing the items to their attention. No action was necessary.

#### Appointments/Reappointments of Members to Various Boards and Commissions

A. Board of Adjustment - There are three individuals whose terms will be expiring on May 31, 2010.

Gail Cross is a regular member serving from within the Town of Waynesville. She has indicated she would like to be reappointed.

Jack Suddath is an alternate member serving from within the Town of Waynesville. He has indicated he would like to be reappointed.

John Richardson is a regular member serving from the extraterritorial jurisdiction area outside of the corporate limits. He has indicated that he would like to be reappointed.

There is a vacant seat on this Board. It is for an alternate member from the extraterritorial jurisdiction, formerly held by Garnell Day.

Alderman Greeley moved, seconded by Alderman Roberson, to reappoint Gail Cross as a regular member, Jack Suddath as an alternate member and recommend that the Haywood County Commissioners reappoint John Richardson as a regular member serving in the extraterritorial jurisdiction area. All terms are for three years and will expire May 31, 2013. The motion carried unanimously.

Manager Galloway said if the Board is aware of any individual who lives in the extraterritorial jurisdiction whom they feel might be interested and be a good member of this Board, please mention that name to Town Clerk Phyllis McClure.

B. Planning Board - There are three individuals whose terms will be expiring May 31, 2010.

Jon Feichter was serving an unexpired term as an in town member.

Marty Prevost is completing a three-year term as an in town member.

Brooks Hale is completing a three-year term as a member from the extraterritorial jurisdiction.

Alderman Caldwell moved, seconded by Alderman Greeley, to reappoint Jon Feichter and Marty Prevost to additional three year terms and to recommend to the Haywood County Commissioners that Brooks Hale be reappointed to serve in the extraterritorial jurisdiction area. All terms are for three years and will expire May 31, 2013. The motion carried unanimously.

C. Public Art Commission - There are five slots on the Public Art Commission with terms that will be expiring on May 31, 2010.

Starr Hogan, Karen Kaufman and Michael Gillespie have resigned from the Commission and do not wish to be reappointed.

Philann Medford is completing a four-year term and has indicated that she would like to be reappointed.

Meiko Thompson is completing an unexpired four year term and has indicated that she would like to be reappointed.

That would still leave three vacancies on the Commission. The Town has received three applications from individuals interested in serving on the Public Art Commission. The applications of Janice C. Griffin of 1941 Camp Branch Road, William King of 322 Little Road, Lake Junaluska and Christopher M. Morrow of 1092 Oakdale Road are attached for your consideration. These three may be appointed or the Board might delay action to see if others might surface who are interested.

Alderman Roberson moved, seconded by Alderman Greeley, to reappoint Philann Medford and Meiko Thompson to an additional four-year term on the Public Art Commission and to appoint

Janice Griffin and William King to serve four year terms on the Public Art Commission. All these terms are for four years and will expire May 31, 2014. The motion carried unanimously.

Manager Galloway said if the Town Board is aware of individuals whom they feel may be interested and have the skills and expertise to serve on this Commission, to provide those names to Town Clerk Phyllis McClure and she will contact them to have them complete an application form.

#### Budget Amendments for 2009-2010 Budget

Near the end of each fiscal year, the Finance Director presents some recommended budget amendments to the Town Board which addresses changes that have occurred in revenues and expenditures during the fiscal year. Some of these amendments are made at various times of the year, but for the most part, we wait until near the end of the fiscal year and recommend all the changes at one time.

Finance Director Eddie Caldwell has included unanticipated revenues and expenditures in each of the various funds. Items for the General Fund include the \$240,000 grant the Town received from the Rural Center for Haywood Vocational Opportunities in renovating the Wellco Plant and the \$25,450 in reimbursements from FEMA (Federal Emergency Management Administration) for the winter snow storm. Another change in the General Fund is the transfer of the remaining funds from the fire and police/development office construction projects. These were under budget by \$645,390, and as discussed at the Board's annual retreat in January, the left over funds will be used to establish a Capital Projects Fund to be used for various renovations and repairs to buildings.

In the Electric Fund, a new account is created to allow for the revenues collected and the fees paid to Progress Energy in connection with the Renewable Energy Portfolio Standards resulting from the passage of Senate Bill 3 in 2007. Progress Energy assesses a charge to the Town to meet the renewable energy credits and the Town in turn assesses a charge to the electric customers in an attempt to recover an identical amount.

There is another budget amendment being set up as the Capital Buildings Project Fund. The \$645,390 is coming out of the General Fund but must have a "place" or an account where the money may be put. This amendment would show the revenue from the General Fund and then there is a blanket expense that would show building renovations and repairs for various buildings, such as to pay the cost of the renovations to the Hazelwood Offices. Other possibilities may be more equipment sheds at Public Works, renovations to the Municipal Building and new roofs on buildings where needed.

Finally, there is a Budget Ordinance to take into account the various grants and loans that the Town has received for improvements to the Town's water system. The Town received \$904,740 from the American Recovery and Reinvestment Act part of which could be a grant and part of which could be a loan. When this work is completed, 50% of the amount could be switched to a grant and 50% could be recorded as a 20-year loan with a 2.5% rate of interest. Still, Mr. Caldwell must show the full amount of the revenue and the full amount of the expenditure. Last week, the Town received written notification of a grant of \$213,000 for additional water line work in the Dellwood area, and the Finance Director must show that as an income and as an

expense to construct the water lines. Finance Director Eddie Caldwell attended the meeting to answer questions and explain the amendments.

Alderman Roberson moved, seconded by Alderman Greeley, to approve Amendment No. 1 to the 2009-2010 Budget Ordinance. The motion carried unanimously. (Ord. No. 5-10)

Alderman Caldwell moved, seconded by Alderman Roberson, to approve an ordinance entitled Renovations and Repairs to Public Buildings Project Ordinance. The motion carried unanimously. (Ord. No. 6-10)

Alderman Greeley moved, seconded by Alderman Caldwell, to approve an ordinance entitled Water Line Replacement Project Ordinance. The motion carried unanimously. (Ord. No. 7-10)

#### \$300,000 Main Street Grant Approval

The \$300,000 grant application approved by the Board of Aldermen in April 2010 has been awarded to the Town of Waynesville. Governor Beverly Perdue will be in Waynesville to make the announcement and visit with some of the Main Street businesses on Friday, May 31, 2010.

Alderman Greeley and other Board Members expressed appreciation to DWA Director Buffy Messer, Richard Miller and Assistant Town Manager Alison Melnikova for all their work on the DWA Main Street grant application.

#### Skateboard Park Update

Assistant Town Manager Alison Melnikova told the Board that a Webinar with representatives from Spohn Ranch was held last Wednesday and four skateboard park design concepts were presented. On Thursday, the same presentation was presented to the skateboarders. The skateboarders liked various elements of each design and the process is going really well. Publicity will be started on the four conceptional designs. The goal is to collect public comment and relay the comments to Spohn Ranch. Once approved they will begin working on a final design in August. Funds for this project will be raised by the skateboarders and photographs of the final design will be used in fundraising efforts. Alderman Caldwell said the Town could possibly contribute to some of the work such as drainage for the project. No action was necessary.

#### Adjournment

With no further business, Alderman Greeley moved, seconded by Alderman Roberson, to adjourn the meeting at 7:59 p.m. The motion carried unanimously.

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Phyllis R. McClure  
Town Clerk

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Gavin A. Brown  
Mayor