

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REGULAR SESSION MEETING
August 22, 2017

THE WAYNESVILLE BOARD OF ALDERMEN held its regular meeting on Tuesday August 22, 2017, at 6:30 p.m. in the board room of Town Hall, 9 South Main Street, Waynesville, NC.

A. CALL TO ORDER

Mayor Gavin Brown called the meeting to order at 6:30 p.m. with the following members present:

Mayor Gavin Brown
Mayor Pro Tem Gary Caldwell
Alderman Julia Freeman
Alderman Jon Feichter
Alderman LeRoy Roberson

The following staff members were present:

Rob Hites, Town Manager
Bill Cannon, Town Attorney
Amie Owens, Assistant Town Manager
Eddie Ward, Town Clerk
Eddie Caldwell, Finance Director
Rhett Langston, Recreation Director
Julie Grasty, Asset Services Manager
Bill Hollingsed, Chief of Police

The following media representatives were present:

Becky Johnson – The Mountaineer
Cory Vaillancourt – Smoky Mountain News

1. Welcome /Calendar/Announcements

Mayor Gavin Brown welcomed everyone and reminded everyone of the following events on the calendar:

Monday August 28, 2017 – 5:30 - Haywood County Council of Governments – Haywood County
Thursday September 28, 2017 – Downtown Waynesville Association – Board of Directors Annual meeting – located at 172 North Main Street – 5:30 p.m. RSVP by September 15
Friday September 29, 2017 – Mountain Street Dance, Main Street

2. Adoption of Minutes

Alderman Gary Caldwell made a motion, seconded by Alderman Julia Freeman, to approve the minutes of the August 8, 2017 regular meeting, as presented. The motion passed unanimously.

Reading of Proclamation – National Day of Service and Remembrance – Monday, September 11, 2017

Alderman Jon Feichter read the Proclamation proclaiming Monday September 11, 2017 as the National Day of Service and Remembrance in honor of the victims and innocent lives lost as a result of the tragic events on September 11, 2001.

B. REQUEST/DISCUSSION

3. "Sunday Brunch Law" Senate Bill 155

Mayor Gavin Brown stated he wanted to discuss with the Aldermen two items that the citizens of Waynesville had brought to him in the last year. The first item was the "Sunday Brunch Law" Senate Bill 155. This Bill give local governments the right to permit restaurants, hotels, eating establishments, food business, private clubs, convention centers, and community theaters to sell fortified and unfortified wines, malt beverages and mixed drinks beginning at 10:00 a.m. on Sundays, providing the local government adopts an ordinance permitting such sales. It also permits the tastings of spirituous liquors at street fairs, agricultural fairs, and conventions, etc. Such "tastings" are only permitted in governing units that permit mixed beverages. Mayor Brown indicated that several communities had adopted this practice since the Bill was passed at the end of June 2017. He asked the Board their thoughts on calling for a Public Hearing to be held at the next regular meeting to hear business owners and citizen comments.

Town Manager Rob Hites added that the Bill also allows off premise sales which includes golf courses, convenience stores, and any holder of a permit to sell malt beverages, fortified and unfortified wines, and mixed drinks.

Alderman LeRoy Roberson asked if any local communities that had adopted an Ordinance for the "Sunday Brunch Law", had any adverse stories concerning the Bill.

Alderman Jon Feichter said he had anticipated this coming before the Board, and was interested in hearing from the community.

Alderman Gary Caldwell said he sees it as a plus. David Angel from Elevated Mountain Distilling in Maggie Valley, as well as the American Legion, had been in contact with him concerning this Ordinance.

Alderman Julia Freeman said she wanted to hear public comment and gain any additional information that could be brought forward, for and against the Bill, and possible health risks.

Alderman Gary Caldwell made a motion, seconded by Alderman Julia Freeman to call for a public hearing to be held on Tuesday, September 12, 2017 at 6:30 p.m. or as closely thereafter as possible, in the Board Room of Town Hall located at 9 South Main Street, Waynesville to consider approval of an Ordinance to Allow the Sale of Alcoholic Beverages Before Noon on Sundays at Licensed Premises. The motion passed unanimously.

4. Discussion of Animals at Street Fairs, Festivals, and Parades

The second item Mayor Brown wished to discuss with the Board pertained to animals at street fairs, festivals, and parades. He stated that in 2002 the Board of Aldermen had adopted an Ordinance prohibiting any animals, including dogs and cats, at street fairs, festivals and parades. This Ordinance has been difficult to enforce through the years. Mayor Brown said that a number of businesses on Main Street had commented to him about animals being on Main Street. He said that events on Main Street are meant to attract tourists from out of the area. A lot of these people bring their dogs, and then they have no where to leave the animals while attending the event on Main Street. After researching what ordinances other towns have in place concerning animals at events, he feels the Board should look into amending the Town's Ordinance. He asked the Board the voice their thoughts on animals being allowed on Main Street at Town sponsored events.

Alderman LeRoy Roberson said he felt that it should be made clear that the owners be responsible and clean up after their dogs. He said that when he walks Main Street now, sometimes there is some negligence in this area.

Alderman Jon Feichter said he and his family are dog lovers and he realizes that the Town is trying to attract tourists, and a lot of people travel with their dogs. He also realizes that this type if Ordinance is difficult to always enforce and he feels that it would be a good thing to modify the Ordinance. He voiced a concern about liability for the Town if there was an incident and someone was bitten.

Alderman Gary Caldwell stated the he had observed several businesses putting bowls of water out for dogs on Main Street. This is a big plus for people who are visiting Waynesville with their dogs.

Alderman Julia Freeman said she is in favor of modifying the Ordinance. She would like to discuss the provisions that could be made for water for the dogs. She has noticed that on festival days, merchants don't put out their water bowls for the dogs because of the current Ordinance. Town Manager Hites noted that there are water fountain/dog fountain combinations available to serve both the human and animal visitors to Waynesville and could be installed easily.

Chief Bill Hollingsed said that currently there are no requirements for service dogs. There is no certification, documentation, or registration required, this is an issue that the police face, because there is nothing that can be done if someone says the animal is a "service" animal. He asked the Board to consider in addition to being on a leash that the Ordinance also references any animal that is carried or pushed in a cart so that the Town can be in compliance with service dog regulations.

Alderman Jon Feichter made a motion, seconded by Alderman LeRoy Roberson to call for a public hearing to be held on Tuesday September 12, 2017 at 6:30 p.m. or as closely thereafter as possible in the Board Room of Town Hall located at 9 South Main Street, Waynesville to consider approval of an amendment to Section 6.6 of the Town of Waynesville Code of Ordinances Animals at Street Fairs, Festivals, and Parades. The motion passed unanimously.

C. NEW BUSINESS

5. Amendment # 2 to the Fiscal Year 2017-2018 Budget Ordinance

Finance Director Eddie Caldwell

A. Pawnbroker Ordinance – change in fees to include fingerprinting fee, administrative fee and operating license fee

Finance Director Eddie Caldwell stated that the fee schedule needed to be amended to include a \$73.00 baseline fee for fingerprinting, administrative fee, and license fee for the Pawnbroker/Secondhand Dealers/Currency Converters Ordinance.

B. Cemetery Fee - \$200.00 opening/closing fee of in ground cremations added to be in line with services provided.

Ms. Julie Grasty, Asset Services Manager, said that inadvertently a fee for opening and closing In Ground Cremations had been overlooked. After researching, Ms. Grasty found that other towns and cemeteries were charging an opening/closing fee for this service. Since the Town currently charges a \$200.00 fee for the opening/closing of a Columbarium Niche, it was decided that a fee of \$200.00 was a fair fee for In Ground Cremations. Mr. Caldwell asked for the fee schedule to be amended to reflect this.

C. Recreation Grants received – additional grant funding was received and needs to be reflected in the budget

Mr. Caldwell said that in the 2017-2018 Budget Ordinance, the building of an Inclusive Playground was approved at a cost of \$112,880.00. This was to be funded by a \$90,300 grant and a match from the Town for \$22,580.00. Recreation Director Rhett Langston applied for, and received, additional funding in the amount of \$42,300.00 for the playground. Mr. Caldwell said that Amendment #2 to the 2017-2018 budget would allow the department to add these additional amounts to the new Inclusive Playground. The new total to be spent on the playground would be \$155,180.00.

Recreation Director Langston told the Board that when completed, there would not be another playground like this one within 90 miles of Waynesville. He said it is fulfilling a great need for children in the Waynesville area. He said he hopes to have the playground completed by fall.

Alderman Gary Caldwell made a motion, seconded by Alderman Jon Feichter to approve Amendment #2 to the Fiscal Year 2017-2018 Budget Ordinance as it relates to the changes to the fee schedule for the Pawnbroker Ordinance requirements, Cemetery Fees for opening/closing fee of in ground cremations and to increase the line item for grant awards for Recreation and Parks. The motion passed unanimously.

D. COMMUNICATIONS FROM STAFF

6. Manager's Report – Town Manager Rob Hites

Manager Hites said that in 2016 the Board has passed a mutual aid agreement that permits the Chief of Police to enter into interlocal agreements with fellow police departments. The Town of Clyde has requested help with training.

Chief Hollingsed said that currently the police Department in the Town of Clyde does not have a certified Field Training Officer on their staff. They have a number of new officers and nobody to train them. Chief Hollingsed said his staff would like to work with them to get them trained and get them on the street. He feels this is the neighborly thing to do to help them.

Manager Hites said that now since the tourist season is slowing down until the leaf season, he would like to continue work on Hazelwood Avenue. This would include the Electric Department and Public Works Department bringing in the electric lines, installing the three decorative light fixtures on the Bourbon Barrel side of the street, and the elevated walkway to help slow traffic. He said he hoped to have the work completed so the light posts can be installed and decorated for Christmas. The Board was in agreement.

Manager Hites said that some of the Board members had indicated they would like to have a fall retreat to talk about goals and projects, without the pressure of budget season. The Board agreed that this was a good idea. The time and date will be discussed at the last meeting.

8. Attorney's Report - Town Attorney Bill Cannon

Attorney Cannon had nothing to report.

E. COMMUNICATIONS FROM THE MAYOR AND BOARD

F. CALL ON THE AUDIENCE

Assistant Town Manager Amie Owens gave an update on the BCBS and Memorial Mission insurance situation. She said she had been to each Town Department and given updates to employees. She hopes that the two parties will continue negotiations after October 5, 2017 and come to an agreement.

G. ADJOURN

With no further business, Alderman Gary Caldwell made a motion, seconded by Aldermen Jon Feichter to adjourn the meeting at 7:15 p.m. The motion passed unanimously.

ATTEST

Gavin Brown, Mayor

Rob Hites, Town Manager

Eddie Ward, Town Clerk