

**MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**REGULAR MEETING**  
**September 10, 2019**

**THE WAYNESVILLE BOARD OF ALDERMEN** held its regular meeting on Tuesday, September 10, 2019, 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  
Alderman Jon Feichter  
Alderman LeRoy Roberson  
Alderman Julia Freeman  
Mayor Pro Tem Gary Caldwell

The following staff members were present:

Rob Hites, Town Manager  
Bill Cannon, Town Attorney  
Amie Owens, Assistant Town Manager  
Eddie Ward, Town Clerk  
Ben Turnmire, Finance Director  
Brian Beck, Interim Police Chief  
Elizabeth Teague, Development Services Director  
David Foster, Public Services Director  
Preston Gregg, Town Engineer

The following media representatives were present:

Becky Johnson, The Mountaineer

**1. Welcome /Calendar/Announcements**

Mayor Brown reminded the Board of the following calendar events:

Saturday September 14 – Block Party and Car Show – downtown

Saturday September 28 – Power of Pink 5K – Haywood Healthcare Foundation

**2. Adoption of Minutes**

*A motion was made by Alderman Gary Caldwell, seconded by Alderman Jon Feichter, to approve the minutes of the August 13, 2019 regular meeting, as presented. The motion passed unanimously.*

## **B. PROCLAMATIONS**

### **3. Constitution Week – September 17 – 23, 2019**

Mayor Gavin Brown read the Constitution Week Proclamation for the week of September 17th – September 23rd, 2019. He encouraged the citizens of the Town to reaffirm the ideals of the Constitution. He reminded everyone that lost rights may never be regained.

### **4. National Day of Service and Remembrance – September 11, 2019**

Mayor Brown read the National Day of Service and Remembrance Proclamation remembering the victims and innocent lives lost as a result of the tragic events of September 11, 2001. He asked everyone in the room to remember where they were when this tragic event happened, and he thanked the First Responders, Fireman and Police who put their lives on the line every day. Mayor Brown presented Interim Police Chief Brian Beck with the proclamation.

## **C. PRESENTATION**

### **5. Warrior Clan – Veterans Helping Veterans**

- Russ Conner, Founder, Warrior Clan, Inc.

Mr. Russ Conner, Founder of Warrior Clan, Inc. gave a power point presentation explaining how U. S. Military Veterans from all branches of service, business owners, and community members assist with PTSD, family violence, substance abuse, homelessness, and suicide among America's greatest heroes. Mr. Conner told the Board how the Warrior Clan came to be and the projects they are involved with. He explained how any funds received will be directed to training and certifications, insurance, workers compensation, and eventually part-time and then full-time staff to provide these services. Mr. Conner mentioned a 12-mile ruckmarch that would be done in October to raise funds for the program.

*A motion was made by Alderman Gary Caldwell, seconded by Alderman LeRoy Roberson, to grant \$1000.00 as requested for Warrior Clan projects and \$500.00 as a sponsor for the ruckmarch. The motion passed unanimously.*

## **D. NEW BUSINESS**

### **6. Academy Street Parking**

- David Foster, Public Services Director

Mr. David Foster, Public Services Director explained to the Board that following renovations to their campus, the First United Methodist Church has partnered with the Town on improvements to Academy Street. He said that the Town worked with the Church on installing an additional sidewalk connecting Tate and Haywood Streets. The Church intends to install a mid-block

crosswalk, and the sidewalk and crosswalk have compressed the parking on Academy Street. The Landmark Apartments has requested a parking change to facilitate access to their parking lot.

After reviewing the site conditions and conferring with emergency services, Mr. Foster stated that Public Services staff concur with their request to eliminate parking from the crosswalk to Haywood Street (on the south side of Academy). That will include one parking space that is approximately 24 feet on the north side of Academy Street, directly adjacent to Haywood Street.

***A motion was made by Alderman Jon Feichter, seconded by Alderman LeRoy Roberson, to authorize Town staff to proceed with the elimination of on-street parking on Academy Street, as described. The motion carried unanimously.***

7. Haywood County MOA for IVC Transportation

- Brian Beck, Interim Police Chief

Interim Police Chief Brian Beck told the Board that the Memorandum of Understanding provided to them explains who is responsible for transporting Involuntary Commitments based on their home address. This will take the confusion out of which agency is responsible for transportation. Captain Beck said that It is listed in N.C.G.S. § 122C-251 that each county must present and pass by their governing board, a MOU with all the agencies within the county.

***A motion was made by Alderman Julia Freeman, seconded by Alderman LeRoy Roberson, to approve the Memorandum of Transportation Agreement for IVC Transportation. The motion carried unanimously.***

8 Resolution affirming the Town of Waynesville's Board of Aldermen Support for implementation of a compliant NPDES MS4 Stormwater Program.

- Elizabeth Teague, Development Services Director
- David Foster, Public Services Director
- Preston Gregg, Town Engineer

Development Services Director Elizabeth Teague explained to the Board that as a result of an inspection completed on July 24, 2019, the Town of Waynesville received a Notice of Violation from the North Carolina Department of Environmental Quality regarding the Town's 2017 NPDES Permit. She said that in accordance with Part VI of the permit and DEQ policy, a new 5-year MS4 permit must be issued. Along with the new permit the Town of Waynesville is required to:

1. Acknowledge requirements and the intent to comply in writing
2. To adopt a Resolution of the governing board
3. To submit documentation for review and comment by November 30, 2019
4. To conduct a self-audit which includes an evaluation of compliance with the permit and required minimum measures of a stormwater program;
5. To develop a new, draft Stormwater Management Plan that addresses all known compliance deficiencies listed in the Audit report.

***A motion was made by Alderman LeRoy Roberson, seconded by Alderman Jon Feichter, to adopt Resolution R-18-19 Support Regarding Implementation of a Compliant NPDES MS4 Stormwater Program. The motion carried unanimously.***

***A motion was made by Alderman Jon Feichter, seconded by Alderman Julia Freeman to direct staff to respond to the NCDEQ Notice of Violation and its requirements, including the preparation of a draft Stormwater Management Plan. The motion carried unanimously.***

9. Budget Amendment – 2MG Water Storage Tank Rehab. Project

- Preston Gregg, Town Engineer

Town Engineer Preston Gregg said that the rehabilitation work at the 2MG tank on Big Cove Road had begun late last budget year and has carried over into this budget. He explained that funds were approved in the previous budget year and require the Board's approval to amend the current budget in order to carry out the work.

***A motion was made by Alderman LeRoy Roberson, seconded by Alderman Jon Feichter, to approve budget amendment # 3 to the Fiscal Year 19/20 Budget Ordinance (O-14-19) in the amount of \$375,000. The motion carried unanimously.***

10. Budget Amendment - Chestnut Walk Water Storage Tanks

- Preston Gregg, Town Engineer

In order to replace the two existing 20,000-gallon dilapidated water storage tanks at Chestnut Walk, McGill engineers have been working on the design. Mr. Gregg said that the funds were approved in the previous budget year and again require the Board's approval to amend the current budget. This project will be completed with two bids – one for the tank and one for the installation and site work.

***A motion was made by Alderman LeRoy Roberson, seconded by Alderman Gary Caldwell, to approve budget amendment #4 to the Fiscal Year 19/20 Budget Ordinance (O-15-19) in the amount of \$120,000. The motion carried unanimously.***

11. NCDOT Roadway Project: N. Main / Walnut St. Roundabout – Construction Costs

- Preston Gregg, Town Engineer

*Roundabout Project (U-5888). (Current Let Date: February 2020)*

Mr. Gregg provided an estimate of funds to cover Town costs associated with relocation of all overhead power in conflict with NCDOT's U-5888 project located at the intersection of North Main and Walnut Street. This estimate has been approved by NCDOT and work will be starting

within the next three weeks. Mr. Gregg said the Town will pay for said labor and materials and will invoice NCDOT upon completion of the work. He stated that all the work is 100% reimbursable apart from decorative lighting. A budget amendment is needed to cover Town costs associated with this project.

***A motion was made by Alderman Gary Caldwell, seconded by Alderman Julia Freeman, to approve budget amendment # 5 to the Fiscal Year 19/20 Budget Ordinance (O-16-19) in the amount of \$191,000. The motion carried unanimously.***

## **E. COMMUNICATIONS FROM STAFF**

### **Manager's Report**

- Rob Hites, Town Manager

#### Wastewater Treatment Plant

Town Manager Rob Hites provided an update to the Board related to the financing and other activities surrounding the Wastewater Treatment Plant. He noted that the Town had been approved via the State Revolving Fund (SRF) for a 20-year, zero percent loan and a \$500,000 grant. However, it may be possible to have this extended to a 30-year loan with the same rates. Manager Hites explained that there would be additional costs associated for a report to the Local Government Commission (LGC) and amendment to the Preliminary Engineering Report (PER) to reflect the potential change. In a parallel track, an application was being completed for submission to the USDA. There has been some conflicting information from the grants staff with the USDA and the USDA regulatory staff. On October 1, the Mayor, Town Manager, project engineers and staff will have a meeting with the USDA in Raleigh to gain further clarification related to the application process. Manager Hites added that the SRF would be more advantageous, but that if there were additional funds available via the USDA it would benefit the town to try. After the financing option is completed, then the Special Order of Consent (SOC) negotiation can continue. Manager Hites reminded the Board that this was a five-year process and that we are only now nearing the end of year one. Mayor Brown noted that he was contacting Senator Jim Davis and with Representative Joe Sam Queen to gain their support of the Town and its endeavors and encouraged other board members to do so as well.

#### Engineering Costs for WWTP and Updates for Other Projects

Finance Director Ben Turnmire provided the Board with a spreadsheet outlining the various costs associated with the Wastewater Treatment Plant for the past four years. He noted each engineering firm and the approved contract amount as well as the total amount spent for each project. Manager Hites commented that if the decision was made not to pursue the USDA loan, then the costs associated with that application would be closed out and funds would be available

for use once more. Public Services Director David Foster commented that due to the specific nature of each of the projects, there were electrical, structural and civil engineers utilized.

Mayor Brown asked Town Engineer Preston Gregg to provide some updates related to other projects that have design and/or engineering costs associated with them. The first update was related to Pigeon Street. Mr. Gregg explained that the primary engineer Mattern and Craig had partnered with Vaughn and Melton related to Pigeon Street and that both were simultaneously moving along with their respective projects and design. Now that both are more than 50% complete with their designs for the road and the infrastructure, the designs will be reviewed by Town staff and submitted to NC DOT for review. It is hoped that once the designs are completed, discussion related to funding will be held with NC DOT after the first of the year. It is estimated that the project would encompass all the water, sewer, stormwater and street improvements at a cost of approximately \$3 Million from Main Street to HART. Since the South Main improvements will include Legion Drive, it is hoped that all the paving could be done at once and have some funding from another project. Public Services Director David Foster added that the subsurface reports are varied with some infrastructure too shallow, some of the materials are inconsistent, and that the design would include making sure that everything is more uniform, but that the elevations are set for gravity lines and driveways. The road height could not be altered.

Mayor Brown asked about the landslides and progress toward clean up and stabilization. Mr. Foster explained that the structural engineer had noted that it would be better not to re-engineer the slope on Plott Heights but to build up the area below the slide. Since the town owns the property below the slide, access would not be a factor. The second slide on Dogwood Trail, the staff has met with BLE regarding their findings on the core borings. Mr. Foster explained that decisions would need to be made related to what can the town absorb related to the next phase. Mr. Foster and Mr. Gregg will send recommendations to the Board for consideration. Mr. Foster added that he has been communicating with the individuals on Dogwood Trail and shares information as it is known. It is hoped that whatever option is chosen for repair could be completed before the winter so that individuals would not have to utilize a steeper road for ingress and egress.

Mayor Brown asked about the Brown Avenue realignment noting that this was a project that was first considered over 15 years ago. Mr. Gregg explained that when the project was first introduced, the cost was significantly less than today's rate. The approximate project cost is \$3 million dollars. The design is completed, and the cost was \$168,000. The town can invoice the NC DOT for reimbursement of these funds, but if the project does not move forward, then the funds would be forfeited. A meeting will be held with staff, school board members and Haywood County to determine how to proceed.

#### Pool Area/Decktron Unit

Town Manager Hites explained that he has been working with Recreation Director Rhett Langston and representatives from the Bolton Corporation related to the Decktron dehumidification unit at the pool. He reminded board members of the information presented at the Retreat earlier in

the year and that the cost of the project was \$788,000 and that the roof of the Recreation Center would have to be cut to remove the unit. Bolton Corporation, who handles the pools at UNC-Asheville and Western Carolina University, came and looked at the unit and was able to provide a recommendation for an alternative split unit that would reside outside of the facility and utilize existing duct work. The estimate is approximately \$220,000 less than the original quote and could be done as a design-build project. Town Manager Hites will update as necessary.

#### Cemetery Committee

Assistant Town Manager Amie Owens provided a brief update to the Board related to the Cemetery Committee. She indicated that the group has been very cohesive and is inching closer to having a final revision to the Cemetery Ordinance. She thanked the Public Services and Cemetery staff for their assistance in helping the committee to understand the needs related to budget, maintenance of the sites and challenges faced. Ms. Owens added that in addition to the cemetery ordinance, there would be recommendations forwarded to the Board including potentially having the Cemetery Committee as a standing committee.

#### **12. Attorney's Report**

- Town Attorney Bill Cannon

Attorney Cannon had nothing to report.

#### **F. COMMUNICATIONS FROM THE MAYOR AND BOARD**

Alderman Gary Caldwell asked Development Services Director Elizabeth Teague to resume sending end of the month reports concerning Code Enforcement and Building Permits issued to the Board.

#### **G. CALL ON THE AUDIENCE**

##### **Dick Young**

Mr. Young stated that he had been in contact with Mr. Jonathan Woodard from the NCDOT concerning re-establishing the truck route in order to keep the big trucks off Main Street. He said he was told that it would be up to the Town to put up the signs to direct the trucks away from Main Street.

Alderman Caldwell said he had spoken with Wesley Grindstaff from the NCDOT recently and was told that there were no immediate plans to pave Main Street, and if that changed it would be next spring before it would be done.

### **Danny Wingate**

Mr. Wingate expressed concerns about the cost of water and sewer taps for the first two of the fourteen houses he and his wife are building as a subdivision on Lickstone Rd. He said there was a misunderstanding about the capacity fee he was quoted a year ago and would like to know the amount he needs to budget for his subdivision.

Manager Hites stated that he would like to get all the facts together and bring the issue before the Board at the September 27, 2019 regular meeting.

### **H. ADJOURN**

*With no further business, a motion was made by Alderman LeRoy Roberson, seconded by Alderman Jon Feichter, to adjourn at 8:05 p.m. The motion carried unanimously.*

### **ATTEST:**

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Gavin A. Brown, Mayor

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Robert W. Hites, Jr. Town Manager

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Eddie Ward, Town Clerk