

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REGULAR MEETING
August 13, 2013

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday, August 13, 2013 at 7:00 p.m. in the board room of Town Hall, 9 South Main Street, Waynesville, NC.

A. CALL TO ORDER

Mayor Brown called the meeting to order at 7:00 p.m. with the following members present:

Mayor Gavin Brown
Alderman Gary Caldwell
Alderman Julia Freeman
Alderman Wells Greeley
Alderman LeRoy Roberson

The following staff members were present:

Marcy Onieal, Town Manager
Woodrow Griffin, Town Attorney
Alison Melnikova, Assistant Town Manager/Deputy Clerk
Eddie Ward, Deputy Clerk

Representing the media:

Mary Ann Enloe, The Mountaineer
Caitlyn Bowling, Smoky Mountain News

1. Welcome /Calendar/Announcements

Mayor Brown welcomed everyone and referred everyone to the calendar of events received in the agenda packets. Manager Onieal made mention of the opening date of the Haywood County Fair on August 21, 2013, and a Town Hall meeting at Haywood Community College with U. S. Representative Mark Meadows on August 20, 2013. On August 26, 2013 at 5:30 p.m., Haywood County Council of Governments will meet in the DSS Training Room, 157 Paragon Parkway. Manager Onieal will be attending a ten-session Leadership Haywood program, one Wednesday per month, beginning in September.

2. Adoption of Minutes

Alderman Caldwell made a motion, seconded by Alderman Greeley, to approve the minutes of the July 18, 2013 and July 30, 2013 meetings as presented. The motion passed unanimously.

B. NEW BUSINESS

3. Authorization to Solicit Request for Proposals (RPF) for information Technology (IT) Services

Manager Onieal stated that Town Staff has spent the better part of the year assessing where the Town stands in IT technology, infrastructure and support needs. The Town engaged the services of VC3 to perform a comprehensive IT inventory and assessment. Their report stated the need for improvements in hardware and software standards, data redundancy and security, routine support and follow-up and ongoing employee training. The assessment presented different paths and cost estimates to address many of these needs. Having completed the planned assessment, and having consulted with multiple vendors and independent consultants since the VC3 report was delivered, staff is prepared to move forward with issuing a request for quotes with at least six regional vendors expressing interest in submitting a proposal.

A motion was made by Alderman Greeley, seconded by Alderman Roberson, to authorize staff to issue a request for proposals for IT services based on findings of the Comprehensive IT Assessment Report as presented. The motion passed unanimously.

4. Call for Public Hearing to consider amendments to Section 14 of the Code of Ordinances, to provide for the Permitting of Street Performers on Public Property.

Manager Onieal said the Town of Waynesville finds street performers provide a public amenity that enhances the character of the town and seeks to encourage such performances in such a manner consistent with the overall public interest. The Town also recognizes that street performers seek to, and do, draw crowds to their performances, which can create safety problems by impacting the ability of pedestrians to move safely on sidewalks and through crosswalks and impeding the response time of safety personnel. It can also impact access to and egress from businesses. Heretofore, street performers have been prohibited from collecting payment for street performances. A draft of Ordinance 07-13 Amendment to Chapter 14 of the Code of Ordinances of the Town of Waynesville was included in the agenda, which addresses safety, permitting, monetary, and other regulatory issues. Manager Onieal said the draft had been reviewed by the Downtown Waynesville Association, which was generally supportive of the draft ordinance, provided the town does not permit street performers during town-sanctioned festivals and events.

A motion was made by Alderman Caldwell, seconded by Alderman Freeman to call for a public hearing on August 27, 2013 at 7:00 pm, or as soon thereafter as possible, in the Board Room of Town Hall, 9 South Main Street, for the purpose of considering amendments to Section 14 of the Code of Ordinances to provide for the permitting of street performers on public property.

C. UNFINISHED BUSINESS

5. Appointments to Boards & Commissions

➤ Historic Preservation Commission – 1 vacancy (3-yr term ending June 30, 2016)

At the last Board meeting, Richard Kent Stewart was appointed to the Historic Preservation Commission. After that meeting it was brought to the staff's attention that Mr. Stewart was ineligible to serve on the commission because of his residency. Therefore, the staff recommends that Ann Melton be reappointed to the commission for a three year term.

A motion was made by Alderman Greeley, seconded by Alderman Freeman, to acknowledge the appointment of Kent Stewart to the Historic Preservation to have been made in error, due to ineligibility to serve based on residency, and to appoint instead Ann Melton, to a three-year term ending June 30, 2016.

➤ Public Art Commission

Barbara Dias was appointed to the Public Art Commission at the last Board meeting, but after multiple attempts over several weeks to contact the applicant, the applicant has not responded; therefore the staff recommends Dominick DePaolo to serve on this commission with a term ending June 30, 2016.

A motion was made by Alderman Freeman, seconded by Alderman Roberson, to appoint Dominick DePaolo to a three-year term on the Public Art Commission, ending June 30, 2016. The motion passed unanimously.

➤ Recreation Commission – (3) vacancies (3-yr terms ending June 30. 2016)

At the last Board meeting, it was unclear whether the Recreation Commission was to have seven or nine members, and appointments to that board were deferred. After researching past minutes, the most recent authorizing legislation (Resolution R-28-06) indicates there should be nine members, meaning there are 3 vacancies on the Commission.

A motion was made by Alderman Greeley, seconded by Alderman Roberson, to appoint Don Frady, Sarah Massie, and Linda O'Neil to three-year terms on the Recreation Commission, ending June 30, 2016. The motion passed unanimously.

➤ Zoning Board of Adjustment – 4 vacancies (regular members); 2 vacancies (alternates)

The Zoning Board of Adjustment was downsized with the last amendment to the Land Development Standards. The current make up of the Board requires 4 appointees from the Town and 1 from the ETJ. There are 5 full time members and in the event of absence or inability to fulfill term, the first alternate steps into that role. There should always be an alternate that can move into the role on the Board in case of absence.

A motion was made by Alderman Roberson, seconded by Alderman Caldwell, to appoint the following residents of the Town of Waynesville's Extraterritorial Jurisdiction (ETJ) to the Zoning Board of Adjustment: Neal Ensley to an unexpired term ending 6/30/15, Boyd Medford as 1st alternate, and John Richardson as 2nd alternate. The motion passed unanimously.

A motion was made by Alderman Freeman, seconded by Alderman Greeley, to appoint the following residents of the Town of Waynesville to the Zoning Board of Adjustment: Jack Suddath to a three-year term ending 6/30/16, Stephanie Strickland to a three-year term ending 06/30/16 and Ken Stahl to an unexpired term ending 6/30/15. The motion passed unanimously.

A motion was made by Alderman Freeman, seconded by Alderman Greeley, to appoint David Felmet as 1st alternate for the Town of Waynesville. The motion passed unanimously.

D. ITEMS FOR BOARD DISCUSSION

6. Request for easement to Install Natural Gas Service to property located at 34 S Main Street (request of contractor Ron Leatherwood on behalf of clients Libba and Jon Feichter, New Meridian Technologies)

Ron Leatherwood, of Clark & Leatherwood Contractors, requested on behalf of building owners Libba and John Feichter, that the Town grant a right-of-way to PSNC for the installation of a gas line at 34 S Main Street, through the parking lot at the Town of Waynesville Municipal Building. Mr. Leatherwood stated there would be six or more businesses in the building at 34 S Main Street, and it would be more economical to install a gas line for PSNC through the Town's parking lot rather than disrupt Main Street to run directly into the owner's property. Mr. Leatherwood said that PSNC would cut two 4X4 holes in the Town's parking lot and have them repaved within two weeks. The building will be heated by electric heat pump and the gas line is intended for emergency heat, during extremely cold weather. They have a commitment to a tenant to move in Sept 1 and would like to have everything in place before that date.

There was much discussion about the location of the gas line and the time frame involved before cold weather. Several board members suggested that alternate locations would be preferable to running through the center of the Town parking lot. Manager Onieal explained that a right of way for gas line would permanently encumber the property, as nothing could ever be built on top of a buried gas line, but indicated that running a line from Church Street along the outside edge of the parking lot by the retaining wall would be the preferred location from the Town's point of view. She also mentioned safety concerns associated with locating an exposed gas meter in the driving lane since there is no clearance, but that the contractor had agreed to locate the meter in the corner of the lot between the Gateway Club's fire escape and the existing tree well, which is a more protected location in the lot.

Alderman Freeman stated the Municipal Building was a Historic Building and because of that it is unlikely the Town would be building across the lot. She said she is not opposed to cutting the parking lot in order to give a neighboring business more convenient access to gas service. She stated she would rather disrupt the Town's parking lot versus Main Street.

Alderman Freeman made a motion, seconded by Alderman Greeley, to grant a request for easement to install natural gas service to the property located at 34 South Main Street. The motion passed unanimously.

7. Request to designate Love Lane as a neighborhood of historic significance and designate August 23, 2013 as Love Lane Day in the Town of Waynesville. (Request of Historic Preservation Commission)

Manager Onieal stated the Historic Preservation Commission requested the Town designate August 23, 2013 as "Love Lane Day" in the Town of Waynesville in recognition of the founder of Waynesville Colonel Robert Love's birthday. Historic Commission Member Ann Melton stated she felt that because Love Lane was considered the oldest street in Waynesville, there should be recognition for that street. She also requested that the Town install signs at either end of the street marking its historic significance.

By consensus, the Board agreed to designate August 23, 2013 as Love Lane Day in the Town of Waynesville; and to direct staff to work with the Historic Preservation Commission to install appropriate signage marking the street for its historic significance.

E. COMMUNICATIONS FROM STAFF

8. Town Manager – Marcy Onieal

Voluntary Annexation Request—Manager Onieal reported she had received a voluntary annexation request by Corinne and Woody Baker, who are interested in renovating a property located on 23/74 bypass, formerly the Billy Case Realty office and converting the space to a microbrewery, tasting room and retail home-brewing establishment. Because the property is in foreclosure, and currently owned by Old Town Bank, they do not technically have standing to request annexation, but before they purchase the property, they would like to know if there is a possibility of being annexed into the Town of Waynesville, since an ABC permit would be required to operate such a business. They feel the business would be profitable for them and for the Town. Alderman Roberson stated he did not feel the property should be annexed because this would be a satellite annexation of some considerable distance from the Town's corporate limits, and he is not in favor of this. The remainder of the Board of Aldermen agreed with Alderman Roberson. No further action was taken.

Lake Junaluska Merger Update—Manager Onieal commended the Smoky Mountain News and the Mountaineer on the coverage in the newspapers had given the Lake Junaluska merger. She said the Community Council is still actively meeting and talking in an effort to pursue annexation and are working on a petition of registered voters. Ms. Onieal shared the new proposed rates for municipal services Junaluska residents will be paying to the Assembly as of January 1, 2014, noting that their assessments will be the equivalent of more than 42 cents on the tax rate and that solid waste, water and sewer base rates will be almost double that charged by the town.

U4412 Howell Mill Road Project Property Conversion—Manager Onieal said that the property conversion associated with the NCDOT Howell Mill Road Project has finally been approved by all vested parties and that we are simply waiting on NCDOT to acquire the converted property from Owners Wade & Tomlinson in exchange for a small section of Town property at Rec Park. The converted parcel is adjacent to the Dutch Fisher Park and will be used by the Town for greenway development. Formal approval of the land transfer will come back before the board. There is no cost to the town for the conversion.

Potential Cell Tower Lease—The Town has received a request from Verizon to locate a 145-foot monopole cell phone tower on Town property at Dutch Fisher Park. The tower will include a 60 X 60 fenced area for safety and security. Manager Onieal indicated this was a request to lease town property and that the Town's land development standards promote location of towers on public property. An alternative site would be Waynesville Middle School property. If neither property is acceptable, then negotiations would begin with private property owners for a location in the west/central quadrant of the town. A broker for Verizon will be inspecting the property and will send a specific request and standard lease agreement for board consideration at a later date.

Haywood Economic Development Restructuring Proposal Update--Manager Onieal stated that there continues to be discussion about restructuring the Economic Development function in the county, which was initiated by the Haywood County Commissioners. The Chamber of Commerce is now considering what an EDC function would look like if merged with, or absorbed by, the Chamber of Commerce, and discussion is focused around three specific areas: organizational structure, finance, and marketing. She and the mayor are participating in these discussions.

Fall Retreat for Board of Aldermen--Because the retreat earlier in the year was devoted exclusively to the IT Assessment and the Lake Junaluska study, Manager Onieal would like to have a fall retreat to discuss other board priorities and the manager's performance assessment after her first year in the position. ***It was the consensus of the Board to hold the retreat on Tuesday, September 17, 2013 at 5:30 pm, location to be announced.***

NCLM Conference Attendance & Voting Delegate—The annual NC League of Municipalities Conference is going to be held October 13 – 15, 2013 in Hickory. Manager Onieal asked for any Board Member that could attend let her know so she can reserve rooms. Customarily, the voting delegate is one of the attending board members and she serves as alternate voting delegate. Mayor Brown indicated his intent to attend the 2013 conference.

Resolution Recognizing NCLM Retirement—There will be a special recognition during the League's annual conference on the occasion of Executive Director Ellis Hankins's retirement, after many years of service.

US Conference of Mayors—A resolution for America Fast Forward Transportation supports the creation of a 21st century national surface transportation system by creating a new category of qualified tax credit bonds. Manager Onieal indicated that the mayor would be signing this resolution and publicly supporting the initiative through the US Conference of Mayors, unless anyone on the board had objections. ***There was no board opposition to the Town's support of this proposed resolution.***

**Opt-in (7 Southwestern County Visioning /Planning Process
GroWNC (Land of Sky Regional Council Visioning/Planning**

Both of these agencies are undertaking major regional economical development plans, and Waynesville is a participant in both studies, with Manager Onieal having served on the steering committee of GroWNC for the past year, representing Haywood County. Both plans are in draft stage and open for public comment and participation.

9. Town Attorney Woodrow Griffin – No Comment

E. COMMUNICATIONS FROM MAYOR AND BOARD OF ALDERMEN

No Comment

F. CALL ON THE AUDIENCE

Woody and Corinne Baker expressed appreciation to the Board for considering their request to annex the property they proposed to buy on US 23/74, and that despite the Board's lack of support for the annexation, they would still like to locate their business in Waynesville if a suitable site could be found.

G. ADJOURN

With no further business, a motion was made by Alderman Caldwell, seconded by Alderman Greeley to adjourn at 8:30. The motion passed unanimously.

ATTEST

Gavin A. Brown, Mayor

Marcia D. Onieal, Town Manager

Eddie Ward, Deputy Town Clerk