

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REGULAR MEETING
August 11, 2015

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday, August 11, 2015 at 6:30 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 6:30 p.m. with the following members present:

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

The following staff members were present:

Marcy Onieal, Town Manager
Woodrow Griffin, Town Attorney
Phyllis Rogers, Acting Town Clerk
Joey Webb, Fire Chief
Elizabeth Teague, Development Services Director
Preston Gregg, Town Engineer
David Foster, Public Services Director

The following media representatives were present:

Mary Ann Enloe, the Mountaineer
Becky Johnson, Smoky Mountain News

1. Welcome /Calendar/Announcements

Mayor Gavin Brown welcomed everyone to the meeting.

Manager Onieal thanked Phyllis Rogers for filling in as clerk in the absence of Town Clerk Amie Owens.

Manager Onieal called attention to the following events to which Board members have been invited, which were not included on the board calendar:

- Blue Ridge National Heritage Area Conference on August 20
- Congressman Mark Meadows is hosting the 2nd Annual Veterans' Solution Seminar August 18
- Mountain Projects is celebrating 50 years with a Gala Celebration Dinner on September 3.

Other upcoming events added to the calendar since the last meeting included the Haywood County Council of Government Meeting on August 24. On August 18 Waynesville will host a Reception & Orientation for all Boards and Commissions. These Boards and Commissions provide a lot of the background work that comes ultimately to the Board of Aldermen for decisions. This is a time to thank

all the boards for their service, recognize the outgoing members and provide orientation to the newly appointed members. All those persons that have filed for the upcoming Municipal Election have also been invited to attend. Mayor Gavin Brown, Manager Marcy Onieal, Town Clerk Amie Owens and Chairs of each of the Boards/Commissions will speak briefly.

Manager Onieal suggested the dates of January 29 and 30 for the annual Board Retreat and asked for the Board's blessings on these dates since it may be difficult to find a facilitator due to statewide municipal elections. ***By consensus the board agreed to schedule the board retreat for January 29-30, 2016 in order to allow time to more fully discuss council goals and priorities for the coming board term and to set the stage for establishing a four-year strategic plan in partnership with staff.***

2. Adoption of Minutes

There was one amendment to the minutes of the July 28, 2015 regular meeting requested by Alderman Roberson.

Original statement – page 5 paragraph :
The monthly payment is \$18,250 which increases by 3% annually.

Amended statement:
The annual payment is \$18,250 which increases by 3% annually.

Alderman Caldwell made a motion, seconded by Alderman Greeley, to approve the minutes of the July 28, 2015 regular meeting, as amended. The motion carried unanimously.

B. REPORTS/PRESENTATION

3. After Action Report/Improvement Plan from Waynesville Full Scale Fire Emergency Exercise on June 5/6, 2015 - Roland Hamrick, SCSLLC Consulting, Greg Shuping, Haywood County Emergency Management and Joey Webb, Fire Chief

On June 5-6, 2015, the Town of Waynesville performed a Conflagration Full Scale Exercise set in downtown Waynesville at Massie Furniture Store located at 45 North Main Street to evaluate Waynesville Fire Department's response capabilities to a major fire in their primary business district. Objectives of this exercise included:

- Evaluate Waynesville Fire Department's response capabilities to a major fire in their primary business district.
- Evaluate multi-agency coordination during a major incident requiring mutual aid and town services.
- Evaluate water supply capabilities including tender shuttle and drafting from secondary water sources.
- Evaluate the Town of Waynesville's ability to establish and function within the Incident Command System.
- Evaluate Haywood County EMC ability to provide triage, treatment and transportation services.
- Evaluate the ability of the local health care facilities to implement their surge capability.

The scenario for this exercise was Waynesville Fire Department is dispatched to a structure fire at Massie Furniture Company, 45 North Main Street in Waynesville. On arrival the manager advises they have several injured personnel on the back porch. Heavy smoke is showing from the front and rear entrance of the building. The exercise was sponsored by the North Carolina Emergency Management and Haywood County Local Emergency Planning Committee. Seventeen organizations participated in the exercise with a total of over 110 personnel participating. A list of participating organizations is included in the After-Action Report.

Roland Hamrick, Specialized Consulting Services, presented an overview of the exercise, with items that need adjustment and recommendations to help plan for the future. Mr. Hamrick thanked the Board and Manager for allowing him to attend, adding that his company hires experts in the field to serve as evaluators. He has spent forty years in the fire service, including Fire Chief for the Town of Shelby for eight years. Three meetings were held before the exercise was conducted. Theatrical smoke and movie props were used to avoid damage to Massie Furniture. Waynesville Fire and Police Departments and other staff worked diligently to accomplish the objectives of this exercise. The Board of Aldermen were commended for providing their departments with up to date, state-of-the-art equipment and a very nice Fire Station. One of the main issues discovered is that Waynesville does not have enough full-time paid firefighters. It took around sixteen minutes to effectively put the first fire hose in the location. With two stations and two apparatus responding the response time is great, but the fire trucks don't put out fires, you have to add people to the equipment. Fire Departments do not have the number of volunteers they once had. During the exercise the Police Department at times also served in the capacity of firefighters. A free burning fire multiplies drastically in five minutes even with firefighters doing all they can, they just need the additional personnel. Waynesville is usually responding with only one firefighter per vehicle and should be responding with a minimum of two and ideally with three. It was recommended that each shift have at least two firefighters per station. In order to meet ISO requirements a certain amount of equipment is required to respond to a fire, which the Town has, just not the personnel on scene in a timely fashion to operate it all.

Mr. Hamrick commended Greg Shuping for his work in Haywood County with the Incident Management Team, adding that very few areas in the State of North Carolina are equal to what Haywood County has to offer and suggested that Waynesville should take every available opportunity to work closely with them, as they already do.

Additional training between the Town and its mutual aid departments is recommended as well to assist volunteer and other emergency personnel become more familiar with Waynesville's buildings. This not only helps when emergencies happen, but can potentially lower insurance ratings. Evaluators were impressed with how well everyone worked together as well as their overall working relationships. Radio communications were a problem, but this can easily be solved, with sufficient resources. The Police Department did an excellent job and functioned at times as firefighters as they were first on scene, noting this is outside their responsibility and may be a legal liability since they do not have the proper training and equipment for this function. In order for the Board to speak the same language as emergency responders it is recommended that they receive ICS/NIMS Training, adding that Greg Shuping is a great asset for this training.

The other issue encountered is that Main Street only has a 6" water line. Some of the outlying streets have a 10" water line. On the night of the exercise there was about 800 gallons per minute at

zero residual which means all the water was being taken from the system. This has been brought to the attention of the Water Department and they are currently looking at options.

Manager Onieal noted that staff had already addressed a number of the issues identified by the exercised, noting that Chief Webb and Intern Catherine Hughes had already developed town-wide Emergency Management Plans for each facility and had implemented ICS/NIMS training and tracking for all employees, including the Board of Aldermen. She also noted that because the simulation was held in the middle of the night, we consciously chose not to engage some additional personnel that would have been immediately activated had this been a real emergency, and that while we could have mobilized plenty of extra assistance for virtually all support jobs related to the incident, we simply do not have enough paid or volunteer firefighters to tackle a fullscale conflagration of this magnitude and that additional fire personnel would be her first priority if and when the Town is in position to add additional positions in the General Fund. She then invited David Foster to address the water supply issue.

David Foster, Public Services Director, indicated that a residual test was conducted two weeks in advance of the drill showing almost triple the flow rate that was apparently measured during the exercise. This can only be attributed to a mechanical failure or lack of knowledge on the part of those opening valves since the earlier test proved that more water and pressure was in fact available. One of the things being considered to improve the situation is additional fire hydrants and placing a water department employee with the Fire Department to address these issues when they are found. Cross connections are another possibility to provide additional flow and minimize the number of customers that would be without water. Manager Onieal said although the Town has adequate supply of water, a conscious choice was made during the exercise not to cut the water off to customers as could have been done in a real emergency in order to increase water supply to the firefighters. However, during an emergency time is critical and this would have to have been done within the first few minutes to have been effective.

Fire Chief Joey Webb addressed the issue of fire department staff and in researching past records he found in 1970 that there were eight fulltime firefighters. Since that time Waynesville has grown significantly in population and area, primarily from the merger with the Town of Hazelwood in 1995, and yet the department has added only two paid firefighters in forty-five years, while the number of volunteers has actually declined. During the 1970's there were a lot of volunteers, and many of them were allowed to leave their places of employment to respond to fire calls. The number of volunteers has since declined and many of those cannot leave their work to respond to fire calls.

C. DISCUSSION ITEM

4. Russ Avenue Corridor/NCDOT Cross Section Update
Elizabeth Teague, Development Services Director
David Foster, Public Services Director
Preston Gregg, Town Engineer

Several years ago the Town of Waynesville identified the need to improve the Russ Avenue Corridor from the Great Smoky Mountains Expressway (US 23-741) interchange to Walnut Street. A study was conducted by Wilbur Smith Associates in 2010 to develop a feasible corridor plan which includes plans for future travel demand; intersection improvements; access configuration and management; median and edge landscaping; and pedestrian, bicycle, and public transportation facilities along the Russ Avenue corridor. The study was the initial step in the planning process for this project

and not the product of detailed environmental or design analysis. The NC Department of Transportation now wants to complete the design. The Wilbur Smith Study contains more elements than what NCDOT calls for. Town Engineer Preston Gregg said NCDOT will obtain right-of-ways and construction. As it stands the Town will be required to relocate utilities as they did with the Howell Mill Road Project. NCDOT has requested that Waynesville review several alternate designs and let them know their desired option. These designs were presented for the Board to consider. These designs have also been reviewed by Town Staff and their recommendation is Alternate Design 2A, which does have issues with the Town's own zoning standard. This design does allow room for landscaping and a shared travel lane for bicyclists. As Waynesville's population grows so does the cost share for its sidewalks. Currently with less than 10,000 in population that share is 20%; more than 10,000 would increase that share to 30%. NCDOT will only pay for a 5' sidewalk. Additional sidewalk area would be paid for by Waynesville. Mayor Brown added that NCDOT's projection did not increase very much, their plan is to move traffic more efficiently. David Foster said the interconnectivity groundwork is laid but not included in the projected work, but as development proceeds in that corridor hopefully the other plans would be incorporated. This would remove traffic from the main road and reduce the number of accidents. Actual construction is scheduled for 2022. Manager Onieal added that this design meets ADA accessibility requirements.

It was the consensus of the Board to recommend to the NC Department of Transportation Alternative 2A for the Russ Avenue Corridor as presented and recommended by Town Staff.

5. Report on Chestnut Park
Woody Griffin, Town Attorney
Bill Hollingsed, Police Chief

Manager Onieal said Chestnut Park has ongoing neighborhood issues and criminal activity and a number of departments are trying to address these issues from nuisance abatement, code and law enforcement standpoints, however there remain obstacles to effective management of challenges in this area, most notably prosecutorial issues, which are beyond the Town's control and the issue of use and ownership of the Park area, which may be an area the Town wishes to address. This Park has been perceived as a town maintained facility for years since the Town has minimally maintained this area by mowing it for a number of years.

Attorney Woodrow Griffin has researched this issue, which came up a number of years ago under the previous town manager with no resolution, and he provided a brief history of park ownership. The tax map and other documents, including the original subdivision plat, Chestnut Park Addition, which was originally developed and recorded by R. D. Gilmer were available. The property went through foreclosure with the Bank of Waynesville taking possession. Maude Gilmer became the owner and the property was developed over the years. In 1940 it was deeded to a daughter and son, Maude Gilmer (same name as the mother, but married last name of Perry) and brother Joseph Gilmer. In 2001 a deed was assigned to Gene Ferguson, particularly tract #2. The Gilmers had signed a right-of-way for the Bypass when it was built. However interest of the property on the other side of the By-pass which would include the park property was not conveyed. The Haywood County Tax Map indicates ownership of the park property as the Town of Waynesville. However, no documents were found in conveyance of this property to the Town. Tax office personnel may have assumed and listed it under the Town but no documentation could be found. Ownership could remain in the Gilmer family but it is unknown how to

locate them. Some records were found signed by the Gilmer's in 2011. Waynesville has maintained the property for years.

Police Chief Hollingsed said in the seventeen years he has been in Waynesville there have been problems with trespassing, drinking, and other problems. Arrests cannot be made because there is no owner with legal authority. The adjacent property, owned by Mr. and Mrs. Eavenson, does have an active trespassing letter to allow arrests for anyone passing over their property. In the past one and a half years there have been 165 calls for service in this area, not including the Chestnut Park Rest Home. The first physical fight he was involved in after being here about one week was at Chestnut Park Drive. Out of 136 arrests there were probably 130 dismissals. People living in the area feel like they are prisoners in their own home.

Manager Onieal asked the Board for guidance in how to address this property. She regularly receives calls and text messages, sometimes in the middle of the night, regarding this property and the activities that occur there because the residents get tired of calling the Police Department.

Alderman Roberson made a motion, seconded by Alderman Freeman, to pursue finding the owners of this property and negotiate ownership. The motion carried unanimously.

D. COMMUNICATIONS FROM STAFF

6. Town Manager – Marcy Onieal

Manager Onieal said there were several items to update for the Board, but due to the number of items and length of the meeting the updates will be provided to the Board in writing.

7. Town Attorney – Woody Griffin

Attorney Griffin had no business to discuss.

E. COMMUNICATIONS FROM MAYOR & BOARD OF ALDERMEN

F. CALL ON THE AUDIENCE

Jack Wadham – Frog Level Area - Petition

Jack Wadham, Frog Level business owner, thanked the Board for the work they have done in Frog Level. At the present time most of the problems in the area are now solved. However, there have been a couple of situations develop after hours, but the discussion between Town and Open Door and Merchants and working with Police have stopped those as well. At one time Mr. Wadham was interested in purchasing the property across the street from his shop because the railroad was interested in selling it. The Town of Waynesville decided that they wanted the entire section and began leasing the property for parking. According to the lease agreement this area can only be used for parking. He doesn't understand how the pond art work was placed at the corner and eliminated three parking spots. An issue was recently brought to his attention that a business owner is planning to locate a caboose on the property to be used as a museum and this would eliminate ten (10) additional parking spaces. Mr. Wadham presented a petition from Frog Level business owners opposed to this being done.

Mr. Wadham asked that before this happens he would like to have an open meeting to determine if this is acceptable with the railroad. Mayor Brown thanked Mr. Wadham for attending the meeting. Mr. Wadham complimented the Board for all they work they are doing in Waynesville. Mr. Wadham said we are all trying to work together and he felt it would be easier to stop something before it is half done.

Mel Fergenbaum said the caboose was part of a vision on how to spruce up the Frog Level area, bring people to the area and create jobs that he mentioned at the July 16th Frog Level Meeting. He wanted to inform the Board that nothing official has been done regarding this idea and he is in total agreement that parking spaces do not need to be given up.

Manager Onieal said she first heard about this idea only on July 16 and that it is only an idea of the Historic Frog Level Merchants Association and not something that will take away parking, nor anything that the Town has planned or has responsibility for. Manager Onieal informed Mr. Wadham that the Frog Level Association is starting a new website and that memberships are open to anyone interested and encouraged him to become involved and aware of what is going on in the Frog Level area.

G. PROCLAMATION – ALCOHOL AND DRUG ADDICTION RECOVERY MONTH SEPTEMBER 2015

Police Chief Bill Hollingsed informed the Board that he has been working with Smoky Mountain Mental Health and other health agencies and on September 19 a “Recovery Rally” will be held in the Lake Junaluska gym. Hot dogs and hamburgers will be available for those attending. A proclamation was prepared by Governor Pat McCrory. Chief Hollingsed asked if the Board could also adopt a Proclamation. The Governor and/or Lieutenant Governor will be in attendance and will be introduced by Mayor Brown.

Chief Hollingsed also informed the Board that Waynesville is hosting the Southeastern Canine Trials for the American Police Canine Association at different venues throughout Waynesville tomorrow. Attendants include participants from over 40 teams from the states of North Carolina, South Carolina and Georgia.

Alderman Caldwell made a motion, seconded by Alderman Freeman, to adopt a proclamation declaring September 2015 “Alcohol and Drug Addiction Recovery Month” as requested. The motion carried unanimously.

H. ADJOURN

There being no further business to discuss, Alderman Greeley made a motion, seconded by Alderman Caldwell, to adjourn the meeting at 8:40 p.m. The motion carried unanimously.

ATTEST

Gavin A. Brown, Mayor

Marcia D. Onieal, Town Manager

Amanda W. Owens, Town Clerk