

**MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**REGULAR MEETING**  
**March 22, 2016**

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**THE WAYNESVILLE BOARD OF ALDERMEN** held a regular meeting on Tuesday, March 22, 2016 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 Jon Feichter  
Alderman Julia Freeman  
Alderman LeRoy Roberson

The following staff members were present:

Mike Morgan, Interim Town Manager  
Woodrow Griffin, Town Attorney  
Amie Owens, Town Clerk

The following media representatives were present:

Mary Ann Enloe, the Mountaineer

1. Welcome /Calendar/Announcements

Mayor Gavin Brown welcomed everyone to the meeting

Mayor Brown called attention to several upcoming events including:

- Friday – Sunday, April 22 – 24 - Smoky Mountain 9-ball Tournament to benefit the ARC of Haywood County. Alderman Caldwell commented that the event has already sold out.
- Friday, March 25 – Town offices will be closed in observance of Good Friday
- Monday, March 28 – Southwestern Commission Board Meeting. Mayor Brown noted that Ryan Sherby had resigned and a replacement could be named at this meeting.

2. Adoption of Minutes

***Alderman Feichter made a motion, seconded by Alderman Caldwell, to approve the minutes of the March 8, 2016 regular meeting, as presented. The motion carried unanimously.***

## **B. NEW BUSINESS**

### **3. Street Closures for the Downtown Waynesville Association for 2016**

Buffy Phillips, Executive Director of the Downtown Waynesville Association (DWA) presented the street closure requests for the DWA for the remainder of 2016. She noted that some of the times had changed to allow for earlier street closures but the events are the same. Ms. Phillips added that the Folkmoot Parade will be on Saturday, July 23 and International Festival Day will be on July 30.

Mayor Brown inquired about the Apple Festival. Ms. Phillips responded that the Apple Festival was sponsored by the Haywood Chamber of Commerce, not DWA, but that it would still follow the Church Street Art & Craft Show in October.

***Alderman Roberson made a motion, seconded by Alderman Freeman to approve the street closures for the Downtown Waynesville Association for the remainder of 2016, as presented. The motion carried unanimously.***

Ms. Phillips explained that she had attended the North Carolina Main Street Conference in Goldsboro where Police Chief Bill Hollingsed received the Main Street Champion Award. Ms. Phillips noted that there will be a press release regarding this award in the paper soon.

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

### **4. Discussion regarding change in land use for Ronald Muse property, PIN# 8615-17-6586**

Mayor Brown reminded the board and audience of the request for rezoning which was presented at the February 23 meeting. The Board took no action at that time as certain members wanted more time to study the situation. Mayor Brown thanked those in the audience who were in attendance and explained that notices had been sent to all of the neighborhood residents with surrounding properties to give everyone an opportunity to weigh in. Mayor Brown reiterated that this was not a public hearing as that had already occurred, but was provided as an opportunity for residents to speak on the issue.

Dick Young, 191 Meadow Street, Waynesville, requested that the board proceed cautiously if they purchase this property. He suggested the Army Corps of Engineers should do a study on this property to drill and assess if there are any hazards noted.

William Sterritt, 247 Church Street, Waynesville, commented that he had nothing prepared except to express his concerns related to the real value of this property. If the board is considering some sort of purchase that the tax funds be used wisely; keeping in mind the flooding issues and the concerns of the community.

Manager Mike Morgan explained that the town has ability to eliminate the creek on the property and has tried to put in the proper drainage, but without the property owner's consent, nothing could be done. He clarified that the stormwater issues could be alleviated if allowed to do so; that 95% of infrastructure is in place.

Alderman Feichter clarified that if the town re-routed the water flow on the property, the storm water problems could be greatly eliminated. Mr. Morgan confirmed.

Elizabeth Teague, Development Services Director, explained that if a zoning change were approved, this could be part of the discussion related to land use. However, there has been no discussion or quid pro quo related to approval of zoning if the town could re-route the water flow. These are separate issues. The issue before the board is whether to rezone to a Mixed Use Overlay for this property.

Mayor Brown commented that the Town of Waynesville does not buy properties to solve problems that are created by the market; this is not the town's business. He indicated he was not inclined to vote to buy this property. Alderman Roberson concurred with the Mayor regarding not purchasing the property.

Alderman Feichter noted that he had done research from the minutes related to previous times this issue had come before the board for proposed re-zoning. While there was not much in previous records to indicate why the decision was to deny the re-zoning request, there is a precedent that it has never been re-zoned. Another consideration is the significant opposition from the neighbors who are concerned about this.

Alderman Caldwell indicated that he felt the same as Alderman Feichter that it had been brought forward multiple times and denied each time and that does set a precedent.

Alderman Feichter noted that if the flooding problem could be eliminated by re-zoning he would be interested in hearing from the neighbors if this would change anything at all.

Alderman Freeman asked what the Planning Board's recommendation was related to the property. Ms. Teague explained that the initial request to re-zone to a Central Business District was not favorable; the request was amended to a Mixed Use Overlay which allows for 10 specific uses and was unanimously approved by the Planning Board.

Alderman Roberson noted that there is still a great deal of opposition and that it is in a residential neighborhood.

Alderman Feichter added that with the Mixed Use Overlay, there are limits on the possible uses for the lot, but it is consistent that the neighbors are still opposed. He commented that he believed residents should have a voice in deciding what their neighborhood is used for and barring some sort of change of heart of neighbors, he would be against the re-zoning.

Alderman Roberson added that if this property had been commercial or partially commercial at any time, he would be more inclined to approve, but it has always been residential.

Mayor Brown inquired about procedurally if no action is taken, is there a time limitation. Ms. Teague answered there was no limit for the Board of Aldermen. Mayor Brown added that if there were no time constraints, if the board revisited 6 months from now, could this still be available to pass without the Planning Board from a public involvement standpoint. He proposed asking if there were any of the 10 uses which would be objectionable to the neighbors. Mayor Brown indicated that a public meeting of the neighbors may be warranted to determine if things could ever move forward.

Town Attorney Woody Griffin added that there is a change of the intent of what was originally presented, the process would start again at the Planning Board level.

***No decision was made and no action taken.***

Mayor Brown moved to the next agenda item.

**D. COMMUNICATIONS FROM STAFF**

**4. Interim Town Manager – Mike Morgan**

**Fire Inspection Rating**

Manager Morgan noted that the Waynesville Fire Department had received their Fire Rating from the NC Department of Insurance, Office of State Fire Marshall. The public protection scale is from 1 to 10 with one being the best. Prior to the inspection, the rating was a 5. The new rating is a 4 which means a reduction in the commercial fire insurance rates effective June 1.

Manager Morgan added that with this inspection, there were some deficiencies that need to be addressed including training and staffing. He asked Fire Chief Joey Webb to discuss. Chief Webb noted that working with the water department on hydrant testing helped to get a lower rating and that training has been scheduled to address any shortfalls. Chief Webb added that when the inspection was done in January, weather conditions were not conducive to doing a water haul, which could help homeowners to see decreased rates in rural areas.

Chief Webb added that he has been chosen to go to Washington, D.C. to take part in a national recognition program in May. Manager Morgan thanked Chief Webb and all of the firefighters for their commitment and service to the community.

**Town Manager Search**

Manager Morgan reminded the board that on February 24 Request for Proposals (RFPs) were sent to seven (7) executive search firms. Four (4) responses were received. Manager Morgan provided board members with information to review related to the four responding firms of Developmental Associates, Slavin Management Consultants, the Mercer Group and Waters & Company. Manager Morgan noted that Developmental Associates' process of selection is more hands on assessment-type while the other three were more traditional interview-style.

Manager Morgan explained that if the board was comfortable to interview one or more of the groups, he could schedule the interview for next Tuesday evening. Mayor Brown noted that he would be inclined to bring in Developmental Associates for an interview. He noted that the Town used them the last time and their proposal included a statement about realizing that certain things occurred and they would like an opportunity for a second chance. Also, they cut the fee in half.

Alderman Feichter commented that he had looked at the full proposals from all and certainly felt that Developmental Associates should be given the chance to interview based on the fact that they owned up to the challenges of the last situation. He added that the other company that impressed him was Waters & Company and it may be good to meet with both to compare and contrast.

Alderman Roberson commented that he would be amenable with Developmental Associates as they were familiar with the town and what the Board wants and would not have to learn this again. Alderman Feichter added that he was impressed with their methodology as it seemed to be a more scientific approach.

Mayor Brown suggested meeting with Developmental Associates first and if all are comfortable, no additional interviews will be required. However, if there are concerns, additional companies may be interviewed.

Alderman Freeman added that Developmental Associates knows Waynesville and takes it as a good sign they are willing to come back and help the Town move forward. They know North Carolina, small towns, and metro areas. She commented it was a win-win for all involved.

Mayor Brown explained that the next step would be to hold a meeting with Developmental Associates hopefully on Tuesday, March 29, 2016 at 6:30 p.m.

***Alderman Roberson made a motion, seconded by Alderman Feichter to direct Manager Morgan to coordinate a meeting between the board and Developmental Associates on Tuesday, March 29 at 6:30 p.m. The motion carried unanimously.***

#### **F. COMMUNICATIONS FROM MAYOR & BOARD OF ALDERMEN**

Mayor Brown provided members with information regarding the old hospital property from the presentation at the Board of County Commissioners meeting. He noted that the state will give out the site ratings soon and that there was a meeting scheduled with the developer. If all continues moving forward, the project will have final state approval/scoring in August allowing them to start project and finish in 2018. Mayor Brown added that once site plans are available, there will be a better idea of what some in-kind work could be done and will provide a detailed listing of what they would like from the Town.

Mayor Brown explained that the second packet of information was specific to affordable housing in Haywood County. Patsy Dowling, Executive Director, Mountain Projects presented the information to the BOCC and the County agreed to develop a task force to begin ferreting out the problem of housing for Haywood County. Elizabeth Teague, Development Services Director will serve as the point person for Waynesville on this task force. Both the Mayor and Alderman Freeman are members of this task force and it is hoped that a report/study will be available by the end of summer.

#### **Habitat for Humanity Request**

Manager Morgan noted that Habitat for Humanity had been granted waiver of fees for two water taps in the last year's special appropriations budget. There are two homes currently in process at Davis Cove Road and are ready for the water taps. There are additional homes that will be in the area and two fire hydrants are planned in accordance with town ordinances. There is a capacity fee for each tap of \$20,000. The request is that the Board waive the capacity fees. Manager Morgan recommended approval and supports this request as it relates to the affordable housing issue.

***Alderman Freeman made a motion, seconded by Alderman Caldwell to waive the capacity fees for the hydrants for the Habitat for Humanity development in an effort to support affordable housing efforts. The motion carried unanimously.***

**G. CALL ON THE AUDIENCE**

No one addressed the board.

**H. RECESS**

***There being no further business to discuss, Manager Morgan asked the board to continue the meeting until next Tuesday, March 29 at 6:30 p.m. to enter into closed session to interview Developmental Associates.***

***Alderman Caldwell made a motion, seconded by Alderman Roberson, to recess the meeting at 7:20 p.m. to be reconvened at 6:30 p.m. on Tuesday, March 29, 2016. The motion carried unanimously.***

**I. RECONVENE – March 29, 2016**

Mayor Brown reconvened the meeting from March 22 at 6:30 p.m. on Tuesday, March 29, 2016 at 6:30 p.m. All Board members and Town Manager were present.

**J. INTERVIEW WITH DEVELOPMENTAL ASSOCIATES**

Mayor Brown announced that the meeting would continue in open session rather than in closed session. All parties were connected via Skype to conduct an interview with Steve Strauss with Developmental Associates.

Manager Morgan explained, while the connection was made, that he had provided a full copy of the proposal from Developmental Associates to all members for review. Once all members were connected, Mayor Brown began the interview process by thanking Mr. Strauss for his time and asking about process improvements that were alluded to in the RFP letter.

Mr. Strauss began by explaining that with the previous evaluation, the qualifications were all met but that some of the data had not been factored appropriately. Since that time improvements have been made to the process and all factors are weighted accordingly. He noted that there was no stigma about Waynesville and that he felt there should be a vast field of candidates for this position.

Alderman Roberson asked about community involvement in the interview and selection process. Mr. Strauss answered that he felt that 4 to 6 community members was a good group to include in the assessment teams. Alderman Roberson also inquired about a fee for Developmental Associates to participate in the final interviews. Mr. Strauss noted that a series of questions would be provided free of charge which would assist the board in decision making based on data collected on the applicants. However, Mr. Strauss indicated that a \$1,000 per day charge would cover all expenses and his participation.

Alderman Freeman had no questions, but commented that she was fortunate to be part of the last process and pleased to know that it has evolved more.

Mayor Brown thanked Mr. Strauss again for his participation, explained that the board would not discuss moving forward and indicated that Manager Morgan would be in touch related to the board's decision. The interview concluded at 7:00 p.m.

Following the conclusion of the interview, the board discussed whether or not to move forward with Developmental Associates for this task. Members agreed that Mr. Strauss had allayed any concerns and was open about process flaws. Mayor Brown interjected that the proposal reflects the professionalism that the board wants to see. Alderman Roberson added that he liked the process before, and they are familiar with the Town, owned mistakes and even offered a price break.

***Alderman Roberson made a motion, seconded by Alderman Feichter to accept the proposal from Developmental Associates for services related to the recruitment, selection and hiring of a town manager. The motion carried unanimously.***

Mayor Brown and the board agreed by consensus that Manager Morgan should begin negotiation and discussion of any agreement required for this process to move forward with Developmental Associates.

Manager Morgan inquired as to specific criteria that the board would like to utilize in the search process that could be added to any job announcement. Some criteria included experience as a manager, knowledge of NC municipal law and statutes, education and familiarity with technology and residency requirements.

Mayor Brown provided Manager Morgan with the preferred criteria from the last manager search and asked that he review and add information accordingly.

Manager Morgan provided the tentative schedule for the board related to the manager search noting that once an agreement was in place, advertisement would begin. The posting would be open for approximately one month with 20 days for Developmental Associates to evaluate candidates with a proposed assessment center in June and hiring some time in July with start date in mid-to-late August.

**K. ADJOURN**

***There being no further business to discuss, Alderman Caldwell made a motion, seconded by Alderman Freeman to adjourn the meeting at 7:24 p.m. The motion carried unanimously.***

ATTEST

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Gavin A. Brown, Mayor

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Michael J. Morgan, Interim Town Manager

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Amanda W. Owens, Town Clerk