

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REGULAR MEETING
March 28, 2017

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday, March 28, 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
Alderman Gary Caldwell
Alderman Jon Feichter
Alderman Julia Freeman
Alderman LeRoy Roberson

The following staff members were present:

Rob Hites, Town Manager
Woody Griffin, Town Attorney
Amie Owens, Assistant Town Manager/Town Clerk
Elizabeth Teague, Development Services Director
David Foster, Public Services Director
Preston Gregg, Town Engineer
Bill Hollingsed, Chief, Police Department

The following media representatives were present:

Allison Richmond, the Mountaineer
Cory Vaillancourt, Smoky Mountain News

1. Welcome /Calendar/Announcements

Mayor Gavin Brown welcomed everyone to the meeting and noted the following calendar events including:

- April 14 – Town offices closed for Good Friday
- April 17 – Public hearing at the Board of County Commissioners Meeting related to the clarification of fire districts
- April 25 – REACH Garden Party and Fashion Show at the Inn at Tranquility Farm

2. Adoption of Minutes

Alderman Feichter made a motion, seconded by Alderman Caldwell, to approve the minutes of the February 24, 2017 special called meeting (Board Retreat) and the February 28, 2017 regular meeting, as presented. The motion carried unanimously.

B. PRESENTATIONS

3. Waynesville Police Department Awards

Police Chief Bill Hollingsed thanked the Board for allowing time to present awards to community members and police officers.

Chief Hollingsed presented two (2) Certificates of Commendation for community members:

- Jonathan Creek Fire Department for allowing the SRT Team to utilize their training tower and training facilities.
- Tom Bachelor and the Haywood Electric Membership Corporation for use of their facility as a means to provide fitness and skills training for officers.

Chief Hollingsed noted that there were multiple individuals who had attained milestone longevity within the department including: Captain Brian Beck (25 years), Sergeant Tamara Vander Day (20 years), Master Officer Joey Fox (20 years), Sherry Lowe (20 years), Sheila Trull (20 years), Master Officer Rob Skiver (15 years), Diane Robinson (15 years), Kristie Holcombe (10 years), Detective Bryan Reeves (10 years), Tim Carver (10 years) and Evan Davis (5 years).

Chief Hollingsed explained that Officer Dave Clancy had completed the School Resource Officer (SRO) certification program through the North Carolina Justice Academy. This is a 400 hour training course specific to SROs. There are fewer than 150 certified SROs. Chief Hollingsed presented Officer Clancy with a plaque from the NC Justice Academy.

Chief Hollingsed commented that the next awards, The Lifesaving Award may be awarded to individuals, who, while serving in an official capacity with their law enforcement agency, perform an active, distinct and successful lifesaving of another human being, and the recipient was aware of the seriousness of the situation; the act was purposefully done; events leading to the act were not carelessly caused by the recipient, thereby necessitating the act; and there must have been a strong possibility the person would have died if the action had not been taken. Chief Hollingsed noted the various situations where officers' direct actions saved lives and property. Officers receiving these awards included:

- Officer Eric Dickey – actions allowing for a second story rescue during a fire
- Officer Derek Emblar – (three awards) – use of AED and CPR techniques, and administration of Narcan
- Sergeant Dee Parton – (two awards) – use of AED and CPR techniques
- Senior Officer Josh Schick – (two awards) - use of AED and CPR techniques, and administration of Narcan

Chief Hollingsed presented the Meritorious Service Award to Master Officer Billy Benhart and Officer Nick Hefner. The Award of Meritorious Service is conferred for acts of exceptional courage or bravery or acts that bring honor to the department and recipient. They were honored for their response to a scene where an employee had become trapped by mud; they entered the area with shovels and helped to free their co-worker.

The final award that Chief Hollingsed presented was the Chief's Award. The Chief's Award is a highly prestigious award that can only be granted by the Chief of Police. If the Chief of Police

determines an employee has conducted themselves in a manner which demonstrates a high level of commitment to the mission and goals of this agency they will be considered for this award. This employee has demonstrated the ability to frequently perform their job at a level that far exceeds expectations. The award was presented to Officer Derek Emblar.

Mayor Brown thanked Chief Hollingsed and the men and women of the Waynesville Police Department for their service and applauded their efforts to keep Waynesville safe.

4. Folkmoot USA Report

Angie Schwab, Executive Director of Folkmoot USA, also thanked Sgt. Dee Parton and Sgt. Kenny Aldridge for their work in assisting Folkmoot. Ms. Schwab appeared before the Board to request funding for capital improvements and sponsorship of the annual Folkmoot celebration. She outlined some of the various improvements that are still needed including security lighting, possibly cameras on the front and back of the building and ADA compliant walkways.

Mayor Brown asked about potential other community uses for the building. Ms. Schwab answered that there are at least two events a month at the Friendship Center including dancing or music, and arts and culture events monthly such as dinners. The goal is to bring a new culture every month. Ms. Schwab added that another idea is to begin renting some of the rooms to makers and producers in Building A. Building B improvements include windows and heating and air upgrades. Ms. Schwab noted that another idea is that of a group hostel for those groups doing mission work, skiers, etc., who may need an affordable group accommodation option.

Alderman Feichter commented on the wonderful work that Folkmoot has done restoring the school and appreciated the wonderful gift that Folkmoot provides for the community.

Mayor Brown explained that the staff is entering budget season and that by early May a draft budget would be ready for review by the Board. He noted that all special appropriations will be considered and applicants notified accordingly. Mayor Brown thanked Ms. Schwab for her presentation.

5. Chamber of Commerce Report

CeCe Hipps, President of the Haywood County Chamber of Commerce provided an update of Chamber activities. She asked the board to look at the Chamber and Economic Development a bit differently. The Chamber assists businesses in Waynesville with becoming and continuing to be successful. Their mission is to recruit and retain businesses and help them to grow. Ms. Hipps explained that through the Small Business Services, resources have been added to allow businesses who may not have a large budget for advertising can partner with the Chamber for such support. This adds value to the membership.

Ms. Hipps highlighted the new E-certify program offered through the chamber. It allows for businesses to complete the necessary information for certificate of existence which allows shipment of goods outside of Haywood County. The Chamber has also added the Chamber Learning Network which allows access to webinars for general community/businesses with one section being free; others have charges.

Ms. Hipps commented that she feels that the Chamber is the catalyst for growth in the community. She views the Chamber as a public information office with the capability of reaching 60,000 people. The visitor's center averages 20 couples per day, 20 calls per day, 3 relocation packets, and the website alone since April has been viewed 58,000 times which is over 50% growth. Ms. Hipps noted that the Chamber has expanded social media with an organic reach of 489 people for posts.

Ms. Hipps noted that the Chamber's role has changed as business needs have changed to provide more marketing assistance, to disseminate information and provide tools and resources for small local businesses. Ms. Hipps added that she wants to add to the services available and continue to grow in the region and assist any and all businesses, and any non-profits, whether or not they are chamber members. She concluded by noting that while current non-profit membership rate is low, her team has been creating posters, flyers and ads for non-profits to use in an effort to help boost their participation.

Mayor Brown inquired how the TDA leaving Main Street impacted the Chamber. Ms. Hipps replied that there has been more walk in traffic since they left. Mayor Brown thanked Ms. Hipps for her presentation.

C. CALL FOR PUBLIC HEARING

6. Call for Public Hearing to consider a voluntary annexation request by Thomas and Susan Knapko in order to receive municipal services

Mayor Brown explained that this was a request for voluntary annexation from Thomas and Susan Knapko for PIN 8626-04-9887 at 246 Woods Edge Road to receive municipal services. The property is in an area where service is already provided to others who have voluntarily annexed. Amie Owens, Town Clerk has verified that all petition information is in order and that the annexation request meets all requirements.

Mayor Brown noted that the action required was to call for the public hearing only. He added that there was an error in the date for the public hearing – it should be April 11, 2017.

Alderman Roberson made a motion, seconded by Alderman Freeman to call for Public Hearing on Tuesday, April 11, 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 the request from Thomas and Susan Knapko for voluntary annexation for PIN 8626-04-9887 at 246 Woods Edge Road to receive municipal services.

D. PUBLIC HEARING

7. Public Hearing to consider a staff and Planning Board text amendment to the Town of Waynesville Ordinances regarding temporary signage, Land Development Standards Section 11.5.12

Elizabeth Teague, Development Services Director explained that the reason for the text amendment was in response to the U.S. Supreme Court decision in the *Reed v. Town of Gilbert, Arizona* case in which the Court determined that if an enforcement official has to read the content of a sign to

determine whether its size and location are permitted, the local ordinance is unconstitutional. As this case received a great deal of publicity there was discussion in North Carolina by the Bar Association and others. Following discussion with the UNC School of Government and Planning Board Attorney Ron Sneed, it was determined that the Town's ordinance related to temporary signage needed to be revised to ensure constitutionality of the ordinance.

A question related to political signage was raised during the Planning Board review and amendment of the text. Ms. Teague noted that the Planning Board recommended quoting the existing state statutes rather than include political signage as part of the Town's text amendment.

Ms. Teague added that the staff recommendation was to take a narrow approach in response to the *Gilbert case* and only changing the text of the sign ordinance that could be construed to be content-based. The Planning Board voted unanimously at their February 20, 2017 meeting to recommend to the Board of Aldermen that the proposed changes were consistent with the 2020 Comprehensive Land Use Plan and to amend the Town's sign ordinance as presented.

Both Mayor Brown and Alderman Feichter requested clarification on a statement in Section 11.5.11A.4.6 One (1) per property per street frontage. Ms. Teague clarified, using yard sale signs as an example. If an individual is having a yard sale, they are allowed one sign for the street the property faces; if the property adjoins two streets (i.e. a corner lot) then two (2) would be permitted one facing each street.

Mayor Brown clarified for the audience that these changes would consolidate all temporary signage together with no content considered, but rather the number and size of signage.

Town Attorney Woody Griffin called the public hearing to order at 7:20 p.m. and reminded those who wished to speak to raise their hand, be recognized and once at the podium provide their name and address for the minutes and limit comments to three (3) minutes.

No one addressed the board.

Attorney Griffin closed the public hearing at 7:21 p.m.

Mayor Brown asked if the board had any questions. There being none, he commented that he agreed with the staff and Planning Board analysis relating to the ordinance becoming more compliant with federal law and following the state law related to political signage.

Ms. Teague concluded by noting that the approach to the regulations has been broad and the NC State Bar Association has put together a sample ordinance; however, it seemed unnecessary to change the existing ordinance to fit their draft when there were only a few specific content areas in Waynesville's ordinance. She added that the sign ordinance works fairly well and following discussion with other municipalities and officials, this is a proactive approach with minimal change required.

Alderman Roberson made a motion, seconded by Alderman Feichter to find the text amendment consistent with the 2020 Comprehensive Land Development Plan. The motion carried unanimously.

Alderman Caldwell made a motion, seconded by Alderman Freeman to approve the proposed amendments to the Town of Waynesville Ordinances regarding temporary signage, Land Development Standards Section 11.5.12, as presented. The motion carried unanimously.

Mayor Brown thanked Ms. Teague and the Planning Board for their work on this amendment, he acknowledged the tedious work involved and that he was appreciative of their time and attention.

E. NEW BUSINESS

8. Request Approval of the purchase of new Christmas decorations (grapevine balls) for trees on Main Street

Public Services Director David Foster explained that over last two years, the Main Street holiday decorations have been upgraded. The wraps had blue tone LEDs, but were switched to warm white LED which matches the street lighting. Since the change, it has been noted that the grapevine balls in the trees need to match. Buffy Phillips, Executive Director of the Downtown Waynesville Association provided a sample of what the grapevine balls would look like. Mr. Foster noted that the request is to purchase these balls now as it takes some time to get them in and the discounted rates will be ending soon. He noted the cost was approximately \$9,200.

Ms. Phillips explained that the existing decorations are approximately 20 years old. Mr. Foster added that the decorations are cheaper with LEDs, which saves electricity. Ms. Phillips noted that MOSCA (vendor) created the grapevine balls for mass sale based on Waynesville's original. She mentioned that one potential would be to sell the old balls as a fundraiser.

Alderman Roberson asked how many would be ordered. Mr. Foster explained that currently there are 22 trees and the request is for 115. Mayor Brown inquired if the decorations could be left up longer. Ms. Phillips answered that leaving them up longer may shorten the life of the balls.

Mr. Foster added that as these balls would be more energy efficient, all 22 trees would use same as energy as one tree does currently. Town Manager Rob Hites noted that the reason this item was brought to the board now was to allow lots of lead time. There is money underspent in the Electric Department and would prevent this from having to be added to the capital budget for the upcoming year.

Alderman Caldwell inquired if the old decorations could be used in Hazelwood and Frog Level. Mr. Foster noted that it is possible and that there would be a small meter charge and the cost of electricity. Town Manager Hites will work on getting them in both locations.

Alderman Roberson made a motion, seconded by Alderman Caldwell to approve the purchase of new Christmas decorations (115 grapevine balls) for the trees on Main Street for display during the holiday season, as presented. The motion carried unanimously.

Ms. Phillips added that Waynesville had received the NC Main Street City designation again. Mayor Brown congratulated her noting that the Town has consistently received since starting the assessments.

9. Request approval of design for the Hazelwood Parking Area

Town Engineer Preston Gregg presented four options for placement of the restrooms in the Hazelwood Parking area. Mr. Gregg provided samples of brick and colors for the restroom in an effort to keep the building consistent with existing Hazelwood buildings.

Alderman Freeman had viewed the brick and color wheel prior to the meeting and offered her suggestions. She noted that the fascia would be a lighter tone with trim being 3 or more shades darker. Alderman Roberson inquired if stone veneer was considered. Alderman Freeman answered that all of the buildings in the area were brick.

Alderman Feichter inquired about the proposed charging station location. Mr. Foster explained that he had been in contact with Charge Point to see if they would be interested in putting in a unit. Since the power provider in Hazelwood is Duke Energy not the Town of Waynesville, during construction of the restrooms, conduit will be placed for a future connection and prevent digging up of the new parking lot. The charging station would be adjacent to the restrooms.

Mr. Gregg continued by noting that there would need to be at least 16 lights in the parking lot at around \$3,000.00 each. He provided some options of various lights. Alderman Freeman noted that the overhead lighting like that on the Howell Mill Bridge would be too much for such a consolidated area. Mr. Gregg noted that once a selection was made for the parking lot that the Town would consider changing out the street lighting to match. The lights would be on a metered circuit for Duke Energy.

The Board reviewed the four possible placement options for the restrooms. Manager Hites explained that option 4 provides the best line of sight for police patrolling as it can be seen from numerous angles just by driving by. The board agreed by consensus that this was the best location.

Mr. Gregg showed the phased plan which would allow for parking while construction is being done rather than having to shut down the entire parking area. Mayor Brown asked how long this project should take. Mr. Gregg answered that mid-to-late summer to have the entire lot and restrooms finished. Manager Hites added that he would be in contact with Daryl Hannah, Streets and Sanitation Superintendent to see how long the paving alone would take. He noted that the Town would be building the restrooms and subcontracting out areas such as block work, brick veneer and trusses. State law allows a force account on the Town's own property statutorily.

Alderman Caldwell made a motion, seconded by Alderman Feichter to approve the design for the Hazelwood Parking Area (option 4) including the location of restroom facilities, exterior finish details (brick and color scheme) and construction phasing (allowing for parking during construction), as presented. The motion carried unanimously.

F. **COMMUNICATION FROM STAFF**

10. Manager's Report – Town Manager Rob Hites

Manager Hites noted that Ms. Teague had approached him with a grant opportunity with NCDOT which could possibly fund the construction of the design for the Brown Avenue road diet. The project has already been approved.

Ms. Teague explained that the grant was due on Friday March 31 and would tie the board to a future match if funds were approved. This grant would be in effect in Fiscal Year 2019 with an 80/20 match. The Town's commitment would be approximately \$45,000.00 for this project. If the grant is received, it could move the project out to construction earlier since it is already on the locally managed track.

Mr. Gregg added that with smaller scale local projects this is how the NCDOT would be let within the town which allows for some control. The funds still come from the Federal government and then would be approved by NCDOT.

Alderman Roberson made a motion, seconded by Alderman Feichter to approve Ms. Teague to submit the grant application and for the future match if the grant is awarded to the Town of Waynesville. The motion carried unanimously.

11. Attorney's Report – Town Attorney Woody Griffin

Town Attorney Griffin asked to read a prepared statement informing of his intent to step down as town attorney. He noted he was grateful for the opportunity to work with this board 14 years and felt that the Town was in a positive place and would be leaving on a high note. Attorney Griffin explained that he wanted to focus on core areas of his work for past 42 years and felt certain it would be a smooth transition.

Mayor Brown applauded the manner in which Attorney Griffin has always represented the Town in a non- political and legally responsible fashion. He added that Attorney Griffin always had the Town's interests at heart and never expressed his personal opinion, but rather the stance of the Town. Attorney Griffin will stay through June 30. Mayor Brown explained that there is no statutorily required process for filling such position. Manager Hites has been directed to develop a process for replacement of the attorney and present at the next meeting.

Mayor Brown added that at the appropriate time, a reception would be held in Attorney Griffin's honor.

G. COMMUNICATION FROM THE MAYOR AND BOARD

No Board members had any issues to discuss or information to relay.

H. CALL ON THE AUDIENCE

Tom Downey, 163 Hazel Street addressed the board. He expressed his dissatisfaction with speeding vehicles on streets and offered two things that the Board should NOT do as a result of his complaint. 1. Do not advise the town manager to advise police to write more tickets 2. Don't do more traffic calming, maintenance, etc.

Mr. Downey did encourage the Board to work with the community to find a solution for how to slow people down. Board members nodded in agreement with Mr. Downey's concern. Alderman Roberson inquired if there were specific times of day that the speeding is most frequent.

Mayor Brown commented that the Board would take this request into consideration and work with the Police Chief and community members to see what could possibly be done have better adherence to speed limits.

F. ADJOURN

There being no further business to discuss, Alderman Caldwell made a motion, seconded by Alderman Feichter to adjourn the meeting at 8:09 p.m. The motion carried unanimously.

ATTEST

Gavin A. Brown, Mayor

Robert W. Hites, Jr., Town Manager

Amanda W. Owens, Town Clerk