

**MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**REGULAR MEETING**  
**April 11, 2017**

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**THE WAYNESVILLE BOARD OF ALDERMEN** held a regular meeting on Tuesday, April 11, 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  
Preston Gregg, Town Engineer

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 24 – Haywood County Council of Governments (COG meeting) – Town of Clyde Hosting
- April 25 – REACH Garden Party and Fashion Show at the Inn at Tranquility Farm
- April 28 through 30 – the ARC of Haywood – Smoky Mountain 9-ball tournament at the Old Armory. Alderman Caldwell noted that the event had sold out with a waiting list for participants.

2. Adoption of Minutes

***Alderman Caldwell made a motion, seconded by Alderman Roberson, to approve the minutes of the March 28, 2017 regular meeting, as presented. The motion carried unanimously.***

## **B. PUBLIC HEARING**

### 3. Public Hearing to consider a voluntary annexation request by Thomas and Susan Knapko in order to receive municipal services

Mayor Brown explained that the public hearing was being held to consider a voluntary annexation request in order to receive town services. This annexation would be effective June 1, 2017. Mayor Brown has spoken with Elizabeth Teague, Development Services Director who noted that there were already residents who were receiving water and sewer services in the same area, no concerns noted from Haywood County and the appropriate petition for annexation on file.

Town Attorney Woody Griffin reminded those who wished to speak to approach the podium, give their name and address for the record and limit comments to three minutes. **Attorney Griffin opened the public hearing at 6:32 p.m.**

No one addressed the Board.

**Attorney Griffin closed the public hearing at 6:33 p.m.**

***Alderman Roberson made a motion, seconded by Alderman Feichter to approve the request for voluntary annexation from Thomas and Susan Knapko for PIN 8626-04-9887 at 246 Woods Edge Road to receive municipal services. The motion carried unanimously.***

Proper notification will be provided to NC Secretary of State's Office, Haywood County and the Haywood County Board of Elections related to this approved voluntary annexation. The Public Services department will work with the Knapko's to schedule the tap hook up.

## **C. NEW BUSINESS**

### 4. Request Approval of upcoming Special Events

Mayor Brown asked Buffy Phillips, Executive Director of the Downtown Waynesville Association to the podium. Ms. Phillips noted that these events were the usual events from the Downtown Waynesville Association with no changes. The listing included other events that had been through the Special Events Application process. Ms. Amie Owens, Assistant Town Manager/Town Clerk reported that this new process allowed all involved departments to discuss events well in advance to ensure that resources could be available and to properly plan for safety precautions. The goal is to bring events to the Board for approval quarterly rather than sporadically.

***Alderman Caldwell made a motion, seconded by Alderman Freeman to approve the presented listing of special events occurring in the Town of Waynesville. The motion carried unanimously.***

Town Manager Robert Hites added that the Town is reviewing the cost for the events including necessary additional staff and resources for these events.

5. Appointment of Advisory Board Members

Mayor Brown noted that there were two Boards and Commissions with vacancies that needed to be filled. Members were provided ballots and asked to vote for one individual for the Historic Preservation Commission and one for the Public Art Commission.

The ballots were tallied and the following appointments for a three-year term were made.

**Historic Preservation Commission – Jeff Childers**

**Public Art Commission – Thomas Szewc**

All applicants will be informed of the results of the voting and the applications of the applicants who were not appointed will be kept on file for one year.

**D. COMMUNICATIONS FROM STAFF**

6. Manager's Report – Town Manager Rob Hites

a. Request of David Boulay to accept private sewer line at 152 Broadview Drive

Manager Hites explained he had received a request to accept a private sewer line at 152 Broadview Drive. There has been an overflow of the sanitary sewer system in Mr. Boulay's yard. Manager Hites explained that as this is on private property and the Town was not responsible for construction or maintenance of the line, the Board is being approached to take over the portion of the line from the back of his property to the Town's sewer line at the street.

Mr. Hites offered three potential solutions for consideration:

1. This is a civil matter between Mr. Boulay and the other residents who are connected to the line and it is their responsibility to work this out.
2. The Town could notify both of the adjacent properties that the sewer is collapsing and the need to repair it at their costs. If repairs are not made, then the Town could repair the line as a public health nuisance and bill the residents.
3. Act on the request and have Mr. Boulay dedicate a 20 foot sewer easement and take over from the manhole to Broadview Road – with approximate cost of \$2,600.00.

Alderman Caldwell explained that Mr. Boulay had offered to give the town the easement if requested and that since his visit to the property, it has overflowed again. Alderman Caldwell's thought was that the Town could accept the easement and fix the line.

Mayor Brown asked if the other property owners had been contacted. At the time of the meeting, they had not and the Mayor requested that either Public Services or Manager Hites reach out to them. If this notification did not result in resolution, then the Town would make necessary repairs and bill the residents.

***The Board agreed by consensus to authorize Manager Hites or his designee to contact the owners and explain the options available.***

b. Hazelwood Restrooms

Manager Hites explained that due to the flood plain and the Town's ordinance related to building one foot above the 100-year flood plain, the restroom planned for the Hazelwood Parking Lot would have to be elevated to 4' 8" above the ground. Manager Hites illustrated the height by a piece of paper on the wall.

Town Engineer Preston Gregg provided the Board with a graphic of the potential way to remedy the restroom issue related to the flood plain requirements. The ramp would wrap around the building with the stairs remaining only in the front. This would allow for correct elevation and slope of ramp. He added that a hill would have to be built in the parking lot and the handicap ramp would surround it. The other option is to move it to the rear of the lot so that it did not ruin the aesthetic of the lot.

Mr. Gregg noted that the change could be made within the budget allotted. However, a concern was noted that in its presently planned location that the drive aisles would be impacted.

Manager Hites added that the board needed to determine how to proceed with one of the following options:

- Option 1 Keep the restrooms in the center and risk a smaller drive aisle
- Option 2 Move to the rear of the lot and decrease the number of parking spots
- Option 3 Do not have a public restroom in the parking lot

The Board discussed the options noting several concerns about aesthetics, number of parking spaces available, cost and line of site for public safety patrols. Manager Hites added that no matter what type of building is built in Hazelwood, they too, would have to be built at the elevation noted. The existing buildings were grandfathered in.

***The Board agreed by consensus that moving the restroom to the back of the lot was the only feasible option; Alderman Feichter requested that someone contact Chris Forga to inform her of this change in plan.***

c. Process for Town Attorney search/hiring

Manager Hites explained the process for the Town Attorney search including a timeline of activities. Letters will be sent to local attorneys who are members of the NC Bar Association. He included a draft letter for review.

Mayor Brown inquired if there was not an applicant who could be agreed upon by the Board, would the search be widened. Manager Hites confirmed. All applications will be addressed to the Manager and marked confidential.

7. Attorney's Report – Town Attorney Woody Griffin

Attorney Griffin had nothing to report.

**E. COMMUNICATION FROM THE MAYOR AND BOARD**

8. WestNGN Update

Alderman Feichter reported that the WestNGN did not receive funding for their broadband project via the Appalachian Regional Council. The proposal made it to the federal level and was then turned down. The Steering Committee had a meeting and discussed options including taking a step back. With one reason for the denial of grant funds being the affluence of the municipalities participating, the committee has considered including additional municipalities who are rural. The committee will continue to discuss and update as necessary.

Alderman Feichter another issue at hand is the extra \$10,000 that would be required fund the consultant for the second phase of this project. Land of Sky is requesting that the participants continue on and are requesting the funds necessary to pay for the consultant in anticipation of future grant opportunities. The Town of Waynesville would be responsible for \$1,393.00.

Mayor Brown noted that this group, the WestNGN is still paralleling the efforts of the county and this would be a small sum to expend in order to continue with this project. Alderman Feichter commented that the Town has been working to assemble the data which would allow WestNGN to go forward with an RFP and it would be a shame to quit now.

***Alderman Feichter made a motion, seconded by Alderman Caldwell to contribute the \$1,393.00 to Land of Sky for the purpose of paying the consultant to complete the second phase of the broadband project, as presented. The motion carried unanimously.***

**F. CALL ON THE AUDIENCE**

No one addressed the Board.

**G. CLOSED SESSION**

9. Enter into closed session for the purpose of discussion of property acquisitions under North Carolina General Statute §143.318.11(a)(5)

***Alderman Roberson made a motion, seconded by Alderman Caldwell to enter closed session at 7:15 p.m. for the purpose of discussion of property acquisition of property located off Woodland Drive owned by Scotty Schulhofer. The proposed use is for recreation. The motion carried unanimously.***

***Alderman Roberson made a motion, seconded by Alderman Feichter to return from closed session at 7:29 p.m. The motion carried unanimously.***

Mayor Brown reported that the Board has decided to move forward with the purchase of 9.35 Acres from Scotty Schulhofer that is adjacent to the Waynesville Recreation Center property. The price is \$8,022 per acre and would be paid from existing funds. The Town would be responsible for its own survey of the property with 30-day due diligence and 45 days to close.

Mayor Brown strongly recommended taking the opportunity to add approximately 10 acres to the recreational amenities available.

***Alderman Roberson made a motion, seconded by Alderman Caldwell to accept the presented purchase offer and authorize the Town Manager to complete a phase I study of the property. The motion carried unanimously.***

The Mayor thanked both Manager Hites and Mr. Schulhofer for their assistance in this matter.

**H. ADJOURN**

***There being no further business to discuss, Alderman Freeman made a motion, seconded by Alderman Caldwell to adjourn the meeting at 7:31 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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Amanda W. Owens, Town Clerk