

**MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REGULAR MEETING
April 10, 2018**

THE WAYNESVILLE BOARD OF ALDERMEN held its regular meeting on Tuesday, April 10, 2018, 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
Mayor Pro Tem Gary Caldwell
Alderman Julia Freeman
Alderman Jon Feichter
Alderman LeRoy Roberson

The following staff members were present:

Rob Hites, Town Manager
Bill Cannon, Town Attorney
Amie Owens, Assistant Town Manager
Eddie Ward, Town Clerk
Byron Hickox, Land Use Administrator

The following media representatives were present:

Cory Vaillancourt, Smoky Mountain News

1. Calendar/Announcements

Mayor Brown welcomed everyone and reminded the Board of the following events on the calendar:

- Saturday April 21st 6:00 – 8:00 pm – Waynesville Inn and Golf Resort – 2018 Taste of Chocolate
- Monday April 23rd 5:30 pm – Council of Governments Meeting – Town of Clyde

2. Adoption of Minutes

Alderman Gary Caldwell made a motion, seconded by Alderman Julia Freeman to approve the minutes of the March 27, 2018 regular meeting as presented. The motion carried unanimously.

B. PRESENTATION

3. A Living Wage for Waynesville – Down Home NC

Ms. Chelsea White explained to the Board that Down Home NC was formed in June 2017 and is a member-led community organization working to build power for poor and working people in small towns and rural communities in North Carolina. She said the priority for the presentation is to present

findings for raising the living wage for full time city workers in the Town of Waynesville. Living wage is the minimum amount a worker must make in order to afford housing, food, health care, child care and other basic necessities without public or private assistance. She said the methodology is based on the federal definition of poverty which is defined as \$12,140.00 for an individual. This equates to \$12.30 per hour. Within the Town of Waynesville, there are only seven employees earning less than \$12.30 an hour. She said that in order to increase these employees to \$12.30, and annual increase of \$6801.00 in the budget would be required. Ms. White gave statistics from other Western NC towns and counties which included the Town of Canton, Jackson, Transylvania and Buncombe Counties.

Mayor Brown indicated to Ms. White that health, dental, life and vision insurance, and 401K benefits are provided to all full time employees. He said that the seven employees that are currently below the \$12.30 pay are in their six month probation period, and if a 3% COLA raise is approved in the upcoming budget year, all full time positions will be over the recommended threshold, with the lowest rate being \$12.39 per hour.

C. PUBLIC HEARING

4. Staff-initiated Text Amendment Request to amend the Land Development Standards Section 3.2.6(A) – Supplemental Standards for Manufactured Homes on Individual Lots.

- Byron Hickox, Land Use Administrator

Mr. Hickox said the issue of the lack of clarity in the Land Development Standards (LDS) regarding manufactured homes on individual lots in the Dellwood Residential Medium Density District (D-RM) was brought to the attention of the planning staff when a request was made to place a manufactured home on a lot just off Mauney Cove Road.

The LDS indicates that within the D-RM, manufactured housing is permitted only in designated locations. In most instances, the allowance of a particular use at designated locations indicates that that use is permitted within a mixed-use overlay. The mixed-use overlay within the D-RM consists of a corridor, measured 500 feet from the east and west sides of Russ Avenue, running roughly through the center of the district. It seemed strange that manufactured housing on individual lots would be permitted in the portion of the D-RM district that had been created specifically to allow non-residential development, but not permitted within the more residential and rural portion of the district. From a land use planning perspective, the opposite seemed more reasonable.

The previous version of the LDS indicated that within the Dellwood Neighborhood District (forerunner of the D-RM) manufactured housing would be permitted as follows in Section 154.108(B)(8)(b):notice.

“Dwellings, Manufactured Housing on Individual Lots” shall not be located on the east side of Russ Avenue or within five hundred (500) feet of the edge of the traveled way of the west side of Russ Avenue.”

This location restriction for manufactured housing within the Dellwood Neighborhood District in the previous version of the LDS is similar to the D-RM mixed-use overlay on the current Land Development Map. There are still significant portions of the current district to the east of Russ Avenue that are not contained within the mixed-use overlay. Therefore, the previous location restrictions do not correlate precisely to the current Land Development Map.

At the February 19, 2018 meeting of the Planning Board, this matter was considered, with much of the discussion focusing on the historic pattern of development along the Russ Avenue corridor, in the neighborhood along Golf Course Road to the east, and in the rural area along Mauney Cove Road to the west. There was consensus among the Planning Board members that a properly worded text amendment would clarify the issue and would serve to transfer the intent of the previous LDS into the current LDS. A motion was made, seconded, and confirmed unanimously to create a text amendment that would clarify the allowance for manufactured homes on individual lots in the D-RM to the west of the Russ Avenue overlay corridor.

At the March 19, 2018 meeting of the Planning Board, a text amendment was presented by staff based on the Planning Board's guidance at its February 19, 2018 meeting. A motion was made, seconded, and the Planning Board voted unanimously to recommend to the Board of Aldermen the adoption of the proposed text amendment to the LDS, which would replace Section 3.2.6(A) with the following text:

A. Manufactured Homes on Individual Lots

1. See Section 5.9 for Design Guidelines for Manufactured Homes on Individual Lots.
2. In the Dellwood Residential Medium Density District (D-RM), Manufactured Homes on Individual Lots shall only be permitted west of Russ Avenue outside of the Mixed-Use Overlay.

Mr. Hickox said Public Notice of the Hearing was posted in the Mountaineer March 30, and April 6, 2018.

Town Attorney Bill Cannon opened the Public Hearing at 6:51 pm, and asked if anyone wished to speak.

No one spoke.

Town Attorney Bill Cannon closed the Public Hearing at 6:52 pm.

A motion was made by Alderman Jon Feichter, seconded by Alderman LeRoy Roberson, to find Text Amendment is Consistent with the 2020 Land Development Plan. The motion passed unanimously.

A motion was made by Alderman Gary Caldwell, seconded by Alderman Julia Freeman, to approve the text amendment for Land Development Standards Section 3.2.6(A). The motion passed unanimously.

D. NEW BUSINESS

5. Budget Amendment to extend lighting and landscaping improvements from the railroad crossing at Hazelwood Avenue to Elysinia Avenue in Hazelwood
 - Preston Gregg, Town Engineer

Preston Gregg, Town Engineer, explained to the Board that this amendment is needed to extend or continue the lighting and landscaping improvements, etc. from the railroad crossing at Hazelwood Avenue to Elysinia Avenue in Hazelwood in the current 2017-2018 budget year. He said this would include an additional six lights with all underground work. The new lights will be consistent with the

existing lights that were placed in the area earlier this year. The cost of the six lights along with landscaping is \$45,210.00. Mr. Gregg stated that it could possibly be a six week turn around on the placement of the lights.

There was much discussion concerning the boring of the street and the placement of conduit for future fiber expansions.

Manager Rob Hites reminded the Board that one easement would need to be acquired for the lights to be installed.

A motion was made by Alderman LeRoy Roberson, seconded by Alderman Gary Caldwell, to approve Amendment No. 8 to the 2018-2018 Budget Ordinance and amendment No. 4 to 2017-2018 Financial Operating Plan for Internal Service Funds. The motion passed unanimously.

6. Proposed Contract for telephone system upgrade FY 2018/2019

- Amie Owens, Assistant Town Manager

Assistant Town Manager Amie Owens explained that the current telephone system had been installed 12 years ago and was lacking in necessary functions and technology. She added that when someone calls 9-1-1 from any Town facility, the address that shows is 1022 North Main (Fire Station 1) due to where the server is located. This could be detrimental in the event of an emergency.

A new telephone system with multiple capabilities was been quoted by TSA Choice. Anthony Knight, Senior Technology Consultant provided an overview of the proposed system including the various options for purchase, lease and rental agreement under a Technology Assistance Program (TAP). Following Mr. Knight's presentation, Alderman Feichter had several questions related to the system from a technology and connectivity standpoint. Mr. Knight answered the various questions noting that the proposed system addressed his concerns. Ms. Owens explained that she had discussed with Finance Director Eddie Caldwell and that there would be funds in the current year budget to start the process of getting the system installed, if approved.

Mayor Brown asked Ms. Owens for a recommendation related to obtaining the system. Ms. Owens recommended the rental agreement under the TAP for cost savings and service capabilities. She reminded the Board that they had the option for the length of the agreement from 24 to 60 months

A motion was made by Alderman Jon Feichter, seconded by Alderman Julia Freeman, to authorize execution of a lease agreement between the Town of Waynesville and TSA Choice for a contract period of 60 months. The motion passed unanimously.

F. COMMUNICATIONS FROM STAFF

7. Manager's Report – Town Manager Rob Hites

Manager Hites reminded the Board that in Hazelwood ground the pavement, and will form and pour concrete for the elevated walkway from the parking lot over to the Bourbon Barrel. There will be brick placed over the concrete to form a brick walkway.

In Frog Level, the parking lot paving had to be stopped because Giles Chemical presented a lease that indicated they are leasing the parking lot from the railroad also. This lease was established six months before the Town's lease in the year 2002, and therefore may be superior to the Town's lease. Town Attorney Bill Cannon has drafted a sub-lease for Giles Chemical and the railroad that will allow them to give the Town permission to pave. Manager Hites said he will open up the lot for parking until a settlement of the lease can be made.

Manager Hites said he had met with Ms. Chris Forga concerning a parcel located on Water Street close to Water Street's intersection with Depot. The parcel is .59 acres. It lies in a flood way and is subject to a "trout buffer". The assessed value of the parcel is \$90,300.

Ms. Forga recommends that the Town use the property to address the lack of parking in Frog Level. She said her preference is to sell the parcel, and her asking price is \$110,000.00. Ms. Forga would consider a long term lease with a monthly rate of \$250.00.

Mayor Brown indicated he would like to wait and see what happens with the other Frog Level Parking lot with Giles Chemical and the railroad before making any decisions. The Board was in agreement.

Manager Hites said that he and Alderman Caldwell have been working with Mr. James Clayton about his building in Frog Level. He said there was quite a bit of work that needed to be done in order to bring it up to date with North Carolina Code, and hopefully back to its original appearance to attract new tenants in the Frog Level area.

8. Attorney's Report

Town Attorney Cannon stated that in reference to the Frog Level parking lot, he did not modify the lease much, but he just wanted to make it a lease between three parties instead of two.

In reference to the Hazel Street property that is in foreclosure, he said the contract paralegal was lined up and it will be a challenge, but he expects to have it completed by the end of the month.

G. COMMUNICATIONS FROM THE MAYOR AND BOARD

No one had comments.

H. CALL ON THE AUDIENCE

I. ADJOURN

With no further business, Alderman Gary Caldwell made a motion, seconded by Alderman Jon Feichter, to adjourn the meeting at 8:13 pm. The motion passed unanimously.

ATTEST

Gavin Brown, Mayor

Eddie Ward, Town Clerk

Robert W. Hites, Jr., Town Manager