

**MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REGULAR MEETING
July 24, 2018**

THE WAYNESVILLE BOARD OF ALDERMEN held a special meeting on Tuesday, July 24, 2018 at 5:30 p.m. in the board room of the Municipal Building, 16 South Main Street, Waynesville, NC. The Board entered in into closed session at 5:38 pm for the evaluation of the Town Manager. The Board returned to open session at 6:25 pm and recessed the meeting.

A. CALL TO ORDER

A motion was made by Alderman Freeman, seconded by Alderman Roberson to reconvene the meeting in the Town Hall Board Room located at 9 South Main Street at 6:30 pm for the regular meeting. The motion passed unanimously.

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 Jon Feichter
Alderman Julia Freeman
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
Elizabeth Teague, Development Services Director

The following media representatives were present:

Becky Johnson, The Mountaineer

1. Welcome /Calendar/Announcements

Mayor Brown welcomed everyone to the meeting. From the events calendar, the following were mentioned:

Friday July 27 – Mountain Street Dance – sponsored by Downtown Waynesville Association
Saturday July 28 – International Festival Day
Friday August 3 – Art After Dark – sponsored by Downtown Waynesville Association
Saturday August 4 – Sarge’s 13th Annual Downtown Dog Walk – Sarge’s Animal Rescue Foundation

2. Adoption of Minutes

Alderman Gary Caldwell made a motion, seconded by Alderman Jon Feichter, to approve the minutes of the July 10, 2018 regular meeting, as presented. The motion carried unanimously.

B. PROCLAMATION HONORING THE RETIREMENT OF FIRE CAPTAIN DEMETRIUS (DEE) MASSEY

Chief Joey Webb gave a brief history of the 30 year career of Fire Captain Dee Massey. Chief Webb recognized Captain Massey for the work he has done with the Fire Department, stating he has been a great asset not only to the Fire Department but to Haywood Community College as well. Chief Webb presented Captain Massey with a flag, and his fire helmet, and Mayor Brown read and presented Captain Massey with a proclamation from the Town of Waynesville for his retirement.

C. PUBLIC HEARING

3. Public Hearing to consider a map amendment to rezone 140 and 122 Broadview – PINS 8615-69-9255 and 8615-69-8390 from East Waynesville Urban Residential to North Main Street Neighborhood Center.

Development Services Director Elizabeth Teague explained to the Board that the Map Amendment request is from the applicant Cookie2 LLC for 140 Broadview Rd (PIN 8615-69-9255) and 122 Broadview, an undeveloped adjacent lot (PIN 8615-69-8390.) The Map Amendment would change the two areas from East Waynesville Urban Residential to North Main Neighborhood Center. An insurance office is located at 140 Broadview, and the owner wishes to sell both properties to a hair salon. The insurance business has been there since 2008 and is a “pre existing nonconforming” use within the EW-UR District, and falls under the use definition of “professional services.” A hair salon falls under the definition of “personal services.” These are distinct uses within the Table of Permitted Uses and the pre existing non-conformity cannot carry over to the hair salon. The properties are across the street from the North Main Neighborhood Center District. The applicant is seeking rezoning in order to allow the sale of the properties to the hair salon.

Ms. Teague referred the Board to pictures of the properties and current insurance business. She said that research of Haywood County land records show this particular area has a history of commercial use, and there is not a great difference in land use impact between a “professional office” and “personal services.” Re-use of the insurance building as a hair salon seems appropriate, and would also allow/introduce other types of commercial uses. Ms. Teague said there is a desire to work with this applicant to allow the real estate transaction, but to revisit this area as an overlay district at the August 20, 2018 Planning Board meeting.

As a staff recommendation, Ms. Teague told the Board that as a stand alone action, this map amendment would not be detrimental to the surrounding area as long as the property remained a hair salon. However, because of other uses allowed in the North Main Neighborhood Center District, Ms. Teague recommends that the Board follow up quickly to consider these lots and possibly others as part of a mixed-use overlay district with limits on the types of commercial uses allowed.

Town Attorney Bill Cannon opened the Public Hearing at 6:50 pm and asked if anyone wished to speak.

**Jessica Nicholson
127 Last Coyote Trail
Canton, NC 28716**

Ms. Nicholson gave a very emotional plea to the Board to approve the request for rezoning. She stated that after her mother had passed, she and her sister needed to sell the lots at 122 and 140 Broadview.

After attempts to sell the property, the opportunity arose for a hair salon to purchase the property. She is seeking rezoning in order to allow the sale of the properties to the hair salon.

**Attorney Jared Davis
Waynesville, NC**

Attorney Davis stated that he felt changing the entire area of Broadview Street to North Main Street Neighborhood Center District would be more beneficial rather than just these two properties. He had concerns that the applicant had sold the two properties next to 122 and 140 Broadview as residential, and now the applicant is asking to change the zoning of these two properties to commercial. He stated this is a spot zoning and should not be allowed.

Attorney Cannon closed the Public Hearing at 7:00 pm.

After discussion it was consensus of the Board that this area of Town had several commercial businesses and each Alderman supported the request for rezoning.

A motion was made by Alderman Julia Freeman, seconded by Alderman Jon Feichter to approve the request for a map amendment to rezone 140 Broadview (PIN 8615-69-9255) and an undeveloped lot located at 122 Broadview (PIN 8615-69-8930) from East Waynesville Urban Residential to North Main Street Neighborhood Center. The motion passed unanimously.

4. Appointments to Boards and Commissions

The Board appointed by ballot the following people to serve on various Boards and Commissions to serve a three year term ending on June 30, 2021:

ABC BOARD (1 Vacancy)	Raymond Ezell
HISTORIC PRESERVATION COMMISSION (3 Vacancies)	Alex McKay Abigale Carver Linda Lee
PLANNING BOARD (2 Vacancies)	Bucky Dykes Susan Smith
PUBLIC ART COMMISSION (3 Vacancies)	George Kenney Elizabeth Feichter Douglas Garrett

A motion was made by Alderman Gary Caldwell, seconded by Alderman Jon Feichter to increase the number of members on the Recreation Advisory Board from nine (9) to ten (10). The motion passed unanimously.

RECREATION ADVISORY BOARD (3 Vacancies)

Wallace Messer
Lee Starnes
Kim Gardner
Wayne Finger

WAYNESVILLE HOUSING AUTHORITY (2 Vacancies)* 5 year term

Walter Bryson
Sharon Cullins

5. Special Events – July, August, and October

Assistant Town Manager Amie Owens said that requests for three upcoming events had been received. The Special Events Committee had reviewed the applications, and any concerns had been addressed. Ms. Owens reminded the Board that at the July 10 meeting Mr. Phillip Gibbs had requested approval for the Gibbs Family Reunion to be held on July 28, 2018. Mayor Brown indicated to Mr. Gibbs at that time that the application would be approved to close Belview Street to Craven Road.

The Back to School Bash, requested by the First United Methodist Church, will be held on Sunday August 26th. They are asking for the closure of Academy Street from Haywood Street to Tate Street from 1:00 pm – 8:00 pm for the festivities. Ms. Owens stated the church provides individuals to monitor traffic and the Town will provide barricades in advance of the event.

On Wednesday October 31st, the First United Methodist Church has also requested closure of Academy Street from Haywood Street to Tate Street from 3:30 pm – 8:30 pm for the festivities. The church will provide individuals to monitor traffic and the Town will provide barricades in advance of the event.

A motion was made by Alderman Julia Freeman, seconded by Alderman Jon Feichter, to approve the special events applications and direct the Town Manager to execute special events permits as presented. The motion passed unanimously.

D. COMMUNICATIONS FROM STAFF

5. Manager's Report –Town Manager Rob Hites

Manager Hites had nothing to report.

6. Attorney's Report – Town Attorney Bill Cannon

Attorney Cannon had nothing to report

E. CALL ON THE AUDIENCE

No one addressed the Board

F. COMMUNICATION FROM THE MAYOR AND BOARD

There was no additional information from the Board.

G. ADJOURN

With no further business, Alderman Gary Caldwell made a motion, seconded by Alderman Julia Freeman to adjourn the meeting at 7:13 pm. The motion passed unanimously.

ATTEST:

Gavin A. Brown, Mayor

Robert W. Hites, Jr., Town Manager

Eddie Ward, Town Clerk