

**MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**REGULAR MEETING**  
**April 23, 2019**

**THE WAYNESVILLE BOARD OF ALDERMEN** held its regular meeting on Tuesday, April 23, 2019, 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 Jon Feichter  
Alderman LeRoy Roberson  
Alderman Julia Freeman

The following staff members were present:

Rob Hites, Town Manager  
Amie Owens, Assistant Town Manager  
Eddie Ward, Town Clerk  
Bill Cannon, Town Attorney  
Chief Bill Hollingsed  
Captain Brian Beck  
Elizabeth Teague, Development Services Director  
Jeff Stines, Water/Sewer Maintenance Supervisor  
Mark Jones, Wastewater Treatment Supervisor  
Julie Grasty, Asset Services Manager

The following media representatives were present:

Becky Johnson, Mountaineer

1. Welcome /Calendar/Announcements

Mayor Brown reminded the Board of the following calendar events:

Thursday April 25<sup>th</sup> – 4:30 pm - 2035 Comprehensive Land Use Plan Meeting – Folkmoot Center  
Sunday April 28<sup>th</sup> – 6:00 pm – Waynesville Country Club - Memorial Service for Ms. Bette Sprecher  
Thursday May 2<sup>nd</sup> – 12:00 noon – Day of Prayer – Haywood County Courthouse  
Wednesday May 8<sup>th</sup> – 5:00 pm - Tuscola Air Force ROTC awards program  
Saturday May 11<sup>th</sup> – 9:00 am – 4:00 pm – The Whole Bloomin Thing – Frog Level

2. Adoption of Minutes

***A motion was made by Alderman Gary Caldwell, seconded by Alderman LeRoy Roberson, to approve the minutes of the April 9, 2019 regular meeting as presented. The motion passed unanimously.***

**B. PRESENTATION**

3. Certificate of Commendation

- Chief Bill Hollingsed

Chief Hollingsed told the Board that one of the things that was enjoyable about being a police officer was to recognize members of the community that go above and beyond helping the Police Department. He told the story of two employees of BI-LO supermarket that came to the aid of a lady that was being violently attacked in the parking lot. Chief Hollingsed presented Ms. Brooke Story and Mr. Chris Colbert with commendation plaques for their heroic actions that took place on June 11, 2018.

Chief Hollingsed thanked both employees for their bravery and compassion during this assault.

**C. PROCLAMATIONS**

- Mayor Gavin Brown

4. Day of Prayer

Mayor Gavin Brown read a proclamation declaring Thursday May 2, 2019 as “A Day of Prayer in the Town of Waynesville.” He said that legislation had set aside the first Thursday in May in each year as National Day of Prayer in 1988. Mayor Brown said this day is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, and to ask God to guide our leaders and bring wholeness to the United States. He encouraged the citizens of Waynesville to observe the day in ways appropriate to its importance and significance.

Letter Carrier Day

Mayor Brown read the proclamation for “Letter Carriers” Food Drive Day, which will be observed on May 11, 2019. Letter carriers across the country collect non-perishable food as part of the nation’s largest one-day food drive and distribute the donations to local food banks. He said that since 1991 when this day was established, more than a billion pounds of food has been collected. He encouraged Waynesville citizens to support the drive by placing non-perishable food items in or near their mailbox, and the mail carrier will pick it up while delivering mail.

World Tai and Qigong Day

Mayor Brown read a proclamation which celebrates World Tai Chi and Qigong Day. This day is celebrated in hundreds of cities in over 80 nations annually. Tai Chi and Qigong has been called “meditation in motion, and offers the benefits of stress relief, improved balance, and coordination among the elderly. Saturday April 27, 2019 will be the day that will be a day of celebration and practice and encouraged the citizens of Waynesville to participate in the celebration.

5. Resolution – NC Alcoholic Beverage Control Commission

- Captain Brian Beck

Captain Brian Beck explained to the Board that because of the recent retirement of Lieutenant Tim O’Neill, a new Resolution regarding the designation of an official to make recommendation to the North Carolina Alcoholic Beverage Control Board must be submitted. This resolution is required for ABC permits and

Local Use Opinion Forms, and someone must be registered with the ALE. Captain Beck said that in the past his name and Lieutenant O'Neill's had been registered, but somehow his name had been removed. He asked the Board to approve the new resolution with his name.

***A motion was made by Alderman Jon Feichter, seconded by Alderman LeRoy Roberson, to approve Resolution R-10-19 NC Alcoholic Beverage Control Commission. The motion passed unanimously.***

6. Resolution in Support of Elevated Mountain Distilling Company and its request to seek legislative Action for House Bill 378 and Senate Bill 290 known as the Distiller Regulatory Reform Bill
  - David Angel, Owner Elevated Mountain Distilling Company

Mr. David Angel, owner of Elevated Mountain Distilling Company in Maggie Valley, explained to the Board that there had been a Distiller Regulatory Reform Bill introduced in Raleigh. This bill would benefit the economy of Waynesville, as well as Maggie Valley, by creating parity between what a distillery and breweries and wineries can do. Breweries can serve beer wine and cocktails, sell all the beer and wine they want, and can also ship their products online if they choose. Mr. Angel said he can only sell five bottles per person per year of his product. This bill will allow distilleries to be able to sell their product the same as breweries. It will also create opportunities for other distilleries to move to the area.

***A motion was made by Alderman Gary Caldwell, seconded by Alderman Julia Freeman, to approve Resolution R-11-19 in Support of Elevated Mountain Distilling Company and its request to seek legislative Action for House Bill 378 and Senate Bill 290 known as the Distiller Regulatory Reform Bill. The motion passed unanimously.***

7. Special Events Applications
  - Assistant Town Manager Amie Owens

Assistant Town Manager Amie Owens stated that requests were received for three (3) new events in the Town of Waynesville.

**Folkmoot Lantern Parade** – NEW Event – Thursday, July 25, 8:30 p.m. Assistant Manager Owens told the Board that this event is a short walking parade with LED light lanterns from the Hazelwood Parking area to the Folkmoot Friendship Center green. There will be minimal assistance required from Public Safety as Civilian Police Volunteers will be able to assist with traffic control during the walk. The participants will use sidewalks when available.

**Antiques Extravaganza Festival** – NEW Event - Saturday, August 10, 9:00 a.m. – Assistant Manager Owens explained that this festival will utilize the same footprint as the Whole Bloomin Thing Festival. She said that Commerce Street will be closed from Depot Street to Panacea. Local and Regional antique dealers have been invited to participate.

**Strive – Waynesville** – NEW Event – Saturday, May 11, 3:00 p.m. – The third new event is a joint venture with Land of Sky, Haywood County and Waynesville Parks and Rec, Haywood County Schools and others. The event will encourage cycling rather than riding in cars as alternate transportation methods and a bicycle skills and safety rodeo will be included as part of this event. The event will take place on the road behind Folkmoot and should not require any traffic pattern changes.

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

8. Amendments to the Municipal Records Retention Schedule

- Assistant Town Manager Amie Owens

Assistant Manager Owens said that periodically, the NC Department of Cultural Resources amends the records retention schedule to include information that may have been changed due to legislative updates or other necessary revisions.

She said that the most recent change includes an adoption of a consolidated retention schedule for Municipalities and Counties that will be updated annually. With the implementation of the new consolidated schedule, there are still some standards that will remain specific to municipalities and counties which will still necessitate having some separate sections of the retention policies.

The request is to approve the newest revision of the consolidated schedule knowing that the Town Clerk will be responsible for maintaining two schedules until a final Municipal Records Retention Schedule is finalized in 2022.

***A motion was made by Alderman Jon Feichter, seconded by Alderman Julia Freeman, to approve the amendments to the Municipal Records Retention Schedule, as presented. The motion passed unanimously.***

9. Downtown Businesses requesting Alcohol Sales on public property during the Memorial Day Saturday evening BLOCK PARTY May 25, 2019

- Buffy Phillips, Executive Director, Downtown Waynesville Association

Mayor Brown stated that staff needed to address this issue and would make a presentation to the Board at a later meeting.

10. Board Appointments to the Cemetery Committee

- Mayor Gavin Brown

Mayor Brown explained that at the March 1, 2019 Board Retreat, the Board voted that the Cemetery Committee would be comprised of five appointees directly from the Mayor and the Board. However, two additional members were to be voted upon as at-large members via written ballot at the April 9, 2019 meeting. One additional member will be named from the funerary business. Assistant Manager Owens will serve as the liaison between the committee and the board and other staff members will be present at meetings to provide information.

Mayor Brown asked each Board Member who they had chosen to represent the Committee.

Alderman Roberson:	Elizabeth Atkinson	Alderman Freeman:	William Revis
Alderman Caldwell:	Scott Ybanez	Mayor Brown:	Sandy Giles
Alderman Feichter:	Randy Mathis		

The Board chose, by ballot, two applicants from the applications that were received. Mr. James R. Burke and Ms. Barbara Freeman both received three votes apiece, and therefore will serve on the committee.

Mayor Brown indicated that Assistant Town Manager Amie Owens and Town Clerk Eddie Ward will represent staff for the committee. He said that Assistant Manager Owens would be in contact with each member to set up the first meeting. The committee would vote on a Chairman and decide the time and place of future meetings. He added that the full resources and Town staff would be available to the Committee. He thanked everyone for their interest in the cemetery, and said he believes this committee is comprised of good members and will be very beneficial to the Town.

#### **D. COMMUNICATIONS FROM STAFF**

##### **11. Manager's Report**

###### Capital Improvement and Asset Management Plan for Sewer Fund

- Town Manager Rob Hites

Manager Hites explained to the Board that two of the items the Town must submit to provide as competitive a grant/loan application to the State Revolving Loan program, is an up-to-date Capital Improvement and Asset Management Plan. He said that the State needs to ensure that a municipality calculates the impact of new debt over a ten-year period. He referred the Board to documents showing a ten-year financial model that considers all the capital purchases the sewer fund will incur and an asset management plan that shows the Sewer Funds physical assets over the same period. The Board adopted a five-year internal plan in 2017.

Manager Hites said that even though the staff updated the CIP through its submissions for the annual budgets, the Board did not formally adopt an amendment to the CIP in 2018. Like all plans, the Capital Improvements and Asset Management Plan are tools to help Boards and staffs plan future programs and cash flows. Manager Hites said the Plans do NOT obligate a municipality to carry out the programs listed on the plans. CIPs are changed annually as new, more pressing priorities emerge. He told the Board that the Town is requesting a "set aside" of up to \$17.4 million from the State Revolving Loan program. The application deadline is late April. If funded, the State will hold the funds until we close the loan after bids have been received. This time lapse will give us the opportunity to apply for a USDA grant/loan which carries a 40-year amortization schedule. The USDA process is lengthier than the State program, but their analysis offers the potential for a grant to supplement loan. Manager Hites said the Town is in the process of contacting our Federal Congressional Delegation in hopes that they will provide letters of support for our USDA application.

Mr. Dennie Martin, consultant from WR Martin, presented information to the Board related to the Asset Management Plan for the Wastewater Treatment Plant (WWTP) as well as explaining some of the Capital Improvement Plan (CIP) that he and the town staff had developed for this project. He began with the CIP noting that this was a 10-year plan but did have some projected costs through year 20. Most significant to note in the plan was that the major debt for the project would not be assumed from year one. Only a small portion of the debt for equipment and vehicles would begin in year one. The largest debt (\$17.4 Million) begins in year 3. The reason for this is that design and engineering will be completed before the actual construction begins. Once construction begins, the debt service payments would begin. Mr. Martin explained that if the Town was successful in its submission for the SRF, the funding would be set

aside and held until needed in year three. Alderman LeRoy Roberson asked how long the improvements to the WWTP would last. Mr. Martin answered between 20 and 30 years.

As part of the Asset Management Plan, a financial analysis was completed to coincide with the 10-year CIP. The analysis was developed very conservatively based on current sewer fund revenues and projected borrowing. Particularly of note is that the increase in sewer rates (based on 5,000 gallons/month) ranging from a 2% increase to a 15% increase. Both Mr. Martin and Town Manager Hites alluded to the fact that for an average household, a 10% increase would be approximately \$4.00 per month or \$48.00 annually. This increase would help to fund improvements and continued operations. Alderman Jon Feichter inquired if the Town was leaning toward one funding source or another or if they could both be utilized. Mr. Martin answered that the SRF was administered at the state level and the USDA from a federal level, and that the Town can apply for both. Town Manager Hites added that since the Town is in the process of negotiating the SOC agreement with NC DENR, the SRF has a stronger probability of success.

Mayor Brown thanked Mr. Martin and staff for their efforts on this in-depth analysis and the development of the CIP.

***Alderman LeRoy Roberson made a motion, seconded by Alderman Jon Feichter to adopt the Asset Management Plan as presented. The motion carried unanimously.***

***Alderman LeRoy Roberson made a motion, seconded by Alderman Gary Caldwell to adopt the Capital Improvement Plan as presented. The motion carried unanimously.***

***Alderman LeRoy Roberson made a motion, seconded by Alderman Julia Freeman to adopt Resolution R-12-19, a Resolution in Support of Adoption of the 2018-2019 Wastewater System Asset Management Plan including 2019-2029 Capital Improvements Plan. The motion carried unanimously.***

#### Miller Street Garden

- Development Services Director Elizabeth Teague

Ms. Teague asked the Board for approval to proceed with some streetscape improvements in the Miller Street Garden. She said this is part of a larger process and that the Town has been working with the Downtown Waynesville Association for about three years. The Town has hired consultants to develop concept plans, and a design committee was formed.

One of the first steps that the committee wanted to put into place was to address some issues in that area. There is a parking space in front of a fire hydrant and a loading zone near the curb of a turn. This blocks a handicap space., and these are safety issues that need to be addressed.

Ms. Teague said that around the "Troubadour" sculpture the committee would like to shore that area up. This would protect the space that is looking degraded now because of people climbing on the statues. She said that there were landscaping issues that needs to be addressed. Ms. Teague said the trees would not be touched, but shrubs would be replaced. Town Horticulturist Jonathan Yates is working with the committee in choosing the species and placement of the shrubs.

One other change in the garden would be from brick to base stone to set aside that place and make room for buskers, and for people to sit.

She said a Medford grant in the amount of \$14,280.00 for landscaping improvements had been received.

***A motion was made by Alderman Jon Feichter, seconded by Alderman Julia Freeman, to approve the streetscape improvements and approve to proceed with the improvements. The motion carried unanimously.***

12. Attorney's Report

- Town Attorney Bill Cannon

Attorney Cannon told the Board that he had heard from some of the family members that they disclaim any interest in the property.

Concerning the Red Square case, depositions will be taking place April 24<sup>th</sup> and 25<sup>th</sup>.

**F. COMMUNICATIONS FROM THE MAYOR AND BOARD**

There were no comments.

**G. CALL ON THE AUDIENCE**

**Phillip Gibbs**

Mr. Gibbs thanked the Board for allowing him to address the Board concerning the Calvary/Craven Street Park in the Pigeon Community. He said he was very hopeful that this would be the year that the park would be in the Town's budget. Mr. Gibbs stated that it concerned him that the young people in his community thought that their community means nothing because they are always last on agendas. He asked the Board to prove them wrong by putting money in this year's budget for the park. He said they have been waiting a long time to get something done in the Pigeon Street Community.

Mayor Brown asked Elizabeth Teague, Development Services Director, to present to the Board the schedule of events that have occurred with the Pigeon Community Park.

**Calvary/Craven Street Park Timeline:**

**2015:** Waynesville Police Department and Development Services ask Haywood County for information on the church structure on site because it's a chronic nuisance violation and the location of multiple police calls. Haywood County begins a process of title search and determines that there are no claims to the property. Attempts to secure the structure failed and it was constantly broken into.

**November-December 2016:** Haywood County forecloses on the property.

**January 10, 2017:** Staff asks Aldermen for permission to request that the County donate the property to Waynesville to clean it up and redevelop it as a park. However, Franklin Tate approached the County independently and asked to buy the building and re-purpose it as an event space.

**February 6, 2017:** Town staff attends a County Commissioners meeting along with some members of the neighborhood to ask that the property be turned over to the Town. County agrees.

**February – April 2017:** Town staff demolishes the building and cleans up the site.

**April 25, 2017:** Town holds community meeting at Pigeon Community Center to ask for citizens' ideas for use of the space.

**June 9, 2017:** Town completes boundary and topographical survey of lot.

**June 29, 2017:** Town holds first neighborhood subcommittee on park site to discuss ideas and spacing. Subcommittee asks staff to look at placement of a basketball court despite discussion of concerns regarding space and topography.

**September 2017:** Town Parks and Recreation and Development Services Department contract with Civil Design Concepts to develop a park plan based on neighborhood and committee comments.

**October 2017:** February 2018: Staff explores options with the Pigeon Community Center on basketball court needs including, shared use of existing court behind Center, and purchase and redevelopment of flat space behind Pigeon Community Center as a public basketball court.

**October 2018:** Town initiates Historic Study of neighborhood with idea of integrating historical information into the Park plan.

**March 12, 2018:** Neighborhood Committee meets to review various space options and proposals by the consultant, including a basketball court with a smaller footprint, picnic pavilion, historic marker or art-work and playground space.

**April - May 2018:** Park included in budget request.

**July –December 2018:** Revised plan developed with smaller basketball court footprint and cost estimates updated.

**April 2019:** Park included in budget request.

**H. ADJOURN**

*There being no further business to discuss, Alderman Gary Caldwell made a motion, seconded by Alderman Julia Freeman, to adjourn the meeting at 8:03 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