

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
Regular Meeting
February 25, 2020

THE WAYNESVILLE BOARD OF ALDERMEN held its regular meeting on Tuesday, February 25, 2020 at 6:30 p.m. in the board room of Town Hall, 9 South Main Street, Waynesville, NC.

A. CALL TO ORDER REGULAR MEETING

Mayor Gary Caldwell called the meeting to order at 6:30 pm with the following members present:

Mayor Gary Caldwell
Mayor Pro Tem Julia Freeman
Alderman Jon Feichter
Alderman Anthony Sutton
Alderman Chuck Dickson

The following staff members were present:

Rob Hites, Town Manager
Amie Owens, Assistant Town Manager
Eddie Ward, Town Clerk
Bill Cannon, Town Attorney
Ben Turnmire, Finance Director
Jesse Fowler, Planner
Rhett Langston, Recreation Director
Joey Webb, Fire Chief
Chris Mehaffey, Assistant Fire Chief
Ricky Mehaffey, Fire Captain
Interim Police Chief, Brian Beck
Police Department Administrative Assistant, Diane Robinson
Various Police Officers

The following media representatives were present:

Becky Johnson, The Mountaineer

1. Welcome/Calendar/Announcements

Oath of Office for Police Chief David Adams

Mayor Caldwell welcomed everyone said it was his pleasure to welcome David Adams and his wife Sonya to Waynesville. David has been chosen as Waynesville's new Police Chief.

Chief Adams comes to the Town of Waynesville from Franklin, NC where he served as Chief for the past eight years. Previously he served in Hendersonville where he worked his way through the ranks to Captain of Investigations. He holds a bachelor's degree in Criminal Justice and a

master's degree in Management and Leadership. He has also graduated from the FBI Academy's Leadership Training and Command School. Before entering his law enforcement career, he served six years in the 82nd Airborne.

Mayor Caldwell asked Police Department Administrative Assistant Diane Robinson to administer the Oath of Office to Chief Adams. After the Oath, Chief Adam's wife Sonya pinned his badge on his lapel.

Chief Adams thanked everyone for coming and for such a great welcome to him and his family. He said he looked forward to working in the Town of Waynesville.

2. Adoption of Minutes

A motion was made by Alderman Anthony Sutton, seconded by Alderman Julia Freeman, to approve the minutes of the February 11, 2020 regular meeting as presented. The motion carried unanimously.

B. PRESENTATION

3. Fire Department Needs

- Fire Chief, Joey Webb

Chief Joey Webb gave a brief presentation on the needs of the Fire Station #2 facility needs. He explained to the Board that with the increase of development in the western section of the Town of Waynesville, the amount of calls answered by the Fire Department from Station #2 has grown to over 400 calls more than Station #1.

Currently, there are no generator back-ups, and if there is a power outage, the bay doors must be raised manually which means a delay in answering a call. It also means that there are no means of communication, and it leaves the Finance Department, which is also housed in the building, unsecured.

Chief Webb said there isn't enough room for some of the Fire Department equipment, and because of the bigger sized fire apparatus, one of the trucks is parked outside under a carport. In addition, there is no separate facilities for female firefighters.

Fire insurance districts require property to be within five miles of a fire station. Ratings are based on a point system to determine the grade. He said that Waynesville currently has a split 4/9E rating. A six-mile district is allowed with adjoining departments responding automatic aid with the minimum of 1000 gallons of water. This rating is a 9E or Class 9 extended, and is the lowest rating allowed for a six-mile district. Chief Webb said that there is a structure located on Presidential Drive that is 5.1 miles from Station #2. Relocating the fire station farther south would eliminate the six-mile district.

Chief Webb stated there were five or six sites that has ben looked at for a new Fire Station. He said that cost and the flood plain area in Hazelwood played a big factor in deciding on a new location. The location that is currently being looked at give quick response to the by-pass. The site is about three acres, which will allow for additional training exercises.

4. Kiwanis Playground Renovation / Improvement Project Proposal

- Parks and Recreation Director, Rhett Langston/ Marti Peithman/ Eva Hansen

Parks and Recreation Director Rhett Langston said that in collaboration with the Waynesville Parks and Recreation Department, we have assessed the condition of the current playground. As a result, a playground vendor has been selected and developed a playground plan for Phase 1. This includes removing old equipment and installing new and renovating and improving half of the playground.

Mr. Langston introduced Ms. Marti Peithman from the Kiwanis. Ms. Peithman said the Recreation Department had received a \$25,000.00 donation from an anonymous donor, and an additional \$25,000.00 had been raised through securing playground equipment sponsorships, grants and donations. She stated they hoped to complete Phase 1 by September 30, 2020.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to accept the design and the donation of the new equipment for Phase I of the Recreation Park Kiwanis Playground. The motion carried unanimously.

5. Hiring Fiscal Analyst

- Finance Director, Ben Turnmire

Mr. Ben Turnmire, Finance Director explained to the Board that since Fiscal Year 2018, an Accounting Technician position has been approved in the Town's budget. He said this position has remained unfilled, and the Finance Department would like to fill this position in order to expand operational capacity. By filling the accounting technician position the Finance Department will be more able to respond to all department's financial needs, implement a higher level of budget administration, better identify internal control deficiencies, perform routine internal audit procedures, and sustain Waynesville's financial resiliency.

Mr. Turnmire said that his Department has consistently returned appropriations to Fund Balance over the past three years. On average, the Finance Department has been \$60,000 under budget in personnel costs over the past three years. By filling the Fiscal Analyst position in April, the Finance Department is projected to be \$60,000 under budget in personnel costs for FY 20. He added that the Finance Department is projected to decrease its total personnel budget by \$35,000 from FY 20 to FY 21.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Julia Freeman, to approve the hiring of a Fiscal Analyst (formerly Accounting Technician) for the position in the Finance Department. The motion carried unanimously.

6. Request approval of reclassification of one position and temporary over hire in Police Department
 - Assistant Town Manager, Amie Owens

Assistant Town Manager Amie Owens told the Board that an employee in the Police Department Records Division is retiring, and the individual who is currently assisting part-time does not wish to move to a full-time status. Therefore, she would like for the Board to consider an over hire for this position to gain necessary training prior to the retirement date of the current employee. Ms. Owens explained that there is money in the current budget to support this request since there are vacancies that have not been filled. Once the retirement occurs, the position count would return to one full time and one part-time position in that division. She stated that this is a temporary request.

The existing Evidence Technician position has been classified as part-time in the past, and interns have been able to assist as part of their training with the police department. However, with the more stringent regulations related to evidence processing and tracking, it has become necessary to utilize the existing part-time Evidence Technician in more of a full-time capacity. Ms. Owens said that currently under the ACA, due to the number of hours being worked, medical insurance has already been provided for the employee. The working hours have exceeded the 1000-hour threshold for mandatory contributions to the retirement system as well. Again, utilizing lapse salaries, there is funding in the budget for the remainder of this year and the reclassification would impact the total employee count for the Police Department in 20/21 by .5FTE.

A motion was made by Alderman Julia Freeman, seconded by Alderman Anthony Sutton, to approve the necessary temporary over hire and reclassification in the Police Department. The motion carried unanimously.

7. Special Events Applications
 - Assistant Town Manager, Amie Owens

Ms. Owens gave a brief explanation of the upcoming Special Events as follows:

Requests were received for multiple upcoming events in the Town of Waynesville. The Special Events Committee has reviewed the applications, discussed any concerns noted and spoken with event organizers to seek out solutions.

Bikers in Boxers – As Bare as You Dare – Saturday March 7 – this is the fifth year for this request. This is a short ride through the downtown by motorcyclists raising money for heating assistance. Will be led and followed by Waynesville Police. Staging and start/finish will be at the VFW.

Gateway to the Smokies Half Marathon/4-miler – Saturday, April 4 - this is an event that has taken place in years past sponsored by the Chamber of Commerce; now the event is being carried out by Gloryhound Events. This is a large event that will utilize resources from Police, Fire and Civilian Volunteers. Other assistance from the Sheriff's Department and Highway Patrol will be provided. Several meetings have been held related to logistics for this event.

NEW EVENT – Drug Epidemic Awareness Walk – Walk Across America – Sunday May 3 – this event is new to the calendar. It will be a walk that begins on Academy Street and ends at the Haywood County Courthouse. It is to bring awareness to the impact of drug abuse and drug deaths. The SHARE Project is the sponsor. They have secured permission from Haywood County to assemble and have speakers at the courthouse. Waynesville Police and Civilian Volunteers will be required to assist with safety for the walk.

Whole Bloomin' Thing Festival – Saturday May 9 – this is another regular event held in Frog Level. All logistics remain the same as in years past and will require assistance from Waynesville Public Services, Police and Fire.

First UMC – Pig Pickin – Sunday June 2 – this is the fourth year for this request. Requesting closure of Academy Street from Haywood Street to Tate Street. Closure to begin at 1:00 p.m. for set up and re-open at 8:00 p.m. following the conclusion of the event. Public Services will provide the necessary barriers and police will monitor traffic throughout the day.

Sarge's 15th Annual Downtown Dog Walk – Saturday August 1 – this is a traditional event for the first Saturday in August. The Waynesville Police Department provides a car at the front and the rear of the parade and participants make one loop through town and events are held on the courthouse lawn.

First UMC - Back to School Bash – Sunday August 23 – this is a regular event for the FUMC. Same closure requested for the Pig Pickin event. Closure to begin at 1:00 p.m. for set up and re-open at 7:30 p.m. following conclusion of the event. Same assistance as Pig Pickin event.

First UMC – Trunk or Treat – Thursday October 31 – this is an annual event held by the FUMC. The requested closure is the same as previously noted. Closure to begin at 3:30 p.m. until 8:00 p.m. following the conclusion of the event. Same assistance as other FUMC events.

NEW EVENT – Oasis Shriners Spring Ceremonial Parade – Saturday June 5, 2021 – this is an event new to the calendar. A request was received to hold this event in Waynesville as the Shriners attempt to choose a new venue each year. After the Special Events Committee met to discuss, there was a change to the parade route to make it more consistent with other parades such as Folkmoor's Parade of Nations. The reason for such an early request is so that they can begin obtaining sponsors for the event and advertising well in advance. This is not a large parade with only 25 parade units predicted.

A motion was made by Alderman Jon Feichter, seconded by Alderman Anthony Sutton, to approve the special events permit applications and direct Town Manager to execute special events permits, as presented. The motion carried unanimously.

8. Plott Heights Slide Area

- Town Engineer, Preston Gregg

Preston Gregg, Town Engineer, referred the Board members to the photos representing the slide that occurred on Plott Heights Road on February 20, 2019. He said that this area is at the end of Plot Heights Road and is in the cul-de-sac outside of the Town's street maintenance. A Town owned 2" waterline feeding over to the test farm within the area ruptured, and it is unclear as to whether the line break caused the slide, or the slide caused the waterline break. Town employees, with aid from WNC Paving & Grading, repaired the road back to a satisfactory condition.

Mr. Gregg said that less than seven months later the road began to show signs of failure and is revealing a visible "shear plane" of failure called "global stability." Currently, the road has a differential settlement of nearly six feet.

Two different engineering firms have evaluated the slope failure as well as NCDOT's engineers to review the site and share how they are addressing similar slides throughout WNC.

Cost estimates to properly repair the slope failure are estimated to be around \$350,000. This work would entail a large amount of excavating wet/saturated mud out of the slope and bringing a 60' slope back up with large class 7 rock, called a "Rock Buttress".

Mr. Gregg referred the Board to pictures of the slide taken in December, and he said that the slide had worsened since then. In order to cut costs for the repair of the slide, Mr. Gregg said Town resources could be used such as trucks hauling rocks because it would take about 250 loads of stone.

When asked what would happen if the slide is not repaired, Mr. Gregg stated that the house at the end of Plott Heights would be cut off with no way in or out. There was much discussion concerning alternative ways of repairing the slide.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to table the motion in order to explore other alternatives, legal liabilities, and insurance for the repair of the slide on Plott Heights. The motion carried unanimously.

C. **CONTINUED BUSINESS**

9. Parking Concerns Along Broadview Road and Overbrook Drive

- Jesse Fowler, Planner

Planner Jesse Fowler stated the Town had received complaints regarding parking of customers and delivery trucks along Broadview Road and Overbrook Drive leading to congested and blocked traffic. He said the primary issue is that delivery trucks park in the middle of the road which blocks traffic and driveways. Residents in the area have complained that people park t their vehicles on both sides of the road which does not leave enough room for emergency vehicles to travel.

Mr. Fowler presented the Board with two options for consideration:

Option 1: Establish a timed loading zone behind the businesses located at 62 Overbrook Drive.

§54-144(a) of the Town’s ordinance gives the Board of Aldermen the authority to “determine, designate, and locate passenger loading zones and freight loading zones.” Thus, the Board of Aldermen could establish a loading zone designated for morning hours where trucks could unload their freight for the businesses located at 62 Overbrook. This option would require police enforcement of the designated times for loading and unloading.

Option 2: Enforce current parking regulations.

Several sections within our current ordinance allow the Town to enforce the prohibition of parking in a manner which blocks traffic behind the businesses located at 62 Overbrook Drive.

§54-136: “It shall be unlawful for the driver of any vehicle to stop, stand or park a vehicle upon any street, highway, roadway or alley in such a manner or under such conditions as to leave available less than ten feet of width of the roadway for free movement of vehicular traffic.”

§54-137(10): “No person shall stop, stand or park a vehicle, except when conflict with other traffic is imminent or when so directed by a police officer or traffic control device, in any of the following places... on the roadway side of any vehicle stopping, standing or parking at the edge or curb of a street.”

§54-136: “It shall be unlawful for the driver of a vehicle to park such vehicle in a highway, street or roadway other than parallel with the edge of the roadway, street or highway, headed in the direction of traffic.”

§54-144(b): “It shall be unlawful for the driver of any vehicle to stop, stand, or park a vehicle for any period of time longer than is necessary for the expeditious loading or unloading of passengers or material in any place marked as a freight loading zone.”

**Lisa McDonald
152 Broadview
Waynesville, NC 28786**

Ms. McDonald stated that she felt that the parking changed the whole personality of the street. She said there was a lot of bicycles and pedestrians who use this area and it is dangerous for them. There are cars that park on the street when there is parking in the lot. When cars are parked along the sides of the road, there isn't enough space for two cars to pass. The street has become a cut through, and that is causing more traffic in addition to the traffic that is there for the businesses.

Mr. Fowler stated that Town staff recommends that the Board of Aldermen use signage in an area behind the businesses located at 62 Overbrook Drive as a loading space during some time in the morning (6:00 am – 9:00 am) and the business would have to be informed and cooperate. Staff also recommends painting spaced to formally designate on street parking on one side of the street, and to enforce the existing Ordinance. The enforcement would be done by policing powers.

A motion was made by Alderman Jon Feichter, seconded by Alderman Anthony Sutton, to designate with signage an area behind the businesses located at 62 Overbrook Dr as a loading space and painting spaces to designate on street parking on one side of the street. The motion carried unanimously.

D. COMMUNICATIONS FROM STAFF

10. Manager's Report

Manager Hites gave an update on the progress of the bids for the rehabilitation of Town Hall. He said the bids had been sent out for the work and only one bid was received the first time. It was re-advertised and again there was only one bid. The bidders are a partnership of Clark & Leatherwood and PEI of Asheville. The bids were at \$280,000.00 with the insurance portion being \$108,000.00, but the insurance company expects to pay only \$30,000.00. He said that he will be bringing a base bid to the Board, hopefully by March, and the Board can decide if anything is to be added.

11. Attorney's Report

Town Attorney Bill Cannon said that there had been a request from the attorney for the Triangle Auto suit for an early mediation. He said this is a positive development in this case.

In the Hazel Street case, the last person who is the heir could not be served, but the people who have answered do not have any interest in the house. Mr. Cannon said there would be notifications published in the newspaper and then a sale of the property at the courthouse.

E. COMMUNICATIONS FROM THE MAYOR AND BOARD

Alderman Feichter stated that during the process of appointing people to the Homelessness Task Force, he felt that Hazelwood has been under-represented. He asked the Board to increase the size of the Task Force by two applicants that are from Hazelwood and present them at the March 10th meeting.

Mayor Caldwell stated that starting with the March 10th meeting the Public Comment period will be at the beginning of the meeting.

F. CALL ON THE AUDIENCE

No one addressed the Board.

G. ADJOURN

With no further business, a motion was made by Alderman Julia Freeman, seconded by Alderman Jon Feichter, to adjourn the meeting at 7:40 p.m. The motion carried unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Eddie Ward, Town Clerk