

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
Regular Meeting
March 10, 2020

THE WAYNESVILLE BOARD OF ALDERMEN held its regular meeting on Tuesday, March 10, 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 Chuck Dickson

Alderman Anthony Sutton was absent due to being out of town.

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
Julie Grasty, Asset Services Manager
Jonathan Yates, Outside Facilities
Police Chief David Adams
Various Police Officers

The following media representatives were present:

Becky Johnson, The Mountaineer

1. Welcome/Calendar/Announcements

Mayor Caldwell welcomed everyone and reminded them of the following Calendar events:

Thursday March 19 – Homelessness Task Force Meeting – Public Services Training Room 6:00 – 8:00pm

2. Adoption of Minutes

A motion was made by Alderman Julia Freeman, seconded by Alderman Chuck Dickson, to approve the minutes of the February 21, 2020 Winter Board Retreat and the February 25, 2020 regular meeting as presented. The motion carried unanimously.

B. SPECIAL PRESENTATION

3. Resolution awarding badge and service sidearm to retiring Police Captain Brian Beck

Mayor Gary Caldwell read the resolution awarding Badge and Service Sidearm to retiring Police Captain Brian Beck. Captain Brian Beck has served as a member of the Police Department for the Town of Waynesville from January 3, 1991 to March 31, 2020 in varying capacities beginning as a Patrol Officer in 1991, to Sergeant in 1996, to Lieutenant in 2005, to his promotion to Police Captain in 2013 where he served until his retirement for the Town of Waynesville where he provided direction and leadership for the department.

A motion was made by Alderman Julia Freeman, seconded by Alderman Jon Feichter, to present retiring Captain Brian Beck with his badge and service sidearm identified as Glock, Model 35; .40 caliber; Serial # WLK949. The motion carried unanimously.

Police Chief David Adams presented Captain Beck with the badge worn by him during his service with the Waynesville Police Department and his service sidearm.

Alderman Julia Freeman said that it had been a pleasure to work with Captain Beck for approximately nine years. She said he had represented the Town with the upmost professionalism, and he would be greatly missed. Alderman Freeman thank him for his service.

C. PUBLIC COMMENT

**Larry Payne
161 Riverbend Street
Waynesville, NC**

Mr. Payne expressed concerns about a light pole that had been replaced at the end of his driveway, and the old one had not been removed. He said he felt that this would be a hazard to someone if the old pole fell. When asked if Mr. Payne had Town of Waynesville power, he stated he had Progress Energy. Mayor Caldwell explained that Duke Energy would be contacted to remove the pole.

Mr. Payne also stated that the sidewalks that had recently been poured were causing water to pool at the end of the driveway and at his neighbor's yard. Mayor Caldwell said that Public Services would be contacted and assess the sidewalks.

D. PUBLIC HEARING

4. Public Hearing for consideration of amendments to the Cemetery Ordinance
 - Assistant Town Manager, Amie Owens

Assistant Town Manager Amie Owens explained to the Board that this would be the third Public Hearing on the Cemetery Ordinance and at the last meeting in February, Town Attorney Bill Cannon had made some changes that had not been reviewed by the Cemetery Committee. At that time the Board had requested that Attorney Cannon meet with the Cemetery Committee to go over how language was crafted, and the only sticking point was the mission statement that was placed before the actual sections of the Ordinance, describing how the Town and the Cemetery Committee had worked together to give everyone as much freedom as possible while still preserving regulations as necessary. Assistant Manager Owens told the Board that Mr. Cannon felt that the preamble could mitigate information in the Ordinance, and he suggested to place it in the adoption Ordinance, which would be a “best practice.” Attorney Cannon explained that the placement of the preamble could create ambiguity between the Ordinance and the mission statement.

Attorney Cannon went over the suggested changes in the language of the Draft Ordinance in Section 18-21 and Section 18-26.

Attorney Cannon opened the Public Hearing at 6:47 pm and asked if anyone wished to speak.

Randy Mathis
Cemetery Committee Chairman

Mr. Mathis asked about the NC General Statute 14-288 Disorderly Conduct, and House Bill 465 and how if it can be placed in the Greenhill Cemetery revised Ordinance. Assistant Manager Owens suggested that the G. S. Statute 14-288 be placed in the cross-reference section.

Larry Payne
161 Riverbend Street
Waynesville, NC

Mr. Payne said he wondered what people that had buried in the Greenhill Cemetery many years ago would think today about tours being held in the Cemetery. Assistant Manager Owens explained that there are no commercial tours allowed, and that there is a process that has been built into the Ordinance that the Cemetery Committee would have to approve any non-commercial tours that take place in the cemetery.

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

Aldermen Feichter stated he recognized the amount of work that had been put into the revision of the Ordinance, and he would like for the Mission Statement be left at the beginning of the Ordinance.

A motion was made by Alderman Jon Feichter, seconded by Alderman Julia Freeman, to approve the revised Cemetery Ordinance #O-03-20 as presented with the Mission Statement in the beginning of the Ordinance, and General Statute 14-288 be placed in the cross-reference section. The motion carried unanimously.

E. NEW BUSINESS

5. Sponsorship – Smoky Mountain 9-Ball Tournament
- Assistant Town Manager, Amie Owens

In the past, Assistant Manager Owens stated that the Town of Waynesville has done an ad in the program for the Smoky Mountain 9-Ball Tournament which the ARC of Haywood County. Assistant Manager Owens submitted a request for the Board to approve the ad and the size of ad for the program.

A motion was made by Alderman Julia Freeman, seconded by Alderman Jon Feichter, to approve the ad in the amount of \$500.00 for the Smoky Mountain 9-Ball Tournament. The motion passed unanimously.

6. Board Appointment to Waynesville Housing Authority
- Assistant Manager Amie Owens

Assistant Manager Owens told the Board that Mr. Tom Shaw had resigned from the Waynesville Housing Authority because he is moving out of Town. She said the replacement appointment needed to be a resident of the Housing Authority. Town Clerk Eddie Ward contacted Ms. Georgette Morand, and she wishes to be placed on the Waynesville Housing Authority Board with a term ending June 20, 2022.

A motion was made by Alderman Julia Freeman, seconded by Alderman Chuck Dickson, to appoint Georgette Morand to the Waynesville Housing Authority with a term ending June 30, 2022. The motion carried unanimously.

7. Site Plan Approval and approve to issue for bid for Recreation Park Restrooms
- Recreation Director, Rhett Langston

Recreation Director Rhett Langston explained to the Board that the Recreation Department is seeking approval of the site plan for Recreation Park restrooms. This plan is the same as the restrooms in Hazelwood. The building will have the same brick and siding, and a shingle roof. He

said this restroom will have a base rock work for each column and it will not be elevated like the restroom in Hazelwood.

A motion was made by Alderman Jon Feichter, seconded by Alderman Julia Freeman, to accept the site plan and approve to issue for bid for the Recreation Department for restrooms. The motion carried unanimously.

8. Calvary Craven Park Pavilion Bids

- Planner, Jesse Fowler

Jesse Fowler, Development Services Planner, stated that staff has received bid documents from six contractors for the construction of a covered pavilion at Calvary Craven Park. The work associated with these bids are as follows:

- Rough Framing Material and Labor
- Roofing Material and Labor
- Finish Carpentry Material and Labor
- Concrete Slab on Grade Prep and Placement Material and Labor
- Painting and Staining Material and Labor
- General Contractor Overhead and Profit

Mr. Fowler said that staff is requesting that the Board award the construction of the pavilion for Calvary Craven Park to the lowest responsive bidder, Lowell Ball Inc. at \$36,900.

A motion was made by Alderman Jon Feichter, seconded by Alderman Chuck Dickson, to award the construction of the pavilion at Calvary Craven Park to Lowell Ball Inc. at a cost of \$36,900.00. The motion carried unanimously.

F. **COMMUNICATIONS FROM STAFF**

9. Manager's Report

- Town Manager, Rob Hites

a. Municipal Building Repair/Renovation Bid Award

Town Manager Rob Hites gave an updated report for the informal bids to repair water damage and renovate the first floor of the Town Hall. After receiving only one bid the Town re-advertised and again received only one bid. That bid is a joint venture of Clark and Leatherwood of Waynesville and PBI Construction of Asheville. The original bid totaled \$270,000.00. Assistant Town Manager Owens and Manager Hites met with the contractor and discussed areas where the contract price could be reduced. The Contractor amended their bid with a \$240,106.00 which is a combined water damage bid due from the insurance company and a renovation bid due from the Town.

Manager Hites referred the Board to the original and revised bids, a memorandum from Manager Hites, specification sheets on replacing the insurance damage and renovations to the first floor that was not damaged by water, in the agenda packet. He outlined the areas where achieved cost savings were in case the Board chose to add features back into the contract. The Town will purchase both carpet and furniture from State contract. He said there is a wide selection to choose from that is available to the Town. In addition to the contract, the Town will expect to pay between \$10-\$12,000 for carpet. Replacement of furniture in the Mayor's Office and the Human Resources Office will be replaced.

Manager Hites asked the Board if they wished to include any of the additional items that had been placed on a "menu" in order to help control costs. The contractor reduced the cost of the First Floor Renovation Bid by eliminating the following items:

Ceramic Tile Wainscot in ADA bathroom	\$ 1,400
Refinish Terrazzo Flooring in foyer	\$12,254
Soap and Paper Towel Dispensers in Restroom	\$ 625
Sand and Refinish original hardwood floor in Mayor's Office, Halls and Conference Room	\$5,695

Alderman Julia Freeman noted that it was important to maintain the historic nature of the Municipal Building and that these items would assist in providing the most updated and functional, but still historically accurate, renovations. She felt that the citizens and staff deserved for the building to be brought back to its original glory and that these costs were acceptable. Also, these changes would be easier to do while the repair/renovation was occurring rather than waiting until a later date when it would be more difficult to move furnishings and cover new items to avoid dust and debris or potential damage. Alderman Freeman added that she felt the soap and paper towel dispensers should be left off but that the remaining three items should be included.

Alderman Julia Freeman made a motion, seconded by Alderman Jon Feichter to approve the bid and the optional additions of the wainscoting in the ADA restroom, refinishing the terrazzo flooring and sanding and refinishing original hardwood floors throughout the building. The motion carried unanimously.

A motion was made by Alderman Julia Freeman, seconded by Alderman Jon Feichter, to approve and award contract to Clark and Leatherwood and PBI Contractors based on the Board's direction. The motion carried unanimously.

- b. Budget Amendment for Repair/Renovation to Municipal Building
- Finance Director, Ben Turnmire

Finance Director Ben Turnmire explained that the Amendment No. 10 to the 2019/2020 Budget for the renovation of the Municipal Building would be in the amount of \$376,000.00.

A motion was made by Alderman Julia Freeman, seconded by Alderman Jon Feichter, to approve Ordinance No. O-04-20, Amendment number 10 to the Fiscal Year 19/20 Budget in the amount of \$376,000.00 for the renovation of the Municipal Building. The motion carried unanimously.

- c. RFP for Classification and Compensation Study and Analysis
- Assistant Town Manager, Amie Owens

Assistant Manager Owens commented that at the Board Retreat on February 21, 2020, she presented information related to salaries and the need to have a formal classification and compensation survey since the issue of compression was becoming difficult to combat. The Board approved moving forward with the RFP process in the current budget year to properly budget for any immediate adjustments for the upcoming fiscal year.

Alderman Chuck Dickson asked Ms. Owens to include review of current policies and practices to ensure gender non-discriminatory as part of the process.

A motion was made by Alderman Julia Freeman, seconded by Alderman Chuck Dickson, to approve the RFP for Classification and Compensation Study and Analysis for posting March 11, 2020 through April 17, 2020. The motion carried unanimously.

10. Request from Haywood County Soil and Water Conservation District for Conservation Easements in Chestnut Park and East Street Park.

- Jesse Fowler, Planner

Mr. Fowler explained to the Board that the Town has worked with Haywood Waterways and the Southwestern Soil and Water Conservation District to implement stream bank restoration activities within Chestnut Park and East Street Park. These projects were funded by the North Carolina Clean Water Management Trust Fund (CWMTF Project No. 2016-423). He said that CWMTF has asked that the footprint of the restoration areas on Town property now be placed into a conservation easement with the Soil and Water Conservation District in accordance with their grant requirements, and submit a letter of intent and record a conservation easement on the areas of work covered by the Chestnut Park and East Street Park Stream Restoration projects.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Jon Feichter, to submit a letter of intent to the Soil and Water Conservation District and record a conservation easement on the areas of work covered by the Chestnut Park and East Street Stream Restoration projects. The motion passed unanimously.

11. ABC Officer – Waynesville Police Department

- Assistant Town Manager, Amie Owens

Assistant Manager Owens explained that with the retirement of Captain Brian Beck, it was necessary to name a new ABC officer for the Town of Waynesville in order to approve ABC permitting within the Town. Currently there are three permits pending. The proper paperwork is being sent from the State ABC Board and it is a requirement that the Board of Aldermen approve whomever will handle that permitting. Lt. Brandon Gilmore has been the officer recommended for this position.

Alderman Chuck Dickson made a motion, seconded by Alderman Jon Feichter, to approve Lt. Brandon Gilmore to be the ABC officer for the Town of Waynesville. The motion carried unanimously.

11. Town Attorney Report

- Town Attorney, Bill Cannon

Attorney Cannon had nothing to report.

G. COMMUNICATIONS FROM THE MAYOR AND BOARD

11. Discussion regarding increase of number on Homelessness Task Force by two (2) representatives from Hazelwood

- Alderman Jon Feichter

Alderman Feichter stated that Mr. Clifford Ruff had removed his name from the list of applicants from Hazelwood to be considered for the additional two positions on the Homelessness Task Force. He said he would like to table this item until the full Board is present.

**Richard Thomas Ruff
194 Belle Meade Drive
Waynesville, NC**

Mr. Ruff expressed his concerns about the County transfer station being located inside the city limits of Waynesville. He said there was a lot of trash that would blow onto the surrounding property and that in turn would lower property values. Manager Hites said he would be in touch with David Francis, Program Specialist from Haywood County, about the situation.

H. ADJOURN

With no further business, a motion was made by Alderman Jon Feichter, seconded by Alderman Julia Freeman, to adjourn the meeting at 7:42 p.m. The motion carried unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Eddie Ward, Town Clerk