

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
Regular Meeting
August 11, 2020

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday, August 11th, 2020 at 6:30 p.m. in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC.

A. CALL TO ORDER

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

Mayor Gary Caldwell
Alderman Anthony Sutton
Alderman Jon Feichter
Alderman Chuck Dickson

Mayor Pro Tem Julia Freeman was absent due to accident.

The following staff members were present:

Rob Hites, Town Manager
Amie Owens, Assistant Town Manager
Eddie Ward, Town Clerk
Town Attorney William E Cannon, Jr.
Fire Chief Joey Webb
Chief David Adams
Lieutenant Chris Chandler
Lieutenant Brandon Gilmore
Lieutenant Tyler Trantham
Planner Jesse Fowler
Rhett Langston, Parks and Recreation Director

The following media representatives were present:

Vicky Hyatt, The Mountaineer
Cory Valliancort, Smoky Mountain News

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and thanked them for coming. Mayor Caldwell and Manager Rob Hites expressed their feelings concerning the resignation of Assistant Town Manager Amie Owens. Ms. Owens has accepted a position as Assistant Manager at Altavista Virginia and her last day at the Town of Waynesville will be September 4, 2020. Manager Hites praised Ms. Owens' time with the Town and wished her well with her future endeavor.

2. Adoption of Minutes

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to approve the minutes of the July 28th, 2020 regular meeting as presented. The motion carried unanimously.

B. PUBLIC COMMENT

Town Attorney William E. Cannon, Jr. opened the Public Comment period.

**Wanda Brooks
63 North Hill Street
Waynesville, NC 28786**

Ms. Brooks said that recently a recovery home for women had opened near her home. She expressed her concerns that now a proposed drug recovery home for men that would be established in the same area. She urged the Board to look at the zoning wording to make sure these places are allowed. She said that some of the other Towns in the County should step up and help with the recovery programs.

**Peggy Hannah
268 Hemlock Street
Waynesville, NC 28786**

Ms. Hannah stated that she wanted to thank the Board for listening and on their quick action on some of the issues she has presented concerning the Frog Level area. She thanked Alderman Chuck Dickson for coming out to see her and the area she was referring to. Ms. Hannah invited the rest of the Board to see the area. She told them it would be very eye opening for them.

**Danny Stites
11 Connor Ridge Road
Waynesville, NC 28786**

Mr. Stites asked the Board to help Ms. Wanda Brooks in anyway they could to keep another recovery home from being placed next to her home. He stated he had been in rehab and that all his friends were drug addicts. He said nothing good would come of the recovery homes and urged the Board to work on the zoning and where to place these programs.

**Corina Taylor
1287 Brown Avenue
Waynesville, NC 28786**

Ms. Taylor commented on the traffic and speeding concerns in the Hazelwood and Waynesville area. She said that this stretch of road on Brown Avenue is 25 mph in addition to a school zone. There is heavy commercial traffic and is concerned about the speeding. She said there are police and emergency traffic that come through there with no lights or sirens. She gave examples of several accidents that had happened in the area.

**Jessie-lee Dunlap
28 Georgia Avenue
Waynesville, NC 28786**

Ms. Dunlap spoke to the Board concerning a family that needed help with an upcoming foreclosure of their home. She said their house was the first Habitat for Humanity house that had been built. Because of many medical issues in the family, and not being declared disabled yet, no one could work. She said that it would cost the Town much more than the \$15,000.00 that is required to stop the foreclosure in taxes. She told the Board that if they wished to help this family to please contact her.

Town Attorney William E. Cannon, Jr. closed the Public Comment period.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to excuse Mayor Pro Tem Julia Freeman from the meeting. The motion carried unanimously.

C. PRESENTATION

3. Presentation of Scholarships North Carolina State Firefighters' Association

- Fire Chief Joey Webb

Firefighters Cody Parton and Ben Hooper have been selected to receive a \$2,000.00 scholarship from the NC State Firefighters Association. Two \$2,000.00 scholarships are awarded in each region for those attending a regionally accredited two-year college/university.

Firefighter Parton is seeking his Associates Degree in Fire Protection Technology at Blue Ridge Community College. He is a full time Waynesville Firefighter.

Firefighter Hooper is completing his second year of his Associates Degree in Fire Protection Technology at Blue Ridge Community College. Firefighter Hooper received the scholarship award last year as well. He is a former full-time firefighter for Waynesville now employed with the City of Asheville Fire Department. Firefighter Hooper continues part time employment with the Waynesville Fire Department.

Each year the North Carolina state Fireman's Association awards 45 scholarships totaling \$200,000.00 across the State to volunteer, career and high school seniors across It is very unusual for two Fireman within the same area to receive this scholarship.

C. PUBLIC HEARING

4. Presentation and Public Hearing on the Town of Waynesville Comprehensive Plan, Waynesville 2035: Planning with Purpose to take place August 11 and September 8, 2020.
 - Jesse Fowler, Planner

Town Attorney William Cannon opened the Public Hearing at 6:54 pm.

Jesse Fowler, Planner, told the Board that at a special called meeting on June 29th, 2020, the Planning Board made a unanimous recommendation to the Board of Aldermen to adopt the updated Comprehensive Plan as provided. This draft was developed from the work of the Comprehensive Plan Steering Committee, a team of consultants of Stewart, JM Teague, and Chipley Consulting, and over a year of Planning Board review, discussion and editing. The plan and answer questions, and the Board can hear initial comments. At the September 8, 2020 hearing, the Board may hear any additional comments and consider adoption. This approach will allow for a 30-day period of public review and an opportunity for staff to make any edits the Board sees necessary for adoption.

Jake Petrosky, Lead Consultant for Stewart gave a presentation for the Town of Waynesville Comprehensive Land Use Plan. He described the planning process starting in early 2018 with the kickoff and going up to this point with the final document for adoption. He described the Public Engagement Process by asking the Public what was most important to them. He explained the foundational ideas, vision, goals, smart growth principles, and housing.

Mr. Petrosky stated there had been some changes to the Plan since the public draft. There was a goal for housing added per request from the Planning Board. There have been some organizational changes to the document, minor edits, railroad overlay recommendation, Action plan refinements, and future land use map descriptions.

Mr. Petrosky went over the next step for completion of the plan with the Board. He said there will be another Public Hearing on August 25, 2020 with public comments and discussion, and possible approval.

Attorney Cannon closed the Public Hearing at 7:18 pm

E. NEW BUSINESS

5. Amendment # 2 to the 2020-2021 Budget Ordinance
 - Dean Trader, Interim Finance Director

The proposed amendment is needed to construct restrooms for the West Marshall Street Restroom Project. On July 21, 2020, the board approved the lowest bid of Shick Construction not to exceed \$135,480 for the construction of restrooms on West Marshall Street. The amendment is proposing that \$45,480 from Undesignated Fund Balance or savings in the General Fund be used for additional

funding of the contract. The budget includes a contract price of \$135,480 for Shick Construction of which \$90,000 was previously budgeted for the FY 2020-2021 budget.

General Fund:

Revenues:

Fund Balance Appropriated **\$45,480**

Expenditures:

Recreation-Capital Outlay **\$45,480**

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to approve O-12-20 Amendment # 2 to the 2020-2021 Budget Ordinance to construct Restrooms for the West Marshall Street restroom project. The motion carried unanimously.

6. Request to Amend our Career Track for attracting experienced officers.
- Chief David Adams

Chief Adams told the Board the Police Department has an opportunity to hire seasoned officers from surrounding counties, which will allow them to become fully staffed and address traffic/speeding concerns more effectively. He requested that they be allowed to accelerate their Career Track. This will only be considered if they meet the years of qualified service and complete the required training.

This amendment has been added to the full career track document to outline any exception to the existing career track schedule.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to approve the exception to the two-year career track progression for an officer who may have previous experience when joining the Waynesville Police Department.

7. Law Enforcement Education Foundation Equipment Grant
- Lt. Chris Chandler

Police Lieutenant Chris Chandler explained that the Police Department (WPD) recently applied for and received a grant from the Law Enforcement Education Equipment Foundation (LawEEF) based out of Atlanta Georgia. The purpose of the grant was to develop a solution to purchasing body cameras. The proposal submitted to LawEEF asked for funding to purchase FirstVu HD Body Cameras and everything needed for basic operation. WPD chose FirstVu because they are produced by Digital Ally, who is the current provider for the in-car camera systems and these cameras could utilize the current VuVault Storage system. The grant was approved and WPD was awarded at \$20,155 grant. There is a 25% match required for the grant. The request from WPD is to utilize drug forfeiture funds for the required match of \$5,038.75. The use of these funds and the acceptance of the grant will require approval from the Board and a budget amendment.

Lt. Chandler continued by noting that in the past storage for video files had been a concern. He has been working with Chief David Adams and the Town's IT vendor Electronic Office related to the best storage options available including utilizing the current VuVault system with the possibility of being required to increase server storage capacity or contract with Digital Ally for access to cloud storage with an additional cost of approximately \$7,200.00 annually. There are advantages to the cloud storage option that are not available to the self-storage option utilizing our current VuVault system.

Alderman Anthony Sutton inquired as to the deadline for accepting the grant. Lt. Chandler answered that there was no acceptance deadline but WPD would like to implement sooner rather than later. Alderman Anthony Sutton added that he would like to review the policies and procedures related to body cameras not just related to data storage, but also the requirements for using (i.e. when to turn on and off), when information would be released, etc.... Chief Adams noted that he had used body cameras in both of his previous jobs and that he had been working on implementing policies here as well. Alderman Anthony Sutton asked to table the issue until all the Board Members were present and he could review the various policies.

Alderman Jon Feichter asked to revisit the two options for storage – in-house or cloud solution. He commented that his preference is the cloud with the proviso that the data remains that of the Town of Waynesville and not of Amazon or whomever would be storing. Alderman Jon Feichter asked that there be specific mechanisms in place to control and protect the data. Lt. Chandler explained that of the current 7 TB storage space onsite there is still 5.5 TB of storage space available. He added that under the current retention policy, data is kept for 730 days which could systematically be reduced if the option for onsite storage is chosen.

Town Attorney William Cannon added that from a legal defense strategy, cloud storage reduces any claims about evidence tampering which is a strong reason to have the cloud as a storage solution. The cloud would be an advantage to the Town.

Alderman Chuck Dickson asked if it would be possible to go ahead and approve receiving the grant at this meeting. While there was not a vote taken, the consensus was that the Board would revisit this agenda item at the next meeting.

Aldermen Feichter and Alderman Sutton will meet with Lt. Chandler and Chief Adams prior to the next meeting to review policies and procedures.

F. COMMUNICATIONS FROM STAFF

8. Manager's Report

- Manager Rob Hites

9. Town Attorney Report

- Town Attorney William E Cannon, Jr.

Attorney Cannon had nothing to report.

G. COMMUNICATIONS FROM THE MAYOR AND BOARD

Alderman Jon Feichter asked Town Attorney Cannon about the progress of the Hazel Street Property. Attorney Cannon said the only delay in the process now is the COVID 19. All the notices have been sent and all that remains is the sale on the Courthouse steps.

Alderman Chuck Dickson stated that the Town Manager has indicated in the past that he has worked on the traffic calming plan. He said he felt that the Board needed something to look at to get started looking at the traffic problems. He asked that Manager Hites have a rough draft to be presented at the next Board meeting.

Manager Hites said the issue was that almost every traffic calming device requires a petition of 70% of the property owners on the street to agree of placing the devices and 70% of the property owners to agree to remove the devices. He said he didn't know how the community would react knowing that they had to have 70% of the property owner's approval in order to approach the Board in order to ask for one. He indicated he would like the Board to consider how they would deal with the vote of placing traffic calming devices when this type of petition is needed.

H. ADJOURN

With no further business, a motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to adjourn the meeting at 7:52 pm. The motion carried unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Eddie Ward, Town Clerk