



Town of Waynesville

AGENDA
REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
TOWN HALL - 9 SOUTH MAIN STREET
MARCH 9, 2010
TUESDAY - 7:00 P.M.

Call to Order

1. Approval of Minutes of February 23, 2010
2. Downtown Waynesville Association
Request for Street Closings for 2010
List of Sidewalk Sale Weekends
3. Closed Session - Personnel Matter
4. Adjournment

Additional information regarding this agenda is available at www.townofwaynesville.org

AGENDA
REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
TOWN HALL – 9 SOUTH MAIN STREET
FEBRUARY 23, 2010
TUESDAY – 7:00 P.M.

The Board of Aldermen held a regular meeting on Tuesday, February 23, 2010. Members present were Mayor Gavin Brown, Aldermen Gary Caldwell, Libba Feichter, J. Wells Greeley and LeRoy Roberson. Also present were Town Manager A. Lee Galloway, Assistant Town Manager Alison Melnikova, Town Clerk Phyllis McClure and Town Attorney Woodrow Griffin. Mayor Brown called the meeting to order at 7:00 p.m.

Town Clerk Phyllis McClure Receives Master Municipal Clerk Designation

Mayor Brown recognized Town Clerk Phyllis McClure for receiving the designation of Master Municipal Clerk from the International Institute of Municipal Clerks. This designation symbolizes the commitment municipal clerks have made to lifelong professional development and personal growth. Completion of this program included a required number of points earned from a combination of advanced education courses and professional and social contribution categories. There are currently 461 IIMC members in North Carolina. 62 of those have earned the MMC Designation.

Mayor Brown presented a plaque to Town Clerk McClure and the Board congratulated her on this achievement.

Approval of Minutes of February 15, 2010

Alderman Caldwell moved, seconded by Alderman Greeley, to approve the minutes of the February 15, 2010 meeting as presented. The motion carried unanimously.

Public Hearing Amendment to Section 154.216 to Reduce Minimum Setbacks for Cemeteries, Columbariums and Mausoleums

The Town's Land Development Standards permit cemeteries in almost all districts with certain standards, one of which is a minimum setback of 50 feet from all exterior property lines for all structures and burial plots/graves.

St. John's Catholic Church at 234 Church Street wishes to develop a cemetery and columbarium on their property. The Church has requested that the minimum setback be reduced to 24 feet provided that an "architecturally designed fence" and a landscape buffer are used for separation from exterior property lines. A copy of a plat was distributed to the Board showing the cemetery and columbarium units being considered by the Church.

Because this amendment will likely have applicability in other zoning districts, Planning Director Paul Benson suggested that the setbacks might be tied to building setbacks in that particular zone. This would mean that any graves would have to be set back the same distance as a principal building in that district, which will range from 20 feet to 40 feet depending upon the district.

A report prepared by town staff includes the suggested changes which Mr. Benson has suggested for Minimum Yard Requirements. These changes were accepted by the Planning Board and that group voted at their meeting on January 19, 2010, to recommend these to the Town Board for approval.

Luis Quevado, representing St. John's Catholic Church, presented a drawing of the cemetery and columbarium proposed on their property and was available to answer questions of the Board. He said the current regulations do not have barrier restrictions. Closeness of buildings or other structures could be allowed if there is some type of barrier or landscape in front. The plan presented to the Planning Board contained a brick barrier with cast iron fence and landscaping in front. It was requested that this rule be utilized to allow the cemetery to be closer than the required setback. The Planning Board recommended approval of this request. He said this change is only allowed if the cemetery or columbarium faces a public street.

Planning Director Paul Benson said cemeteries are an allowed use with special restrictions, and they are permitted in all districts. The intent of the regulations was to provide a buffer area from adjacent properties. He questioned whether the intent of the ordinance was to apply to the front property line. If the cemetery is adjacent to another property it would be more desirable to have a buffer. In working with Luis Quevado it was felt that cemetery boundaries should be allowed as close to the street as buildings, if there were some type of architectural buffer. The Planning Board unanimously voted in favor of the amendment.

Attorney Griffin opened the public hearing. No one spoke; Attorney Griffin closed the public hearing.

Alderman Greeley said he had a chance to speak with Mr. Benson about the proposed amendment. The cemetery addition being proposed consists of approximately 60 double depth cemetery plots and a columbarium area. Alderman Greeley felt that the Town may see more churches add this type of development on their properties in the future.

Alderman Feichter moved, seconded by Alderman Greeley, to adopt an ordinance to amend Section 154.216 reducing the minimum setback requirements for Cemeteries, Columbariums and Mausoleums as requested and recommended. The motion carried unanimously. (Ord. No. 3-10)

Presentation of AFJROTC – Request for Funding

The Air Force Junior Reserve Officer Training Corp requested time on the Board's agenda to make a presentation of their request for funding in the 2010-2011 Budget.

Cadet Captain Desiree Rachels thanked the Board for allowing time on the agenda for their presentation to give an overview of their Cadet Unit. She introduced the other members attending the meeting: Cadet Senior Master Sergeant Kristin Martin, Cadet Airman Basic Eli Haynes, Cadet Senior Airman Kole Brown, Cadet Airman First Class Jordan Brown, and Cadet Airman Basic Tyler Ryan.

Desiree Rachels read the mission statement for the AFJROTC. She said there are 92 cadets, but they all work together as one, establishing unit goals each year.

Kristin Martin said the ROTC students contributed more than 1,500 community service hours last year. The ROTC hosted a blood drive, canned food drive, participated in the Tuscola/Pisgah Jr. ROTC Field Day and Veterans Day Luncheon.

Eli Haynes is in charge of recycling, working together to try to get more school wide participation and working with the ecology club to get all students involved.

Desiree Rachels said for the past four years the ROTC has received the "Distinguished Award." Two scholarships have been awarded through the ROTC program.

Jordan Brown and Kole Brown attended the SLS @ COLS Boot Camp which included academics, tests and helped the students to bond. During their stay they visited the local Air Force Base in Charleston, toured the Citadel, Chapel and Museum.

Alderman Feichter said when the ROTC visited the Haywood Lodge the residents enjoyed their visit. One of the oldest residents, a veteran, thoroughly enjoyed their presentation. He passed away shortly after their visit.

Desiree Rachels, thanked the Board on behalf of the AFJROTC, for allowing them to attend the Board Meeting and make their presentation. The ROTC requested funding from the Town of Waynesville Board of Aldermen for their November 2010 Veterans Luncheon. In November 2009 the Board approved the funding of two tables at the Veterans Luncheon at a cost of \$1,600 and this same amount was requested for 2010. It was the consensus of the Mayor and Board of Aldermen that this request will be considered during their budget process. The Board thanked the AFJROTC Members for attending the meeting and making their presentation. No action was necessary.

Presentation of Russ Avenue Plan by Terry Snow, Wilbur Smith Associates

For approximately 18 months, the firm of Wilbur Smith Associates has been working with the Town on the development of a redesigned plan for Russ Avenue. During that time, Mr. Terry Snow has been the project manager for Wilbur Smith in the development of this plan. The process included a number of meetings with Town Staff and several public meetings at which time citizens were given the opportunity to make comments and suggestions. Toward the end of the process, Mr. Snow and his associates presented a proposed redesign of Russ Avenue and adjacent areas and solicited public input on their proposal.

Planning Director Paul Benson introduced Mr. Terry Snow to present the Final Draft of the Russ Avenue Plan. Mr. Snow said it has been a privilege to work with town staff. This planning process was led by town staff and coordinated with NCDOT. Public input was vital and good feedback was received through this process. The purpose of this study is to develop a feasible corridor plan which includes plans for future travel demands along Russ Avenue. Goals were to enhance the vehicular and pedestrian safety and enhance aesthetics.

Russ Avenue is a mature corridor with little undeveloped land. This area has a high number of crashes and a large number of driveway cuts. In 2006 there were 105 accidents with 15 injuries and in 2007 there were 94 accidents with 21 injuries.

Some alternatives considered were to do nothing, install roundabouts, and to widen Russ Avenue to six lanes. The alternative that was recommended included a four lane-divided highway with 11' lanes, bicycle lanes and 8' sidewalks. More narrow lanes and tree lined streets tend to slow traffic. Alderman Feichter asked if there would be a turnaround lane available. Mr. Snow said there would be, but tractor trailers would not be able to use it. The tractor trailers would need to make a left turn and use the lane at the back side of the properties. Two bridges would need to be replaced and a new bridge is proposed to connect the Bi Lo Shopping Center to the Waynesville Plaza Shopping Center. Improvements along Russ Avenue are challenging because of the topography and existing development. The total project cost estimate is \$21,673,000.

Mr. Snow thanked the Board for the opportunity to be a part of this process.

Philan Medford said the plan should take into consideration accommodations not only for pedestrians but also for wheelchairs. She said refuge islands provide a protected environment for pedestrians, giving them an opportunity to stop and evaluate their next move. Mr. Snow said the final designs will meet ADA requirements and pedestrian crossings will include pedestrian delineation such as colored stamped asphalt.

Alderman Feichter moved, seconded by Alderman Caldwell, to adopt the Preferred Alternative Plan for Russ Avenue as presented. The motion carried unanimously.

Alderman Roberson asked if the next step is to get the project on the NCDOT Transportation Improvement Plan. Paul Benson said Russ Avenue is currently on the MPO Needs List and could be in the top 25. Sometimes it takes years to move up further on the list.

The Board thanked Terry Snow for his work on this project and making the presentation to the Board. Manager Galloway said working with Terry Snow and Wilbur Smith has been a good experience for him and for the Town, adding that they have been very responsive. He commended Mr. Snow for his work on behalf of the Town.

Street Closing Request Whole Bloomin' Thing Festival

The Historic Frog Level Merchants' Association, Inc. presented a letter requesting that portions of Depot Street and Commerce Street be closed to allow the "Whole Bloomin' Thing Festival" for 2010.

This Festival has seen an increase in attendance each year and has expanded over the eight years of its existence from just being on Commerce Street to now covering both Commerce and Depot Streets. It has run smoothly in the past and all indications are that it has been highly successful, and shop owners have always been cooperative with the Police Department.

Alderman Greeley moved, seconded by Alderman Feichter, to approve the request to close Commerce and Depot Streets as presented and added that the Historic Frog Level Merchants' Association, Inc., be required to notify every merchant in the Frog Level area of the street closings. The motion carried unanimously.

Tax Collector James Robertson - Request to Advertise Delinquent Taxes

Under North Carolina law, the Tax Collector of a governmental unit must annually appear before the elected officials of that unit to request permission to advertise the names and the properties for which real estate taxes have not been paid.

Mr. Robertson said Waynesville has approximately \$220,000 in outstanding taxes for 2009. 94% of the taxes have been collected to date and he requested permission to advertise the delinquent taxes in accordance with NC General Statutes. Tax Collector Robertson typically notifies each individual who has unpaid property taxes, giving them an opportunity to pay the outstanding balance prior to advertising the name and property in the local paper. The advertisement is scheduled to run in The Mountaineer on Friday, February 26.

Alderman Greeley moved, seconded by Alderman Roberson, to authorize Tax Collector Robertson to advertise delinquent taxes for 2009. The motion carried unanimously.

Debt Set Off Program

Tax Collector Robertson said Waynesville has participated in the Debt Set Off Program for the past two and one half years and almost \$30,000 has been collected since that time. Through this program any past due amount more than fifty dollars can be submitted for collection through the State of North Carolina, including past utility bills, taxes, parking tickets, etc. He said a pilot program is being done in some states at the federal level which would help even more in collecting these bad debts. The Board thanked Tax Collector Robertson for his work with the debt set off program. No action was necessary.

Appointments to Community Input Committee

At the Board Retreat on January 29, Police Chief Bill Hollingsed advised the Board of the desire of the Police Department to establish a Community Input Committee to work with the department in the Community Oriented Policing Program. Waynesville's department was one that was awarded a grant in this area and two new officers were hired to help implement the program.

The following appointments were made by the Mayor, Board of Aldermen and Town Manager:

Mayor Brown
Alderman Caldwell
Alderman Feichter
Alderman Greeley
Alderman Roberson
Manager Galloway

Julia Freeman
Georgia Forney
Jim Joyce
Luis Quevado
Ed LaFontaine
Danny Wingate

There was consensus of the Board that one appointment should be from the Latino community. Six appointments will be made by the Waynesville Police Department. Manager Galloway said Chief Hollingsed would like to have the first meeting of this committee in March.

Closed Session – Personnel Matter

The annual evaluation form for the Town Manager has been distributed to Board members by the Human Resources Director. It was the consensus of the Board that this item be placed on the agenda of March 9.

Adjournment

With no further business, it was the consensus of the Board to adjourn the meeting at 8:45 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Gavin A. Brown
Mayor

ITEM 2. DOWNTOWN WAYNESVILLE ASSOCIATION
REQUEST FOR STREET CLOSINGS FOR 2010
LIST OF SIDEWALK SALE WEEKENDS

Attached you will find a list of the Street Closings which the Downtown Waynesville Association is requesting for 2010. In the past, it has been the policy of the Town that only the Mayor and Aldermen may call for the closing of streets for events such as the ones listed. Of course, in emergency situations, for wrecks or road conditions, utility work and street repairs or gas leaks, our department heads have the authority to close streets temporarily for the safety of the public.

Ms. Buffy Messer will be in attendance Tuesday evening to answer any questions the Board may have about the requested street closings. I would note that there is a new event this year that is exciting and fits with the greater public interest in Heritage Tourism. I am sure that Ms. Messer will explain the Appalachian Lifestyle Celebration at the meeting on Tuesday. You will also find a more detailed explanation about the Celebration which is proposed for June 5.

There is one less event in 2010 as well, as the Night Before Christmas event has been changed from two Saturday nights in December to one Saturday night, December 11.

Finally, in accordance with Town Ordinance 14-82, Ms. Messer is submitting the list of dates for conducting Sidewalk Sales in downtown Waynesville. This gives merchants an opportunity to display their merchandise on the sidewalks, something that is otherwise prohibited except during such designated Sidewalk Sales. This has not been a problem in the past and occurs during longer weekends associated with Memorial Day, July 4th and Labor Day.

MEMORANDUM

TO: Lee Galloway, Town Manager
FR: Buffy Phillips Messer, DWA
DA: February 12, 2010
RE: 2010 Street Closings

On behalf of Folkmoot, Haywood County Arts Council, Smoky Mountain Folk Festival, Cooperative Extension Service, Haywood Apple Growers Association, Haywood Chamber of Commerce, and DWA, we request Main Street and other side streets be closed for the following events listed below.

1. **Block Party Street Dances (2)**, Saturday, **May 29 and September 4** *Close Main Street from Church to edge of courthouse lawn/Justice Center, 5:00 p.m. to 10:30 p.m.* Sponsored by DWA and merchants to kick off the new season of activities on Main Street.
2. **NEW APPALACHIAN LIFESTYLE CELEBRATION**, Saturday, **June 5**. *Close Main Street from Church St. to Depot St. 6am-7pm In the interest of protecting, preserving and developing historical and cultural resources, the Downtown Waynesville Association is proposing a heritage themed event, providing educational & entertainment opportunities that will encourage overnight tourism and local participation. See attachment.*
3. **4 Friday Night Street Dances - June 25, July 9 & 23 and August 6**. *Close Main Street at Depot intersection to end of courthouse lawn/Justice Center 5:00 p.m. to 9:30 p.m.* Co-sponsored by DWA, Town of Waynesville, Smoky Mountain Folk Festival.
4. **July 4th Stars & Stripes Celebration** *on Saturday, July 3rd* *Close top of Miller Street at N. Main Street. Miller Street parking lot would still be accessible at the bottom at Montgomery Street.* Due to increased crowds on sidewalks, this crosswalk becomes very dangerous. *DWA staff will place town barricades prior to 11am and take down after 3pm.*
5. **Folkmoot Parade**, Friday, **July 23**, 1pm Parade starts at corner of Main & Academy and ends at courthouse. Parking removed several hours before parade & street closed as parade progresses. Barricades must be placed on the side of road in 3 locations, & to be placed later in the street at the parade start: intersections of 1) Main & Wall St. 2) Church & Montgomery St. 3) N. Main at edge of courthouse lawn & Justice Center. Opening ceremonies on courthouse lawn. Sponsored by Folkmoot USA.
6. **International Festival Day** - Saturday, **July 31**. *Close Main Street from Pigeon and Main to northern edge of courthouse lawn/Justice Center, July 30, at 9:00 pm through July 31, until 7 pm* or when street is cleared. Co-sponsored by Haywood County Arts Council and Folkmoot.
7. **27th Annual Church Street Art & Craft Show**, Saturday, **October 9**. *Close Main Street from Pigeon and Main to edge of courthouse lawn, October 8, at 9 pm through October 9 until 7 pm* or when street is cleared. Sponsored by DWA.
8. **22nd annual Haywood County Apple Harvest Festival**, Saturday, **October 16**. *Close Main Street from Pigeon and Main to edge of courthouse lawn/Justice Center, October 15, at 9 pm through October 16, until 7 pm* or when street is cleared. Sponsored by the Haywood County Chamber of Commerce, Haywood County Apple Growers Association, Haywood County Cooperative Extension Service and DWA.
8. **Waynesville Christmas Parade**, Monday evening, **December 6**. 6pm Main Street parking removed prior to parade and street closed as parade progresses. *Close Hazel and Boundary Streets at Walnut and at North Main at 4 pm Close Walnut at N. Main at 6 pm and leave closed until 7:30 pm. or when all floats have left. Close Walnut at bridge intersection at 5 pm. directing them toward N. Main. Leave closed until parade finished.* Sponsored by the Town of Waynesville, Waynesville Kiwanis Club, DWA.
9. **A Night before Christmas, December 11**, Saturday evening. 6-9 pm Sponsored by DWA. We have opted for only one of these evenings this year. *Close Main Street from Church to edge of courthouse lawn/Justice Center, 5 - 10 pm* Parking will be removed during the time period. Both evenings, Luminaries will line Main Street. Merchants remain open until 9 pm Wagon rides, live music, caroling, Santa, etc. will be provided.

cc: Alison Melnikova Fred Baker Robert Hyatt Daryl Hannah Chief Bill Hollingsed Phyllis McClure Rhett Langston
Malcolm Beasley Chief Joey Webb David Cotton, County Manager CeCe Higgs, Haywood County Chamber of Commerce
Kay Waldrop, Haywood County Arts Council Joe Sam Queen, Smoky Mountain Folk Festival Karen Babcock Folkmoot USA

Appalachian Lifestyles, a celebration of all things local, from crafts to food to music and dance.

Event Description:

Appalachian Lifestyle Celebration

In the interest of protecting, preserving and developing *historical and cultural resources*, the Downtown Waynesville Association is proposing a heritage themed event, providing educational and entertainment opportunities that will encourage overnight tourism and local participation.

Our culture is rich in a number of handcrafted skills. Heritage seeking tourists will be drawn to a Downtown Waynesville celebration where traditional crafts are demonstrated and offered for sale. Music lovers will appreciate tapping their toes to the music of banjos, fiddles and dulcimers while dancers perform and invite the crowd to learn clogging and square dancing.

The working date for the inaugural *Appalachian Lifestyle Celebration* is Saturday, June 5, 2010 with the expectation of the event being held annually on the first Saturday of June. Tourism steadily builds throughout the month and this event would be an opportunity to attract visitors to the area earlier in the season. Being staged in close calendar proximity to Memorial Day, the event date should encourage some of the Memorial Day tourists to extend their stay in the area or schedule a return trip to enjoy the upcoming event.

Exhibit space will include vendors demonstrating and/or selling historically and culturally accurate crafts, in areas of basket making, blacksmithing, quilting, weaving, wood working, wood carving, pottery, painting, drawing, clock making, soap making, molasses, butter churning and more. The festival will also include traditional food vendors, featuring trout, fried chicken, chicken & dumplings, BBQ chicken, ham biscuits, soup beans & cornbread, homemade breads & sweets, seeds/nuts & more. Lemonade, cider & water, sorry no sodas allowed.

We have received \$3000 from TDA 1% funding for the 28785-28786 area with expectation of receiving more in hopes of bringing musician David Holt or possibly storyteller Donald Davis to this event.

MEMORANDUM

TO: Lee Galloway, Town Manager
FR: Buffy Phillips Messer, DWA
DA: February 12, 2010
RE: 2010 Sidewalk Sales

Sidewalk Sales scheduled for 2010 in Downtown Waynesville

May 28, 29 & 31 Memorial Day weekend

July 2, 3, 5 July 4th weekend

September 3, 4 & 6 Labor Day weekend

Since inclement weather is always an issue, we propose three days, figuring at least one day will be nice weather.

ITEM 3. CLOSED SESSION
 PERSONNEL MATTER

The annual evaluation form for the Town Manager has been distributed to Board members by the Human Resources Director. All members have submitted their evaluations to Human Resources and the Town Manager has been provided a copy. The Town Manager has submitted his self-evaluation to the Board members. Mayor Brown has suggested that the Board enter closed session at the meeting of March 9 for discussion.