



Town of Waynesville

AGENDA
REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
TOWN HALL - 9 SOUTH MAIN STREET
APRIL 13, 2010
TUESDAY - 7:00 P.M.

Call to Order

1. Approval of Minutes of March 23, 2010
2. Public Hearing - Amendment to Section 154.108(B)(8)(b)
Dellwood Neighborhood District
3. Gov Deals Report
Second and Third Quarters
4. Public Art Commission Recommendations
Great Smoky Mountains National Park Railing
Public Art Project at Mini Park
5. Resolution of Support
Downtown Waynesville Association Grant
6. Adjournment

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

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

The Board of Aldermen held a regular meeting on Tuesday, March 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, Purchasing Supervisor Julie Grasty, Fire Chief Joey Webb, Assistant Fire Chief Shannon Morgan and Town Attorney Woodrow Griffin. Mayor Brown called the meeting to order at 7:00 p.m.

Approval of Minutes of March 9, 2010

Alderman Caldwell moved, seconded by Alderman Greeley to approve the minutes of the March 9, 2010 meeting as presented. The motion carried unanimously.

Request to Add \$2,500 Contingency for Haywood County Chamber of Commerce

When the budget for 2009-2010 was nearing completion, the Board made a decision to keep \$2,500 as a contingency in the account for donations to other agencies and non-profits. In recent years, after the budget was adopted, various organizations would approach the Board seeking an appropriation to assist that group in their work. This year, the board decided to set aside some funds for groups that appear to make a request of this nature.

Mayor Brown asked that the matter of appropriating these funds for use by the Haywood County Chamber of Commerce be placed on the agenda. The Chamber plans to move into the former McDarris house on Walnut Street from their current location further outside the downtown district on North Main Street. Mayor Brown said these funds would help with their move. He added that this is not a definite move yet, since the Chamber has not committed to the Walnut Street location and is still looking at other possibilities. There was some discussion and concern regarding available parking at the proposed Walnut Street location. No action was taken.

Municipal Environmental Assessment Coalition

The State of North Carolina has proposed a review of the rules concerning surface water quality. There is concern that new rules could have a dramatic impact upon the wastewater treatment processes, require implementation of stormwater programs, mandate development rules such as riparian buffer zones and further regulate the land application of biosolids.

The Planning and Services Technical Advisory Committee of the League of Municipalities has reviewed the proposed rules and predicted that the cost to municipalities will be significant.

They have recommended that an engineering analysis be conducted to assess the extent of the impact and provide some policy suggestions that can be used to inform and influence state regulators.

The League prepared an agreement entitled the "NCLM Municipal Environmental Assessment Coalition Project Participation Agreement." Municipalities from across North Carolina have been invited to join in this effort since it will have a direct and possibly a significant impact upon each town and city. The cost to join the group is based upon population, and Waynesville's fee would be \$500. Attorney Griffin said if there is not enough participation the fee will be refunded.

Manager Galloway said this matter has been discussed with Public Works Director Fred Baker and Wastewater Plant Superintendent David Smith, and both agree with the assessment that Waynesville could be dramatically impacted. Town staff recommended that the Town Board approve entering this agreement with the League of Municipalities so that the matter may be assessed and recommendations developed in response to new rules and regulations and that the Board authorize Mayor Brown to sign the agreement on behalf of the Town.

Alderman Greeley moved, seconded by Alderman Feichter to authorize Mayor Brown to sign the agreement on behalf of the Town with the North Carolina League of Municipalities. The motion carried unanimously. (Cont. No. 4-10)

Reappointment of Community Appearance Commission Members

The Community Appearance Commission is a nine-member board that reviews proposed projects in the community, considering ways in which the project might be made more attractive and functional. The Commission is arranged so that there are staggered terms, with each member serving three years.

The terms of Ron Muse, Don Norris and Buffy Messer expired on March 1, 2010. They have been contacted and each has indicated a desire to continue their service on the Community Appearance Commission. They have been good and faithful members of this group and their reappointment is recommended for a new three year term. Alderman Feichter said the work this commission does is difficult. These three individuals have been doing this for a number of years, giving them a knowledge base that serves the Town well by their service.

Alderman Feichter moved, seconded by Alderman Roberson to reappoint Ron Muse, Don Norris and Buffy Messer to serve another three-year term on the Community Appearance Commission. These terms expire February 28, 2013. The motion carried unanimously.

Bids on Fire Truck

On Tuesday, March 16, bids were opened on a new fire truck, a 1,500 gallon per minute pumper truck which is needed to go on the front line. The 1988 Fire Pumper, known as Unit 1501, needs to be moved to a second line status and serve as a backup unit.

Bids were received from six companies and the prices were relatively close, ranging from a low of \$342,543 for a Pierce model to a high of \$365,659 on a HME Fire Truck. With so many bidders it was felt that the prices were competitive. The delivery time on the fire trucks ranged from a low of 180 days to a high of 330 days. Pierce estimated a delivery time of 7 to 8 months, so we would not anticipate seeing the truck before the fall. Bids were received as follows:

Vendor	Truck/Year/Model	Delivery	Price
Triad Fire, Inc.	Pierce-425HP 2007	210-240 Days	\$342,543
First Choice Fire & Safety	Ferrara-400HP 2007	180-210 Days	\$348,959
Slagle Fire Equipment Co.	KME-425HP 2007	300 Days	\$349,902
Metrolina Fire & Rescue, Inc.	Smeal-400HP 2010	270-330 Days	\$356,911
CW Williams & Company	Rosenbauer-400HP 2007	270-295 Days	\$359,886
First Class Fire Apparatus, LLC	HME-400HP 2009	270 Days	\$365,659
Stevens Fire Equipment	Sutphen		No Bid

Pierce has a long history of providing superior fire equipment. A fire truck will typically serve a community for a minimum of 20 years and must be viewed as a long term investment.

With the price of this truck, the unit will likely be financed for a longer period than normal, perhaps as much as ten years. This summer, the financing will be put out to bid with the expectation that the first payment on the truck will not actually be due until Fall, 2011. The fire pumper finance package will include the following other items: Related Equipment for Truck - \$47,548.64; Miscellaneous radios, tax, tag - \$3,450.00; and 1% contingency - \$4,000.00 for a total amount to finance of \$397,541.64.

Purchasing Director Julie Grasty gave an overview of the bids received, adding that there was very good turnout with competitive bids.

Fire Chief Joey Webb explained the need for the new truck, which replaces the 1974 Ford Fire Engine that was inherited from Hazelwood and later sold on Gov Deals. He explained that the cab strength roof, frontal strength and side impact features, all meet the European Occupant Protection Standard ECE Reg. 29. The truck has a cab area for firefighters in times of extreme heat they can get in the air conditioned area or in extreme cold they can get into a heated area.

Fire Chief Joey Webb, Assistant Chief Shannon Morgan and others in the department have reviewed the specifications, and recommend along with town staff the purchase of the Pierce Fire Pumper from Triad Fire Equipment at a price of \$342,543.

Alderman Caldwell moved, seconded by Alderman Greeley, to award the bid for the purchase of a new fire truck to Pierce Fire Pumper from Triad Fire Equipment at a price of \$342,543. The motion carried unanimously.

Update on Hazelwood Building at 280 Georgia Avenue

Manager Galloway reported that he met with Mr. Randy Cunningham recently to discuss the Hazelwood office renovations. Mr. Cunningham has been working on this for approximately one month. One of his recommendations is to replace the single pane windows with double pane windows at a cost of approximately \$9,800. Work to renovate the building will be bid out in April with construction to begin soon afterwards, possibly by mid May. Information regarding the move will appear in the upcoming April 2010 quarterly newsletter, explaining to the public why the need to move is there, the process and projected savings and asking for their support with some inconvenience.

2010 - 2011 Budget Process

Manager Galloway said all budget items have been turned in and he plans to begin work with the various departments the week after Easter. Plans are to present the budget document to the Board at their meeting on April 27.

Letter From Frog Level Business Regarding Sign Ordinance

Board members received a letter from a Frog Level Business owner asking for exceptions to Waynesville's Sign Ordinance. It was the consensus of the Board that the Land Development Standards are currently being reviewed and exceptions to the Sign Ordinance should not be given.

Adjournment

With no further business, Alderman Roberson moved, seconded by Alderman Greeley to adjourn the meeting at 7:42 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Gavin A. Brown
Mayor

ITEM 2. PUBLIC HEARING
AMENDMENT TO SECTION 154.108(B)(8)(b)
DELLWOOD NEIGHBORHOOD DISTRICT

The requested amendment expands the permitted locations for Business, Professional and Personal Services in the Dellwood Neighborhood District to properties in that district which lie within 500 feet of the east side of Russ Avenue between Maple Grove Church Road and Smoky Park Highway (US 23-74 Bypass).

At the present time, Business, Professional and Personal Services are permitted in certain areas within the Dellwood Neighborhood District. The properties must be within 500 feet of Russ Avenue, but there are limits. The use is allowed on all property within 500 feet of the west side of Russ Avenue, but on the east side of Russ Avenue, the use is limited to that area within 500 feet which lies between Jule Noland Road and Maple Grove Church Road. The area in which this use is permitted is shown in gold on the attached map.

Property on the east side of Russ Avenue located between Maple Grove Church Road and the Route 23-74 Bypass is restricted to residential use only. This is shown in green on the attached map. The applicant, Dr. Kristen Hammett, notes that the property she owns, located at the corner of Russ Avenue and Golf Course Road, lies in the area restricted to residential use. She feels that this is not the most desirable use of her property and wishes to expand the Business, Professional and Personal Services use to the area that is shown in green on the map.

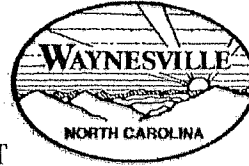
In his report to the Planning Board, Planning Director Paul Benson notes that on both sides of Russ Avenue, there are 102 properties within 500 feet of the road in the Dellwood Neighborhood District. Of these there are 38 properties on the east side of Russ Avenue excluded from the Business, Professional and Personal Services uses. Mr. Benson notes that the Dellwood Neighborhood District is intended to develop as a low to medium residential district separating the commercial areas at either end of the district. According to the Land Development Plan, the district is also intended to permit low to medium mixed uses along the Russ Avenue corridor, and that would include limited business and professional services. There seems to be a conflict between the Land Development Plan and Land Development Standards.

We are including a partial list of the Permitted Uses in the District so that you might see what uses are included under Business, Professional and Personal Services.

To provide a bit of background history, I would refer back to the birth of the Land Use Plan. During 2000-2001, it was this section of roadway that was the driving force in the creation of the Land Development Standards. There was discussion of a corridor study to try and protect the appearance and traffic flow on the main corridors leading into Waynesville. The Town Board wanted to expend the funds and made the commitment to address all property within Waynesville, the Extraterritorial Jurisdiction and even the Urban Growth Boundary Area. There was concern that this particular section of road between K-Mart Plaza and Route 19, as well as the planned Asheville Road, could become a heavy commercial area such as Russ Avenue on the south side of the Bypass. So there were restrictions placed along Russ Avenue, trying to limit business development to the lower impact uses contained in the Business, Professional and Personal Services category.

The Planning Board felt that consistent treatment should be given to all property located along Russ Avenue in the Dellwood Neighborhood District. They voted unanimously to recommend approval to the Board of Aldermen of the change being requested.

In addition, the Planning Board also voted unanimously to recommend to the Board of Aldermen that the Land Development Plan be amended to indicate low to medium mixed use along the Russ Avenue corridor within the Dellwood Neighborhood District.



TOWN OF WAYNESVILLE PLANNING DEPARTMENT

Application for Land Development Standards Text Amendment

Application is hereby made on Feb 9, 20 10 to the Town of Waynesville for the following amendment:

Designate the specific section(s) of the Land Development Standards being requested for change:

154. 108 (B) (8) (b) Location

Description of the requested amendment, (attach additional sheets if necessary):

Permit all Business, Professional and Personal Services
permitted in the Dellwood Neighborhood district (as
listed in Sec 154. 108 (c)) in all parts of the district located
within 500' of Russ Avenue

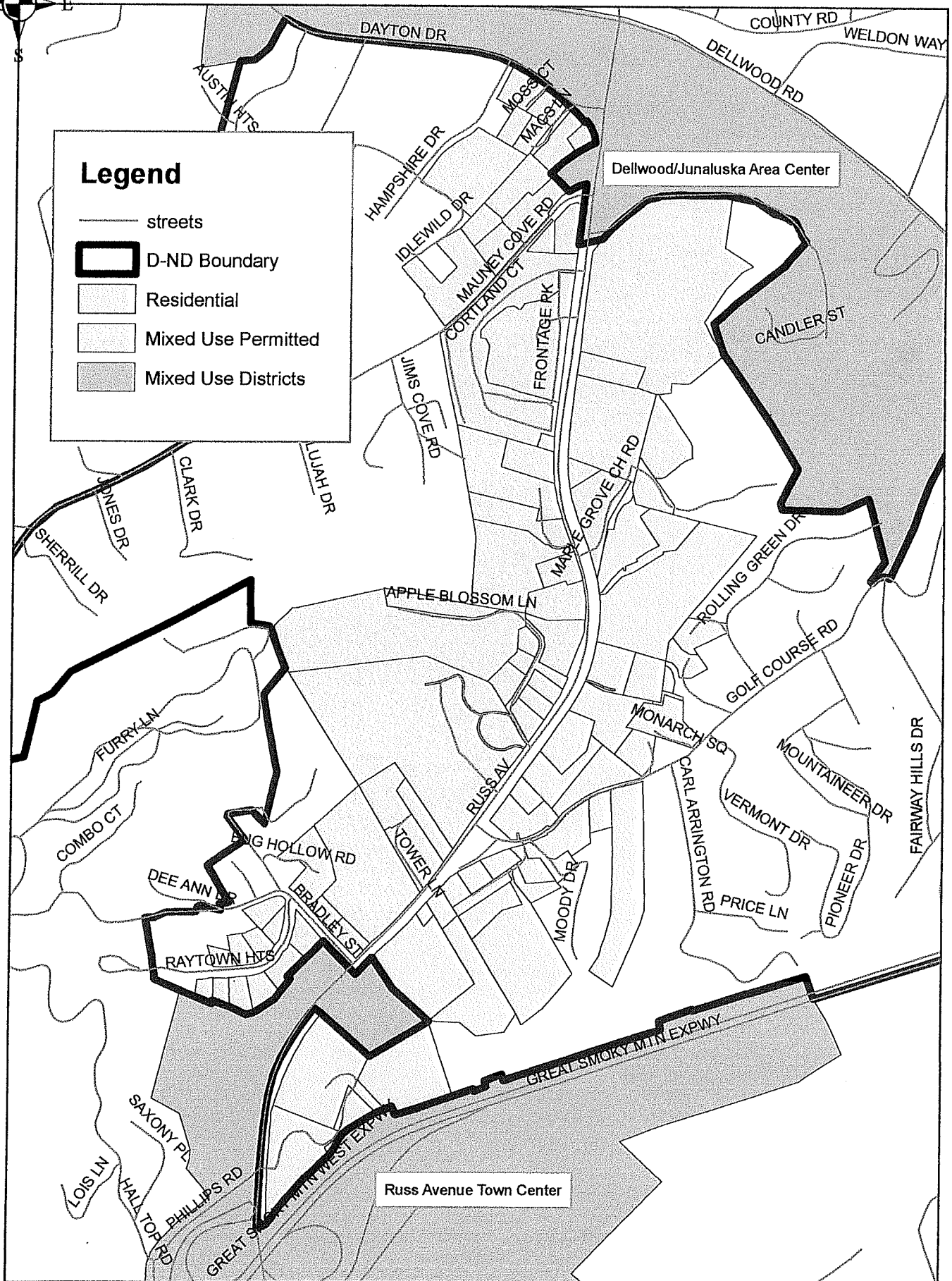
The reasons for the requested amendments, (attach additional sheets if necessary):

My property at Corner of Russ Ave - Golf Course road
is currently exempted from business use, although this
is its best use. It is not suited for residential use, which
is its only current allowed use. The surrounding land & that
Applicant Contact Information across Russ Avenue is not exempted.

Name (Printed): Kristen Hammett

Mailing Address: 91 Depot Street Waynesville NC 28786

Note: Text Amendment Requests require a fee of \$250.00. The request will be scheduled for the next agenda opening for the Waynesville Planning Board. Please submit application to: Town of Waynesville Planning Department, 9 South Main Street, Waynesville, NC 28786.



- ◆ Signs may be "top-lit" illuminated only, except for properties fronting on Russ Avenue (US 276).

(C) **Permitted Uses.** (See also location standards set forth in Sec. 154.108(B)(8)(b)).

- ◆ Note that all developments over 100,000 square feet or more than 5 dwelling units are a conditional use.

(1) **Agricultural Uses.**

- ◆ Crop Production.
- ◆ Forest Nurseries.
- ◆ Produce Stands in Conjunction with Crop Production.
- ◆ Veterinary Services (Livestock)
- ◆ Veterinary Services (Non-Livestock, May Include Totally Enclosed Kennel Operated in Connection with Veterinary Services).

(2) **Residential Uses.**

- ◆ Child and Adult Day Care Homes, Family.
- ◆ Common Area Recreation and Service Facilities.
- ◆ Dwellings, Single-Family Attached.
- ◆ Dwellings, Single-Family Detached.
- ◆ Dwellings, Two-Family.
- ◆ Family Care Homes.

(3) **Institutional and Civic Uses.**

- ◆ Libraries.
- ◆ Museums and Galleries.
- ◆ Religious Institutions.
- ◆ Schools, Fine Arts Instruction.

(4) **Recreational Uses.**

- ◆ Botanical Gardens, Nature Preserves.
- ◆ Public or Private Parks, Passive.

(5) **Business, Professional and Personal Services.** (See location requirements set forth in Sec. 154.108(B)(8)(b)).

- ◆ Accounting, Tax Preparation, Bookkeeping and Payroll Service.
- ◆ Advertising and Related Agencies.
- ◆ Banks, Finance and Insurance Offices.
- ◆ Construction
- ◆ Delivery, Courier Services, Local.
- ◆ Design Services, Not Otherwise Listed.
- ◆ Employment Services.
- ◆ Engineering, Architectural, Surveying and Related Services.
- ◆ Funeral Homes and Services.
- ◆ Landscape and Horticultural Services.
- ◆ Legal Services (Law Offices).
- ◆ Management, Scientific and Technical Consulting Services.
- ◆ Medical/Health Care Offices.
- ◆ Medical, Dental or Related Laboratories.
- ◆ Office Administrative and Support Services, Not Otherwise Listed.
- ◆ Photography Studios.
- ◆ Picture Framing Shops.
- ◆ Publishing Industries.
- ◆ Real Estate and Leasing Offices.
- ◆ Research and Development Services.
- ◆ Special Trades
- ◆ Travel Agencies.

(6) **Retail Trade and Food Services.** None.

(7) **Wholesale Trade.** None.

(8) **Transportation, Information, Warehousing, Waste Management and Utilities.**

- ◆ Utility Lines and Related Appurtenances.

(9) **Manufacturing, Mining and Industrial Uses.** None.

Planning Board Staff Report

Subject: Text amendment request to permit non-residential use along additional sections of Russ Avenue within the Dellwood Neighborhood District
Section: 154.108 Dellwood Neighborhood District, (B) Development Standards, (8) Design and Operation Standards, (b) Location.
Applicant: Kirsten Hammett
Date: March 15, 2010

Background:

The Dellwood Neighborhood District (D-ND) is intended to develop predominately as a low to medium residential district separating the commercial areas at either end of the district (intersections of Russ Avenue with the Bypass and with Highway 19/Dellwood Road). The district is also intended to permit limited business and professional services along Russ Avenue. Currently, the Land Development Standards permit 22 non-residential uses under the heading of "Business, Professional and Personal Services". These uses are selected to meet the district standard of having a smaller scale than the businesses permitted in the Dellwood-Junaluska Area Center and the Russ Avenue Town Center. However these uses must meet the Location standards of 154.108(B)(8)(b): *All "Business, Professional and Personal Services" uses permitted in the D-ND District (as listed in Sec. 154.108(C)), must be located within five hundred (500) feet of (measured from the traveled way) the west side of Russ Avenue or within five hundred (500) feet of (measured from the traveled way) the east side of Russ Avenue between Jule Noland Drive and Maple Grove Church Road.*

Of the 102 properties within 500' of both sides of Russ Avenue within the Dellwood Neighborhood District, there are 38 on the east side of Russ Avenue between Jule Noland Drive and Maple Grove Church Road that are excluded from the above allowance for non-residential uses. This amendment request would extend the permission for the specified non-residential uses to these 38 properties. Currently, there is one commercial property in the area effected by this amendment request: Distinctive Log Homes at 1482 Russ Avenue.

Staff Recommendation:

The staff recommends consistent treatment for all properties adjacent to Russ Avenue within the Dellwood Neighborhood District, and approval of this amendment request. Currently, predominate land use in the corridor is residential or vacant with only a few commercial properties. However, it is likely and appropriate that small scale office and business uses will develop along the corridor as envisioned by the Vision/Goal statement for the Dellwood Neighborhood District. It is important to note that the Town's comprehensive land use plan, (Waynesville Our Heritage, Our Future 2020 Land Development Plan) does not indicate mixed use development along Russ Avenue within the D-ND, putting the Vision/Goal statement in the Land Development Standards out of compliance with the comprehensive plan. Therefore the staff recommends an amendment to the Plan along with the requested ordinance amendment to indicate low to medium intensity mixed use along this corridor (specifically to Map 16 in Chapter 5).

REGULAR MEETING
TOWN OF WAYNESVILLE
PLANNING BOARD
MARCH 15, 2010
MONDAY - 5:30 P.M.
TOWN HALL

The Planning Board held a regular meeting on Monday, March 15, 2010. Members present were Brooks Hale, Don Stephenson, Patrick McDowell, Gary Sorrells, Jim Francis and Jon Feichter. Also present were Planning Director Paul Benson, Deputy Town Clerk Freida Rhinehart and Eddie Ward. Chairman Patrick McDowell called the meeting to order at 5:30 p.m.

Approval of Minutes of January 19, 2010

Gary Sorrells moved, seconded by Brooks Hale to approve the minutes of January 19, 2010 as presented. The motion carried unanimously.

Text Amendment - request to permit non-residential use along additional sections of Russ Avenue - Section 154.108(B)(8)(b) - Dellwood Neighborhood District (D-ND)

Staff Report:

Background:

The Dellwood Neighborhood District (D-ND) is intended to develop predominantly as a low to medium density residential district separating the commercial areas at either end of the district (intersections of Russ Avenue with the Bypass and with Highway 19/Dellwood Road). The district is also intended to permit limited business and professional services along Russ Avenue. Currently, the Land Development Standards permit 22 non-residential uses under the heading of "Business, Professional and Personal Services". These uses are selected to meet the district standard of having a smaller scale than the businesses permitted in the Dellwood-Junaluska Area Center and the Russ Avenue Town Center. However these uses must meet the Location standards of 154.108(B)(8)(b): *All "Business, Professional and Personal Services" uses permitted in the D-ND District (as listed in Sec. 154.108 (C)), must be located within five hundred (500) feet (measured from the traveled way) of the east side of Russ Avenue between Jule Noland Drive and Maple Grove Church Road.*

Of the 102 properties within 500' of both sides of Russ Avenue within the Dellwood Neighborhood District, there are 38 on the east side of Russ Avenue between Jule Noland Drive and Maple Grove Church Road that are excluded from the above allowance for non-residential uses. This amendment request would extend the permission for the specified non-residential uses to these 38 properties. Currently, there is one commercial property in the area affected by this amendment request: Distinctive Log Homes at 1482 Russ Avenue.

Staff Recommendation:

The staff recommends consistent treatment for all properties adjacent to Russ Avenue within the Dellwood Neighborhood District, and approval of this amendment request. Currently, predominant land use in the corridor is residential or vacant with only a few commercial properties. However, it is likely and appropriate that small scale office and business uses will develop along the corridor as envisioned by the Vision/Goal statement for the Dellwood Neighborhood District. It is important to note that the Town's comprehensive land use plan, (Waynesville Our Heritage, Our Future 2020 Land Development Plan) does not indicate mixed

use development along Russ Avenue within the D-ND, putting the Vision/Goal statement in the Land Development Standards out of compliance with the comprehensive plan. Therefore the staff recommends an amendment to the Plan along with the requested ordinance amendment to indicate low to medium intensity mixed use along this corridor (specifically to Map 16 in Chapter 5).

Paul Benson stated the Dellwood Neighborhood District is basically a residential district. The adjoining Dellwood-Junaluska Area Center is a heavy duty commercial district but the Dellwood Neighborhood District has many business, professional and personal service uses. These uses are allowed within 500 ft. of Russ Avenue on the west side and on the east side between Jule Noland Drive and Maple Grove Church Road. No business uses are allowed on the east side in the remainder of the district.

Only about one-third of the area in the district is prohibited from these uses. Mr. Benson pointed out there is really no reason to segregate these 38 properties from the 102 properties which allow business, professional and personal service uses. With the current Land Development Standards, any infill in the area would have to consist of attractive buildings. There is pressure to allow commercial uses in this corridor. With the five-lane highway there, residential development other than large multi-family is not likely to occur.

Another family's application for the very same amendment has just been received for next month's meeting by the Planning Office. Mr. Benson asked them to hold off pending the outcome of this meeting and possible approval by the Board of Aldermen. He recommends approval of the amendment request.

Mr. Benson also pointed out the Land Development Plan which is a guide for decision making for the Land Development Standards. The Land Development Plan calls for this district to be primarily residential, therefore the Land Development Standards are in conflict with this document. Mr. Benson is also recommending the Board of Aldermen amend the comprehensive Land Development Plan to show low to medium intensity mixed use for the Dellwood Neighborhood District along the Russ Avenue corridor.

Jim Francis moved, seconded by Jon Feichter, to recommend to the Board of Aldermen consistent treatment for all properties adjacent to Russ Avenue within the Dellwood Neighborhood District. The motion carried unanimously.

Jon Feichter moved, seconded by Gary Sorrells to recommend to the Board of Aldermen that the Land Development Plan be amended to indicate low to medium intensity mixed use along the Russ Avenue corridor within the Dellwood Neighborhood District. The motion carried unanimously.

Adjournment

With no further business, the meeting was adjourned at 5:45 p.m.

Patrick McDowell
Chairperson

Freida F. Rhinehart
Secretary

ITEM 3. GOV-DEALS REPORT
SECOND AND THIRD QUARTERS

As required in the Town's Purchase Policy, the Purchasing Supervisor is to make regular reports to the Mayor and Board of Aldermen on items which have been sold using Gov-Deals. This is an on-line auction where the items we wish to sell are shown and bidders are allowed to look at pictures and read information about the equipment. Among other things, the Town has sold large pieces of rolling stock such as garbage trucks and flat bed trucks, used dumpsters, oil filters, office furniture and surplus computer equipment. We have had much better results from the sales on line than we had from having auctions each May on the public works grounds.

On the following sheet, you will see that thus far during the 2010 fiscal year, the Town has sold \$79,539 worth of goods on Gov-Deals, the majority coming from rolling stock. When we sell equipment in this manner, we may place a minimum acceptable bid on the items and choose to reject the bids if none reach an acceptable level. In the case of the 2003 Mack Side Load Container Truck, this is the third time it was on the auction block. The first time, bids reached the \$36,000 range, but we had a minimum bid of \$45,000. The second time, we lowered the minimum bid to \$40,000, but the bids only reached \$26,000. Finally, on the third try, we had a \$40,000 minimum and were able to get that much in the last bid.

You will see in the last column the number of bids received. Some of the items are in high demand and generate a lot of bids, such as the 2003 Dodge Durango and the 1995 Ford Flat Bed Truck. But even used dumpsters, with 70 bids, are popular items.

Local firms or individuals may also participate in the bidding process by registering on line with Gov-Deals. In the past, we had many locals who bid on items, and some have registered and still participate in the bidding. But the prices we generate have improved dramatically under Gov-Deals as the competition and interest are much higher.

No action is required on this report. It is submitted to comply with the requirements of the Purchasing Policy of the Town.

[illegible]

ITEM 4. PUBLIC ART COMMISSION RECOMMENDATIONS
GREAT SMOKY MOUNTAINS NATIONAL PARK RAILING
PUBLIC ART PROJECT AT MINI-PARK

Over the past few months, the Public Art Commission has been involved in soliciting and evaluating proposals for the next art project, a fence like structure in the mini-park at Main and Depot. The solicitation for proposals indicated that the fence must demonstrate the connection of the Waynesville Community with the Great Smoky Mountains National Park. It was planned in connection with the 75th Anniversary of the creation of this, the most heavily attended park in the National Park system.

On Saturday, March 27, the Public Art Commission and a number of invited citizens and elected officials participated in a review of the three finalists in the competition.

On Tuesday evening, representatives of the Public Art Commission will be on hand to present its recommendation as to which art piece should be commissioned for installation in the mini-park.

ITEM 5. RESOLUTION OF SUPPORT
DOWNTOWN WAYNESVILLE ASSOCIATION GRANT

Town Staff in conjunction with the Downtown Waynesville Association requests the Board's approval to apply for a North Carolina Main Street Solutions Fund grant of \$300,000 for the rehabilitation of the Strand Theater by Richard Miller into a facility that will hold up to four small businesses.

The Town must make the application for funds which are then distributed to the businesses according to grant requirements. Funds are not distributed until the issuance of a Certificate of Occupancy for the building, and no local match is required.

The Main Street Solutions Fund is a new program established by the State of North Carolina which is intended to provide direct financial benefits to small businesses; retain and create jobs in association with small businesses, and spur private investment in association with small businesses. This first round of funding is considered a pilot program by the Department of Commerce, and only 7-12 awards are likely to be made.

DWA Executive Director Buffy Messer will be in attendance at Tuesday's meeting to answer any questions regarding the Main Street Solutions Fund and the Strand Project.

RESOLUTION NO. XX-10

FILING OF APPLICATION FOR GRANT FUNDING FROM THE MAIN STREET
SOLUTIONS FUND ADMINISTERED BY THE NORTH CAROLINA DEPARTMENT OF
COMMERCE, DIVISION OF COMMUNITY ASSISTANCE

WHEREAS, North Carolina General Statute 143B-472.35 authorizes the North Carolina Department of Commerce to make grants to aid eligible units of government in providing maximum support to small businesses in designated micropolitans located in Tier 2 and Tier 3 counties/or in designated North Carolina Main Street communities including but not limited to Small Town Main communities in Tier 1, 2, and 3 counties, and

WHEREAS, The Town of Waynesville was designated a Main Street Community in 1986 and is located within Haywood County, a Tier 2 county, and

WHEREAS, an eligible private project is located within the Waynesville Downtown Municipal Service District at 38 North Main Street, will contain a fine restaurant with entertainment venue, brewery, retail artist co-op, and is projected to create an estimated 36 jobs, and

WHEREAS, the Strand Project will spur development beyond the one building and attract visitors and residents alike to downtown, aiding the entire district and the retention of existing businesses, and

WHEREAS, The Town of Waynesville intends to request grant assistance for the Strand Project,

NOW THEREFORE BE IT RESOLVED, by the Board of Aldermen of the Town of Waynesville that the Town of Waynesville:

That Town Manager A. Lee Galloway, and successors so titled, is hereby authorized to execute and file an application on behalf of the Town of Waynesville with the State of North Carolina for a grant to aid in the construction of the projects described above.

That the Town Manager and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the projects: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Town of Waynesville has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the projects and to Federal and State grants pertaining thereto.

Adopted this the 13th day of April, 2010 at regular meeting of the Town of Waynesville Board of Aldermen in Waynesville, North Carolina.

TOWN OF WAYNESVILLE

Gavin A. Brown
Mayor

ATTEST

Phyllis R. McClure
Town Clerk