



Town of Waynesville, NC

Board of Aldermen – Regular Meeting

Town Hall, 9 South Main Street, Waynesville, NC 28786

Date: **April 12, 2016** Time: **6:30 p.m.**

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(828) 452-2491

aowens@waynesvillenc.gov

A. CALL TO ORDER - Mayor Gavin Brown

1. Welcome/Calendar/Announcements
2. Adoption of Minutes

Motion: To approve the minutes of the March 22, 2016 regular meeting, as presented [or as corrected].

B. PRESENTATION

3. Presentation by consultant Dan Pezzoni with Landmark Associates for the Historic Preservation Commission application for addition to the National Register

C. NEW BUSINESS

4. Street Closure – Whole Bloomin Thing Festival

Motion: To approve the closure of Commerce Street from Depot to Giles Chemical for the 14th Annual Whole Bloomin' Thing Festival on Saturday, May 7, 2016 from 9:00 a.m. until 5:00 p.m. , as presented.

5. Request Approval of Contract with Developmental Associates

Motion: To approve the contract with Developmental Associates for services to be rendered for the recruitment, assessment and hiring of a new Town Manager, as presented.

6. Request Approval of Job Ad for Town Manager Search

Motion: To approve the job ad to be used for the town manager search, as presented.

TOWN OF WAYNESVILLE – REGULAR SESSION AGENDA

April 12, 2016

- 2 -

D. COMMUNICATIONS FROM STAFF

7. Manager's Report – Interim Town Manager Mike Morgan

8. Attorney's Report – Town Attorney Woody Griffin

E. COMMUNICATIONS FROM THE MAYOR AND BOARD

F. CALL ON THE AUDIENCE

G. ADJOURN



TOWN OF WAYNESVILLE

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 Waynesville, NC 28786
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CALENDAR April 12, 2016

2016	
Tue, Apr 12 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Thur – Sat, Apr 21 – 23 8:00 AM to Noon Town Landfill	Semi-Annual Mulch Sale
Sat, Apr 23 4:00 PM – 1:00 AM Main Street	West Haywood Relay for Life
Mon, Apr 25 5:30 PM Location TBD	Haywood COG – Clyde Hosting
Tue, Apr 26 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Thur – Sat, Apr 28 – 30 8:00 AM to Noon Town Landfill	Semi-Annual Mulch Sale
Fri, May 6 5:00 – 9:00 PM Downtown	Art After Dark – Waynesville Gallery Association
Sat, May 7 9:00 AM – 5:00 PM Commerce Street – Frog Level	Whole Bloomin’ Thing Festival – sponsored by the Historic Frog Level Merchant Association
Tue, May 10 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Sat, May 14 6:00 AM – 1:00 PM Main Street to Frog Level	Gateway to the Smokies Half Marathon – Haywood Chamber of Commerce - rolling street closures for 13 miles through Haywood County from the intersection of Main & Depot Streets and ending in Frog Level
Tues, May 17 6:30 PM Conf Room, Town Hall	Special Called Meeting – Closed Session – initial screening of Town Manager Applicants with Developmental Associates
Sat, May 21 5:30 – 11:00 PM Laurel Ridge CC	Haywood Healthcare Foundation “Casino Night”

Mon, May 23 6:30 PM Location TBD	Southwestern Commission Board Meeting
Tue, May 24 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Sat, May 28 6:00 – 9:00 PM Downtown	Another Rockin' Block Party - DWA
Mon, May 30	Memorial Day Holiday Town Offices Closed
Tues, May 31 6:30 PM Conf. Room, Town Hall	Special Called Meeting – Closed Session – secondary screening of Town Manager Applicants with Developmental Associates
Fri, Jun 3 5:00 – 9:00 PM Downtown	Art After Dark – Waynesville Gallery Association
Tues, Jun 7 6:30 p.m. Board Room, Town Hall	Special Called Meeting – Public Hearing for Budget FY 16/17
Wed, Jun 8 All Day Raleigh, NC	NCLM Town Hall Day
Sat, Jun 11 10:00 AM – 5:00 PM Downtown	Appalachian Lifestyle Celebration - DWA
Tue, Jun 14 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Wed, Jun 15 5:00 – 7:00 PM Historic Courthouse & Downtown	Elder Abuse Awareness Walk – sponsored by Southwestern Commission Area Agency on Aging, Mountain Projects and the Haywood County Senior Resource Center
Wed – Thur, Jun 15 & 16 8:30 AM – 5:00 PM Municipal Building & Town Hall	Assessment Centers for Town Manager hiring process; review of assessments will be done in special called meetings in closed session on the afternoon of June 16 th
Week of Jun 20 Times and Locations TBA	Special called meeting – Closed Session – Interviews with Candidates for Town Manager
Fri, Jun 24 6:30 – 9:00 PM Historic Courthouse	Mountain Street Dance – DWA
Mon, Jun 27 5:30 PM Location TBD	Haywood COG – Haywood County Hosting
Tue, Jun 28 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Fri, Jul 1 5:00 – 9:00 PM Downtown	Art After Dark – Waynesville Gallery Association

Mon, Jul 4	Independence Day Holiday Town Offices Closed
Mon, Jul 4 11:00 AM – 3:00 PM Downtown	Stars & Stripes Celebration – DWA
Fri, Jul 8 6:30 – 9:00 PM Historic Courthouse	Mountain Street Dance – DWA
Tue, Jul 12 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Sat, Jul 23 10:00 AM Main Street / Historic Courthouse	Folkmoor USA Parade of Nations & Opening Ceremonies Parade: Line-up at 9:30 AM from Blue Ridge Books/Academy Street Opening Ceremonies: 10:00 AM
Fri, Jul 22 6:30 – 9:00 PM Historic Courthouse	Mountain Street Dance – DWA
Tue, Jul 26 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Fri, Jul 29 6:30 PM Location TBD	Southwestern Commission Annual Dinner
Sat, Jul 30 10:00AM – 5:00 PM Main Street, Downtown	“Where the World Meets on Main Street” International Day Festival
Fri, Aug 5 5:00 – 9:00 PM Downtown	Art After Dark – Waynesville Gallery Association
Fri, Aug 5 6:30 – 9:00 PM Historic Courthouse	Mountain Street Dance – DWA
Sat, Aug 6 9:00 AM – 1:00 PM Courthouse Lawn	Sarge’s Annual Downtown Dog Walk
Tue, Aug 9 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Mon, Aug 22 5:30 PM Location TBD	Haywood COG – Maggie Valley Hosting
Tue, Aug 23 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Wed, Aug 31 6:00 PM Waynesville Inn Resort & Spa	Haywood Healthcare Foundation 2016 Annual Gala
Fri, Sep 2 5:00 – 9:00 PM Downtown	Art After Dark – Waynesville Gallery Association

Fr-Sa, Sep 2-3	47 th Annual Smoky Mountain Folk Festival Lake Junaluska
Mon, Sep 5	Labor Day Holiday Town Offices Closed
Tue, Sep 13 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Sat, Sep 17 6:00 – 9:00 PM Downtown	Block Party - DWA
Mon, Sep 26 6:30 PM Location TBD	Southwestern Commission Board Meeting
Fri, Oct 7 5:00 – 9:00 PM Downtown	Art After Dark – Waynesville Gallery Association
Sat, Oct 8 10:00 AM – 5:00 PM Main Street, Downtown	33 rd Annual Church Street Art & Craft Show
Tue, Oct 11 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Sat, Oct 15 10:00 AM – 5:00 PM Main Street, Downtown	28 th Annual Apple Harvest Festival – Haywood Chamber of Commerce
Su-Tu, Oct 23-25	NCLM Annual Conference CityVision 2016 Raleigh, NC
Mon, Oct 24 5:30 PM Location TBD	Haywood COG – Waynesville Hosting
Tue, Oct 25 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Fri, Nov 4 5:00 – 9:00 PM Downtown	Art After Dark – Waynesville Gallery Association
Tue, Nov 8 6:30 AM – 7:30 PM All voting precincts	Election Day - General Election
Tue, Nov 8 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Fri, Nov 11	Veterans' Day Holiday Town Offices Closed
Th-Fr, Nov 24-25	Thanksgiving Holiday Town Offices Closed
Mon, Nov 28 6:30 PM Location TBD	Southwestern Commission Board Meeting

Fri, Dec 2 5:00 – 9:00 PM Downtown	Art After Dark – Waynesville Gallery Association
Fr-Mo, Dec 2-5	Holly Days Downtown – seasonal events downtown throughout the weekend
Mon, Dec 5 6:00 PM Main Street, Downtown	Waynesville Holiday Parade Line-up begins at 4:30 PM at Walnut and Main Parade begins at 6:00 PM
Sat, Dec 10 5:00 PM Fire Station #1	Waynesville Fire Department Annual Holiday Family Dinner (tent)
Sat, Dec 10 6:00 – 9:00 PM Main Street, Downtown	A Night Before Christmas / Bethlehem Market Place – DWA & First Baptist Church
Tue, Dec 13 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Fr-Tu, Dec 23, 26-27	Christmas Holiday Town Offices Closed
2017	
	New Year Holiday Town Offices Closed
	Martin Luther King Jr Holiday Town Offices Closed

Board and Commission Meetings – April/May 2016

ABC Board	ABC Office – 52 Dayco Drive	April 19 3 rd Tuesdays 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	May 3 1 st Tuesdays 5:30 PM
Downtown Waynesville Association	UCB Board Room – 165 North Main	April 28 4 th Thursdays 12 Noon
Firefighters Relief Fund Board	Fire Station 1 – 1022 N. Main Street	Meets as needed; <i>No meeting currently scheduled</i>
Historic Preservation Commission	Town Hall – 9 S. Main Street	May 5 1 st Wednesdays 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	April 18 3 rd Mondays 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	April 14 2 nd Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	April 19 3 rd Tuesdays 5:30 PM
Waynesville Housing Authority	Waynesville Towers – 65 Church Street	May 5 1 st Wednesdays 5:30 PM

BOARD/STAFF SCHEDULE

Th – Sa, Jun 23-25, 2016	Town Manager	NCCMA Manager's Continuing Ed - Summer Seminar Asheville, NC
Th – Sa, Aug 4-6, 2016	Town Attorney	NC Association of Municipal Attorneys Summer Seminar Asheville, NC
Th – Sa, Aug 18-20, 2016	Town Clerk & Deputy Clerk	NC Association of Municipal Clerks Summer Seminar Asheville, NC

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REGULAR MEETING
March 22, 2016

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday, March 22, 2016 at 6:30 p.m. in the board room of Town Hall, 9 South Main Street, Waynesville, NC.

A. CALL TO ORDER

Mayor Brown called the meeting to order at 6:30 p.m. with the following members present:

Mayor Gavin Brown
Alderman Gary Caldwell
Alderman Jon Feichter
Alderman Julia Freeman
Alderman LeRoy Roberson

The following staff members were present:

Mike Morgan, Interim Town Manager
Woodrow Griffin, Town Attorney
Amie Owens, Town Clerk

The following media representatives were present:

Mary Ann Enloe, the Mountaineer

1. Welcome /Calendar/Announcements

Mayor Gavin Brown welcomed everyone to the meeting

Mayor Brown called attention to several upcoming events including:

- Friday – Sunday, April 22 – 24 - Smoky Mountain 9-ball Tournament to benefit the ARC of Haywood County. Alderman Caldwell commented that the event has already sold out.
- Friday, March 25 – Town offices will be closed in observance of Good Friday
- Monday, March 28 – Southwestern Commission Board Meeting. Mayor Brown noted that Ryan Sherby had resigned and a replacement could be named at this meeting.

2. Adoption of Minutes

Alderman Feichter made a motion, seconded by Alderman Caldwell, to approve the minutes of the March 8, 2016 regular meeting, as presented. The motion carried unanimously.

B. NEW BUSINESS

3. Street Closures for the Downtown Waynesville Association for 2016

Buffy Phillips, Executive Director of the Downtown Waynesville Association (DWA) presented the street closure requests for the DWA for the remainder of 2016. She noted that some of the times had changed to allow for earlier street closures but the events are the same. Ms. Phillips added that the Folkmoot Parade will be on Saturday, July 23 and International Festival Day will be on July 30.

Mayor Brown inquired about the Apple Festival. Ms. Phillips responded that the Apple Festival was sponsored by the Haywood Chamber of Commerce, not DWA, but that it would still follow the Church Street Art & Craft Show in October.

Alderman Roberson made a motion, seconded by Alderman Freeman to approve the street closures for the Downtown Waynesville Association for the remainder of 2016, as presented. The motion carried unanimously.

Ms. Phillips explained that she had attended the North Carolina Main Street Conference in Goldsboro where Police Chief Bill Hollingsed received the Main Street Champion Award. Ms. Phillips noted that there will be a press release regarding this award in the paper soon.

C. COMMUNICATIONS FROM THE MAYOR AND BOARD

4. Discussion regarding change in land use for Ronald Muse property, PIN# 8615-17-6586

Mayor Brown reminded the board and audience of the request for rezoning which was presented at the February 23 meeting. The Board took no action at that time as certain members wanted more time to study the situation. Mayor Brown thanked those in the audience who were in attendance and explained that notices had been sent to all of the neighborhood residents with surrounding properties to give everyone an opportunity to weigh in. Mayor Brown reiterated that this was not a public hearing as that had already occurred, but was provided as an opportunity for residents to speak on the issue.

Dick Young, 191 Meadow Street, Waynesville, requested that the board proceed cautiously if they purchase this property. He suggested the Army Corps of Engineers should do a study on this property to drill and assess if there are any hazards noted.

William Sterritt, 247 Church Street, Waynesville, commented that he had nothing prepared except to express his concerns related to the real value of this property. If the board is considering some sort of purchase that the tax funds be used wisely; keeping in mind the flooding issues and the concerns of the community.

Manager Mike Morgan explained that the town has ability to eliminate the creek on the property and has tried to put in the proper drainage, but without the property owner's consent, nothing could be done. He clarified that the stormwater issues could be alleviated if allowed to do so; that 95% of infrastructure is in place.

Alderman Feichter clarified that if the town re-routed the water flow on the property, the storm water problems could be greatly eliminated. Mr. Morgan confirmed.

Elizabeth Teague, Development Services Director, explained that if a zoning change were approved, this could be part of the discussion related to land use. However, there has been no discussion or quid pro quo related to approval of zoning if the town could re-route the water flow. These are separate issues. The issue before the board is whether to rezone to a Mixed Use Overlay for this property.

Mayor Brown commented that the Town of Waynesville does not buy properties to solve problems that are created by the market; this is not the town's business. He indicated he was not inclined to vote to buy this property. Alderman Roberson concurred with the Mayor regarding not purchasing the property.

Alderman Feichter noted that he had done research from the minutes related to previous times this issue had come before the board for proposed re-zoning. While there was not much in previous records to indicate why the decision was to deny the re-zoning request, there is a precedent that it has never been re-zoned. Another consideration is the significant opposition from the neighbors who are concerned about this.

Alderman Caldwell indicated that he felt the same as Alderman Feichter that it had been brought forward multiple times and denied each time and that does set a precedent.

Alderman Feichter noted that if the flooding problem could be eliminated by re-zoning he would be interested in hearing from the neighbors if this would change anything at all.

Alderman Freeman asked what the Planning Board's recommendation was related to the property. Ms. Teague explained that the initial request to re-zone to a Central Business District was not favorable; the request was amended to a Mixed Use Overlay which allows for 10 specific uses and was unanimously approved by the Planning Board.

Alderman Roberson noted that there is still a great deal of opposition and that it is in a residential neighborhood.

Alderman Feichter added that with the Mixed Use Overlay, there are limits on the possible uses for the lot, but it is consistent that the neighbors are still opposed. He commented that he believed residents should have a voice in deciding what their neighborhood is used for and barring some sort of change of heart of neighbors, he would be against the re-zoning.

Alderman Roberson added that if this property had been commercial or partially commercial at any time, he would be more inclined to approve, but it has always been residential.

Mayor Brown inquired about procedurally if no action is taken, is there a time limitation. Ms. Teague answered there was no limit for the Board of Aldermen. Mayor Brown added that if there were no time constraints, if the board revisited 6 months from now, could this still be available to pass without the Planning Board from a public involvement standpoint. He proposed asking if there were any of the 10 uses which would be objectionable to the neighbors. Mayor Brown indicated that a public meeting of the neighbors may be warranted to determine if things could ever move forward.

Town Attorney Woody Griffin added that there is a change of the intent of what was originally presented, the process would start again at the Planning Board level.

No decision was made and no action taken.

Mayor Brown moved to the next agenda item.

D. COMMUNICATIONS FROM STAFF

4. Interim Town Manager – Mike Morgan

Fire Inspection Rating

Manager Morgan noted that the Waynesville Fire Department had received their Fire Rating from the NC Department of Insurance, Office of State Fire Marshall. The public protection scale is from 1 to 10 with one being the best. Prior to the inspection, the rating was a 5. The new rating is a 4 which means a reduction in the commercial fire insurance rates effective June 1.

Manager Morgan added that with this inspection, there were some deficiencies that need to be addressed including training and staffing. He asked Fire Chief Joey Webb to discuss. Chief Webb noted that working with the water department on hydrant testing helped to get a lower rating and that training has been scheduled to address any shortfalls. Chief Webb added that when the inspection was done in January, weather conditions were not conducive to doing a water haul, which could help homeowners to see decreased rates in rural areas.

Chief Webb added that he has been chosen to go to Washington, D.C. to take part in a national recognition program in May. Manager Morgan thanked Chief Webb and all of the firefighters for their commitment and service to the community.

Town Manager Search

Manager Morgan reminded the board that on February 24 Request for Proposals (RFPs) were sent to seven (7) executive search firms. Four (4) responses were received. Manager Morgan provided board members with information to review related to the four responding firms of Developmental Associates, Slavin Management Consultants, the Mercer Group and Waters & Company. Manager Morgan noted that Developmental Associates' process of selection is more hands on assessment-type while the other three were more traditional interview-style.

Manager Morgan explained that if the board was comfortable to interview one or more of the groups, he could schedule the interview for next Tuesday evening. Mayor Brown noted that he would be inclined to bring in Developmental Associates for an interview. He noted that the Town used them the last time and their proposal included a statement about realizing that certain things occurred and they would like an opportunity for a second chance. Also, they cut the fee in half.

Alderman Feichter commented that he had looked at the full proposals from all and certainly felt that Developmental Associates should be given the chance to interview based on the fact that they owned up to the challenges of the last situation. He added that the other company that impressed him was Waters & Company and it may be good to meet with both to compare and contrast.

Alderman Roberson commented that he would be amenable with Developmental Associates as they were familiar with the town and what the Board wants and would not have to learn this again. Alderman Feichter added that he was impressed with their methodology as it seemed to be a more scientific approach.

Mayor Brown suggested meeting with Developmental Associates first and if all are comfortable, no additional interviews will be required. However, if there are concerns, additional companies may be interviewed.

Alderman Freeman added that Developmental Associates knows Waynesville and takes it as a good sign they are willing to come back and help the Town move forward. They know North Carolina, small towns, and metro areas. She commented it was a win-win for all involved.

Mayor Brown explained that the next step would be to hold a meeting with Developmental Associates hopefully on Tuesday, March 29, 2016 at 6:30 p.m.

Alderman Roberson made a motion, seconded by Alderman Feichter to direct Manager Morgan to coordinate a meeting between the board and Developmental Associates on Tuesday, March 29 at 6:30 p.m. The motion carried unanimously.

F. COMMUNICATIONS FROM MAYOR & BOARD OF ALDERMEN

Mayor Brown provided members with information regarding the old hospital property from the presentation at the Board of County Commissioners meeting. He noted that the state will give out the site ratings soon and that there was a meeting scheduled with the developer. If all continues moving forward, the project will have final state approval/scoring in August allowing them to start project and finish in 2018. Mayor Brown added that once site plans are available, there will be a better idea of what some in-kind work could be done and will provide a detailed listing of what they would like from the Town.

Mayor Brown explained that the second packet of information was specific to affordable housing in Haywood County. Patsy Dowling, Executive Director, Mountain Projects presented the information to the BOCC and the County agreed to develop a task force to begin ferreting out the problem of housing for Haywood County. Elizabeth Teague, Development Services Director will serve as the point person for Waynesville on this task force. Both the Mayor and Alderman Freeman are members of this task force and it is hoped that a report/study will be available by the end of summer.

Habitat for Humanity Request

Manager Morgan noted that Habitat for Humanity had been granted waiver of fees for two water taps in the last year's special appropriations budget. There are two homes currently in process at Davis Cove Road and are ready for the water taps. There are additional homes that will be in the area and two fire hydrants are planned in accordance with town ordinances. There is a capacity fee for each tap of \$20,000. The request is that the Board waive the capacity fees. Manager Morgan recommended approval and supports this request as it relates to the affordable housing issue.

Alderman Freeman made a motion, seconded by Alderman Caldwell to waive the capacity fees for the hydrants for the Habitat for Humanity development in an effort to support affordable housing efforts. The motion carried unanimously.

G. CALL ON THE AUDIENCE

No one addressed the board.

H. RECESS

There being no further business to discuss, Manager Morgan asked the board to continue the meeting until next Tuesday, March 29 at 6:30 p.m. to enter into closed session to interview Developmental Associates.

Alderman Caldwell made a motion, seconded by Alderman Roberson, to recess the meeting at 7:20 p.m. to be reconvened at 6:30 p.m. on Tuesday, March 29, 2016. The motion carried unanimously.

I. RECONVENE – March 29, 2016

Mayor Brown reconvened the meeting from March 22 at 6:30 p.m. on Tuesday, March 29, 2016 at 6:30 p.m. All Board members and Town Manager were present.

J. INTERVIEW WITH DEVELOPMENTAL ASSOCIATES

Mayor Brown announced that the meeting would continue in open session rather than in closed session. All parties were connected via Skype to conduct an interview with Steve Strauss with Developmental Associates.

Manager Morgan explained, while the connection was made, that he had provided a full copy of the proposal from Developmental Associates to all members for review. Once all members were connected, Mayor Brown began the interview process by thanking Mr. Strauss for his time and asking about process improvements that were alluded to in the RFP letter.

Mr. Strauss began by explaining that with the previous evaluation, the qualifications were all met but that some of the data had not been factored appropriately. Since that time improvements have been made to the process and all factors are weighted accordingly. He noted that there was no stigma about Waynesville and that he felt there should be a vast field of candidates for this position.

Alderman Roberson asked about community involvement in the interview and selection process. Mr. Strauss answered that he felt that 4 to 6 community members was a good group to include in the assessment teams. Alderman Roberson also inquired about a fee for Developmental Associates to participate in the final interviews. Mr. Strauss noted that a series of questions would be provided free of charge which would assist the board in decision making based on data collected on the applicants. However, Mr. Strauss indicated that a \$1,000 per day charge would cover all expenses and his participation.

Alderman Freeman had no questions, but commented that she was fortunate to be part of the last process and pleased to know that it has evolved more.

Mayor Brown thanked Mr. Strauss again for his participation, explained that the board would not discuss moving forward and indicated that Manager Morgan would be in touch related to the board's decision. The interview concluded at 7:00 p.m.

Following the conclusion of the interview, the board discussed whether or not to move forward with Developmental Associates for this task. Members agreed that Mr. Strauss had allayed any concerns and was open about process flaws. Mayor Brown interjected that the proposal reflects the professionalism that the board wants to see. Alderman Roberson added that he liked the process before, and they are familiar with the Town, owned mistakes and even offered a price break.

Alderman Roberson made a motion, seconded by Alderman Feichter to accept the proposal from Developmental Associates for services related to the recruitment, selection and hiring of a town manager. The motion carried unanimously.

Mayor Brown and the board agreed by consensus that Manager Morgan should begin negotiation and discussion of any agreement required for this process to move forward with Developmental Associates.

Manager Morgan inquired as to specific criteria that the board would like to utilize in the search process that could be added to any job announcement. Some criteria included experience as a manager, knowledge of NC municipal law and statutes, education and familiarity with technology and residency requirements.

Mayor Brown provided Manager Morgan with the preferred criteria from the last manager search and asked that he review and add information accordingly.

Manager Morgan provided the tentative schedule for the board related to the manager search noting that once an agreement was in place, advertisement would begin. The posting would be open for approximately one month with 20 days for Developmental Associates to evaluate candidates with a proposed assessment center in June and hiring some time in July with start date in mid-to-late August.

K. ADJOURN

There being no further business to discuss, Alderman Caldwell made a motion, seconded by Alderman Freeman to adjourn the meeting at 7:24 p.m. The motion carried unanimously.

ATTEST

Gavin A. Brown, Mayor

Michael J. Morgan, Interim Town Manager

Amanda W. Owens, Town Clerk

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION**

Meeting Date: April 12, 2016

SUBJECT: Presentation on the National Register Nomination for Greenhill Cemetery by Daniel Pezzoni of Landmark Preservation Associates.

AGENDA INFORMATION:

Agenda Location: Presentation
Item Number: 3-B
Department: Development Services
Contact: Elizabeth Teague, Development Services Director
Presenter: Daniel Pezzoni, Landmark Preservation Associates

BRIEF SUMMARY:

At the September 22, 2015 Board of Aldermen Meeting, the Board voted to fund a study and National Register nomination of Greenhill Cemetery. The Historic Preservation Commission worked with state Historic Preservation Office to develop and advertise a scope of work and timeline as part of a Request for Proposals. The Commission received five responses and selected Landmark Preservation Associates because of their experience with cemeteries and funerary art. The contract was executed in February, and Landmark Associates is ready to present their research to you today.

MOTIONS FOR CONSIDERATION:

N/A

FUNDING SOURCE/IMPACT: \$5,700 is budgeted for this project.

ATTACHMENTS:

1. Presentation Narrative by Daniel Pezzoni

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Green Hill Cemetery: Presentation to the Waynesville Board of Aldermen, April 12, 2016

1. The historic core area of Green Hill Cemetery is being proposed for listing in the National Register of Historic Places. [view of 1920 archway]
2. The earliest known reference to Green Hill Cemetery dates to 1826. That year Thomas Love sold land on the south side of Waynesville to Ezekiel Brown “with an exception of eight acres hereby conveyed to the trustees of Green Hill Academy including the graveyard.” The academy also served as a non-denominational or “union” church and its hilltop setting on the periphery of town was typical of early small-town institutional buildings of the region.
3. Among the cemetery’s early memorials is the headstone of Laura Anne Johnston (1844-49) which features a top with a half-round tympanum flanked by sloping concave “shoulders.”
4. Segmental tops characterize a trio of headstones for members of the Benners family who died in the 1850s. Two of these markers, for John A. Benners (1849-52) and Edward Ira Benners (1852-53), indicate the graves of young children and are adorned with similar floral carving in recessed panels.
5. The carving depicts roses with drooping or broken buds.
6. Crudely inscribed fieldstones of tabular form mark the side-by-side graves of L. E. Connor (1868?-1909) and [J?] D. Connor (1907?-1931). Fieldstone markers were presumably more common during the first half of the cemetery’s existence.
7. Postbellum gravestones are generally more ornate both in form and carving. The tombstone of Mary E. Smathers (d. 1872) has an arched top somewhat similar to antebellum designs but with foliated, book end-like console brackets and a recessed panel with the carved depiction of a bible.
8. Rev. Henry W. Williams died in 1888. The bible on his tombstone is an appropriate motif for a minister.
9. Clasped hands were another popular motif.
10. Another example of floral carving.
11. Floral carving and a draped obelisk.
12. Three column memorials mark the graves of members of the Love family, with smooth shafts with molded bases and caps above chamfered inscription plinths. The trio may have begun with the column of James R. Love (1798-1863), which differs from the others in detail. One of the column memorials is inscribed with the name of its maker, W.

O. Wolfe of Asheville, and one bears the Masonic compass and square emblem on its shaft.

13. The double column memorial of Col. Robert Love (1760-1845) and his wife, Mary Ann Love (1766-1842), is joined at the top by an arched element crowned by a flaming urn. The memorial was carved by W. O. Wolfe many decades after Robert and Mary Ann's deaths.

14. Green Hill Cemetery has several fine examples of figural carving such as statues of young women and angelic winged children. The best documented of these is the freestanding statue of a woman in classical garb holding a wreath of flowers which marks the grave of Ina Otelia Davies (1874-99). The statue was carved in Italy and was sold to the Davies family by W. O. Wolfe.

15. The grave of Virginia Majette Welch (1879-1910) is also graced by the statue of a young woman in classical garb, although instead of freestanding the woman is carved in high relief against a naturalistic stone backing. The statue is believed to have an association with Wolfe although its base is inscribed Couper, the name of a monument works in Norfolk, Virginia. Next to it is the grave of Welch's son, William Welch (1904-06), which has at its head the statue of a winged child with hands held in prayer.

16. Virginia Majette Welch statue detail.

17. One other winged child marker is known in the cemetery although it is broken into pieces.

18. The cemetery's two tree trunk monuments, which mark the graves of Osborne and Robert Buckner (both died in 1912), were provided by the Woodmen of the World insurance agency which offered such memorials to policyholders.

19. The tombstone of Maebell Clement Walls (1877-1920) is carved with a crucifix, a motif common on Catholic gravemarkers of the era but rare on Protestant gravemarkers. The Walls gravesite has two other notable features: a concrete-encased mound over the grave (earthen mounds are reported to have once been common in the cemetery) and a now-missing porcelain photo plaque (the oval recess for the plaque survives).

20. Many, if not all, of the graves of Confederate veterans are marked by Confederate Iron Crosses similar in form to the United Daughters of the Confederacy (UDC) Southern Cross of Honor medal. The Maltese cross marker bear a wreath, the beginning and end dates of the conflict (1861 and 1865), and the Latin motto *Deo Vindice* meaning "God our vindicator." The other side has the initials CSA for Confederate States Army and the Confederate Battle Flag in a wreath. The granite memorial of John H. Mull (1836-1926) and Adlie Medford Mull (1848-1927) is carved with the Confederate Battle Flag.

21. Green Hill is the resting place of Col. William Holland Thomas (1805-93), who is described on a Civil War Trails marker as "the first and only white man to serve as a

Cherokee chief.” During the Civil War Thomas headed Thomas’s Legion, also known as the Highland Rangers, composed of over 2,000 Confederate soldiers of whom 400 Cherokee.

22. Green Hill’s Veterans Section originated as an initiative of the local branch of the Gold Star Mothers. Design was provided by Arthur J. Connell, a landscape architect and engineer with the Blue Ridge Parkway. An estimated 3,000 people attended the section’s dedication on May 29, 1949.

23. In the middle of the section stands a nine-foot-tall granite obelisk carved by the Haywood Monument Company.

24. “Rustic” stone retaining form a level burial platform (actually two stepped platforms).

25. Former Cemetery Superintendent Fred Rathbone has learned the facts surrounding the death of Tom Potter (1892-1915), whose tombstone is carved with a depiction of a train engine. According to Potter’s relatives, the young man worked for a logging train engaged in lumbering activities in the Allens Creek area of the county. The regular engineer was taken sick and Potter volunteered to drive the train but it got away from him on a mountain grade and wrecked, killing him.

26. The cemetery has another memorial carved with a train. The memorial of Samuel B. Francis (1865-92) has a faintly etched locomotive and tender on its base.

27. Revolutionary War veteran Thomas Welch (d. 1781), though not buried in the cemetery, is memorialized by two millstones said to have belonged to him.

28. “Rice Crispy” memorials, a row of four small tabular markers made by layering concrete and quartz pebbles in a mold so that the pebbles create decorative bands. The markers have canted tops ornamented with pressed-in pebbles and they stand next to a low concrete retaining wall that probably provides them with support and protects them from damage.

29. The concrete gravemarker of Mrs. G. C. Swyngim (1888-1935) is the cemetery’s most ornate. The monument is decorated with neat rows and columns of rounded pebbles framed with smooth concrete borders. It has a beveled top and a recessed inscription panel with letters that have a stamped appearance. Under the panel is a rectangular niche that may have served to hold flowers or other mementos.

30. The same artisan likely made the marker of Addie Warren (1851-1945).

31. In addition to locally produced concrete markers, many made by the same unidentified artisan, there is the small round-topped concrete marker of Lucy Shepard (1872-19??). With its wafer thinness, shallow bas relief floral ornament, and typewriter-like inscription, the Shepard monument belongs to a class of markers that were apparently ordered by mail and shipped by rail to purchasers. The source has not been

identified although the distribution is largely in coastal and piedmont North Carolina (and adjacent areas in Virginia), so Waynesville's example may be one of the westernmost in the state.

32. The memorial of Ella Mae Davis Marr (1894-1921) recesses boldly carved lilies into a modernistic pylon-like form, a mix of old and new treatments.

33. The cemetery has many decorative stone retaining walls.

34. Hillview Circle was originally laid out as the cemetery's entrance drive and is labeled "New Drive" on an early twentieth century cemetery plan.

35. The 1920 archway, erected by the Waynesville Civic League, is supported by pillars constructed of river cobbles set in concrete mortar and capped with concrete. The arch is constructed of slender curved angle-iron sections with the inscription "Green Hill" in green-painted iron letters at the top and wrought iron curlicue flourishes filling the arch and forming a cresting and pendant decoration.

36. The North Addition, platted in 1946, contains granite monuments typical of the post-war era.

37. In recent decades the cemetery has expanded southward. These modern areas are not included in the nomination.

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: April 12, 2015

SUBJECT: Request Temporary Street Closure Whole Bloomin' Thing Festival – Saturday, May 7, 2016

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 4-C
Department: Administrative Services
Contact: Amie Owens, Administrative Services Director
Presenter: Mike Morgan, Interim Town Manager

BRIEF SUMMARY:

A request from **The Historic Frog Level Merchants' Association** for their Whole Bloomin' Thing Festival their annual street sale and festival on Saturday, May 7, 2016 from 5:30 a.m. until 5:30 p.m.. The request is that Commerce and a portion of Depot Streets be closed for this event. This event serves as the association's major fundraiser for the year.

MOTIONS FOR CONSIDERATION: *To approve street closure request from Frog Level Merchants' Association for the Whole Bloomin' Thing Festival on Saturday, May 7, 2015, as presented.*

FUNDING SOURCE/IMPACT: No direct cost for this event. The Town will provide in-kind support for traffic control, event security, emergency response and sanitation.

ATTACHMENTS:

- Flyer for Event

MANAGER'S COMMENTS AND RECOMMENDATIONS: Manager recommends approval of the street closure as presented. The Whole Bloomin; Thing Festival is traditionally held on the Saturday before Mother's Day.

The Whole Bloomin Thing



Waynesville's 14th Annual The "Whole Bloomin' Thing" Spring Festival

- At the Frog Level District
- Saturday, May 7, 2016
- 9:00 am until 5:00 pm.

The "Whole Bloomin Thing" Spring Festival is held The Saturday Of Mothers Day Weekend each year. Upcoming will be its Fourteenth year in 2016.

Haywood County's spring festival kicks off the growing season with new excitement each year as The "Whole Bloomin' Thing" Spring Festival continues to grow. Beautiful flowering baskets, vegetable and herbs, berry bushes, potted plants, trees, perennials, are all a beautiful assortment of color, size and variations. Fresh local produce & organic beef. Local Food Vendors from turkey legs, hot dogs, hamburgers, BBQ, fresh ice cream, kettle corn, fresh squeezed lemonade, and much much more. Each year, *Children's Activities* will vary.

Local artists will feature a wide range of nature-inspired gifts and handicrafts from baskets to beads, soap to stemware, bags to birdhouses, wreaths, jewelry, planters, wooden, clay, and metal art work, and dozens of original decorative creations. Live entertainment throughout the day will be provided by local artist as each year brings new local talent to the Spring Festival.

And don't forget the [Frog Level Businesses](#) which offer you antiques, antique restorations, pottery, massages, gourmet coffee, food and craft beer, one of a kind art galleries and more.

Check out the [Historical Buildings](#) in The Historical Frog Level Shopping District.

Now Accepting Applications:

[Vendors please go here for information and to apply](#)

[Vendors Login \(after approval\)](#)

[The Whole Bloomin Thing Festival Administrators Only](#)

Asheville Creative Designs by PJ Easton & C Burgwardt

Historic Frog Level Merchants Association

AGREEMENT

THIS AGREEMENT (Agreement") is made and entered into this _____ day of _____, 2016 by and between the **TOWN OF WAYNESVILLE, NORTH CAROLINA** hereinafter referred to as the "Town", party of the first part, and **DEVELOPMENTAL ASSOCIATES, L.L.C.** hereinafter referred to as "Consultants", party of the second part,

WITNESSETH

WHEREAS, and in consideration of the mutual benefits accruing to the parties hereto, the Consultants hereby agree to perform, and Town agrees to compensate Consultants for, all necessary professional consultant services to provide Recruitment, Screening, and Assessment Processes for the Position of Town Manager, as described in the proposal dated March 5 to the Board of Aldermen, which is attached hereto and incorporated by reference herein (the "March 5 Proposal"), and upon the terms and conditions hereinafter provided:

1. That written proposal is attached hereto and hereby made a part of this Agreement ("Proposal") and the services described in the Proposal are hereinafter referred to as "Scope of Services"; provided, however, that the parties acknowledge and agree that any and all completion dates set forth in the Proposal shall be adjusted by mutual written agreement of the parties to take account of the date, if any, by which this Agreement is executed by both parties.
2. Consultants' compensation for the services outlined in the Scope of Services shall be \$12,250 for the recruitment, screening, and assessment process.

In addition to the foregoing compensation, the Town may elect to (i) administer the initial EQi Assessment instrument for up to 15 candidates for screening at a cost payable to Consultants of \$65 per candidate or a total cost of \$975 payable to Consultants; and (ii) to analyze the EQ results for up to 6 candidates for final assessment at a cost payable to Consultants of \$100 per candidate or a total cost of \$600; and coaching of the successful candidate at a cost payable to Consultants of \$250.

3. Consultants shall not perform any work that is clearly beyond the "Scope of Services" unless and until such work has been authorized in writing by the Town of Waynesville. Consultants' compensation for work that is clearly beyond the "Scope of Services" shall be at a negotiated rate and in this instance, payment shall be made upon certified billing and progress reports to be made monthly to the Town by Consultants for work performed during the preceding month, with payment to be made by the Town within thirty (30) days from receipt of such billing.

4. If any items in any invoices submitted by the Consultants are disputed by the Town in good faith for any reason, including the lack of reasonable supporting documentation, Town shall temporarily delete the item(s) and shall promptly notify Consultants of the dispute and request clarification and/or remedial action. After the dispute has been settled, the Consultants shall include the disputed item on a subsequent regularly scheduled invoice or on a special invoice for the disputed item only. The undisputed portion of the invoices shall, however, be paid within the normal 30-day period.
5. The Consultants assume full responsibility for the payment of all assessments, payroll taxes, or contributions, whether State or Federal, as to all Consultants' employees engaged in the performance of work under this contract. In addition, the Consultants agree to pay any and all gross receipts, compensation, transaction, sales, use, or other taxes and assessments of whatever nature and kind levied or assessed as a consequence of the work performed or on the compensation paid under this contract; provided, however, that, in no event shall Consultants be responsible for payment of any taxes relating to the Town's income.
6. Alterations, deletions, and/or additions to the terms and conditions of this contract may only be made by the mutual written consent of the parties.
7. Any term or condition of the Contract which by operation or existence is in conflict with applicable Local, State, or Federal Law shall be rendered void and inoperative. Town and the Consultant agree to accept the remaining terms and conditions.
8. Should any part of this contract be declared unenforceable, all remaining sections shall remain in effect.
9. This Agreement is made under, and in all respects shall be interpreted, construed, and governed by and in accordance with, the laws of the State of North Carolina. Venue for any legal action resulting from this Agreement shall lie in Wake County.
10. Consultants hereby covenant and agree that they will not discriminate, with reference to work to be performed pursuant hereto, against any employee or applicants because of age, race, color, religion, sex, disability, sexual orientation, genetic information or national origin.
11. All data, materials, documents, notes, memoranda, intellectual property, and other information provided or disclosed by Consultants to Town, or otherwise used by Consultants to provide or perform any Scope of Services, in connection with this

Agreement shall be owned solely and exclusively by Consultants and shall constitute the confidential and proprietary information of Consultants for all purposes hereunder (all the foregoing, collectively, "Consultants' Confidential Information"). The Town (i) shall neither copy, nor disclose nor distribute to any third party, any of Consultants' Confidential Information without Consultants' prior written consent and (ii) shall not use any such Consultants' Confidential Information, except to the extent permitted hereunder. The Town's obligations under this Section 11 shall survive any termination or expiration of this Agreement, and promptly after any such termination or expiration, or upon any request by Consultants, the Town shall return to Consultants all such Consultants' Confidential Information and all copies thereof. In no event shall the Town acquire any ownership or other rights in any Consultants' Confidential Information, whether by implication or otherwise, except to the extent expressly set forth herein. Subject to the foregoing in this Section 11, Consultants shall make available to the Town all data, notes and memoranda completed during the Scope of Services and upon completion of the services will forward to the Town the results of the Scope of Services for its use.

12. This Agreement may be terminated by either party at any time and for any reason upon seven (7) days' prior written notice. Upon termination Consultants shall be entitled to payment only for the actual cost of the work completed in conformity with this Agreement and any other costs actually incurred as are permitted by this Agreement.
13. All claims, disputes and other matters arising out of or relating to this Agreement or the breach hereof shall be governed by the laws of the State of North Carolina.
14. Consultants agree, on behalf of Town, to comply with the requirements of the Fair Credit Reporting Act. Consultants agree to give notice to and obtain written authorization from every applicant prior to conducting any background investigation on said applicant.
15. This Agreement is intended by the parties hereto to be the final expression of their Agreement, and it constitutes the full and entire understanding between the parties with respect to the subject hereof, notwithstanding any representations, statements, or agreements to the contrary heretofore made.

WITNESS:

DEVELOPMENTAL ASSOCIATES,
LLC.

Vendor Number _____

Recommended by: _____
Town Manager

This instrument has been pre-audited in the manner required
by the Local Government Budget and Fiscal Control Act.

Finance Officer

APPROVED AS TO FORM:

Town Attorney

ATTEST:

TOWN OF WAYNESVILLE

By: _____
Town Clerk

By: _____
Town Manager